

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
JANUARY 15, 2013**

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 January 15, 2013 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Mike Kennedy) Members of Council Present
Woody McEvers)
Deanna Goodlander)
Dan Gookin)
Steve Adams)

Loren Ron Edinger) Members of Council Absent

CALL TO ORDER: The meeting was called to order by Mayor Bloem.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Councilman Goodlander.

PRESENTATION – CITY SOCIAL MEDIA SITES: Communication Coordinator Kristina Lyman presented the City's two new communication channels Twitter and Facebook. She presented a brief video explanation of social media. She presented the social media accounts and expressed the goal is to open communication to residents and provide information and engage residents. The community can access these sites at Facebook.com/CDAgov and Twitter.com/CDAgov. She requested community members become friends and like the Facebook page and follow the City through twitter in order to receive updates, become engage and have dialog. Councilman Gookin asked how records retention is addressed. Ms. Lyman stated that the Legal Department is investigating the requirements; however, other cities are relying on Facebook and Twitter for those records.

PUBLIC COMMENT:

FRONT AVENUE CURB CUTS: John Montandan, 1010 Sherman Avenue, read the vision statement of the City of Coeur d'Alene. He does not believe that it is sound economy, as stated in the vision statement, to remove the curb cuts on Front Avenue. He reiterated that his building only has the one entrance and asked the Council to revisit their decision. Councilman Gookin stated that the only way the City could address this again is if it agrees to bring it up again or it is water under the bridge. Mrs. Gabriel stated that there is a procedure to reverse a motion, which would require the person who made the original motion to make the request. Councilman Gookin stated that he does not think there would be a change in the vote and that he believes that the Council could take under consideration during the LID discussion. Mr. Montandan stated that he does not want money, that he wants the curb cut and believes it is illegal to remove it.

PERSON FIELD: Glen Anderson, 1630 Elm Avenue, stated that he has a background in business and does not understand why it took months to negotiate a deal with the School District. People should be the first priority and children second priority in the deal. He stated that the City should go back through the deal and make sure the children are the priority. He did not agree with the City requesting two pieces of property and other values as it costs the children. He stated that he believes that using the school property without compensation is child abuse and that the City should pay to use the facilities because the school needs the money. The school should determine how much they could make off the land.

OPEN SPACE MANAGEMENT PLAN: Mac Cavasar, 4091 W. Lennox Loop, recently attended a Pedestrian Bike Committee meeting and appreciated the headway they were making. He would like the Council to continue to use that group as a sounding board for nonvehicle access issues. He also attended the Parks Commission meeting and heard the open space plan presentation and would like the Council to embrace the plan as it is good for the community and opens up access. Additionally, the Highway 95 bike route is a real asset to the community, and it will need to be maintained with plowing and upkeep, but in the long run the City cannot go wrong in determining it an asset.

Andrea Cronebaugh, 6471 N. 16th Street, supports the Natural Open Space Plan and believes it is very important. As a member of the committee she wanted the Council to know that there was a key to the language use regarding should, could, would and public input was heavily sought.

Chuck Hosack, 1020 Mountain Avenue, stated that as a Tubbs Hill Foundation member he served on the Open Space Committee and thanked Mike Kempton for putting the plan together. He would have liked to see a provision regarding how special Tubbs Hill is, but did not feel it needed to be in a management plan. He wanted to clarify to the Council that approval of the plan will amend the Tubbs Hill management in three areas. Those areas are that the north side trail, trail connecting parking lot, and the trail head at City Hall have been removed; accessibility on the eastside is no longer referred to as a pilot project as it is now stated that the trail will be constructed with the use to be monitored, and clarified that it is not pilot trail for other accessible trails; and the extension of the fire road. The Tubbs Hill Foundation disagreed with the extension of the fire road; however, the Fire Department recommended some language regarding a primitive trail that was agreeable. He expressed no objections to the plan.

Nils Rosdahl, 3362 Thomas Lane, stated that he is the current President of Tubbs Hill Foundation and requested that the plan include language that states that the Foundation must be consulted before any action is taken on Tubbs Hill.

CONSENT CALENDAR: Motion by Kennedy, seconded by Goodlander to approve the Consent Calendar with removal of item number 4(a) for separate consideration. Motion Carried.

1. Approval of minutes for January 2, 2013
2. Approval of Bills as Submitted
3. Setting of General Services and Public Works Committees meetings for January 22, 2013 at 12:00 noon and 4:00 p.m. respectively.
4. **CONSENT RESOLUTION NO. 13-005** 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 ~~APPROVAL OF NEW PATROL VEHICLE PURCHASES~~; APPROVING THE REQUEST FOR DESTRUCTION OF PROJECT COORDINATOR RECORDS; APPROVING THE DECLARATION OF SURPLUS VEHICLE FROM THE WASTEWATER DEPARTMENT; AND APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH WELCH COMER ENGINEERS FOR CONSULTANT SERVICES – ATLAS II WATER WELL AT ATLAS AND HANLEY.

5. Relinquishment of Stormwater Line Easement in the Riverstone Subdivision
6. Setting of a public hearing for Wastewater Rates/Fees for February 19, 2013

ROLL CALL: McEvers Aye; Goodlander Aye; Gookin Aye; Adams Aye; Kennedy Aye.
Motion carried.

NEW PATROL VEHICLES PURCHASE: Councilman Kennedy stated that the General Services Committee approved the purchase based on bids received. On January 10, Edmark Chevrolet from Meridian, Idaho stated that they had provided an incorrect quote and could not honor the original quote. He stated that the new low bidder would be within the budget and recommended that the City continue with a new bid from Knudtsen Chevrolet.

Motion by Kennedy, seconded by Adams to approve item 4a, the purchase of new patrol vehicles, as presented.

DISCUSSION: Councilman Goodlander stated that she appreciated the Police Department going back to Knudtsen and buying locally.

ROLL CALL: McEvers Aye; Goodlander Aye; Gookin Aye; Adams Aye; Kennedy Aye.
Motion carried

COUNCIL COMMENTS:

COUNCILMAN GOOKIN thanked everyone for the joint meeting between the School District and the City, specifically Wendy Gabriel, Amy Ferguson, and Renata McLeod, who put it together so quickly. He stated that he had an E-mail from Police Volunteer Larry Seward, who stated that they found two stolen vehicles over the holidays, free of charge, so he wanted to thank the volunteers.

COUNCILMAN ADAMS addressed the Council in regards to his support of the motion to request LCDC funds and further apologized to the public. He stated that he had a momentary loss of judgment in supporting the motion. He believes McEuen Park should be completed at the budgeted amount of \$14.2 million as originally planned.

APPOINTMENTS: Motion by Goodlander, seconded by McEvers to approve the appointment of Tom Messina and Ben Wolfinger to the Personnel Appeals Board and Barbi Harrison to the Childcare Commission. Councilman Gookin clarified that he has voted no on the appointments for several months and wanted to let the public know it is about the process not the people, and that he felt the process should be more transparent. He further stated that he would continue to vote no. Motion carried with Gookin voting No.

ADMINISTRATOR’S REPORT: City Administrator Wendy Gabriel announced that the City of Coeur d’Alene Arts Commission is seeking artists to participate in its “ArtCurrents” program. Information packets are available at City Hall, or online at www.cdavid.org. Artist proposals are due by 5:00 p.m., April 12, 2013. The Coeur d’Alene Arts Commission is also seeking artists for the Utility Box Beautification Project. Five box locations have been designated to be enhanced in Coeur d’Alene. Information packets are available at City Hall or online at www.cdavid.org. Artist proposals are due by 5:00 p.m., April 19, 2013. For more information, call Steve Anthony at 769-2249. On Monday, January 21st, Coeur d’Alene City Hall will be closed for the Martin Luther King, Jr. Holiday. Other City offices and facilities will be closed as well. Emergency calls for Police, Streets, and Fire can be made by dialing 9-1-1. City Hall and other facilities will open on Tuesday, January 22nd, at 8:00 a.m. The City received a \$14,120 Dividend Check last week from the Idaho State Insurance Fund related to the 2011 Policy Period based on claims and/or expenses relative to the cost of premiums paid. She reported that the continued success is due to the City’s Risk Reduction Committee, City’s Management Team, and City Staff for proactively seeking and supporting a safe work environment. The City and school officials are a step closer to finalizing a deal for the purchase of Person Field. The City met with the School Board last Thursday evening to discuss the sale of the District’s half of the field. The City, which owns the other half, wants to acquire the property in an effort to keep the field public green space. The City will buy the District’s half of Person Field and acquire Bryan Field as part of the package. The District will get an appraisal of Bryan Field (which could take three weeks to complete) and negotiate from there. The Lake City Development Corporation met last Thursday in a special meeting to discuss the McEuen funding to include the full array of amenities for the McEuen Park project. She stated that the Lake City Development Corporation is likely to make a decision on this matter at its meeting tomorrow. Area schools are back in session after the holiday break and administrators and teachers are working diligently to return a sense of normalcy to the buildings after the Newtown, Connecticut incident. During the holiday break the School District and Coeur d’Alene officials met to continue earlier discussion regarding the importance of school safety. A mutual decision was made to immediately fill the vacant Canfield Middle School Resource Officer position. The assignment of an officer to Canfield will bring the total number of officers in our High Schools and Middle Schools to six. The Police Department intends to use the six officers to also show a visible presence at the Elementary Schools. New water rates and capitalization fees have been approved and go into effect on March 1st. The increase is 2.5% for the water rates and 5.5% for the capitalization fees. The City will be sponsoring a 2nd annual Development Forum on February 28th, at 11:30 a.m., in the Library Community Room. The forum is an opportunity for the building community, developers, builders, architects, and engineers to dialogue with city development-related staff with the goal of sharing information and listening to the development community to enable the City to improve processes and responsiveness. There are a lot of events happening at the Coeur d’Alene Library this month. Events include the ReTool Box that is a free computer literacy help session; an open house called “E-Book Basics” this Thursday from 4 – 6 p.m. in the Library Community Room, wherein Library staff and volunteers will be on hand to walk you through the process for the various formats of e-books; and the annual LEGO-rama event scheduled this Saturday, 1-3 p.m., in the Library Community Room. This year’s LEGO-rama event will have an environmental theme, with entries representing some aspect of alternative/renewable energy – cars, boats, houses, etc. – using solar, wind, human, or other power source. For more information visit the Seagraves Children’s Library or the Library website at www.cdalibrary.org. As a reminder to City of Coeur d’Alene utility customers, the new Drainage System Utility Fee will appear on the January utility bill. If you have any questions,

please call Utility Billing at 769-2223. Councilman Gookin clarified that it is no longer called the stormwater utility; it will now say drainage utility on the bill.

RESOLUTION NO. 13-006

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTING THE CITY OF COEUR D'ALENE NATURAL OPEN SPACE MANAGEMENT PLAN (NOPSP).

Councilman Kennedy stated that the Open Space Committee was very diligent in putting together the plan and took its time with determining the meaning of should. The Parks and Recreation Commission and the General Services Committee have indorsed this plan for Council consideration.

Parks Lead Maintenance Worker Mike Kempton stated that the project began in 2009. Mr. Kempton presented a synopsis of the Natural Open Space Management Plan. He express that the plan is intended to set forth standards for management of open space, such as wildlife management, public access, and fire prevention/protection. Tubbs Hill is the best know site; however, open spaces also include Fernan Lake Natural Area, Canfield Mountain Trails, Cherry Hill Park, Veterans Centennial Natural Park, and Winton Park. Councilman Adams recommended review of the entire plan to the citizens, as it is extremely detailed and amazing. Councilman Goodlander asked if the Veterans Park donation had specific requirements. Mr. Kempton stated that there was a requirement regarding the name and that the land would need to be an open space park, and he believes that the tree arboretum would meet that requirement. Councilman Gookin stated that he received an E-mail from Jeff Anderson a representative from the Armstrong Park Homeowners Association, that stated that the Association still has issues with the park, for example the increased fire hazard.

Councilman Gookin asked about the access to the property, as a Quit Claim Deed was presented to the General Services Committee in October 2012 and it has not returned to the Committee for approval. Mr. Kempton stated that there have been discussions with ITD regarding who ownership of the property. City Attorney, Mike Gridley stated the item was pulled to provide time to discuss the access with homeowners and he is ready to bring it back to General Services. Councilman Gookin asked about a potential deed restriction. Mr. Gridley stated that it would not affect the acceptance of the Quit Claim.

Councilman Kennedy stated that he is not sure the Association would ever be 100% behind the Park as it will open access that was unused for some time and that there is a value to all citizens to have open space in that area of town. He clarified that the plan is not authorizing new parks or parking lots, it is a plan, and any new details would come back to Council for consideration. Deputy Fire Chief Glenn Lauper stated that one of the points in Mr. Anderson's E-mail is that the City has deemed this park area an extreme fire hazard. The Fire Department utilizes a numerical system through the International Wildland Urban interface Code. Tubbs Hill is rated a 99, which is extreme; Cherry Hill is rated as 45, which is moderate; and Armstrong/Fernan area is rated 76; which is barely into extreme zone. If the plan is adopted, it includes six steps to reduce the fuels, and provide more access, which could drop the score. He stated that he believes that they are good recommendations for all open spaces. Deputy Chief Lauper stated that the Armstrong Homeowner's have requested that the park be closed until the six steps are done; however, the

park is already open and he would not want to close down park. Deputy Chief Lauper clarified that if the Council approves the plan, than there are steps to take to gain access and keep any fire small. Councilman Gookin asked why there is such a difference in the rating between Fernan and Tubbs Hill and if use has anything to do with the rating. Deputy Chief Lauper stated that Armstrong has water supply and road access and that there have been 10-12 fires on Tubbs Hill, which are usually small, but winds could be problematic, and that they were all started by people. Councilman Gookin stated that the people started fires are what the Armstrong Association is concerned with, as the more people the more the fire hazard. Deputy Chief Lauper stated that the bigger threat is the south side of the Armstrong Hill. Councilman Gookin asked Mr. Kempton if the area can be open space without access. Mr. Kempton stated that in theory it could and that the existing plan has a very limited trail system. The problem with no access is that people will camp and hike to areas they should go and it would limit the number of citizens who could use it and would not be his recommendation.

Councilman Gookin stated he would like to see more support from the Homeowner's Association and that he felt they had legitimate concerns additionally he requested the addition of the language requested by the Tubbs Hill Foundation. Mayor Bloem stated that would be an amendment to the plan. Mr. Kempton stated that the City has notified the Friends of Tubbs Hill for everything they do on the Hill except routine trash pickup. Mr. Rosdahl reiterated that the City has consulted them in the past, and that he wants to make sure it continues to happen in the future. The Foundation is most concerned with the protection of the naturalness of Tubbs Hill. The concerns of the past and the future are the items as noted by Mr. Hosack earlier; they desire minimal impacts to the natural habitat. Councilman Gookin asked Mr. Rosdahl if they are satisfied with how communication is currently working. Mr. Rosdahl confirmed that it was. Councilman McEvers clarified that the Foundation does not want anything to change on Tubbs Hill and does not want connectivity to the parking lot. Mr. Rosdahl confirmed that the Foundation wants Tubbs Hill as natural as possible, and that it would require a lot of work to connect to the parking lot as the trail is currently very primitive. Additionally, the north side is a very steep trail and would have to be constructed and become very obvious. Councilman McEvers asked Mr. Rosdahl if he was concerned with the fire rating. Mr. Rosdahl stated that they are concerned with fire and hoped for a fire road to be constructed in a non-invasive way. Councilman Goodlander clarified that when the City was working towards an accessible trail, the Parks Department worked to keep it as natural as they could and agreed that it would not be paved and worked closely with the Foundation.

Motion by Kennedy, seconded by McEvers to adopt Resolution 13-006.

DISCUSSION: Councilman Kennedy noted that there is a lot of passion on the topic, neighbors, conservation advocates and citizens, and over the years the Committee has worked with all groups and struck a balance. The goal of any plan is to outline a vision and mission and continue to collaborate and some items may not have activity for many years but the plan provides a framework. The Tubbs Hill Foundation is engaged in every level of discussion and he believes it will stay that way and supports the plan. Councilman Adams wanted to echo that it is a conceptual plan and numerous groups of individual keeping eye on this and is comfortable with this and the Council will approve any open space projects going forward.

Motion to Amend the Motion by Gookin seconded by Adams to add language that the Tubbs Hill Foundation must be consulted on all items before action is taken.

DISCUSSION: Councilman Kennedy agrees that they should be consulted but if the City requires third parties must be consulted would have the potential of a bureaucratic nightmare and he will vote against it. Councilman Gookin stated that he wants to make sure the citizens are involved and that they have a voice in what's going on and that the plan is citizen driven. Councilman McEvers stated that the Foundation does a great job, and that there is some paranoia that something is being taken away and hopes they understand they already have Council support and he will vote against the amendment.

ROLL CALL REGARDING THE MOTION TO AMEND: Gookin Aye; Adams Aye; Kennedy No; McEvers No; Goodlander No. Motion Failed.

ROLL CALL ON MAIN MOTION: Goodlander Aye; Gookin Aye; Adams Aye; Kennedy Aye; McEvers Aye. Motion carried.

PUBLIC HEARING: HUD 2013-2018 CDBG CONSOLIDATED PLAN AND 2013 ACTION PLAN

Grant Administrator Nancy Mabile, with Panhandle Area Council, informed the Council that there are two items to be considered this evening the 2013-2018 Consolidated Plan and the 2013 Action Plan. She explained the Consolidated Plan is required by HUD every five year. The Consolidated Plan included various public input opportunities including workshops and surveys. Based on the public comments received it was determined that a new goal should be included in the plan to allow for public service funding opportunities and that the previous five goals are still worthwhile. The Consolidated Plan includes the review of impediments to fair housing conducted by BBC Consulting in 2011.

Ms. Mabile explained that the Action Plan is an annual document setting forth how the city intends to spend the annual CDBG allocation. She clarified that the activities must meet one of the three national objectives. In review of the budget, she noted that the \$243,000 allocation is an estimate amount, as it is unknown what the federal allocation will be for Plan Year 2013. The proposed budget reflects the final payment back to the city for the acquisition for the Homestead property and continued funding to the EMRAP program, sidewalks, and public service.

A public comment received today, regarding non-support of tax credit projects, was distributed to the City Council. Ms. Mabile noted that no projects were planned in the 2013 Action Plan for tax credit projects. Councilman Goodlander read the public comment from Mr. Torgerson into the record. Councilman McEvers clarified that the developers build the tax credit project not the government. City Clerk Renata McLeod clarified that past tax credit projects had received CDBG funding; however the developer remains the owner and does develop the units. She further clarified that the tax credit program is a federal program that does require units remain affordable for many years into the future (sometimes up to 30 years). Councilman McEvers ask for clarification regarding what public service projects would be. Ms. Mabile stated that public service projects vary, but are usually conducted by local non-profits that provide a service to low-to-moderate income citizens, such as the Meals on Wheels programs.

PUBLIC COMMENTS: Mayor Bloem called for public comments with none being received.

MOTION by Goodlander, seconded by Kennedy to approve the 2013-2018 CDBG Consolidated Plan and 2013 CDBG Annual Action Plan.

DISCUSSION: Councilman Adams stated that the Federal Government is broke, the deficient is in the trillions, and that entitlement spending is not the proper role of the government. It is not free money and there are certain obligations on the part of the grantor. He recommends the Council be part of the solution not part of the problem. Councilman Kennedy stated that it is complicated but this money comes to City of Coeur d'Alene or it goes elsewhere and that the community strives for local control of the dollars and he will support the motion.

MOTION to approve the 2013-2018 CDBG Consolidated Plan and 2013 CDBG Annual Action Plan carried.

RECESS: Mayor Bloem called for a 5-minute recess at 8:03 p.m. The meeting reconvened at 8:10 p.m.

PUBLIC HEARING: CREATION OF LOCAL IMPROVEMENT DISTRICT NO. 151-FRONT AVENUE IMPROVEMENTS

Danielle Quade, Bond Counsel/Hawley Troxell, stated that tonight would include a two- step process. The first step is to consider the protests, and the next step is to consider the Ordinance. She provided the guidelines regarding consideration of the protests and clarified that the Council can consider all comments and protests, but will need to consider if they are reasonable and if the properties will received a benefit from the improvements. The consideration does not mean a mathematic assessment is necessary but reasonable proportionality. A summary of protests were reviewed the following were specifically addressed Parkside residential property values; the difference between the 2012 Front Avenue project and the proposed 2005 Front Avenue project; the Sherman Avenue LID cost comparison; and the mid-town LID cost comparison.

In some the LID protests the Parkside residential property owners have stated that they are not receiving the same benefit as commercial properties. Ms. Quade clarified that the average assessment of commercial property is \$36,000 and residential is \$2,000, which is 18 times less. The benefits to residential properties include increased parking (not regulated for 16 hours of the day), increase safety of slowed traffic and lighting, unique urban corridor, and a pedestrian friendly environment. Councilman Gookin asked if the view corridor would be increased from the street improvements if you removed the park out of the equation. Ms. Quade stated that it would be increased as Front Avenue currently looks blighted. Councilman Gookin asked who pays for south side of street improvements. Ms. Quade stated that the LID also pays since they are using a benefits derived analysis, wherein the whole project due to benefit all property owners, based on the entirety of the project.

Another comment repeated in the protests is that Parkside Towers has already paid for streetscape and they do not want to pay again. Ms. Quade stated that the existing streetscape is not being removed and will not be paid for again. There are some improvements directly in front of their building, specifically parking, a rebuilt street, increased safety and accessibility. Councilman Kennedy sought clarification regarding the 18 to 1 ratio referenced in regards to the commercial versus residential argument specific to the Buss protest. Ms. Quade stated that the way the costs were divided in Parkside was by square footage, so the ratio may be less than other commercial. Phil

Boyd, Welch Comer Engineers, clarified that within Parkside, assessment was based on the plat of their building, based on the way the parcels are divided the residential parcels are smaller than the commercial parcels. Councilman Goodlander asked for a reiteration of the averages and if they are applicable in this case. Ms. Quade stated that the LID is based on a benefits derived formula, so it does not include use. As the Council considers use it gets complicated, based on the per foot front assessment. Ms. Quade stated that the average 18 to 1 ratio of commercial versus residential seemed fair.

Councilman Kennedy stated that while he was reviewing the protest, he was trying to determine the connectivity of the issues, and it understanding that it does not have to be certain. One resident does not think something is a benefit while others might say that it is the best benefit, and he found it to be very difficult to subjectively break these out. He feels like there is a place wherein the Council has to arbitrarily say it feels right. Ms. Quade reminded the Council that the Supreme Court says it just has to be equitable, so the Council needs to determine what it believes is equitable. The courts give the City a lot of leeway to make the determination. She recommended looking at concrete known items like parking increases and that other LIDs have created value increases in the area.

Mr. Boyd stated that several protest noted a difference between the 2005 and the 2012 proposal costs. He stated that the short explanation is that they are two different projects and that the 2005 project was not a complete reconstruct.

