



**CITY COUNCIL
MEETING MINUTES**

**December 5, 2023
6:00 PM**

Location: City Council Chambers, 408 N. Spokane Street, Post Falls, ID 83854

WORKSHOP – 5:00 pm Basement Conference Room

a. Strategic Plan

Shelly Endrud, City Administrator presenting:

Priority: Workforce

Attract and retain qualified talent both now and in the future

- Recruit and retain quality talent
- Conduct comprehensive succession planning
- establish an employee professional development program

Priority: Operations

Maintain sustainable, quality operations to execute the City's primary purpose.

- Develop effective and efficient policies and procedures
- Improve interdepartmental communications
- Improve interdepartmental collaboration
- Provide proactive maintenance and services

Priority: Capital

Obtain and sustain sufficient capital resources for ongoing investments and equipment.

- Engage in effective master planning
- Establish and Maintain effective design standards

Priority: Community

Maintain community satisfaction in the provision of city services.

- Improve the ability to tell our story
- Create quality engagement
- Improve ease of engagement

REGULAR MEETING – 6:00 pm City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Present

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:
ACTION ITEM**

None

AMENDMENTS TO THE AGENDA

Final action cannot be taken on an item added to the agenda after the start of the meeting unless an emergency is declared that requires action at the meeting. The declaration and justification must be approved by motion of the Council.

None

DECLARATION OF CONFLICT, EX-PARTE CONTACTS AND SITE VISITS

The Mayor and members of the City Council have a duty to serve honestly and in the public interest. Where the Mayor or a member of the City Council have a conflict of interest, they may need to disclose the conflict and in certain circumstances, including land use decisions, they cannot participate in the decision-making process. Similarly, ex-parte contacts and site visits in most land use decisions must also be disclosed.

None

1. CONSENT CALENDAR

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the Council agenda packet regarding these items and any contingencies are part of the approval.

ACTION ITEMS:

- a. Minutes – November 21, 2023, City Council Meeting
- b. Payables November 14, 2023 - November 27, 2023
- c. DeAtley Annexation Agreement File No. ANN-23-1
- d. Fiscal Year 2023 Road Report
- e. Bogie Annexation Agreement ANN-23-2
- f. Fixed Asset Disposal Zebra ID Badge Printer Asset 4652
- g. Fleet Division Request to Surplus Vehicles & Equipment
- h. Acceptance of the Canvassed Election Results
- i. Millsap Landing Annexation Agreement File No. ANN-22-16
- j. Acceptance of Sewer Easement - Farwest Steel

**City of Post Falls
City Council Minutes**

December 5, 2023



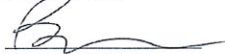
Kootenai County Elections

Jennifer Locke • Clerk
1808 N 3rd St. • P.O. Box 6000 • Coeur d'Alene, ID 83816-9000
Phone (208)446-1030 • Fax (208)446-2184
<http://www.kco.gov.us/elections> • Email kcelections@kco.gov.us

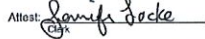
STATE OF IDAHO
COUNTY OF Kootenai

} ss.

We, the commissioners of the county and state aforesaid, acting as the Board of Canvassers of Election, convened on November 18th, 2023, do hereby state that the attached is a true and complete abstract of all votes cast within this county for the Candidates and Ballot Questions as they appeared at the Consolidated Election held on November 7, 2023 as shown by the records now on file in the County Clerk's office.




County Board of Canvassers

Attest: 

(County Seal)

E-31, Approved Secretary of State, January 2011



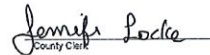
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STATE OF IDAHO
COUNTY OF Kootenai

} ss.

I, Jennifer Locke, Clerk of said county and state, do hereby certify that the attached is a full, true and complete copy of the abstract of votes for the Candidates therein named as they appeared on the election ballot for the Consolidated Election on November 7, 2023 for the City of Post Falls as shown by the record of the Board of Canvassers filed in my office this 18th day of November, 2023.


County Clerk

(County Seal)

E-30, Approved Secretary of State, January 2011



City of Post Falls
City Council Minutes

December 5, 2023

Kootenai County
November 7, 2023 Consolidated Election

Precinct	Voting Statistics			
	Total Number of Registered Voters at Polls	Number Election Day Registrants	Total Number of Registered Voters	% of Registered Voters That Voted
201	1,625	14	1,639	28.6%
202	1,875	13	1,888	24.3%
203	1,820	21	1,841	30.4%
204	1,720	14	1,734	32.8%
205	1,535	12	1,547	35.0%
206	673	8	681	32.7%
207	696	17	713	28.6%
208	910	6	916	23.9%
301	1,344	12	1,356	29.0%
302	1,520	14	1,534	29.3%
303	1,660	6	1,666	28.2%
304	1,899	11	1,907	23.1%
305	1,224	12	1,236	26.7%
306	1,617	15	1,632	30.5%
307	1,554	16	1,570	28.7%
308	1,708	16	1,722	31.6%
309	1,533	22	1,555	34.7%
310	1,483	19	1,502	35.5%
311	822	13	835	28.0%
312	1,554	14	1,568	41.3%
313	1,626	21	1,647	42.0%
314	1,877	13	1,890	43.7%
315	1,436	12	1,448	36.6%
316	1,399	31	1,430	35.0%
317	1,651	12	1,673	29.2%
318	1,366	27	1,393	37.2%
319	1,579	18	1,597	43.1%
320	1,682	12	1,674	37.6%
321	1,558	21	1,579	44.7%
322	1,745	37	1,782	34.1%
323	1,264	15	1,279	23.2%
401	1,222	16	1,238	32.0%
402	1,532	10	1,542	28.0%
403	1,611	19	1,630	36.6%
404	1,499	16	1,485	42.7%
405	1,818	23	1,841	29.9%
406	1,381	21	1,402	40.4%
407	1,557	13	1,570	37.2%
408	1,610	11	1,621	28.6%
409	1,422	15	1,437	35.1%
410	1,440	17	1,457	50.0%
411	1,493	8	1,501	30.2%
412	1,404	7	1,411	38.1%
413	1,532	22	1,554	22.3%
414	1,528	22	1,550	29.0%
415	1,396	12	1,398	29.8%
416	1,327	9	1,336	37.6%
417	1,485	12	1,498	34.0%

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Kootenai County
November 7, 2023 Consolidated Election

Precinct	Candidates							
	City of Post Falls							
	Council Member Seat 1		Council Member Seat 3		Council Member Seat 5			
	James Stiefens	Samantha Swigler	Bobby Wilhoit	Rita Anderson	Joe Malloy	Joe Bodman	Charlyn K Towne	Randy Westlund
308	0	1	0	0	1	0	0	1
323	26	62	6	15	78	31	8	53
501	32	107	21	26	133	37	11	110
502	43	110	47	49	148	53	26	117
503	124	228	75	87	336	158	35	230
504	83	158	32	55	214	100	22	147
505	87	222	37	62	285	95	33	219
506	61	134	68	53	205	90	30	137
507	74	133	118	77	243	108	36	176
508	73	176	18	38	222	65	29	169
509	87	175	48	58	256	94	30	189
510	47	101	27	55	120	46	33	84
511	86	201	65	71	271	111	41	191
512	56	173	32	55	208	75	26	163
513	47	219	29	35	258	74	21	197
514	82	189	55	48	274	89	19	205
515	43	132	33	46	163	45	35	131
516	119	213	62	79	316	151	41	201
517	31	55	13	16	85	42	6	53
518	2	16	6	5	19	6	3	15
Total	1,203	2,805	793	930	3,835	1,479	485	2,799

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Motion by

Borders to accept the Consent Calendar as presented.

Second by Ziegler.

Thoreson-Aye, Ziegler-Aye, Shove-Aye, Walker-Aye, Malloy-Aye, Borders-Aye

Motion Carried

2. PUBLIC HEARINGS

There are generally two types of public hearings. In a legislative hearing, such as adopting an ordinance amending the zoning code or Comprehensive Plan amendments, the Mayor and City Council may consider any input provided by the public. In quasi-judicial hearings, such as subdivisions, special use permits and zone change requests, the Mayor and City Council must follow procedures similar to those used in court to ensure the fairness of the hearing. Additionally, the Mayor and City Council can only consider testimony that relates to the adopted approval criteria for each matter. Residents or visitors wishing to testify upon an item before the Council must sign up in advance and provide enough information to allow the Clerk to properly record their testimony in the official record of the City Council. Hearing procedures call for submission of information from City staff, then presentation by the applicant (15 min.), followed by public testimony (4 min. each) and finally the applicant's rebuttal testimony (8 min.). Testimony should be addressed to the City Council, only address the relevant approval criteria (in quasi-judicial matters) and not be unduly repetitious.

ACTION ITEMS:

None

3. UNFINISHED BUSINESS/RETURNING ORDINANCES AND RESOLUTIONS

This section of the agenda is to continue consideration of items that have been previously discussed by the City Council and to formally adopt ordinances and resolutions that were previously approved by the Council. Ordinances and resolutions are formal measures considered by the City Council to implement policy which the Council has considered. Resolutions govern internal matters to establish fees and charges pursuant to existing ordinances. Ordinances are laws which govern general public conduct. Certain procedures must be followed in the adoption of both ordinances and resolutions; state law often establishes those requirements.

ACTION ITEMS:

- a. Black Bay Phase 1 Construction Agreement

Robbie Quinn, Parks Planner presenting: On November 9, 2023, bids were opened. Staff is recommending awarding the bid to the lone bidder Big Sky Corp with their bid of \$2,558,965. The engineer's estimate for the project was \$2,350,000. This project will include the replacement of the existing park entrance including the arrival plaza and pavilion shelter, regrading of existing park hillside and lawn area, complete reconstruction of the south asphalt trail including re-grading to meet ADA requirements and repaving, upgrades to the beach area, construction of a boardwalk at the entrance of the bay area, and construction of rip rap as armoring along designated areas of the Black Bay shoreline as well as stake plantings and a root wads and construction of an MSE wall for erosion control. Staff is requesting a 5% percent contingency in the amount of \$127,948.25 for a total of \$2,686,913.25. Additionally, staff is seeking approval for the contract with Civitas for construction administration, observation, and staking for \$220,120.

Motion by Malloy to approve the Black Bay phase 1 construction agreement.

Second by Borders.

Vote: Ziegler-Aye, Shove-Aye, Walker-Aye, Malloy-Aye, Borders-Aye, Thoreson-Aye

Motion Carried

4. NEW BUSINESS

This portion of the agenda is for City Council consideration of items that have not been previously discussed by the Council. Ordinances and Resolutions are generally added to a subsequent agenda for adoption under Unfinished Business, however, the Council may consider adoption of an ordinance or resolution under New Business if timely approval is necessary.

ACTION ITEMS:

- a. 2023 Proposed Update to Post Falls Code Chapter 13.20 Wastewater Discharge Restrictions

Craig Borrenpohl, Utilities Manager presenting: The proposed changes will correct items noted by Idaho DEQ during a recent audit of the City's pretreatment program.

13.20.140 Accidental Spill Prevention Plans

- IDEQ and EPA require specific language within accidental spill prevention plans including industrial users to "immediately" notify the City of any accidental or slug discharges.
- The change removes the phrase "but no later than twenty-four (24) hours" from the section.

13.20.230 Wastewater Discharge Permit Contents

- Subsection 13.20.230 A.3 modified to provide the ability to use Best Management Practices as an enforceable permit condition.
- Subsection 13.20.230 A.13 is added to ensure the process dischargers shall follow to request monitoring waivers is included within permits.

Motion by Malloy to approve the 2023 proposed update to Post Falls Code Chapter 13.20

Wastewater Discharge Restrictions and to direct staff to bring back an ordinance at a future meeting.

Second by Borders.

Vote: Shove-Aye, Walker-Aye, Malloy-Aye, Borders-Aye, Thoreson-Aye, Ziegler-Aye

Motion Carried

Motion by Malloy

Second by Borders.

Vote: Shove-Aye, Walker-Aye, Malloy-Aye, Borders-Aye, Thoreson-Aye, Ziegler-Aye

Motion Carried

- b. Solids Hopper Rehabilitation - Knife Gate Valve Purchase

Craig Borrenpohl, Utilities Manager, presenting: This covers the next two items. The goal of this replacement is to isolate the load out auger to prevent solids from falling outside after each cycle. The design calls for adding valves to isolate the hopper from the load out auger. The Hopper Knife valve purchase proposal calls for the City to pre-purchase the valves to get them in order prior to bidding. Four Knife Gate Valves are \$65,574.19 and would be funded through the WRF odor, solids, and dewatering project line. The second part of this is the contract for bidding support and construction management. With this contract, JUB Engineers would provide finalization of design, bidding support services, and construction management. The contract is for \$67,690.00 with a 10% contingency of \$6,769.00 for a total of \$74,459.00 and would be funded along the same project line.

Motion by Malloy to approve the solids hopper rehabilitation Knife Gate Valve purchase and the solids hopper rehabilitation construction management services.

Second by Ziegler.

Vote: Walker-Aye, Malloy-Aye, Borders-Aye, Thoreson-Aye, Ziegler-Aye, Shove-Aye

Motion Carried

- c. Solids Hopper Rehabilitation - Construction Management Services

This was approved with item b.

- d. Police Department Pay Grade Kinds and Levels Adjustments

Mayor: Over the last few months we have learned Kootenai County and CdA have increased their paygrades in law enforcement. We are significantly behind now. Recently, we had a citizen testify at a public hearing that she was against the proposed project, and we do not have enough police officers, and we cannot get any. I asked the Chief if that was the case, and he said no, we were only two down at that time. Since then, we are down eleven. They have gone elsewhere because of pay. It is very difficult for us to hire police officers when we are 4 to 5 dollars below the neighboring agencies. I support this.

Greg McLean, Police Chief presenting: Recently, the City of CDA and Kootenai County have increased their pay grades and rates for sworn officers. Currently, Post Falls is approximately 16% behind these two competing agencies. Normally, we try to wait until the budget cycle to make these types of adjustments, but in the current workforce environment, the police department is struggling to attract and retain employees with the difference in pay between these two local agencies and the high wages in Washington. Currently, the police department has ten vacant patrol positions. The recommended change will assist with filling these positions and help

with retaining current officers. It is imperative that we fill these positions as the current employees have moved to 12-hour shifts to ensure coverage. These long shifts are negatively impacting current employees, and we are starting to see significant burn out of these employees. Finance has earmarked funding in the personnel pool from current vacancies and delays in hiring of positions to use to implement this change, to be made effective at the beginning of the next pay period, December 9, 2023. No budget amendment would be needed for this change, as the budget already exists in the personnel pool. The only action needed at this time would be for the Council to approve the recommended kinds and levels or make a motion to approve the kinds and levels at a different percentage increase, if desired.

Ziegler: With a discrepancy that large, most good employees are not going to leave over a dollar but with one that large.

Malloy: The wage of a starting police officer has not kept up with the standard of living. It is just too expensive to live here. I think this is a good move. There is nothing more expensive than turn over.

**Motion by Malloy Police Department pay grade kinds and levels adjustments.
Second by Borders.**

**Vote: Borders-Aye, Thoreson-Aye, Ziegler-Aye, Shove-Aye, Walker-Aye, Malloy-Aye
Motion Carried**

5. CITIZEN ISSUES

This section of the agenda is reserved for citizens wishing to address the Council regarding City-related issues that are not on the agenda. Persons wishing to speak will have 5 minutes. Comments related to pending public hearings, including decisions that may be appealed to the City Council, are out of order and should be held for the public hearing. Repeated comments regarding the same or similar topics previously addressed are out of order and will not be allowed. Comments regarding performance by city employees are inappropriate at this time and should be directed to the Mayor, either by subsequent appointment or after tonight's meeting, if time permits. In order to ensure adequate public notice, Idaho Law provides that any item, other than emergencies, requiring Council action must be placed on the agenda of an upcoming Council meeting. As such, the City Council can't take action on items raised during citizens issues at the same meeting but may request additional information or that the item be placed on a future agenda.

None

6. ADMINISTRATIVE / STAFF REPORTS

This portion of the agenda is for City staff members to provide reports and updates to the Mayor and City Council regarding City business as well as responses to public comments. These items are for information only and no final action will be taken.

a. Annual Comprehensive Financial Report and GASB

Jason Faulkner, Finance Director, presenting: The changes to the Governmental Accounting Standards Board (GASB) are as follows:

GASB 68 Pensions: This statement establishes standards of accounting and financial reporting for defined benefit pensions and defined contribution pensions provided to the employees of state and local governmental employers through pension plans that are administered through trusts or equivalent arrangements.

GASB 72 Mark to Market Adjustments: This statement addresses accounting and financial reporting issues related to fair value measurements. The definition of fair value is the price that

would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

GASB 87 Leases: Under this statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities.

GASB 96 SBITA: Under this statement, a government generally should recognize a right-to-use subscription asset-an intangible asset-and a corresponding subscription liability. A government should recognize the subscription liability at the commencement of the subscription term, - which is when the subscription asset is placed into service. The subscription liability should be initially measured at the present value of subscription payments expected to be made during the subscription term. Future subscription payments should be discounted using the interest rate the SBITA vendor charges the government, which may be implicit, or the government's incremental borrowing rate if the interest rate is not readily determinable. A government should recognize amortization of the discount on the subscription liability as an outflow of resources (for example, interest expense) in subsequent financial reporting periods.

7. MAYOR AND COUNCIL COMMENTS

This section of the agenda is provided to allow the Mayor and City Councilors to make announcements and general comments relevant to City business and to request that items be added to future agendas for discussion. No final action or in-depth discussion of issues will occur.

Thoreson: There is a pothole on Spokane St going south on the on ramp that just about ate my car.

I also wanted to give lots of kudos to the Parks and Recreation Department for Winterfest. What a wonderful community event.

Kudos to Chief McLean and your staff for Holiday and Heros. It reminds me now much i love our community and police department.

8. EXECUTIVE SESSION

Certain City-related matters may need to be discussed confidentially subject to applicable legal requirements; the Council may enter executive session to discuss such matters. The motion to enter into executive session must reference the specific statutory section that authorizes the executive session. No final decision or action may be taken in executive session.

ACTION ITEMS:

None

RETURN TO REGULAR SESSION

ADJOURNMENT

6:47 PM



Ronald G. Jacobson, Mayor



Shannon Howard, City Clerk



Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

"Where opportunities flow and community is a way of life"