

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
August 17, 2010**

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 August 17, 2010 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

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

INVOCATION was let by Pastor Ron Hunter, Church of the Nazarene.

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

PRESENTATIONS:

IRONMAN RECOGNITION: Coeur d'Alene Ironman Race Director Mac Cavasar presented plaques to the City's Street, Parks, Police and Fire Departments as well as to the City Clerk for all their work in making this year's race such a success.

DEPLOYMENT BRIEFING: Lieutenant Colonel Darren Blagburn, Commander of the 116th Cavalry Brigade Combat Team of the National Guard reported on the deployment of his battalion and how the community can be involved.

WATER CONSERVATION UPDATE: Water Superintendent Jim Markley reported on how the City has conserved water and provided tips to residents on how they can save water including xeriscape landscaping, not overwatering lawns (every other day watering), regularly checking residential irrigation systems and watering during evening or night hours.

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

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

1. Approval of minutes for August 3, 2010.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, August 23rd at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 10-031: 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 EXTENSION OF RIVERSTONE POND AGREEMENT; CHANGE

ORDER NO. 1 FOR WWTP PHASE 5B CONSTRUCTION; CDBG FUNDING AGREEMENT WITH WHITEWATER DEVELOPMENT; PURCHASE AND INSTALLATION AGREEMENT FOR ANNIE/PRAIRIE WELL SWITCHES; AND BID AWARD AND CONTRACT WITH GRACE TREE SERVICE FOR PARK TREE MAINTENANCE

4. RESOLUTION 10-033: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING A NOTICE OF TIME AND PLACE OF PUBLIC HEARING OF THE PROPOSED AMENDED BUDGET FOR FISCAL YEAR 2009-2010, AND INCLUDING PROPOSED EXPENDITURES BY FUND AND/OR DEPARTMENT, AND STATEMENT OF THE AMENDED ESTIMATED REVENUE FROM PROPERTY TAXES AND THE AMENDED TOTAL AMOUNT FROM SOURCES OTHER THAN PROPERTY TAXES OF THE CITY FOR THE ENSUING FISCAL YEAR AND PROVIDING FOR PUBLICATION OF THE SAME.

WHEREAS, it is necessary, pursuant to Idaho Code 50-1003, for the City Council of the City of Coeur d'Alene, prior to passing an Amended Annual Appropriation Ordinance, to prepare a proposed amended Budget, tentatively approve the same, and enter such proposed amended Budget at length in the journal of the proceedings; NOW,

THEREFORE,

BE IT RESOLVED, by the Mayor and City Council of the City of Coeur d'Alene, that the following be and the same is hereby adopted as an Amended Estimate of Expenditures and Anticipated Revenue of the City of Coeur d'Alene for the fiscal year beginning October 1, 2009:

GENERAL FUND EXPENDITURES:

Mayor and Council-----	\$	197,594	
Administration-----		489,105	
Finance Department-----		753,944	759,644
Municipal Services-----		1,285,906	
Human Resources-----		237,634	
Legal Department-----		1,320,488	1,370,488
Planning Department-----		520,422	535,422
Building Maintenance-----		391,436	399,336
Police Department-----		9,200,045	9,285,698
Byrne Grant-----		0	102,874
Byrne Grant Equipment-----		87,343	668,016
COPS Grant-----		0	150,000
K.C.J.A. Task Force-----		51,640	151,140
ADA Sidewalks-----		221,446	
Fire Department-----		6,774,548	
General Government-----		163,250	300,250
Engineering Services-----		1,079,341	1,408,652
Streets/Garage-----		2,156,686	2,261,686
Parks Department-----			1,609,820
Recreation Department-----		740,302	778,462
Building Inspection-----		833,420	

TOTAL GENERAL FUND EXPENDITURES: \$28,114,370 \$29,821,141

SPECIAL REVENUE FUND EXPENDITURES:		
Library Fund-----	\$1,185,698	1,192,698
Community Development Block Grant-----	304,576	
Impact Fee Fund-----	830,000	
Parks Capital Improvements-----	227,000	304,000
Annexation Fee Fund-----	200,000	
Insurance / Risk Management-----	201,243	251,243
Cemetery Fund-----	238,674	358,674
Cemetery Perpetual Care Fund-----	98,500	
Jewett House-----	17,100	
Reforestation-----	2,500	8,500
Street Trees-----	41,500	56,500
Community Canopy-----	1,000	
Arts Commission-----	6,600	
Public Art Funds-----	73,000	195,000
Kootenai Metropolitan Planning Org-----	650,000	
TOTAL SPECIAL FUNDS:	<u>\$4,177,391</u>	<u>\$4,474,391</u>

ENTERPRISE FUND EXPENDITURES:		
Street Lighting Fund-----	\$ 555,571	655,571
Water Fund-----	5,910,257	
Wastewater Fund-----	21,910,819	
Water Cap Fee Fund-----	416,240	
WWTP Cap Fees Fund-----	1,026,993	
Sanitation Fund-----	3,116,772	
City Parking Fund-----	173,957	190,957
Stormwater Management-----	1,388,882	<u>1,438,882</u>
TOTAL ENTERPRISE EXPENDITURES:	<u>\$34,499,491</u>	<u>\$34,666,491</u>

FIDUCIARY FUNDS:-----	2,784,500	
STREET CAPITAL PROJECTS FUNDS:	2,000,000	3,034,000
2006 GO BOND CAPITAL PROJECT FUND:-	0	48,833
DEBT SERVICE FUNDS:-----	2,153,383	<u>2,640,383</u>
GRAND TOTAL OF ALL EXPENDITURES:	<u>\$73,729,135</u>	<u>\$77,469,739</u>

BE IT FURTHER RESOLVED, that the same be spread upon the Minutes of this meeting and published in two (2) issues of the Coeur d'Alene Press, seven (7) days apart, to be published on August 25, 2010 and September 1, 2010.

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget be held on the 21st day of September, 2010 at the hour of 6:00 o'clock p.m. on said day, at which time any interested person may appear and show cause, if any he has, why the proposed amended Budget should or should not be adopted.

5. Approval of bills as submitted and on file in the Office of the City Clerk.

6. SS-6-10 – Approval of final plat for The Condos at Mill River, amended, Buildings 5B and 6B.
7. Approval of cemetery niche repurchase from Clyde Mutch and Hermine Frank

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

COUNCIL COMMENTS:

COUNCILMAN MCEVERS: Councilman McEvers asked about the election contest on last November's Election. Councilman Kennedy noted that it is going to trial in September.

MAYOR BLOEM: Mayor Bloem presented Police Chief Longo with a plaque in appreciation for his heroic efforts in capturing a felony suspect. Deputy Administrator Jon Ingalls presented Chief Longo with a letter of Commendation for his efforts in the foot pursuit of this felon who, it was discovered when he was finally apprehended, had a loaded gun in his possession during the chase.

Mayor Bloem announced that the City received an award from the Census Bureau for the high level of response to the census by our citizens and thanked City staff members Sean Holm, Debbie Frisbie and Victoria Bruno for their efforts in making the city's 2010 census a success.

COMMITTEE APPOINTMENTS: Motion by Edinger, seconded by Kennedy to appoint student representatives and student alternates, respectively, to the following committees: Colton Robertson and Kaitey Mosgrove to Arts Commission, Tiana Simmons and Alyssa Yarbrough to CDA TV Committee, Chelsea R. Longley and Jennifer Schuman to Childcare Commission, Chiamaka Ikefuna and Ashley Haynes to Library Board, Brooke Fackenthall and Tangie Lyons to Parking Commission, Kierstie Shellman and Devan Karsann to Ped/Bike Adv. Committee, Jacob Garringer and Jennifer Kiesewetter/Aubrey Neal to Planning Commission, Mitchell Shellman and Ben Wooley to Recreation and Parks Comm., and Sam Wagner and Nickolas Radobenko to Urban Forestry Committee. Motion carried.

ADMINISTRATOR'S REPORT: Deputy City Administrator Jon Ingalls reported that work continues on the 15th Street and Harrison Avenue Signalization Project and we anticipate traffic open again this Friday. Improvements include the new signal, stormwater mains, new sidewalks and curbing, and the reconstruction of the road surface. For more information, please call Chris Bates at 769-2228 or Dennis Grant at 769-2398. The City of Coeur d'Alene has closed a portion of Nettleton Gulch Road for a water main replacement project. Eastbound vehicles are being detoured at 19th Street and westbound vehicles at Maple Leaf Road. Local access will be maintained. The street should be reopened by 5:00 p.m. on September 10th. For more information, please contact the Water Department at 769-2210. In August, 1910, wildfires consumed 3 million acres of forests in north Idaho and Montana, killed 85 people, and burned hundreds of structures, including more than a third of the city of Wallace. Mr. Ingalls announced the various programs at the Coeur d'Alene Public Library being offered throughout the month of August. He thanked the beach staff for working diligently to keep the beach safe and enjoyable place that it is. Recognizing the need for emergency services training, North Idaho College partnered with the Coeur d'Alene Fire Department in 2007 to establish emergency services training courses. Contact NIC or CDA Fire for more information. Sid Fredrickson, Wastewater Superintendent, will be doing a presentation to the City Council regarding the city's challenge to Washington State's TMDL requirements at the September 7th council meeting. The

