

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
SEPTEMBER 7, 2004**

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 September 7, 2004 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

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

INVOCATION: The invocation was led by Pastor Phil Mutherbough, LifeSource Community Church.

PLEDGE OF ALLEGIANCE was led by Councilman Wolfinger.

PROCLAMATION–UNITED WAY OF KOOTENAI COUNTY MONTH: Councilman Wolfinger on behalf of Mayor Bloem read the proclamation declaring September as United Way of Kootenai County month and asked all residents to support this worthwhile cause. Jeff Conroy, Director of the area United Way, accepted the proclamation.

PROCLAMATION–KIDS DAY AMERICA/INTERNATIONAL: Councilman McEvers on behalf of Mayor Bloem read the proclamation declaring September 18th, as Kids Day in the City of Coeur d'Alene. Dr. Brian Norce accepted the proclamation.

FREQUENTLY ASKED QUESTIONS: Will the City be doing a leaf pickup this year, and if so, can you tell me a little about it? Street Superintendent, Jon Ingalls, announced that the City would be conducting the annual leaf pickup beginning on November 15, 2004. This is the only time of the year in which residents can rake their leaves into the streets and the City Street Maintenance crew will pick the leaves up and dispose of them.

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

1. Approval of minutes for August 17, 2004.
2. Setting the Public Works Committee and General Services Committee meeting for September 13, 2004 at 4:00 p.m.
3. RESOLUTION 04-080: 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 AMENDMENT #1 TO THE AGREEMENT WITH JUB ENGINEERS FOR WASTEWATER MASTER PLANNING; APPROVAL OF SS-10-04 FINAL PLAT APPROVAL WITH SUBDIVISION IMPROVEMENT AGREEMENT FOR CAYMUS ADDITION; APPROVAL OF S-3-93 FINAL PLAT APPROVAL WITH SUBDIVISION IMPROVEMENT AGREEMENT FOR RAMSEY MEADOWS, 3RD ADDITION AND APPROVAL OF S-2-03 FINAL PLAT APPROVAL WITH SUBDIVISION IMPROVEMENT AGREEMENT FOR THE LANDINGS 1ST ADDITION.
4. Approval of cemetery lot repurchase from Laura White.
5. Approval of cemetery lot transfer from Leone Phillips to Warrant Phillips.

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

SCHOOL IN SESSION: Councilman Wolfinger reminded residents that school started today so please drive carefully.

STEET DEPARTMENT COMMENDED: Councilman Wolfinger commended the Street Maintenance Department for the success of the annual leaf pickup program.

RED RIBBON WEEK: Council President Reid announced that during the last week in October in recognition of Red Ribbon Week, Idaho Drug Free Youth and Enough is Enough will have 10,000 red tulip bulbs delivered to the city with 5, 000 going to area schools and the rest going to residents and for City Parks in commemoration of striving for drug free youth.

NEW PARKING LOT LOGOS: Councilman McEvers announced that the new parking lot logo is now up. He also commended NIC for providing dust-free temporary parking facilities during their construction.

APPOINTMENT TO SIGN BOARD: Motion by Reid, seconded by Wolfinger to appoint Gregory Peak to the Sign Board. Motion carried.

EXECUTIVE TEAM REPORT: Wendy Hague, representing the Executive Team, announced that the Parks Department teamed up with Kootenai County Emergency Services and installed a 24-hour weather station at the Third Street Restroom facility. The purpose is to assist the boating public with an up-to-date weather report so they have an idea of what to expect while out on the lake for the day. The Third Street Restrooms are now open 24 hours to serve the boating public and for people accessing or leaving

Tubbs Hill or using McEuen Park. Weather permitting, the City will commence fall paint striping of city streets on Tuesday, September 7th. She also announced that fall is an excellent time for our 29 Adopt-a-Street groups to get out and conduct a litter pick up outing. The City Team will be out collecting trash on our adopted Seltice Way on Thursday, October 14th. We are currently accepting applications for a Records Supervisor in the Police Department and a Temporary (non-budgeted) Assistant Urban Forester position in the Parks Department. The application deadline for both positions is this Friday, September 10th. The design of phase 2 of the Government Way widening project has been completed and submitted to the state. All necessary rights-of-way have been purchased. It is the intention of the project to change out the existing traffic signal at Government Way and Appleway to video detection by the end of November. The actual widening of the road will occur early spring 2005. The completion of the project will be by end of July 2005.

MCEUEN FIELD PLAYGROUND: Motion by Hassell, seconded by Wolfinger to approve the upgrade of the McEuen Field playground equipment. Motion carried.

MUSEUM OF NORTH IDAHO REQUEST FOR LAND DEDICATION: Motion by Reid, seconded by Edinger to refer this item back to staff for clarification of the allowed uses on Government Lots 48 and 49, specifically for the portion of those lots that is located on the northwest corner of Northwest Boulevard and Mullan Road/Government Way. Council President Reid did request that the issue come back to Council for further discussion. Councilman Goodlander voiced her concern that we are reserving this land for 10 years when the Museum indicated that they would raise the funds in five years. Motion carried.

CITY 2004/05 SNOW PLAN: Motion by Reid, seconded by Edinger to approve the 2004-05 City Snow Plan. Council President Reid noted that the biggest change is the citywide plowing time being reduced to 42 hours. Motion carried.

