

MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM

August 20, 2013

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 Library Community Room on August 20, 2013 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)	
Dan Gookin)	
Steve Adams)	
Deanna Goodlander)	
Loren "Ron" Edinger)	

CALL TO ORDER: Mayor Bloem called the meeting to order.

INVOCATION: Led by Pastor Joe Tuttle, Heart of the City Church

PLEDGE OF ALLEGIANCE: Councilman Kennedy led the Pledge of Allegiance.

The Mayor asked that Wastewater Treatment Superintendent Sid Fredrickson introduce new staff members Mike Becker, Utility Project Manager and Rob Grytness, Collection Operator.

PRESENTATION: POLICE SCHOOL RESOURCE OFFICERS – Chief Longo stated that there is currently one officer in each Middle School and High School that are specifically trained in school issues including drug abuse. After the Sandy Hook incident, the Police Department and School District 271 agreed it was important to replace the Canfield Middle School Resource Officer. Captain Clark explained that the current contract with the School District includes six Resource Officers, which includes the Canfield Middle School position (with 50% of the position funded by the District). The officers are stopping by the elementary schools as well. The District has agreed to cover officer overtime expenses related to the coverage of school events. Councilman Goodlander stated that she has heard that the officer's also provide a good outlet for kids to discuss problems. Captain Clark stated that officers are accessible since they are on campus and they also teach classes which build relationships. Chief Longo clarified that the Resource Officers are utilized in patrol during the summer.

PUBLIC COMMENTS:

FRONT AVENUE:

Charlie Miller, Coeur d'Alene, spoke in support of the closure of Front Avenue from 2nd to 3rd on behalf of the Centennial Trail Commission. He stated that he and the Commission had not seen a plan, and asked that they have input into the final design.

Brenda Garcia, Coeur d'Alene, stated she is against the closure of Front Avenue. She believes the roadway is needed by the Resort and the boat launch and believes this will cause gridlock on Sherman. She believes the merchants in the area would be concerned with the closure and is concerned about the costs. She asked the Council to consider if this is needed and what is gained by it.

CONSENT CALENDAR: Motion by Kennedy, seconded by Edinger, to approve the consent calendar as presented.

1. Approval of Council Minutes for August 6, 2013.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for August 26, 2013 at 12:00 noon and 4:00 p.m. respectively.
4. **RESOLUTION NO. 13-045** 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 APPROVING A FUEL SERVICES CONTRACT WITH COLEMAN OIL COMPANY; APPROVING A SCHOOL RESOURCES OFFICER AGREEMENT WITH COEUR D'ALENE SCHOOL DISTRICT #271; AND APPROVING S-3-13 COEUR D'ALENE PLACE 19TH ACCEPTANCE OF IMPROVEMENTS, MAINTENANCE / WARRANTY AGREEMENT AND SECURITY APPROVAL.

ROLL CALL: Adams Aye; McEvers Aye; Goodlander Aye; Gookin Aye; Kennedy Aye; Edinger Aye. **Motion carried.**

COUNCIL ANNOUNCEMENTS:

Councilman Gookin stated that he was contacted regarding vandalism at McEuen. Upon speaking with the Parks Director, he found out that there was some spray-paint vandalism and those responsible were caught and sentenced to community service. He recommended that people attend the Democratic Lunches as they are currently providing speakers regarding Human Rights. The lunches are held every Friday at noon at the Iron Horse Restaurant.

Councilman Goodlander stated that she took a tour of McEuen Park last week and wanted to say it is a remarkable-sized park and that the playground equipment is in place. Additionally, there are many people using the trail at the base of Tubbs Hill.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel stated that Specialized Needs Recreation marked the end of summer last week with a luau party. She expressed thanks to volunteers, as without the volunteers this event, and the SNR program as a whole, would not