Another common protest comment was that the Sherman Avenue LID was at \$200/front foot not \$400/front foot. In the Sherman Avenue LID the corner parcels were only charged on one side, if it were funded on both sides it would have been \$400/front foot. Councilman Kennedy so the Widmeyer property would be a unique parcel because the depth of the lot, with less on Front Avenue with more on the side street, and questioned if it should have a unique consideration. Mr. Boyd clarified that particular parcel is 1,200 sq. /ft. footprint. Mr. Boyd explained that the Council should look at how the neighbors compare, which would demonstrate that their assessment is 6.5 times higher than all their neighbors, so the Council could consider something with that parcel or deal with it at the confirmation hearing when the project is finished. Councilman Kennedy clarified that if the Council does not give direction regarding that parcel tonight, it could still give direction at the confirmation hearing a year from now when final numbers are known. Ms. Quade confirmed that at the confirmation hearing the Council would have the real numbers and at this point the Council should determine a method of determining the assessments, then come back with specifics later. If the Council directs a change in how the one parcel is assessed, they would need to come back with another way to assess that parcel less and the others more.

Mr. Boyd stated the last protest point to consider is why the midtown LID is lower. He clarified that the cost difference is due to the scope of work and more outside funding was included in the Midtown LID. He further clarified that protests regarding approaches are not material for the LID consideration.

Ms. Quade stated that the second step is considering the Ordinance. She clarified that Section 1 includes required findings; Section 2 includes the boundary of district; Section 3 defines the project; Section 4 is what can be included; Section 5 is where the percentages will be included for the LID. She is seeking insight from Council to provide the percentage is to be borne by the LID and what percentage is to be borne by the City and what maximum dollar amount to be included in the front foot costs.

Councilman Gookin asked for clarification as to what capacity Ms. Quade is advising the Council this evening. Ms. Quade clarified that she was hired by the City to act as Bond Counsel as she specializes in cities incurring debt which would be included in the LID. She further needs to be comfortable with the process all the way through so that she could give the bank an opinion. Councilman Gookin asked if Ms. Quade's representation of LCDC is a conflict. Ms. Quade stated that there was no conflict since she is looking at LID and not the park; additionally she has provided the City with a conflict review letter.

Councilman Kennedy stated that in reference to Section 5 of the Ordinance, regarding the percentage of the project to be borne by property owners, the City has the arbitrary position of what the per front foot price would be. He stated that he would like to see a \$275/lineal foot, with the City contributing 61% and the property owners at 39%. Ms. Quade clarified that he could not keep the City's contribution the same and lower the property owner's portion without changing the scope of work. Councilman Kennedy stated he would like to look at options like removing the colored concrete and asked if those decisions tonight. Mr. Boyd stated that if Council wanted a \$275/front foot cost, the LID share would be \$275,500 less and would be 26.7% of the project costs, with the City's share 73.3%. Councilman Kennedy stated he would be comfortable with that and holding a cap on the property owner's portion.

Mayor Bloem clarified that the project is \$2.9 million and asked if the Council wanted to keep that amount the same. Councilman Kennedy, he feels \$400/front foot is too much and \$275/front foot feels better. If the number for the project goes down, he is ok with that too. Mayor Bloem reiterated that elements would need to be removed from the project, or else the City would have to make up the difference. She stated that her idea would be to drop the per front foot to \$300, wherein the resident average would be \$1,650, as opposed to \$275/front foot which would be only \$90 less, but a lot of difference to the project. Average commercial \$38,000, if you drop to \$300/front foot it would go down to \$28,500 and to \$26,600 at \$275/front foot. She is concerned with reducing too much and having to take elements out of the project. Councilman Goodlander asked how much it would reduce the scope of the project between \$275/front foot and \$300/front foot. Mr. Boyd stated that at \$300/front foot there would be a \$282,000 reduction from the LID and at \$275/front foot there is a reduction of \$352,500. Councilman Goodlander stated that it appears to be a large reduction in the project but not a large difference to the properties.

Ms. Gabriel stated that the design team reviewed the options surrounding these assumptions and could not find a place to reduce the scope elements without butchering the project. They felt there might be \$75,000 they could reluctantly be taken out; other than that it would take away from the intent of the Front Avenue project. The dollars would need to be found elsewhere or receive lower bids.

Motion by Kennedy, second by McEvers to approve to use \$300/front foot in Section 5 of the Ordinance.

DISCUSSION: Councilman Kennedy stated that the subjectiveness of this is a legislative and political number, and an effort to be fair to the Sherman Avenue property owners. Proposing a lower cap will have a larger effect on commercial properties. Councilman Gookin asked when and how he could pull Parkside Towers out of the LID. Ms. Quade stated it would require modification of the legal description and it would delay approval of the Ordinance. Councilman Gookin does not agree

