

**MINUTES OF A REGULAR MEETING OF THE CITY  
COUNCIL OF THE CITY OF COEUR D'ALENE, IDAHO,  
HELD AT COEUR D'ALENE CITY HALL  
FEBRUARY 18, 2014**

The Mayor and Council of the City of Coeur d'Alene met in a regular session of said Council at the Coeur d'Alene Library Community Room, February 18, 2014, at 6:00 p.m., there being present upon roll call the following members:

Mayor Widmyer

Kiki Miller	)	Members of Council Present
Loren Ron Edinger	)	
Amy Evans	)	
Woody McEvers	)	
Dan Gookin	)	

Steve Adams	)	Member of Council Absent
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**CALL TO ORDER:** The meeting was called to order by Mayor Widmyer.

**INVOCATION** Ron Hunter, Church of the Nazarene provided the invocation.

**PLEDGE OF ALLEGIANCE:** The pledge of allegiance was led by Councilmember Miller.

**PRESENTATION: Fire Training**

Bill Deruyter, Captain Paramedic stated that the Fire Department would like to give special thanks to Merwin's Repair and Towing. Due to the assistance of Merwin's Towing the Fire Department staff was able to conduct trainings regarding low frequency, high risk incidents. Recently they held training regarding school bus incidents that included extrication trainings. Merlin's delivered and removed the school buses after the training concluded. They presented a plaque to Merlin's for their dedication and commitment to the citizens of Coeur d'Alene.

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

**CONSENT CALENDAR:** **Motion** by McEvers, seconded by Edinger, to approve the Consent Calendar as presented. **Motion** by Gookin to remove item 7a from the Consent Calendar for separate discussion. **Motion failed for lack of second.**

1. Approval of Council Minutes for February 4, 2014 and February 10, 2014.
2. Approval of Bills as Submitted.
3. Setting of General Services and Public Works Committees meetings for February 24, 2014 at 12:00 noon and 4:00 p.m. respectively.

4. Setting of Public Hearing for A-1-14 – (Quasi-Judicial) Proposed annexation from County; 1555 W. Hanley: AS & C to City R-8 & C-17, Lake Forest, LLC. For March 18, 2014.
5. Approval of Beer/Wine License – Beverage Shack on Fourth, Dan Duvall, 2020 4<sup>th</sup> Street (transfer).
6. Approval of Beer/Wine License – Bamboo Restaurant Concepts, LLC, David and Lindsay Patterson, 819 Sherman Avenue (new).
7. **Resolution No. 14-005** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE APPROVAL OF A PERSONAL SERVICES AGREEMENT BETWEEN JANE DEDECKER & THE NATIONAL SCULPTORS' GUILD FOR THE CREATION AND INSTALLATION OF PUBLIC ART – MCEUEN PARK TRAIL CONFLUENCE.

**DISCUSSION:** Councilmember Gookin stated that he felt public art was not a routine item that should be on the consent calendar. He asked Recreation Director Steve Anthony to provide information regarding the acquisition of public art and acquisition of unique pieces. Mr. Anthony stated that the artist did do another similar piece entitled “Lords of the Forest,” that included three boys. The art selection committee asked the artist to amend the piece to include two boys and one girl. Councilperson Gookin stated that he likes the piece and it will fit well in McEuen. Mr. Anthony stated that the Arts Commission is looking to dedicate all the McEuen pieces at the same time in the spring. Councilperson Edinger stated that at the General Services Committee discussed the art contract and were unanimously in favor. He clarified that the Tubbs Hill Foundation felt that this was a proper piece to put near the hill and were enthusiastic about the piece. Councilperson Edinger clarified that the City Council’s December art piece discussion ended in a split vote. He voted against that piece because he did not feel that it had meaning to the Coeur d’Alene residents, and that this piece is different.

**ROLL CALL:** Evans Aye; Edinger Aye; McEvers Aye; Miller Aye; Gookin Aye. **Motion carried.**

#### **COUNCIL ANNOUNCEMENTS:**

Councilmember McEvers stated that he recently learned how to use Facebook and he looks at it every day. He notices a lot of items related to animals. He reminded the community to spay and neuter your pets.

Councilmember Gookin stated that he attended the Arts Commission meeting today, in which they had a discussion regarding City Council voting against a recommended piece of art. He requested that Council Workshops and meetings in between the normally scheduled meetings be televised, so that the community is able to see the decision making process.

Councilmember Edinger expressed well wishes to the Coeur d’Alene Girls Basketball team at the state tournament this week.

**APPOINTMENTS:** The Mayor requested the appointment of Dave Patterson, Mark Rogers, and Stephen Petersen to the Parking Commission and Nancy White to the Arts Commission.

**MOTION:** Motion by Edinger, seconded by McEvers to approve the appointment of Dave Patterson, Mark Rogers, and Stephen Petersen to the Parking Commission and Nancy White to the Arts Commission.

**DISCUSSION:** Councilperson Evans stated that the Parking Commission said that this recent request for members ended with the largest pool of applicants they ever had. They appreciated the City's marketing efforts.

**Motion Carried.**

**ADMINISTRATOR'S REPORT:** Ms. Gabriel congratulated Firefighter Craig Etherton who was elected as President of the Kootenai County Fire Prevention Cooperative. A primary focus of the cooperative is education. The Recreation Department is hosting the Boys Lake City Shootout AAU Basketball Tournament for Grades 5th, 6th & 7th. Teams are from Eastern Washington (Odessa, Tri-Cities and Spokane Area, and from Kootenai, Shoshone, Nez Perce and Bonner Counties.) The Tournament starts Friday evening and concludes Sunday. Games will be held at Ramsey, Skyway and Woodland Gyms. For more information, call the Recreation Department at 769-2250. Ms. Gabriel stated that Library programs for all ages fill the days in February. From preschool story-times to music and Lego programs to teen book discussions & films to financial management information and local history programs the Library has something to interest everyone. She encouraged citizens to check out events at [www.cdalibrary.org](http://www.cdalibrary.org) or call the Library at 769-2315 for more information. She congratulated Assistant Water Superintendent Terry Pickel for being appointed to the Cross Connection Committee of the Pacific Northwest Section of the American Water Works Association. In this position, Terry will have a voice in the setting of cross connection rules to ensure that they are user friendly while still providing adequate protection to water consumers. Cross connection programs prevent used water from flowing from the customer's plumbing back into the water mains. This is accomplished by use of backflow prevention assemblies which are typically installed just behind the water meter. In the highest level of cross connection hazards, used water can contain contaminants that can cause serious health issues and even death. These programs are mandated by State and Federal drinking water rules. Wildlife management experts with the Idaho Department of Fish & Game strongly encourage citizens not to feed wildlife in order to maintain the natural balance between humans and wildlife. Ordinances and City Codes are typically a part of successful human-wildlife conflict management plans. Feeding wildlife is dangerous. In this regard the City of Coeur d'Alene has adopted City Code 6.15.040 which simply states: "It is unlawful to feed or provide food or other attractants (other than ornamental plants or vegetable gardens) to wild animals within the City limits except: Feeding birds, other than turkeys, geese and ducks, by utilizing a bird feeder that may be accessed only by birds and squirrels." A violation of this ordinance is a misdemeanor. Crime Stoppers of the Inland Northwest continues to offer a cash reward for information on the theft of a bronze statue that was reported to Coeur d'Alene Police on January 18, 2014. Sometime between Friday night on January 17th and early Saturday morning January 18th, parts of a statue depicting a 1920s-era woman on a bicycle being followed by two dogs were stolen. The statue entitled "Kate" appeared to have been removed with the use of a vehicle possibly using a rope or a chain. The matching bronze bicycle the statue was attached to, and a small bronze statue of a dog were not taken but it appeared to officers that an attempt was made to steal the entire statue. Coeur d'Alene Parks Director Steve Anthony

