

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL,
DECEMBER 2, 2003**

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 December 2, 2003 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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| Chris Copstead |) | Members of Council Present |
| Deanna Goodlander |) | |
| Woody McEvers |) | |
| Loren Edinger |) | |
| Ben Wolfinger |) | |
| Dixie Reid |) | |

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

INVOCATION: The invocation was led by Reverend Ron Hunter from the Church of the Nazarene.

PLEDGE OF ALLEGIANCE was led by Councilman Edinger.

PRESENTATION: LIBRARY ANNUAL REPORT: Julie Meier, Library Director, introduced Russ Patterson, the Library's interpreter for the deaf, and David Townsend, the Library's Public Relations Coordinator. Mr. Patterson announced the Library's new program called "Signing Babies". Julie Meier reviewed the purpose and function of the Library and their activities over the past year. The staff of the Library and some young patrons then entertained the Council with a few Christmas songs.

PRESENTATION: LIFE SAFETY ACHIEVEMENT AWARD: Deputy Fire Chief Dan Cochran, accepted the Life Safety Achievement Award from the Residential Fire Safety Institute on behalf of the Coeur d'Alene Fire Department for their work in fire prevention including that no civilian-fire related deaths occurred this past year.

PUBLIC COMMENTS:

CHERRY HILL LANDSCAPE ARCHITECT: Mike Wytychak spoke in support of the Council approving a landscape architect contract for Cherry Hill. Motion by Copstead, seconded by Edinger to bring this item forward from the agenda. Motion carried.

RESOLUTION 04-017

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN AGREEMENT FOR REVISIONS TO THE CHERRY HILL MASTER PLAN IN AN AMOUNT NOT TO EXCEED NINE THOUSAND FIVE HUNDRED DOLLARS (\$9,500.00) WITH ABBOTSWOOD DESIGN GROUP ITS PRINCIPAL PLACE OF BUSINESS AT 11353 TRAFALGAR STREET, HAYDEN LAKE, IDAHO 83835.

Motion by Copstead, seconded by Reid to adopt Resolution 04-017.

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

CONSENT CALENDAR: Motion by Reid, seconded by Wolfinger to approve the Consent Calendar with removal of Item 5 as listed on the agenda.

1. Approval of minutes for November 18, 24, 2003.
2. Setting the Public Works Committee meeting for Dec. 8, 2003 at 4:00 p.m.
3. RESOLUTION 04-006: 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 APPROVAL OF ADDENDUM NO. 1 TO THE SIMPLEXGRINNEL CONTRACT FOR CROSS CONNECTION SURVEY PURSUANT TO RESOLUTION NO. 03-067 ADOPTED THE 1ST DAY OF JULY, 2003; AND APPROVAL OF S-4-03 ACCEPTANCE OF IMPROVEMENTS FOR LEGACY PLACE WITH MAINTENANCE AND WARRANTY AGREEMENT WITH SECURITY.
4. Approval of amended plat for Legacy Place.
5. Approval of beer license for Prims Smoke Shop at 215 Sherman Avenue
6. Setting of public hearing for Stormwater Utility for January 20, 2003.
7. Setting of Public Hearings for amending city fees and franchise agreement with Adelphia Cable for January 6, 2004
8. Approval of purchase of vehicle for Deputy Fire Chief

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

PUBLIC HEARING – ICDB GRANT FOR ENHANCEMENTS TO 4TH STREET FROM ANTON AVENUE TO TIMBER LANE: Mayor Bloem read the rules of order for this public hearing. Jim Deffenbaugh, Panhandle Area Council, gave the staff report.

Mr. Deffenbaugh presented the proposed application for an Idaho Community Development Block grant for roadway improvements on 4th Street between Anton

Avenue and Timber Lane. He noted that part of this grant is to provide for two public hearings with tonight being the first public hearing and another public hearing being held halfway through construction to provide a status of construction activities. He noted that Costco Wholesale Warehouse has agreed to collaborate with the City of Coeur d'Alene in regard to the proposed grant by hiring employees of which 51% shall be low to moderate income, which helps to alleviate both the unemployment and poverty rates. The estimated project cost is \$800,000 and the grant is requesting approximately \$400,000, not to exceed \$500,000. The City's portion will be divided with \$150,000 for in-kind services and \$150,00 in cash.

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

Motion by Goodlander, seconded by Edinger to approve the Mayor's signing of the grant application and to authorize staff to submit the grant application as presented for use on roadway improvements on 4th Street from Anton Avenue to Timber Lane. Copstead, Aye; Edinger, Aye; Goodlander, Aye; McEvers, Aye; Reid, Aye; Wolfinger, Aye. Motion carried.

RESOLUTION 04-018

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A GRANT ASSISTANCE AGREEMENT WITH COSTCO WHOLESALE CORPORATION FOR IDAHO COMMUNITY BLOCK GRANT FUNDING.

Motion by Goodlander, seconded by Edinger to adopt Resolution 04-018.

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

RESOLUTION 04-019

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTING A CITIZEN PARTICIPATION PLAN AS A REQUIRED CONDITION OF APPLYING FOR AN IDAHO COMMUNITY DEVELOPMENT BLOCK GRANT FOR ASSISTANCE IN PROVIDING HOUSING TO LOW AND MODERATE INCOME HOUSEHOLDS.

