

MINUTES
REGULAR MEETING OF THE SANDPOINT CITY COUNCIL
December 18, 2019

I. OPENING

Mayor Rognstad called the regular meeting of the City Council to order at 5:30 p.m. on Wednesday, December 18, 2019, in Council chambers at City Hall, 1123 West Lake Street, Sandpoint, Idaho.

ROLL CALL: Council members Ruehle, Aitken, Darling, Williamson and Eddy were present. Councilwoman Williamson participated remotely. Councilman Aispuro was absent.

PLEDGE OF ALLEGIANCE: **Mayor Rognstad** led Council and the public in the pledge of allegiance to the flag.

ANNOUNCEMENTS

Mayor Rognstad announced that, pursuant to Idaho Code § 74-204(4)(b), because an amendment to the Agenda was proposed and posted less than 48 hours prior to the meeting, Council will need to consider this amendment, with a majority voting to approve, before the meeting can proceed under the Agenda, as proposed.

Councilman Aitken moved to accept the proposed Amended Agenda, as posted prior to the start of this meeting, adding item P, EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206(1)(f). **Councilman Darling seconded the motion.**

A roll call vote resulted as follows:

Councilwoman Williamson	Yes
Councilman Eddy	Yes
Councilman Darling	Yes
Councilman Aitken	Yes
Councilman Aispuro	Absent
Councilwoman Ruehle	Yes

The motion passed by a unanimous vote of Council present.

City Administrator Jennifer Stapleton announced that the City will be releasing a series of seven weekly surveys using the Open Town Hall platform. The surveys will be topic-specific and are designed to inform master planning efforts currently underway, including the Comprehensive Plan Update and the Multimodal Transportation Plan. The surveys will be available on the City website at www.sandpointidaho.gov/engage, with a link on the City Facebook page and on the Engage Sandpoint mobile app. The mobile app can be downloaded to any mobile device through GooglePlay or the Appstore. App users will receive a notification when the survey is available. The surveys can also be completed using the kiosk computers at City Hall.

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Surveys will launch on Sunday, open through the following Saturday at midnight. Results from each of the prior surveys will also be available publicly on a weekly basis. The intent is to make this a quick and easy way for residents and business owners to share their thoughts and make a difference in City policies and projects into the future.

The survey schedule will be as follows:

1. Dec. 15 – Multimodal Transportation: Streets, Sidewalks, Paths & Accessibility
2. Dec. 22 – no survey due to the holidays
3. Dec. 29 – Jobs & Economic Development
4. Jan. 5 – Public Facilities, Services & Utilities
5. Jan. 12 – Housing & Neighborhoods
6. Jan. 19 – Community Character & Design
7. Jan. 26 – Natural Resources

Ms. Stapleton explained that the surveys represent required components of the Comprehensive Plan. Originally, there was one survey compiled by the City's consultant, for release to the public, but it was long, seeking to cover all of the different topics, and there was concern about a possible lack of participation with such a long survey. Additionally, while the City would like to hear from everyone on all topics, it is also assumed that those responding will choose those topics in which they are most interested. Therefore, the one long survey has been divided into several shorter surveys. Those participating will be responding on broader visioning and policies for the Comp Plan, but there are also specific questions. Regarding transportation, for instance, there are questions about walkability and whether bicyclists feel safe while riding. The City will be able to follow up and use this information as metrics for gauging the City's performance. After the Master Plans are finalized, the Capital Improvement Plan will be adopted. These surveys are designed to be launched over time, and they also provide performance feedback. This is an example of the value of the City's new performance measurement employee position and the ability to use data-driven decision-making. When someone completes a survey, they have the option to register. If they do so, they'll be notified when each survey is released.

City Hall administrative offices will be closed in observance of the Christmas holiday from noon on Christmas Eve, December 24, through Christmas Day, December 25. Regular office hours will resume on Thursday, December 26. City Hall will also be closed on Wednesday January 1, for New Year's Day.

II. PUBLIC FORUM

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City resident Jennifer Anderson requests, for the safety of fellow drivers and for pedestrians, that motorists drive with their headlights on in the daytime during the winter months and that this practice be mandated for Police and other City vehicles.

III. CONSENT CALENDAR

A. MEETING MINUTES – *approval of Council minutes; informational review of all others*

1. City Council – December 4, 2019, Regular Meeting
2. Planning and Zoning Commission – November 19, 2019

B. BILLS in the amount of \$1,123,073.23, reflecting \$873,843.36 for payroll and \$249,229.87 for regular payables for regular payables.

C. TREASURER’S REPORT ON CASH AND INVESTMENT TRANSACTIONS – OCTOBER 31, 2019, AND SEPTEMBER 30, 2019 (UPDATED FOR YEAR-END CLOSING)

Councilman Eddy moved to approve the Consent Calendar, items A through C. **Councilwoman Ruehle seconded the motion.**

A roll call vote resulted as follows:

Councilman Eddy	Yes
Councilman Aitken	Yes
Councilwoman Ruehle	Yes
Councilwoman Williamson	Yes
Councilman Aispuro	Absent
Councilman Darling	Yes

The motion passed by a unanimous vote of Council present.

IV. OLD BUSINESS

D. RESOLUTION NO. 19-65 COMPREHENSIVE PLAN AIRPORT COMPONENT AND FUTURE LAND USE MAP AMENDMENT (CP19-01)

Planning and Community Development Director Aaron Qualls and Miriam McGilvray from Logan Simpson, the City’s Comp Plan consultant, provided a prepared presentation (see meeting packet).

Mr. Qualls replied to **Councilman Eddy** that any ordinance adopted by the City of Sandpoint would affect only our jurisdiction. Interaction with the Airport Manager, the Airport Board, and Airport engineers has been a vital part of this process, and the City has received positive feedback.

Mayor Rognstad thanked Mr. Qualls, Ms. McGilvray, and team for their expedited work

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on this project, which was requested from Council on an accelerated schedule to ensure that it was accomplished by the end of this year.

Councilman Darling moved to approve the Resolution for COMPREHENSIVE PLAN AIRPORT COMPONENT AND FUTURE LAND USE MAP AMENDMENT (CP19-01).

Councilwoman Ruehle seconded the motion.

A roll call vote resulted as follows:

Councilman Aitken	Yes
Councilwoman Ruehle	Yes
Councilman Aispuro	Absent
Councilwoman Williamson	Yes
Councilman Eddy	Yes
Councilman Darling	Yes

The motion passed by a unanimous vote of Council present.

E. ORDINANCE NO. 1369 AIRPORT OVERLAY ZONE DISTRICT AMENDMENTS, TITLE 9, CHAPTER 12 (OA19-01)

Mayor Rognstad read the title of the Ordinance as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING PORTIONS OF TITLE 9, CHAPTER 12, SANDPOINT CITY CODE, REGARDING AIRPORT OVERLAY ZONES; PROVIDING THAT THIS PROVISION SHALL BE DEEMED SEVERABLE AND THAT REMAINING SECTIONS OF SANDPOINT CITY CODE SHALL NOT BE AFFECTED BY A FINDING THAT THESE PROVISIONS ARE UNLAWFUL OR UNENFORCEABLE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Mr. Qualls provided a prepared presentation (see meeting packet).

City Planning and Zoning Legal Counsel Fonda Jovick clarified that, under proposed Section D, which prohibits “upzoning” within the inner critical and lateral safety zones, this is specifically the area that has been discussed where there might be an option for a Transfer of Development Rights (TDR), should the City create such a program during Phase 2 or Phase 3. As the adoption of this Ordinance is considered, she wants to ensure Council is aware there will be opportunities in later phases to “soften” the prohibition on certain rezoning in these zones. She reiterated that adoption of this Ordinance will not result in any changes to existing base zoning, taking no rights away from anyone.

Ms. Jovick responded to **Mayor Rognstad** that a situation where a property owner seeks to upzone their property in order to garner additional development rights, then transfer those development rights, would be an example of what would be considered under a TDR program, the details of which would need to be worked out as determinations are

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made as to what the City's TDR program would entail and include.

Mayor Rognstad read into the record written comments (added to meeting packet) from City resident Maureen Tillberg and from Casey Krivor, residence unknown.

Mr. Qualls reiterated that this proposal does not change base zoning. The same rights available to develop today are the same rights that would be available after the Ordinance is adopted. As mentioned in the staff report, the City can endeavor to notify all affected property owners of the changes that have occurred, along with other information pertinent to living near an airport.

Mr. Qualls replied to **Mayor Rognstad** that 3,000 feet for the Inner Critical Zone was never really proposed by City staff or the Sandpoint Planning and Zoning Commission, nor is it recommended by the Idaho Transportation Department, Division of Aeronautics. The potential confusion may stem from a letter submitted by certain Airport stakeholders, which requested a minimum of 3,000 feet. The Commission did have this discussion during their public hearing. It was thought, given new technologies and Airport growth projections, it would be good, with a light touch, to have 5,000 feet on the ground, but that does not mean, in the future, that further regulations or restrictions necessarily apply to all of that 5,000 feet. What would apply under the proposed Ordinance are disclosure statements and the fact that, with rezoning, there is no opportunity for higher density than what is currently allowed.

