



**CITY COUNCIL
MEETING MINUTES**

**July 18, 2023
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, Josh Walker, Joe Malloy, Nathan Ziegler, Lynn Borders, Kenny Shove - **Present**

Water Reclamation Facility Plan Update – Utility Manager Craig Borrenpohl presented updates on the facility, and future plans and options for the Water Reclamation Division.

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:

ACTION ITEM

- a. I90/SH41 Interchange – Idaho Transportation Department Presentation on Current Project Status and Upcoming Traffic Revisions: Shannon Stein, Project Manager with ITD presented an overview and status on the Interchange Project.

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 5, 2023, City Council Meeting
- b. Payables – June 27, 2023 – July 10, 2023
- c. Kindred and Co. License to Use Real Property
- d. North Standpipe Cell Tower Lease
- e. Parks Department Request for Disposal of 2013 Kubota UTV
- f. Parks Department Request for Disposal of 2017 Bobcat
- g. Parks Department Request for Disposal of 2017 Kubota UTV
- h. Street Maintenance Division Request for Disposal of 2012 Paver
- i. Water Division Request for Disposal of 1994 Crane Truck
- j. Water Reclamation Division Request for Disposal of Kubota UTV
- k. Parks Department Contract with Brightly Software

Motion by Malloy to accept the Consent Calendar as presented

Second by Walker

Vote: Thoreson-Aye, Walker-Aye, Malloy-Aye, Ziegler-Aye, Borders-Aye, Shove-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. Implementation of Facilities Needs Assessment (Master Plan)

John Beacham, Public Works Director: This is more of a discussion than an action item. We are looking for guidance as to what funding pathways Council is comfortable going down to fund the projects in the Facilities Plan. The Facilities Needs Assessment was finalized in 2021. This included all the support facilities and office space for the City. From the needs assessment, a five year "to do list" was created and many of the items have been completed or started. Those that are in progress or completed are land purchases, City Hall office space remodel, Parks improvements to operations yard, Water/Wastewater admin interim improvement, and the Streets/Fleet admin interim improvement. The long-term Facilities Plan is a twenty year plan and with the original financial plan tied to this, we would run out of money for it in about 15 years. In the existing plan, there was assumed bond financing for \$41 million (in 2021 dollars) in additional funds in 2040. The baseline financial model was to put aside one time capital dollars of \$500,000 in FY23, then adding \$120,000 more to that per year. Today we have approximately \$8 million in the fund, with about \$500,000 more being put in it at the end of this fiscal year. Unfortunately, since FY 21 project costs have increased with inflation, revenues have not gone up, project needs remain, but there are some new opportunities that may exist. If we have the cash today, completing projects ahead of plan saves on escalation costs. The near term challenge is to expand the Police Department. By 2029, with the expansion of the Police Department, we would have spent the vast majority of the fund.

Thoreson: You said that starting in 2030 we can't collect impact fees for the Police Department.

Beacham: For these specific projects. We are collecting impact fees for the Police Department to expand the Police Department. So, once we've done that, we can't collect that impact fee.

Shelly Enderud, City Administrator: It's broken into separate categories, so once the expansion is complete, you would no longer have that to charge for that particular expansion.

Thoreson: Would a developer be paying less in impact fees?

Enderud: Once that expansion is complete, yes. Unless we have a secondary expansion that's added to a new study.

Warren Wilson, City Attorney: That's why we update our Capital Improvement Plan for impact fees every few years, because it's always a moving number. As we get to those horizons, we look at what are our needs today and what are our needs over the planning horizon. That's what the impact fees are based on.

Beacham: We don't have the luxury of following that plan, the changes unbalance the plan and either require canceling projects or finding new funding. Financial change options are to increase the annual contribution to the facilities fund (options which could include tax increases and taking away funding from other general fund projects), eliminate projects, or postpone projects. Other possible options are to dedicate unspent general fund dollars to the fund, and finance projects with either bonds or certificates of participation. To bring that generically from what could we do to a specific example, one of the first projects for Public Works was to remodel the existing Streets Crew Facility. This is the old Post Falls Mazda dealership that hasn't seen a lot of improvements since it was the dealership in the 90's. The major improvements needed are to move bathroom access indoors, increase capacity, build a functional locker room, increase breakroom space, and create functional office spaces. There is 10-15 years remaining on the existing lease of this building with the Wastewater Facility. The approximate budget of the remodel is about \$1.1 million. A year ago, we purchased property out on Hargrave to build a future Public Works Operation Center. Instead of spending \$1 million on a facility we don't get to keep, should we move the Streets to Hargrave ahead of schedule? Relocating early costs would be roughly \$5 million, which would require new funding. One thing about seeking bond financing down the road is that the Idaho Legislature does not love bond financing and its possible they could change any of the rules between now and a

future project. In terms of recommendations, we definitely recommend the idea of annually allocating a portion of unspent funds to fund future projects. We also recommend considering the idea of financing.

Jacobson: I hate the thought of spending \$1.1 million on a temporary improvement. If you look at another \$3.9 million on something that you will keep in perpetuity and expand on in the future, investing \$1.1 million temporarily doesn't make sense. As far as using cash now, I like the idea of not paying any interest, it would save us some money now. However, the concern would be if something changes at the legislative level. I'm not a proponent of borrowing, but I think there's some merit to using cash on hand. We all agreed we needed a Facilities Study, and we all pretty much accepted it and the projects that needed to be done.

Thoreson: So, if you put \$1.1 million into the current Streets facility, 5 years from now, when Water Reclamation takes that over, are they going to demo it?

Beacham: Very likely. There's a pretty nice admin facility in the southwest corner of the Water Reclamation Facility already and that's where you want to have your shop space and office space for 20, 30, 50 years. We've made an investment there.

Borders: I have to agree with what the Mayor said. I can't see throwing \$1.1 million dollars away. It makes more sense to me to move out to the Hargrave property. My thought is to move some of that General Fund dollars over to facilities. I think we really need to take a serious look at maybe a 1% tax increase that goes towards facilities. I don't see us making ends meet and I hate to see the debt. It's something to take a look at.

Malloy: A bond goes out for a referendum vote, that's right?

Beacham: That's my understanding.

Malloy: It would make sense that we float a bond for a new Streets Facility and have the public decide if that's a wise use of money. If that fails, then we still have cash to fall back on if its that high of a priority. Then we still have a second opportunity in 5 years to float a bond for the Police Department Facility.

Ziegler: I had a similar thought process as Joe. If we float a bond now, we certainly aren't going to pay \$1.1 million in interest by the time it is done. Its really difficult to make decisions speculating on what the legislature is going to do in the future. We base our decisions on the information we have today.

Walker: I agree with Joe and Nathan as well. Spending money on a temporary fix is not worth it.

Shove: I'd say the same, a temporary fix is not the best way to go at this point. I like Joe's idea to put it to the people as well.

Jacobson: In a bond you typically get lower interest rates. I'm not opposed to that at all. My only concern is paying interest now when we may not need to.

Malloy: We can always pay a bond early if we have the cash right?

Enderud: Yes.

Jacobson: Do we have any other debt outstanding other than Wastewater?

Enderud: No.

Beacham: That's very helpful conversation so I appreciate your time.

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.

Barry Reuben, citizen: I would like to address illegal fireworks. They started at about 6:30pm and went into about 1:30am. Then a little after 3am they set off more. My neighbor's husband was trying to sleep because July 5th was a workday, she asked me what she could do, and I told her I didn't know. My cat disappeared in the closet for six hours. The veterans in the area who are listening to loud noises that may remind them of artillery for hours on end may end up with a flashback and that might lead to something very bad. Something needs to be done about this. It seems to me that a reasonable amount should be allowed. I would propose a grace period where they can set off fireworks for a couple of hours. At the end of that grace period, the Police will strictly enforce the illegal fireworks ordinance and you will be cited, and your illegal fireworks will be confiscated.

Jacobson: I know this is something that is discussed every year. Several years ago, at the Association of Idaho Cities, the topic came up and it was how it pertained to state law. I found it interesting, but one of the Mayors from a small town in southeast Idaho said, "Yeah I know it is illegal but I'm one of the ones that supplies them." It's a common problem throughout the state.

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. Fleet Shop Floor Replacement Project Update – Ross Junkin

Ross Junkin, Public Works Maintenance Manager: A couple of years ago I was in front of you talking about this as we had problems with Fleet Lift Systems, and we replaced those. However, the existing Fleet Shop floor in the main high bay shop was inadequate to support the new lifts and heavy loads. So, we were able to install reinforced concrete floors. We are very happy with the product we have. We have the new column lifts, and they are interconnected with wi-fi. These are much more efficient than they were before. Actual costs came in below what was budgeted, with \$79,310 for the floor replacement and \$173,198 for the four replacement lifts. Thank you.

Malloy: Those lifts can be used at a new facility if we move?

Junkin: Yes.

b. Spokane Street Rehabilitation Project Update – Andrew Arbini

Andrew Arbini, Public Works Project Division Manager: This is an update on the Spokane Street Rehabilitation Project. We were in front of Council in March and presented an engineering contract for construction-based services. We intended construction to begin sometime this summer. In that process, we discovered another funding source in the ITD Strategic Initiatives Program. The limits of the project are essentially south of I-90 to the Spokane River Bridge. The ITD program has \$100 million of funding available statewide. In discussions we unanimously decided to pursue this grant funding. We see this project being a great fit as an applicant for this project and funding either the whole thing or a portion of this project. In pursuing this funding, it will push the project out to 2024 for construction. The grant award notification is in October. We do currently have the funding in the FY 23 budget, so if we were not awarded the grant, we will be able to roll that funding into the FY 24 budget. We will coordinate with BNSF for their rail crossing improvements, the Post Falls Highway District for the Spokane River Bridge Project, and Idaho Transportation Department for their project work on I-90.

Jacobson: What's the total cost of the improvements?

Arbini: Total project costs are less than \$2 million.

Borders: What's the status of the parking lot at the Water Tower?

Arbini: That's a project led by Engineering if Bob or Bill could answer questions?

Bill Melvin, City Engineer: The Water Tower Parking Lot project has been bid, they've started construction and we're working through some light and stormwater issues right now. We are going to complete that this year.

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.

Jacobson: Thanks Dave for the Post Falls Festival Days. It went well, the parade was great. The concerts in the park have started, another one tomorrow night. Thanks for all your efforts and what your staff does.

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):

RETURN TO REGULAR SESSION

ADJOURNMENT 7:03PM





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 N. 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”