

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

January 7, 2025

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 January 7, 2025, at 6:00 p.m., there being present the following members:

Woody McEvers, Mayor

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

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

INVOCATION: David Bruyette with Mountain Lakes Bible Church provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Gabriel led the pledge of allegiance.

Fire G.O. Bond Update: Fire Chief Tom Greif explained that last July Council approved staff to seek a municipal advisory firm in anticipation of a May 2025 General Obligation (G.O.) Bond election. In December Council approved the agreement with Zions Public Finance as the Municipal Advisory Firm. Mr. Greif noted that they have had some initial meetings to discuss timelines and critical tools. One of the tools they discussed is a community survey to determine if there are educational areas they need to cover while discussing the bond. He noted that the City ran its first Public Safety General Obligation Bond for \$7 Million in 2005, which was approved by a 74% margin and its second one in 2015 for \$6 Million with an 85% margin. Priorities for this bond include fleet replacement based on age and use, expansion/remodel of Stations 1, 2, and 3 and command vehicle replacements. The estimated cost for those items is \$16,336,161, noting that since 2015 costs have over doubled including a pumper engine increasing from \$585,000 to \$1,200,000; a Ladder truck from \$1,400,000 to \$2,200,000, and command vehicles from \$62,500 to \$100,000. If the bond is passed in May and trucks are ordered in July, they would not be delivered until July 2028, as they have a 3-year build time. He noted that the survey will be a crucial tool in shaping the bond strategy as it will assess the public awareness and perception of the needs, and help measure the support for the bond and tolerance for property tax impacts. Additionally, they hope to identify areas in which additional clarification and information is needed. He introduced Michael Keith, Vice President Zions Public Finance, noting he was available for questions.

DISCUSSION: Councilmember Miller asked how much experience Zions Public Finance has, with Mr. Keith noting that they have 20 years in public finance, and have worked with cities, School Districts, as well as water/sewer district as they are a unique part of banking. He noted that they are now using the Portman Square Group to expand their capabilities for communication. He noted that the survey contains two pieces, to gather information and to provide information to the community. Councilmember Gookin asked for information regarding how they determined the number of contacts they will make and will the funding be appropriate for this size of project. Mr. Keith noted that they researched community data and, where there is opportunity for support and outreach, the funding will be used to craft the messages and determine how they will deploy the survey such as via text messaging, QR Codes, newspapers, and community partners, with the deployment piece being an additional expense. Councilmember Gookin clarified that the \$3,500.00 will cover the cost to send out the surveys, with Mr. Keith noting that it will be a multi-prong approach, knowing that they have multi-generational audience and will work closely with community partners to aid in getting the message out for that price. Councilmember English asked if this bond measure will require a super majority vote for approval with Mr. Keith confirmed it would be a super majority vote, noting that this is done about every 10 years. He clarified that they will bring a request back to Council in March to seek an election resolution that will contain information on tax impact and a specific dollar amount. Councilmember Wood noted that the G.O. bond has been critical and asked how detailed will the survey be. Mr. Keith said they try to do about 14 questions and would frame the questions with “would you support...” items such as taking on additional tax burden for the remodel of station if it cost you \$17.00 more a year per \$100,000 valuation, etc. Councilmember Evans asked if the survey would launch January 13 and how long would it take to complete the process. Mr. Keith explained that they would run the survey for three weeks. Councilmember Gabriel noted that one of the biggest numbers would include the Station 2 remodel. He recalled that when the station was opened, it was placed on the smallest parcel for the least amount of money to house two people. With the last bond, the station was remodeled; however, there is only so much you can do with the smallest, cheapest station, and he would like to the community to consider a rebuild rather than remodel.

MOTION: Motion by Gookin, seconded by Miller to approve the Fire Department and Municipal Advisory Firm partners to launch a community-based survey and utilize the city’s Debt Service Fund for up to \$3,500.00. **Motion carried.**

ROLL CALL: Evans Aye; Miller Aye; Gabriel Aye; Gookin Aye; English Aye; Wood Aye. **Motion carried.**

PUBLIC COMMENTS:

Duane Halliday, Greenacres WA, noted that he is the Vice President and General Manager of Lamar Outdoor Advertising, born and raised in Coeur d’Alene. He wanted to provide some background on Lamar, noting that they operate in and hire people that work within the CDA community. They branch from Spokane, Northern Idaho and up to the Cascades, noting that they operate 12 faces here, and have wanted to upgrade in Coeur d’Alene. There is a commercial need for billboard advertising, as there are not enough billboards to fill the demand. He would like the Council to consider this on the agenda, noting that the businesses are calling for this service.

Neal Schreibeis, Kootenai County, explained that Lamar does nonprofit and other things for the community, such as amber alerts, and looks forward to working with the Kootenai County Emergency Management Program in the future. He noted that the relocation request height should not be an issue because part of the Code states that if the building blocks the sign or the vice versus, they can go up to 12' above the building. Additionally, with the "V" shape sign, it would block the glare to the residential areas as it is focused toward the commercial area.

Susan Knutson, Coeur d'Alene, noted that World Braille Day is held annually on January 4 and she felt that the community could be more aware by offering braille services and signs. She encouraged leaders to adopt accessibility practices and raise awareness, and to consider the addition of braille to public signs in public buildings and public art, noting that it should be formatted correctly, positioned at a comfortable height, and that the dots be large enough to read. She noted that making the community more accessible will encourage travelers with disabilities. Councilmember Miller thanked her for the information and asked if there a priority list from her group or the most common locations needed for braille signage. Ms. Knutson noted she would check with the Idaho Commission for the Blind.

ANNOUNCEMENTS:

Councilmember Gookin read a citizen letter from a Mrs. Thompson expressing concern with illegal Fireworks. She felt that more police patrols and higher fines could help curb the illegal use. Councilmember Wood noted that she also received comments from citizens regarding fireworks and requested the City explore a designated area for families to light off legal fireworks on News Year and the 4th of July. Councilmember Miller suggested we add it to an agenda item for a later date.

Councilmember Wood also noted that she received comments regarding the turkeys moving into suburban areas where they don't have natural predators and would like the City to look at options of what can be done in a safe and humane way, and requested it be placed on the agenda at a later date. Councilmember English noted that rabbits are also a community problem.

Councilmember Miller attended a meeting with Senator Toews regarding housing and he was willing to listen, with three jurisdictions being present. Some potential solutions were discussed and good ideas to bring forward this legislative session.

Councilmember Gabriel noted that the annual fire department night with Santa collected over 7,500 lbs. of food, \$3,000 dollars, and over 300 hours of volunteer time. Mayor McEvers road along with Santa and felt it was very moving to see people celebrate and be excited in every neighborhood.

CONSENT CALENDAR:

1. Approval of Council Minutes for the December 17, 2024, Council Meeting.
2. Setting of the General Services/Public Works Committee Meeting at Noon on January 13, 2025.
3. Setting of public hearings for February 4, 2025:

- a. (QUASI JUDICIAL) BR-1-24 - Lamar Advertising of Spokane is requesting relocation and digitization of a two-sided 300 square foot v-build billboard; current location is 1621 Northwest Boulevard to be removed and relocated to 3119 N. 2nd Street, while addressed off of 2nd Street, the billboard would be adjacent to Government Way.
4. Approval of Bills as Submitted.
5. SS-24-06 – Approval of Final Plat – Laura Lane Estates

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

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

Motion carried.

COUNCIL BILL NO. 25-1000

AN ORDINANCE PROVIDING FOR THE REPEAL OF SECTIONS 15.50.400(C)(3) AND 15.50.400(C)(4); PROVIDING FOR THE REPEAL OF OTHER CONFLICTING SECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

MOTION: Motion by Gookin, seconded by Wood to table this item until the second meeting in February.

DISCUSSION: Councilmember Gookin stated that he didn't think it was fair to change the process after an application for relocation had been received and the City should work through the process as it exists. Councilmember Wood agreed with that approach and that Council make an informed decision after the process. Councilmember Miller asked our City Attorney to provide guidance. City Attorney Randy Adams stated that the motion to table was allowable; however, it was his understanding that the Council wanted staff to bring forward options. As the application currently stands, it does not meet the code requirements to allow for relocation. One of the options brought forward would give the applicant a method to meet the code through the variance process. Councilmember Miller pointed out that one option would remove the ability to relocate billboards and the other option would provide for a variance request from any requirement under the Sign Code. She felt that it would just prolong the inevitable with ongoing discussion for something that doesn't look like it's working. English didn't believe there is an urgent timeline, but likes the option that gives an opportunity for a variance and he would like to move forward tonight. Councilmember Gookin expressed concern with potential legal action under the estoppel against the government. Mr. Adams noted that he doesn't believe that estoppel applies here as the applicant has no right under the existing law as they don't meet current code based on distance from residential area and height of billboard, so there is no vested right to move the billboard. Changing the ordinance will not affect their rights. Councilmember Wood would like to move forward with the opportunity hear the variance request and questioned the height regulations. Mr. Adams clarified that all sections of the Code must be interpreted so that they have meaning. Section 4(e) is the overriding statute. Councilmember Miller expressed concern that if this item is tabled, Council would not be able to have discussion on the proposed ordinances and reiterated that billboards can still be digitized even if they can't be relocated.

Councilmember Gookin reiterated that he believes Council should go through the process in order to determine what needs to be fixed and should keep the process moving forward. Councilmember Wood requested clarification on what authority Council has at the hearing on the relocation application if the Code is not amended. Mr. Adams clarified that Council does not have the authority to violate its own ordinances, which means that they would need to follow the current Code, which does not allow for a variance. The application does not meet the current Code for the proximity to a residential zone, in addition to the height restriction.

MOTION WITHDRAWN. Councilmember Gookin withdraws his motion to table. Councilmember Wood withdraws her second of that motion.

STAFF REPORT: Municipal Services Director Renata McLeod noted that she will be providing the staff report for both Council Bill 25-1000 and Council Bill 25-1001 together pursuant to Council Action December 17, 2024. Council requested two alternative Ordinances. The first proposed Ordinance would repeal Sections §15.50.400(C)(3) and §15.50.400(C)(4), which would remove the recently added ability for Billboards to relocate from their current locations to alternative locations within a Commercially zoned area under certain standards. The Code would allow existing billboard signs to be upgraded to digital versions of the existing sign, identical in size, height, and location. She noted that, if this proposed Ordinance is adopted, the current request to relocate a billboard sign received by Lamar Advertising of Spokane would move forward to a public hearing under the Code in which they applied under. However, under case and statutory law, the City Council would be required to deny the application as the Council cannot approve an application that does not comply with the Code that was in effect at the time the application was submitted. In the alternative, Lamar could withdraw its application to avoid the unnecessary public hearing. If this proposed Ordinance is approved, it would not be necessary to consider the second proposed Ordinance.

The second proposed Ordinance adds a new section to § 15.50.400(C) that would allow an applicant to seek a variance from any restrictions or standards within the §§ 15.50.400(C)(3) and (4). The proposed language reads as follows: “An applicant for the relocation of a billboard may request a variance from any of the restrictions or standards of Section §15.50.400(C). The City Council will consider the request for a variance in conjunction with the application for relocation. A variance may only be granted upon a showing of undue hardship due to site characteristics and if approval of the variance would not be contrary to the public interest or the purposes of this Section.” If this Ordinance is approved, the applicant would submit a request for a variance to staff and that variance request would be presented to Council at the same time as the public hearing for the request for the relocation of the billboard. The City Council would hear the evidence presented and determine if the applicant has demonstrated that there was an undue hardship due to site characteristics and that approval of the variance would not be contrary to the public interest or the purposes of the sign code. Council must make findings of fact to support those findings of law. If the variance is granted, the public hearing for relocation would continue. If the variance is not granted, the Council would deny the request as it would not meet the Code requirements. Council could then still hold the public hearing on the application for relocation, but would be bound to deny it. Ms. McLeod noted that Council may modify the proposed Ordinance as it sees fit.

DISCUSSION: Councilmember Gabriel asked if the Council would have the responsibility to determine the undue hardship. Mr. Adams noted that the standard of what determines a hardship comes from Council. The language in the Ordinance comes from 7 other sections of the City Code, but the Council could determine the standards it will use to grant a variance under this section of the Code. Councilmember Miller if both the undue hardship and public interest would need to be met for a variance to be granted, with Mr. Adams confirming that both need to be met. Mayor McEvers asked if the variance code was approved would it be the same each time, with Mr. Adams stating “no” as the applicant would need to convince Council there is an undue hardship and not contrary to public interest in each case.

MOTION: Motion by Miller, seconded by Evans, to dispense with the rule and read Council **Bill No. 25-1000** once by title only.

ROLL CALL: Miller Aye; Gabriel Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye.
Motion carried.

DISCUSSION: Councilmember Gookin noted that he will be opposing this as the Country is in a deregulatory mode, and feels we have added a bunch of regulations and it could not be processed or understood and created stumbling blocks. He additionally feels that repealing the code would be anti-business and we should talk to the business owners to determine if it is anti-business or not. He noted that it is rare and expensive to move a billboard and there are only 12 in the City. Further, there will be a public hearing and people are given a chance to be heard at a hearing and there is a process in place. He would encourage Council to vote no on this Ordinance.

MOTION: Motion by Miller, seconded by Evans, to adopt **Council Bill No. 24-1000**.

DISCUSSION: Councilmember Wood felt that this is a bigger issue than moving a billboard and the local companies have started this process over a year ago and have asked the city to work with them and haven’t had the opportunity to go through a process and it is not fair to change the rules before they had a chance to be heard and will not support this. The Council will have the opportunity under the public hearing to say what they want to say. Councilmember Evans said this isn’t about whether we like or don’t like Lamar, rather we need to get this right and we don’t have it right. She understands that Lamar would have the opportunity to move forward if they met the Code requirements we set out, and they were not met, which is why we are in the predicament. She noted that she supports the repeal to give time to put more work into this, as it impacts the landscape of our community and the community deserves to have it done right. Councilmember Wood noted that the Council did have this discuss this last year and the community had a chance to weigh in on the issue, and the Council majority voted “yes.” Councilmember Miller noted that she respects others positions, and had concerns with digital billboard but approved it as businesses should have a chance to grow, which demonstrates business friendliness. She believes people deserve the right to be more educated, and she will stand by her position as she feels that is best for the community. Councilmember English noted that he likes the option to have a variance and would not support this motion, as the variance option would give Council the opportunity to make judgement calls. Councilmember Gabriel struggles with the thought that we are not business friendly because of one incident. He hopes that the Council has the ability to fix it the correct way,

but doesn't look forward to this debate every time a variance comes up, but is leaning toward Council having the ability to have the final word.

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

COUNCIL BILL NO. 25-1001

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF SECTION 15.50.400(C) TO ALLOW FOR A REQUEST FOR A VARIANCE FROM ANY OF THE RESTRICTIONS AND STANDARDS OF THE SECTION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

MOTION: Motion by Gookin, seconded by Wood, to dispense with the rule and read **Council Bill No. 25-1001** once by title only.

ROLL CALL: Gabriel Aye; Gookin Aye; English Aye; Wood Aye; Evans Aye; Miller Aye.
Motion carried

MOTION: Motion by Gookin, seconded by Wood, to adopt **Council Bill No. 25-1001**.

DISCUSSION: Councilmember Miller stated that she appreciates that they can bring out different viewpoints, yet still stands by her position. She noted when this item comes back around it will be interesting to see the community response.

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

ADJOURNMENT: Motion by Gookin, seconded by Wood that there being no other business, this meeting be adjourned. **Motion carried.**

The meeting adjourned at 7:29 p.m.