



**MINUTES OF A CONTINUED MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT COEUR D'ALENE CITY HALL,
SEPTEMBER 2, 2003**

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 Hall September 2, 2003 at 6:00 p.m., there being present upon roll call the following members:

Sandi Bloem, Mayor

Chris Copstead)	Members of Council Present
Deanna Goodlander)	
Woody McEvers)	
Loren Edinger)	
Ben Wolfinger)	
Dixie Reid)	

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

INVOCATION: The invocation was led by Rev. Ron Hunter, Church of the Nazarene.

PLEDGE OF ALLEGIANCE was led by Councilman Reid.

PUBLIC COMMENTS:

SUMMER CONCERT SERIES: Chris Guggemos, Handshake Productions, presented the Council a plaque for their help with sponsoring the Summer Concert Series in the City Park this past summer. Council President Reid thanked Chris for all his efforts in providing such great entertainment this past summer.

CONSENT CALENDAR: Motion by Reid, seconded by Copstead to approve the Consent Calendar as presented.

1. Approval of minutes for August 19, 26, 2003.
2. Setting of General Services and Public Works Committee meetings for Sept. 8, 2003 at 4:00 p.m.
3. RESOLUTION 03-078: 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 SIX (6) CONTRACT AWARDS TO DAVID CLEMONS/TOM BALL, KIETH POWELL, DAVID GOVEDERE, DALE YOUNG/RANDY RAAK, HAZEN AUDEL AND MARK HEISEL, FOR THE DESIGN AND CONSTRUCTION SERVICES ASSOCIATED WITH THE CREATION OF PUBLIC ART GRANITE BENCHES; APPROVAL OF A FIELD USE AGREEMENT WITH COEUR D'ALENE JR. TACKLE FOOTBALL ASSOCIATION, FOR USE OF

PERSONS PLAYFIELD; APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ARCHITECTS WEST, FOR NEED ASSESSMENT, DESIGN REVISIONS AND BUDGET EVALUATION AND APPROVAL OF A WAIVER OF PROTEST TO ANNEXATION AGREEMENT WITH KATE AND JOHN WERNER.

4. Authorizing staff to apply for a grant for the Tree Care Education Program
5. Approval of scanning services for Building plans archiving.
6. Approval of purchase of two storage sheds for Recreation Dept. equipment.
7. Setting of Public Hearing for V-03-6 - Vacation of a portion of 22nd St between Cd'A Ave. and Fernan Elementary for September 16, 2003..
8. Approval of cemetery lot transfers from Ann Cunningham to Mark Cunningham
9. Approval of beer license for Smokers Express at 1506 NW Blvd.
10. SS-5-02 - Final plat approval for Reid's Place Subdivision
11. SS-6-02 - Final plat approval for El Dorado Addition.
12. SS-6-03 - Final Plat approval for Carlson Tracts
13. S-1-98M - Final plat approval for Bentwood park 5th Addition
14. Setting of public hearing for S-11-03 - Preliminary plat for 72-Lot Subdivision for "Orchard Lands" for October 7, 2003.

ROLL CALL: Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye; Goodlander, Aye. Motion carried.

PUBLIC HEARING – ANNUAL APPROPRIATION FOR FY 2003-04: Mayor Bloem read the rules of order for this public hearing. Troy Tymesen, Finance Director, gave the staff report.

Mr. Tymesen, presented the financial plan for the coming year. He noted that the expenditures are classified by department as well as by fund or service and the revenues are classified by source. Included in the budget, per Idaho Code 50-1002, are actual revenues and expenditures from the prior fiscal year, budgeted revenues and expenditures for the current fiscal year and proposed revenues and expenditures for the upcoming fiscal year.

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

ORDINANCE NO. 3136

AN ORDINANCE ENTITLED "THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003" APPROPRIATING THE SUM OF \$60,379,712 TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF COEUR D'ALENE FOR SAID YEAR; LEVYING A SUFFICIENT TAX UPON THE TAXABLE PROPERTY WITHIN SAID CITY FOR GENERAL REVENUE PURPOSES FOR WHICH SUCH APPROPRIATION IS MADE; LEVYING SPECIAL TAXES UPON THE TAXABLE PROPERTY WITH SAID CITY

FOR SPECIAL REVENUE PURPOSES WITHIN THE LIMITS OF SAID CITY OF COEUR D'ALENE, IDAHO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Reid, seconded by Wolfinger to pass the first reading of Ordinance No. 3136.

