

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL
March 1, 2005**

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 March 1, 2005 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)
A. J. Al Hassell, III)
Deanna Goodlander)
Ben Wolfinger)

Loren Edinger) Member of the Council Absent

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

INVOCATION: The invocation was led by Rev. Tom Remington, Cataldo Lighthouse.

PLEDGE OF ALLEGIANCE: The pledge was led by Councilman Goodlander.

PRESENTATION – IRONMAN COMMUNITY FUND GRANTS: Mayor Bloem presented this year's recipients of the Ironman Community Fund Grants with their checks. Those receiving checks this year were: Winton Elementary School – Cross Country; Hayden Meadows Elementary – Run for Fun Program; Specialized Needs Recreation – Camp Allstars Program; Hayden Meadows Elementary – Cross Country Program; Holy Family Catholic School – Fitness/Challenge Course; Prairie View Elementary School – After School Running Group; Coeur d'Alene Tennis Assoc. – Fall Middle School Clinic; Ramsey Elementary – Cross Country Team; Post Falls Elementary – Cross Country Team; Lakes Middle School – Intramural Program; Coeur d'Alene Recreation Dept. – Youth Micro Soccer; and, Coeur d'Alene Triathlon – Youth Triathlon Program.

PUBLIC COMMENTS:

Erin Enders 1212 East Harrison spoke opposing the proposed bike path between 11th and 12th which would eliminate parking in front of her home. She stated that There is currently a small amount of bicycle traffic on Harrison. Their lot is small with a single car garage and no other available parking nearby. Her church group meets at her home and would have to move elsewhere.

Dana Ducommun, 1218 East Harrison , is also opposed to the proposed bike path eliminating parking on Harrison. She feels the bike lanes would give parents a false sense of security and safety as Harrison is heavily traveled by vehicular traffic. She feels it is very dangerous as few follow the speed limits in that area.

Richard Ochoa, 1206 North 15th Street, spoke against the proposed bike lanes on Harrison, even though he rides a bicycle. He feels Coeur d'Alene has sufficient bike paths. He stated that by losing parking , it will devalue homes and property. The Centennial Trail runs from Spokane to Higgins Point, and he does not feel Coeur d'Alene needs more bike lanes.

FREQUENTLY ASKED QUESTIONS: When is construction on Government Way going to begin? Dick Suchocki, Project Manager, reported that phase II is planned to begin probably next week. There are two sections of Phase 2, the northern section starting at Clayton Ave. to Neider Ave. and the southern section from Neider Ave. to the south side of the I-90 bridge. The work will begin at the northern end of the project and working south and will consist of putting in water lines and sewer stubs. It is anticipated that this portion of the project will take at least a month and when that is complete the contractor will be getting the road down to subgrade. Weather permitting, by the middle of May there should be paving completed on the Clayton /Neider section. The entire project should be completed by August 1. According to ITD the bridge should go to bid some time in March at which time the contractor would be shutting down the bridge for approximately 1-1/2 years. However, it is hoped that the bridge will be completed within 18 months. Additionally, starting the 3rd of March the city will be having weekly construction meetings and will invite the public along the corridor. The meeting will be held at the ITD office every Thursday at 10:00 a.m.

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

1. Approval of minutes for February 7, 15, 22, 23, 2005.
2. Setting the Public Works Committee and General Services Committee meeting for March 7, 2005 at 4:00 p.m.
3. RESOLUTION 05-017: 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 APPROVAL OF AMENDMENTS TO THE CIVIL SERVICE RULES AND APPROVAL OF AN AGREEMENT WITH AMERICANS WITH DISABILITIES ACT TASK FORCE, INC. FOR CITY OF COEUR D'ALENE EMPLOYEE TRAINING.
4. SS-16-04 – Final plat approval for Harbor Addition
5. Setting of public hearing to increase Public Parking Rates for April 19, 2005.
6. Approval of coordination and design of the storage tank replacement on Tubbs Hill.
7. Approval of beer/wine license for Hagadone Hospitality for the Beachouse and Resort Golf Course.

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

APPOINTMENT – LAKE CITY DEVELOPMENT CORPORATION: Motion by Reid, seconded by Hassell to appoint Dennis Davis to the Lake City Development Corporation. Motion carried.

The Mayor thanked Mr. Davis for his dedication and time committed to the community.

Councilman Wolfinger expressed gratitude to Ann Eckert who worked with the School District youth this past week performing mock trials.

Councilman McEvers announced that the City of Coeur d'Alene television Channel 19 is now airing for three hours, four times a day. David Hern is the City employee running the station. The City is in the process of forming an AD-Hoc Committee and anyone with any background in television or media is invited to attend.

Councilman Reid suggested that the City may want to contact the Bridge Academy who is running a television show for Dick Wild.

Councilman Hassell commented on a pothole in a video slide being displayed. He stated that the pothole must be located in another City, as in our City, the Street Department does such an excellent job of maintaining our City streets that those potholes don't exist.

EXECUTIVE TEAM REPORT: Gordon Dobler, representing the Executive Team, announced the following: The Street Department has been able to work on a number of projects; one was the removal of the east half of the old McEuen tennis courts. These courts were deteriorated beyond repair, and will be replaced as Cherry Hill Park develops. Over the weekend, the Fire Department sponsored the annual Fire Officer Development Academy. 100 students from the region attended the class and heard leadership traits from Chief Jeff Johnson from Tualatin Valley Fire District and Chief Don Hayde from the Special Operations Division, FDNY. The pledge drive to collect funds for ongoing operations of the proposed Ray and Joan Kroc Corps Community Center has been extended to March 25th. For information about pledges, please call Jack Riggs at 765-3326. All pledges are tax deductible. Entry forms and rules for the 2005 Writers Competition are available at the Coeur d'Alene Public Library, 201 E. Harrison Avenue. A professional bound volume containing all the entries for all prior competitions dating back to 1989 are also available for review. Memorial Field now has a new scoreboard, compliments of North Idaho College. The scoreboard was on the baseball field at NIC. The college donated it to the city. The cost of moving the board and installation was donated by the Coeur d'Alene Softball Association and North Idaho National Tournament Committee. The cost to purchase a new board would have been over \$23,000.00. The Human Resources Department is continuing to accept applications for Temporary Tree Care Educator, and Temporary Assistant Urban Forester, both with an application deadline of March 4th. It is the Street Maintenance Department's goal to keep the city free of damaging

potholes. To help out, we would encourage citizens to call in any potholes encountered to 769-2233 and we promise to have them repaired immediately. The 2nd phase of the Government Way reconstruction project is scheduled to begin today on the north end of Government Way, Clayton Avenue to Seale Avenue. Construction begins with the installation of all the underground utilities which include replacement of water mains and extensions of existing sewer stubs. It is anticipated that this work will take approximately 1 month. Then, the crew moves to the south end of the project (Neider to the I-90 bridge) to complete all underground utilities. Curb and sidewalk will begin along the north end in early April and paving is anticipated by early May. This schedule is, of course, weather dependent. Curb and sidewalk along the south end of the project should begin the end of May and paving will be completed in July. The project should be substantially complete by August 1, 2005. Coeur d'Alene Police are offering a magnetic sticker for \$10.00 each, with all proceeds going to the Kralicek fund. Supporters can buy the sticker at the Police Department front desk, 3818 Schreiber Way, or by calling Lt. Randy Miller at 769-2320. The city is always looking for interested citizens to serve on its boards, commissions, and committees. Please call 769-2204 for an application and more information. The Street Maintenance Department would like to thank Deputy Andy Anderson and the Kootenai County Juvenile Probation program for their efforts this past weekend to clear city public sidewalks of sand left over from winter. Also, we would like to thank the Post Falls Highway District for their efforts to train 18 city staff members in a traffic flagging course. The Recreation Department is taking registrations for Youth Soccer, ages 5 to 13, March 1st to March 11th.

AWARD OF BID – NORTHWEST BLVD. BIKEWAY PROJECT: Motion by Goodlander, seconded by Hassell, to award the bid for the NW Blvd. Bikeway Project to Hereford Construction and to direct staff to prepare a contract. Motion carried.

Councilman Goodlander also commented that the project is exciting. The trail will have nice river views and thanked Doug Eastwood for all his hard work on this project. Mr. Eastwood explained that the bikeway was started in 1985 and implemented in the nineties. At that time, Northwest Boulevard was the best available route. As property has been purchased along the Spokane River, property owners have been interested in relocating the path along their property. The City was able to obtain a 90/10 matching grant from the Idaho Transportation Department and all issues have been resolved. Councilman Wolfinger commented that the City is pleased that the bids for the project were 8% below the engineers estimate. Councilman McEvers replied that he served on the committee and he applauds all the overwhelming efforts of the Committee to reach this goal.

ELIMINATION OF PARKING – HARRISON AVENUE:

Councilman Reid stated that after hearing public comments, about the problems created for some homeowners with this project, the Public Works Committee has decided to bring the issue before the entire City Council for a decision on this matter. The homes in question have no alley access, smaller lots, with single car garages, and limited parking capability, if parking on Harrison was eliminated adjacent to their homes. Motion by

Wolfinger, seconded by Hassell, to hear testimony regarding the proposal of installing bicycle lanes on Harrison. Motion carried.

Vern Newby, Chairman of the Bicycle-Pedestrian Committee, spoke on behalf of the proposed bicycle lanes on Harrison. The City has increasing population growth, increasing bicycle traffic. The current Bikeway Plan, adopted by the Council several years ago, identifies Harrison Avenue as a major crosslink linking Government Way to 15th Street. This would connect the Cherry Hill Park with the Centennial Trail and the other north-south routes. Harrison has a 25 mph speed limit due to Bryan School and a park. The Bryan School principal, Joe Palmer also supports this proposed plan. City Attorney Mike Gridley, also commented that the Cherry Hill BMX track is being developed which will create more bicycle traffic, and once the lanes are in place he feels more people will use Harrison. Gordon Dobler, City Engineer, spoke regarding the national standards for Class II bike paths. The standards state that there needs to be a lane in each traffic direction so that you do not have two-way bicycle traffic in the same lane. He would not advise deviating from national standards. Chris Copstead, 502 North 20th Street, stated that the Bikeways Plan was adopted by the Council two years ago identifying Harrison as a crosslink in the Class II Design criteria. The City of Coeur d'Alene needs to look at what is safest for children. He noted that children will always take the most direct route. The goal is to have bikeways be the most safest route to schools and parks. He feels the new park will be one of the biggest attractions in the City. He thinks the decision needs to be made now. Gene O'Meara, 1522 Pennsylvania, spoke on behalf of the effort to reach a compromise on the issue. He stated that areas without traffic control indicators on the same side of the street as you are riding, are often overlooked. He mentioned that the public needs to use bicycles and exercise more, as obesity is becoming a national problem. Bikeways help keep people healthy, and they will ride if the City provides a safe means. On the larger scale, he feels this would also help reduce oil consumption. Mark Enders, 1212 East Harrison, spoke clarifying parking. The no parking zone between signs on Harrison is approximately 100 yards long. Safety is the utmost concern and he feels the City needs to route children up onto the sidewalk if they have to.

Concerns were raised by the Council regarding the loading and unloading of students at Bryan School, the width of streets once the bike lanes are installed, intersection crossings, and possible rerouting to an alternative street where the street narrows and homeowners may not be as greatly impacted. The Overlay project for the City will start after the Fourth of July so the decision needs to be made prior to that project. Councilman Reid stated that the Council has asked for explicit maps showing the affected areas and the Council has not received them. Councilman McEvers stated that the involved parties need to meet together to work on a solution. Councilman Wolfinger stated that there is still time to make decisions before the commencement of the overlay project. Councilman Goodlander thanked all the efforts of those serving on this committee for their true dedication to create safe bicycle and walking trails. They have a lot of energy and include a person in a wheelchair, to make certain wheelchair needs are also addressed in our trail system.

Motion by Wolfinger, seconded by Reid, to table the item for elimination of parking on Harrison until the April 19th regular Council meeting. Motion carried.

RESOLUTION 05-019

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CITY OF COEUR D'ALENE PERSONNEL RULES MANUAL BY AMENDING RULE I, SECTION 4, ENTITLED "COMPETITIVE SERVICE," TO CLARIFY WHICH RULES PERTAIN TO EMPLOYEES NOT WITHIN THE COMPETITIVE SERVICES; RULE I, SECTION 14, ENTITLED "DEPARTMENT HEADS," TO REPEAL THE REQUIREMENT TO RESIDE WITHIN KOOTENAI COUNTY, WHILE CONTINUING TO ALLOW FOR THE CITY ADMINISTRATOR DISCRETION TO REQUIRE CERTAIN POSITIONS TO RESIDE WITHIN A TWENTY (20) MINUTE DRIVING RESPONSE TIME TO THE CITY LIMITS; RULE III, SECTION 2, ENTITLED "RESIDENCE," SHALL BE RE-TITLED "RESIDENCY" TO BE CONSISTENT WITH OTHER REFERENCES WITHIN THE RULES, AND TO REPEAL THE REQUIREMENT FOR RESIDENCY WITHIN KOOTENAI COUNTY, WHILE CONTINUING TO ALLOW FOR THE CITY ADMINISTRATION DISCRETION TO REQUIRE CERTAIN POSITIONS TO RESIDE WITHIN A TWENTY (20) MINUTE DRIVING RESPONSE TIME TO THE CITY LIMITS AND RULE XIX, ENTITLED "AUTHORIZATION AND PROCEDURES FOR EXPENSE REIMBURSEMENT," TO CLARIFY THE CITY'S REQUIREMENTS FOR REIMBURSEMENT OF TRAVEL AND TRAINING, AND OFFICIAL REPRESENTATION EXPENSES, AND THE ASSOCIATED IRS RULES AND REGULATIONS, INCLUDING THE DEFINITION OF A VALID RECEIPT, ALLOWABLE MEALS EXPENDITURES, AND PROCEDURE FOR RECEIVING ADVANCED TRAVEL FUNDS.

Motion by Wolfinger, seconded by Reid, to adopt Resolution 05-019.

DISCUSSION:

Councilman Hassell stated that he does not support this resolution as he feels City tax dollars should pay salaries to County citizens. Employees should have to live with laws they create, enforce, and pay those dollars back to the community in which they live. Councilman Wolfinger spoke, stating that employees are dedicated and contribute wherever they live. He feels the ability to establish a response time requirement is more critical than where someone lives. Councilman McEvers both spoke, stating that he understands both sides of this matter, but he would like to see salary dollars stay in Idaho.

ROLL CALL: Hassell, No; Edinger, Aye; Reid, Aye; Wolfinger, Aye; Goodlander, Aye; McEvers, Aye. Motion carried.

PUBLIC HEARING – AMENDING WATER HOOK-UP FEES: Mayor Bloem read the rules of order for this public hearing. Jim Markley, Water Superintendent, gave the staff report.

Mr. Markley reported that to fully implement the new radio meter reading system, staff will need to change the specifications and require the use of radio read meters. Effective March 1, 2005 the fees for new water main connections shall consist of the total of all that apply: MXU fee: All new services \$130.00; Hook-Up Fees: ¾” or 1’ meter - \$1,200, 1 ½” meter - \$1,850, 2” meter - \$2,200. Asphalt patching – if installation of a meter setting and street cut are required, patching fee will be \$360.00.

Public Comments: There were no public comments received regarding this issue

DISCUSSION: Goodlander asked for a breakdown of how the cost was determined, which Mr. Markley promptly supplied. Mr. Markley also stated that the cost would only be incurred by commercial users requesting the City Water Department to do an installation of a hook-up or new meter. He explained most new subdivisions already have their hookups completed.

RESOLUTION NO. 05-018

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE WATER DEPARTMENT'S HOOK-UP FEES FOR WATER METER INSTALLATIONS AND THE CREATION OF A FEE FOR THE INSTALLATION OF AN MXU WITH ALL NEW WATER SERVICES AND APPROVING THE REVISED WATER METER SETTING POLICY STATEMENT.

Motion by Wolfinger , seconded by Goodlander to adopt Resolution 05-018.

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

PUBLIC HEARING – ZC-10-04 – ZONE CHANGE AT 3617 AND 3625

FRUITLAND LANE: Mayor Bloem read the rules of order for this quasi-judicial public hearing. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos gave the applicant's name as Robert Hamilton, the location as 1.82 +/- acre-parcel located at 3617 and 3615 Fruitland Lane and the reason for the request as a zone change from MH-8 to R-12.

He went on to give the staff analyses for zoning, utilities, traffic, streets and stormwater. Mr. Stamsos reported that on January 25, 2005, the Planning Commission recommended approval of the proposed zone change with the following condition:

1. An additional five feet (5') of right-of-way on Fruitland Lane and approximately thirty feet (30') on the westerly boundary that adjoins the future Howard Street shall be dedicated to the City.

He reported that 90 notices were mailed on February 11th with two responses being received: 1 in favor, 0 opposed, 1 neutral. Written comments were distributed for Council review.

Public Comments: Robert Hamilton , 2023 Hillcrest, stated that he has owned this property for 20 years. He was waiting for the Fruitland sewer to be installed, and now that project is completed. He plans to remove two old trailer homes, and 2 older duplexes. It will increase property values .

DISCUSSION: None

MOTION: Motion by Wolfinger, seconded by Reid, to approve the requested zone change including the aforementioned condition and to adopt the Findings and Order of the Planning Commission. ROLL CALL: Goodlander, Aye; Hassell, Aye; McEvers, Aye; Reid, Aye; Goodlander, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Reid, seconded by Wolfinger to enter into Executive Session as provided by Idaho Code 67-2345 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; Wolfinger, Aye. Motion carried.

The session began at 7:55 p.m. Members present were the Mayor, City Council, City Administrator and City Attorney.

Matters discussed were those of hiring an employee, property acquisition and pending litigation. No action was taken and the Council returned to regular session at 8:44 p.m.

ADJOURNMENT: Motion by reid, seconded by Wolfinger, to recess this meeting to Monday, March 7th at 5:00 p.m. at the Police Station. Motion carried.

The meeting adjourned at 8:45 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk