



**CITY COUNCIL
MEETING MINUTES**

**July 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. Budget Workshop

Randy Westlund, Josh Walker, Joe Malloy, Nathan Ziegler – **Present**
Kenny Shove, Samantha Steigleder – **Excused**

Deputy City Administrator Warren Wilson and Human Resources Director Janet Best presented on Department Head Comparisons and the FY 25 Budget. For the comparison of the Department Head compensation, ten cities were used based on similar populations to Post Falls and proximity to Post Falls with a similar cost of living. Based on the results, Department Heads were separated into three separate grade levels for a proposed new designation of Grades: 20, 21, and 22. Another piece of this is that the IT Division will be transitioning to an IT Department with a new Department Head, who will be added to these grades (which may be adjusted in time for his position). The Department Head Contracts will be executed going forward using a base template. This ensures that the contracts are in compliance with employment law and are fairly uniform. Some contracts may vary slightly due to the specific position or terms that were negotiated in prior contracts. The fiscal Year 2025 budget is going to be a tough budget year due to escalating costs and decreasing revenues. The decreasing levy rate means less new construction and annexation revenue. Staff recommend a four percent general fund budget increase. For a home assessed at \$650,000, there would be approximately a \$44 increase in property taxes for the year. This is the proposed budget for the hearing in August.

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

Randy Westlund, Josh Walker, Joe Malloy, Nathan Ziegler – **Present**
Kenny Shove, Samantha Steigleder – **Excused**

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

Jacobson: River City Market and Music begins tomorrow, July 17th at Landings Park. This is a six-week event every Wednesday from 5-8 PM. The next Movie in the Park event will feature "Wonka" on Friday, July 26th at Tullamore Park, starting at 7 PM.

- a. Employer Support for the Guard and Reserves - Employer Patriot Award for Bryan Myers

Jacobson: The Employer Patriot Award which was on tonight's agenda has been rescheduled to a future meeting.

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.

Motion by City Council Malloy to remove item 3c Fiscal Year 2025 Budget Resolution from tonight's agenda tonight and bring it back at the next meeting.

Second by City Council Westlund.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council Westlund

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 – July 2, 2024 City Council Meeting
- b. Payables 6/28/24 - 7/11/24
- c. Landmark Place Grant of Right-of-Way and Easement for McGuire Rd. File No ANNX-0003-2019
- d. Millsap Landing Subdivision Plat Application
- e. Tedder Business Condominiums Plat Application

Motion by City Council Malloy to accept the Consent Calendar as presented.

Second by City Council Westlund.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council

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. Mountain View Bible Church (MVBC) File No. ANN-23-6

Public Hearing Opened at 6:03 PM

Ethan Porter, Associate Planner Presenting: This is the request of Stonehenge on behalf of Mountain View Bible Church to annex approximately 3.6 acres (including the dedicated rights-of-way) into the City with a requested zoning of Limited Commercial (LC) zoning. The property is on the south-east corner of Prairie Avenue and Chase Road. Surrounding current uses are primarily single-family homes. The site is currently a church and a single-family home. The property is in the Central Prairie Focus Area and is within a commercial node on the future land use map. Comprehensive goals and policy alignment for the zone change was reviewed.

Westlund: We don't have a sewer line up there currently. We are waiting on the Fischer Lift Station. Do we know when we are doing that expansion?

Robert Palus, City Engineer: The Water Reclamation Department is looking at doing that Fisher Lift Station and upgrades around 2025-2026, but that is an estimate at this point. In 2022, when we widened some of Prairie Avenue, we put in some sections of that sewer. We need to get it the rest of the way down Chase from Prairie and over to the Fischer Lift Station. We do know it is needed and if this is annexed, some of the right-of-way and easements would help with that project.

Connie Krueger on behalf of the Applicant Presenting: We are located at Chase and Prairie. The property to the left is the developed church. The plan is to expand to the east with the second property. The area is surrounded by Post Falls, so it incorporates a near island into the city. It is consistent with the City's future land use plans. Mountain View Bible Church's vision is to serve the residents of Post Falls. Most of their new membership live within about a mile of the church. They offer support services and programs to their membership. There is a need to expand those offerings and space to do so, as well as parking expansion to the east. Parking for churches is impactful to the surrounding neighborhood, so they want to accommodate that onsite. There is an onsite septic system that cannot accommodate additional use, which is a motivating factor for seeking annexation. The concept drawing of the development plan was viewed. Right-of-way dedication and some issues with those were discussed.

Testimony

In Favor:

Janet Liesenfeld and Tanya Williams, Post Falls (Not wishing to speak).

Russell Livengood, Post Falls (Not wishing to speak). It would be a blessing to help our church grow our community service by granting the zoning and annexation request.

Zach Kemper, Post Falls: I'm one of the Pastors at Mountain View Bible Church. We were founded in Post Falls in 1978. We have been at our current location since 1980. Our recent growth has been primarily from nearby houses. Our current size limitations of our facility are hindering our ability to serve and minister to the people in this area, which is why we are seeking to annex into Post Falls. We are excited about being in the Post Falls area.

Jeffrey Rachoy, Newman Lake: I am the Vice Chairman of the board of elders at Mountain View. We have kids' clubs and summer kids' clubs. They are better attended by community members than even people from our own church. Our church provides a kids' club throughout the school year. This last year we served 160 kids and 81 percent were not people who attend our church regularly. For the past 13 years at Post Falls High School, we go in with the Alive Club and support them and have conversations with them. We also have a Finding Hope support group which supports loved ones who have someone struggling with addiction. We would love the opportunity to be officially part of the Post Falls community.

Neutral:

None

Opposed:

None

Public Hearing Closed at 6:30 PM

Review Criteria

Do you support the annexation of this property?

Walker: I think so, it's a county pocket, and it would be good with the right-of-ways coming in to help connect that sewer.

Malloy, and Ziegler: Yes

Westlund: Yes. This is exactly what our plan recommends.

Is the proposed zoning district consistent with the Future Land Use Map and Focus Area contained in the currently adopted Post Falls Comprehensive Plan?

Malloy: It doesn't get more consistent. It is in the commercial node. It meets all the criteria for providing extension of utilities and pedestrian facilities.

Ziegler: Agreed.

Westlund: Limited commercial in a commercial activity node serving nearby residential. It's exactly by the book.

Walker: I agree.

Is the proposed zoning district consistent with the goals and policies contained in the currently adopted Post Falls Comprehensive Plan that are relevant to the area under consideration?

Malloy: Yes, its focusing commercial activity along Prairie Avenue. Patterns are going to be well served by the primary and minor arterial.

Ziegler: An additional benefit to this proposal is the activity is already there.

Does the proposed zoning district create a demonstrable adverse impact upon the delivery of services by any political subdivision providing public services within the city?

Malloy: In the case of the acquisition of right-of-way, it actually helps the city with providing the sewer services. The concern is always traffic. There's an existing use. It's just going to expand a bit, but it's not like a commercial shopping center that's going to be in and out all the time. The traffic impact is going to be minimal.

Motion by City Council Malloy to Approve the Mountain View Bible Church File No. ANNX-23-6 and that it be assigned Limited Commercial Zoning.

Second by City Council Walker.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council 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. 6th Avenue Stormwater Additional Services Agreement

Craig Borrenpohl, Utilities Manager Presenting: This is the additional services agreement for the 6th Avenue Stormwater project. The City Water Reclamation Division manages our stormwater permit including the requirements of the MS4 Permit. That permit covers anywhere the stormwater enters the Spokane River. The permit requires the city to submit a pollutant reduction activity. The city has selected and submitted activities reducing MS4 area along 6th Avenue. The proposed project removes catch basins which connect storm drains to the Spokane River, it constructs swales within the city right of way and will reduce the overall pollutant load to the 4th Avenue MS4 outfall. The total amount requested is \$71,500, which will be funded through the 6th avenue Stormwater Project Budget. The construction contract will be brought back for approval by council. This services agreement is for engineering, design, and bidding primarily.

Westlund: Will this have any negative impacts for the property owners on this street?

Borrenpohl: We need to finalize the design, but essentially, what we'd be looking to do is, the right of way includes flat grassy areas. We would be excavating that down, allowing for some infiltration storage. Looking at the existing use of the area, most individuals just have their swales as regular grass, so we wouldn't really be changing that use much. It is city right of way, so we do have rights to make those changes.

Westlund: Do we already have curbs installed along that road?

Borrenpohl: We do.

Westlund: Do we have to take those out as part of it?

Borrenpohl: We don't.

Motion by City Council Malloy to Approve the 6th Avenue Stormwater Additional Services Agreement.

Second by City Council Ziegler.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council

- b. Tiny Home Performance Standards Ordinance (TA-23-2)

Motion by City Council Malloy to place the ordinance Tiny Home Performance Standards Ordinance (TA-23-2) on its first and only reading by title only while under suspension of the rules.

Second by City Council Ziegler.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council Westlund

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR AMENDMENT TO MUNICIPAL CODE SECTION 18.12.010 DEFINITIONS; PROVIDING FOR A NEW CODE SECTION 18.24.034 TITLED TINY HOME RESIDENTIAL PERFORMANCE STANDARDS; 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 City Council Malloy to Approve the Ordinance Tiny Home Performance Standards (TA-23-2) and to direct the clerk to assign the appropriate number and that it be published by summary only.

Second by City Council Ziegler.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council Westlund

Motion Carried

- c. Fiscal year 2025 Budget Resolution

This item was removed from this agenda by a vote during amendments to the agenda.

- d. 12th Avenue Forcemain – Over Excavation Change Order #4

Andrew Arbini, Public Works Projects Division Manager Presenting: We are requesting and recommending approval of change order four for the 12th Avenue Forcemain Project for over excavation. The forcemain is about one mile long from highway 41 to Sugar Maple Lane, with both a 12 and 16 inch line. Current progress to date is about fifty percent complete of both forcemains. They are nearing the Cecil intersection. There has been overall success with the public and traffic along this corridor. At the start of the project, the contractor potholed known utility crossings identified in the design plans, which revealed conflicts. Staff found that installing pipes below the conflicting utilities was the best solution. The total request for this change order is \$283,730, which is in addition to the remaining contingency. Even with the change order adding 21 contract days, we still anticipate the project to be complete by the end of this summer construction season.

Malloy: Are the utility maps being updated with the current depths and locations?

Arbini: That is always the goal. When we close out our projects, we get a set of record drawings that reflect what was done in the field. That is also updated in our GIS system. This is one phase of several phases and we are learning a few things and will hopefully spend additional time in the

future projects to explore the utilities additionally.

Ziegler: The engineers' budget for this project was about \$3 million, but the low bid was \$1.2 million, so was the budgeted amount we have allocated for this from the engineers' estimate?

Arbini: Correct. This project was budgeted in the FY24-25 budget. When we are putting together those budgeted requests, they are conservative estimates. We were pleasantly surprised to find the bids at this level for this project. We still kept the original \$3 million budgeted amount despite the lower bid.

Ziegler: So that money already there?

Arbini: Correct. This change does not impact future projects' ability to complete other capital wastewater projects.

Motion by City Council Malloy to Approve the 12th Avenue Forcemain – Over Excavation Change Order #4.

Second by City Council Ziegler.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council Westlund

Motion Carried.

- e. Title 18 and 18A Housekeeping Ordinance (TA-24-1)

Motion by City Council Malloy to place the Ordinance Title 18 and 18A Housekeeping (TA-24-1) on its first and only reading by title only while under suspension of the rules.

Second by City Council Westlund.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council Westlund

Motion Carried

AN ORDINANCE AMENDING SECTIONS OF TITLE 18 ZONING, THE MUNICIPAL CODE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, IDAHO; AMENDING 18.20.130 – SITE PLAN REVIEW; AMENDING 18A.20.070 – BUILDING CONFIGURATION; PROVIDING SEVERABILITY; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE BY SUMMARY AND PROVIDING AN EFFECTIVE DATE.

Motion by City Council Malloy to Approve the Ordinance Title 18 and 18A Housekeeping (TA-24-1) and to direct the clerk to assign the appropriate number and that it be published by summary only.

Second by City Council Westlund.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council 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:

- a. Engineering Services Agreement for the Seltice Way Rehabilitation and Pipeline Project

Andrew Arbini, Public Works Projects Division Manager Presenting: This is a new project, Seltice Way Rehabilitation and Pipeline Project. This is an engineering services agreement with JUB Engineers. The project limits are Chase Road and McGuire Road. The current pavement condition is poor to fair. Interim repairs and patching have provided a temporary fix. There was a 2020 Geotechnical analysis to evaluate the current condition. This project was budgeted as a capital improvement project in both the FY 24 and 25 budgets. This project was identified in the WRF Headworks Feasibility Study report for the pipeline installation. The estimated total project cost is \$10 million, budgeted primarily between Wastewater and Streets Capital Improvement funds. The agreement tonight is for a design analysis of the roadway repair extent. The engineering agreement is for \$742,700. There is a Management Reserve to be used as a contingency in the amount of \$108,900. The total request tonight is \$851,600. JUB would have the completed design and bid ready documents by Spring of 2025.

Ziegler: What's the age of that roadway now?

Arbini: I know that we have done chip seal improvements over the years.

Rob Palus, City Engineer: The original concrete is probably from the 1930s. The more recent asphalt is from the 1990s with an Urban Renewal Project.

Arbini: I've heard somewhere along the line in 1980 the craven seed of the concrete roadway occurred then resurfacing over the years with layer and layers. That's part of the issue. There's delamination of those layers.

Malloy: I like that this project kills two birds with one stone because we need to be able to use the re-use property, hopefully, later than sooner, to meet our permits. It's important to get that in. Getting it all done at once makes sense.

Motion by City Council Malloy to Approve the Engineering Services Agreement for the Seltice Way Rehabilitation and Pipeline Project.

Second by City Council Ziegler.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council Westlund

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.

None

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 City Council Malloy 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 that the session will last approximately eight and a half minutes.

Second by City Council Ziegler.

Ayes: City Council Walker, City Council Malloy, City Council Ziegler, City Council Westlund

Motion Carried

Executive Session Entered at 7:06 PM

Executive Session Exited at 7:18 PM

RETURN TO REGULAR SESSION

ADJOURNMENT

Adjourned at 7:19 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

**City of Post Falls
City Council Minutes**

July 16, 2024

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

Mission
Building Community.