

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
DECEMBER 20, 2011**

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 December 20, 2011 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Woody McEvers)	Members of Council Present
John Bruning)	
A. J. Al Hassell, III)	
Loren Ron Edinger)	
Deanna Goodlander)	
Mike Kennedy)	

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

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

PUBLIC COMMENT:

IDAHO SMART GROWTH AWARD: Dale Baune, representing JUB Engineers and Idaho Smart Growth, presented the City with the "Redevelopment Award" from the Idaho Smart Growth organization for the Education Corridor Project.

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

1. Approval of minutes for December 6, 9, 2011.
2. No General Services Committee and the Public Works Committee meetings were set due to the Christmas Holiday.
3. RESOLUTION 11-041: 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 A LEASE AGREEMENT RENEWAL WITH THE ELEVENTH STREET DOCKOWNERS ASSOCIATION FOR THE 11TH STREET MARINA; APPROVING A CONTRACT RENEWAL WITH LEGENDS SPORTS PHOTOGRAPHY FOR YOUTH SPORTS PHOTOGRAPHY; APPROVING AN AGREEMENT FOR CDBG GRANT FUNDS FOR COMMUNITY ACTION PARTNERSHIP (SUBRECIPIENT); APPROVING RATIFICATION OF A LETTER OF AGREEMENT BETWEEN KOOTENAI COUNTY AND THE CITIES OF COEUR D'ALENE, POST FALLS, HAYDEN, AND RATHDRUM FOR COST SHARING FOR AREA OF CITY IMPACT CONSULTANT; APPROVING PROFESSIONAL SERVICE AGREEMENTS FOR CREATION AND INSTALLATION OF PUBLIC ART AT THE

WASTEWATER TREATMENT PLANT WITH (A) ALLEN DODGE & (B) DALE YOUNG; APPROVING CHANGE ORDER NO. 1 - FINAL QUANTITY ADJUSTMENTS AND PROJECT CLOSEOUT WITH COEUR D'ALENE PAVING, INC. FOR THE 15TH STREET RECONSTRUCTION PROJECT; APPROVING CHANGE ORDER NO. 9 WITH CONTRACTORS NORTHWEST FOR THE WASTEWATER TREATMENT PLANT, PHASE 5B.

4. Approval of Bills as submitted and on file in the Office of the City Clerk.
5. Approval of bid award for purchase of Wastewater Dept. dump truck.
6. Setting of public hearing for V-11-6 (vacation of alleyway between Lots 16 & 17, Block 2, Taylor's Park Addition) for January 17, 2012.
7. Setting of public hearing for ZC-4-11 (zone change at North Idaho College Education Corridor) for January 17, 2012.
8. Setting of public hearing for the 2012 Annual Action Plan for CDBG Funding for February 7, 2012.

ROLL CALL: McEvers, Aye; Bruning, Aye; Kennedy, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye. Motion carried.

ANNOUNCEMENTS:

COUNCILMAN KENNEDY: Councilman Kennedy clarified the issue regarding the canvass of votes and the City Council's role in the process.

COUNCILMAN GOODLANDER: Councilman Goodlander described the artwork that has been commissioned for the Wastewater Treatment Plant. The next art project is for the Education Corridor roundabouts. She announced that the Arts Commission Chairman Fred Ogram has completed his term on the commission and expressed her appreciation for all his work on the commission. She also announced that the ArtCurrents program is currently accepting proposals for the second year of this program.

COUNCILMAN MC EVERS: Councilman McEvers wished everyone a Merry Christmas and Happy Hanukkah.

COUNCILMAN HASSELL: Councilman Hassell noted that this is his last full council meeting and expressed his appreciation for the opportunity to serve this community.

COUNCILMAN EDINGER: Councilman Edinger wished everyone a Merry Christmas and Happy New Year.

MAYOR BLOEM: Mayor Bloem thanked the community for their generosity with the Salvation Army's Bell Ringing Contest between her and the Mayor of Spokane.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel announced that the city's Arts Commission is seeking artists to participate in its "ArtCurrents" program, now in its second year. Artist proposals are due by 5:00 p.m., April 16, 2012. Artists who are interested in participating are encouraged to contact Steve Anthony, Arts Commission Liaison, at 769-2249. A tip from the Pedestrian and Bicycle Advisory Committee: When riding in inclement weather avoid surfaces like tire tracks, metal bridges, painted lines or metal plates. They are often

slippery. Also, remember to use your breaks often and early. Specialized Needs Recreation (SNR) is holding Camp All-Stars “Winter Break” Day Camp, from December 19th through 30th, Monday-Friday, at 1323 East Sherman. Due to the holiday, there will be no camp on December 23rd. Camp is held from 9:00 a.m. until 3:00 p.m. daily. The cost is \$15.00 a day. For more information about Camp All-Stars, please call Angie Goucher, Executive Director, at 755-6781. You may also visit SNR’s website at www.snr.bz. Please take the time to ensure your personal safety by following these safety tips: Don’t overload yourself with packages; Drive home if possible in between destinations and unload your gifts; do not leave a purchased gift in the back seat of the car with a blanket over it (burglars look for that); if you must shop in the evening, shop with a friend; park in well-lighted areas, as close as possible to store entrances, and; be particularly aware of persons in the parking lot, especially near your car. At the last council meeting, council members voted to suspend the collection of stormwater fees until the city’s Stormwater Utility ordinance can be re-examined and revisions considered in light of a recent Idaho Supreme Court decision. Children can still submit their art to be part of an exhibit at the Coeur d’Alene Public Library in conjunction with the traveling Smithsonian exhibit “The Way We Worked.” Children’s art based on the theme “My Family Works” will be displayed in the library from December 16 through January 28, 2012. Mrs. Gabriel noted that Waste Management is NOT asking customers to recycle wrapping paper. Wrapping paper comes in so many different types and oftentimes ribbons and bows are thrown in the recycling container with the paper so it is difficult to sort. Some wrapping paper is recyclable, but the majority is not. However, Waste Management does recycle all types of cardboard. If you have large amounts of cardboard you can take it to a local school recycling location or directly to the transfer stations on Ramsey Road or on Prairie Avenue. The trustee for the Ace Walden Trust has made its final contribution to the City of Coeur d’Alene. The city is extremely fortunate to be the stewards of a grant total of \$174,266.65 for use in improving the G.O. Phippeny Park. Thank you Ace!

COUNCIL BILL NO. 11-1025

ORDINANCE NO. 3426

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 5.56.010, 5.56.020, 5.56.040, 5.56.050, 5.56.070, 5.56.090, AND 5.56.100 TO AMEND THE DEFINITION OF TAXICAB AND OPERATOR, TO PROVIDE AN EXCEPTION TO THE LICENSING REQUIREMENT, CLARIFY LICENSING AND APPLICATION REQUIRMENTS, REQUIRE THE DISPLAY OF A LICENSE DECAL AND PROVIDE FOR THE REVOCATION OF LICENSES IN CERTAIN SITUATIONS; 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 pass the first reading of Council Bill No. 11-1025.

ROLL CALL: McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye. Motion carried.

Motion by Edinger, seconded by McEvers to suspend the rules and to adopt Council Bill No. 11-1025 by its having had one reading by title only.

ROLL CALL: McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye. Motion carried.

RESOLUTION NO. 11-042

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AMENDING THE CITY OF COEUR D'ALENE PERSONNEL RULES MANUAL BY AMENDING RULE XVIII: CITY PROPERTY, SECTION 2. EMPLOYEES NOT TO BE PARTY TO PURCHASE OR SALE OF PROPERTY, ADDING LANGUAGE REGARDING FOUND PROPERTY BY A CITY EMPLOYEE; AMENDING RULE XXI: DRUG POLICY, SECTION 4. TESTING GUIDELINES, (D) SCREENING, UPDATING SCREENING LIST; AMENDING RULE VI: APPLICATIONS AND APPLICANTS, SECTION 3. DISQUALIFICATIONS, IN GENERAL, (H) ADDING ADDITIONAL DISQUALIFICATION PER IDAHO CODE; AND AMENDING RULE XX: REPORTS AND RECORDS, SECTION 3. DESTRUCTION OF RECORDS, UPDATING TIME FRAME LANGUAGE.

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

Motion by Kennedy, seconded by Hassell to adopt Resolution 11-042.

ROLL CALL: Bruning, Aye; Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

RESOLUTION NO. 11-043

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A MEMORANDUM OF UNDERSTANDING, WITH THE IDAHO DEPARTMENT OF CORRECTIONS FOR CRIMINAL TRANSITIONAL HOUSING IN COEUR D' ALENE.

Motion by Kennedy, seconded by Edinger to adopt Resolution 11-043.

DISCUSSION: Councilman Edinger asked about the housing provision of one vs. two felons that can be allowed per zoning code. He noted that Nampa has a rule that a facility that houses more than one felon would require housing in a special zone. Councilman Edinger asked if an additional criteria could be added to the MOU which would require anyone who is housing more than one felon be required to go through Planning and Zoning. City Attorney Gridley noted that this issue can be placed before the Planning Commission to review the proposed requirement. Mr. Gridley also noted that this is the first MOU with the Department of Corrections regarding housing felons once they are placed on parole. Mayor Bloem asked if there was a way to have these rules apply to residents that are renting to felons that are not being reimbursed by the Department of Corrections. Mr. Gridley responded that is it possible to establish the same

requirements under this scenario. Councilman Kennedy reviewed the circumstances that led to the development of the Memorandum of Understanding with the Department of Corrections and believes that it is workable as presented. Councilman Edinger noted that the General Services Committee reviewed this proposal with the neighbors and they were very receptive to this Memorandum of Understanding but he would like to have the Planning Commission look at the zoning requirements.

ROLL CALL: Edinger, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye. Motion carried.

RESOLUTION NO. 11-044

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH LAKE CITY ENGINEERING, INC. FOR PHASE II DESIGN OF 15TH STREET.

Motion by Hassell, seconded by Goodlander to adopt Resolution 11-044.

DISCUSSION: Councilman Hassell noted that this is the final phase of the 15th Street Improvement project which goes from Harrison to Best Avenue.

ROLL CALL: Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye. Motion carried.

PUBLIC HEARING – ZC-5-11 – ZONE CHANGE AT 188 AND 196 HAYCRAFT

AVENUE: Mayor Bloem read the rules of order for this public hearing. No conflict of interest was declared by the City Council. Dave Yadon, City Planning Director, gave the staff report.

Mr. Yadon gave the applicant's name as Scott Poorman, attorney at law, on behalf of the property owner, Union Gospel Mission, the location as a 1.2 acre parcel at 188 and 196 Haycraft Avenue, and the reason for the request as a zone change from R17 to C-17.

He went on to give the staff analyses for land use, zoning, Comprehensive Plan policies, and utilities. On November 8, 2011 the Planning Commission recommended approval of the requested zone change by a vote of 4 to 0. On December 2, 2011 a total of 25 notices were mailed regarding tonight's public hearing with 3 responses being received - all neutral. Written comments were distributed for Council review.

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

MOTION: Motion by Edinger, seconded by Kennedy to approve the requested zone from R-17 to C-17 for the property located at 188 and 196 Haycraft Avenue and to adopt the Findings and Order of the Planning Commission.

ROLL CALL: Hassell, Aye; Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Goodlander, Aye. Motion carried.

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

The meeting adjourned 7:05 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
City Clerk