



CITY COUNCIL MEETING MINUTES

June 05, 2024 at 5:30 PM

Council Chambers at City Hall - 1123 W. Lake St. Sandpoint, Idaho

Call to Order

The meeting was called to order at 5:30 p.m. by Mayor Jeremy Grimm, presiding in Council chambers at City Hall, 1123 W. Lake St., Sandpoint, Idaho.

Roll Call

PRESENT

Mayor Jeremy Grimm

Councilor Deb Ruehle (present at roll call - left the meeting at 6:30 p.m.)

Councilor Joel Aispuro

Councilor Justin Dick (not present at roll call - arrived at 5:33 p.m.)

Councilor Kyle Schreiber

Councilor Pam Duquette

Councilor Rick Howarth

Under the City's adopted Code of Ethics and Civility, Mayor Grimm, as the presiding officer, identified Police Chief Corey Coon as the law enforcement personnel in the room who would be serving as sergeant-at-arms for the meeting.

Pledge of Allegiance

The Mayor led all present in the Pledge of Allegiance.

Announcements and Reports

1. Dark Skies Presentation, Proclamation for 'Support Local Gems Day', and Reports from Staff

Kodiak Ellis provided a presentation on dark skies, urging Sandpoint to consider taking the steps necessary to become a Dark Sky Community.

Mayor Grimm read aloud his proclamation for "Support Local Gems Day", celebrated on June 7, and presented it to Greater Sandpoint Chamber of Commerce Executive Director Mickey Quinn, who said a few words, as did Marc Kilmer from the office of U.S. Senator Jim Risch, who launched "Support Local Gems" in Spring 2020 as a way to encourage Idahoans to support small businesses.

Mayor Grimm reported on recent code enforcement efforts. The Mayor also reported that Fire Chief Gavin Gilcrease had been appointed to the Sandpoint Airport Advisory Board. He reported that firms submitting statements of qualification for professional engineering services for a Preliminary Engineering Report (PER) and evaluation of the feasibility for replacement of the Wastewater Treatment Plant had taken a tour of the Plant. The Mayor announced that he had been chosen to participate in the Community Health Academy,

a program that seeks to assist mayors and city staff learn and understand their role in building healthy communities, facilitated by the Blue Cross of Idaho Foundation for Health, which pays for expenses related to the Academy and offers a \$20,000 grant to cities that complete the program. He also reported that a work session between staff and the Council and Mayor is being planned prior to scheduling the public hearing on adoption of the updated Plan. He reported that Steve Gill, a Sandpoint resident who works for the Idaho Department of Environmental Quality, and Ponderay Mayor Steve Geiger are working on a plan to clean up Black Rock, an old smelter site at the end of the Pend d'Oreille Bay Trail, and will be making a presentation to Council regarding this issue on June 20. The Mayor also announced that, henceforth, with limited exceptions, public comment during the City's public meetings would be taken only from those attending the meeting in person, followed by Council member comments on this topic.

At the Mayor's request and invitation, department heads and departmental staff representatives each provided a brief report on current and upcoming activities and projects in their respective departments.

Council President Ruehle left the meeting at 6:30 p.m. and was absent the remainder of the meeting.

Public Forum

Mayor Grimm proceeded with Public Forum, providing an opportunity for the public to address Council regarding items listed on the Consent Calendar or on any topic not listed on the agenda.

He reminded all in attendance that the City does have a policy on public meeting decorum, with the rules posted in Council chambers at the entrance doors. He summarized by asking that those participating in the meeting please be pleasant and respectful, not make derogatory statements about others, including City staff, and not be boisterous or disruptive. He noted that Council cannot take testimony on any planning-related matter outside of an official public hearing. He also reminded that public comments need to be kept to comments only, with no questions for Council or staff, and welcomed members of the public to contact him during regular business hours with any questions or concerns.

The Mayor provided instructions for Public Forum and other public comment opportunities during the meeting, where each speaker would have up to three minutes to speak and that those speaking should begin by stating their name and whether they reside within Sandpoint city limits.

Information only; no Council action.

Consent Calendar

The Consent Calendar, as outlined below, was approved as presented.

Motion made by Councilor Aispuro, Seconded by Councilor Dick.

Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

2. The minutes from Council's May 15, 2024, meeting were approved as presented.
3. Bills approved for payment: \$1,462,651.75 (\$600,697.33 for regular payables and \$861,954.42 for payroll)
4. The Monthly Financial Report on Cash and Investment Transactions for April 2024 was accepted.

5. Mayor Grimm's appointments, listed below (displaying Board member name and term expiration date), were confirmed by City Council.

Parks and Recreation Commission

Chris Ankney, May 31, 2025
Cynthia Reopelle, May 31, 2025
David Miles, May 31, 2025
Eric Donnenfeld, May 31, 2026
Gwen Victorson, May 31, 2026
Jessica Janssen, May 31, 2026
Josh Delucchi, May 31, 2027
Taylor Long, May 31, 2027
Tyler Wagner, May 31, 2027

Pedestrian and Bicycle Advisory Committee

Cate Huisman, May 31, 2025
Erin Billings, May 31, 2025
Evan Lewis, May 31, 2025
Jennifer Heller, May 31, 2026
Julie Perchynski, May 31, 2026
Molly O'Reilly, May 31, 2026
Radley Peterson, May 31, 2027
Taylor Prather, May 31, 2027
Reid Weber, May 31, 2027

6. **Resolution 24-035** The Festival at Sandpoint Lease of War Memorial Field
7. **Resolution 24-036** Adoption of Sandpoint 2020 Smoothed Urban Area Boundary
8. **Resolution 24-037** Declaring OXARC, Inc., as Sole Source Provider of Specialized Industrial Gases for the City's Treatment Plants and Approving Purchase Order 24-1015
9. **Resolution 24-038** Interlocal Agreement for Automatic Aid and Response with Sagle Fire District, Westside Fire District, and Northside Fire District

Public Hearing

10. Public Hearing and Decision on City Application #PS24-0001 from Bonner County, seeking preliminary approval to subdivide approximately 59 acres at 4001 / 4203 N. Boyer Rd.

The Mayor recited the order and procedure for the public hearing, as follows:

- 1) Staff explanation of the subject of the public hearing.
- 2) Presentation by the applicant or their representative. Any questions should be directed to the applicant at that time.
- 3) Opening of the public hearing, at which time the public may provide testimony. Those who wish to testify are required to complete a signup sheet. If Council wishes to ask questions of the person testifying, those questions need to be posed before the person returns to their seat. The order for those who wish to speak will be as follows:
 - I. In favor
 - II. Neutral
 - III. Opposed

- 4) Rebuttal testimony from the applicant or their representative. Final questions may be asked of the applicant at that time. However, if new facts are elicited, the public will be given an opportunity to comment on any new facts.
- 5) The public hearing will then be closed for deliberation. No new information may be provided after the hearing is closed, and questions may be directed only to City staff during deliberation.

The Mayor noted, for the record, that any written comments received were included in the meeting packet or otherwise provided to Council if received in time to do so.

Each Councilor confirmed no conflict of interest and no ex parte contact regarding this matter.

Interim City Planner Daren Fluke provided an explanation of the subject of the public hearing.

The applicant's representative, Bonner County Board of Commissioners Chairman Luke Omodt, made some brief remarks regarding their request.

Mayor Grimm recited the rules and instructions for public testimony opened the public hearing, with City resident Josh Smith testifying in support of the application. No one testified as neutral, and no one testified in opposition.

Mr. Omodt declined to provide any rebuttal remarks.

The City's Civil Engineer, Brandon Staglund, fielded questions and provided additional information.

With no further deliberation, there was a motion as follows:

Motion that the Sandpoint City Council, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code, **approve** City Application Number PS24-0001, Bonner County's request for preliminary approval of a three-lot subdivision of three parcels (RPS3835001001AA, RPS00000036601A, and RPS38350010020A) totaling 59.11 acres, bounded by North Boyer Road to the east, Samuelson Avenue to the west, and private property to the north and south, legally described as Bonner County Readiness Center, Block 1, Lots 1 and 2 and un-platted portion of Section 3 Township 57 North, Range 2 West, Boise Meridian, Bonner County, Idaho, subject to the following **conditions**:

1. The final plat signature sheet will be updated to ensure the name of the signatory is printed under the signature line.
2. The final plat shall address the comments of the Independent Highway District, to wit: The reference to the previous agreement amendment regarding extension of Samuelson Avenue and Instrument Number 79226 shall be removed. Needed corrections to the right of way width of North Boyer Road will be made. The 20-foot utility easement shall be shown centered on the existing 10-inch water main that straddles lots 1 and 3 of the plat. The City of Sandpoint will be added to the plat headings.

