

MINUTES OF A CONTINUED MEETING OF THE
COEUR D'ALENE CITY COUNCIL
HELD IN THE LIBRARY COMMUNITY ROOM
ON MARCH 20, 2014 AT 6:00 P.M.

The City Council of the City of Coeur d'Alene met in a continued session in the Library Community Room located at 702 Front Avenue held at 6:00 P.M. on March 20, 2014, there being present upon roll call a quorum.

Steve Widmyer, Mayor

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

Members of the Council Absent: Steve Adams

STAFF PRESENT: Wendy Gabriel, City Administrator; Amy Ferguson, Deputy City Clerk; Troy Tymesen, Finance Director; Mike Gridley, City Attorney; Gordon Dobler, City Engineer; Bill Greenwood, Interim Parks Director; Steve Anthony, Recreation Director.

NORTH IDAHO COLLEGE BOARD OF TRUSTEES MEMBERS PRESENT: Joe Dunlap, NIC President; Christie Wood, Ron Nilson, Judy Meyer, Ken Howard.

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

UPDATE REGARDING DIKE/LEVEE CERTIFICATION:

Gordon Dobler, City Engineer, presented an update regarding the dike/levee certification. He noted that the levee was last certified in 2007 and the certification expires in July, 2014. The certification process is run through FEMA and there is a parallel process with the Army Corp of Engineers. In 2012 they were put on notice that there were some deficiencies in the dike and the flood control structures, the most significant being the trees. The Army Corp said that all of the trees were going to have to be removed. As a result, they are pursuing the certification and a variance with the Army Corp together. The reason they are tied together is because they have to do analysis and justification for FEMA and then they turn that information over to the Army Corps when they go through their variance process. They are about 95% complete with the certification process and will be ready to submit it to FEMA within the next two to three weeks. They haven't started the Army Corps variance process yet. They have met with the Army Corps several times and have been put on hold because the Army Corps is reevaluating their criteria. They expect to complete their reevaluation in mid-summer.

The consultants recommend keeping the vast majority of the trees on the dike. Mr. Dobler explained what has been done so far, including concrete repair on the seawall, assembly of the wall, identification and inspection of the seawall openings by the museum, armored river bank,

and cleared vegetation and created public open space & a trail from Rosenberry to Harbor Center. They will have to reconstruct a portion of the wall that was removed from Northwest Boulevard in the late 1980s. Ultimately they will be modifying the wall by the museum so that it comes up to grade.

Mr. Dobler said that they have completed an assessment of the trees and vegetation and they did a health assessment, a crowding and risk assessment, and inventoried over a 1,000 trees. Around 350 of the trees need to be removed as they are either dead or dying or choking out bigger trees. Tim Kastning of Grace Tree Service did the assessment. President Dunlap noted that of the 350 trees, a little over 100 of them were shrubs.

Mr. Dobler said they have been working with the Ad Hoc committee and have taken them out to the dike road twice to give them a visual idea of the kinds of trees that are coming out. They are also talking with them about the issue of parking on top of the levy, a pedestrian and bicycle trail, beach access, control of erosion areas, and college access by pedestrians. The geotechs also came through and did a stability analysis which is keyed into evaluating what trees could jeopardize the levy under high water, or a wind with wave action scenario. They are not recommending that any trees come out, necessarily, but they did identify zones of concern where trees over a certain size would be trees of concern that would need to be monitored for health and risk assessment. If they eventually pose a risk, then at that point in time they would need to be removed.

In regard to evaluation of parking, it was the feeling of the Ad Hoc committee that the “no parking” option was not the first choice but they would like to keep that option available as it is the least expensive. The parallel and diagonal parking options create the need to make modifications which costs money. They will have another meeting in three weeks with cost estimates and alternate locations for comparison. It will probably come back to the council for a decision in probably 6 to 8 weeks. That decision will need to be made before they start the actual construction drawings.

Ms. Gabriel asked if diagonal parking would achieve more parking on the levy. Mr. Dobler said that right now there are 127 parking spaces on the levy and if they went with diagonal parking the whole length of the levy you could triple that number. He noted that the challenge with diagonal parking is they need to put in an 8 foot parking strip and a five foot walkway, which would in most areas put them off the top of the dike, which would impact the trees and increase the costs.

Trustee Wood asked if a concrete sidewalk was required. Mr. Dobler said that you can't leave it like it is because you can't deal with the erosion.

Trustee Howard asked about the ownership of the dike and right of way, and how it might impact NIC's property. Mr. Dobler explained that the city has a right of way easement along the top of the dike. They also have an easement for the levy itself that controls and limits what can be done down to the “toe” of the dike.

Trustee Wood said that she is pleased that the city has taken into consideration how important that parking is to the college and the summer beach users. If there is a way to triple the parking, it would be incredible.

Mr. Dobler said that the diagonal parking would eliminate any of the existing trees in those areas where they choose to put it, but it would create a fill slope where trees could be planted.

Trustee Meyer asked if there would have to be diagonal parking everywhere. Mr. Dobler said that there can be a mix of parking and that his sense is that the diagonal parking will only be incrementally more expensive than parallel parking. He further said that the initial goal is not to remove any parking but to maintain at least the 127 spaces, if not more.

Councilmember Edinger asked how many trees on the west side of the dike would be removed. Mr. Dobler said that from a visual recollection, he thinks there are more on the NIC side than the west side. Councilmember Edinger also asked how much this will cost and who is going to pay for it. Mr. Dobler said that they will know the cost in the next few months and the two vehicles for funding would most likely be an LID or a bond issue. The LID would be with the protected zone (the Fort Grounds) property owners, which is pretty clearly defined.

Mayor Widmyer asked about the boundaries of the protected zone. Mr. Dobler said that it starts at the flood works - the southerly and western end of the dike, and then on the easterly side would be Northwest Boulevard up to the Highway 95 bridge. Mr. Dobler proposed that the assessments be based on assessed value.

Councilmember Edinger asked if the city would receive any money from FEMA. Mr. Dobler confirmed that they would not, but they are continually looking for grants.

Councilmember Gookin asked if there is an LID of that area, would all of the entities be included, including homeowners, business owners, NIC, the city, etc. Mr. Dobler said that, yes, the city can have property that is within an LID and would be assessed.

Councilmember McEvers asked about the money that NIC has contributed toward the study. Mr. Dobler said they have kicked in 50%, or about \$250,000 for the study.

Trustee Howard said that when they had this discussion and authorized 50% of the money for the study, the question was asked at time who was going to pay for the ultimate repairs. They were informed at their meeting that the city was going to be taking care of all of the repairs. Mr. Dobler explained that the city is picking up the cost for the repairs required by Army Corps, but the additional costs are for dealing with parking issues. One of the things he would like to see is a separation of what is necessary to remediate the levy versus what could also be considered parking and access issues which he thinks should be categorized separately and other funding considered because the whole county is going to use it. He suggested a bond or some other type of funding for those items.

Councilmember Edinger asked who made the commitment that the city pay for all of the cost, and when was that done. Trustee Howard said that he would have to ask the people who were at

the meetings at that time – the former administration. He noted that the question regarding payment of the costs was asked several times and they were given the same answer each time. He agreed that there is a distinction between correcting the deficiencies and improving the condition and said that they would need to have further discussion. Trustee Howard said that he would check back in the minutes and see who made the report.

Councilmember Edinger asked if the city is going to have to pay the costs, where is the money going to come from. Mr. Tymesen said that he did not know the dollar amount yet.

Councilmember Gookin asked about a timeline moving forward. Mr. Dobler said that FEMA is estimating 6 months to get through their approval process, and then the city would be ready to move forward with the deficiency correction, which is all FEMA is going to look at. There is a time constraint when trees can be removed (between July and April), so the earliest they would see any work done would be starting in the spring of next year. He will propose something in the upcoming budget sessions.

Councilmember Edinger asked if the city could sell the trees that have to be cut down to logging outfitters. Mr. Dobler said that after looking at the assessments, the bulk of the trees aren't big enough to get much money out of them. In addition, most of are dead or diseased.

Mayor Widmyer asked if Mr. Dobler was able to give a ballpark figure of the cost. Mr. Dobler said that it is too early for that, but that just the tree removal would be a few hundred thousand dollars. A lot depends on the parking solution.

Councilmember McEvers asked Mr. Dobler to explain what the "deficiency" was. Mr. Dobler said that they would have to construct a new wall along Northwest Blvd, close the opening at the mill, have to rework the one short wall by the museum, have to re-grade both sides of the dike, and re-sodding.

Councilmember Edinger asked what would happen if they told FEMA to "take a hike?" Mr. Dobler explained that if they don't get certification, then all of the Fort Grounds area would be put into a 100 year flood zone and insurance prices, if you can get it, would be astronomical.

Trustee Howard said that he would appreciate it if the NIC Board would have an opportunity to address whatever the suggestions are before the council takes final action because it sounds like there are some options out there and it will impact NIC parking and trees and other things with more expansive improvement of the diagonal parking. Mayor Widmyer said that the city certainly views this as a partnership, and so he sees this as a decision to be made jointly together to everyone's satisfaction.

Trustee Meyer said there may need to be some more coordination of a shuttle for people around the campus but in the summer that shuttle might be doing more to bring people to the waterfront. She hopes that we look at a lot of long term options.

UPDATE REGARDING THE 4-CORNERS PROJECT:

Bill Greenwood, Interim Parks Director, presented an update on the 4-Corners project. The city applied to the Bureau of Land Management (BLM) to lease 29 acres of land. BLM requires a master plan showing how the land would be used that fits within definition from BLM. The master plan may touch on areas on either end of that corridor and areas adjacent to BLM. A variety of uses have been discussed at workshops to gather ideas from interested parties about what they would like to see. The master plan would be a work in progress and would likely take many years to implement. There is no time frame for development.

Mr. Greenwood noted that the BLM corridor is only about 200 feet wide. He presented an overview of the workshop attendees, which included NIC representatives. He explained what has been done since the workshop, including obtaining council approval of the concept, drafting of an RFQ which was distributed for comment to the review committee and some members of LCDC. He has received some comments back and is waiting to hear back from BLM regarding their comments.

Trustee Howard said that this is one of those projects that has been lingering out there for a while and coming together over a long period of time. He wanted to verbalize his understanding of prior conversations regarding the master plan that NIC's use of that property was going to be something that NIC would be vested in and that NIC would be involved or instrumental in the use of that land. He also said there was an alternative that was discussed about getting Congress to deed over the property, in which event there would be no restrictions on the use of the property. So long as they have a lease arrangement they will have to live under the restrictions set by the BLM for recreational and non-commercial use.

Mr. Greenwood said that they are pursuing the lease at this time and there is some discussion about pursuing the patent from Congress at a later time. He reaffirmed that NIC is a stakeholder and discussions will continue with all of the stakeholders.

Councilmember McEvers asked what NIC plans to do with the property. Trustee Howard said they haven't decided, but obviously under a lease they will have to live by the terms of the lease. They would most likely leave the property as a green belt.

Mr. Gridley said that he was involved in drafting the application and it clearly included NIC and educational purposes, which are recognized. He would suggest that, much like the dike certification that involves the federal government, there is a lot of "gray" in interpretation of the federal regulations. NIC is included in the lease application and they are a partner. It has been identified in the application that NIC wants to possibly use part of the property for educational purposes. So it is open for discussion as we go forward. The lease itself is also subject to amendment. Usually Congress will pass a general land bill every year but that kind of activity has been bogged down over the last few years.

Councilmember Gookin asked why NIC is concerned about the 200 feet? Trustee Wood explained that when they acquired the educational corridor property they were really trying to control that green space and have a nice entrance to the college, and they thought that 200 feet between Mill and River would be deeded over to NIC to control a nice green space for entrance

for the college. Trustee Howard said that in the short term, it would be nice if NIC had ownership of the property because they wouldn't have to constantly go back to the BLM regarding any activities they wanted to propose for that space.

Mayor Widmyer said that this is a partnership and a work in progress and both entities will work together. Trustee Wood suggested that the city's Legislative Committee would be a great resource if they wanted to pursue ownership legislatively. Mr. Gridley said that local legislators are familiar with this project and would be the people to start talking to, along with BLM.

CAMPUS SECURITY (GUNS ON CAMPUS):

Trustee Howard said that the bill changing NIC's policy of no dangerous weapons on campus was passed and their policies will change to adapt to the new law on July 1st. There are a number of concerns and it may be that they will need to come to the cities in which their facilities are located in order to get some help. Cities may be able to pass ordinances [regarding gun control] where they can't pass regulations. Some of the concerns they have include daycare centers on campus, high school students coming onto the campus for dual credit, and concerns from instructors about students carrying a concealed weapon. It will be an enforcement nightmare. There are questions being asked about whether the display of the weapons be controlled in some way.

Councilmember Gookin said that instead of infringing on the rights of law abiding citizens, what if we partnered to provide something like we do with the schools' campus police. Trustee Wood said that a campus police officer would not have similar duties to a School Resource Officer as SROs interact closely with the students. There would be a shared partnership with the funding, but the officer would be under the full control of the city. Trustee Nilson said that the college currently has seven security officers at the college.

Trustee Wood said that the NIC administration has had some conversations with the police department about what a partnership might look like and it is a budget issue. Some options she can think of in regard to ordinances might be directed at those areas that they deem most sensitive, including daycares throughout the city, and also parades and special events ordinances that might apply to large gatherings on campus.

President Dunlap said the State Board of Education is in the process of trying to define a policy that would affect the universities and the Idaho technical colleges. The three community colleges have had conversation about how to implement the new law with some level of standardization. One of the things that has come up is they need to ask and hopefully receive answers to some clarifying questions in regard to the implementation of the law. They have asked the State Board to ask the Attorney General's Office for some clarification.

Councilmember Gookin said that it was his understanding that if you have a concealed carry permit, you are supposed to conceal your weapon. If he shows the gun to someone, that would be brandishing. Trustee Wood said not necessarily in that Idaho is an "open carry" state in that you don't have to conceal your weapon.

Councilmember Miller asked if the new statute strictly prohibits the college from tracking or registering those who have the permits? President Dunlap said that is another one of the questions that they are seeking clarification on.

SHARED GYM SPACE:

Trustee Wood said that in her current position with the city, she has a lot of opportunity to work with the school district and they certainly have gym space needs, along with the college, the boys and girls club, etc. and she thought it would make sense to see if there are some partnership opportunities. She suggested a discussion about opportunities where they could jointly fund some gym space.

Mr. Tymesen said they have had some preliminary dialogue with NIC and during that time NIC was looking at its options for a larger facility. They also did some research on the HUB in the Spokane Valley.

Mr. Anthony said that the city currently has two kinds of agreements with the school district. They have a joint powers agreement with access to 8 gyms and facilities. The city is the secondary user, with the school district being the primary user. The second agreement is their shared use agreement where the city actually contributed to the construction of the facilities. Four of those agreements are in place right now, and they recently negotiated for a fifth one this year. In the shared use agreements, the city is a priority use and get into the facilities right around five o'clock. It is hard to tell what the needs will be in the future, but he sees that the biggest issue is with so many other outdoor user groups coming in, it becomes more difficult to fill needs. There are a lot of other groups that are looking for gym space and Mr. Anthony thinks in the long run there is probably a need.

Trustee Nilson said that the City of Post Falls contributed \$125,000 to the gym at the Boys and Girls Club and they have access to it in the evening. That gym is busy all the time and right now they are in the process of trying to secure where they are going to build another Boys and Girls Club in Coeur d'Alene. When they do that, a gym is the focus and the center of everything that goes on. At that time they will probably want to talk to the city about some participation and shared use.

Mr. Anthony said that the share use agreement with the school district runs through 2017 and the city has contributed close to \$1M over a 30 year period.

Mayor Widmyer asked about the status of the Boys and Girls Club in Coeur d'Alene. Trustee Nilson said that there are currently three locations being considered and none of the three have been secured yet. Once a location has been determined, they have some pledge money and are ready to move.

Trustee Meyer asked about the history of weekend usage of the gyms. Mr. Anthony said that the city is the priority user for the elementary and middle schools on the weekends. In the summer, the usage goes down probably about 80% for the gyms in that the majority of the recreation

programs are outside. Mr. Anthony noted that the HUB fills a huge need in Spokane for all of the private schools and is a nice, multi-purpose facility.

Councilmember Gookin said that he does see the need for an event center in the county, but he thinks the only way it is going to happen is if we create a recreational district that is county wide and everyone chips in to make it happen. Mr. Anthony said that if it is going to be an event center, he would recommend creating an auditorium district. Trustee Nilson said that the board has decided that the event center will not move forward and that if they were going to do something of that magnitude it would be a financial drain and they would need to put it to a vote.

FUTURE EDUCATION CORRIDOR FACILITIES:

Mayor Widmyer asked where the college was in regard to future buildings in the higher education campus. He noted that one of the things that he is interested in is Kootenai Health and they are going through a very large expansion. He had a conversation last week with them and they feel that in the not too distant future the size of Kootenai Health could very well double, which would create a tremendous amount of jobs. People are concerned about the talent that is available to fill those jobs. Mayor Widmyer noted that on a list of Idaho's Hot Jobs, ten of the first fourteen jobs listed are in the medical field. There seems to be a need that is going to have to address at the college level. The number one "hot job" is registered nurses.

Trustee Wood said that, historically, when they acquired the education corridor there was a lot of talk at that time of focusing on health sciences. But those are very expensive programs and it would be helpful if they could form partnerships for some of those expenses. President Dunlap said that NIC has a group that has been meeting with Kootenai Health. Trustee Wood said that in the past they have looked at a joint use facility with other entities including the University of Idaho, LCSC, etc., and maybe they could look at it again.

Mayor Widmyer said that Boise State, Idaho State University, and Lewis Clark State College have successful nursing programs and they are turning students away. We need to move in a direction where we address those needs. President Dunlap said that their nursing program produces about 120 nurses per year. In this community there is not a shortage of nurses as there is across the country. He explained that they had originally viewed the joint use facility as a classroom that had a joint centralized student services operation that included the University of Idaho, LCSC and NIC, but there was no prospect of getting that building funded because the state's Permanent Building Fund was "broke." Since then, Kootenai Health and LCDC and the three education institutions have begun to meet to talk about possibly changing the concept of that joint use building and expand it so that it would not only include classrooms and faculty offices but also labs that would be used to support the healthcare needs. Their Dean of Nursing and Health Sciences, and Vice President of Instruction have done a fairly exhaustive study of the Department of Labor data and they just received the projections from Kootenai Health. They have taken that data and looked at what specific occupations would best serve the five northern counties, including surgical tech, dietetics, billing and coding, dental hygiene, health informatics, and medical labor technologist. They have also received word that in 2016 the Permanent Building Fund may be in a much better position to help fund this project. The project would be

ideally suited for the higher education campus. They will continue to press on with Kootenai Health and look at those programs and what that translates into in terms of a facility.

President Dunlap said that their number one priority is their career and technical education facility that would expand their capacity for career technical students. They are moving at warp speed to bring that project together and hope that over the next couple of months they will be able to present a plan to the board of trustees.

Trustee Nilson said that they are facing a 11% reduction in total enrollment and another 10% forecasted for next year on the academic side. The brightest star they have right now is their Career and Technical Education.

Mayor Widmyer asked how the Riverbend campus fits into the picture. Trustee Meyer said they are still thinking about that. Her understanding is there is a lot more health care and allied services that needs to be done and she thinks it will grow even more because they now have a residency program being established in Coeur d'Alene, which is a statewide effort to provide more physicians in rural areas. The Sandpoint hospital is choosing to build another building to increase its presence. The health care world is in transition and it has all kinds of ripples that will affect education campus, clinical sites, satellites, etc. It is an exciting time.

Trustee Howard said that it is tempting to talk about the health care programs because they are very popular. But in the last couple of years they have started programs on aeronautics and developing training and testing facilities for aeronautics, and also wood product processing. There is a demand on NIC to adopt programs for a lot of industries in this area and to help promote industries coming into the area. There is a waiting list for the CTE (Career Technical Education) programs and right now they are renting some spaces, and some of the classes are in the Riverbend area, and they have property next to the KTech school. Students have come to them for the last two or three years and said that they want a new activity center, which they fund through their activity fees, so that may be another facility. There are a number of different projects and they need to find some definition for them and get some direction. They encourage new programs and want to be attractive to new industries that want to locate to this area.

Trustee Meyer said that she thinks it would be very important that the city council and college be able to demonstrate to new legislators how effective they are. Trustee Wood commended Mayor Widmyer on what he is doing personally and the people he has pulled together to focus on economic development and jobs and said that any way the college can help in his quest, they want to be a part of it. She also noted that she serves on the city's legislative committee and they have talked about how it might be more effective for them to host a meeting with legislators along with NIC in the fall. She thinks it is a wise choice and together we are better.

President Dunlap commented that their enrollment numbers are inversely proportional to what is happening in the economy. As the economy improves, their enrollment goes down. He also commented that today there was an announcement that Exotic Metals, an aircraft company out of Kent, Washington, is building a facility in Airway Heights near Spokane. They would not have come to the area except for the fact that Spokane Community College and NIC both have

aerospace programs. When businesses realize that that the college can help support their business needs, they will come.

Mayor Widmyer thanked everyone for attending and noted that NIC is a very special place to him. He truly believes that NIC graduates are oftentimes the smartest people in the room and that he probably wouldn't be sitting in the mayor's seat today without NIC in 1978 that put him on the right path to where he is today. He looks forward to a great partnership in the future.

Trustee Howard commented thanked the mayor for the opportunity to meet and said that it has proved beneficial every time they get together.

RECESS: Motion by Edinger, seconded by Gookin, to recess to March 25, 2014 at 12:00 Noon, in the Old Council Chambers for a workshop regarding Citywide Sidewalk Policies.

Motion carried.

The meeting adjourned at 7:56 p.m.

Steve Widmyer Mayor

ATTEST:

Amy Ferguson, Deputy City Clerk