

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

April 16, 2013

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 on April 16, 2013 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Woody McEvers	)	Members of Council Present
Dan Gookin	)	
Steve Adams	)	
Deanna Goodlander	)	
Loren "Ron" Edinger	)	
Mike Kennedy	)	Members of Council Absent

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

**INVOCATION:** Led by Pastor Paul Van Noy, Candlelight.

**PLEDGE OF ALLEGIANCE:** Councilman Edinger led the pledge of allegiance.

**PRESENTATION: Proclamation Fair Housing Month - April 2013 -** The Proclamation was accepted by Josef Dreps, Intermountain Fair Housing Council Ambassador, who informed the public that a free Fair Housing Forum will be held in the Library Community this Thursday, April 18, 2013 from 1:00 to 5:30 p.m.

**PRESENTATION: Proclamation Arbor Day - April 27, 2013 -** The Proclamation was accepted by Katie Kosanke, City Urban Forestry Coordinator, who informed the public that a community event will take place on Saturday April 27, 2013 at Cherry Hill Park (1718 N. 15<sup>th</sup> Street) at 9:00 a.m. that will include a free pancake breakfast sponsored by Sun Valley Tree Service and an awards ceremony. This annual event provides an opportunity for community members to receive free tree seedlings. This year wood chip mulch will be available starting at 10:30 a.m. John Schwandt from the Urban Forestry Committee presented the winning button from the design contest held this year. The button design artist is Alura Waters, a student at Coeur d'Alene High School.

**PRESENTATION: Proclamation Tele-communicator Week April 14-20, 2013 -** The Proclamation was accepted by Jim Washko, Fire Deputy Chief, and Police Captain Childers, and ISP Captain Gardner. Deputy Chief Washko stated that appreciation goes to the local 911 dispatchers as well as Idaho State Police dispatchers who provide important and excellent local services. Mellissa Stroh stated that she and all the other dispatchers appreciated the recognition.

## **PUBLIC COMMENTS:**

**Neighborhood Grievances:** Dennis Hendrickson, 946 E. Spruce Avenue, stated that he has three issues. First, the city-owned lot in his neighborhood needs better maintenance. Second, Neighborhood Watch should not have to be more lenient and should be able to protect their property. Third, he requests a traffic signal be placed at Locust and the couplet (at 3<sup>rd</sup> and 4<sup>th</sup> Street). He stated that he has been dealing with this for 10 years and that signalization should be at Annie. He is concerned about pedestrians being able to cross 3<sup>rd</sup> and 4<sup>th</sup> Streets at Locust Avenue. Additionally, he requested a new traffic count be completed for that location. Mayor Bloem stated that she would have staff check as to when the last traffic count was completed.

**School Board Candidate Forum:** Chris Meyer, 1034 E. Pine Avenue, stated he represented the Coeur d'Alene Education Partnership and wanted to announce a Candidate's Forum for the election of School District 271 Trustee's. The forum will be moderated by the Coeur Group on Tuesday, April 30, 2013 at 5:00 p.m. Moderator questions can be submitted to [271forum@gmail.com](mailto:271forum@gmail.com) or at [www.cdaep.org](http://www.cdaep.org).

**American Legion Baseball Field:** Monte Larson, 930 N. 5<sup>th</sup> Street, stated that the Coeur d'Alene American Legion Baseball Memorandum of Understanding states that replacement of the field will include equal or better facilities, restroom facilities, and that details for the design such as size, dimension, location, etc. would be agreed upon between the parties. He expressed concern that the Ramsey Park facility construction began and the dugouts are not sunk into the ground as was agreed upon previously. He stated that a recent meeting at Miller Stauffer's office was held and they reviewed the plans for facilities that have not yet been constructed. He stated that he felt that the fencing was adequate; however, the bathroom facilities (CXT) on other side of trail had no running water and did not have multiple stations, like the McEuen facility. The concession stand trailer has been agreed upon, but it will be delivered too late for this season and then it will only be available when not in use by the City. Originally, the bleachers were agreed to be wood-built similar to Memorial Field. He stated that the bullpens are awesome and that a new score board was purchased and installed and that the playing surface is coming together. He has concerns with the bleacher and concession stand and the group is disappointed that the Memorandum of Understanding is not being followed.