Based on evidence, records, and testimony, the reasons for recommending approval, with conditions, are as follows:

1. City staff has followed the notice procedures applicable to subdivisions contained in Sandpoint City Code Title 9, Chapter 9.

2. Based on information presented at the hearing and the placement of limitations through conditions, the application is compliant with City Code Title 10, Subdivisions, and Title 9, Zoning.
3. The proposed subdivision is consistent with the City's overall planning goals and objectives.

Motion made by Councilor Aispuro, Seconded by Councilor Duquette.

Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

Old/Unfinished Business

11. **Resolution 24-039** Agreement with Ginno Construction of Idaho for Construction of Inclusive Playground and Splash Pad at Travers Park (City Agreement No. A24-5300-6)

Mayor Grimm introduced this item under Old Business, noting that this proposed agreement followed Council's directive on May 1, 2024, for staff to solicit bids for this project.

Community Planning and Development Director Jason Welker provided a presentation and fielded questions from the Council members, followed by public comment.

Motion to approve the Resolution for the agreement with Ginno Construction of Idaho, Inc., for construction of the inclusive playground and splash pad at Travers Park under City Agreement Number A24-5300-6.

Motion made by Councilor Dick, Seconded by Councilor Aispuro.

Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Howarth

Voting Nay: Councilor Schreiber, Councilor Duquette

The Mayor called for a brief recess at 7:49 p.m., reconvening the meeting at 7:56 p.m.

New Business

12. **Ordinance 1420** Off-Leash Dogs at City Beach for Waterfowl Control

Mr. Welker provided a presentation on the proposed amendments to City Code 7-5-3-A and 5-4-5-A, to permit off-leash dogs at City Beach, under certain conditions, for geese/waterfowl control and to add a corresponding exception to the City's Leash Law. City resident Matt Lome was invited to provide additional information regarding this proposed program, followed by Council questions/discussion and public comment.

The City Clerk read the title of the Ordinance aloud as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SANDPOINT CITY CODE TITLE 7, CHAPTER 5, SECTION 3-A, BEACH RULES AND REGULATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion that the Ordinance pass its first reading by title only and the summary is approved.

Motion made by Councilor Dick, Seconded by Councilor Aispuro.
Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

The Mayor announced that the Ordinance had passed its first reading by title only, and the summary was approved.

Motion that the rules requiring three separate readings, once in the Ordinance's entirety, be suspended and that the Ordinance pass its second and third readings under suspension of the rules.

Motion made by Councilor Schreiber, Seconded by Councilor Dick.
Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

Mayor Grimm announced that the motion passed, the Ordinance was considered read, passed and adopted under suspension of the rules, and would become effective following publication of the Summary in the newspaper.

13. **Ordinance 1421** Leash Law Exceptions

The City Clerk read the title of the Ordinance aloud as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SANDPOINT CITY CODE TITLE 5, CHAPTER 4, SECTION 5-A-3, LEASH LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion that the Ordinance pass its first reading by title only and the summary is approved.

Motion made by Councilor Aispuro, Seconded by Councilor Dick.
Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

The Mayor announced that the Ordinance had passed its first reading by title only, and the summary was approved.

Motion that the rules requiring three separate readings, once in the Ordinance's entirety, be suspended and that the Ordinance pass its second and third readings under suspension of the rules.

Motion made by Councilor Dick, Seconded by Councilor Aispuro.
Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

Mayor Grimm announced that the motion passed, the Ordinance was considered read, passed and adopted under suspension of the rules, and would become effective following publication of the Summary in the newspaper.

14. **Ordinance 1422** Leashed Dogs Allowed on Sports Complex Pathway Year-Round

Mr. Welker provided a presentation on the proposed amendments to City Code 5-4-5-B, to allow dogs, on leash, on the Sports Complex pathway year-round and fielded questions from the Council members, followed by public comment.

The City Clerk read the title of the Ordinance aloud as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING SANDPOINT CITY CODE TITLE 5, CHAPTER 4, SECTION 5-B-2, DOGS ALLOWED ON LEASH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion that the Ordinance pass its first reading by title only and the summary is approved.

Motion made by Councilor Dick, Seconded by Councilor Aispuro.

Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

The Mayor announced that the Ordinance had passed its first reading by title only, and the summary was approved.

Motion that the rules requiring three separate readings, once in the Ordinance's entirety, be suspended and that the Ordinance pass its second and third readings under suspension of the rules.

Motion made by Councilor Dick, Seconded by Councilor Schreiber.

Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

Mayor Grimm announced that the motion passed, the Ordinance was considered read, passed and adopted under suspension of the rules, and would become effective following publication of the Summary in the newspaper.

15. **Resolution 24-040** Authorizing an Application to the U.S. Department of Transportation, Federal Highway Administration, Active Transportation Infrastructure Investment Program, Seeking Funds for Design of the Division Avenue Corridor Project

Construction Manager Holly Ellis provided a presentation on this request from staff for permission to apply for this grant funding.

Motion to approve the Resolution authorizing and directing City staff to apply for a U.S. Department of Transportation, Federal Highway Administration Active Transportation Infrastructure Investment Program grant for design of the Division Avenue Corridor Project.

Motion made by Councilor Schreiber, Seconded by Councilor Aispuro.

Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth

16. Proposed Resolution Authorizing up to three (3) additional Resort City Restaurant Liquor Licenses as Provided by new Idaho Code § 23-903c

Mayor Grimm relayed that the Idaho State Police had requested a response from the resort cities by June 15 as to whether they wished to participate in authorizing these additional licenses in their respective jurisdictions, which response would need to include a copy of a resolution from the City Council, demonstrating support for this allowance.

At the Mayor's request, Councilor Dick provided additional information, then recused himself, stepping down from the dais at 8:51 p.m. to speak as a member of the public. Council discussion ensued, followed by additional public comment, with information also provided by Chief Coon and questions fielded by City legal counsel Zachary Jones.

Councilor Aispuro made a motion to approve the Resolution authorizing up to three additional Resort City Restaurant Liquor Licenses, as provided by new Idaho Code § 23-903c, which will become effective on July 1, 2024, seconded by Councilor Schreiber. Following additional discussion and prior to a vote, Councilor Aispuro rescinded his motion, and Councilor Schreiber rescinded his second.

Ultimately, Council voted to not accept/approve (essentially, to deny) the proposed Resolution that had been presented and which sought to authorize in Sandpoint the issuance of the additional liquor licenses provided by the new legislation.

Motion made by Councilor Aispuro, Seconded by Councilor Schreiber.

Voting Yea: Councilor Aispuro, Councilor Schreiber, Councilor Duquette, Councilor Howarth

Voting Abstaining: Councilor Dick

Following the decision on Item 16, Councilor Dick returned to the dais at 9:26 p.m.

17. Discussion on Drafting Letter to Army Corps of Engineers re: Lake Level

Following reports of the information that had been provided during a public meeting held by the Army Corps of Engineers, and then discussion between the Mayor and Council, with no objection and general Council consensus, the Mayor relayed that he would facilitate the drafting of a letter to Bonneville Power Administration and the Army Corps of Engineers, copying Governor Little and Idaho's U.S. Congressional Delegation, in order to relay and emphasize Sandpoint's grave concerns regarding the the operations at Albeni Falls Dam and the future of the lake levels on Lake Pend Oreille.

Executive Session

18. Council voted to convene in Executive Session pursuant to Idaho Code Section 74-206(1)(c): To acquire an interest in real property not owned by a public agency.

Motion made by Councilor Schreiber, Seconded by Councilor Aispuro.

Voting Yea: Councilor Aispuro, Councilor Dick, Councilor Schreiber, Councilor Duquette, Councilor Howarth


Following this vote, Mayor Grimm asked those not participating in the session to please exit the room. At that time, 9:41 p.m., the remote session ended, and the recording was stopped.

19. An executive session was held pursuant to Idaho Code Section 74-206(1)(c).

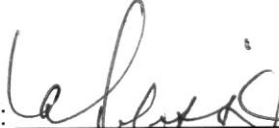
Adjourn

Following conclusion of the executive session, the regular meeting was reconvened and immediately adjourned at 10:03 p.m.

I presided over this meeting and can confirm that these minutes, prepared by the City Clerk, were approved by the Sandpoint City Council on June 20, 2024.



Jeremy Grimm, Mayor

Attest: 

Melissa Ward, City Clerk