

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

June 1, 2021

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 June 1, 2021, at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan Gookin) Members of Council Present
Christie Wood)
Woody McEvers)
Amy Evans)
Dan English)
Kiki Miller)

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

INVOCATION: Pastor Steve Massey with Hayden Bible Church provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Gookin led the Pledge of Allegiance.

PUBLIC COMMENTS:

Nick Arambarri, Coeur d'Alene, volunteer for "Moms Demand Justice for Gun Sense in America," noted that Friday is National Gun Violence Awareness day. The organization is seeking the City's support for their Wear Orange Campaign to honor victims and promote gun violence prevention. He noted that he provided a letter to the Mayor and was disappointed that he denied their request to support the cause this year. In a letter back to their group, the Mayor stated the denial of support was based on their organization's partisan actions during the 2020 election year. Mr. Arambarri noted that their organization does have a political branch for legislative work and advocacy, and a support arm that promotes events such as the Wear Orange Campaign. They support gun safe candidates; however, they do not take a stance on any other issues. They would like the City's support next year. Mayor Widmyer noted that all the correspondence between him and Mr. Arambarri was copied to the City Council and reiterated that the City of Coeur d'Alene (City) is a non-partisan organization. He made his decision on information provided by Shannon Watts, founder of Moms Demand Justice for Gun Sense in America. In a Fortune Magazine article dated July 12, 2020, Ms. Watts stated that they needed to flip the senate and hold the house and keep flipping the state legislators, which the Mayor felt was very partisan. He thanked them for their efforts and reiterated the City is a non-partisan organization. Mr. Arambarri expressed his disappointment that there was no ability to have a dialogue about it and/or the ability to provide counter points or a way to not take the lead on it. Councilmember Gookin noted he stands by the Mayor's position.

Norman Leffler, Coeur d'Alene, stated that he is a retired doctor that has lived in Kootenai County for 28 years and in the Landings subdivision for 8 years. He wanted to let the Council know about a dangerous traffic area within the Landings and provide a resolution. The area of concern is the exit on Prairie Avenue and the use of Carrington Lane. He noted that Carrington is a three-lane road; however, at many times it is only one-lane as there are so many cars parked on each side of the street. He provided Council with photographs of the issues and he believes the solution is to put bike paths through the residential area to Prairie Avenue to prevent parking on the side of the road. He noted he talked to the road people and the County Commissioners. The Mayor noted that staff would contact Mr. Leffler.

Gabrielle Minor, Coeur d'Alene, thanked the Council for their decision to keep water open on the river at Atlas Park. She noted that is what makes the City a wonderful place to live. She expressed concern over additional zoning increases and the increase in traffic it brings, and said it is an accident waiting to happen. She has children that are 13 and 17 years old and they are terrified by the growth and know they will not be able to afford to live here. She noted that there isn't the infrastructure for all the traffic on the road, and asked Council to think about what type of city they want to have and how it should look going forward, while maintaining what we have. Councilmember Miller noted that the KMPO website, www.kmpo.net, provides access to the Regional Growth and Housing Partnership resources and a place she can provide growth input.

Jessica Mahuron, Coeur d'Alene, noted that she normally has an event in the park on June 5, entitled Pride in the Park. However, she has other events planned on June 5 this year. She is not concerned personally but does have to field questions and comments from others expressing their concerns regarding the armed people that were in the City last year. The images of guns on our streets does impact some people's sense of safety and belonging and many people still have feelings of trauma about that time. She asked Council to think about what they can do to support gun safety and/or prevention if not supporting another organization. Councilmember Wood noted the history of other conflicting events within the town and noted that the City is big enough for all of us and hopes that she would have her event on the same day next year. Ms. Mahuron noted that she agrees and will continue to plan their events outside of COVID.

ANNOUNCEMENTS:

Councilmember English noted that he was gone most of last month, as he was in the hospital, and is now back and in good shape and appreciated the kind comments he received.

Councilmember McEvers welcomed Andy Finney who is filling in for Jeff Crowe in the studio booth tonight.

