

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 20, 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, September 20, 2005 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Loren Edinger)	Members of Council Present
Al Hassell)	
Woody McEvers)	
Deanna Goodlander)	
Dixie Reid)	
Ben Wolfinger)	

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

INVOCATION was led by Pastor Phil Muthersbaugh, LifeSource Community Church.

PLEDGE OF ALLEGIANCE: Councilman Hassell led the pledge of allegiance.

PRESENTATION – STORMWATER PUBLIC EDUCATION VIDEO: Deputy City Administrator Jon Ingalls introduced Sam Hoggatt who produced the video on the City's stormwater system. Sam created the video as a project for attaining his Eagle Scout status.

PUBLIC COMMENTS:

FUND RAISER FOR HURRICANE KATRINA VICTIMS: John Koontz, Chairman of ARK, (Assistance Recovery with Kindness), which he formed to help the victims of Hurricane Katrina, is producing a show, using local talent, to help raise funds for this cause. He asked the Mayor and Council to proclaim the 29th day of September as North Idaho ARK Day in the City. Funds will be split between the Red Cross, Salvation Army and Habitat for Humanity. Motion by Wolfinger, seconded by Edinger to have a proclamation prepared and read at the Council's September 29th Council meeting.

COPPER RIDGE PLAT APPROVAL: Jay Barnett, 3900 Miners Loop, expressed her concerns regarding the activities that have recently taken place including bringing in-fill dirt to raise the level of the streets up to 6' above current grade. She asked that, if a significant change in the preliminary plat was made, wouldn't it be brought back for public review. Council President Reid asked City Engineer Gordon Dobler if this movement of dirt is a normal part of development. Gordon responded that although the expectation from the neighborhood may differ from the developer, there is a condition that nothing will be built above 2240 ft., and the developer has adhered to this condition.

Council President Reid then asked if the finished grade will be higher than expected. Mr. Dobler responded that from a Staff's point of view, no. During the preliminary plat review, the road grades were discussed and agreed to during that review. Council President Reid asked where the roadway joins with Shadduck Lane does the new road construction come in at the same grade. Mr. Dobler responded that it will come down off the hill at a 2% grade and then will meet at the original grade of Shadduck Lane. Councilman Goodlander questioned the previous issue of water run-off not running into Cumberland Meadows and asked what would prevent the water runoff when the roadway is raised. Gordon responded that water runoff from the roads will be run off into the swales along the roadway. Councilman Edinger mentioned that he, as well as Wendy Hague, Gordon Dobler and Jay Barnett met last week, and as he recalled that all you would see is the roofs of the homes; however, today, with the grade buildup you will not only see the roofs but the entire house. It was also his understanding that the development was to be constructed on the existing level of ground. With these elevations that have been built up, the neighbors will be having headlights directed into their homes. He would like to have the opportunity for staff to meet with the neighbors and developers.

Motion by Edinger, seconded by Goodlander that Item S-2-04 (Plat approval and subdivision improvement agreement) be removed from the Consent Calendar in order to provide an opportunity for City staff, the developers and the neighbors to meet. Motion carried.

ANIMAL SHELTER: Marlies Scott, 502 Foster, asked Council for assistance in resolving the issues for the Coeur d'Alene Animal Shelter, a private business entity. She would like to have the City develop a task force to resolve this issue and to help her group care for these animals. She suggested raising the parking fees to pay for this facility. Mayor Bloem suggested creating a Foundation for the care of these animals. Councilman Hassell noted that there is a new organization being created to assist the animal shelter. General Services Committee Chairman, Councilman Wolfinger, asked that this be added to the General Services Committee agenda for September 26th.

CONSENT CALENDAR: Motion by Reid, seconded by McEvers to approve the Consent Calendar as presented excluding the final plat approval and subdivision improvement agreement for Copper Ridge.

1. Approval of minutes for August 24, September 6, 2005.
2. The Public Works Committee and General Services Committee are scheduled for September 26, 2005 at 4:00 p.m.
3. RESOLUTION 05-065: 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 A FILM PRODUCTION AGREEMENT AND FILM PERMIT WITH TEENAGE DIRTBAGS, LLC; APPROVAL OF A COOPERATIVE AGREEMENT WITH THE IDAHO TRANSPORTATION DEPARTMENT FOR STREET SWEEPING GRIT DEPOSIT; APPROVAL OF

CHANGE ORDER NO. 1 TO THE AGREEMENT WITH CONTRACTORS NORTHWEST, INC. FOR THE WWTP PHASE 4B; APPROVAL OF AN ENGINEERING ASSISTANCE AGREEMENT WITH HDR ENGINEERING FOR THE WWTP EQUIPMENT REPLACEMENT; WITH KOOTENAI MEDICAL CENTER FOR USE OF THE TERRILL AQUATIC CENTER BY THE RECREATION DEPARTMENT .

4. Authorization for sole source procurement for City snow plows.
5. Bid Award – 3 110” frame police patrol vehicles and authorizing re-bid on 3 112” frame police patrol vehicles.
6. Setting of public hearings for A-9-05 and O-4-05 for November 1, 2005
7. Approval of beer/wine license for Joey’s Smokin’ BBQ and 2360 Old Mill Loop.
8. Approval of bills as submitted and on file in the City Clerks Office.

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

ARTS COMMISSION ACTIVITIES: Councilman Wolfinger announced that the Mayor’s Arts award will be presented on October 13th at the Cd’A Inn. The Arts Commission is also kicking off their Public Art Master Planning Session on October 18th with public forums and information gathering.

NEW LIBRARY BUILDING: Councilman Goodlander announced that the design of the interior of the new library is being finalized.

CITYLINK PUBLIC TRANSPORTATION SYSTEM: Council President Reid announced that a public transportation system will be here soon. The bus system will be called CityLink. Laura Stensgar will be giving a presentation on at the City Council meeting on October 4th regarding the new fixed bus route for Northern Kootenai County. She noted that the boarding fee for this service is absolutely free.

WASTEWATER TREATMENT PLANT TOUR: Councilman McEvers announced that he recently toured the wastewater treatment plant.

APPOINTMENTS TO YOUTH COUNCIL: Motion by Edinger, seconded by Wolfinger to appoint Jordan M, Keough, II, Logan Stoodley, T. Julian Lemke, Kate Henry, Elden Stokes and Ian Turner to the Youth Advisory Council. Motion carried.

NIC HEALTH SCIENCE BUILDING DONATION: Mayor Bloem expressed her appreciation to Judy and Steve Meyer for their \$1,000,000 donation for the NIC Health Science Building.

BEST HILL RANCH PROPERTY: Motion by Hassell, seconded by Reid to authorize the sale of dedicated parkland as requested by the Best Hills Ranch Property Owners Association for \$33,000.00. Motion carried.

RESOLUTION 05-066

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONTRACT WITH LEGENDS SPORTS PHOTOGRAPHY.

Motion by Hassell, seconded by Edinger to adopt Resolution 05-066.

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

RESOLUTION 05-067

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR ORGANIZING MUSICAL PERFORMANCES, WITH HANDSHAKE PRODUCTIONS, INC., ITS PRINCIPAL PLACE OF BUSINESS AT 105 N 4th STREET, STE 202, CDA 83814.

Motion by Hassell, seconded by Edinger to adopt Resolution 05-067.

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

PHIPPENY PARK GRANT: Motion by Hassell, seconded by Reid to accept any matching playground grant funds offered by Game Time for G.O. Phippeny Park. Motion carried.

ORDINANCE NO. 3231
COUNCIL BILL NO. 05-1019

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.68.020 TO AMEND DEFINITIONS; REPEALING SECTION 5.68.030 AND ADOPTING A NEW SECTION 5.68.030 PROVIDING FOR DIFFERENT TYPES OF LICENSES AND REQUIREMENTS THEREFORE; ADOPTING A NEW SECTION 5.68.035 REGARDING OVERNIGHT CARE; AMENDING SECTION 5.68.040 TO REQUIRE ADDITIONAL BACKGROUND CHECKS; AMENDING SECTION 5.68.050 TO PROVIDE FOR ADDITIONAL BACKGROUND CHECKS AND NOTIFICATION OF REGISTERED SEX OFFENDERS WHO MAY BE ON THE PREMISES; AMENDING SECTION 5.68.060 TO INCLUDE CARE PROVIDER; AMENDING SECTION 5.68.090 REGARDING RELOCATION OF CHILD CARE FACILITY; AMENDING SECTION 5.68.100 REGARDING APPEAL PROCEDURES; AMENDING SECTION 5.68.105 REGARDING APPEALS TO CITY COUNCIL; AMENDING SECTION 5.68.110 TO PROHIBIT DISPENSING OF DRUGS WITHOUT CONSENT, USING AN UNLICENSED CARE PROVIDER, SMOKING ON THE PREMISES, USING EMPLOYEES IN A RESIDENTIAL ZONE WITHOUT A SPECIAL USE PERMIT;

AMENDING SECTION 5.68.120 REGARDING POSTING OF LICENSE; AMENDING SECTION 5.68.130 REGARDING DOCUMENTATION AT ANNUAL RENEWAL; AMENDING SECTION 5.68.140 TO PROVIDE FOR A DOUBLE FEE FOR LATE RENEWAL AND ALLOWING REVOCATION/DENIAL OF A LICENSE FOR RATIO VIOLATIONS; 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.

Deputy City Clerk Kathy Lewis presented the proposed amendments to the Childcare Code.

Motion by Wolfinger, seconded by Hassell to pass the first reading of Council Bill No. 05-1019.

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

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Council Bill No. 05-1019 by its having had one reading by title only.

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

ORDINANCE NO. 3232
COUNCIL BILL NO. 05-1032

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.08.015 TO AMEND THE DEFINITIONS OF EATING ESTABLISHMENT AND PARK AND TO DELETE THE DEFINITION OF INCIDENTAL SALE OF BEER; AMENDING SECTION 5.08.060 BY ADDING A REVOCATION PROCEDURE; AMENDING SECTION 5.08.170 TO ALLOW BEER SALES WITHIN THREE HUNDRED (300') FEET OF A CHURCH WHEN INCIDENTAL TO THE OPERATION OF AN EATING ESTABLISHMENT AND REPEALING THE REQUIREMENT THAT AN EATING ESTABLISHMENT PROVIDE RECEIPTS TO THE CITY; REPEALING SECTION 5.08.190 ENTITLED TIME OF REVOCATION; 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 Wolfinger, seconded by Hassell to pass the first reading of Council Bill 05-1032.

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

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Council Bill No. 05-1032 by its having had one reading by title only.

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

RESOLUTION NO. 05-068

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE TRANSFER OF REAL PROPERTY TO LAKE CITY DEVELOPMENT CORPORATION, A DULY ORGANIZED URBAN RENEWAL AGENCY.

Motion by Goodlander, seconded by Edinger to adopt Resolution 05-068.

DISCUSSION: Jonathan Coe confirmed that the Downtown Association will be housed at their new Chamber facility. He added that the Chamber owns the adjacent property and will begin construction in the Spring.

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

IDAHO TRANSPORTATION DEPARTMENT THANKED: Council President Reid on behalf of the City expressed our appreciation and thanks to the Idaho Transportation Department for agreeing to allow the city to deposit sweeper grit in ITD's pit on Ramsey Road.

DISCONNECTION PROCEDURES: NON-COMPLIANCE WITH BACKFLOW REGULATIONS: Motion by Reid, seconded by Edinger to approve the enforcement of City Ordinance No. 1776, disconnection procedures for non-compliance with backflow regulations. Motion carried.

2005-2006 SNOW PLAN: Motion by Reid, seconded by McEvers to approve the 2005-06 City Snow Removal Plan. Motion carried.

RESOLUTION NO. 05-069

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CITY OF COEUR D'ALENE CLASSIFICATION AND COMPENSATION PLAN TO PROVIDE FOR THE RECLASSIFICATION OF THE POSITIONS OF DEPUTY CITY ADMINISTRATOR, LEGAL SERVICES DIRECTOR/CITY ATTORNEY, FINANCE DIRECTOR/CITY TREASURER, FIRE CHIEF AND POLICE CHIEF.

Motion by Reid, seconded by Wolfinger to approve Resolution 05-069.

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

ORDINANCE NO. 3233
COUNCIL BILL NO. 05-1031

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-8PUD TO C-17LPUD AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: +/- 760-ACRE DEVELOPMENT LYING BETWEEN RAMSEY AND ATLAS ROADS IN THE VICINITY OF LAKE CITY HIGH SCHOOL, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; 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 Wolfinger, seconded by Reid to pass the first reading of Council Bill no. 05-1031.

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

Motion by Wolfinger, seconded by Reid to suspend the rules and to adopt Council Bill No. 05-1031 by its having had one reading by title only.

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

ORDINANCE NO. 3234
COUNCIL BILL NO. 05-1033

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AS FOLLOWS; AMENDING ORDINANCE NO. 3215 TO CORRECT SECTIONS 10.26.020 AND 10.26.040 BY ADDING THE DESCRIPTION OF OVERNIGHT PARKING; 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 Wolfinger, seconded by McEvers to pass the first reading of Council Bill No. 05-1033.

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

Motion by Wolfinger, seconded by McEvers to suspend the rules and to adopt Council Bill No. 05-1033 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.

PUBLIC HEARING – AMENDING THE 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 reviewed the changes to this year's budget including revenues received and expenditures made. Some of the activities impacting the budget during this past fiscal year included the City acquiring a piece of property and equipment for public safety, the Fire Department having 10 employees who had chosen to opt for the retirement plan, and the Police Department establishing a motorcycle program. He noted that there are no new property tax dollars that were used for these increased expenditures.

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

ORDINANCE NO. 3235
COUNCIL BILL NO. 05-1030

AN ORDINANCE AMENDING ORDINANCE 3183, THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004 APPROPRIATING THE SUM OF ~~\$50,974,775~~ \$53,707,202, WHICH SUM INCLUDES ADDITIONAL MONIES RECEIVED BY THE CITY OF COEUR D'ALENE IN THE SUM OF \$2,735,517; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Reid, seconded by Edinger to pass the first reading of Council Bill No. 05-1030.

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

Motion by Goodlander, seconded by Edinger to suspend the rules and to adopt Council Bill No. 05-1030 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.

PUBLIC HEARING – O-2-05 – AMENDMENT TO SUBDIVISION

REGULATIONS 16.10.020: Mayor Bloem read the rules of Order for this public hearing. Warren Wilson, Deputy City Attorney, gave the staff report.

Mr. Wilson presented the proposed amendments to the City's subdivision code as it relates to open space planning and design. Currently there is no provision to require developers to meet and discuss parks and open space prior to Council's approval of the subdivision plat. In almost all cases the subdivision has been pre-platted according to engineering and subdivision codes only. Making changes to open space at this point meets with resistance from the developers because they have already invested time and money into the subdivision plan. Sincere there is no requirement for the developer to meet with the Parks Department and discuss park location and accessibility, in too many cases they do not meet with staff before they have made their investment into their platted design.

Staff is requesting Council provide for a developer to be required to meet with the Parks Department prior to plat plan submittal. Mr. Wilson also asked that the effective date of this code amendment be October 3, 2005.

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

ORDINANCE NO. 3236
COUNCIL BILL NO. 05-1016

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 16.04.015 TO INCLUDE IN THE PURPOSES OF THE SUBDIVISION ORDINANCE THE PROPER PROVISION OF PARK LAND AND PEDESTRIAN/BIKE TRAILS; AMENDING SECTION 16.10.020 TO REQUIRE THAT SUB-DIVIDERS MEET WITH CITY STAFF PRIOR TO APPLICATION TO DISCUSS CITY STANDARDS INCLUDING PARK STANDARDS; 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 Reid to adopt Council Bill No. 05-1016 and establish the effective date of this Ordinance as October 3, 2005.

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

Motion by Edinger, seconded by Hassell to suspend the rules and to adopt Council Bill No. 05-1016 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.

PUBLIC HEARING – O-3-05 – PLANTING SCREENS ON DOUBLE-FRONTAGE LOTS: Mayor Bloem read the rules of order for this public hearing. Warren Wilson, Deputy City Attorney, gave the staff report.

Mr. Wilson reported that M.C. 16.20.240 currently requires that an easement be dedicated to the “appropriate governmental agency” for a planting screen generally along the rear of a double-frontage lot. However, the City Code does not identify what can and cannot be placed in the easement and also it does not address who is responsible for maintaining the planting screen.

The proposed amendments will provide an interim tool to require that a planting screen is planted and maintained along the rear of double-frontage lots.

PUBLIC COMMENTS: Ellen Rogers, 5400 Miners Loop, spoke in support of the proposed amendments. She asked that the City stipulate it is required that only plants with a long-lived plant life be planted.

ORDINANCE NO. 3237
COUNCIL BILL NO. 05-1034

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 16.20.240 TO REQUIRE THAT DOUBLE FRONTAGE LOT SCREENING EASEMENTS BE PLANTED AND MAINTAINED BY THE HOMEOWNER IN ACCORDANCE WITH THE LANDSCAPING ORDINANCES; AMENDING SECTION 17.06.830 TO PROVIDE LANDSCAPING STANDARDS FOR DOUBLE FRONTAGE LOT SCREENING EASEMENTS; 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 Wolfinger to pass the first reading of Council Bill No. 05-1034.

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

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Council Bill No. 05-1034 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.

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: Wolfinger, Aye; Hassell, Aye; Goodlander, Aye; McEvers, Aye; Reid, 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 property acquisition and pending litigation.

No action was taken and the Council returned to regular session at 9:00 p.m.

UPCOMING AGENDA ITEMS: Following Executive Session, the Council reviewed possible topics of discussion for their upcoming joint meetings with LCDC and Kootenai County Commissioners.

PERSLING CLAIM: Motion by Wolfinger, seconded by Goodlander to authorize staff to negotiate a settlement in the Persling claim. Motion carried.

ADJOURNMENT: Motion by Wolfinger, seconded by Edinger, to recess this meeting to September 29, 2005 at 11:30 a.m. in the Council Chambers. Motion carried.

The meeting recessed at 9:14 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC
City Clerk