be possible. The enormously popular City Park Concert Series is coming to a close this Sunday with the last concert of the season. Men in the Making will provide Shake, Rattle & Show! These concerts in the park are held every Sunday during the summer months, from 1:00 p.m. to 4:00 p.m. at the Rotary Lakeside Bandshell in CDA City Park. Bring your lawn chairs and blankets and come out for a great time and great music! After 35 years of faithful service to the City of Coeur d'Alene, Doug Eastwood will be retiring as the City's Parks Director. The City of Coeur d'Alene will be hosting a Farewell Open House on Friday, August 23rd, from 12:00 p.m. to 3:00 p.m. in the Library Community Room, and citizens are invited to stop by and thank Doug for his dedicated service. For more information please call 415-0415. The City of Coeur d'Alene Arts Commission is accepting nominations for the 18th Annual Mayor's Awards in the Arts. Nominations may be submitted by art organizations, individuals, or businesses, and must be received by September 5th. The Mayor's Awards in the Arts are presented by the Coeur d'Alene Arts Commission and the City of Coeur d'Alene to recognize and encourage excellence in the arts and to stimulate and support awareness of the arts throughout the City. Nominees may be businesses, organizations, or individuals who have, through distinguished service or creative accomplishment, made a significant contribution to the arts in Coeur d'Alene. Nomination forms are available at City Hall, and can be downloaded from the City website www.cdavid.org. For more information, call Eden Irgens, at 818-3067. Ms. Gabriel congratulated Deputy Fire Chief Glenn Lauper for being asked to serve on the International Association of Arson Investigators Fire Investigations Standards Committee. Service on this committee is a direct reflection of Deputy Chief Lauper's outstanding reputation as one of the premiere arson investigators in the country. She stated that the Front Avenue design was discussed on January 10, 2013, which included the approval of the design of limited access to increase linkages and protect view corridors. The limited access allows for emergency access, delivery vehicles, and bus loading and unloading. On January 11, 2013 and January 16, 2013 the Coeur d'Alene Press wrote articles regarding the limited access design concept.

RESOLUTION NO. 13-046

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED AMENDED BUDGET FOR FISCAL YEAR 2012-2013, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE AMENDED ESTIMATED REVENUE FROM PROPERTY TAXES AND THE AMENDED TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1003, for the City Council of the City of Coeur d'Alene, prior to passing an Amended Annual Appropriation Ordinance, to prepare a proposed amended Budget, tentatively approve the same, and enter such proposed amended Budget at length in the journal of the proceedings; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene, that the following be and the same is hereby adopted as an Amended Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2012:

GENERAL FUND EXPENDITURES:			
Mayor and Council	\$ 220,014		
Administration	399,866		
Finance Department	676,928		
Municipal Services	1,369,649		1,395,149
Human Resources	241,663	243,963	
Legal Department	1,428,897		1,439,897
Planning Department	475,512		502,512
Building Maintenance	398,419		
Police Department	9,969,692		10,203,682
Drug Task Force	36,700		71,700
ADA Sidewalks	220,785		
Byrne Grants	149,077		336,077
COPS Grant	69,819		79,819
Fire Department	7,627,429	7,729,672	7,869,087
General Government	192,635	942,635	
Engineering Services	1,238,436	3,203,536	3,213,036
Streets/Garage	2,390,303		
Parks Department	1,665,888		1,694,888
Recreation Department	764,454		775,774
Building Inspection	721,439		731,939
TOTAL GENERAL FUND EXPENDITURES:	\$ 30,257,605	33,077,248	33,806,473

SPECIAL REVENUE FUND EXPENDITURES:			
Library Fund	\$ 1,278,960		
Community Development Block Grant	267,325		
Impact Fee Fund	613,133	913,133	1,063,133
Parks Capital Improvements	881,215	1,870,524	
Annexation Fee Fund	70,000		
Insurance / Risk Management	264,000		269,000
Cemetery Fund	239,300		
Cemetery Perpetual Care Fund	98,000		
Jewett House	42,000		
Reforestation / Street Trees / Community C	68,000		
Arts Commission	7,000		
Public Art Funds	245,000		
TOTAL SPECIAL FUNDS:	\$ 4,073,933	\$ 5,363,242	5,518,242
ENTERPRISE FUND EXPENDITURES:			
Street Lighting Fund	\$ 570,050		
Water Fund	7,602,289		
Wastewater Fund	18,996,924	19,326,924	
Water Cap Fee Fund	850,000		
WWTP Cap Fees Fund	879,336		
Sanitation Fund	3,285,480		3,415,480
City Parking Fund	575,957	607,728	
Stormwater Management	923,967		
TOTAL ENTERPRISE EXPENDITURES:	\$ 33,684,003	\$ 34,045,774	34,175,774
FIDUCIARY FUNDS:	\$ 2,538,100		
STREET CAPITAL PROJECTS FUNDS:	770,000		920,000
DEBT SERVICE FUNDS:	1,381,865		1,390,075
GRAND TOTAL OF ALL EXPENDITURES:	\$72,705,506	\$77,176,229	\$ 78,348,664

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on August 28, 2013 and September 4, 2013.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 17th day of September, 2013 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed amended Budget should or should not be adopted.

