

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
JULY 20, 2010**

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 20, 2010 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Woody McEvers) Members of Council Present
Loren Ron Edinger)
A. J. Al Hassell, III)
Mike Kennedy)
John Bruning)

Deanna Goodlander) Members of Council Absent

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

INVOCATION was let by Pastor David Roberts, Family Worship Center.

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

PUBLIC COMMENT:

CHICKENS: Shirley Young, 1312 N. 7th Street, spoke in objection to the number of chickens that are being allowed in the proposed animal control ordinance noting that she believes it will decrease the value of her property. Mary White, 1311 E. Maple, spoke in support of repealing the limit on the number of chickens allowed. She noted that she has 30 chickens and she has not had any problems or complaints from her neighbors. Sherry Bullard, 1024 E. Indiana, spoke in support of repealing the limit on the number of chickens allowed. Jim Bolognese, 3168 N. 9th Street, spoke in support of lifting the limit on chickens. Chris White, 1311 E. Maple Avenue, would like to have the limit on chickens removed and believes that his small chicken farm supports the community's economy. Jan Schuster, 2301 N 8th Street, spoke in favor of removing the limit on chickens. Randy Mote, 1028 E. Wallace Ave., spoke in support of removing the limit on chickens. Debbie Mote, 1028 E. Wallace, spoke in support of lifting the limit on the number of chickens allowed.

INTRODUCTION: City Attorney Mike Gridley introduced David Judd who is the newest Assistant City Attorney.

ORDINANCE NO. 3388
COUNCIL BILL No. 10-1014

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTIONS 6.15.010 AND 6.20.020 TO REMOVE THE NUMERICAL LIMIT ON CHICKEN OWNERSHIP WITHIN THE CITY, TO AUTHORIZE PUBLIC AGENCIES TO USE GOATS FOR WEED CONTROL PURPOSES AND TO CORRECT A SCRIVENER'S ERROR; REPEALING ALL ORDINANCES AND

PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF

Motion by Edinger, seconded by McEvers to move this item forward on the agenda. Motion carried.

Motion by Kennedy, seconded by Bruning to adopt pass the first reading of Council Bill No. 10-1014.

ROLL CALL: Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, No. Motion carried/failed.

Motion by Edinger, seconded by Kennedy to suspend the rules and to adopt Council Bill No. 10-1014 by its having had one reading by title only.

ROLL CALL: Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye. Motion carried.

CONSENT CALENDAR: Motion by Hassell, seconded by Bruning to approve the Consent Calendar noting a correction to public hearing date regarding the sale of city surplus real property which is to be held on August 17, 2010.

1. Approval of minutes for July 3, 7, 2010.
2. Setting the General Services Committee and the Public Works Committee meetings for Monday, July 26th at 12:00 noon and 4:00 p.m. respectively.
3. RESOLUTION 10-025: 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 THE DESTRUCTION OF CERTAIN POLICE DEPARTMENT RECORDS; DECLARATION OF POLICE DEPARTMENT VEHICLES AS SURPLUS; APPROVING CHANGE ORDER NO. 2 FOR THE WWTP LOW PHOSPHORUS PILOT EQUIPMENT WITH GE/ZENON ENVIRONMENTAL CORPORATION; APPROVING CHANGE ORDER NO. 3 FOR THE WWTP PILOT FACILITIES WITH SHANNON INDUSTRIAL CONSTRUCTION; BID AWARD AND CONTRACT WITH JACOBSON TREE SERVICE FOR STREET TREE MAINTENANCE WORK; APPROVING THE ANNUAL SCHOOL RESOURCE OFFICER CONTRACT FOR FY 2010 – 2011 AND APPROVING THE CONTRACT AWARD TO MILLER / STAUFFER FOR THE MCEUEN FIELD IMPROVEMENT PROJECT.
4. RESOLUTION 10-026: A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO DECLARING ITS INTENT TO SELL REAL PROPERTY AND DIRECTING THE CITY CLERK TO SET A PUBLIC HEARING ON THE PROPOSED SALE.
5. Approval of bills as submitted and on file in the Office of the City Clerk.
6. Approval of cemetery lot transfer from James and Betty Willems to Ila and Marvin Bieber.
7. Approval of beer/wine license for The Fedora Pub and Grill at 1726 W. Kathleen Ave.

ROLL CALL: Bruning, Aye; Edinger, Aye; Hassell, Aye; Kennedy, Aye; McEvers, Aye. Motion carried.

COMMITTEE APPOINTMENTS: Motion by Edinger, seconded by Kennedy to reappoint Kay Nelson and Delores Lutropp to the Jewett House Advisory Board, Colleen Krajack to the Personnel Appeals Board, and Sharmon Schmitt to the Civil Service Commission. Motion carried.

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel read an email from Max Roberts, visiting from Alabama, who expressed his appreciation for a great visit to our City during the 4th of July holiday. She reported that a fuel reduction project will begin on the north and east sides of Tubbs Hill sometime this week. Trails will be posted with closures and detours, as the work is too hazardous to allow the public to travel in the work areas while workers are active. Detours will be used whenever possible, but there may be times when hikers will have to backtrack. For more information on this project, please go to the city's website at www.cdaidparks.org or contact the City Urban Forester at 769-2266. When riding on a trail, stay to the right and pass on the left. Always yield to pedestrians and give an audible signal when you are overtaking them, such as: "on your left" or by ringing a bell. Pedestrians: please don't block the entire trail when walking in a group and avoid retractable leashes that can snake out across a trail and clothesline a bicycle, which can hurt you, your dog, and the cyclist. The 15th Street and Harrison Avenue Signalization Project will begin Thursday, July 22nd. Also, Neider Avenue from Fruitland Lane to US 95 will be closed for about a week beginning July 26th. After traffic control and signage is in place, the removal of the existing asphalt, curb, and sidewalk will follow. The Planning Commission has a vacancy. If you are interested in serving, please contact Shana Stuhlmiller at 769-2240. The 3rd Annual Parks Day was a resounding success. Please join us in thanking these event organizers and sponsors. We also have a vacancy on our Noise Abatement Board. If you are interested in serving, please contact Susan Weathers at 769-2231. Idahoans now have access to a new measurement tool that utilities use. Using the meter readings, consumers can estimate the electrical consumption and costs associated with each appliance by the hour, day, week, month, or entire year. This program is made possible through a partnership between the Idaho Commission for Libraries, Idaho Power, Avista Utilities, and Rocky Mountain Power. For more information on the program or for energy-efficiency tips visit www.lili.org/energy or contact Gina Persichini, Idaho Commission for Libraries, 208-334-2150. This past June, Building Inspector Raymond Kendall earned the Legacy Certification – a distinction that makes him a better building inspector, which makes Coeur d'Alene a safer place to live and it's a reflection of his professional commitment as an inspector. The United Way held its campaign distribution event yesterday where United Way also presented awards to companies that were their top 12 fundraisers last year. The City of Coeur d'Alene was one of those companies, who raised just over \$6,100.00. Thanks to our staff for their efforts and willingness to give back to our community. The City of Coeur d'Alene continuously accepts applications for police officer, secretarial/clerical, janitorial, library clerk, and attorney. For applications and job information, visit our website at www.cdaid.org or call the Human Resources Department at 769-2205. She noted that she spoke with Councilman Goodlander today who asked her to relay to the public that she did have a heart attack two weeks ago but she is at home resting and plans to be back soon.

RESOLUTION NO. 10-027

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF DALTON GARDENS FOR THE GOVERNMENT WAY IMPROVEMENT PROJECT.

Motion by Hassell, seconded by McEvers to adopt Resolution 10-027.

ROLL CALL: Kennedy, Aye; Edinger, Aye; Hassell, Aye; McEvers, Aye; Bruning, Aye.
Motion carried.

EXECUTIVE SESSION: Motion by Hassell, seconded by McEvers 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. The mere presence of legal counsel as executive session does not satisfy this requirement.

ROLL CALL: Kennedy, Aye; McEvers, Aye; Bruning, Aye; Edinger, Aye; Hassell, Aye.
Motion carried.

The session began at 6:55 p.m. Members presented were the Mayor, City Council, City Administrator, Deputy City Administrator and City Attorney.

Matters discussed were those of litigation, property acquisition, and labor negotiations. No action was taken and the Council returned to regular session at 8:08 p.m.

CHALLENGE TO WASHINGTON STATE TMDL: Motion by Edinger, seconded by McEvers to authorize the filing of a complaint in Idaho Federal District Court challenging the Washington State Total Maximum Daily Load (TMDL) for dissolved oxygen and to join Post Falls and the Hayden Area Regional Sewer Board in their complaint. Motion carried.

ADJOURNMENT: Motion by Hassell, seconded by McEvers to recess to July 22nd at 5:30 p.m. in the City Hall Former Council Chambers for a budget workshop. Motion carried.

The meeting recessed at 8:09 p.m.

Sandi Bloem, Mayor

ATTEST:

Susan Weathers, CMC
City Clerk