

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

April 21, 2026

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 April 21, 2026, at 6:00 p.m., there being present the following members:

Dan Gookin, Mayor

Amy Evans) Members of Council Present
Christie Wood)
Dan English)
Kenny Gabriel)
Dan Sheckler)
Kiki Miller)

CALL TO ORDER: Mayor Gookin called the meeting to order.

INVOCATION: John Padula provided the invocation.

PLEDGE OF ALLEGIANCE: Mayor Gookin led the pledge of allegiance.

IDAHO GIVES WEEK: Councilmember English read the Proclamation declaring May 4-7, 2026 as Idaho Gives Week. Mr. Bill Pfinsgraff, Philanthropic Advisor of Idaho Community Foundation, accepted the Proclamation. He explained that Idaho Gives supports over 600 nonprofits statewide. He thanked the sponsors and donors as well as invited the community to participate in the kickoff event on Saturday, April 25, at McEuen Park.

NATIONAL FALLEN FIREFIGHTER MEMORIAL WEEK: Councilmember Gabriel read the Proclamation declaring April 26 – May 3, 2026 as National Fallen Firefighter Memorial Week. Interim Fire Chief Bill Deruyter accepted the Proclamation. He noted that the Coeur d'Alene Fire Department and Kootenai County Fire and Rescue will light their stations and community buildings red from April 26 to May 3 in honor of fallen firefighters as part of the national Light the Night campaign. He invited the community to participate by displaying red lights and mentioned that there will be a Red Light Bulb Giveaway at CDA Lowes on April 25.

LIBRARY ANNUAL REPORT: JD Smithson, Library Communications Coordinator, noted that 2025 was a strong year focused on community engagement, welcoming spaces, and organizational excellence, highlighted by the successful “Show Your Library Love” campaign funded by the Friends of the Library. Major accomplishments included transitioning to a new regional consortium, upgrading technology and furnishings, improving accessibility and signage, expanding community-led programming, and strengthening partnerships. Usage reached record levels with 229,837 in-person visits, 320,018 website visits, 340,136 items borrowed, and 40,525

program attendees across all age groups. Support from the Friends of the Library and the Library Foundation contributed significant volunteer hours and funding, while the library was also recognized as Best Library of North Idaho, reflecting strong community support and staff dedication.

POLICE DEPARTMENT ANNUAL REPORT: Interim Police Chief Dave Hagar noted significant public safety gains, including a 23.74% reduction in serious (Part One) crimes last year and a 76.20% reduction since 2014, resulting in roughly 1,600 fewer victims annually compared to a decade ago. Calls for service increased to about 39,552, reflecting strong community trust and engagement. The department emphasized data-driven policing supported by crime analysis, alternatives to arrest such as citations and diversion and the vital role of professional staff, volunteers, and code enforcement. Key successes included effective community partnerships, major cases solved with public assistance, proactive downtown policing that reduced serious crime to historically low levels, expanded community outreach programs, and progress on a new training facility to enhance officer safety, professionalism, and accountability.

Councilmember Wood praised the Police Department's Annual Report and credited the officers and staff for their hard work. She stated that Coeur d'Alene has gained national recognition for its low crime rates and asked Mr. Hagar to explain intelligence-led policing. Mr. Hagar explained that the Department analyzes detailed data such as who is committing crimes, where and when patterns emerge, and how trends develop; using tools such as field interviews, body-camera footage, and community-provided video to deploy officers strategically. This targeted, data-driven approach allows the Department to disrupt crime efficiently, often before patterns escalate, and has drawn interest from agencies across the Pacific Northwest seeking to replicate Coeur d'Alene's success.

LEGISLATIVE UPDATE: City Attorney Randy Adams provided an overview of the final outcomes of the 2026 legislative session, highlighting major bills affecting public safety, local government operations, land use, libraries, elections, taxation, and municipal authority. Key actions included measures expanding benefits for fallen and catastrophically injured public safety officers; honoring Battalion Chiefs Frank Harwood and John Morrison; changes to building inspection timelines, school facility permitting, e-bike regulations, and open-meeting recording rights; amendments impacting library governance and children's library protections; clarification of flag-display rules; and resolution of long-running tribal water rights litigation affecting Lake Coeur d'Alene. Mr. Adams also noted legislation affecting cash rounding practices, homemade food regulation, restroom access in public buildings, election filing procedures, and concerns over ongoing constraints on city revenue growth from prior tax legislation.

PUBLIC COMMENTS:

Alice Nielsen, Coeur d'Alene, shared a personal reflection on poaching, explaining how an essay she wrote at school led her to speak about wildlife protection and community responsibility. She described poaching as a serious issue that occurs locally and disrupts wildlife populations. Ms. Nielsen emphasized that hunting laws exist to ensure balance, fairness, and respect for wildlife, and that poaching undermines ethical hunters and future generations. She noted the importance of education and awareness, especially in schools, to help people understand the consequences of

poaching, concluding that protecting wildlife reflects the kind of community we choose to be and that prevention is the only way to preserve what cannot be replaced.

Deborah Rose, Kootenai County, noted strong support for the appointment of Dave Hagar as Police Chief, citing his character, leadership, and deep understanding of the unique challenges of policing in North Idaho. She credited Mr. Hagar with helping significantly reduce crime while serving as second-in-command, maintaining public safety during large tourist events, and successfully managing serious incidents without injuries. She emphasized Mr. Hagar's professionalism, accountability in handling disruptive behavior, strong community relationships, and broad support from the Coeur d'Alene Police Officers Association.

Steven Macaskill, Coeur d'Alene, urged the Council to consider internal continuity when appointing a new Police Chief. He stated that the Coeur d'Alene Police Department is performing at a high level, citing significant crime reductions, strong morale, minimal controversy, and broad community trust as indicators of success. He stated that when a department is stable and effective, promoting from within helps preserve morale and continuity.

Sara Ferris, Coeur d'Alene, expressed deep gratitude to police officers for their service to the community. Drawing on her years working with children, seniors, and working residents, she highlighted the lack of affordable, accessible public transportation between Coeur d'Alene and Spokane as a growing challenge, particularly for seniors, commuters, and families seeking employment, healthcare, education, and entertainment opportunities. She asked the City to explore future solutions, such as a potential shuttle bus connection to Liberty Lake.

Pam Lohman, Coeur d'Alene, requested City Council support for prioritizing repairs to Tubbs Hill Drive, describing it as a critical access route for residents, visitors, city maintenance, and emergency services that have seen sharply increased use. Citing more than 160,000 visits in 2025 from the east trailhead and over 200,000 annual visits from the 3rd Street entrance, Ms. Lohman outlined safety and environmental concerns including deteriorated pavement, potholes, erosion, poor drainage, lack of signage, and impacts to Lake Coeur d'Alene. She asked for a comprehensive evaluation and repair plan addressing resurfacing, drainage improvements, edge stabilization, speed limits, and trail-crossing signage. Mayor Gookin stated that this issue is on the City's radar; he spoke with the City's Streets and Engineering Director and was informed that they will conduct a traffic count to better understand roadway use. He also discussed this concern with the City's Trails Coordinator/ Urban Forester who indicated that resurfacing Tubbs Hill Drive would be costly due to required engineering considerations, though further evaluation is needed to determine next steps.

Chris Seaberg, Coeur d'Alene, stated additional safety concerns along Tubbs Hill Drive, particularly the unmonitored and heavily used stretch between the trail crossing and the cul-de-sac where the official trail begins. He noted that trail counters do not capture this "de facto trail" use and recommended that any traffic study be conducted during the summer months, when traffic volumes, speeds, and safety risks are highest. He raised concerns about pedestrians unexpectedly entering the roadway, especially visitors unfamiliar with the area, combined with excessive vehicle speeds on a narrow gravel road with blind corners. Mr. Seaberg recommended posting a reduced

speed limit, adding advance trail-crossing signage for drivers, and improving overall awareness to reduce risk and prevent future accidents.

Don Craft, Coeur d'Alene, reaffirmed the Coeur d'Alene Police Association's endorsement of Dave Hagar for Police Chief. He reported that following interviews with the final four candidates, the Association conducted a membership vote with an 85% turnout, resulting in overwhelming support for Mr. Hagar. Mr. Craft emphasized the Association's appreciation for being included in the selection process and its long-standing, positive relationship with City Council, noting officers' desire to continue the department's successful work under the leadership of Mr. Hagar.

Daniel Haley, Coeur d'Alene, offered strong support for Mr. Hagar's appointment as Police Chief. He highlighted Mr. Hagar's role in translating strategic direction into effective department-wide leadership, leading by example, maintaining strong relationships with officers, and earning their loyalty and trust. He described Mr. Hagar as a trusted advisor during critical incidents and emphasized that while other candidates are qualified, Coeur d'Alene does not need a rebrand but a "refresh," which he believes Mr. Hagar uniquely provides.

Mike Gridley, Coeur d'Alene, spoke in opposition to the appointment of Dave Hagar as Police Chief, emphasizing that honesty, integrity, and fair treatment of employees are essential qualities for department leadership. He referred to a pending federal court lawsuit alleging that Mr. Hagar and former Police Chief White expressed dissatisfaction with another Captain for telling the truth during an internal investigation and that retaliation and harassment followed when that Captain refused to provide untruthful answers. Mr. Gridley noted that, according to investigation findings cited in the lawsuit, both former Chief White and Mr. Hagar received letters of expectation addressing issues such as teamwork, acceptance of administrative decisions, improper audio recordings without consent, and interdepartmental cooperation. He urged Council to consider these allegations and findings carefully when evaluating Mr. Hagar's qualifications for the role of Police Chief.

Lee White, Rathdrum, spoke in strong support of Mr. Hagar's appointment as Police Chief, emphasizing his integrity, experience, and proven leadership. He credited Mr. Hagar with championing many of the programs and practices that have contributed to the Police Department's low crime rates, strong community trust, unbiased policing, and effective handling of high-profile incidents. He highlighted Mr. Hagar's education, administrative skill, and reputation for honesty, noting that integrity is central to effective policing leadership. He asked the Council to recognize the Department's current success, the broad support from officers and the community, and the importance of continuity.

Stu Miller, Coeur d'Alene, spoke in strong support of Mr. Hagar stating that his impact since joining the Coeur d'Alene Police Department has been greater than that of many past leaders combined. He credited the leadership changes brought by Mr. Hagar and former Chief Lee White as transformative and described Mr. Hagar as one of the smartest and most trusted colleagues he knows. Mr. Miller emphasized that Mr. Hagar is the person he turns to for guidance, expressing full confidence in his leadership and encouraging the Council to recognize his contributions and continued value to the community.

ANNOUNCEMENTS:

Councilmember Miller invited the community to celebrate the City of Coeur d'Alene's 42nd consecutive recognition as a Tree City USA by the National Arbor Day Foundation. The annual celebration will be held on Friday, April 24, at City Park from 10:00 a.m. - 12:00 p.m. and Saturday, April 25 from 12:00 – 2:00 p.m. at the Molstead Library, North Idaho College parking lot, featuring tree seedling giveaways, food, and additional activities.

Councilmember Wood shared that the Parks and Recreation Commission met the previous evening and reviewed several agenda items that will be forwarded to Council for consideration at the May 5 meeting. One item was tabled to allow time for additional information and input from police and fire staff before returning to the Commission and moving through the General Services Committee process. She also noted ongoing efforts to review park usage and commended Interim Parks Director Adam Rouse for his leadership and the positive feedback received from the community.

Councilmember English, serving as Council Liaison to the Library Board, reported that recent library meetings have been productive and reflected strong community engagement. He also shared a message received earlier that day from a resident who planned to watch the Council meeting and expressed appreciation for the respectful way Council members interact, adding that the resident prays daily for the City and its people.

Mayor Gookin clarified the Police Chief appointment items on the agenda, explaining that Council had previously agreed that the responsibility to make the appointment rested with Interim City Administrator Ron Jacobson, whose initial nomination of Greg Yeager did not receive Council approval. Following that vote, the intent was to defer the decision to the next City Administrator; however, at the request of Councilmembers, the matter was revisited. Also, at the request of Councilmembers, Mayor Gookin placed Dave Hagar on the agenda, making that appointment through Idaho statute. He noted that he will not be voting on this item, stating that under state law he does not have authority to break a tie on this type of appointment. He further expressed a desire for Council to reach consensus to avoid another split decision. Councilmember Evans asked whether a 3–3 vote would result in a failed motion. Mr. Adams clarified that a 3–3 tie constitutes a defeat of the motion, as a tied vote means the motion does not pass.

Mayor Gookin shared an obituary honoring Kenneth Earl Timmons who served at the Coeur d'Alene Police Department beginning June 1971, dedicating three decades of service and retiring as a respected Police Captain in June 2002. He recognized his many years of dedicated service to the community and expressed condolences to his family and loved ones during this difficult time.

Mayor Gookin requested the appointment of Bruce Martinek to the Urban Forestry Committee.

MOTION: Motion by Gabriel, seconded by Miller, to confirm the appointment of Bruce Martinek to the Urban Forestry Committee. **Motion carried.**

CONSENT CALENDAR:

1. Approval of Council Minutes for the April 7, and 13, 2026 Council Meetings.
2. Approval of Bills as Submitted.

3. Approval of Financial Report.
4. Approval of an Outdoor Eating Permit for Kevan Turner, Lantern Donuts, 519 E. Sherman Avenue, 12 seats

MOTION: Motion by Evans, seconded by Miller, to approve the Consent Calendar as presented.

ROLL CALL: Evans Aye; Sheckler Aye; Miller Aye; Gabriel Aye; English Aye; Wood Aye.

Motion carried.

RESOLUTION NO. 26-032

A RESOLUTION OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, APPROVING A LETTER OF AGREEMENT WITH KEENAN JOHNSON FOR COMMERCIAL USE OF CITY STREETS FOR RECREATIONAL TRANSIT.

STAFF REPORT: Deputy City Clerk Kelley Setters noted that on May 7, 2025, City Council approved an agreement with Keenan Johnson, owner of Paddle Pub CDA LLC, to operate commercial recreational transit on City streets through October 31, 2025. Mr. Johnson has requested approval to continue trolley pub services from May 1 through October 31, 2026 through a new Letter of Agreement. The proposed operations include tours with a maximum capacity of 16 passengers, operating daily between 8:00 a.m. and 10:30 p.m., beginning and ending at Jeremiah Johnson Brewing Company, with scenic and historical routes throughout the city. Additional adults-only tours will visit several local establishments, with no alcohol provided by the operator. City departments have reviewed the request and expressed no concerns, and the proposal complies with Municipal Code Chapter 5.18 regarding commercial use of City streets, including required insurance and the City's ability to impose conditions or revoke the permit if necessary.

DISCUSSION: Mayor Gookin asked for clarification regarding the portion of the pub tour traveling through residential areas, specifically along 5th Street. Ms. Setters confirmed that this routing is unchanged from last year and is necessary due to 4th Street being one-way northbound. She noted that the operation received only one complaint last year from a resident on Montana Avenue, which was promptly resolved. She also confirmed that Police, Fire, and Streets Departments were notified and they have no comments.

Councilmember Miller shared personal feedback after participating in one of the tours, noting she was impressed with how respectful the operation was toward neighbors, particularly regarding music, traffic, and noise. She described the experience as positive, enjoyable, and well-managed.

MOTION: Motion by Miller, seconded by Gabriel, to approve **Resolution No. 26-032** - Authorizing a Letter of Agreement with Keenan Johnson and Paddle Pub CDA, LLC, for commercial use of the City streets for recreational transit.

ROLL CALL: Sheckler Aye; Miller Aye; Gabriel Aye; English Aye; Wood Aye; Evans Aye.

Motion carried.

MAYOR REQUESTS APPROVAL OF THE APPOINTMENT OF DAVE HAGAR TO THE POSITION OF POLICE CHIEF

DISCUSSION: Mayor Gookin noted that there has been discussion on social media that the reason this appointment has become contentious is because Dave Hagar lied. He cautioned Council that no allegation that Mr. Hagar lied should be repeated or relied upon as fact unless and until it has been properly investigated and substantiated. The allegation should be referred to an appropriate internal process and Mr. Hagar should be given notice of this concern and an opportunity to respond. He emphasized that due process must be afforded and that, if Council ultimately chooses not to appoint Mr. Hagar, the decision should be based on lawful, evidence-based, and non-defamatory reasons rather than rumor.

MOTION: Motion by Wood, seconded by English, to approve the appointment of Dave Hagar to the position of Police Chief.

DISCUSSION: Councilmember Evans inquired on the appointment process and its legality, noting that the current action appears to deviate from the process originally established when interviews for the Police Chief position began. She requested guidance from City Attorney Randy Adams, and asked for a legal opinion on how Council should proceed.

Mayor Gookin explained the Mayor's appointment authority under Idaho statute, which grants him power to appoint city officers as necessary for efficient city operations. This is used in cities that do not have a City Administrator to make those appointments, as no other official has the authority to make those appointments outside of the Mayor, especially in a small city that doesn't have a City Administrator. The City of Coeur d'Alene does not have any city code that says that authority has been removed. The City has established the position of City Administrator by code, and Council approved the job description by Resolution, that transfers appointment authority of department heads to the City Administrator. Mayor Gookin referenced the Association of Idaho Cities manual on appointments. He further explained that Idaho law does not allow the Mayor to break a tie vote on this type of appointment and noted that he consulted with Mr. Adams by email and provided him examples showing when the Mayor cannot do it, but no examples when the Mayor may do so. Mayor Gookin added that the item would not have been placed on the agenda if it were not legal.

Mr. Adams explained that Rule 26 of the City's Personnel Rules, adopted by Council, clearly states that department heads are appointed by the City Administrator, and Council does not vote on those appointments; the Police Chief is expressly defined as a department head. He confirmed that when the Mayor consulted him last week about Idaho Code § 50-204 whether it will support his appointment of a Police Chief, he reviewed statutes and provided the Mayor with a detailed analysis and his conclusion is that it does not grant the Mayor authority to appoint a Police Chief or other department heads, nor does it provide Council with confirmation authority for such appointments. The next day, he also provided the Mayor with a case from the Idaho Supreme Court decision in *Bunt v. City of Garden City*, which held that the legislature intentionally removed police officers, including police chiefs, from the category of officers subject to mayoral appointment with Council approval. Garden City has made the Police Chief position an appointed officer and so the Supreme Court held the Idaho Code § 50-204 applied to Garden City. Mr. Adams further noted

that while some cities, such as Meridian, allow mayoral appointments of department heads by their city code, Coeur d'Alene has designated the Police Chief as a department head, not an appointed officer, and has given the power to appoint department heads solely to the City Administrator. Mr. Adams stated that the appointed officers in Coeur d'Alene are the City Clerk, City Treasurer, City Attorney, and City Administrator. He also consulted with the Idaho Municipal Attorneys Association and noted their agreement that under Idaho Code § 50-204, a Mayor may not appoint a department head unless the City has specifically designated that position as an appointed official pursuant to Idaho Code § 50-204. Accordingly, the Legal Department's opinion is that a mayoral appointment of the Police Chief would violate both the City's adopted Personnel Rules policy and Idaho Code § 50-204.

Mayor Gookin argued that the core issue before Council is a broader power dispute within City Hall, that the long-standing conflict between the Mayor and the City Attorney has influenced this Police Chief appointment process. He contended that the City Attorney did not provide advice but exceeded his authority by vetoing the Mayor, and stated his lack of authority through reliance on Personnel Rules policy. He maintained that he has statutory authority to make an appointment, expressed loss of trust in the City Attorney's legal advice, and disclosed that he has hired a private counsel. Mr. Adams explained that he provided legal opinion based on what the law says. Mayor Gookin maintained that he has the legal right to make the appointment for Police Chief. He proceeded to inquire whether individual Councilmembers had been contacted by Mr. Hagar and the Police Association, and whether those contacts were returned.

Councilmember Gabriel stated he has not been contacted by Mr. Hagar, though the Police Association reached out to him. He has not responded in order to avoid worsening an already difficult situation and to respect both the Association and the process. He clarified that they were not instructed to avoid communication but were presented with options and he made a personal decision accordingly. He reaffirmed his strong commitment to the Police Department and the City and emphasized that he has no intention of disrespecting the department or harming Mr. Hagar's reputation. Councilmember Miller stated that she was contacted but did not reach out. She commented that the situation felt highly unusual like a cross examination. She expressed concern that this approach conflicted with earlier assurances that the discussion would not involve defaming individuals or engaging with background noise. Councilmember Evans stated she was contacted by both parties. She met with the Association's President two weeks ago over coffee. She was contacted by Mr. Hagar the previous evening, but she was attending a meeting and replied by text. Councilmember Wood confirmed that she was contacted by the Association. She stated that throughout her time as an elected official, she consistently returns calls and meets with members or representatives of associations and unions, including the Police, Fire, and Lake City Employees Association. Councilmember Sheckler stated that he met with the Police Association representatives Don Craft and Johann Schmitz and had an in-depth discussion. He noted that he has not been contacted by Mr. Hagar, Mr. Yeager, or any of the applicants, and likewise has not reached out with any of them. Councilmember English acknowledged receipt of the Police Association's memo and has spoken with Mr. Hagar.

Councilmember Sheckler noted the Mayor's disagreement with the City Attorney's legal opinion regarding the Mayor's authority to make appointments. He asked whether the Mayor accepted the City Attorney's legal opinion and if he rejected it, whether he would seek independent legal

opinion. Mayor Gookin responded that he obtained an independent legal opinion concluding he has full statutory authority to make appointments and that city Personnel Rules and Resolutions do not supersede state statutes, noting no city code conflicts exist. Councilmember Sheckler asked whether the said legal opinion referenced was truly independent, noting that attorneys make a decision based on who their client is. He inquired whether the legal opinion provided reflected an objective, independent analysis of the law or provided as an advocate for a client. Mayor Gookin stated that his question was focused on whether the statute grants the Mayor authority to make appointments. He noted that this interpretation is supported by the Association of Idaho Cities' Mayor Manual, which outlines and affirms the Mayor's appointment authorities. Councilmember Sheckler asked about sharing the legal opinion publicly or with Council, Mayor Gookin stated it remains protected by attorney-client privilege wherein he is the client. He indicated he is open to consider obtaining an independent legal opinion for the City as the client.

Councilmember Wood referenced a past precedent on city personnel rules versus state law. She noted that in 2014, when former Police Chief Lee White was hired, a similar situation occurred in which former Mayor Steve Widmeyer made the appointment while the City was operating under an interim City Administrator. Mayor Gookin clarified that Mayor Widmyer did not formally make the appointment but instead made the offer. He noted that the Council vote at that time was to authorize to make an offer, not a direct appointment, so the current situation is different.

Councilmember Gabriel stated that he does not, under any circumstance, wish to work against the Mayor and asked that any such perception be dismissed. He inquired why a Council vote was necessary if the Mayor has the appointment authority. Mayor Gookin explained that the statute provides that the Mayor may make appointments with the approval of the Council, which is why the matter is being brought forward for a vote. He added that, unlike appointments made by a City Administrator, the statute assigns appointment authority to the Mayor in the absence of an Administrator, and that personnel rules and resolutions do not override state law. He expressed concern that a potential "no" vote of Council would be based on the belief that the Mayor lacks authority, a question he felt the public deserves to know whether the Mayor has statutory appointment authority and whether a City Attorney has veto power over an elected mayor.

Councilmember Miller stated that she did not view the City Attorney's response as a veto, but rather as an answer to a question supported by specific facts. She then asked why a Council vote was required for the City Administrator's appointment of a Police Chief if such approval was not otherwise necessary. Mayor Gookin explained that the contract with Mr. Jacobson required Council approval due to concerns about allowing an interim City Administrator to make unilateral hiring decisions. He stated that the purpose of this requirement was to ensure a structured process and appropriate oversight. He emphasized that he and Mr. Jacobson are aligned on following that process.

Councilmember Miller stated that she had a conversation with the President of the Police Association and noted that Mr. Hagar contacted her to discuss rumors, but the call occurred during a meeting on an already full day. She chose not to engage, stating she did not want to participate in gossip or speculation and did not believe such a discussion would be productive. She added that she is unaware of the background issues until later email exchanges.

Mayor Gookin urged Council to base their decision solely on facts and not on rumors. He referred to a letter to Council from Peter Erbland of Lake City Law, an attorney affiliated with the City's insurance provider, who described his professional experiences with Mr. Hagar and praised his attention to detail, investigative skill, and contributions to effective risk management within the Police Department. Mayor Gookin also expressed strong personal support for Mr. Hagar. He stated that while he would appoint him if he had sole authority, he wanted to ensure consensus from Council and urged them not to use legal authority concerns as a basis to dismiss this agenda item.

Councilmember Wood explained that her motion to appoint Dave Hagar as Police Chief was based on overwhelming positive testimony regarding his leadership, professionalism, and reputation among officers, other agencies, and the community. She urged the Council to do what they believe is right. Mayor Gookin stated that he will support the Council's decision and emphasized that decision-making authority rests with the Council. He expressed hope that the outcome chosen will be in the best interest of the City.

Councilmember Sheckler read his prepared statement recognizing the service and dedication of the Police Department and acknowledging the strong internal support for Mr. Hagar, emphasizing that no criticism of his character or service to the community was intended. He explained that he previously voted against the City Administrator's recommendation as he needed more time to gather more information, including input from prosecutors, the Police Officers Association representatives, and other officers to ensure that his decision was informed and thoughtful. Councilmember Sheckler stated that while Mr. Hagar is well qualified, the Council's responsibility is to act in the best interest of the City and not to choose the most popular option, consistent with its long-standing governance structure in which the City Administrator hires department heads. Ordinarily, Council is not involved in the approval process. This structure exists for a reason. It separates policy making from operational control and ensures that the City is managed by a coordinated administrative team. Department heads must work closely with Legal, Human Resources, and other departments, and the City Administrator is responsible for coordinating those efforts. For that reason, Councilmember Sheckler stated that he placed significant weight on the interim City Administrator's recommendation and the interview panel to maintain organizational cohesion. He also raised concerns about the representations made by the Mayor about an independent legal opinion from his attorney and the concerns he raised earlier regarding the City Attorney. He expressed confidence in the City Attorney's legal analysis and pointed out that it is grounded in case law, statutes, and city policy. He stated that he is open to the possibility if the Mayor would want to obtain an independent legal opinion.

Mayor Gookin commented that the case law that Mr. Adams mentioned earlier specifically addressed termination matters governed by city code rather than appointment authority established by statute. He added that of the seven Idaho cities larger than Coeur d'Alene, six operate with a full-time Mayor and no City Administrator, and in those cities the Mayor makes appointments with Council approval.

ROLL CALL: Miller No; Gabriel No; English Aye; Wood Aye; Evans No; Sheckler No.
Motion failed.

CITY ADMINISTRATOR REQUESTS APPROVAL OF THE APPOINTMENT OF GREG YEAGER TO THE POSIITON OF POLICE CHIEF

DISCUSSION: Councilmember Wood explained that she would not support Mr. Yeager’s nomination, citing the preference of the community and the Police Association. She expressed concern that it would be difficult for Mr. Yeager to accept a role without the support of the leadership.

Councilmember Miller acknowledged Councilmember Wood’s valid concerns. She noted that Mr. Yeager did not have the same opportunity as Mr. Hagar to receive visible public support, submit letters, or what seemed to be a second round of public comment on his credentials. She explained that her perspective is informed by her role as a member of the interview panel and emphasized that she, along with the other panelists, has the utmost respect for Mr. Hagar. She added that based on the resume, interview process, and overall discussions, the majority of the interview groups ranked Mr. Yeager highest. Councilmember Miller expressed confidence that bringing in fresh ideas and new experience would continue moving the Police Department in a positive direction, while maintaining belief in the Department’s integrity and leadership continuity. She emphasized that her decision was based solely on professional judgment and what she believed is best for the City of Coeur d’Alene.

Mayor Gookin stated that he worked to support smoother relationships at City Hall between the Police Department and Legal Department but expressed concern that appointing a new leader could perpetuate the same pattern of allegations, rumors, and retaliation. He warned that the City faces a choice between bringing in someone who may be subjected to those same dynamics or someone who might capitulate under them, concluding that the outcome of that decision rests with the Council.

MOTION: Motion by Sheckler, seconded by Evans, for the approval of the appointment of Greg Yeager to the position of Police Chief.

ROLL CALL: Gabriel Aye; English No; Wood No; Evans Aye; Sheckler Aye; Miller Aye.
Motion carried.

RECESS: Mayor Gookin called for a recess at 8:24 p.m. The meeting reconvened at 8:29 p.m.

(LEGISLATIVE) V-26-01, VACATION OF A PORTION OF 8TH STREET RIGHT-OF-WAY ADJOINING THE WESTERLY BOUNDARY OF LOT 7, BLOCK 2, KELLER’S ADDITION

COUNCIL BILL NO. 26-1007

AN ORDINANCE OF THE CITY OF COEUR D’ALENE, VACATING A PORTION OF PUBLIC RIGHT-OF-WAY LOCATED IN THE KELLER’S ADDITION TO COEUR D’ALENE PLAT, RECORDED IN BOOK “B” OF PLATS AT PAGE 114, RECORDS OF KOOTENAI COUNTY, IDAHO, GENERALLY DESCRIBED AS A TEN FOOT (10’) WIDE STRIP OF LAND BEING A PORTION OF 8TH STREET RIGHT-OF-WAY ADJOINING THE WEST

BOUNDARY OF LOT 7, BLOCK 2 SITUATE IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 50 NORTH, RANGE 04 WEST, BOISE MERIDIAN, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

STAFF REPORT: Streets and Engineering Project Manager Dennis Grant explained that the applicants, Michael and Allyson Sterling, are requesting the vacation of a portion of 8th Street right-of-way that adjoins the west boundary of their property on the northeast corner of 8th Street and Hastings Avenue. The purpose is to vacate a 10-foot-wide portion of 8th Street along the west boundary of the adjacent property. This section of 8th Street is already developed to its ultimate width, and the excess right-of-way, within an existing 80-foot corridor where 60 feet is standard. All utilities are in place, the Development Review Team has been notified, and the vacation would have no financial impact on the City. Mr. Grant noted he sent out 47 certified mailings and received one response that is in favor of the requested vacation.

PUBLIC TESTIMONY: Mayor Gookin opened the public testimony portion of the hearing.

Kathy Kincel, Coeur d'Alene, spoke in opposition to vacating a portion of 8th Street to a single property owner. She explained that 8th Street is a wide, dead-end street with landscaped buffer strips and tree lines and currently lacks a sidewalk in the area under consideration. She expressed concern that vacating to one homeowner would set a precedent for many other property owners along the street, effectively giving away public land without having to pay for the property at current market value. She also raised concerns about increased density and traffic impacts.

Councilmember Miller asked whether sidewalks exist on the block in question. Ms. Kincel responded that there are no sidewalks on that specific block, which includes only a few homes within the dead-end area near Bryan Elementary School and is primarily used for drop-off access rather than general public travel. She noted that garage expansions are more common in that limited area.

With no additional comments received, Mayor Gookin closed public testimony.

DISCUSSION: Mayor Gookin asked Mr. Grant to clarify concerns about whether a property owner was gaining public land without payment. Mr. Grant explained that under state code, property that was originally dedicated to the public during the platting process, in this case dating back to 1905, cannot be sold by the city. Instead, if such property is vacated, the law requires it to be returned to the current adjacent property owner. He noted that because the land was originally dedicated to public use rather than purchased by the City, the City is required to follow state law and vacate it back to the property owner rather than sell it. He added that vacating the property does involve costs for the applicant, including a \$1,000 application fee and expenses associated with hiring a consultant to prepare exhibits, coordinate with the title company, and complete required notifications. He noted that staff sent 47 certified mailings at a cost of \$11.37 each as part of the process. Mr. Grant also clarified sidewalk conditions, stating that while some areas of the street have sidewalks and others do not, the subject block does not currently have a sidewalk. He

added that sidewalk requirements may be addressed in the future if additions or improvements are made to the property under applicable code requirements.

Councilmember Sheckler asked whether vacating the right-of-way would change setbacks and Mr. Grant explained that the right-of-way along that portion of 8th Street is unusually wide, approximately 80 feet, dating back to the original 1905 plat, possibly reflecting a past plan for a larger thoroughfare. Councilmember Sheckler raised concern that vacating the right-of-way could disrupt the continuity of the landscaped planting strip along the street. Mr. Grant responded that sidewalks would remain within the standard 60-foot right-of-way and that the vacation only affects excess right-of-way present for several blocks within the original subdivision. He noted that similar vacations have already been approved for two nearby properties and that sidewalk presence varies along the corridor. He added that while such requests are not frequent, several have been considered recently in different locations around the city.

Councilmember Gabriel asked how frequently the City processes this type of request. Mr. Grant responded that such cases are relatively uncommon, noting one instance occurred about a year ago, while in earlier years there had been a much higher volume. He added that in the current year there are two active cases, with discussions underway on an additional two to three requests, bringing the potential total to four or five.

Councilmember Miller asked how vacating the right-of-way would affect sidewalk requirements, noting previous discussions about mandatory sidewalks in school zones when permits are pulled. Mr. Grant responded that while the subject property currently does not have a sidewalk, there remains adequate space for one within the remaining right-of-way. He explained that whether a sidewalk would be required depends on the nature of future improvements and applicable policies and standards, but the vacation itself would not prevent a sidewalk from being installed if required.

Councilmember Wood asked how vacating the right-of-way would benefit the City. Mr. Grant explained that the primary benefit would be increased tax revenue, as the vacated property would return to the tax rolls. He added that although some property owners request these vacations, many choose not to pursue them because they do not want to assume maintenance responsibilities or incur additional property taxes.

MOTION: Motion by English, seconded by Miller, to dispense with the rule and read **Council Bill No. 26-1007** once by title only.

ROLL CALL: Gabriel Aye; English Aye; Wood No; Evans Aye; Sheckler No; Miller Aye.
Motion carried.

MOTION: Motion by Evans, seconded by Miller, to adopt **Council Bill 26-1007**.

DISCUSSION: Councilmember Miller stated that even if the right-of-way is vacated, there would still be sufficient space to install a sidewalk if needed, and therefore the City would not lose a functional public use. She noted that the property does not serve another practical purpose and concluded that retaining it offers little benefit to the City. In contrast, vacating the property would benefit the landowner and allow the City to gain additional tax revenue.

Councilmember English noted that he frequently drives this route on the way to his office and occasionally choose it instead of an alternate street, describing it as a scenic route.

Councilmember Sheckler explained that what makes the route scenic is the neighborhood design, including sidewalks set farther back from the street, wider building setbacks, and homes spaced further apart. He expressed concern that vacating the right-of-way could disrupt the visual continuity and character of the neighborhood, noting that while he appreciates staff's explanations, he remains cautious about potential long-term impacts to the area's cohesiveness.

ROLL CALL: Gabriel Aye; English No; Wood No; Evans Aye; Sheckler No; Miller Aye.
Mayor Gookin voted Aye to break the tie vote. **Motion carried.**

RECESS: Motion by Evans, seconded by Gabriel, to recess to April 27, 2026 at 12:00 noon in the Library Community Room, located at 702 E. Front Avenue for a Budget Workshop. **Motion carried.**

The meeting ended at 8:47 p.m.