

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
MARCH 6, 2007**

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene City Hall March 6, 2007 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Mike Kennedy)	Members of Council Present
Woody McEvers)	
A. J. Al Hassell, III)	
Dixie Reid)	
Loren Ron Edinger)	
Deanna Goodlander)	

CALL TO ORDER: The meeting was called to order by Mayor Bloem.

INVOCATION was led Reverend Ron Hunter, Church of the Nazarene.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilman Goodlander.

PRESENTATION: LIBRARY ARTWORK UPDATE: Renata McLeod, Project Coordinator and Steve Anthony, Arts Commission Liaison, presented a brief video by artist Tim Prentice on the proposed artwork for the new Library building. Mrs. McLeod reported that the Art Commission had budgeted \$100,000 with the proposed art piece coming in at \$75,000. Arts Commission Chairman Elisabeth Garland requested the Council consider the art piece as endorsed by the Arts Commission. Steve Anthony reported that this piece of artwork will be installed prior to the opening of the Library. Councilman Goodlander commended the selection committee for their work in the process of choosing artwork for the Library facility.

MOTION: Motion by Goodlander, seconded by Edinger to approve the artwork as recommended for the Library and direct staff to negotiate an agreement with the artist. Motion carried.

PUBLIC COMMENTS:

IRONMAN COURSE: Dave Patzer, 2458 E. Nettleton Gulch Road, voiced his concern of routing the Ford Ironman Bike Course on Government Way as he believes it will negatively impact the businesses along Government Way. Ray Grannis, owner of a business located at 1932 Government Way, also voiced his opposition to having the Bike course on Government Way. Jonathan Coe, 5758 St. Germaine Court, representing the

Chamber of Commerce, believes that the proposed route is the best route for the bicyclists. He also noted that the Ford Ironman event has brought approximately \$8,000,000 in revenue to the businesses of this community each year. He asked the Council to approve the proposed course. In response to Councilman Kennedy's question, Mr. Coe responded that the other routes reviewed included 15th Street, and 4th Street and it was determined that this was the best route north. Mr. Coe also noted that Government Way will not be entirely closed but only the center lanes will be used for the cyclists. Chris Copstead, 502 N. 20th Coeur d'Alene, noted that this route does allow access to the businesses along Government Way. Additionally, in regard to the concern of emergency vehicle access, that access will be allowed to those vehicles. Melanie Hougham 3780 Fairway Drive, spoke in support of Ironman and the economic benefit to our community. Tammy Crawford, 408 E. Ichabod Lane, spoke in support of the new bike route and supported having the Ford Ironman event in Coeur d'Alene.

MOTION: Motion by Edinger, seconded by Reid to bring this item forward on the agenda. Motion carried.

IRONMAN BIKE ROUTE: Andy Emberton, Ford Ironman Coeur d'Alene Race Director, presented the proposed route for the race. He noted that the cities of Dalton Gardens, Hayden and Hayden Lake had met with the Ford Ironman Race officials and discussed the move of the Ironman route north through their cities. He also noted that any route must be on the east side of US 95 as ITD will not allow any crossing of US 95. In response to Councilman Edinger's question, Mr. Emberton confirmed that the Kootenai County Sheriff's Office has signed off on this route. Mr. Emberton noted that a total of 65 signs notifying the public of the traffic closures will be posted. He also noted that Ironman distributed over 5,000 flyers of the proposed street closures last year and anticipates distributing even more this year. Police Sgt. Lee Brainard confirmed that they have looked at several north-south routes and believe that this is the safest route for not only the racers but also for traffic. He noted that one of the main access routes for the Police Department in responding to calls on the east side of town is I-90. Councilman Edinger asked Jonathan Coe if the businesses had been informed prior to determining the route. Jonathan responded that it is extremely difficult to contact each business individually, but rather they have gotten the word out through newsletters and newspaper articles. Motion by Goodlander, seconded by Edinger to approve the 2007 Ford Ironman Bike Course as submitted. Motion carried.

CONSENT CALENDAR: Motion by Reid, seconded by Kennedy to approve the Consent Calendar as presented.

1. Approval of minutes for February 20, 23, 2007.
2. Setting the Public Works Committee and General Services Committee meetings for March 12, 2007 at 4:00 p.m.
3. RESOLUTION 07-017: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR THE 2007 OVERLAY PROJECT, WITH POE ASPHALT ITS PRINCIPAL PLACE OF BUSINESS AT 2732 N. BECK ROAD, POST FALLS, IDAHO 83854.

4. Approval of beer/wine license for Fisherman's Market at 215 W. Kathleen. Adding liquor to beer/wine licenses for Paddy's Sports Bar and Fort Grounds Grill.
5. Approval of Cemetery lot transfer from Esther Bariel to Robert Bariel.
6. Final Plat Approvals: SS-23-06 for Daniel Condominiums, SS-1-07 for Leslie Condominiums, and SS-2-07 for Idaho Pacific West, LLC Condos.

