

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
July 3, 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 July 3, 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 by Pastor Paul VanNoy, Candlelight Christian Fellowship.

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

PUBLIC COMMENTS:

4th of JULY PARADE COMPLAINTS: Terry Graham, 3666 Scotch Pine, voiced her objection to banning the firing of a machine gun during tomorrow's 4th of July parade. She believes that guns, gunfire, etc. are a part of this country's heritage. She also objects to the theme of the Chamber's float which is pirates. She requested that the City require all entries in this parade be relevant to the 4th of July. Councilman Reid commented that with the state of our Country and the high risk of terrorism to our nation, the use of gunfire is not appropriate in today's climate. She also communicated her dismay relative to Ms. Graham's derogatory comments regarding the Chamber who worked very hard to put on a family parade. Councilman Goodlander responded to Ms. Graham's comments regarding the Chamber float by noting that the float actually belongs to the Commodores who constructed the float for use in several parades throughout the Northwest.

Dan Gookin, 714 W. Empire, related that the use of the machine gun in last year's parade was very disturbing. However, he believes that there are other entrants in the parade that make disturbing noises such as fire trucks, ambulances, etc. and he would like to see an equitable solution to the level of noise during the parade.

Mike Gridley, City Attorney, explained that the parade is controlled by the person who takes the permit which is the Chamber of Commerce and they determine who is

in the parade and what their qualifications are. He noted that in talking with Jonathan Coe, Mr. Coe noted that he had received several complaints last year about the use of the machine gun during the parade. So, as a result it was determined by the Chamber that it was just not appropriate to fire a machine gun using blanks into the audience along the parade route. Mr. Gridley related that the City does have a noise ordinance which mostly relates to sound amplification. Another potential issue is the "disturbing the peace" laws. He also noted that the parade ordinance did have a clause regarding the banning of weapons within 1,000 feet of a parade due to some issues in previous years. He added that there is a code prohibiting the discharge of firearms within the city limits. Councilman Hassell noted that the banning of weapons and discharge of firearms has been an issue for several years. Councilman McEvers finds it strange that we need to deal with such issues.

KROC SITE HOLE: Larry Spencer, 634 Skyhawk Drive, Spirit Lake, Idaho, questioned the total amount of dirt used to fill the Kroc Center hole, in that the site is still below grade and it has been announced that construction will begin. He suspects that the \$3,000,000 has already been spent and the hole was not filled. He believes that the hole is currently filled with 130,000 cubic yards although the City purchased 160,000 yards of fill material. He hopes that the City Council will make sure that the tax payers' money has not been misused. Troy Tymesen, Finance Director, reported that the fill process has been completed and signed off by the geotechnical engineer. He noted that although he is not sure of the exact number of cubic yards used, the site was never designed to be five feet above grade but in actuality the grade that has been created is what is needed for the construction of the proposed facility. He also noted that the \$3,000,000 was not allocated entirely for the fill dirt but also for the citizens' use of the facility. Mike Gridley noted that the information being spread through the community by Mr. Spencer is not at all accurate, and that funding was in part for the fill dirt, as well as the use of the facility and that the site was never intended to be 5-7' above grade. Mayor Bloem asked Mr. Gridley to respond to some public information being spread that the City Council did not vote on the \$3,000,000. Mr. Gridley noted that the process followed for the distribution of the \$3,000,000 was done legally and was presented to the City Council for their vote. Councilman Hassell also noted that as part of the agreement with the Salvation Army the City has access to some of the facilities for Recreation-sponsored activities such as the use of their gym.

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

1. Approval of minutes for June 19, 2007.
2. Setting the Public Works Committee and General Services Committee meetings for July 9, 2007 at 4:00 p.m.
3. RESOLUTION 07-049: 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 THE DESTRUCTION OF RECORDS FROM THE MUNICIPAL SERVICES DEPARTMENT AND APPROVAL OF

AGREEMENTS FOR RIGHTS-OF-WAY PURCHASE AND ACCEPTANCE OF RIGHTS-OF-WAY ON 15TH STREET BETWEEN HOFFMAN AND COURTNEY AVENUES FOR THE 15TH STREET WIDENING PROJECT.

