



**CITY COUNCIL
MEETING MINUTES**

**April 16, 2024
6:00 PM**

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

WORKSHOP – 5:00 pm Basement Conference Room

- a. Panhandle Affordable Housing Alliance and Hayden Homes

ROLL CALL

Present: Mayor Jacobson, Steigleder, Malloy, Ziegler, Westlund, Shove

Excused: Walker

Deborah Flagan of Hayden Homes and Maggie Lyons of PAHA presented on the status of affordable housing in the Post Falls area. They reviewed the gap between affordability in the City of Post Falls and market prices homes in the area. The affordability gap is approximately \$120,000. They discussed how cities can support reducing the cost of building affordable housing in several ways. Deed restrictions were also presented as a possibility to ensure homes will be resold in the affordable range. Hayden Homes and PAHA are partnering on a 28 home development south of Prairie on Greensferry for their deed restricted home project called Miracle on Britain.

Workshop Ended at 5:50pm

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

Present: Steigleder, Malloy, Ziegler, Westlund, Shove

Excused: Walker

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

The City will celebrate Arbor Day on April 20th at Tullamore Park at 9am. The first 100 attendees who visit the educational stations will receive a free tree. The Community Recycle Day and Residential Clean Up will take place on Saturday, April 27th. Visit the City's website for more details on these events.

- a. Proclamation - Arbor Day 2024

- b. Proclamation - Fair Housing Month
- c. Proclamation - World Wish 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.

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 – April 2, 2024, City Council Meeting
- b. Payables March 26, 2024 - April 8, 2024
- c. February Cash and Investments
- d. Acceptance of Property - Rights-of-Way and Easement - 4th & Idaho Roundabout
- e. Acceptance of Property - Rights-of-Way and Easement - Zorros Road, Harvest Avenue and Fennecus Road
- f. Acceptance of Property - Rights-of-Way and Easement - Prairie/Zorros Roundabout
- g. Pinion Park Roadway Frontage Improvements Construction Improvement Agreement
- h. Woodbridge Park Concrete Contract with Five Star Concrete

Motion by Malloy to accept the Consent Calendar as presented.

Second by Ziegler.

Ayes: Steigleder, Malloy, Ziegler, Westlund, Shove

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. Idaho Community Development Block Grant Application for Warren Field Park Road Frontage Improvements, Fair Housing Resolution, and Citizen Participation Plan

Public Hearing opened at 6:07pm

Staff Report

Robert Seale, Community Development Director Presenting: The grant application is a joint effort between Community Development, Parks, and Administration. The City is requesting approval of our application for the Idaho Community Development Block Grant for Warren Field Park Road Frontage Improvements, the Citizen Participation Plan, and the Fair Housing Resolution. Warren Field Park is a centrally located park in the downtown area that is used for sports. The deficiencies include no ADA ramps, no formal parking stalls, no ADA parking stalls, no swale drainage, and no sidewalks. Right now, parking on the site is haphazard at best. Improvements to the park are included in the City Center parking plan. Improvements would be to 2nd Avenue and North Idaho Street. The grant funds and city funding will not allow us to do the 1st Avenue improvements at this time. The total grant request is \$325,000 with \$80,000 from the City from our Fees In Lieu of Parking fund and some in-kind contributions by city staff. Project costs were reviewed in more detail. If approved and if the grant application is successful, we would begin design in June of this year. Construction would begin in May 2025, with completion of the project at the end of 2025. The beneficiaries of this project include the surrounding low-and-moderate income neighborhood. The park is visited by 10,000 people per year which would benefit from the improvements. The project benefits are the ADA improvements and it aids access to park facilities and activities. Without the CDBG funding, this project is less likely to be completed. Questions on the application?

Ziegler: If one of the objectives of doing the improvements is ADA accesiblity, the existing play structure is far from the proposed improvements, how do we reconcile that?

Seale: There is an existing internal pathway from that northern side that does lead down from the 2nd Avenue parking side. There is more use of the 2nd Avenue side.

Ziegler: Its more heavily used as in traffic or people are parked on it?

Seale: People park on it. The Citizen Participation Plan outlines how many public hearings are required and the parameters of those. This is the first public hearing. There was a notification of the hearing in the Coeur d'Alene press. The second public hearing will be a status update. It also requires that staff are familiar with the complaint procedures. There were some previous Council questions about the Fair Housing Resolution. Familial status is basically protecting families and people with children as defined in the Fair Housing Act. The Fair Housing Assessment is a questionnaire that would have been filled out by city staff. The last one was completed in 2017. We just completed a new assessment, filled out by our Fair Housing Officer Jon Manley. The sample language for the resolution is required verbatim for the grant application. Questions?

Testimony

In Favor - None
Neutral - None
In Opposition - None

Hearing closed at 6:18pm

Jacobson: Just to give everyone some background on Warren Field Park. The City got a pretty good deal on that park. 35 years ago, Earl Warren lived just north of the park. Bob Templin worked out a deal with Earl for that property to be donated to the city. My wife and I were one of the many neighbors that went and picked rocks out of the field, to make it a usable field. It was just an overgrown field at the time, it became a ball field. I met someone there six years ago for something and was amazed at the number of kids who were playing on that field. The parking is always an issue there. I would love to see it brought up to city standards.

Ziegler: Applying for a grant keeps it affordable to us, its a gem of a park right now down there. It makes sense to me.

Fair Housing Resolution:

LET IT BE KNOWN TO ALL PERSONS OF the City of Post Falls that discrimination on the basis of race, color, religion, sex, national origin, handicap, or familial status in the sale, rental, advertising, leasing or financing of housing or land to be used for construction of housing or in the provision of brokerage services is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law) and the Fair Housing Amendments Act of 1988.

It is the policy of the City of Post Falls to encourage equal opportunity in housing for all persons regardless of race, color, religion, sex, national origin, handicap, or familial status. Therefore, the City does hereby pass the following Resolution.

BE IT RESOLVED that within available resources the City will assist all persons who feel they have been discriminated against because of race, color, religion, gender, national origin, handicap, or familial status to seek equity under federal and state laws by referring them to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

BE IT FURTHER RESOLVED that the City shall publicize this Resolution and through this publicity shall encourage owners of real estate, real estate brokers and sellers, rental owners, rental property manager, lenders, developers, builders, home buyers, and renters to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

SAID FAIR HOUSING PROGRAM will at a minimum include: 1) publicizing this resolution; 2) posting applicable fair housing information in prominent public areas; 3) providing fair housing information to the public; 4) preparing a fair housing assessment; and 5) declaring April as Fair Housing Month.

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

Motion by Malloy to Approve the Idaho Community Development Block Grant Application for Warren Field Park Road Frontage Improvements, Fair Housing Resolution, and Citizen Participation Plan.

Second by Ziegler.

Ayes: Malloy, Ziegler, Shove, Steigleder, Westlund

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. Water Reclamation Facility Tertiary Treatment Project – Amendment to the Professional Services Agreement with J-U-B Engineers

Andrew Arbini, Public Works Projects Division Manager Presenting: My presentation this evening is two contract amendments related to the Tertiary Treatment Improvements project. Four years ago we bid the Tertiary Treatment project. The project has been impacted by multiple events. Most of these impacts have been presented to Council with recommendations from staff on how to move forward as a result of the delays. On April 2nd, Council approved a contract change order with Sletten to extend the project. The DEQ deadline was March, 29, 2024. We will have a future additional discussion about the denial of another extension by DEQ of that deadline. Tonight's request is for construction management services, amendment 9, provides the necessary level of services through closeout of the project. Staff is retaining the existing \$85,000 in contingency funds. The second amendment request tonight is with PAC, who are providing wage compliance services as a result of prevailing wage requirements for this project. The amendment is \$8,600 with a contingency retained there as well. We are not anticipating significant impacts to other projects due to these amendment costs. There's about a 12% increase in total project costs over the past four years. The next steps are continuing to work toward project completion and the IDEQ schedule discussion.

Jacobson: if we get the first two operational by mid-May, what is the actual-expected completion date at this point?

Arbini: Substantial completion is June 21st, final completion July 21st

Jacobson: So we should see the end of this project by end of summer.

Steigleder: What was the original contingency percentage? Don't we usually do 10%, is that correct? Have we used all of our contingency yet?

Arbini: Correct. So total project costs, all of the various contract represent 12%. I did not include JUB, All West, and PAC contingencies in this chart as this was a carry over from last council meeting.

Motion by Malloy to Approve the Water Reclamation Facility Tertiary Treatment Project – Amendment to the Professional Services Agreement with J-U-B Engineers.

Second Westlund.

Ayes: Malloy, Ziegler, Shove, Steigleder, Westlund

Motion Carried

- b. Water Reclamation Facility Tertiary Treatment Project – Contract Amendment with Panhandle Area Council

Motion by Malloy to Approve the Water Reclamation Facility Tertiary Treatment Project – Contract Amendment with Panhandle Area Council.

Second by Westlund.

Ayes: Malloy, Ziegler, Shove, Steigleder, Westlund

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:

None

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. 2024 Legislative Session Review

Warren Wilson, Deputy City Administrator Presenting: I want to begin with a brief summary of what staff does during a legislative session. This session just wrapped up. We meet as staff in the fall and talk about what we anticipate moving forward, and we talk about things we think might be coming. Typically, one or two of us go to Boise to meet with AIC, so we have as much advance information as possible. In January, we start monitoring bills. Typically, it starts slowly with one or two per week that are relevant to the city. By mid-February, there are dozens of bills each week that are relevant to the city that we are asking if it is something we are going to take into account. The last two sessions we have used a lobbyist in Boise to help us, as we are not close to Boise and can't readily get to the hearings and they give us information about what's happening in the session. In early January this year, we went to Boise to meet with the leadership and many of the legislators to work on the penalties and interest issue. That's typically what we do. We monitor bills and see what we are going to do. If there's something we are going to weigh in on, we try to put together a draft letter and run that by the Mayor before sending it to the relevant legislators. If it's allowed, we sign up to testify remotely. I'm going to quickly look at

some of these bills. House Bill 466 changes license requirements that may affect the city. It may nominally increase our costs on projects. House Bill 508 adds Emergency Communications Officer supervisors to the rule of 80 for retirement. House Bill 538 allows employees to sue if a city disciplines an employee for refusing to call a customer by preferred title/pronoun or preferred name. House Bill 545 is more of an issue for the Boise area, but the language they used is strange, and it is difficult to see how it will be applied. It will prohibit cities from forcing property owners to participate in federal housing assistance programs. House Bill 571 will have an impact on our public works construction. It increases public works contractors license exemption from \$50K to \$100K. House Bill 572 prohibits cities from adopting a guaranteed income program. House Bill 588 changes response time to public records requests based on where you live. House Bill 590 provides residents within an established mobile home park more time to respond if the owner of the park is planning to sell. Now owners have to provide notice 15 days before a purchase agreement. House Bill 620 prohibits cities from regulating knives outside of police facilities. House Bill 638 changes ITD/LHTAC management of funds and the threshold for match on funds. Senate Bill 1260 is related to uncontested council seats. Senate Bill 1291 prohibits cities from doing business with certain types of organizations that are boycotting specific issues. Senate Bill 1293 deals with city initiated annexation without unanimous consent. The bill now has a threshold of up to 60% of owners within the annexation area representing 50% of the land mass. That's probably a threshold we wouldn't be able to get to. The practical change is in the definition of a residential enclave. It reduces size of residential enclaves from 100 to 30. Senate Bill 1403 changes significantly the Areas of City Impact. The bill states ACI can only be areas likely to be annexed within five years. You can't have overlapping ACIs, which we currently have with Hayden and Rathdrum. The bill also removes the requirement for negotiating ACIs between cities with the County as a moderator.

b. City of Post Falls - Traffic Signal Operations

Robert Palus, Assistant City Engineer Presenting: Back at your first meeting in March there was a public comment with concerns about how traffic signals operate in the region, specifically on HWY 95. They were promoting that the local jurisdictions should take over the programming and control of the traffic signals from the Idaho Transportation Department (ITD). Tonight I am going over what the city has for a traffic signal system and how we program and operate our systems and coordinate with ITD. We have a little over 500 lane miles of road. We have 12 roundabouts, and we own over 20 traffic signals. ITD has 19 traffic signals in the City of Post Falls, most along the I90 corridor and along HWY 41. There are three sections where it makes sense to coordinate signals between the two entities. 75% of ITD's signals are on coordinated systems, 25% of ours are coordinated with ITD. We predominately use video detection on our signals for timing. The other option is radar, but it is more expensive and not as reliable. We have the software to time signals ourselves, but it takes quite a bit of staff time to do so. Questions?

Westlund: Where we have traffic signals that are ITD and some that are ours. Are they already coordinated with each other?

Palus: That is correct. We maintain a good working relationship with the traffic coordination team at ITD. If there is a complex timing problem, we do often contract with a local consultant to do that advanced work.

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.

Steigleder: I have an item I would like to put to Council and the Mayor. Are we interested in asking staff to make exit interviews as a standard for city staff when employees leave our employment? So that we continue to be a good employer and so we can understand why they are leaving.

Westlund: Makes sense to me. The more information we have the better decisions we can make with hiring.

Malloy: So it's not standard practice to do exit interviews?

Shelly Enderud, City Administrator: Its not standard practice.

Malloy: What would be any cons to doing so?

Enderud: The only con some of the time would be the employee themselves refusing to do them. They used to do them when I first started here. I'm not sure why we stopped doing them. We can go back to HR and talk about it. I'm not sure if that's an item you want brought back to Council?

Jacobson: If Council agrees, can we ask staff to talk to HR and bring that back.

Ziegler: I think that probably is best practice, but it should not be a requirement. A lot of it should be at the discretion of how the employee is leaving. Because there are some people that just need to go, it could be more of an issue than we want to delve into. As best practice, it's good but not as a requirement.

Jacobson: Certain situations, if we get our insurance carrier ICRMP involved, and there's an investigation, you are looking at making sure we work with ICRMP to do things properly. So if someone is terminated, would we do an exit interview at that point?

Enderud: Likely if we were terminating we wouldn't do an exit interview, and we wouldn't do seasonal either.

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

Adjourned at 7:09pm



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.