ROLL CALL: Goodlander, Aye; Kennedy, Aye, McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

COUNCIL ANNOUNCEMENTS:

COUNCILMAN GOODLANDER: Councilman Goodlander announced that she had volunteered at the Film Festival last weekend which went very well and the organizers will be coming back next year. She noted that she viewed one documentary that followed the lives of two young boys who worked in the silver mines in Bolivia.

COUNCILMAN REID: Councilman Reid announced that Milton Creagh will be in town to talk about the substance abuse problem in our community. Mr. Creagh will be speaking at the Altar Church at 7th and Best on March 22nd, at no charge to the public. She invited residents of all ages to attend this very important presentation.

MAYOR BLOEM: Mayor Bloem welcomed the newest members of her family - her twin grandsons. She also congratulated the Charter Academy for winning 3rd place at the Idaho State A-1 Boys Basketball Tournament. She announced that the first Town Hall meeting will be hosted at City hall this Saturday with Senator Goedde and Representative George Sayler.

COMMITTEE APPOINTMENT: Motion by Edinger, seconded by Kennedy to appoint Mr. Kay Nelson to the Jewett House Advisory Board. Motion carried.

ORDINANCE NO.3286
COUNCIL BILL NO. 07-1007

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING MUNICIPAL CODE SECTION 8.12.020 TO REQUIRE A PERMIT ISSUED BY THE FIRE DEPARTMENT FOR SPECIAL FIREWORKS; AMENDING SECTION 8.12.030 TO SET HOURS OF OPERATION FOR FIREWORK STANDS; AMENDING SECTION 8.12.040 TO ESTABLISH PERMIT REQUIREMENTS FOR FIREWORK STANDS; AMENDING SECTION 8.12.050 TO REQUIRE FIREWORK STAND OPERATORS TO POST NO SMOKING SIGNS, CLEAR FLAMMABLE WEEDS AND GRASS AROUND STAND AND TO PROVIDE A SELF CONTAINED LIVING UNIT FOR EMPLOYEES; AMENDING SECTION 8.12.110 TO PROHIBIT FIREWORKS ON PUBLIC PROPERTY; ADOPTING A NEW SECTION 8.12.120 TO PROVIDE THAT ANY VIOLATION OF CHAPTER 8.12 SHALL BE PUNISHABLE AS A MISDEMEANOR

WITH A FINE OF NOT MORE THAN \$1,000 OR BY IMPRISONMENT NOT TO EXCEED 180 DAYS OR BOTH; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

STAFF REPORT: Kathy Lewis, Deputy City Clerk, reviewed the proposed housekeeping changes to fireworks stands permits.

Motion by Goodlander, seconded by Hassell to pass the first reading of Council Bill No. 07-1007.

ROLL CALL: Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

Motion by Hassell, seconded by Edinger to suspend the rules and to adopt Council Bill No. 07-1007 by its having had one reading by title only.

ROLL CALL: Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

REVISED SIGN CODE: Kathy Lewis, Deputy City Clerk, presented the members of the Sign Board and then reviewed the proposed new Sign Code. Councilman Hassell complimented the new proposed sign code in that it provides for clear examples of acceptable signage. Councilman McEvers complimented the Committee for all their work on the new Sign Code. Motion by Goodlander, seconded by Edinger to approve the proposed amendments to the Municipal Code Chapter 15.24 including the amendments as recommended by the General Services Committee and direct staff to prepare an ordinance. Motion carried.

RESOLUTION NO. 07-018

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A STATE AND LOCAL AGREEMENT FOR THE ATLAS BIKE PATH EXTENSION, WITH THE IDAHO TRANSPORTATION DEPARTMENT ITS PRINCIPAL PLACE OF BUSINESS AT 3311 W. STATE STREET – P.O. BOX 7129, BOISE, IDAHO 83707-1129.

STAFF REPORT: Doug Eastwood explained that the proposed State-Local agreement is for the creation of a connection of the City's bike trail system at Atlas Road under the I-90 overpass.

Motion by Edinger, seconded by Hassell to adopt Resolution 07-018.

ROLL CALL: Kennedy, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

RESOLUTION 07-019

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONTRACT FOR EMPLOYEE CONSULTING SERVICES WITH DAVID AND KATHERINE MCKEOWN, HUSBAND AND WIFE

Motion by Reid, seconded by Kennedy to adopt Resolution 07-019.

ROLL CALL: McEvers, Aye, Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye. Motion carried.

