

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D’ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM  
February 15, 2011**

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 February 15, 2011 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

**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.

**AMENDMENTS TO AGENDA:** Motion by Hassell, seconded by Goodlander to amend tonight’s agenda to include the following items after Executive Session: Sanders Beach settlement, acquisition of property, and Council Bill No. 10-1022 – (O-4-10) Amendments to Shoreline Regulations. Motion carried.

**PRESENTATION – LAKE CITY DEVELOPMENT CORPORATION ANNUAL REPORT:** Executive Director Tony Berns presented the annual report for the Lake City Development Corporation. He reviewed the long-term goals and their accomplishments during 2010. He presented the 2011 strategic priorities which include: housing - LCDC/IHFA workforce housing partnership project; public spaces projects - which include McEuen Park, Education Corridor and Sherman Park; job creation and retention opportunities - Midtown and Riverstone; public parking – enhancement opportunities in the Downtown area; Midtown – continuation of “place making” initiative; Downtown – revitalization of older buildings.

**PUBLIC COMMENT:**

MC EUEN FIELD PUBLIC VOTE: Rita Sims-Snyder, 818 Front Ave. and Julie Clark, 602 Pine, wanted to know the process to get the City Council to take McEuen Field to a vote.

AMERICAN LEGION FIELD: Jamie Duman, 514 Dana Court, requested that the American Legion Baseball League be a part of the site selection for their new site and that they are a part of the financial plan so the American Legion is not responsible for the cost of creating a new ball field and noted that the high school ball field is totally not acceptable. Councilman Goodlander asked how many youth participate in the American Legion Baseball League. Per summer the American Legion has 3 teams with 18 players in each team. Mayor Bloem asked if players from Post Falls or Rathdrum are allowed to play on this team. Ms. Duman responded that only if they

have been denied participation in their city's school teams. Councilman Edinger, Kennedy, and Goodlander responded that they will commit to uphold the promises requested by The American Legion, if needed, to relocate the Legion ball field to an equal or better facility. Councilman Kennedy asked why the high school is not acceptable. Ms. Duman responded that their team would lose their identity if they played on the high school field and also the school has been talking about doing a lottery for use of their ball field. He then asked what the likelihood is of the area legion teams combining and why do some students go to Spokane to join their Legion teams. She responded that the Spokane team is not a legion league but a specialty league. Councilman Kennedy noted that we are lacking fields for baseball and a suggestion was to create two artificial fields. Ms. Duman responded that she "loves" McEuen field. Councilman Kennedy noted that he had suggested to Doug Eastwood that Memorial Field be turned into a classic baseball field. Councilman Edinger addressed Councilman Goodlander's concern regarding the sun, that no matter where you put a field the sun will be a factor and also sun glasses do help the players. He also responded to Councilman McEvers' concern about right field and he believes that that portion of the field is of a greater size than some other fields.

AMERICAN HEART MONTH: Meredith Bryant, 1988 E. Gunther Ave. announced that February is American Heart Month.

**CONSENT CALENDAR**: Motion by Hassell, seconded by Bruning to approve the Consent Calendar as presented. Motion by McEvers, seconded by Kennedy to remove Item 5 from the Consent Calendar. Motion carried.

1. Approval of minutes for February 1, 2011.
2. Setting the General Services Committee and the Public Works Committee meetings for Tuesday, February 22<sup>nd</sup> at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 11:005: 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 THE DESTRUCTION OF ADMINISTRATION TEMPORARY RECORDS; ~~APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE ELEVENTH STREET DOCK OWNERS ASSOCIATION~~; APPROVING CHANGE ORDER NO. 4 WITH CONTRACTORS NORTHWEST FOR WWTP PHASE 5B; APPROVING A HOUSEKEEPING AMENDMENT FOR THE NORTH IDAHO REGIONAL MUTUAL AID AGREEMENT AND APPROVAL OF RIVERSTONE WEST 3RD ADDITION – FINAL PLAT, SUBDIVISION AGREEMENT AND SECURITY APPROVAL.
4. RESOLUTION 11-006: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING POLICIES FOR CONTRACTING FOR PROFESSIONAL SERVICES WITH DESIGN PROFESSIONALS UP TO \$25,000.
5. ~~RESOLUTION 11-004: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING AND AMENDING CERTAIN CITY FEES.~~
6. Approval of bills as submitted and on file in the Office of the City Clerk.
7. Setting of Public Hearings: ZC-1-11 (zone change at 102 and 106 Homestead) for March 15, 2011, and; A-1-11 (annexation of SE corner of 15<sup>th</sup> and Best) for March 15, 2011.

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

RESOLUTION 11-004

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING AND AMENDING CERTAIN CITY FEES.

**COUNCIL COMMENTS:** Councilman McEvers voiced his objection to raising fees. Councilman Hassell believes that making small increases is better than waiting and then making large increases. Councilman Kennedy noted that most of the fees are optional fees and agrees with Councilman Hassell's comment. Councilman Goodlander noted that most events cost the City more than what the permit fees could ever cover. Councilman McEvers believes that the employee contracts pushed the Council into a corner and thus they had to raise taxes and believes that once in a while City government needs to hold back and rein it in as a token. Councilman Edinger understands what Councilman McEvers is saying, said but also believes that as Councilman Hassell stated, it is better to increase a small amount than wait for a "big chunk".

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

**COUNCIL COMMENTS:**

**COUNCILMAN EDINGER:** Councilman Edinger noted that the Director of the State Liquor Dispensary has requested that the State increase the hours of sale to 9:00 p.m. and he believes that this is ridiculous and would hope that the State legislators would see the wisdom of keeping the hours as they are currently.

**COUNCILMAN MC EVERS:** Councilman McEvers wanted the public to know that the Council has not even talked about the McEuen Field project and yet the public wants answers and commitments from the Council, and he further noted that the public knows just as much as the Council knows at this point and the questions of the public are the same questions that the Council has.

**COUNCILMAN KENNEDY:** Councilman Kennedy noted that some comments made by certain blogs are spreading inaccurate information about McEuen such as the project is going to cost the City \$185,000,000 which is absolutely unfounded. He added that there are just as many people who want to keep the boat launch as those who want to remove the boat launch. He noted that the majority of people he has talked to who want a public vote have commented that if the plan was changed to what they wanted they would not want a public vote.

**COUNCILMAN HASSELL:** Councilman Hassell noted that the McEuen Field project process has been going on for about 15 years and each concept eventually will lead to a solid, acceptable plan at which time a financial plan will be established and to ask today for a cost of the plan is premature.

**COUNCILMAN GOODLANDER:** Councilman Goodlander sees that the McEuen Field plan will probably change based on public input. She noted that she has received several threats from

the public who criticize the Council and their assumptions of her stand on McEuen Field. She believes that the disrespect shown to the Council and City staff is not right and she asked people to give the Council the same respect that the Council gives the public.

COUNCILMAN BRUNING: Councilman Bruning reviewed the process the McEuen Field Steering Committee gave the designers which was to plan big, no cost- no limitations, as they did not want to restrict their creative juices. Now, starting Thursday, the steering coming will be reviewing all the publics' comments and then they will have the team put a dollar value on it. The goal was to get the very best design for McEuen Park.

COUNCILMAN EDINGER: Councilman Edinger noted that some people have said that he does not want any improvements to McEuen Field; however, he would like to see some improvements, but some of the concepts are way off base and he looks forward to what the committee comes up with and what the cost will be.

**APPOINTMENTS – PED/BIKE ADVISORY COMMITTEE**: Motion by Bruning, seconded by Kennedy to appoint Angela Earnhart to the Ped/Bike Advisory Committee. Motion carried.

