

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

November 5, 2013

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 November 5, 2013 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.

INVOCATION: Pastor Ron Hunter, Church of the Nazarene, provided the invocation.

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

PRESENTATION: C-SPAN CITIES TOUR VISITS COEUR D'ALENE C-Span Cities Tour representative Ashley Hill stated that the City of Coeur d'Alene was chosen as one of the cities to be included in this year's historical cities tour. They focus on the unique history of the community in a national spotlight such as fur trading and logging, books about Louise Shaddock and the gold rush, as well as Councilman Gookin's For Dummies book series and community outreach. They have been taking video around town and interviewing various citizens in the community. She expressed appreciation to Time Warner Cable for their partnership in this programming. She clarified that they do not have any government funding.

PUBLIC COMMENTS:

Stonecalf Warrior Woman, Coeur d'Alene, she expressed an issue with city employee Mr. Townsend regarding her request to get her picture taken with a person dressed as Darth Vader. She stated that she moved the flag and Mr. Townsend moved it back to its original placement, so it could not be in her photograph. She stated that she would love 2030 vision to have Coeur d'Alene to be her sacred science lab. She would like citizens to meet at November 7, at 5:30 p.m. at the workforce training center to stand against drones.

Roy Wargie, Coeur d'Alene, said he is concerned about the intersection of 21st Street and Coeur d'Alene Avenue as there are a lot of stop sign violators and a lot of students use that crosswalk.

CONSENT CALENDAR: Motion by Kennedy, seconded by McEvers to approve the consent calendar as presented.

1. Approval of Minutes for October 15, 2013.
2. Setting General Services and Public Works Committees meetings for Tuesday, November 12th at 12:00 noon and 4:00 p.m., respectively.
3. **Resolution No. 13-053** A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING THE BELOW MENTIONED ACTIONS OF THE CITY OF COEUR D'ALENE INCLUDING APPROVING THE WAIVER OF COVERED LOAD REGULATIONS FROM NOVEMBER 1 THROUGH NOVEMBER 30, 2013 FOR THE ANNUAL CITY LEAF PICK UP.
4. Approval of Downtown Carriage Rides on Saturdays November 30, 2013 through December 21, 2013 from 1:00 to 5:00 p.m.

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

COUNCIL ANNOUNCEMENTS:

Councilman Kennedy stated that his son recently turned 18, voted for the first time this evening, and was in the audience tonight.

Councilman Goodlander stated that there are a couple hours left to vote and encouraged citizens to get to the polls.

APPOINTMENTS: Motion by Kennedy, seconded by Goodlander to approve the appointment of Kaity Widmyer to the Library Board as an alternate student representative, Michael Drobnock to the CDA TV Committee, Scott Hoskins to the Lake City Development Corporation. **Motion carried with Gookin and Adams voting no.**

ADMINISTRATOR'S REPORT: City Administrator Wendy Gabriel reminded citizens that polling places are open until 8:00 p.m. this evening. The City's annual leaf pick-up program begins November 12th. Please rake your leaves and pine needles one foot away from the gutter/curb line to allow for water drainage and do not put leaves in the street after city crews have completed your area. Bagged leaves, branches, debris, and trash should not be included. Due to weather conditions, equipment malfunctions, and unforeseen circumstances, City crews are unable to provide a precise schedule of where leaf pick-up will take place. Pick-up will start south of Sherman Avenue and move north. Leaf pickup should be completed by December 1st. If you have questions or need additional information, please check the website, streets.cdavid.org or call the Street Maintenance information line at 769-2233. On Saturday, November 9th, Specialized Needs Recreation (SNR) will hold its 10th Annual Prom Night at Prairie View Elementary in Post Falls (2478 East Poleline) from 6:00 p.m. to 9:00 p.m. This year's theme is "Eternal Elegance." The DJ will play your favorite songs, snacks and beverages will be provided, and the king and queen of the prom will be crowned. There is a \$20.00 entry fee per person. Pictures will be taken by Maximum Exposure Photography and if you choose to get your pictures taken with your date or friends, the cost will be an additional \$10.00. Help with hair,

nails, or make-up, will be provided by "Kristi and Charli's Salon" from 5:00 p.m. to 6:00 p.m. You must register in advance for this free service by calling Angie at the number listed below. If one is in need of a tuxedo, "Touchdown Tuxedos" in Post Falls is offering a great deal to SNR participants who are attending the Prom. Just say you are going to the SNR Prom and get your tux for only \$29.95. This cost includes everything, even the shoes, in whatever style you choose. SNR is looking for volunteers to help set up, decorate and cleanup after the event is over. If you would like to volunteer for this wonderful event please call Angie Goucher at 208-755-6781.

RESOLUTION 13-054

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO AUTHORIZING AN ANNEXATION AGREEMENT WITH WASHINGTON TRUST BANK FOR A-1-13, "THE OLD ATLAS MILL SITE."

STAFF REPORT: Deputy City Attorney Warren Wilson stated that this item came before the City Council through a public hearing in June and was approved based on the negotiation of the annexation agreement. He stated that the bank, as owner, has requested this annexation for the future purchase by a developer. There will not be any construction until a development plan is approved. Additionally, the sewer capacity surcharge has been included in the agreement.

DISCUSSION: Councilman McEvers asked if the developer would be required to develop both sides of Seltice Way. Mr. Wilson stated that they would only be responsible for the south side of the street. Councilman McEvers asked if there were any remnants of the mill that would be the responsibility of the City. Mr. Wilson clarified that the developer would be responsible. Councilman Kennedy asked if anyone buying the property would be bound by the agreement. Mr. Wilson clarified that the agreement would run with the land. Councilman Kennedy asked if public access comes through the PUD. Mr. Wilson stated that the City has an option to acquire more interest in the property, but that is not included in this agreement. Councilman Kennedy asked what would happen if the owner of the property does not submit a master plan within two years. Mr. Wilson stated that they would not be allowed to develop the land until the PUD is approved, and they would still have an obligation to pay the fee. Councilman Gookin stated that the surcharge fee is established through the wastewater master plan and it will be reviewed as specifics come forward through the PUD. Mr. Wilson clarified that they sought input from all departments to cover the needs of the city within the agreement. Councilman Edinger stated that Mr. Smith spoke about gaining access to the waterfront, and wondered if those concerns would be addressed through the PUD. Mr. Wilson stated that there is a requirement for open space; however, it is difficult to require people to give the city their property. If the City wants additional property beyond the open space, they would need to acquire it.

MOTION: Motion by Goodlander, seconded by Kennedy to adopt Resolution 13-054.

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

ORDINANCE NO. 3472
COUNCIL BILL NO. 13-1018

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTIONS 4, 9, & 10, TOWNSHIP 50, 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 1.16.090, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #43; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

MOTION: Motion by Goodlander, seconded by Kennedy to pass the first reading of Council Bill No. 13-1018.

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

MOTION: Motion by Kennedy, seconded by Edinger to suspend the rules and to adopt Council Bill No. 13-1018 by its having had one reading by title only.

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

Findings and Order for Annexation/Zoning of 3528 W. Seltice Way “The Old Atlas Mill Site.”

Motion by Goodlander, seconded by McEvers to approve the Findings and Order for Annexation/Zoning of 3528 W. Seltice Way “the Old Atlas Mill Site.”
Motion carried.

SP-3-13 - Findings and Order for 218 N. 23rd Street “Port of Hope.”

MOTION: Motion by Edinger, seconded by Goodlander to approve the Findings and Order for SP-3-13, 218 N. 23rd Street, “Port of Hope.” **Motion carried.**

EXECUTIVE SESSION: Motion by Goodlander, 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; § (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 City Council entered into Executive Session at 6:30 p.m. Those present were the Mayor, City Council, City Administrator, Deputy City Attorney, Deputy City Administrator, and the Finance Director. Matters discussed were related to pending litigation.

City Council returned to regular session at 7:18 p.m.

MOTION: Motion by Goodlander, seconded by Edinger to resolve the Dixon case as recommended by legal counsel. **Motion Carried.**

ADJOURNMENT: **Motion** by Edinger, seconded by Kennedy that there being no further business before the Council that this meeting is adjourned. **Motion Carried.**

The meeting recessed at 7:19 p.m.

Sandi Bloem, Mayor

ATTEST:

Renata McLeod, City Clerk