Councilman Edinger stated that he understood that the concession trailer would be here at the end of June and that the City would try to find one that could be used up until the new one is delivered. Mr. Larson stated that they have a meeting scheduled for Thursday. There are still concerns regarding the storage facilities. Councilman Edinger asked if there would be bleachers along the right or left field. Mr. Larson stated he had not heard about that idea.

**MOTION:** Motion by Goodlander, seconded by Gookin to move forward Other Business Item #5, the American Legion Field Update. Motion Carried.

**AMERICAN LEGION FIELD UPDATE** – Bill Greenwood, Parks Superintendent presented an update regarding the Ramsey Field project that included pictures of the construction in progress. He reviewed the site plan as prepared by the Architect that demonstrated the new trail system from the parking lot, the field location, dugout location, bullpens, bleachers, and bathroom locations.

Councilman Edinger asked if the area between the bleachers and the home team dugout would be asphalt. Mr. Greenwood confirmed that it would be asphalt up to the concession trailer and storage area. He stated that he believes the bleacher seating capacity is approximately 120. The press box area will be expanded to eight feet wide and will include an ADA ramp. Mr. Greenwood stated that at the McEuen Field location one could not see over the dugouts at first base and it did not seem to be problematic. The new dugout includes a better drain system and an overhang that will keep out some of the rain, and the railing in front of the dugouts will include security fencing. He clarified that the dugout could not be lowered due to the liner in the landfill. Councilman Goodlander clarified that the site was a former landfill and that the liner previously referenced is the membrane between the fill and the buildable site. Mr. Greenwood stated that new light poles have been installed with the lights from McEuen Field that were refurbished by Thorco. The fencing has been reinstalled and straightened out, and will be available for sponsorship banners. Batting cages have been placed that include netting that can be locked in place when not in use; there is a power source available for the opportunity to use a pitching machine. The old scoreboard was more expensive to fix so the purchase of a new LED light was made. The original intent was to have the Parks Department install the scoreboard, but it was too large so Thorco had to install at an additional, unexpected cost. Councilman Edinger asked if the restroom would be open all the time or just during Legion games. Mr. Greenwood explained that it will be at the trailhead and will serve a dual purpose and will open during park hours. Additionally, since there is no running water (no need to winterize), the restroom will be open year round. Mr. Greenwood reviewed the equal or better spreadsheet that they utilized during the recent meeting with the Legion. His understanding is that the concession stand is the only outstanding issue and that they agreed to review the bleacher issue after the season.

Councilman Edinger asked about the option of providing seating along the right and left field. Mr. Greenwood stated that he has some old bleachers in storage (that would need some refurbishing) that can be placed in a level area on each side. Mr. Greenwood apologized for the delay in the concession trailer delivery, and explained that they were looking for used trailer opportunities; however, they decided to purchase one pursuant to the specifications of the Legion. He clarified that they do have a contingency plan in case the new one cannot be delivered in time for the season. Panhandle Health felt a mobile unit would be best at this location due to the lack of sewer. During the prime season they will work to make the concession trailer a priority to the Legion, he clarified that the only reason for City use to be prioritized would be in the case of emergency. Councilman Edinger asked for clarification of the bus parking location. Mr. Greenwood stated that there is availability along Golf Course Drive. Councilman Edinger stated that the way the bleachers are set up the home team would be sitting with the opposing teams in the same bleachers. Mr. Greenwood confirmed that is correct and that if Council directs him he can place seating (from storage) along the right side, but refurbishing may have to wait a season. He clarified that there is seating opportunity around the backstop for people to bring their own seats, and hoped that they could review seating after the season so they could see where people were choosing to sit. Mr. Greenwood provided a review of the budget, stating that there are some savings and some additional expenses, while some expenses have not been incurred yet. In summary, he believes the project will be within budget.

Councilman Edinger asked if the Legion group would like bleachers on the left side or just one for now. Mr. Larson stated that they would like bleachers on home and visitor's sides. Councilman

Edinger asked if Mr. Larson would like to provide comments regarding the presentation. Mr. Larson stated that the problem is that the Legion would like to have materials and design plans shared with them and that has not happened. He stated that he was told that the sponsorship on the fencing would only be allowed during the season, not all year. Additionally, he was told that the landfill liner would end at the dugouts and may not be at the dugout location and he felt the light posts would be more of an intrusion to the liner than to lower the dugouts. He does not agree that one could not see over the dugout at the previous field. The bleachers at McEuen were behind the backstop and made out of concrete and they had a home and visitor side, as well as a grass area for alternative seating. The CXT outhouses with two toilets are not equal or better. At the old field they had five stalls and urinals. Restroom facilities at the Kroc Center are not a good option as the players wear metal spiked cleats, and within the park restrooms are about ¼ mile away. Mr. Larson clarified that the Legion did not determine the orientation of the field, Miller Stauffer did, and the Legion agreed to it. Additionally, he stated that they are attempting to build their program throughout the fall so they do not lose players to Spokane and would like a concession stand available throughout the year. The parking stalls closest to the field are reserved for Kroc Center employees and disabled parking, the next closest is about 1/8 mile away. They are concerned that storage-building plans are being completed without discussions with the Legion. He reiterated that the Legion asks to be informed and kept in the loop. Councilman Edinger asked who the liaison person was between the City and the Legion. Mr. Larson thought it was Denise Spencer, Jamie Duman, and himself.

Councilman McEvers stated that he is concerned that the Legion will not ever be happy with the field and that the taxpayers are putting \$300,000 into this field. He stated that the skateboarders would love a bleacher and would not complain about its width. Councilman McEvers stated that he would be willing to provide his mobile food trailer for concession if needed. Mr. Larson stated that the Legion did fundraising in the past for the concrete bleachers (approximately \$200,000), so they expected equal or better. Part of the Legion experience is having the community come down and watch the games. Councilman Edinger stated that the City made a commitment that when the Legion field was moved it would be relocated at equal or better. There are a lot of things that are equal and better and some items that are not but the commitment the Council made was equal or better. Councilman Adams stated that from his perspective they had a long time established functioning field and the Council voted to give them something equal or better. From his perspective, it is a location that cannot provide equal or better, but the Legion was willing to make that sacrifice for some of the other items. Councilman McEvers reiterated that if bleachers are needed they should get them and whatever is not used should be donated to the skate park, as the skateboarders have nothing. Councilman Edinger reiterated that the City is doing this because the Council made a commitment to the Legion and never made the same commitment to the skateboard park.

**MOTION:** Motion by Edinger, seconded by Adams, to direct staff to put the bleachers back in at the left and right field sides of the field, where irrigation has not yet been installed.

**DISCUSSION:** Councilman Adams stated that he has never been to a baseball game without opposing side bleachers. Councilman Gookin asked where the City would get the funding. Mr. Greenwood stated that the bleachers from the old site are the wooden bleachers with metal frames and he can clean them and repaint them when weather allows. Councilman Gookin asked

Mr. Larson what the City could do to better communicate. Mr. Larson stated that the Legion will have weekly meetings with the City until the end of the construction, and that he is concerned with equal or better bleachers for the next season and how they will reach a consensus. Councilman Goodlander stated that she had researched the old concrete bleachers. Mr. Malcolm, (former employee of Central Premix) stated that he was involved in the fundraising for the concrete bleachers and that CNI participated in putting the bleachers in with donations of concrete and time. She stated that if the Legion wanted more bleachers than what the City is providing it would be appropriate for the Legion to fundraise with the community and add to it. It has to be a community effort, it cannot be totally on the shoulders of the taxpayers, and that they should work together. She believes that the City has fulfilled a good share of the commitment and will do better to communicate in the future. Councilman Gookin asked if the removal of the sponsorship signs along the fence outside of the season is a City policy. Mr. Greenwood stated they could discuss it at the Thursday meeting, the irrigation system is isolated to the field so it would not block the heads, so he thinks they could do commercial advertisement and would ask they do not leave up torn and tattered banners. Mr. Larson stated that he does not agree that it is fair to ask them to raise money. Mayor Bloem stated that she hoped that they would continue to work together and that the City has not communicated with any other group as much as they have the Legion.

#### **Motion Carried.**

#### **PUBLIC COMMENTS CONTINUED:**

**Love over Fear Day:** Jackie Gedeik, 4549 E. Hayden Lake Road, thanked the Mayor for proclaiming May 1 as “Choose Love over Fear Day.” An event will be held at the Human Rights Education Institute at 12:30 p.m. and she invited the community to attend. She recommended ways to choose love over fear including random acts of kindness, volunteer, hug a senior citizen, tell people why they mean something to you, and make decisions based on love.

**CONSENT CALENDAR:** Motion by Goodlander, seconded by McEvers, to approve the consent calendar as presented.

**DISCUSSION:** Councilman Gookin requested that Item 4b be separated for an individual vote, as he objects to leasing a separate facility while the City leases city-owned properties to other entities.

1. Approval of Council Minutes for March 28, 2013, April 2, 2013, and April 4, 2013.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for April 22, 2013 at 12:00 noon and 4:00 p.m. respectively.
4. **RESOLUTION NO. 13-022** 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 S-3-12 COEUR D'ALENE PLACE 19TH ADDITION FINAL PLAT, SUBDIVISION AGREEMENT, AND SECURITY; ~~APPROVING A LEASE AGREEMENT EXTENSION WITH COMMERCIAL PROPERTY MANAGEMENT, LLC~~

~~FOR OFFICE SPACE AT 816 SHERMAN AVENUE FOR THE LEGAL DEPARTMENT  
—CRIMINAL DIVISION.~~

5. Approval of S-1-13, Crossroads Subdivision, Final Plat.
6. Approval of GW Greenfield Mobile Food Concession for “The Ice Cream Man.”
7. Setting of a Public Hearing - Appeal of SP-9-13 - 3514 N. Fruitland Lane for May 21, 2013.

**ROLL CALL:** McEvers, Yes; Goodlander, Yes; Gookin, Yes; Edinger, Yes; Adams, Yes.  
Motion carried.

**RESOLUTION NO. 13-022**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING A LEASE AGREEMENT EXTENSION WITH COMMERCIAL PROPERTY MANAGEMENT, LLC FOR OFFICE SPACE AT 816 SHERMAN AVENUE FOR THE LEGAL DEPARTMENT – CRIMINAL DIVISION.

**MOTION:** Motion by Goodlander, seconded by McEvers, to approve Resolution No. 13-022, Item 4B.

**DISCUSSION:** Councilman Goodlander stated that there have been plans in the past to move the Prosecuting Attorney’s Office and that the City should look to the future for space and cost neutral opportunities and bring that office in-house to City Hall. Councilman McEvers stated that he would like to bring this item up at the City’s strategic plan meeting. Councilman Gookin stated that he felt that the division could be creatively moved into City Hall.

**ROLL CALL:** Goodlander, Yes; Gookin, No; Edinger, Yes; Adams, Yes McEvers, Yes.  
Motion carried.

**COUNCIL ANNOUNCEMENTS:**

Councilman Gookin: After the last Council meeting a citizen asked him about the motion to suspend the rule and explained that Idaho Code 50-902 states that an Ordinance needs to be read on three different days, the motion to suspend the rule allows the Council to dispense with that rule. He asked for an update on the status of Visioning 2030. Mr. Gridley stated that the general consensus was that that the community wanted to move forward. There have been some small group meetings and with potential future leadership in place, he believes that there will be additional information within 30 days.

**APPOINTMENTS:** The Mayor recommended the appointment of Susan Weathers to the Personnel Appeals Board and the reappointment of Tom Messina to the Design Review Commission.

**MOTION:** Motion by Goodlander, seconded by McEvers to approve the appointment of Susan Weathers to the Personnel Appeals Board and the reappointment of Tom Messina to the Design Review Commission. Motion carried with Gookin and Adams voting No.

**ADMINISTRATOR'S REPORT:** City Administrator Wendy Gabriel provided an update regarding the McEuen Park/Front Avenue Projects. The Contractor will continue with the shoring system, which is expected to be completed next week. The mass excavation will continue throughout next week. An informational brochure should be completed next week that will include parking and way finding for boats and patrons. Parking for Tubbs Hill patrons and Boat trailers is available south of City Hall. At the first Council meeting of each month, staff will provide an update regarding McEuen progress including a budget update. The City of Coeur d'Alene would like to inform the public that a flood works project is planned south of the intersection of Military and Lakeshore Avenues beginning the morning of May 07, 2013. In order for the flood works project to remain in compliance with FEMA, a tree will need to be removed. The removal is necessary to construct the temporary stop plank wall on top of the concrete wall. Property owners in the vicinity will be notified prior to the commencement of work. Mrs. Gabriel stated that if the purchase agreement for Person Field acquisition were approved this evening, staff would begin the process of master planning with the neighborhood. She congratulated Officer Amy Winstead and Sergeant Jeff Walther on receiving their Instructor's Certification and Officer Brady Reed for receiving his Advanced Certification from the Peace Officer Standards and Training Council. Nearly eleven years ago, the Coeur d'Alene City Council passed an Ordinance allowing youth representation on City Boards, Commissions, and Committees. If you are interested in serving as a student representative, visit [www.cdavid.org](http://www.cdavid.org) and print out an informational letter and application form. The 2013 Summer Arts for Youth program, sponsored by the Coeur d'Alene Arts Commission, begins in June. Please visit the City's website at [www.cdavid.org](http://www.cdavid.org) to download the complete brochure. The Coeur d'Alene Arts Commission is seeking artists for the McEuen Park Entry Arch. The arch will be placed over the main pedestrian entrance to McEuen Park. Submission Deadline is May 24, 2013. To download and print the Call to Artists, visit our website at [www.cdavid.org](http://www.cdavid.org), or call Steve Anthony at 769-2249 for more information. The City of Coeur d'Alene Building Services Department would like to inform contractors and homeowners that there will be no building, mechanical, or plumbing inspections performed this Friday, April 19, 2013, in the City of Coeur d'Alene jurisdiction due to required staff training for continuing education credits on the 2012 International Building Code. Please call 769-2227 for more information. The City Council recently approved a Memorandum of Understanding with the Panhandle Parks Foundation to assist with naming sponsorship opportunities within the park system. The Memorandum provides a mechanism for the Parks Department to generate funds to help offset the demand for new parks and trails and to help with infrastructure repair/replacement. For more information on naming opportunities, visit [www.cdavid.org](http://www.cdavid.org) or contact the Parks Department at 769-2252. This week the Coeur d'Alene Public Library is celebrating "National Library Week." Visit [www.cdalibrary.org](http://www.cdalibrary.org) for information about library programs and special events.

### **RESOLUTION NO. 13-023**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO  
AUTHORIZING A PURCHASE AND SALE AGREEMENT WITH COEUR D'ALENE  
SCHOOL DISTRICT #271 FOR THE PURCHASE OF PERSON AND BRYAN  
PLAYFIELDS.

**STAFF REPORT:** Mr. Gridley stated that this is the final step in purchasing the properties and approval would allow staff to move forward with closing on the properties.

**MOTION:** Motion by Goodlander, seconded by Gookin, to adopt Resolution 13-023.

**DISCUSSION:** Councilman Edinger stated that he would be voting against the agreement because he does not believe in buying something that is already owned by the City. Councilman McEvers wondered if the City voted against it, what would the neighbors say, and what is the alternative? Councilman Edinger stated that the School District would have a problem because they have already moved into their new building, and maybe they would be willing to negotiate. Councilman McEvers expressed concern that the parkland could become homes. Councilman Edinger does not believe the land would be developed as homes and that the 1995 agreement was legal. Councilman Goodlander stated that she believes the City is paying a ridiculous price for something they already own and it is hard to vote yes. Councilman Gookin agrees that the way this came about could have been better, but this is an issue that the City has known about for a long time. The City wants the land and the School District owns half of it. He believes the City had an opportunity many years ago to purchase the property and nothing had been done to previously purchase it. Councilman Gookin stated that the people in the neighborhood want the park and phone calls he received expressed that the City needed to acquire the land. Mayor Bloem asked Mr. Tymesen if there was a time the City could have purchased the land previously. Mr. Tymesen stated that early negotiation were a land trade not acquisition of the property and reminded the Council that the prior appraisal was much higher, as land prices have come down since that time. Mayor Bloem reiterated that the City did not have a previous opportunity to purchase the land. She stated that she agrees that the City should not have to pay this price, but the School District has the title and they get to set the price. She disagrees that homes would not be built there, as the property is already zoned for housing development. She does not think the public would want us to risk losing the public land. Councilman Edinger stated that he lives in the neighborhood (near Person Field) and wants the park but he does not want to pay this price. Call for question by Goodlander, carried.

**ROLL CALL:** Goodlander, Yes; Gookin, Yes; Edinger, No; Adams, Yes; McEvers, Yes. Motion carried.

**PARKING SERVICES REQUEST FOR PROPOSALS:** Mr. Tymesen stated that the City is in the midst of transition and that this is a good time to look at soliciting parking service proposals. The Parking Commission has recommended moving forward with the request for proposals (RFP's). He stated that he would like to have a recommendation back to the City Council by the second meeting in May. Councilman McEvers asked if this was a new RFP. Mr. Tymesen stated that this is a new RFP and includes some language from other cities. Councilman McEvers asked for clarity regarding the new contract in June and the lack of revenue from the McEuen parking lot. Mr. Tymesen stated that this new contract would be different from the ones in the past. This will be a long-term contract, but the revenue will not be great the first year; however, it will probably be a management fee type contract. Electronic pay stations will lower the cost to run the parking facilities. He explained that long term is needed to get return on investment. Councilman Gookin asked if parking enforcement in the Fort Grounds neighborhood would be included in the Contract. Mr. Tymesen stated that they would look at the residential parking enforcement opportunity. Councilman Gookin asked if there will be more electronic pay stations and if the City would receive

more revenue from them. Mr. Tymesen stated that is a negotiation item and reported that it helps with the new design at McEuen. Councilman Goodlander stated that there needs to be plenty of pay stations to ensure that long lines do not form.

**MOTION:** Motion by Goodlander, seconded by McEvers, to authorize staff to proceed with the RFP for Parking Services as presented. Motion carried.

#### **RESOLUTION NO. 13-024**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A CONSENT TO GRANTING OF APPLICATION OF ELEVENTH STREET DOCK OWNERS ASSOCIATION, INC. WITH THE IDAHO DEPARTMENT OF LANDS FOR ISSUANCE OF PERMIT APPLICATION ERLS-95-S-2173(J).

**Staff Report:** Mrs. Gabriel stated that approval of the consent would allow the Eleventh Street Marine remodel and reconstruct of the docks to move forward and it provides a secure location for the City firefighting vessel. Councilman Edinger asked Fire Chief Gabriel when the boat would be ready. Chief Gabriel stated he estimates June 1 and thanked Charlie Dodson for his assistance in the negotiations. Mr. Dodson stated that he represents the Eleventh Street Dock Owner's Association and that the Association has been struggling to get a firefighting vessel at the marine. With the remodel (which includes concrete docks), they were able to accommodate the vessel. One existing issue the Association would like the Council to note is that there is an existing fire hydrant on E. Lakeshore directly across from their entrance. They would like to request that it be marked as emergency vehicle only parking, as well as an area in front of the copper roof house, whose owner is in favor of the request.

**MOTION:** Motion by Edinger, seconded by McEvers, to adopt Resolution 13-024.

**ROLL CALL:** Edinger Yes; Adams Yes; McEvers Yes; Goodlander Yes; Gookin Yes. Motion carried.

#### **RESOLUTION NO. 13-025**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO CONVEYING A NO-BUILD EASEMENT TO ONE LAKESIDE, LLC. ACROSS THE EAST TWENTY FEET OF THE CITY'S PROPERTY.

**Staff Report:** Mike Gridley stated that when the City purchased the property it allowed an access easement to the property referred to as the Mudge building. The owners of the Mudge property have stated that they would give up that access easement if the City granted a no build easement. Councilman McEvers ask for confirmation that the Coeur d'Alene North access would not be affected. Mr. Gridley confirmed that this is not related to the Coeur d'Alene North property access.

**MOTION:** Motion by Goodlander, seconded by McEvers, to adopt Resolution 13-025.

**ROLL CALL:** Edinger Yes; Adams Yes; McEvers Yes; Goodlander Yes; Gookin Yes. Motion carried.

**RESOLUTION NO. 13-026**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO APPROVING A SUBORDINATION AGREEMENT WITH UTAH COMMUNITY REINVESTMENT CORPORATION FOR THE MILL RIVER SENIORS LLC 2010 CDBG PROJECT.

**Staff Report:** Mr. Tymesen stated that a subordination agreement is utilized to claim one party is junior to another. He stated that the City should move forward with this as the City entered into a grant that looks like a loan to meet financing needs of this tax credit project. The developer is now moving forward with permanent financing and would like the City to move to a junior position. The City loaned the money as a grant with zero percent interest and no payback required. Councilman McEvers asked for clarification regarding the City providing \$240,000 toward affordable housing to build in our City and they spent \$1,000,000. Mr. Tymesen clarified that the project was actually a \$7,000,000 project. The City was involved during construction so it ended in first position. Councilman Gookin clarified that it is not a loan; it is just a grant that looks like a loan. Mr. Tymesen reiterated that the City expects no money back. Councilman Gookin asked if this was an LCDC project. Councilman Goodlander confirmed that LCDC was a partner for public improvements. Mr. Tymesen clarified that the developer is moving from construction financing to permanent financing. The development is complete and the apartments are fully occupied.

**MOTION:** Motion by Goodlander, seconded by McEvers, to adopt Resolution 13-026.

**ROLL CALL:** Edinger Yes; Adams Yes; McEvers Yes; Goodlander Yes; Gookin Yes. Motion carried.

**EXECUTIVE SESSION:** Motion by Edinger, seconded by McEvers, to enter into Executive Session as provided by Idaho Code 67-2345 Subsection 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:** McEvers, Yes; Goodlander, Yes; Gookin, Yes; Edinger, Yes; Adams, Yes. Motion carried.

The Council entered into Executive Session at 8:36 p.m. Those present were the Mayor, City Council, City Administrator, and City Attorney. Matters discussed were those of pending litigation. No action was taken and the Council returned to regular session at 8:50 p.m.

**MOTION:** Motion by Edinger, seconded by McEvers that, there being no further business before the Council, this meeting is adjourned. Motion carried.

The meeting adjourned at 8:50 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Renata McLeod, City Clerk