

**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 20, 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 20, 2007 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

Ron Edinger) Members of Council Absent

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

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

PRESENTATION: "TRANSFERRING OWNERSHIP OF THE COEUR D'ALENE FEDERAL BUILDING: THE PROCESS": Blaine Hastings and Craig Keenan, substituting for Dee Jump, Special Projects, General Services Administration (GSA), made a presentation regarding the process involved in transferring ownership of the Coeur d'Alene Federal Building. Mr. Keenan provided background information regarding the federal courthouse. The building was constructed in 1928 and includes four stories above ground and one story below. It is listed on the National Register of Historic Places. It originally served as a postal facility, but since 1963 it has served primarily as a U.S. courthouse. The court family has outgrown the building and it also has some security deficiencies. For that reason the GSA began a series of discussions and conducted a feasibility study which resulted in the construction of a brand new building, located adjacent to Hecla Mining. The GSA determined that there wasn't enough federal clientele to retain the building so they started the disposal process to find a better or more suitable use. Mr. Hastings introduced himself and stated that he is a member of the real estate disposal office in the Northwest region. The disposal process allows the community to participate in the disposition of the building. They are trying to determine if there is a public use for the property. The process will probably take until the end of the year to complete, but they wouldn't be looking at a transfer prior to completion of the new building.

Councilman Kennedy asked what would happen if the city were to find a public use for the building but it didn't occupy the entire square footage. Mr. Hastings indicated that

the discount would still apply but it would be adjusted depending on the amount of square footage used.

Councilman Goodlander asked how the building could be changed to make it more useful. Mr. Hastings explained that the building will be transferred with the requirement that the historic quality of the building be maintained. Any changes would have to be applied for through the State Historical Office or the National Parks Service.

Mayor Bloem asked if the conveyance would be for life. Mr. Hastings responded that some usages do have a time limit but, in general, the conveyance is for life. Mayor Bloem asked what would happen if the city chose to not use the property any longer. Mr. Hastings indicated that it would be returned to the GSA. Mayor Bloem also asked if two entities could partner on the building. Mr. Hastings responded that they could. Mayor Bloem thanked Mr. Hastings and Mr. Keenan for their presentation.

PUBLIC COMMENTS:

VICIOUS DOGS: Cari D. Elmore, 1907 N. 9th Street stated that on March 5th, at 5:54 a.m., she heard her cat howling and dogs growling, and discovered that two pit bulls had taken her cat and run off with it. She called the Police Department and went in search of her cat. During her search, at Homestead and 7th, she found one of the dogs and was concerned for the safety of a school child so she pulled her car in front of the dog to block it from access to the child. She later found her cat dead and provided pictures to the Council. After her cat's death, she went on the internet and found that pit bulls are the #1 biters and murderers of all the dog breeds. Twenty people a year are killed by dogs. She is hoping that the ordinance can be changed to prevent pit bulls within the city limits. As a result of her cat's death, she has installed two more feet of chain link fence in her yard for protection. She encouraged the city to pass "Thomas' Law" named after her cat.

LAKE CITY DEVELOPMENT CORPORATION: Tony Berns, Executive Director of Lake City Development Corporation, 816 Sherman Avenue, Coeur d'Alene, presented written comments to the Council. He indicated that he felt it was important that the City Council receive factual information regarding LCDC in response to Mary Souza's "City Pulse" column in the Coeur d'Alene Press. Ms. Souza's statement that most of the development in the area is being funded by LCDC is wrong. Mr. Berns further stated that LCDC's ability to levy public funds with private equity has been very successful. Since 1997, LCDC has partnered with private developers on 18 projects. Approximately \$14M of funds have been committed or leveraged. The LCDC creates value for the community through public/private partnerships but also provides assistance for public projects that add value to the city.

Councilman Reid asked Mr. Berns to define the boundaries of the district so that people understand that there are many areas in town where there are buildings going up that LCDC has no involvement in. Mr. Berns explained the boundaries of the three urban renewal districts.

Councilman Goodlander stated that it is good to clear the air. Urban Renewal is a complex issue and it helps when people can see it in simple terms. Councilman Hassell stated that it is also important to note that these are public improvements – things that might not otherwise be completed such as parks, trails, etc. The buildings are not paid for by LCDC. It is strictly the public improvements.

Mr. Berns stated that all of the projects are funded by participation agreements – the developer pays for the public improvements and LCDC reimburses them over time with property taxes generated by that development. He further stated that one of the benefits of LCDC public/private partnerships is that LCDC does have some leverage over what the project will look like.

Councilman Kennedy noted that the Library, Kroc Center, and the 5 mile Union Pacific trail would likely not have happened without the participation of the LCDC.

VICIOUS DOGS: Jonathan Stout, 1909 N. 9th Street, stated that the purpose of pit bulls as a breed has been to kill. There are other ways to defend oneself in a situation other than with a pit bull. A pit bull is uncontrollable. Mr. Stout has three children and requested that something be done to the city ordinances to ban pit bulls within the city limits before something happens to children or people of the community. It reflects badly on the community. Mr. Stout stated that in about 90% of the instances that he has seen in his neighborhood, pit bulls are roaming the street and not on a leash. He further stated that he believes that requiring leashes will do nothing.

Captain Steve Childers of the Police Department stated that concerned citizens should call the Police Department at 769-2320 and follow the menu prompts to reach Animal Control if they have concerns about vicious dogs. The city's Animal Control Officer, Debbie Slater, works during business hours, so citizens should leave a voice mail message for her and she will call them back. If not during business hours, citizens can go right through to dispatch and have an officer come out.

Councilman Reid stated that one of the problems in passing an ordinance banning pit bulls is that the city does not have any way to locate the animals. She suggested having staff research the issue. Councilman Hassell suggested that staff start by checking with insurance companies for a list of breeds that they consider dangerous and start with that list.

MOTION: Motion by Kennedy, seconded by Reid, to direct staff to review the animal control ordinance regarding vicious dogs and make a recommendation to Council. All in favor. Motion carried.

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

1. Approval of minutes for March 2, 2007 and March 6, 2007.
2. Setting the Public Works Committee and General Services Committee

meetings for March 26, 2007 at 4:00 p.m.

3. RESOLUTION 07-024: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVAL OF BID AWARD AND CONTRACT WITH INTERSTATE CONCRETE & ASPHALT, COMPANY FOR THE RAMSEY ROAD RECONSTRUCTION PROJECT; APPROVAL OF AVISTA ENERGY EFFICIENCY AGREEMENT; APPROVAL OF S-3-06 ACCEPTANCE OF IMPROVEMENTS AND MAINTENANCE / WARRANTY AGREEMENT FOR HAWK'S NEST SUBDIVISION; APPROVAL OF S-1-05 ACCEPTANCE OF IMPROVEMENTS AND MAINTENANCE / WARRANTY AGREEMENT FOR RIVERSTONE WEST SUBDIVISION AND DECLARING A LIBRARY COPIER AS SURPLUS WITH NO VALUE AND AUTHORIZING STAFF TO DISPOSE OF MACHINE.
4. Approval of Grant Application for a Special Needs Recreation Van through KMPO/PAC
5. Approval of Bills as Submitted and on file in the City Clerk's Office
6. Purchase of a 2-Ton Cab and Chassis De-Icer Truck with Plow for Streets Department

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

COUNCIL ANNOUNCEMENTS:

COUNCILMAN REID: Councilman Reid stated that it is an exciting week in that Milton Creagh will be in Coeur d'Alene this Thursday. He will be speaking to the Coeur d'Alene High School at 1:30 p.m. on Thursday, and the Altar Church, 901 Best, will be hosting a free dinner for people who are addicted or homeless at 5:00 p.m., and a free community event at 7:00 p.m. On Friday, Mr. Creagh will be speaking to LCHS at 9:30 a.m., the CDA Rotary Club at Noon, and the Juvenile Detention Center at 2:00 p.m. She encouraged everyone to come out and get involved because each and every person in this community is affected by drugs.

