

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT THE LIBRARY COMMUNITY ROOM  
June 19, 2012**

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 June 19, 2012 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Loren Ron Edinger                    ) Members of Council Present  
Woody McEvers                    )  
Deanna Goodlander                )  
Mike Kennedy                     )  
Steve Adams                        )  
Dan Gookin                         )

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

**INVOCATION:** The Invocation was led Pastor Paul VanNoy Candlelight Fellowship Church.

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

**PROCLAMATION – PARKS DAY CELEBRATION:** On behalf of Mayor Bloem, Councilman Kennedy read her proclamation declaring July 14, 2012 as Parks Day Celebration in our City. Katie Kosanke along with Bob Hallock and Jay Barnett, Parks Day Celebration Committee members, outlined the activities planned for that day.

**PUBLIC COMMENTS:**

**WATER DEPARTMENT INTRODUCTIONS:** Water Superintendent Jim Markley, introduced the new employees to the City's Water Department - Glenn Poelstra, Jason Hendricks, Bob Covey.

**HOSTILE WORK ENVIRONMENT:** Norm Gissel, 2630 Fernan Hill Road, congratulated the Mayor and three Councilmembers for surviving the recall petition process. He recalled a client he had represented in a hostile work environment suit. He urged the Council to consider that they have the affirmative duty that they do not harass staff.

**IRONMAN:** Mac Cavasar, Race Director of Coeur d'Alene Ironman, announced that the public can log onto [www.ironmancda.com](http://www.ironmancda.com) for information on street closures for the June 24<sup>th</sup> Ironman Event. He thanked city staff for being supportive of the Ironman Race. Councilman Kennedy asked if this is the first year the cyclists will be going south on U.S. 95, and asked what the traffic impact would be. Mr. Cavasar described the course which first goes to Higgens Point then back through town and onto U.S. 95 at the NW Blvd. on ramp. He noted that there will be no closures on Government Way and noted that U.S. 95 will not be closed but the speed limit on U.S. 95 will be lowered to 45 MPH during the bicycle portion of the race. He asked the public to not view the race along U.S. 95 as ISP will be ticketing those that stop along that portion of the course.

RECALL PETITION: Charlotte Gherke, 1308 Coeur d'Alene Ave., commented that she believes the recall has been a success and hopes that the teachers in our community use this recall process as a teaching tool for the students. She complained about Councilman Kennedy's actions at the last Council meeting. She asked if McEuen Park was \$40 million or \$14 million. Mrs. Gherke then asked if the \$14 million was for Phase 1. Mayor Bloem responded that there are no phases that we are building a park for approximately \$14 million and, in the future, groups could add amenities to the park either through donations, grants or the Parks Capital Improvement fund.

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

1. Approval of minutes for June 5, 2012.
2. Setting of General Services Committee and the Public Works Committee meetings for June 25, 2012 at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 12-022: 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 A FUNDING AGREEMENT WITH HUD FOR CDBG ENTITLEMENT FUNDING OF PLAN YEAR 2012; APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH KOOTENAI COUNTY FOR THE 2012 CENTENNIAL TRAIL SEAL COAT AND REPAIR PROJECT; AND APPROVAL OF A CONTRACT WITH POE ASPHALT PAVING, INC. FOR SEAL COAT, REPAIR CRACKS, AND RE-STRIPE CENTENNIAL TRAIL AND SEAL COAT THE PRAIRIE TRAIL.
4. Denial of request to amend City regulations to allow dwarf goats to reside within the city limits.
5. Approval of Bills as submitted and on file in the Office of the City Clerk.
6. Approval of cemetery lot repurchase from Diane Starr
7. Setting of Public Hearing: A-2-12 – Annexation/zoning for property north side of Seltice Way, west of Mill River Seniors Facility for July 17, 2012.
8. Approval of beer license for Valentino's Take n' Bake Pizza at 219 W. Canfield Ave.

**DISCUSSION**: Councilman Gookin asked if Item 4 (banning dwarf goats) would conflict with Mr. Markley using goats to eat down the weeds on Water Department property. Councilman Kennedy responded the goats that the City uses do not reside in the City but are brought into the City infrequently. Mr. Ingalls also responded that currently the goats are only being used by the Water Department at the reservoir sites and not well sites and are there for a very short period of time.

**ROLL CALL**: Gookin, Aye; Kennedy, Aye; Edinger, Aye; Adams, Aye; McEvers, Aye; Goodlander, Aye. Motion carried.

**COUNCIL ANNOUNCEMENTS:**

COUNCILMAN GOOKIN: Councilman Gookin commented that he has talked with the Recall people and that this recall is over and they are not going to bring any lawsuits and that the Council will be moving forward with the park. He expressed his appreciation for Susan Weathers throughout this entire recall process. He believes that the entire Council loves this community and although they differ in opinion, they all want the best for our community. He also believes that

the community keeps saying the Council needs to listen; however, he believes that the Council does listen, they just don't always agree with your personal opinion. He encouraged everyone to move forward.

