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**CITY COUNCIL  
MEETING MINUTES**

**February 7, 2023  
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**

**ROLL CALL OF CITY COUNCIL MEMBERS**

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

Topic: Impact Fee Update

Jon Manley, Planning Manager: Impact fees are payments required by local governments of new development for the purpose of providing new or expanded public capital facilities required to serve the community and new developments. They are not used to pay for maintenance, staffing, vehicles, etc. The fees are used to shift the costs of financing public facilities from the general taxpayer. Growth paying for growth. Our current impact fees are:

- Parks and Recreation
- Police
- Transportation: Streets
- Transportation: Multimodal Paths

Police Chief Greg McLean: Areas of need in the Police Department due to population increase:

- Out of administrative and personnel support space
- Need for additional warehouse/storage
- Modification to fleet shop to make more efficient
- Fleet, employee and visitor parking need to be expanded
- Land purchase

The cost of a 15,000 sq/ft expansion will be \$12.6 million. Annually we collect around \$450,000. It is estimated that it would take 26 years to collect the needed amount for the expansion. An impact fee increase would allow the project to be paid for earlier.

Dave Fair, Parks and Recreation Director: Impact fees are used for level 1 and level 2 parks and indoor recreation. With out an impact fee increase we would need to look at changing the level of service in the parks.

Bill Melvin, City Engineer: These impact fees are based on the City's Transportation Master Plan.

Manley: This will come back to Council as a Public Hearing.

Workshop ended at 5:49 PM.

**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:**

- a. City Hall and City business offices will be closed Monday, February 20<sup>th</sup> in observance of Presidents' 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.

**ACTION ITEM**

- b. Approval of the appointment of Kibbee Walton to the Planning and Zoning Commission

**Motion by Malloy to approve the appointment of Kibbee Walton to the Planning and Zoning Commission.**

**Second by Ziegler.**

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

**Motion Carried**

**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 – January 17, 2023, City Council Meeting
- b. Payables – January 10, 2023 – January 30, 2023
- c. Right of Way Dedication Agreement for Future Roundabout at Prairie Ave and Zorros Rd with Lakeside Real Estate Holdings II, LLC
- d. Right of Way Dedication Agreement for Future Roundabout at Prairie Ave and Zorros Rd with Prairie Crossing Center, LLC
- e. Dedication of a Utility Easement by the Millworx Project
- f. Dedication of a Utility Easement – Former Alleyway Between W. 6<sup>th</sup> and W. 7<sup>th</sup> Ave
- g. Q'emiln Park Concessionaire RFP Solicitation
- h. Correction to 1-17-23 Consent Agenda Memo Rebid Award of Two Dump Trucks to Freightliner NW
- i. Consultant Pre-Selection List for 2023-2024
- j. Adams Annexation Agreement and Reasoned Decision File No. ANN-22-12



- k. Timberworx Garden Plat Application
- l. Timberworx Ridge Plat Application
- m. Timberworx Vista Plat Application
- n. November 2022 Cash and Investments
- o. Stockwell Court Subdivision Plat Application
- p. Foxtail 9<sup>th</sup> Addition Subdivision Construction Improvement Agreement
- q. Disposal of Two Vehicles
- r. Stockwell Court – Performance Guarantee

**Motion by Borders to accept the Consent Calendar as presented.**

**Second by Walker.**

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

**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 2023 Budget Amendment

**Motion by Thoreson to place the Ordinance FY 2023 Budget Amendment on its first and only reading by title only while under suspension of the rules.**

**Second by Borders.**

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

**Motion Carried**

AN ORDINANCE OF THE CITY OF POST FALLS, IDAHO, AMENDING THE ANNUAL APPROPRIATION ORDINANCE 1467 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, TO REFLECT THE RECEIPT OF UNSCHEDULED 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 the Ordinance FY 2023 Budget Amendment and to direct the clerk to assign the appropriate number and that it be published by summary only.**

**Second by Borders.**

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

**Motion Carried**

b. Ordinance – Cottage Homes File No. TA-22-7

**Motion by Thoreson to place the Ordinance Cottage Homes File No. TA-22-7 on its first and only reading by title only while under suspension of the rules.**

**Second by Malloy.**

**Vote: Thoreson-Aye, Shove-Aye, Ziegler-Aye, Borders-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 AMENDMENT TO MUNICIPAL CODE SECTION 18.12.010 DEFINITIONS; PROVIDING FOR AMENDMENT TO MUNICIPAL CODE SECTION 18.20.040 OFFICIAL BULK AND PLACEMENT REGULATIONS TABLE; PROVIDING FOR A NEW CODE SECTION 18.24.032 TITLED COTTAGE HOME RESIDENTIAL PERFORMANCE STANDARDS; 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 Cottage Homes File No. TA-22-7 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, Ziegler-Aye, Borders-Aye, Malloy-Aye, Walker-Aye**

**Motion Carried**

c. Ordinance – Zoning Approval Criteria

**Motion by Thoreson to place the Ordinance Zoning Approval Criteria on its first and only reading by title only while under suspension of the rules.**

**Second by Malloy.**

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

**Motion Carried**

AN ORDINANCE OF THE CITY OF POST FALLS, KOOTENAI COUNTY, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING MUNICIPAL CODE SECTIONS 18.12.010, 18.16.010 AND 18.20.100 TO PROVIDE A DEFINITION OF DEMONSTRABLE ADVERSE IMPACT AND TO ESTABLISH NEW REVIEW CRITERIA FOR ZONE CHANGES; 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 and to direct the clerk to assign the appropriate number and that it be published by summary only.**

**Second by Borders.**

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

d. Ordinance – Adams Annexation File No. ANNX-22-12

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

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ANNEXING PROPERTY CONSISTING OF APPROXIMATELY 4.75 ACRES, THE WEST HALF OF TRACT 39, TRACK 35, POST FALLS IRRIGATED TRACTS, ACCORDING TO THE PLAT RECORDED IN BOOK C OF PLATS AT PAGES 78-80, RECORDS OF 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 Adams Annexation and to direct the clerk to assign the appropriate number and that it be published by summary only.**

**City Attorney Warren Wilson noticed there was a typo in the Ordinance so this will be fixed and come back to Council for approval at the next City Council meeting.**

#### **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. Purchase of Two Parcels Located to the East of the Post Falls Police Department Policy Chief Greg McLean presenting: Findlay has agreed to sell the City two parcels to the east of the Police Station. Together the parcels are 1.87 acres and will be \$1,000,000 to be paid out of impact funds. The land purchase will be used for future expansion of the police campus.

**Motion by Borders to approve the purchase of two parcels located to the east of the Post Falls Police Department.**

**Second by Malloy.**

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

b. Architectural Services Contract with Intergrus Architects for Design of the Renovations of the Streets Administration Building

Ross Junkin, Maintenance Manager presenting: In 2021, the city finalized a facilities needs assessment outlining improvements necessary to continue providing the same level of service to our citizens. As part of this study, the Streets and Water Reclamation campuses were identified for



remodel work. The Streets facility was originally the Post Falls Mazda Dealership and no longer meets the needs of the existing workforce. The WRF lab and admin buildings were also constructed over 25 years ago and are in need of both updating and expansion. These renovations are consistent with the recommendations outlined in the 2021 Post Falls Facility Needs Assessment. Recommendation for the Streets Administration building include renovations to the crew support space. On the WRF lab building side it includes renovations to the crew support space, improvements to lab room for access control, crew meeting spaces, and well as storage and workspace. The design work should address items such as insufficient crew locker rooms, restrooms, breakroom, offices, and meeting room. The total cost for this agreement will not exceed \$76,960.00.

**Motion by Malloy to approve architectural services contract with Intergrus Architects for design of the renovations of the Streets Administration Building.**

**Second by Ziegler.**

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

Ziegler: Educated yourself on the upcoming school levy vote.

## **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)(c) To Acquire an Interest in Real Property Which is not Owned by a Public Agency.

**Motion by Thoreson to enter into Executive Session pursuant to Idaho Code 74-206(1)(c), to acquire an interest in real property which is not owned by a public agency, further that no action will be taken during the session and the session will last no longer that 20 minutes.**

**Second by Malloy.**

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

**Motion Carried**

Executive Session started at 6:23 pm.

**RETURN TO REGULAR SESSION 6:37 PM**

**ADJOURNMENT 6:37 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”