

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

March 21, 2017

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 March 21, 2017 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

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

**VISION 2030 UPDATE:** Ryan Nipp, Vision 2030 Board Chairman, presented an update on the progress of the CDA 2030 initiatives. He noted that in 2013 an effort began to create a community vision and goals. Information was gathered through public forums workshops, surveys, opinion polls, and interviews. As a result of the effort involving thousands of citizens, a long range vision and implementation plan for Coeur d'Alene was created. On June 17, 2014, the Coeur d'Alene city council passed a resolution approving the vision statement and implementation plan. Mr. Nipp commented that the vision is robust and the goals are far reaching. There are 38 lead partners selected to execute the action items. CDA 2030 is a non-profit entity consisting of one full-time staff member and one part-time staff member, 20 board directors, and committee members to carry out mission of the CDA 2030 vision and implementation plan. Over the past year, five new board members have been added: John Young, Nick Swope, Mike Kennedy, Erin McClatchy, and Michael Nail. Mr. Nipp said that CDA 2030 represents a broad spectrum of organizations within the community including very well connected leaders who are passionate about the community. In addition to funding support from the City of Coeur d'Alene and ignite cda, CDA 2030 received over \$17,000 from individuals and organizations. They are continually engaged and educating citizens with CDA 2030 updates on social media, a quarterly report, and on their website. CDA 2030 was awarded three grants this past year: \$2,000 from the Coeur d'Alene Rotary Club for a bike repair station at McEuen Park, \$5,000 from Blue Cross of Idaho for community health services, and \$8,000 from United Way to purchase a workplace excellence series, which provides needed training and soft skills for the unemployed and underemployed. In addition, CDA 2030 hosts an annual celebration promoting Vision 2030 and its progress, which attracted hundreds of attendees. Staff

monitored and tracked the lead partners on all action items within the plan. To date, 55 action items have been implemented and 77 are underway. Mr. Nipp said that he is excited about the goals for 2017, including an update of the implementation plan by this summer. The implementation plan is a living and breathing document which requires attention and change over time. They will continue to track and monitor the plan, increase outreach and awareness, and they have a goal to increase donations from \$17,000 to \$30,000 this year. They have also completed a new marketing package and revised donor levels. Another goal is to provide resources from CDA 2030 committees to support action items, which will have significant impact on the community. Mr. Nipp commented that the City of Coeur d'Alene has made important investments with organizations and they believe this decision was the right one. In regard to return on investment, Mr. Nipp said that they are currently leveraging an annual \$45,000 investment into something far greater and more impactful than can be imagined, if it was managed internally by the City. The board of directors consists of the best individuals our community can offer. The group is growing and evolving into new roles that no one would imagine at their creation. Mr. Nipp said that now is the time to maintain, if not increase support, in order to protect important investments already made.

Mark Hurtubise, President and CEO of Inland Northwest Communities Foundation (INCF) provided a testimonial. He congratulated the council on being elected to oversee one of the gems of regional areas in the United States. He commented that the INCF began looking at how they could collaborate with community leaders to proactively determine how they can effectively measure investments in a sustainable manner. When they started to look at North Idaho and looked at Vision 2030, they saw what a phenomenal collaborative model was already in place, and looked at vision 2030, they saw what a phenomenal collaborative model was already in place, and discussed replicating what they have done with Rogers High School in this community. Mr. Hurtubise noted that 3,000 K-3 age children are below reading comprehensive levels. If they can create a model in this community that shows measurable improvement in the children, it could be replicated throughout the entire state. They tried to design a collaborative co-funding model of a \$600,000 grant over a 3 year period of time working with about 10 non-profits, the University of Idaho, the school district, and other players. He noted that other foundations and organizations are watching carefully and are interested in coming in as players. The City's involvement and participation is important because through this process it is indirectly cultivating other funders who will want to participate once they see measured success.

Mr. Nipp thanked the City Council for their support of CDA 2030 and thanked Councilmember Miller for her service on the board. He asked for continued support so they can complete their mission in realizing the community's vision for a bright future.

Councilmember Gookin thanked Mr. Nipp, Nicole Kahler, Dr. Buck, etc. for their work on CDA 2030. He noted that one of his concerns when it was first adopted was that it was going to be put on a shelf, but it hasn't, and awesome community members are contributing to keep it going. Councilmember Miller thanked Mr. Nipp and the Vision 2030 board members.

**CITY FINANCE REPORT:** Troy Tymesen, City Treasurer, presented a review of the City's finances. He reviewed the cash and investment report, showing investments for the City at the

end of February. He noted that the money is insured with the safest of investments on all of their deposits. Mr. Tymesen also reviewed the budget status report for the five months ended February 21, 2017, including personnel services and services/supplies. He noted that Parks & Recreation has not started hiring yet, and Streets will be a little ahead of what they had anticipated due to the winter. They planned for seven full city-wide plows this year, and the number of plows was eight. There was also a large amount of deicer used, along with other expenses. Mr. Tymesen said that they will do their best to watch expenses in the spring and summer and that the Streets Department does a good job of working with other departments in providing overlay services, which are charged back to that department. The PD capital outlay high due to six cars that were acquired which were not anticipated, but which were approved the second meeting in October. The General Fund numbers are pretty solid and Mr. Tymesen doesn't see any major anomalies at this point in the fiscal year. He commented that there are a large number of capital projects coming forward. Mr. Tymesen reviewed the cash balances on hand and noted that they don't have to do tax anticipation notes. The City has about \$14 million in cash at the end of February, a big chunk of which is property taxes which they received in January. Mr. Tymesen also reviewed the Special Revenue funds and noted that the City continues to be very good stewards of the citizens' dollars. LIDs are well under 100 properties and they are handled internally. The City does not always take the 3% property tax increase that is allowed. Last year the City took 2 ½% and the three previous years it didn't take anything. Mr. Tymesen also reviewed General Fund anticipated revenues, property taxes, intergovernmental receipts and licenses and permits, which make up 91% of revenue to the General Fund. He commented that it appears that the building season will be robust and noted that department heads do a very good job of watching personnel costs, which account for 84% of the budget. The Fund Balance is 20.82% of the Fiscal Year 2016 amended plan. The Government Finance Officers Association (GFOA) suggests that the City is in a good zone with its cash on hand based on the size of the City and its budget. Mr. Tymesen reviewed the city valuation and levy rate.

