



City of Kootenai
MEETING MINUTES
DATE: December 4, 2018
TIME: 6:30 p.m.

Mayor Lewis brought the meeting to order at 6:30 p.m.

Roll Call: Councilman Sundquist – AYE, Councilman Macha – AYE, Councilman Schock – AYE and Councilwoman Bauer– AYE,

Amendments to the Agenda: None were requested

Staff Present: City Clerk, Ronda L. Whittaker, City Planner, Clare Marley, and City Engineer, Ryan Luttmann.

Others Present: Cis Gors, City resident, Doris Nuss, City resident and Sandra Furlini, City resident

Public Comment: Sandra Furlini asked if Council could do something about dogs at large. She explained that a stray dog rushed her small dog while in the City parking lot. Mayor Lewis suggested she contact the Sheriff’s Department as the City did not have law enforcement. She also suggested that if Sandra knew where the dog lived, she could submit a complaint to the City’s Clerk and a letter would be sent to the dog owner. She also suggested that the Clerk put a very visible notice at the entrance of the Post Office.

Announcements: None were given.

1. Consent Agenda:

Mayor Lewis asked Council if they had received and read the items on the consent agenda and asked if there were any corrections needed within the Consent Agenda. There were no concerns. **Councilman Sundquist made a motion to approve the consent agenda, 2nd by Councilman Macha; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer– AYE

Councilman Macha – AYE
Councilman Schock – AYE

2. Reports:

2.A. Mayor: Mayor reported that SPOT was still waiting for their new buses. She advised that BCATT was in the process of submitting a letter of support for grant submissions

2.B. City Engineer: Written Report Summary – Attached.

- **LHTAC Grants** – Ryan advised that he had received several letters of support for both of the proposed grant applications for Surplus Eliminator Grant. He stated that there was approximately 1500 ft of McGhee Road that was in disrepair which he estimated the cost to be \$238,000 and advised that the application be for \$240,000 to insure it would cover any possible overage costs. He mentioned that there was no match for the grant so there should be no additional funds needed for the project. He advised that the grant was very competitive bid. He indicated that the first step was to have the program agreement form executed by the City’s Mayor in order to have the application scored and if approved, the next step was to have the plans submitted by April 30th with a mid project update by June 1st and the project was to be completed by December 6, 2019. Councilwoman Bauer asked if this was state money. Ryan advised that it was and that it did not have federal regulations attached. There was no further discussion. **Councilwoman Bauer made a motion to authorize the City’s Mayor to sign the proposed application for the McGhee Road Cement Treated Base Project and submit, 2nd by Councilman Schock; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer– AYE

Councilman Macha – AYE
Councilman Schock – AYE

Ryan then advised that the children’s pedestrian safety grant project would complete a north/south route through the City and access to the spot bus stop along with a loop around the school. He estimated the project cost at \$140,000 and could ask for up to \$220,000, but thought the City would have a better shot at receiving the funds with a request for a small but very important project. He advised that the Idaho Department of Transportation was looking at the existing RFP at Hwy 200 and how they could incorporate a path for good connection. He stated that he had received letters of support from BCATT, Lake Pend d'Oreille School District, IHD, SPOT and the principle of the Kootenai Elementary School. He also stated that the School agreed to clear snow from the path surrounding the School. Councilman Sundquist asked if it was possible for entities get receive funds from both grants. Ryan stated that the grants were very competitive and he would be happy if the City was granted even one, but it could be possible for the City to receive both. He mentioned that the city of Kootenai is in an urban area which is part of the greater Sandpoint area and it has been very hard to get funds. Asking for the \$140,000 out of the \$250,000 could possibly help. Councilwoman Bauer confirmed that the school would keep the route around the school cleared of snow and that it would not be a cost to the tax payers. Ryan confirmed. **Councilman Sundquist made a motion to allow the City’s Mayor to sign the Sprague Walkway Project, 2nd by Councilman Macha; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer– AYE

Councilman Macha – AYE
Councilman Schock – AYE

- **Culvert Review** – no further discussion.

C. City Planner: Written Report Summary - Attached.

- **Building Permit Activity update** – no further discussion
- **Code Update** – There was discussion as to how past Council had viewed the non-conforming lots of record within the City. Councilman Sundquist stated that the expressly permitted use could be defined as only permitted use subject to nonconforming lots of record. There was discussion that non-conforming properties should come to Council for a special use consideration. Clare stated that the code section was confusing. Councilman Sundquist stated that the small part of town, with smaller grid was non-conforming and uses should be none other than permitted use. There was further discussion considering that all non-conforming or special use properties should have to come to Council for approval. Clare stated she would work with the City Clerk and research past workshop minutes related to the issue for further discussion.
- **Replacement Zoning Map** – Close to finish. No further discussion.
- **Upcoming Bonner County Public Hearings** – Clare advise that she had submitted the attached memo to Council in regard to the County’s proposed amendments to its Title 12 Zoning Regulations. She expressed that she was concerned that the County was eliminating the requirement to for a land capability report currently required for zone changes. Council expressed their concern that the County mischaracterized the comment period and that it seemed that the County was in the process of eliminating a lot of requirements that could eliminate the capability for the City or any government agency from review or commenting on issues that could affect the City’s Area of City of Impact. **Councilman Sundquist made a motion to allow the City’s Planner Clare Marley to submit a reply to the County’s proposed text amendment AM167-18 and AM168-18, 2nd by Councilwoman Bauer; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer– AYE

Councilman Macha – AYE
Councilman Schock – AYE

D. Selkirks-Pend d'Oreille Transit (SPOT) – As stated in her previous statement.

E. Clerk: Written Report Summary – Attached – Ronda stated that the repair of the floor joists had been completed and the cost was about half of what was proposed. She also commented on the post office status advising that the City's attorney had been able to contact the operations manager for the northwest United States Postal Service (USPS) and was advised that the USPS had intended to continue the contract for the post office. She advised that she was concerned that the application for the contract would not be posted until January 31st which was when the existing contract expired. She advised that she had sent the interested party the link that Councilman Schock had sent her and advised that she submit an interest as soon as possible. She stated that she had received an interest of a local resident to take over the contract and had spoken to the City's attorney about connecting the operations manager and getting them in contact with the resident so that the transition would be smooth. It was suggested that Ronda put the link to submit interest on the City's web site.

3. Discussion/Action Items

- **Annual Road and Street Financial Report–** Councilman Schock asked for a correction to the date of year end. **Councilman Sundquist made a motion to authorize Mayor to sign the report and publication of the same, 2nd by Councilman Macha; roll call vote:**

Councilman Sundquist – AYE

Councilman Macha – AYE

Councilwoman Bauer– AYE

Councilman Schock – AYE

- **Web Site Community Help Sites –** Council suggested that City not start putting these types of sites on its web site. Once you allow one then all of them want to be there.

4. Adjournment: Mayor Lewis adjourned the meeting at 7:40 p.m.

Submitted by:
Ronda L. Whittaker
City Clerk

City of Kootenai

Treasurer Report November 2018

Mtn West Business Checking	\$	102,181.24	
Mtn West Money Market Acct	\$	74,043.27	176,224.51 Bank Total
LGIP - Current thru 9/30/2018	\$	274,647.47	Pool Total
Total Cash Assets	\$	450,871.98	

GENERAL FUND REVENUE

Name	Account	Amount	Sub-Totals
01 - GF REV			
Franchise Fees			
	Avista Corporation	-	
	Northland Cable Television	0	
	Waste Management	0	
Total Franchise Fees			-
Interest			
	Mtn West Savings/.1%	6.49	
	Mtn West Checking/.04%	3.38	
	Interest, LGIP/Sept/2.2691%	502.05	
Total Interest			511.92
Licenses & Permits			
	Business License	50.00	
	Liquor License	1,200.00	
Total Licenses & Permits			1,250.00
Planning & Zoning Fees & Permit			
	Building Permits	4,750.58	
	Subdivision Fees/7 Sisters	-	
Total Licenses & Permits			4,750.58
Property Tax			
	Arrears Property Tax	201.35	
	Penalty & Interest	45.88	
	Property Tax Current	-	
	Sales Tax - Inventory Phase Out	4,172.46	
Total Property Tax			4,419.69
Rents			
	City Hall Rental	150.00	
	Post Office Rent	250.00	
Total Rents			400.00
State of Idaho Funds			
	State Liquor Fund	-	
	State Revenue Sharing	-	
Total State of Idaho Funds			-
Total 01 - GF REV		11,332.19	11,332.19

STREET FUND REVENUE

Name	Account	Amount	Sub-Totals
02 - SF REV			
Idaho Transportation Dept			
	State Highway Users Fund	-	
	HB312	-	
Total Idaho Transportation Dept			-
Road & Bridge			
	Road & Bridge Arrears	147.87	
	Road & Bridge Current	0.00	
	Road & Bridge P & I	33.28	
Total Road & Bridge			181.15
Stormwater/Encroachment	Culvert Encroachment Permit		
Total Stormwater/Encroachment			-
Streets			
Utility Encroachment Permit			
Total Streets			-
	Total 02 - SF REV	181.15	181.15
	Total Income	11,513.34	11,513.34

City of Kootenai
Treasurer Report November 2018

GENERAL FUND EXPENSES			
Name	Account	Amount	Sub-Totals
10 - GF EXP			
City Web Site		90.00	
Total City Web Site			90.00
Accounting & Audit		761.25	
Total Accounting & Audit			761.25
Building Maintenance			
	Janitorial Service	75.00	
	Maintenance & Repairs	1,375.00	
Total Building Maintenance			1,450.00
Law Enforcement		-	
	Attorney	-	
Total Legal			-
Dues & Membership			
	Association of Idaho Cities	-	
	ICCTFOA District Membership	-	
Total Dues & Membership			-
Insurance			
	ICRMP	-	
Total Insurance			-
Office Expenses			
	Computer Maint/Repair	-	
	Events	21.08	
	Internet Service	94.39	
	Office Supplies	20.13	
	Postage	100.00	
Total Office Expenses			235.60
Park			
	Maintenance	-	
	Arbor Day	-	
Total Park, Arbor Day & Earth Day			-
Planning & Zoning			
	Building Permit	614.50	
	Code Enforcement	13.00	
	Ordinance Revisions/Comp Pln	244.50	
	Planner	1,084.50	
	Subdivision Fees/Site Review	-	
	Engineer	-	
	Subdivision Fees	-	
	Zoning Map	6.50	
Total Planning & Zoning			1,963.00

City of Kootenai
Treasurer Report November 2018

GENERAL FUND EXPENSES Cont.			
Name	Account	Amount	Sub-Totals
Training Workshops			
Mileage	PRIMA Training/Mayor's Colition	-	
Training Expenses		-	
Total Training Workshops			-
10 · GF EXP Cont.	Electric & Gas	131.87	
	Garbage	0	
	Water	10.95	
	Sewer	70.53	
	Telephone	0	
Total Utilities			213.35
Wages & Benefits			
	Clerk/Treasurer	3,372.00	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	334.45	
	Retirement Fund - PERSI	494.91	
	Workers Compensation	-	
	Health Insurance	677.57	
	Wages & Benefits - Other	(135.51)	
Total Wages & Benefits			5,743.42
6560 Payroll Expenses	Intuit Payroll Services	10.00	10.00
	Total 10 · GF EXP	10,466.62	10,466.62

City of Kootenai
Treasurer Report November 2018

STREET FUND EXPENSES			
Name	Account	Amount	Sub-Totals
20 · SF EXP			
Stormwater			
	Culvert Inspection	-	
Total Stormwater			-
Streets			
	Signs	-	
	Street Engineer	-	
	Utility Encroachment Permit	-	
Total Streets			-
Transportation			
	Hwy 200 Corridor Study	-	
	SPOT	-	
Total Transportation			-
Utilities, Streets			
	Signal Lights	-	
	Street Lights	870.09	
Total Utilities, Streets			870.09
	Total 20 · SF EXP	870.09	870.09
	Total Expense	11,336.71	11,336.71
	Total Income		11,513.34
Net Income			176.63

MEMO

To: Mayor Lewis and Council Members

From: Ryan Luttmann, P.E., Contract City Engineer

Date: November 29, 2018

Re: October 2018 Council Report

1. McGhee Road Cement Treated Base Project.

This project will include 1,500 lineal feet of full depth reclamation between Highway 200 and the Union Pacific Railroad Tracks by recycling the existing aggregate materials and performing an economical process of grinding the existing surface and mixing in cement to treat the base material. A new 3" thick asphalt surface will be constructed for the full length of the 24' wide roadway. Shared lane markings or "sharrows" will be painted on the roadway to raise the awareness and profile of cyclists.

Work progressed in the development of a Local Strategic Initiatives Program Grant Application. The project was reviewed, and the appropriate forms were prepared with the supportive information necessary for optimum scoring. The supplemental information required information to include the following narratives, estimates and exhibits:

- a. Project Description, Importance and Need, Regional Benefit and Safety
- b. Project Scope, Construction Limits, Project Schedule and Development of a Cost Estimate
- c. Right-of-way Documentation
- d. Bid Ready Plans and Specifications
- e. Safety
- f. Mobility
- g. Commerce
- h. Letters of Community Support

The grant application must be submitted to the Local Highway Technical Assistance Council by December 6, 2018 to be considered for funding. This appears to be a competitive application season. **A copy of the grant application will be presented to the City Council on December 4, 2018 for action.**



2. Sprague Walkway Project.

This project will provide a separated north-south sidewalk on Sprague Street along the City block south of the elementary school. A crosswalk will be painted on 1st Avenue on the west side of Sprague Street to complete the connection to an existing sidewalk accessing the school. The addition of a one block sidewalk on the south side of the school property along 1st Avenue will connect to this crossing and complete a dedication path around the school providing additional safety for students walking to the school campus.

Work progressed in the development of a Children Pedestrian Safety Program Grant Application. The project was reviewed, and the appropriate forms were prepared with the supportive information necessary for optimum scoring. The supplemental information required information to include the following narratives, estimates and exhibits:

- a. Project Impact to Children Pedestrians
- b. Safety
- c. Mobility
- d. Right-of-way Documentation
- e. Letters of Community Support
- f. Partner Commitments
- g. Project Schedule

The grant application must be submitted to the Local Highway Technical Assistance Council by December 6, 2018 to be considered for funding. **A copy of the grant application will be presented to the City Council on December 4, 2018 for action.**



3. Culvert Reviews

SPOT Bus Culvert Installation – the work within the City right-of-way was reviewed and approved.

604 W. 2nd Avenue – the applicant relocated a driveway culvert from Boise Avenue to 2nd Avenue. The work was conducted in general accordance with the permit requirements.

3.2 PROGRAM AGREEMENT FORM

Please complete the form and have a signing authority sign the bottom of the form.
Return this form with your completed application.

Local Highway Jurisdiction: City of Kootenai

Signing Authority: Nancy Lewis

Position: Mayor

Project Name: McGhee Road Cement Treated Base Project

Receiving this grant requires the Local Highway Jurisdiction agree to the following program requirements;

- Provide bid documents to LHTAC by April 30, 2019.
- Prepare mid-project update to LHTAC by June 1, 2019.
- Provide LHTAC with a construction schedule before construction begins.
- Follow State Procurement Rules for advertising, bidding and award of contracts
- Provide accounting, before and after pictures and close-out summary form upon project completion
- Complete project construction by December 6, 2019.

ACKNOWLEDGED BY

Nancy Lewis, Mayor

SIGNATURE

3.2 PROGRAM AGREEMENT FORM

Please complete the form and have a signing authority sign the bottom of the form.
Return this form with your completed application.

City, County or Highway District: City of Kootenai

Signing Authority: Nancy Lewis

Position: Mayor

Project Name: Sprague Walkway Project

Receiving this grant requires the City, County, or Highway District agrees to the following program requirements;

- Receive concurrence from ITD if the project is in the state right-of-way or along a state route (provide verification with your application).
- Pay for and/or complete project design and plans.
- Provide LHTAC with a construction schedule before construction begins.
- Prepare mid-project update to LHTAC by June 1, 2019.
- Follow State Procurement Rules for advertising, bidding and award of contracts.
- Provide accounting, before and after pictures and close-out summary form upon project completion.
- Complete project construction by December 6, 2019.

ACKNOWLEDGED BY

Nancy Lewis, Mayor

SIGNATURE



RUEN-YEAGER & ASSOCIATES, INC.
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: November 28, 2018
Re: **Planning summary for December 4, 2018 City Council meeting**

Building permit activity

Four building permit applications were submitted to the City during the month of November for single-family residences in the Seven Sisters development. The total number of building permits for the year is 23. Seven Sisters has one remaining lot to be developed in Phase 1 and seven remaining lots in Phases 2 & 3.

Code update

Staff has begun drafting the consolidated use tables for the zoning code update. This 2019 planning project was reviewed by City Council in October. All 11 zoning districts will fit in one table. Originally, Council had discussed with staff excluding from the table the four zoning districts not in use by the City (Recreational, Rural, Rural/Suburban Transition, and Agriculture). However, the table accommodates all zones. An early draft copy of the table is attached for review and comment. The tables' rows are not completely populated yet with the uses allowed by the various zones. There are three proposed tables: Residential; a combined Commercial/Industrial; and Public. One issue has arisen regarding the interpretation of allowed uses for non-conforming (grandfathered) lots. The zoning districts each have a statement that lots that smaller than the zoning district minimum have restricted uses, but the actual code contradicts this by stating all permitted and conditionally permitted uses are allowed. This means there are no restrictions on lots that do not meet lot size minimums. The statement reads: "*C. Nonconforming Lots Of Record: Lots of record as of the effective date hereof that do not meet the minimum site area and/or street frontage requirements shall be limited to the uses expressly permitted under section 8-10A-4 of this article. (Ord. 201, 11-15-2013).*" The referenced section lists all permitted and all special uses in the zoning district. This may be a possible typographical error in the original code, but staff will need to review the matter with Council.

Replacement Zoning Map

Staff is continuing to work on the map replacement details. We are awaiting a reply from the State Tax Commission on a boundary question, as noted in the October workshop, before completing a final draft for Council review.



RUEN-YEAGER & ASSOCIATES, INC.
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: November 28, 2018
Re: **Bonner County Public Hearing Items for December 5, 2018**

The City of Kootenai has received an announcement from the Bonner County Planning Department regarding three items that are scheduled for public hearing December 5th. A summary of the proposals follow. Also, attached is a Bonner County Daily Bee article on the amendments for background information. If the City Council wishes to provide written comments to the County, letters are limited to one page if submitted less than 5 days prior to the hearing. Please advise if you wish to have me compose a letter on your behalf.

- **ZC368-18 Zone Change from Rural 10 to Rural 5:** The site is within the Dover Area of City Impact. The landowners on Homestead Loop in the Carr Creek area are seeking a zone change from 10-acre minimum lot size to 5-acre minimum lot size for a 23-acre parcel that is split by two different zones. The Bonner County Planning and Zoning Commission recommended approval of the zone change.
- **AM167-18 Text Amendment to Zoning Regulations:** The County is proposing to eliminate a "land capability" report currently required for zone changes, comp plan map amendments, planned unit developments, conditional use permits, and variances. The report is prepared by a design professional (e.g., engineer, landscape architect, soil scientist, planner) and addresses the ability of the land to be developed without harmful consequences due to floods, sewage, drainage, erosion, sedimentation, or geological or surface slippage. The City is receiving this public hearing notice because the County is required to mail notice to all taxing districts. The county staff report indicated the current code contains vague language regarding who is qualified to prepare the report and could result in a "simple" report or "expensive detailed report." Some of the issues are addressed by FEMA or the health district and stormwater plans, the report states. The Bonner County Planning and Zoning Commission recommended approval of the amendment.
- **AM168-18 Text Amendment to Zoning Regulations:** Bonner County initiated an amendment to zoning codes to shorten the agency comment period from 30 days to 15 days. However, the ordinance actually eliminates the agency comment period and simply provides notice of the pending hearing to affected agencies within the 15-day notice period required prior to public hearings. Agencies include sewer and water districts, affected federal and state agencies, county road department, pipeline companies, and similar agencies. RYA staff spoke with the planning department regarding the Area of City Impact standard comment period of 30- or 40-days (varies by city) and a concern that the ACI comment period would be overlooked. The draft retains a paragraph stating that applications with the ACI would be noticed according to adopted agreements. The City is receiving this public hearing notice because the County is required to mail notice to all taxing districts. The Bonner County Planning and Zoning Commission recommended approval of the amendment.



To: Kootenai City Council and Mayor
From: Ronda L. Whittaker, City Clerk
Date: November
RE: Clerk's Report

Audit – I have been working on suggested journal entires from the City's Auditor; mostly date changes to adjust revenues that come in in October for the previous year. Fieldwork day is scheduled for Thursday, November 29th.

Website Activity – Continued update of the site. The site is now being used quite frequently.

Building Permits/TCO–Still working with developers and builders to evaluate completion of conditions.

Business and Liquor License Renewals – It is that time of year again. Liquor Licenses must be renewed by the end of November. Reminder letters were sent and all approved Liquor Licenses have been renewed. Business License renewals are due December 31, 2018. Reminder letters have been sent.

City Code Enforcement -Notices of Violations - There is still some mini storage businesses with outside storage and property clean – up issues. I have asked the City's Attorney to send legal advisements to the property owners in hopes of getting compliance as my efforts have been exhausted and there has been no compliance.

City Hall Building Repair – Durfee Construction came on Monday and began the floor joist repair. I have had no word from them since as to whether the project is completed. Still waiting to see if they can provide services to help move the flag.

Post Office – The acting City's Attorney has advised that she was able to contact the Operations Manager for the Northwest United States Postal Service (USPS) and has been assured that the USPS has intentions to continue the contract. We are in hopes that the Operations Manager will work with an interested party so that the transfer of contract holders will run smoothly.

City Code Inquiries – There seems to be quite a few properties that are selling within the City. There have been many interested buyers visiting City Hall to confirm zoning and building regulations.

Santa Pack – Sack Packing will be held during the week of December 10 – 14th. The Santa Train will visit the city of Kootenai on December 15th with a stop at the Kootenai Elementary between 1:30 and 2:30 p.m. I have attached the information related to the event. The information was also sent with the Business License Reminders as some of the City's businesses do donate to the project.



WISHING YOU ALL A VERY MERRY AND HAPPY CHRISTMAS!!!