

**MINUTES OF A REGULAR MEETING OF THE CITY
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,
HELD AT THE LIBRARY COMMUNITY ROOM
OCTOBER 16, 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 on October 16, 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)	
Steve Adams)	
Dan Gookin)	
Woody McEvers)	
Deanna Goodlander)	

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

INVOCATION: The Invocation was led Pastor Dave Hoit, Prairie Avenue Christian Center.

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

AMENDMENT TO THE AGENDA: Motion by Gookin, second by Edinger to amend the Agenda to include the School District's recent decision to sell Person Field property. Motion carried.

DISCUSSION: Councilman Gookin clarified that he asked for this item to be added to the agenda to give the City Council an opportunity to act on the item timely. The Mayor asked Ms. Gabriel to make a presentation after the Library presentation

PRESENTATION – IDAHO LIBRARY ASSOCIATION – LIBRARY OF THE YEAR: Library Director, Bette Ammon, informed the community that the Coeur d'Alene Library has been awarded the "Library of the Year," distinction. She stated that the award was based on the community partnerships, library staff, response to public requests and innovative partnerships.

SCHOOL DISTRICT SALE OF PERSON FIELD: City Administrator, Ms. Gabriel, presented information regarding the portion of Person Field owned by the City versus the portion owned by the School District, and clarified that the City portion of the property will remain owned by the City as green space. Discussions have occurred at a staff level beginning in regarding the Joint Power's Agreement between the City and the School District. During this time discussions took place regarding relocate baseball fields, at which time the School District stated they were interested in selling the property. Staff requested the option to trade; however the School District was only interested in a property that contained an administration building. Ms. Gabriel explained the School District would dispose of property under the same process as

the City, and explained how a trade of public property would work. At that time the School District requested a 30 day response. On October 10, the City informed the School District that the City didn't have property or money to purchase the property. Ms. Gabriel apologized to the City Council for not sharing these details earlier. She does not believe that the door is closed to further discussions with the School District. She stated that if Council desires, they could recommend staff to seek funding for the purchase of Person Field and bring back options to the next City Council meeting. If the land trade does not work out, the City would still be competing in a sealed bid process. Ms. Gabriel explained that the Joint Powers Agreement is an agreement with the School District for shared use of the facilities, such as gyms, outlining the City costs for maintenance in the amount of \$30,000 a year. Councilman Goodlander clarified that the City has participated in the cost of increasing the size of the facilities at four schools, and that the School District uses some of the City's fields, not included in the agreement. Councilman Goodlander stated that she believes the shared resources/facilities provide benefits to the citizens

DISCUSSION: Councilman Gookin stated that he has been contacted by many citizens with a request to keep this area a city park, as it is the only pocket park in this area of town. He noted that in the 2008 Parks Capital Improvement Plan it states that the City should look into purchasing the School District's portion of the field. He believes the City should find a way to purchase the park, as it integral to the neighborhood.

The Mayor clarified that the Memorandum of Understanding (MOU) did not include the first right of refusal, as under law the City doesn't have the right to be placed in first order for the purchase. Once the property is listed as surplus, there is a competitive process established by law, unless a land trade can be worked out between two public agencies.

Councilman Adams questioned the authority of staff to determine the ability of the City to fund such a project.

Councilman Kennedy stated that the request of the School District to increase the Joint Powers from \$30,000 to \$70,000 was an enormous leap and didn't take into account all the things the City provides to the School. He clarified that the City does want the Person Field land, and would not want it developed into housing units. He requested an explanation from staff as to how the City could move forward to ensure Person Field remains an urban park, if the School District is willing to work with the City. Additionally, he suggested a workshop between the School District and the City in the near future.

Mr. Gridley clarified that the School District can trade the property to another public entity, such as the City, for a like value property, or go through the competitive process through a sealed bid. He further stated that at the onset of these discussions, the City was looking at a Million dollar budget shortfall, a Million dollar loss of stormwater revenue, and a \$4 Million verdict pending liability, so it was reasonable for staff to feel there was no funding option. He stated that the School District has good reason for moving forward, including the need to replace a building that is causing employees to be sick. Mr. Gridley stated that the direction staff would need from the City Council is to recommend staff to put their best efforts forward to acquire the Person Field, and come back to next Council meeting with an action plan outlining options.

Councilman Edinger stated that he believes the City has always wanted to acquire Person Field. He felt that the City should place a priority on purchasing the property, if the School District will allow more time.

Councilman Goodlander stated that over many years the City had several conversations with the School District, at that time they were not interested in selling the property. She stated that she believes staff has authority to negotiate contracts and agreements and trust that they will bring them forward when they are ready for the Council action. She does believe that the City wants to acquire the field but is not sure how the City would pay for the land.

Finance Director, Mr. Tymesen, stated that the challenge is that there are many items in the fire right now, i.e., McEuen, large long term project, and audit footnote regarding a pending \$4 Million lawsuit that the City is committed to pay if it is not overturned. Mr. Tymesen explained that the current fund balance is healthy at 17% of the General Fund budget, which would last 62 days if no revenues were received by the City. He explained that in a personal account one should have 90 days of cash on hand. He further described that if the lawsuit liability was subtracted from the fund balance, the fund balance would provide less than a month of cash if revenues to the City were to stop. If the City Council were to spend another \$600,000, it would be burdensome, due to the other liabilities the City has; however if the law suit was settled and the McEuen project was bid with final costs known he would be more comfortable making a recommendation.

Councilman Kennedy questioned if the School District could provide an extension of time to the City after they declared the property surplus. Mr. Gridley stated that the School District had latitude to pull the property of the market, although he understood that they have funding urgencies and a short timeline.

Councilman Gookin wondered if the property purchase could have been noted as a dedicated expense year after year in the fund balance until the purchase became available. Mr. Tymesen agreed that could have been an option. Mr. Gookin stated that the Council could have mentioned the property purchase at its annual strategic planning and asked for money to be dedicated at that time. Mr. Tymesen stated that continues to hope that a land trade can be worked out.

Motion by Kennedy seconded by Gookin to direct staff to acquire the School District's portion of Person Field. Kennedy Aye; Edinger Aye; Adams Aye; McEvers Aye; Goodlander Aye; Gookin Aye. Motion carried.

DISCUSSION: McEvers stated he recalls many years ago discussion about acquisition of the field. He expressed his support of the acquisition, and his concern regarding the budget, and acknowledged his faith in staff. Councilman Goodlander expressed her support and her concern about rebuilding the fund balance. Mr. Tymesen stated that staff will include all options in their proposals, including discussions regarding tax increase for next year. Councilman Kennedy stated he supports the motion and reiterated his request for a workshop with the School Board, as local public entities we share many of the same patrons, who should not have to pay twice for services. Councilman Adams clarified that he was frustrated that there were assumptions made about his support of this project and that he was irritated that he was not keep in the loop.

Councilman Edinger stated that he does not take back the “no” vote he gave regarding the budget. The City Council should be apprized on important issues, without micro- managing staff.

PUBLIC COMMENTS:

SIDEWALK THANK YOU – Councilman Edinger spoke at the request of Roy Wargi, 222 Coeur d’Alene Avenue, who was in attendance the audience. He wanted to thank staff, the Mayor, and the City Council for getting the sidewalk installed at 21st Street and Coeur d’Alene Avenue, as this provides a safe crossing for students attending Fernan Elementary School.

SALE OF PERSON’S FIELD; Tom Hamilton, 9638 N. Ptarmigan Drive, Hayden - Stated that the School Board and District want the Person Field property to remain a green space and that the Coeur d’Alene should maintain it as park space. He stated that the School District needed to raise money for a new Administration building and that the School District did not set the 30-day time frame, that the City asked for 30 days to respond. He will make a request to the Board at its Thursday meeting, to delay notice of the sealed bid for another 60 days. He believes the other Board members will be amenable to the request.

Bruce McNeal, 524 N. 17th Street – Expressed his frustration with the Person Field article this morning and is concerned about the lack of communication with the City Council. He believes there have been past commitments to the neighborhood and that the process should be transparent. He supports the acquisition of the park. He further expressed concerned about the accountability for the embezzlement.

Hazel Bauman, 9027 N. Maple Street, Hayden - Stated that as the School Superintendent she does enjoy the wonderful relationship with the City. She reiterated that the District needs to move out of the existing Administration building. She expressed her disappointment that staff to staff negotiations ended up in the blogs, as the negotiations are not complete.

Ann Seddon, 2477 West Hull Loop – Stated that she is the School Board member that voted against going forward with the sale of Person field. She knows its value to the neighborhood and felt the neighborhood needed time to weigh in on the issue. She expressed her support of extension of time by the School Board. Councilman Goodlander stated that she appreciated her no vote and the additional time for the City to explore options.

Susan Snedaker, 821 Hastings Avenue– Has spoken to the City Council many times regarding Person Field. Each year she has brought the item of purchasing Person Field up during the budget meeting. However, the City has never budgeted the acquisition, while other parks were funded. She reported that 60% of children in the neighborhood are on free or reduced lunch, and that this is their community park. She believes that it is vital for the City to acquire the park. Additional she protested the public relations contract.

Jody Teeter; 1320 Pennsylvania Avenue – Stated that she lives behind the park and believes it is an asset to the neighborhood. She encourages the City Council to acquire the land and keep it as an open green space. Many neighbors are willing to help maintain the land.