



**CITY COUNCIL
MINUTES AGENDA**

**August 2, 2022
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 CITY COUNCIL MEMBERS

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

Topic: Workforce Planning – Administration and Legal Departments

Warren Wilson, Legal Department Director: Mr. Wilson described the current services and staffing in the Legal Department. He also presented on the anticipated requests for additional staffing and optimal levels of service in the coming years.

Shelly Enderud, City Administrator: Ms. Enderud described the current services and staffing in Administration (Administration, Finance, Human Resources, Media, IT). she also presented on the anticipated requests for additional staffing and optimal levels of service in the coming years.

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

CEREMONIES, ANNOUNCEMENTS, APPOINTMENTS, PRESENTATION:

- The Post Falls Community Volunteers is hosting their annual community picnic and concert at Q'emiln Park this Saturday, August 6th. Food and beverages will be available for purchase starting at 4pm, and the Jesse Quandt band will take the stage at 5:30 pm.
- Join the Parks and Recreation Department and the Post Falls Police Department for another Movie Night in the Park. Sing 2 will be playing at Syringa Park on Friday, August 12th. Bring your blankets and chairs and enjoy a movie under the stars, movie starts at sunset.

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 – July 19, 2022, City Council Meeting
- b. Payables – July 12, 2022 – July 25, 2022
- c. Prosecution Agreement with the City of Hayden
- d. Greensferry Glenn Subdivision Construction Improvement Agreement
- e. Wellsprings Annexation Initial Zoning Reasoned Decision
- f. Wellsprings Annexation Agreement, Right-of-Way, and Easement Dedications
- g. Wellsprings Subdivision Master Development Agreement

Motion by Borders at accept the Consent Calendar as presented.

Second by Malloy.

Vote: Malloy-Aye, Thoreson-Aye, Shove-Aye, Borders-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. Barnum's Addition Zone Change File No. ZC-22-3

Public Hearing Opened at 6:02 pm.

Staff Report

Jon Manley, Planning Manager Presenting: The requested action is to rezone approximately .54 acres from the Single-Family Residential (R-1) zoning to the Medium Density Residential (R-2) zoning district. The water provider is East Greenacres Irrigation District, and the sewer is provided by the City of Post Falls. The current land use is a legal non-conforming duplex. The Future Land Use Map calls this area business commercial, and it is about a third of a mile away from Seltice.

Malloy: It will only be accessible from the one side, correct?

Manley: They would enter only from Elm Rd.

Malloy: How dense could that possibly get?

Manley: You could get four single-family lots.

Applicant

Gordon Dobler, Dobler Engineering: The reason this is coming forward is the owner also owns the property across the street which is zoned R-2. The plan is to zone it R-2 so that the duplex can stay. Services are already there.

Testimony

In Favor - None

Neutral - None

In Opposition - None

Public Hearing Closed at 6:12 pm.

Public Hearing
Zoning Criteria

1. Amendments to the zoning map should be in accordance with the Future Land Use Map.
Borders: It does.
2. Amendments to the zoning map should be consistent with the goals and policies found in the Comprehensive Plan.
Malloy: It provides a variety of housing types and is in walking distance to commercial.
3. Zoning is assigned following consideration of such items as street classifications, traffic patterns, existing development, future land uses, community plans, and geographic or natural features.
Borders: R-2 is to the west.
Malloy: There would not be enough vehicle trips generated to effect anyone.
4. Commercial and high-density residential zoning is typically assigned along streets with a higher road classification.
Inapplicable
5. Limited or neighborhood commercial and lower density residential zoning is typically assigned for properties as they proceed farther away from the higher intensity urban activity.
Borders: Less than a mile from Seltice and you can't go much further south because of the freeway.
6. Industrial zoning is typically assigned for properties with sufficient access to major transportation routes and may be situated away from residential zoning.
Inapplicable

Motion by Malloy to approve the Barnum's Addition Zone Change, File No. ZC-22-3.

Second by Borders.

Vote: Thoreson-Aye, Shove-Aye, Borders-Aye, Malloy-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. Resolution – Fiscal 2022 Fee 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 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

City staff is directed to take all administrative actions necessary to implement the attached listing of effective City fees.

Any fee inconsistent with provisions of this Resolution is hereby repealed or superseded to the extent of such inconsistency, as appropriate. The revised fee schedule shall be effective beginning September 1st, 2022, unless another date is otherwise indicated in the resolution, and shall remain in force until revised by subsequent Resolution of the Post Falls City Council.

Motion by Thoreson to approve Resolution Fiscal Year 2022 Fee Update and to direct the Clerk to assign the appropriate number.

Second by Malloy.

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

Motion Carried

b. Resolution – Adopting Compassionate Separation Personnel Policy

WHEREAS, The City of Post Falls undertakes periodic updates to the City's adopted personnel policies; and

WHEREAS, The City's Human Resources Director has recommended adding a new Policy 713, entitled Compassionate Separation Benefit, to the personnel policy as well as amendments to Policy 802, entitled Catastrophic Account, and

WHEREAS, The City Council of the City of Post Falls finds that the adopting the proposed changes are reasonable and necessary to allow the City to recruit and retain dedicated employees and to ensure fair working conditions and benefits for City employees.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Post Falls that the amendments to the Personnel Policy attached hereto as Exhibit A are adopted.

Motion by Thoreson to approve Resolution Adopting Compassionate Separation Personnel Policy and to direct the Clerk to assign the appropriate number. Second by Malloy.

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

Motion Carried

c. Ordinance – School District Zone Change File No. ZC-22-4

Motion by Thoreson to place the Ordinance School District Zone Change File No. ZC-22-4 on its first and only reading by title only while under suspension of the rules.

Second by Borders.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE ZONE CHANGE IN ZONING CLASSIFICATION FOR THE LAND DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO PUBLIC RESERVE (PR) ZONING DISTRICT. PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT THE CHANGE; PROVIDING THAT ALL PRIOR ZONES APPLICABLE TO LANDS DESCRIBED IN SECTION 1 ARE HEREBY SUBERSEDED; AND PROVIDING AN EFFECTIVE DATE.

Motion by Thoreson to approve the Ordinance School District Zone Change File No. ZC-22-4 and to direct the Clerk to assign the appropriate number and that it be published by summary only.

Second by Borders.

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

Motion Carried

d. Ordinance – Mailbox Parking

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

Second by Borders.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR AMENDMENT OF CITY CODE 10.20.040 A. TO PROVIDE FOR PARKING IN FRONT OF MAILBOXES; PROVIDING FOR AMENDMENT OF CITY CODE 10.20.050 TO REMOVE MAILBOXES PARKING REGULATIONS FROM TEMPORARY RESTRICTION; 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 Mailbox Parking and to direct the Clerk to assign the appropriate number and that it be published by summary only.

Second by Borders.

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

Motion Carried

e. Ordinance – Wellsprings Annexation File No. ANNX-0001-2022

Motion by Thoreson to place the Ordinance Wellsprings Annexation File No. ANNX-0001-2022 on its first and only reading by title only while under suspension of the rules.

Second by Borders.

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

Motion Carried

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING PROPERTY CONSISTING OF APPROXIMATELY 9 ACRES, SITUATED IN THE NORTHWEST QUARTER OF SECTION 25, AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 24, ALL IN TOWNSHIP 51 NORTH, RANGE 5 WEST, B.M., KOOTENAI COUNTY, IDAHO; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF;

Motion by Thoreson to approve the Ordinance Wellsprings Annexation File No. ANNX-0001-2022 and to direct the Clerk to assign the appropriate number and that it be published by summary only.

Second by Borders.

Vote: Thoreson-aye, Shove-Aye, Borders-Aye, Malloy-Aye

Motion Carried

f. Cecil Rd Frontage Along Sports Complex – Recommendation to Award Contracts
Robbie Quinn, Parks Planner: On July 19, 2022, the city opened bids for the Tullamore Sports Complex, Phase I Bid Package 1 Project. The Engineer's Estimate for construction is \$774,532.51. the city received two bids for the project. Selland Construction, Inc submitted the apparent low bid of \$640,000.00. City Staff believes the bids to be responsive. T-O Engineers and City Staff recommend the project be awarded to the low responsive bidder, Selland Construction. This scope will include street improvements to the east side of Cecil Road and a portion of the south side of Prairie Avenue, including erosion and sediment control, grading, curb and gutter, asphalt, street signs, streetlights, underground utilities, storm drainage, landscape, and irrigation. Staff is also seeking council approval for a contingency of 5% in the amount of \$32,000.00 for potential change orders of unforeseen conditions for a total amount of \$672,000.00 paid out of Park Impact Fees. Change orders utilizing the contingency funds will require approval and signature by the Parks and Recreation Director or his designee.

Additionally, staff is seeking council approval for the contract with MT-LA for construction administration and observation for \$66,452.00. MT-LA will provide contract administration such as review of submittals, review, and preparation of contractor pay requests, and change order documentation. MT-LA will also provide construction observation such as construction diaries, materials review, testing procedure, workmanship observation, quantity tracking, erosion and sediment control compliance, punch list, geotechnical services, and substantial and final inspections.

Motion by Malloy to approve the recommendation to award the contract of the Cecil Rd. Frontage Along the Sport Complex.

Second by Borders.

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

Motion Carried

**Motion by Malloy to approve the consultant contract for construction administration and observation contract for the Cecil Rd. Frontage Along the Sports Complex Project to MT-LA.
Second by Borders.**

Vote: Shove-Aye, Borders-Aye, Malloy-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:

a. Impact Fee Study

Shelly Enderud, City Administrator presenting: When the Council adopted the current impact fees, they requested that staff re-evaluate the impact fees to ensure they accurately reflected the costs and projects for the three fee types. During that same time, the Capital Facilities Plan was underway and was approved by Council in December of 2021. Since that time, staff has met and has to recommended paths forward for updating impact fees.

The first step would be to perform a minor update to reflect the newly updated costs for projects currently in the impact fee report. This would include:

- Updates to the Public Safety Impact Fee to include additional information on facilities from our new Capital Facilities Master Plan adopted in December 2021. This is simply an increase in capital expenditure for this area and does not reflect any change in methodology.
- Updates to the Parks Impact Fee to reflect an updated Land Value as the current estimate is significantly deficient as compared to land costs currently.
- Updates to the Transportation Impact Fee to reflect updated construction costs for projects – these have not been updated yet, but we will be initiating that update soon. This item is scoped separately to ensure it does not prevent the first two items from moving forward in a timely fashion. TischlerBise has provided a scope of work and a contract to accomplish this first task. It would be our goal to have the public hearing for the fee increases before Council in either September or October for implementation in November or December. The second recommended task is to move forward with a complete update of the impact fees. Staff will draft a Request for Qualifications to seek a firm to assist staff with this task. More information will be brought back to Council upon completion of the first task of updating the current impact fee costs.

Motion by Malloy to approve the Impact Fee Study.

Second by Borders.

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

Mayor: It is awfully hot outside and can make people a lot less tolerant. Be nice.

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):

None

ADJOURNMENT 6:27 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”