RESOLUTION NO. 07-020

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ASSIGNMENT OF LICENSE TO USE THE NORTH IDAHO CENTENNIAL TRAIL FOUNDATION PROPERTY FOR A HAUL ROAD AGREEMENT, WITH ROBERT B. GOEBEL GENERAL CONTRACTORS, INC., ACI NORTHWEST, INC., AND THE NORTH IDAHO CENTENNIAL TRAIL FOUNDATION.

STAFF REPORT: City Attorney Mike Gridley reviewed the proposed agreements under Resolution 07-020 and 07-021 regarding hauling fill dirt to the Kroc Center site.

Motion by Hassell, seconded by Kennedy to adopt Resolution 07-020.

ROLL CALL: Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

RESOLUTION NO. 07-021

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ASSIGNMENT OF LICENSE TO ENTER HAWK'S NEST SITE TO REMOVE STRUCTURAL FILL MATERIAL AGREEMENT WITH ROBERT B. GOEBEL GENERAL CONTRACTORS, INC. AND ACI NORTHWEST, INC.

Motion by Hassell, seconded by Kennedy to adopt Resolution 07-021.

ROLL CALL: Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye. Motion carried

PUBLIC HEARING – V-06-6 – VACATION OF EXISTING EMERGENCY ACCESS EASEMENT IN GRAYSTONE SUBDIVISION: Mayor Bloem read the rules of order for this public hearing. Gordon Dobler, Engineering Services Director,

gave the staff report.

Mr. Dobler reported that Wade Jacklin, representing the owners of the property located at Lot 8, Block 1, Graystone Subdivision, is requesting vacation and relocation of the emergency access easement adjoining the southerly boundary of their property. The existing 20' easement is currently platted entirely on Lot 9, Block 1 of the development. The noted easement also contains a utility transformer, phone boxes and large trees which would drastically limit its effectiveness if needed. The applicant is proposing a new easement to replace the one that was platted that would be more effective, clear of obstacles and centered on the common property line between Lots 8 and 9. The property owners adjoining the existing easement have dedicated and recorded a new easement that is "centered" on the common lot line between Lots 8 and 9. This easement as the original, is not intended to have any "roadway" or hard surface application, it is solely as a documented easement that would allow legal access in case of emergency.

He noted that a total of 18 notices were mailed for this public hearing with a total of 8 responses being received - 3 in favor, 2 opposed and 2 neutral and 1 with no position being received. Written comments were distributed for Council review.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being received.

MOTION: Motion by Kennedy, seconded by Reid to approve the vacation of the existing emergency access easement in Graystone Subdivision.

ROLL CALL: Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye. Motion carried.

PUBLIC HEARING – AMENDING ANIMAL CONTROL FEES: Mayor Bloem read the rules of order for this public hearing. Captain Steve Childers gave the staff report.

Captain Childers reported that staff is requesting amending the current animal control fees to cover the actual cost of boarding an animal impounded by the Animal Control Officer as follows:

1. Increase the processing fee for impounding an animal from \$10.00 to \$20.00
2. Increase the animal housing fee from \$10.00 a day to \$20.00 a day
3. Increase the fee for each additional violation within a twelve month period the owner shall be assessed, from an additional \$10.00 process fee to an additional \$20.00 processing fee.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being received.

RESOLUTION NO. 07-022

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING ANIMAL CONTROL PROCESSING FEES.

Motion by Edinger, seconded by Hassell to adopt Resolution 07-022.

ROLL CALL: Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

RESOLUTION NO. 07-023

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR TEMPORARY DOG SHELTERING, WITH THE CITY OF POST FALLS.

Motion by Hassell, seconded by Goodlander to adopt Resolution 07-023.

ROLL CALL: Hassell, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Goodlander, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Reid, seconded by Hassell to enter into Executive Session as provided by Idaho Code 67-2345 SUBSECTION A: To consider hiring a public officer, employee, staff member or individual agent; SUBSECTION C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property, which is not owned by a public agency; and SUBSECTION F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

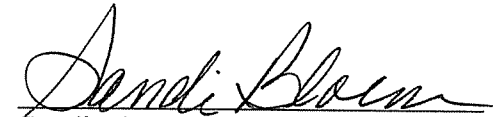
ROLL CALL: Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

The Council entered into Executive Session at 8:15 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney. Matters discussed were those of labor negotiations, personnel, property acquisition and litigation.

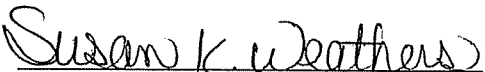
No action was taken and the Council returned to regular session at 9:28 p.m.

ADJOURNMENT: Motion by Kennedy, seconded by Edinger that there being no further business, this meeting adjourn. Motion carried.

The meeting adjourned at 9:28 p.m.


Sandi Bloem, Mayor

ATTEST:


Susan K. Weathers, CMC, City Clerk