ROLL CALL: Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

Motion by Edinger, seconded by Copstead to suspend the rules and to adopt Ordinance No. 3136 by its having had one reading by title only.

ROLL CALL: Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

PUBLIC HEARING – SP-6-03 - REQUEST FOR PUBLIC RECREATION SPECIAL USE PERMIT AT NORTHEAST CORNER OF 15TH AND HAZEL:

Mayor Bloem read the rules of order for this public hearing. John Stamsos, Associate Planner, gave the staff report. No conflict of interest - Council President Reid as well as Councilman Edinger, Goodlander and McEvers noted that several neighbors called to speak in support or opposition to this park. Councilman Copstead noted he is liaison for the Parks and Recreation Commission and therefore has discussed this issue prior to this public hearing.

Mr. Stamsos gave the applicant's name as City of Coeur d'Alene and the appellants name as Davie and Marilyn Williams, the location as 6.5-acre portion of "Cherry Hill Community Park" and the reason for the appeal was for allowing the development of a BMX track, 32-space parking lot and access road.

On July 8, 2003 the Planning Commission held a public hearing on the City's request for a Public Recreation Special User Permit at the above-noted site and approved the request by a 4 to 0 vote with the following conditions:

1. Adhere to the site plan submitted in the application for SP-6-03.
2. That any public address speakers be directed away from the Cherry Hill neighborhood towards 15th Street.
3. Provide a permanent shelter for a minimum of two portable restrooms.
4. Based on a recommendation from the Urban Forestry Coordinator, provide large trees on the south side of the BMX track.

On July 18, 2003 Davie and Marilyn Williams appealed the Commission's decision. The basis for their appeal was:

1. Cherry Hill residents who live within 300 feet of Cherry Hill Park were not notified of the BMX track or the meeting until approximately 15 days prior to the meeting.
2. The vast majority of Cherry Hill residents have been excluded from an

- opportunity to help plan the use of Cherry Hill Park.
3. Cherry Hill residents were told approximately two years ago when the City purchased the property that the park would remain a passive park.
 4. Cherry Hill Park is a multi-recreational park and the BMX track would not be appreciated or used by the vast majority of residents of Cherry Hill.
 5. Nearby residents were shocked that Planning Commissioners had not visited or studied first hand all implications of such a track.
 6. The stated policy of the Parks Department to leave all parks open 24 hours per day is an open invitation to multiple problems.
 7. The following problems were brought up but not adequately addressed by the Commission - lights, public address system, bathrooms, monitoring, sound and fire.

Mr. Stamos went on to give the staff analyses for land use, significant Comprehensive Plan policies, utilities, site development and zoning. He reported that on August 15, 2003, 25 notices of tonight's public hearing were mailed with 7 responses being received - 0 in favor, 7 opposed, 0 neutral. 16 written comments were distributed for Council review.

Motion by Copstead, seconded by Reid to limit the public comments to 3 minutes per speaker. Motion carried

PUBLIC COMMENTS: Doug Eastwood, Parks Director, spoke as primary applicant for the City. He noted that the goal of the Parks Department is to provide a variety of types of parks to meet the needs of our citizens. He noted that the Centennial Trail had the most opposition voiced; however, today the Centennial Trail is a nationally recognized trail. The skate park also had its controversy. Tonight is another proposed park that has received a lot of negative comments. He noted that BMX is an activity for the young children of our community. He also noted that BMX is now a demonstration sport in the Olympics. To give some background to this project, Mr. Eastwood stated that the City purchased the property in 1999, that beginning in January 2001, City staff and the Parks and Recreation Department had 19 meetings to develop the use of this site, that a BMX track was one of the ideas for the property and an architect hired to develop a plan. Several meetings were held, regarding the overall design by the Parks and Recreation Committee and the proposed plan was forwarded to the Planning Commission, who approved the Preliminary Plat. The plan was designed from the recommendations of the community. For the past several years the city has looked into needs such as frisbee golf, outdoor chess, and landscape enhancements. Another important aspect of the Parks Department's work is to look for positive outlets for the youth in our community who would perhaps look in the wrong places for activities. He requested that the Council approve the recommendations of the Parks and Recreation Commission as well as the Planning Commission. Mr. Eastwood responded to several Council questions as follows: He clarified that lights are not being installed at this time. The track will not be open 24 hours a day since these are young children who participate in this activity and will not be out late at night. Mr. Eastwood did state that parks are not currently closed off because he believes we don't need and especially for accessibility by our Police Department. The BMX Association will have adults presented during their activities. No motorized

vehicles are allowed. The loud speakers are being directed towards 15th Street. Mr. Eastwood noted that any park that the City builds generates traffic; however, the operation of this track will be done during low traffic hours. The cost for constructing the track is being paid by the BMX Association. He noted that the City does not own the property next to Ramsey Park. The proposed BMX Park is at least 100 yards from the eastern property line and 600 yards from the southern property line of the entire Cherry Hill Park property owned by the City. The parking lot for the BMX and two other parking lots could be paid for by Land and Waterways Conservation Funds. Councilman Copstead noted as member of the Bikeways Committee, one of their goals is to develop the 15th Street bikeway from Dalton Avenue to south of Sherman Ave. In response to the concerns of possible fire danger, he noted that when a park is developed, fire danger is usually mitigated. He noted that near the BMX track location has a 1" water stub that will be utilized for landscaping around the BMX track once funding is available. Sound systems must be maintained within the decibel levels allowed by law. The concern of having alcohol and drug parties within this park development is should not be a real concern since history shows that City Parks are not usual havens for such activity. Portable sanitary facilities will be monitored and an increased service rotation is planned. Councilman Copstead noted that restroom kiosks have been used at several locations throughout the parks facilities and have had no vandalism.

Motion by Copstead, seconded by Reid to view the 5-minute film on BMX. Motion carried. The film depicts the activities of "BMXer's" and the age groups of the children who participate.

David Williams, 1402 Richmond Ave., spoke as primary opponent voiced his concern over lack of notification to all the owners on Cherry Hill and the lack of research by the City prior to developing such a track. He stated that not until January, 2003 were the residents notified of the proposed plan and no meetings were held with the neighbors, just BMX track proponents. He stated that BMX tracks are usually fenced and locked and the dust and noise levels are of great concern. He feels that input from the Cherry Hill property owners was purposely not sought by the City and stated that a Cd'A Press reporter stated that this is how things with our City government are done.

Sue Skerrett, 1415 Crestline Drive, Cd'A, within the 300-foot radius of the Cherry Hill Park, asked the Council if they have really read the letters from the residents of Cherry Hill since the homeowners paid \$200.00 for them to be heard by the Council? She would appreciate it if the Council could justify the City signing a spectator sport venue without scheduling a public hearing on the proposed design. She also asked if the Council knows that there are criteria that needs to be met before a Special Use Permit can be approved and therefore feels that the Council is violating City law. She requested that the Council postpone tonight's decision until a more suitable place can be found.

Don Bossart, 1147 Crestline voiced his concern about traffic signs for this park. He noted that the Walla Walla BMX track has no portable restrooms, and they have a sound system that can be heard 1/2 mile away.

Bonita Carlson-Chamberlin, 1223 Crestline Dr. stated that the residents of Cherry Hill pay a lot of taxes, their taxes paid for the purchase of the property and the property taxes will probably pay for the paving of the parking lot. She believes that the BMX track should be placed elsewhere in the City where other people who are not wanting to take naps in the afternoon reside. She also believes that BMX is a violent sport and therefore the City should find someplace else to locate it.

Bart Chamberlin, 1223 Crestline Dr., stated that the Carlson Recreation Fund would not go towards BMX track participants. He wants the City to improve Hazel Avenue, and provide a walkway up the side of the hill for snow-sledders this winter. He wants to know what the City is going to do with the NIC recreation money they received and he wants it to go towards tennis courts. He wants to know how the Council is going to police the park since they can't even police the City Park.

Marilyn Williams, 1402 Richmond Dr., feels that the people who live on Cherry Hill have the right to have a peaceful environment and the BMX track will infringe upon this right with the noise from the BMXer's and loudspeakers. She feels this public hearing is a façade and the Parks and Recreation Commission, Planning Commission and City Council should be ashamed of themselves.

Ron Cole, 1324 Crestline, noted that he was informed by Doug Eastwood the day before the meeting at the Fire Station. He said that the City has an option to purchase property on Golf Course Road and he feels that this would be a great location for the BMX track. He feels that the proposed location may not be a bad location, but feels that as a citizen of Coeur d'Alene, citizens should have more input into what goes into the Cherry Hill Park. He feels that the residents in the Golf Course Road area do not have the same investment of their livelihoods in their homes as the people on Cherry Hill and the area with the pit would fit the BMX track very well there.

Richard Roberts, 1140 Cherrywood Dr., feels that the citizens should not have to be here this evening if the Planning Commission and the City Council did their homework regarding the placement of a BMX track in their neighborhood. He supports a BMX track, just not in his neighborhood. He feels that 32 parking spaces is underestimating the activity and space required for the BMX track. He doesn't want high-level lighting or noise of loudspeakers at night in his neighborhood. He hopes that the Council sees his opposition at their heavy-handed tactics for placing a BMX track in this neighborhood.

Mark Metkin, 1310 Crestline Drive, addressed a couple of the criticisms that everyone in opposition to this BMX track is an old person. He questioned the validity of the BMX contract without a public hearing. He suggested that the City has enough parks and the City is spending a great deal of money on this park, and suggested the City use the money to underground the electrical wiring system in his neighborhood or provide a stormwater system. He also noted that the Cherry Hill neighborhood has paid taxes for several years and their money should be better used to improve the neighborhood.

Ray Martel, 1218 Bogue Ave., he noted that noise from I-90 and he has been going to

BMX races and dust is now an issue. Also, the video depicted national events and we are proposing a small track. Lighting, there is a resident on Cherry Hill that has enough lights to light up the sky. As for parent involvement, there is great parental involvement and believes that most of the residents of Cherry Hill haven't been to a BMX track. As for enforcement, turning the sprinkler system on at night would deter criminal activity. He asked that the Council keep this project in mind and a lot of people have not been informed of how good this project would be.

Eric Brighton, 1198 E. Skyline Drive, opposes the BMX track for not having it fenced in or having a closure time because it invites negative activity. I don't like giving up 6 months of his weekends to listening to PA systems or noise from such an activity. He is not opposed to BMX people, he just wants it put in a different place in the City. He feels the Council's decision would be either for the users of the BMX track or for the neighborhood. He asked the Council to postpone their decision and find money to buy another park. He recommended that the Council place a law on the books that the entire park be closed by 9:00 p.m.

Chris Heath, 1008 N. Gov't Way, Cd'A spoke in support of this project. He has been active in BMX activities over the past couple of years. He noted that there are adults and children who race their bikes. He noted that he lived next to the Cemetery and occasionally hears music in the park and during 4th of July parking becomes an issue. He believes that it is a very family-oriented sport, it is a seasonal sport. He is excited for the future expansion of the park and doesn't like the I live here you live there attitude.

Joe Kamps, W. 3585 Seltice, Post Falls, owned and operated the current BMX track. He feels that the residents of the Cherry Hill area are misinformed. He lives next to his track and it is very quiet and invited the residents to visit his facility. He feels that this is a democracy because in Iran or Iraq the residents who have spoken tonight would not have had the opportunity to give the Council all the "crap" that they have given them tonight. Regarding lighting, there are no plans to put in lights. The ABA provides insurance and it is at no cost to the City.

Lynn Inkley, 1135 Crestline Drive, reminded the City Council of what happened when the hydroplanes were in our City with all the garbage, alcohol, fights and that was only for 10 days a year. The proposed track would be for 50 days a year and people would be coming from states all over and we will need garbage control and security. He also noted that if anyone ever gets hurt that the City would be named on the suit.

John Coffey, 6689 Maplewood Ave., Post Falls, spoke in support of the track. He supports it for his son as his Dad did for him when he was a child. Some of the concerns seems to be a confusion of scale. He compared the size of New York's City Hall to the size of City Hall in Coeur d'Alene. The track would be mainly for Coeur d'Alene and Post Falls residents and doesn't feel that Coeur d'Alene is going to be a site for the 5,000-entrant national event. He feels some of the concerns are just a matter of confusion especially since it is loosely called a spectator sport and most spectators are family.

Bill Lytle, 205 Fernan Lake Drive, asked how many people have actually seen the race at the current BMX track. It is a small track and a large one not as depicted.

Polly Caudill, 11957 N. Forest Rd, Hayden, Treasurer of the NI BMX Association, races generally occur from 12:00 to 4:00 p.m. Their track is policed and garbage is taken out each night. The port-a-potties are emptied each week. The largest number of participants during a state event is 80 entrants. BMX is a family event and everyone is a winner. Watch the 4-year-olds cross a finish line. The Hayden Track does not have a drug and alcohol problem and drugs and alcohol are not allowed on their premises. She requested Council approve this project.

Tim Kast, 2388 E. Lookout Dr., representing the Cd'A Tennis Association. Noted that he is always amazed at how these types of issues come to such a head at the Council meeting. He feels that this is a "not-in-my-back-yard" mentality tonight. New developments are being done around open space and sports activities. He feels that this is probably the only place for children in the southern part of town to go to. He noted that the location is next to a freeway and next to a Fire Station and feels that this is a great place to put such a facility.

Brenden Northington, 1513 Heron Ave, Hayden, 9 years old, asked the Council to put the track on Cherry Hill, and need to have grass and his grandparents live just around the corner from the Park and kids could meet their friends there.

David DuCharme, 1801 Royal Ann Drive, clarified his speaking out during other public comments. He is for the park and for kids but questioned the appropriateness of locating this park in this neighborhood. Feels that Hazel Avenue is a very hazardous road and this park will result in accidents on that road and it is a gross misconception by the Council to think otherwise. He sees this as an attractive nuisance and this will cause lawsuits. He sees the "pit" on Ramsey Road as a good place for this track. He questioned the Council's authority to place this use in a passive park when this is not a passive use activity. He feels that the notice process has been sorely lacking and this matter should be tabled until alternative sites can be found.

Gretta Shay, 1415 Richmond Drive, Cd'A, in the wintertime, she can hear the sledding and partying on Cherry Hill; however, in the winter she can close her doors. With a BMX, the sound system would interfere with her being able to enjoy her home. She noted that the Planning Commission heard the concerns of the citizens by placing the 4 conditions on this project. But, she still feels that the Planning Commission did not do their jobs by not protecting the quality of life for her home. Her main concern is the loudspeakers and although they may be aimed towards 15th Street, she will still be able to hear them.

Ralph Shay, 1415 Richmond Drive, Cd'A, did not see the film. He is not against BMXers from having a place. The BMX track on Seltice Way is fenced and this track should be fenced because people will go there at night. He has seen motorcyclists, 4-wheel drive trucks going up and down the hill during the night and guarantees that

someone will try to freestyle on that hill. He asked the Council find another site. He suggested purchasing the BMX site on Seltice Way.

Terrence Northington, 1513 E. Herrin Ave., Hayden, noted that the Planning Commission required that the parking lot have 40 spaces. The BMX Association is also to plant trees as buffer to prevent noise from going up the hill. He noted that this sport attracts kids who need a place to go to. This is a kids sport and we're doing this for our kids.

Kaili Morgan, 1013 Woolsey Dr., Cd'A, has been racing for about 4 years. She has met many people while racing and her father takes her and her brother out of town just so they can race. She hopes that the track can be constructed at Cherry Hill.

Randy Cain, 217 Foster Ave., President and track operator for North Idaho BMX. Most people have said what there is about BMX track. He responded to a previous comment that the fence next to his track is there to separate the private property from the freeway and there is no fence around their private property.

Doug Krumpelman, 992 Springfield, started BMX at 10 years of age and is now 33 years old. He helped build the track on Post Falls. His family was there to take him BMX events. He sees this as an opportunity for our kids to have a passion for a good sport. He noted that the plan is to develop the area and by developing it, there will be roadblocks to prevent criminal activity.

Byren Tarr, 12022 E. Pleasant Prairie View, just went to Montana and this past weekend he was at a track next to a retirement home and the residents don't even know they are there. He asked if the people who testified tonight couldn't hear the Council's question how could they hear the kids on the track.

Sheri Tarr, 12022 E Pleasant Prairie View, is a mother of six kids of which several are on the honor roll. There are a lot of children in this area that need a BMX track. She feels that the people of BMX racing could come to love the sport. The average is 35 riders during each event.

John Bowman, owns Bowman Cycle and Fitness from Hayden, hopes that by the end of this meeting there is not as much concern of the type of children who participate in BMX activities. The children have very strict rules not only in how they participate but how they behave. He noted that where he came from they just opened a BMX track around the same size as being proposed here. He asked that the loudspeakers in the film were in wide-open spaces. He also noted that there are a lot of natural aspects that would help buffer the sound.

Jeanie Burch, 3421 S. Myrtle, Spokane, WA, has a six-year-old son who uses the BMX track on weekends. Noted that this is a great, very athletic sport. She feels that most of their objections are from misinformation and are assuming the worst-case scenario. Like any relationship, she hopes that the good far outweighs the bad. She believes that the

BMX track will make the area a better place and encouraged every resident of Cherry Hill to come to their track this Saturday afternoon to see what they are all about.

Rod Mitchell, 1124 Lambert Lane, uses Hazel Ave. everyday and feels that it is the most miserable traffic problem in the City. He feels that this is a very hazardous place to put a track with the traffic on 15th Street and off the freeway. He doesn't believe that vehicles and bicycles don't mix. He doesn't oppose the BMX track, he just opposes the mixing of vehicles and bicycles on 15th Street.

Debbie Mandy, 17410 Greenacres, her son has played other sports where he has been injured, more so than now that he races his BMX bike.

Doug Eastwood noted that the film shown tonight was BMX national events. He also noted on the comments regarding how tax dollars are used to pay for parks, he stated that property tax dollars have not built parks but rather individuals, clubs and groups have built the parks. There is no contract with BMX, but rather a joint use agreement that outline certain expectations from both the City and the BMX organization. The contract states that if the City chooses to go forward with this development, there are certain expectations, which are more stringent. Parks always increase traffic including bicycles, which is an alternative form of transportation. Education of children on bikes on traffic rules is always helpful. He also noted that notices of 19 meetings were well within the letter of the law including posting the Parks and Recreation agenda on the City's web. He also noted that if there is a problem with a specific activity, the City could close it down, although he does not feel that will happen since user groups take ownership of their sports complex. As for liability to the City, as long as we are not demonstrating gross negligence, we would not be held liable.

City Attorney Mike Gridley noted that Idaho Code has a recreational use law, which protects cities from liability as long as we are not charging a fee to use the property.

Mayor Bloem closed the public testimony portion of this public hearing.

Motion by Copstead, seconded by Goodlander deny the appeal and to approve the Special Permit with the proposed conditions and to adopt the Findings and Order of the Planning Commission. ROLL CALL: Copstead, Aye; Edinger, Aye; Goodlander, Aye; McEvers, Aye; Reid, Aye; Wolfinger, Aye. Motion carried.

RECESS: Motion by Wolfinger, seconded by McEvers to call for a 5 minutes recess. Motion carried. The meeting recessed at 10:25 p.m. The meeting reconvened at 10:30 p.m.

RECREATION DEPARTMENT REPORT: Councilman Copstead informed the public that there are no longer any lifeguards at City beach and he complimented Carmie Eberle and Emerily Christensen for the work they did at the beach this summer. Fall Programs are starting soon with Fall Soccer beginning mid September, swimming lessons opening September 27th, and other sports such as adult softball, adult soccer and youth

flag football. He announced that the Safeway Stores are having their Inland Empire Softball Tournament in Coeur d'Alene this Sunday with teams from North Idaho, Eastern Washington and Western Montana.

LIBRARY BOOK SALE: Councilman Deanna Goodlander announced that the Library will be holding their annual book sale this September 5th. She also noted that the Fall Reading program begins Sept. 8th.

STREET DEPT. THANKED: Councilman Edinger read a letter from Rv. W. L. Boone, Wesleyan Church, congratulating the street crews and contractors for the great job they have done in resurfacing our city streets.

EXECUTIVE TEAM REPORT: Troy Tymesen, representing the Executive Team, reported that the water and sewer lines along Fruitland Lane are going in on schedule. The City is experiencing a tremendous amount of vandalism at Northshire Park at the restroom facilities. The Police Department and the Press have been notified and we are asking citizens to report any suspicious activity to the Police Department. Fire Chief Gabriel will be in Boise tomorrow meeting with members of the Boise Fire Department, a representative from FEMA, Region 10, and the Director of the Idaho Bureau of Hazardous Materials to discuss future training needs and funding from the State and FEMA. Fire Engineer Rich Carnes is attending a confined space rescue class in Sandpoint for the next couple weeks. The class and tuition was paid for through a grant to the Sandpoint Fire Department. Members of the fire department and Local 1494 placed third in the annual fill the boot campaign. \$14,000 was raised for Muscular Dystrophy. The Street Maintenance Department is in the middle of Fall paint striping and ask motorists to be alert for painting operations through the rest of this week and try to keep clear. City of Coeur d'Alene residents will be receiving two-wheeled garbage carts during the first two weeks of September, and all carts should be distributed before the end of September. City residents may now choose from three levels of garbage service. Each service level includes the cost for the weekly pick up of garbage, the two-wheeled cart, and the curbside recycling service. The monthly charge for a 35-gallon service is \$6.75, a 64-gallon service is \$7.95, and a 96-gallon service is \$8.85. If a resident would like to change his/her service, please call the city at 769-2224.