estimated the artwork is worth about \$25,000, though if recycled the stolen pieces would be worth much less. Anyone with information on this crime is asked to call Crime Stoppers at 208-667-2111 or 1-800-222-TIPS. Information can be submitted on line at [www.crimestoppersinlandnorthwest.org](http://www.crimestoppersinlandnorthwest.org). Callers are asked to use a code name or number and do not have to use their own name to be eligible for a reward. The Coeur d'Alene Police Department is looking for volunteers. In 2013, the department had 19 volunteers, who volunteered a total of 4,112 hours. The volunteer program has become an essential part of the Police Department in order to provide the best service to the community. Please contact Rob Clifford at [rclifford@cdaid.org](mailto:rclifford@cdaid.org) or call him at 769-2320 if you are interested. Weekly McEuen Park updates will continue to be posted on the City's website, [www.cdaid.org](http://www.cdaid.org), and blog, [cdacity.blogspot.com](http://cdacity.blogspot.com). These updates will also be provided to the local media. They will be meeting tomorrow to discuss a donor wall opportunity. The park is expected to open in May. For questions contact Keith Erickson at 208-819-0907. Recently the Parks Department removed ladder fuel from the eastside trail head of Tubbs Hill. You will see more of this fuel reduction on the west side in the spring. A fuel ladder is a firefighting term for live or dead vegetation that allows a fire to climb up from the landscape or forest floor into the tree canopy. Common fuel ladders include tall grasses, shrubs, and tree branches, both living and dead. Additionally, the Parks Department Urban Forester, Katie Kosanke held "Volunteers in Pruning" (VIP) training on February 13th. This is the fifth year the City has offered this training to the community. Staff takes this opportunity to educate these VIP to prune young trees in the parks or rights-of-way when they are easier to prune so they can become structurally sound trees in the future. Last week crews cleared streets of snow and ice, as the 4th major storm of the winter left unofficially 9 inches of snow in the city. As temperatures began to rise above normal and the rain began, the department exchanged plows for sweepers and shovels to deal with small nuisance flooding response. Although the city is experiencing early spring temperatures, Street Superintendent Tim Martin would like to remind that community that it will continue to experience icy road conditions for the morning and evening commutes and to please drive safely. Citizens can contact the Street Department Snowline at 769-2233 during the winter months. Also, Street Department personnel regularly report plowing operations and storm status to local radio KVNI at AM 1080 for broadcast. Ms. Gabriel announced that the Building Department has a new Building Inspector/Plans Examiner whose name is Brandon Voorhees. You can get more information on these updates and other current city news by visiting the City's website at [www.cdaid.org](http://www.cdaid.org) as well as frequent updates on our Facebook page and the Cd'A Blog, which can be accessed from the city website. She informed the community that the Police Chief recruitment committee will be meeting in the next couple weeks to move the process forward. She thanked Jeff Selle of the Coeur d'Alene Press for his helpful article regarding the availability of volunteer committee, commission, and board member openings.

### **Approval of the 4-Corners/BLM Master Plan Request for Qualifications from Land Planning Companies.**

Councilperson Edinger stated that the General Services Committee heard the proposal from the Parks and Recreation Commission regarding the Four Corners master planning and ask Interim Parks Director Bill Greenwood to provide additional information. Mr. Greenwood stated that this land that will increase open space within the community by 29 acres, through a Lease with the Bureau of Land Management (BLM). BLM requires a master plan for the land to be included in the

Lease; the plan will include land owned by BLM, the City, and LCDC. A variety of uses have been discussed at Parks and Recreation Commission Workshops. Mr. Greenwood provided a brief description of the location of the Four Corners and the area to be planned. Once the master plan is approved it will be submitted to BLM. He stated that at any time during the lease term a land patent could be issued.

Councilperson Gookin stated that he appreciates the information provided, and clarified that the action for tonight is to authorize staff to move forward with hiring someone to conduct planning efforts, not to approve a plan. He asked if the road realignment would be a part of the master plan and expressed concern over any changes to historical Memorial Field. Mr. Greenwood stated that the discussions regarding Memorial Field could be held at all phases in the plan development. He clarified that the grandstand is not in the best shape and could be reoriented to lessen the noise to the neighborhood. Councilperson Gookin stated that he has received calls from citizens and that Mr. Anthony has expressed that he would like to keep the existing character of the field. Mr. Greenwood stated that an engineering firm has reviewed the grandstand and confirmed they are in bad shape and that they might be able to reserve some beams or pieces of the structure that can be repurposed. Councilperson Edinger stated that he has the same concern regarding protecting the historical aspect of the field and thinks that it should be thoroughly discussed in the development of the plan. Mr. Greenwood explained that the plan should be viewed as a roadmap, with all the options the City can do with the land in the future included. Councilperson Gookin stated that 29 acres of open space is a great opportunity. Councilperson Miller stated that she had an opportunity to review the hearings and met with BLM Real Estate Specialist Janna Paronto. Mayor Widmyer stated that the grandstand is of historical significance to the community and discussions should take place before movement to change it.

Mayor Widmyer asked for information regarding the BLM Lease details. Ms. Paronto stated that BLM is pleased that this Lease arrangement will benefit the citizens. The Lease will state that as long as the City keeps the land as open space there will be no lease charge. Once the City completes their master plan construction, the City can ask BLM to issue a Land Patent for \$290.00 (\$10/acre). Once the Patent is issued the land is owned by the City. There is a reversionary clause that states if the City makes changes that were not in accordance to the master plan, the City will either have to pay fair market value, remove unapproved use, or give back the land. Councilperson McEvers asked if a coffee shop was included in the plan would it then be an allowable use. Ms. Paronto stated that that type of use would change the Lease amount and change the Land Patent costs, as it would go to a regular pricing program. The regular pricing program would require payment of half the fair market value to get the Patent. Councilperson Edinger stated that one of issues going forward is to get LCDC funding toward the master planning efforts.

