



City of Kootenai
MEETING MINUTES
DATE: February 5, 2019
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: Councilwoman Bauer asked if the Discussion Item 3.4 be changed from a discussion item to an action item. Council agreed to address the issue as provided when the topic was addressed as it was listed under Discussion/Action.

Staff Present: City Clerk, Ronda L. Whittaker.

Others Present: Cis Gors, City resident and Fred Omodt, 488 Shingle Mill Rd., representing Selle Valley Sub-Committee.

Public Comment: Mr. Omodt introduced himself stating that his address is 488 Shingle Mill Rd and stated that his residence was within the city of Kootenai’s Area of City Impact (ACI). He also advised that he was working with the Selle Valley sub-committee to develop a Comprehensive Plan for the sub-area out north of town. He stated that he was interested in the City’s Comprehensive Plan which includes a goal of renegotiating its ACI with the County at some point soon. He stated that the Selle Valley sub-committee was interested in what the City was going to do as far as amending its ACI. He asked for the issue to be put on the next agenda for discussion as to how the City was going to renegotiate with the County. He stated that he did not at the time have suggestions to present to Council but would like to meet with Mayor Lewis to discuss them soon. Councilman Sundquist asked Mr. Omodt if his statement was to request the City to discuss a renegotiating the City’s ACI at the next meeting. Mr. Omodt confirmed. Council stated that it was now in the process of amending its Comprehensive Plan and zoning map, but was not intending to address its ACI at this time. Mr. Omodt stated that the current Comprehensive Plan stated that the City would address a renegotiation with the County every 10 years. Council advised that the process was a lengthy one and would be addressed at a workshop in the future. Mayor stated she would speak with the City’s planner and advise Mr. Omodt appropriately.

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. Ronda stated that Mayor had brought to her attention a couple of typo errors that would be addressed. 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: No report was given

2.B. City Engineer: Written Report Summary – Attached.
2.B1 LHTAC Grants Update – There was no further discussion.

C. City Planner: Written Report Summary - Attached.
2.C1 Building Permit Activity update – no further discussion

2.C2 City Code update– There was no further discussion
2.C3 Land use application activity – Council was satisfied with Clare’s advisement.
Councilwoman Bauer moved to approve the comment letter to Bonner County as written regarding the proposed Replat of Ponder Point Subdivision, Blk 1, Lt 6, within the Kootenai Area of City Impact and authorize the Mayor and City Clerk to sign the letter on behalf of the City Council, 2nd by Councilman Schock; roll call:

Councilman Sundquist – AYE
Councilwoman Bauer– AYE

Councilman Macha – AYE
Councilman Schock – AYE

D. Selkirks-Pend d’Oreille Transit (SPOT) – Mayor stated that SPOT had hired a new assistant director and was very happy with the results.

E. Clerk: Written Report Summary – Attached – There was no further comment

3. Discussion/Action Items

3.1 Code Enforcement – Request of Services– Councilman Schock stated that he would like to see the following services from a potential law enforcement agency:

- **Law enforcement make a daily drive through of the City at least 2 to 3 times a week.**
- **Law enforcement to be able to respond to code enforcement issues when requested.**
- **Online report specific to the city of Kootenai**

Councilwoman Bauer agreed with Councilman Schock’s request and added the following:

- **She suggested a curfew visit to the City. Councilman Sundquist advised that the City had a morning and an evening curfew.**

Councilman Sundquist stated that he would like to see the following services:

- **Specified hours per week from 6 to 8 hours**
- **Continuity – same officer who would eventually know the City, be familiar with the City’s codes and aware of the reality that there are children on all streets within the City – speeding should not be tolerated. He would like to have law enforcement give citations if needed. His idea is that if the City pays for these services that hours of service could be requested.**

Councilman Macha stated he was in agreement with the above proposed services.

Council discussed having a tiered quote using a 2,4,10, and 20 hour tier.

Mayor Lewis stated she would work with the city of Ponderay, city of Sandpoint and the County Sheriff’s Department.

3.2 Draft Audit and Authorization for mayor to sign Representation Letter – Mayor stated she was satisfied with the draft audit. She advised Council that the accrual process can be very confusing and was the reason for the year-end adjustments. She stated that there are some revenues and services that do not come in timely, which causes confusion. Councilman Sundquist questioned the misdated transactions results and confirmed that there were no outstanding discrepancies. Ronda explained that because this was a two year audit there were some funds that came in 2016 and 2017 that had been dated for the wrong year, therefore needing adjustments to close out each year. This is an accounting procedure. The funds received at the time fit into the revenues received at that time. She confirmed that the City’s budget was not affected by the audit. Council agreed that the City should seek bids for auditing from another accounting agent as it is good practice. They also agreed that the City should begin a yearly audit. There was no further discussion. **Councilman Schock moved to authorize Mayor Lewis to sign the representation letter, 2nd by Councilwoman Bauer; roll call:**