Councilmember Gookin asked where the extra sales tax money came from. Mr. Tymesen responded it was from intergovernmental and noted that they work with the Association of Idaho Cities as well as the State Tax Commission to forecast that number. Mr. Tymesen also commented that the new Amazon sales tax will also be positive. Councilmember Gookin asked what is the minimum fund balance that is recommended by the GFOA. Mr. Tymesen said that a single digit percentage is running very thin operationally.

Councilmember Edinger asked how the Street Department is doing with the potholes and winter. Mr. Tymesen said that the overtime costs are greater than they had anticipated and there are additional deicer expenses. He commended Tim Martin and his team for the cost savings on deicer and noted that they blend their own deicer which saves the City hundreds of thousands of dollars for a very good product. Mr. Tymesen said that he is confident that the Streets budget overage can be made right with the summer overlay.

Mayor Widmyer asked emergency road funding at the state level. Mr. Taylor said that the legislature has been working on a bill for \$52 million in emergency funds that would be distributed to local communities who apply for the money.

Councilmember McEvers asked Mr. Tymesen to talk about what citizens get for their property taxes. Mr. Tymesen said that citizens receive the best public safety in the state of Idaho, a very solid Kootenai County emergency medical services system, parks that are extraordinary, a waterfront that is amazing, good streets, recreational programs that are well priced, a clean, safe community, good streets, recreational programs that are well priced, and a clean safe community that is good to do business in.

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

1. Approval of Council Minutes for the March 7, 2017 Council Meeting.
2. Approval of Bills as Submitted
3. Approval of the Financial Report
4. Approval of the Public Works and General Services Committee Meeting Minutes from the meetings held on March 13, 2017
5. Setting of General Services and Public Works Committees meetings for March 27, 2017 at 12:00 noon and 4:00 p.m. respectively
6. Setting of a Public Hearing on April 18, 2017 for V-17-2: Vacation of Portion of W. Garden Avenue Right-of-Way
7. Approval of a Beer and Wine License to Coeur d'Alene Fresh, 317 E. Coeur d'Alene Avenue (New); Marla J. McWilliams
8. Approval of a final plat for SS-2-17, Wilky Tracts Subdivision
9. **RESOLUTION NO. 17-015-** 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: SS-3-17, SUBDIVISION IMPROVEMENT AGREEMENT & SECURITY AND FINAL PLAT FOR KAT TRACTS SUBDIVISION; SS-5-16, SUBDIVISION IMPROVEMENT AGREEMENT & SECURITY AND FINAL PLAT FOR HAAGENSON ADDITION SUBDIVISION; DECLARATION OF SURPLUS PROPERTY FOR THE LEGAL DEPARTMENT; A LEASE AGREEMENT WITH THE COEUR D'ALENE ARTS & CULTURE ALLIANCE FOR THE RIVERSTONE CONCERT SERIES; AN AGREEMENT WITH HANDSHAKE PRODUCTIONS, INC., FOR THE 2018, 2019, AND 2020 ROTARY LAKESIDE BANDSHELL CONCERT SERIES; REQUEST FOR DESTRUCTION OF PUBLIC RECORDS; AMENDMENT NO. 4 TO THE CITY-CONSULTANT AGREEMENT WITH WELCH COMER & ASSOCIATES, INC., FOR THE SELTICE WAY IMPROVEMENTS - CONSTRUCTION PHASE SERVICES; A PURCHASE AND SALE AGREEMENT WITH K-MED, LLC, AND TEMPORARY CONSTRUCTION EASEMENT FOR THE IRONWOOD DRIVE PROJECT, WITH WARRANTY DEED; ACCEPTANCE OF A GRANT DEED FROM SAM INVESTMENTS, LLC, AND TEMPORARY CONSTRUCTION EASEMENT, FOR THE EMMA AVENUE SIGNALIZATION PROJECT; ACCEPTANCE OF A GRANT OF EASEMENT FROM KOOTENAI COUNTY AND THE COEUR D'ALENE TRIBE FOR A SHARED-USE PATH ALONG SELTICE WAY; AND A COOPERATIVE FUNDING AGREEMENT WITH THE CITY OF DALTON GARDENS AND THE CITY OF HAYDEN FOR THE 2017 CHIP SEAL PROJECT.

**DISCUSSION:** Councilmember Gookin explained that the Seltice Way agreement with Welch Comer is an ongoing agreement which council has already discussed, so it seemed pretty routine. The construction easement around the hospital and the Seltice Way easement are for ongoing projects council had discussed before. He noted that he hopes that the public is aware of the big construction season coming up.

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

**PUBLIC COMMENTS:**

Rita Sims Snyder, Coeur d'Alene, added her comments in regard to a letter that was sent to the council from Roger Smith. She noted that she is a member of the East Mullan historical neighborhood and a resident who has lived on Front Avenue. The East Mullan neighborhood worked diligently to make changes to the infill overlay. This was necessary because at the time there were some incompatible projects being planned. Most recently they have been interested in the Shady Pines project on Mullan Avenue and felt that it was not compatible with the intent of the infill overlay. They were left with very little options to be heard and were not allowed to give input on the mass, the high density, removal of all but one tree, and the alley being used as the only ingress and egress for over 60 apartments. They were told that these concerns were not in the oversight of the Design Review Commission. Ms. Sims Snyder said that no one considered the overall impact on the historic neighborhood and that density seems to be the priority. She commented that the project is proposed in an already heavy traffic and parking-saturated area. The required parking is provided but Ms. Sims Snyder said that we all know there will not be sufficient parking for tenants and visitors. She commented that their small street size is squeezed to the limit and we need to step back and take a look at the direction infill and other historic areas are headed. As encroachment creeps along one project at a time, it is encouraging the destruction of the historical neighborhood. There is very little left that would be considered in transition or in need of urban renewal. Ms. Sims Snyder requested more guidance, oversight and protection.

Councilmember Gookin asked for an update from staff. Mr. Taylor said that they are working with the Planning Department to put together an annual work plan to help guide the hundreds of different projects the department has been tasked with over the last few years and are trying to provide a better and more robust outline for priorities. Mr. Taylor said they are hoping within the next month to bring the plan forward to the Planning Commission and city council.

Councilmember Gooking asked Ms. Sims Snyder to comment on the progress of the carousel since Ms. Sims Snyder is one of the board members of the Carousel Foundation. Ms. Sims Snyder said that the building now has a roof and doors, with windows coming soon. She commented that they are still fundraising and asked that anyone interested in donating visit their website at [cdacarousel.com](http://cdacarousel.com) for fundraising opportunities. The grand opening of the carousel is scheduled for June 9<sup>th</sup> at the First Annual Family Day in the Park and Fancy Flea Market, from Noon until 9:00 p.m.

Patsy Fiaco, Coeur d'Alene, said that she resides on Front Street and has lived here for 44 years. She commented that she wakes up excited that she lives in this neighborhood. She asked if people that come to Coeur d'Alene want to see condos and a city like every other city, or a charming, unique, beautiful town. She asked council to take it into consideration that we have something so special that everybody wants and encouraged council to not give it away.

**ANNOUNCEMENTS:** There were none.

### **COUNCIL BILL NO. 17-1007**

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTIONS 12.24.020 AND 12.24.025 OF THE CITY CODE RELATING TO SNOW AND ICE REMOVAL; PROVIDING FOR THE REPEAL OF OTHER CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

**STAFF REPORT:** (Note: the following staff report and discussion applied to both the snow removal ordinance amendment and the weed control ordinance amendment set forth below.) Police Chief Lee White requested that Council authorize amendments to the snow removal ordinance and weed control ordinance for the City of Coeur d'Alene. He noted that current code provides that a violation of snow removal ordinances are a misdemeanor and require involvement of the City Attorney's office for remedy. This process is often time consuming and may not provide a timely solution to the problem. Additionally, it does not allow Code Enforcement Officers the ability to take immediate enforcement action, if required. The language of the current codes further leads to potential violations which seem not to have been intended by Council. Although there is no immediate financial impact, staff time will be used to enforce the ordinances and fines may be collected; however, the amount of each is difficult to determine. The amendment provides for amendment and repeal of the current ordinance, allows infraction tickets to be issued if the responsible parties are not compliant with warnings, provides for incremental penalty increases and waiving of fees under limited circumstances, and includes an appeal process. The fine penalty will be reviewed annually during the established process for fee and fine review by the Office of City Clerk. The language is clarified to avoid unintended violations of the codes.

**DISCUSSION:** Chief White said that it has always been the position of the Police Department to gain compliance through communication and working with homeowners, and noted that Code Enforcement Officer Shawn Youngman can't remember the last time they took someone all the way through the legal process for snow removal and they hope to be able to continue to do that. The amendments will streamline the process. Chief White explained that currently all snow removal violations are a misdemeanor, and the current ordinance requires that snow be removed by 9:00 a.m. after a snowfall and only deals with sidewalks in front of property, not all abutting sidewalks.

Chief White said that the weed control ordinance enforcement is problematic and violations are also a misdemeanor and the intent may not be captured in the code language. The proposed

amendment allows for an infraction citation to be issued. He noted that the intent of the amendments is to gain compliance through reasonable ordinances, but to also provide an appropriate enforcement option, if necessary. He further commented that in everything they do, they try to make sure they are balancing public safety interests with the interests of the homeowner.

Councilmember English said that he is concerned about common property areas, such as Coeur d'Alene Place. Chief White said that by the language of the code, any sidewalk would have to be cleared, but as long as there is a method to get from one place to the other without having to walk in the middle of the road, that is the way they would evaluate whether or not to enforce that section of the code.

Councilmember Miller thanked the PD for their proactive and non-heavy-handed approach. She also noted that they have an opportunity to reach out to service organizations and let them know that there is a need. She appreciates staff working through issues to make sure that folks are informed and commented that there is more work we can do. Chief White said they have started the conversation of how they can get information out to citizens in a more usable fashion since some people don't use the internet. They are also looking at possibly doing something with the website that would allow people to find information more easily.

Councilmember McEvers asked about weeds. Chief White said that from the PD perspective, they look at weeds differently from snow as they don't have the same public safety aspect. Code Enforcement officers will give warnings but the intent of the ordinance is relatively similar. Councilmember McEvers asked how the appeals process would work. Chief White said that the Deputy City Administrator will review appeals for snow and weed violations.

Councilmember Gookin said that he received an email from a business owner on Government Way who was concerned about the snow plows pushing snow back on to the sidewalks after it was removed, and wondering if he would receive a ticket if it was something that the City did. Chief White said that he doubts that the individual would be issued a ticket if it is something that the City did. Councilmember Gookin said that he thinks that is an issue that needs to be addressed next year with the Snow Plan.

Councilman Gookin asked about cars that are parked all winter long and buried under snow. Chief White said that volunteers have been dealing with them as they come in and they do present a problem, especially after they are snowed and iced in. He noted that it is not addressed in the ordinance and the biggest thing they do is try to communicate with the owner of the vehicle. He noted that Shawn Youngman has had 12 vehicles towed in the last three months. They do make contact with the vehicle owners, and place a 48 hour sticker on the vehicle, and tow after that period of time. Chief White said that they should probably have a discussion with the council and the Street Department to find out what the intent of the council is in regard to plowing and cars in the street.

Mayor Widmyer acknowledged a letter that he received from a gentleman who was critical of elements of City snow removal. He noted that the City isn't perfect, but it does make a great effort. He wanted to let the gentleman know that they are going to take the letter to heart and

make required adjustments to their program. The mayor commented that he thinks the proposed amendments are something where we can get better, and that the City isn't out to issue citations, but to have people be able to walk on clear sidewalks.

**Motion** by Miller, seconded by Gookin, to dispense with the rule and read **Council Bill No. 17-1007** once by title only.

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

Motion by Miller, seconded by Gookin, to adopt **Council Bill 17-1007**.

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

### **COUNCIL BILL NO. 17-1008**

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 8.08 OF THE CITY CODE RELATING TO WEED ABATEMENT; PROVIDING FOR THE REPEAL OF OTHER CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

**STAFF REPORT:** (See **Staff Report and Discussion under Council Bill 17-1007**)

Motion by English, seconded by Miller, to dispense with the rule and read **Council Bill No. 17-1008** once by title only.

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

Motion by McEvers, seconded by Evans, to adopt **Council Bill 17-1008**.

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

### **APPROVAL OF THE USE OF \$90,000 IN IMPACT FEES FOR NEW POLICE BUILDING**

**STAFF REPORT:** Police Chief Lee White requested authorization to spend \$90,000 from

the Police Department impact fee account for completion of the new police building. He noted that the building project approved through the General Obligation Bond is nearly complete. However, bond funds were not planned to be used for built-in cabinets or IT equipment. Impact fees are requested to furnish the building with built-in desks and cabinets, work tables, IT cabling and conduit, snow stops and gutters, a 50 amp breaker for the command vehicle, electronic building access control (to be consistent with design of the headquarters building and new City Hall access control), and pavement/ parking lot work. Previously collected impact fees are available and were part of the plan to fully outfit the building for use. There will be no impact to the general fund for these purchases. At the conclusion of the purchase and installation of the above-mentioned equipment, the building will be complete.

Chief White noted that the last part of the floor was completed earlier this week. The current balance in the PD impact fee account is over \$363,000.

**DISCUSSION:**

Mayor Widmyer asked Mr. Tymesen to explain impact fees and how they are collected and used. Mr. Tymesen said that impact fees are collected on new residential and commercial building. Impact fees must be used for long term assets that will last at least 10 years. He noted that the requested use is a perfect use for the impact fees because they are putting people in the building who would otherwise be put into the main police building. They City is getting good value by building on land that they currently own and partnering with the G.O. bond to build a space.

Councilmember Gookin asked if there were any plans for the rest of the money in the impact fee fund. Chief White said that at some point they will have to grow their department as they are just about full now at their current location. He noted that they have run into a couple of problems with the current facility and the biggest one is parking in that even if they get the additional square footage into the current building, they don't have sufficient space to put the vehicles. Mr. Tymesen confirmed that impact fees accrue.

Mayor Widmyer commented that the new building is a very simple space with no fills and was completed economically.

**MOTION:** Motion by Edinger, seconded by Evans to authorize the use of \$90,000 in Impact Fees for new Police Building.

**Motion carried.**

**RESOLUTION NO. 17-016**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ESTABLISHING A POLICY FOR THE AWARD OF DUTY WEAPON, BADGE, AND HANDCUFFS UPON POLICE OFFICER RETIREMENT.

**STAFF REPORT:** Police Chief Lee White requested that Council declare it a

policy of the City to award their used duty weapon, badge, and handcuffs to those police officers who retire under the regular or medical PERSI provisions, upon the recommendation of the Chief for meritorious service. He noted that police officers often remain in the jurisdiction in which they formerly worked and periodically encounter criminal activity after retiring. In the past, the Police Officer's Association has purchased the used weapon for those retiring officers; however, this practice can be inconsistently applied. Currently, there are two Idaho code sections allowing a retiring law enforcement officer to receive their duty handgun, badge and handcuffs. The first section, IC 67-2901(11), allows for an officer with the Idaho State Police, as long as criteria has been met, to be awarded his badge, duty weapon and handcuffs. The second section, IC 31-830, allows for a retiring Sheriff or deputy county sheriff, as long as they have met the provisions of the public employee's retirement system, be awarded their duty weapon and badge. Neither of these code sections applies to city law enforcement officers. The current value of the items at time of trade-in is \$300.

**MOTION:** Motion by McEvers, seconded by Edinger to approve **Resolution No. 17-016**, a Policy to Award Duty Weapon, Badge, and Handcuffs upon retirement.

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

**Item #5 under Other Business was moved forward on the Agenda.**

#### **REQUEST FOR SPECIAL USE PERMIT EXTENSION FOR THE PORT OF HOPE FACILITY LOCATED AT 218 N. 23<sup>rd</sup> STREET**

**STAFF REPORT:** Hilary Anderson, Community Planning Director, presented a request, on behalf of Port of Hope Centers, Inc. for council approval of an additional six month extension of the Special Use Permit, following a six month extension approval on July 12, 2016 made by the Planning Commission. The original approval, which allowed for a two year continuation of a criminal transition facility in Port of Hope's existing location, was granted to allow the applicant time to find a new location. The Legal Department has reviewed the request and has determined that the Port of Hope can request an additional extension to allow them to complete construction of their new facility in Post Falls. The request, if granted, would allow the facility to operate in its current location until September 1, 2017.

Ms. Anderson presented photos showing the progress of construction in the new facility. She noted that because the council was the first to approve the special use permit, the council would need to extend it because the Planning Commission can no longer grant an extension. She further noted that the Port of Hope would need to continue to comply with all of the conditions of approval of the special use permit, and that there have not been any incidents at the facility. Ms. Anderson confirmed that the Port of Hope is asking for the full six month extension.

**DISCUSSION:** Councilmember Gookin asked if special use permits expire. Ms. Anderson said not particularly, but there is a condition that allows for a sunset to be applied to a special use permit. In this case there was a condition applied that the permit would sunset at a certain date

because the end goal is not to have the facility in that location and it is a unique situation. She confirmed that whoever buys the property next, if they wanted to do the same thing they would have to reapply.

**MOTION:** Motion by Edinger, seconded by McEvers to approve the request for Special Use Permit extension for the Port of Hope facility located at 218 N. 23rd Street.

**DISCUSSION:** Councilmember Miller asked if Port of Hope wasn't able to be out of their facility during the 6 month extension, would they be able to come back again for another extension. Ms. Anderson said that they could come back again, but they would have to come back to the council.

Councilmember McEvers commented that this has been going on since 2013. Ms. Anderson said that the applicant submitted a letter and indicated all of the financial hardships and construction delays they have endured. She noted that they are pushing forward and making progress.

Councilmember Gookin said that he admires Port of Hope and the work they do and wishes the state had a similar program.

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

#### **COUNCIL BILL NO. 17-1009**

AN ORDINANCE PROVIDING AMENDMENTS TO CHAPTER 12.36 ENTITLED URBAN FORESTRY BY AMENDING SECTIONS 12.36.010, 12.36.015, 12.36.020, 12.36.105(D), 12.36.115, 12.36.120, 12.36.125, 12.36.200, 12.36.205, 12.36.210, 12.36.235, 12.36.300, 12.36.305, 12.36.400, 12.36.405, 12.36.410, 12.36.430, 12.36.455, 12.36.505, AND 12.36.610, AMENDING ZONING DEFINITIONS 17.02.060, AND 17.07.920(B)(1)(f); AND PROVIDING FOR THE REPEAL OF SECTION 12.36.445 ENTITLED ROOT BARRIERS REQUIRED, OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE THEREOF.

**STAFF REPORT:** Katie Kosanke, Urban Forster, presented a request for approval of amendments to various sections of Municipal Code Chapter 12.36 entitled Urban Forestry and repealing Section 12.36.445. Ms. Kosanke noted the ordinance was first established in 1985 and has had only minor changes since then. The Urban Forestry committee made recommendations for additional areas needing improvement and/or clarification. Ms. Kosanke discussed the areas for proposed changes, including various definitions and wording changes for clarification, removing topping as allowable with an approved permit, clarifying fee in lieu of replacement tree, additional provisions for tree service licensing, allowing others to plant trees in the right-of-way, increasing the minimum size of required street trees, adding permits to be required for root pruning of public trees, amending spacing requirements for consistency, including new allowable

technology for root containment, providing for deviations from approved street list requests to go through Urban Forestry Committee, rather than City Council, stump grinding requirement, and penalties for ordinance violations consistent with the appraised value of the damage, for unpermitted removals or topping. The updates to the ordinance provide clarification and updates consistent with tree care industry standards.

**DISCUSSION:**

Councilmember McEvers asked who pays for the permits. Ms. Kosanke said that the city doesn't have a tree crew and abutting property owners are responsible for the care and maintenance of public trees in the right-of-way. She noted that permits are free and come with information about tree care, etc. Within the last couple of years they have started a new cost share program to help offset the costs that abutting homeowners are having to incur to pay tree services. She noted that the Urban Forestry Committee is working on a master plan and would like to propose the City taking care of trees but that takes a crew of people and a lot of money. One of the goals identified in the Vision 2030 plan was for Urban Forestry to come up with a master plan and for the City to look at caring for the public trees.

Mayor Widmyer said that the property owner benefits from trees that are in the public right-of-way. If the City was to maintain all of the trees, it would probably take a substantial crew and a substantial investment.

Motion by Evans, seconded by Miller, to dispense with the rule and read **Council Bill No. 17-1009** once by title only.

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

Motion by Evans, seconded by Miller, to adopt **Council Bill 17-1009**.

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

**COUNCIL BILL NO. 17-1010**

AN ORDINANCE PROVIDING FOR THE ENACTMENT OF A NEW SECTION 12.36.460 ENTITLED "TREE PROTECTION PLAN" OF THE COEUR D'ALENE MUNICIPAL CODE; PROVIDING FOR THE REPEAL OF OTHER CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

**STAFF REPORT:** Katie Kosanke, Urban Forester, presented a request for Council approval of a new section within Municipal Code Chapter 12.36 entitled Section 12.36.460, Tree Protection Plan. Ms. Kosanke noted that currently there are no standards in place to protect trees and tree roots from impact through site development.

This has resulted in dieback of tree branches and/or tree decline and removals which can pose safety risks. The City's Commercial Design standards for C-17 and C-17L zoning include a section regarding preserving private property trees called "Grand Scale Trees." These are large diameter trees on private property within 20' of a public street that a developer can choose to retain for bonus points (FAR (Floor Area Ratio) bonus - more square footage). The intent of this program is to encourage the retention of existing, larger, mature trees on private property (not street trees that are required to be retained unless approved for removal by the Urban Forestry Committee). The developer can receive bonuses for preserving grand scale trees in order to support the natural beauty of Coeur d'Alene. Recently, there were locations where Grand Scale Trees were intended to be preserved, however no measures were put in place to ensure survivability through the development process. The impact of the construction (root cutting, soil compaction, and trunk damage) resulted in tree decline and the trees had to be removed, while the developer had received bonuses for preserving them. With new requirements, developers will need to provide a tree protection plan when preserving grand scale trees. The tree protection will consist of fencing, signs, and mulch supplied by the developer to be in place throughout the duration of the project. City staff time will be needed for pre-site inspections, review of plans, monitoring the site during construction, and increased coordination with the developer. If the tree protection measures are not followed, or the tree fails due to construction impacts within the tree protection zone, the appraised value of the tree will be charged to the developer. The appraised value of the tree will be determined at the beginning of the project following the Council of Trees & Landscape Appraisers Guide for Plant Appraisal. In addition to the appraised value, the developer will also have to plant a 2.5" caliper-sized tree.

Ms. Kosanke commented that the intent of the ordinance is to promote tree retention because of the many benefits they provide within the community. The proposed requirements are simple and easy to follow. The developer can choose to retain the trees. Ms. Kosanke said that they want to work with developers throughout the process to be sure that during development the trees are protected, and if the developer is not responding to concerns about site inspections, they penalties in place for "what if" situations where the developer might say they are going to retain trees and receive the FAR points, but then cut all the roots off the tree. They would also like to have the replacement cost of the trees noted up front. Ms. Kosanke said that a tree that has a 20 inch diameter can have a valuation anywhere from \$6,000 to \$10,000. In addition to paying for the value of the tree, the developer would also need to plant a 2.5 inch caliper-sized replacement tree.

**DISCUSSION:** Councilmember McEvers mentioned that the people who built the Highway 95 and Wilbur shopping mall tried to save all the trees, and then the wind came and blew them all down. Councilmember Miller suggested that Ms. Kosanke talk to the NIBCA about what kinds of trees would benefit being saved.

Councilmember McEvers asked about the new subdivision on 15<sup>th</sup> and if there are any "carrots" to offer them to save the trees. Ms. Kosanke said that they are private property trees so they can remove them if they want. None of the trees would qualify for "grand scale trees," but they will all have new street requirements. The proposed tree protection ordinance is just for the C-17 zoning designation.

Ms. Kosake confirmed that the decision to save the trees is option, but the developer can get bonus points for saving grand scale trees. She explained that the bonuses are items such as indoor bicycle parking, patios out front, different design features on the building. The bonus is called a FAR bonus and the developer can have more square footage than what is allowable in that zone.

Councilmember Gookin asked what would happen if the developer accidentally damaged the tree. Ms. Kosanke said that construction would be well on its way and the building permits approved, so they wouldn't be able to take away bonus and that is where they would look at violations and penalties and where the tree valuation would come into play.

Ms. Kosanke confirmed that this ordinance only applies to new development in the C17 and C17L zones. She noted that she and the Planning Director have discussed perhaps applying it to the residential locations in the future.

Motion by Evans, seconded by Miller, to dispense with the rule and read **Council Bill No. 17-1010** once by title only.

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

Motion by Evans, seconded by Miller, to adopt **Council Bill 17-1010**.

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

**Mayor Widmyer called for a seven minute Recess at 7:53 p.m. The council meeting resumed at 7:59 p.m.**

### **RESOLUTION NO. 17-008**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A COOPERATIVE AGREEMENT (TRAFFIC SIGNAL) AND A COOPERATIVE AGREEMENT (FINANCIAL OBLIGATION) WITH THE IDAHO TRANSPORTATION DEPARTMENT FOR THE US 95, N CORRIDOR ACCESS IMPROVEMENTS, PROJECT NO. A019 (883).

**STAFF REPORT:** Jim Hammond, City Administrator presented a request for council approval of an agreement with the Idaho Transportation Department (ITD) to participate and share in the costs of the Fast Lane Grant and project. He noted that when the project was presented to council on February 28, 2017, there was some confusion regarding some responsibilities and funding for the project. Staff has since met with ITD engineers and has better clarity of the project. When the current version of US 95 was constructed through Coeur d'Alene, it was intended to provide through access north and south on a highway allowing speeds of 70 mph.

That goal was never achieved as the city quickly grew around and adjacent to the highway. Traffic flow on this highway struggles to meet the current speed limits of 35 to 45 mph. ITD engineers recognize the congestion that occurs on US 95 throughout the year, which is exacerbated in the summer season when tourist traffic is at its height. The Fast Lane Project will restrict east-west access to half-mile increments from Appleway north to Miles Avenue. This project will make improvements to the remaining intersections by providing more left and right turn lanes reducing back up and providing more red light storage for those turning left. The ITD engineers at the Coeur d'Alene District 1 office and in Boise acknowledge that this project is a temporary 10- to 15-year fix and an alternate route such as the proposed Huetter Bypass is the long-term solution. Mr. Hammond also noted that acquisition and construction costs for construction of Wilbur Ave. east of US 95 are included in the grant, and all work, including right-of-way acquisition, will be done by ITD. A proposed traffic signal at Wilbur and Government Way is not included in the project. Providing two southbound left turn lanes at Kathleen are also included in the grant. Construction of the lanes eastbound from US 95 to Government Way is not funded by the grant. Are confident that within impact fees both citywide and in the quadrant can widen Kathleen at the same time as they are constructing the rest of the project. Preliminary figures put cost for design, right-of-way acquisition and construction at \$550,000 to \$700,000. The City has until 2018 to fund the project. Facilitating an improved traffic flow through Coeur d'Alene benefits our community as well as the traveling public. The additional cost to the City could be between \$275,000 and \$350,000. Sufficient funds from Impact Fees are anticipated to be available by 2018 to fund this portion of the project.

Mr. Hammond reviewed the anticipated scheduled, with the project beginning in 2018. He noted that ITD recognizes that this is a short-term solution.

**DISCUSSION:** Councilmember Edinger asked if we are getting anything from the state. Mr. Hammond said that the state is matching to the federal money 10% and Coeur d'Alene and Hayden are picking up the other 10%. The federal government share is 80%. He noted that the long-term solution is the bypass, but that will be a state project. The other hope in terms of north/south traffic management that should help Highway 95 is that Highway 41 is also being improved from Post Falls to Rathdrum and beyond to four lanes this year and so traffic that might use 95 might move over to 41 and it could reduce some of the congestion.

**MOTION:** Motion by Edinger, seconded by Evans to approve **Resolution No. 17-008**, the FASTLANE Grant Match Agreement with ITD for Safety and Capacity Improvements to US-95 and the Agreement for Maintenance and Operation of the proposed Wilbur Avenue signal.

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

### **RESOLUTION NO. 17-017**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN AGREEMENT WITH OPENGOV FOR FINANCIAL TRANSPARENCY SOFTWARE.

**STAFF REPORT:**

Mr. Hammond noted that administration is very excited regarding this project because they believe that, internally, staff can better understanding budgeting, and they can also be more transparent for the public in terms of how they provide information.

Sam Taylor, Deputy City Administrator, presented a request for council approval of a five year contract with OpenGov, Inc. for financial transparency software. He noted that it is a three-prong effort and that part of the job he has been tasked with is working to better engage the public and to make sure that information is available, easy to get to, understandable, and will enhance community conversation. Mr. Taylor said that 1,500 community governments, counties and state agencies are utilizing the OpenGov software. He noted that Coeur d'Alene's citizens and elected officials deserve access to the City's financials in the most transparent and understandable way possible. Having this information is key to understanding how the City spends the public's money. Administration is proposing to utilize OpenGov's Transparency (public portal) and Intelligence (internal reporting system) software. Mr. Taylor said that the city website has links to spreadsheets, but the new software allows for the information to be provided in a more visually appealing what that is often easier to understand for those who aren't accountants. The new digital platform will provide both a public portal to review all of the City's budgetary information in a highly visual way as well as other functions like the "checkbook," which will literally show citizens how the City spends every penny of public funds. The software transforms often complex financial data into an interactive format. Having this portal linked to the City's website will keep this information at the community's fingertips and provides the opportunity to reduce records requests for the same information. The administration believes utilization of OpenGov's financial transparency software will build public trust and enhance decision making both by staff and elected officials. Staff also believes this software can also enhance upcoming strategic budget planning sessions with the City Council, and will allow for more robust review of the City's financials and encourage better, data driven discussions and decisions.

Mr. Taylor said that over the nine months, 591 people accessed financial information from the website. The platform will directly integrate with the City's financial management software, Springbrook, and the initial setup and integration with our system will be done by OpenGov. The company will also provide on-site training for staff and future data will be automatically update between Springbrook and OpenGov. Staff recommends a five-year contract at \$10,925 annually plus \$1,500 annually for auto integration into Springbrook for a total of \$12,425 each year. A one-time implementation and on-site training fee of \$2,700 would also be part of the initial cost. The City will save \$22,776 over the life of the contract by entering into a five-year agreement by March 31. Funding for this fiscal year is available from the Fund Balance due to unanticipated revenues. Future year costs will be affordable within the General Fund.

Mr. Taylor noted OpenGov is signed up with the General Services Administration of the federal government which requires them to have more accountability with pricing and they aren't allowed to increase their prices by more than 10% annually. He also noted that once you are on their system, OpenGov traditionally has not increased their prices even after the contract expires.

Mr. Taylor reviewed the OpenGov software on the Sausalito, California website. He noted that it is not just a financial management tool for the budget, but that any data they have can be uploaded into the internal reporting system. Inside the internal reporting system, you have the ability to geo-code various financial information which gives a visual representation of where the money is being spent.

**DISCUSSION:** Councilmember McEvers asked if water and sewer would be included. Mr. Taylor responded that yes, it would pull up all of the data they have. Councilmember McEvers asked who would drive the software or would every department head deal with it. Mr. Taylor said that because Springbrook will be integrated into the software, it will drive itself for the most part, but they will have to do some work on “Saved Views” for Frequently Asked Questions.

Councilmember McEvers asked about security. Mr. Taylor said that the software is cloud-based and not on the City serve. OpenGov manages and maintains it and if it does go down, they will actually provide a reimbursement based on how long it is down. Councilmember McEvers asked if there is any potential to get into Springbrook and Mr. Taylor said not that he is aware of.

Councilmember English said that he was able to see a little bit of a demonstration this week and is very enthused about the software. From his experience at the county in dealing with a lot of public information requests, he is aware of how time consuming it can be. He commented that it is not just a matter of transparency, but the public can really get what they want and he thinks it is a great public resource and the amount of time it could save is great.

Councilmember Gookin said that he thinks that on the surface this sounds good. He commented that one of his friends is a councilperson in Sausalito, and she expressed concerns. He also expressed concern about the uncertain future with Springbrook, and noted that if OpenGov is tied in with Springbrook and the City switches to another program, it means that the service could be disrupted. The councilperson in Sausalito also passed along concerns that she received from a person named “Bill” regarding the difficult comprehending city government accounting, in that government accounting is fundamentally different from private sector accounting and the average person would have trouble understanding it. As a result, he doesn’t know how beneficial it would be for the general public. The other issue is that this item busts the budget. Councilmember Gookin recommended postponing it until next year, and noted that he has a problem with using the Fund Balance because it is fiscally unwise to have an ongoing concern in the Fund Balance. He commented that if the City is going to proceed he would like to see staff come up with an equivalent amount of cuts to the current budget to justify a purchase in the current year.

Mr. Taylor commented that the City has seen unexpected revenues this year as well as unexpected savings and they believe they have cost savings this year for the new software without tapping into the Fund Balance. Councilmember Gookin asked about the savings. Mr. Taylor said that they have not filled all of the positions, with some savings as a result of that.

Mr. Taylor noted that citizens can take a tour when they start the program that shows how to use it and explains how the budget works. The notes feature allows you to better explain the detail of things that people might have questions about. He noted that it will be a learning experience

and they would continue to enhance the system to ensure that it is as usable as possible for the community.

Mayor Widmyer noted “Bill’s” example of citizens not understanding how government accounting works and asked Mr. Tymesen to explain if the City operates under an accrual basis or a cash basis. Mr. Tymesen responded that the City operates on a cash basis.

Councilmember McEvers said that he thinks the software is worth a try. Mayor Widmyer said that the benefit of using Springbrook right now is it will directly integrate into the software. If Springbrook goes away, they can directly import their financial spreadsheets, which doesn’t take a lot of time.

Councilmember Evans said that she thinks the transparency is fantastic and she anticipates a lot of questions and curiosity from the community. She wondered if staff is prepared to manage that and if there is an implementation plan for staff or the influx of calls and letters. Mr. Taylor said that their intention is to market it and they want citizen questions. Councilmember Evans asked who the questions will go to. Mr. Taylor said that they would likely be farmed out to the relative departments just as the City is doing with the “Ask the City a Question” feature on the website. Councilmember Evans noted that the majority of the questions will most likely be financial questions and wondered if there are enough staff hours available to offer the best customer service for those questions.

Councilmember Miller commented that, for the general user, it might be complex and wondered if there is a planned user tutorial and who will answer questions from users. Mr. Taylor said that he will answer questions. Councilmember Miller asked about input from the rest of the department heads. Mr. Taylor that that it has been discussed at the Executive Team level and everyone is excited to try it out. Councilmember Miller asked about an exit strategy if it doesn’t work out. Mr. Taylor said that administration’s response is that they have no intention of backing out of it and they are comfortable with the five year contract. Councilmember Miller asked if geo-mapping can track the progress of bond expenditures, construction projects, etc. with without doing additional input of the data. Mr. Taylor said that if the information is in Springbrook it can be loaded up.

Councilmember McEvers asked about the check register detail. Mr. Taylor said that the data that is in the system will be the data that is in Springbrook.

Mr. Taylor explained that the reason they are proposing a five year contract is that it gets them the best price. OpenGov is offering 2016 prices through the end of March and they further lowered the price by committing to a five year deal, which is typical for software purchases. If the City waited to do it until later in the year, they would see an increase of almost \$23,000.

Councilmember English said that he thinks it makes a lot of sense and thinks there will be time saving for the staff. He thinks it is a great step forward and is very supportive.

Mayor Widmyer asked if there was language in the contract that addresses annual appropriation

and future councils. Mr. Taylor said not that he is aware of and that it is a standard contact. **MOTION:** Motion by English, seconded by McEvers to approve **Resolution No. 17-017**, Approval of a Contract with OpenGov for Financial Transparency Software.

**DISCUSSION:** Councilmember Gookin said that he would feel better if it was introduced as part of the regular budget. He doesn't think it is fiscally responsible and would like to see more specific items that are being used to pay for it as opposed to Fund Balance and will be voting no.

Councilmember Miller said that in her initial, it seemed like a lot of money per inquiry and if people were already tuned into city government, why would we not just answer their questions and spend time on the phone with them. But, if you can put all of the other items in there that the general public would be interested in, such as the G.O. bond, etc., and if staff is supportive and it can be something that internally can save time and be more clear and readily available, she has started learning the other way.

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

### **RESOLUTION NO. 17-018**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ACCEPTING THE BID OF T. LARIVIERE EQUIPMENT & EXCAVATION, INC., AND APPROVING A CONTRACT FOR THE 2017 SELTICE WAY REVITALIZATION PROJECT.

**STAFF REPORT:** Chris Bosley, City Engineer presented a request for council approval a contract with T. LaRiviere Equipment & Excavation, Inc. for the Seltice Way Revitalization project. He noted that bids were opened for the Seltice Way Revitalization project on March 14, and the low bidder was T. LaRiviere. The low bid amount allows the City to include add alternates to the project. City Staff recommends including Add Alternates 1, 2, 5 & 6 in the contract. The total of the City's portion of the project including those Add Alternates is \$3,759,104.61. Ignite cda has agreed to fund \$4,560,000, which includes \$612,000 for construction phase services. The Base Bid plus the proposed Add Alternates allow for contingencies for change orders. A 7% contingency is planned for this project.

Mr. Bosley said that the engineer's estimate was \$4.68 million. Staff recommends that Add Alternate #2, street lighting, and Add Alternates 5 & 6 (Transit Shelters), be included in the contract for the project, which leaves enough money left over for a cushion for contingencies.

Mr. Bosley said that Add Alternate 3 (Additional 2' path width) can be added in if things go well and there are enough funds after contingencies. Add Alternate 4 (Atlas Storm Improvements) can be completed by the Street Department on its own, and not as part of the project.

**MOTION:** Motion by Edinger, seconded by McEvers to approve **Resolution No. 17-018**, Award of Bid and approval of a Contract with T. La Riviere for the Seltice Way Revitalization project

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

### **RESOLUTION NO. 17-019**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE 2<sup>ND</sup> ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF DALTON GARDENS FOR THE GOVERNMENT WAY IMPROVEMENT PROJECT.

**STAFF REPORT:** Chris Bosley, City Engineer, presented a request for council approval of a 2<sup>nd</sup> Addendum to the Memorandum of Understanding with Dalton Gardens for the Government Way Improvement Project for construction of the sanitary sewer system. He noted that funding through the Local Highway Technical Assistance Council has been awarded for design and construction of the Government Way improvement project between Hanley Avenue and Prairie Avenue. In coordination with the project, the City of Dalton Gardens desires to provide sanitary sewer service to the commercial properties along the corridor. There is no additional cost to the City of Coeur d'Alene through the Addendum. Approval of the Addendum to the MOU will allow for the City of Dalton Gardens to provide finances for the proposed sanitary sewer construction.

Mr. Bosley said that the addendum just clarifies some things on the original MOU.

**MOTION:** Motion by Gookin, seconded by Edinger to approve **Resolution No. 17-019**, Approval of a 2<sup>nd</sup> Addendum to the Memorandum of Understanding with Dalton Gardens for the Government Way Improvement Project

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

**EXECUTIVE SESSION:** **Motion** by Gookin, seconded by McEvers to enter into Executive Session pursuant to Idaho Code 74-206 (c) To acquire an interest in real property which is not owned by a public agency; (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 at an executive session does not satisfy this requirement

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

The City Council entered into Executive Session at 9:02 p.m. Those present were the Mayor, City Council, City Administrator, Finance Director, Deputy City Administrator, and City Attorney. Council returned to regular session at 10:00 p.m.

**RECESS: Motion** by Gookin, seconded by English to recess to March 31, 2017 for a workshop with the Planning Commission regarding Vacation Rental Code development, to be held in the Library Community Room at Noon, 702 E. Front Avenue. **Motion carried.**

The meeting adjourned at 10:02 p.m.

ATTEST:

\_\_\_\_\_  
Steve Widmyer, Mayor

\_\_\_\_\_  
Amy C. Ferguson  
Deputy City Clerk