**MOTION:** Motion by Edinger, seconded by McEvers to authorize the Parks Department to advertise a Request for Qualifications from Land Planning Companies to prepare a Four Corners/BLM Master Plan.

**DISCUSSION:** Councilperson Gookin stated that he has a problem with LCDC funding, as he believes that the purpose of LCDC is economic development, removing blight, or creating jobs. He does not believe this is appropriate and is being used as a tool of convenience and should be funded

by the City. Councilperson McEvers believes that LCDC does public space such as parks along the river and trails and believes this is appropriate for LCDC funding.

**Motion carried** with Gookin voting no.

### **Doyle's Warehouse Sound Study**

Councilperson Edinger stated that this item was approved unanimously by the General Services Committee. He clarified that there were several other companies that submitted proposals, but this one was agreed upon by the neighborhood. The neighborhood representatives stated that they would agree to abide by the findings of this company.

**MOTION:** Motion by Edinger, seconded by Gookin to approve expenditures not to exceed \$7,000 for a sound study of Doyle's Warehouse through JGL Acoustics.

**Motion carried.**

### **PUBLIC HEARING: (Quasi-Judicial) ZC-1-13 Lot 1, Block 3, Landings at Waterford 10th Addition, zone change from R-3 and C17L to R-8.**

Mayor Widmyer asked if there were conflicts of interest or ex parte communication that should be disclosed. Councilperson Evans stated that she was serving on the Planning Commission when this item came forward and she will base her decision on the testimony provided tonight.

**Staff Report:** City Planner Tami Stroud stated that this is a zone change request to rezone property from R-3 and C17L to R-8. She provided a description of the property and clarified that a portion of the land was original zoned C17L and the other portion was zoned R-3. The applicant has requested a change for both portions of land to R-8, which is consistent with the properties to the north. She reviewed the Findings that need to be made by the Council and clarified that there were no conditions recommended by the Planning Commission. Councilperson Edinger asked if there was a response received from the School District. Ms. Stroud stated that the City did not receive any comments.

Mayor Widmyer read the rules for the Quasi-Judicial hearing.

**APPLICANT:** Drew Dittman, Coeur d'Alene, stated that he felt the Findings were clearly covered. He stated that the Landings Subdivision was discussed in 2003, and at that time they proposed 1100 residential units, with a large 10 acre park in the middle of the subdivision. That park is now fully developed. There were two commercial components outlined, one of which has been developed. The second commercial location was planned to be on the opposite side of the development, along Huetter. The Highway District conducted a Huetter bypass study, and determined that they will not allow access to Huetter Road, which will not work with the proposed commercial use. Mr. Dittman clarified that the rest of the development has been built out. The two pieces of land requested to be rezoned are the last remaining undeveloped pieces. The density will increase with additional residential units in the residentially zoned area, and will lessen in the C17L zoned area.

Councilperson McEvers asked if they had developed any multifamily housing. Mr. Dittman stated that they had several already constructed. Councilperson McEvers asked if there was enough sewer capacity for this density. Mr. Dittman stated that this area is part of the Huetter interceptor area, so there is an additional cost at building permit issuance. Councilperson Edinger asked how many units can be built on this property. Mr. Dittman clarified that they would be able to build 58 single family units.

**PUBLIC COMMENT:** Mayor Widmyer called for public comment with none being received.

**MOTION:** Motion by McEvers, seconded by Edinger that ZC-1-13 Lot 1, Block 3, Landings at Waterford 10th Addition, zone change from R-3 and C17L to R-8 be approved, and to direct staff to prepare the Findings and Order.

**ROLL CALL:** McEvers Aye; Miller Aye; Gookin Aye; Evans Aye; Edinger Aye. **Motion carried.**

**RECESS:** **Motion** by Gookin, seconded by McEvers to recess to February 27th at 12:00 Noon a.m. at the Library Community Room located at 702 Front Avenue for a City Council Workshop with LCDC regarding the Annual Report. **Motion carried.**

The meeting adjourned at 7:02 p.m.

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Steve Widmyer, Mayor

ATTEST:

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Renata McLeod, City Clerk