

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
AUGUST 5, 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 August 5, 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)
Woody McEvers)
Mike Kennedy)
Deanna Goodlander)

Loren Ron Edinger) Members of Council Absent

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

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

PUBLIC COMMENTS:

LANDINGS PARK: Brandon Vetter, 3465 Lotze Loop, requested that the City move the tennis courts in the plans for the Landings Park. He believes that this park is in violation of the CC&R's in that it would create offensive and obnoxious noise. He reported that he has organized a petition opposing the revised park plan. He believes that the Parks Department has failed in collaborating with him in regard to the overall park design. Tori Soumas, 3900 Long Meadow Drive, presented a petition for the proposed park to be constructed as decided upon by the majority of the property owners in the Landings. She noted that Mr. Vetter had received signatures on his petition under misleading information. Tracy Soumas, 3900 Long Meadow Drive, supports the proposed park being constructed. Darci Johnson, 3069 Thorndale Loop, clarified that she had personally obtained the signatures on their petition for the revised park plans and did not lie about the design of the park and told Mr. Vetter's side before obtaining the signatures. Pamela Wheeler, 3437 W. Manley Loop, commented on the false statements given by the people from Lotze Loop who were trying to get her to sign their petition. She is disappointed in her neighbors who feel they needed to lie to get their way. Lynn Vershum, 4051 Princetown Lane, understands that when you purchase a home in an undeveloped area that plans will be changed and he supports the current proposed parks plan. Nick Amorin, 3437 Lotze Loop, commented that he has no problem with the parks plan and although Mr. Vetter's group was threatening a law suit. He also commented that the original plan had a parking lot where the basketball court is now located which is preferred. He does not agree in having a law suit because someone wants to move the basketball and tennis courts a few feet. Julie Vetter, 3465 Lotze Loop, commented that

the pledge of allegiance is for “justice for all” and that she wants the park built as they would like. She asked why they should bear the burden of the entire park and wants the park done right. Gayle Ward, 3969 Princetown, would like to see the park built as her home is not worth what she paid for it without the park being built and she would like it built without further delays. Larry Pilcher, 4076 Loxton Loop, has attended the Parks meetings, and agrees with the parks design. He noted that when he attended all the meetings no one objected to the current proposed park. He noted that he heard one person was upset about the location of the basketball courts and so they were moved. He believes that the general consensus of the full neighborhood is to have the park constructed as designed. He would hate to have the park not constructed because someone has threatened to sue because of the location of the basketball court. Ron VanderGriend, 7322 Talon Lane, noted that this neighborhood has a lot of kids, and before he moved to this location he had a park where he could take his kids. He believes that the kids need this park and wants to see the park constructed. Scott McQuski, 3980 Long Meadow Drive, would like to see the park constructed so his children have a safe place to play. Greg Depuis, 2997 W. Thorndale Loop, believes that it is ridiculous to be fighting for this park and it is important to construct the park now rather than waiting. Lou Soumas, 3900 Long Meadow Drive, Coeur d’Alene, is a member of the Board of Directors of the Landings Homeowners Association. He reiterated the strong community support of the development of this park. He noted that the Parks Department presented designs for a possible park in the Landings, and although the Parks Department did not have to do so, they have gone out of their way to change the designs to the wishes of the homeowners. He noted that the final design has full support of 99% of all homeowners in the Landings Subdivision. He added that the neighborhood is also ready to help with whatever is needed such as tree planting to get this park constructed. In conclusion, the Board unanimously supported the amended design. Brian Carey, 3074 Thorndale Loop, expected the park to be completed by now, and with this completion, the value of his home would come back up to what he pays taxes on. Jennifer Johnson, 3539 Manning Loop, recalled that a lady had approached her and her husband about signing her petition, and that this petition would not delay the construction of the park.

SCHOOL IMPACT FEES: Harold Hocker, 1413 E. Spokane Avenue, informed the Council that he has contacted the school district to have builders pay impact fees for schools. He suggested that the Council have a moratorium on the construction of all subdivisions until the State provides for schools to have impact fees. He believes that the citizens are being ripped off by the developers. He also believes that there should not be any further construction until they find out how much water there is in the aquifer.

THE LANDINGS PARK, PHASE I: Motion by Goodlander, seconded by Kennedy to move this item forward on the agenda. Motion carried.

STAFF REPORT: Parks Director, Doug Eastwood, reviewed the history of the Landings Subdivision and the proposed park site. He explained that the original drawings were a concept design for a park and not the final plans. He noted that after several meetings with the Homeowners Association he asked them to decide on one plan for the park, which is the proposed park plan that staff is asking for authorization to go to bid tonight.

He noted that the final plan shows the buffering and fencing behind the basketball and tennis courts to protect the residents abutting this portion of the park. He noted that noise is being mitigated through turf grass, trees, berms and fencing for the residents on Lotze Loop. He presented a side view of the park from the perspective of the homeowners along Lotze Loop. He commented that if the basketball courts and tennis courts were to be pulled away from their present location, it would create too much of a dead space which in turn creates unwelcome activity for the neighborhood. He recommended that the Council move forward with Phase One and authorize staff to go out to bid.

COUNCIL DISCUSSION: Councilman McEvers noted that the residents had purchased their homes 3-4 years ago with the promise of a park, and wanted to know how a park could be promised. Mr. Eastwood responded that several groups of people are involved in the process of the sale of a home beginning with the developer, building contractors, and realtors and through a lack of or missed communication it resulted with the promise to homeowners of a park. Councilman Goodlander asked Mr. Eastwood to explain how the City participates in water conservation. Mr. Eastwood explained the computerized system by which parks are watered.

MOTION: Motion by Bruning, seconded by Hassell to authorize staff to solicit for bids for Phase I of the Landings Park and direct staff to seek funding options for maintenance of the Landings Park.

COUNCIL DISCUSSION: Councilman Kennedy reviewed the process which involved the homeowners association in the creation of this park, the issue of a lawsuit over the design, the fiscal responsibility in building the park now. He noted that although there have been some hard feelings between homeowners; he believes that once the park is constructed the neighborhood will come together and hopes that any threats of lawsuits will go away. Councilman Goodlander recognizes the concerns of the neighbors along Lotze Loop but hopes they will find that the proposed activities will prevent problems for the homeowners that back up against the park.

Motion carried.

MOTION: Motion by Hassell, seconded by Kennedy to authorize staff to move forward with Phase 2 of the Landings Park as soon as funds are available. Motion carried.

RECESS: Mayor Bloem called for a recess at 7:20 p.m. The meeting reconvened at 7:26 p.m.

CONSENT CALENDAR: Motion by Goodlander, seconded by Hassell to approve the Consent Calendar as presented.

1. Approval of minutes for July 15, 17, 2008.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, August 11th at Noon and 4:00 p.m. respectively.
3. RESOLUTION 08-044: 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 CAMERON – REILLY, LLC FOR THE SAFE ROUTES TO SCHOOL LAKES MIDDLE SCHOOL PROJECT; APPROVAL OF CHANGE ORDER NO. 1 WITH GENERAL INDUSTRIES INSTALLATION FOR THE WWTP AMMONIA CONTROL MODULES; AUTHORIZING THE EXTENSION OF NO PARKING ON MILWAUKEE STREET AND AUTHORIZING THE DESTRUCTION OF CERTAIN ADMINISTRATION RECORDS.

4. Approval of cemetery lot repurchase from Charles Seymour.
5. Acceptance of utility easement in Coeur d'Alene Place Subdivision.

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

COUNCIL ANNOUNCEMENTS:

COUNCILMAN BRUNING: Councilman Bruning announced that this last week he attended the swearing in of four new police Officers.

COUNCILMAN GOODLANDER: Councilman Goodlander reported that the Library served just under 30,000 people in July which is a new record for the Library.

COUNCILMAN KENNEDY: Councilman Kennedy commented on a recent editorial in the Coeur d'Alene Press that stated the City is being fiscally irresponsible. He believes that the writer of the editorial does not understand state law and city budgets in that they recommended the City take the funds for parks to pay for more Police Officers, which is not allowed by State Law. After having to explain and correct the misinformation written in the editorial to several residents he requested that the Coeur d'Alene Press writers become more responsible in researching their facts before writing editorials.

COUNCILMAN HASSELL: Councilman Hassell noted that the Council budget workshop was televised live and will be replayed.

APPOINTMENTS - PARKING COMMISSION AND DESIGN REVIEW

COMMITTEE: Motion by Kennedy, seconded by Goodlander to reappoint Jim Duncan and Jim Elder to the Parking Commission and to appoint Lynn Morris as an alternate to the Design Review Committee. Motion carried.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel announced that Lowe's Heroes Volunteer Program chose to assist the City's Code Enforcement unit. Lowe's donated a supply of much needed items that were used by Code Enforcement Officer Scott Dinger to organize a work group who used the supplies to repair a home. She thanked Lowe's for their commitment to helping neighbors through alliances with organizations such as this. She congratulated Fire Captain Lee Holbrook for receiving the American Legion Firefighter of the Year award. Mrs. Gabriel announced that on

August 9th a work party is being organized to help construct the disc golf course at Cherry Hill. Dedication of the new Sunshine Meadows Park will be held on Aug 9th at 1:00 p.m. The August Film Festival will be shown at the Library starting August 6th. With Fire Danger levels high during the month of August, she reminded residents that in our open spaces no fires are allowed such as Tubbs Hill and Canfield Mountain and also that smoking is prohibited in these designated areas. She announced that the City is now accepting credit card payments for utility bills. The preliminary budget will be posted on the City's web page and the City will be accepting public comments through the web site or during public comments at the Council meetings on August 19th or Sept 2nd.

PUBLIC HEARING - A-3-08 - ANNEXATION/ZONING OF RIVERSTONE WEST PROPERTY NEAR THE INTERSECTION OF BEEBE ROAD: Mayor Bloem announced the rules of order for this public hearing. John Stamsos, Senior Planner, gave the staff report.

Mr. Stamsos reported that Riverstone West, LLC is requesting annexation and a C-17 zoning for an approximate 15,625 sq. ft. parcel located south of Tilford Lane, north of the Centennial Trail and west of Beebe Road.

Mr. Stamsos noted that the council approved their request for consideration of annexation on February 19, 2008 and on June 10, 2008 the Planning Commission recommended approval of the requested zoning. He went on to give the staff analyses for land use, comprehensive plan, zoning, utilities, traffic and streets.

He noted that the Planning Commission recommended that the annexation agreement provide that the applicant submit an application to include this subject property into the Riverstone West PUD within six months after Council approval of the annexation.

On July 18, 2008, 73 notices of this public hearing were mailed to all property owners within 300' of the subject property and a total of 2 responses were received - both neutral to the issue. Written comments were distributed for Council consideration.

Councilman McEvers asked if something could be done on this property that could not be done in the PUD. Mr. Stamsos responded that the owner probably could not do anything that was not allowed by the PUD.

PUBLIC COMMENTS: Harold Hocker, 1413 E. Spokane Ave., does not understand what is in the PUD area. Mr. Stamsos explained what is proposed for the PUD area includes a couple of office buildings, a proposed fitness center and a mix of residential, commercial areas. Mr. Hocker commented that with a building height of 165' it throws the area off kilter with residential homes next to tall buildings.

MOTION: Motion by Hassell, seconded by Kennedy to approve the requested annexation with a C-17 zoning, to adopt the Findings and Order of the Planning Commission and to direct staff to negotiate an annexation agreement including the

recommended condition of the Planning Commission. ROLL CALL: Bruning, Aye; Goodlander, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Hassell, seconded by McEvers to enter into Executive Session as provided by I.C. 67-2345 §C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property, which is not owned by a public agency.

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

The session began at 7:55 p.m. Members present were the Mayor, City Council, Deputy City Administrator and City Attorney.

Matters discussed were those of property acquisition. No action was taken and the Council returned to their regular meeting at 8:10 p.m.

ADJOURNMENT: Motion by Hassell, seconded by Kennedy that, there being no further business for the Council, this meeting be adjourned. Motion carried.

The meeting recessed at 8:10 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, CMC
City Clerk