ORDINANCE NO. 3137

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 28, TOWNSHIP 51, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.050, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #38; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Reid , seconded by Edinger to pass the first reading of Ordinance No. 3137.

ROLL CALL: Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye. Motion carried.

Motion by Wolfinger, seconded by Copstead to suspend the rules and to adopt Ordinance No. 3137 by its having had one reading by title only.

ROLL CALL: Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye. Motion carried.

RESOLUTION 03-077

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AUTHORIZING AN ANNEXATION AGREEMENT WITH BLUE GRASS DEVELOPMENT, L.L.C.

Motion by Edinger, seconded by Wolfinger adopt Resolution 03-077.

ROLL CALL: McEvers, Aye; Copstead, Aye; Edinger, Aye; Reid, Aye; Wolfinger, Aye; Goodlander, Aye. Motion carried.

RESOLUTION NO. 03-079

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ACCEPTING A DEDICATION OF RIGHT-OF-WAY ON ATLAS ROAD, FROM BLUE GRASS DEVELOPMENT, L.L.C, ITS PRINCIPAL PLACE OF BUSINESS AT 1250 NORTHWOOD CENTER COURT, COEUR D'ALENE, IDAHO 83814.

Motion by Edinger, seconded by Wolfinger to adopt Resolution 03-079.

ROLL CALL: Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; Reid, Aye; McEvers, Aye; Edinger, Aye. Motion carried.

ORDINANCE NO. 3138

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, VACATING A PORTION OF RIGHT-OF-WAY IN THE FORT SHERMAN ABANDONED MILITARY RESERVATION SUBDIVISION, RECORDED IN BOOK "B" OF PLATS, PAGE 153-A, RECORDS OF KOOTENAI COUNTY, COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Goodlander, seconded by Copstead to pass the first reading of Ordinance No. 3138.

ROLL CALL: Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

Motion by Edinger, seconded by Copstead to suspend the rules and to adopt Ordinance No. 3138 by its having had one reading by title only.

ROLL CALL: Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye. Motion carried.

ORDINANCE NO. 3139

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 27, TOWNSHIP 51, NORTH, RANGE 4 WEST, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.050, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #38; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Reid, seconded by Copstead to pass the first reading of Ordinance No. 3139.

ROLL CALL: Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye. Motion carried.

Motion by Wolfinger, seconded by Edinger to suspend the rules and to adopt Ordinance No. 3139 by its having had one reading by title only.

ROLL CALL: Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye. Motion carried.

RESOLUTION NO. 03-080

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH PRAIRIE FALLS, L.L.C.

Motion by Wolfinger, seconded by Copstead to adopt Resolution 03-080.

ROLL CALL: Reid, Aye; Goodlander, Aye; Edinger, Aye; McEvers, Aye; Wolfinger, Aye; Copstead, Aye. Motion carried.

RESOLUTION NO. 03-081

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ACCEPTING A DEDICATION OF RIGHT-OF-WAY ON ATLAS ROAD, FROM PRAIRIE FALLS, L.L.C., ITS PRINCIPAL PLACE OF BUSINESS AT 1400 NORTHWOOD CENTER COURT, COEUR D'ALENE, IDAHO 83814

Motion by Wolfinger, seconded by Copstead to adopt Resolution 03-081.

ROLL CALL: Reid, Aye; Goodlander, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Edinger, Aye. Motion carried.

ORDINANCE NO. 3140

AN ORDINANCE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING ORDINANCE NO. 3118 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION CONTAINED IN SECTION 1 THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Copstead, seconded by Wolfinger to pass the first reading of Ordinance No. 3140.

ROLL CALL: Wolfinger, Aye; McEvers, Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye. Motion carried.

Motion by Wolfinger, seconded by Copstead to suspend the rules and to adopt Ordinance NO. 3140 by its having had one reading by title only.

ROLL CALL: Wolfinger, Aye; McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye. Motion carried.

ORDINANCE NO. 3141

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, AMENDING SECTION 15.22.020 DELETING ARCHAIC AND SUPERFLUOUS LANGUAGE AND AMENDING SECTION 15.22.030 DELETING ARCHAIC AND SUPERFLUOUS LANGUAGE AND TO SPECIFY "INTERNATIONAL" BOARD OF APPEALS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH;

PROVIDING A SEVERABILITY CLAUSE; AND PROVIDE FOR PUBLICATION AND AN EFFECTIVE DATE HEREOF.

Motion by Reid, seconded by Wolfinger to pass the first reading of Ordinance No. 3141.

ROLL CALL: McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye. Motion carried.

Motion by Edinger, seconded by Copstead to suspend the rules and to adopt Ordinance NO. 3141 by its having had one reading by title only.

ROLL CALL: McEvers, Aye; Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye. Motion carried.

ORDINANCE NO. 3142

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691, ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM R-12 TO C-17L AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: THE EAST 190 FEET OF TRACT 1, BRATTON'S GARDEN TRACT, EXCEPT THE SOUTH 70 FEET THEREOF, LOCATED IN SECTION 11, 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; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Edinger, seconded by McEvers to pass the first reading of Ordinance No. 3142.

ROLL CALL: Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye. Motion carried.

Motion by Copstead, seconded by Wolfinger to suspend the rules and to adopt Ordinance NO. 3142 by its having had one reading by title only.

ROLL CALL: Reid, Aye; Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye. Motion carried.

ORDINANCE NO. 3143

AN ORDINANCE AMENDING THE ZONING ACT OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, KNOWN AS ORDINANCE NO. 1691,

ORDINANCES OF THE CITY OF COEUR D'ALENE, BY CHANGING THE FOLLOWING DESCRIBED PROPERTY FROM C-17L TO C-34 AND PLACING CERTAIN CONDITIONS UPON THE PROPERTY, SAID PROPERTY BEING DESCRIBED AS FOLLOWS, TO WIT: LOTS 1 THROUGH 6 AND ABANDONED RAILROAD RIGHT-OF-WAY, BLOCK 15, COEUR D'ALENE AND KINGS ADDITION IN THE SW1/4 OF SECTION 13, T50 N, R4W, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Motion by Copstead, seconded by Wolfinger to pass the first reading of Ordinance No. 3143.

ROLL CALL: Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye. Motion carried.

Motion by Edinger, seconded by Copstead to suspend the rules and to adopt Ordinance NO. 3143 by its having had one reading by title only.

ROLL CALL: Edinger, Aye; Copstead, Aye; Goodlander, Aye; Wolfinger, Aye; McEvers, Aye; Reid, Aye. Motion carried.

EXECUTIVE SESSION: Motion by Reid, seconded by Copstead to enter into Executive Session as provided by I.C. 67-2345 Subsection A: To consider hiring a public officer, employee, staff member or individual agent; Subsection B: To consider the evaluation, dismissal or disciplining of or to hear complaints or charges brought against a public officer, employee, staff member or individual agent; Subsection C: To conduct deliberations concerning labor negotiations or to acquire an interest in real property not owned by a public agency; and, Subsection F: To consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

ROLL CALL: Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye; Goodlander, Aye. Motion carried.

The session began at 10:50 p.m. Members present were the Mayor, City Council and City Attorney and staff.

Matters discussed were those of personnel matters, labor negotiations, property acquisition and legal issues. No action was taken and the Council returned to regular session at 1:10 a.m.

RESOLUTION NO. 03-083

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO ADOPTING CERTAIN ADDITIONS TO THE CLASSIFICATION AND COMPENSATION PLAN BY CREATING A CLASSIFICATION FOR THE CRIME ANALYST – INTERVENTION SPECIALIST.

Motion by Wolfinger, seconded by Copstead to adopt Resolution 03-083.

ROLL CALL: McEvers, Aye; Goodlander, Aye; Reid, Aye; Edinger, Aye; Wolfinger, Aye; Copstead, Aye. Motion carried.

LEASE EXTENSION FOR 816 SHERMAN AVE. OFFICES: Motion by Wolfinger, seconded by Copstead to approve the extension of the leave for 816 Sherman Avenue. Motion carried.

POLICE CHIEF RESIGNATION: Motion by Reid, seconded by Wolfinger to accept the resignation by mutual agreement from Tom Cronin. ROLL CALL: Edinger, Aye; Wolfinger, Aye; Copstead, Aye; McEvers, Aye; Reid, Aye; Goodlander, Aye. Motion carried.

ADJOURNMENT: Motion by Copstead, seconded by Wolfinger that, there being no further business this meeting is adjourned. Motion carried.

The meeting adjourned at 1:12 a.m.

Sandi Bloem, Mayor

ATTEST:

Susan K. Weathers, City Clerk