with the derived benefit and that the Parkside Tower owners have already paid for their improvements and should not be included in the LID. Mr. Boyd stated that there would also be a significant impact to the revenue from the LID, which would be an increase to everyone else. Councilman Adams stated that he does not believe the whole thing is fair, since the curb cuts are being removed and is material. He would have supported the LID if the curb cuts were left in as it affects the functionality of the businesses. Councilman McEvers stated that he is in support of \$300/front foot. He stated that LID's are for everyone, it is not about curb cuts it's about safety, and not economics but safety. People are going to benefit, they did not say they did not want to pay, but that they did not want to pay as much, this gives them a cut in costs. The City Engineer told us the safety issues and the Council should believe its own engineer. He believes the Council can revisit the specific issues when it has real numbers. Mayor Bloem agreed that LID's are for the benefit of all, the Sherman Avenue LID was for the whole of downtown, and she believes it is fair compared to Lakeside and Sherman. Councilman Goodlander agrees with Councilman McEvers and will vote for \$300/front foot and has been on the other side of an LID and it can be tough but to the benefit of all and does not want a delay. She stated that she thinks we have time to get a good bid with savings, and the City will have the final numbers.

ROLL CALL ON MOTION TO APPROVE \$300/FRONT FOOT IN SECTION 5 OF THE ORDINANCE. Gookin No; Goodlander Aye; Kennedy Aye; McEvers Aye; Adams No; Motion carried.

Ms. Quade read Section 5, to include a total estimated cost of improvements of \$2,900,000 with 29% assessed against property owners based upon a benefits derived method, and shall not exceed \$300/front foot, and 71% of the project costs from the City.

**COUNCIL BILL NO. 13-1002
ORDINANCE NO. 3456**

AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 151 FOR THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; DESCRIBING AND SETTING FORTH THE BOUNDARIES OF SAID LOCAL IMPROVEMENT DISTRICT; PROVIDING FOR THE IMPROVEMENTS TO BE MADE THEREIN; AUTHORIZING THE ADVERTISING FOR BIDS FOR SAID WORK AS PROVIDED BY LAW; PROVIDING FOR THE PAYMENT OF COSTS AND EXPENSES OF SAID IMPROVEMENTS TO BE ASSESSED AGAINST THE PROPERTY WITHIN THE DISTRICT BENEFITED THEREBY AND THE METHOD OF ASSESSMENT; PROVIDING FOR THE ISSUANCE OF LOCAL IMPROVEMENT DISTRICT BONDS AND/OR WARRANTS; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Motion by Kennedy, seconded by Goodlander to pass the first reading of Council Bill No. 13-1002.

ROLL CALL: Gookin No; Goodlander Aye; Kennedy Aye; McEvers Aye; Adams No; Motion carried.

Motion by Kennedy, seconded by Goodlander to suspend the rules and to adopt Council Bill No. 13-1002 by its having had one reading by title only.

ROLL CALL: Gookin Aye; Goodlander Aye; Kennedy Aye; McEvers Aye; Adams Aye; Motion carried.

AUTHORIZATION TO PROCEED WITH THE CDA 2020 VISIONING UPDATE

PROPOSAL WITH STEVEN A. AMES City Attorney Mike Gridley presented the idea to revisit the CDA 2020 plan at the last Council meeting. The 2020 group began its visioning and values in 2000 and times have changed over the past 12 years. He requested authorization to hire Steven Ames who is the consultant that Bend, Oregon hired for their 2030 project. He believes this is an opportunity to seek a shared community vision for the future and to bring people together to find common ground. The visioning would include a level of accomplishment detail to ensure success through an action plan. He presented a video regarding the Accelerate Bend Program that demonstrated the community support. He proposed a timeline that included a presentation by Steven Ames at the February 5th Council Meeting, followed by staff and community group meetings on February 6th and 7th. In March follow up and organized focus groups would occur. April through September continued community input and goal development will occur. Councilman McEvers asked how the City was paying for the services. Mr. Gridley stated that \$2,000 would come from the Legal Department Professional Services budget, with the remainder raised from the community. If the community says that they don't want to contribute money to this, then he would not move forward as it will take partnerships to make the project work. Councilman Goodlander thinks it is a great project and idea, but it is \$6,000 for a couple days, and asked if down the road there would be additional costs to bring him back. Mr. Gridley clarified that the larger share of the costs would be thereafter. He noted that a lot of different groups inquire about doing projects in Coeur d'Alene; however, they are not sure how to go forward. This process would be a gauge for what support is out there for those projects. Councilman Adams stated that he is concerned about paying for a consultant and thought it could be achieved locally for free. Mr. Gridley stated that he believes that the current divide in our community he believes that someone from the outside who specializes in polarized communities would be best. Councilman Gookin stated that he felt this was a great idea, and believes the community needs to heal. He did state he was concerned with the timing as he believes that those opposed to McEuen would not come to the table yet. Mr. Gridley felt that with so many things going on now, it is the perfect time to have this meeting. He further stated that he believes that once people are in the room together they would some of their differences aside.

Motion by Kennedy, seconded by Goodlander to authorize staff to proceed with the proposal with Steven A. Ames.

DISCUSSION: Councilman McEvers clarified that because the City is funding \$2,000 it does not become a City project. He stated that he likes that it would not be a City project to demonstrate to those that are mistrusting that it is truly a community project and will support the motion.

Motion carried with Adams voting no.

MCEUEN PARK HARBOR HOUSE DESIGN DISCUSSION AND DECISION

Team McEuen member Dick Stauffer presented the design for the Harbor House at the 90% design completion and presented options for different positions and view corridors. The Harbor House includes restrooms, electrical room, concession area, storage, a pump room and water recirculation systems. The view corridors were demonstrated with and without the Harbor House.

The Harbor House is contains the restrooms for the boat launch, trail system, and water promenade area. One recent change to the design was a reduction in the roof line. Soil boring showed some wood waste, which will be removed and re-compacted. Councilman McEvers questioned if that area floods. Mr. Stauffer stated that there is a small floodplain area which was avoided. Councilman Goodlander asked for clarification regarding how large the Harbor House would be. Mr. Stauffer stated that it is 940 sq. ft. with an underground vault the entire footprint of the building. Councilman Goodlander questioned why the costs escalated from the April design meeting it was listed at a cost of \$138,000 and is now \$400,000. Mr. Stauffer clarified that the addition of the tank and water system and associated development costs, including raising the building is approximately \$180,000 more.

Councilman McEvers asked about the vault and how it is now a system. Mr. Stauffer stated that the water system was never an originally planned element; however with the addition of the splash pad it was determined that the grey water could be used for irrigation rather than being dumped into the wastewater treatment plant. This will save money as it will not run through the sewer for disposal, as well as providing an opportunity to catch stormwater (rather than allowing it to go into the lake). Councilman Goodlander stated that an average two-story house is 24' - 32' and this building is 2/3 the way to a house height. She stated that she is not happy about the Harbor House. She agreed that the vault was a wise decision; however, \$300,000 for 945 sq. ft. restroom (half the size of her home) she cannot justify the cost. Additionally, she thinks it is too large and too tall, but agrees that the location makes sense and questioned if the vault could be a part of the corridor rather than under a building. Parks Director Doug Eastwood stated that currently there is a portable restroom shelter near the boat launch and he believes there is going to be a lot of additionally activities in that area, so restrooms are a necessary and should be a matter of convenience. Imagine being at an event and having to walk across the entire park to locate a restroom. Councilman Gookin asked if there were discussions of restrooms at other areas. Mr. Eastwood stated that the Promenade area was considered. Councilman Gookin clarified that if the Council voted to remove the Harbor House there would be no restrooms on the west side of the park. Mayor Bloem stated that the location is ideal as it is the restroom for the water and Tubbs Hill activity trail. She initially had concerns with the view corridor, but with the demonstration of the view corridors presented, it appears on the tip of the roof will be seen across the park.

Councilman McEvers asked how the concession would work. Mr. Eastwood stated that he envisions it being leased approximately five months of the year, then on an activity by activity basis thereafter. There may events that go beyond normal season, such as a winter festival, which could be rented to the event sponsor.

Councilman Gookin stated that he would object the restrooms being heating as he would be concerned with vagrancy and drug use. Mr. Eastwood stated that he stated that he has seen homeless spend time in the restrooms in the past; however, it is not as prevalent as it used to be and that he has not seen an issue with drugs. Councilman Goodlander stated that she agrees that restroom are needed in that part of the park, but that they should not be heated and should be planned to have fixtures that don't freeze. She clarified that her objection is to the scale and size of the building. Mr. Eastwood clarified that doors will lock at a certain hour, and the restrooms will not be open 24/7. Mr. Stauffer stated that the heating can be divorced from the project, and that the heating could be set at a minimal level to avoid park's staff from having to winterize the building.

Mayor Bloem clarified that the Harbor House contained a utility room for supplies, a mechanical room, restrooms and a concession area, and the concession area would be the only thing that could be removed. Ms. Gabriel clarified that the intent of the discussion today was to look at the size and scale of the Harbor House and reminded the Council that the Urban Land Institute recommended that when redesigning a park it should be looked at a year around park, and to envision more activities such as ice carving, etc. She encouraged Council to consider the value to a year around park by having a concession area.

Councilman Kennedy thanked the design team for keeping the project moving forward. He clarified that part of the process of going forward is to see where LCDC comes in with funding tomorrow. Councilman Adams stated that the only thing thought was missing from McEuen was decent bathroom facilities.

Motion by McEvers, seconded by Adams to approved the placement of the Harbor House as presented. Motion Carried with Goodlander voting no.

ADJOURNMENT: Motion by Kennedy, seconded Gookin that there being no further business before the Council, this meeting is adjourned. Motion carried.

The meeting recessed at 10:17 p.m.

Sandi Bloem, Mayor

ATTEST:

Renata McLeod, City Clerk