ORDINANCE NO. 3184

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF RIGHT-OF-WAY IN THE RIVERSTONE SUBDIVISION, SITUATED IN A PORTION OF GOVERNMENT LOT 4, SECTIONS 10 AND 11, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN; RECORDED IN BOOK "T" OF PLATS, PAGE 250 A/B/C/D/E/F/G, RECORDS OF KOOTENAI COUNTY, COEUR D'ALENE, IDAHO; GENERALLY DESCRIBED AS BEEBE BOULEVARD LYING NORTH OF RIVERSTONE DRIVE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Reid, seconded by Wolfinger to pass the first reading of Ordinance No. 3184

DISCUSSION: Councilman Hassell asked if staff was comfortable with the remaining existing rights-of-way. Growth Services Director, Gordon Dobler

commented that he was.

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

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3184 by its having had one reading by title only.

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

ORDINANCE NO. 3185

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, REPEALING CHAPTER 9.44 ENTITLED CURFEW FOR MINORS AND ADDING A NEW CHAPTER 9.44 ENTITLED CURFEW FOR MINORS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE HEREOF.

Motion by Wolfinger, seconded by Reid to pass the first reading of Ordinance No. 3185.

DISCUSSION: Councilman McEvers asked if this still protects the rights of the youth and adults in the city. Councilman Wolfinger noted that this ordinance enhances their rights. City Attorney Gridley announced that this is a good compromise with the ACLU.

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

Motion by Hassell, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3185 by its having had one reading by title only.

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

ORDINANCE NO. 3186

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 TO C-17 AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A PORTION OF LOT 1, BLOCK

1, ROMINE ADDITION IN SECTION 1, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Reid, seconded by Wolfinger to pass the first reading of Ordinance No. 3816.

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

Motion by Reid, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3186 by its having had one reading by title only.

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

ORDINANCE NO. 3187

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1601, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM C-17L TO LM AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: LOTS 1 AND 2, BLOCK 1, COMMERCE PARK OF COEUR D'ALENE, SUBDIVISION OF LOT 4, BLOCK 1 IN SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Edinger, seconded by Goodlander to pass the first reading of Ordinance No. 3187.

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

Motion by Hassell, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3817 by its having had one reading by title only.

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

PUBLIC HEARING–2004-05 ANNUAL APPROPRIATION: Mayor Bloem read the rules of order for this public hearing. Troy Tymesen, Finance Director, gave the staff report.

Mr. Tymesen presented the budget for fiscal year 2004-05. He noted that 79% of the general funds is personnel expenses which is the same as last year. He noted that the City has maintained the medical insurance costs. It does have an increase of 1.16 FTE's. This year the City did present a separation incentive program to employees. The self-insurance fund is one of the areas that needed strengthening which is addressed in this budget. This budget also has a \$600,000 overlay budget which is the same amount budgeted as last year. He announced that through the efforts of staff the budget being presented tonight is a balanced budget. He briefly reviewed the Council's goals for this coming year. He noted that this year's budget is \$10 million less than last year as a result of less money being spent on right-of-way acquisition and less being spent in the enterprise funds for upgrades and expansion. On the revenue side, he reported that 48% comes from property taxes the rest comes from such sources as fees, Interfund transfers, building permits, state revenue sharing, and sales tax. For the first time, the budget does anticipate funds being received from the Emergency Medical Services program. The resultant increase in property tax revenue is \$16,933.

He concluded by saying that the City is growing with an increase in new growth this past year resulting in \$416,000 in new growth revenue. He explained the definition of levy rate and reported that the levy rate will remain the same with this budget.

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

DISCUSSION: Councilman Edinger asked Mr. Tymesen to explained the 1/2 cent sales tax that the County gets to help pay off the jail and property tax relief. Councilman Wolfinger responded that the half the revenue from the 1/2-cent sales tax goes to property tax relief. Councilman Hassell asked Mr. Tymesen to explain enterprise funds. Mr. Tymesen noted that enterprise funds are set up to provide a service for a fee such as water and wastewater utilities.

MOTION: Motion by Reid, seconded by Wolfinger to continue this public hearing to September 14, 2004 at 12:00 noon in the Council Chambers. Motion carried.

PUBLIC HEARING - GRANT APPLICATION FOR U.S.BANK: Project Manager Renata McLeod reported that this public hearing has been cancelled. A new hearing will be scheduled to meet a December grant deadline.

PUBLIC HEARING V-04-5 - VACATION OF EAST-WEST ALLEY ADJOINING LOT 6, BLOCK 4, GRIDLEY ADDITION: Mayor Bloem gave the rules of order for this public hearing. Growth Services Director Gordon Dobler gave the staff report.

Mr. Dobler gave the applicant's name as Wind Management LLC, the location as Lot 6, Block 4 of the Gridley Addition and the reason for the request as a vacation of the ten-foot (10') east/west alley adjoining the southerly boundary. He reported that there are no utilities or facilities within this alley right-of-way. 19 notices were mailed for this public hearing with 3 responses being received; 2 in support and one phone call in opposition. No comments were received.

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

MOTION: Motion by Reid, seconded by Edinger to approve the vacation request and vacate the right-of-way to the adjoiner to the north. **ROLL CALL:** Hassell, Aye; Goodlander, Aye; McEvers, Aye; Reid, Aye; Wolfinger, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Reid, seconded by Wolfinger 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 B: To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against 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 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: Hassell, Aye; Goodlander, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Wolfinger, Aye. Motion carried.

The session began at 7:09 p.m. Members present were the Mayor, City Council, City Administrator and City Attorney.

Matters discussed were those of property acquisition, personnel matters, labor negotiations and pending litigation. No action was taken and the Council returned to regular session at 7:55 p.m.

ADJOURNMENT: Motion by Wolfinger, seconded by McEvers to continue this meeting to September 14, 2004 at 12:00 noon. Motion carried.

The meeting recessed at p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk