

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

July 7, 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 July 7, 2020 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

Dan Gookin) Members of Council Present
Woody McEvers)
Christie Wood)
Dan English)
Amy Evans)
Kiki Miller)

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

INVOCATION: Pastor Paul Van Noy Candlelight Church provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember McEvers led the Pledge of Allegiance.

PUBLIC COMMENTS:

Jannette Lester, Coeur d'Alene, noted that she was the executive director of the Human Rights Institute. She wanted to provide the City with feedback she received recently regarding the public safety and human rights issues. She noted that it is challenging to provide expeditious information to the community but felt it was important to provide a concise and consistent message to give the community assurances. She felt some people give a sanitized version of Coeur d'Alene to protect tourists, but she is asking leadership to take action and to make policy change to discourage traumatic and racist symbols being placed on the streets of CDA. She noted that white supremacy and racism are still around us based on social media feeds. She provided a document regarding the 7 hate groups tracked in Idaho by the Southern Poverty Law Center. She reviewed the history of the confederate battle flag, noting that the flag has a place in history but it is now divisive. She noted that the city has ignored some of the recommendations from ICAP, which is a legal team from Georgetown University. She felt the community views it as ignoring the recommendations, although communication is taking place, the team has not communicated that to the public well. The team is looking at the Idaho State Constitution and requests to remove these types of symbols. There has been a lot of discussion regarding armed people downtown and it was intimidating to citizens that should also be protected. She relayed a story about a mixed-race couple that was intimidated by the armed people downtown.

Councilmember Gookin asked if the incident that occurred downtown was reported to the police. Ms. Laster noted that it was not. Councilmember Gookin asked the City Attorney if the city can ban a symbol. Mr. Mike Gridley confirmed the City could not ban symbols. Councilmember Wood noted that in reference to the symbols on vehicles within a parade was discussed between the Kootenai County taskforce on Human Relations and worked with the Chamber of Commerce. The Chamber puts on the parade and does have the ability to restrict symbols in an event, since it is not a city sanctioned event. Ms. Laster noted she did push for change in the parade application, and thinks the community doesn't understand why the City doesn't as well.

John Pulsipher, Coeur d'Alene, noted he is saddened by the airplane accident that occurred over the weekend. He wanted the City to know that he contacted Brooks Seaplane a week or two ago and he expressed worry about the lake being so busy and how the landing depends on wind, so it is not consistent. He encouraged the Council to review the lease agreement for the future of the flight. Mayor Widmyer noted that there will be extensive investigation and the City will be provided those findings for review of policy.

COUNCIL COMMENTS:

Councilmember English noted that the display of weapons downtown is one of two issues that Council is currently receiving emails about and the other one is the issue of wearing masks. He realizes they are controversial issues and feels the city needs to look at this daily due to the rapid changes in COVID and research. He suggested it would be nice if stores had certain times of day for people that would require masks so patrons can be assured everyone will have masks on.

Councilmember Miller announced that the Library Trustees have been interviewing candidates for the Library Director position and they are down to three finalists. The Historic Preservation Commission met recently and they are on track for a grant to do inventory work corresponding with comprehensive plan. The next meeting will be at the end of July.

Mayor Widmyer requested the appointment of J. D. Reeves to the Urban Forestry Committee.

MOTION: Motion by McEvers, seconded by Evans to appoint J. D. Reeves to the Urban Forestry Committee. **Motion carried.**

CONSENT CALENDAR:

1. Approval of Council Minutes for the June 16, 2020 and June 22, 2020 Council Meetings.
2. Approval of Bills as Submitted.
3. Setting of General Services/Public Works Committee meeting for Monday, July 13, 2020 at 12:00 noon.
4. Approval of the following Cemetery actions:
 - a. Repurchase from Charles and Marilyn Jackson; Lot 1, Block 67, Section A Forest Cemetery.
 - b. Transfer from Gwen Winger to English Funeral Chapel; Lots 7, 8, 9, Block 3, Section K, Forest Cemetery
 - c. Repurchase from Sharon Lundblad; Niche 49, N6C, Forest Cemetery Annex (Riverview)

- d. Transfer from Bruce English to Tomas Hayman; Lot 84, Block 01, Section OP; Forest Cemetery
- 5. Approval of outdoor seating for Monarch Ramen & Noodle House, 1401 N. 4th Street and the North Idaho White Pine Coffee Shoppe, 1814 N. 4th Street.
- 6. Approval of SS-20-02, Unity First Addition: Final Plat
- 7. **Resolution No. 20-038 - 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 ACCEPTING A UTILITY EASEMENT FROM NP DEPOT, LLC, FOR A PUBLIC SEWER LINE LOCATED IN THE VACATED ALLEY WEST OF 201 N. 3RD STREET AND SOUTH OF 216 E. COEUR D'ALENE AVE. AND APPROVAL OF THE DESTRUCTION OF TEMPORARY AND SEMI-PERMANENT RECORDS RANGING FROM 1995-2017 FROM THE WATER DEPARTMENT.**

MOTION: Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 20-038**.

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

APPROVAL OF THE ACCEPTANCE OF GRANT UNDER THE CARES ACT AND RATIFICATION FOR EMERGENCY PURCHASE OF SANITIZATION SYSTEMS FOR THE POLICE AND FIRE DEPARTMENTS.

STAFF REPORT: City Accountant Stephanie Padilla noted that the state has reserved \$1.7 Million CARES Act funding. Approval of expenses that are non-budgeted items and need authority to spend and continue requesting funding. She noted the sanitation systems for Police and Fire departments are a sole source funded item and we are looking for the ratification of that purchase, as it is over the \$50,000 purchasing policy limited. Ms. Padilla noted that the board is a state appointed position, known as the Corona Virus Financial Advisory Committee, and they review all pre-approved items at meetings held each Monday. The City has already asked for pre-approval of \$580,595 from the state and has already received reimbursement of approximately \$55,425.

DISCUSSION: Councilmember Gookin asked Mr. Tymeson if there will be a summary of expenses at the end of the year. Mr. Tymeson confirmed that this will come forward with the budget amendment. Additionally, he noted that staff is looking for approval of spending authority for the total grant amount and purchases will come through our purchasing policy procedures. Councilmember McEvers clarified that this money will be available for the next 9 months and questioned if this is the amount the city anticipates spending. Ms. Padilla explained that the dollar amount was set by the state based on the Census population numbers.

MOTION: Motion by Miller, seconded by English to approve of the Notice of Intent to participate in the Property Tax Relief through Coronavirus Relief Fund (CRF). **Motion carried.**

APPROVAL OF THE NOTICE OF INTENT TO PARTICIPATE IN THE PROPERTY TAX RELIEF THROUGH CORONAVIRUS RELIEF FUND (CRF)

STAFF REPORT: City Attorney Mike Gridley noted that the city received a letter from some of the Counties expressing concerns regarding the legality of this program. He noted that today the Attorney General's office determined that the federal money can be distributed but there are still questions regarding what has to be done to qualify. The state is responsible for the administration of the funds and they will remain in contact with the U.S. Treasury to get clarification. Mayor Widmyer noted that the Governor's office has submitted a letter to the Treasury for confirmation it is appropriate use of the funds and it is clear the city will not get burned on this, as if it is not proper use of funds and next year it will raise and the state would be responsible to taxing entities. Comptroller Vonne Jensen noted that the state offered the opportunity to cover payroll relief if the city agrees to a property tax relief program. The state will need to be notified by July 17 and if the City opts in the dollar amount of relief is estimated to be \$3.5 Million depending on how many cities opt in. She noted that the City would know by September 18 after the budget is certified, thereafter the check would be sent.

DISCUSSION: Councilmember English asked why the City should risk it, as it sounds like taxes would go back up next year. The taxpayers would want to know that they can count on it without being doubled up next year. Councilmember Wood asked for clarification that if the Council moves forward with opting in tonight in order to meet the deadline, it would not lock the City in. Mayor Widmyer confirmed it would not lock the City in. Councilmember Gookin asked for clarification regarding the effect this has on projected new growth for fiscal year 2021-22. Mayor Widmyer explained that if you have a levy amount before the property tax relief of \$4.30, then with the property tax relief the levy rate goes to \$3.87 which is what the new growth would be based on. Councilmember Wood stated that it does not seem like a guarantee that the City would get the \$3.5 Million. Ms. Jensen noted that by the time the City gets to setting the levy, we would have certainty in the number. The first meeting in September would be the commitment time. Mayor Widmyer noted that he has been talking to the Governor's office and the property tax payers would see the reduction on their bill, the state would cut a check for the \$3.5 Million, but it does drop the levy rate.

MOTION: Motion by Miller, seconded by Gookin to approve of the Notice of Intent to participate in the Property Tax Relief through Coronavirus Relief Fund (CRF). **Motion carried.**

COUNCIL LIAISON DISCUSSION

STAFF REPORT: Councilmember Gookin noted that in the budget workshop meeting the Council stated that they wanted more communication, so he and Councilmember Wood thought that assigning a Council liaison would be a communication tool. He gave the example of the septic tank abatement program and noted that a liaison could have helped share that information. He also noted that there were liaisons in the past and it stopped for some reason. There were some people that maybe had an ownership and acted as lobbyist of a department, so to avoid that they are recommending a change every 6 months. Councilmember Gookin noted that acting as a liaison would also allow Council to learn more about the city. He noted that Parks and

Recreation, and the Library already have representatives, so they would recommend liaisons to Fire, Police, Planning, Streets, Water, and Wastewater. He noted that assignments would be appointed by the Mayor and rotate thereafter and that this would be voluntary for Councilmembers to participate in or not.

DISCUSSION: Mayor Widmyer noted that they haven't had Council liaisons for at least 8 years. Councilmember English noted they did not have them in the 1980s when he served on City Council. However, while he was at the County the Commissioners would divide up departments and be their liaisons. He felt that Council would need to be cautious about discussion and a councilmember should not give impression that it is them versus the staff, as there is a role for both. Councilmember English noted that this idea has some merit, and concurred that he misses the General Service and Public Works Committee Meetings.

Councilmember McEvers noted that he was here during the time of liaisons, which go back to 1979 and recreated in the 1990s under the theory it would be relative to what sub-committee you are on. He explained that he used it as a tool to learn how the operations work and noted that it does not make the Council a manager, they should not favor it and politicize it. The hard part is the time commitments, as he did a ride along in a snow plow and with a police officer and with the Fire paramedics. The previous liaison cycle was two years based on the election cycle, but evolved into Executive Team, when there was an Interim City Administrator appointment.

Councilmember McEvers noted that the Executive Team group was formed to address issues as a team and bring solutions forward to the Council. They were responsible to each other; the goals of the Council and Mayor and the Executive Team would bring it together and build trust.

Councilmember Evans noted that she appreciates the ideas to increase communication; however, asked if there has been any time spent on the clear definition of the Council roles and responsibilities as liaisons. She noted that each Councilmember has different styles and expressed concern there would be some that would overstep into departments and how they do the business and where the boundaries should be. Councilmember Wood noted that she would envision liaisons the way Councilmember McEvers described it and doesn't question anyone's integrity about getting into staff's business and would like to define what the role is.

Councilmember Miller stated that anything that can strengthen communication between departments and Council and Council with each other is good; however, she is not comfortable having the responsibility to answer department questions as part of the Council liaison job description as staff's role is to bring staff reports forward. She feels there should be more about how it would work and what are the benefits of this and how committee appointments work. She would like to pursue the idea and work with staff to come up with a job description and/or scope of work and how it is measured for being successful. Councilmember English noted that there are probably 6 different definitions of what a Council Liaison could be and need to define it. He believes that they should rotate all the departments to be included. Councilmember Wood asked if it should be tabled and come back with a clear definition for the next agenda. Councilmember Miller agreed and further noted that staff should be involved. Councilmember McEvers noted that this is an educational process, and that staff is doing their job and how much each Councilmember puts into it is up each of them. There may be some Council that won't participate and that is alright. The relationship is about you see and appreciate what each department does. The committee of General Services and Public Works is where knowledge comes up and it needs to be your passion. Mayor Widmyer summarized that Councilmember

Wood and Gookin would work with Mr. Tymesen and Ms. McLeod to bring something back to Council.

LEGISLATIVE PUBLIC HEARING - V-19-05, VACATION OF ALLEY RIGHT-OF-WAY LOCATED WITHIN A PORTION OF BLOCK G OF THE COEUR D'ALENE AND KINGS ADDITION IN THE CITY OF COEUR D'ALENE.

STAFF REPORT: Engineering Project Manager Dennis Grant noted that Mr. Swallow has made the request for the vacation of alleyway of a portion of Block G of the Coeur d'Alene and Kings Addition in the City of Coeur d'Alene. He noted that the existing alley runs into the old 3rd Street Cantina Restaurant. The original right-of-way was dedicated in 1886. It would not be a financial impact to the City. He sent out 26 mailings and received zero responses. The area is not being used by the public and would be used as a gathering and greenspace by employees of the abutting businesses. Mr. Grant noted that there are utilities in the ally that will be protected within an easement providing unrestricted access to those utilities.

DISCUSSION: Councilmember McEvers asked for confirmation that the utilities would be protected and if there were any garbage pick-up conflicts. Mr. Grant confirmed the utilities are within the alleyway and are protected by the easement and that the garbage trucks already back in as it is a dead-end alley. Councilmember Miller asked if the abutting parking lots are owned by the same person. Mr. Grant confirmed that both parcels are owned by the same person, but different LLCs.

PUBLIC COMMENTS: Mayor Widmyer called for public comment, hearing none, closed public comments.

COUNCIL BILL NO. 20-1009

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING THAT PORTION OF THE ALLEY RIGHT-OF-WAY, LYING ADJACENT TO LOTS 5 AND 11, BLOCK G PER THE PLAT OF COEUR D'ALENE & KING'S ADDITION AS RECORDED IN BOOK "C" AT PAGE 144, RECORDS OF KOOTENAI COUNTY, IDAHO, GENERALLY DESCRIBED AS THAT PORTION OF THE ALLEY WITHIN BLOCK G AS PER THE PLAT OF COEUR D'ALENE & KING'S ADDITION LYING IN THE SOUTHWEST 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 McEvers, seconded by Gookin, to dispense with the rule and read **Council Bill No. 20-1009** once by title only.

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

MOTION: Motion by McEvers, seconded by Evans, to adopt **Council Bill No. 20-1009**.

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

Motion carried.

J. RECESS: Motion by Evans, seconded by McEvers to recess to July 8, 2020 at noon in the Library Community Room, located at 702 E. Front Avenue for a workshop regarding Fiscal Year 2020-2021 Budget. **Motion carried.**

The meeting recessed at 7:05 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, CMC
City Clerk