

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

March 3, 2015

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 March 3, 2015 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Loren Ron Edinger) Members of Council Present
Dan Gookin)
Kiki Miller)
Amy Evans)

Woody McEvers) Members of Council Absent
Steve Adams)

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

INVOCATION: An invocation was provided by Pastor Sean McCartin from Life Center CDA Church.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilmember Gookin.

AMENDMENTS TO THE AGENDA: Mayor Widmyer announced that the agenda item "Presentations" will be moved to be heard before "Public Comments" to expedite Council action items.

CONSENT CALENDAR: **Motion** by Gookin, seconded by Evans to approve the consent calendar.

1. Approval of Council Minutes for February 17, 2015.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for March 9, 2015 at 12:00 noon and 4:00 p.m. respectively.
4. Approval of a Beer/Wine License transfer from Red Lobster to Red Lobster Hospitality, LLC.; located at 212 Neider
5. **Resolution No. 15-007** – 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 ACCEPTANCE OF DEED FROM ARMSTRONG PARK HOMEOWNER'S ASSOCIATION, INC.; DECLARATION OF SURPLUS 1999 KOMATSU GRADER, 1999 FORD FLATBED, 1995 FORD F-150 PICKUP, 1980

CASE BACKHOE FROM THE STREET DEPARTMENT; ADOPTION OF WASTEWATER UTILITY COLLECTION SYSTEM POLICIES; APPROVING A CONTRACT WITH PLANNED AND ENGINEERED CONSTRUCTION (PEC) FOR THE WASTEWATER UTILITY 2015 CURED-IN-PLACE PIPE PROJECT; AND APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH NORTH IDAHO COLLEGE FOR FINANCING OF THE CITY OF COEUR D'ALENE FLOOD WORKS CERTIFICATION PROJECT.

ROLL CALL: Gookin Aye; Evans Aye; Edinger Aye; Miller Aye. **Motion Carried.**

COUNCIL ANNOUNCEMENTS:

Councilmember Miller announced that the North Idaho Violence Prevention Center annual fund raising breakfast will be held on March 19, 2015 and she will be the Master of Ceremonies. Please visit www.nivpc.org for more information. The library joint project presentation has been postponed.

Mayor Widmyer asked for confirmation of the appointment of Mac Cavasar to the Pedestrian/Bicycle Committee.

MOTION: Motion by Gookin, seconded by Edinger to approve the appointment of Mac Cavasar to the Pedestrian/Bicycle Committee. **Motion Carried.**

USE OF THE LOWER CITY HALL PARKING LOT FOR FOOD TRUCKS ON A LIMITED BASIS

STAFF REPORT: Planner Sean Holm explained that the proposal for food trucks in lower City Hall would be pilot project on April 12, 2015 and June 19-21, 2015. Currently, there are 5 food vendors interested in participating in the April 12 event. The April event will utilize 17 stalls along the park. The June event would be held the same weekend as Car d'Alene and utilize the entire lower lot in front of City Hall consisting of 62 stalls. This will allow staff to observe how the food truck businesses operate and monitor the turf in the area that would be acceptable for future use. This is part of the implementation of the CDA 2030 Plan as it supports new activities for the enhancement and vitalization of the downtown area.

DISCUSSION: Councilmember Edinger asked if the vendors would be paying for the location. Mr. Holm explained that on city property they will need a mobile concession permit that is \$25.00 per month through June; and after June it would \$50 per month. If the concession is in a park it would require a park fee of \$50.00 per truck per day. Councilmember Miller asked if the pilot project would include staff seeking feedback from the Downtown Association. Mr. Holm clarified that he did talk to the Downtown Association Manager, Terry Cooper, seeking any concerns during the project development, and Mr. Cooper did not have any. Staff has not had discussions regarding polling existing restaurants. Councilmember Miller expressed concern regarding the competition to local restaurants that try to stay open year round. Mr. Holm explained that his research found that mobile food vendors and restaurants are two different types of uses. Mayor Widmyer clarified that the project is a pilot project so staff could talk to Mr. Cooper after the event to ensure it is a positive thing in the area. Councilmember Gookin

asked if there was a special zone within the downtown overlay that does not allow vendors and carts, etc. Mr. Holm stated that the overlay district prohibits drive-through types of businesses along Sherman. There is a portion of the municipal code that speaks to seeking permission of abutting and adjacent properties. It is difficult to manage space on Sherman. Councilmember Gookin felt that the regulations seemed to indicate that the downtown does not want mobile merchants there. Mr. Holm explained that the City would not be providing power so generators will be used and bathrooms will be available in McEuen, the Library, and City Hall. The vendors will be responsible for clean up and disposal of garbage. Councilmember Gookin expressed concern regarding the Car d'Alene weekend. Municipal Services Director Renata McLeod explained that the April event will be used to learn lessons for the Car d'Alene event and staff will be reporting back to the City Council prior to the Car d'Alene event. Additionally, the mobile vendor permits for the June event will need to come before Council for approval. Councilmember Evans said that she thinks this is an exciting event for Coeur d'Alene and that mobile food trucks are a popular movement across the United States.

MOTION: Motion by Evans, seconded by Miller to approve Mobile Vending Permits for Meltz Extreme Grilled Cheese; The Jamaican Jerk Pan; 3 Ninjas, LLC.; Shameless Sausages; and Coeur de Breizh Crepes for the City Hall Lower Parking Lot on April 12, 2015, with staff seeking feedback from the Downtown Association and other local businesses after the event.
Motion carried.

DONATION FROM COEUR D'ALENE JUNIOR TACKLE ASSOCIATION OF A STORAGE BUILDING AT PERSON FIELD

STAFF REPORT: Parks and Recreation Director Steve Anthony explained that the Junior Tackle Association has offered the City a \$40,000 donation to be used for a storage building at Person Field. The Junior Tackle Association has been a partner at Person Field for many years. There is an existing building on site that has been remodeled for City recreational needs, so it is no longer available for the storage of the Junior Tackle Association's equipment. Therefore, they have agreed to donate \$40,000 toward the construction of a new onsite storage facility that they can store their equipment in.

DISCUSSION: Councilmember Miller asked if the new building would work within the master plan of the field. Mr. Anthony confirmed that it would work and that the neighborhood has been agreeable to its use with Junior Tackle. Councilmember Miller asked about the liability for loss of property. City Attorney Mike Gridley explained that the property (including the building) would be the City's to insure, and that the Lessee would need to insure the contents of the property.

MOTION: Motion by Edinger, seconded by Miller to approve the donation from Coeur d'Alene Junior Tackle Association of a Storage Building at Person Field. **Motion Carried.**

DONATION FROM SPECIALIZED NEEDS RECREATION OF A 12-16 PASSENGER VAN

STAFF REPORT: Parks and Recreation Director Steve Anthony explained that the youth Specialized Needs Recreation program has grown so much over the years that the adult program does not have transportation, as the previous van is being used by the youth program. The Specialized Needs Recreation group sought a grant for a new van and received it from the Inland Northwest Community Foundation. They will purchase the van and then donate it to the City with the intended use to be the adult Specialized Needs Recreation program; however, staff may use it intermittently. The City would be responsible for maintenance.

MOTION: Motion by Gookin, seconded by Evans to approve the donation from Specialized Needs Recreation of a 12-16 passenger van. **Motion Carried.**

DONATION FROM THE CDA PICKLEBALL ASSOCIATION FOR THE CONVERSION OF TWO TENNIS COURTS AT NORTHSHIRE PARK AND APPROVE BUDGET AUTHORITY TO STAFF FOR ADDITIONAL COSTS

STAFF REPORT: Parks Superintendent Bill Greenwood explained that the court at McEuen Park is lined for pickleball over the tennis ball courts lines to allow for both uses. Due to the popularity of pickleball, he intended to seek additional locations for more courts within next fiscal year's budget. The Pickleball Association has asked for stand-alone locations for courts at Northshire Park and has requested to expedite the installation prior to next fiscal year. Mr. Greenwood would like to use funds from the Parks Capital Improvement line item this fiscal year rather than next fiscal year to resurface the courts. He clarified that the parks funds combined with the \$10,000 donation from the Pickleball Association would be sufficient to complete the project. Ken Haydon, representing the Pickleball association said that pickleball is currently the fastest growing sport. They would appreciate the opportunity to partner on this project with their donation of \$10,000 to aid in the cost of painting the courts. Mr. Haydon explained that pickleball is a sport for all ages, and is inexpensive as it requires a paddle and a plastic ball. The Association identified Northshire Park as the tennis courts were already in need of repair. Additionally, the Association is working to bring a National event to Coeur d'Alene the last weekend in August.

DISCUSSION: Councilmember Edinger asked what the additional costs would be. Mr. Greenwood stated that he estimated \$30,000 to resurface the courts, which was going to be included in the proposed fiscal year 2015/2016 budget.

MOTION: Motion by Edinger, seconded by Gookin to approve the donation from the Coeur d'Alene Pickleball Association for the conversion of two tennis courts at Northshire Park and approve budget authority for staff to incur additional costs. **Motion Carried.**

RESOLUTION NO. 15-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH

PINKERTON RETIREMENT SPECIALISTS, LLC, AND RIVERSTONE MASTER ASSOCIATION, INC. REGARDING PLACEMENT OF EXCESS COLLECTED AND RETAINED SUB-SURFACE WATER INTO THE RIVERSTONE POND.

STAFF REPORT: Parks Superintendent Bill Greenwood explained that as the development of the Pinkerton building abutting the Riverstone Pond began, they found water would leak into the basement level. They believe that the liner of the pond is not allowing water to flow through the site from the swale causing water to back up in the basement. They measured the water and found approximately 10,000 gallons of water flow through the site per day. They are not allowed to dump the water into the city's wastewater plant and were turned down by D.E.Q. to install a deep injection well. They are asking the City to accept the excess water in the pond by constructing a new water feature. Mr. Greenwood clarified that there is space within the pond for additional water flow, as the water is utilized for irrigation and would not overflow.

DISCUSSION: Councilmember Gookin asked if the City has any liability if the water is ever found to be tainted. Mr. Greenwood explained that the water was analyzed and D.E.Q. approved it to be added to the pond water. Riverstone has to monitor water quality regularly and will have a flow meter. Additional lots would not be able to build basements as they would not be able to flow into the pond.

MOTION: Motion by Gookin, seconded by Edinger to approve **Resolution No. 15-008**, Memorandum of Understanding with Riverstone Master Association, Inc. and Pinkerton Retirement, LLC. regarding the Pond at Riverstone.

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

PROCLAMATION – IDAHO DAY - Mayor Widmyer proclaimed March 4, 2015 as Idaho Day and encouraged citizens to display the Idaho and United States flags to honor Idaho's remarkable heritage.

LET'S MOVE UPDATE- Steve Anthony stated that last July the Council endorsed the "Let's Move" program. Kimberly Young, WIC Coordinator with the Panhandle Health District, stated that the city of Coeur d'Alene has moved up the National League of Cities list and is 13th place among participating cities. The City has earned a gold medal in its Goal Two related to childcare, a silver medal for promoting school lunches and breakfast programs, and a bronze medal in Goal 4 and 5 relating to working with vendors to display the "My Plate" poster, offering nutritious food choices and mapping play spaces. She explained that community partner meetings were held in November and December and sub-committees have been formed for each goal area with identified leaders. The next meeting is scheduled for March 11, 2015 at 10:00 am in the Old City Council Chambers at City Hall. They will update the profile on the National League of Cities website, plan a kickoff event, and continue progress toward the five goal areas. Ms. Young noted that she will no longer be the lead for "Let's Move." Tina Duce, with Panhandle Health District, will take the lead through March 16, as they should have a permanent replacement at that time. Councilmember Gookin asked for clarity regarding vendors in the park being required to offer healthy alternatives. Ms. Young clarified that they are requesting them to offer additional healthy items; however, they do not need to remove the other

items. Councilmember Miller stated that there have been more city funds and staff time utilized toward the project than she originally thought and she was surprised that the food alternatives became a requirement in the lease agreement rather than a suggestion. Ms. Young stated that they looked at seeking “gold standard” from the National League of Cities and that was one option to get the gold medal. Councilmember Gookin said he is still curious how success will be measured. Ms. Young confirmed that measurement will take time and will require data collection over the years to determine a measurement of success.

FINANCIAL UPDATE – Finance Director Troy Tymesen informed the Council that the City is in the final stages of the audit. The first four months of this fiscal year indicate a positive report and includes that fact that the General Fund expenditures should be at 33.33% at this point in the year, but are at a lower rate of 31%. Due to the mild snow fall this year and the lower price of fuel, the Street Department is 55% below last year’s fuel expenditures. Additionally, the low snow fall allowed Street Department personnel to be redirected to work on the levee project. Mr. Tymesen informed the Council that property taxes have been received as anticipated, as well as other revenue sources. He explained that Idaho Code limitations regarding debt allow Coeur d’Alene a maximum amount of \$57,552,579, and that the City has a current amount of debt at \$2,757,038 (not including Wastewater). Underwriters, like Moody’s, like communities like the City with such low debt amounts. Two items that will be included in the budget amendment this year will be the Railroad property purchase and the pickleball court project. Councilmember Gookin complimented Mr. Tymesen’s good stewardship of the City’s money.

MOTION: Motion by Gookin, seconded by Evans to enter into Executive Session as provided by Idaho Code 67-2345 § (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

ROLL CALL: Edinger Aye; Miller Aye; Gookin Aye; Evans Aye. **Motion Carried.**

The City Council entered into Executive Session at 7:06 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, and Police Chief. Council returned to regular session at 7:24 p.m.

ADJOURN: Motion by Miller, seconded by Edinger that there being no other business this meeting be adjourned. **Motion Carried.**

The meeting adjourned at 7:24 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, City Clerk