

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

May 17, 2016

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 May 17, 2016 at 5:15 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Loren Ron Edinger            ) Members of Council Present  
Dan Gookin                    )  
Kiki Miller                    )  
Woody McEvers                )  
Amy Evans                     )  
Dan English                    )

**CALL TO ORDER:** Mayor Widmyer called the meeting to order.

**INVOCATION:** Pastor Mike Slothower with River of Life Friends gave the invocation.

**PLEDGE OF ALLEGIANCE:** Councilmember McEvers led the pledge of allegiance.

**CDA 2030 VISIONING PROJECT UPDATE AND SPONSORSHIP REQUEST:** Ron Lahner, a CDA 2030 boardmember requested the City consider continue funding the CDA 2030 Visioning Project in this year's budget planning process in the continued amount of \$45,000. He noted that a forum such as 2030 provides a very important avenue for community engagement. As they set goals, they identify an issue and move forward with an implementation plan. He reviewed the deliverables and the number of volunteers involved in 2030. Mr. Lahner described the plan as a living document and reviewed the number of actions items completed. He noted that they are planning to continue summer events, such as the Kid's Camp, with a goal of serving 600 kindergarten through third graders. He reviewed the non-city funding sources that average 61% of their funds and noted that the City has contributed approximately \$145,000 to date and it would have cost \$400,000 for a private consultant to complete such a plan.

Councilmember Gookin asked if the non-city entities have committed to another year of funding. Ms. Kahler, CDA 2030 Executive Director, noted that the entities listed have provided funds over the past three years. The University of Idaho and Parkwood Business Properties have committed funds and they have several pending requests to other entities, as they have just begun the process for seeking funds this year. Councilmember Gookin asked what the end game is for 2030. Ms. Kahler explained that it would be when the goals and implementation plan are complete, unless the city/community would like to start another visioning process. Councilmember Miller asked for clarification of how they review the implementation plan. Ms. Kahler noted that they check in with the lead partners annually to see if revisions need to be

made, without losing the purpose set forth by the community. There is an application to add and delete goals that is reviewed by the board. Mayor Widmyer asked if Ms. Kahler would provide their draft budget to the Finance Director for distribution to the Council.

**LOCK IT OR LOSE IT:** Police Captain Hagar presented the “Lock it or Lose it” initiative. He noted that they will be kicking this campaign off in the next couple of weeks and throughout the summer. This is a police education effort for prevention of auto burglaries and thefts. The best prevention of auto crime is by simply locking the vehicle and removing keys and possessions from the vehicle. They will be putting the information out at the movie theaters and providing bookmarks at the Library, bus stops, billboard, etc. They are seeking out insurance companies to underwrite the costs.

**PROCLAMATION FOR BIKE TO WORK MONTH – JUNE 2016:** Trails Coordinator Monte McCully accepted the Proclamation and noted that there will be events throughout the community during Bike to Work Week (June 5-10, 2016). Events include a bike ride in costume event that leads bicyclists to area parks on a scavenger hunt, a kick-off ride from Riverstone Park to Java on Sherman; beer tasting and a movie at Pilgrims Market; a Centennial Trail fundraising gala at Java; and a moonlight ride starting at Vertical Earth. Visit [www.CDA.org/parks/biketoworkweek](http://www.CDA.org/parks/biketoworkweek) for more information and specific dates and times of events.

**CITIZEN APPRECIATION PRESENTATION:** Deputy Fire Chief Tom Greif, Firefighter Erik Loney, and Firefighter/Paramedic Eric Paul noted the importance of CPR and citizens assisting in emergencies. Deputy Greif explained that they encountered two incidents in which they wanted to give recognition to citizens who provided life-saving action prior to paramedics arriving on the scene. He presented the “Chain of Survival” that demonstrates how each item increases the chance of survival. Early action and CPR are the beginning of the chain. Deputy Greif presented recognition to Daylynn Day, Cheri McCormack, and Amanda Deeds for live saving measures provided to a citizen on December 14, 2016 at a local fitness facility. Additionally, he presented recognition for providing life saving measures on December 29, 2016 to Shawn Burke for an emergency that occurred at With Performance. The two patients would not have survived if it had not been for the efforts of these citizens.

