

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

November 7, 2017

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, November 7, 2017 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

**INVOCATION:** Pastor Paul Peabody with Grace Bible Church provided the invocation.

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

**2017-2018 SNOW PLAN -** Street and Engineering Services Director Tim Martin provided an update regarding the current leaf pick up program. He noted that the start date for the program is Monday, November 13, 2017, and that the early snowfall does not affect leaf pick. He noted the highlights of the 2017-2018 Snow Plan including that standard plow operations will begin after 4-5" of snow on the roadway and priorities are given to hospital access, major arterials, hills, major collectors, bus routes, then residential zones. Mr. Martin estimates a citywide snow removal to take 30 hours based on historical times. He stressed the importance of communication with the community, for residents to keep the cars off the sides of the road, and for neighbors to look out for neighbors. He reminded the Council that the City is one of a dozen cities in the United State that uses the loader gates to mitigate the effect of berms on driveways. He noted that this year's "name the storm contest" theme is "Explorers" from Fernan Elementary School.

**DISCUSSION:** Councilmember Evans thanked the Street Department team for making the city safe; noting that last year was a challenge. Councilmember Miller clarified that the snow removal of sidewalk snow is not intended to create a burden for disabled, elderly or injured citizens, and wondered if there were helpful links on the City's website. Mr. Martin noted that the Senior Center does help many people and if there are more individuals or groups that want to help, they should contact him directly. Councilmember English noted that he believes there should be aggressive enforcement for vehicles and boats left on the street.

**MOTION:** Motion by Gookin, seconded by Edinger to approve the 2017-2018 Snow Plan.  
**Motion carried.**

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

1. Approval of Council Minutes for the October 17, 2017 Council Meeting.
2. Approval of Bills as submitted and reviewed for accuracy by Finance Department
3. Setting of Public Works and General Services Committee meetings for November 13, 2017 at 12:00 noon and 4:00 p.m. respectively
4. Approval of Beer and Wine License for Vine and Olive LLC, 2037 Main Street (new)
5. Approval of Cemetery lot transfer from Florence Stranahan to Terry and Carol Stranahan ( Lot 270, Block C, Section Riv, of Forest Cemetery Annex.)
6. Approval of Cemetery lot transfer from Florence Stranahan to Shannon Diane Stranahan and John Allan Klonick ( Lot 271, Block C, Section Riv, of Forest Cemetery Annex.)
7. **Resolution No. 17-067-** 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 TO PERFORM SUBDIVISION WORK – STINER 1ST ADDITION (SS-17-10), AND SECURITY; ACCEPTANCE OF GRANT AND APPROVAL OF A GRANT USE AGREEMENT WITH KOOTENAI COUNTY REGARDING A COUNTY-WIDE DISASTER PREPAREDNESS AGENCY; APPROVE THE PURCHASE OF 20 MOTOROLA APX RADIOS AND RELATED EQUIPMENT FROM MOTOROLA SOLUTIONS IN THE AMOUNT OF \$98,076.80 USING 2015 GO BOND FUNDS; APPROVING THE WAIVER OF COVERED LOAD REGULATIONS FROM NOVEMBER 1, 2017, THROUGH DECEMBER 1, 2017, FOR THE ANNUAL CITY LEAF PICK UP PROGRAM AND ADOPTING NEW CLASSIFICATIONS BASED ON THE BDPA STUDY AND RECOMMENDATIONS FOR POSITIONS THAT FALL UNDER THE LAKE CITY EMPLOYEES ASSOCIATION (LCEA), UNREPRESENTED POSITIONS, AND FLSA EXEMPT POSITIONS.

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

#### **COUNCIL ANNOUNCEMENTS:**

Councilmember Gookin noted that tonight is election night for three of the Council and the Mayor and wished them all good luck. He encouraged the public to get out and vote, even though the seats are uncontested.

Mayor Widmyer asked for the approval of the appointment of Teresa Runge to the Arts Commission.

**MOTION:** Motion by McEvers, seconded by Evans to approve the appointment of Teresa Runge to the Arts Commission. **Motion carried**

