

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

August 16, 2016

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 August 16, 2016 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                    )  
Dan English                  )

Woody McEvers              ) Members Absent

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

**INVOCATION:** Pastor Craig Miles with Real Life Ministries CDA Church gave the invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember Miller led the pledge of allegiance.

**AMENDMENTS TO THE AGENDA:** **Motion** by Gookin seconded by English to amend the agenda to include the addition of item "C" to Resolution No. 16-038 approving of S-3-12 – Coeur d'Alene Place 26th Addition Maintenance/Warranty Agreement, Acceptance of Improvements, and Security, as well as the addition of Other Business item "4" to Resolution No. 16-042 approving a Professional Services Agreement with JUB Engineering, Inc. for professional engineering and surveying services, as these items were unforeseen at the time the agenda was set and need approval prior to the next City Council meeting.

**CONSENT CALENDAR:** **Motion** by Edinger, second by Miller to approve the consent calendar.

1. Approval of Council Minutes for the August 2, 2016 Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of Minutes for the General Services Meeting held August 8, 2016.
4. Setting of General Services and Public Works Committees meetings for August 22, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Setting of a Public Hearing on September 20, 2016 for A-4-16: Marina Yacht Club, LLC., located at 1000 N. Marina Drive, for a proposed annexation and zone request from County Commercial to City C-17.

6. Approval of Beer and Wine for Alley Cat LLC. DBA/ Strada Café; Jeffrey Gagnon, 1830 N. 3rd Street (New)
7. Approval of Beer and Wine for Prairie Jifi Stop, Kerr Oil, Inc., W. 1600 Prairie Avenue (New)
8. Approval of a Cemetery lot repurchase from Amber Vandenberg for Niche 002, Block NGC, Section Riv in Forest Cemetery Annex (Riverview)
9. **Resolution No. 16-038** - 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 PURCHASE OF FOUR (4) VEHICLES FOR THE POLICE DEPARTMENT; APPROVING THE KOOTENAI COUNTY FIRE CHIEFS MUTUAL AID AGREEMENT; AND ACCEPTING IMPROVEMENTS, MAINTENANCE/WARRANTY AGREEMENT, AND MAINTENANCE BOND FOR S-3-12, COEUR D'ALENE PLACE 26TH ADDITION.

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

#### **MAYOR AND COUNCIL COMMENTS:**

Councilmember Gookin noted that KMPO is working on the timing of the signal at the intersection of Northwest Boulevard and Ramsey Road at the bridge. The timing is coordinated with ITD. He said that he would like to discuss lowering the garbage rates at a future meeting as the new contract was for a lower amount.

Mayor Widmyer asked for confirmation of appointments.

**APPOINTMENTS:** **Motion** by Edinger, seconded by Evans to approve the appointment of Kay Nelson to the Jewett House Advisory Board. **Motion carried.**

#### **RESOLUTION NO. 16-039**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED AMENDED BUDGET FOR FISCAL YEAR 2015-2016, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE AMENDED ESTIMATED REVENUE FROM PROPERTY TAXES AND THE AMENDED TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1003, for the City Council of the City of Coeur d'Alene, prior to passing an Amended Annual Appropriation Ordinance, to prepare a proposed amended Budget, tentatively approve the same, and enter such proposed amended Budget at length in the journal of the proceedings; NOW, THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene that the following be and the same is hereby adopted as an Amended Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2015:

**GENERAL FUND EXPENDITURES:**

Mayor and Council	\$247,345	
Administration	305,263	
Finance Department	798,078	
Municipal Services	1,587,774	
Human Resources	264,861	
Legal Department	1,200,180	\$1,236,180
Planning Department	558,908	
Building Maintenance	497,773	
Police Department	13,272,575	13,670,005
Drug Task Force	29,710	
Byrne Grants		157,125
COPS Grant		136,000
Fire Department	13,567,735	14,520,435
General Government	49,250	153,500
Engineering Services	1,306,016	1,498,376
Streets/Garage	2,898,101	2,948,101
Parks Department	1,973,062	1,979,962
Recreation Department	723,984	736,684
Building Inspection	937,133	
<b>TOTAL GENERAL FUND EXPENDITURES:</b>	<u>\$40,217,748</u>	<u>\$42,263,213</u>

**SPECIAL REVENUE FUND EXPENDITURES:**

Library Fund	\$1,509,151	
Community Development Block Grant	529,424	
Impact Fee Fund	1,842,000	\$2,036,900
Parks Capital Improvements	524,000	530,700
Insurance / Risk Management	372,000	
Cemetery Fund	304,272	311,172
Cemetery Perpetual Care Fund	127,500	
Jewett House	29,355	
Reforestation/Street Trees/Community Canopy	103,500	
Arts Commission	7,300	
Public Art Funds	324,000	
<b>TOTAL SPECIAL FUNDS:</b>	<u>\$5,672,502</u>	<u>\$5,881,002</u>

**ENTERPRISE FUND EXPENDITURES:**

Street Lighting Fund	\$584,150	
Water Fund	8,310,421	
Wastewater Fund	16,265,161	
Water Cap Fee Fund	850,000	
WWTP Cap Fees Fund	2,500,000	
Sanitation Fund	3,737,479	
City Parking Fund	167,896	
Drainage Fund	1,257,307	
<b>TOTAL ENTERPRISE EXPENDITURES:</b>	<u>\$33,672,414</u>	<u>\$33,672,414</u>

FIDUCIARY FUNDS:	\$2,661,900	
STREET CAPITAL PROJECTS FUNDS:	2,842,000	\$3,259,900
DEBT SERVICE FUNDS:	882,660	
<b>GRAND TOTAL OF ALL EXPENDITURES:</b>	<u>\$85,949,224</u>	<u>\$88,621,089</u>

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on August 22, 2016 and August 29, 2016.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 20th day of September, 2016 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed amended Budget should or should not be adopted.

**STAFF REPORT:** Finance Director Troy Tymesen explained that he is requesting the setting of a public hearing to discuss amendments to Fiscal Year 2015-2016 budget totaling \$2,671,865. Annually the Council amends the original appropriations ordinance to account for unanticipated expenditures. This budget amendment notes increases in expenditures due to carryovers of

projects, capital purchases from the GO Bond Sale, retirement and separation accumulated leave payouts, State and Federal grants received, availability pay in the Police Department and an increase in constant manning in the Fire Department. Additional revenues of \$526,080 are projected to be received in the General Fund to cover the increased expenses for the fiscal year, \$745,000 is coming from the GO Bond funds, and \$774,385 is projected to come from General Fund balance. Overlay funds that are not expended during the fiscal year carry over each year.

**DISCUSSION:** Councilmember Gookin asked for clarification regarding the increase of \$25,000 in EMS income and its effect on next fiscal year's proposed budget. Mr. Tymesen explained that a portion of funds are carried over from year-to-year, it is usually a timing issue with the contract payments.

**MOTION:** Motion by Gookin, seconded by Evans to approve the **Resolution No. 16-039**, approving amendments to the Fiscal Year 2015-2016 budget and setting a public hearing.

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

**Ordinance No. 3544  
Council Bill No. 16-1016**

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, PROPERTY SPECIFICALLY DESCRIBED AS PORTIONS OF GOVERNMENT LOTS 5 AND 6 IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED AS C-17; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

**Pursuant to Council Action: July 19, 2016**

**MOTION:** Motion by Edinger, seconded by Miller, to pass the first reading of **Council Bill No. 16-1016**.

**DISCUSSION:** Councilmember Gookin explained that he would be voting against this item as he thinks the City is holding itself to a lower standard than other annexations.

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

**MOTION:** Motion by Edinger, seconded by Miller, to suspend the rules and to adopt **Council Bill 16-1016** by its having had one reading by title only.

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

**Resolution No. 16-041**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN ELECTRIC LINE RIGHT-OF-WAY EASEMENT AGREEMENT WITH KOOTENAI ELECTRIC COOPERATIVE TO PROVIDE ELECTRICAL POWER TO THE NEW STORAGE/OFFICE BUILDINGS LOCATED IN THE CITY YARD OFF RAMSEY ROAD.

**STAFF REPORT:** Deputy Fire Chief Jim Washko requested approval of the easement from Kootenai Electric Cooperative to provide electrical service extension to the new storage/office facility location in the city property located off Ramsey Road. This will allow power to the Police, Fire and Brine Tank buildings located on that property. The City will provide the trenching services at a cost savings of \$1,735.44, so the total cost to bring service to the buildings will be \$6,208.88.

**MOTION:** Motion by English, seconded by Evans to approve the **Resolution No. 16-041**, approving a right of way easement agreement with Kootenai Electric Cooperative.

**DISCUSSION:** Councilmember Miller thanked Deputy Chief Washko for his regular updates on the Fire Station No. 4 construction.

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

**Resolution No. 16-042**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING PROFESSIONAL ENGINEERING SERVICE AGREEMENT WITH J-U-B ENGINEERING, INC., TO PROVIDE MISCELLANEOUS ENGINEERING AND SURVEYING SERVICES TO THE CITY ON AN ONGOING BASIS FOR THE FISCAL YEAR 2015/2016.

**STAFF REPORT:** Wastewater Utility Project Manager Mike Becker explained that the City does not currently have an Idaho registered Professional Engineer or registered Professional Land Surveyor on staff. This is a service that is needed for on-going Capital Improvement Projects, QLPE Services, Development and Plat Review, Construction Services and other miscellaneous services, which may include right-of-way acquisition in order to meet the requirements of the state code. JUB was selected in compliance with Idaho Statue 67-2320, and on the basis of their past performance with the City demonstrating their competence and expertise in the field of Engineering and Surveying and qualifications as representatives of the City under previous other contracts. At this time, it is anticipated that the fees will not exceed the total sum of twenty-five thousand dollars (\$25,000). The General Ledger will have an available budget to cover this unforeseen cost until the City Engineer's position is filled.

**MOTION:** Motion by Miller, seconded by Edinger to approve the **Resolution No. 16-042**, approving a Professional Engineering Service Agreement with J-U-B Engineering, Inc., to provide miscellaneous engineering and surveying services to the City on an ongoing basis for the Fiscal Year 2015/2016.

**DISCUSSION:** Councilmember Miller asked questions regarding why this action could not be added to an existing contract and what the City plans to do in case of a conflict. Mr. Becker explained that the existing contracts are project specific and have specifically defined scope of services. This new contract includes a broader scope to assist the City when a document requires an Engineer's stamp. He noted that the City would seek Welch Comer in the case of a conflict of interest with JUB and will be bringing that contract forward soon. He explained that JUB is at the end of its one existing contract with the City, so fewer conflicts of interest are expected, while Welch Comer has several projects open with the City. The rates are comparable with past projects and staff will only delegate to JUB as needed. Councilmember Miller expressed concern that there would be delays to developers. Mr. Becker said that two projects are currently under plan review by staff, and are ready to be sent to JUB to provide the engineer statement required by code. There are numerous plats that are being finalized that will need to be forwarded soon; however, no delays are expected. Councilmember Miller asked how the line item would cover all the expected costs. Mr. Becker noted that they are limiting the scope and expect the current balance of \$7,500 to last until the end of the fiscal year, and then another \$20,000 will be available next fiscal year.

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

**(LEGISLATIVE HEARING) V-16-4 – VACATION OF THE DAVIS AVENUE CONDOMINIUMS PLAT (BOOK K OF PLATS, PAGE 165).**

**STAFF REPORT:** Engineering Project Manager Dennis Grant explained that the applicant David Graser has requested that the Davis Avenue Condominium plat for property located at 1520 & 1522 Davis Avenue be vacated. The Plat was recorded in 2008 as part of the Shanrachelle Terrace plat. There is no financial impact to the City associated with this action. The purpose behind the request is to provide an easier form of property ownership. Mr. Grant mailed 42 requests for comment and received no responses. He recommends approval of the request.

Mayor Widmyer called for public comments.

Carol Carrey said she has rentals near the property and is confused on what they are trying to do to that property and wondered if this was intended to be a tear down project. Mr. Grant explained that the applicant did not indicate he wanted to tear down the duplex; rather he wanted to convert it back to a duplex from a condominium.

Public testimony was closed.

ORDINANCE NO. 3545  
COUNCIL BILL NO. 16-1017

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING THE DAVIS AVENUE CONDOMINIUMS PLAT (BOOK K OF PLATS, PAGE 165) LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

**MOTION:** Motion by Edinger, seconded by Miller, to pass the first reading of **Council Bill No. 16-1017**.

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

**MOTION:** Motion by Gookin, seconded by Evans, to suspend the rules and to adopt **Council Bill 16-1016** by its having had one reading by title only.

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

**(LEGISLATIVE) FEE INCREASE/CREATION IN THE FINANCE (RELATED TO PUBLIC PARKING LOTS), FIRE (RELATED TO TENT INSPECTION FEES AND BLASTING PERMITS), AND PARKS AND RECREATION DEPARTMENTS RELATED TO THE CEMETERY**

**STAFF REPORT:** Municipal Services Director Renata McLeod explained that in accordance with Idaho Code fees increased by 5% or more require a public hearing and approval through a Resolution. Tonight she is bringing forward fees requested by the Finance, Fire, and Parks and Recreation Department. The Finance fees relate to parking at the McEuen parking structure to clarify a maximum allowed parking of 18 hours and that oversized vehicles require double the regular parking rate. Memorial Field and the Museum parking fee structure is being amended to clarify that there is one hour of parking allowed before fees are due. Additionally, a clarification is being made that the Museum parking is allowed up to 8 hours. Additionally, it is being proposed that McEuen, Memorial and Museum parking lots have event parking for specifically outlined events at \$7.00/parking space. Fire fees include costs associated with blasting permits and tent permits. Fire fee clarifications include no longer providing private CPR classes and that more than one inspection is included with fire alarm systems, commercial hoods, and flammable liquid storage tanks. The Parks and Recreation Department has recently reviewed the fees associated with the cemetery services and found they were behind other local providers.

**DISCUSSION:** Mayor Widmyer noted that in Memorial Field we have historically charged after the first hour of free parking. Deputy City Administrator Sam Taylor noted that at hour one it



would begin a charge, rather than allowing one hour free. Mayor clarified that would make it consistent with all other lots except McEuen. Councilmember Evans noted that it was confusing to have all event parking be a \$7.00/hour charge except the lighting parade fee and felt it would be better to make them all \$7.00. Mr. Tymesen said that the fee structure was originally designed that way as the event takes place late in the day. Councilmember Gookin concurred that it should be consistent and would like to consider consistency of charging at hour one for all lots including McEuen. Mr. Taylor noted that would be a decision to be made by the Council; however, he understands that in the past the Council wanted to incentivize people to use the lot. Councilmember Gookin noted that the machines at McEuen are set to charge the \$18.00 overnight fee starting at 11:00 p.m. and felt it should be programmed to allow hour-by-hour selections. Mr. Taylor explained that the Council could change the fee structure to allow hour-by-hour night parking rather than the overnight. Councilmember Gookin asked for clarification as to where the fees go. Mr. Taylor noted that the fees go to the parking fund, which pays for maintenance of the parking lots. Mr. Tymesen noted that fund also contributed a million dollars to the parking structure when it was built. Discussion ensued regarding the parking study, future projects and the benefit of two hours of free parking.

Councilmember Edinger expressed concern that there are many events at Memorial Field that would require participants to pay when they had not previously. Mr. Taylor explained that they are already charged after the first hour and most people cannot take advantage of the first hour free as their event spans longer than one hour. Councilmember Edinger asked for information regarding how much money is raised and how much has been left uncollected. Mr. Tymesen noted that the parking fund balance is coming back since the build out of McEuen and that this year \$250,000 in parking fees were collected. The major recipient of the funding is the Parks Capital Improvement Fund. The partnership with the Downtown Association is paid out of the parking fees in the amount of \$52,000. Mr. Taylor noted that he is working on the collection process, as the City has \$20,000 in outstanding parking tickets over the past three and a half years. He is working with the state to search license plates to find the owners of the vehicles and will be meeting with collection agencies to seek collections, as \$350,000 in fine revenue is outstanding. Councilmember English said that he would like the special event parking to be consistent at \$7.00 including the lighting parade. Additionally, the 11:00 p.m. overnight deadline seems like an early cut off and midnight would make more sense with an hour-by-hour fee. Councilmember Miller noted that the addition of the software for license plate recognition should aid in future collection of parking fees. The Mayor noted that visitors contribute to our parks through these parking fees.

Mayor Widmyer called for public comments with none being received. Public testimony was closed.

#### **Resolution No. 16-040**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ESTABLISHING AND AMENDING CERTAIN CITY FEES.

**MOTION:** Motion by Gookin, seconded by English to approve the **Resolution No. 16-040**, approving fees for Finance, Fire, and Parks and Recreation; striking line one of Memorial Field

rates to clarify that fees begin at minute one; changing event parking of holiday lighting to be \$7.00; and to include changes that overnight parking will be charged at \$1.00 per hour.

**DISCUSSION:** Councilmember Gookin noted that in order to be fully consistent he would propose changing all lots to be two hours free. Councilmember Evans suggested that proposal go to the Parking Commission for discussion and recommendation. Mayor Widmyer explained that it would decrease revenues and be a decrease in the Parks Capital Improvement Fund. Councilmember Miller agrees with sending the item to the Parking Commission and would like to have them include in their discussion warnings being given to a visitor. She would not support two hours free everywhere. Mr. Taylor confirmed that the parking study included the recommendation of warnings for the visitors. Councilmember Edinger presented the idea of free parking from Memorial Day to Labor Day. Mr. Taylor noted that it would be a significant loss in revenue. Councilmember English is currently the Council representative to Parking Commission and knows they try to balance not having burdensome fees and raising enough funds needed for on-going costs and improvements. The two-hour free parking downtown and McEuen has evolved over time and has become an expectation of the community. Councilmember English said he was in favor of the one dollar for each additional hour for overnight parking.

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

**ADJOURNMENT:** Motion by Edinger, seconded by Evans that there being no other business this meeting be adjourned. **Motion carried.**

The meeting adjourned at 7:11 p.m.

ATTEST:

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Steve Widmyer, Mayor

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Renata McLeod, CMC, City Clerk