



**CITY COUNCIL
MEETING MINUTES**

**August 15, 2023
6:00 PM**

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

WORKSHOP – 5:00 pm Basement Conference Room

ROLL CALL OF COUNCIL MEMBERS

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

- a. FY2024 Budget

REGULAR MEETING – 6:00 pm City Council Chambers

CALL TO ORDER BY MAYOR JACOBSON

PLEDGE OF ALLEGIANCE

ROLL CALL OF CITY COUNCIL MEMBERS

Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove
Present

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

- a. The Government Finance Officers Association has awarded the Distinguished Budget Presentation Award to the City of Post Falls for its 2023 budget. The Finance Department has received this award for 9 consecutive years! Congratulations to Jason, Randi, and team.
- b. Post Falls City Hall and city business offices will be closed Monday, September 4th in observance of Labor Day. Police, Fire and Rescue services for life-threatening or in-progress emergencies may be reached by calling 911. The Police Department will be open for walk-in emergencies. For Water Department emergencies, call 208-773-3517.
- c. The mayor read a letter: On the afternoon of August 4th, I received a call from our City Administrator stating there was a 2.5 acre fire in our Community Forest. The fire started spreading at an incredible speed, jumping over trees and quickly grew to multiple acres. I was watching from the Slab Inn parking lot and exchanging calls with Shelly as four helicopters came in to drop water in what almost seemed like a futile effort. At one point, we thought we might lose the entire Community Forest to the fire. A few minutes later, the Idaho Department of Lands determined that the helicopters were not enough, and called in the planes to begin an aerial attack on the fire. In the space of a few minutes, multiple planes descended on the scene and started dropping water and retardant. It was an amazing sight to see. I have been told that there

was anywhere from 11 to 14 aircraft that were brought in to fight this fire in what is being called a "pivotal role" in giving firefighters the time and physical space they needed to contain this fire and save structures and lives. Watching the event unfold left me more than a little speechless and humble beyond words. One of the comments made to Shelly by an officer was that you would not see this type of response in most other places in the country. The whole incident, while tragic to see the loss of a portion of our beautiful forest, allowed our community to shine. We live in a community that, time and time again, demonstrates its kindness and generosity and we saw that play out over the weekend and continues to play out as the fire clean up starts and they ensure none of the hot spots flare and create another situation in the community forest. The City of Post Falls and its employees, businesses, residents, surrounding community and all the supporting agencies is truly an amazing place and it is no wonder that we have so many people who desire to live in our area. There is no place like it. Also, I wanted to mention a Police Officer who has a side job as a wildland firefighter. His name is Officer Lane Boyle. He was working as a wildland firefighter when the fire broke out and went into the forest with the crew to attack the line. The next day had a shift with the PFPD and worked the fire doing security with the rest of the PD. Awesome person and police officer. I am proud to have folks like this working for the City. They are the reasons we do what we do. People like this and incidents like this outweigh the negativity and unkind comments that are so prevalent in today's world. Last, I would ask for patience from the community as we assess the Community Forest and determine the best strategy for cleaning up the site and making it available to the citizens once again. I am being told that the whole forest will need to be closed for approximately one month and the burnt areas will need to remain closed for the winter and into the spring as staff determine what trees need to be removed and what trail areas will require improvements, along with putting up new trail markers. The safety of the forest and our citizens is our main priority. Thank you.

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 – August 1, 2023, City Council Meeting
- b. Payables July 25, 2023 - August 7, 2023

- c. Cemetery Temporary Construction Easement
- d. Engagement Letter with Idaho Employment Lawyers for Review and Revision of the City's Personnel Policies
- e. Prairie & Fennecus Impact Fee Reimbursement Agreement
- f. Prairie Crossing Regional Shopping Center and Prairie/Zorros Street Roundabout Construction Improvement Agreement

Mayor: On the Idaho Employment Lawyers, is there any cap on the cost of this item?

Warren Wilson, City Attorney: We do not have a cap on this because we do not know how long it will take. The rates they are charging are very reasonable.

Mayor: Please keep an eye on the costs and if it gets too much please bring it back to Council.

Motion by Malloy to accept the Consent Calender as presented.

Second by Borders.

Vote: Malloy-Aye, Borders-Aye, Shove-Aye, Walker-Aye, Ziegler-Aye, Thoreson-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. Fiscal year 2024 Fee Resolution

Public Hearing opened at 6:09 pm.

Staff Report

Jason Faulkner, Finance Director:

Water Rates - 3.0% increase

Wastewater Rates - 2.5% increase

Reclaimed Water Capitalization Fees - 12.71% increase

Water Capitalization Fees - 3.79% decrease

Impact Fees - 3.0% increase (ENR index April to April)

Sanitation Fees - 6.5% increase

Shut Off Fee - \$50.00

Hang-Tag Fee - \$35.00

Parks and Recreation - various

Fee comparison from year to year

	<u>FY 2023</u>	<u>FY 2024</u>	<u>Variance</u>
Sanitation	\$12.36	\$ 13.17	\$0.81
Water Connection	12.44	12.82	0.38
Water Use (5,000 gal.)	6.85	7.10	0.25
Wastewater	<u>66.79</u>	<u>68.46</u>	<u>1.37</u>
Total	98.44	101.55	3.11

If this is approved, staff will come back at the September 5th City Council meeting with an resolution.