Independence Point parking lot is testing two new electronic pay stations which accept Visa and Master Card payments as well as coins and dollar bills. On Monday, September 6th at noon, the city's first off-leash dog park will be opened. A barbeque is being planned for the opening day and fun is on the agenda for people and their dogs. The Parks & Recreation Commission chose "Central Bark" as the name of the dog park. The City of Coeur d'Alene held an Education Corridor Open House on August 11th. 73 people signed in, with 47 comment sheets submitted to date, with the comment period being open until August 18th. At the end of the comment period, the consultants will summarize the comments and submit the summary, sign in sheets and comments to the city staff, in advance of the August 26th Steering Committee meeting. The Building Services Department now offers contractors the ability to apply and pay online with a credit card for residential plumbing and mechanical permits as well as residential plan review fees for online submittals. The City completed the Idaho Surveying and Rating Bureau's Building Code Effectiveness Grading Schedule Questionnaire. Many of the insurers will use the Building code Effectiveness Grading Classification as a basis for the credits used. The potential ratings are classes 1 – 10 where one is the best. The City's rating is a 4 which should result in insurance savings for our citizens. School District #271 is conducting an election on August 24th for the Kootenai Technical Education Campus. The city's 79 page 2010-2011 fiscal year financial plan has been posted to the City's website. The City will be hosting an Environmental Open House on September 9th from 3:00 p.m.-6:00 p.m. at the Library Community Room. There are a lot of Chief's of Police in the country, but none are better runners than our Chief Longo. His foot pursuit from Tire-Rama to behind Carl's Jr. to Hastings was a mere mile.

ORDINANCE NO. 3390
COUNCIL BILL NO. 10-1016

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 5.08.160(B) TO CHANGE ON PUBLIC PROPERTY TO IN ANY PUBLIC BUILDING; SECTION 4.05.110, 4.10.030, 4.10.090, 4.10.100, AND 4.10.120 TO REMOVE "AND CEMETERY"; SECTION 4.30.010 TO CORRECT A SCRIVENERS ERROR; SECTION 4.15.050 TO CHANGE PM TO AM; SECTION 4.05.030 TO CORRECT THE LEGAL DESCRIPTION; SECTION 10.40.030 TO CORRECT A SCRIVENERS ERROR; AND SECTION 15.32.040 TO CHANGE INFORMATION TO INSURANCE; 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.

Motion by Edinger, seconded by Kennedy to pass the first reading of Council Bill No. 10-1016.

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

Motion by Goodlander, seconded by McEvers to suspend the rules and to adopt Council Bill No. 10-1016 by its having had one reading by title only.

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

PUBLIC HEARING – SALE OF SURPLUS REAL PROPERTY LOCATED AT THE COMPOST FACILITY: Mayor Bloem read the rules of order for this public hearing. Finance Director Troy Tymesen gave the staff Report.

Mr. Tymesen reported that the City's General Fund is the owner of this property and it was not acquired with any designated funds, per State Statute Title 50 chapter 14, the City can liquidate real property by declaring the property surplus and setting a public hearing. The City is not required to appraise the property, and if it is deemed appropriate may establish a minimum price. After the public hearing the City can liquidate the property at a public auction to the highest bidder.

Mr. Tymesen explained that the liquidation of this property would generate capital for the General Fund. The use of the funds has not been determined; however, the one time real property sale income would not support ongoing wages and benefits. It is suggested that a minimum price be set with staff assistance.

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

RESOLUTION NO. 10-032

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY AS SURPLUS PROPERTY WITH A MINIMUM BID AMOUNT AND DIRECTING CITY STAFF TO PREPARE THE PROPERTY FOR SALE, SET AN AUCTION DATE AND NOTIFY THE PUBLIC OF THE AUCTION DATE.

Motion by Kennedy, seconded by Bruning to adopt Resolution 10-032.

ROLL CALL: Goodlander, Aye; Kennedy, Aye; Bruning, Aye; McEvers, Aye; Edinger, Aye; Hassell, 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; and § 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. The mere presence of legal counsel as executive session does not satisfy this requirement.

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

The session began at 7:20 p.m. Members presented were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney.

Matters discussed were those of litigation, and property acquisition. No action was taken and the Council returned to regular session at 7:59 p.m.

ADJOURNMENT: Motion by Kennedy, seconded by Goodlander that, there being no further business before the Council, this meeting is adjourned. Motion carried.

The meeting recessed at 7:59 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
City Clerk