Motion by Goodlander, seconded by Edinger to adopt Resolution 04-019.

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

WINTER FLU SEASON: Councilman Wolfinger noted that the flu season is upon us and urged residents to obtain their flu shots as soon as possible.

DOWNTOWN ASSOCIATION THANKED: Council President Reid expressed her appreciation and thanks to the Downtown Association for the celebrations this past Friday including the Christmas parade and lighting ceremony. She also encouraged residents to explore all the fun activities planned in the Downtown area during this holiday season.

HAGADONE CORPORATION THANKED: Councilman Edinger expressed his thanks to the Hagadone Corporation for the great fireworks display flowing the lighting ceremony.

LIBRARY STAFF THANKED: Councilman Goodlander expressed her appreciation of the dedicated staff and volunteers at the Library who are working under such adverse conditions.

STREET MAINTENANCE DEPARTMENT THANKED: Councilman McEvers expressed his appreciation for the Street Maintenance Department and the excellent job they have done picking up the leaves this fall and the dollars they have saved the community. Council President Reid also noted the wonderful job the Street Maintenance Department has done in plowing the snow from our City streets especially after the last three back-to-back snowstorms that occurred in November. She also thanked the Parks Department for assisting the Streets Maintenance Department in maintaining our streets during these storms.

EXECUTIVE TEAM REPORT: Julie Meier, representing the Executive Team, announced the Street Maintenance Department would like to thank our citizens for their cooperation during the annual leaf pick operation. The leaf disposal bill totaled \$10,799.57 for 360 tons of leaves taken to the County's transfer site. The county mulched the leaves for reuse as a ground cover product. Zero leaves went to the landfill. About 450 tons were worked into the soil at future Cherry Hill Park. Winter is upon us, and while our Street Department works hard and does a good job, she asked residents to yield to plow trucks operating with strobe lights on. In this month's Issue of "Speaking of Fire," a National Fire Service publication, Captain Knapp and Firefighters Tosi and Pichette will be featured in a photograph in their section for Fire Service Management. The 2003 State of the City Speech will be held at the Coeur d'Alene Chamber Upbeat Breakfast on Tuesday, December 9th, at approximately 7:00 a.m.

WIF GRANT - SEAWALL LAUNCH DOCK: Motion by Copstead, seconded by Wolfinger to approve authorizing staff to submit an application for a 2004 Waterways

Improvement Fund grant to replace the 3rd Street launch dock adjacent to the seawall.
Motion carried.

LWCF - 2005: Motion by Copstead, seconded by Wolfinger to authorize staff to apply for matching grants from the Land and Water Conservation Fund in preparation of the funds being available in 2005 for the City property north of Davis Park subdivision also referred to as the Northwood Park site. Motion carried.

ROCK ART: Elizabeth Garland, Chairman of the Arts Commission, stated that the Art Commission endorses the recommendations of the Selection Committee to approve the ten designs for granite benches. It was noted that the artists should be completed with their portion of the artwork by early spring. Motion by Wolfinger, seconded by Copstead to approve the ten proposed designs for the granite boulders as recommended by the Selection Committee and authorize staff and artists to proceed with the project. Motion carried.

ORDINANCE NO. 3151

AN ORDINANCE REPEALING TITLE 8.08 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE , KOOTENAI COUNTY, IDAHO, WHICH PROVIDES FOR PUBLIC NUISANCE AND ADDING A NEW TITLE 8.08 PROHIBITING, WEEDS, BRUSH, TREES AND OVERGROWN CONDITIONS ON PRIVATE LANDS AND LANDS ADJACENT TO PUBLIC WAYS, DEFINING TERMS, DECLARING WEEDS, BRUSH PILES AND OVERGROWN CONDITIONS UNLAWFUL, AUTHORIZING INSPECTION OF PREMISES, PROVIDING FOR NOTICE AND RESPONSIBILITY OF PROPERTY OWNER/AGENT OR OCCUPANT TO ABATE VIOLATIONS, PROVIDING COST RECOVERY, PENALTIES FOR VIOLATIONS, PROVIDING FOR APPEALS, AUTHORIZING CITY ABATEMENT AND COLLECTION COSTS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Wolfinger, seconded by McEvers to pass the first reading of Ordinance No. 3151.

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

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3151 by its having had one reading by title only.

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

ORDINANCE NO. 3159

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM LM TO C-17L, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: LOTS 3 AND 4, BLOCK 1, COMMERCE PARK OF COEUR D'ALENE, SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Edinger, seconded by Wolfinger to pass the first reading of Ordinance No. 3159.

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

Motion by Edinger, seconded by Wolfinger to suspend the rules and to adopt Ordinance No. 3159 by its having had one reading by title only.

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

EXECUTIVE SESSION: Motion by Reid, seconded by Copstead to enter into Executive Session as provided by I.C. 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: Goodlander, Aye; Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye. Motion carried.

The session began at 7:27 p.m. Members present were the Mayor, City Council, City Administrator, City Attorney and staff.

Matters discussed were those of personnel matters, labor negotiations, property acquisition and legal issues. No action was taken and the Council returned to regular session at 9:40 p.m.

ADJOURNMENT: Motion by Wolfinger, seconded by Goodlander to recess this meeting to December 4, 2003 at 5:00 p.m. for a joint Council/Planning Commission Workshop. Motion carried.

The meeting recessed at 9:41 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk