



CITY COUNCIL SPECIAL MEETING AMENDED AGENDA

November 12, 2025 at 5:30 PM

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

Call to Order, Roll Call and Pledge of Allegiance

Old/Unfinished Business

1. Proposed Resolution: Agreement with Big Sky ID Corporation for Bridge Street Sidewalk and Retaining Wall Construction Contract (City Agreement A25-3170-2) - **action item**

Additional attachments and materials for this item can be found on the City's Recent Meetings page here: <https://www.sandpointidaho.gov/meetings/recent>. Under Agenda Packets, click on the HTML icon for the November 5, 2025; see item #11.

New Business

2. Presentation/Discussion: Potential Amendment to City Code § 5-2-10, Discrimination Prohibited

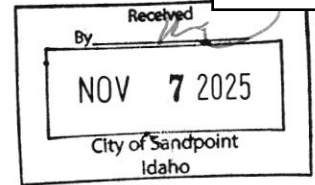
Executive Session

3. Vote to convene in executive session pursuant to Idaho Code § 74-206(1)(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, and 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 - **action item**
4. Upon affirmative vote, an executive session will be held as noted above.

Adjourn

Public Participation Options and Information

Before the meeting, comment in writing: Email cityclerk@sandpointidaho.gov or deliver to City Hall.
Attend in person: See above for meeting location. Seating available on first-come, first-served basis.
Attend remotely: Register at <https://www.sandpointidaho.gov/meetings>.
After the meeting, view the recording on YouTube: <https://www.youtube.com/c/CityofSandpoint>.
For questions or requests for special accommodation: At least 48 hours prior to the meeting, send a message to the email address above or call (208) 263-3310.



SANDPOINT CITY COUNCIL AGENDA REQUEST FORM

Today's date: 11 / 07 / 25

Date of meeting 11 / 12 / 25

(City Council meetings are held the 1st and 3rd Wednesday of each month.)

Name of Citizen, Organization, Elected Official, or Department Head making request:

Joel Aispuro, City Councilor

Address: 1123 W. Lake St., Sandpoint, Idaho

Phone number and email address: (208) 263-3158 jaispuro@sandpointidaho.gov

Authorized by: Deb Ruehle, Council President

name of City official

[Signature]

City official's signature

(Department Heads, City Council members, and the Mayor are City officials.)

*Subject: Agreement with Big Sky ID Corporation for Bridge Street Sidewalk and Retaining Wall

Summary of what is being requested: Council to consider approval of this agreement for this construction work. This will be Old Business, postponed from the November 5, 2025, meeting.

The following information MUST be completed before submitting your request to the City Clerk:

1. Would there be any financial impact to the city?
Yes or No

If yes, in what way? Budgeted

2. Name(s) of any individual(s) or group(s) that will be directly affected by this action:

Have they been contacted?
Yes or No

Planned project

3. Is there a need for a general public information or public involvement plan? Yes or No

If yes, please specify and suggest a method to accomplish the plan:

4. Is an enforcement plan needed? Yes or No Additional funds needed? Yes or No

5. Have all the affected departments been informed about this agenda item? Yes or No

This form must be submitted no later than 6 working days prior to the scheduled meeting. All pertinent paperwork to be distributed to City Council must be attached.

ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM

*City Staff, please check one box: Consent Old Business New Business Other/Unknown 2

From: [Jason Welker](#)
Cc: [Jeremy Grimm](#); [Holly Ellis](#); [Corey Coon](#); [Sarah Lynds](#); [Cheryl Hughes](#); [Gavin Gilcrease](#); [Zach Jones](#); [Melissa Ward](#); [Erik Bush](#); [Fonda Jovick](#)
Subject: Council bcc"ed: First and Bridge statements at last night"s meeting
Date: Thursday, November 6, 2025 4:53:14 PM
Attachments: [Outlook-3auhjd3n.png](#)

Dear Council,

I wish to follow up on my statements towards the end of last night's meeting. I want to clarify some of what I said and correct the record, as I misrepresented some facts from the podium that need correcting.

1. I stated that City money would be used to build the retaining wall and fill the hole to widen our sidewalk through the Right of Way on Bridge Street. This was incorrect. The \$385,000 in the City's possession is a security provided by the developer that can only be used for these specific improvements. It is not discretionary City funding. No money will be saved by not doing this project.
2. The planning department has been aware of the project to build the retaining wall and fill in our right of way in the hole and has attended multiple meetings. I implied otherwise, which was inaccurate.

My intention last night was to remind Council of the limitations we are under because we no longer own the property that currently provides access to Farmin's Landing. I heard Councilwoman Duquette and Councilman Schreiber express concerns about through-access to Farmin's Landing for bicycles and pedestrians. While an easement for the purpose of pedestrian access to Farmin's Landing exists on the plat for One Bridge Street, site plans that the developer has up to this point brought to the City for review do not provide pedestrian access down to City property, rather they show a four foot-path across their private patio at street level. Any access from the terminus of that path would be up to the City to develop and fund. To be clear, **this impact is not the result of the current sidewalk project**; it was the result of the land swap five years ago.

I stated that the developer and other property owners north on this block will lose access to the rear of their buildings if we move forward with the sidewalk project. To clarify, **the current sidewalk project is not what will eliminate this access**; it is the result of the land swap and the proposed development of One Bridge Street. Furthermore, while the current configuration of property lines along Farmin's Landing may preclude future vehicular access to City property there, there may be solutions through which the City acquires property from some of the owners north of One Bridge Street to maintain permanent vehicle access to Farmin's Landing, as was envisioned in the 2020 Parks Master Plan. So, it was not truthful for me to say that access to City property would permanently be eliminated if this sidewalk project moved forward. 1) **The sidewalk is not the reason for the loss of access**, and 2) Future land purchases or easements secured by the City could assure long-term vehicle access from the north.

It was not my intention to scuttle the initiation of the planned sidewalk CIP at last night's meeting; but that is what my comments did. **For that I apologize.** What I should have done *before* last night's meeting was offered to include a paragraph or two of context in the staff report regarding the status of meetings with the owner/developer of One Bridge Street. Around

six months ago we met with this developer and his team, and it was during that meeting that the challenges around access to Farmin's Landing arising from the land swap that took away the drive aisle from Bridge Street were first brought to light. Following that meeting Bill and I made several requests for follow-up meetings with the developer to explore the idea of possibly reversing the land swap, which we believed would be mutually beneficial to the developer and the City. The developer did not respond to these meeting requests and the issue fell by the wayside in the months since then.

On Tuesday this week the owner's local representative contacted the City to request another pre-app meeting. With that request in mind, I asked Council to give planning staff another chance to broach this challenging topic with the developer.

This morning, Bill Dean and I connected with Cliff Davis (the owner) in a phone conversation, during which we briefed him on the direction given by Council last night. Cliff, unprompted, said that he understood his current site plan would likely not work since it eliminates vehicle access to Farmin's Landing. He expressed willingness to entertain an idea of "unwinding" the land swap, and when Bill and I pursued this idea further it emerged that what he actually had in mind was not a reversal of the land swap but possibly selling or donating (as a tax write-off) the rear 3,400 square feet of his property, that which was acquired in the land swap, back to the City. Bill and I indicated that we were in no position to negotiate any such transaction but thanked him for being open-minded about how to best assure community access to Farmin's Landing for the benefit of both the public and the private property owners who share that property line north of One Bridge Street.

After this morning's conversation with Cliff, **I believe at this time the right thing to do is to move forward with the sidewalk CIP** to not threaten the project's completion before the winter season begins. Improvements resulting from this sidewalk project and the subsequent revitalization of the First Avenue frontage at this intersection will demonstrate to Cliff Davis that the City is serious about beautification and development along the public rights of way fronting this this premiere property. When Cliff's team eventually comes back to the table to advance his project, Planning staff work with his team to achieve access to Farmin's Landing through the site plan review process. Whether that access takes the form of dedication or sale of property back to the City or of a requirement of pedestrian, bicycle, and possibly vehicle access through Cliff's property is unknown at this time. But that is what the site plan review process is for, to ensure that commercial development unfolds in a way that best assures compatibility with broader community objectives and plans.

In conclusion, **I recommend council move forward with the approval of the contract with Big Sky Excavation for the retaining wall and sidewalk CIP at the next meeting** so that this project may proceed in a timely manner.

Regards,

Jason

**Community Planning and
Development Department**



Jason Welker | Director
(208) 255-1738
(208) 290-0137 (cell)

City of Sandpoint

Office of the Mayor

MEMORANDUM

TO: Sandpoint City Council

FROM: Mayor Jeremy Grimm

DATE: 11.10.25

SUBJECT: Discussion of Revision to Sandpoint City Code §5-2-10 – Alignment with Federal Civil Rights Law (Not Action Item)

Background

Recent events at the Sandpoint YMCA have drawn the City into a highly sensitive and polarized national debate regarding the use of bathrooms by transgender individuals. The YMCA, a privately owned facility, referenced City Code §5-2-10 (“Discrimination Prohibited”) as the basis for its internal policies regarding access to facilities.

This has led to public confusion and contention, with residents expressing strong views on issues of gender identity, privacy, and safety. While community dialogue on these matters is understandable, it has become clear that the City’s current ordinance unintentionally places Sandpoint in the center of a legal and cultural debate that extends far beyond municipal authority or intent.

Potential Amendment

An amendment to §5-2-10 would be designed to realign the City’s ordinance with established federal civil rights law and to remove the City from an area of regulation that is already governed by the United States Congress and the Supreme Court of the United States.

The City has no inherent legal power to define or regulate issues such as gender identity, sexual orientation, or sex discrimination beyond what federal law already provides. Continuing to maintain local definitions that differ from or expand upon federal standards creates potential for:

- Costly litigation,
- Public division, and
- Administrative confusion for both residents and private businesses.

By simply referencing federal law as the controlling authority, Sandpoint would ensure consistency with national legal standards while avoiding unnecessary exposure and controversy.

Rationale

Under the U.S. Constitution and Idaho law, civil rights protections in employment, housing, and public accommodations are matters of federal jurisdiction. The Supreme Court's ruling in *Bostock v. Clayton County* (2020) and subsequent federal interpretations have clarified that discrimination "because of sex" includes gender identity and sexual orientation under Title VII and related statutes.

Therefore, maintaining independent local definitions of "sexual orientation" or "gender identity/expression" is redundant and risks placing the City at odds with either future federal rulings or Idaho state law.

By making a revision to Sandpoint City Code §5-2-10 we would ensure that Sandpoint's ordinance mirrors federal civil rights law—neither expanding nor contracting it—and reaffirms that the City will follow constitutional and statutory guidance from the courts and Congress.

Intent

Any amendment is not a rollback of protections or a political statement. It would be a jurisdictional clarification. The City of Sandpoint remains committed to fairness, equal treatment, and respect for all individuals.

Local governments must act within their lawful authority. Matters of sex and gender identity have been explicitly defined and interpreted by federal law and the Supreme Court, not by municipalities. An amendment would ensure that Sandpoint's ordinance reflects that reality, prevents duplicative enforcement, and keeps the City focused on its core responsibilities.

Mayor's Recommendation

My recommendation is that the City Council consider adoption of an amendment to Sandpoint City Code §5-2-10 to align with federal civil rights law. Doing so will:

- Remove the City from a divisive national debate,
- Eliminate potential legal exposure,
- Maintain consistency with federal standards, and
- Demonstrate responsible governance by staying within the scope of municipal authority.

This approach balances our community's values of fairness and respect with the practical necessity of legal clarity and risk avoidance.

5-2-10: Discrimination Prohibited:

5-2-10-1: Purpose and Declaration of Policy:

- A. In order to ensure that all persons, regardless of sexual orientation, gender identity/expression enjoy the full benefits of citizenship and are afforded equal opportunities for employment, housing, commercial property, and the use of public accommodations, it is necessary that appropriate legislation be enacted.
- B. It is hereby declared to be the public policy of the city of Sandpoint to foster the employment of all individuals in accordance with their abilities.
- C. It is the intention of this section 5-2-10 that all persons be treated fairly and equally, and it is the express intent of this section 5-2-10 to guarantee fair and equal treatment under the law to all people of the city of Sandpoint.
- D. This section 5-2-10 shall be deemed an exercise of the police power of the city of Sandpoint for the protection of the public welfare, prosperity, health and peace of the city of Sandpoint, its residents and the community.
- E. The prohibitions against discriminatory acts as provided for in this section 5-2-10 are intended to supplement state and federal civil rights law prohibiting discrimination in the areas of employment, public accommodations, and housing. For complaints alleging discrimination on a basis proscribed under state or federal law (e.g., race, color, religious creed, ancestry, age, sex, national origin, and/or disability) the complainant is advised of their right to file their complaint with the Idaho commission on human rights and/or federal equal employment opportunity commission.
- F. No power or duty granted hereunder to the human relations review board is intended to exceed nor shall it be construed as exceeding those powers and duties granted to the Idaho commission on human rights, Idaho Code 67-5901 et seq.

(Ord. 1261, 12-21-2011)

5-2-10-2: Definitions:

ANY PERSON: Shall be construed to include the city and any owner/employer, lessee, proprietor, manager, agent, employee, whether one or more natural persons, partnerships, associations, organizations, corporations, companies, cooperatives (including its officers and/or board of directors), boards and commissions, engaged in or exercising control over the operation of any business, place of public resort, accommodation, housing, commercial property, assemblage or amusement in the city of Sandpoint.

DENY: Is hereby defined to include any act which directly or indirectly, by any person or his agent or employee, that results or is intended or calculated to result in whole or in part in any discrimination, distinction, restriction, or unequal treatment. It also includes, but is not limited to, the requiring of a person to pay a larger sum than the uniform rates charged other persons, refusing to sell, rent or lease residential or commercial property or the refusing or withholding from persons the admission, patronage, custom, presence, frequenting, dwelling, staying, or lodging in any place of public resort, accommodation, assemblage, or amusement except for conditions and limitations established by law and applicable alike to all persons, regardless of sexual orientation, gender identity/expression.

FULL ENJOYMENT OF: Shall be construed to include, but not be limited to, the right to use, rent, lease or purchase real property, any service, commodity or article of personal property offered or sold on, or by, any establishment to the public, and the admission of any person to accommodations, advantages, facilities or privileges of any place

of public resort, accommodation, assemblage or amusement, without acts directly or indirectly causing persons of any particular sexual orientation, gender identity/expression to be treated as not welcome or accepted.

GENDER EXPRESSION/IDENTITY: A gender related identity, appearance, expression or behavior of an individual regardless of a person's assigned sex at birth.

HUMAN RELATIONS REVIEW BOARD: A quasi-judicial group consisting of three (3) or more persons appointed by the mayor to process complaints and determine if prohibited discriminatory acts have occurred in the city of Sandpoint.

PLACE OF PUBLIC RESORT, ACCOMMODATION, ASSEMBLAGE OR AMUSEMENT: Is hereby defined to include, but not to be limited to, any public place where admission, service, occupancy or use of any property or facilities, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, or for the sale of goods and merchandise or for the rendering of personal services.

SEXUAL ORIENTATION: Actual or perceived homosexuality, heterosexuality and/or bisexuality.

(Ord. 1261, 12-21-2011; amd. Ord. 1284, 7-17-2013)

5-2-10-3: Prohibited Discriminatory Acts:

The following acts are prohibited and constitute a misdemeanor punishable in accordance with Idaho Code 18-113.

- A. Any person who denies to any other person because of sexual orientation, gender identity/expression the right to work: 1) by refusing to hire, 2) by discharging, 3) by barring from employment, or 4) by discriminating against such person in compensation or in other terms or conditions of employment; or who denies to any other person because of sexual orientation, gender identity/expression, right to purchase, rent or lease residential or commercial property or the full enjoyment of any of the accommodations, advantages, facilities or privileges of any place of public resort, accommodation, assemblage, or amusement.
- B. Retaliation against any individual because such individual has made a charge, testified or assisted in any manner in any investigation, proceeding or hearing under this section 5-2-10.
- C. Aiding, abetting, inciting, compelling or coercing the doing of any act declared by this section 5-2-10 to be an unlawful practice, or obstructing or preventing any person from complying with the provisions of this section 5-2-10.

(Ord. 1261, 12-21-2011; Ord. 1284, 7-17-2013)

5-2-10-4: Exceptions:

Notwithstanding any other provision herein, nothing in this section 5-2-10 is intended to alter or abridge other rights, protection, or privileges secured under state or federal law. This section 5-2-10 shall be construed and applied in a manner consistent with first amendment jurisprudence regarding the freedom of speech and exercise of religion.

(Ord. 1261, 12-21-2011)

5-2-10-5: Establishment of Human Relations Review Board:

- A. Pursuant to Idaho Code section 50-210, there is hereby established a human relations review board in and for the city of Sandpoint (hereinafter referred to as the "Sandpoint human relations review board" or the "review board").
- B. The review board shall consist of a quorum of three (3) or more members. All members of the review board shall be appointed by the mayor of the city of Sandpoint and confirmed by the city council. Members shall be residents of the city. No member of the review board shall hold any office in any political party.
- C. Members of the review board shall serve without salary but may be paid expenses incurred in the performance of their duties, as approved by city council.
- D. One of the review board's members shall be appointed by the members thereof as chairperson. The chairperson will be responsible for setting review board meetings, coordinating with the mayor and city clerk regarding received complaints and answers, and generally ensuring that the duties of the review board are fulfilled.
- E. The review board shall have jurisdiction over prohibited discriminatory acts committed within the city of Sandpoint as it relates to sexual orientation, gender identity/expression.
- F. The review board shall be empowered to promulgate such additional procedures as it determines necessary to implement the intent of this section 5-2-10.
- G. The Sandpoint city council hereby grants to the review board, with respect to prohibited discriminatory acts as defined herein, all of the powers necessary to the execution of its duties as set forth herein, provided that those powers shall not exceed those exercised by the Idaho commission on human rights now or as may be granted in the future by the Idaho legislature.

(Ord. 1261, 12-21-2011)

5-2-10-6: Procedures:

- A. Filing a Complaint:
 - 1. Person(s) claiming to be aggrieved by a prohibited discriminatory act may make, sign, and file a verified complaint alleging violations of this section 5-2-10, which shall include the following information:
 - a. The name and address of the aggrieved person(s);
 - b. The name and address of the person(s) alleged to have committed the prohibited practice;
 - c. A concise statement of the facts, including pertinent dates, constituting the alleged discriminatory act;
 - d. If applicable, the address and a description of any property which is involved; and
 - e. Such other information as may be required by the review board.
 - 2. Complaints may be filed in person or by mail at the city clerk's office. All complaints must be received by the city clerk's office within ninety (90) days of the alleged discrimination, or the complaint will not be considered timely.
 - 3. The city clerk shall convey each original complaint received by the city to the chairperson of the Sandpoint human relations review board within ten (10) days of the receipt of such complaint.
- B. Notification and Answer:

1. Within thirty (30) days of its receipt of a complaint, the Sandpoint human relations review board shall determine if it has jurisdiction hereunder to hear the complaint. If the review board determines that it does not have such jurisdiction, it shall dismiss the complaint and notify the aggrieved party. If the review board determines it has jurisdiction to hear the complaint, it shall proceed as follows:
 - a. Send a copy of the complaint to the person(s) charged with a prohibited discriminatory act (the "respondent"); and
 - b. Send a notice to the person(s) aggrieved (the "complainant"), informing them that the complaint has been received.
2. The respondent must file, with the city clerk, a written verified answer to the complaint within thirty (30) days of respondent's receipt of the complaint from the city. The answer shall be conveyed by the city clerk to the chairperson of the review board within ten (10) days. The review board shall within five (5) days send a copy of the answer to the complainant.

(Ord. 1261, 12-21-2011)

5-2-10-7: Mediation:

- A. After the answer has been received, the review board shall, within fifteen (15) days, invite the parties to voluntarily participate in mediation of their dispute. The parties must respond within fifteen (15) days of being invited to mediate. The parties must accept or reject the invitation to mediation.
- B. If accepted by parties, mediation shall be conducted in accordance with procedures promulgated by the review board. Parties may jointly select a mediator. If parties cannot agree, a mediator shall be selected pursuant to procedures promulgated by the review board. The parties shall be jointly responsible for all financial costs and expenses associated with mediation.
- C. The parties shall notify the review board as to whether the mediation successfully resolved the complaint. Mediation proceedings shall otherwise be confidential. Neither the results thereof, nor any record made in connection therewith, shall be made public unless agreed to in writing by both parties.
- D. If the mediation has successfully resolved the complaint, the review board shall promptly notify the parties that it has dismissed the complaint.

(Ord. 1261, 12-21-2011)

5-2-10-8: Investigation and Determination:

If mediation is not desired or was not successful in resolving the complaint, the review board shall not dismiss the complaint but shall instead undertake the following procedures:

- A. Investigation: The review board shall, in a timely fashion, investigate the allegations of a prohibited discriminatory act set forth in the complaint in coordination with a local law enforcement agency. The city may, in the conduct of such investigation and upon request of the investigator, issue subpoenas to any person charged with a prohibited discriminatory act, commanding such person to furnish information, records or other documents, as necessary to assist in the review board's investigation.
- B. Determination:
 1. Finding of No Cause: If it is determined after the review board's investigation that there is no basis for the allegations of the complaint, the review board shall issue and serve upon the parties written notice of such determination and dismissal of the complaint.

(Supp. No. 1)

Created: 2025-02-07 13:05:19 [EST]

2. Finding of Cause: If it is determined after the review board's investigation that the respondent has engaged in or is engaging in any unlawful discriminatory act, as defined in this section 5-2-10, the review board shall state its findings of fact, and will refer the matter to the city attorney to pursue civil, equitable or criminal remedies.

(Ord. 1261, 12-21-2011)

5-2-10-9: Penalty:

A violation of this section 5-2-10 shall constitute a misdemeanor, punishable as provided in Idaho Code section 18-113.

(Ord. 1261, 12-21-2011)

5-2-10-10: Private Right of Action:

There is no private right of action that is created by this section 5-2-10 or money damages available to any person based on this section 5-2-10.

(Ord. 1261, 12-21-2011)

SANDPOINT CITY COUNCIL AGENDA REQUEST FORM

Today's date: 11 / 17 / 2025

Date of meeting 11 / 12 / 2025

(City Council meetings are held the 1st and 3rd Wednesday of each month.)

Name of Citizen, Organization, Elected Official, or Department Head making request:
Deb Ruelle Council President Deb Ruelle

Address: _____

Phone number and email address: _____

Authorized by: Justin Dick 
name of City official City official's signature
(Department Heads, City Council members, and the Mayor are City officials.)

*Subject: Call for Special Council Meeting

Summary of what is being requested: executive Session
Section 74-206(1)(b) & (f)
see below for Additional Signatures

The following information **MUST** be completed before submitting your request to the City Clerk:

1. Would there be any financial impact to the city? Yes No
If yes, in what way? _____

2. Name(s) of any individual(s) or group(s) that will be directly affected by this action: _____
Joel Aispuro Kyle Schreiber
Have they been contacted? Yes or No

3. Is there a need for a general public information or public involvement plan? Yes or No
If yes, please specify and suggest a method to accomplish the plan: Yes No

4. Is an enforcement plan needed? Yes or No Yes No Additional funds needed? Yes or No Yes No

5. Have all the affected departments been informed about this agenda item? Yes or No Yes No

This form must be submitted no later than 6 working days prior to the scheduled meeting. All pertinent paperwork to be distributed to City Council must be attached.

ITEMS WILL NOT BE AGENDIZED WITHOUT THIS FORM