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**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL,
June 21, 2005**

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, June 21, 2005 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Loren Edinger)	Members of Council Present
Al Hassell)	
Woody McEvers)	
Ben Wolfinger)	
Deanna Goodlander)	
Dixie Reid)	

CALL TO ORDER: Mayor Bloem called the meeting to order at 6:00 p.m.

INVOCATION: The invocation was given by Paul Peabody, Grace Bible Church

PLEDGE OF ALLEGIANCE: Councilman Hassell led the pledge of allegiance.

PRESENTATION – RECOGNITION OF STUDENT REPRESENTATIVES:

Mayor Bloem recognized the following student representatives serving on various City Boards and Commissions. Sign Board, Cari Cranney; Child Care Commission, Blythe Manley; Planning Commission, Camilla Morrissey, Representative, Anders Edling, Alternate Representative; Pedestrian and Bicycle Advisory Committee, Sam Hoggatt; Parks and Recreation, Kara Eberle, Representative, Angela Baker, Alternate Representative; Urban Forestry, Courtney Carlton; Cemetery, Tina Moore. Mayor Bloem praised the value of how important the voices of our youth are on our Boards and Commissions, and she hopes they will continue to volunteer to serve in the future. Angela Baker spoke on how she used her experience with Parks and Recreation in her Senior Project. Goodlander voiced her appreciation on how much value Sam Hoggatt was to the Ped-Bike Plan .

PUBLIC COMMENTS:

Tyler Stensland, 1068 North First Street Coeur d'Alene publicly apologized for driving his car on the Soccer Field, and creating damage. Mayor Bloem graciously accepted his apology on behalf of the City Council.

CONSENT CALENDAR: Motion by Reid , second by McEvers to approve the Consent Calendar as presented.

1. Approval of minutes for June 07, 2005, as corrected.
2. The Public Works Committee and General Services Committee meetings are scheduled for Monday June 27, 2005 at 4:00 p.m.

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3. RESOLUTION 05-042: 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 FOR THE FOURTH STREET RECONSTRUCTION PROJECT TO L & L CARGILE, RENTAL AGREEMENT WITH THE IDAHO DEPARTMENT OF LANDS, PUBLIC CROSSING AGREEMENT WITH BURLINGTON NORTHERN/SANTA FE RAILROAD FOR NEIGHBORHOOD INC., DEVELOPMENT, AGREEMENT WITH RUEN-YEAGER AND ASSOCIATES FOR THE DESIGN OF THE SELTICE WAY/GRAND MILL BOULEVARD INTERSECTION IMPROVEMENTS,
4. Setting of a Public Hearing –V-05-3 Vacation of the remainder of the portion of Government Way right-of-way adjoining Lot 2, block 1, Ruby Commercial Tracts for July 19, 2005
5. Approval of the following cemetery lot transfers; from Amadeo Olivieri to Roy D and Benson H Olivieri, from Harmon and Betty Scott to Renee and Jacob Huling; and repurchase of a cemetery lot from Harmon and Betty Scott
6. Approval of Bills as submitted by the Finance Department
7. Setting of two Public Hearings for July 19, 2005
 - a. ZC-7-05 Zone change at SW side of US 95/Marina Drive , Blackwell Island
 - b. A-5-05 Zoning/Annexation of Cedars Restaurant and Yacht Club property

ROLL CALL: Goodlander, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Wolfinger, Aye; Hassell, Aye; Motion carried.

ANNOUNCEMENTS:

APPOINTMENTS – CIVIL SERVICE COMMISSION Motion by McEvers, second by Goodlander, to appoint Betsy Hawkins to the Civil Service Commission. Motion carried.

COUNCIL COMMENTS:

Councilman McEvers reminded the public that there are hamburgers available at the Skate Park for just \$5.00 to support the skateboarders. It is National Skate Day. Councilman Reid encouraged people to support Ironman during the coming weekend and enjoy the excitement, either by volunteering, or as a spectator. She complemented the Street Department, Parks Department, and City Clerk, Susan Weathers on the efforts they have done to provide a World Class Event in Coeur d'Alene. She also thanked all staff and citizens who volunteer; as it takes the involvement of everyone to make this event happen. Councilman Wolfinger informed the public that the Government Way Bridge over the I-90 freeway will be closing on Monday June 27th, for new reconstruction, commenting "that it will be well worth the wait". Councilman Edinger commended the Coeur d'Alene Downtown Association and the Coeur d'Alene Car Club for the successful Car d'Alene car cruise on Friday and car show that was held on Saturday, June 17th & 18th. Everyone had a good time. He thanked the City staff for keeping the City looking it's best and he also extended thanks to all who volunteer for these events.

OTHER COMMITTEES:

1. PARKS AND RECREATION COMMITTEE.

- a. Councilman Hassell reported on the need for a perimeter fence at the Coeur d'Alene Soccer field.

Motion by Hassell, second by McEvers, to install bollards for the Soccer Complex with the costs being covered by personnel savings. Motion carried.