4. Authorizing staff to advertise for Bids for the Fire Dept. staff vehicles.
5. Authorizing Spencer's Carriage Ride to operate free summer carriage rides in the Downtown area during the summer.
6. Authorizing an outdoor eating establishment encroachment permit for City Perc.
7. Approval of cemetery lot transfers from Paul Martens to Michael Martens and from Vernon and Helen James to Jeffry Wilkins.
8. Approval of beer/wine license for Daisy J's at 210 Sherman Avenue and for Wagner's Hofbrau at 1725 W. Kathleen.

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

COUNCIL ANNOUNCEMENTS:

COUNCILMAN REID: Councilman Reid extended everyone a wish for a happy, safe 4th of July and asked citizens to use safe and sane fireworks.

COUNCILMAN GOODLANDER: Councilman Goodlander announced that her granddaughter's team came in 2nd in the Fast Pitch Tournament last weekend. She also reminded citizens that the Chamber raises the funds for fireworks and urged citizens to contribute to the fireworks fund during tomorrow's parade.

COUNCILMAN EDINGER: Councilman Edinger announced that he and his wife were presented with their 3rd great grandchild this morning. He also noted that his grandson, Devon A division in Justin played in the 3 on 3 "Hoopfest" and he and 3 other fellows won the 14-15 year old division.

COUNCILMAN MC EVERS: Councilman McEvers announced that he has a granddaughter recently joined the Navy. He also is looking forward to riding in the parade tomorrow.

MAYOR BLOEM: Commented that we all know why we celebrate tomorrow and even with all the disparity and differences we are all united in the celebration of our Country.

APPOINTMENTS: Motion by Edinger, seconded by Hassell to appoint Delores Luttrupp to the Jewett House Advisory Board. Motion carried.

ORDINANCE NO. 3303
COUNCIL BILL NO. 07-1023

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-12 (RESIDENTIAL AT 12 UNITS/ACRE) TO NC (NEIGHBORHOOD COMMERCIAL) AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: LOTS 1 AND 2 AND THE SOUTH 2 FEET OF THE EAST 50 FEET OF LOT 3, BESTLAND ANNEX IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, 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 by Edinger, seconded by Reid to pass the first reading of Council Bill No. 07-1023.

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

Motion by Goodlander, seconded by McEvers to suspend the rules and to adopt Council Bill No. 07-1023 by its having had one reading by title only.

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

ORDINANCE NO. 3304
COUNCIL BILL NO. 07-0127

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-12 (RESIDENTIAL AT 12 UNITS/ACRE) TO NC (NEIGHBORHOOD COMMERCIAL) AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: LOT 1 & LOT 2, EXCEPT THE SOUTH 17 FEET OF LOT 2, BLOCK 23, SIMM'S ADDITION TO COEUR D'ALENE IN THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, 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 by Goodlander, seconded by McEvers to pass the first reading of Council Bill No. 07-1027.

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

Motion by Goodlander, seconded by McEvers to suspend the rules and to adopt Council

Bill No. 07-1027 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.

EXECUTIVE SESSION: Motion by Reid, seconded by Kennedy to enter into Executive Session as provided by I.C. 67-2345 SUBSECTION A: To consider hiring a public officer, employee, staff member or individual agent. ROLL CALL: McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye. Motion carried.


The Council entered into Executive Session at 6:53 p.m. Those present were the Mayor, City Council, City Administrator, Deputy City Administrator, City Attorney and Finance Director.

Matters discussed were those of personnel, labor negotiations, property acquisition and pending litigation. No action was taken and the Council returned to its regular session at 7:30 p.m.

POLICE CHIEF HIRE CONFIRMED: Motion by Edinger, seconded by Kennedy to offer the position of Police Chief to Wayne Longo. ROLL CALL: McEvers, Aye; Reid, Aye; Goodlander, Aye; Edinger, Aye; Hassell, Aye; Kennedy, Aye. Motion carried.

ADJOURNMENT: Motion by Edinger, seconded by McEvers to recess this meeting to July 10th at 5:15 p.m. at the Police Department Training Room and then to July 12th at 5:15 p.m. Motion carried

The meeting recessed at 7:40 p.m.


Sandi Bloem, Mayor

ATTEST:


Susan K. Weathers, CMC, City Clerk