COUNCILMAN ADAMS: Councilman Adams announced that he and Councilman Gookin took a tour of the Water Department's four well sites.

COUNCILMAN GOODLANDER: Councilman Goodlander encouraged citizens to view the new art at the Wastewater Treatment plant that depict the microbes that work in the treatment process; the graphics for the utility boxes are done and should be installed after July 4<sup>th</sup>, and; the new ArtCurrents artwork is in place in the downtown area.

**ADMINISTRATOR'S REPORT:** Deputy City Administrator Jon Ingalls announced the area construction updates: Education Corridor - Phase 1B of the project has progressed quickly with construction expected to be completed by June 21. Traffic signals at the new intersection of Northwest Boulevard and River Avenue have been installed and are scheduled to be activated. The Water Department is also finishing up the water main project around Forest Cemetery. Final patching is anticipated during the week of June 18<sup>th</sup>. Wastewater's summer sewer open trench work is still underway. For the week of June 18<sup>th</sup> – 22<sup>nd</sup>: D Street, north of Virginia Avenue will be closed to traffic. The contractor will be installing water, sewer, and storm drain piping; Mullan Road (NW Blvd to Garden) – paving is complete; Installation of the pavement striping/markings to be completed with periodic minor traffic disruptions; Birch Avenue (between 11<sup>th</sup> & 12<sup>th</sup>) – installation of a sewer main extension will begin. Since this is essentially an alley, there will be no disruption of work. During the construction period, area residents can expect equipment noise and brief traffic delays. For information on the project, please contact Jim Remitz, Project Manager at 769-2278. On Thursday, June 21<sup>st</sup>, between 3:30 p.m. and 4:30 p.m., street crews will begin to set in place the barricades and detour route for the closure of Sherman Avenue between 2<sup>nd</sup> Avenue and Independence Point. Southbound traffic traveling into the downtown area will be detoured onto Lakeside Avenue to 2<sup>nd</sup>, 3<sup>rd</sup>, or 5<sup>th</sup> streets to reach Sherman Avenue. Resort traffic should use 1<sup>st</sup> Street. Bleachers will be staged on Sherman at 5:00 p.m. on June 21<sup>st</sup> and will stay in place until the afternoon of June 25<sup>th</sup>. The Independence Point parking lot will be closed early Wednesday as they set up medical tents and Ironman stores. The 3<sup>rd</sup> Street boat-trailer parking area will be closed early Wednesday morning, June 20<sup>th</sup>, and re-opened Wednesday, June 27<sup>th</sup>. Alternate boat-trailer parking is available in the main lot or south of City Hall during this closure. Mullan Avenue, from 17<sup>th</sup> to 23<sup>rd</sup> Streets, will be "NO PARKING" on the north side on Saturday, June 23<sup>rd</sup>, and entirely closed to traffic on race day, Sunday, June 24<sup>th</sup>. For more information, please call 769-2233. This spring the Street Department coordinated with the area high schools to spruce up their plows for the upcoming season. Two plows were painted by Project-Bridge and the Lake City High School. The three other plows are being painted by Coeur d'Alene High, NIC, and the Charter Academy, and should be completed soon. Later this fall, they will be working with Lakes Middle School in the "Name the Storm" contest. Members of the Coeur d'Alene Police Department participated in the annual Law Enforcement Torch run for Special Olympics last Thursday. Our thanks go to Chief Longo, Detective Rios and Detective Johnson for participating and for their ongoing support to Special Olympics programs. Approximately 20 law enforcement officers joined Special Olympics athletes who participated in the run. On June 13<sup>th</sup>, Mayor Sandi Bloem received the very prestigious "William Booth Award" from the Salvation Army. Named for the organization's founder, this international honor is given to recipients for their dedication to the Salvation Army's goal of outstanding service to the community through the

donation of time, talents and energy. Past recipients recognized for their “outstanding contributions to the betterment of humanity through civil and philanthropic affairs” include the Reverend Billy Graham, Bob Hope, and U.S. Senate Chaplain Lloyd Ogilvie. Here is a tip from the city’s Pedestrian & Bicycle Advisory Committee: Break downs are no fun so always be sure your bike is in good working order before leaving home. If your gears aren’t shifting correctly or your brakes aren’t stopping you quickly enough, a simple tune-up at your local bike shop can help you on your way. Seat pouches that can hold spare inner tubes and bike tools can also be purchased at any bike shop. Congratulations Lee Brainard for his recent selection for promotion to the rank of Lieutenant. Lieutenant Brainard will fill a position that will open up upon the retirement of Lieutenant Don Ashenbrenner after a 25 year career with the Coeur d’Alene Police Department. “Inland Northwest Airports and Airplanes” is the topic of a program at the Coeur d’Alene Public Library on Thursday, June 21<sup>st</sup>, at 7:00 p.m.

#### RESOLUTION NO. 12-023

#### A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ESTABLISHING POLICIES AND GUIDELINES TO ESTABLISH CRITERIA FOR PLACEMENT OF MEMORIALS AND NAMING CITY PROPERTY, PARKS, AND FACILITIES.

Councilman President Kennedy explained that the Parks Department receives several requests each year for naming parks for various residents of our community. He noted that the City has received more requests than parks exist and this has become an issue. One of the ideas to resolve this was to create the Rock of Fame, which was done. The Parks Commission has completed a research of other communities on how they handle such naming requests. Tonight the policy is being presented based on the findings and research completed by the Parks and Recreation Commission.

Councilman Gookin asked about the financial analysis on renaming a park and asked if the specific cost would be brought forward at the same time a request comes forward. Council President Kennedy responded that is the plan.

Parks and Recreation Commission Chairman Scott Cranston explained some of the cost involved in renaming a park. He noted that it is hoped that the naming of a park occurs when the land is being donated or during the development of the park. He commented that it has been the practice to name our parks after geographical sites, however, the last two parks had a naming contest which was for Bluegrass Park and Shaddock Park. Council President Kennedy described the naming process as outlined in the policy.

Councilman Gookin asked about the Memorial Gathering Place. Mr. Cranston responded that the proposed monument at Memorial Field could be used for naming opportunities for donations to the parks. Councilman Gookin asked about corporate naming policies, e.g. for the baseball field at Cherry Hill. Mr. Cranston responded that corporations would fall under the for-profit entities outlined in the policy. Mr. Cranston also noted that he believes that this policy always has room for changes or amendments by the Council. He noted that Dave Patzer, Jim Lien, and John Bruning were the committee members who did the work and research on this policy.

Motion by Kennedy seconded by Gookin to adopt Resolution 12-023.

Councilman Adams and Gookin thanked the members of the committee for all their work on this policy.

ROLL CALL: Edinger, Aye; Kennedy, Aye; McEvers, Aye; Adams, Aye; Gookin, Aye; Goodlander, Aye. Motion carried.

RESOLUTION NO. 12-024

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH RIVER'S EDGE APARTMENT, LLC.

Motion by Kennedy, seconded by Goodlander to adopt Resolution 12-024

ROLL CALL: Adams, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Gookin, Aye; Edinger, Aye. Motion carried.

ORDINANCE NO. 3444  
COUNCIL BILL NO. 12-1018

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 10, TOWNSHIP 50, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.030, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #35; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

Motion by Kennedy, seconded by Goodlander to pass the first reading of Council Bill No. 12-1018

ROLL CALL: Edinger, Aye; Gookin, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Adams, Aye. Motion carried.

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 12-1018 by its having had one reading by title only.

ROLL CALL: Edinger, Aye; Gookin, Aye; Goodlander, Aye; Kennedy, Aye; McEvers, Aye; Adams, Aye. Motion carried.

RESOLUTION NO. 12-025

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A HOST VENUE SPONSORSHIP AGREEMENT 2013 – 2017 WITH THE

## WORLD TRIATHLON CORPORATION AND CHAMBER OF COMMERCE FOR THE FORD IRONMAN EVENT.

City Attorney Mike Gridley noted that it has been 10 years since Ironman came to Coeur d'Alene. He presented a 5-year contract with World Triathlon Corporation for continuing the Ironman race in Coeur d'Alene. He noted that not much has changed in the contract but noted that one of the changes is the bicycle course now going south on US 95.

Councilman McEvers noted that there is not much of a change in the cost to the City, but rather just more specific language in the contract. City Attorney Gridley confirmed that is the case.

Steve Wilson, representing the Coeur d'Alene Chamber of Commerce, confirmed that the sponsorship fees have gone up around the country but they have kept our Chamber's sponsorship fees the same and have also allowed the Chamber increased opportunities for fund raising.

Councilman Gookin complimented the completeness of the contract. He commented that the contract requires that the city be insured with a reputable insurance company and noted the city is self-insured. Mr. Wilson confirmed that this is acceptable to the World Triathlon Corporation. Councilman Gookin asked about the specific support requirements of the city. City Attorney Mike Gridley responded that the listed requirements are basically the same for the City as in the previous contract. Councilman Gookin noted that, in spite of the complaints received by a few citizens, he believes this event is good for the city.

City Attorney Mike Gridley also commented on the \$50,000 contributed by World Triathlon Corporation to the community including the \$15,000 dedicated to the Community Fund and the members that serve on that Committee.

Councilman Edinger asked about the cost to the City which is estimated at \$50,000. Deputy City Administrator Jon Ingalls responded that \$21,000 is for Police, \$24,000 is for Fire/EMS and the remaining pays for Streets and Parks services.

Councilman Adams asked about the required 5 ambulances. Fire Chief Gabriel responded that through the mutual aid agreement ambulances are brought in from surrounding areas.

Motion by Goodlander, seconded by Gookin to adopt Resolution 12-025.

**DISCUSSIN:** Councilman Goodlander believes that Ironman has brought a cultural change to our community evidenced by over 100 local entrants in this year's Ironman Race. Mayor Bloem believes that Ironman has provided this community the opportunity to set personal goals higher than one would think one could have accomplished.

**ROLL CALL:** Adams, Aye; McEvers, Aye; Goodlander, Aye; Kennedy, Aye; Gookin, Aye; Edinger, Aye. Motion carried.

### **A-1-12 – FINDINGS AND ORDER FOR ANNEXATION/ZONING OF NIC PROPERTY:**

Motion by Kennedy, seconded by Goodlander to adopt the Findings and Order of the public hearing held of the annexation/zoning of NIC property on April 17, 2012.

ROLL CALL: Gookin, Aye; Goodlander, Aye; Adams, Aye; Edinger, Aye; McEvers, Aye; Kennedy, Aye. Motion carried.

**PUBLIC HEARING – ZC-3-12 – ZONE CHANGE AT 2202 N. GOVERNMENT WAY:**

Mayor Bloem read the rules of order for this public hearing. No conflict of interest was declared by any Council member. Sean Holm, City Planner, gave the staff report.

Mr. Holm gave the applicant's name as Xiao Bo Ellsworth, the location as a 0.288 acre parcel at 2202 N. Government Way and the reason for the request as a zone change from R-12 to NC (neighborhood commercial).

He went on to give the staff analyses of the Comprehensive Plan regarding land use, neighborhood characteristics, utilities, streets, traffic, and existing land uses. He reported that on May 8, 2012 the Planning Commission voted in favor of the requested zone change without conditions.

He reported that 26 notices were mailed on June 1, 2012 for tonight's public hearing.

Councilman Gookin asked what the comments were that the City received from the mailings. Mr. Holm responded that no comments were received. Councilman Gookin asked what was previously located at this site. Mr. Holm responded that it was a residence. Councilman Kennedy noted that the applicant commented that if the massage business fails they would want to open a restaurant and asked if that would be an allowed use. Mr. Holm said it was. Councilman Edinger asked about the power pole on the property line next to the alley. Mr. Holm responded that they would need to have Avista move the power line pole to allow them their proposed parking off of Homestead.

**PUBLIC COMMENTS:** Councilman Adams asked about the clientele base. Marty Ellsworth, applicant, 1311 Richardson Avenue, Lewiston, Idaho, stated that they are proposing a Chinese massage business and they have a similar business in Lewiston but do not have a client base here yet; however, the most they could handle would be 10 clients a day. Councilman Adams asked what type of restaurant they would want to open if they massage facility failed. Mr. Ellsworth responded that the type of restaurant has not been decided yet. Councilman Adams asked how many therapists would be employed. Mr. Ellsworth responded between 2-3 massage therapists.

**MOTION:** Motion by Goodlander, seconded by Gookin to approve the requested zone change from R-12 to NC for the property located at 2202 N. Government Way, and direct staff to prepare the Findings and Order.

ROLL CALL: Goodlander, Aye; Gookin, Aye; Kennedy, Aye; Edinger, Aye; Adams, Aye; McEvers, Aye. Motion carried.

**EXECUTIVE SESSION:** Motion by Goodlander, 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: Adams, Aye; Edinger, Aye; McEvers, Aye; Kennedy, Aye; Gookin, Aye; Goodlander, Aye. Motion carried.

The Council entered into Executive Session at 7:45 p.m. Members present were the Mayor, City Administrator, City Council, City Attorney and Deputy City Administrator.

Matters discussed were those of labor negotiations. No action was taken and the Council returned to its regular session at 8:09 p.m.

RESOLUTION NO. 12-026

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE 2012 EMPLOYEE SEPARATION INCENTIVE - LETTER OF AGREEMENTS (LOA).

Motion by Edinger, seconded by Goodlander to adopt Resolution 12-026.

ROLL CALL: Adams, Aye; Gookin, Aye; Edinger, Aye; Kennedy, Aye; McEvers, Aye; Goodlander, Aye. Motion carried.

**ADJOURNMENT:** Motion by Goodlander, seconded by McEvers to recess this meeting to June 28<sup>th</sup> at 7:30 a.m. at the Parkside Conference Room for a joint workshop with the City Council/LCDC/Team McEuen. Motion carried.

The meeting recess at 8:10 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk