

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

February 1, 2022

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 1, 2022, at 6:00 p.m., there being present the following members:

James Hammond, Mayor

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

Kiki Miller) Members of Council Absent

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

PLEDGE OF ALLEGIANCE: Councilmember Gookin led the pledge of allegiance.

PUBLIC COMMENTS:

JD Claridge, Coeur d'Alene, stated he had concerns relating to Council approval of ARPA funding after over thirty public comments asking the Council to not accept the funds.

Jake Garringer, Coeur d'Alene, noted that he is the North Idaho Policy Advisor of the executive office of the Governor, and read a letter of support in regard to Resolution No. 22-009, DEQ sub-award agreement for grant funds for stormwater runoff reduction projects.

Linda Putz, Coeur d'Alene, stated she had concerns relating to the Arts Commission appointment of Abby Light, and felt she would not be a good fit for Coeur d'Alene.

Ben (no last name given) stated he had concerns relating to the Arts Commission appointment of Abby Light, and that her type of art went against the conservative and traditional values of Idaho culture.

PRESENTATIONS:

ANNUAL REPORT BY IGNITE CDA: Executive Director Tony Berns presented ignite cda's Annual Report. He explained the agency was formed by the Mayor and Council in 1997, and there were four (4) Districts. The Lake District was established in 1997, and had sunset in 2021, and

had until September 2022 to finish remaining projects. He said the River District was established in 2003, Atlas District in 2018, and the Health Corridor District in 2019. He gave updates on the Four Corner Master Plan, Atlas Project, Health Corridor, various projects and initiatives, Seltice Way Revitalization, and explained ignite's strategic priorities.

DISCUSSION: Councilmember English noted he has been involved on the ignite board and had seen how urban renewal works well. He said the energy and creative effort had produced great results and was a worthwhile endeavor. Councilmember Gookin asked about the closing of the Lake District and what impact it would have on the Midtown Ventures project, with Mr. Berns explaining they had until September 30, 2022 to complete projects. Mr. Berns stated a Development Disposition Agreement (DDA) for Midtown Ventures had been completed with the developer and they were required to develop the project as stated in the DDA. Councilmember Gookin inquired about the Midtown parking lots, with Mr. Berns responding the parking lots would become City assets later this year.

2021 COMMUNITY SERVICE AWARD - HANDS TO LOWES: Deputy Fire Chief Bill Deruyter presented the 2021 Community Service Award to Lowes of Coeur d'Alene Store Manager Zane Dennis. Chief Deruyter stated Lowes had supported the Fire Department and the City during the pandemic, as well as during the wildland fire season. Mr. Dennis said that it had been a great pleasure to support the community and noted Lowes of Coeur d'Alene had donated close to \$100,000 over the past two years throughout Bonner, Kootenai, and Shoshone Counties. Mayor Hammond thanked them on behalf of the City and the community.

ANNOUNCEMENTS:

Mayor Hammond stated he was placing a hold on the Commission and Committee appointments, in order to give the community an opportunity to apply for openings. Councilmember Gookin stated he didn't feel the committees or staff should appoint to their own committees as it was the Mayor's duty to do so.

CONSENT CALENDAR:

1. Approval of the Minutes from the Council Meeting held January 18, 2022.
2. Approval of the Minutes from the General Services/Public Works Committee meeting held January 24, 2022.
3. Approval of Bills as Submitted.
4. Setting of public hearings:
 - a. February 15, 2022- Legislative: Approval for the City's Comprehensive Plan for 2022-2042 (Envision Coeur d'Alene) P-1-22
 - b. February 25, 2022 - Quasi-Judicial: Appeal hearing for Wei Liu, Oriental Bodyworks Massage Revocation of Massage Facility License #57646; Yan Liu, Asia Massage Revocation of Massage Facility License #56395; and Xiaobo Ellsworth Burrs Chinese Bodyworks Denial of Massage Facility License.
5. **Resolution No. 22-006-** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A MEMORANDUM OF UNDERSTANDING WITH INLAND NORTHWEST PICKLEBALL CLUB

REGARDING THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF PICKLEBALL COURTS ON CITY PROPERTY IN CHERRY HILL PARK.

MOTION: Motion by McEvers, seconded by Wood, to approve the Consent Calendar as presented, including **Resolution No. 22-006**.

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

RESOLUTION NO. 22-007

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF SELLAND CONSTRUCTION, INC., AND APPROVING A CONTRACT FOR THE CONSTRUCTION OF IMPROVEMENTS TO KATHLEEN AVENUE.

STAFF REPORT: City Engineer Chris Bosley stated as a part of Idaho Transportation Department's (ITD) Fastlane project, intersection improvements were made to US-95 at its intersection with Kathleen Avenue. The improvement included two (2) left turn lanes from southbound US-95 onto eastbound Kathleen Avenue. He said ITD chose to keep only one (1) left turn lane in operation until the southernmost eastbound lane could be extended to Government Way. He noted the City of Coeur d'Alene (City) contracted with Welch Comer to complete the design of the improvements and the project was advertised in December for construction bids. Bids were received from four (4) contractors and opened on January 18, 2022. The lowest bid was submitted by Selland Construction, Inc., in the amount of \$926,660.00. He stated the Streets and Engineering Department would use impact fees to finance the construction, and approval of the agreement would enable the City to complete the widening of Kathleen Avenue, allowing ITD to open the second left turn lane on US-95, and reduce the traffic merging issues that exist near US-95.

DISCUSSION: Councilmember Gookin inquired if it would address the issues of the two (2) egresses into Super 1, with Mr. Bosley stating it would not affect the approach, ITD had made improvements during the Fastlane project, and no median would be added as it required an additional four feet (4') of road width.

Councilmember McEvers asked if the project added another traffic lane and if bike lanes were being added, with Mr. Bosley responding ITD had already installed two left turn lanes from US-95 that would be utilized at the completion of the City's project, and 5' bike lanes were also being included. Mayor Hammond congratulated staff on the challenges of making the project happen.

MOTION: Motion by Wood, seconded by Evans, to approve **Resolution No. 22-007**; approving a Contract with Selland Construction, Inc., for the Kathleen Avenue Improvement Project in the amount of \$926,660.00.

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

RESOLUTION NO. 22-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, IDAHO, DECLARING THAT AN EMERGENCY EXISTS SUCH THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO ORDER MATERIALS AND HIRE A CONTRACTOR FOR THE WORK TO REPAIR THE DAMAGED ROOF, SKYLIGHT, AND MECHANICAL VENTS AT THE HARBOR CENTER IN ORDER TO SAFEGUARD LIFE, HEALTH, AND PROPERTY; AND AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS WITHOUT COMPLIANCE WITH FORMAL BIDDING PROCEDURES.

STAFF REPORT: Building Maintenance Superintendent Adam Korytko requested that Council declare an emergency under Idaho Code § 67-2808(1)(a), and find that the public interest and necessity required immediate expenditure of public funds, and authorize City staff to immediately order materials and hire a contractor for the emergency work to replace the damaged roof at the Harbor Center without formal bid procedures. He said on November 15, 2021, Kootenai County experienced a severe wind storm, in which winds reportedly exceeded 60mph through the City of Coeur d'Alene (City), and resulted in significant damage to the Harbor Center roof, skylight, and mechanical vents. He mentioned a large portion of the metal roof peeled back and lifted off the building leaving the decking and ridgeline exposed, and the days following the storm brought rain which resulted in water damage to the interior of the building until they were able to secure a contractor and materials to temporarily "weatherproof" the damaged roof. He said as a consequence of the unusual and unexpected weather event, the cost of repairing the resulting damage was not planned for in the current budget. The extent of damage to the roof coupled with the obsolescence of the existing roof system led the insurance adjustor to recommend replacement of the entire roof. He said the Building Maintenance Department had acquired multiple quotes for the roof replacement in both metal and composite asphalt roofing systems. He said quotes for metal roofing systems ranged from \$412,800 to \$680,063.97, and composite roofing systems from \$167,700 to \$375,300. He stated it was in the City's best interest to pursue replacement in the form of a composite asphalt roofing system in the amount of \$167,000, as it was best suited for the application due to the availability of materials, installation timeframe, future maintenance, and cost. He explained once a quote was selected and submitted, the City's insurance company would provide the City with funds to cover the cost of the project, minus the \$5,000 deductible. He said the Harbor Center was currently secured from the elements by the use of tarps and batten boards, but was in need of a permanent roofing system replacement as soon as possible to prevent further damage to the structure and interior. He noted that according to Idaho Code § 67-2808, immediate expenditure of public money to do this emergency work was justified to safeguard the public's interest, health, and property, and as required by City Resolution No. 17-061, Policy Paragraph E, the Building Maintenance Division had informed the Legal and Finance Departments. The Legal Department concurs that the circumstances described by Building Maintenance constitutes an emergency under the statute.

DISCUSSION: Councilmember Evans asked what the lifespan of the new roof would be, with Mr. Korytko responding the roof would have a 50-year warranty and a 130-mph wind rating. Councilmember Gookin asked why it was brought forward as an emergency ordinance, with Mr. Korytko responding it would allow immediate hiring of a contractor for the replacement. Councilmember McEvers asked who removed the damaged roof, with Mr. Korytko responding the City had hired a contractor to remove the damaged material.

MOTION: Motion by Evans, seconded by English, to approve **Resolution No. 22-008**; declaration of an emergency pursuant to Idaho Code § 67-2808(1)(a), to authorize the Building Maintenance Department to order materials and hire a contractor to replace the damaged roof at the Harbor Center without the need to seek formal bids.

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

RESOLUTION NO. 22-009

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE CITY TO ENTER INTO A DEQ SUBAWARD AGREEMENT TO RECEIVE GRANT FUNDS FROM THE STATE OF IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY FOR STORMWATER RUNOFF REDUCTION PROJECTS

STAFF REPORT: City Engineer Chris Bosley stated that in September of 2021, the City of Coeur d'Alene submitted an application to the Idaho Department of Environmental Quality for the Building Idaho's Future grant (now called the Leading Idaho Subaward Program). The goal of the program was to fund projects that would reduce phosphorus loading into Lake Coeur d'Alene. The City was awarded funding for three (3) separate projects, totaling \$745,000 with a \$50,000 local match requirement. The funded projects include stormwater outfalls at Mullan Road, Sanders Beach/11th Street Marina, and Independence Point. The City has contracted with HMH Engineers to provide design for the Sanders Beach/11th Street Marina outfall project. He said additional engineering assistance would be required for the remainder of the projects, and construction was expected to begin as early as Fall/Winter of this year.

DISCUSSION: Councilmember McEvers asked how many acres of water would be diverted, with Mr. Bosley responding 76 acres for Sanders Beach, 115 acres at Independence point, and there was a partnership with North Idaho College (NIC) for a filter system for Mullan Avenue. Councilmember Wood asked Mr. Bosley what type of pollutants were in the stormwater, with Mr. Bosley responding there was phosphorus, motor oil, asbestos, E. coli, and many other pollutants in the stormwater that would be minimized.

MOTION: Motion by McEvers, seconded by Evans, to approve **Resolution No. 22-009**; approving a Subaward Agreement with DEQ for \$695,000 for the storm water outfall volume reduction projects.

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

RESOLUTION NO. 22-010

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE IDAHO TRANSPORTATION DEPARTMENT AND IGNITE CDA TO RELOCATE EXCESS SOIL MATERIALS AND SAWDUST FROM THE FORMER ATLAS MILL SITE TO ITD'S PIT ADJACENT TO RAMSEY ROAD IN ORDER TO ASSIST WITH THE REMEDIATION OF THE PIT, ENHANCE THE FORMER ATLAS MILL SITE FOR FURTHER DEVELOPMENT, AND TO FACILITATE FUTURE CIVIC USES AT THAT SITE.

STAFF REPORT: City Administrator Troy Tymesen stated there was an opportunity to take advantage of the winter conditions, and corresponding cost savings, and Idaho Transportation Department (ITD) had approached the City and suggested a Memorandum of Understanding (MOU) for the project. He explained one of the options was to temporarily close part of the Prairie Trail in order to economically move the material from Atlas' "Mt. Hink" to the ITD property. He introduced Phil Boyd, President of Welch-Comer, who gave an overview of the Atlas project and the options for the area called "Mt. Hink." Mr. Boyd noted while the filled pit would not be suitable for buildings, it would be ideal for outdoor recreation uses, and they had informally explored potential outdoor recreational uses, including natural or artificial turf fields, and potential partnerships with long-time partner the Kroc Center. He stated the City had informally discussed with ITD the feasibility of a State to City land transfer of the 13-acre pit site. ITD had suggested that if the City would solve ITD's large vehicle ingress issue and fence the east boundary of the pit site, then ITD would be willing to consider transferring the 13 acres to the City. The proposed ignite project would build a temporary right turn off Ramsey Road into the pit to minimize traffic impacts during the hauling operation. The temporary right turn could be turned into a permanent right turn for ITD's use. He said if the City acquired the 13-acre site, the right turn could be converted to a right in/right out that would serve both ITD uses and future City uses. He explained the potential trail detour while the project was in process. He said if the City elected not to partner with ignite to haul "Mt. Hink" to the Ramsey Pit, ignite intended to process "Mt. Hink" into topsoil and rock, and sell or give away the material, and the sawdust/bark would also be sold or given away. He stated the process would likely take an estimated three-to-five years and reduce "Mt. Hink" to a reasonable height to be converted into outdoor recreation space, as originally planned in the 2018 Atlas Masterplan.

DISCUSSION: Councilmember McEvers asked how much it would cost to add the right turn, with Mr. Boyd responding it would be roughly \$900,000, yet the proposed soft right turn would have a cost to the City of approximately \$100,000.

Councilmember Wood stated she was comfortable with short term impacts when it was for the betterment, yet had concerns with the temporary trail closure, noting there were many who used the trail to get to Citylink. Mr. Boyd said they looked at options that wouldn't include closing the trail, yet the option would be more complicated, cost an additional \$1 million, and add one month to the project. Councilmember Wood stated it was critical to get the project information out and a public information campaign would be needed.

Councilmember Gookin referred to the alternate route, and stated the neighborhood would most likely complain about the increased foot traffic in their area. He asked in regard to the \$1 million savings, with Mr. Boyd explaining that by using Option 2, as presented, the project could be completed in three-months instead of four and the savings equated to approximately \$1 million.

Councilmember English stated lots of people of different abilities used the trails and asked if the temporary route would eventually become a permanent part of the trail. He also said a public information campaign would be needed. Mr. Boyd responded the base of the added trail would be available for future trail development. Mayor Hammond asked about running the trucks at night, with Mr. Boyd responding it was an option preferred by the contractor (4:00–9:00pm), yet there would most likely be complaints from the residents in the area due to the amount of truck trips during those times.

Councilmember McEvers asked how long the trail would be closed, and what the cost of each option presented would be, with Mr. Boyd responding the project was estimated at \$5 million, and Option 1 would take four-months, and Option 2 would decrease the overall cost by \$1 million and take one month less to complete.

Councilmember Evans invited Tabitha Kraack, Executive Director of the North Idaho Trails Foundation, to comment on the proposed temporary trail closure. Ms. Kraack stated there were roughly 1000 trail users daily, including winter months. She said she was in full support of the project, yet was concerned with potential impacts to the upcoming Coeur d'Alene Marathon which would be held in May and used part of the trail in the race course. She said if a portion of the trail was closed, the race would need to make course adjustments in order to recertify it to remain a qualifying event for the Boston Marathon. Councilmember McEvers asked if the Coeur d'Alene Marathon had been held the previous two years, with Ms. Kraack responding in the affirmative. She noted 2022 would be the 45th year of the race, and expected over 3000 runners.

Councilmember Gookin asked how it was possible for ignite to spend money on the Prairie Trail remediation and Golf Course Road, as they were out of the District, and if it was possible to run the trucks 24/7 if they chose Option 1, with Mr. Berns responding their legal counsel had no concerns as the project started in the District. Mr. Boyd responded the trucks could be ran 24/7 using the Option 1 route.

Councilmember Wood asked Parks and Recreation Director Bill Greenwood what was needed in relation to recreation. Mr. Greenwood stated the City gets many requests for additional baseball fields, and there was a need for additional recreation fields of all types.

Councilmember McEvers said he felt the project was a good one, yet asked if the marathon was a priority and could the project be moved to another time of year to accommodate it. Mr. Boyd stated the contractor was available now and costs would escalate if they waited until Fall.

Mr. Tymesen stated the appeal of using Option 2 was close to \$1 million in savings, a quicker turn-around time, and the savings could be placed toward building local worker housing.

Councilmember Gookin stated the MOU and moving “Mt Hink” was a good thing, and his concern remained with closing a portion of the Prairie Trail. He stated that Option 1 would be better and didn’t wish to lose the marathon. He felt there would be less citizen and trail impacts using Option 1. Councilmember Wood stated she was in full agreement with Councilmember Gookin’s comments.

MOTION: Motion by Gookin, seconded by Wood, to approve **Resolution No. 22-010**; approving a Memorandum of Understanding with ITD and ignite cda for the relocation of soil materials and sawdust from the former Atlas Mill property to the ITD pit at 1475 W. Marie Avenue, Coeur d’Alene, Idaho, and taking Option 1, not the trail, as recommended by Council.

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

MOTION: Motion by Gookin, seconded by Wood, to ask the ignite cda board to seek Council’s input before making changes to Atlas Waterfront Master Plan.

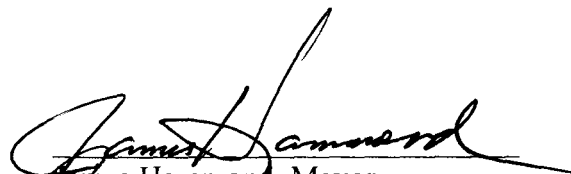
ROLL CALL: McEvers Aye; Gookin Aye; Evans Aye; Wood Aye; English Aye.
Motion carried.

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

The meeting adjourned at 8:04 p.m.

ATTEST:


Sherrie L. Badertscher
Executive Assistant


James Hammond, Mayor