STAFF REPORT: Mr. Tymesen stated that the City is nearing the end of the fiscal year and that it is time to bring forward an amendment. He clarified that the request tonight is to set a public hearing and that this is the second amendment for the fiscal year. Mr. Tymesen presented the amendment highlights to include that expenses are being covered with cash, building permit revenues are increasing beyond estimates, federal grants have been received, lowering of earlier estimated standpipe rent income to the general fund as the water fund is now overseeing the program, drug task force expenses, decreased interest earnings, and an increase in the sale of surplus items. He clarified that the line item entitled “holiday pay” has recently be renegotiated with the Police Association. This renegotiation causes two years’ worth of holiday pay to be paid out in one fiscal year; however, less will be paid out next year.

Mr. Tymesen clarified that the September 17, 2013 hearing will be the date the Council will be asked to approve the amendment. Councilman Gookin asked if the amendment could be amended prior to the hearing date. Mr. Tymesen stated that he hoped not. Councilman Gookin asked where the \$85,000 from the County was in the amendment. Mr. Tymesen stated that it was under other income.

MOTION: Motion by Goodlander, seconded by McEvers to adopt Resolution 13-046 and the setting of a public hearing for September 17, 2013.

ROLL CALL: McEvers Aye; Goodlander Aye; Gookin No; Kennedy Aye; Edinger Aye; Adams No. **Motion Carried.**

FRONT STREET – 2ND TO 3RD STREET PLAN

STAFF REPORT: City Engineer Gordon Dobler presented the modeling results, design, and funding options for the Front Avenue limited access closure. He stated that there were various iterations of design discussed. He clarified that there would continue to be access to the docks and loading bay’s to the Resort and that removable ballard’s would be installed for the limited access. The design allows for connectivity for bicycles and pedestrians and eliminates the conflicts with the driveway and vehicular site visibility problems. He reviewed the traffic study findings that found that right turn only lane on Sherman to 3rd Street will increase capacity and will improve the 3rd and Front intersection.

Councilman Kennedy asked Mr. Dobler to clarify the effect the design had on the rating of the intersections. Mr. Dobler stated that when they revised the design to re-open 4th Street, none of the existing ratings were downgraded. Due to the ability to model designs, he was able to determine if changes would affect the ratings. The idea to do two-way traffic on Third Street from Front Avenue to Lakeside Avenue brought the level of service up for left turns at Sherman Avenue and 3rd Street. Councilman Goodlander asked if Third Street to Lakeside Avenue will have left turn capabilities. Mr. Dobler stated that it would and clarified that there will be left turns allowed at Sherman Avenue. Councilman Goodlander stated that she is concerned that the one lane north or south from Lakeside Avenue would hold up traffic with left turn movements. Mr. Dobler stated that 4th Street is still open and with two-way traffic on 3rd Street from Front to Lakeside Avenues it balances out. Councilman Goodlander clarified that it will be like the current 2nd Street design. The additional lane on Sherman Avenue will be completed with the removal of parking in front of The Shops. Mr.

Dobler stated that he talked with the Resort and they were amenable to the change. Councilman Gookin asked about the design for the intersection on 3rd Street where the two southbound lanes end at Lakeside Avenue. Mr. Dobler explained that the right lane will be a right turn only and the left lane will flow through. The design moves the lane to the east to accommodate the flow, and the right lane will look at a curb, not oncoming traffic. This will give a visual clue that the lane does not continue. Councilman Gookin asked about the plan for Fourth Street. Mr. Dobler stated that it could be looked at based on the outcome of the Third Street flows. The Mayor asked if travel westbound on Lakeside Avenue would change. Mr. Dobler clarified that it does not change and that five parking spots will be lost on Third Street.

Councilman Edinger asked if there would be enough room for right turns from the boat launch. Mr. Dobler stated that the design removes some of the bulb out at the southwest corner and moves the through lane to widen it for this type of movement. He clarified that Lakeside provides a direct route to the four corners and Northwest Boulevard with less stops and might be a preferred route. Councilman Goodlander stated that the left turn lane (east bound) from Northwest Boulevard only has room for three cars and she is concerned about traffic backing up. Mr. Dobler stated that he believes the boat traffic will come directly down Sherman Avenue and use the new turn lane. Councilman Edinger asked how much the project will cost.

Councilman Kennedy reiterated that the Council did vote 5-1 on the restricted access of this area in January and that this was not a staff-determined direction. Mr. Dobler stated that this is an opportunity to solve the pedestrian/vehicular conflict. Councilman McEvers stated that 6th Street will be an entrance and an exit and that most of the boat traffic will use 3rd Street. He felt that it looked weird; however, believes the flow will change because of the exits from the parking at 6th Street. Mr. Dobler clarified that Front Avenue improvements are included in the LID and the additional costs would be the additional work on 3rd Street at a cost of \$150,000 to \$200,000 and that it could be paid for out of the project contingency fund. Councilman Goodlander clarified that there is also a vehicular entrance at Third Street. Mr. Dobler stated that the flow of the parking sends traffic out at 6th Street.

Councilman Kennedy stated that earlier discussions included contributions from the abutting land owner; however, that is not the current case. He believes that there is no reason not to do this project, as the only change since January is that the Hagadone Corporation will not be putting their own funds in to beautify this area. Mr. Dobler reiterated that the problems at the Front and 3rd Street intersection cannot be easily solved. Councilman Edinger asked if there were any studies or information demonstrating accidents or injuries at the intersection. Mr. Gordon stated that he could get the accident reports. Councilman Adams asked if the project can still be funded without any contributions from the Hagadone Corporation. Mr. Dobler clarified that with the Stormwater Utility picking up cost of the storm drain along 3rd Street, the contingency fund can handle this expense. The Mayor clarified that the Hagadone Corporation was still included in the LID.

MOTION: Motion by Kennedy, seconded by McEvers to accept the Front Street concept and funding sources and direct staff to move forward with design.

DISCUSSION: Councilman Kennedy clarified that there were previous discussions about doing something more elaborate with the Hagadone Corporation but the safety considerations are still a

priority and he believes that vehicular traffic will adapt. He recalls many conversations during the Thursday morning project meetings with the design group regarding the safety of that intersection. Councilman Goodlander stated that she will vote against the motion and believes it will cause bottlenecks that are unnecessary and that there are other options. She stated that she is concerned that the City did not talk with other downtown business owners. Councilman Kennedy stated that there were discussions with groups prior to the January meeting. Councilman Adams asked if the plan came through the Pedestrian/Bike Committee. Mr. Dobler stated that he is confident that Mr. Eastwood and/or Mr. McCully have talked with the committee. Ms. Gabriel stated that as they firm up the design they will be sure to provide it to the committee.

Councilman Adams asked what the completion date would be. Mr. Dobler stated that it would be completed in two phases, with Third Street work done with Front Avenue, and the piece on Front Avenue between 2nd and 3rd Streets done in the spring. Councilman Gookin asked if the funding from the Hagadone Corporation could be requested at a later date. Mr. Dobler believes there is a window before we build for them to participate. Councilman Gookin stated that he does have traffic flow concerns. Councilman McEvers said that he has faith in the City Engineer and that people learn to drive alternative routes, as in the example of the roundabouts. Additionally, he believes that safety is the most important factor. Councilman Kennedy stated that it is no secret that the Resort would like to add rooms above the building across the street, which might be good timing for them to add to the beautification of the project. Currently, the City has to deal with the safety and should do the right thing now. Councilman Edinger called for question. Motion Carried.

ROLL CALL: Gookin No; Kennedy Aye; Edinger No; Adams Aye; McEvers Aye; Goodlander No. Mayor Bloem broke the tie with an affirmative vote. **Motion Carried.**

RESOLUTION 13-047

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ADDENDUM TO THE LEASE AGREEMENT WITH THE ELEVENTH STREET DOCK OWNERS ASSOCIATION, INC.

STAFF REPORT: Ms. Gabriel stated that the City currently leases space to the Eleventh Street Dock Owners Association which needs to be amended to include the recent dock assignment to the City fire vessel and the addition of temporary dock moorage space for other emergency vehicles and the clarification that an electronic access code will be provided.

MOTION: Motion by Edinger, seconded by Gookin to adopt Resolution 13-047.

ROLL CALL: Gookin Aye; Kennedy Aye; Edinger Aye; Adams Aye; McEvers Aye; Goodlander Aye. **Motion carried.**

RECESS: The Mayor called for a 5-minute recess at 7:41 p.m. The meeting resumed at 7:45 p.m.

LID 150- FINAL ASSESSMENT ROLL FOR THE GOVERNMENT WAY IMPROVEMENT PROJECT

STAFF REPORT: Mr. Dobler stated there were three action items tonight to accept the final assessment, determine the disposition of protest and to adopt an Ordinance. He explained that the majority of the costs were associated with water line installations. He stated that each of the owners was notified of the preliminary assessments and that the final costs came in below the original preliminary assessments. The total LID assessment is \$180,024 and no general funds were involved in this LID. Councilman Gookin asked who previously provided the water/sewer on Government way prior to the project. Mr. Dobler stated that there were some septic tanks and water came from the City of Dalton. Councilman McEvers asked if this project increased the property values. Mr. Dobler stated that he assumed it would as they now have adequate fire service.

Mr. Dobler read the two protests to the LID. He stated that the Leo Trust was a larger parcel. There was notice send to this property and the assessment has gone down from the preliminary assessment. There was some partial access during the project; however, a roadway project like this one cannot be built without some traffic impacts. The interest rate to finance the LID assessment will be 4% over ten years. Councilman McEvers asked if there had been conversation with the property owners during the project. Mr. Dobler stated that he had not specifically talked to the person who wrote the protest letter; however, there was notice sent to the property owners and public meetings were held. He recommends denial of the Leo Trust protest.

Mr. Dobler stated that the Castellanos parcel assessment had been decreased from the preliminary assessment. The preliminary assessment was \$13,329 with the final being \$10,542, so he would recommend denial of this protest. Mr. Dobler clarified that the City did buy property along Government Way and that it did not go to condemnation on any parcel. He stated that the road project went well and that JUB Engineering staff had communicated with the property owners throughout the project. Councilman McEvers stated that he was concerned that the property owner might not understand the project and process and asked that Mr. Dobler talk to them. Mr. Dobler stated that the project provides water and sewer that they did not have access to previously. Councilman Edinger stated that during construction he had a business owner contact him with problems and received feedback thereafter that they were happy with the end results. Councilman Goodlander recalled that the City did provide the property owners with substantial savings and provide value to the property owners and asked Mr. Dobler to clarify how the savings was achieved. Mr. Dobler stated that the City partnered with the City of Hayden to install the sewer line and the costs were absorbed by the Wastewater Utility and not passed along to the property owners.

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

MOTION: Motion by Kennedy, seconded by McEvers to deny the written protest submitted by *Edgar and Nelly Castellanos*. **Motion Carried.**

MOTION: Motion by Kennedy, seconded by McEvers to deny the written protest submitted by *Leo J. Lee Trust*. **Motion Carried.**

RESOLUTION 13-048

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, HEARING, CONSIDERING AND DISPOSING OF PROTESTS REGARDING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENT DISTRICT NO. 150; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

MOTION: Motion by Kennedy, seconded by Edinger to adopt Resolution 13-048.

ROLL CALL: Gookin Aye; Kennedy Aye; Edinger Aye; Adams Aye; McEvers Aye; Goodlander Aye. **Motion Carried.**

**ORDINANCE NO. 3468
Council Bill No. 13-1013**

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AND CONFIRMING THE ASSESSMENT ROLL OF ITS LOCAL IMPROVEMENT DISTRICT NO. 150 FOR THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF IMPROVEMENTS TO SAID WATER AND SEWER LINES AND FACILITIES WITHIN THE LIMITS OF LOCAL IMPROVEMENT DISTRICT NO. 150; PROVIDING FOR ASSESSMENTS; PROVIDING FOR THE APPEAL PROCEDURE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

MOTION: Motion by Kennedy, seconded by McEvers to pass the first reading of Council Bill No. 13-1013

ROLL CALL: Kennedy Aye; Edinger Aye; Adams Aye; McEvers Aye; Goodlander Aye; Gookin Aye. **Motion Carried.**

MOTION: Motion by Edinger, seconded by McEvers to suspend the rules and to adopt Council Bill No. 13-1013 by its having had one reading by title only.

ROLL CALL: Kennedy Aye; Edinger Aye; Adams Aye; McEvers Aye; Goodlander Aye; Gookin Aye. **Motion Carried.**

EXECUTIVE SESSION: Motion by Goodlander, seconded by McEvers to enter into Executive Session as provided by I.C. 67-2345 §F: To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at executive session does not satisfy this requirement.

ROLL CALL: Edinger Aye; Adams Aye; McEvers Aye; Goodlander Aye; Gookin Aye; Kennedy Aye. **Motion carried.**

ADJOURNMENT: Motion by McEvers, seconded by Edinger that there being no further business before the Council that this meeting is adjourned. **Motion carried.**

The meeting adjourned at 8:55 p.m.

Sandi Bloem, Mayor

ATTEST:

Renata McLeod, City Clerk