- b. Councilman Hassell requested authorization from the Council for landscaping and construction of an entrance plaza to the Human Rights Education Institute's Building as per the concept presented to the Parks and Recreation Commission.

Motion by Hassell, second by McEvers, to authorize landscaping and construction of an entrance plaza to the Human Rights Education Institute 's building as per the concept presented to the Parks and Recreation Commission.

Discussion: The enhancements include a moveable arch, and some landscaping, designed to be temporary in nature. There is a concern of above ground planters housing trees, as temperatures may burn the roots. The Sunrise Rotary Club has already planted some shrubs in this area.

Motion carried.

GENERAL SERVICES COMMITTEE:

1. Chairman Wolfinger requested that Renata McLeod, Project Manager explain the proposed policy for Sidewalk/Pedestrian Ramp repair and replacement. Mrs. McLeod explained the City is being required to create and administer a plan to bring all City sidewalks and pedestrian ramps into ADA compliance. An adhoc committee was formed to address the issue. The Committee determined that the easiest method would be to divide the City into sections, audit each section, and then determine how to proceed. The downtown residential section, being the oldest, is requiring the greatest need of repair. Abutting property owners are required to maintain sidewalks, and many need repair, or are being uprooted by trees. Some options for property owners may be to reroute the sidewalk around a tree, change the slope/grade of the sidewalk, remove trees, or narrow sidewalks based on condition. It is such a major project that the Committee determined that the method of auditing a section, and working on the sidewalk improvements one section at a time, would be the best way to tackle the challenge. Each affected property owner would be responsible for the sidewalk repair. The City would be responsible for the addition of accessible pedestrian ramps at corners. City Finance Director, Troy Tymesen, explained how LID's work. An LID may be a way for a homeowner to pay for the improvements at a

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cheaper cost, by completing all subject properties once, with the affected homeowners dividing the cost, as opposed to each homeowner having to do their own improvements separately.

Motion by Wolfinger, second by McEvers, to authorize staff to prepare the necessary paperwork to comply with ADA to perform a sidewalk audit of a designated geographical section, and bring a recommendation back to the City Council with their findings.

Discussion: Councilman Goodlander reiterated that the City is mandated to conform with ADA compliance on City sidewalks in order to receive grant funding. It is not an option for the City.

Motion carried.

2. Councilman Edinger requested that the Council authorize staff to negotiate an agreement for architectural services for the Public Safety facilities.

Councilman Wolfinger declared a conflict of interest as a family member may benefit from the decision. He excused himself from the proceedings.

Motion by Goodlander, second by Edinger, to authorize staff to negotiate an agreement for architectural services for the Public Safety facilities. Motion carried.

Councilman Wolfinger then returned to the meeting.

PUBLIC WORKS COMMITTEE:

1. (P.W. Item 4) Chairman Reid requested Council approval for the design and authorization to advertise for bids for the new Tubbs Hill Water Tank.

Motion by Edinger, second by McEvers, to approve the design specifications, and authorize staff to advertise for bids, for the new Tubbs Hill water tank. Motion carried.

2. (P.W. Item 5) Fence/Guardrail for the new Tubbs Hill tank was referred back to the Public Works Committee for further discussion. .

PUBLIC HEARINGS

PUBLIC HEARING – ZC-4-05 ZONE CHANGE AT 1750 NORTH PINWOOD COURT Mayor Bloem read the rules of order for this public hearing. No councilman declared a conflict of interest. John Stamsos, Associate Planner, gave the staff report.

Mr. Stamsos gave the applicant's name as Douglas Rall for property located at 1750 North Pinewood Court. The reason for the request is a zone change from R-12 to R-17 (Residential- limited to a maximum of 17 units per acre). The parcel is a little over 2

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acres in size, and is located near the commercial corridor on Northwest Boulevard in a transition area.

Mr. Stamsos went on to give the staff analyses for zoning, Comprehensive Plan, utilities, streets/traffic, and stormwater. On June 14, 2005, the Planning Commission recommended approval of the zone change by a Vote of 4 to 0.

A total of 61 notices for this public hearing were mailed on 6/03/05 with a total of 2 responses being received. The responses are: 1 in favor of the proposed zone change, 0 opposed, and 1 neutral.

McEvers questioned if the property involved is occupied. Currently, there are 2 modular units on the property.

PUBLIC COMMENTS: Mayor Bloem called for public comments.

Dick Stauffer, 4144 French Gulch Road, Coeur d'Alene distributed photographs. as he represents the property owner Douglas Rall. Owner/Developer has a 50 foot piece that is zoned R-12. There is a 25 foot buffer to the east. Topography is 31 feet of vertical drop so there is no direct impact to the South. For practical purposes due to topography, the subject property is near R-17 and Commercial uses. The plateau on the side would allow views to South. The zone change would allow the potential project to go from three stories to four stories. The current plan is for 2 pods of 32 units.

Under discussion when asked if these would be condo units, Stauffer replied "Parcels could be condos or apartments". The two current modulares would remain on the property. When asked if the R-12 section where the modulares are located, could be turned into a parking lot, Stamsos indicated that it could; but it would require a vegetative buffer or a sight obscuring fence, and it would not require a special use permit.

Douglas Rall, 1928 Gunther Avenue : The major issue to one of the neighbors is parking and congestion on Davidson Avenue. With a 30 foot drop, it would not be feasible to have ingress/egress on that side. He stated that there is 50 feet of R-12 zoning that creates a buffer from the R-17 zoning if it were approved. There is 25 feet on each side of the modulares that create a green space. The Emma Street side of the property has available parking.

Mike Archer , 1019 Davidson voiced concerns over high density development that may devalue property, and would like the Council to encourage less rental activity in this single family neighborhood. He would like the Council to install conditions to preserve buffer zones and limit access on Davidson.

The Planning Commission did not attach any conditions.

MOTION: Motion Wolfinger, second by Edinger, to approve the requested zone change from R-12 to R-17 for the property located at 616 Davidson and to adopt the

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findings and Order of the Planning Commission changing Item B11 to read : that the proposal would not adversely affect the surround neighborhood with regard to traffic, neighborhood character, and existing land uses because there will be no ingress /egress on Davidson, traffic will funnel to Northwest Boulevard, the many multi-family developments in the area create the multi-family character of the area, it is near many commercial uses, and it will provide a good transition between commercial and single family uses in the area.

ROLL CALL: Edinger, Aye; Goodlander, Aye; Hassell, Aye; McEvers, Aye; Reid, Aye; Wolfinger, Aye. Motion carried.

PUBLIC HEARING – ZC-5-05 ZONE CHANGE AT 616 WEST DAVIDSON

Mayor Bloem read the rules of order for this public hearing. John Stamsos, Assistant Planner gave the staff report. The east half is a parking lot zoned R-12, and a parking lot is not permitted in a R-12 zone. A special use permit was approved in conjunction with a zone change by Planning Commission. There have been two changes involving parking lots with parking lot special use permits for medical facilities adjacent. This would extend the parking lot where the house is now on the west side and a buffer yard would be a requirement. The Planning Commission also imposed some conditions along with the special use permit.

Mr. Stamsos reported that the applicant, Cheri Howell is requesting a zone change for the property located at 616 West Davidson from R-12 to R-17 .

A total of 61 notices for this hearing were mailed on 6/03/05 , with 1 response in favor of , 0 neutral, 0 opposed of, the zone change, being received.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being received.

Applicant Cheri Howell, 1711 Jenny Lynn Lane, Coeur d’Alene spoke representing the Lincoln Center Medical Partnership that owns the Lincoln Medical Building and parking lot adjacent to the west. They have purchased additional property to the west and could resolve a current non-conforming use, and alleviate parking issues. The neighborhood is established but conditions are changing. There is a significant decline in owner occupied properties, and increased medical facilities in area. Adjacent property is owner occupied and planning commission imposed conditions to mitigate any buffer issues between the two properties. The applicants are proposing an additional vegetative buffer, and a sight obscuring fence. Currently, Monday through Friday the parking lots are full and patients have to park on the street. Davidson is a very narrow street and this solution would help alleviate the Davidson problem by adding this additional parking.

Discussion: The neighbor was originally concerned about lighting. The plan is for downward directed lighting. The parking generally occurs Monday though Friday from eight to five.

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Motion by Reid, second by Wolfinger to approve the requested zone change from R-12 to R-17 for the property located at 616 West Davidson, and to adopt the findings and order of the Planning Commission.

ROLL CALL: Edinger, Aye; Goodlander, Aye; McEvers, Aye; Wolfinger, Aye; Edinger, Aye; Reid, Aye; Hassell, Aye; Motion carried.

OTHER BUSINESS

PARTNERSHIP AGREEMENT WITH SCHOOL DISTRICT #271

Ken Gabriel, Fire Chief presented a request to enter into a partnership with School District #271 for a prepared response grant to be able to respond to an emergency within the school system. The School needs to respond to the grant within 10 days. By entering the partnership, the City will not incur any cost.

Motion by Goodlander, second by Wolfinger, to enter into a partnership agreement with School District #271 for a prepared response grant. Motion carried.

EXECUTIVE SESSION: Motion by Reid , second by Hassell, to enter into Executive Session as provided by Idaho Code 67-2345 Subsection A: To consider hiring a public officer, employee, staff member or individual agent; Subsection B: To consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent; Subsection C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property not owned by a public agency; and Subsection F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

ROLL CALL: Wolfinger, Aye; Hassell, Aye; Goodlander, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

The session began at 7:53 p.m. Members present were the Mayor, City Council, City Administrator, Finance Director and City Attorney.

Matters discussed were those of personnel issues, property acquisition, labor negotiations and pending litigation.

No action was taken and the Council returned to regular session at 8:38 p.m.

ADJOURNMENT: Motion by Reid, seconded by Wolfinger, to adjourn . Motion carried.

The meeting adjourned at 8:38 p.m.

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Sandi Bloem, Mayor

ATTEST:

Kathy Lewis, Deputy City Clerk