

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

February 3, 2015

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 February 3, 2015 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Woody McEvers) Members of Council Present
Steve Adams)
Dan Gookin)
Kiki Miller)
Amy Evans)

Loren Ron Edinger) Member of Council Absent

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

INVOCATION: An invocation was provided by Pastor Robert Sundquist, from Christ the King Church.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilmember Adams.

CONSENT CALENDAR: **Motion** by Miller, seconded by Adams to approve the consent calendar.

1. Approval of Council Minutes for January 20, 2015.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for February 9, 2015 at 12:00 noon and 4:00 p.m. respectively.
4. Approval of a Beer/Wine License for Mid City Pub; located at 816 N. 4th Street; Thomas and Teresa Capone (New)
5. Approval of a Beer/Wine License for Tesoro; located at 198 W. Ironwood Drive; Rania Dahabreh, Ehab Dahabreh and Mary Munger (Transfer)
6. **Resolution No. 15-005** 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 AN AGREEMENT WITH BBC CONSULTING, INC. FOR THE 2015 HOUSING NEEDS ASSESSMENT AND ANALYSIS OF IMPEDIMENTS; APPROVING THE DONATION OF SURPLUS HANDGUN HOLSTERS TO THE NORTH IDAHO COLLEGE PATROL ACADEMY; APPROVING AN EQUIPMENT LOAN AGREEMENT WITH KOOTENAI COUNTY

FIRE AND RESCUE; APPROVING A MEMORANDUM OF AGREEMENT FOR THE 2012 SPOKANE RIVER REGIONAL TOXIC TASK FORCE; AND APPROVING A SECOND AMENDMENT TO LEASE AGREEMENT WITH AT&T.

7. Approval of a Beer/Wine License for Tesoro; located at 2301 E. Sherman Avenue; Rania Dahabreh, Ehab Dahabreh and Mary Munger (Transfer)

ROLL CALL: Gookin Aye; Adams Aye; Miller Aye; McEvers Aye. **Motion Carried.**

COUNCIL ANNOUNCEMENTS:

Councilmember Miller announced that the Vision 2030 group will host an open house with the Four Corners/BLM Corridor Master Planning group on February 25, 2015 at 6:00 p.m. in the Library Community Room. Additionally, the joint school/library exploratory committee will be meeting soon to discuss their findings regarding the alternatives of a joint public school/public library project. Of special note, her son is singing the National Anthem at tonight's Lake City High School Varsity basketball game and she is very proud.

Councilmember Gookin wished his son Simon a happy birthday today.

Mayor Widmyer stated that Heather Bowlby is retiring from the Planning Commission which she has served on for 20 years. He thanked her for her service to the City. He announced that the Planning Commission will now have two openings for Commissioners and encouraged citizens to submit their application to serve on that committee.

Mayor Widmyer asked for confirmation of the appointment of Tom Ball to the Urban Forestry Committee.

MOTION: Motion by McEvers, seconded by Gookin to approve the appointment of Tom Ball to the Urban Forestry Committee. **Motion Carried.**

AWARD OF BID FOR THE PURCHASE OF 2 STREET SWEEPERS TO CLYDE/WEST

STAFF REPORT: Street Superintendent Tim Martin explained that the City held a bid opening on January 29, 2015. Five bids were received and after review of the bids he recommended the award of the bid to Clyde/West in the amount of \$351,930 with a 60 to 90 day delivery date. He stated that the bid process was very competitive and provided a good price for the vehicles. The drainage utility will purchase one sweeper, and the City will receive approximately \$88,000 from the Insurance pay out from the damaged sweepers, with the remaining cost of \$87,965 to be paid out of the Fund Balance.

MOTION: Motion by Gookin, seconded by McEvers to approve staff to proceed with the purchase of two (2) street sweepers from Clyde/West. **Motion carried.**

ZC-4-14; C-17 to R-3 FOR 3201 HUETTER ROAD

MOTION: Motion by McEvers, seconded by Evans to approve the Findings and Order for ZC-4-14; 3201 Huetter Road C-17 to R-3. **Motion carried.**

**COUNCIL BILL NO. 15-1002
ORDINANCE NO. 3502**

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 C-17 (COMMERCIAL AT 17 UNITS/ACRE) TO R-3 RESIDENTIAL AT 3 UNITS/ACRE), AND PLACING NO CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS: +/- 1.247 ACRE PARCEL AT 3201 HUETTER ROAD AND LEGALLY DESCRIBED AS A PORTION OF LOT 35, BLOCK 1 OF EDGEWATER AT MILL RIVER SECTION 8 & 9, 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; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by McEvers, seconded by Gookin to pass the first reading of **Council Bill No. 15-1002.**

ROLL CALL: Adams Aye; McEvers Aye; Gookin Aye; Miller Aye; Evans Aye. **Motion Carried.**

MOTION: Motion by McEvers, seconded by Gookin to suspend the rules and to adopt **Council Bill No. 15-1002** by its having had one reading by title only.

ROLL CALL: Adams Aye; McEvers Aye; Gookin Aye; Miller Aye; Evans Aye. **Motion carried.**

PUBLIC COMMENTS:

Roy Wargie, residing in Coeur d'Alene, stated that he is concerned about traffic near 21st and Coeur d'Alene Avenue. He understands that there have been Police patrols in the area but people are continuing to run the stop sign, some going full speed in a school zone. He recommended the City make it a four-way stop.

Ryan Crosby, residing in Coeur d'Alene, specifically within Riverstone, explained that he purchased his condo in 2011, and in April 2013 the wood fire pizza business opened which is below his residence. The business uses a wood burning oven that is vented approximately 10 feet from his residential window. While the oven is in use he cannot open his windows or use his patio. Often times there has been so much smoke that people have called the Fire

Department concerned that there is a fire. He has met with the owner and the Building Department and discussed his concerns. The Building Department staff witnessed the smoke and suggested he submit a complaint to the City, which he did in September 2014. His understanding was that the Legal Department was reviewing the matter and he has not heard back since that time. He clarified the mechanical code does not allow side venting if it creates a public nuisance. Mr. Crosby would like the city to hold John Stone and the business owner accountable for the violation of the Mechanical Code and require the chimney be moved to the top of the roof line. Mayor Widmyer asked if there was an agreement with the owner to move the exhaust. Mr. Crosby explained that bids were presented to the Riverstone Board, but there has been no movement forward. Mayor Widmyer stated that staff will look into it and contact him soon.

MOTION: Motion by Gookin, seconded by McEvers to enter into Executive Session as provided by Idaho Code 67-2345 § (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 Aye; Miller Aye; Gookin Aye; Adams Aye. **Motion Carried.**

The City Council entered into Executive Session at 6:24 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, and Wastewater Superintendent. Council returned to regular session at 7:17 p.m.

MOTION: Motion by Gookin, seconded by Adams to authorized legal staff to sign the Stipulation to Dismiss. **Motion carried.**

ADJOURN: Motion by Gookin, seconded by Evans that there being no other business this meeting be adjourned. **Motion Carried.**

The meeting adjourned at 7:17 p.m.

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, City Clerk