COUNCILMAN KENNEDY: Councilman Kennedy recognized the presence of Boy Scout Troop 202, led by Library Communications Director David Townsend.

COUNCILMAN GOODLANDER: Councilman Goodlander stated that she attended the Human Rights Banquet last night, and enjoyed the powerful talk by Francis Bok regarding slavery. Mr. Bok talked about America and how grateful he is to our country for helping his native country, Sudan. Councilman Goodlander stated that there are 27 million people worldwide today who are enslaved and we should all be grateful for our country and the opportunities we are given. She praised the Human Rights Foundation for the great job they are doing in educating the public.

BMX FREESTYLE PARK: Monte McCully, Trails Coordinator, introduced himself as the liaison to the BMX user group. The BMX group would like the city's ordinance that prohibits BMX from a section adjacent to the skate park to be changed. That section was previously set aside for inline skating but that user group has not used it. Mr. McCully further discussed the plans for the BMX area, which consist of two phases of construction that could be accomplished in steps and over a few years. The user group would be willing to take over stewardship when it is completed.

Councilman Reid asked about possible conflicts between the two user groups. Mr. McCully stated that he doesn't foresee much conflict if both groups have their own space. Councilman McEvers stated that he felt the BMX user group should put up some of the money and spoke in support of the project.

MOTION: Motion by Hassell, seconded by Goodlander, to direct staff to prepare an ordinance amending Municipal Code 10.40.030, Section D in order to allow bicycles in a paved, rectangular portion of Memorial Park adjacent to the Skate Park. Motion carried.

RESOLUTION NO. 07-025

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A MEMORANDUM OF AGREEMENT WITH THE CITY OF COEUR D' ALENE, THE LAKE CITY DEVELOPMENT CORPORATION, THE HUMAN RIGHTS EDUCATION INSTITUTE, INC., THE COEUR D' ALENE PUBLIC LIBRARY FOUNDATION, INC. AND THE PANHANDLE AREA COUNCIL REGARDING THE DEVELOPMENT OF A SHARED GRANT WRITER PROGRAM.

STAFF REPORT: Victoria Bruno, Project Coordinator, stated that since 2003 the City has funded a grantwriter position in partnership with the Human Rights Foundation and LCDC. At the end of 2003, the process and relationship was so beneficial that they were joined by the Coeur d'Alene Public Library Foundation and PAC as partners. The City of Coeur d'Alene has had the pleasure of having had its most successful year yet. The total amount that the city received in grants was \$60,518,261, including the Ray & Joan Kroc Corp Community Center, and the total amount of grants received for the year for all of the partners was \$61,799,813. Because of the City's success this year and the terms of the Memorandum of Agreement, the City will be paying 99.46% for the grantwriter position this year.

Councilman Reid expressed appreciation for Elaine Smith (the grantwriter), LCDC, and the city staff for all that they have done to make this a successful year.

MOTION: Motion by Hassell, seconded by Reid, to adopt Resolution 07-025.

ROLL CALL: Kennedy, Aye; McEvers, Aye; Reid, Aye; Hassell, Aye; Goodlander, (not present). Motion carried.

RESOLUTION NO. 07-026

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A POLICY FOR GUIDELINES GOVERNING THE REMOVAL AND RECONSTRUCTION OF SIDEWALKS FOR ACCESSIBILITY COMPLIANCE.

STAFF REPORT: Councilman Reid commented that sidewalk repair is the responsibility of the property owner and the City is working to comply with ADA requirements. Gordon Dobler, Engineering Services Director, stated that once the notification letter goes out to the property owners, contact information for questions will be provided.

MOTION: Motion by Reid, seconded by Hassell, to adopt Resolution 07-026.

