

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

**MARCH 6, 2012**

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 6, 2012 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Loren Ron Edinger	)	Members of Council Present
Mike Kennedy	)	
Woody McEvers	)	
Deanna Goodlander	)	
Dan Gookin	)	
Steve Adams	)	

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

**INVOCATION:** The invocation was led by Pastor Skip Lane, Hayden Friends Church.

**PLEDGE OF ALLEGIANCE:** The pledge of allegiance was led by Councilman Kennedy.

**PUBLIC COMMENTS:**

Service Dog: Stonecalf Warriorwoman: 1421 N. 9<sup>th</sup> Apt. B4, presented her "dog of vision" and wanted to inform the City that she does not want to be harassed when she takes her dog into city parks.

Legion Ball Field: Marty Krupitski, 601 Front, Suite 1604, spoke in support of the proposed ball field at Cherry Hill.

McEuen Park Improvements: Tina Johnson, 601 Front, reviewed urban land institute information and believes that McEuen Park, as is, is tired, worn out, and in need of improvement. She noted that the Steering Committee met, and through a long process, developed the proposed design. They held 50 community meetings of their plan. She noted that several features of the original plan have been removed but she still supports the design.

**PRESENTATION: LCDC ANNUAL REPORT:** Tony Berns, Executive Director, presented the Lake City Development Corporation's (LCDC) annual report to the City. Mr. Berns reviewed the boundaries of the two urban renewal districts, the corporation's vision and mission statements. He identified the members of the LCDC Board and the members of their various committees. He reviewed their 2011 initiatives which include McEuen Park, Education Corridor, Midtown place-making, workforce/affordable housing, Mill River Senior Housing, Riverstone West Apartments for affordable housing units, KYRO partnership, brownfield

redevelopment projects using tax increment financing, partnership with the Centennial Trail Foundation for Prairie Trail development, infill partnership projects such as Kroc Center, the City Library, Chamber of Commerce, Parkside Tower, and also as a partner to bring Urban Land Institute to the City. He presented the long term goals of the Corporation as well as reviewing the status of their current projects in each of their Urban Renewal Districts.

2012 Projects include workforce housing, school improvements, long term public access, job retention/job creation, public parking, Midtown “place making” initiative, and continued Downtown support.

Councilman Adams asked what “restricted fund” meant on the balance sheet. Mr. Berns explained the accounting term for fund balance. Councilman Adams asked what the uses are for the properties listed in his report. Mr. Berns responded that these properties have been acquired for strategic events such as a future parking facility north of Sherman, the possibility of punching 8<sup>th</sup> Street through to the Library, and possibly enlarging the footprint of the City Hall/ Park area. Councilman Adams asked about the draw-down of funds. Mr. Berns noted that was for closing costs.

Councilman Adams asked about the meetings with the Midtown stakeholders, for the names of the businesses at these meetings and what did they meet about. Mr. Berns responded that LCDC has been meeting with Midtown for the past several years for revitalization of Midtown.

Councilman Gookin asked about Winton School and what are the specifics of that project. Mr. Berns noted that they have not discussed what the specific priorities are for the school district. Councilman Gookin asked if LCDC is set on what they are going to participate in in the Midtown area. Mr. Berns believes it may be premature at this point until they hear from the housing company from Boise. Councilman Gookin asked about tax credits and how can LCDC use tax credits for commercial buildings. Mr. Berns responded that the Federal Tax Credits are restricted for the housing portion of the Midtown projects. Mr. Gookin commented that he believes there is a concern that this housing project is competing with private commercial businesses. Councilman Gookin asked about the peeling paint on the sidewalks in Midtown. Mr. Berns noted that it was never paint, it was stain which never took the first time, and the contractor did it a second time which, again, did not take. Councilman Gookin asked about the Centennial Trail along the abandoned railroad property and asked if there was anything else being used for that property. Mr. Berns responded that the property in question has nothing specific for this area but hopes that it would make some commercial sense for improvements and the trail system would stay the same.