Ms. Jovick added that a duly-advertised public hearing was held by the Planning and Zoning Commission. 5,000 feet is the Idaho Transportation Department, Division of Aeronautics, recommendation. As discussed at length during the public hearing, there is a liability exposure with the adoption of a shorter zone, such as 3,000 feet. If there is a catastrophic event somewhere between that 3,000 and 5,000 feet, and there was an opportunity to adopt the recommended distance, it exposes the City to liabilities.

Councilman Darling moved that the proposed Ordinance pass its first reading by Title only and that the Summary is approved. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilwoman Ruehle	Yes
Councilman Aispuro	Absent
Councilwoman Williamson	Yes
Councilman Aitken	Yes
Councilman Eddy	Yes
Councilman Darling	Yes

The motion passed by a unanimous vote of Council present, the Ordinance passed its first reading by Title only, and the Summary was approved.

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Councilman Darling moved that the rules requiring three separate readings, once in the Ordinance's entirety, be suspended and that the proposed Ordinance pass its second and third readings under suspension of the rules. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilman Aispuro	Absent
Councilman Eddy	Yes
Councilwoman Ruehle	No
Councilwoman Williamson	Yes
Councilman Darling	Yes
Councilman Aitken	Yes

The motion passed by a vote of Council present, with Councilwoman Ruehle dissenting, and the Ordinance was considered read, passed and adopted under suspension of the rules.

F. LIFT MORATORIUM ON THE ACCEPTANCE OF ZONE CHANGE APPLICATIONS WITHIN AIRPORT OVERLAY ZONE DISTRICT

Mayor Rognstad reported that Idaho Code Title 67, Chapter 65, allows for municipalities to adopt a temporary moratorium on certain classes of permits when a municipal plan is being created or amended. Following a presentation by Sandpoint Airport personnel and City staff at Council's June 19, 2019, regular meeting, Council sought a moratorium on any new rezone requests seeking residential uses for properties that lie within the Airport Overlay Zone until sufficient guidance had been incorporated into the Comprehensive Plan, and, by Ordinance No. 1366 on July 17, 2019, with the intention of an interim solution to protect the health, safety and welfare of citizens within proximity to the Sandpoint Airport and to allow adequate time for completing the associated component of the Comprehensive Plan, Council adopted a moratorium on the acceptance of zone change applications within the Airport Overlay Zone District. An update to the Comprehensive Plan has been initiated, and the Plan is now amended to include the Airport Chapter, including the corresponding amendment to the Future Land Use Map, and the new Airport Overlay Zones have now been adopted.

Councilman Eddy moved to lift the moratorium on the acceptance of zone change applications within the Airport Overlay Zone District. **Councilman Darling seconded the motion.**

A roll call vote resulted as follows:

Councilman Aitken	Yes
Councilman Darling	Yes
Councilman Aispuro	Absent
Councilwoman Williamson	Yes
Councilman Eddy	Yes
Councilwoman Ruehle	Yes

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The motion passed by a unanimous vote of Council present.

G. ORDINANCE NO. 1370 REPEAL AND REPLACEMENT OF CITY CODE 7-3-10, NEW SIDEWALK CONSTRUCTION

Mayor Rognstad read the title of the Ordinance, as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 7, CHAPTER 3, BY REPEALING AND REPLACING SECTION 10 PERTAINING TO SIDEWALK CONSTRUCTION AND AMENDING SECTION 1 PERTAINING TO RESPONSIBILITY OF SIDEWALK CONSTRUCTION AND REPAIR; PROVIDING THAT THIS PROVISION SHALL BE DEEMED SEVERABLE AND THAT REMAINING SECTIONS OF SANDPOINT CITY CODE SHALL NOT BE AFFECTED BY A FINDING THAT THESE PROVISIONS ARE UNLAWFUL OR UNENFORCEABLE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Infrastructure and Development Services Manager Amanda Wilson provided a prepared presentation (see meeting packet).

Ms. Wilson replied to **Mayor Rognstad** that, when a permit is requested for remodel of an existing structure, with no existing sidewalk at adjacent properties, there would be no requirement to build sidewalk. The “adjacency clause” does not apply when the permit is for new construction.

Ms. Wilson clarified that, within the proposed Ordinance, Section 7-3-10-7-A-3 and “except where the City Council has adopted a Capital Improvement Plan that will otherwise provide for the installation of the required sidewalk within the next five-years, contingent upon funding” at the end of Section 7-3-10-8-B have been stricken, as these provisions are already delineated in Section 7-3-10-3-A, and these additional references were unnecessary and potentially confusing.

Councilman Aitken thanked Ms. Wilson and team for their work. This has been among the most robust, interactive and thoughtful processes he has witnessed in his six years on Council.

Councilwoman Ruehle commented that she is considering making a motion to table this item, as she believes that, sometimes, we don’t think enough about the pitfalls and unforeseen circumstances.

Ms. Wilson responded to **Councilwoman Ruehle** that, it’s true, a remodel consisting of stripping a house down to the foundation and spending hundreds of thousands of dollars to rebuild would not require new sidewalk construction if there is no existing sidewalk at the adjacent properties. **Councilwoman Ruehle** stated that, however, if the next-door

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neighbor (Property 2) to this property (Property 1) pulls a permit to remodel, and there is sidewalk installed at the property on the other side of that neighbor (Property 3), then the Property 2 neighbor would be required to install sidewalk, where the Property 1 neighbor was not required to do so. She believes this is unfair and is aware of this very situation having played out in town in the past five years.

Councilwoman Ruehle stated that she has walked or ridden her bike on nearly every sidewalk in town and disagrees with the statement that there are topographic areas in Sandpoint with an elevation change such that a sidewalk can't be built. Sandpoint is a relatively flat town. Sandpoint is promoted as a walkable town because it was built back in the early 1900s. Many people didn't drive then, and towns were designed for walking before driving was prevalent. If we were living in Sandpoint 70-80 years ago, you would feel far more compelled to pay for the sidewalk your wife had to walk on every day to get to the store. She noted an article, which reported that, long ago, there was a group of women frustrated with all the mud in town who protested by sitting in the middle of the road in their dresses, demanding better walking conditions. We should not be so ready to take the responsibility for sidewalk installation away from property owners.

She continued, stating that a lack of secured funding is a big loophole. If the money isn't spent after ten years, it goes back to property owners. Sometimes things happen very slowly in Sandpoint. She would like to see more details as to how the Fee in Lieu program would work. If we're using the platted quarter-mile sections, and not enough money is collected through the program to construct sidewalks during the required timeframe, then we're giving our sidewalks away with no responsibility. She noted, in the information provided for a different item on the agenda pertaining to wastewater Infiltration and Inflow (I&I) identification and reduction, it was reported that another city helped fund replacement of sewer laterals based on median income. There is a large income disparity in Sandpoint. Perhaps this type of program could potentially lift the burden from property owners who are simply unable to afford sidewalk installation.

She continued, stating that the City has done a relatively horrible job of caring for the pathway on Division Avenue. That's a concern, with the proposal for the City to take on more responsibility for sidewalk repair. The path in Lakeview Park is also in disrepair. The City Beach path is better but still not spectacular. If the City plans to take on this responsibility, we need to take the lead and ensure we are doing a good job of taking care of our own sidewalks.

Ms. Wilson replied to **Councilwoman Ruehle** that City Code Title 10 includes not only subdivisions but also short plats, which consist of four or fewer lots. If land is being divided, and building is taking place, sidewalk installation is required.

Ms. Wilson explained proposed Section 7-3-10-3-B.

Ms. Wilson responded to **Councilwoman Ruehle** that the City is responsible for sidewalk

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across alleyways and, if it's a corner lot, also for curb ramps. Timing of the City's portion of sidewalk construction in these situations would depend on money available. **Councilwoman Ruehle** sees this as a con.

City resident Chase Youngdahl spoke in support of the proposed Ordinance.

City residents Michael Murdock, Jennifer Anderson, and Barb Perusse spoke and indicated they were not in support of the Ordinance, as presented.

Ms. Wilson stated that there were multiple iterations and many drafts of this Code before it was finalized. Proposed Section 7-3-10-3-B states:

- B. New sidewalk construction is required along the entire lot frontage abutting a public street and is the responsibility of the property owner when any one or more of the following is applicable:
 - 1. a permit for construction for any new building, regardless of zone, if:
 - a. no sidewalks exist; and,
 - b. total square foot construction cost over three consecutive years, as published by the International Code Council, latest edition, exceeds twenty-five (25%) percent of the value of any existing building(s), as determined by the final assessment notice of the calendar year, as published by Bonner County.

The "25%" figure in this section actually started at 50%, which would be consistent with other communities. The review committee that assisted in drafting this Code determined that figure was too high, going too far to the side of reducing when sidewalk construction would be required, and proposed 25% instead, in order to increase sidewalk construction. She referred to the matrix included in the staff report, reflecting examples of recent building permits and associated Bonner County Assessor values of those structures.

Ms. Wilson replied to **Mayor Rognstad** that, pursuant to proposed Section 7-3-10-8-C, Council will adopt the Sidewalk Fee in Lieu on an annual basis by resolution. A public hearing this evening on proposed new fees includes the proposed new Sidewalk Fee in Lieu at \$125 per linear foot of frontage.

Councilwoman Ruehle moved to table this matter, offering to volunteer extra time to work with Ms. Wilson in order to resolve the Councilwoman's concerns and concerns she has heard from some members of the public and bring back to Council at the end of January or first of February. The motion died for lack of a second.

Councilman Eddy moved that the proposed Ordinance pass its first reading by Title only and that the Summary is approved. **Councilman Aitken** seconded the motion. A roll call vote resulted as follows:

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Councilman Darling	Yes
Councilman Aispuro	Absent
Councilwoman Williamson	Yes
Councilwoman Ruehle	No
Councilman Aitken	Yes
Councilman Eddy	Yes

The motion passed by a vote of Council present, with Councilwoman Ruehle dissenting, the Ordinance passed its first reading by Title only, and the Summary was approved.

Councilman Aitken moved that the rules requiring three separate readings, once in the Ordinance’s entirety, be suspended and that the proposed Ordinance pass its second and third readings under suspension of the rules. **Councilman Darling seconded the motion.**

A roll call vote resulted as follows:

Councilwoman Ruehle	No
Councilman Aispuro	Absent
Councilman Aitken	Yes
Councilman Eddy	Yes
Councilman Darling	Yes
Councilwoman Williamson	Yes

The motion passed by a vote of Council present, with Councilwoman Ruehle dissenting, and the Ordinance was considered read, passed and adopted under suspension of the rules.

H. RESOLUTION NO. 19-66 WAR MEMORIAL FIELD NATURAL INFILL SELECTION

Consultant Dell Hatch from Bernardo Wills Architects reported that he spoke to the product vendors, reviewed independent assessments, and consulted with those who had fields with these materials installed. Researching the use of natural infill is challenging, as the use of these products, as opposed to tire rubber and sand, is fairly new. The oldest field he could find where natural infill is used is only three years old. All others he reviewed have been using the natural infill for less than three years, and some only for the current 2019 season. Physical examples of the natural infill options, along with a chart, comparing the options, have been on display at City Hall. Mr. Hatch went over the options, as listed on the chart. Believed to be the option that would work best in Sandpoint’s climate and with the approved design of the field, the natural rubber and cork mix is the recommended product. Per square foot, it also happens to cost the least of the options presented.

Mr. Hatch replied to **Councilman Eddy** that he was informed that, when the field is replaced, the recommended natural rubber and cork infill can be pulled from the old field and reused, but this practice is not recommended and wouldn’t be cost-efficient. It would cost less to get all new infill with the new field and maybe save some of the old infill for

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top dressing. An acrylic infill is the only product guaranteed for two field applications, but it is not included in the list because it's not a natural product. It's also very expensive.

Mr. Hatch replied to **Councilman Darling** that the synthetic fields at the Dwight Merkel Sports Complex in Spokane are infilled with recycled rubber. The specifications for our turf product will be written around the selected infill material. The underlayment shock pad is key and is how the G-max safety rating is achieved.

Mr. Hatch replied to **Mayor Rognstad** that it will be difficult to choose a product with absolutely zero allergy concerns, whether it's corconut or another option.

Mr. Hatch replied to **Councilman Aitken** that the infill can be changed if it doesn't work out. Although there are slight differences in basic weight, and some carpet backing is a little heavier, for all turf product options, the basic carpet fiber and pad systems are very similar, and all are maintained with the same basic equipment. Sand is what holds everything in place. Due to our field overlap, if an infill that requires moisture is chosen, irrigation heads would need to throw 150 feet, which would be an issue, possibly requiring a mobile cannon on either side of the field at a cost of \$20,000 - \$30,000. Underground cannons cost \$80,000. City Engineer Dan Tadic added that irrigation, for infill that requires moisture, would result in field downtime.

Mr. Hatch replied to Jeff Johnson, who is not a City resident but who has been involved with preparing sports fields in Sandpoint, that the safety component with all options is fairly high. The shock pad is key. Any manufacturer will claim that, for playability, their surface is more similar to natural grass than the other options. The corconut and wood fiber infill options will require moisture for good cleat and foot action. Cork is lightest and will fly out more. With the shock pad, all will meet safety requirements. They spoke with four major manufacturers and explained our plan for overlaid fields. Normally, football would be a different field than baseball and different from soccer. We will need 2" of fiber.

Mr. Hatch replied to **Councilman Darling** that 2¼" to 2½" is recommended for football. Baseball is 2". It comes down to how the ball reacts on the surface. They met with the Sandpoint High School coaches and explained the overlap and the fact that there will no longer be a crown on the football field. They are all in agreement and understand they will all need to play on the same height fiber.

Councilman Eddy moved to approve the Resolution for WAR MEMORIAL FIELD NATURAL INFILL SELECTION. **Councilman Darling seconded the motion.**

A roll call vote resulted as follows:

Councilman Aispuro	Absent
Councilman Darling	Yes
Councilwoman Ruehle	Yes
Councilman Aitken	Yes

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Councilman Eddy Yes
Councilwoman Williamson Yes

The motion passed by a unanimous vote of Council present.

I. RESOLUTION NO. 19-67 JOINT POWERS AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF SANDPOINT AND THE CITY OF KOOTENAI

Police Chief Corey Coon replied to **Councilman Eddy** that there were 259 calls in Kootenai in 2018, so they feel confident in the estimates and projections that have been provided, and, with the short distance between Sandpoint and Kootenai, he is not concerned about extra wear and tear on vehicles. There will be no problems with traveling through the City of Ponderay in order to respond to calls in Kootenai.

Chief Coon replied to **Councilman Darling** that the concern mentioned previously about the Ponderay Police Department responding to the old Coldwater Creek / now Lighthouse building due to, for instance, theft or major corporate issues that go along with a larger business, where it could potentially impact the City of Ponderay's budget for prosecution, etc., is not a concern for the City of Sandpoint. For a major crime, such as a homicide that would take a tremendous amount of staff time, the City would lean on other agencies, such as the Idaho State Police, to help facilitate the investigation.

Chief Coon responded to City resident Jennifer Anderson that Kootenai will pay Sandpoint a \$40 flat fee for each call, whether that call takes 2 minutes or 30 minutes. He did not have an exact number and declined to guess as to the average length of a call. Ms. Stapleton added that it was important to note the reason Sandpoint would agree to provide services to a city where there is another city in between. The juncture for this contract was the addition of a second School Resource Officer (SRO), who is a City of Sandpoint employee, funded by the Lake Pend Oreille School District. One of the requirements of that arrangement is SRO services at Kootenai Elementary School. Under any other circumstance, it might not make sense, but it does with the provisions of the SRO program. The City of Sandpoint has gained another law enforcement officer position, with the majority of the unfunded portion of that position now paid by the City of Kootenai, and we now have an extra officer during the busy summer months when school is out of session. The agreement expires at the end of this fiscal year. Questions and concerns will play out over the next few months, then we can revisit during budget time.

Councilman Darling moved to approve the Resolution for JOINT POWERS AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF SANDPOINT AND THE CITY OF KOOTENAI. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilman Eddy Yes

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Councilman Darling	Yes
Councilman Aispuro	Absent
Councilwoman Williamson	Yes
Councilman Aitken	Yes
Councilwoman Ruehle	Yes

The motion passed by a unanimous vote of Council present.

J. RESOLUTION NO. 19-68 AMENDMENT NO. 2 TO OWNER-ENGINEER AGREEMENT WITH J-U-B ENGINEERS, INC., FOR INFILTRATION AND INFLOW (I&I) IDENTIFICATION AND REDUCTION

Councilman Darling moved to approve the Resolution for AMENDMENT NO. 2 TO OWNER-ENGINEER AGREEMENT WITH J-U-B ENGINEERS, INC., FOR INFILTRATION AND INFLOW (I&I) IDENTIFICATION AND REDUCTION. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilman Darling	Yes
Councilman Eddy	Yes
Councilwoman Ruehle	Yes
Councilman Aitken	Yes
Councilman Aispuro	Absent
Councilwoman Williamson	Yes

The motion passed by a unanimous vote of Council present.

