

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D’ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM  
SEPTEMBER 15, 2009**

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 September 15, 2009 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Deanna Goodlander	)	Members of Council Present
Mike Kennedy	)	
Woody McEvers	)	
Loren Ron Edinger	)	
A. J. Al Hassell, III	)	
John Bruning	)	

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

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

**PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH:** On behalf of Mayor Bloem, Councilman Kennedy read the proclamation proclaiming the month of October as Domestic Violence Awareness Month. Ann Chatfield from the Women’s Center accepted the proclamation.

**PROCLAMATION - RACE FOR THE CURE, BREAST CANCER AWARENESS MONTH:** On behalf of Mayor Bloem, Councilman Goodlander read the proclamation also proclaiming the month of October as Breast Cancer Awareness month. Nancy Mueller representing the Susan G. Komen “Race for the Cure” Foundation accepted the proclamation.

**PUBLIC COMMENTS:**

FALLEN HEROES PLAZA: Steve Roberge, 6488 N. 4<sup>th</sup> Street, Dalton Gardens, expressed his appreciation to the City staff, City Council, Mayor, and in particular the Parks Department for their assistance in completing the Fallen Heroes Plaza Park and its dedication ceremony. He especially wanted to thank Bill Greenwood, Melissa Brandt and the rest of the Parks staff who made this project such a success. Mayor Bloem extended her appreciation to Steve and the Rotary Club who made this project possible.

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

1. Approval of minutes for September 1, 2009.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, September 21<sup>st</sup> at 2:30 p.m. and 4:00 p.m. respectively.
3. RESOLUTION 09-037: 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 THE LEASE RENEWAL FOR 816 SHERMAN AVENUE OFFICE SUITES FOR LEGAL AND WASTEWATER DEPARTMENTS; THE ANNUAL SERVICE AGREEMENT WITH KOOTENAI MEDICAL CENTER FOR THERAPEUTIC POOL USE; DEDUCTIVE CHANGE ORDER NO. 1 FOR THE WWTP 5A AMMONIA CONTROL IMPROVEMENTS PROJECT AND APPROVAL OF AN AGREEMENT WITH STRATA INC. FOR INVESTIGATION AND ANALYSIS FOR HAZARDOUS MATERIALS FOR WWTP PHASE 5B DESIGN.

4. Setting of a public hearing for the Substantial Amendment to the CDBG 2008 Action Plan. for September 28, 2009.
5. Approval of beer license transfer for Zip Stop at 701 E. Sherman from Gary Fowler to Kim Gittel.
6. Approval of bills as submitted and on file in the Office of the City Clerk.
7. SS-3-09 – Final plat approval for Ridgepointe Subdivision
8. SS-4-09 – Final plat approval for Ridgepointe Condominiums.
9. Setting of Public Hearing for ZC-4-09 –Zone Change at 532 W. Emma Ave. for October 6, 2009.

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

#### **COUNCIL ANNOUNCEMENTS:**

COUNCILMAN MC EVERS: Councilman McEvers updated the Council on the combined BMX skateboard park and reported that all appears to be going well.

MAYOR BLOEM: Mayor Bloem expressed her appreciation of the Police and Fire Departments for their effort and also all the residents who made a donation to the Fallen Heroes Plaza project. Councilman Goodlander also noted that the rebar figures were provided by the Arts Commission.

**APPOINTMENTS:** Motion by Edinger, seconded by Goodlander to re-appoint Larry Strobel to the Ped/Bike Committee, Ann Smart to the Library Board, Dave Patzer to LCDC, and Jason Ayers and Bill McLeod to the Animal Control Advisory Board. Motion carried.

**ADMINISTRATOR'S REPORT:** City Administrator Wendy Gabriel announced that the CdA Arts Commission received a Certificate of Merit from the State Parks and Recreation Commission for their efforts in public art. The Library will be presenting folk singer Bob Nelson. The Lego Club for kids is also available at the Library. The Kids Reading Club will also begin later this month. The City General Election is this November and CDATV will be hosting a candidates' forum. Anyone who would like to submit a question to be considered for the candidates forum may submit it through the City's web site at [www.cdavid.org](http://www.cdavid.org) Bus Stop benches have now been placed throughout the Citylink bus route. Anyone who would like to sponsor one of these benches may contact Mr. Wilcox through the Kootenai Metropolitan Planning Organization. Volunteers recently completed a tree planting project at The Landings Park. The City Water

Dept. has completed the radio read meter installation for the entire city. Now all water meters throughout the entire city can be read by one employee in one week. This process used to take 2 employees 2 months to complete. Recent Police promotions include Sgt. Rob Turner being promoted to Lieutenant and School Resource Officer Brandon McCormick being promoted to Sgt. The City's Executive Team will be contributing on their own time in the United Way's "Day of Caring" on the morning of Thursday, September 17<sup>th</sup>. Mrs. Gabriel read a letter from Anderson Ardts, Kootenai County Memorial Foundation Board of Directors, thanking the firefighters who donated their time in the fund raising efforts at the Cd'A Resort. Streets Superintendent Tim Martin received a letter from the American Public Works Association thanking him for his efforts in the Snow Conference Program. She noted that Mr. Martin has also taught other cities on the snow gate program.

ORDINANCE NO. 3367  
COUNCIL BILL NO. 1020

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF THE SORBONNE SUBDIVISION, RECORDED IN BOOK "K" OF PLATS, PAGES 58/A/B/C/D/E/F, RECORDS OF KOOTENAI COUNTY, GENERALLY DESCRIBED AS THE LOT 1, BLOCK 13, TRACT "G", AND, THE NORTHWEST QUARTER OF THE SOUTHWEST QUATRER OF SECTION 27, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M., LESS THE RIGHTS-OF-WAY FOR CORNWALL STREET AND SOBONNE DRIVE, COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Edinger, seconded by Hassell to pass the first reading of Council Bill No. 09-1020.

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

Motion by Edinger, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 09-1020 by its having had one reading by title only.

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

**ALLEY COMPLAINT:** Councilman Edinger asked about the status of the alley complaint made at the last Council Meeting. Mrs. Gabriel responded that City Engineering Services Director contacted the complainant to resolve the issue.

**PUBLIC HEARINGS – AMENDING THE 2008-2009 ANNUAL APPROPRIATION**

**ORDINANCE:** Mayor Bloem read the rules of order for this public hearing. Troy Tymesen, Finance Director, gave the staff report.

Mr. Tymesen recalled the events that, one year ago today, caused the downward spiral of the world's economy. He then presented the proposed amendments to this year's budget including an amendment in this year's budget in the amount of \$3,651,575 of which \$2,840,000 is for Street Capital Projects and, in particular, the 4<sup>th</sup> Street Improvement Project. Mr. Tymesen reviewed the income sources to the City and the differences between the projected and actual revenues received which resulted in a shortfall of \$1,182,777. He reviewed the added expenses of the General Fund totaling \$280,225. He also reported that the General Fund Balance at the end of FY 2008 was \$3,814,803 (13% of General Fund expenses) and at the end of FY 2009 will be \$2,351,801 (8% of General Fund expenses). Overall, the General Fund revenues are down 5% and expenses are down 2%; however, no new debt incurred and going forward the budget reflects 6 employee positions that will not be filled, there will be no capital expenditures, a 14% reduction in Services and Supplies, and a 0% increase in property tax revenue to the City. He noted that as a City we have been good stewards of finances in that during the lucrative years, the city's budget did not increase but instead added the increased revenue to the bottom line which is why the City is still healthy during these poor economic times.

Mayor Bloem commented that franchise fees have recently been called a "tax". Mr. Tymesen responded that a franchise fee is a user fee of the utilities that use public rights-of-way.

PUBLIC COMMENTS: Renee Lopez, 518 College Drive, asked if having liquor stores now open on Sundays if that could be the reason for the increased revenue on state liquor sales. Mr. Tymesen said that he could check with the State Liquor Board to see if that did have an impact on the sales of alcohol.

ORDINANCE NO. 3368  
COUNCIL BILL NO. 09-1019

AN ORDINANCE AMENDING ORDINANCE 3339, THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008 APPROPRIATING THE SUM OF ~~\$77,234,108~~ \$80,885,683, WHICH SUM INCLUDES ADDITIONAL MONIES RECEIVED BY THE CITY OF COEUR D'ALENE IN THE SUM OF \$3,651,575; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Hassell, seconded by Bruning to pass the first reading of Council Bill No. 09-1019.

DISCUSSION: Councilman Kennedy thanked Troy Tymesen and Vonnie Jensen for all their work in completing this budget revision. Councilman Edinger also thanked all the department heads for their efforts in controlling the budgets as well as the employee associations for making this budget possible.

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

Motion by Edinger, seconded by McEvers to suspend the rules and to adopt Council Bill No. 09-1019 by its having had one reading by title only.

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

**EXECUTIVE SESSION:** Motion by Goodlander, seconded by Edinger 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, which is not owned by a public agency, and: Subsection 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. .

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

The Council met in Executive Session at 7:05 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney.

Matters discussed were those of property acquisition and litigation. No action was taken and the Council returned to the regular meeting at 7:50 p.m.

**ADJOURNMENT:** Motion by McEvers, seconded by Hassell to recess to September 28, 2009 for a public hearing on the Amendment to the CDBG 2008 Action Plan to be held in the Library Community Room at 12:00 noon. Motion carried.

The meeting adjourned at 7:50 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
Deputy City Clerk