

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
APRIL 1, 2008**

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 Hall April 1, 2008 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem

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

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

INVOCATION: The invocation was led by Pastor Phil Muthersbaugh, Life Source Church.

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

PRESENTATION - PRAIRIE TRAIL UPDATE: North Idaho Centennial Trail Foundation, Vice Chairman Mike Gridley, updated the City on the proposed Prairie Trail project. He reported that next month they will begin construction on the trail. The Prairie Trail will run from Riverstone for 5.2 miles heading north through the I-90 underpass, past the Kroc Center, past Kathleen Avenue and then out onto the Prairie near Meyer Road. When the trail is completed, the trail will connect the downtown area to the northern-most city limits. The project timeline is: April 14th at 6:00 p.m. the Parks and Recreation Commission will have a public information meeting , April 25th finalize construction plans, April 28th submit plans for bids, May 12th award paving contract, July 1 paving completed, signals installation and July 12th Grand Opening celebration. Mr. Gridley noted that the Foundation is working with the Arts Commission for possible artwork at the I-90 underpass. He noted that they are planning on having a high-speed trail and a slower meandering trail. The trail will be 15 feet wide with a gravel shoulder for runners. Mr. Gridley reported that the partners for this project are the North Idaho Centennial Trail Foundation, the City of Coeur d'Alene and the Lake City Development Corporation.

Councilman McEvers asked how does the Centennial Trail Foundation pay back a loan. Mr. Gridley responded that it is a combination of land donation, land sales and property exchanges that made this project possible.

PUBLIC COMMENTS:

DOG PARK: Helen Radsliff, 3545 N. Gunner Ct., Cd'A commented that cats are animals too and believes that there is a lot of attention to dogs and she hopes that there will be some kind of provision and opportunities for people to take cats.

Rick Currie, Kootenai County Commissioner, 2608 Honeysuckle Ave. Cd'A, on behalf of the Commissioners, asked the City Council to look favorably to allow staff to continue to work with the County to provide a dog park and shelter. He believes that this is another opportunity for the City and County to partner. Councilman Kennedy thanked the County for their help in working with the City to provide an animal shelter and dog park.

PRAIRIE TRAIL: Harold Hocker, 1413. E. Spokane Ave, he said that he likes the trail but pretty soon all we will be seeing are roof tops on the Prairie.

RECOMMENDED SAVINGS TO TAX PAYERS: Ron Catlin, 986 Victorian Drive, Cd'A, understands the concept of putting art in public places and believes that this is a good idea; however, in today's economy and with part of the funding being taken from public works and he asked the Council to consider not using public funds but rather raising money through private donations as this will save tax payers money. Another concern is consulting fees in that both cities and counties pay for consulting firms for such things as opinion polls and he believes that these consultations could be done in-house with volunteers. Councilman Goodlander voiced her agreement with Mr. Catlin.

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

1. Approval of minutes for March 17, 18, 2008.
2. Setting the General Services Committee and Public Works Committee meetings for Monday, April 7th at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 08-015: 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 BID AWARD AND APPROVAL OF A CONTRACT WITH ACI CONSTRUCTION FOR SUNSHINE MEADOWS PARK, PHASE 1; RATIFY 2 AGREEMENTS WAIVING OPPOSITION TO ANNEXATION WITH STEVE & SANAE MEYER AND WILLIAM & BONNIE WILLOUGHBY; APPROVAL OF AN AMENDMENT TO THE FOOD AND ALCOHOLIC BEVERAGE SERVICE AREAS ON PUBLIC SIDEWALKS POLICY; APPROVAL OF A CONTRACT EXTENSION WITH LEGENDS PHOTOGRAPHY FOR PHOTOGRAPHY SERVICES FOR YOUTH RECREATION PROGRAMS; APPROVAL OF AN INTERAGENCY FUNDING / COOPERATIVE AGREEMENT WITH THE IDAHO TRANSPORTATION DEPARTMENT FOR THE US-95 ACCESS STUDY AND APPROVAL OF THE DESTRUCTION

AND TRANSFER OF CERTAIN RECORDS FROM THE POLICE DEPARTMENT.

4. RESOLUTION 08-016: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING REVISIONS TO VARIOUS STANDARD DRAWINGS FOR THE WATER, WASTEWATER AND ENGINEERING DEPARTMENTS.
5. RESOLUTION 08-017: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTING THE REVISED PUBLIC ART POLICY.
6. Approval of cemetery Perpetual Care Fund for Cemetery niches and improvements.

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

APPOINTMENTS TO ARTS COMMISSION AND PLANNING COMMISSION: Motion by Goodlander, seconded by Kennedy to re-appoint Paul Olscamp and Eden Moreland to the Arts Commission and appoint Amy Evans to the Planning Commission Motion carried.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel announced that April is Child Abuse Prevention Month. She gave kudos to Building Department Inspector Mark Kilborn who passed the mechanical inspectors certification. The Recreation Department is seeing record enrollments in its Spring programs noting that the swim classes scheduled at the McGrane Center are full. Mrs. Gabriel noted that due to the numerous winter snow storms we have experienced this year, the most recent storm was named using this coming winter's Storm Naming Contest winner entry which is Appaloosa.

PUBLIC ART MASTER PLAN: Recreation Director, Steve Anthony and Arts Commission immediate past Chairman Elisabeth Garland reviewed the responsibilities of the Arts Commission and the proposed Public Art Master Plan as recommended by the Arts Commission. Councilman Bruning suggested that the Arts Commission or the Centennial Trail Foundation work with the railroad for some type of artwork relating to the railroad along the proposed Prairie Trail. Councilman Kennedy noted that the Central Labor Council proposed funding artwork that could be placed by the public safety building that will be located in the City Park.

Mayor Bloem presented former Chairman Elisabeth Garland with a plaque for her years of service on the Arts Commission since its inception.

Motion by Goodlander, seconded by Edinger to accept the Art in the Heart - Coeur d'Alene Public Art Master Plan. Motion carried.

ORDINANCE NO. 3329
COUNCIL BILL NO. 08-1005

AN ORDINANCE REPEALING CHAPTER 5.19 ENTITLED "NEWSRACK REGULATIONS" OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AND ADOPTING A NEW CHAPTER 5.19 ENTITLED "NEWSRACK REGULATIONS", TO INCLUDE SECTIONS 5.19.010 TITLE AND PURPOSE; 5.19.020 USE OF PERMITTED NEWSRACKS REQUIRED; 5.19.030 LIMITS ON NUMBER OF NEWSRACKS; 5.19.040 PERMIT APPLICATION, TERM AND ISSUANCE; 5.19.050 STANDARDS FOR LOCATION AND INSTALLATION; 5.19.60 STANDARDS FOR STYLE, APPEARANCE AND MAINTENANCE OF NEWSRACKS; 5.19.070 REMOVAL AND REDEMPTION OF NONCOMPLIANT NEWSRACKS; 5.19.080 PERMIT REVOCATION OR DENIAL; 5.19.090 APPEAL PROCESS; AND 5.19.100 GLOSSARY; 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.

Councilman Goodlander noted that with the help of Deputy City Clerk Kathy Lewis an ad hoc committee has been working on revising the regulations for newsracks which provide that the newsracks will be painted the same color and be placed behind the benches on the downtown area.

Councilman Hassell asked if the rest of the City is going to have a review of newsracks outside the downtown area. Councilman Goodlander noted that beginning this Fall this ad hoc committee is planning on addressing newsracks for the rest of the City.

Motion by Goodlander, seconded by Edinger to pass the first reading of Council Bill No. 08-1005.

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

Motion by Hassell, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 08-1005 by its having had one reading by title only.

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

DOG PARK AND ANIMAL SHELTER: City Administrator Wendy Gabriel presented the proposed site for a dog park/animal shelter using both City and County land for the facilities. She reviewed the different alternatives for possible sites that had been considered prior to working with the County. The proposed site for the animal shelter is located west of the Compost Facility off Julia Avenue with the dog park directly west of

that property located on the County's former landfill site. She noted that the Kootenai Humane Society has agreed to construct the shelter facility. Tonight, staff is requesting Council authorization to proceed with the project at this site.

Councilman Edinger asked about the \$5,000 cost for the design concept. Mrs. Gabriel responded that it is a shared cost with the Kootenai Humane Society and the County. Phil Morgan from the Kootenai Humane Society noted that they are excited about this project and working with the City and County to develop this shelter.

Councilman Kennedy asked what the cat process is with the Kootenai Humane Society. He referred to the "catch, neuter and release" program. Mr. Morgan noted that two cats can produce 400,000 offspring if gone unchecked over a five year period. The proposed project provides for trapping loose cats, spaying/neutering the cats and then releasing them back into the city which will stop the growing loose cat population. He also noted that the Kootenai Humane Society is the only facility that takes owner-surrendered cats into their facility.

Councilman Goodlander noted that this facility will cost about \$4,000,000 and believes that the community will come through with the donations to construct such a facility. Councilman Hassell hopes that this will be a county-wide effort.

Motion by Goodlander, seconded by Hassell to authorize staff to proceed with a design concept study on the City and County land for the dog park, animal shelter and parking with access to and from the site. Motion carried.

RESOLUTION NO. 08-018

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH NORTH AMERICA SPORTS, INC., FOR THE FORD IRONMAN EVENT FOR AN ADDITIONAL FIVE-YEAR TERM.

Wendy Gabriel reported that Ironman has requested a renewal to their existing contract. The new contract includes a booth in the Expo area for the City and Chamber to utilize, a change in the marketing fee paid by the Chamber, the removal of the city's guarantee for marking the park for the stakes to be driven into the ground, and additional security will be provided for park security coverage not only for Ironman but also city property and a security person will be posted at the city park gate to assure only authorized vehicles will be allowed into the park, some assurances that the "gators" and ATVs will not tear up the park and there will be pre-setup meetings to assure that the placement of tents will be placed safely.

Councilman Edinger asked if Ironman could do a report to the Parks and Recreation Commission on the concerns that the Parks Director has had. Councilman Goodlander

asked if Ironman would pay for a professional to do a GIS locate for the stakes to be driven into the City Park.

Motion by Goodlander, seconded by Edinger to adopt Resolution 08-018.

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

PUBLIC HEARING - AMENDMENTS TO CITY WATER RATES: Mayor Bloem read the Rules of Order for this legislative Public Hearing. Water Superintendent Jim Markley introduced the consultant who gave the staff report.

Mr. Markley noted that water rates are user-based and no tax dollars go into this operation. Consultant Carol Malesky from Red Oak Consulting reviewed the purpose and process of the rate study. She reported that the last financial analysis of the water system was made in 1992. She noted that their most recent analysis was twofold - review of rates and fees, and building a water conservation feature into the rates. She then reviewed the Capitalization Fund balance and needs following the industry standards. She presented four options for phasing the increase in cap fees for the Council to determine which option they would like to implement.

Ms. Maleksy then reviewed the proposed rate changes as follows:

**Cost of Service Water Rates
Proposed Cost-of-Service Rates**

Current Meter Size	Proposed				
	FY2008	FY2008	FY2009	FY2010	FY2011
3/4"	\$6.10	\$6.23	\$6.32	\$6.42	\$6.51
1"	6.70	6.85	6.95	7.06	7.17
1-1/2"	9.50	7.67	7.79	7.92	8.04
2"	12.65	9.92	10.09	10.27	10.45
3"	19.55	26.50	27.05	27.61	28.19
4"	28.13	32.64	33.33	34.04	34.77
6"	47.98	46.97	47.98	49.03	50.10
8"	70.68	63.34	64.73	66.16	67.62
10"	112.33	81.76	83.57	85.43	87.33

Current Volume Rates

Class	Rates (\$/1,000 gal)
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Residential	\$0.62
Multi-Family	0.47
Mobile Home Park	0.64
Government	0.67
Commercial	0.51

Proposed Volume Rates (\$/1,000gal)

Class	FY2008	FY2009	FY2010	FY2011
Residential (0-30 Kgals)	\$0.65	\$0.67	\$0.70	\$0.72
Residential (Over 30 Kgals)	\$0.94	\$0.97	\$1.01	\$1.04
Non-Residential	0.57	0.59	0.61	0.63
Irrigation-Only	0.75	0.78	0.81	0.84

PUBLIC COMMENTS: Barry Rosenburg, Kootenai Environmental Alliance, 408 Sherman Avenue, has been working with Jim Markley for water conservation and is pleased to see water conservation is built into the new rate structure. He would like to see the city provide a current month's comparison to the same month last year on the water bills so citizens can compare their usage. He would also like to see a 3rd tier that would deal with a punitive rate structure for people who grossly overuse water. He also believes that these rates should be reviewed every 5 years. He asked why there is not a block-rate adjustment for non-residential users and irrigation only users.

Harold Hocker, 1413 E. Spokane Ave, Cd'A, voiced his concerns over the new rates and believes that the citizens will be "burned" because of the need for new filtration plants due to all the people moving into our City. He saw this happen in Sacramento when his bill started at \$7.00 a month and then went to \$30.00 a month because of their need to build a new filtration plant. He also believes that with all the new people moving into the area, the aquifer water level will continue to go down.

Jim Brannon, 1310 Bering, Cd'A was glad to see water conservation built into the rates. He also would like to have the City do a trial billing to see what the citizens will have to pay. He believes that the phase-in option for cap fees makes sense. He asked if the City has any plans for revenue bonds and asked if doing a monthly billing would be more expensive to the City. He believes that when you go from \$.62 to \$.94, that is a big jump in cost. He asked how is the City going to adjust the rates for citizens that water their grassy swales. Mr. Markley responded that there are no plans for revenue bonds. Mr. Tymesen responded that monthly billing will not need an increase in staff and for comparison of monthly billings, that information will be available on-line since the City uses postcards for billings. Mr. Markley also noted that the City currently bills monthly, they just don't read meters monthly.

Ron Catlin, 986 Victorian Drive, commented that after hearing the presentation and seeing what is necessary he believes that these rates are a good idea and although he is

not happy about paying additional fees, he understands the need for the increased fees. He would also like to see a program on CDA TV that shows how the average citizen is wasting water. Mr. Rosenburg added that he believes using 2,000 gallons a day is gross over usage of water. Mr. Tymesen thanked Mr. Brannon for watering, mowing and edging the swales around his home.

Motion by Kennedy, seconded by Goodlander to approve the proposed amendments to the water rates including the "bottom-line" phase-in for cap fees and direct staff to prepare the necessary resolution adopting the new fees. ROLL CALL: Hassell, Aye; Goodlander, Aye; McEvers, Aye; Bruning, Aye; Kennedy, Aye; Edinger, Aye. Motion carried.

RECESS: Mayor Bloem called for a recess at 8:48 p.m. The meeting reconvened at 8:56 p.m.

RCA-7-08 - PROPOSED ANNEXATION AT THE ATLAS MILL SITE: Senior Planner John Stamsos reported that the City has received a request to consider the annexation of the 91.4-acre parcel known as the Atlas Mill Site which is located on the Spokane River between the Mill River Development and Riverstone West development. He noted that this request would create a small island of property between the proposed annexed area and Riverstone which staff would recommend be required to be annexed as part of this request. He noted that there are three conditions placed on this request:

1. As part of an annexation application, submit a complete water analysis of this site including any possible alternative methods for acquiring the additional flow capacity would be required to ensure adequate coverage. This analysis should take into account any possible development which may occur between Seltice Way and I-90 as well. Some sense of the maximum population density will need to be ultimately determined to make this as accurate as possible.
2. Include in the annexation, the portion of Spokane River abutting the area of request to the middle of the river channel.
3. Include in the annexation, the "island" of unincorporated property abutting the east boundary of the area of request.

Councilman Edinger asked Chief Gabriel to respond to the concerns raised by the Fire Department if this property was annexed. Chief Gabriel responded that this property is outside the Fire Department's goal of being 4 minutes away from Fire Station 1. He noted that as the City extends to the west, the Fire Department's response time lengthens which is a concern; however, they have many options to attain their response standards. He noted that a fire boat is something that the Fire Department has been looking at for some time.

Councilman Edinger asked if Chief Gabriel has had a conversation with the developers along the River about purchasing a fire boat. Chief Gabriel responded that this is something that he has had conversations with the developers about partnering with.

Councilman Edinger also noted that there are concerns from our Police Department. Police Chief Longo responded that it depends upon what is going to be built and how it would affect traffic flow and their calls for service.

City Attorney Mike Gridley noted that the Centennial Trail Foundation owns the island of property between the requested annexation and existing city boundaries and the Foundation is amenable to including that portion of land with this annexation request. Councilman Kennedy noted that if this is not annexed, it would create an island in the city that could be built to County standards. City Administrator reminded the Council that this is before the Council to simply determine if they would consider annexing this property. Mr. Stamos noted that all the issues that come with an annexation process will be reviewed once the full application is filed with the City. Mayor Bloem commented that tonight's decision should be based on basic concepts such as, is this property contiguous to the City.

PUBLIC COMMENTS: John Layman, 110 Lost Avenue, Cd'A, representing the applicant commented that he believes that this piece of property belongs in the City as outlined in the City's Comprehensive Plan. He noted that if the Council approves having the applicant move forward with an annexation application, it is their burden to adequately address the City's subdivision requirements including infrastructure. He also noted that he opposes the proposed condition on this annexation to control the development between the subject property and I-90 since they do not own the property north of Seltice Way to I-90 and they have no control over what would be developed. Roger Nelson, Black Rock Development, 912 Northwest Boulevard, reported that during this phase of the process they were told not to address the specific conditions or development of this property as this would be addressed if the Council authorizes the applicant to be proceed.

MOTION: Motion by Goodlander, seconded by Kennedy to allow the applicant to proceed with a formal application for annexation including only conditions No. 2 and 3 noted above. **ROLL CALL:** McEvers, Aye; Hassell, Aye; Goodlander, Aye; Bruning, Aye; Kennedy, Aye; Edinger, No. Motion carried.

RCA-8-08 - PROPOSED ANNEXATION AT DEARMOND MILL SITE: Senior Planner John Stamos reported that the City has received a request to consider the annexation of two parcels totaling 10.2 acres with 5.2 acres at the mill site and 5 acres used as their log yard. This parcel is adjacent to the City's Wastewater Treatment Plan. He noted that the subject property is within the City's area of Impact. He also reported that staff is recommending the City place the condition that the applicant include that portion of the Spokane River abutting the subject property to the west and that portion of the unincorporated BNRR property between the subject property and Northwest Boulevard up to the U.S. 95 bridge with this application. Councilman McEvers commented that the information provided in the staff report is misleading in that it contains several conditions that the Council cannot address tonight.

PUBLIC COMMENTS: John Layman, 110 Lost Avenue, commented that this parcel of property should be in the City and the conditions recommended are appropriate for this application.

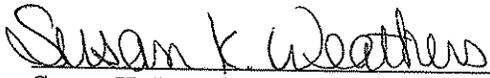
MOTION: Motion by Edinger, seconded by Kennedy to allow the applicant to proceed with a formal application for annexation including the conditions recommended by staff.
ROLL CALL: Bruning, Aye; McEvers, Aye; Hassell, Aye; Goodlander, Aye; Kennedy, Aye; Edinger, Aye. Motion carried.

ADJOURNMENT: Motion by Kennedy, seconded by Goodlander to recess this meeting to April 10, 2008 at 5:00 p.m. for the Annual Strategic Planning session in the Library Community Room and then to April 14, 2008 at 12:00 noon in the old Council Chambers at City Hall for a Sidewalk Regulations workshop. Motion carried.

The meeting recessed at 9:55 p.m.


Sandi Bloem, Mayor

ATTEST:


Susan K. Weathers, CMC
City Clerk