CITY OF POST FALLS

CITY COUNCIL MEETING MINUTES

August 6, 2024 6:00 PM

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

WORKSHOP – 5:00 pm Basement Conference Room

a. Post Falls School District Funding Discussion

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

Post Falls School District Superintendent Dena Naccarato presented Public School Funding in Idaho and in the Post Falls School District. 76% of public school funding for Post Falls comes from the state. The remainder is from federal and local sources. Bonds are for building, levies are for learning. There have been recent challenges with teacher salaries due to proximity to Washington and the high cost of living. State funding only covers part of Post Falls teacher's salaries. Enrollment has been down in Post Falls in the last two years. Idaho Public School funding is based on attendance and funded by units.

Workshop adjourned at 5:49 PM

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

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.

Motion by City Council Ziegler to remove from this agenda items 1e, 3b, and the Executive Session.

Second by City Council Steigleder.
Ayes: City Council Ziegler, City Council Shove, City Council Steigleder, 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 16, 2024, City Council Meeting

b. Payables 7/18/24-8/6/24

c. May Cash and Investments

d. Prairie Trail Improvement Agreement Addendum #1

Item 1e was removed from this meeting in amendments to the agenda.

Motion by City Council Ziegler to accept the Consent Calendar as presented.
Second by City Council Westlund.
Ayes: City Council Ziegler, City Council Shove, City Council Steigleder, City Council Westlund
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:

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. WRF Biosolids Hopper and Biofilter Modifications Project - Construction Contract Award

Craig Borrenpohl, Utility Manager Presenting: This is a request to award the construction contract for the Water Reclamation Facility Biosolids Hopper Biofilter Modifications Project. The project history, including the previous informal bid process that was held and, subsequently, all bids were rejected, was reviewed. The scope of the project was increased for the formal bid process. The goal of the proposed project is to isolate the load out auger to prevent solids from falling outside after each cycle, to reduce odors through the biofilter media replacement, and to fix the distribution piping. Apollo Inc is the apparent low bidder. The engineer and staff recommend awarding the contract to Apollo Inc. Total contract amount is $481,040.45, funded through the WRF Odor, Solids, and Dewatering Project Budget.

Jacobson: Are you comfortable with the dollar amount that the bids came in at, is that within your estimate?
Borrenpohl: We are, we were excited to see this bid number.
Jacobson: I had a citizen stop me and said they were driving by the plant and that the odor has been somewhat noticeable lately. Do you think that will be addressed with the replacement of the Biofilter?
Borrenpohl: We are always seeking to address the odors. The boifilter has been online for eight years. We've been working there for forty years. The media has met its end of useful life, so we expect replacement will help with that.
Field Herrington, City Attorney: I want to clarify that the initial bids were too high for the informal bidding process which triggered us to go through the formal bidding process.

Motion by City Council Ziegler to Approve the WRF Biosolids Hopper and Biofilter Modifications Project - Construction Contract Award.
Second by City Council Westlund.
Ayes: City Council Ziegler, City Council Shove, City Council Steigleder, City Council Westlund
Motion Carried

b. Alcoholic Beverage Fees

This item was removed from this meeting under amendments to the agenda.

c. Spokane Street Rehabilitation – Contract Change Order 1 to Extend Paving Limits

Public Works Projects Division Manager Andrew Arbini Presenting: This is the Spokane Street Rehabilitation Contract Change Order 1 to Extend Paving Limits in agreement with ITD. Following the original project contract award, ITD reached out to the city requesting to extend the city's Spokane Street paving limits to address maintenance work that was under their jurisdiction. Last month, Council approved the ITD cooperative agreement authorizing ITD to pay the city $700,000 for the extended pavement portions. Tonight is for the negotiated contract change to add the paving limits. The change order cost is $421,660.65 and adds 7 days to the contract. The total change order 1 amount, which includes a 10% contingency and the engineering and CMS work, is $553,826.65, which would be paid out of that lump sum payment by ITD. The planned project start is September 3, 2024. They expect project completion by November 2024. There will be traffic revisions and I-90 ramp closures. It will include day and nighttime work. We will be publishing notices through the city's social media and updates.

Jacobson: $700,000 from ITD. If we spend $553,000, do we get the balance of that and apply it to our project?
Arbini: That was not clearly defined in the agreement, so we will have to revisit with ITD.
Jacobson: Also, the project completion date is November. Isn't that getting late for laying asphalt?
Arbini: We are bumping into the end of the year. Looking at the latest schedule, paving and striping is in late October.
Steigleder: Is this a different contractor than who is doing the HWY 41 interchange?
Arbini: It is.
Steigleder: Do they have any intention of working together so that we don't have no exits or on ramps from Pleasant View to Northwest?
Arbini: When this conversation started with ITD, that was one of the "no go" situations. If we were not able to close the Spokane Street ramps, ITD communicated to us that the 41 and I90 project will take precedent, and they do have intermittent closures planned. We have reached out to the contacts at ITD, it appears we can work through the timing of that and ITD would have the final say on whether we could close the ramps on Spokane Street.

Motion by City Council Ziegler to Approve the Spokane Street Rehabilitation – Contract Change Order 1 to Extend Paving Limits.
Second by City Council Westlund.
Ayes: City Council Ziegler, City Council Shove, City Council Steigleder, 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. FIscal year 2025 budget resolution

Finance Director Jason Faulkner Presenting: I'm asking for approval of the resolution, so I can advertise for the budget hearing that is upcoming. The budget hearing will be on August 20th. We'll have the budget hearing at that time, the fee hearing, and we will be discussing foregone at that meeting. This resolution gets the advertising going so we can start the kickoff.

Jacobson: This is the high-water mark, correct?

Faulkner: Correct.
Steigleder: With this motion we are not agreeing to any of the specifics that are in the budget, correct?
Faulkner: No, this is strictly for advertising. What Idaho requires is it shows the actual of the two years prior, the current budget that we are in, and the proposed budget that we are advertising for.

Motion by City Council Ziegler to Approve the FIscal year 2025 budget resolution.
Second by City Council Westlund.
Ayes: City Council Ziegler, City Council Shove, City Council Steigleder, City Council Westlund
Motion Carried

b. Addendum #1 to Development Agreement Point Zone Change (RZNE-0001-2022)

City Engineer Robert Palus Presenting: I'm asking for approval for the Addendum #1 to the Development Agreement for the Point Zone Change. The original Development Agreement was entered into in August 2022. In that agreement, the developer was required to perform a sewer study before moving forward with any multifamily development. The study was completed in late 2023 and identified some impacts that needed to be addressed. The Sysco Lift Station had a design capacity of 500 gallons per minute. At the projected build out for the Sysco Lift Station, with this 16 acre multi-family, we would see peak flows at about 452 gallons per minute. The city operates under the peak flow and then increasing that by 20% so we have a factor of safety in there for reserve capacity. The report identified that there was some private and public responsibilities to increase capacity and perform some upgrades and design standard considerations. Normally, when we exceed 500 gallons per minute, we require three pumps into that lift station and some other improvements. The city then had to negotiate a new agreement with the development for these considerations. That brings forward the addendum tonight. The developer will be responsible for providing one pump, completing electrical upgrades, and completing flow meter installation.

Jacobson: So basically, this was an agreement we already approved, but now we are making sure the infrastructure is capable of meeting the standards as required.
Palus: Correct. We are making sure the city is protected in getting these improvements.
Westlund: We have two pumps on that station now, and we need to go to three?
Palus: There isn't room in the existing wet well to put three pumps in there. If it's a two pump configuration, either pump needs to be able to handle the peak flows. If you go to a three pump configuration, your two weakest pumps have to be able to handle any of the flows. In this case, we are saying either pump can handle the current flows, but if something goes wrong, we have a spare at the treatment plant, that we can get a replacement pump out there relatively quickly.
Ziegler: Do we have cost estimates of the 550 gallon per minute pump?
Palus: No, we do not at this time. That's one of the reasons for the required preliminary engineering report.
Ziegler: So when we get that report and know that amount, will the cost of the pump come back to council for approval, or is that part of what we're deciding tonight?
John Beacham, Public Works Director: Given my guess of what these pumps would cost, we would likely be coming to you to ask for approval to buy them. I think they will be upwards of $50,000.
Steigleder: Is there a reason this isn't a public hearing?
Field Herrington, City Attorney: We aren't modifying the original agreement, we're just adding the

addendum to that agreement.
Steigleder: Does it seem reasonable to you that 16 acres of multi-family has roughly the same amount of needs as 16 acres of commercial?
Palus: Yes it does. We run it through our model. We utilize averages.
Steigleder: Can you explain the ramifications of not making this addendum?
Palus: If it's not made, the developer could move forward and get their permits at this point. However, they would still be responsible for putting together and completing all the improvements that are identified in the agreement. The City wouldn't be doing anything towards the pump upgrades.
Motion by City Council Ziegler to Approve the Addendum #1 to Development Agreement Point Zone Change (RZNE-0001-2022) .
Second by City Council Westlund.
Ayes: City Council Ziegler, City Council Shove, City Council Westlund
Nays: City Council Steigleder
Motion Carried

c. Quarry Sports Complex LWCF Grant Application

Parks Planner Robbie Quinn Presenting: I'm seeking approval to apply for the Land and Water Conservation Fund Grant for Phase One of the Quarrry Sports Complex, previously known as the Tullamore Sports Complex. Phase one is looking at building two of the multi-use fields, one parking lot, a shelter, and a plaza, with two add-alternates for the playground and sports courts. We are applying for $1.25 million in grant funding. The project total base bid estimate is about $5 million. That would leave us obligated with the grant at $3.75 million.

Jacobson: The $3.25 million is that with impact fees?
Quinn: Correct. Currently, we have about $5.9 in impact fees. About $1.5 is already taken with Black Bay and some of our other projects. Leaving us with about $4 million. This would likely be about another year from now as well.

Motion by City Council Ziegler to Approve the Quarry Sports Complex LWCF Grant Application.
Second by City Council Westlund.
Ayes: City Council Ziegler, City Council Shove, City Council Steigleder, 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.

a. State Transportation Investment Program Overview

City Engineer Robert Palus Presenting: Each year the State of Idaho updates their State Transportation Investment Program. This lays out projects that the state is doing along with what local jurisdictions are doing with federal or state funds. 95% of the funding is for construction, 3% is for development, and 2% is for rights-of-way. Funding sources are 60% federal, 39% state, and 1% other. The Chase Road BNSF railroad crossing is scheduled for construction in 2025 and will improve the railroad crossing near the school, the school zone, and update the pedestrian crossing along Chase Road between 12th and Mullan. We are working with the railroad to come to an agreement for this project that will come back before Council. The other project that we have in the city is the Prairie Avenue widening from Highway 41 to Meyer Road. This is primarily a Post Falls Highway District project, to be constructed in 2028. The project will put in missing curb and gutter and widen Prairie Avenue from Meyer Road to Highway 41 to a five-lane road. It will also complete the two roundabouts and put in the missing pedestrian facilities along that route. There will also be a Prairie Trail Underpass installed, putting a bicycle path under Prairie Avenue. Other ITD and Kootenai County area projects were highlighted.

Jacobson: I'm excited to see the Pleasant View and 53 interchange being approved. I want people to understand that the Post Falls Highway District is not the City of Post Falls.

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.

Jacobson: Councilor Malloy, we miss you. Joe was hit on his motorcycle on his way to work. We thank God he was not hurt seriously. He's not in good shape, but he could have been hurt worse. Bear in mind that people are on motorcycles and it is dangerous. Please be careful as you drive, keep motorcycles, bicyclists, and children at the top of your mind as your driving.

Steigleder: Is there an acreage limit on cottage homes like there is for tiny homes?
Bob Seale, Community Development Director: No.
Steigleder: I wanted to ask City Staff and Council if there would be any interest in limiting the amount of R3 and tiny homes and cottage homes that is allowed in our CCS developments. Currently, developers or builders can get a special use permit for those zones and are able to build out completely residential in what is named a commercial zone. In the interest of small businesses and keeping a vibrant economy that can keep up with all of our roadwork and maintenance, I would be interested in looking at our options. Also, in our CCM zone it looks like multi-family is limited to 50% but I would be interested in adding cottage homes and tiny homes if we could add those zones as well.
Westlund: It seems like a discussion worth having.
Field Herrington, City Attorney: I would add we are going through the Comprehensive Plan process. A lot of those type of things will be identified as we work through that process.
Ziegler: I think its worth having the discussion.
Shove: I would agree with that.

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)(a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general;

This item was removed from this meeting under amendments to the agenda.

RETURN TO REGULAR SESSION

ADJOURNMENT

Meeting Adjourned at 6:53 PM

~~Ronald G. Jacobson, Mayor~~
Joe Malloy, City Council President

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.