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**CITY COUNCIL  
MEETING MINUTES**

**June 7, 2022  
6:00 PM**

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

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**WORKSHOP – 5:00 pm Basement Conference Room - Canceled**

**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, Joe Malloy (via zoom), Nathan Ziegler, Kenny Shove - **Present**  
Josh Walker, Lynn Borders - **Excused**

**CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:**

- a. The annual Fishing Derby at Falls Park is next Saturday, June 18<sup>th</sup> starting at 9am. This is a free event for kids ages 5-14. Kids must be accompanied by an adult and bring their own fishing poles and bait. Register online.

**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 Malloy to remove items 3a Resolution – Council and Commission Meeting Recess Procedures, 3b Resolution – Land Use Hearing Procedures, 3c Resolution – Kootenai County Fire & Rescue and Kootenai County Emergency Medical Services System Comprehensive Plan Amendment, 3d Ordinance – Kootenai County Fire & Rescue and Kootenai County Emergency Medical Services System Impact Fees, 3f Ordinance – Smock Vacation, Staff Report on the Concept and Calculation of Capacity Fees, and the Executive Session.**

**Second by Ziegler.**

**Vote: Thoreson-Aye, Ziegler-Aye, Shove-Aye, Malloy-Aye**

**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 – May 17, 2022, City Council Meeting
- b. Payables – May 10, 2022 – May 30, 2022
- c. Termination of Lease for Real Property Located at 1103 E. 3rd Avenue with the Post Falls Senior Center
- d. Lease Agreement with the Food Bank for the Property Located at 1103 E. 3<sup>rd</sup> Avenue
- e. Nicholson Commercial Center 1<sup>st</sup> Addition Subdivision Plat Application
- f. Foxtail 7<sup>th</sup> Addition Subdivision Plat Application
- g. Post Falls Corporate Park Sewer Improvements Construction Improvement Agreement
- h. Disposal of Three Vehicles and Two Sweepers
- i. Disposal of a Tractor and Attachments to be Used as a Trade In for a Replacement Tractor

**Motion by Thoreson to approve the Consent Calendar as presented.**

**Second by Ziegler.**

**Vote: Thoreson-Aye, Malloy-Aye, Shove-Aye, Ziegler-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. Public Safety Impact Fees for Kootenai County Fire and Rescue and Kootenai County Emergency Medical Services System

**Public Hearing Opened at 6:50 pm.**

**Staff Report**

Warren Wilson, City Attorney presenting: Kootenai County Fire and Rescue and Kootenai County Emergency Medical Services System has requested that the city collect impact fees for the district. Calculated impact fees for the Kootenai County Emergency Medical Services System is at \$132 per residential unit and \$0.07 per nonresidential square foot. Calculated impact fees for the Kootenai County Fire and Rescue is at \$1,207 per residential unit and \$0.60 per nonresidential square foot.

**Testimony**

In Favor: None

Neutral: None

In Opposition: None



**Motion by Thoreson to approve Ordinance FY2022 Budget Amendment No.2, and to direct the Clerk to assign the appropriate ordinance number, and that it be published by summary only.**

**Second by Ziegler.**

**Vote: Shove-Aye, Ziegler-Aye, Thoreson-Aye, Malloy-Aye**

**Motion Carried**

f. Ordinance – Smock Vacation - **Removed**

g. Approval to Bid Cecil Rd Frontage Improvements Along Sports Complex Site  
Robbie Quinn, Park Planner presenting: On September 15, 2020, City Council adopted the Tullamore Sports Complex Master Plan. Additionally, Council has approved contracts for the mass grading plan, mass grading construction, and the phase 1 design contract. The site's mass grading construction was completed in November 2021, the requested bidding approval for the Cecil Rd. frontage is part of the phase 1 design contract. The road frontage improvements will expand Cecil Rd. to full width, curbing, swales, street lighting, multi-use paths, ADA ramps, landscaping, and irrigation. The road frontage subgrade was set and prepped for future improvements during the mass grading construction. The current subgrade conditions are good condition and ready for continued development. Constructing the Cecil Rd. frontage improvements will help facilitate traffic from adjacent developments, secure the sports complex site for future construction, and keep the project on track with the Council-approved timeline. There is no fiscal impact at this time. The future construction contract will be brought back to the Council for approval and funded through Park Impact Fees.

**Motion by Thoreson to approve bidding the Cecil Rd. Frontage Improvements Along the Sports Complex Site.**

**Second by Ziegler.**

**Vote: Thoreson-Aye, Malloy-Aye, Shove-Aye, Ziegler-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. Approval to Hire a Pavement Condition Assessment Consultant

Ross Junkin, Maintenance Manager presenting: The objective of the pavement condition assessment is to perform an automated pavement condition assessment based on the Pavement Condition Index (PCI), rate the existing condition of our City pavements, and to use that data to determine which pavement sections receive higher priority for maintenance and or construction. The data will be gathered using a mobile vehicle equipped with multiple scanners and cameras. The data will be integrated into our GIS system. The consultant will build a five-year work plan that will help us in making decisions on where to focus our efforts and funding priorities. Pavement assessments should be completed every five years to keep information up to date and relevant. Transmap Corporation was selected out of 4 RFPs submitted based on cost estimate, degree of automation, ability to meet requirements, and schedule. The Transmap proposal cost is \$93,634.20. the FY22 budget included an approved request specifically for this assessment (\$100,000). The



project is expected to begin and be completed during the summer of 2022. Staff recommends adding a contingency of \$6,365.80 bringing to total requested amount to \$100,000.

**Motion by Thoreson to approve the hiring of a Pavement Condition Assessment Consultant. Second by Malloy.**

**Vote: Malloy-Aye, Shove-Aye, Ziegler-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.*

**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. Concept and Calculation of Capacity Fees, John Beacham, Public Works Director Presenting  
**Removed**

## 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: School is out on Friday so watch out for kids.

Malloy: Thanks to staff for adapting the meeting tonight with zoom so that he could attend.

Ziegler: The Park Passes are getting a positive response.


## 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.*

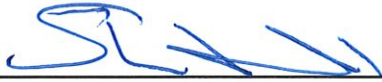
### **ACTION ITEM (To enter into executive session only):**

- a. Idaho Code 74-206 (1)(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. **Removed**

**ADJOURNMENT 6:27 PM**

  
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Ronald G. Jacobson, Mayor





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**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”