



**CITY COUNCIL
MEETING MINUTES**

**February 20, 2024
6:00 PM**

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

WORKSHOP – 5:00 pm Basement Conference Room

Roll Call

Steigleder, Walker, Malloy, Westlund, Shove - **Present**

Ziegler-**Excused**

- a. I90-Business Loop, City Acquisition from ITD

Rob Seale, Community Development Director and Bill Melvin City Engineer: In the future, the Idaho Transportation Department (ITD) will be looking for the City to take over responsibility for the City Business Loop. If and when this would happen, there would be numerous fixes to the loop that would need to be made to bring it up to the City's street standards. This would transfer the future ongoing maintenance of the loop to the City. Currently, staff are recommending that it is not in the city's best interest to take over the loop at this time. They would like to wait until the I-90 widening project nears final plans and incorporate possible relinquishment into negotiations.

REGULAR MEETING – 6:00 pm City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

Samantha Steigleder, Josh Walker, Joe Malloy, Nathan Ziegler, Randy Westlund, Kenny Shove

Steigleder, Walker, Malloy, Westlund, Shove - **Present**

Ziegler- **Excused**

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

ACTION ITEM

- There will be a special City Council workshop next Tuesday, February 27th at 5:30 pm in the City Hall basement conference room. The workshop topic will be Land Use Training.

- The Rotary Club of Post Falls has generously donated five solar signal crosswalks to the City of Post Falls over the last five years. The latest, located on Mullan Ave., near the Frederick Post Kinder Center and the Post Falls Boys and Girls Club, was dedicated on February 7th in honor of Rotary's longtime member, Jerry Sinn. These crossings, strategically placed near Post Falls schools, enhance pedestrian safety for all. Thank you, Rotary Club of Post Falls, for your ongoing commitment to making Post Falls a safer and more vibrant community.

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 – February 6, 2024, City Council Meeting
- b. Payables January 30, 2024 - February 12, 2024
- c. December Cash and Investments

Motion by Malloy to accept the Consent Calendar as presented.

Second by Walker.

Vote: Shove-Aye, Malloy-Aye, Steigleder-Aye, Walker-Aye, Westlund-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:

- a. Update to the FY 2024 Fee Resolution

Public Hearing opened at 6:03 PM

Staff Report

Jason Faulkner, Finance Director: There are a few items regarding Parks and Recreation Fees

and to clarify the impact fees for Kootenai Fire and Rescue (KCFR) and Kootenai Emergency Management Services (KCEMS). The KCFR and KCEMS fees were combined. This change will now show the fees split apart.

Testimony

None

Public Hearing closed at 6:05 PM.

Motion by Malloy to approve the update to the FY 2024 Fee's and that a resolution be brought back to a future meeting.

Second by Westlund.

Vote: Malloy-Aye, Steigleder-Aye, Walker-Aye, Westlund-Aye, Shove-Aye

Motion Carried

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. Ordinance - Fiscal Year 2024 Budget Amendment

Motion by Malloy to place the Ordinance Fiscal Year 2024 Budget Amendment on its first and only reading by title only while under suspension of the rules.

Second by Walker.

Vote: Steigleder-Aye, Walker-Aye, Westlund-Aye, Shove-Aye, Malloy-Aye

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, IDAHO, AMENDING THE ANNUAL APPROPRIATION ORDINANCE 1495 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, TO REFLECT THE RECEIPT OF UNSCHEDULED REVENUES AND TO AUTHORIZE EXPENDITURE OF PREVIOUSLY UNBUDGETED FUND BALANCE, INCREASING AND ESTABLISHING THE APPROPRIATIONS FOR EXPENDITURES IN VARIOUS DEPARTMENTS AND FUNDS, PROVIDING THAT THE TAX LEVY UPON TAXABLE PROPERTY WITHIN THE CITY IS NOT AFFECTED HEREBY, PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE SUPERSEDED BY THIS ORDINANCE TO THE EXTENT OF SUCH CONFLICT, AND PROVIDING THAT THE ORDINANCE SHALL BE EFFECTIVE UPON ITS PUBLICATION DATE.

Motion by Malloy to approve the Ordinance Fiscal Year 2024 Budget Amendment and to direct the clerk to assign the appropriate number and that it be published by summary only.

Second by Walker.

Vote: Walker-Aye, Westlund-Aye, Shove-Aye, Malloy-Aye, Steigleder-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. Ordinance to Clarify Payment of Impact Fees by Public Agencies

Field Herrington, City Attorney: Under state law (Idaho Code 67-2803(7)), local government agencies who are supported by property taxes and charter schools are exempt from paying impact fees unless the city's ordinance specifically requires those agencies to pay impact fees. The city's impact fee ordinance also contains a provision exempting local agencies and charter schools from paying impact fees. However, the current provision is difficult to find, making it difficult for staff members of other agencies to find the provision. The proposed ordinance makes the exemption a stand-alone section with a title making it easier to find.

Malloy: It's just a format change.

Motion by Malloy to place the Ordinance to Clarify Payment of Impact Fees by Public Agencies on its first and only reading by title only while under suspension of the rules. Second by Walker.

Vote: Westlund-Aye, Shove-aye, Malloy-Aye, Steigleder-Aye, Walker-Aye

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SECTION 19.04.090 AND ADOPTING A NEW SECTION 19.04.035 TO CLARIFY THAT IMPACT FEES ARE NOT APPLICABLE TO TAXING DISTRICTS AND CHARTER SCHOOLS; PROVIDING THAT REMAINING SECTIONS OF POST FALLS CITY CODE SHALL REMAIN IN EFFECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

Motion by Malloy to approve the Ordinance to Clarify Payment of Impact Fees by Public Agencies and to direct the clerk to assign the appropriate number and that it be published by summary only.

Second by Walker.

Vote: Shove-Aye, Malloy-Aye, Steigleder-Aye, Walker-Aye, Westlund-Aye

Motion Carried

- b. Police Department radio upgrade ACU

Captain Mark Brantl: The request is for the purchase and installation of equipment that will increase our ability to speak with other first responders such as fire, medical and other area law enforcement, who are not on our radio network. Currently, we have to rely on Kootenai County to be able to speak with other area first responders. With the purchase of this equipment, we would be able to control the ability to patch over to a radio channel that is not in our network. All the equipment was quoted using a competitive bid process that is used in Idaho. The quote is for \$228,265.11 and would be paid with 911 maintenance fees.

Mayor: Does it make sense to go to 700 like everyone else or is it a huge expense?

Brantl: It is a huge expense. In 2018 when we did a radio upgrade, we looked into it. It was double the cost of what we did in 2018, and we would have to join the state radio network, which the brain for that is down in Boise. So you are talking infrastructure, microwave connections down to Boise to use the radios. To buy a core (brain) is several, several million dollars. It wasn't in the cards back then and is still more expensive than we would like. This is a solution that will be cheaper and also let us talk to Fire.

Steigleder: What are the two bids?

Brantl: There is one from JPS for the black box that controls and patches the radios together. The other is from Motorola for the radios you have to have on the rack and the installation.

Motion by Malloy to approve the Police Department radio upgrade ACU.

Second by Walker.

Vote: Malloy-Aye, Steigleder-Aye, Walker-Aye, Westlund-Aye, Shove-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. Water Reclamation Facility: Tertiary Treatment Project Status Update

John Beacham, Public Works Director: This project started back in 2009 with our Draft NPDES Permit, and we are looking to it being finished in December 2025. The goals of the project are to satisfy the NPDES permit compliance schedule, anticipate increased capacity needs, maximize long-term return on investment, and to avoid duplicate future upgrades. The City strives to be a good business partner with our contracts, but in recent years, flexibility has been required with the pandemic, war in Ukraine, supply chain issues, and workforce challenges. So far, payments approved are at 89% of the project with a remaining value of work around \$2.3 million.

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.

Mayor: Congratulations to former Councilor Lynn Borders for being named Citizen of the Year.

8. EXECUTIVE SESSION

**City of Post Falls
City Council Minutes**

February 20, 2024

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.

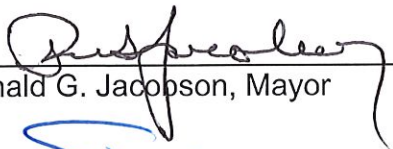
ACTION ITEMS:

None

RETURN TO REGULAR SESSION

ADJOURNMENT

6:36 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: Samantha Steigleder, Josh Walker, Joe Malloy, Nathan Ziegler, Randy Westlund , Kenny Shove

Mission
Building Community.

Vision
Creating a welcoming, sustainable, and dynamic community.

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