Testimony

In Favor: None

Neutral: None

In Opposition: None

Public Hearing closed at 6:13 pm.

Discussion

Malloy: We are keeping it below the rate of inflation. It is frustrating that costs keep going up and up. My grocery bill is now bigger than my mortgage bill.

Ziegler: On the diesel costs, I don't think we will see it get below \$3 ever again.

Faulkner: The contract is not up for some time. When it is, that is when we reassess things.

Motion by Malloy to approve the Fiscal Year 2024 Fee Resolution and to direct staff to bring back as an resolution.

Second by Walker.

Vote: Borders-Aye, Shove-Aye, Waker-Aye, Ziegler-Aye, Thoreson-Aye, Malloy-Aye

Motion Carried

b. Fiscal Year 2024 Budget

Public Hearing opened at 6:15 pm.

Staff Report

Jason Faulkner, Finance Director presenting:

	Budgeted FY 22-23	Proposed FY 23-24
General Fund Dept Expenses	\$47,865,023	\$43,264,979
General Fund - Dedicated Accounts	\$7,981,000	\$9,352,500
Total GF Expenditures	\$55,846,023	\$52,617,479
Total Special Rev Fund Expend	\$1,647,006	\$3,717,395
Total Capital Projects Fund Expense	\$22,743,847	\$19,115,000
Total Debt Service Fund Expense	\$ 528,150	-
Total Enterprise Fund Expense	\$72,708,246	\$73,005,293
Total All Fund Expenditures	\$153,193,332	\$148,455,167
Total All Estimated Resources	\$153,193,332	\$148,455,167

Malloy: It has always been the goal since I have been on the Council to make sure new growth can pay for itself. To provide the same services to more people will cost more and the State Legislature, in their logic, restricted all cities in Idaho the ability to collect the full increase from growth and urban renewal, making it harder for growth to pay for itself.

Mayor: What will this do to the levy rate?

Faulkner: The levy rate should decrease.

Mayor: People should understand that the levy rate decreases but property values keep increasing and it can relate to an increase in property taxes.

Faulkner: If this is approved/authorized, staff will come back to the September 5th, 2023 City Council meeting with an ordinance.

Testimony

In Favor: None

Neutral: None

In Opposition: None

Public Hearing Closed at 6:26 PM.

Discussion

Mayor: Every year I like to mention that the police vehicles we are buying are not fancy cars. We buy vehicles and all the equipment that they need.

Faulkner: We do seek out the best price we can find.

Motion by Malloy to approve the Fiscal Year 2024 Budget and to direct staff to bring back an ordinance at a future council meeting.

Second by Borders.

Vote: Shove-Aye, Walker-Aye, Ziegler-Aye, Thoreson-Aye, Malloy-Aye, Borders-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. Ponderosa Lift Station - Additional Services Agreement with T-O Engineers

Jaxon Fleshman, Project Manager: This additional service agreement with T-O Engineers accounts for the additional Construction Management Services (CMS) that are needed to complete the construction of the new lift station as result of a delay in completing the project. The extended project schedule is largely attributed to delays in the supply chain and timely installation of equipment. City Council approved a contract extension with Strider Construction in October 2022. Since that time, additional delays in the delivery and installation of electrical equipment have continued to impact the date of project completion. Recently, the City and Strider finalized a negotiated change order to account for these delays and establishing a new final completion date. The Ponderosa Lift Station Replacement has an updated Final Completion date of September 14, 2023. The new lift station is up and running and the old facility was recently decommissioned. Funding for this work will come from the City's Wastewater Replacement Fund, in the amount of \$23,603.00.

Motion by Malloy to approve the Ponderosa Lift Station - Additional Services Agreement with T-O Engineers.

Second by Borders.

Vote: Walker-Aye, Ziegler-Aye, Thoreson-Aye, Malloy-Aye, Borders-Aye, Shove-Aye
Motion Carried

4. NEW BUSINESS

This portion of the agenda is for City Council consideration of items that have not been previously discussed by the Council. Ordinances and Resolutions are generally added to a subsequent agenda for adoption under Unfinished Business, however, the Council may consider adoption of an ordinance or resolution under New Business if timely approval is necessary.

ACTION ITEMS:

- a. Ordinance to Amend Downtown Urban Renewal Plan

Warren Wilson, City Attorney: Idaho Law allows the City Council to make technical/ministerial amendments to an urban renewal plan without resetting the tax base for the district. Staff has identified certain improvements that were intended to be included in the Plan that were not explicitly identified as stand alone projects. For instance, the plan identified a need for a roundabout at the 4th ave./Idaho St. intersection. However, the plan did not include the roundabout as a discreet project. Rather, the Plan listed each of the construction elements that make up a roundabout as a smaller part of separate projects. a second project that was included in the Plan was improvements to the west side frontage of Spokane Street, but did not explicitly note that that included adding on-street parking. in order to clarify that these items are included in the Plan, staff recommends adopting the ordinance to add these items to the list of projects that could be potentially funded through the urban renewal process. The ordinance reduces the reimbursable costs for other projects to ensure that there is no increased expenditure of urban renewal dollars. the Post Falls Urban Renewal Agency has adopted a resolution in support of the ordinance.

Motion by Thoreson to place the Ordinance to Amend Downtown Urban Renewal Plan on its first and only reading by title only while under suspension of the rules.

Second by Malloy.

Vote: Zielger-Aye, Thoreson-Aye, Malloy-Aye, Borders-Aye, Shove-Aye, Walker-Aye
Motion Carried

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO APPROVING A PLAN AMENDMENT, BUT NOT A PLAN MODIFICATION, TO THE DOWNTOWN URBAN RENEWAL DISTRICT PLAN ADOPTED BY POST FALLS ORDINANCE 1415 TO MAKE TECHNICAL OR MINISTERIAL CHANGES TO THE PLAN AND TO SUPPORT THE GROWTH OF AN EXISTING COMMERCIAL PROJECT WITHIN THE EXISTING REVENUE ALLOCATION AREA BY ADOPTING A REVISED APPENDIX A MORE CLEARLY LISTING URBAN RENEWAL PROJECTS WITHIN THE DISTRICT; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE TO THE POST FALLS URBAN RENEWAL AGENCY; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

Motion by Thoreson to approve the Ordinance to Amend Downtown Urban Renewal Plan

and to direct the clerk to assign the appropriate number and that it be published by summary only.

Second by Malloy.

Vote: Ziegler-Aye, Thoreson-Aye, Malloy-Aye, Borders-Aye, Shove-Aye, Walker-Aye
Motion Carried

- b. Accept the Fiscal Year 2022 Audit and Annual Comprehensive Financial Report

Jason Faulkner, Finance Director: This year was more challenging to finish that annual report. We had a new government standard bullion which meant all city leases needed to be listed. This was quite a challenge. Also, next year we will have to list all the software that the City uses. We did get an unqualified opinion.

Mayor: The big thing is, with all these changes, it is still a clean audit.

Motion by Thoreson to accept the Fiscal Year 2022 Audit and Annual Comprehensive Financial Report.

Second by Malloy.

Vote: Thoreson-Aye, Malloy-Aye, Borders-Aye, Shove-Aye, Walker-Aye, Ziegler-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.

- a. Black Bay Phase 1 Update

Robbie Quinn, Parks Planner: This project has been in the works for 5 years are we are finally ready to go out to bid on phase one. Phase one will include the lower parking lot being redone, the bank stabilization will take place in the bay, and the boardwalk and trail to the beach will be done to meet ADA requirements. We are looking to putting this out to bid at the end of September and due at the end of October. We will hopefully have a contract for you by the beginning of December. We would look to start construction in the early spring of 2024. Construction should take most of 2024 with parts of the park closed off due to the construction.

- b. Parkway Fire Update

Bryan Myers, Parks Manager: On Friday, August 4th at around 3pm, a fire was reported in the Post Falls Community Forest. Approximately 80 acres of heavily wooded steep terrain was burned. The fire reached 100% containment on Friday, August 11th. The Idaho Department of

Lands is continuing to work within the containment area and a portion of the hose system remains in place. The entire Post Falls Community Forest remains closed at this time.

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.

Mayor: We did have a meeting today with the county commissioners discussing the collection of impact fees for the county. The discussion was good and a good starting point.

Thoreson: yesterday i enjoyed the part of the park that is open. It is a wonderful park and much loved by the community.

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.

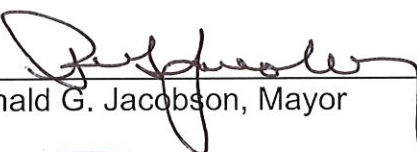
ACTION ITEMS:

None

ADJOURNMENT

7:01 PM





Ronald G. Jacobson, Mayor



Shannon Howard, City Clerk

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 408 Spokane Street or call 208-773-3511. City Council and City commission meetings are broadcast live on Post Falls City Cable on cable channel 1300 (formerly 97.103) as well as the City's YouTube Channel (<https://www.youtube.com/c/CityofPostFallsIdaho>).

Mayor Ronald G. Jacobson

Councilors: Kerri Thoreson, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove

Mission

The City of Post Falls mission is to provide leadership, support common community values, promote citizen involvement and provide services which ensure a superior quality of life.

Vision

Post Falls, Idaho is a vibrant city with a balance of community and economic vitality that is distinguished by its engaged citizens, diverse businesses, progressive leaders, responsible management of fiscal and environmental resources, superior service, and a full range of opportunities for education and healthy lifestyles.

"Where opportunities flow and community is a way of life"