

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

November 15, 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 November 15, 2016 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

**INVOCATION:** Pastor Dave Hoit with Prairie Avenue Christian Center provided the invocation.

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

**INTRODUCTION OF NEW FIREFIGHTERS:** Fire Deputy Chief Tom Greif thanked the Mayor, Council, and community for recognizing the need for the fourth Fire Station in our community. There were over 300 applicants for these nine positions. Captain Bill Deruyter introduced the following nine new firefighters: Travis Georgius, Brian Judge, Jack Craven, Brady Foil, Cody Moore, Christopher Pickett, Ryan Whitelaw, Justin Torfin, and Thomas Eckert. Mayor Widmyer noted that the community and Council are happy to welcome the new firefighters.

**FORT GROUND NEIGHBORHOOD COMPATIBILITY OVERLAY DISTRICT AND SURVEY UPDATE:** Community Planning Director Hilary Anderson noted that the Planning Commission heard this presentation and felt the next step should be a presentation to the City Council to hear it next. Kevin Jester, Fort Ground Homeowner Association member, noted that this project evolved from a 1992 survey and they will be asking for a future neighborhood compatibility ordinance and zoning code changes to protect the neighborhood character based on their findings. They believe that old neighborhoods add to the character of the community and should be protected. On June 18, 2015 a subcommittee of the Fort Ground Homeowner's Association submitted an executive summary to the Planning Department. In the process of drafting the summary, the committee engaged the services of Stephen R. Miller, Director of Economic Development Clinic, University of Idaho, College of Law in Boise, Idaho. The committee has reviewed the overall character/style of homes in order to determine an outline for

compatibility for future development. One concern had been that the creation of an ordinance for a small neighborhood would create concerns for other neighborhoods. The City's Legal Department did not share that concern. The draft ordinance was presented at a Fort Ground Neighborhood meeting recently and made available on the city's website.

Patty Jester provided a history of the Fort Ground neighborhood and noted that it was platted in 1905, which was the beginning of the neighborhood. She presented a depiction of the neighborhood area that was included in the survey and clarified that they reviewed house architectural description square footage, lot size, remodels, and floor area ratios. She noted the fast pace of home demolition and remodels since the 1992 study. The survey includes a review of the height of homes, and noted that the vertical scale has tripled since 1992. She noted that 70% of the homes remain between 1 to 1.5 stories. New structures are being built upon berms that increase the building height that restricts neighboring homes' access to sunlight. Greenspace and other permeable land are limited in the newer developments. She noted that 56 homes out of the 80 remain in character of the original study; however, the pace of new homes has accelerated over the past 12 years. Forest Drive and Lakeshore Drive have experienced the most demolition. Setback allowances currently allow development closer to sidewalks and with additional height allowances, new development does not fit the previous character. If current trends continue, the neighborhood would be changed with fewer trees. Mr. Jester noted that the amendment to the zoning code could include a clear definition of the Fort Ground neighborhood, provide an overlay district with special rules, and limit total gross floor area, maximum height baseline, and previous setback requirements. He noted that an overlay district would benefit the community and the neighborhood.

**DISCUSSION:** Councilmember Miller asked if there was a summary of the construction dates of homes included in the original 1992 survey. Mrs. Jester confirmed that there was and clarified it included a description of property and they have looked at the changes since the 1992 data. Councilmember Gookin noted that he did not participate in the survey as he lives in the neighborhood. He asked Ms. Anderson to explain a couple potential problem areas within the code that cause some loophole problems within the neighborhood, such as setbacks and berming up the lots. Ms. Anderson clarified that open porches are allowed to encroach into the setback space and that the height is measured from finished grade. Councilmember Gookin would like the height to be measured from the curb height. Ms. Anderson stated that the code could be amended and should be looked at citywide for any effect of those changes. Councilmember Edinger asked if the proposed ordinance has been seen throughout the entire neighborhood. Mr. Jester clarified that he is just requesting the consideration of an ordinance tonight but envisions a series of workshops in the future for everyone to participate in the discussion. Mayor Widmyer asked how many neighbors were involved in the drafting of this request. Mr. Jester clarified it was a small group that gathered the data and this is a good starting point. Councilmember English noted that this is an issue that matters throughout the community and appreciates the historical nature of several neighborhoods. He noted that there needs to be a balance between regulations and private property rights, so he believes they should look at the entire city rather than one neighborhood. Mayor Widmyer asked how many homes were in the district. Mrs. Jester noted that there are 119 homes and explained that some are duplicate owners and some owners live out of the area. Councilmember McEvers asked for more information regarding open space within neighborhoods. Ms. Anderson explained that there is no open space

requirement for a traditional neighborhood but there is for a PUD or pocket housing. She explained that the City used to have an impervious surface requirement that provided some green space, but it has been repealed. She noted that there are requirements for side setback and structures are allowed within the backyard due to no impervious surface requirements.

Councilmember Miller thinks these concerns are a citywide issue, and if the Fort Grounds is looking to be a pilot program, then it is important for the community to be involved in the discussion. Councilmember Evans thanked the Jesters and community members for conducting the research and the time spent toward the project. Councilmember Edinger noted that the Fort Grounds neighborhood is a historical area and believes it should remain a historical area. Mayor Widmyer felt that the next step should be to bring the 119 homeowners into the discussion and somehow look at the other neighborhoods in the community. He thanked the Jesters for their work. Mr. Jester noted that there were eight people included in the committee and they should also be given recognition for their time and effort on the project.

**2016-2017 SNOW PLAN:** Street and Engineering Services Director Tim Martin said that citywide leaf removal started on Monday and they are about 30% complete. Most of the leaves are being taken to the compost facility temporarily, and then will be moved to the Coeur d'Alene Airport to be tilled into the soil. The 2016/2017 Snow Plan includes actions to provide a goal of 30 hours for citywide snow removal for snow events that have 4" of snow or more (or 2" with more snow expected). He noted that there are priority routes including access to hospitals, hills, and main arterials. He encouraged residents to keep cars off the streets. Additionally, he reminded residents that they are responsible to clear the sidewalks abutting their property and he encouraged them to help neighbors who are in need. Mr. Martin will make efforts to communicate to the public such as through social media and the city webpage. Mr. Martin noted that this year's Name the Storm contest winner was student Charles Shimmer from Canfield Middle School with the theme of "Ice Cream flavors." The first storm will be named Arctic Almond Avalanche. Mayor Widmyer thanked the Street Department crew for the leaf pick up program.

**MOTION:** Motion by McEvers, seconded by Edinger to approve the 2016-2017 Snow Plan.  
**Motion Carried.**

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

1. Approval of Council Minutes for the October 28, 2016 and November 1, 2016 Council Meeting.
2. Approval of Bills as Submitted.
3. Approval of Minutes for the General Services Committee Meeting held November 7, 2016.
4. Setting of General Services and Public Works Committees meetings for November 21, 2016 at 12:00 noon and 4:00 p.m. respectively.
5. Setting of a Public Hearing on December 20, 2016 for A-5-16: A proposed 2.78 ac. annexation from Michael Kobold with zoning from County Agricultural to City R-3 (Residential at 3 units/acre); located at 1820 W. Prairie
6. **Resolution No. 16-062 - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A SIX (6) MONTH LEASE**

RENEWAL WITH COMMERCIAL PROPERTY MANAGEMENT, LLC, FOR  
OFFICE SPACE AT 816 SHERMAN FOR THE LEGAL DEPARTMENT.

**DISCUSSION:** Councilmember Miller noted that there have been a number of items presented to Council subcommittees that are moved to the agenda for full Council discussion. She would like to request staff bring information on a future Council agenda regarding what is allowable and deemed routine on the consent calendar. Councilmember Gookin agreed that there have been items that go to the consent calendar that he does not believe are routine. He noted that Boise has a policy. City Attorney Mike Gridley stated that it is not a legal question, rather a Council determination. The subcommittees can decide if it should go to full Council or not. Councilmember English felt that it would be worthwhile to have the discussion but he is comfortable with how the process currently works as a Councilmember can pull the item out separately for discussion at the meeting. Councilmember Edinger stated that he likes the current process. Councilmember McEvers noted that the subcommittees are intended to vet items prior to Council meetings. He would like to see how others cities use the subcommittee system. Councilmember Evans suggested the City look to AIC for best practices. Councilmember Gookin believes that the subcommittees are a wash and that it would be more transparent to have all the items presented at a Council meeting. Mayor Widmyer asked staff to put something together for discussion at a future Council meeting.

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

**PUBLIC COMMENTS:**

Records Request: Kathleen Sims, Coeur d'Alene, explained that she submitted a couple of public records requests on August 16. She received no records regarding this request, but was provided some Council Meeting Minutes. She recently visited with Brian Kane in the Idaho Attorney General's Office. The Idaho Code requires monthly financial reports under oath, and she does not believe the code is unclear and should not be ignored by the City. The responsibility for following the law is the responsibility of the Mayor and Council. She stated that Boise, Rexburg, and Sun Valley comply with the law. Mayor Widmyer noted that the City takes its responsibility serious and is working with the legal team to ensure compliance.

Mobile Vendor Code: Heather Reverie, Coeur d'Alene, pointed out a number of items regarding the proposed food truck ordinance and expressed concern regarding the fees. She asked for clarity regarding the first year and how much would be charged for each new location. She has two trucks and a tent she uses and wondered if she would be charged the same price for each vehicle or at each new location. She expressed concern regarding one-time events on private property. The ordinance only covers the City of Coeur d'Alene, but other towns are watching and will mimic what Coeur d'Alene does.

### Fort Ground Neighborhood:

Bob Dryer, Coeur d'Alene, noted that he lives in the Fort Grounds and thanked the Mayor and Council for requesting the entire neighborhood be notified regarding the possible changes. He agrees that a review of the code for the community is a good approach and that the Fort Ground should not be a guinea pig for the City and they should look at what is consistent throughout the City.

Bridget Hill, Coeur d'Alene, noted that she has lived in the Fort Grounds for 30 years, and there has been a lot of change recently that she does not agree with. She supports the preservation of the nature of the houses and neighborhood character within the Fort Grounds. Some the main issues are height, width, and maximization of the lots with front porches being allowed almost to the sidewalks.

John Pulsipher, Coeur d'Alene, said he lives in Fort Grounds and is a newcomer to the area and has a porch that extends into the setback. He loves the neighborhood and specifically sought out a home in the neighborhood. The older house had asbestos, lead paint, and a previous electrical fire, so he decided to demo and re-build. They built a house that included their wish list items. He was surprised there were historical restrictions. He does not believe that the City can make everyone happy when creating a law. He is concerned about future growth and the ability to build to match neighboring properties. He believes the city should look at citywide regulations and that another neighborhood with less expensive land might be a higher priority as they are more quickly developed. He noted that the proposed codes are based on Austin, Texas, which has been a failure as it created a backlog in permit approval, as it is so complex. He believes this code is equal to a deed restriction. Councilmember English stated he appreciated the comments and believes the Council owns the code and that if the code is creating unintended consequences, it should be changed.

Terry Gabbout, Coeur d'Alene, said that the problem that is being experienced in the Fort Grounds is not unique. His son lives in Seattle and they are experiencing the same thing, as there is a current draw to live closer to downtown. Austin, Texas is utilized as they were the first to create a code and they have had three iterations of the code. Every community they talked to referred them back to Austin, Texas.

### **COUNCIL ANNOUNCEMENTS:**

Councilmember Evans noted that November is Native American Heritage month. The Kroc Center, Human Rights Education Institute, and the Coeur d'Alene Tribe are sponsoring events around the community. Saturday, November 19, 2016 from 1:00 to 3:00 there will be open houses at the HREI building. The Pedestrian & Bicycle Advisory Committee has been busy with reviewing crash and safety data over the last 7 years and has identified potential counter measures, has met with Coeur d'Alene Police Chief White and Sgt. Turrell, written and filmed several education public service announcements, began safe routes to schools programs with the School District, instituted pedestrian flag crossings, discussed additions of bike lane wrong way signs, and designed and distributed an educational pamphlet handed out during "bike-to-school week." They also assisted the city with a grant for the rapid response beacons at pedestrian crossings.

Councilmember Miller said that she recently attended the North Idaho Building Contractors Association joint government meeting. She appreciated the representation that the Mayor and Deputy City Administrator give the City.

Councilmember Gookin announced that there are two trees along Fort Ground Drive that are dead and will be removed this week. Deputy City Administrator Sam Taylor noted that he placed a photo on the City's Facebook and web page that demonstrate that they are truly dead trees. He noted that the stumps would be retained for future artwork.

Mayor Widmyer requested confirmation of the appointment of Patrick Murray and James Chapkis to the Parking Commission.

**MOTION:** Motion by McEvers seconded by Edinger to approve the appointment of Patrick Murray and James Chapkis to the Parking Commission. **Motion Carried.**

### **RESOLUTION NO. 16-063**

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH KOOTENAI COUNTY EMERGENCY MEDICAL SERVICES TEAM (KCEMSS) FOR USE AND EXPENSES OF A MASS CASUALTY RESPONSE VEHICLE.

**STAFF REPORT:** Fire Chief Gabriel asked for Council approval to enter into a Memorandum of Understanding (MOU) with KCEMSS for the use of a mass casualty response vehicle. Chief Gabriel noted in his staff report that several years ago the Fire Department placed into service a 1999 mass casualty truck vehicle that was capable of carrying enough equipment to mitigate a large-scale medical or terrorist incident. The Fire Department saw a need for this type of specialized piece of equipment due to a number of circumstances to include the many special events our City hosts, being on the I-90 and Highway 95 corridor, and our inclement weather. The majority of the equipment on the apparatus was acquired by grants through Panhandle Health and the Bureau of Homeland Security. When the Fire Department began looking at the general obligation bond, one of the items under the capital improvement plan was this 1999 mass casualty truck. About a year and a half ago, he and Mr. Tymesen met with folks from KCEMSS and they asked the City not to purchase a new truck because they had the funds to do so. Chief Gabriel noted that the truck should arrive in the next couple of weeks. The Fire Department will get the truck for no initial cost. KCEMSS will own the vehicle and will be responsible for any major repairs and insurance. The Fire Department will be responsible for fuel and routine maintenance. The cost to replace the vehicle was budgeted at \$250,000. This specialized piece of equipment gives the Fire Department the ability to have a minion scene hospital. They will have the capability to treat up to forty-five patients and quickly prepare them for transport to care facilities. With the majority of the equipment coming from grants and KCEMSS, it is an economical method to mitigate a mass casualty incident. This piece of equipment will be part of the Technical Rescue Deployment plan as well as be available to all their mutual aid departments.

**MOTION:** Motion by Edinger, seconded by Miller to approve **Resolution No. 16-063**, approving a Memorandum of Understanding with Kootenai County Emergency Medical Services System (KCEMSS) for a Mass Casualty Response Vehicle.

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

### **COUNCIL BILL NO. 16-1023**

AN ORDINANCE ADDING CHAPTER 5.75 TO THE CITY CODE, ENTITLED “CONCESSIONS,” TO REGULATE THE OPERATION, LOCATION, AND PERMITTING OF MOBILE FOOD CARTS, MOBILE FOOD CONCESSIONS, MOBILE RETAIL CONCESSIONS, AND NON-MOBILE CONCESSIONS; PROVIDING FOR THE AMENDMENT OF THE FOLLOWING SECTIONS OF THE CITY CODE: 4.05.030(B), 4.15.060, 4.15.080, 4.15.090, 4.30.030, 4.30.050(D), 5.44.050, AND 17.07.615(A); PROVIDING FOR THE REPEAL OF THE FOLLOWING SECTIONS OF THE CITY CODE: 4.30.010, 4.30.020, 4.30.040, AND CHAPTER 5.18; PROVIDING THAT CHAPTER 4.30 BE RE-TITLED “COMMERCIAL ACTIVITY ON PUBLIC PROPERTY”; 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:** Municipal Services Director Renata McLeod explained that she is asking for Council approval of two Ordinances related to mobile vendors and food court, as well as amendments to related existing city codes. Ms. McLeod noted that on February 24, 2014 the General Services Committee directed staff to create regulations regarding mobile sales on private property. This recommendation was based on public safety concerns including fire, traffic, stormwater, and grey water disposal. Staff held a stakeholder meeting on October 1, 2014 and a draft of proposed regulations was provided to the stakeholders via email on August 7, 2015 with six responses received. She noted that staff provided the draft code to the stakeholder group and posted it to the city web site, seeking public input from July 6, 2016 to July 22, 2016. No comments were received. Ms. McLeod noted that she had received comments from two vendors since the General Services meeting and feels that staff was able to provide them feedback and answer their questions. She noted that fees need to be set via a public hearing, which will be set after the approval of the code. However, she felt it was important to provide an estimate of the fees based on staff hours needed to review the permits/licenses, as follows:

Mobile Vendor Permit:	\$230.00 first year or at new location
Mobile Vendor Annual Renewal at same site:	\$50.00
Food Court License:	\$100.00 first year
Food Court License Annual Renewal:	\$50.00

She clarified that the proposed codes are divided by private property and public property as well as vendor regulation and property owner regulations for food courts

**DISCUSSION:** Councilmember Gookin asked to clarify that a mobile food court ordinance is being presented for adoption and would apply for two or more vendors at a location but if a location has only one vendor, they would still have to meet the parking and setback requirements for fire and safety issues. Ms. McLeod confirmed that the code was written to still allow one vendor at a location without having to meet all the food court regulations but they would still have to meet the safety requirements for fire, parking, and setbacks under the vendor permit. Councilmember Gookin also inquired about a vendor doing an event versus being parked in a location. Ms. McLeod explained that any vendor participating in an event under a City-issued permit, such as the street fair, would not have to obtain a mobile permit. The vendor would also be exempt if they are catering a private event such as a wedding or birthday and are on site only during the event. Councilmember Gookin also added that the code is currently weak for vending around schools and the City needs to protect children. He also questioned why December 31 was set for renewals as he thought other licenses were due at the same time of year. Deputy City Clerk Kathy Lewis explained that license and permits are also staggered throughout the year. Councilmember Gookin also mentioned that the vendors must meet the sign code criteria and that the sign code might need to be amended. Ms. McLeod explained that the food courts have discussed a multi-tenant sign for their vendors and the vendors under the current code may obtain a sandwich board sign.

Councilmember McEvers commented that the food trailers should be built or equipped to safety standards, which should be the responsibility of the individual vendor rather than the Fire Department. He felt that if the Fire Department were to do only one inspection it could potentially reduce the proposed fee. Ms. McLeod replied that the suggested fee also included administrative time for site review by planning, wastewater, and the processing of the permit with a small amount delegated for code enforcement. Councilmember McEvers asked for clarity regarding the regulation that vendors must be located at least 1200 feet from a school. Ms. McLeod responded that the City has had complaints of vendors selling knives and dangerous items etc. close to schools. She also explained that the school can have a catered event and the caterer is not subject to this regulation. Attorney Adams also explained that this requirement was previously in another section of the code and was moved to this area, as it is applicable.

Councilmember Miller questioned temporary catering versus regular vending and perhaps there could be a fee based on time spent by the Fire Department accordingly rather than the \$230.00 fee. Fire Inspector Etherton responded that their intent is not to attend every catering event, nor from business to business on an ongoing schedule. The vendor is responsible to meet the standards. The vendor will receive the safety sheets, which include what the Fire Department is inspecting to assist in the inspection. The Fire Department does not have the time or the manpower to follow the trucks around to various locations. New vendors will take more time but renewals should be much quicker. They often have to make return inspections, as the vendor may not be in compliance on the first visit. Ms. McLeod responded that once the unit has been inspected, they could move to other approved locations. Councilmember Miller also asked about the property owner responsibility versus the individual vendor on the property. Ms. McLeod answered that if the property is a food court, then the owner of the property must meet all the food court regulations and ensure compliance. If it is a single vendor on a piece of property, the vendor is responsible for meeting the criteria. Councilmember Miller suggested that perhaps all inspections for all vendors could be done at one time instead of individually completed. She

stated that perhaps trying to simplify the code made it more complex and it needed to revert to different sections. She expressed that there was redundancy for each type of permit. Mr. Adams responded that the intent of the code is to make it easy for the vendor to find the applicable section and not have to go to another section of the code to find what is applicable, so there is repetitive language. Councilmember Miller also questioned if the vendor wants to be on City property and several people want the same location, that several individuals at the City make the decision to approve or disapprove the location. Ms. McLeod explained that any special concessions that may not fall into the mobile concession category are approved through a contract that would go before the Council for approval.

Councilmember Edinger asked how many food courts exist in Coeur d'Alene. Ms. McLeod responded that there is one on Best Avenue and another proposed on the west side of Government Way north of Les Schwab tires. Panhandle Health indicates approximately twenty-one current food vendors in Coeur d'Alene.

Councilmember Gookin asked how often the units would be inspected. Inspector Etherton explained that, generally, if the propane tanks were installed correctly, they would have no future problems if the unit stayed in one location. However, units that move about town frequently hit bumps and have vibrations, etc. that loosen connections that may require more inspections. Panhandle Health will continue to investigate and enforce all food handling issues under their regulations. The City has worked closely with Panhandle Health through the development of the proposed ordinance.

Councilmember English suggested that perhaps the City could determine how many parking spots are required at each business and not have to visit each site each time. He also suggested that the Fire Department could determine a benchmark for placement rather than inspect each time. Inspector Etherton replied that businesses often meet only minimum parking requirements and each type of business has a different parking requirement established per code.

Mr. Adams commented to the Council that the stakeholders have been included and one even had examined the code line-by-line and if the Council wants further code development, it will be important to tell staff where changes are needed and maybe conduct a line-by-line review.

City Administrator Hammond stated that Council directed staff to develop the code to meet the needs of the community and they have spent several years developing and refining this ordinance and working with the stakeholders. He encouraged the Council to decide whether they want the ordinance. Councilmember Gookin asked if the Council approves the code and stakeholders provide additional feedback and changes are needed, how that would come forward. Ms. McLeod explained that if the code were approved tonight it would require another ordinance be brought forward to amend the code. Councilmember Gookin noted that it may not be perfect, but it is new code and agreed that the Council should start with this code as a basis to start. Councilmember Evans reiterated that the stakeholders that consisted of mostly mobile vendors were a partner in the development of the code. Mr. Taylor noted that there have been newspaper articles and postings to the website and social media, so there were opportunities for the entire community to give input as well. Councilmember McEvers noted that he talked to the two property owners involved in a food court and they were good with the code proposed. He noted

that he thinks the code provides fairness for those that are currently operating and those that come new to the community.

**MOTION:** Motion by Gookin, seconded by McEvers, to pass the first reading of **Council Bill No. 16-1023.**

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

**MOTION:** Motion by McEvers, seconded by Evans, to suspend the rules and to adopt Council Bill 16-1023 by its having had one reading by title only.

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

### **COUNCIL BILL NO. 16-1024**

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, ADDING A NEW ARTICLE X TO CHAPTER 17.07, ESTABLISHING CRITERIA, STANDARDS, AND PROCEDURES APPLICABLE TO MOBILE FOOD COURTS; PROVIDING REPEAL OF CONFLICTING ORDINANCES; PROVIDING SEVERABILITY; PROVIDING THE PUBLICATION OF A SUMMARY AND PROVIDING AN EFFECTIVE DATE.**

**MOTION:** Motion by McEvers, seconded by Gookin, to pass the first reading of **Council Bill No. 16-1024.**

**DISCUSSION:** Councilmember English said that he appreciates the effort put into the code and he struggles with the need for the code without a large community push. He would ask staff to look at ways to reduce the proposed fee. Councilmember McEvers explained that there has been a lot of history on this matter and a lot of it came from the brick and mortar business paying into the system, while the mobile vendors do not and have parked in a location for over a year, while still not paying into the system.

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

**MOTION:** Motion by Gookin, seconded by McEvers, to suspend the rules and to adopt **Council Bill 16-1024** by its having had one reading by title only.

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

**RECESS:** **Motion** by Gookin, seconded by McEvers to recess to a Continued Meeting on Tuesday, November 29, 2016 at 12:00 (noon) in the Old City Hall Council Chambers, 710 Mullan Avenue. **Motion carried.**

The meeting recessed at 9:02 p.m.

ATTEST:

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Steve Widmyer, Mayor

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Renata McLeod, CMC, City Clerk