



**CITY COUNCIL
MEETING MINUTES**

**September 19, 2023
6:00 PM**

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

WORKSHOP – 5:00 pm Basement Conference Room

a. Sidewalk Snow Removal Ordinance

In the city, sidewalks are owned by the property owner and the city has an easement. The ADA requirement is that sidewalks be cleared in a reasonable timeframe. Post Falls is close to the last city in the State of Idaho to not have a sidewalk snow removal ordinance. Staff recommends having an ordinance with the enforcement would be through Code Enforcement and start out with education before it gets to the point of fines. Looking at sidewalks being cleared within 48 hours of a snow event. Staff received directions to keep working on the ordinance and bring it back to a future workshop.

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- **Present**
Kenny Shove - **Excused**

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

The Post Falls Highway District is hosting a drop-in open house for the Prairie Avenue widening project tomorrow, September 20th, from 4 to 6 pm at the Post Falls Highway District office, 5629 E. Seltice Way. The project includes improvements to Prairie Avenue from Meyer Road to Highway 41 and a roundabout installation at the intersection of Hayden and Meyer. This is a grant project that is funded jointly between the City of Post Falls and the Post Falls Highway District. I encourage the community to attend, learn about the project and provide feedback.

The Post Falls Police Department is hosting Coffee with a Cop next Wednesday, September 27th, from 9:30 to 11 am at Anchored Coffee Company. This is an opportunity to ask questions, voice concerns and get to know our local police officers and staff. Anchored Coffee Company is located at the new Prairie Falls Golf Club facility, 3200 N. Spokane Street, Suite 105.

a. Connect to Kootenai - Greta Gissel

Spoke about local worker housing.

- b. Proclamation - Constitution Week
- c. 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 5, 2023, City Council Meeting
- b. Payables August 29, 2023 - September 11, 2023
- c. Millsap Landing Annexation Reasoned Decision File No. ANNEX-22-16
- d. Nagra Annexation Reasoned Decision File No. ANNEX-22-11
- e. Hydrilla Estates Construction Improvement Agreement
- f. Fair Estates Subdivision Master Development Agreement
- g. Quailview Twinhomes Construction Improvement Agreement
- h. Addendum 1 to Appendix XI of the Prairie Crossing Construction Improvement Agreement

Motion by Malloy to approve the Consent Calendar as presented.

Second by Borders.

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

None

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:

None

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. Agreement with Motorola Solutions for Continued Service of CAD/RMS (Spillman) System

Captain Mark Brantl presenting: Post Falls has been using the Computer Aided Dispatch/Records Management System (Spillman) for over two decades. This agreement is for the next 5 years of service and upgrades with Motorola Solutions who purchased Spillman several years ago. \$282,181.88 will come from previously approved federal funding. The remainder, \$163,543.12 will be funded by 911 fees.

Motion by Malloy to approve the agreement with Motorola Solutions for continued service of CAD/RMS (Spillman).

Second by Borders.

Walker-Aye, Borders-Aye, Thoreson-Aye, Ziegler-Aye, Malloy-Aye

Motion Carried

- b. Floodplain Ordinance Amendment

Jon Manley, Planning Manager presenting: The current ordinance/code was adopted in 2010. FEMA reviewed our code and determined there have been some updates since 2010 that needed to be adopted for us to remain in the National Floodplain Insurance Program.

The changes are as follows:

- * Add notification objectives and maintain eligibility for flood insurance and disaster relief.
- * Modification to the definitions section.
- * Changing Floodplain Administrator from Public Works to Community Development Director.
- * Changes to permit procedures.
- * Changes to the duties and responsibilities of the administrator.
- * Changes to site development and construction standards.
- * Changes to floodway standards.
- * Changes to alteration of watercourses.
- * Changes to requirements to submit new technical data.
- * Changes to criteria for variances.

Ziegler: What would be the ramification of falling out of the floodplain insurance program?

Manley: It would affect those citizens who live along the river in the floodplain and make it harder for them to get insurance.

Malloy: Also, if there was a major flood that damaged infrastructure, we would not qualify for FEMA aid.

Warren Wilson, City Attorney: that is correct.

Motion by Thoreson to place the Ordinance Floodplain Amendment on its first and only reading by title only while under suspension of the rules.

Second by Walker.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR REPEAL OF TITLE 15 CHAPTER 44 OF THE CITY CODE; PROVIDING FOR ADOPTION OF A NEW TITLE 15 CHAPTER 44 ENTITLED FLOOD DAMAGE PREVENTION; ESTABLISHING AUTHORITY; PROVIDING PURPOSE AND OBJECTIVES; PROVIDING DEFINITIONS; PROVIDING APPLICABILITY AND BASIS; ADOPTING THE FLOOD INSURANCE RATE MAP; REQUIRING PERMITS; PROVIDING FOR INTERPRETATION; PROVIDING WARNINGS AND DISCLAIMER OF LIABILITY; PROVIDING PROCEDURES; PROVIDING FOR DUTIES AND AUTHORITY OF THE ADMINISTRATOR; PROVIDING SITE DEVELOPMENT, CONSTRUCTION, MANUFACTURED HOME, ACCESSORY STRUCTURES, RECREATIONAL VEHICLE, AND FLOODWAY STANDARDS; PROVIDING FOR REPETITIVE LOSS STRUCTURES; REQUIRING TECHNICAL DATA; PROVIDING FOR VARIANCE, CRITERIA, DECISION, APPEAL PROCESS, PROVIDING FOR A PENALTY; 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 Thoreson to approve the Ordinance Floodplain Amendment and to direct the clerk to assign the appropriate number and that it be published by summary only.

