



**CITY COUNCIL
MEETING MINUTES**

**March 1, 2022
6:00 PM**

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

WORKSHOP – 5:00 pm City Council Chambers

ROLL CALL OF CITY COUNCIL MEMBERS

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

Topic: The Idaho Department of Transportation will give a presentation on the

- Highway 41 Expansion Status
- I-90 Widening Project
- I-90/Highway 41 Interchange

Erika Bowen and Shannon Stein presenting:

HWY-41 Mullan to Prairie Expansion

- Move all traffic to the west side of HWY-41 from Horsehaven to 12th.
- Place curb and gutter on the opposite (east) side and pave first 2 lifts.
- Move all traffic to the east side for the entire length.
- Complete the southbound lanes, west side.
- Split traffic to north bound and south bound.
- Pave and final stripe north bound lanes under traffic.

I-90 Widening Project

- I-90 between the state line and Coeur d' Alene is nearing capacity. Multiple interchanges will not be able to support future volumes. Field and environmental work began in fall 2021 to further understand the needs and approach to phasing.
- Estimated cost for the corridor-wide improvements is between \$600 million to \$775 million.
- Anticipated environmental approval is spring of 2023.

I-90/Highway 41 Interchange

- This project will go out for bid on spring of 2022 with construction starting in 2022 through 2025.
- \$60 million to \$80 million will be infused into the local economy and infrastructure.
- There will be 3 years of construction (4 construction seasons).
- The work will start at I-90 and move towards HWY-41.
- 2 lanes of traffic in both directions will remain open on I-90 during peak travel times.
- There will be an extended closure of the westbound off ramp.
- Business access will be maintained during construction.

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

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- a. The Post Falls Highway District will be closing the intersection of Prairie Ave. and Idaho St. beginning Monday, March 7th. The closure is anticipated to last thru early June for the construction of a roundabout as part of a Local Highway Safety Improvement Program (LHSIP) grant. If you have questions regarding this project, please direct them to the Post Falls Highway District.
- b. Trails and portions of the natural area at Black Bay Park may be closed or restricted for the next two weeks as Urban Forestry staff conducts tree felling operations at the park. Tree felling is used to mitigate wildfire risk and minimize the effect and spread of bark beetle insect pests.
- c. School District Update – Dena Naccarato, Superintendent of Schools presenting: Per state law, school districts are not allowed to charge impact fees. A lot of the district funding comes from levies. Post Falls needs a new high school, middle school, and elementary school.

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 – February 15, 2022, City Council Meeting
- b. Payables – February 8, 2022 – February 21, 2022
- c. First Addendum to the Memorandum of Understanding for the Cecil/Poleline and Cecil/Mullan Intersection Improvements
- d. FY 2023 Budget Hearing Notification

Motion by Borders to accept the Consent Calendar as presented.

Second by Malloy.

Vote: Shove-Aye, Thoreson-Aye, Borders-Aye, Walker-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:

- a. Ordinance – FY 2022 Budget Amendment No. 1

Motion by Thoreson to place the proposed Ordinance FY 2022 Budget Amendment No. 1 on its first and only reading by title only while under suspension of the rules.

Second by Malloy.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, IDAHO, AMENDING THE ANNUAL APPROPRIATION ORDINANCE 1420 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, TO REFLECT THE RECEIPT OF UNSCHUDLED REVENUES AND TO AUTHORIZE EXPENDITURE OF PREVIOUSLY UNBUDGETED FUND BALANCE, INCREASING AND ESTABLISHING THE APPROPRIATIONS FOR EXPENDITURES IN VARIOUS DEPARTMENTS AND FUNDS, PROVIDING THAT THE TAX LEVY UPON TAXABLE PROPERTY WITHIN THE CITY IS NOT AFFECTED HEREBY, PROVIDING THAT ALL ORDINANCES IN CONFLICT HEREWITH ARE SUPERSEDED BY THIS ORDINANCE TO THE EXTENT OF SUCH CONFLICT, AND PROVIDING THAT THE ORDINANCE SHALL BE EFFECTIVE UPON ITS PUBLICATION DATE.

Motion by Thoreson to approve Ordinance FY 2022 Budget Amendment No. 1, and to direct the Clerk to assign the appropriate ordinance number, and that it be published by summary only.

Second by Borders.

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

Motion Carried

- b. Resolution – FY 2022 Fee Resolution Update

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 Walker to approve Resolution FY 2022 Fee Resolution Update.

Second by Malloy.

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

None

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.

Joyce Cardwell spoke about the increases in her wastewater bill at her apartment. Does not believe she, as a single person, should be paying the same rate as a family of four.

City Administrator Shelly Enderud said that the City will be conducting a rate study to look into tiered wastewater rates.

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 ITEM (To enter into executive session only):

- a. Idaho Code 74-206(1)(d) to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code and
(i) to engage in communications with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed.

Motion by Thoreson to enter into Executive Session pursuant to Idaho Code 74-206 (1)(d) to consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code and (i) to engage in communication's with a representative of the public agency's risk manager or insurance provider to discuss the adjustment of a pending claim or prevention of a claim imminently likely to be filed, further that no action will be taken during the session and the session will last approximately 20 minutes.

Second by Malloy.

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

Entered into Executive Session at 6:20 pm.

RETURN TO REGULAR SESSION 6:42 PM.

ACTION ITEM

- a. Consideration/Resolution of Cyber Security Event. **This was not needed.**

ADJOURNMENT 6:42 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, Nathan Ziegler, Joe Malloy, Josh Walker, 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”