

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

**May 1, 2012**

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 May 1, 2012 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

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

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

**PROCLAMATION – BIKE MONTH:** Councilman Kennedy on behalf of Mayor Bloem read the proclamation declaring the month of May as Bike Month in the City. Brian Hadley, Ped/Bike Committee Chairman, accepted the proclamation. Mr. Hadley reviewed some of the activities planned for this month including the “Bike to Work” week of May 14-19.

**PUBLIC COMMENTS:**

REFUND REQUEST FOR STORMWATER UTILITY: Tim Mosgrove, 2720 W. Hayden Ave., Hayden, Idaho, asked if the City was going to refund his payments for the stormwater utility for his property on Coeur d'Alene Avenue. City Attorney Gridley noted that our utility has never been declared illegal. Councilman Gookin said that he is going to be discussing this issue with the City Engineer and asking how his issues can be addressed in the revised ordinance. City Attorney Gridley noted that it is planned to bring the revised ordinance back to the City Council in July. City Attorney Gridley invited Mr. Mosgrove to meet with him to further discuss his request.

**CONSENT CALENDAR:** Motion by Goodlander, seconded by Kennedy to approve the Consent Calendar as presented. Motion by Gookin, seconded by Adams to remove item 3a (Education Corridor Artwork) from the Consent Resolution. Motion failed.

1. Approval of minutes for April 12, 17, 2012.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, May 7<sup>th</sup>, 2012 at 12:00 noon and 4:00 p.m. respectively.

3. RESOLUTION 12-014: 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 APPROVING CONTRACTS FOR ARTWORK FOR THE EDUCATIONAL CORRIDOR ROUNDABOUTS WITH ALLEN DODGE, C.J. RENCH, AND MICHAEL HORSWILL; EXTENDING THE FOOD CONCESSION AGREEMENT WITH RANDY AND AKIKO FOLK DBA TIKI HUT AT INDEPENDENCE POINT; APPROVING A MEMORANDUM OF UNDERSTANDING WITH NORTH IDAHO COLLEGE FOR USE OF THE CITY'S TRAINING FACILITIES; APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH IDAHO DEPARTMENT OF TRANSPORTATION AND WELCH-COMER FOR GOVERNMENT / HANLEY – PRAIRIE DESIGN SERVICES; AUTHORIZING THE DESTRUCTION OF TEMPORARY RECORDS – MUNICIPAL SERVICES; APPROVING SS-3-12 FINAL PLAT APPROVAL WITH SUBDIVISION IMPROVEMENT AGREEMENT FOR WOODLAND CORNER AND BID AWARD AND CONTRACT WITH MDM CONSTRUCTION, INC. FOR THE WASTEWATER UTILITY 2012 OPEN TRENCH PROJECT.
4. Acceptance of donation for Great Blue Heron artwork.
5. Authorizing staff to go to bid for the procurement of Turbo Blowers for WWTP
6. Approval of beer/wine/liquor license for the Wine Cellar at 317 E. Sherman Ave.
7. Approval of beer/wine license for LePeep Café at 1884 W. Bellerive Ln. Suite A
8. Approval of cemetery lot repurchase from Pat and Luanne Melior
9. Setting of public hearings: Used Merchandise Dealer employees license fee for June 5, 2012; and SP-7-12 appeal of special use permit for June 5, 2012.
10. Approval of beer/wine license for Studio 107 LLC, at 503 E. Sherman Avenue

DISCUSSION: Councilman Gookin believes that the Consent Calendar contains too many items to be considered routine. He also believes that if he requests an item be removed from the Consent Calendar then it does not need to be done by a motion of the full Council but should be automatically taken off the calendar. He also noted that he opposes spending the dedicated Art Fund during the recession and if spent it should be spent on public property and not NIC's property. Councilman Goodlander asked Steve Anthony, Arts Commission liaison, to explain the Art Fund. Steve Anthony reported that the Arts Commission looked at all areas in town and selected these sites in the public roundabouts. He noted that the majority of those funds come from the Lake City Development Corporation and funds also come from public works construction contracts which are a dedicated fund that can only be used for the purchase and maintenance of public art.

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

#### **COUNCIL COMMENTS:**

COUNCILMAN KENNEDY: Councilman Kennedy announced the various summer recreation activities sponsored by the Recreation Department for the area residents.

COUNCILMAN GOODLANDER: Councilman Goodlander announced that the Council just accepted the donations for the purchase of the Blue Heron. She also announced that artwork is being proposed to add artist-designed vinyl wraps to the green utility boxes which will add to the City's overall public art.

COUNCILMAN GOOKIN: Councilman Gookin he received a letter from Pam VanSlate asking that the City remind citizens not to blow their grass and debris into the city streets.

**APPOINTMENT TO LAKE CITY DEVELOPMENT CORPORATION AND ARTS**

**COMMISSION**: Motion by Goodlander, seconded by Kennedy to reappoint Jim Elder to the Lake City Development Corporation. Councilman Gookin opposes having Jim Elder being reappointed to LCDC since he has served on this corporation for 10 years. He noted that he received a phone call from a citizen who recommended that LCDC have a representative from the low income housing community or a social worker that works with low income families. Councilman Edinger commented that he has known Jim Elder for a long time and believes he is a valuable asset to LCDC and will support the motion but also likes Councilman Gookin's suggestion. Motion carried with Gookin voting no.

Motion by Kennedy, seconded by Goodlander to appoint Jennifer Drake and Jane Morgan to the Arts Commission. Motion carried.

**ADMINISTRATOR'S REPORT**: City Administrator Wendy Gabriel announced that the Coeur d'Alene Police Department's Awards Committee hosted their second annual CDA PD awards ceremony on April 19<sup>th</sup> and Police Officer of the Year was Officer Justin Bangs and the department's Civilian of the Year is Louise Martin. On April 21<sup>st</sup> Captain Rich Halligan and Firefighter Blain Porter were awarded the "North Idaho Emergency Services Academy Firefighters of the Year" award at Post Falls High School during the academy. We would like to thank citizens who participated in last Saturday's Prescription Medicine Turn-In sponsored by Coeur d'Alene Police and the Enough is Enough Committee. The two full boxes of medicines turned in will be incinerated. If you missed the Turn-In day, there is a safe disposal bin located in the lobby of the Coeur d'Alene Police station on Schreiber Way. Arbor Day was celebrated this past Saturday with tree plantings, food, and the presentation of awards for the Arbor Day Art contest. Marina Thaxton, a junior at Coeur d'Alene High School, designed the winning artwork. The second place winner is Payton Nielsen, and placing third is Kayla Cahoon, both of Coeur d'Alene High School. This Saturday, May 5<sup>th</sup>, Specialized Needs Recreation will host their 10<sup>th</sup> Annual Shining Stars Talent Show Fundraiser from 6:00 p.m. until 8:30 p.m. The show sponsored by the Idaho Panhandle Kiwanis Club will be held at Real Life Ministries 2, 1866 North Cecil Road, in Post Falls. The entry fee is \$5.00. SNR will be raffling off themed baskets and will hold a Silent Auction. SNR is still in need of volunteers for this event. If you are interested in helping out at the talent show, or if you would like more information about Specialized Needs Recreation and the programs it provides, contact Angie Goucher, SNR Executive Director, at 755-6781. Patrons using the computer catalog at any of the member libraries for the Cooperative Information Network beginning April 30<sup>th</sup> will find it has a new look and new user-friendly Koha computer catalog system that will replace the current system.

For more information about using the new system, call or visit the library. Deputy Chief Jim Washko returned from Boise where he participated in a state-wide Mutual Aid drill sponsored by the Department of Homeland Security. Deputy Chief Washko played a vital role in the exercise which will pave the way to finalizing the state-wide mutual aid agreement which we have been working on for years. We expect to have the agreement in place by summer. The city will start spring street striping beginning this week as weather permits. Striping the city is a significant effort that requires the application of over 1,500 gallons of paint together with nearly five (5) tons of glass beads. This work will take about 12 days of good weather to get accomplished. Citizens are urged to be watchful for painting operations throughout the city over the next few weeks and yield to painting operations to avoid wet paint. For more information, please call 769-2233.

#### RESOLUTION 12-015

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ART DONATION AND ENCROACHMENT AGREEMENT WITH KEN ROBERGE FOR THE PURPOSE OF ENCROACHING INTO PUBLIC RIGHT-OF-WAY AND INSTALL AN ART PIECE IN THE ISLAND LOCATED AT THE INTERSECTION OF MILLER AVENUE AND GOVERNMENT WAY.

STAFF REPORT: Steve Anthony, Arts Commission liaison, presented power point slides showing the location of the proposed artwork as well as a photo of the artwork called "Spirit Rising" being loaned by Ken Roberge. Mr. Roberge explained his reasons for loaning this piece of artwork for all the citizens to enjoy.

Motion by Kennedy, seconded by Edinger to adopt Resolution 12-015.

DISCUSSION: Councilman Gookin voiced his concern of future art being objectionable and being placed on Government Way.

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

**SOLE SOURCE PROCURMENT – COBAN IN-CAR VIDEO/MOBILE DATA:** Sgt. Tilson presented a powerpoint review of the need, function, and purpose of this equipment.

MOTION: Motion by Kennedy, seconded by Edinger to authorize the sole source procurement of COBAN M7 Titan all-in-one computer/in-car video solution for the Coeur d'Alene Police Department.

DISCUSSION: Councilman Adams voiced his philosophical opposition to using any Federal Funding by the City and thus opposes the grant funding for this procurement since is it using Federal funds. Councilman Gookin noted the funding of the final 3 units would be requested in next year's budget. In response to Councilman Adams comments Councilman Gookin believes that all citizens benefit from federal funding and this will help our community. Councilman Adams commented that he believes that taking federal funds is like accepting funds from a loan

shark and using the money to pay your gambling debt. Councilman Kennedy commented that all citizens pay federal taxes and this funding will help our community. Motion carried with Adams voting no.

ORDINANCE NO. 3440  
COUNCIL BILL NO. 12-1014

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING PORTIONS OF RIGHT-OF-WAY IN THE TAYLOR'S PARK SUBDIVISION, RECORDED IN BOOK "B" OF PLATS, PAGE 90, RECORDS OF KOOTENAI COUNTY, COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, GENERALLY DESCRIBED AS SMYLIE AVENUE, HUBBARD AVENUE, AND, ADJACENT ALLEYS; 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 by Goodlander, seconded by Gookin to pass the first reading of Council Bill No. 12-1014.

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

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 12-1014 by its having had one reading by title only.

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

**EXECUTIVE SESSION:** Motion by Gookin, seconded by Adams to enter into Executive Session as provided by I.C. 67-2345 §C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property, which is not owned by a public agency, and §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: Adams, Aye; McEvers, Aye; Goodlander, Aye; Gookin, Aye; Kennedy, Aye; Edinger, Aye. Motion carried.

The Council entered into Executive Session at 7:20 p.m. Those present were the Mayor, City Council, City Administrator, City Attorney, and Deputy City Attorney.

Matters discussed were labor negotiations and the Dixon case. No action was taken and the Council returned to its regular session at 9:20 p.m.

**ADJOURNMENT:** Motion by Gookin, seconded by Edinger to recess to May 2<sup>nd</sup>, at 6:00 p.m. for the Council's Strategic Planning workshop in the Library Community Room and then to

recess to May 9<sup>th</sup> at 8:00 a.m. for a joint meeting with the County Commissioners at the Breakfast Nook. Motion carried.

The meeting recessed at 9:30 p.m.

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Sandi Bloem, Mayor

ATTEST:

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Susan Weathers, CMC  
City Clerk

**Note: The meeting location for the Joint City/County meeting had been moved to Michael D's.**