Second by Malloy.

Borders-Aye, Thoreson-Aye, Ziegler-Aye, Malloy-Aye, Walker-Aye

Motion Carried

c. Resolution to Repeal Outdated Policies

Warren Wilson, City Attorney presenting: Staff recently reviewed the policies adopted by council to determine if there are any currently adopted policies that are no longer relevant. Staff identified a number of policies that are outdated that should be repealed or that have been superseded by new policies that may not have been explicitly repealed.

WHEREAS, the City of Post Falls adopts policies to provide guidelines to ensure effective and efficient city operations; and

WHEREAS, from time to time, city staff review and update policies to ensure that the policies remain effective and

WHEREAS, city staff recently completed a review of adopted policies and identified a number of policies that are no longer needed or that have been superseded by new policies; and

WHEREAS, the City Council finds it to be in the best interest of the city to repeal such policies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Post Falls that:

Section 1. The policies listed below are hereby repealed.

Resolution #	Description	Effective Date	Reason
Resolution 77-6	City Goals and Policies	04/12/77	Out of Date
Resolution 81-6	Mayor & Council Reimbursement	09/08/1981	Out of Date
Resolution 83-3	Reduction in Workforce Policy	01/13/1983	Out of Date
Resolution 84-3	Council Chambers Scheduling Policy	03/06/1984	Replaced
Resolution 2001-10	Investment Policy	09/04/2001	Replaced
Resolution 2003-20	Council Facility Use Policy	04/15/2014	Replaced
Resolution 16-09	Purchasing Policy	06/07/2016	Replaced
Resolution 17-12	Purchasing Policy	06/19/2017	Replaced

Section 2. 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 Thoreson to approve Resolution to Repeal Outdated Policies and to direct the clerk to assign the appropriate number.

Second by Walker.

Vote: Thoreson-Aye, Ziegler-Aye, Malloy-aye, Walker-Aye, Borders-Aye

Motion Carried

d. Resolution Adopting Personnel Policies

Warren Wilson, City Attorney presenting: Over the past year, city staff has worked on a number of revisions to the city's personnel policies. These policies include new policies addressing romantic relationships between co-workers, the use of city vehicles, telecommuting, issuance and use of uniforms, and a new policy allowing for small employee recognition awards. Moreover, staff recommends amendments to the rules regarding the use of Paid Time Off (PTO) to clarify that PTO cannot be used to extend a separation/retirement date, and an amendment to our incentive pay policy to remove language that was ineffective.

WHEREAS, the City of Post Falls adopts policies to provide guidelines to ensure effective and efficient city operations; and

WHEREAS, from time to time, city staff review and update policies to ensure that the policies remain effective and

WHEREAS, city staff are proposing the adoption of the following new or amended personnel policies; and

WHEREAS, the City Council finds it to be in the best interest of the city to adopt such policies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Post Falls that:

That the following policies attached hereto as exhibits are adopted:

Description	Exhibit Number
1. Adopting Personnel Policy Section 520 (Romantic Relationships)	1
2. Vehicle Use Policy	2
3. Adopting Personnel Policy Section 521 (Telecommuting)	3
4. Uniform Policy	4
5. Amendments to Personnel Policy Sections 801 & 813 (PTO Use at Retirement)	5
6. Amendments to Personnel Policy Section 411 (Incentive Pay)	6
7. Adopting Personnel Policy Section 412 (Employee Recognition)	7

Section 2. Repeal of Conflicting Policies.

Policies that conflict with the policies adopted by this Resolution are hereby repealed.

Section 3. 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 Thoreson to approve Resolution Adopting Personnel Policies and to direct the clerk to assign the appropriate number.

Second by Malloy.

Ziegler-Aye, Malloy-Aye, Walker-Aye, Borders-Aye, Thoreson-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.

Samantha Steigleder: Had a question about why the door to the rest of the building was locked. Is there a policy and, if so, she would like to see it?

Wilson: It was a change dealing with security. We have had some issues over the years where we have had some people we do not want in the work place. There is not currently a policy, but we are working on one that will call out where the public is generally allowed to be at city hall. The work spaces are not a public forum.

Mayor: I am in favor of having the door locked. I have had people say they were going to come in

and shoot me because they were mad about something. There are very justifiable reasons for it being locked.

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 ramification of and legal options for pending litigation, or controversies not yet being litigated, but imminently likely to be litigated.

Motion by Thoreson 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 15 minutes.

Second by Malloy.

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

Motion Carried

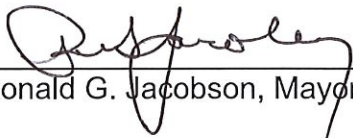
Entered Executive Session at 6:44 pm.

Exited Executive Session at 6:55 pm.

RETURN TO REGULAR SESSION

ADJOURNMENT

6:55 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"