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

**ORDINANCE NO. 3287
COUNCIL BILL NO. 07-1009**

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-17 TO C-17L AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: THE EAST 24.33 FEET OF LOT 12, BLOCK 13, GLENMORE ADDITION AND THE PORTION OF ALLEY ADJOINING THE EAST 24.33 FEET OF LOT 12, VACATED BY ORDINANCE 842 IN THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 50N, RANGE 3W, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; 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.

MOTION: Motion by Reid, seconded by McEvers, to pass the first reading of Council Bill no. 07-1009.

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

Councilman Goodlander excused herself from the meeting at 7:21 p.m.

MOTION: Motion by Kennedy, seconded by Hassell, to suspend the rules and to adopt Council Bill No. 07-1009 by its having had one reading by title only.

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

ORDINANCE NO. 3288
COUNCIL BILL NO. 07-1011

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING CHAPTER 17.04 AND SECTIONS 17.06.470 AND 17.06.490; AMENDING SECTIONS 17.02.030 AND 17.02.055 TO ESTABLISH UNIFORM DEFINITIONS OF ACCESSORY DWELLING UNITS AND FLOOR AREA RATIO AND TO AMEND THE DEFINITION OF FLOOR AREA; AMENDING TITLE 17 TO REPEAL THE CLUSTER HOUSING USE AND REPLACE IT WITH POCKET RESIDENTIAL HOUSING; AMENDING CHAPTER 17.05 TO ALLOW ACCESSORY DWELLING UNITS AS AN ACCESSORY USE IN ALL RESIDENTIAL AND COMMERCIAL ZONING DISTRICTS AND TO ALLOW POCKET RESIDENTIAL DEVELOPMENT AS A PERMITTED USE IN THE R-8, R-12, R-17, C-17L AND C-17 ZONES; AMENDING CHAPTER 17.05 TO ROUND HEIGHT LIMITS UP TO A WHOLE NUMBER, CLARIFY MINIMUM YARD REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS, DETERMINE MINIMUM DISTANCE BETWEEN RESIDENTIAL BUILDINGS ON THE SAME LOT BY REFERENCE TO THE BUILDING CODE AND TO LIMIT THE HEIGHT OF ACCESSORY STRUCTURES IN THE R-3, R-5, R-8 R-12, R-17, R-34 AND MH-8 ZONES TO 14 OR 18 FEET DEPENDING ON ROOF SLOPE; ADOPTING NEW SECTIONS 17.05.1000 THROUGH 17.05.1270 TO ESTABLISH A NEW NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AND A COMMUNITY COMMERCIAL ZONING DISTRICT INCLUDING PERMITTED AND PROHIBITED USES, MAXIMUM BUILDING HEIGHTS AND FLOOR AREA, MINIMUM PARKING, SETBACK, SCREENING AND LANDSCAPING REQUIREMENTS, DESIGN STANDARDS AND LIMITED HOURS OF OPERATION; ADOPTING NEW SECTIONS 17.06.650 THROUGH 17.06.820 TO ESTABLISH REGULATIONS OF ACCESSORY DWELLING UNITS INCLUDING PERMITTING AND ENFORCEMENT REQUIREMENTS, MAXIMUM BUILDING HEIGHT, SETBACKS, PARKING OWNER OCCUPANCY NUMBER OF OCCUPANTS, SIZE AND SCALE OF THE STRUCTURE, LOCATION OF THE STRUCTURE ON THE LOT, ENTRANCES, ADDITIONS AND CONVERSION OF EXISTING STRUCTURES; ADOPTING A NEW ARTICLE IX IN CHAPTER 17.07 TO AUTHORIZE POCKET

RESIDENTIAL DEVELOPMENT INCLUDING REGULATION OF BUILDING HEIGHT, MAXIMUM LOT COVERAGE, SETBACKS, MINIMUM AND MAXIMUM SITE SIZE, DENSITY, ZERO STREET FRONTAGE THROUGH SUBDIVISION PROCESS, PARKING, OPEN SPACE AND ESTABLISHING DESIGN GUIDELINES FOR GROUND LEVEL ACCESS, PARKING LOTS, LIGHTING, FENCING, ACCEPTABLE BUILDING MATERIALS AND ROOF PITCH; 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.

MOTION: Motion by Hassell, seconded by Kennedy, to pass the first reading of Council Bill no. 07-1011.

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

MOTION: Motion by Reid, seconded by Hassell, to suspend the rules and to adopt Council Bill No. 07-1011 by its having had one reading by title only.

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

RESOLUTION NO. 07-027

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CITY OF COEUR D'ALENE PERSONNEL RULES MANUAL BY AMENDING RULE XVIII, TO INCLUDE THE FOLLOWING REPEAL SECTION 1 ENTITLED "INVENTORY AND IDENTIFICATION OF PROPERTY," REPEAL SECTION 2 ENTITLED "ASSIGNMENT OF INVENTORIED PROPERTY," REPEAL SECTION 3 ENTITLED "INTER DEPARTMENTAL TRANSFER" AS THESE ARE RESPONSIBILITIES OF THE FINANCE DEPARTMENT AND FUNCTIONS OF THE ANNUAL AUDIT THAT ARE MANAGED BY SEPARATE DEPARTMENT POLICY; TO RENUMBER AND CREATE NEW SECTIONS FOLLOWING THE REPEAL AS FOLLOWS: CREATE SECTION 1, ENTITLED "PURPOSE/INTENT" TO SET THE INTENT OF THE RULE; AMEND SECTION 2, ENTITLED "EMPLOYEES NOT TO BE PART TO PURCHASE OR SALE OF PROPERTY" TO REFLECT CURRENT LEGAL STANDARDS; RENUMBER SECTION 3, ENTITLED "USE OF CITY PROPERTY"; CREATE SECTION 4 ENTITLED "USE OF ELECTRONIC COMMUNICATION EQUIPMENT" TO PROVIDE CLEAR REGULATIONS REGARDING USE OF CITY ELECTRONIC COMMUNICATION EQUIPMENT; RENUMBER SECTION 5, ENTITLED "MODIFICATION OF CITY PROPERTY"; TO CREATE SECTION 6 ENTITLED "PRIVACY ADVISORY" TO CLARIFY CITY PRIVACY POLICY.

MOTION: Motion by Reid, seconded by Kennedy, to adopt Resolution 07-027.

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

PUBLIC HEARING – ZC-2-07 – ZONE CHANGE AT 3514 N. FRUITLAND

LANE: Mayor Bloem read the rules of order for this quasi-judicial public hearing. No conflict of interest was declared by any Council member. Associate Planner John Stamos gave the staff report. Mr. Stamos indicated that the property is located at 3514 North Fruitland Lane, just north of Neider Avenue, east of Highway 95, and west of Fruitland lane. The request is for two different zoning districts – C-17 and R-12. The zoning at this time is MH-8. The property is a 3 ½ acre parcel. Mr. Stamos went on to give the staff analysis for land use, zoning, utilities, and traffic/streets. He reported that the Planning Commission heard and approved the request on February 13, 2007, by a 4-0 vote. There were conditions that were requested and approved by the planning commission. He stated that the Comprehensive Plan for this area is “transition.” Highway 95 designated as a high intensity corridor where commercial use is encouraged as well as high density residences. He noted that 76 notices of this public hearing were mailed to all property owners of record within 300’ of the subject property, with 4 responses being received, one in favor, and 3 opposed. Written comments were distributed for Council review.

PUBLIC COMMENTS: Dick Stauffer, 4144 French Gulch, spoke in support of the zone change. He stated that he understands the need to protect established neighborhoods from commercial development, but the property is also Highway 95 frontage and is, therefore, not suitable for residential development. There are three issues: (1) access – the adjacent property owners have come to an agreement to allow appropriate approved access on Neider. It has been reviewed by the engineering department and still needs to be formalized. The second issue is that the stable, established mobile home park needs to be protected. They are providing a vegetative buffer, fence, and trees. The third issue is that the residential activity fronts on Fruitland Avenue. The R-12 portion would be about 150 feet deep, which would be a typical residential situation and would probably be appropriate for about three 4-plexes. This would allow underutilized and undeveloped property to be utilized. Mr. Stauffer further stated that the primary commercial traffic would be on Neider.

MOTION: Motion by Reid, seconded by Hassell, to approve the requested zone change at 3514 N. Fruitland Lane and to adopt the Findings and Order of the Planning, with the exception that that the conditions suggested by the Planning Commission be modified as follows: Condition #'s 1-4, and 6 are adopted, but Condition #5 is modified to require that the north property line have a 6 foot fence and a 5 foot vegetative buffer.

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

PUBLIC HEARING – A-1-07 – ANNEXATION AND ZONING AT 7677 N.

RAMSEY ROAD: Mayor Bloem read the rules of order for this public hearing. John Stamos, Associate Planner, gave the staff report. Mr. Stamos noted that the property location is 7677 N. Ramsey Road and the request is for R-8 zoning. The land consists of approximately 5.19 acres. Mr. Stamos went on to give the staff analysis for land use,

zoning, utilities and traffic/streets. The area is a “transition” area according to the Comprehensive Plan. Six notices were mailed out to adjacent property owners on March 2nd, with no responses being received. No conditions were recommended by the Planning Commission.

Councilman McEvers questioned the use of the Hayden Lake Irrigation District and Coeur d’Alene city sewer. Mr. Stamos explained that the city requires the developer to provide a letter from the Hayden Lake Irrigation District stating that they can adequately serve the property and that the infrastructure would be built to city standards.

PUBLIC COMMENTS: Carey Hagen, Tate Engineering, 15940 W. Summerfield, Post Falls, asked for questions from Council. Councilman Hassell stated that the original documents that were submitted indicated that townhomes were to be built on the property and that it appears now that single family residences will be built. Mr. Hagen responded that single family residences appear to work better for this subdivision and they are not proposing townhome units at this time. Councilman Kennedy asked if the developer intended to continue the bike path up Ramsey Road heading north. Mr. Stamos responded that those issues would be discussed by the Planning Commission next month during their preliminary plan phase.

Sean McCoy, 2028 Twinkling Star, Post Falls stated that the decision to build single family residences was based upon the market. They are looking at homes in the \$200,000 range based upon the median income in the area. In regard to the bike path, Lakes Highway District required that they give up 30 or 50 feet on Ramsey road to accommodate the new 5 lanes and the bike path.

Matt Smith, 702 Shoreline Court, Post Falls, went on record in favor of the zoning change, but did not wish to testify.

James Smith, 5163 E. Shoreline Drive, Post Falls, went on record in favor of the zoning change, but did not wish to testify.

MOTION: Motion by Reid, seconded by McEvers, to approve the requested annexation and zoning, to adopt the Findings and Order of the Planning Commission, and to direct staff to negotiate an annexation agreement.

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

EXECUTIVE SESSION: Motion by Reid, seconded by Kennedy, to enter into Executive Session as provided by Idaho Code 67-2345 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: Hassell, Aye; Goodlander, Aye; Kennedy; Aye; McEvers; Aye; Reid, Aye; Edinger; 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 pending litigation.

No action was taken and the Council returned to regular session at 8:37 p.m.

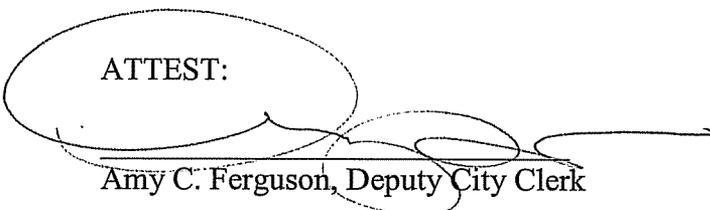
MOTION: Motion by Hassell, seconded by Kennedy, to take no action the Tourmey claim. All in favor. Motion carried.

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

The meeting adjourned at 8:37 p.m.


Sandi Bloem, Mayor

ATTEST:


Amy C. Ferguson, Deputy City Clerk