**ADMINISTRATOR'S REPORT**: City Administrator Wendy Gabriel announced that with mild weather projected for the foreseeable future, street crews are going to get a jump on spring clean-up next week and start cleaning up winter debris and sand. We also hope to lay some paint down in areas where, over the winter, we have lost striping. For daily updates, listen to KVNI or check the street maintenance website for more information at [www.cdavid.org/street](http://www.cdavid.org/street). The Recreation Department is hosting the national umpire school this weekend in Coeur d'Alene. The goal is to prepare each umpire to perform their best regardless of the classification of softball they are umpiring. Specialized Needs Recreation received a grant of \$500.00 from the Panhandle Kiwanis Club to go toward sponsoring the annual SNR Shining Stars Talent Show Fundraiser, "Lights, Camera, Action" which will be held May 14th at Real Life Ministries in Post Falls. For more information about the talent show, or other programs and activities SNR provides, or would like to volunteer for this event, please contact Angie Goucher at 755-6781. Specialized Needs Recreation will hold Camp All-Stars "School Day Off" Day Camp Monday, February 21st, at the SNR facility in Coeur d'Alene (1323 East Sherman, Suite E). Camps are held from 9:00 a.m. until 3:00 p.m. and the cost is \$12.00 per day. Scholarships are available for those who qualify. For more information, please call Angie Goucher at 755-6781. Just a reminder to our citizens, that Monday, February 21st, is a holiday and City Hall will be closed. The General Services and Public Works Committees will meet on Tuesday, February 22nd. The next Legislative Town Hall Meeting has been scheduled for Saturday, March 12th, from 8:30 a.m. to 10:00 a.m., in the Library Community Room. Your local Arbor Day Committee announces an art contest to design a button for 2011 Arbor Day celebrations. Winning art will be featured on a button that will be distributed, along with tree seedlings, at Arbor Day events in late April. Designs must be submitted by Friday, March 4th. For more information, contact Karen Haskew at 769-2266. The libraries of North Idaho are joining forces for "Our Region Reads," a program to encourage as many regional residents as possible to read the same book, to talk about it, and to participate in programs related to the themes in the book. The selection for 2011 is "Hotel on the Corner of Bitter and Sweet," by Jamie Ford, who will be at the Coeur d'Alene Public Library in March to talk to readers. Call the library at 769-2315 for further information. The City of Coeur d'Alene continuously accepts applications and holds them on file for one year for the following positions: Police Officer, Secretarial/Clerical, Janitorial, Library Clerk, and Attorney. For applications and

job information, please visit our website at [www.cdaid.org](http://www.cdaid.org) or call the Human Resources Department at 769-2205. Teen videographers have the opportunity to win up to \$350 for their entries in Teen Film Festival 2011, with contests sponsored by North Idaho libraries and the Idaho Commission for Libraries. Videos can be submitted by individuals or groups, but participants must be age 13-18. Call the Coeur d'Alene Library for more information at 769-2315. There are two vacancies on the city's Noise Abatement Board, please contact Susan Weathers at 769-2231 for an application. The 23rd Annual Writers Competition at the Coeur d'Alene Public Library is underway! The deadline for entries is March 31<sup>st</sup> and entries mailed to the library should be postmarked no later than March 30th. Another safety tip from the Pedestrian and Advisory Committee: It's easy to get dehydrated in the winter. Exercising outdoors makes it even easier. It's important to drink water frequently if you're riding for more than one hour. Congratulations to Jana Alleman, who was recently promoted to the rank of Sergeant for the Coeur d'Alene Police Department. Firefighter Dylan Clark and Firefighter Nathan Hyder have been chosen to receive the 2010 Idaho Medal of Honor. Senior Building Inspector/Plans Examiner Ted Lantzy, who was elected to serve as Vice President of the North Idaho Code Enforcers organization.

Councilman Kennedy noted that the new area on 4<sup>th</sup> Street appears to have taken a beating and asked if the Street Dept. can look at that section of roadway.

ORDINANCE NO. 3400  
COUNCIL BILL NO. 11-1001

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING M.C. SECTION 10.60.050 TO CLARIFY EVENT CATEGORIES AND TO AUTHORIZE FEES TO BE SET BY RESOLUTION; 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 Kennedy, seconded by Bruning to pass the first reading of Council Bill No. 11-1001.

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

Motion by Edinger, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 11-1001 by its having had one reading by title only.

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

RESOLUTION NO. 11-007

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO  
AUTHORIZING AN ASSUMPTION AGREEMENT AND A REAL ESTATE PURCHASE  
AND SALE AGREEMENT WITH TESH PROPERTIES.

STAFF REPORT: Renata McLeod, Project Coordinator, presented a possible property purchase by the City located at 102 and 106 Homestead and to be used for affordable housing. Troy Tymesen, Finance Director, presented the financial analysis for the purchase of this property.

Councilman Kennedy asked if the Feds cut CDBG funding, what would be the effect on this purchase. Mr. Tymesen responded that he would spread the payments over a longer period of time. Councilman Kennedy noted that he had received a letter opposing the zone change on this property and wanted to know if this letter should be included in this action. City Attorney Gridley noted that the letter could be recorded in both the purchase and the zone change. Councilman Kennedy will forward the letter to the City Clerk to record the names for the record.

WRITTEN COMMENTS: A letter opposing the proposed zone change for this property was submitted to Councilman Kennedy from S. Bruce Fitzmaurice and Peggy Harris who reside at 110 E. Homestead Ave.

MOTION: Councilman Bruning declared a conflict of interest. Motion by Hassell, seconded by Edinger to adopt Resolution 11-007 and direct staff to negotiate a lease agreement with St. Vincent DePaul.

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

**PUBLIC HEARING – O-3-10 – AMENDMENTS TO OFF-STREET PARKING**

**REGULATIONS:** Mayor Bloem read the rules of order for this public hearing. Dave Yadon, Planning Director, gave the staff report.

Mr. Yadon reported that the bulk of our off-street parking regulations were adopted in 1982. There has been a significant amount of study and discussion by planning and engineering academic and practicing professionals in the last ten years that has resulted in a serious questioning of the parking requirements that Coeur d'Alene and thousands of other cities have.

In summary, the leading investigators submit that the typical requirements, such as those that Coeur d'Alene has adopted, are overkill and do not address the purpose for which they were intended and can be a deterrent to business and the livability of a community. We have looked at what some other communities are doing in response to the latest thinking and findings.

He reported that the Council has held two workshops on this matter and the amendments presented tonight include their recommended changes.

He noted that no one has signed up for public comments this evening.

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

Motion by Hassell, seconded by Kennedy to approve the proposed amendments to the Off-Street parking regulations and direct staff to prepare the necessary ordinance. ROLL CALL: Bruning, Aye; Edinger, Absent; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Hassell, seconded by Kennedy 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. §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. and § J: To engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim likely to be filed.

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

The session began at 8:00 p.m. Members present were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney.

Matters discussed were those of litigation. No action was taken and the Council returned to regular session at 8:23 p.m.

**SANDERS BEACH SETTLEMENT AND PURCHASE OF REAL PROPERTY:** Motion by Goodlander, seconded by Bruning to approve the proposed settlement for the Sanders Beach litigation and authorize staff to proceed with the purchase of real property. Motion carried.

ORDINANCE NO. 3402  
COUNCIL BILL NO. 11-1002

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 17.08.250 TO CLARIFY THE BOUNDARY BETWEEN PUBLIC AND PRIVATE PROPERTY ON SANDERS BEACH; 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 Bruning to pass the first reading of Council Bill No. 10-1022.

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

Motion by Goodlander, seconded by Edinger to suspend the rules and to adopt Council Bill No. 10-1022 by its having had one reading by title only.

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

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

The meeting adjourned at 8:25 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk