

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

October 4, 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 October 4, 2016 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

PLEDGE OF ALLEGIANCE: Councilmember McEvers led the pledge of allegiance.

AMENDMENTS TO THE AGENDA: Motion by Edinger seconded by Miller to remove the item regarding the accessible non-motorized launch at 11th Street and refer it back to staff to discuss with the Parks and Recreation Commission.

DISCUSSION: Councilmember English expressed concern that the grant funding would be lost if the item were postponed. Councilmember Edinger noted that several citizens spoke at the General Services Committee meeting expressing concerns so he felt that turning it back to the Parks and Recreation Commission for further input should not jeopardize the funding. Mr. Greenwood noted that the completion date in the grant was set at June 30, 2017 so the project can be pushed to fall without a loss of the grant. Councilmember McEvers asked if the grant was attached to this specific location. Mr. Greenwood confirmed the grant is attached to the location, and any change would cause a change of scope to the grant. If there were additional costs associated with a change of scope that are above the grant amount, the City would need to make up the difference. Additionally, he felt that the grant committee really liked this location and this is the first project in the state to get this grant funding for a water trail. Councilmember Gookin felt it would be unfair to remove this item from the agenda, as he would like the community members present this evening to be able to give input and Council to have discussion that the Parks and Recreation may benefit from. He clarified that he would oppose the motion. Mayor Widmyer confirmed that this item would go back to the Parks and Recreation Committee for more public input and discussion.

Motion Carried with Gookin voting no.

CONSENT CALENDAR: Motion by McEvers, second by Evans to approve the consent calendar.

1. Approval of Council Minutes for the September 20, 2016 Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of Minutes for the General Services Committee Meetings held September 26, 2016.
4. Setting of General Services and Public Works Committees meetings for October 10, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Approval of a Cemetery lot transfer from Kaye Larson to Shirley Freeman, Lot 04, Block 81, Section B of Forest Cemetery.
6. **Resolution No. 16-051**- 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 APPROVAL OF AN AGREEMENT WITH ANDERSON BROS., CPA, P.A. FOR ANNUAL AUDIT SERVICES FOR FISCAL YEAR 2015-2016; AND APPROVAL OF BENEFIT PLAN CHANGES AND RENEWALS WITH GROUP HEALTH OPTIONS, REGENCE BLUE SHIELD OF IDAHO, BLUE CROSS OF IDAHO DENTAL, AND WILLAMETTE DENTAL.

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

PUBLIC COMMENTS:

St. Vincent De Paul:

Susan Snedaker, Coeur d'Alene, noted that she had reviewed a settlement agreement between the city and St. Vincent de Paul dated June 21, 2016. The city agreed to accept \$67,564.41 for payment in full of previously owed rent at 106 Homestead Avenue. The agreement included the termination of the lease agreement. She wondered which meeting the council held that included a public discussion and vote on this item. Councilmember Gookin noted that the item was presented in executive session and it was voted on at the following Council meeting.

11th Street Accessible Dock:

Jim Hail, Coeur d'Alene, said he was the President of the 11th Street Dock Owner's Association, and expressed appreciation for the item to be continued and discussed further. There are 113 members of the Association and they support the concept of an accessible dock. However, he is opposed to a commercial dock at East Tubbs Hill Park due mostly to safety concerns. He noted that throughout the planning process the association was waiting for an opportunity to share comments as neighbors to the project and feels that it is now on a fast track without them being given an opportunity for input. The association is concerned with a commercial dock and feels it would be difficult to regulate use. Additionally, they believe the proposal conflicts with the trails master plan that states water trails should be considered in areas with low motorized traffic. Mr. Hail asked the Council to not rush through a project and to determine the safest location for the commercial dock.

Councilmember English asked what led Mr. Hail to believe it was commercial. Mr. Hail noted that there was a comment made at the General Services Committee meeting that the docks would be accessible for commercial use. Additionally, one of the two letters of support submitted with the grant application came from a commercial business owner.

Anne Anderson, Coeur d'Alene, said she just learned about the boat launch and her biggest concern is that as an abutting property owner she was not contacted at the time the City applied for a grant. She explained that she has two slips at the marina, and that she has friends that are disabled, and would love an accessible launch. She just would like the City to contact the property owners for input.

Justin Druffle, Coeur d'Alene, said he was a member of the Dock Owner Association and has concerns regarding the proposed launch. He presented a drawing of the motorized boat traffic and the proposed route for non-motorized traffic and noted the possible hazards of crossed pathways. He expressed concern regarding safety. He encouraged the City to review the marina on a busy day.

Elizabeth Brinton, Coeur d'Alene, explained that she owns property near the proposed launch. She is in support of the idea, understands the need, and is happy the City received a grant. She has a side tie area at the Marina and needs the full 50' to maneuver her boat in and out. Ms. Britten has seen commercial activity at 10th Street by paddle boarders and scuba divers, and this proposed site is the narrowest area on the whole waterfront and feels it is too crowded of an area.

Dee Teren, Coeur d'Alene, noted that she has a side tie boat slip at the marina and when she brings her boat in the canal, it is already a narrow navigation point. She felt that putting the public into a marina creates a dangerous condition and that the city would be liable and should mitigate risk by finding another place for this dock. She noted the lease agreement between the 11th Street Marina and the city gave the littoral rights and shoreline to the marina, so the City should not be able to open it for public use.

Brenda Garcia, Coeur d'Alene, said that if you build it they will come and believes that the number of people that will use the launch will flood the parking lot and streets. She hopes that the City Council considers that impact.

Richard Felton, Coeur d'Alene, said he owns the 110' commercial side tie space and he opposes the water craft situation. He is concerned that when he brings in a 100'; 100-ton vessel he cannot stop suddenly and maneuver like other vessels. He requested the Council consider another location.

Linda Wolovich, Coeur d'Alene, expressed her desired improvements for the East Tubbs Hill Park to include a permanent restroom and picnic tables and thinks a sign on the old pump house would be recognition of the history of the area. She noted that she is a member of the Tubbs Hill Foundation and that the Board was not informed of this launch proposal. She asked the Council to leave this area as an undeveloped public space.

Paul Bielec, Coeur d'Alene, said that he agrees with the safety issues already presented and has to look for swimmers as he approaches the dock and adding paddle boarders and kayaks adds another hazard. Additionally, he noted that there are electrical hazards from the docks so there should be no swimming within the marina.

Stefanie Pettit, Coeur d'Alene, said that she does use ADA facilities, is happy to see accessibility items, but felt that this is the wrong location. They own a sailboat and it gets pushed around in the wind and has had encounters with paddle boarders and kayaks. She is concerned about additional traffic.

Terry Beckemeier, Coeur d'Alene, said he has a slip at the marina and just looked at the width of the canal and it is very narrow. He felt that if you get a 14' wide houseboat and two or three paddle boarders in that area it would be a dangerous conflict. Parking is already an issue and they have already had issues with vandalism. Mr. Beckamyer felt that the space is just too small a space.

Don Waddell, Coeur d'Alene, noted that he used to swim at Sanders and City beach; however, since he became wheelchair bound there is no place for him to swim. He wants to know where the city will be installing an accessible dock and swimming areas.

Traffic Concern:

Brian Donnell, Coeur d'Alene, said he lives on Ichabod Lane and has had concerns with traffic over the past few years. Vehicles use Ichabod Lane as a cut off to avoid Lunceford Lane and proceed at a high rate of speed. Saturday night he got someone to stop to get his or her license plate number and a vehicle struck him. He feels he gets confusing feedback from the Police Department. He requests the Council put more officers on duty to help with enforcement and traffic flow with racing on Ichabod from 4th to 7th Street.

COUNCIL ANNOUNCEMENTS:

Mayor Widmyer requested the appointments of Ali Shute to the Arts Commission; Susie Freligh, Barbi Harrison, Iris Ziegler, and Kim Torgerson to the Childcare Commission

MOTION: Motion by Evans, seconded by Edinger to approve the appointment of Ali Shute to the Arts Commission and Susie Freligh, Barbi Harrison, Iris Ziegler, and Kim Torgerson to the Childcare Commission. **Motion carried.**

Mayor Widmyer noted that it is Breast Cancer Awareness month and challenged the men to wear pink at the next Council Meeting to demonstrate support.

RESOLUTION NO. 16-052

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING PURCHASE AND SERVICE CONTRACTS FOR PUBLIC ART WITH ROLF GOETZINGER FOR "PLAYLAND PIER" AT THE SHERMAN SQUARE PARK AND

WITH TODD & CAIN BENSON FOR “IT’S A CUTTHROAT WORLD” FOR THE CENTENNIAL TRAIL UNDERPASS.

STAFF REPORT: Deputy City Administrator Sam Taylor noted that the Arts Commission had conducted a call to artists on July 13, 2016 for two mural projects; one at Sherman Square Park, and the other at the underpass of I-90 at the confluence of the Centennial and Prairie trails. They received 36 proposals. The Arts Commission unanimously recommended the work “Playland Pier” by Rolf Goetzinger for the mural at the Sherman Park Square. The mural speaks to the history of the area with the former carnival at Independence Point. The Arts Commission also unanimously recommended the work “It’s A Cutthroat World’ by Todd & Cain Benson for the Centennial trail underpass mural. The mural is a vibrant wildlife scene and fits well with the trail system. The budget for Sherman Square Park is up to, but no more than, \$12,000. The Centennial Trail project is up to, but no more than, \$38,000. Funding for these projects comes from the City’s art allocation from Ignite CDA.

DISCUSSION: Councilmember Gookin congratulated the Arts Commission for selecting these pieces, and expressed concern about graffiti for the piece under the freeway. Mr. Taylor explained that they have found less graffiti occurs at these types of sites. Councilmember Miller thanked the volunteers that were involved in the process and would like them publicly acknowledged in any press releases.

MOTION: Motion by Edinger, seconded by Evans to approve the **Resolution No. 16-052**, approving Public Art Agreements with Rolf Goetzinger for “Playland Pier” at the Sherman Square Park and with Todd & Cain Benson for “It’s A Cutthroat World’ for the Centennial Trail Underpass.

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

RESOLUTION NO. 16-053

A RESOLUTION OF THE CITY OF COEUR D’ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A PUBLIC TRANSIT LETTER OF AGREEMENT WITH KOOTENAI COUNTY.

STAFF REPORT: Finance Director Troy Tymesen explained that Kootenai County has requested a one-year funding agreement for the City of Coeur d’Alene’s portion of the public transportation system within Kootenai County. The City is being asked to fund \$43,983, which is the same amount as last year. The Citylink fixed route service provides three routes within the urbanized area and facilitated over 186,910 passenger trips last year. Citylink also provides fixed route and paratransit service in the rural southern part of the county. Kootenai Health provides paratransit service for medical trips. Kootenai County contracts a private transit service contractor to provide service under the Americans with Disabilities Act (ADA). This service provides door-to-door service for qualified disabled individuals. Service start-up was August of 2011.

DISCUSSION: Mayor Widmyer noted that the county will likely be requesting more funding in the future in order to stay included in the program and that it could potentially double the current amount.

MOTION: Motion by McEvers, seconded by Evans to approve the **Resolution No. 16-053**, approving an Agreement with Kootenai County for public Transit Funding.

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

RESOLUTION NO. 16-054

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

STAFF REPORT: Mr. Greenwood explained that staff has met with the county Commissioners several times regarding the layout, design, and functionality of the proposed parking lot and presented a drawing. The proposed Memorandum of Understanding (MOU) outlines terms that are agreeable to the county. The county will give the City of Coeur d'Alene \$1,323,000 to build this parking lot, to be completed by November 30, 2017. At the time that the MOU is approved the County will give the City \$150,000 to begin the project and once a contractor has been selected, the remaining balance of the \$1,323,000 will be paid to the City. A separate lease agreement for parking stalls with the County would be forthcoming after approval of the project. All revenue generated from this lot will go to the City of Coeur d'Alene and all maintenance of this lot would be the responsibility of the City. Mr. Greenwood explained that if this MOU is approved there are some other opportunities for companion projects that were identified in the BLM Master Plan within this corridor. He reviewed the master plan that was submitted to BLM. Companion projects would include reuse of fill material, restroom facility, pickle ball, skateboard areas, and open space. If the City decides to build these companion projects at the same time as the parking lot, it will save money on mobilization cost. Therefore, in addition to approving the MOU, staff would like Council to direct staff to peruse funding sources, phasing for companion projects that were identified within the BLM/4 Corners Master Plan and a land exchange between the City and Ignite CDA.

MOTION: Motion by Miller, seconded by Edinger to approve the **Resolution No. 16-054**, approving a Memorandum of Agreement with Kootenai County for a joint parking lot.

DISCUSSION: Councilmember McEvers noted that this is the first time Council has seen this concept. Mr. Greenwood explained that staff has been working with the County to work out details prior to bringing it to Council. Councilmember Evans thinks it is a great partnership but is concerned that citizens that have previously given input get an opportunity to review the design. Mr. Greenwood explained that the design did not change the elements within the plan that were voted on, and that this is an opportunity to take advantage of a parking lot construction. Councilmember Evans noted that there has been a shift of amenities. Councilmember Gookin agreed that there has been a lot of public input previously and would like this design to have a

public input opportunity. Councilmember Gookin asked for clarification regarding entrance into the parking lot. Mr. Greenwood explained that there is a plan for a signalized intersection at Garden Avenue with an at-grade crossing for pedestrians and the Fort Ground Drive entrance will remain open. Councilmember Gookin asked if there would be a substantial reduction in the number of trees. Mr. Greenwood said that some trees would need to be thinned out to increase the health of the remaining trees. However, the buffer of trees between the trail and the street is beneficial so they will save as many as they can. Councilmember McEvers noted that the companion projects seem timely, such as the skateboard park and parking lots. Councilmember Miller asked for clarification regarding the request of Council to give staff direction for seeking funding and then a land exchange with Ignite CDA. Mr. Greenwood wanted Council consent before he perused funding and land exchange with Ignite CDA. He clarified that staff would work to prioritize the projects, which he felt would include a priority of the plaza and restroom area. He clarified that he would come back to Council with phasing, as money is available. Councilmember English recalled the skateboard park group working to get funding over 20 years ago and he would support funding the skate park work. Councilmember Miller expressed a desire for staff to pursue as many of the projects as possible concurrently in order to take advantage of the savings opportunities.

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

MOTION: Motion by McEvers, seconded by Miller to direct staff to peruse funding sources, phasing for companion projects that were identified within the BLM/4 Corners Master Plan and a land exchange between the City and Ignite CDA. **Motion Carried.**

PROJECT UPDATE REGARDING THE CITY HALL ADA REMODEL PROJECT.

STAFF REPORT: Municipal Services Director Renata McLeod noted that at the September 2, 2016 Council meeting Councilmember Gookin asked staff to bring this project back prior to bid. This update is intended to provide Council with a status report, a calendar of events, and clarity regarding add alternate items to the bid. She introduced Cory Trapp to provide the update. Mr. Trapp noted that the construction drawings should be completed and ready to submit for building permit by October 12, 2016. Thereafter bids would be advertised and submitted to the City by November 16, 2016. The hope is to have construction begin December 5, 2016 with a 180 day or less completion. He clarified the "add alternate" items and noted that it will give the project flexibility dependent upon the base bid amounts. He presented the ramp and stairway drawings proposed between City Hall and the Library and reiterated it was not included in the original budget. The ramp or stairs may be an additional \$40,000 to \$50,000 cost. He noted that the ramp concept would not be able to meet ADA, as it would be at a 16% slope. The concern would be an attractive nuisance for bikes and skateboards and would need to be signed to clarify that it is not an ADA Access. The staircase concept would tie into the concrete outside of the building department exit and this would avoid construction over the storm water drainpipe from the upper Library parking lot. He recommended the stairway concept. Mr. Trapp advised the Council to expect some change orders throughout the project.

DISCUSSION: Councilmember Gookin asked for clarification as to why the trail between City Hall and the Library could not be organic like the Tubbs Hill trail rather than asphalt. Mr. Trapp explained that it would still be too steep to meet ADA. Councilmember Edinger asked what the total cost of the project currently is. Mr. Trapp reiterated that it is a \$1.9 Million project. Councilmember English felt that the stairs make more sense than the ramp that could be mistaken for an accessible route. The Council gave direction to move forward with stairs, not the ramp.

**ORDINANCE NO. 3550
COUNCIL BILL NO. 16-1022**

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF GOVERNMENT LOTS 1, 5 AND 6, THE SPOKANE RIVER LOCATED IN THE NORTHWEST QUARTER AND THE SOUTHWEST QUARTER OF SECTION 14 AND COEUR D'ALENE LAKE LOCATED IN THE SOUTH HALF OF SECTION 14 AND THE NORTH HALF OF SECTION 23 ALL WITHIN TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Pursuant to Council action September 20, 2016.

MOTION: Motion by Edinger, seconded by McEvers, to pass the first reading of **Council Bill No. 16-1022**.

DISCUSSION: Councilmember Miller asked if South Marina Drive from the highway to Cedars is a city road. Community Planning Director Hilary Anderson clarified it is a private road; however, as one enters into the development there is a public access easement to the City-owned parcel. Councilmember Miller asked who is responsible for maintaining the road. Ms. Anderson clarified that the Yacht Club is responsible as it is treated as a private road.

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

MOTION: Motion by Edinger, seconded by McEvers, to suspend the rules and to adopt **Council Bill 16-1022** by its having had one reading by title only.

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

RESOLUTION NO. 16-055

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH THE MARINA YACHT CLUB, LLC, AN IDAHO CORPORATION WITH ITS MAILING ADDRESS AS P.O. BOX 6200, COEUR D'ALENE, ID 83816-6200.

Pursuant to Council action September 20, 2016.

STAFF REPORT: City Attorney Mike Gridley noted that feedback regarding the annexation agreement has been received by the city departments, input from Council, and the Yacht Club that are all included within the agreement. He noted that annexation fees paid by the owner total \$306,000 due at the time the agreement is recorded.

DISCUSSION: Councilmember McEvers questioned if public access or open space are deemed the same thing. Mr. Gridley confirmed they were.

MOTION: Motion by Edinger, seconded by McEvers to approve the **Resolution No. 16-055**, approving an Annexation Agreement with Marina Yacht Club, LLC for property located at 1000 S. Marina Drive.

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

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

The meeting adjourned at 7:47 p.m.

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, CMC, City Clerk