

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

I. OPENING

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

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

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

A. PUBLIC FORUM

Molly O'Reilly, Sandpoint resident, and member of the City's Pedestrian Bicycle Advisory Committee (PBAC), stated that, a year ago, staff announced that PBAC meetings would be put on hold while changes were made to the Ordinance, which states that PBAC is to meet at least four times per year; PBAC is now out of compliance with that requirement. The meetings happened to halt at a time when PBAC needed to elect a chairperson, so they have not had anyone to call a meeting anyway. PBAC was created by ordinance to advise Council on non-motorized transportation. One Committee member who is a cyclist conveyed concerns to her about fast motorized traffic this summer and how unsafe he felt. City sidewalks are closed currently, with the construction. When they're open again, decisions will need to be made as to where the furniture will be placed and the A-frame signs. There are ongoing issues; some are technical and some just need advice from citizens. She requests action to get PBAC up and running again.

Connie Watson, Sandpoint resident, requested that, as Council updates the Comprehensive Plan that they do what is necessary to keep a three-story building from being constructed on her street. No permit has been applied for yet, but the property in question is for sale and, if the zoning currently in place on this property remains, a multi-family structure could be built on her street in the future, and she certainly hopes not. She requests a zoning change to Residential Single-Family. A developer just built 22 houses in the half block just north of her house, with five more to be built. She lives on Madison Avenue, which is only one block long. This is significant density for this small area. Traffic and pedestrian safety are concerns.

B. ANNOUNCEMENTS

City Administrator Jennifer Stapleton explained the new Council chambers setup for meetings. The large staff table has been cut in half and the podium moved from the west side of the room to the center, in between and just in front of the new split staff table. The City Clerk has moved down from the dais and will now sit at the east half of the staff table, where the public can easily present comment forms to her, and she can approach the dais to forward these and other documents to the Mayor and Council. She will also be on point for switching the connection to the chambers' big screens from one computer to another, as needed, during presentations. Locating the podium in the center of the room positions those speaking to be able to focus their comments directly at the center of the dais to the Mayor and City Council, is more accessible, and closer to and easier to capture on the streaming camera.

Councilwoman Ruehle thanked staff for the installation of the banner downtown, announcing that downtown businesses were open during construction.

II. CONSENT CALENDAR

C. MEETING MINUTES (*approval of City Council minutes; acknowledgment of all others*)

1. City Council – September 4, 2019, Regular Meeting
2. Planning and Zoning Commission – August 20, 2019
3. Urban Renewal Board – August 6 and August 20, 2019

D. BILLS in the amount of \$1,555,302.44, reflecting \$1,040,337.42 for regular payables and \$514,965.02 for payroll.

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E. TREASURER'S REPORT ON CASH AND INVESTMENT TRANSACTIONS – JULY 31, 2019

F. APPOINTMENTS TO CITY COMMISSIONS, ADVISORY COMMITTEES, AND BOARDS
1. Scott Wohlschlager, Development Impact Fee Advisory Committee

Mayor Rognstad relayed his appreciation for Mr. Wohlschlager's willingness to volunteer to serve on the Committee and urged Council's approval of this appointment.

G. RESOLUTION(S)

1. RESOLUTION NO. 19-50 SURPLUS PROPERTY DECLARATION

Councilwoman Williamson moved that items C-1 through G-1 be approved. **Councilman Darling** seconded the motion.

A roll call vote resulted as follows:

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

The motion passed by a unanimous vote of Council present.

III. OLD BUSINESS

H. BONNER COUNTY EMS UPDATE

Chief Mark Sauter, Bonner County Fire Chiefs Association (BCFC), reported that the Bonner County Emergency Medical Services (EMS) project that was started in January continues, with significant research compiled. BCFC will host a public meeting on Thursday, October 24, 2019, at 6:00 p.m. in the main auditorium, lower level at the Bonner County Administration Building at Highway 2 and Division Avenue. The Bonner County Commissioners are invited and have provided use of the County's meeting room. At the meeting, BCFC's findings will be presented, and public comment will be taken. There has been talk of a pilot program where, for instance, the current Bonner County EMS building near the hospital could be eliminated, with one of the two ambulances moved to the Selkirk Fire Station in Sandpoint and the other housed at Northside Fire Station in Ponderay. This possibility has been discussed with both Selkirk Fire and Northside, and both are supportive of such a pilot program. In the past, there has been an ambulance at the Sandpoint Fire Station, and it was a successful program. Some years ago, however, the ambulances were removed. BCFC believes it would be a step forward to redistribute some of the EMS assets, and moving an ambulance back to Sandpoint and one to Ponderay as a pilot program would result in immediate money savings, eliminating the lease at the current EMS building near the hospital and, more importantly, would result in an increased level of service with an ambulance stationed on this end of town in Sandpoint and another on the north side in Ponderay. There is also potential for a backup ambulance to be stationed in Sandpoint.

H1. LETTER TO U.S. COAST GUARD REQUESTING RECONSIDERATION OF RAIL BRIDGE DECISION

Matt Nykiel spoke on behalf of the Idaho Conservation League with a request that City Council send a letter to the U.S. Coast Guard (USCG), asking that agency to reconsider its decision, finding that Burlington Northern Santa Fe's (BNSF) plan to build new rail bridges across Lake Pend Oreille, Sand Creek, and Bridge Street does not require an environmental impact statement (EIS). The USCG notified the public of their decision on September 5, 2019. In May 2018, Council unanimously approved a Resolution, requesting the USCG to require an EIS, a formal document that analyzes the impacts of proposals that involve federal resources; it is the highest level of environmental review, which would be important for a project that affects Lake Pend Oreille. Over 2,000 individuals submitted comments, also requesting an EIS. BNSF has the authority to

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commit to an EIS, and their unwillingness to do so has been surprising; providing a thorough analysis of a project as significant as this one is customary. Such a project affects the heart of our town, the local economy, and quality of life. Lake Pend Oreille is an important asset, and anything that affects it, good or bad, affects our quality of life and local economy. Construction alone could take three to five years, involving three new permanent bridges. In order to construct those permanent bridges, construction of temporary bridges running alongside will be necessary. Over 1,000 pilings will be required in the lake and creek, where large, noisy impact hammers will be used. If the project moves forward, it will affect Sandpoint for some time. The City has an opportunity to decide whether it wants to request reconsideration of the USCG's decision to not require an EIS. This process is time-limited. The rules state that such a letter must be submitted within 30 days of issuance of the decision. This will be the last opportunity for the City to weigh in. If, later, the City were to decide to appeal the USCG's decision, this letter would need to be in the record; all steps in the process are required. Although the public became aware of this decision on September 5, the actual decision document is dated August 29, 2019. It is unclear whether the 30-day countdown began on August 29 or when the public was notified on September 5. If the City chooses to send a letter, he suggests it include a request that the USCG stay the effect of its decision while it reconsiders the matter. BNSF has already begun construction. If the USCG doesn't stay its decision, BNSF can continue construction before the USCG concludes the reconsideration process. More information is available online, including an example form letter.

Mr. Nykiel responded to **Councilwoman Williamson** that, from the USCG's draft Environmental Assessment (EA) to the final EA recently issued, the USCG did address some of the issues brought forward by the City, but not all, and not with as much clarity as the City and other parties might desire. ICL was hoping for more clarity around demonstrable evidence that, upon completion of this project, wait times between roads and the rail will actually be reduced; this information was not provided. There were some changes made between the draft and the final, including the fact that this project has the potential to increase rail speeds through the City from 25 miles per hour (MPH) to 35 MPH. There was no associated analysis of how this increased speed might increase the risk or magnitude of a derailment. Additionally, there has been no soil analysis or study where dredging and other project activities will take place in the lake and BNSF right of way. Contaminants, including mercury and arsenic, were found during the Sand Creek Byway project in and around the lake as a result of legacy mills and mining. The City had requested socioeconomic impact analysis, and some analysis was completed, but the public did not have an opportunity to comment on this aspect. An EIS would assist in obtaining this information and would provide an opportunity for the public to comment.

Mr. Nykiel responded to **Councilwoman Ruehle** that there is a technical process required to trigger an analysis of environmental justice impacts, which pertains mostly to underserved communities and is applicable only when the underserved population in the project area reaches a certain threshold. He recalls that, in the final EA, it was determined that no such threshold was met as relates to this project. The socioeconomic impact analysis does address quality of life and how the project would impact the community.

Mayor Rognstad directed staff to bring to the next meeting for Council consideration a draft letter to the USCG, requesting reconsideration of their decision to issue a final environmental assessment for the proposed construction of railroad bridges across Sand Creek and Lake Pend Oreille without requiring an EIS.

I. **RESOLUTION NO. 19-51 FIRST AMENDMENT TO CONTRACT FOR SOLID WASTE COLLECTION AND DISPOSAL AND RECYCLING COLLECTION, PROCESSING AND MARKETING WITH WASTE MANAGEMENT OF IDAHO, INC., 2019-2029**

Ms. Stapleton reported that this is a proposed amendment to the Waste Management (WM) garbage and recycling contract Council approved on April 17, 2019. The contract and its provisions are scheduled to take effect on October 1, 2019. There are a couple of elements to this amendment: First, staff conducted an analysis of the Garbage Fund and the fees the City charges to WM. The contract references a solid waste fee that is charged to commercial customers. That is a franchise fee the City charges WM as the City's sole

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garbage operator, and the purpose of that fee is to compensate the City for WM's use of our public rights-of-way, intended to offset wear and tear caused by the garbage trucks traveling City-maintained streets. It's a franchise fee like other franchise fees charged to utility providers, such as cable television or electric companies, and is passed along to the customer. Franchise fees for solid waste can be passed along only to commercial customers, not residential. Staff's analysis of the Garbage Fund has resulted in a recommendation for an amendment to the contract, seeking to reduce the franchise fee charged to WM from 29% to 25%. Ultimately, it is the City's commercial customers who will benefit from this fee reduction. There is an increase effective for commercial garbage pickup, as well as residential, but the 4% decrease in the franchise fee will help offset that increase for the commercial customers. In the Enterprise funds, such as the Water Fund, Sewer Fund, as well as the Garbage Fund, some reserves are always being built up to cover capital expenses and other allowable costs. A regular analysis of those funds is needed to prevent buildup of an ever-growing fund balance. The increase in the Garbage Fund balance contributed to the basis for this recommendation to reduce the fee. With the implementation of the smart garbage bins, decreasing the overall number garbage cans throughout the commercial corridors and parks, garbage truck traffic has declined, which has also contributed to the basis for this recommendation.

Additionally, the contract includes a new \$25 fee for recycling contamination, effective October 1. As a result of Council questions and questions from the public as to how this fee would be implemented and the need for community education and outreach regarding the fee, Tami Yager from WM is present to specifically address this issue. City staff has negotiated a fee implementation deferment during the public education campaign, with the fee taking effect no sooner than March 1, 2020. In order to properly document and provide clarity regarding these negotiations, a formal contract amendment has been prepared. The amendment also outlines a community outreach plan to educate on recyclables.

Ms. Yager reported that WM has been providing curbside recycling in Sandpoint since 2012. As has been the case since that time, paper, cardboard, aluminum, tin and glass are all recyclable materials. Other items, such as Styrofoam, hoses and children's toys are not. A robust education effort is needed. The goal is not to fine people for contamination; it is to ensure clean recyclables. One element of this effort will be an update decal for the recycling carts, which will be changed out in the spring. A mailer is also planned, sent directly to each customer. The content is still in draft form, but it will include information as to what materials are recyclable. A service week calendar will also be provided, and City Geographic Information System (GIS) staff is assisting with a corresponding map. A list of frequently-asked questions (FAQ) is also being considered as part of the mailer, and they are working with City staff on information for both the Sandpoint page on the WM website and the City website. A list of curbside recycling FAQs is already posted on the Sandpoint page of the WM website at www.wmnorthwest.com/sandpoint. This can be a living document, with questions added as received from citizens. The plan is to have the mailer out before the middle of November. One of the most important points that needs to be made is that plastic bags are not recyclable, and it is crucial that they are not placed in the recycling cart; they wreak havoc on the sorting equipment. An "Oops" tag is under development, which will be used by drivers when they discover non-recyclable materials in the recycling cart. A methodology will be devised for alerting customers. Charging the contamination fee is a last resort. All of these different elements of the program will need to be worked out and in place before the fee is ever charged. The services remain the same, the schedules remain the same, and the core recyclables remain the same, but there is importance placed on eliminating recycling contamination. She provided clarification on glass recycling, reporting that glass set out for recycling by consumers is reused, but it is not recycled. Currently, it is being used as rock replacement for roadbed at one of the WM facilities.

Ms. Yager confirmed to **Mayor Rognstad** that both the updated decals and the mailer are part of the community outreach plan.

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Ms. Yager responded to **Councilwoman Ruehle** that the direct mailer will be sent to each customer. The City can additionally provide an announcement in the utility bills if it desires to do so, and WM can provide language, if needed, for such an announcement.

Ms. Yager responded to **Councilwoman Williamson** that WM still needs to work with City staff and refine exactly how, when, and under what circumstances the fee will be imposed. In other markets, including Spokane Valley, WM is experimenting with cameras related to commercial recycling, where photos are taken and sent by email to commercial customers. Even though the contract amendment that has been presented indicates March 1, 2020, as the date to which implementation of the fee is being deferred, WM is willing to extend that out to May 1, 2020, and any date specified in the contract is really just a placeholder; they do not plan to begin charging the fee until the community outreach effort has been completed and an agreed-upon process is in place. WM is focused on the education component and wants to go on record as stating that they want to work with the City and provide the education. Only when everything possible has been done to try to ensure clean recyclables will the fee ever be charged. Currently, WM does tag customers when recycling is contaminated, although this practice has not been consistent. Driver education is underway. The City and WM would need to come to agreement on what makes sense, but the fee could be charged after a customer has been tagged three times or two times or even just one time. The use of cameras and emailing the customer may turn out to be a good solution, but it will take at least a couple years to test and implement. **Councilwoman Williamson** appreciated the plan for community outreach and agreed that clean recyclables are essential. She also expressed a desire for more specific and concrete details on how the new fee will be implemented and data on the results of the community outreach efforts. **Councilman Aispuro** concurred and added that he understood and appreciated that education, not fee assessment, is the goal.

Ms. Stapleton stated that an update for Council can be scheduled prior to March 1 and prior to implementation of the fee, but this amendment has been brought to Council at this time, as WM and the City are working through the details, because, under the already-approved contract, the fee can be levied just a few days from now, beginning October 1. This amendment seeks to delay that implementation.

Councilwoman Ruehle suggested that, if benchmarks aren't reached, and the City does not approve of the implementation, the fee would not be implemented on March 1, and this issue would be revisited until an agreed-upon plan is in place, with any stated deadline null and void if there are still outstanding issues. Ms. Stapleton replied that such language could be incorporated within the proposed amendment, but it would need to be approved by WM's legal counsel.

Ms. Yager pointed out that this could be considered regressive bargaining. WM has been a business partner of the City's for 30 years. They want clean recyclables and need the City to help in this effort. As far as they're concerned, charging the fee will not solve the problem at hand, and it's an option they're not interested in currently deploying.

Councilwoman Williamson explained that Council must act in the best interests of their constituents. Ambiguity in a contract they're asked to adopt can be problematic. Additionally, Council has agreed to make data-driven decisions, and she would like an update and to have the opportunity to see the results of the data collected as a result of the community outreach effort.

Ms. Stapleton confirmed to **Councilman Aispuro** that the contract in its current state was adopted by Council on April 17, 2019. **Councilwoman Williamson** stated that staff has brought this proposed amendment to Council because the fee is of concern to the community. **Councilwoman Ruehle** added that it was her recollection that Council approved the contract out of necessity to ensure uninterrupted garbage service, but there have been ongoing concerns surrounding this new fee. Ms. Stapleton confirmed to **Councilman Aispuro** that, without the amendment, the contract provides that the fee can be implemented and charged beginning October 1.

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Ms. Yager clarified that this amendment has been introduced for the purpose of reducing the franchise fee, with the understanding that there were questions about the implementation of the recycling contamination fee, so the amendment seeks to address that issue, as well. Perhaps it would be possible to utilize a letter of agreement in order to address Council's concerns, without the need to amend the contract amendment as presented. She stated that WM would be willing to wait even a year before implementing the fee.

Councilwoman Williamson is in support of reducing the franchise fee, resulting in a cost reduction to the City's commercial customers, but this one amendment addresses both that issue and also the recycling contamination fee, and she does not feel that she has enough information to properly inform citizens of how, when, and under what circumstances the fee will be charged. Ms. Stapleton replied that staff believed including the fee issue in a formal contract amendment puts the City in a stronger position than doing so through a separate letter of agreement. She suggested that, to provide clarity while WM works through the details, Council could amend the contract amendment as presented to state that a further presentation will be provided to Council prior to implementation of the fee and recommended to **Mayor Rognstad** that Council formally amend the contract amendment that has been presented with a motion and vote to ensure that Council's intended language is on record and added to the contract amendment for consideration by Waste Management's legal counsel.

Councilwoman Ruehle moved for approval of the proposed Resolution, FIRST AMENDMENT TO CONTRACT FOR SOLID WASTE COLLECTION AND DISPOSAL AND RECYCLING COLLECTION, PROCESSING AND MARKETING WITH WASTE MANAGEMENT OF IDAHO, INC., 2019-2029. **Councilman Aispuro seconded the motion.**

Councilwoman Williamson moved to amend that the contract amendment include language that Waste Management will provide City Council with a report of their findings from their citizen outreach efforts and provide specific recommendations as to how they plan to inform customers of their decision-making around charging their recycling contamination fee. **Councilwoman Ruehle seconded the motion.**

A roll call vote resulted as follows:

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

The motion passed by a unanimous vote of Council present.

A roll call vote to the main motion resulted as follows:

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

The motion passed by a unanimous vote of Council present.

J. MULTIMODAL TRANSPORTATION MASTER PLAN UPDATE

Infrastructure and Development Services Manager Amanda Wilson reported that her update this evening follows a discussion in March of this year, at which time Council was apprised on the path forward for pursuing an overall Comprehensive Plan. A Multimodal Transportation Master Plan (MTMP) is included in the 2018-2020 strategic initiative previously adopted by Council.

Multimodal means all modes of transportation. Transportation brings to mind vehicles, trucks, streets, roadways. However, many in our community cannot drive. Data indicates

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that, in most communities, 20%-40% of the community is unable to drive. Those included in this group could be young people, senior citizens, those with disabilities, or those who simply cannot afford a car, or their car is not running. Typically, transportation master planning has focused on automobiles, as 70%-90% of all trips are in an automobile. Multimodal planning seeks to achieve balance, recognizing that some of us travel by car and some of us do not.

The MTMP will seek to address the issues the City is currently facing, and, as is evidenced by prior discussions with Council and feedback from citizens, the list is long. For instance, sidewalks and pathways are not well-maintained, with gaps in some areas. The truck routes have not been updated for 20 years, and the trucking industry experiences challenges when driving through our town, resulting in negative impacts on residential streets. The street maintenance budget is not keeping up with our needs. The purpose of the MTMP is to start resolving these issues. It will be important to break down the silos and open a broader conversation about all modes of transportation.

