



**CITY COUNCIL
MEETING MINUTES**

**September 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. Department Head Contracts

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

City Attorney Field Herrington Presenting: The Department Head team are proposing updating Department Head (DH) contracts in order to cap DH pay like other city employees and to standardize contract terms and the contract form. The form has been reviewed by the Legal Department, outside employment law specialists, and the city's insurance carrier ICRMP, to ensure that the city's interests are represented and protected. The contract terms were reviewed. Travel and training levels and funding were discussed. Salary levels, including the positions being grouped into three new grades for DHs, including 20, 21, and 22, were reviewed. These levels will be reevaluated during the salary survey planned for FY2025. The contract amendment does not raise anyone's salary, it will just cap the pay.

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

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

a. Proclamation - National Service Dog 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 – September 3rd, 2024, City Council Meeting
- b. Payables 9.3.24-9.17.24
- c. July Cash and Investments
- d. Montrose 17th Addition Plat Application
- e. Eucon Subdivision Construction Improvement Agreement
- f. Pay Grades and Standardization of Department Head Employment Contracts

Steigleder: On item d, does the application include the platting?

Field Herrington, City Attorney: The final plat application is reviewed by city engineering to make sure that the final plat aligns with the preliminary plat, which is already approved. This is just authorizing the Mayor to sign the final plat to be recorded.

Steigleder: Platting is approved by Planning and Zoning?

Herrington: Correct, preliminary platting. This is the final step in the platting process.

Steigleder: Can we add a picture, so I can at least see the platting before I approve it?

Bob Seale, Community Development Director: I was talking to our City Engineer about including a copy of the plat maps so it gives you a reference point to know what has gone through the process.

Motion by Malloy to approve the Consent Calendar as presented.

Second by Zeigler.

Vote: Steigleder - Aye, Walker-Aye, Malloy-Aye, Zeigler-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. Budget Amendment FY 2024

Public Hearing opened at 6:05 pm.

Jason Faulkner, Finance Director Presenting: We have been discussing the projects that are happening for FY2025. In doing so, we looked at the cash balances in each fund. In order to transfer money from one fund to another, I need a budget amendment. What this amendment is doing is just transferring between funds so we can pay for the FY 2025 projects from the correct funds.

Jacobson: This is not any new money, just a transfer of dollars between funds.

Faulkner: Yes.

Malloy: So there's zero fiscal impact to the tax payer.

Faulkner: Correct.

Steigleder: What are funds 51 and 50?

Faulkner: Those are construction funds and operating funds, all within the Wastewater Department.

Testimony

In Favor: None

Neutral: None

Opposed: None

Public Hearing Closed at 6:09 pm.

Motion by Malloy to approve the Budget Amendment FY 2024

Second by Zeigler.

Vote: Steigleder-Aye, Walker-Aye, Malloy-Aye, Zeigler-Aye, Westlund-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. Fiscal year 2025 Fee Resolution

RESOLUTION ADOPTING CITY OF POST FALLS' FEE SCHEDULE

WHEREAS, the City of Post Falls annually reviews all fees during the budget process to ensure accuracy; and

WHEREAS, periodic revisions to fees may be necessary; and

WHEREAS, the City has fees already established; and

WHEREAS, the City of Post Falls has determined that the fee schedule be amended to reflect the reasonable cost of providing the services; and

WHEREAS, after public hearing has been held prior to the adoption of this resolution, regarding new and increased city fees, it is deemed by the City Council to be in the best interest of the City of Post Falls and the citizens thereof that the fee schedule be amended to include the new and increased fees which were addressed in the public hearing.

NOW, THEREFORE, Be It Resolved by the Mayor and City Council of the City of Post Falls, Idaho that the following fee schedule, which reflect the new and amended fees and all other fees that have not been amended, be adopted for the City of Post Falls:

Motion by Malloy to approve Resolution Fiscal Year 2025 Fee Resolution and to direct the clerk to assign the appropriate number.

Second by Walker.

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

Motion Carried

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

Andrew Arbini, Public Works Projects Division Manager Presenting: This is a contract amendment with the Panhandle Area Council (PAC) as it relates to the Water Reclamation Facility Tertiary Treatment Improvements Project. The continued delays in the project have had an impact on some of the contracts that the city manages - one of those being with PAC. PAC is providing wage compliance services as a requirement of the city's loan with DEQ. This amendment is listed at \$9,040, which will extend the services through the end of this year. That is in line with the most current schedule updates. This also includes a contingency of one month, \$2,260, for a total of \$11,300 in this amendment. An overall project update on the Tertiary Treatment Improvements was given.

Ziegler: We are asking for a contract extension for Wage Compliance Services, where that contract has already run its course in days?

Arbini: Correct.

Ziegler: Is there any intention to recoup any of these fees from the contractor?

Arbini: The construction contract has terms in that contract that the city has the ability to assess liquidated damages. We still maintain that contractual right. We have not reached an agreement with the construction contractor and are reviewing their claim and continuing to work towards completion.

Steigleder: How many days are we out of that contract?

Arbini: The substantial completion date was in July.

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

Second by Zeigler.

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

Motion Carried

c. City Hall Remodel Project – Audio Visual Contract with Avidex

John Beacham, Public Works Director Presenting: This presentation includes item c and item d from Unfinished Business tonight. Approval is requested of the contracts for the audiovisual and furnishings components of the City Hall Remodel Project. The contract costs are compatible with the Facilities Master Plan. The audiovisual is needed to upgrade the obsolete control system for council chambers. It was originally installed by an individual who has since retired and replacement parts are no longer available. This contract will also add equipment for the new conference room, and a building wide controller that could work for overflow from public meetings or other applications. The total contract is for \$140,724.97 with Avidex. The furnishings contract includes partitions, desks, chairs, tables, bookshelves, storage, etc. for the remodeled areas. The total contract is \$191,376.15 with Contract Design Associates. The total City Hall Remodel project cost estimate is \$1.3 million with contingencies, which is in alignment with the Facilities Plan Implementation.

Westlund: For the Avidex contract is some portion of that an ongoing expense for continued support?

Beacham: There is a warranty, but no ongoing expense.

Steigleder: What was the original budget for the total project?

Beacham: There was not necessarily a budget as the project evolved to include more aspects than was originally planned, like the Rotunda and the 2nd Floor meeting space.

Motion by Malloy to approve Section 3 item C and D.

Second by Walker.

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

Motion Carried

d. City Hall Remodel Project – Furnishings Contract with Contract Design Associates

The presentation and vote for this item was done under 3(c).

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. Professional Service Agreement for Fiscal Impact Analysis (FIA) with URBAN3

Jon Manley, Planning Manager Presenting: This is for the Professional Service Agreement for the Fiscal Impact Analysis (FIA) with URBAN3. We had a selection committee at the staff level to choose the company for the FIA. There was a workshop on this with Council on April 11, 2024. Some of the reasons to complete an FIA is to understand the fiscal impacts created by different growth patterns. Analyze development trends that could assist in analyzing the fiscal sustainability of future community growth. Inform land use policies to be incorporated into an upcoming 2025 Comprehensive Plan Update. The scope of work includes public participation, data collection, analysis, reporting, and coordination. The agreement is for \$125,595, along with a 5% contingency, which brings the total request to \$131,875. The preliminary Comprehensive Plan update questions that the FIA will assist in answering were reviewed.

Steigleder: Will the timeframe for the FIA fit into the Comp Plan timeframe?

Manley: Yes.

Steigleder: Will we get a Kootenai County map also?

Manley: In our scope we did not include other county areas.

Motion by Westlund to approve the Fiscal Impact Analysis with URBAN3.

Second by Steigleder.

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

Motion Carried

b. FY2025 Intergovernmental Agreements for Prosecution Services

Field Herrington, City Attorney Presenting: This is for the Fiscal Year 2025 Intergovernmental Agreements with the City of Hayden and the City of Rathdrum for Prosecution Services. We've seen a substantial rise in misdemeanors and infractions since last year. Therefore, we have increased work loads, including staffing more courtrooms. We are using a new methodology with the proposed next year's budget numbers and current case counts to determine the cost per case. We also separate the different cases, misdemeanors and infractions, as infractions are approximately one sixth of the cost per misdemeanor case. We attempt to recover about 70% of our costs of the cases from other jurisdictions.

Jacobson: If we are providing a service to other municipalities, why are we only recovering 70%?

Herrington: We are trying to account for some of the variations.

Jacobson: We will adjust it annually and look at actual costs from the previous year.

Herrington: Yes. We are new to our prosecution software, so we are still learning the correct reporting as well. For the Hayden agreement, there is an increase to \$11,600 per month. The Rathdrum agreement has increased to \$7,485 per month. Likely, in subsequent years we will not see as large of an increase depending on case counts. The total annual revenue for FY2025 is \$229,020. Even without these agreements, Post Falls would still require the same number of prosecutors and staff to manage the demands of multiple judges and courtrooms in Kootenai County.

Jacobson: How many people do we have in the prosecution department?

Herrington: We have three attorneys and three staff assistants.

Jacobson: With the increase in case load, is that enough?

Herrington: We will probably need another assistant position. I'm pushing for an intern position as well.

Malloy: I'm still hung up on the 70% recoup number, why aren't we going after 100%?

Herrington: We are basing this on average numbers. A case that settles quickly is going to cost a lot less than a case that goes to jury trial. Those costs fluctuate. I think it is a fair approximation. It is hard to do it perfectly.

Steigleder: Are we still prioritizing Post Falls cases?

Herrington: Prioritizing is maybe not the correct term, but Post Falls is still covered by our prosecution services.

Ziegler: Are we trying to recoup 70% of the total cost, including Post Falls, or just 70% of Rathdrum and Hayden's services?

Herrington: It's taking the total prosecutor's budget and taking the best estimate with just Post Falls cases, then taking 70% of that number.

Westlund: If cases are increasing, and we are using last year's case count to estimate contracts, won't we always be lagging behind?

Herrington: I think that averages out a little bit. Tying into the budget number helps.

Motion by Malloy to approve the FY2025 Intergovernmental Agreements for Prosecution Services

Second by Zeigler.

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

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:

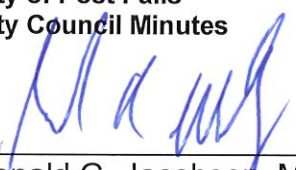
- a. Idaho Code 74-206(1)(a) & (b):
 - (a) To consider hiring a public officer, employee, staff member or individual agent, wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. This paragraph does not apply to filling a vacancy in an elective office or deliberations about staffing needs in general.
 - (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student.

It was determined that the Executive Session was not needed.

RETURN TO REGULAR SESSION

ADJOURNMENT

Meeting Adjourned at 7:12 pm.



Ronald G. Jacobson, Mayor



Rhiannon O'Neill, Deputy 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.