## **AUTHORIZATION OF GRANT APPLICATION FOR STOP GRANT AND VOCA GRANT FOR TWO VICTIM ADVOCATE POSITIONS.**

**STAFF REPORT:** Police Chief Lee White requested authorization to apply for a STOP grant and a VOCA grant for two Victim Advocate positions. In 2016, the Coeur d'Alene Police Department responded to 904 calls for service that were coded as a domestic violence call. Although the department does a great job of investigating these crimes, many of the victims involved in these cases may not receive adequate attention. Under the current system, a crime victim must be referred to a community-based victim advocacy program by the responding officers and/or the prosecutor's office. Getting started in this process can be difficult for someone who has just been through a traumatic event and often, especially if the perpetrator is not immediately arrested. This new program seeks to change that by providing adequate, timely, and appropriate victim services to victims of domestic violence and sexual assault cases. The services provided by the victim advocate would be primarily geared towards working with victims of domestic violence-related cases, sexual assaults, and child abuse cases. The advocate would work cooperatively with patrol officers, detectives, Safe Passage, CASA, and the prosecutor's office to help the victim work through their case. There are also victims of many other crimes that may be served by this group including, but not limited to, elder abuse/neglect, robbery, assault, battery, bullying, hate crimes, teen dating victimization, and surviving family members of homicide victims. The advocates will also provide training to members of the department and community groups. These grants typically require a 25% match by the requesting agency. Chief White clarified that the 25% match can be equipment and/or benefits and could be valued at \$64,000 annually with benefits, so the portion for two positions would be \$52,000 a year with a grant award of \$155,722. The STOP grant is geared primarily towards personnel and training costs, and the VOCA grant may have additional funds to pay for other aspects of the program such as supplies and equipment.

**DISCUSSION:** Councilmember Edinger asked when the grant would be awarded. Chief White noted that the grant closes in two weeks, and he hopes for an award in March or April. Councilmember McEvers asked if both grants require a 25% match. Chief White confirmed that both grants have a 25% match, and explained that the STOP grant would go toward personnel costs and the VOCA grant would pay for equipment and brochures. Councilmember Gookin believes it is an important role in victim rights and advocacy. Chief White noted that the victim advocates help the victims navigate through the court process and prepare a safety plan. Councilmember Miller expressed concern for the positions when grant money runs out, but understands the Police Department has plans. She recently spoke with the Director of Safe Passage who noted she was happy with the coordination with the Police Department and is willing to help with training in the future.

**MOTION:** Motion by Gookin, seconded by Miller to authorize applying for a STOP Grant and a VOCA Grant for two Victim Advocate positions.

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

## RESOLUTION NO. 17- 068

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING MEMORANDA OF AGREEMENTS WITH KOOTENAI, BOUNDARY, BONNER, AND SHOSHONE COUNTIES REGARDING PEACE OFFICER AUTHORITY.

**STAFF REPORT:** Police Chief White requested permission to enter into Memoranda of Agreements with Kootenai, Boundary, Bonner, and Shoshone counties that would allow members of the Coeur d'Alene Police Department to perform their duties in those jurisdictions under specific, narrow circumstances. According to Idaho code, Coeur d'Alene Police Officers have jurisdiction within the City of Coeur d'Alene and limited authority outside our city limits. While this is not an issue for day-to-day patrol activities, it can be problematic when attempting to conduct follow-up investigations on open cases. He noted that the investigators had 36 incidents over a two-month period where they needed to leave the jurisdiction. The restrictions of the code create an unfair burden on outside jurisdictions when our detectives investigate cases in those jurisdictions, create issues with qualified immunity, and arrests, evidence, and testimony gathered by the detectives outside our city may be called into question at trial. The City has a current agreement with Kootenai County that was signed in 2013. This request is to update that agreement and enter into a similar agreement with Bonner, Boundary, and Shoshone counties.

**DISCUSSION:** Councilmember McEvers asked if the Coeur d'Alene Tribe would need to be included. Chief White noted that the Sheriff's Department has an agreement in place with the Tribe. Chief White noted that they presented an amendment to the State Legislators this past session; however, it was pulled from consideration. Councilmember Edinger asked about needing to enter into an agreement with Spokane County. Chief White noted that the Sheriff's office has an agreement with Spokane County and the Police Department does have some officers cross-deputized under the U.S. Marshals system that could assist across state lines.

**MOTION:** Motion by McEvers, seconded by Edinger to approve **Resolution No. 17-068** approving Memorandum of Agreements regarding Police Officer Authority with Kootenai, Boundary, Bonner, and Shoshone counties.

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

## RESOLUTION NO. 17- 069

**A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A PUBLIC TRANSPORTATION LETTER OF AGREEMENT WITH KOOTENAI COUNTY FOR THE TERM OF OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2018, AND TO PROVIDE FUNDING AS MATCHING FUNDS IN THE AMOUNT OF FIFTY-EIGHT THOUSAND NINE HUNDRED EIGHTY-THREE AND NO/100 DOLLARS (\$58,983.00).**

**STAFF REPORT:** Finance Director Troy Tymesen noted that the 2000 Census designated the cities of Coeur d'Alene, Post Falls, Hayden, Huetter, and Dalton Gardens, as an urbanized area

within Kootenai County. The Kootenai County Transit System encompasses Citylink Fixed Route service, Kootenai Health - Transportation/Paratransit service, and Kootenai County - Citylink Paratransit (currently operated by MV Transportation). Transit Service in the urban area is a cooperative effort between Kootenai County, the Coeur d'Alene Tribe, Kootenai Health, the Cities of Hayden, Dalton Gardens, Coeur d'Alene, Huetter, Post Falls, Kootenai Metropolitan Planning Organization, and Post Falls Highway District. The Federal Transit Administration considers this cooperative transit operation unique compared to other transit agencies across the country. The legislative board for the transit system is the Kootenai County Board of Commissioners. All public transit service is provided free to the public due to the funding partners. This agreement is for fiscal year 2017-18, October 1, 2017 through September 30, 2018. The City Council approved this agreement last year. The City is being asked to fund \$58,983, an increase of \$15,000 over last year. Mr. Tymesen noted that the City of Hayden did not agree to fund the system this year. The reason for the proposed increase is to add service on Saturday from 9:00 am to 4:00 p.m. The proposed expenditure is included in the current financial plan. The City's portion is based on its population within the urbanized area. This money is being used as a match for funds from the Federal Transit Administration (FTA). Funding covers operations, maintenance, vehicle procurements, and administration of the system.

**DISCUSSION:** Councilmember McEvers noted that within the materials provided it was noted that the County had met with several non-profit groups and wondered if those organizations contribute funding. Mr. Tymesen noted that cities within the County are the main funding source. Councilmember English noted that he works with the Area Agency on Aging and they contract for transportation services and contribute money for the para-transit. This is a critical resource in the community and he is in support of the expansion of any of the routes and hours. He noted that the City's contribution has not increased in ten years and feels this is a small increase. Councilmember Gookin noted he is the KMPO liaison and ridership does increase as gas prices increase; however, he has a reservation regarding the agreement and how transit is run. The agreement removes all city oversight and accountability. Legally the City could run a system, but the state code sets responsibility to the County. He confirmed that the federal government provides funding and they are bound by Title VI, which is why they have to check in with certain user groups. The bigger picture is that the agreement allows Kootenai County to run the transit system and all complaints are run through the County. He believes that the bureaucracy behind the system does not seem to focus on the customers, specifically related to bus stops. Councilmember Gookin also expressed concern regarding the construction of the transit center making no progress within 7 years. He expressed frustration that the City has no authority to change bus stops or the ability to give input on the facility. Councilmember Gookin explained that KMPO is the Kootenai County Master Planning Organization, as required by the federal government. The group distributes federal funds toward transportation improvement program projects. Mayor Widmyer noted that it was surprising that there would not be a place to wait for the bus at a transit center. Councilmember McEvers noted that schedules and routes have been changed over the years as ridership goes up and down, and currently there are fewer people riding than 5 years ago. Councilmember Gookin noted that there are more stops, three routes, stops are now timed, and eventually schedules will be placed at stops. They are adding more security and will collect more data to determine placement of stops. Councilmember Edinger asked who is in charge of the transit center. Councilmember Gookin noted that County

Commissioner Eberlein oversees the department but the board makes the decisions and Ms. Bieze is the Director of the department. Councilmember Edinger asked if the City did not approve funding could they operate the system. Councilmember Gookin noted that he asked for the transportation budget and could not get an easily digestible answer; however, he felt it would affect the Saturday service if the city did not approve the funding. Mr. Tymesen noted that Jeannette Leckvold from the County was present to answer questions. Ms. Leckvold noted that she is a Program Manager at the County and is a number cruncher and noted that they do have a profit and loss statement available that will be provided to the Council after the meeting. The money provided by the cities is only used for the purchase of buses, which is saved for many years to be able to afford a new bus. This additional funding is the first time funding has been sought for Saturday's service. She noted that the GIS department spent two years reviewing stops and hired an outside organization to assist with the planning. They have installed an intelligent bus management system, will be installing passenger counters, and are working toward better collection of data. They do take complaints seriously and work to find solutions. She noted that they are a small department with the limit of 2.2 people dedicated to transit. She also noted that they have not planned a lobby at the transit center as they do not want it to become a place to live but will provide shelter from the elements. She noted that they just choose an engineering firm for the project and more information will be able to be developed during the design phase. They have toured the Boise facility and they do not have a lobby, but have benches and bathrooms. Mayor Widmyer noted that there is a lot of information with a lot of moving parts that should be discussed in a workshop with the Commissioners. Councilmember Miller asked if the Council could table the funding until the workshop.

**MOTION:** Motion by Miller seconded by Gookin to table the Public Transportation Letter of Agreement with Kootenai County for the term of October 1, 2017, through September 30, 2018, and to provide funding as matching funds in the amount of fifty-eight thousand nine hundred eighty-three and no/100 dollars (\$58,983.00) until a workshop is held with the County.

**DISCUSSION:** Councilmember Gookin feels the County would benefit from input from the City. Councilmember English reiterated that he is in favor of the funding, but will vote in favor of the motion to table the matter. He believes that those being served by the transit system are expecting to have a lobby.

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

**MOTION:** Motion by Evans, seconded by McEvers to enter into Executive Session pursuant to Idaho Code 74-206A (f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.

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

The City Council entered into Executive Session at 7:06 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney. Council returned to regular session at 8:13 p.m.

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

The meeting adjourned at 8:14 p.m.

ATTEST:

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Steve Widmyer, Mayor

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Renata McLeod, CMC, City Clerk