Without a plan, we will not be able to address the issues and fix the problems. A plan answers the what, the where, the how and the when. With those answers, priorities and appropriate budgeting can be determined. An adopted plan in place is also advantageous when applying for grant funds. Our focus going forward to prevent our plans from "sitting on a shelf" will be balance and priorities, with the Plan enabling the City to take action. The goal with the MTMP will be to review all modes of transportation and create a true implementation plan, not a plan containing only concepts that favor one mode over another.

It's been over ten years since our last transportation plan, and we've seen tremendous local and regional growth, which impacts transportation. Zoning and land use discussions are currently underway. Downtown streets have been reverted from one-way to two-way. There are roundabouts on Boyer Avenue at Larch Street and at Schweitzer Cutoff Road. All of those larger capital improvement projects have been included in past plans, so progress has been made as a result of prior plans, and now it is time to update those plans for our current needs.

Much has changed over the past ten years. It is essential to use current data and to reassess the community's perspectives, goals and priorities. We need a strategy for all modes of transportation and to be able to balance those priorities. For instance, a positive change for trucking might not result in a positive change for pedestrians. A cohesive conversation about all issues at once will produce results that benefit everyone.

The intended outcome is adoption of a fiscally-responsible and practical plan, supported by the community. Ms. Wilson provided a list, highlighting the Master Plan intended results, including:

- Updated Travel Demand Model (current and future traffic counts) - DONE
- Operational Analysis (how well do the intersections work) - DONE
- Pavement Condition Assessment and Analysis (what streets are the worst) - UNDERWAY
- Revised Truck Routes (current route system is nearly 20 years old)
- Sidewalks and Pathways Network (where do we need them and which ones should be prioritized)
- Accessibility / ADA Compliance and related on-street parking challenges
- Division Ave focus-area (Pine intersection, safety for kids, mid-block crossings)
- Revisit options at Superior and First
- Identify solutions to address current "cut-through" routes between Hwy 95 and Hwy 2
- Prioritization of projects with cost estimates and funding strategies
- Comprehensive List of Improvements (informs budgeting, future funding, and impact fees)
- Recommendations for improving codes, policy, and standards

Ms. Wilson provided a chart, showing sequence of events and timing:

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PRELIMINARY SCHEDULE	2019				2020								
	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT
Multimodal Transportation Master Plan													
<i>Update Travel Demand Model - DONE</i>													
<i>Draft Operational Analysis- DONE</i>													
<i>Regional Collaboration; UATP Grant Application</i>													
<i>Sidewalk & Pathways - Code Review</i>													
<i>Comprehensive Plan Update</i>													
<i>Advertise & Award Consultant Contract</i>													
<i>Pavement Condition Report</i>													
<i>Public Engagement/ Workshops</i>													
<i>Road Safety Audit - Division Ave (grant-funded)</i>													
<i>Draft/Finalize MTMP</i>													
<i>Short-Term (5-year) Improvement Plan</i>													
<i>FY21 Budget Process</i>													

The UATP Grant Application is for an Urban Area Transportation Plan grant, collaborating with neighboring communities, which would be a separate project from the master planning effort. If UATP grant funds are awarded, they will become available in FY2021.

The City has just released a Request for Qualifications (RFQ), seeking a qualified consultant for multimodal transportation planning and engineering services in support of the MTMP. A selection committee will be assembled, and it is anticipated that a recommendation will come before Council the first meeting in November.

The public engagement effort and workshops will include citizens, stakeholders, Pedestrian and Bicycle Advisory Committee members. The hope is to bring a broad group of people with diverse perspectives into the conversation.

Ms. Wilson discussed the list of recent and related efforts, all accomplished this year (with the exception of the first item, the speed tables on Ella Ave).

- Pilot Program on N. Ella - Speed Tables
- New Four-Way at Cedar and Third
- New Four-Way at Church and Fourth
- No Truck Signs, throughout South Sandpoint
- Pilot Program on First, Temporary Bike Corral on-street
- New No Parking Signs on Cedar, west of Division
- New Sidewalks/Ramps on Ontario/Florence
- Improved ADA Parking along Cedar (First is underway)

Councilman Aispuro left the meeting at 6:44 p.m. and returned at 6:45 p.m.

In response to public feedback, on September 25, a new four-way stop will be installed at Pine and Division, as an interim solution to current safety challenges. This is a truck route, there are three schools on Division, multiple daycare centers, the Library, along with senior facilities. It's a busy area for 6+ hours a day. Currently, there are no stops on Division from Baldy Mountain Road, south all the way to Highway 2. Stop signs are not the only way to reduce speeds, but they do help, and Pine Street is near the center of that corridor and well-positioned near the schools. Results of the grant-funded audit along Division and the MTMP are expected to provide long-term solutions.

Ms. Wilson went over some FAQs:

1. Most residential streets in Sandpoint were originally paved over 30 years ago with approximately 2-inches of asphalt.
2. All traffic signals are owned and maintained by the Idaho Transportation Department (ITD).

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3. In 2006, approximately \$103 million in transportation improvements were identified within Sandpoint.

4. The one-way portion of Pine Street between Fifth and Fourth was required by ITD to enable the City to convert downtown streets from one-way to two-way. Changing this portion of Pine back to two-way is not viable because it would cause safety issues and negatively impact the nearby signal at Church.

5. City is drafting possible revisions to the codes relating to new construction and maintenance of sidewalks, specifically regarding fairness, equity, and clarity of the code.

Ms. Wilson commented that staff is looking forward to engaging the community in this effort.

Councilwoman Ruehle commented that ITD “dropped the ball” on the West Highway 2 connection from Highway 95 North. If those are all State highways, they put no thought into how that connection was going to work, because now there are a multitude of problems with different options of driving through the neighborhoods. Some drivers, for instance, jet across First and Superior and go up Lake, jog across at the dogleg, and they do not look. She knows firsthand, as she is nearly hit there almost daily. She thanked staff for the stop sign on Division, even if it is only an interim solution. It may be irritating to some and very helpful to others. She looks forward to a more permanent solution that will make everyone happy.

IV. NEW BUSINESS

K. SUBDIVISION PRELIMINARY PLAT APPROVAL (S19-01)

Planning and Community Development Director Aaron Qualls reported that this will be a 5-lot subdivision, just over the threshold requiring a public hearing; an application for a 4-lot subdivision is an administrative process. The Planning and Zoning Commission held a public hearing on September 3, 2019. He displayed an aerial image, showing the location of the 1.65-acre parcel where the subdivision will be developed at the northeast corner of Boyer Avenue and Mountain View Drive. The Commission unanimously approved the proposal. There is no zone change associated with this proposal; it is zoned Residential Single-Family, and the lot sizes meet the minimum lot and frontage requirements under City Code, ranging from 6,000 square feet to 24,000 square feet. One unique aspect of this proposal is that it incorporates a flag lot. Flag lots essentially have an access point that is a minimum of 26 feet wide, rather than the minimum frontage requirements, which, in this zone, would normally be 50 feet. Flag lots are allowed at the Commission’s and Council’s discretion.

There are driveways indicated on the preliminary plat and some potential building footprints, which is not a requirement, but it is helpful in the preliminary plat stage in order to advise the applicants on their proposal. When driveways are coming off of driveways, it can start to look like a street. Code does not allow for a private street unless there is a public safety issue, such as access to a runway. The applicants have indicated that they would like to move a lot line to better meet City standards, as discussed during the Commission meeting. A final plat will come back to Council once all conditions and improvements are in or bonded for, and the final plat must be substantially in accordance with the approved preliminary plat. It is the opinion of City staff that, even if that line is moved, the plat would still be substantially in accordance. There would be a ten-foot dedication of Boyer to the City and the Independent Highway District (IHD) where there is currently an easement. Access to these lots would be off Mountain View, as opposed to Boyer.

Mr. Qualls responded to **Councilwoman Ruehle** that, within the image, it appears that the smaller building in the middle of the parcel was intended as a garage and is part of Lot 1, which is the 24,000 square foot flag lot. One of the conditions is that the driveway should access a parking area, potentially a hammerhead, if more than 150 feet, to allow for a fire apparatus to turn around. There were 8 total conditions provided by City staff

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and approved by the Commission in their recommendation to Council. A fire hydrant will also be required, per the Fire Chief.

Applicants Jake Humble and Jimmy Black addressed Council, with Mr. Black confirming that the referenced building was intended to be a garage. Per discussions with City staff, they are planning to move the lot line over, so that garage building will most likely end up as part of Lot 5, which is the Boyer-facing lot. They had originally intended to access Lot 5 from Boyer, but it was determined that backing vehicles onto Boyer may not be advisable. They are amenable to doing whatever is necessary to ensure safe access to that other lot. Mr. Black agreed with **Councilman Aitken** that they are taking a unique approach to utilizing a very unique lot. It's a very odd shape and a remnant from a one-time family parcel; they are trying to make the best use of it and build some affordable housing in town.

Councilman Aitken moved for approval of the Mountain View Acres Subdivision Preliminary Plat, subject to the eight (8) Staff Recommended Conditions provided on page 7 of the staff report from the September 3, 2019, Planning and Zoning Commission meeting. **Councilman Darling seconded the motion.**

A roll call vote resulted as follows:

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

The motion passed by a unanimous vote of Council present.

L. RESOLUTION NO. 19-52 PROFESSIONAL SERVICES AGREEMENT WITH LOGAN SIMPSON DESIGN, INC. FOR SANDPOINT COMPREHENSIVE PLAN UPDATE

Councilwoman Williamson left the meeting at 6:59 p.m. and returned at 7:01 p.m.

Mr. Qualls explained that the Sandpoint Comprehensive Plan is a 20-year vision by and for the community and guides major decisions by Council and the Planning and Zoning Commission as to how and where the City may grow. Cities are required by State law to have a Comp Plan. It sets the stage as to what can be built and where so that development decisions are not made on the fly but in the context of a broader vision by the community. A Comp Plan can provide a degree of predictability for property owners, businesses, and residents, existing or new. The Comprehensive Plan is truly comprehensive, incorporating many elements. There are 17 required elements in State statutes, but we are not limited to those 17. The Comp Plan will also take into account and coordinate with the various master plans currently underway or adopted.

There is significant data associated with the Comp Plan, including population data and demographics, housing, community design, transportation, education, recreation, hazardous areas, and hazard mitigation can be included, as well, even outside the City where we may grow in the future, such as the Area of City Impact (ACI). There are many pieces, and it requires many voices. For a plan to be successful, it takes extensive public involvement. There will be several upcoming meetings, surveys, listening sessions, and more. The intent is for everyone to have a voice in how to shape the vision for and future of our community.

The Comprehensive Plan is the legal basis for decisions, most notably zoning decisions, which govern where things are built and how. For example, where certain types of housing should be situated, where a grocery store should be built, where a car lot can be located, and, more broadly, the Plan seeks to answer questions as to what people really value about the community and their major concerns for the future of our community. The Comp Plan isn't zoning regulation, per se, but it sets the legal prerequisite for zoning decisions. The actual zoning regulations govern types of uses that can be built in certain areas, the height, the setbacks, design standards, etc.

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Mr. Qualls displayed a chart, reflecting the overall timing for this effort:

Milestone	Date
Consultant Contract Award by City Council	Wednesday, September 18, 2019
Airport Plan Component Adopted	Wednesday, December 18, 2019
Full Comprehensive Plan Update Adopted	Wednesday, September 21, 2020

An interim update for the Airport component, which is a priority, is planned for completion by the middle of December, with the full Comp Plan update adopted by the end of FY2020. This will provide enough time to garner all of the input needed for a successful Plan. The statutory requirements are simply that the Planning and Zoning Commission holds a public hearing, makes a recommendation to Council, and Council adopts a Resolution. But, in order for the Plan to be successful, it requires a variety of voices to participate.

Mr. Qualls responded to **Councilman Aispuro** that what the community gains from this effort depends on community involvement and the data we have going into the Plan. The update to the Plan will not be exactly the same as what is currently in place. The current Plan contains outdated data. There have been many changes over the past ten years in the areas of transportation, land use, plans for the Airport, and changing circumstances in demographics, not just locally but regionally. **Mayor Rognstad** added that the community is also seeing significant growth pressures.

Mr. Qualls responded to **Councilwoman Ruehle** that the Watershed can be included. Elements can be added based on community feedback, data, and circumstances unique to our area. There is a separate master planning effort specific to the Watershed that will be underway soon. The intent of the Comp Plan is to tie together many of the various master planning efforts.

Mr. Qualls responded to **Councilman Aispuro** that the stormwater plan is a separate element. Water drainage and water quality are certainly of interest and concern to the community, in addition to wildfire threats, and these elements can be incorporated as part of the Comp Plan, and this was articulated in the Request for Proposals (RFP). Ms. Stapleton added that the Stormwater Master Plan is a separate effort that will be led by another area of the Infrastructure and Development Services group. There are a number of other master planning efforts, as reflected in the Strategic Plan, that are both underway and in the process of being underway and will be linked with the Comp Plan in terms of informing the Plan, but they won't be sub-plans under the Comp Plan itself. These include the Parks and Recreation Master Plan, the Multimodal Transportation Master Plan, Water Master Plan, and Stormwater Master Plan. These will all be separate efforts that will inform the Comp Plan.

The City advertised the RFP extensively on national planning websites, with local planning chapters, and through the City's own channels. Five proposals were received, and a selection committee was established, made up of the Mayor, Council President, Planning and Zoning Commission Chair, and City staff. The proposals were evaluated based on criteria specified in the RFP, which was facilitated by City Contracts and Procurement Officer Cheryl Hughes. The scoring was heavily weighted to the consultant recommended for the contract award. They have significant experience with like communities. The Committee was impressed with their creative community outreach strategies, particularly their experience in bringing people to the process who may not have otherwise been so inclined to have been part of such a process. The Agreement was reviewed and approved by the consultant in an abbreviated timeframe in order to bring it forward immediately, with the hope of getting started on the Airport component of the Plan as soon as possible. **Mayor Rognstad** added that there was consensus among the members of the Committee that this was the firm that stood out.

Councilwoman Williamson moved for approval of the proposed Resolution, PROFESSIONAL SERVICES AGREEMENT WITH LOGAN SIMPSON DESIGN, INC.

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FOR SANDPOINT COMPREHENSIVE PLAN UPDATE. **Councilman Darling seconded the motion.**

A roll call vote resulted as follows:

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

The motion passed by a unanimous vote of Council present.

M. RESOLUTION NO. 19-53 CONTRACT WITH TORK ELECTRIC, INC., FOR DOWNTOWN DECORATIVE STREET LIGHTS PHASE 2

City Engineer Dan Tadic reported that this project, at a cost of \$185,610, is funded by a Community Development Block Grant (CDBG) in the total amount of \$478,650. The first phase of the downtown decorative street lights was completed this past spring on Cedar Street. This second phase will complete the lighting on Cedar, from Second to First, and install lighting on First from Cedar to Church Street. These lights have a long lead time, so staff is anticipating completion by December 20. There is an interim milestone for lighting the tree well receptacles by December 9, allowing the new trees going in with the current project to be lit with Christmas lights for the shopping season. The City received three bids. The proposed contract awardee was deemed the lowest responsive bidder.

Mr. Tadic responded to **Councilman Aispuro** that the contract awardee is local, one of the other bidders is based in Spokane, and the third is predominantly in Coeur d'Alene, so all are regionally local.

Councilman Aispuro moved for approval of the proposed Resolution, CONTRACT WITH TORK ELECTRIC, INC., FOR DOWNTOWN DECORATIVE STREET LIGHTS PHASE 2. **Councilwoman Ruehle seconded the motion.**

A roll call vote resulted as follows:

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

The motion passed by a unanimous vote of Council present.

M1. RESOLUTION NO. 19-54 PROFESSIONAL SERVICES AGREEMENT WITH INFRASTRUCTURE MANAGEMENT SERVICES (IMS)

Ms. Wilson reported that one element of the MTMP is the street maintenance program. To better inform future decisions regarding street improvements, it is necessary to collect accurate data. There is approximately 200 football fields worth of asphalt in this town, and much of it continues to age. In the past, data has been collected with a visual survey, consisting of trained individuals walking our streets and taking an assessment of how much cracking is observed from one street to another, how much deflection and rutting is present, looking at the overall condition, and assigning a score to that particular street. That information is then analyzed, and the cost for a maintenance program is estimated.

Staff searched for a more automated solution that would be within budget. Although the visual process can be effective, it also tends to be fairly subjective. Depending on any given day, an individual may judge a street differently than the day before. To eliminate some of those variables and have more consistent, reliable information, an automated solution was sought. The proposed contract awardee rose to the top due to budget, as well as the information provided and how the City will be able to utilize that information.

The service entails a van, equipped with cameras, sensors, and a variety of lasers that collect the data on the streets. The van will drive around every single street in town and

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collect the information. It's done in a manner that is compliant with industry standards, averaging 30-40 miles per day, traveling about 25 MPH. Two passes will be conducted on the arterials and collectors in order to perform a subsurface strength test of those roads. This is accomplished with a trailer equipped with a machine that thumps the surface with a certain force and correlates the data related to the asphalt subsurface, better positioning the City to make decisions as to whether a simple overlay is needed or actual subsurface improvements.

The data will help determine how to best stretch our dollars and where to spend street maintenance funds. This solution is very scalable. In five years, if we have fully funded all of these improvements, what does that look like? If not fully funded, what are the costs of deferring those improvements? If the decision is to not invest at all in pavement management, what would that look like in the future from a cost and overall level of service perspective? Eventually the costs will catch up.

The proposed contract awardee has multiple locations throughout the nation but has undertaken many projects in our area, including Spokane Valley most recently. They have also worked in Pocatello. The cost for this automated service was less than the cost for a visual assessment. Over time, the efficiencies of the technology have improved and have allowed it to be more cost effective.

We will end up with a final report, focusing on a spreadsheet-based solution. The data will be linked with our GIS and visual results that will allow for prioritization of projects in a manner that is fiscally responsible and rolled into the overall master planning effort.

Ms. Wilson replied to **Councilwoman Williamson** that the data will be shared with the public. Additionally, it's important that we inform the public right before the van takes to the streets, as it may seem odd and suspicious to residents, so the company will assist with community outreach prior to their work.

Councilwoman Ruehle moved for approval of the proposed Resolution, PROFESSIONAL SERVICES AGREEMENT WITH INFRASTRUCTURE MANAGEMENT SERVICES (IMS). **Councilman Aispuro seconded the motion.**

A roll call vote resulted as follows:

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

The motion passed by a unanimous vote of Council present.

N. EXECUTIVE SESSION

Councilman Aispuro moved to convene in executive session pursuant to Idaho Code § 74-206(b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent.

Councilwoman Ruehle seconded the motion.

A roll call vote resulted as follows:

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

The motion passed by a unanimous vote of Council present, and Council convened in executive session at 7:23 p.m. in the downstairs conference room at City Hall.

Council came out of executive session at 8:15 p.m.

Mayor Rognstad reconvened the regular meeting in Council chambers at 8:18 p.m.

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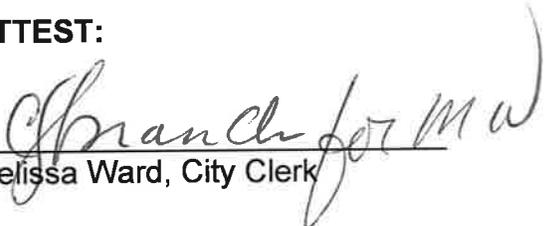
ADJOURNMENT

Mayor Rognstad adjourned the regular meeting at 8:18 p.m.



Shelby Rognstad, Mayor

ATTEST:



Melissa Ward, City Clerk