

MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL,  
APRIL 18, 2006

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, April 18, 2006 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Al Hassell	)	Members of Council Present
Woody McEvers	)	
Deanna Goodlander	)	
Mike Kennedy	)	
Loren Edinger	)	
Dixie Reid	)	

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

**INVOCATION:** The invocation was led by Pastor Paul Peabody, Grace Bible Church.

**PLEDGE OF ALLEGIANCE:** Councilman Reid led the pledge of allegiance.

**PROCLAMATION – ARBOR WEEK:** Councilman McEvers read the proclamation whereby Mayor Bloem proclaimed the week of April 24<sup>th</sup> through April 29<sup>th</sup> as “Arbor Week” in the City of Coeur d’Alene. Urban Forestry Student Representative, Amber Hartman, accepted the proclamation. Amber reviewed all the activities planned during this week and invited residents to participate.

**PROCLAMATION – FAIR HOUSING MONTH:** Councilman Kennedy read the proclamation whereby the Mayor has proclaimed the month of April as “Fair Housing” month. Pat Hartman, President of the Cd’A Association of Realtors accepted the proclamation.

**PUBLIC COMMENTS:**

**SEX OFFENDERS HOUSING COMPLAINTS:** Susan Snedaker, 821 Hastings, complained that there is no written policy of what constitutes a complaint with the City and objects to the length of time that the City is taking to work with the resident who is the subject of her continuous complaints. She directed the Council prepare a formal policy of what constitutes a complaint and post it at City Hall and on the City’s web site for all residents to view. Mike Gridley reported that Ms. Snedaker’s initial issue was sex offender housing. The City had contacted the State and the sex offenders were moved out of the house. He noted that Ms. Snedaker next complained that the house was used as a boarding house which is against city code. Since that time Mike and his staff have been working with the owner of the home regarding the issue of this being a boarding house.

The owner then reduced the number of occupants to three and thought he no longer had to apply for a permit to be a boarding house. Since then the City's Development Review Team has reviewed the issue. He noted that the City does not normally remove residents from their homes, and thus we are working with the resident to be a project review with staff to review the possibility of this being a boarding house and the need for a special use permit. Mayor Bloem asked if the City does need to have a specific policy for filing complaints. Mike Gridley noted that it might make sense to create a complaint procedure especially for those that bring their complaints directly to the Council. Bill McCrory, 6065 N. Harcore Dr., complained that although the original complaint made by Susan Snedaker was centered around sex offenders, he believes that the City should have known that it was a boarding house from the beginning and should have been addressing that issue from the beginning. He believes that the current problem is the need for life safety requirements for boarding houses including ADA requirements. He also believes that there should be some form of registration requirement for people staying at these boarding houses.

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

1. Approval of minutes for April 4, 6, 2006.
2. Setting of the Public Works Committee and General Services Committee meetings for April 24, 2006 at 4:00 p.m.
3. RESOLUTION 06-026: 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 S-1-05 FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT FOR RIVERSTONE WEST, LLC; AUTHORIZING THE TRANSFER OF PERMANENT RECORDS TO THE STATE ARCHIVES; APPROVAL OF A THREE-YEAR AGREEMENT RENEWAL WITH XO COMMUNICATIONS FOR CITYWIDE PHONE AND LONG DISTANCE SERVICES; APPROVAL OF A PERMIT AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY (USGS) FOR A SOLAR POWERED GAUGING STATION ON CITY PROPERTY BETWEEN THE WASTEWATER TREATMENT PLANT AND THE SPOKANE RIVER; **A.** APPROVAL OF AN AGREEMENT WITH SPERLE'S INVESTMENTS, INC. FOR THE OPEN TRENCH REPLACEMENT PROJECT, SCHEDULE "A"; **B.** APPROVAL OF AN AGREEMENT WITH BUDDY'S BACKHOE SERVICE, INC. FOR THE OPEN TRENCH REPLACEMENT PROJECT, SCHEDULE "B" AND APPROVAL OF THE DESTRUCTION OF POLICE DEPARTMENT RECORDS.
4. RESOLUTION 06-027: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO TO PUBLICLY SUPPORT THE MISSION AND OBJECTIVES OF ST. VINCENT DE PAUL AND THEIR HOMELESS PROGRAMS AND TO ALLOW THIS DECLARATION OF PUBLIC SUPPORT TO BE USED BY ST. VINCENT DE PAUL TO SATISFY AN APPLICATION REQUIREMENT FOR FEDERAL FUNDING AND TO SUPPORT HOUSING

FOR LOW-INCOME HOMELESS PERSONS IN THE CITY OF COEUR D' ALENE; AUTHORIZING THE MAYOR AND CITY CLERK TO MAKE SUCH DECLARATION FOR, AND ON BEHALF OF, THE CITY OF COEUR D' ALENE AND ITS OFFICERS.

5. Council to take no position on the matter of the Simms Property Annexation/SW Corner of Government Way and Aqua Avenue.
6. Acceptance of water line utility easement from Riverstone West LLC and CPM Development Corporation.
7. Approval of beer/wine license transfer from Michael Fowle to Johnny & Stacey Trejbal at Coffeerville.
8. Approval of cemetery lot transfer from Marie McKinney to Eva R. Gaine.
9. Approval of bills as submitted to and on file in the City Clerk's Office.

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

**COUNCIL COMMENTS:**

**STUDENT REPRESENTATIVES:** Councilman Reid announced that the City is accepting applications from high school juniors to sit on the City's committees, commissions and boards. She encouraged students to get involved with their city government.

**LIBRARY CONSTRUCTION:** Councilman Goodlander announced that construction around City Hall has begun for the new Library. Councilman Edinger expressed his hope that the bids for the construction come in at an amount that the City can handle.

**APPOINTMENTS– PARKS AND RECREATION COMMISSION AND CDATV COMMITTEE:** Motion by Goodlander, seconded by Kennedy to re-appoint Lee Shellman and Scott Cranston to the Parks and Recreation Commission and Bruce Hathaway to a two-year term on the CDATV Committee. Motion carried.

RESOLUTION NO. 06-022

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING POLICIES FOR WATER SERVICE OUTSIDE CITY LIMITS

Motion by Goodlander, seconded by Hassell to adopt Resolution 06-022.

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

**BULK WATER USE PROGRAM:** Motion by Reid, seconded by Kennedy to approve the construction of 6 portable and 3 permanent filling stations for the Water Department

and instruct staff to bring a formal Bulk Water Policy back to the next Public Works Committee Meeting.

RESOLUTION NO. 06-028

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED AGREEMENTS FOR SOLE SOURCE PROCUREMENT OF PILOT TESTING SERVICES AND EQUIPMENT FOR ASSESSING FUTURE WASTEWATER TREATMENT PLANT UPGRADE OPTIONS.

Motion by Reid, seconded by Goodlander to adopt Resolution No. 06-028.

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

**PUBLIC HEARING – A-1-06 – ANNEXATION AND ZONING FOR HAWK’S NEST PROPERTY ADJACENT TO THE LANDINGS AND WATERFORD BETWEEN ATLAS ROAD AND HUETTER ROAD:** Mayor Bloem read the rules of order for this legislative public hearing. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos gave the applicant’s name as Hayden, LLC, the location as approximately a 302-acre parcel located between Atlas and Huetter Roads abutting the south boundary of The Landings at Waterford subdivision, and the reason for the request as annexation in conjunction with an R-8 zoning.

He went on to give the staff analyses for land use, zoning, Comprehensive Plan, utilities, stormwater, traffic & streets. He reported on March 14, 2006 the Planning Commission recommended approval of the proposed zoning and approved the preliminary plat for the 867-lot subdivision. One item for inclusion in a possible annexation agreement was to consider grade separations where bike/pedestrian trails cross a street. Mr. Stamsos noted that on March 31, 2006, 23 notices of tonight’s public hearing were mailed with 0 responses.

**PUBLIC COMMENTS:** John Mueller, applicant, noted that they are requesting an R-8 zoning to provide flexibility in planning the subdivision. He noted that the density works out to be to about 2.9 units per acre. He added that about 55 acres will be set aside for open space including a 6-acre lot for a park. He noted that the developer has worked closely with both Post Falls and Coeur d’Alene School Districts. Mr. Mueller believes that this development has the infrastructure support.

Councilman McEvers asked about double-frontage lots. John Mueller responded that they do have a significant number of double frontage lots, but they will be complying with city regulations including planting more native material such as grasses which

require less maintenance. He also noted that the homeowners association will be asked to maintain the swales. Mike Kennedy asked about the average price for the houses. John believes that they will be of the average home price. Councilman Kennedy asked about the number of school-age children who will be in this development. Mr. Mueller believes that working with the average it would be about 1,600 students. Councilman Kennedy asked about School District 271. Mr. Mueller noted that there was no response from that school district. Councilman Kennedy expressed his fear of the impact on schools this development would have. Mr. Mueller responded that it would be like saying development has an impact on streets so let's stop building. Councilman Kennedy questioned, since the schools do not have impact fees, how will they manage to maintain enough schools for this type of growth. Mr. Mueller noted that if building and growth were stopped, it would force the price of housing out of the reach of the average homeowner. Mr. Mueller said that they will have some lower end housing, but they do not have "workforce housing" in their plans since these plans were developed prior to the city raising the issue of workforce housing. Councilman Edinger asked about the traffic light at Hanley and Atlas and going north on Atlas and if it will have a widened roadway. Mr. Mueller noted that his portion of the road will be widened and then Coeur d'Alene Place will widen their share of the roadway when their development reaches that area. Councilman Edinger noted that during the Planning Commission meeting, Jerry Keenan, Post Falls School District representative, attended that meeting.

**MOTION:** Motion by Reid, seconded by Goodlander to approve the annexation and zoning of R-8, to adopt the Findings and Order of the Planning Commission and to direct staff to negotiate an annexation agreement.

**DISCUSSION:** Councilman Kennedy voiced his concern of the impact this annexation and development would have on the schools. Councilman Reid noted that the City Council has no control over other government entities including schools and the Council needs to decide these types of requests on the merits of what the City can handle as far as infrastructure. Councilman Kennedy asked if the impacts on a school can be a factor in deciding an annexation. Deputy City Attorney Warren Wilson noted that annexations are unique in that the Council can decide an annexation based on any reasonable issue.

**PUBLIC COMMENTS:** Steve Wetzel, 5510 Parkwood Dr., respectfully suggested that Councilman Kennedy take his issues to the School District and not put the developer in the middle of this issue. He believes that any slowing down of annexations will dramatically increase the cost of housing in the City. Councilman Edinger voiced his concern of the lack of response of the School District when these annexations come before the City Council. He also believes that in the near future schools are going to need to ask for State legislation that allows them to impose impact fees for new development. He also believes that development is not paying for itself. John Mueller responded that if the Council talked with the School Districts they would probably find out that the school districts don't mind this type of problem and so he would encourage the Council to press ahead.

**ROLL CALL:** Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, No; McEvers, Aye; Reid, Aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Reid, seconded by McEvers to enter into Executive Session as provided by I.C. 67-2345, Subsection C: to conduct deliberations concerning labor negotiations or to acquire an interest in real property not owned by a public agency; and Subsection F: to consider and advise its legal representatives on pending litigation or where there is a general public awareness of probably litigation.

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

The Council entered into Executive session at 7:47 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator, City Attorney and Finance Director.

Matters discussed were those of property acquisition and litigation. No action was taken and the Council returned to their regular meeting at 8:20 p.m.

**KOZAK CASE:** Motion by Edinger, seconded by Hassell to approve the settlement in the Kozak matter. Motion carried.

**ADJOURNMENT:** Motion by, seconded by that there to recess this meeting to April 19, 2006 at 12:00 noon in the Council Chambers. Motion carried.

The meeting recessed at 8:21 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk