

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

February 4, 2020

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 February 4, 2020 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)
Amy Evans)
Christie Wood)

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

INVOCATION: Pastor Wayne Foil with Hayden Bible Fellowship provided the invocation.

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

Mayor Widmyer noted that Item 3, under Other Business, "Objection to amendment to the site plan of the Riverstone transit center which would allow overnight parking and storage of vehicles and buses," has been resolved and, therefore, removed from the agenda.

Councilmember Gookin stated that he is the liaison to KMPO, and was part of the committee when the Riverstone Transit Center was originally proposed. One of the questions asked was would there be bus storage on-site. The answer was no bus storage would be on-site. Fast forward to last month and bus storage was going to be on site at the Riverstone Transit Center (RTC) which surprised everyone, so KMPO had a public comment period and the City decided to add a public comment which has to come to council for a decision, and that was the Item 3 on the agenda tonight, which is a letter stating the City would prefer that buses be stored off-site. The Mayor worked with the Commissioners and Transportation authorities and was assured by County Commissioner Fillios that there will be no bus storage at the RTC site. As a result, no letter of comment is needed.

PUBLIC COMMENTS: Russ McLain, Hayden, commented that Chris Fillios was trying to reel in a nice business to our area from Portland, Oregon. One of the hiccups was the college graduation rates not being what they should be and the area not having the talent. There is a group on Facebook, "Kootenai County Young Professionals," and they showcase people weekly. He said that he thought it should be categorized within Jobs Plus to make it accessible.

Mr. McLain also addressed Christie Wood regarding a cartoon referring to human rights and said that it blows his mind that people go right to homosexuality. He commented that there is a lady at Coeur d' Alene Honda that people won't do business with because she's either Mexican or Muslim, but she's really from the Blackhawk Tribe in Lewiston and that fits into human rights too. He suggested that they could expand on that and get the word out that they are more than what they want to think and that they help lots of people have a life here.

Councilmember English commented that the tracking of the potential hires sounds good but if he was an employer of one of those existing people, he might not be wild about having them on a list to be recruited to somewhere else.

CONSENT CALENDAR:

1. Approval of Council Minutes for the January 21, 2020 Council Meeting.
2. Approval of Bills as Submitted.
3. Setting of General Services/Public Works Committee meeting for Monday, February 10, 2020 at 12:00 noon.
4. Approval of SS-19-12, Creston Estates: Final Plat
5. **Resolution No. 20-007** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AND ACCEPTING A UTILITY EASEMENT GRANTED BY THE RIVIERA WALK HOMEOWNERS' ASSOCIATION, INC.

MOTION: Motion by Gookin, seconded by Wood to approve the Consent Calendar as presented, including Resolution No. 20-007 **Motion carried.**

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

ANNOUNCEMENTS:

Councilmember Evans said that the Arts Commission is currently reviewing and updating the Art Ordinance and it will be coming before the council soon. She wished City Attorney Mike Gridley a "Happy Birthday."

Councilmember Miller announced that a Trustee position is open on the Library Board and if anyone is interested, they can contact Amy Ferguson at the City for an application and job description.

RESOLUTION NO. 20-008

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AND ACCEPTING A UTILITY EASEMENT FOR WATER LINE AND AN EASEMENT AND SERVICE AGREEMENT WITH ASPEN HOMES AND DEVELOPMENT, LLC.

STAFF REPORT: Water Superintendent Terry Pickel noted that as part of the 2012 Water Department Comprehensive Plan Update to keep up with the city's growth and infrastructure replacement, the Water Department needs to update the Blackwell Booster Station which is outdated and has become costly to maintain. The transmission line running uphill from the station to Fairmont Loop is unserviceable by the City Water Department due to its location and steep grade. The booster station, as it currently stands, does not supply the required amount of fire flow to our customers. The Water Department has made multiple repairs and upgrades to this site to keep it running, including installation of a temporary pump outside of the building to keep up with demand until a leak could be located and repaired. There would be no financial effect to our customers or the City. The City would provide and install four, 3/4" inch water services to each of the four residential lots to be formed from the Aspen Homes Property in trade for a new booster station site and a 20-foot public utility easement that would better suit the needs of the Water Department in updating the Blackwell Booster Station. Currently, the City has a booster station that can't meet the required fire flow and it is becoming a financial liability. The remote location of the booster site and transmission line need to be relocated due to access, grade and lack of an easement, and will require the installation of a new booster station and transmission line in a more desirable location that can be properly accessed and maintained. The new location would provide better access for a future storage facility.

DISCUSSION: Councilmember McEvers asked if the City was responsible to provide fire suppression since it is out of the city limits. Mr. Pickel said that, yes, the City is obligated to do that when they supply water. Councilmember McEvers also asked if that area will develop in the future and, if so, would the City have to supply water? Mr. Pickel said not necessarily. Councilmember Gookin continued the discussion by questioning why the City would provide water to parcels outside the city limits when a policy is in place that they have to annex prior to receiving services. Mr. Pickel explained that it is part of the agreement and they would not force them to annex at this time. The policy does allow for services outside the city limits if they are not contiguous. One of the parcels is not and an exception is being made to allow for the new transmission line and easement.

MOTION: Motion by English, seconded by McEvers to approve **Resolution No. 20-008;** Approving and accepting a Utility Easement for Water Line and approval of an Easement and Service agreement with Aspen Homes and Development, LLC.

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

ATLAS ROAD SURFACE TRANSPORTATION BLOCK GRANT PROGRAM.

STAFF REPORT: City Engineer Chris Bosley noted that much of Atlas Road remains as a rural road and has not been updated to an urban street design pursuant to City standards. The street requires maintenance in terms of regular patching and pothole filling, particularly south of Hanley Avenue. The corridor is a critical industrial corridor. The City's desire is to reconstruct Atlas Road into a 3-lane urban section, complete with curb, gutter, and stormwater swales. KMPO is currently requesting applications for funding transportation projects. In January,

Council approved a contract with J-U-B Engineers to perform a preliminary budget evaluation. The contract will help earn the City additional points on the funding application and give them a more accurate depiction of costs and impacts, particularly right-of-way and utility. J-U-B has fast-tracked the budget estimate in order to give the City a budget-level cost for the project, enabling the City to apply for the Surface Transportation Block Grant. If awarded the grant, a 7.34% local match would be required for design, construction, and right-of-way acquisition. It is estimated that the cost would be approximately \$337,000, which represents the required 7.34% match. Mr. Bosley noted that a portion of the City's match requirement for the project would be due at the design phase, which is expected to occur in fiscal year 2024-25. The remainder would be due prior to construction, which is estimated to occur in 2027. Funding for the project is expected to be financed through impact fees and approval of the agreement will allow staff to submit the funding application. Actual construction, if awarded, would be within the next several years.

DISCUSSION: Councilmember English stated he drives Atlas a couple of times a day and it will be terrific; however, the 2027 date is a long time and he asked if the date could be changed to an earlier year. City Engineer Chris Bosley stated that there is an opportunity that KMPO and ITD can move dollars around as funding becomes available and that sometimes projects have to take a back seat. He also noted that projects are always shifting around and this plan is the longer-range plan. Mr. Gookin stated that often they look for a shovel ready plan and if the City has the plan drawn, they would be considered shovel ready. So, if a project falls through, they look for ones that are ready to go. Councilmember Wood asked Mr. Bosley how much of the \$300,000 would the City need to come up with and how long would the City be on the hook for it? Mr. Bosley stated it would need to be 20% or less of the design and right-of-way acquisition and be close to 2026, and that money can come from impact fees but they are planning for the funds to be there when needed. Councilmember McEvers asked what the picture for the project is; i.e., will it be a four-lane highway with a left turn? Mr. Bosley clarified it will be one lane in each direction and a continuous left turn lane.

MOTION: Motion by Gookin, seconded by McEvers to authorize staff to proceed with applying for an Atlas Road Surface Transportation Block Grant Program. **Motion carried.**

LEGISLATIVE PUBLIC HEARING TO SEEK PUBLIC COMMENTS FOR THE CDBG ANNUAL ACTION PLAN FOR FY 2020.

STAFF REPORT: Community Planning Director Hilary Anderson explained that the Annual CDBG Action plan acts as a way to set the budget. She noted that the City of Coeur d'Alene receives an annual direct allocation of HUD Community Development Block Grant (CDBG) funds. Every year the City is required to complete an Annual Action Plan (AAP), including inviting the public to attend a public forum, prior to drafting the plan, to identify needs and then allowing the public four weeks to review and comment on the posted draft plan. The 2020 Annual Action Plan Forum was held on Dec. 4, 2019 in the Coeur d'Alene Library Community Room and had 15 attendees. Four weeks of public comment were held between January 7, 2020 and February 4, 2020, culminating in an opportunity for the public to comment at today's Public Hearing. The draft 2020 AAP was advertised to the public in the following ways: Coeur d'Alene Press notice, CDA TV ad, City social media, website updates, and emails to 185 community

stakeholders. The draft 2020 AAP outlines how the City intends to spend its CDBG funds and fulfill its program reporting requirements. The only public comments received on the 2020 AAP were from Jody Bieze, Kootenai County, related to mobility and public transit which was incorporated into the plan. Authorization of this item will allow staff to submit the 2020 Annual Action Plan to HUD for official review. Pending acceptance of this Plan by HUD, staff will move forward in implementing the agreed upon goals and funding suggestions. The Plan Year 2020 allocation is estimated (based on the prior year) to be \$329,815. Should there be an increase or decrease in funding by 20% a new budget will be created and be made available for public comment, and brought before Mayor and Council for final approval.

DISCUSSION: Councilmember Wood asked if there was ever any carryover of funds. Ms. Anderson stated that administrative funds can't be carried over and would need to be used each year. Administrative funds cover staff, benefits for the Community Development Specialist and doing plans if they have to hire a consultant to evaluate fair housing, as well as travel and training. The other funds can roll over but there is a timeliness test so they cannot have more money in the pot than HUD allows. When looking at grants, they want to make sure they can spend it down so they are not in violation of HUD requirements. Councilmember English asked if any ideas are concrete for affordable housing. Ms. Anderson stated that the community opportunity grants is where they could have somebody come to them and apply for funds. However, because they do not have a lot of money in the CDBG, they would have to balance that out. Mr. Gookin asked if it would cover the Lake City Center's "Meals On Wheels" program. Mr. McEvers stated that it covers a portion of it. Ms. Anderson followed up by stating there are options on how the funds are used, and some examples are housing vouchers for home repair, providing financial counseling, public infrastructure such as sidewalks, and educational training on finance management. Mayor Widmyer asked if the estimated grant amount is greater, is there an opportunity to increase the categories and would they need to come to council to amend the estimate. Ms. Anderson explained that if it were 20% more than what they are anticipating, they would come back to Council for approval. Mayor Widmyer asked if the dollar amount comes in greater than the \$329,000, could they increase amounts for the Lake City Senior Center. Ms. Anderson said that if council wants to increase the amount for the Lake City Senior Center, they can certainly increase that in the line item and would come back to council for approval.

PUBLIC COMMENTS: Mayor Widmyer opened public comments and, hearing none, public comments were closed.

MOTION: Motion by Miller, seconded by McEvers to approve the Community Development Block Grant Annual Action plan for Plan Year 2020. **Motion carried.**

MOTION: Motion by Gookin, seconded by McEvers, to enter into Executive Session pursuant to Idaho Code 74-206 (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.

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

The City Council entered into Executive Session at 6:50 p.m. Those present were the Mayor, City Council, City Administrator, Deputy City Clerk, and City Attorney. Council returned to regular session at 7:25 p.m.

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

The meeting adjourned at 7:25 p.m.

ATTEST:

Steve Widmyer, Mayor

Kelley Setters,
Deputy City Clerk