Councilmember Miller noted that the Library Trustees took a field trip to the schools to review the satellite libraries. She expressed how well the School District staff and Trustees are doing at working together on positive community projects. She noted that she emceed the Idaho Drugfree Youth lip sync battle on May 27, and mentioned that they met their fund-raising goal. She will be emceeding the Safe Passage violence prevention breakfast, on June 7, 2021, and noted that donations are always welcome. The Regional Housing and Growth Issues Partnership found that

Post Falls and two (2) other groups were going to do a housing assessment, so the group agreed to work jointly on a housing needs assessment. More information can be found at www.kmpo.net. She noted that this is not a funded program, so KMPO volunteered to be a place to keep all the information.

CONSENT CALENDAR:

1. Approval of Council Minutes for the May 18, 2021, Council Meeting.
2. Approval of General Services/Public Works Committee Minutes for the May 24, 2021, Meeting.
3. Approval of Bills as Submitted.
4. Setting of General Services/Public Works Committee meeting for Monday, June 7, 2021, at 12:00 noon.
5. Setting of a Public Hearing for June 15, 2021:
 - a. V-20-06 - Vacation of a portion of Seltice Way right-of-way adjoining the northeasterly boundary of Lot 4, Block 1, Glacier Northwest-Seltice Subdivision
 - b. V-21-02 - Vacation of a Portion of Wilbur Avenue Right-of-Way
6. Approval of an outdoor seating permit for the Bier Haus, Benjamin Widmyer, 515 E. Sherman Avenue.
7. Approval of Ten (10) Fireworks Stand Permits for the 2021 Season.
8. **Resolution No. 21-033:** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING CHANGE ORDER #1 TO THE NOTICE OF AWARD WITH R.B. WILBUR & CO., INC., TO PROVIDE FOR THE PURCHASE OF A SECOND HOT WATER BOILER FOR THE WASTEWATER UTILITY.

MOTION: Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 21-033**.

ROLL CALL: Wood Aye; Evans Aye; Miller Aye, McEvers Aye; Gookin Aye; English Aye.
Motion carried.

RESOLUTION NO. 21-034

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN AMENDMENT 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH WELCH COMER & ASSOCIATES, INC., TO INCLUDE CONSTRUCTION PHASE SERVICES ON THE LACROSSE AVENUE PROJECT.

STAFF REPORT: City Engineer Chris Bosley presented an outline of the Lacrosse Avenue project. He noted that staff recommends approving amendment No. 1 to the agreement with Welch Comer to include construction phase services. Mr. Bosley noted that bids for the construction of the Lacrosse Avenue project were received on May 25, 2021. Two bids were received with Lariviere, Inc. being the lowest responsive bid in the amount of \$1,403,784.64. The bid award includes the base bid plus Add Alternates 1 and 3 (the rough grading of the soccer fields and pickleball courts).

DISCUSSION: Councilmember McEvers asked if the frontage and sewer connection issues have been resolved. Mr. Bosley confirmed that both water and sewer utilities have agreed to install lines, as it will provide the potential for picking up those customers when septic systems fail. Councilmember McEvers asked if the parking lot is included in the plan with Mr. Bosley confirming they are included. Councilmember Gookin asked that since ignite cda is paying for a portion of the project, what would happen when the Lake District closes. Mr. Bosley noted that legal staff has clarified that if the project timeline is delayed, ignite cda could give the money to the City in advance of the district closure. Mayor Widmyer noted that any activity that has started within the fiscal year, can be completed after the expiration of the district. City Attorney Mike Gridley confirmed that if they have obligated the funding, they would be required to complete the project. Councilmember English confirmed that it is his understanding that if ignite cda encumbers the funds, it would be required to pay for the completion of the project. Mayor Widmyer asked if the contingency of \$137,756 is not used, how would the money be allocated between the funding partners. Mr. Bosley noted that he felt the contingency would be used or they would find a way to spend the funds down funding other alternatives.

MOTION: Motion by Wood, seconded by McEvers to approve **Resolution No. 21-034**, approving a Contract to LaRiviere, Inc. for construction of the Lacrosse Ave Improvements.

ROLL CALL: Evans Aye; Miller Aye, McEvers Aye; Gookin Aye; English Aye; Wood Aye.
Motion carried.

RESOLUTION NO. 21-035

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A CONTRACT WITH LARIVIERE, INC., FOR CONSTRUCTION OF THE LACROSSE AVENUE IMPROVEMENTS.

MOTION: Motion by Wood, seconded by McEvers to approve **Resolution No. 21-035**, approving a Contract to LaRiviere, Inc. for construction of the Lacrosse Ave Improvements.

ROLL CALL: Miller Aye, McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye.
Motion carried.

RESOLUTION NO. 21-036

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A LEASE AGREEMENT WITH THE COEUR D'ALENE CHAMBER OF COMMERCE FOR USE OF SELECTED CITY PARKING LOTS FOR JULY 3 AND 4, 2021, FOR THE 2021 FOURTH OF JULY HOLIDAY.

STAFF REPORT: City Administrator Troy Tymesen explained that in the past, the City has leased individual City-owned parking lots to the Chamber of Commerce (Chamber) on the 4th of July. This year's proposal from the Chamber, previously recommended by the Parking Commission, would allow the Chamber to lease selected City-owned parking lots from the City for \$9.00 per space. This is the same charge as last year. However, because the 4th of July is on

a Sunday this year, the Chamber would like to lease some of the lots for Saturday as well. This lease will generate revenue for the City's parking fund. The Chamber is proposing to charge \$20.00 per car for parking on the 3rd and 4th of July in order to generate income to assist with the cost of the fireworks display. The estimated cost of the fireworks display is \$30,000.00. The Chamber has taken on more responsibility for the traffic control expense on that day and will be paying for over 32 traffic flaggers. This will be the seventh year of this partnership. On the 3rd of July, 8:00 a.m. to 6:00 p.m., the lease would include the parking lots at Independence Point, the Museum, and Memorial Field. On the 4th of July, 12:01 a.m. to 11:59 p.m., the lease would include those lots plus the lots at McEuen Park, City Hall, the Library, and the 5th Avenue Garage. The City would reserve space at Independence Point for the police command trailer and at the lower City Hall lot for personnel staging for the Police Department. The Chamber anticipates that the Independence Day event parking gross income should exceed \$10,000.00, which would be used to defray the cost of the community fireworks display.

DISCUSSION: Councilmember Wood thanked the Chamber for working hard on planning the 4th of July event.

MOTION: Motion by McEvers, seconded by Miller to approve **Resolution No. 21-036**, approving a Lease of City-Controlled Parking Spaces to the Chamber of Commerce on the 3rd and 4th of July to Generate Revenue to help pay for the cost of the Community Fireworks Display.

ROLL CALL: Miller Aye, McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye.
Motion carried.

RESOLUTION NO. 21-037

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN AMENDMENT TO THE AGREEMENT WITH ST. VINCENT DE PAUL OF NORTH IDAHO FOR EMERGENCY HOMELESS SHELTERING TO EXTEND THE AGREEMENT AND REDUCE THE DOLLAR AMOUNT PROVIDED, AND ENTER INTO A NEW AGREEMENT USING A PORTION OF THE REMAINING FUNDS FOR AN ENTRY DOOR PROJECT, USING CDBG-CV FUNDS.

STAFF REPORT: CDBG Community Development Specialist Chelsea Nesbit noted that the City entered into an agreement with St. Vincent De Paul of North Idaho (SVDP) in the amount of \$24,000 to support sheltering homeless persons affected by COVID-19, pursuant to Council action on October 20, 2020. The agreement expired April 30, 2021, and to date only \$1,980 of the funds have been expended. Executive Director Larry Riley, of SVDP requested reducing the amount of funding for sheltering to \$5,000 as an emergency fund, and asked that we extend the date to December 31, 2021, to utilize the funds in the event of homeless persons needing shelter in response to COVID-19. SVDP applied during our 2020 regular CDBG Community Grant's process for funding the replacement of their entry doors to allow for controlling the flow of people who come in and out, protecting their employees and ensuring they can clean in between visitors when needed to prevent the spread of COVID-19. SVDP has received an updated bid for the project, at a total cost of \$13,385. Idaho Housing and Finance Administration (IHFA) has

committed to contribute \$2,878 (21%) of their CV funds to the project, leaving a balance of \$10,507 needed to complete the project. If this project is funded with the remaining CV funds that St. Vincent de Paul hasn't used, but that were set aside for them, it would still put about \$6,500 back into the CDBG-CV funds to be used for other COVID related projects in the community. The volunteer Ad Hoc committee was consulted regarding the amendment of the existing contract and the new agreement to fund the entry doors. The consensus was unanimous to support both.

DISCUSSION: Councilmember McEvers noted that he was on the committee that reviewed the CDBG grant allocations and they didn't have enough funds to fund all the projects, including this one. He believes Mr. Reilly did a good job seeking other funding sources for some of the costs. Councilmember Wood asked if funds could remain in order to fund homeless as there is still a balance in the CV funds. Mayor Widmyer noted that under this proposal the money goes back in the CV funds and if there was an emergency COVID outbreak, St. Vincent's could come back for additional funding. Ms. Nesbit confirmed that in order to use these funds it must be related to COVID. Councilmember English felt that the project makes sense for the cost and wondered who IHFA is. Ms. Nesbit noted that it is Idaho Housing and Finance Association, a state agency, who gave additional grant dollars to St. Vincent.

MOTION: Motion by Gookin, seconded by English to approve **Resolution No. 21-037**, approving an amendment to the Agreement with St. Vincent De Paul of North Idaho for emergency homeless sheltering to extend the Agreement and reduce the dollar amount, and enter into a new agreement using a portion of the remaining funds for an entry door project, through CDBG-CV funds.

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye, Miller Aye.
Motion carried.

QUASI-JUDICIAL HEARING- ZC-2-21 -A PROPOSED ZONE CHANGE FROM R-12 TO R-17; LOCATED AT 3135 FRUITLAND; APPLICANT: GEORGE HUGHES.

COUNCIL BILL NO. 21-2013

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 ZONING OF THE FOLLOWING DESCRIBED PROPERTY FROM R-12 TO R-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: A +/- 0.346 ACRE PARCEL LOCATED AT 3135 N FRUITLAND LANE, ALSO KNOWN AS A PORTION OF TRACT 42 OF FRUITLANDS ADDITION TO COEUR D'ALENE; 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.

STAFF REPORT: Associate Planner Mike Behary presented the staff report, including a review of surrounding land use and zoning, Comprehensive Plan policies for consideration,

physical characteristics, and neighborhood character. He noted that the subject property is located at 3135 N. Fruitland Lane, and is +/- .346 Acres. Mr. Behary outlined the allowable uses within an R-17 zone. He noted that the following findings will need to be determined: that this proposal (is) (is not) in conformance with the Comprehensive Plan; that public facilities and utilities (are) (are not) available and adequate for the proposed use; that the physical characteristics of the site (do) (do not) make it suitable for the request at this time; that the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses. Staff reviewed these findings and find they are adequate to meet this request.

DISCUSSION: Councilmember McEvers asked about the difference between the R-12 and R-17 zones and what the land use is surrounding the project. Mr. Behary noted that within the R-12 zone duplex housing is allowed, and that a special use permit approving a multi-family housing facility was approved in 1986.

Mayor Widmyer opened the public testimony portion of the meeting.

APPLICANT: Deputy City Clerk Kelley Setters swore in the applicant's representative Gordon Dobler. Mr. Dobler noted that he felt this was a straight forward request, noting that the rezone allows two (2) more units on the property rather than one (1) duplex. This is an opportunity to provide affordable housing and fits with the R-17 zoning and noted that there is a Commercial zone surrounding this property. Mr. Dobler noted that this request allows for a more efficient build.

DISCUSSION: Councilmember McEvers asked if they had planned any high rise or intense use in the future. Mr. Dobler stated that the site is too small to do much more due to parking requirements. Councilmember Miller asked if there were any objections from the neighbors. Mr. Dobler noted that he did not receive any notice of written comments. Councilmember Wood acknowledged that there are concerns with increased density and increased traffic; however, she doesn't believe that is the case for this lot. She noted that she feels strongly about property rights and someone has done their homework for this project and it makes sense, so she would support this request.

Mayor Widmyer closed the public testimony portion of the hearing.

MOTION: Motion by Wood, seconded by McEvers, to dispense with the rule and read **Council Bill No. 21-1013** once by title only.

ROLL CALL: McEvers Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye, Miller Aye.
Motion carried.

MOTION: Motion by Wood, seconded by McEvers, to adopt **Council Bill No. 21-1013**.

DISCUSSION: Councilmember Gookin noted that he will oppose this item, as he agrees that each increase in density has an effect, as he feels it is the votes that count. The person does have rights, but he wonders where the Council should draw the line. Councilmember Wood explained

that when it comes to a large complex that has a large effect; however, the community is also looking for affordable housing, and doesn't think it is irresponsible to approve a zone change when it makes sense. Councilmember Miller noted that she has been working on regional housing growth and finding a place for people who work here to live here is important. She noted that this would be responsible growth, and would allow two (2) more units. Councilmember English concurred that this isn't a huge project and the community desperately needs more affordable housing. He noted that he will approve this request as it is an appropriate location.

ROLL CALL: McEvers Aye; Gookin No; English Aye; Wood Aye; Evans Aye, Miller Aye.
Motion carried.

LEGISLATIVE HEARING- SUBSTANTIAL AMENDMENT TO THE ANNUAL ACTION PLAN FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE PLAN YEAR 2020 TO INCLUDE THE FUNDING OF AFFORDABLE FOR SALE HOUSING AND ECONOMIC DEVELOPMENT ACTIVITIES.

STAFF REPORT: CDBG Community Development Specialist Chelsea Nesbit reminded the Council that the City receives an annual direct allocation of US Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds. Every year the City is required to complete an Annual Action Plan (AAP), inviting the public to attend a public forum to provide input prior to drafting the plan to help identify needs and then allowing the public four (4) weeks to review and comment on the posted draft plan. The 2020 AAP was approved by the City Council on February 4, 2020, and submitted to and approved by HUD. As directed by our HUD representative the City must conduct a substantial amendment to include the funding that has been approved under the "Housing" and "Economic Development" goals for plan year 2020, and the submitted 2020 Annual Action Plan does not identify these two (2) goals or allocate funds for plan year 2020, that a substantial amendment to the 2020 AAP is required. The 2020 Annual Action Plan has been amended and was posted on the City's website for public review and comment on May 26, 2021. The 139-person stakeholder list was notified of the amended plan and opportunities to comment, and legal notice of the public comment period and public hearing on June 1, 2021, was published on May 26, 2021, in the Coeur d'Alene Press. Information was also shared on social media and the City's website. The public comment period waivers allowed by HUD are warranted because the public has already been notified of grant funding for Habitat for Humanity and North Idaho College and the City Council awarded grant funds for the two (2) projects at its March 2, 2021, Meeting. Amending the 2020 Annual Action Plan is a housekeeping item to ensure there is consistency with the documents and to allow the funding allocations to the awarded projects. HUD is in support of the amendments to the 2020 AAP and is pleased that the City will be meeting the affordable housing and economic development goals identified in the 5-year CDBG Consolidated Plan. To date no public comments have been received on this amendment.

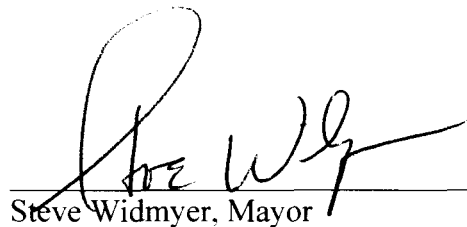
Mayor Widmyer opened public testimony, hearing none, public comment was closed.

DISCUSSION: Councilmember English noted he previously served as Executive Director of Habitat for Humanity but has no conflict. Councilmember McEvers asked what is meant by “for sale housing.” Ms. Nesbit explained that in March the Council approved funding toward engineering and design for a Habitat for Humanity project that is 20 units of housing that will be for sale to low-income people, with the ground being owned by Habitat for Humanity to insure long term affordability. The Council also approved a grant to North Idaho College for an economic development project in March.


MOTION: Motion by McEvers, seconded by Evans to approve the Substantial Amendment to the Annual Action Plan for the use of Community Development Block Grant (CDBG) funds for the Plan Year 2020, to include the funding of Affordable for Sale Housing and Economic Development Activities. **Motion carried.**

ADJOURNMENT: Motion by Gookin, seconded by McEvers that there being no other business this meeting be adjourned. **Motion carried.**

The meeting adjourned at 7:20 p.m.


Steve Widmyer, Mayor

ATTEST:


Renata McLeod, CMC
City Clerk