

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

June 16, 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 June 16, 2020 at 6:00 p.m., there being present upon roll call the following members:

Steve Widmyer, Mayor

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

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

INVOCATION: Pastor Steve Massey with Hayden Bible Church provided the invocation.

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

Mayor Widmyer noted that the item for the appeal of the denial of the tree removal request for 3702 E. Sky Harbor Drive was pulled from the Agenda.

COUNCIL COMMENTS:

Councilmember English announced that the Library Foundation received a \$2,500.00 grant from the Idaho Humanities Council today, under the CARES Act, that will go toward the purchase of E-books.

Councilmember McEvers expressed his thoughts and prayers for former councilmember Chris Copstead, whose health is not currently well. Mr. Copstead has served the community in many ways over the years and he asked the community to send him and his family prayers for good health.

CONSENT CALENDAR:

1. Approval of Council Minutes for the June 2, 2020 and June 8, 2020 Council Meetings.
2. Approval of Bills as Submitted.
3. Approval of Financial Report.
4. Setting of General Services/Public Works Committee meeting for Monday, June 22, 2020 at 12:00 noon.

5. **Resolution No. 20-035** - A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING THE FINAL PLAT OF THE DISTRICT AT RIVERSTONE (S-1-19), AND ACCEPTING IMPROVEMENTS AND A LANDSCAPE AGREEMENT WITH SECURITY.

MOTION: Motion by McEvers, seconded by Evans, to approve the Consent Calendar as presented, including **Resolution No. 20-035**.

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

PARKING REVENUE FROM THE 4TH OF JULY TO BE DEDICATED TO CITY PUBLIC SAFETY EXPENSES.

STAFF REPORT: City Administrator Troy Tymesen explained that in the past, the City has leased the publicly-owned parking lots to the Chamber of Commerce on the 4th of July for the Chamber to generate revenue to be used exclusively to defray the cost of the community fireworks display. This year, due to the public fireworks display being cancelled, the City will not be leasing the parking spaces to the Chamber. The City's approved fee schedule provides that the fee for all day parking on the 4th of July is \$7 per space. The lease with the Chamber allowed the Chamber to charge \$20 per space. Thus, the Chamber received net revenue of \$13 per space, remitting the other \$7 per space to the City. Last year, the revenue collected for the 4th of July parking was \$14,984, and the payment to the City from the Chamber was \$9,374, after deducting labor cost for the lots without pay stations. Mr. Tymesen noted that there are 1,393 parking spaces, not including the 87 spaces at Independence Point. This year the City's public safety departments have requested to use a portion of the Independence Point parking lot for a staging area and the rest of the lot will be used for a few amusement rides for children, which means there will be no revenue from that lot. The Parking Fund financial plan includes a planned expenditure of \$210,000 as a transfer to the General Fund for use by the Parks operating department and a \$190,000 expenditure as a transfer to the Parks Capital Improvement Fund. Mr. Tymesen noted that the Police Department and the Fire Department's anticipated overtime expense for the 4th of July event is included in their respective approved FY 2019-20 budgets. He also noted that the Parking Fund revenue is not far off from the anticipated revenues, and the parking vehicle for the license plate recognition has been installed and is being tested. Expenses for the 4th of July for public safety are very significant, with Fire estimating their overtime at \$7,000 and the Police estimate, depending on the number of people deployed, is \$65,000.

DISCUSSION: Councilmember McEvers asked how much the City is charging for 4th of July parking this year. Mr. Tymesen confirmed it would be \$7 per space, with \$9,500 in revenue expected for the day. Councilmember Gookin asked for clarification regarding the removal of 87 spaces from Independence Point and its use for staging and amusement rides. Mr. Tymesen noted that they are continuing to work on details for that day and are working with public safety on their needs. Councilmember Gookin noted that the lease of a parking lot should have come before the Council. He asked why the City can't charge \$20 per space that the Chamber has charged in the past. Mr. Tymesen explained that the City has not approved the fee in the schedule as required by the Idaho Code. Since the City leases the lot to the Chamber, they can

charge fee as they are not encumbered by the same Idaho Code as the City. Councilmember Gookin noted that he met with the chiefs and found that the City pays for the overtime costs as the event fees don't cover all the costs. Councilmember Wood asked if there was some revenue from parking coming in to the Police Department now for downtown patrols. Mr. Tymesen explained that there was a request for one year of funding to the Police Department for the Ambassador program. Councilmember Wood asked if all 87 spaces were requested by public safety. Mr. Tymesen said that now that there are no fireworks they may not need as much space. Councilmember Wood expressed concern about the children's rides being mixed in with the command center and emergency vehicles. Mr. Tymesen noted that they are continuing to work on details. Police Chief White said that Captain Brainard has been working with the Parks Department to determine the location of rides and if it will even work. He noted that they do want the entire lot for logistics and controlling the area and does not want to conflict with children activities and also confirmed that they are still working on details. Mayor Widmyer said that he doesn't believe it makes sense to mix children's activities with emergency services.

Councilmember English said that the \$7 per stall fee makes sense as this is a tough time financially for a lot of people. He trusts that the police will make it safe and that council should discuss the additional fee for the future. Mr. Tymesen explained that staff suggested that the event fee be added to the next fee public hearing so that the City has latitude to charge that fee in the future. Councilmember Miller asked if this was a one-time request. Mr. Tymesen explained this is a one-time request, as Council has budget authority and budget amendments are usually captured at the end of the fiscal year with one amendment. Councilmember Miller noted that she had brought up a request that the City get together with downtown groups, before COVID, to talk about large festivals, so the discussions were put on hold, but she felt the City should be putting sideboards up in the future. Councilmember Evans noted that the fee is a moot point since there is not enough time to have a fee hearing to increase the fee. Councilmember Wood asked for clarification regarding the last time the City transferred money from parking to public safety. Mayor Widmyer noted that two years ago money was set aside from the Parking Fund to pay for the Explorer program and he thought that would be ongoing. Mr. Tymesen said that he would have to check on it and does not currently see a transfer directly to that program from the Parking Fund for the current year. Councilmember English noted that this is a one-time request for this year and they do need to look at things going forward and, hopefully, by next year the fireworks will be back and this will just be an anomaly.

MOTION: Motion by Gookin, seconded by Wood, to approve dedicating the revenue from the City-owned parking lots on the 4th of July to cover the City's public safety expenses for that day.

DISCUSSION: Councilmember Gookin said that he agrees that keeping the fee at \$7 per stall is reasonable based on economy, but wished they could go higher and expressed his upset regarding the leasing of property for kiddy rides as that should have come to Council.

Councilmember McEvers noted that he supports the \$7 fee since there is not a firework event, so the \$20 event fee does not make sense. He noted that the kiddy rides would be a good idea and something they haven't done before and it would not be going to be late at night. He commented that he knows it is a different tweak on things than previous years and that the Chamber is trying to have family day and do something in exchange for not having fireworks. Councilmember Miller commented that they could have the rides in the park.

Parks Director Bill Greenwood explained that the idea of the rides evolved through a discussion with himself and Captain Brainard. He noted that the year before they used the lot near the carousel for additional rides. They are going to have other items in the park and were trying to blend the items throughout the park as the carousel lot is not available. They can push all the elements into the park. Mr. Greenwood noted that they were just brainstorming and apologized for the concern. Councilmember Wood reiterated that she was surprised by the combination of police and children's events. Mr. Greenwood noted that they really thought they could blend the footprint with the size of the lot but will have lots of family friendly elements in the park.

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

RESOLUTION NO. 20-036

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AN AGREEMENT WITH THE COEUR D'ALENE URBAN RENEWAL AGENCY DBA ignite cda FOR THE TRANSFER OF THE CITY'S ATLAS MILL PROPERTY.

STAFF REPORT: City Attorney Mike Gridley noted that in a strategic effort to increase public access to the Spokane River waterfront and encourage the economic development of a former mill site brownfield, the City purchased a portion of the BNSF railroad right-of-way in 2015 and the former Stimson Atlas Mill site in 2018. Since that time, the City has worked with the community, ignite cda (ignite), and consultants to create plans for public waterfront access, including a trail and park, as well as guidelines and plans for development of the remaining property. Ignite has funded the construction of the public Atlas Waterfront Project improvements that are nearing completion using urban renewal funds from the Lake District. City staff and ignite have worked with consultants to establish a format for disposing of the City-owned land that will be used for development. Requests for Proposals were solicited from developers and a scoring system was used to select developers whose projects fit with the community's goals for development. Agreements to Negotiate Exclusively (ANEs) for the first phase of development, which includes seven development areas, are underway. The transfer of the City-owned land to ignite will allow the agency to sell the land and generate revenue to reimburse ignite for the Atlas Waterfront Project public improvements and development costs, as well as reimburse the City's acquisition costs. Under Idaho law urban renewal agencies have considerable latitude to negotiate land sales and redevelopment projects for the public good. In contrast, cities are usually limited to selling land by sealed bid to the highest bidder without the benefit of evaluating the bids to determine what bid best fits the community's goals and development standards. Transferring the City's land to ignite will allow for the most efficient and beneficial sale of the land, and is consistent with the decisions made by the City Council and ignite Board to partner together to acquire and develop the Atlas Waterfront project for the public benefit. An ad hoc Steering Committee has been formed to oversee the development process, which includes Councilmember Wood, the City Administrator, Community Planning Director, and ignite representatives, one of which also serves on the City's Planning Commission. The committee will continue to be involved in the process to ensure that the goals

of the City and ignite are met. The City has costs of approximately \$9 Million and additional costs for fill and ignite has spent money for infrastructure in the meantime the park, trail, and greenspace will remain City property. He noted that the City gets paid back through a cash flow projection that will net the money to pay back the City.

DISCUSSION: Councilmember Wood noted that the transfer agreement is important to the City and ignite and believes that they have captured what they wanted in bullet point B and the pro forma attached provides comfort in the expected transfers. Councilmember Gookin noted that in Exhibit B includes anticipated revenue but within the agreement it notes that payback occurs to the extent the agency determines. Mr. Gridley noted payback would occur when the revenues come in and noted that the response to their request for proposals has been good. He continued to explain that they still have expenses so it is their discretion, as they cannot go into debt to pay the City back but they have expressed their intent. Mayor Widmyer noted that he requested the cash flow model be brought forward as part of the document so the City can see how it will occur and he is comfortable with that.

MOTION: Motion by McEvers, seconded by Evans, approving **Resolution No. 20-036**; approving an agreement to transfer property at Atlas Mill to ignite cda.

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

RESOLUTION NO. 20-037

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING AMENDMENTS TO RULE 3 - QUALIFICATIONS OF THE COEUR D'ALENE CIVIL SERVICE RULES.

STAFF REPORT: Human Resources Director Melissa Tosi explained that the general purpose of the Civil Service Rules is to provide information and standards for the Coeur d'Alene Fire Department Local 710 by assuring all persons in the classified service receive fair and impartial treatment. The Fire Department would like to enhance the legacy of fire service families by not automatically disqualifying relatives of current fire employees from applying, testing and being eligible for hire within the Fire Department. The current Personnel Rules disqualifies an applicant if he or she is related to an employee within the chain of command of the position applied for. Adding this amendment to the Civil Service Rules would allow the Fire Department to hire within the chain of command. This is a common practice in the fire service with surrounding departments such as City of Boise, City of Spokane, City of Lewiston all allowing hiring of family members within the fire service. Additionally, there is a 3-step testing process for firefighter (written, physical agility, interview) that objectively ranks applicants based on their ability throughout the testing process. Once ranked on the eligibility, there is a rule of 5. Which means, for every one vacancy, the Fire Chief can hire one applicant from the top 5 names on the list. The hiring process for firefighter is extremely competitive, and will remain so for all applicants, which was important to the Civil Service Commission. The goal is to hire the best applicants for the City of Coeur d'Alene, which may be a family member if their ranking and ability proves to be a good fit for the department. The proposed amendment will bring the rules

up-to-date regarding the qualifications desired by the Coeur d'Alene Fire Department Local 710, and recommended by the Fire Chief. The Civil Service Rule amendment was reviewed and approved by each of the Civil Service Commission members on May 5, 2020.

DISCUSSION: Councilmember Wood asked what the Council's authority is to approve these amendments. Ms. Tosi noted it is written that Council has the final approval in the civil service amendments. Councilmember English asked who are the members of the Civil Service Commission. Ms. Tosi noted that the Commission consists of Ben Wolfinger, Sharmon Schmidt and Dixie Reid. Councilmember McEvers noted that if you are related to a city employee within the same department, you are not eligible for employment. Ms. Tosi confirmed that is correct, with some caveats for marriages that occur after the hire and Idaho Code also prohibits relatives within the second degree of a current Councilmember. Councilmember McEvers asked why they want to change something for one department when they already have so many codes against it. Ms. Tosi noted that the Fire Department brought the request forward and it is more common within the fire service industry and many local agencies allow the practice. The Cadet program netted several family members being trained up and then they had to go to another agency to get hired. They do have four stations and believe they could place relatives on different shifts and locations. Councilmember Wood noted that she understands the fire legacy in larger departments; however, she would like reassurance that if one firefighter backs up into a fire hydrant at a scene and if they have a relative that is a supervisor, that there are layers in place to protect the integrity of the scene. Chief Gabriel noted that integrity is one of their top three missions and he would assure that discipline would be the same no matter what and that is important to the department. He said that he brought the request forward and believes legacy is important and the family-member firefighters may be on the same vehicle together but there are layers in place to assure they are not on the same shift. Councilmember Wood noted that it is a little concerning regarding promotions and discipline. Chief Gabriel explained they will keep the exact same processes in place no matter what and that he believes they might be under more of a microscope. Councilmember McEvers explained that the worst-case scenario is that one of the top 5 is connected, and the City hires the connected one and that it looks bad to the other candidates. Chief Gabriel noted that there will be scores of a test, resumes, and they will have documentation that they could point to. Councilmember McEvers asked why the Police Department is different. Chief Gabriel noted that he brought it forward and Chief White did not. He explained that the dynamics are changing and expressed concern about losing the youth that are being trained here. Ms. Tosi noted that the Police Department was approached and they weren't interested in the option.

MOTION: Motion by Evans, seconded by Gookin to approve **Resolution No. 20-037** - approving an amendment to the Civil Service rules to allow relatives of current fire employees to apply, test, and be eligible for hire within the Fire Department.

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

J. RECESS: Motion by Gookin, seconded by Evans to recess to June 22, 2020 at noon in the Library Community Room, located at 702 E. Front Avenue for a workshop regarding ignite cda 2-year priorities for the Lake District. **Motion carried.**

The meeting recessed at 7:05 p.m.

Steve Widmyer, Mayor

ATTEST:

Renata McLeod, CMC
City Clerk

Draft