

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

September 21, 2021

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 September 21, 2021, at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan English) Members of Council Present
Amy Evans)
Dan Gookin)
Kiki Miller)
Christie Wood)

Woody McEvers) Members of Council Not Present

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

INVOCATION: Pastor Chris Lauri of Anthem CDA Church provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Gookin led the Pledge of Allegiance.

The Mayor proclaimed September 21, 2021, as Aging Out of Foster Care Awareness Day. The proclamation was accepted by Marie Widmyer and Mollie Allen. Ms. Widmyer thanked the Mayor and Council for the proclamation and noted that Foster Care Awareness was highlighted in May each year. She stated most children age out of foster care without any support to help them during the transition. She said September was a time to recognize those young adults who would be transitioning at some point during the year, and urged the community to get involved and mentor, encourage, or support a foster child aging out of the foster care system, and to please consider getting involved. Ms. Widmyer introduced Mollie Allen, Co-founder of Safety Net which was founded in 2008. Safety Net is an organization that helps kids that are aging out of foster care. They provide needed assistance which may be a laptop, bus pass, furnish a first apartment, or any other need that may arise during the aging out transition time. Ms. Allen wished to thank Safety Net's generous donors that enable them to continue to support foster youth that were aging out of the foster care system.

THE COUNTERFEIT PILL PUBLIC HEALTH THREAT: Rafael Gonzalez, Jr. Acting US Attorney, presented a PowerPoint presentation on the Counterfeit Pill Public Health Threat. He said the goal was to bring awareness of the illegal counterfeit pill threat to the community. He said the steady increase in opioid dispensing began in 2006, and peaked in 2012, with 255 million prescriptions written for the painkiller. He noted it translated to 81.3 prescriptions per

every 100 persons. He said the rate of prescriptions fell to the lowest point in 10-years in 2016, yet there were still 214 million opioid prescriptions prescribed. Drug overdose deaths soared to a record 93,331 last year which was a 30% increase over 2019. He stated counterfeit pills had been flooding the illegal drug market and the incidents of overdose, including a rise in fatal overdoses. He noted that fentanyl, in deadly amounts, were in the OxyContin or Zanax pills being illegally distributed, and it was 100 times more powerful than morphine. A lethal dose of fentanyl is two milligrams in contrast to the lethal dose of heroin at 30 milligrams. There is no margin for error. He said of the tablets seized in 2019, 27% contained lethal doses of fentanyl. NARCAN deployment had doubled in some emergency departments from 2020 to 2021. He noted there was no concern of counterfeit pills entering the legal prescription supply chain. He asked everyone to remind their friends and family that if it didn't get prescribed by their doctor, or come from the pharmacy, it may be the last pill they take. He stated there was a 40% increase in overdose deaths in 2020, even though there was a decrease in prescriptions written.

Councilmember Wood stated in the 90's and 2000's police departments used to have drug trafficking task forces, and asked if there were any state funds available for law enforcement. Mr. Gonzalez stated the Idaho State Police (ISP) had a unit named the North Idaho Narcotics Enforcement (NINE) task force which was grant funded with \$80,000 each year. He said the Task Force was doing great work and they were always looking to take it to the next level. Councilmember Gookin asked where the fentanyl was coming from to make the illegal pills, with Mr. Gonzalez responding fentanyl had been taken off the main store shelves in the United States in order to have more control of its distribution. He said other countries were producing it and China had been the leader in fentanyl production, yet Mexico and India had also started production.

Mayor Widmyer stated he saw lives being saved by using NARCAN and if the areas shown on the presentation map were really the higher trafficking and overdose areas, or were the emergency personal not using NARCAN as often. Mr. Gonzalez stated they would need to start looking at the overdose map and analyze the data to determine if that was the case. Mayor Widmyer noted there was a large opioid settlement from a major pharmaceutical company in the works and would like to see if there was a way to funnel the money into a combined effort to combat the threat.

WASTEWATER 2018 FACILITY PLAN UPDATE: Wastewater Director Mike Anderson provided an update on the Wastewater 2018 Facility Plan and noted that in compliance with the Idaho DEQ, the City was required to maintain an approved Facility Plan for its Wastewater Treatment Facility. He explained the history of the wastewater plant, and in 2001, the Coeur d'Alene Wastewater Department developed its Facility Plan to address high peak flows, regulatory changes, aging facilities, rapid growth, and encroaching development. The plan was updated in 2009, and again in 2012, which focused on, among other things, tertiary treatment of the wastewater for CBOD, phosphorous, and ammonia removal. The process for this most recent update began in 2018, and was intended to address several processes and components throughout the plant wherein issues have been identified. He explained the plan addresses permit requirements but also delves into the sustainability and operability of the Treatment Facility, as well as, addressing how the Facility fits within the community. Mr. Anderson said the plan spans the next decade and has identified \$6.5 million in repair and upgrade work needed

within the Facility and \$23.8 million in expansion and process improvements. He said the plan works hand in glove with the City's rate study to ensure adequate funding for the required maintenance and upgrades. He noted facility planning had been critical to forecast action plans and costs associated with the growth of the area, and the age of the existing infrastructure. He stated through the 2009 Facility Plan, they identified an alternative treatment method they termed Tertiary Membrane Filtration (TMF) which saved the City tens of millions of dollars. He said they have been pleased with the value the plans have provided. He stated one area to note was the possibility of using the cleaned wastewater (reuse water) for irrigation. It would require some disinfection yet would be a class A water discharge. He said from 1981 to 2021 they have made vast improvements and now the discharge was cleaner than the Spokane River it flows into. He said the recommended (15-year) plan included the renewal/replacement of existing equipment, expanding the Tertiary Membrane Filtration (TMF), rehabilitation of the trickling filters, disinfection upgrades, outfall improvements, and solids building/dewatering improvements.

Councilmember Wood asked if there were additional plans to manage the odors from the plant, with Mr. Anderson responding there were details in the plan to address scrubbing the odors. Councilmember English asked what odor scrubbing entailed, with Mr. Anderson responding that one was option included wood chip beds that worked to clean the odors. Councilmember Gookin asked if the Facility Plan covered the facility only and if it included the piping, with Mr. Anderson stating the Facility Plan was for the facility only and they were working on a master plan that would address the pipes. Councilmember Gookin asked if negative pressure could be used in the building, with Mr. Anderson stating it most likely would be utilized and the building would be enclosed which would also help with the odor. Councilmember Miller asked if the refinancing item, on the agenda for later discussion, is affected by the adoption of this plan, with Mr. Anderson confirming it does not. Mayor Widmyer stated the item would be brought back to Council at the second meeting in October.

ANNOUNCEMENTS:

Councilmember Evans announced the City was looking for students aged 14-18 in School District #271 to be involved in the community and serve as student representatives on various boards and commissions. She said additional information was available on the City's website at www.cdavid.org and applications were due by September 30.

Councilmember English stated he had the opportunity to participate in the plaque and remembrance garden dedication at the Veterans Memorial located at McEuen Park. He encouraged everyone to visit the memorial as it was an amazing piece in honor of the Tomb of the Unknown Soldier and all service veterans.

Mayor Widmyer asked for the Appointments of Susan Weathers and Ben Wolfinger to the Personnel Appeals Board, Councilmember Wood to the Sick Leave Council, and Dixie Reid to the Civil Service Commission.

MOTION: Motion by Evans, seconded by English, to appoint Susan Weathers and Ben Wolfinger to the Personnel Appeals Board, Councilmember Wood to the Sick Leave Council, and Dixie Reid to the Civil Service Commission. **Motion carried**

CONSENT CALENDAR:

1. Approval of Council Minutes for the September 7, 2021 Council Meeting.
2. Approval of the General Services/Public Works Committee Minutes from September 13, 2021.
3. Approval of Bills as Submitted.
4. Approval of Financial Report.
5. Setting of General Services/Public Works Committee meeting for Monday, September 27, 2021 at 12:00 noon.
6. **Resolution No. 21-058** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A ONE-YEAR EXTENSION TO THE CURRENT POLICE ASSOCIATION AGREEMENT, EXTENDING THE TERM TO SEPTEMBER 30, 2022; AND DECLARING ONE 2004 CHEVROLET IMPALA, TWO 2006 CHEVROLET IMPALAS, AND ONE 2013 CHEVROLET TAHOE FROM THE POLICE DEPARTMENT TO BE SURPLUS AND AUTHORIZING THE SALE OF THE PROPERTY AT AUCTION.

MOTION: Motion by Miller, seconded by Gookin, to approve the Consent Calendar as presented, including **Resolution No. 21-058**.

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

AUTHORIZATION OF STAFF TO RENEGOTIATE REFINANCING OF WASTEWATER FUND DEBT IN THE AMOUNT OF \$40,000,000.00.

STAFF REPORT: City Administrator Troy Tymesen stated the Wastewater Department was currently making annual payments on three (3) revenue bond issues with coupon rates of 5%, 2%, and 2.75%. With the current market rates, these issues could be refinanced with an estimated savings to the City of over \$2,000,000. The potential savings to the Wastewater Department if these three (3) bonds issues are consolidated into one 20-year issue could potentially be over \$2,000,000. If structured to a 13-year issue, the savings could be over \$4,000,000. Refinancing the Wastewater bonds could make it possible for Wastewater to do future needed improvements without having to take on new debt. He noted the Atlas Waterfront project would be bringing funds to the City. Mr. Tymesen introduced Eric Heringer of Piper Sandler. Mr. Heringer said he had worked with the City for the past 20 years on various bonds. He stated normally the DEQ loans would not be refinanced, yet in today's market it may make financial sense. He said there are three (3) main things to review in refinancing of the bonds; the call date and price, the percentage rate, and the final maturity date of bonds to determine whether refinancing makes sense. He said they would not look at refinancing the 2013 DEQ loan which was currently at .5%. He discussed the current bond market conditions and the historically low rates. He said they could structure the savings in any way the City would want, and shorter bond terms resulted in lower interest rates. Mr. Tymesen requested Council authorize

administration to negotiate the refinancing of the 2012, 2015, and 2020, Wastewater Revenue Bond issues and return to Council for approval of any agreement.

DISCUSSION: Mayor Widmyer asked if the current debt structure could be used to reduce the number of payments and interest paid, with Mr. Heringer responding it could. Councilmember Miller asked about the presumption of the market holding, with Mr. Heringer responding they would talk about a schedule and would need to act quickly to lock in the rate. Councilmember Gookin asked about the interest rates and how long until the rates start to climb, with Mr. Heringer responding their opinion was there were various pressures on interest rates and the current outlook was rates would remain low for a while yet there was no way to predict when the rates would start to increase. He stated there was no certainty and he suggested the City move quickly. He stated he believed the rates would remain steady for the next few months. Councilmember Gookin asked if their firm would be paid or make money on the sale of the bonds, with Mr. Heringer responding they would make money on the resale of the bonds.

MOTION: Motion by Gookin, seconded by English, to authorize the City Administration to complete negotiations for the refinancing of Wastewater Fund Debt in the amount of \$32,000,000.00.

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

RESOLUTION NO. 21-059

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A CONTRACT WITH CELESTE COONING FOR THE CREATION, EXECUTION, AND INSTALLATION OF PUBLIC ART AT THE 4TH STREET PARKING GARAGE.

STAFF REPORT: Mr. Tymesen stated the Arts Commission (Commission) was requesting approval of a contract with Celeste Cooning for public art at the 4th Street Parking Garage in the amount of \$75,000. He said in November 2020, the City of Coeur d'Alene Arts Commission issued a national Request for Artist Qualifications through Call for Entry.Org (CaFE) for public art at the 4th Street Parking Garage located at the intersection of 4th Street and Coeur d'Alene Avenue. Interested parties were invited to submit their qualifications through CaFE, and then all eligible submissions were reviewed by a selection committee consisting of seven (7) voting members including: citizens, arts professionals, a City Councilmember, and two (2) non-voting members. He stated the City received a total of 118 artist qualification submissions through CaFE and after initial review by the voting members of the selection committee, the artists who met the minimum qualifications were narrowed down to five (5) artists. The five (5) artists received \$1,000 honorarium to provide sketched details, materials list, rendering narration, budget, and a maquette of the proposed art piece. He stated the selection committee met on August 10, 2021, and discussed the public votes/comments received and two (2) finalists were chosen to be personally interviewed for final selection. Zoom interviews with the two (2) artists were conducted on August 19, 2021, and, after thorough review and discussion, the voting

members of the selection committee unanimously chose artist Celeste Cooning and her art proposal entitled “Seed of Life.” The selection committee was impressed with Ms. Cooning’s interview, the research she conducted on the project, and the professional manner of her proposal. He said the recommendation was then presented to the Arts Commission at their meeting on September 14, 2021, where the Commission voted unanimously to accept the recommendation and to request that Council approve a contract with Celeste Cooning for her art proposal “Seed of Life” in the amount of \$75,000. The artwork will be scheduled for completion and installation in May/June 2022. The total budgeted amount, including contingencies, for the 4th Street Parking Garage Public Art Project is \$75,000, and the contract with Celeste Cooning would be issued in the amount of \$75,000. Funding for the 4th Street Parking Garage Public Art Project comes from the Arts Fund – River District URD. Ignite CDA annually provides 2-percent of its income to the City for public art within the two (2) Urban Renewal Districts. Mr. Tymesen requested Council approve the contract with Celeste Cooning for public art at the 4th Street Parking Garage in the amount of \$75,000.

DISCUSSION: Councilmember Gookin stated he had concerns with the current process of only voting on a single proposal, and would have preferred to have the top three (3) proposals brought to Council and then they could select one. He said the current process felt like a rubber stamp approval in which he wasn’t a fan. Mayor Widmyer stated Council still had the authority to turn down the recommendation and ask the Commission to return with another recommendation. Councilmember Evans stated Council had charged the Arts Commission with the role of selecting a committee to complete the process and bring forward the recommendation to Council, and if the process needed to be reviewed then Council could change it. Councilmember Miller stated Council had the authority of approving or disapproving the recommendation and Council had the final say. Councilmember Wood stated she agreed with Councilmembers Miller and Evans, and felt the current process worked. Councilmember English stated the committee spent a lot of time reviewing the artists and proposals and Council had the final decision on whether to approve or not. He said he supports the committee and their time, and was supportive of the piece. Mayor Widmyer stated he would like to add the artist’s narrative to the art piece when installed.

MOTION: Motion by Evans, seconded by Miller, to approve **Resolution No. 21-059** – approving a Contract with Celeste Cooning for public art at the 4th Street Parking Garage.

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

**(LEGISLATIVE) FISCAL YEAR 2020-2021 ANNUAL APPROPRIATIONS
ORDINANCE AMENDMENT FOR FISCAL YEAR BEGINNING OCTOBER 1, 2020
THROUGH SEPTEMBER 30, 2021.**

STAFF REPORT: Comptroller Vonnie Jensen stated the City annually amends the original appropriations ordinance for unanticipated expenditures. Idaho code allows the City Council at any time during the current fiscal year to amend the appropriations ordinance to reflect the receipt of revenues and/or the expenditure of funds that were unanticipated when the ordinance was adopted. She stated the City adopts an amendment or amendments each year to the appropriation’s ordinance. She said the budget amendment shows increases in expenditures due

to carryovers of projects, state and federal grants received, the purchase of property on East Sherman, the transfer of \$1.4 million to the City of Coeur d'Alene Employee Benefit Trust Fund, the Memorial Park Grandstand reconstruction and miscellaneous additional items. She said additional revenues of \$1,625,715 were projected to be received in the General Fund to cover the increased expenses for the fiscal year. She noted \$1,976,944 was coming from designated fund balance. Ms. Jensen requested Council approve Council Bill No. 21-1022, to amend the Fiscal Year 2020-2021 Budget by a total of \$4,522,681.

DISCUSSION: Mayor Widmyer clarified the amendment was required each year and did not equate to overspending by the City, and the City remained fiscally strong.

Mayor Widmyer opened the public comment portion of the hearing, and hearing none, closed public comment.

MOTION: Motion by Gookin, seconded by Evans, to dispense with the rule and read **Council Bill No. 21-1022** once by title only.

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

MOTION: Motion by Gookin, seconded by Evans, to adopt **Council Bill 21-1022.**

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

COUNCIL BILL NO. 21-1022

AN ORDINANCE AMENDING ORDINANCE 3656, THE CITY OF COEUR D'ALENE'S ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, APPROPRIATING THE SUM OF ~~\$403,535,756~~ \$108,058,437, WHICH SUM INCLUDES ADDITIONAL MONIES RECEIVED BY THE CITY OF COEUR D'ALENE IN THE SUM OF \$4,522,681; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene, Kootenai County, Idaho:

Section 1

That Section 1 of Ordinance 3656, Ordinance of the City of Coeur d'Alene, be and the same is hereby amended to read as follows:

That the sum of ~~\$403,535,756~~ \$108,058,437, be and the same is hereby appropriated to defray the necessary expenses and liabilities of the City of Coeur d'Alene, Kootenai County,

Idaho, for the fiscal year beginning October 1, 2020.

Section 2

That Section 2 of Ordinance 3656, Ordinances of the City of Coeur d’Alene, be and the same is hereby amended to read as follows:

That the objects and purposes for which such appropriations are made are as follows:

		FY 2020-21
	FY 2020-21	AMENDED
	BUDGET	BUDGET
GENERAL FUND EXPENDITURES:		
Mayor and Council	\$251,742	\$251,742
Administration	217,699	217,699
Finance Department	1,234,784	1,264,149
Municipal Services	1,804,906	1,987,906
Human Resources	418,825	418,825
Legal Department	1,313,413	1,313,413
Planning Department	726,892	761,987
Building Maintenance	547,526	550,026
Police Department	16,732,158	17,107,006
Fire Department	10,710,811	11,149,444
General Government	153,050	1,298,678
Streets and Engineering	4,981,197	5,206,009
Parks Department	2,448,730	2,448,730
Recreation Department	745,208	745,208
Building Inspection	958,485	958,485
TOTAL GENERAL FUND EXPENDITURES:	\$43,245,426	\$45,679,307

		FY 2020-21
	FY 2020-21	AMENDED
	BUDGET	BUDGET
SPECIAL REVENUE FUND EXPENDITURES:		
Library Fund	\$1,736,045	\$1,751,345
Community Development Block Grant	695,032	695,032
Impact Fee Fund	450,000	596,500
Parks Capital Improvements	323,260	713,260
Annexation Fee Fund	195,000	195,000
Cemetery Fund	306,787	306,787
Cemetery Perpetual Care Fund	166,500	166,500
Jewett House	26,353	26,353
Reforestation/Street Trees/Community Canopy	120,000	120,000

Public Art Funds	271,300	271,300
TOTAL SPECIAL FUNDS:	\$4,290,277	\$4,842,077
ENTERPRISE FUND EXPENDITURES:		
Street Lighting Fund	\$733,250	\$733,250
Water Fund	14,566,370	14,566,370
Wastewater Fund	20,111,378	21,191,378
Water Cap Fee Fund	5,300,000	5,300,000
WWTP Cap Fees Fund	1,484,809	1,484,809
Sanitation Fund	4,215,002	4,645,002
City Parking Fund	1,640,036	1,667,036
Drainage	1,701,863	1,701,863
TOTAL ENTERPRISE EXPENDITURES:	\$49,752,708	\$51,289,708
FIDUCIARY FUNDS:	\$3,169,432	\$3,169,432
CAPITAL PROJECTS FUNDS:	2,201,632	2,201,632
DEBT SERVICE FUNDS:	876,281	876,281
GRAND TOTAL OF ALL EXPENDITURES:	\$103,535,756	\$108,058,437

Section 3

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4

This ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d’Alene Press, a newspaper of general circulation published within the City of Coeur d’Alene and the official newspaper thereof.

COUNCIL BILL NO. 21-1023

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-12 TO C-17, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: +/- 0.366 ACRE PARCEL OFF OF CHERRY LANE AND WEST OF HIGHWAY 95, COMMONLY KNOWN AS 455 W. CHERRY LANE; 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.

(QUASI-JUDICIAL) - ZC-6-21- A PROPOSED ZONE CHANGE FROM R-12 TO C-17; LOCATED AT 455 W. CHERRY LANE; APPLICANT: CDA ENTERPRISES, LLC.

STAFF REPORT: Associate Planner Tami Stroud stated the subject property was a 0.367 acre parcel located off of Cherry Lane and west of Highway 95. North Fruitland Lane was west of the subject property. She said there was an existing single-family dwelling located on the parcel, and the applicant had stated that they had no specific development plans for the subject property at this time. The subject property is surrounded by previous zone change requests that were all approved. As noted on the map and on the list of zone changes, the changes took place between 1984 and 2019, and the majority were from MH-8 to R-17. She noted there were a few zone changes from MH-8 to C-17. The most recent zone change was from MH-8 to R-17 in 2019. Ms. Stroud noted there were four (4) required findings for a zone change: Finding #B8: that the proposal (is) (is not) in conformance with the Comprehensive Plan policies, Finding #B9: that public facilities and utilities (are) (are not) available and adequate for the proposed use, Finding #B10: that the physical characteristics of the site (do) (do not) make it suitable for the request at this time, and Finding #B11: that the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses. Ms. Stroud noted Council must consider the request and make findings to approve, deny, or deny without prejudice.

Mayor Widmyer opened the public testimony portion of the hearing.

APPLICANT: Mike Delay of CDA Enterprises, LLC spoke on behalf of the owners and stated the property borders the Gross Donuts property which they also owned. He stated in the future he would like to add a financial institution, such as a bank or credit union, as that would be a nice compliment to the Gross Donuts store.

Kris Hayman, Coeur d'Alene, spoke in opposition of the project stating the area houses were being remodeled and improved and she didn't wish to see the property changed to commercial. She said there were many trees on the property which helped buffer the noise, and there were concerns of increased traffic and congestion.

Sabrina and Trent Carlisle, Coeur d'Alene, spoke in opposition of the zone change and asked if it would affect their property taxes and what could be built in the C-17 zone. Ms. Stroud stated there were many uses allowed such as administrative office, bank, hotel/motel, gas station, auto sales, etc., and there were zone change requirements such as a buffer, parking spaces, etc., depending on what was placed on the property. Mr. Carlisle said they were informed Gross Donuts was going to be torn down and a strip mall was going to be built on the property, and stated the concern was there could be increased traffic depending on what the owner decided to replace the business with once the zone change was approved.

Mayor Widmyer stated in regards to the property taxes, he didn't have a concrete answer yet doubted the value of their property would be affected, nor would the zone change increase the property taxes.

APPLICANT REBUTTAL: Mr. Delay noted the owners of Gross Donuts had no intention of closing the Coeur d'Alene store, as they had a current lease and it was their best producing location. He stated the property was also in a transition area.

Mayor Widmyer closed the public testimony portion of the hearing.

DISCUSSION: Councilmember Gookin asked about finding B-10 in regards to frontage, with Ms. Stroud stating there was no requirement in the C-17 zone. Councilmember Miller asked about the traffic and becoming a bottleneck and were there were plans to address the issues, with Ms. Stroud stating there were some improvements required by the zone change, yet the changes wouldn't address the traffic issues.

MOTION: Motion by Wood, seconded by Evans, to dispense with the rule and read **Council Bill No. 21-1023** once by title only.

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

MOTION: Motion by Wood, seconded by Evans, to adopt **Council Bill No. 21-1023.**

DISCUSSION: Councilmember Wood stated she was surprised the property was not already zoned commercial as it was surrounded by other commercial properties; yet she liked to see businesses and residents working together to alleviate the neighborhood concerns. Councilmember Gookin stated the intended property use was not available at the time, and it was important to know what the intended use would be before approving a zoning change, and the City needed single family residences. Councilmember English stated it was in a transition area and the property owners had the right to bring the zone change to Council and he was in support of the project. He empathized with the neighbors but would support the zone change as requested.

ROLL CALL: Gookin No; English Aye; Wood No; Evans Aye; Miller No. **Motion failed.**
***Council denied without prejudice.**

(QUASI-JUDICIAL) – A-3-21- A PROPOSED 4.18 ACRE ANNEXATION FROM COUNTY COMMERCIAL TO C-17; LOCATED AT 3525 W. SELTICE; APPLICANT: KOOTENAI YOUTH RECREATION, VINCE HUGHES.

STAFF REPORT: Associate Planner Mike Behary stated the applicant was requesting approval of an annexation of 4.18 acres in conjunction with zoning approval from County Commercial to C-17 Commercial zoning district. The subject property was currently the home to Frontier Ice Arena and located in the unincorporated area of the county, adjacent to the city limits on the west and southwest side of the subject site, and currently zoned County Commercial. The subject site was located within the City's Area of City Impact (ACI). He said Frontier Ice Arena has operated at the site since 2001 and replaced an older facility that operated on the site many years prior to the construction of the new rink. The applicant has indicated that the continued growth in Kootenai County and the surrounding area has created a demand for an additional ice rink. He stated the Ice Arena would like to expand and add a second sheet of ice to serve the growing needs of the hockey and ice skating community. He said in order to expand, Frontier Ice Arena was required to connect to the City of Coeur d'Alene sewer system as the existing septic drain field does not have the capacity to accommodate the increased building size, and, the applicant

was proposing a C-17 zoning district designation. The zoning ordinance classifies an ice arena use as commercial recreation, which is a permitted use in the C-17 zoning district. Mr. Behary noted there were four (4) required findings for a zone change: Finding #B8: that the proposal (is) (is not) in conformance with the Comprehensive Plan policies, Finding #B9: that public facilities and utilities (are) (are not) available and adequate for the proposed use, Finding #B10: that the physical characteristics of the site (do) (do not) make it suitable for the request at this time, and Finding #B11: that the proposal (would) (would not) adversely affect the surrounding neighborhood with regard to traffic, neighborhood character, (and) (or) existing land uses. There were four (4) recommended items to include in the annexation agreement; 1) Sewer Policy #716 requires only one appropriately sized service lateral will be allowed to serve each legally recognized parcel (lot), 2) Appropriate sewer cap fees will be due at time of building permits, 3) The public trail connection and trailhead parking for the Centennial Trail must be preserved as part of the requested annexation and proposed expansion of the Ice Arena, 4) The applicant is being requested to provide copies of any shared access easement(s) and parking agreement(s) with adjacent properties to provide proof of access and detail any parking obligations or overflow parking areas.

Mr. Behary stated the City Council would need to consider the request for zoning in conjunction with annexation and make findings to approve, deny, or deny without prejudice.

Mayor Widmyer opened the public testimony portion of the hearing, and hearing none, closed public comments.

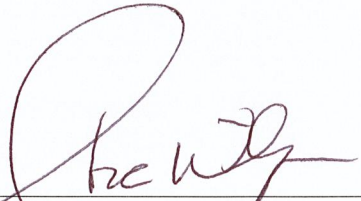
MOTION: Motion by Wood, seconded by Evans, to approve A-3-21 - A proposed 4.18 acre annexation from County Commercial to C-17; located at 3525 W. Seltice; Applicant: Kootenai Youth Rec, Vince Hughes, to direct staff to negotiate an annexation agreement, and to develop the necessary Findings and Order.

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

ADJOURN: Motion by Gookin, seconded by Wood, that there being no other business this meeting be adjourned. **Motion carried.**

The meeting was adjourned at 8:34 p.m.

ATTEST:



Steve Widmyer, Mayor



Sherrie L. Badertscher
Executive Assistant