

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

May 2, 2023

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 on May 2, 2023, 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 )

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

**PLEDGE OF ALLEGIANCE:** Councilmember McEvers led the pledge of allegiance.

**PRESENTATION:** Mayor Hammond read and proclaimed May as Bike to Work Month within the City of Coeur d'Alene. Pedestrian and Bicycle Advisory Committee City Liaison Monte McCully and Committee Member Dave Passaro accepted the proclamation. Mr. Passaro thanked the Mayor and Council for the proclamation and provided a short presentation on Bike Month activities the Pedestrian and Bicycle Advisory Committee had planned for May. He said they encouraged everyone to bike to work and explained the many benefits of biking. He invited the community to join in for the festivities and encouraged Council to bike to their next meeting on May 16, and everyone to bike to work on Friday, May 19.

Mayor Hammond said he had been asked to read a proclamation for Pride in the Park at their June event and wanted to read a short excerpt of the proclamation to note that the City of Coeur d'Alene has enacted legislation prohibiting discrimination on the basis of sexual orientation and gender identity/expression.

**ANNOUNCEMENTS:**

Councilmember English said he had met with Mr. Fillmore of the Dark Sky Organization and had received sample ordinances he would be sharing with Council at a later time. He noted he had attended the Crisis Intervention Team training provided by the City of Meridian's Police Department, it was very informative, and he saw the potential of the training. He would be checking in with the City's Police Department to see if the training would be beneficial to them as well.

Councilmember McEvers reminded everyone to vote on May 16, and hopefully support School District #271's levy.

Councilmember Gookin noted the City's sewer bill rates had gone up which was due to the recently updated fees. He said he was supportive of the changes on how rates were determined as previously some users were subsidizing other low users. He said in regard to upcoming events he had previously asked staff to look into event fees as he felt there was an unfair burden on city resources and asked if there had been any updates.

**CONSENT CALENDAR:**

1. Approval of Council Minutes for the April 18, 2023, Council Meeting.
2. Approval of General Services/Public Works Committee Meeting Minutes for April 24, 2023.
3. Approval of Bills as Submitted.
4. Authorization of the Abandonment of Easement through Sunrise Addition
5. **Resolution No. 23-026:** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING THE FOLLOWING: AGREEMENT WITH NORTH IDAHO BMX, INC., D/B/A CHERRY HILL BMX, FOR RACES AND EVENTS AT CHERRY HILL PARK; AGREEMENT WITH THE COEUR D'ALENE DOWNTOWN ASSOCIATION, INC., TO PERFORM CERTAIN SPECIFIED DUTIES WITHIN THE DOWNTOWN CORE FOR THE AMOUNT OF \$63,000.00 ANNUALLY; MEMORANDUM OF UNDERSTANDING WITH KOOTENAI COUNTY FOR A FIVE-YEAR, FIXED FEE STRUCTURE FOR USE OF THE SPILLMAN PUBLIC SAFETY SYSTEM; INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING PROGRAM WITH H-GAC; AND DONATION AGREEMENT WITH KOOTENAI COUNTY FIRE & RESCUE (KCFR) FOR THE USED SCBAS TO KCFR AND A 2017 FORD EXPLORER SUV TO THE CITY
6. **Resolution No. 23-027** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, CONSENTING TO THE CONTINUATION OF THE FRANCHISE AGREEMENT BETWEEN FATBEAM, LLC, AND THE CITY OF COEUR D'ALENE AFTER THE ACQUISITION OF FATBEAM, LLC, BY BASALT INFRASTRUCTURE PARTNERS LLC, PURSUANT TO THE TERMS AND CONDITIONS OF THE FRANCHISE AGREEMENT DATED DECEMBER 20, 2022

**MOTION:** Motion by McEvers, seconded by Miller, to approve the Consent Calendar as presented, including **Resolutions No. 23-026 and 23-027.**

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

**PUBLIC COMMENTS:**

Justin O'Connell, Coeur d'Alene, made comments in regard to political issues.

Shon Hocker, Coeur d'Alene, thanked the Mayor and Council for all they did for the citizens of Coeur d'Alene. He thanked them in advance for their consideration of the resolution in support of the CDA School District levy vote. He noted the levy was important and funded 25% of operating expenses. He said the District was a top achiever but there was additional work to do in their pursuit of academic excellence.

Randy Neal, Coeur d'Alene, read Idaho Code § 74-604, Public Funds Prohibited, which prohibits the use of public property or resources to advocate for or against a candidate or ballot measure. He said the levy wasn't the dire situation the school would have one believe as Governor Little's budget had increased school funding. He noted there were those in the community who were vulnerable and lived on a budget. He said the school district had asked for additional funding over the amount of the previous levy and wouldn't even consider a lower amount.

Caylee Neal, Coeur d'Alene, stated the school district levy was for \$25 million, and the school already received adequate funding from the state. She noted it wasn't fair to threaten the kids with no school activities if the levy failed.

### **RESOLUTION NO. 23-028**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, URGING ALL CITIZENS TO REGISTER TO VOTE AND TO CAST A BALLOT IN SCHOOL DISTRICT NO. 271'S SUPPLEMENTAL LEVY ELECTION ON MAY 16, 2023, AND EXPRESSING SUPPORT FOR THE LEVY AND THE SCHOOL DISTRICT.

**STAFF REPORT:** Troy Tymesen, City Administrator requested the Council adopt the Resolution urging citizens to vote in the upcoming Supplemental School Levy election and supporting the work of School District No. 271 in educating the communities children. He said School District No. 271 was the 6<sup>th</sup> largest school district in the State of Idaho and the second largest employer in Kootenai County, encompassing much of the County and serving over 10,000 students in 19 schools. He noted it had a nearly 90% graduation rate, and offered advanced placement and career/technical programs. He said the ten-year safety and maintenance levy failed in an election held in August 2022, with fewer than 11,000 voting. This represented a voter turnout of roughly 17%. The levy would have provided funds for deferred maintenance projects, including replacement of aging heating and cooling systems, roofs, water heaters, flooring, sound systems, alarm systems, door locks, and security cameras. He noted the indefinite supplemental levy for operations and five-year levy for safety and maintenance were also defeated in the March 2023 election which saw a voter turnout of only about 28%. The supplemental levy for operations and maintenance was intended to replace the current 2-year levy which expires on June 30, 2023, and would have provided approximately 25% of the School District's operating budget as the State of Idaho only provides funding to cover about 75% of the operating budget. Operating costs for the School District include such things as the CDA Police Department's School Resource Officers and additional security, services and supplies, textbooks and learning materials, staff training, school nurses and mental health support, libraries and special education services, technology and software, maintenance and transportation, athletics and extracurricular activities, and compensation for teachers and staff. He said that following the defeat of the March levies, the

School District Board of Trustees declared a financial emergency on April 21, 2023. The declaration, according to the Board, paves the way for significant operating budget cuts in the coming year and, in an effort to avoid those cuts, the School District had proposed a new supplemental levy for two (2) years at \$25 million per year. The election for that levy will be on May 16, 2023. He explained that under the levy that expires on June 30, \$76.17 per \$100,000 of taxable assessed value has been added to a homeowner's property tax bill. If the proposed supplemental levy is approved, the tax is expected to increase by \$19.04 per \$100,000 of taxable assessed value for the first year, or 19 cents per \$1,000. For a house assessed at \$300,000, the tax under the current levy is \$168.00 per year. If the new levy passes, the tax would be \$201.25, an increase of less than \$4 per month. He said that if the supplemental levy did not pass, the School Board predicted that schools will be severely impacted by the potential loss of four (4) Campus Security Officers, nine (9) School Resource Officers, 114 Elementary School Employees, 39 High School Staff, 32 Middle School Staff, 28 District Office Staff, 25-50 Elementary School Employees (if schools are closed), 16 Kindergarten Teachers, 16 Librarians and Library Managers, three (3) Athletic Directors, and KTEC Funding. He said that a safe, secure, and quality educational experience for young people enriches and enhances the City for the benefit of all of its citizens, not just for those with school-age children and grandchildren, but for all those who call Coeur d'Alene their home.

**DISCUSSION:** Councilmember Wood said that, as individuals, Council members were free to express what they may or may not do and she would be voting yes on the levy. She said there would be dire circumstances if it is not supported, and she hoped other individuals would do the same. Councilmember English said in the past the levy was better clarified and he didn't feel it was proper for Council to take a position on the levy. He said in order to pass the resolution it would need to be amended. He noted he was in support of the issue at large and supportive of encouraging the community to vote. Councilmember Evans said she would be voting yes on the levy and encouraged citizens to do so as well. She suggested citizens research the facts on the school district website. She noted her children had attended the strong public school system and the levy was critical to the school. Councilmember Gookin said he agreed with Councilmember English that it wasn't appropriate to comment on the levy. He said he liked to talk about jobs and, when employers look at an area, they look at many aspects and a major area was education. He said it weighed heavy on communities if education wasn't supported. He noted if you wanted to see high paying jobs come to the area, potential employers needed to see a sense of community support. He said it was important to get out and make an informed vote. Councilmember Miller encouraged the community to get out and learn the facts of the levy. She noted it wasn't appropriate for Council to take action on the part of the resolution which supported the levy. She noted as a citizen she was in support of the levy.

**MOTION:** Motion by Gookin, seconded by Miller, to take no action on **Resolution No. 23-028. Motion failed.**

**DISCUSSION:** Mayor Hammond noted the resolution should be amended to strike the verbiage related to support of the levy, and keep the language which encouraged the community to exercise their right to vote. Councilmember English said he read the proclamation as encouraging the community to vote and that Council should remove the language which referred to School District and support of the levy, and asked City Attorney Adams if that would meet legal requirements.

Mr. Adams responded the resolution would be appropriate with the amendments. Councilmember Gookin stated he would be in support of a resolution encouraging citizens to vote in the levy election, but not a resolution with references to the school district or support of the levy. Mayor Hammond clarified they would be striking any verbiage in the resolution which expressed support of the levy.

**MOTION:** Motion by Evans, seconded by English, to approve **Resolution No. 23-028** – Urging all citizens to register to vote and to cast a ballot in School District No. 271’s supplemental levy election being held on May 16, 2023.

**ROLL CALL:** Wood Aye; Evans Aye; Miller Aye; McEvers Aye; Gookin No; English Aye.  
**Motion carried.**

### **RESOLUTION NO. 23-029**

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF AND AWARDING A CONTRACT TO APOLLO, INC., FOR THE WASTEWATER DEPARTMENT’S SOLIDS BUILDING IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$5,441,903.00.

**STAFF REPORT:** Mike Becker, Wastewater Capital Program Manager requested Council accept the low bid and award a contract to Apollo Inc., for the City of Coeur d’Alene (City) Wastewater Department’s Solids Building Improvements Project in the amount of \$5,441,903.00. He said the Solids Building Improvements Project was a planned multi-year project and included taking over the contract and payment obligation to GEA for procurement of centrifuge, replacement of belt filter press with owner-furnished centrifuge (dewatering) equipment, expansion and enclosure of building for future dewatering equipment and larger loadout area, replacement of polymer injection system, installation of new conveyors from centrifuges to loadout area for larger trucks, construction of biological trickling filter odor control and mitigation system, installation of a new mixer and floating geosynthetic cover within centrate tank, and miscellaneous HVAC, piping, valving, electrical, communication and software integration. He mentioned that based on the HDR Engineer’s review of bids, the responsive and low bidder was Apollo, Inc. The Wastewater Department also found their bid proposal complete and in order, and has budget authority for the multi-year project. He noted that currently, \$1.4 million had been allocated for the first year of the project, and the Department would budget accordingly in the following Fiscal Year 2023/2024. He mentioned Apollo, Inc., had previously completed two major treatment plant projects, was in good standing with the Idaho Secretary of State, and holds the appropriate Idaho public works license. He requested Council award the contract to the low bidder Apollo, Inc.

**DISCUSSION:** Councilmember Wood asked if the project was currently budgeted, with Mr. Becker responding it was budgeted in the current fiscal year, as well as the next, as it will carry over two fiscal years.



**MOTION:** Motion by Gookin, seconded by McEvers, to approve **Resolution No. 23-029** – approving a Contract with Apollo, Inc., for the Solids Building Improvements Project, in the amount of \$5,441,903.00.

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

**RESOLUTION NO. 23-030**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH COEUR D'ALENE SUNRISE ROTARY CLUB FOR THE PURCHASE AND INSTALLATION OF RECTANGULAR RAPID FLASHING BEACONS (RRFBs) FOR WOODLAND MIDDLE SCHOOL

**STAFF REPORT:** Chris Bosley, City Engineer requested Council approve the Memorandum of Understanding (MOU) with Sunrise Rotary for the purchase of Rectangular Rapid Flashing Beacons (RRFBs) for Woodland Middle School. He said that over the past several years, Sunrise Rotary had helped improve student safety at many local schools through the purchase of RRFBs to enhance crosswalks. He noted the Streets & Engineering Department (Department) had partnered with Sunrise Rotary each time on the installation of the RRFBs, which included striping the crosswalks and completing any other necessary improvements for accessibility. He said that Sunrise Rotary had helped fund the RRFBs at Fernan Elementary, Winton Elementary, Bryan Elementary, and Borah Elementary. He mentioned the installation of RRFBs would improve pedestrian safety, driver yielding, as well as encourage walking to the school. The Department would like to continue the relationship with Sunrise Rotary by signing the MOU for the purchase of RRFBs for Woodland Middle School.


**MOTION:** Motion by Wood, seconded by Evans, to approve **Resolution No. 23-030** – Approving a Memorandum of Understanding with Sunrise Rotary for purchase and installation of a pair of Rectangular Rapid Flashing Beacons (RRFBs) for Woodland Middle School.

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

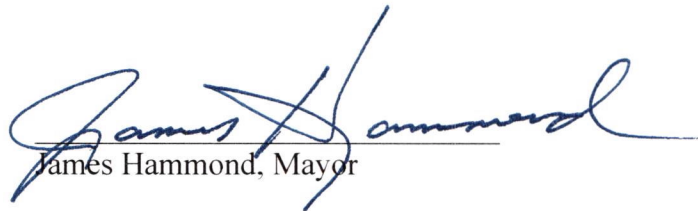
**RECESS:** Motion by McEvers, seconded by Miller, to recess to May 8, 2023, at 12:00 Noon in the Library Community Room, located at 702 E. Front Avenue for a workshop regarding Fiscal Year 2022-2023 General Fund, Fund Balance. **Motion carried.**

The meeting adjourned at 6:48 p.m.

ATTEST:

  
Sherrie L. Badertscher

Executive Assistant

  
James Hammond, Mayor