**APPLICATION FOR TRANSPORTATION ALTERNATIVES PROGRAM GRANT FUNDING (TAP) FOR EAST SHERMAN PEDESTRIAN CROSSINGS:** Community Planning Director Hilary Anderson explained that this grant would fund three signalized intersections on East Sherman. As part of the East Sherman revitalization project planning, safety came up as a component and these signalized intersections would provide an added measure of safety for pedestrians. In July, they conducted a walking audit along East Sherman with 21 stakeholders. Ms. Anderson presented an example of rectangular rapid flash beacons (RRFB) which are a flashing sign that would be purchased with the grant funds. She proposed the RRFB to be located at 9<sup>th</sup>, 13<sup>th</sup>, and 21<sup>st</sup> Streets, which includes a school crossing at 9<sup>th</sup> Street. They have found that this increases drivers stopping by 80-90%. The grant request is for \$45,000, which would require a cash match of \$3,300.00.

Councilmember Gookin asked what account the cash match would come from. Ms. Anderson thought that it could be included in fiscal year 2016-2017 budget requests or out of the

professional services line item. Additionally, the City can select the fiscal year to utilize the funds, so if the City wanted to push it out to the following fiscal year they could. Mayor Widmyer noted that TAP grants are noticed as available in April, and then due within 5-6 weeks. Councilmember Miller said she looked at the plans for crosswalks and reviewed the audit, which recommended a high visibility ladder style crosswalk and use of high visibility paint. Ms. Anderson confirmed that they would include that style of crosswalk and would like to include a curb extension as well. Councilmember English expressed that this is a very cost efficient item.

**MOTION:** Motion by English, seconded by Evans to authorize staff to proceed with the TAP grant request process for the East Sherman Pedestrian Crossing. **Motion carried.**

**CONSENT CALENDAR:** **Motion** by Miller, second by McEvers, to approve the consent calendar.

1. Approval of Council Minutes for May 3, 2016 Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of the Public Works Committee Minutes for the May 9, 2016 Meetings.
4. Setting of General Services and Public Works Committees meetings for May 23, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Approval of a Cemetery Lot transfer from Joyce Barr of lots 229, 230; Block C; Section RIV, Forest Cemetery Annex.
6. **Resolution No. 16-026:** 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 S-5-14 – THE TRAILS 1ST ADDITION – APPROVAL OF FINAL PLAT, ACCEPTANCE OF INSTALLED INFRASTRUCTURE, MAINTENANCE / WARRANTY AGREEMENT, AND SECURITY; APPROVAL OF S-35-16 - LINK LANE TOWNHOMES – APPROVAL OF FINAL PLAT, SUBDIVISION AGREEMENT, AND SECURITY; APPROVAL OF AN AGREEMENT WITH THE BUOY, LLC, FOR FOOD CONCESSION AT THE MCEUEN PARK ROTARY HARBOR HOUSE; APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH J-U-B ENGINEERS, INC. FOR DESIGN AND CONSTRUCTION OF THE INTERSECTIONS OF N. MEDINA STREET - IRONWOOD DRIVE AND EMMA AVENUE - US 95; DECLARATION OF SURPLUS EQUIPMENT RELATED TO FIREBOAT 399 AND A 1991 CHEVY SUBURBAN; AND APPROVAL OF BID AWARD AND CONTRACT WITH T. LARIVIERE EQUIPMENT, INC. FOR THE 2016 OPEN TRENCH PROJECT.

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

## **PUBLIC COMMENTS:**

Susan Snedaker, CDA, noted that there was recently an issue regarding the tracking of conditions made by the Planning Commission within Bellerive regarding open space. She feels that conditions on different land use issues provide no consistency and are not recorded so they are not carried forward to new owners or enforced upon existing owners. She provided examples regarding required paving conditions that are never enforced. She believes that if the conditions were recorded as part of the deed/title it would be a way for the City to follow up on conditions.

Pat Kinny owns the food court at 510 Best Avenue. He provided the Council with proposed regulations based on the City of Portland's code as a basis for the City to use. He noted the grey water disposal section of the code, bathrooms, outside seating, etc.

Heather Riviere noted that she owns the Crepe mobile vending, and will be moving over to the Best Avenue food court. She provided written comments earlier. She noted that they are already compliant with Panhandle Health District codes. During their creation phase of the food truck, Panhandle Health District was the only place they could get direction on how to organize their space and seek compliance. She noted that she is pleased that the City is moving forward with clear and specific parameters. She requested that all codes be included in the ordinance so there are no "gotcha" moments to vendors. She is worried about the permits being established by a set time limit and requested information regarding cost.

Corky Myer, Coeur d'Alene, has noticed that the Parks and Recreation donor plaque at McEuen is only partially filled and some days it is clean and some days it is dirty. He suggested that more people would donate if the City put a sign up providing contact information of someone you could contact to donate, as well as contact information for the carousel project.

## **MAYOR AND COUNCIL COMMENTS:**

Councilmember Evans noted that the Arts Commission and Pedestrian Bicycle Committee put together an art in motion brochure showing where art is located so one can walk or cycle to each piece. They are looking for businesses to sponsor brochures. If interested, please contact the city at Sean Holm, Arts Commission Liaison at 676-7401. The Arts Commission has a call to arts out for a piece at the Riverstone Park pond. Additionally, they are working on a call for murals at the Sherman Avenue Square Park and the underpass where the Prairie and Centennial Trails converge. The piece entitled "Under the Rainbow" has been updated with wrapped cables and is much brighter. Currently there is one vacancy on Arts Commission. If interested, please complete the application located on the city web at <http://www.cdaid.org/files/Administration/ArtsCommissionComplete.pdf>.

**APPOINTMENTS:** **Motion** by McEvers, seconded by Edinger to approve the appointment of Joshua Gore to the Design Review Commission. **Motion carried**

## PRESENTATION OF THE PARKING STUDY

Mr. Tymesen noted that this study was an update to a previous study conducted by Rich and Associates and introduced Annaka Norris as the Planner/Project Manager for the study. Ms. Norris noted that their firm specializes in parking and that the previous study was done in 2007-2008. She noted that they like to see a City in control of 50% of the parking in a downtown area and the City of Coeur d'Alene is in control of 41%. They reviewed the current parking demand on a block-by-block basis, based on building inventory and on-street and off-street parking. The current demand for the overall study area indicated a surplus of 452 spaces. She explained that they focused on the core business area, where they determined that people are not going to walk to the City Hall parking but will walk to the McEuen parking area. So, as they looked the core business area, they found a deficit of 221 spaces. They based the study and conducted the review of the specific area referred to as the core area. She noted that special events are a different use and people are willing to walk much further during those events. They provided recommendations on how to deal with current and future issues. Recommendations included marketing to let people know where to park, and education, which can be as simple as a brochure. Ms. Norris encouraged the City to create a special event-parking plan, including the use of sandwich board signs, flyers and parking ambassadors. Parking signs are another key component to parking, such as directional/location signage; wayfinding; informational, and directions for use of pay stations. She specifically noted that recommendations for the McEuen lot include installation of five additional pay stations, and consideration to converting pay stations to pay-by-license plate, and converting parking enforcements to license plate recognition, and encouraged permits be available for purchase online by license plate. The pay by license plate and credit card provides an option to give text alerts if cell phone numbers are entered at the pay stations. Ms. Norris noted that our machines could be upgraded to add this option for cell phone notifications. She recommended having ambassadors utilized for the first two to three weeks of the implementation of a new parking system. Additional recommendations included the discouragement of private parking lots in the downtown area and the increase of parking enforcement to two part-time persons, and three during the peak season. She encouraged parking enforcement to follow multiple routes at multiple times and the use of hand held equipment to their full capacity and utilizing license plate numbers that will provide the tracking of shuffling, repeat offenders, etc. The finding included a recommendation to increase the fine schedule to include some courtesy tickets options. An additional suggestion is to create a method of funding the maintenance fund at \$25/space. New Parking suggestions include a parking structure, which would be an economic development tool to encourage development.

Councilmember McEvers asked how they would recommend management of boat launch parking on a computer. She noted that the one she has seen used the same system as the City of Coeur d'Alene has but had them in a different color so they stood out. Councilmember McEvers as what the experts think about enforcement ending at 6:00 p.m. Ms. Norris noted that in other towns enforcement extends later due to restaurant uses, so pushing it to 7:00 p.m. might discourage employee parking. Councilmember English commented that he is a consumer and on the Parking Commission, so when he looks at the map and see the red areas (demonstrating a parking deficit) are only a block or two from the McEuen parking facility, he believes the hassle factor and not enough machines, along with having to walk it back to their vehicle might be

discouraging the use of the McEuen facility. Mayor Widmyer noted that there is a current deficit in the core area and the only option to increase 221 spaces is to add decks to existing lots or tear down existing buildings for parking. Ms. Norris noted that the creation of a walkable area without surface lots benefits everyone, and are prime development locations. The way to bring parking into City control would be a structured parking facility that would satisfy development needs. Ms. Norris reviewed shared use parking throughout the downtown and noted that they are an important step. Councilmember Miller felt that the City would benefit from the use of entering license plates and use of the handhelds and asked if the Diamond managed parking lots were included in the study. Ms. Norris clarified that the privately owned lots managed by Diamond are not included in city controlled parking counts, as they can be sold and close at any time. Councilmember English noted that he attended the stakeholder meetings, and said that employee shuttles did not come up so he wondered if we have the population to support it. Ms. Norris explained that shuttle services have not worked very well as seen throughout the states and provided several examples of systems established but never used. Mayor Widmyer asked Ms. Norris which recommendation she would recommend the City focus on first. Ms. Norris recommended signage, but felt it might be tied with changes in the parking meters.

## **DISCUSSION REGARDING MOBILE VENDOR CODE PROPOSAL**

**STAFF REPORT:** Municipal Services Director Renata McLeod reviewed the history of the two years that staff has been researching mobile vendor codes. She noted that they have had stakeholders meetings and have provided e-mail updates seeking input throughout the process. Ms. McLeod explained the five categories of permitting proposed to be as follows:

- Class A: Permanent Mobile– a moveable unit, not permanently mounted on a foundation, but placed for more than 180 days at one location;
- Class B: Temporary Mobile Food/Beverage Concession - 180 days or less in one location, can move to another location under new permit throughout the year;
- Class C: Mobile Food Concession– no more than 15 minutes at any location;
- Class D: Temporary Mobile, Non-food Concessions– Sale of goods/services/other than food/beverage less than 180 days within calendar year; must be on commercial property;
- Class E: Special Event Concessions - No more than 3 consecutive days at one location, not more than 20 days in a calendar year.

Ms. McLeod reiterated that the City has been providing updates to the stakeholders as they become available and felt that it was important to get direction from the City Council before moving further along in code development.

**DISCUSSION:** Councilmember Edinger asked if there was a rush to complete this code. Ms. McLeod noted that there is not a rush; however, there are public safety concerns from staff that should be addressed sooner rather than later. Councilmember McEvers asked for clarification regarding change of use. Community Planning Director Hilary Anderson explained that the property owner generally initiates a change of use discussion with the City as they are seeking out what codes apply to their new use. She noted that there would be a complementary project review held on Thursday for a food court proposal for property located on Best Avenue. Councilmember McEvers asked if there would be any room for flexing codes to make the food court work. Ms. Anderson noted that there might be some planning-related codes that could flex; however, there will

be other departments, such as fire, that will not be able to flex their codes. Mayor Widmyer noted that the code should be fair and cover health and safety concerns. Ms. McLeod noted that staff sent out the draft code to 24 vendors and received six responses back; including one comment from the Spokane Food Truck Association stating that the code was awesome and they thanked the City. She noted that staff was looking for direction on seating, fencing, hours of operation, and Council's comfort level of movement of 500'. Councilmember Gookin stated that he believes that the code should be for food courts and not mobile vendors as the code tries to cover both, such as a site plan requirements being provided by a mobile vendor, which should really be required from the food court/property owner. He suggested that staff separate the code between those two categories. Fire Inspector Craig Etherton noted that the concept of the food courts has begun to build after staff started this process. Staff considered that mobile vendors can move; however, there are vendors that have been at their location for years, taking up permanent residence. Staff discussed how are they different from a latte stand that has been required to come in for a project review and meet current permanent use codes. He reiterated that they are not trying to push business out, but they do not fit within building and fire codes. Staff is trying to create a code to cover where current codes are lacking. Councilmember Edinger asked if the Fire Department does any current inspections. Inspector Etherton noted that they only inspect the vendors at special events. Councilmember Edinger asked if there would be a fee. Ms. McLeod noted that the fee would be set based on staff time involved, would cover those costs, and be an annual permit. She noted that current codes are available for permanent commercial uses such as a food court and it is a separate code. Staff will know more specifically what code development is needed for food courts after Thursday's meeting. Additionally, she clarified that staff needs to know if they are moving in the right direction.

Councilmember Edinger asked if there would be any harm if they tabled this item to the next Council meeting, to give time to staff to gather information from Thursday's meeting and report back to Council. Councilmember Miller wanted staff to look at the 180-day allowance and suggested that it should be a shorter period. She noted that if they are mobile, they should move sooner and if they are a food court they should be treated as permanent. Councilmember Gookin noted that the biggest issue at the stakeholder meeting was the 180-day constraint and he did not think the timeframe of the use was important. Staff has stated that the permanent use should be paying the sewer cap fees. If they are within the food court, the property owner would be responsible for the fees and it would not matter how long the mobile units are there. Councilmember Gookin felt that the City should not make the vendors responsible for improvements to the property, and suggested this could possibly be regulated through a special use permit. Ms. McLeod reiterated that there is no current code that allows the Fire Department to inspect the temporary mobile units. This means there may still be a need to have a code that provides staff tools for those areas currently lacking in code. Mr. Etherton provided an example of a mobile vendor that had a mobile unit custom built with a fryer unit; however, no one explained the need for a commercial hood and there was no code for him to require it, leaving an unsafe environment. He reiterated that he would like to have a code available to help provide direction to those calling in seeking our regulations. Councilmember McEvers said that he thinks that there are two different items trying to be regulated and that the property owner, through a mobile food court, should be regulated and possibly look at it as a zone in itself. Councilmember Gookin suggested there be several levels for a food court so that a court with one vendor could be simple compared to one with five vendors.

**MOTION:** Motion by Edinger, seconded by McEvers to bring this item back to the next Council meeting with additional information regarding food courts. **Motion carried** with Gookin voting no.

**RECESS:** The Mayor called for a 5-minute recess at 8:38 p.m. The meeting resumed at 8:49 p.m.

**Council Bill No. 16-1010  
Ordinance 3538**

AN ORDINANCE REPEALING SECTION 13.12.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ENTITLED "PRIVIES; RESTRICTIONS;" ADDING A NEW SECTION 13.12.010 OF THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ENTITLED "PORTABLE TOILETS; REGULATIONS;" PROVIDING REGULATIONS FOR THE LOCATION AND MAINTENANCE OF PORTABLE TOILETS; REQUIRING A PERMIT FOR THE USE AND PLACEMENT OF PORTABLE TOILETS, AND EXCEPTIONS TO THE PERMIT REQUIREMENT; PROVIDING DEFINITIONS OF RELEVANT TERMS; PROVIDING STANDARDS FOR THE LOCATION, ORIENTATION, AND SCREENING OF PORTABLE TOILETS; DECLARING PORTABLE TOILETS PLACED, USED, OR MAINTAINED IN VIOLATION OF THE PROVISIONS OF THE ORDINANCE TO BE A PUBLIC NUISANCE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

**STAFF REPORT:** Ms. Anderson noted that this item was discussed with Council in January and March with a public hearing at the Planning Commission in April. The proposed code is intended to preserve and protect the health, safety, and general welfare of persons and property within the City. She clarified permits would not be required for community uses, special events/private functions, construction projects and public use on public property. Permits would be required for commercial seasonal use (less than 180 days), and Ms. Anderson reviewed the application information required. There would be setbacks and porta potties would not be located within swales, and orientation away from residential areas and screening would be required.

**DISCUSSION:** Councilmember Gookin asked for clarity regarding use at public transit sites. Ms. Anderson noted that the intent was for the Riverstone site; however, the City could approve other transit sites. Councilmember McEvers asked if this would allow for permanent portable toilets. Ms. Anderson clarified that the maximum number of days the code allows on a site is 180 days and the exemptions, such as city parks, would be able to use it year round. Councilmember Gookin said that he does not think the use is classy, and when there is a restroom available, people would choose the restroom. Mayor Widmyer noted that he considers the season for Coeur d'Alene to be 90 days, and thinks the code should be shorter than 180 days. Councilmember McEvers felt that 180 days gives more wiggle room for the use. Councilmember Gookin felt that they should not have porta potties in downtown and asked if screening would be required at the beer garden. Ms. Anderson confirmed that porta potties



would have to be screened for all uses. Councilmember English felt that 180 days is two seasons and would recommend 120 days. Councilmember Miller agreed that 120 days was better than 180 days. Ms. Anderson reminded them that the permit would need to be approved by the City, so the City does have the option to deny permits. Councilmember Edinger agrees with Councilmember Gookin that he does not believe porta potties fit in Coeur d'Alene and should be limited to 90 days.

Motion by Edinger to amend the code to allow for 90 day rather than 180 days, died for lack of a second.

**MOTION:** Motion by Miller, seconded by English, to amend the code to allow for 120 day rather than 180 days.

**DISCUSSION:** Councilmember Gookin explained that he will oppose this code and does not like that the City exempts themselves from the code. Councilmember McEvers expressed that he would not vote for amendment, as he does not believe 120 days is not long enough. Councilmember Edinger asked how this code would affect vendors. Ms. Anderson explained that that the vendors would be allow apply for a porta potties permit and be regulated to 120 days.

**ROLL CALL:** English Aye; Edinger No; Miller Aye; McEvers No; Gookin No; Evans Aye. Motion carried with the Mayor voting in the affirmative.

**MOTION:** Motion by Evans, seconded by Miller, to pass the first reading of Council Bill No. 16-1010.

**ROLL CALL:** English Aye; Edinger Aye; Miller Aye; McEvers No; Gookin No; Evans Aye. **Motion carried.**

**MOTION:** Motion by McEvers, seconded by Gookin, to suspend the rules and to adopt **Council Bill 16-1010** by its having had one reading by title only.

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

**(QUASI-JUDICIAL HEARING) ZC-1-16: PROPOSED ZONE CHANGE FROM MH-8 TO R-12, 3045 N. FRUITLAND LANE, APPLICANT: GT, LLC.**

**STAFF REPORT:** Planner Mike Behary explained that the applicant has requested a zone change from Mobile Home at 8 units per acre to Residential at 12 units per acre. The property is a portion of a parcel fronting 3045 Fruitland Lane and is approximately .91 acres. He provided maps depicting the location of the property, surrounding zoning and land uses. The findings needed tonight include the following: that this proposal is or is not in conformance with the comprehensive plan policies; that the public facilities and utilities are or are not available and adequate for the proposed use; that the physical characteristics of the site do or do not make it suitable for the request at this time; and that the proposal would or would not adversely affect the

surrounding neighborhood with regard to traffic, neighborhood character and or existing land use. Mr. Behary reviewed the applicable Comprehensive Plan sections and staff input regarding the finding categories.

**DISCUSSION:** Councilmember Gookin asked if there were any concern with a residential zone being near the commercial zone. Mr. Behary noted there is some buffering of residential between the commercial zone.

Mayor Widmyer called for public comments and the Clerk conducted the oath for each of those testifying.

**APPLICANT:** Drew Ditman, noted that he is representing the applicant. He noted that the site is approximately one acre and is located a couple blocks north of Neider Avenue on Fruitland Lane. He applicant would like to do a pocket house project at that site. He noted that they received unanimous approval by the Planning Commission.

Public testimony was closed.

**MOTION:** Motion by McEvers, seconded by Edinger to approve ZC-1-16: Proposed Zone Change from MH-8 to R-12, 3045 N. Fruitland Lane, Applicant GT, LLC, and to make the necessary Findings and Order.

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

#### **(LEGISLATIVE HEARING) INTENT TO EXCHANGE REAL PROPERTY AND SET A MINIMUM VALUE FOR PROPERTY LOCATED AT 201 HARRISON AVENUE WITH LAND ABUTTING ATLAS AVENUE**

**STAFF REPORT:** Finance Director Troy Tymesen explained that this hearing is required under Idaho code. He noted that the old library is the parcel of land that is being proposed to trade with land abutting Atlas Avenue. At a February 2, 2016 Council workshop the Council deemed the property located at 201 Harrison Avenue as surplus and directed staff to move forward with the land trade of the property. St. Vincent de Paul has acquired land on Atlas Road, which is needed for the development of Fire Station No. 4. The price for the land trade was negotiated at an appraised value of \$525,000.

**DISCUSSION:** Councilmember McEvers asked for clarification regarding the value of the Harrison Avenue property at \$525,000 and the value of land on Atlas Road. Mr. Tymesen clarified that the cash plus the Atlas property land value would equal \$525,000. Councilmember Gookin asked if the City was required to do an appraisal of the lot along Atlas Road. Mr. Tymesen stated that they were not and that the rate paid was less than the going price for that property. Mayor Widmyer noted that the bottom line is the City is getting the appraised value for the H.E.L.P Center.

Mayor Widmyer called for public comments with none being heard. Public testimony was closed.

**RESOLUTION NO. 16-027**

**A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN EXCHANGE OF REAL PROPERTY WITH ST. VINCENT DE PAUL SALVAGE BUREAU, INC., D/B/A ST. VINCENT DE PAUL NORTH IDAHO, OF CITY PROPERTY LOCATED AT 201 E. HARRISON AVENUE FOR CERTAIN REAL PROPERTY OWNED BY ST. VINCENT DE PAUL SALVAGE BUREAU, INC., D/B/A ST. VINCENT DE PAUL NORTH IDAHO SITUATED IN THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, STATE OF IDAHO.**

**MOTION:** Motion by Miller, seconded by McEvers to approve the **Resolution No. 16-027**, approving a Land Exchange Agreement for the exchange of real property located at 201 Harrison Avenue with land abutting Atlas Avenue with St. Vince De Paul Salvage Bureau, Inc. DBA St. Vincent de Paul North Idaho.

**ROLL CALL:** McEvers Aye; Gookin No; Evans Aye; English Aye; Edinger Aye; Miller Aye.  
**Motion carried.**

**RECESS: Motion** by Edinger, seconded by McEvers to recess to Thursday, May 19, 2016 8:00 a.m. in the Old City Council Chambers located within City Hall at 710 E. Mullan Avenue, for a Fiscal Year 2016-2017 Annual Appropriation Budget Workshop. **Motion carried.**

The meeting adjourned at 9:42 p.m.

ATTEST:

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Steve Widmyer, Mayor

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Renata McLeod, CMC, City Clerk