

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL  
OCTOBER 4, 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 October 4, 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 )  
Loren Edinger )  
Deanna Goodlander )

Ben Wolfinger ) Members of the Council Absent

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

**PLEDGE OF ALLEGIANCE:** The pledge was led by Council President Reid.

**PROCLAMATION–DOMESTIC VIOLENCE AWARENESS MONTH:** Council President Reid, on behalf of Mayor Bloem, read the proclamation proclaiming October 2005 as “Domestic Violence Awareness” month in the City. Linda Kincade accepted the proclamation. She noted that her organization has helped over 3,000 families this past year.

**PROCLAMATION–WHITE CANE DAY:** Councilman Hassell, on behalf of Mayor Bloem, read the proclamation proclaiming October 15<sup>th</sup> as “White Cane Safety” day in the City. Chester Bemis accepted the proclamation. His organization will be at Super 1 Foods October 15<sup>th</sup> to provide information.

**PRESENTATION–CITYLINK TRANSPORTATION SYSTEM:** Laura Stensgar presented the proposed public transportation system for the City and surrounding area. The Citylink bus system began September 12<sup>th</sup> by providing service to Plummer, Worley and Tensed. The northern part of this transportation service is anticipated to start the 1<sup>st</sup> week of November and will extend to Coeur d'Alene, Post Falls and Hayden. She distributed a drawing of the logo that will be painted on the sides of the bus which depicts a fisherman and trout. She encouraged everyone to use Citylink. Rosie Taylor presented an overview of the objectives for implementing a bus system, the proposed bus route including a bus link to the bicycle trailheads from Riverstone through the Cd'A Casino. She explained that the reason for the November 1<sup>st</sup> starting date for the northern portion of the bus system was due to a delay in the delivery of new buses and installation of wheelchair lifts. Councilman Hassell noted that the City will place the schedule on the

City's web site and the City's television channel, Cable Channel 19. Laura Stensgar also noted that the Casino will also have the schedule posted on their web site as well as having an 800 phone number available.

**PUBLIC COMMENTS:**

**BREAST CANCER AWARENESS MONTH:** Susan Snedaker, 821 Hastings, noted that this is breast cancer awareness month and urged all residents to have their annual checks.

**CITY SIDEWALK SYSTEM:** James Ball, 600 W. Hubbard Ave., #35, Cd'A voiced his concern regarding the City's increasing traffic and noted that the Council has the power to improve the residents' health and longevity by providing more accessibility for pedestrians. Councilman Goodlander noted that the City is working on improving the City's sidewalk system.

Scott Tostengard, 5419 N. Martha Loop, thanked Mayor Bloem, the Council and staff for their support and cooperation with the US Bank project on Seltice Way. He announced that initially it was hoped that they would have 100 employees; however, to date, they have 150 employees. He presented the Mayor with a plaque for the City's cooperative effort. Mayor Bloem thanked US Bank for selecting Coeur d'Alene as the site of their new call center.

**CONSENT CALENDAR:** Motion by Reid, seconded by Hassell to approve the Consent Calendar as presented except to remove items 3f (S-4-04), 3g (S-5-04), 3h (S-2-04) and 5 (Acceptance of right-of-way dedication for Riverway Place Roadway from the calendar.

1. Approval of minutes for September 20, 2005.
2. Setting the Public Works Committee and General Services Committee meeting for October 10, 2005 at 4:00 p.m.
3. RESOLUTION NO. 05-070 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 AN AMENDMENT TO THE FLEXIBLE SPENDING ACCOUNT PLAN DOCUMENT WITH MAGNUSON, MCHUGH & COMPANY; APPROVAL OF A TRAINING AGREEMENT WITH THE INSTITUTE FOR ADVANCE DEVELOPMENT FOR 3 TRAINING COURSES TO BE OFFERED OCTOBER 19 – 20, 2005; APPROVAL OF AN AGREEMENT WAIVING OPPOSITION TO ANNEXATION FOR WATER SERVICE OUTSIDE CITY LIMITS WITH MR. & MRS. LEICHTNAM AT 2207 E. HARRISON AVENUE; APPROVAL OF A RIGHT-OF-WAY EASEMENT WITH MILLER STAUFFER ARCHITECTS, P.A. FOR THE PARKSIDE DEVELOPMENT AT 7<sup>TH</sup> STREET AND FRONT AVENUE; APPROVAL OF S-1-94 FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT WITH COEUR D' ALENE PLACE 14<sup>TH</sup> ADDITION;

4. Declaration of sole-source procurement for Allen-Bradley Electrical Equipment and software for the Water Department.
6. Acceptance of bid for Seltice Way/Grandmill Boulevard signal equipment purchase.
7. Approval of cemetery lot transfer from Mrs. Paul Landes to Robert and Donna Landes.

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

Motion by Hassell, seconded by McEvers to approve the following Consent Calendar items including that portion of Item 3 as follows: RESOLUTION NO. 05-070 - APPROVAL OF S-4-04 ACCEPTANCE OF IMPROVEMENTS AND MAINTENANCE / WARRANTY AGREEMENT FOR JAE'S PLACE; APPROVAL OF S-5-04 ACCEPTANCE OF IMPROVEMENTS AND MAINTENANCE / WARRANTY AGREEMENT FOR MILL RIVER 1<sup>ST</sup> ADDITION; APPROVAL OF S-2-04 FINAL PLAT APPROVAL AND SUBDIVISION IMPROVEMENT AGREEMENT WITH COPPER RIDGE SUBDIVISION, and Consent Calendar item 5: Acceptance of right-of-way dedication for Riverway Place Roadway adjoining the Mill River Development from Neighborhood, Inc.

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

**LIBRARY DESIGN:** Councilman Goodlander announced that the Library design has been completed and she believes it is an excellent design and will be a great benefit to the community.

**APPOINTMENT-DESIGN REVIEW COMMISSION AND LIBRARY BOARD:** Motion by Reid, seconded by Goodlander to approve the appointment of Scott Rasor to the Design Review Commission and Kathy Canfield-Davis to the Library Board. Motion carried.

**ANIMAL CONTROL AD HOC COMMITTEE:** Motion by Goodlander, seconded by Edinger to approve the formation of an Animal Control Ad Hoc Committee. Motion carried. Councilman Edinger suggested that representatives from the Kootenai Humane Society be asked to serve on this ad hoc committee. Councilman McEvers also suggested a representative from PAWS also serve. Mayor Bloem noted that the committee will be formed as quickly as possible and if anyone is interested on serving on this ad hoc committee please contact the City.

#### RESOLUTION NO. 05-071

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONTRACT WITH CONTRACTOR'S NORTHWEST, INC.

Motion by Reid, seconded by Goodlander to adopt Resolution 05-071.

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

#### RESOLUTION NO. 05-072

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR PREPARATION OF AN ARTS MASTER PLAN, WITH BARNEY & WORTH, INC. ITS PRINCIPAL PLACE OF BUSINESS AT 1121 SW, STE. 1140, PORTLAND, OREGON 97204.

Motion by Goodlander, seconded by Edinger to adopt Resolution 05-072.

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

**PROPERTY AT 728 E. SHERMAN AVENUE:** Council President Reid explained that in partnership with LCDC, LCDC has been aggressively acquiring key property for the city and one of those properties is located at 728 E. Sherman Avenue. Motion by Reid, seconded by Hassell to confirm that the City does want LCDC to retain the property at 728 Sherman Avenue for the future extension of 8<sup>th</sup> Street. Motion carried.

**PUBLIC HEARING–A-7-05–ANNEXATION/ZONING AT 2248 E. STANLEY HILL ROAD:** Mayor Bloem read the rules of order for this public hearing. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos gave the applicant's name as Gene Haag, the location as a 3.022-acre parcel located at 2248 E. Stanley Hill Road, and the reason for the request as a zone change from County Agricultural-Suburban to R-3.

He went on to give the staff analyses for land use, Comprehensive Plan, zoning, utilities, traffic and streets. He reported that on August 9, 2005 the Planning Commission voted to deny this request by a vote of 4 to 0 and recommended that the subject property be zoned R-1. He noted that 63 notices of this public hearing here mailed on September 16, 2005 and 12 responses were received - 2 in favor, 10 opposed, 0 neutral. Written comments were distributed for Council review. Mr. Stamsos noted that since this property has a 19% slope, it would fall under the City's hillside regulations. He also noted that a dedication of the required right-of-way for Lilly Drive necessary for the construction of a standards City Street was recommended. City Engineer Gordon Dobler reported that sewer is available at either Lilly Avenue or Stanley Hill Road.

**PUBLIC COMMENTS:** Scott Jamar W. 31 Honeysuckle, Hayden, commented that the hillside topography has the same degree of slope as existing residential lots within the city limits and adjacent to the subject property. The applicant is requesting the creation

of 5 units on 3 acres which equates to a 1.7 zoning. He believes that by subdividing the property as planned, it would create a better traffic flow for the area. He believes that the requested zoning is compatible with neighboring zoning densities in that neighboring lots are smaller than they have requested. He stated that the applicant is willing to enter into an annexation agreement for the proposed density. He commented that there are some old cisterns and a seep area on this property; however, their consulting engineer inspected the property yesterday during the heavy rains and there was no run off from Stanley Hill. He noted that the lack of runoff into this area was due to the height of the road. He believes that this project will benefit the city by improvements to the water system through looping and constructing Lilly Drive to create a through street. Council President Reid asked what he meant by a seep. Mr. Jamar responded that it is a natural spring; however it is not large enough to be a hydraulic issue. When asked what happens when the cistern fills up, Mr. Jamar noted that it overflows and runs down the hill.

Councilman McEvers asked what the frontage requirement was for an R-3. John Stamos, Associate Planner, responded that 75' of frontage is required for an R-3 zoning.

Councilman McEvers commented that the Planning Commission report noted that Gene Haag was surprised by the objections to his proposal. Mr. Haag, 2248 Stanley Hill Rd., responded that he had spoken with some of the residents and their objection was that they wanted to live on a dead end road. He added that his family is planning on retiring in their home at the north end of the subject property and it is not their intent to develop at a high density. Regarding the roadway, he believes that the opponents would like to not have Lilly Drive extend through his property.

Russ Deverniero, 1112 N. 22<sup>nd</sup> Street, spoke in opposition to the proposed annexation due to the water flow from this property being greater than the applicant is indicating. He believes that any development would increase the flow of water at the end of the hill. He also believes that the traffic will increase considerably if Lilly Drive is extended.

Bruce Deming, E. 2487 Lilly Drive, believes that the issue is specifically about extending Lilly Drive. He believes that this request would negatively impact wildlife and have an impact environmentally due to the water run-off from the spring. He believes that due to the steep topography, the Planning Commission denied the R-3 zoning request. He commented that if Lilly Drive was developed, it would increase traffic flow by 83 cars per day.

Councilman Edinger asked if the roadway was developed, would the applicant need to cut out the side of the hill. Gordon Dobler, City Engineer, responded that they would have to cut out the hillside for the roadway. He estimated that a 3-4 foot cut would be needed to create the roadway. Councilman Goodlander asked about looping. Gordon responded that the Water Department would require a loop as part of the annexation agreement. He added that the loop wouldn't increase pressure but it would just allow more volume. The reason for the loop is for system redundancy. Councilman Edinger asked Mr. Dobler about the run-off and the possible problems with the roadway. Mr. Dobler noted that if the run off is "channelized" it could be piped under the road. Mr.

Deming stated that the cistern is old, deep and not maintained at all. Council President Reid commented that she cannot believe that people would cut down the steep hill from Stanley Hill Road onto Lilly Drive. Mr. Deming responded that the traffic would come from the east side of this development.

Harry Pollard, 2548 Gunnison Place, commented that his concern is by making Lilly Drive a through-street it would increase traffic and noise.

Janis Houghton, 2576 Lilly Drive, commented that she is opposed to this request and asked the Council to support the Planning Commission's decision. Her main concern is safety for the neighborhood children and family pets. She read a letter from Steven and Janice Meyer residing at 1567 Hill Drive who also oppose the request. Councilman Edinger commented on Mrs. Houghton's statement that she was willing to purchase this property and asked if they approached the applicant. Mrs. Houghton responded that there has only been some conversation among her neighbors.

Randy Houghton, 2576 Lilly Drive, commented that he believes the subject property would not perk due to the drain field and that is his reason why the applicant is wanting to annex into the City. He noted that the drain field is totally saturated today from the drainage off the subject property. He commented that he had talked with the applicant who informed him that he wants the money for developing 5 lots and is not interested in creating 2 cul de sacs with an R-1 zoning.

Micah Coring, 2509 E. Lilly, spoke against the request due to the increased traffic flow and safety for his children being able to play basketball in the dead end street. He presented photos showing the size of the cistern.

Barbara Daugherty, 1120 Stanley Hill Road, voiced her concern of the effect on her property if this property were developed at an R-3 zoning as well as the increased traffic on Stanley Hill Road.

Butch Lieggi, 2589 E. Gunnison Place, opposed the requested zoning but would agree to an R-1 zoning. He is concerned about the extension of Lilly Drive. He does not see any advantage to the City in annexing this parcel.

Troy Davidson, 2546 Lilly Drive, is opposed to the requested annexation and zoning and noted that the traffic down the hill creates a dangerous intersection and it would increase if Lilly Drive was extended. He agrees to an R-1 zoning but not an R-3 zoning.

Lisa Thormodsgard, 2543 Lilly Drive, stated that she lives within 300' of the subject property; however, she did not receive the written notice and believes that other parcels that are currently under construction did not receive their notice. She believes that this is in conflict with due process and thus did not provide her with ample time to prepare for tonight's meeting. She requested that the Council deny the R-3 zoning and annexation of this property.

John Stamos explained that notices are sent from an ownership list obtained from a title company, whose list is reviewed by staff to verify that all property owners are included within the 300' radius, and then notices are mailed to those property owners listed.

Dorothy McNeel, 2525 E. Gunnison place, spoke in opposition to the requested zoning and annexation. She believes that this increased R-3 density is in conflict with surrounding neighborhoods and is in conflict with the City's Comprehensive Plan. She lives in a quiet neighborhood and would like to see it stay that way. She asked if the five new homes would put an overload on the existing sewage treatment plant and at what cost to existing city residents.

Jim Ball, 600 W. Hubbard St. #35, proposed a possible solution which was, if the City opens the west end of Lily Drive to ask the County to close the east end of Lily Drive.

Scott Jamar rebutted that the matter is the zoning and if this property should be a part of the City. He reiterated that this request benefits the city in that if Lilly Drive is connected it would provide better transportation for the citizens and better emergency connectivity. He added that it would also benefit the city by providing better looping of the water system and extending the sewer to the eastern boundary of the city. He noted that the Haag's are not interested in extending the roadway but are interested in accessing city water and sewer services. He noted that they still don't know what the condition of the cistern is but it could be addressed during the subdivision phase. He believes this property is consistent with an R-3 zoning and is a logical extension of the City boundaries.

Councilman Goodlander asked about the issues surrounding the water run-off and believes this is a major concern and wanted to know how the owners are going to address this concern. Mr. Jamar stated that the solution will be decided during the subdivision process. He noted that Mr. Haag also receives water run off from the property north of him and that is simply the nature of hillside water run off.

Council President Reid, asked if the applicant had discussed bringing this forward as a PUD. Mr. Jamar stated that they had not but it might be an option. Council President Reid noted that the zoning and annexation is the issue before the Council tonight and the subdivision process is not a part of this process. Councilman Hassell asked if R-1 is an option for the applicant. Mr. Jamar responded that due to the cost of development that an R-1 is not cost effective. Councilman McEvers commented that development also brings value to the property. Mr. Jamar commented that the roadway seems to be the issue and if the City decides to not require the roadway that would resolve everyone's issues.

**MOTION:** Motion by Hassell, seconded by Edinger to uphold the Planning Commission decision and deny without prejudice the requested annexation and R-3 zoning and adopt the Findings and Order of the Planning Commission.

**DISCUSSION:** Councilman Hassell commented that there are too many holes in the plan and suggested the applicant come back with a PUD. Council President Reid asked staff if

a PUD could accompany an annexation request. John Stamosos responded that the Planning Commission could hear the annexation with a PUD. Then the application would come forward to the Council for the annexation without the PUD.

Councilman McEvers commented that the Council's motion is in hopes that the issues can be resolved between the applicant and the neighbors.

Councilman Goodlander believes that a PUD does give the Council an opportunity to see what is coming and connectivity of roadways are always an issue for the City and she hopes that the neighborhood can come to a resolution of this issue. She also noted that she does not believe it is fair for neighbors to use another person's property and just because there is wildlife it does not give them the right to trespass, and that there is a need for this neighborhood to come to terms with these issues.

Councilman Edinger appreciated all the neighbors that came to the Council meeting tonight and hopes that something can be worked out.

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

**PUBLIC HEARING–IDAHO COMMUNITY DEVELOPMENT BLOCK GRANTS FOR THE COSTCO/4<sup>TH</sup> STREET RECONSTRUCTION PROJECT AND THE U.S. BANK/SELTICE WAY IMPROVEMENT PROJECT:** Mayor Bloem read the rules of order for this public hearing. Renata McLeod, Project Coordinator, gave the staff report.

Mrs. McLeod reported that tonight's public hearing is being held as part of the Idaho Community Block Grant requirements for both the 4<sup>th</sup> Street improvements around the Costco facility and the Seltice Way improvements in front of the US Bank site. She introduced Nelle Coler who is the grant administrator for the 4<sup>th</sup> Street project and Sherri Wastweet who is the grant administrator for the US Bank project.

Ms. Coler reported that the 4<sup>th</sup> Street project will provide significant improvements to this roadway. She noted that as a result of Costco's partnership in this project, 4<sup>th</sup> Street has been widened with turn lanes and sidewalks have been added. She reported that the city received a grant for this project in the amount of \$465,000 which the City matched. Costco also participated in this project with an \$18,000,000 investment and they also agreed to create 50 FTE with 51% to be offered to low and middle income persons. In actuality they created 110 full time equivalent jobs and 67% went to low to middle income persons which is well beyond the expectation.

She also reported that in April of 2004, the City formed an Ad Hoc Committee for 504 Americans with Disabilities Act and completed an analysis of impediments and a transition plan which is required by HUD. However, she believes that the City has the



best plan in the State that she has ever seen. She also commended Renata McLeod for her efforts on this project.

Sherri Wastweet with Panhandle Area Council is the grant administrator for Seltice Way/US Bank call center project. She reported that the City received \$226,000 to purchase signalization equipment for the egress and ingress to the new call center. Additionally, the City entered into a partnership with US Bank Corporation who promised the creation of 50 FTE jobs of which 51% would go to low income employees. They have hired well over 100 employees to date and are well over their 51% LMI. They are planning by the end of the process to have over 500 jobs available at the call center. She noted that the City also pledged \$226,235 and also there was a partnership with Lake City Development Corporation who did many of the roadway improvements. This grant is basically to purchase the signalization equipment which will be purchased through Thorco with arrival of the equipment within 45 days. The equipment should be in place by the end of November.

Council President Reid commended the partnerships in creating these grants. Councilman Goodlander commended PAC for their efforts in assisting with these grants and providing the grant administration services as well as all the other projects that they have participated in for the benefit of the City and citizens. Councilman Hassell commented that these projects have created \$40-50 million in direct impact, over 600 jobs which equates to over 1/4 billion dollars in economic impact not counting salaries for this area.

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

**MOTION:** Motion by Goodlander, seconded by McEvers to accept the mid-construction reports for the 4<sup>th</sup> Street Improvements and the West Seltice Way improvements projects.

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

**EXECUTIVE SESSION:** Motion by Reid, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345: Subsection B: To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent; 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:** McEvers, Aye; Reid, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

The session began at 8:48 p.m. Members present were the Mayor, City Council, City Administrator, and City Attorney.

Matters discussed were those of personnel issues and pending litigation. No action was taken

and the Council returned to regular session at 9:57 p.m.

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

The meeting adjourned at 9:58 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan K. Weathers, CMC  
City Clerk