Councilman Gookin asked if there is a formal audit report. Mr. Berns said the audit report is on their web site. Councilman Gookin asked about the restricted funds. Mr. Berns explained the definition of restricted funds as it applies to Idaho law. Councilman Gookin asked why LCDC is using their cash reserves and asked about the law which requires placing an ad in the paper regarding property not being resold. Mr. Berns explained that their legal counsel noted that under the law those properties which do not have a strategic intent would fall within this category; however, LCDC has strategic intent for all the properties they have purchased.

Councilman Gookin asked what brownfields means. Mr. Berns responded that those are generally properties that were previous industrial sites.

Councilman Goodlander noted that as part of the Mill River improvement project there is 1,000 feet of sandy beach for the public's use. She also noted that the City's Engineering Department was responsible for the Midtown project including the sidewalks. Councilman Kennedy commented that the idea was raised to get a project moving in the Midtown area for a housing project and they had met with the owners of Midtown and the original housing project was an owner-occupied project vs. today's planned subsidized rental units.

**CONSENT CALENDAR:** Motion by Kennedy, seconded by Gookin to approve the Consent Calendar as presented.

1. Approval of minutes for February 21, 23, 2012.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, March 12, 2012 at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 12-006: 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 APPROVING THE DECLARATION OF SURPLUS EQUIPMENT – STREETS DEPARTMENT; AND APPROVING THE DESTRUCTION OF TEMPORARY RECORDS – LEGAL DEPARTMENT.

ROLL CALL: Goodlander, Aye; Gookin, Aye; Kennedy, Aye; Edinger, Aye; Adams, Aye; McEvers, Aye. Motion carried.

**COUNCIL COMMENTS:**

COUNCILMAN ADAMS: Councilman Adams announced that he had met with Wendy Gabriel and met with the Street Department last week.

COUNCILMAN GOOKIN: Councilman Gookin reported that he also met with Wendy Gabriel, and had met with the Legal Department, as well as helped review proposals for the Water Department's Master Plan Update. He had lunch with the Lake City Employees Association. Councilman Gookin announced that on March 14<sup>th</sup>, there is going to be a meeting at the American Legion Hall regarding the project with LCDC and Idaho Housing. He also noted that it disturbed him that an article ran in the newspaper about the Legion Design the day after the issue of purchasing the Cherry Hill Park property was approved by the Council and believes that he was not informed at that meeting that it was the intent of the City to use that property for that purpose. He now has a concern of whether he has received all the information when he is making a decision.

**APPOINTMENT TO PLANNING COMMISSION:** Motion by Goodlander, seconded by Edinger to appoint Rob Haneline to the Planning Commission. Motion carried.

**ADMINISTRATOR'S REPORT:** City Administrator Wendy Gabriel announced the cities of Coeur d'Alene and Dalton Gardens have broken ground on the Government Way, Dalton to Hanley Project. The first phase includes installing a sewer main in Government Way between Dalton and Hanley avenues, Dalton Avenue east of Government Way about one-half block, and

Hanley Avenue east of Government Way about one-half block. Although two-way traffic will be maintained on Government Way, the driving public may experience delays. At times, drivers will be diverted to a gravel shoulder. Sewer installation on Dalton and Hanley avenues will require one-way traffic with flaggers. Following installation of the sewer main, the roadway will be reconstructed to create a five-lane roadway with sidewalks on both sides. Sewer work is anticipated to be completed by April 30<sup>th</sup>. Reconstruction of the roadway is scheduled to begin on May 1<sup>st</sup> with an anticipated completion date in September. For more information, please contact 769-2228. The City is happy to announce the availability of free street trees for new neighborhoods. The trees are available to homeowners or residents who are willing to provide care for these young trees and is willing to make sure that the trees are watered and protected from string trimmers and mowers. The trees species still available are honey locust, hackberry, London plane tree, white ash, black tupelo, and bald cypress. The trees will be planted by contract tree planting crews in May. Since there are a limited number of trees, interested homeowners and residents are encouraged to contact the Urban Forestry division of the Coeur d'Alene Parks Department to sign up for a street tree. More information and a response form are available on-line at [parks.cdaid.org](http://parks.cdaid.org). You can also call the Urban Forestry Division of the Parks Department at 769-2266. The City of Coeur d'Alene's Legislative Committee will be hosting a Town Hall Meeting this Saturday, March 10<sup>th</sup>, from 8:30 a.m. to 10:00 a.m. in the Library Community Room. North Idaho Senators John Goedde and Jim Hammond, and Representative Frank Henderson will be available to talk about and answer questions regarding this year's legislative session. Everyone is welcome and the event will be broadcast on CDA TV Channel 19. City of Coeur d'Alene GIS Coordinator Debbie Frisbie has completed a cemetery data base that maps and directs citizens to the locations of gravesites in the Forest and Riverview Cemeteries. To access the new database, go to [parks.cdaid.org](http://parks.cdaid.org), and click on the Cemetery link on the left hand menu. Then click on the picture to look up individual burial sites.

#### RESOLUTION 12-007

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE POLICY FOR FOOD AND / OR ALCOHOLIC BEVERAGE SERVICE AREAS ON PUBLIC SIDEWALKS.

Councilman Kennedy explained the evolution of this permit and reviewed the changes to the permit requirements for this year's permit including stacking chairs, rolling down the garage-type doors at a certain hour, and addressing other areas of concern voiced by citizens.

Motion by Kennedy, seconded by Edinger to adopt Resolution 12-007.

DISCUSSION: Councilman McEvers asked if this applies to Midtown. Councilman Kennedy noted that this does apply to all areas of town. Councilman McEvers asked if the owners believe this is a step in the right direction. Councilman Kennedy responded that some owners believe it is too restrictive and some other owners are very supportive of these regulations. Councilman Goodlander noted that we originally had more restrictions but amended the requirements in response to some of the owners' concerns. Councilman Gookin voiced his concern regarding item 4, the use of obscene language, and expressed his concern for freedom of speech and

believes that the government cannot regulate what people say and would like to amend the regulations.

**MOTION TO AMEND:** Motion by Gookin, seconded by Adams to amend item 4 to read “insure that proper public decorum be maintained in the permitted area”.

**DISCUSSION:** City Attorney Gridley responded that there is a distinction between the use of public property by a commercial entity and the public’s use of public property. Councilman McEvers believes that this regulation means that you are accepting the use of this public property and this is a condition of that use. Councilman Gookin believes that this is the City trying to dictate to the owners what language is acceptable but rather with his amendment it would extend to offensive t-shirts or other attire. Councilman Edinger asked about offensive language in the City Park. City Attorney believes that a city park is a public place where you can express yourself within certain parameters. Councilman Kennedy noted that some of the specific complaints received have been the use of offensive language within these permitted encroachment permit sites. Deputy City Administrator Jon Ingalls noted that he could make the requirements read “maintaining appropriate decorum e.g. offensive language”. Councilman Adams does not support the amendments to the encroachment permit as a whole.

Motion to amend failed.

**DISCUSSION:** Councilman Adams believes that these regulations are heavy handed and believes that we should wait to see, with the Icon shutting down, if the situation improves.

**MOTION TO TABLE:** Motion by Adams, seconded by Gookin to table the motion to September 4, 2012. Motion failed.

**DISCUSSION:** Councilman Goodlander believes that the City has worked together with the downtown business owners and negotiated these conditions for the sidewalk encroachment permits and these regulations are also to protect the citizens. She also believes that these are fairly simple rules. She also noted that she is comfortable regarding prohibiting obscene language.

**ROLL CALL:** Adams, No; Edinger, Aye; Goodlander, Aye; Gookin, No; Kennedy, Aye; McEvers, Aye. Motion carried.

**RECESS:** Mayor Bloem called for a recess at 7:30 p.m. The meeting reconvened at 7:37 p.m.

ORDINANCE NO. 3433  
COUNCIL BILL NO. 12-1007

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 16.10.030 AND 16.10.041 TO ALLOW UP TO 5 ONE YEAR EXTENSIONS FOR SUBDIVISION PLATS; 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.

Motion by Goodlander, seconded by Kennedy, to pass the second reading of Council Bill No. 12-1007.

ROLL CALL: Edinger, Yes; Gookin, No; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Adams, No. Motion carried.

Motion by Goodlander, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 12-1007 by its having had two readings by title only.

ROLL CALL: Edinger, Aye; Gookin, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Adams, Aye. Motion carried.

#### RESOLUTION NO. 12-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MILLER STAUFFER ARCHITECTS, P.A – TEAM McEUEEN.

STAFF REPORT: Parks Director Doug Eastwood reported that this project has been discussed and reviewed many times since it was first identified in 1997 during the establishment of the city's Urban Renewal District. He reviewed the mission statement of the McEuen Park Steering Committee and the seven values for McEuen Park. He presented the historical uses of this land prior to becoming McEuen Park. Mr. Eastwood reported that since 1997 the parkland has received input from the Hyett-Palma report, the Walker-Macy Plan and the Committee of Nine. In June of 2010 the city hired Miller/Stauffer Architects to prepare a final concept for the park improvements. On May 24, 2011 the City Council approved, in concept, the reconstruction of McEuen Park. He reviewed the changes made to the plan from May 24<sup>th</sup>. He reviewed the park amenities included in today's master plan. The estimated cost is \$14,245,000.

The contract for architectural and engineering services will cost \$1,962,617.00. That cost will be paid from a McEuen Park development fund that will cover the initial construction costs for the first phase of the project. Currently that dollar amount is \$13,929,800.00: Gary & Tina Johnson - \$5,000; Parks C.I.F. - \$400,000; NICTF - \$424,800; Parking Fund & Overlay- \$1,600,000, and; LCDC - \$11,500,000.

Mr. Eastwood noted that the purpose of the park reconstruction is to replace worn our park infrastructure, create more park open space and to provide the greatest amount of activities for the greatest amount of people.

DISCUSSION: Councilman McEvers asked about the time line. Mr. Eastwood responded that it is estimated to be 300 days for the design and construction documents. Councilman McEvers asked if the Council will have input along the way. Mr. Eastwood responded that the Council will be updated at regular intervals as which time Council input will be requested.

Councilman Gookin requested that he receive a copy of tonight's presentation. Councilman Gookin asked why the boat launch parking is being done first. Mr. Eastwood responded that once the parking lot comes out and preparing for the parking facility structure, it will take out parking and interfere with access so completing the east parking lot compensates for those changes. Councilman Gookin asked if RFQ's were done. Mr. Eastwood responded that they were done last year and this contract is part of their original agreement and is a part of the consultant's deliverables. Councilman Gookin asked if this contract is being paid from the LCDC funds. Mr. Eastwood responded that it could be taken from the \$11,500,000 funds being received from LCDC or from the City's Parks Capital Improvement Fund as well as Parking Funds. Councilman Gookin asked if there is any money from the General Fund. Mr. Eastwood responded, no. Councilman Gookin asked if when the money is being paid, if the Council will be informed of where the money is coming from.

Councilman Edinger asked about the Parks Capital Improvement Fund. Mr. Eastwood responded that the Parks Capital Improvement Fund has had a place holder for McEuen Park.

Councilman Gookin asked about the money from LCDC and who is paying the interest on the loan. Councilman Goodlander responded that it is not a loan but a line of credit. Councilman Gookin noted that the contract refers to Miller Stauffer but it does not identify the City in the contract and asked who specifically is "the City". Mr. Eastwood noted that in regard to "the City" he believes that it would be the Project Manager which would be himself. Councilman Gookin asked, then, when the contract refers to having regular meetings with the City, does that mean Mr. Eastwood. Mr. Eastwood responded yes. Councilman Gookin asked about the American Legion using the McEuen site. Mr. Eastwood responded that the Legion will play through the 2012 season and then possibly using the school's field until the replacement field is completed. Mr. Eastwood also noted that he has made the Legion aware of these plans. Councilman Gookin asked about parking spaces. Mr. Eastwood noted that they had reviewed the possibility of placing another tier along the Front Avenue parking, but LCDC does have plans for a parking garage on Lakeside. He added that there needs to be a balance between public/private parking in the Downtown area.

Councilman Goodlander noted that the parking garage on Lakeside would be the equivalent of placing an additional tier on Front Avenue.

Councilman Gookin asked with the parking on Front Street, can a private owner purchase parking spaces from the McEuen parking garage. Mr. Eastwood noted that generally we do not allow purchasing public parking spaces. Mr. Tymesen noted that there is an ordinance for property owners to pay an in-lieu of parking spaces fee and those funds would be used to improve other parking sites. Councilman Gookin asked about the transition between the parking garage and the park and from the slides it does not appear there would be a transition and asked what the access would be. Mr. Eastwood noted that Front Street will sit a little above the park so transition access points will be placed at various places along Front Street.

Councilman Gookin asked about the naming opportunities and are there any restrictions on where those funds could be used. Mr. Eastwood responded that it is his understanding that the LCDC funds cannot be used privatizing for profiting the private sector.

Councilman Edinger noted that the Council will be informed through Mr. Eastwood, but asked about informing the public. Mr. Eastwood responded that the information can be posted on the City's website. Councilman Edinger asked about newspaper articles. Mr. Eastwood responded that there will probably be reports by the newspaper. Councilman Edinger noted that the Legion will need to move from McEuen Park in 2013 and that Mr. Eastwood had discussed the plan with the Legion but he wanted to know if they agreed to the plan. Mr. Eastwood responded that the Legion has not responded one way or another. Councilman Edinger believes that the Council has said that they would move to an equal or better facility. Councilman Edinger also finds it puzzling that we have so much money in the Parks Capital Improvement Fund.

Councilman Kennedy commented that he also agrees that the Legion should be moved to an equal or better facility so he believes the interim facility should be placed at Person's Field. Mr. Eastwood responded that Person's Field would not be too difficult to make the improvements for the Legion to play there in the interim.

Councilman Gookin asked if there are lights at Person Field. Mr. Eastwood responded that they would move the lights from McEuen to Person Field. Councilman McEvers asked if the neighbors had been contacted regarding putting lights at that field. Councilman Edinger does not believe that Person Field would be a good sight for a baseball field. Councilman Kennedy noted that Person Field had previously been the site for baseball. Mr. Eastwood noted that the American Legion played at Person Field prior to moving to McEuen. Councilman Adams asked about the school's portion of Person Field. Mr. Eastwood responded that the improvements would be to the benefit of the school.

Councilman Kennedy noted that the drawings for a design for a ball field at Cherry Hill Park had been discussed previously. Councilman Edinger noted that he had seen drawings prior to the newspaper article of a ball field at Cherry Hill Park.

Councilman Edinger noted that although the Council will be made aware of the meetings, he asked that the public should also be made aware of these meetings. Councilman Edinger believes that the people should be made aware of the proposed changes as well.

Councilman Goodlander noted that the Council had asked staff to develop a plan that the City could afford. She believes that the Council gave staff direction and staff has accomplished what they were told to do. She also asked if a specific web site could be developed to inform the citizen as this plan progresses. Councilman Kennedy noted that we have a McEuen Park website. He added that the loudest outcry was to retain the boat launch at McEuen Park and this revised plan does keep the boat launch at its current site. He believes that this revised plan responds to the concerns voiced by the citizens, that he had been listening and these changes reflect the citizens' concerns.

MOTION: Motion by Goodlander, seconded by McEvers to adopt Resolution 12-008 including retaining a boat launch facility.

DICUSSION: Councilman Edinger appreciates that the boat launch is staying but would also like to keep the Legion and remove the parking garage.

Councilman Adams believes that it is still a long term capital expense and thus should be put to a public vote.

Councilman Gookin believes that the last time the public was asked to vote was at the last City Council election and that the majority of voters wanted a public vote and he does not see a massive community support for this plan. He also believes that this is an abuse of urban renewal.

Councilman Kennedy noted that the original plan was about \$28,000,000 and today the plan is about \$14,000,000 as a result of citizen input. He also believes that this project will create jobs and will result in economic development by bringing businesses to this community. He believes that you have to have vision to create a healthy community and this plan does that.

Councilman Goodlander believes that this is the way to keep our city healthy and also is a way of bringing jobs to our community in these hard economic times. She also sees this as an opportunity to make this a heritage park.

Councilman McEvers recalled past Council actions that created great places in our community such as the pit that was purchased and later was used for the current Kroc Center site. He believes that as outrageous as this may seem, we still need to move forward with this park and we are not asking for more tax dollars for this project.

ROLL CALL: Edinger, No; Goodlander, Aye; Gookin, No; Kennedy, Aye; McEvers, Aye; Adams, No. Motion carried with the Mayor's tie-breaking vote in the affirmative.

ORDINANCE NO. 3434  
COUNCIL BILL NO. 12-1009

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING MUNICIPAL CODE SECTIONS 5.56.040, 5.68.100, 5.68.110 AND 5.68.130 TO CORRECT CLERICAL ERRORS CONTAINED IN THE ADOPTED CODE SECTIONS; 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.

Motion by Kennedy, seconded by Goodlander to table Council Bill No. 12-1009 until March 20, 2012 to provide for a proper notice on the agenda. Motion carried. .

**PUBLIC HEARING – V-12-1 – VACATION OF PUBLIC RIGHT-OF-WAY IN THE**

**KOOTENAI ADDITION:** Mayor Bloem read the rules of order for this public hearing. Gordon Dobler, City Engineer, gave the staff report. Councilman Kennedy announced that he has a business relationship with Steve Meyer but has no relationship on this item.

Mr. Dobler reported that 31 notices were mailed with 4 responses, 1 in favor, 1 opposed and two neutral. He then reported that the applicant, in partnership with Kootenai Health, is initiating a plan to create a medical residency program in the area of the Interlake Medical facility and Kootenai Health campus. The longer term plan is to transform the area from Lincoln Way on the east to Medina Street on the west, from single family dwellings to medical office space. This request is the initial step in the removal of public rights-of-way that would allow for the combining of the existing lots, or the total re-platting of the area, in order to facilitate the expansion of the medical campus area. He noted that existing utilities in the area would be removed or reconstructed over time, as the development in the area proceeds.

**PUBLIC COMMENTS:** Mayor Bloem asked for public comments with none being received.

**MOTION:** Motion by Edinger, seconded by Goodlander to approve the requested vacation of public right-of-way in the Kootenai Addition.

**ROLL CALL:** Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Adams, Aye; Edinger, Aye; Gookin, Aye. Motion carried.

**PUBLIC HEARING – SP-2-12 – APPEAL OF DENIAL – SPECIAL USE PERMIT FOR**

**219 COEUR D’ALENE LAKE DRIVE:** Mayor Bloem read the rules of order for this public hearing. No conflict of interest was declared by Council. Sean Holm, City Planner, gave the staff report.

Mr. Holm reported that the City has received a letter from the applicant requesting that the Special Use Permit be denied without prejudice which would allow the applicant to begin the process again with the Planning Commission.

Councilman Kennedy noted that there is no special consideration but rather the applicant wants to start over with the process.

**PUBLIC COMMENTS:** Mayor Bloem asked for public comments with none being received.

**MOTION:** Motion by Edinger, seconded by Gookin to deny without prejudice the Special Use Permit for 219 Coeur d’Alene Lake Drive.

**ROLL CALL:** Kennedy, Aye; McEvers, Aye; Adams, Aye; Edinger, Aye; Gookin, Aye; Goodlander, Aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Goodlander, seconded by McEvers to enter into Executive Session as provided by I.C. 67-2345 §I: To engage in communications with a

representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed.

ROLL CALL: Goodlander, Aye; Gookin, Aye; Kennedy, Aye; Edinger, Aye; Adams, Aye; McEvers, Aye. Motion carried.

The Council entered into Executive Session at 9:10 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, and Deputy City Attorney.

Matters discussed were those of claims submitted by Darren and Susan Cordova, Kristin Robins, and Doug and Connie Goodwin. No action was taken and the Council returned to its regular session at 9:32 p.m.

**CORDOVA CLAIM:** Motion by Gookin, seconded by Adams to deny the Cordova claim. Motion carried.

**ROBIN CLAIM:** Motion by Kennedy, seconded by McEvers to take no action on the Robins Claim. Motion carried.

**GOODWIN CLAIM:** Motion by Kennedy, seconded by Edinger to direct staff to offer a compromise in the Goodwin claim. Motion carried.

**ADJOURNMENT:** Motion by Goodlander, seconded by Edinger that, there being no further business before the Council, that this meeting is adjourned. Motion carried.

The meeting recessed at 9:35 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk