

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

June 7, 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 June 7, 2016 at 6:00 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 J.O. Owens with Heart of the City Church gave the invocation.

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

POLICE DEPARTMENT ANNUAL REPORT: Police Chief Lee White reviewed the crime statistics over the past year. While there are crime rates that have substantially decreased over the years, there are still areas that have increased such as drugs and non-residential thefts. He reviewed the violent crimes data throughout the state, which noted Coeur d'Alene as high compared to other similarly sized cities. Chief White believes that this year's crime rates will be decreased; however, higher than the comparisons to the rest of the state. Chief White noted that calls for service have increased 10% over the past ten years. He reviewed response times for each priority level of crime. Additionally, he noted that the Coeur d'Alene Police Department still responds to calls for service at the jail, which may be part of the higher crime rates and calls for service. Their goals for the next year include continued crime reduction efforts, establishment of a community action team, and continued partnerships with the community. He noted that they recently held a community forum at the Police Station which was used to gather input regarding what they could be doing better.

Councilmember English noted that responding to calls to the jail means we are supplementing the jail staffing. Chief White clarified that in litigious matters, it would make sense to have an outside agency provide the support, but he will work with the Sheriff and report to Council. Mayor Widmyer asked for clarification regarding national standards for staffing. Chief White explained that the best rule of thumb is that 30% of an officer's time should be spent on calls for service, 30% of their time on community-based interaction/proactive activities, and 30% on administrative tasks. Currently they are spending 72% of time on calls, with little time for all

else including writing reports and training. Councilmember English asked if there have been any comparisons made to Spokane, as Coeur d'Alene is impacted by Spokane rather than Lewiston and Pocatello. Councilmember Edinger noted that the City has increased manpower over the years, and asked how many more patrol officers are needed. Chief White noted that they have added 4 positions through grants and added 6 more through the budget, which means 6 more are needed to get to the 16 total officers needed. However, he is willing to do incremental increases as it takes about a year to get an officer solo into a car. He is asking for three Patrol Officer in this year's budget planning. Councilmember Miller asked where the need of 16 officers came from. Chief White explained that it was based on the International Association of Chiefs of Police study conducted regarding the number of officers needed per 100,000 population.

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

1. Approval of Council Minutes for the May 17, and 19, 2016 Council Meetings.
2. Approval of Bills as Submitted.
3. Approval of the General Services Committee Minutes for the May 23, 2016 Meeting.
4. Setting of General Services and Public Works Committees meetings for June 13, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Setting of Public Hearing for June 21, 2016 for Increased Fees Related to Finance and Municipal Services
6. Approval of a Beer and Wine License; Sushi I, 2384 N. Old Mill, Coeur d'Alene; to Jinwoo Shin (new).
7. Approval of a Beer and Wine License; The Buoy, LLC. 420 E. Front Street (Harbor House Concessions) to Essex Prescott, Corey Schneider and Gared Schneider (New).
8. **Resolution No. 16-028** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING THE FOLLOWING DESCRIBED CONTRACTS AND OTHER ACTIONS OF THE CITY OF COEUR D'ALENE: ACCEPTANCE OF IMPROVEMENTS, AND APPROVAL OF MAINTENANCE/WARRANTY AGREEMENT AND SECURITY FOR LAKE FOREST WEST 1ST AND 2ND ADDITIONS (S-1-14.M); APPROVAL OF A SUBRECIPIENT AGREEMENT WITH ST. VINCENT DE PAUL FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATIONS FOR THE PURCHASE OF THE H.E.L.P. CENTER; APPROVAL OF SUBRECIPIENT AGREEMENT WITH THE BOYS AND GIRLS CLUB FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATION FOR ARCHITECT AND ENGINEERING COSTS; AND RATIFICATION OF AGREEMENT WITH SYRINGA PROPERTY MANAGEMENT FOR MANAGEMENT OF 106 HOMESTEAD AND TERMINATION OF A LEASE AGREEMENT WITH ST. VINCENT DE PAUL OF NORTH IDAHO FOR 106 HOMESTEAD AVENUE, COEUR D'ALENE, IDAHO, PREVIOUSLY AUTHORIZED BY RESOLUTION NO. 11-017.
9. **Resolution No. 16-029** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING THE CLASSIFICATION AND COMPENSATION PLAN TO PROVIDE A NEW CLASSIFICATION FOR THE POSITION OF PLANNING TECHNICIAN, PAY GRADE 9, AND PROVIDING A CLASSIFICATION CHANGE FOR THE POSITION OF LIBRARY IT COORDINATOR, PAY GRADE 8 TO PAY GRADE 9.

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

PUBLIC COMMENTS:

Susan Snedaker, CDA, reviewed several items regarding the City's lease with St. Vincent de Paul for property located at 102 and 106 Homestead Avenue. She noted that the Lease specifically required annual payments to the City in the total amount of \$150,000. She stated that the Lease is murky as to which portions may or may not be applicable to each property. Recently, St. Vincent de Paul gave a 30-day termination notice for 106 Homestead and paid the City \$67,564.41, which is the only payment made over the years. At the February 2, 2016 Council workshop, Finance Director Troy Tymesen noted a possible annual appropriation for the property would be a fixed 20-year term at a rate less than 3%, \$5,500 per month; however, the present income is \$3,500 month. She felt that it appears that St. Vincent was in default for four years and the City is now entering into another agreement with St. Vincent de Paul for the purchase of the Old Library building. She noted that in a March 30, 2006 staff report the sale of the library site was valued at \$1,000,000, which she believes was intended to go toward the payoff of the G.O. Bond. She said that the City originally bought the building for \$383,000 and is surprised the building is currently valued at just over \$564,000.

Councilmember Gookin expressed appreciation for Ms. Snedaker's research and expressed concerns about getting into business with a nonprofit. Additionally, he has mentioned to the Mayor and City Administrator that the City should not be in the lease business.

MAYOR AND COUNCIL COMMENTS:

Councilmember Evans congratulated the graduating High School Seniors throughout the community.

Councilmember English noted that the Parking Commission met today and discussed the four-corners project and expressed concerns regarding signage for RVs regarding where to park, as well as signage for boats coming into town. He noted that a citizen recently explained that one could go to Calltopark.com and pay via phone rather than going to the kiosk.

APPOINTMENTS: Motion by Edinger, seconded by McEvers to approve the appointment of Tim Kastning to the Urban Forestry Committee. **Motion carried**

DISCUSSION REGARDING MOBILE VENDOR CODE PROPOSAL

STAFF REPORT: Municipal Services Director Renata McLeod explained that staff needed more time to make a final recommendation to Council. However, they have identified a couple of code sections that need amendments to clarify a food court as a permanent commercial use. Additionally, staff is looking at what codes would be directly connected to the mobile vendor and will continue to work with stakeholders to bring a code forward within the next four weeks.

DISCUSSION: Councilmember Gookin asked about the licensing of a mobile food court. Ms. McLeod explained that the license is intended to require an annual fire inspection to make sure the mobile units have not moved and would be a simplistic code. Councilmember Gookin asked if the planning code amendment would allow for food courts within C-17 zones and asked for more information regarding the single vendor on a site. Ms. McLeod explained that staff is looking at the zoning and may bring forward other zones as allowable through a special use permit. She explained that staff is looking at the options for one unit to be on a parcel without requiring the permanent regulations such as the restaurant sewer rate increase. Councilmember Edinger asked if there is going to be a limit to the number that can be at a site. Ms. McLeod noted that staff reviewed Salt Lake City, Utah's code and it does limit the number of mobile units to 10 per parcel, but she is not sure why. Staff is discussing what it would mean to limit the number versus allowing as many as the site can handle while meeting all the required codes. Councilmember Miller said she had talked with the Chamber of Commerce, who noted that they have 58 restaurant members and asked staff to include them in the stakeholder group. Councilmember McEvers asked for more information regarding sewer rates and parking. Ms. McLeod noted that more staff discussion needs to be done regarding the sewer rates and that the Planning Department recommended three stalls per mobile unit.

UPDATE REGARDING DE-ANNEXATION OF CERTAIN PROPERTY WITHIN THE IGNITE LAKE AND RIVER DISTRICTS

STAFF REPORT: City Administrator Jim Hammond updated the Council on properties identified within the Lake and River Districts recommended for de-annexation. He clarified that funding is needed for public safety and this funding source will aid in that need. He explained the effect de-annexation would have on each taxing district and the net incremental tax revenue that should be expected with the de-annexation. Ignite CDA has a debt obligation to Washington Trust Bank and the most recent financial analysis projects a zero decrease in cash flow within the Lake District thus providing the bank with comfort that their position remains as strong as in the previous years. Mr. Hammond explained that they are requesting more properties out of the Lake District and less in the River District at the request of Ignite CDA. He clarified that this de-annexation will not remove funding from any planned projects and will not detract from their current financial obligations. The City will hold a continued City Council meeting on July 13, 2016 and the Planning Commission will be reviewing this request to ensure that it does not conflict with the Comprehensive Plan, as required by code.

DISCUSSION: Councilmember Gookin questioned why the Planning Commission has to look at conformance with the Comprehensive Plan. Mr. Hammond explained that the de-annexation of property within the district is considered a plan modification, which under Idaho State code is required. Councilmember Gookin asked if the surplus property owned by Ignite needs to be sold as part of the financial needs. Mr. Hammond noted that the sale of property would be a determination of Ignite. Councilmember Gookin asked if the agency has been cooperating with the de-annexation. Mr. Hammond explained that there has been some concern from the agency about lost future opportunities. However, this de-annexation gives the City Council an opportunity to meet current financial needs, such as funding public safety that need to be met now. Mayor Widmyer noted that the long-term plan is to surplus and dispose of the property with the funds going back to Ignite. Councilmember Edinger asked if the items needed for

development within the River District are going to be met. Mr. Hammond explained that individual developer agreements are not part of this process as none of the properties to be de-annexed has agreements upon them. Councilmember Evans asked how the de-annexation would affect Ignite's ability to assist with the railroad property development. Mr. Hammond noted that the agency currently has money to do the four-corners project and has set aside \$2 Million for the next phase. Councilmember Evans asked how this will affect the Arts Commission budget. Mr. Hammond noted that the financial analysis reviewed all of the Ignite obligations, including the Arts Commission, and they are able to meet those obligations. Mayor Widmyer noted that there would be a small reduction as the increment is less. With the \$500,000 the City is getting it might be able to make up the difference if there is a negative impact to the Arts Commission. Mr. Hammond explained that he will make a presentation to the Ignite Board tomorrow and the maps and legal descriptions have been submitted to the State for review and approval. The Planning Commission will review the request then the Council will need to adopt the Ordinance to create the change for the de-annexation at the July 13, 2016 City Council meeting. Councilmember Miller noted that she thinks this will be a great way to recoup funding earlier and wondered if bank approval is part of the process. Mayor Widmyer noted that the bank has not given final approval, which would be for the Lake District only; however, the bank assured him that there is a process it will go through and does not see any problem with approval. Councilmember Miller wanted to make sure that there has been an analysis of the geographic loss, as she does not want to make a mistake and lose any opportunities within the 10% expansion area if needed. Mr. Hammond said he is comfortable with the 10% allowable expansion and noted that another option is to open a new district for specific areas if needed. Councilmember Miller noted that the community has identified the waterfront space as important and they should be aware of that opportunity in the future.

Councilmember Gookin asked for clarification as to why the total amount of tax funding cannot come to the City. Mr. Hammond noted that the amount the City receives is the full amount it is entitled. He explained the history of urban renewal districts and cities both taking the new growth, which needs to be paid back. Mayor Widmyer explained that the total funds from de-annexation is approximately \$1.3 Million with roughly \$500,000 to the City, \$270,000 to the County, \$94,000 to NIC, \$41,000 to Post Falls Highway District and \$400,000 to the tax-payers. Councilmember McEvers noted that the urban renewal agency has done great things and Council has defended it for years. This is the first time the City is asking them to give back property and taxes to the community, and he believes it is a "win-win." Councilmember Gookin felt that this is a sign of Ignite's success. Councilmember Evans noted that she had talked to two Ignite board members and they were supportive of this action. Councilmember Edinger thinks this is good and it allows the City to get money back to the taxpayers. Councilmember English noted that he is in support of this action. Mayor Widmyer thanked Panhandle Area Council as they had prepared the financial analysis.

MOTION: Motion by McEvers, seconded by English to approve submission of plan amendments and request approval by Ignite CDA and to direct staff to take all necessary steps to complete the de-annexation of parcels from the Lake and River Urban Renewal Districts by July 24, 2016. **Motion Carried.**

(LEGISLATIVE) V-16-2: VACATION OF A PORTION OF 8TH STREET RIGHT-OF-WAY, ADJOINING THE WESTERLY BOUNDARY OF LOT 5 OF THE FRALEY ADDITION TO THE CITY OF COEUR D'ALENE PLAT

STAFF REPORT: Engineering Services Director Gordon Dobler noted that the right-of-way was original dedicated to the City in 1948 as part of the Fraley Addition. This vacation request would add approximately 841 square feet to the county tax roll and would be a benefit to the abutting landowner as they wish to remodel their existing home and need additional land. This action would still leave 5 feet of right-of-way remaining for future utilities if needed.

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

DISCUSSION: Councilmember McEvers expressed concern that this action would set a precedent of people wanting city right-of-way for remodeling their homes. Mr. Dobler did not think that a precedent would be set as staff's recommendation is based on whether or not the City needs the right-of-way, not the future property owner's use.

MOTION: Motion by Gookin, seconded by Evans to approve Vacation of a portion of 8th Street right-of-way, adjoining the westerly boundary of Lot 5 of the Fraley Addition to the City of Coeur d'Alene plat.

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

Council Bill No. 16-1011

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, STATE OF IDAHO, VACATING A PORTION OF THE 8th STREET RIGHT-OF-WAY, GENERALLY DESCRIBED AS A PARCEL OF LAND ADJOINING THE WESTERLY BOUNDARY OF LOT 5 OF THE FRALEY ADDITION TO THE CITY OF COEUR D'ALENE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Gookin, seconded by Edinger, to pass the first reading of **Council Bill No. 16-1011.**

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

MOTION: Motion by Edinger, seconded by McEvers, to suspend the rules and to adopt **Council Bill 16-1011** by its having had one reading by title only.

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

(LEGISLATIVE) V-16-3: VACATION OF THE 20' PUBLIC SEWER EASEMENT IN THE CROSSROADS SUBDIVISION

STAFF REPORT: Engineering Services Director Gordon Dobler explained that this easement was installed with the Zanetti Subdivision in 2009. The sewer main has been relocated and is no longer in the existing easement. The applicant has requested this vacation to aid in the development of the property.

Mayor Widmyer called for public comments.

Anthony Zanetti, Coeur d'Alene, asked if sewer within the vacated property is being rerouted. Mr. Dobler reiterated that the sewer has already been abandoned.

Public testimony was closed.

MOTION: Motion by Gookin, seconded by Edinger to approve Vacation of the 20' public sewer easement in the Crossroads Subdivision.

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

Council Bill No. 16-1012

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, VACATING A PUBLIC SEWER EASEMENT IN THE CROSSROADS SUBDIVISION, RECORDED IN BOOK "K" OF PLATS, PAGE 405, RECORDS OF KOOTENAI COUNTY, GENERALLY DESCRIBED AS A 20 FOOT WIDE PUBLIC SEWER EASEMENT LYING IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Edinger, seconded by McEvers, to pass the first reading of **Council Bill No. 16-1012.**

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

MOTION: Motion by Edinger, seconded by McEvers, to suspend the rules and to adopt **Council Bill 16-1012** 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.

(LEGISLATIVE) COMMUNITY DEVELOPMENT BLOCK GRANT PLAN YEAR 2015 YEAR-END CAPER REPORT.

STAFF REPORT: Municipal Services Director Renata McLeod explained that a public hearing is required by HUD to review the Consolidated Performance and Evaluation Report (CAPER). It is a year-end report explaining how funds were spent during the year. There were several community grants awarded during Plan Year 2014 that carried over into Plan Year 2015. She noted that funds still needed to be expended for the 2014 grant award to the Children's Village. In 2015, funds were allocated to St. Vincent de Paul for the acquisition of the city-owned property at 201 E. Harrison Avenue, the completion of the Housing Needs Assessment as well as the award of 13 Emergency Minor Home Repair grants.

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

DISCUSSION: Councilmember Edinger asked for information regarding the Boys and Girls Club grant. Ms. McLeod noted that there was a substantial amendment process that occurred during the year in which funds were allocated to the Boys and Girls Club in the amount of \$37,000 as well as St. Vincent De Paul in the amount of \$162,840. The Grant for the Boys and Girls Club will go toward architect and engineering fees for the new Coeur d'Alene facility. Councilmember McEvers asked for clarification regarding the housing needs assessment and what it means regarding the City's responsible for providing affordable housing. Ms. McLeod explained that the housing needs assessment is a tool that can be used to aid in how to spend the CDBG funds and when community grants are received, the City can better know what the needs of the community are and fund accordingly. Mayor Widmyer noted that the assessment is also used by other agencies and organizations to help justify their grants. Councilmember Miller asked for clarification regarding the total amount allocated to the Boys and Girls Club. Ms. McLeod explained that the request from the Boys and Girls Club was for \$120,000. However, there were not enough funds for that request in one plan year. \$37,000 was available out of Plan Year 2014 funds and staff plans to include the remaining \$83,000 in the Action Plan in 2017.

MOTION: Motion by Miller, seconded by McEvers to approve the Plan Year 2015 CAPER for submittal to HUD. **Motion carried.**

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

ADJOURNMENT: Motion by Gookin, seconded by McEvers that there being no other business this meeting be adjourned. **Motion carried.**

The meeting adjourned at 7:34 p.m.

ATTEST:

Steve Widmyer, Mayor

Renata McLeod, CMC, City Clerk