V. NEW BUSINESS

K. PUBLIC HEARING ON PROPOSED NEW FEES

Ms. Stapleton reviewed the list of proposed new fees, reporting that the proposed special event late fees were already included in the Special Event Policy when it was adopted previously. Staff is also seeking to add a late fee minimum amount in addition to the late fee percentage, as some events are exempt from paying the permit fee.

She also reported that, traditionally, the City has assigned addresses and road names in our city limits, with no additional fee charged. Bonner County is moving to a fee-based system and has adopted new fees, with the E911 requirements as the driving factor. Onsite locating with Global Positioning System (GPS) equipment is required, with specific information that feeds into the E911 system for emergency response. The City has a new locator employee position, and this individual will capture the GPS coordinates and transmit to the County. The City has negotiated a reduction in the fee for our residents. It will be beneficial to developers and residents for the City to continue assigning addresses and street names and then confirm with the County, as we can provide this information to property owners and move through our permit process more quickly. This is a pass-

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through fee, with all funds collected going to the County; we will be collecting these fees on behalf of the County for addressing, address changes and road names. These are not City fees, but we need to add them to our Fee Schedule in order to collect them.

The Sidewalk Fee in Lieu was addressed and explained earlier by Ms. Wilson.

L. RESOLUTION NO. 19-69 ADOPTION OF NEW FEES

Councilman Darling moved to approve the Resolution for ADOPTION OF NEW FEES. Councilman Aitken seconded the motion.

A roll call vote resulted as follows:

Councilman Eddy	Yes
Councilwoman Williamson	Yes
Councilman Aispuro	Absent
Councilman Aitken	Yes
Councilwoman Ruehle	Yes
Councilman Darling	Yes

The motion passed by a unanimous vote of Council present.

M. ZONE CHANGE APPLICATION (ZC19-04/Roberson)

Mayor Rognstad reported that the applicant is seeking a zone change from Residential Single-family (RS) to Residential Multi-family (RM) for a portion of a 10 acre parcel (RPS00000102850A) between Samuelson Ave and N Boyer Rd, legally described as the North half of the South half of the Northeast Quarter of the Northwest Quarter of Section 10, Township 57 North, Range 2 West of the Boise Meridian, Bonner County, Idaho. The applicant is requesting rezone of only that portion of the parcel outside the Airport Overlay Zone, which is approximately the western 5.2 acres. The change from RS to RM would generally allow for greater housing density, smaller setbacks, and taller structures (up to 40'). This request was unanimously approved by the Sandpoint Planning and Zoning Commission following a public hearing on December 3, 2019.

Per Sandpoint City Code 9-9-9-B, Council may take one of the following actions:

1. If the Planning and Zoning Commission's finding is deemed accurate and correct, Council can concur with the recommendation of the Commission, grant the application, and request a proposed Ordinance for adoption at the next Council meeting.
2. Postpone consideration of the application to consult with the Planning and Zoning Commission and its advisors and staff so that, within forty (40) days after hearing the Commission's recommendation, the application shall be approved, conditionally approved, or denied.
3. Deny the application.

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Councilman Darling moved that City Council deem the Planning and Zoning Commission's finding accurate and correct, concur with the recommendation of the Commission, grant the application, and request a proposed Ordinance for adoption at the next Council meeting. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilwoman Williamson	Yes
Councilman Darling	Yes
Councilman Eddy	Yes
Councilman Aispuro	Absent
Councilman Aitken	Yes
Councilwoman Ruehle	Yes

The motion passed by a unanimous vote of Council present.

N. RESOLUTION NO. 19-70 CERTIFIED LOCAL GOVERNMENT (CLG) GRANT APPLICATION TO FUND TRAINING FOR HISTORIC PRESERVATION COMMISSIONERS, CITY STAFF AND ELECTED OFFICIALS

Grants and Performance Management Administrator Linda Heiss reviewed the staff report, which states that the CLG Grant is administered by the Idaho State Historic Preservation Office and awarded to local historic preservation commissions. This year, the focus of the grant is training and conference attendance. The Sandpoint Historic Commission will submit a grant to enable Commissioners, City staff and/or Councilmembers to attend both the National Alliance of Preservation Commissions' annual forum and the Idaho Heritage Conference. The grant application seeks \$6,000, which must be matched 50% (dollar for dollar). This match may be an in-kind match, which is typically how CLG grants have been matched by the City in the past. The matching period runs between October 2019 and the date when the reimbursement is requested, which must be no later than September 1, 2021. The in-kind match includes labor hours from when Historic Preservation Commissioners and City staff are performing Commission duties or working on historic preservation-related projects. Staff does not expect any obstacles in meeting this \$6,000 match funded exclusively by in-kind hours. For matching, staff labor counts as the staff member's total hourly wage (benefits included), and Commission labor is counted as \$22.14/hour.

