



**CITY COUNCIL
MEETING MINUTES**

**April 2, 2024
6:00 PM**

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

WORKSHOP – 4:30 pm Basement Conference Room

City Council - Mayor, Steigleder, Walker, Malloy, Westlund, Shove - Present
Ziegler - Excused

Planning and Zoning Commission - Steffensen, Wilhelm, Kimball - Present
Walton, Carey, Schlotthauer, Hampe - Absent

- a. Joint Workshop with Planning and Zoning Commission on Tiny Homes

Jon Manley, Planning Manager presenting: A Tiny Home is any detached residential structure (pre-manufactured or stick built) with a total living area, excluding any attached garage, of less than eight hundred (800) square feet. A discussion was held on what should be in the tiny home code.

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**

- a. Proclamation - Military Child Month

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.

- a. Amended Agenda - **ACTION ITEM**

Motion by Westlund to amend the agenda as amended.
Second by Steigleder.

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

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 – March 19, 2024, City Council Meeting
- b. Payables March 12, 2024 - March 25, 2024
- c. January Cash and Investment
- d. The Post Planned Unit Development & Subdivison Master Development Agreement
PUD-23-1/SUBD-23-4
- e. Computer equipment disposal
- f. Wastewater Capacity Replacement Fee Agreement - 6055 E. Seltice Way
- g. Fair Estates Subdivision Construction Improvement Agreement

Motion by Malloy to accept the Consent Calendar as amended.

Second by Westlund.

Vote: Malloy-Aye, Westlund-Aye, Steigleder-Aye, Walker-Aye, Shove-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. Resolution Adopting Private Road Acceptance and Memorials on Public Property Policies

WHEREAS, the City of Post Falls adopts policies to provide guidelines to ensure effective and efficient city operations; and

WHEREAS, from time to time, city staff review and update policies to ensure that the policies remain effective and

WHEREAS, city staff are proposing the adoption of the following new or amended policies; and

WHEREAS, the City Council finds it to be in the best interest of the city to adopt such policies.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Post Falls that:

Section 1. Policy Adoption.

That the following policies attached hereto as exhibits are adopted:

Description	Exhibit Number
1. Acceptance of Private Roads	1
2. Roadside and Public	2

Property Memorials

Section 2. Repeal of Conflicting Policies.

Policies that conflict with the policies adopted by this Resolution are hereby repealed.

Section 3. Effective Date. This Resolution, passed by a majority of the Post Fall City Council, shall be in full force and effect from and after its passage and approval according to law.

Motion by Malloy to approve Resolution Adopting Private Road Acceptance and Memorials on Public Property Policies.

Second by Walker.

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

Motion Carried

- b. Spokane Street Reconstruction - Recommendation of Award

Andrew Arbini, Projects Division Manager presenting: This presentation is for this item and the next. The Spokane Street Reconstruction will include replacing the asphalt pavement, relocation and replacement of fire hydrants, dry conduit installation, and surface crossing improvements at BNSF railway crossing. The lowest bid was from Interstate Concrete at \$869,050 and staff is recommending awarding the bid to them. The amendment in the engineering services contract is for a revised utility alignment under BNSF rail crossing and an increase of construction calendar days from 43 to 57. This amendment will be for an additional \$21,250. The next step is having the contractor select a construction schedule of either April-July 2024 or August-November 2024. This is in coordination with other projects and community events occurring in the area. The Idaho Department of Transportation (ITD) is showing some interest in extending the paving limits underneath I-90 to around 7th avenue.

Motion by Malloy to approve the Spokane Street Reconstruction - Recommendation of Award.

Second by Walker.

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

Motion Carried

- c. Spokane Street Reconstruction - Engineering Services Contract Amendment

Motion by Malloy to approve the Spokane Street Reconstruction - Engineering Services Contract Amendment.

Second by Walker.

Vote: Walker-Aye, Shove-Aye, Malloy-Aye, Westlund-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. Contract for Impact Fee Update Phase I

Bob Seale, Community Development Director, presenting: Impact fees are payments required by local governments for new developments for the purpose of providing new or expanded public capital facilities required to serve the community and new developments. The fees are used to shift the costs of financing public facilities from the general taxpayer. Growth pays for growth. Development impact fees shall not be used for any purpose other than system improvement costs to create additional improvements to serve new growth. Collected development impact fees must be expended within 8 years from the date they were collected. City Council in 2023 directed staff to begin a new expanded study with primary topics to be covered are growth, parks, transportation, police, scaling residential fees, development land use categories, annual fee escalation. The anticipated total cost for phase I is \$115,890 with the funding for the study to come from impact fees already collected.

Motion by Malloy to approve the contract for impact Fee Update Phase I.

Second by Westlund.

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

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. 2023-24 Snow Operations Report

Ross Junkin, Maintenance Manager presenting:

This Winter's Totals

- 4 plowable winter storms (1 residential plow)
- 20 anti-icing applications (73,114 gallons applied)
- 3 ice slicer applications (66 tons placed by the City and 71 tons placed by the Post Falls Highway District)

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.

None

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:

- a. Idaho Code 74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated.

Motion by Westlund to enter into Executive Session pursuant to Idaho Code 74-206(1)(f) to communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated, further that no action will be taken during the session and the session will last no longer than 30 minutes.

Second by Malloy.

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

Motion Carried

Entered in to Executive Session at 6:35pm.

Exited Executive Session at 7:16pm.

RETURN TO REGULAR SESSION

9. UNFINISHED BUSINESS

ACTION ITEMS:

April 2, 2024

- a. Water Reclamation Facility Tertiary Treatment Project - Change Order #68 with Sletten Construction

John Beacham, Public Works Director presenting: This amendment will add 115 days to the contract. There is a milestone on April 22, 2024, to complete most work. This moves substantial completion to June 21, 2024. Allows 30 days for punch list items. The price is reduced by \$50,000 if the final deadline is missed. It retains other contractual remedies. This will allocate the cost share for the membrane filtration equipment supplier costs. The City will pay the contractual escalation in the amount of \$42,812 and the storage will be split at \$131,600 by the City and \$80,000 by Sletten.

Motion by Malloy to approve the Water Reclamation Facility Tertiary Treatment Project - Change Order #68 with Sletten Construction.

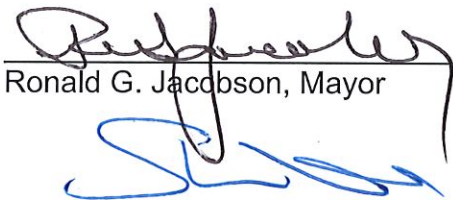
Second by Westlund.

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

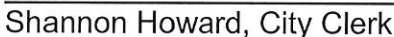
Motion Carried

ADJOURNMENT

7:25 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.