Councilman Aitken moved to approve the Resolution for CERTIFIED LOCAL GOVERNMENT (CLG) GRANT APPLICATION TO FUND TRAINING FOR HISTORIC PRESERVATION COMMISSIONERS, CITY STAFF AND ELECTED OFFICIALS. **Councilman Eddy seconded the motion.**

A roll call vote resulted as follows:

Councilman Aitken	Yes
Councilman Aispuro	Absent
Councilwoman Williamson	Yes

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Councilman Eddy	Yes
Councilman Darling	Yes
Councilwoman Ruehle	Yes

The motion passed by a unanimous vote of Council present.

O. RESOLUTION NO. 19-71 LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL (LHTAC) GRANT APPLICATION FOR PARTICIPATION IN MULTI-AGENCY URBAN AREA TRANSPORTATION PLAN (UATP) WITH CITIES OF KOOTENAI, DOVER, AND PONDERAY AND THE INDEPENDENT HIGHWAY DISTRICT (IHD) IN ORDER TO COORDINATE INDEPENDENT PLANNING EFFORTS INTO A COMPREHENSIVE DOCUMENT

Ms. Heiss reviewed the staff report, which states that this is an LHTAC grant to participate in a multi-agency Urban Area Transportation Plan (UATP) with the neighboring jurisdictions of Kootenai, Dover, and Ponderay and the Independent Highway District (IHD) to coordinate and expand upon independent planning efforts, compiled into one comprehensive document. The current UATP was developed and adopted over ten years ago. The grant application provides additional background and details intended outcomes. A working group of stakeholders representing each jurisdiction has been meeting regularly to discuss the planning process, existing data and plans, shared opportunities, and a vision for engaging the public in an effort that will critically review needs and define actions, identify priorities, policy guidelines, capital improvements, and funding strategies for the next 20 years. Each agency, except the City of Sandpoint, has agreed to contribute a portion of the required 7.34% match. It is intended for Sandpoint to serve as the lead agency/applicant, contributing our portion of the required match through in-kind (administrative) support. The City of Sandpoint's Multimodal Transportation Master Plan currently underway will be integrated into the UATP, which is a regional transportation plan. The application is due January 2, 2020, and requires evidence of support from each jurisdiction. All other jurisdictions have provided resolutions and/or letters in support of the UATP. The grant application, as provided in the meeting packet, is a draft and not fully complete, as additional information is being provided by the partnering jurisdictions. The final grant award decisions are made in September 2020, and, if awarded, the project would not commence until FY2021.

Councilman Eddy moved to approve the Resolution for LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL (LHTAC) GRANT APPLICATION FOR PARTICIPATION IN MULTI-AGENCY URBAN AREA TRANSPORTATION PLAN (UATP) WITH CITIES OF KOOTENAI, DOVER, AND PONDERAY AND THE INDEPENDENT HIGHWAY DISTRICT (IHD) IN ORDER TO COORDINATE INDEPENDENT PLANNING EFFORTS INTO A COMPREHENSIVE DOCUMENT. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilman Aispuro	Absent
Councilwoman Ruehle	Yes

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Councilman Darling	Yes
Councilwoman Williamson	Yes
Councilman Eddy	Yes
Councilman Aitken	Yes

The motion passed by a unanimous vote of Council present.

P. EXECUTIVE SESSION PURSUANT TO 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.

Councilman Aitken moved to convene in EXECUTIVE SESSION PURSUANT TO IDAHO CODE SECTION 74-206(1)(f). **Councilman Eddy seconded the motion.**

A roll call vote resulted as follows:

Councilman Aispuro	Absent
Councilman Darling	Yes
Councilwoman Williamson	Yes
Councilwoman Ruehle	Yes
Councilman Aitken	Yes
Councilman Eddy	Yes

The motion passed by a unanimous vote of Council present.

Mayor Rognstad recessed the regular meeting, and City Council convened in executive session at 8:11 p.m. in the first-floor conference room at City Hall.

Council concluded its executive session and returned to Council chambers. **Mayor Rognstad** reconvened the regular meeting at 8:53 p.m.

ADJOURNMENT

Mayor Rognstad adjourned the regular meeting at 8:53 p.m.

Shelby Rognstad, Mayor

ATTEST:

Melissa Ward, City Clerk