Councilman Sundquist – AYE
Councilwoman Bauer– AYE

Councilman Macha – AYE
Councilman Schock – AYE

Ronda then asked for a motion to agree/acknowledge the auditor’s schedule and responses. Mayor Lewis stated that she had discussed with Ronda requesting to have an outside accountant come in to review the City’s financial reports on a quarterly basis. **Councilman Schock moved to acknowledge the auditor’s schedule, findings, and responses, 2nd by Councilwoman Bauer;**

roll call:

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilman Macha – AYE
Councilman Schock – AYE

3.3 Dog Licensing amendment – Councilwoman Bauer stated that she was happy to see the amount of licenses issued due to the waiver of fees for the month of January. moral to license a dog. She stated that she would like to see the City discuss the idea of waiving the fees permanently or maybe asking for a donation or to even just waive the requirement completely; even naming it to a voluntary registration. She felt that a mandatory licensing regulation may be a cause for resident’s not licensing their dogs. She stated that she understood that there would need to be a public hearing to amend the code and suggested discussed the issue when a workshop came up to amend some other code if it arose. Councilman Sundquist expressed his concern that releasing the regulation would take control away from the City when it came to a kennel situation and the community at large. The regulation gives a broader incite to the community. He advised that it would not a good idea to eliminate the regulation. Council agreed to discuss the matter in the future.

3.4 Resolution opposing the Bonner Regional Team – Councilwoman Bauer reported that the Bonner County Republican Central Committee had recently passed a resolution opposing the Bonner Regional Team (7B). She stated her concern that the Regional Team was a shadow government made up of elected officials and planners and unelected bureaucrats as well as out of State participants. She stated that she would like for the City to send a clear message that the city of Kootenai wishes to remain the governing body of its territory. She stated that she would like to see the City pass a resolution addressing the issue. Council discussed their concern. Councilman Sundquist stated that the City had not agreed to anything in regard to any planning or guidelines from the organization and suggested that we just not do anything. He stated that he did not want to burn any bridges as maybe the organization could be a benefit to the City in the future. Council discussed that they did not know enough about the organization to pass any such resolution and suggested that the City’s Attorney review the issue and advise.

4. Adjournment: Mayor Lewis adjourned the meeting at 7:55 p.m.

Submitted by:
Ronda L. Whittaker
City Clerk

CITY OF KOOTENAI

SIGN-IN SHEET

DATE: February 5, 2019

TIME: 6:30 pm

Council Meeting

Name	Address	Representing
<p><i>is</i> FRED OMODT</p>	<p>206 Bowie St 488 Shingle Mill Rd</p>	<p>ME</p>
		<p>Sole Valley Sub Committee</p>

City of Kootenai

Treasurer Report January 2019

Mt West Business Checking	\$	126,398.50	0.04%
Mt West Money Market Acct	\$	74,055.44	0.10%
LGIP - Current thru 12/31/18	\$	276,203.85	2.3762% Nov \$524.07
Total Cash Assets	\$	476,657.79	

GENERAL FUND REVENUE JANUARY 2019

Name	Account	Amount	Sub-Totals
01 - GF REV			
Franchise Fees			
	Avista Corporation		
	Waste Management, Inc.	814.36	
	Northland Cable Television	762.24	
Total Franchise Fees			1,576.60
Law Enforcement Fines			
			0
Interest			
	Interest, Mt West Savings	6.29	
	Interest, Mt West Checking	2.72	
	LGIP Savings	-	
Total Interest			9.01
Licenses & Permits			
	Business License	350.00	
	Dog License	10.00	
Total Licenses & Permits			360.00
Planning & Zoning Fees & Permit TCO's			
		300.00	
Total Licenses & Permits			300.00
Property Tax			
	Arrears Property Tax	62.51	
	Circuit Breaker	427.32	
	Penalty & Interest	7.17	
	Property Tax Current	22,457.63	
	Recovered HO Exemption	630.92	
Total Property Tax			23,585.55
Rents			
	City Hall Rental	250.00	
	Post Office Rent	250.00	
Total Rents			500.00
State of Idaho Funds			
	State Liquor Fund	6,382.00	
	State Revenue Sharing	10,806.19	
Total State of Idaho Funds			17,188.19
	Total 01 - GF REV	43,519.35	43,519.35

City of Kootenai
Treasurer Report January 2019

STREET FUND REVENUE JANUARY 2019			
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Name	Account	Amount	Sub-Totals
02 - SF REV			
Idaho Transportation Dept			
	HB312	2,432.52	
	State Highway Users Fund	7,955.05	
Total Idaho Transportation Dept			10,387.57
Road & Bridge			
	Circuit Breaker M&O	360.53	
	Road & Bridge Arrears	47.26	
	Road & Bridge Current	18,918.08	
	Road & Bridge P & I	5.73	
Total Road & Bridge			19,331.60
Total 02 - SF REV		29,719.17	29,719.17
Total Income		73,238.52	73,238.52

City of Kootenai
Treasurer Report January 2019

GENERAL FUND EXPENSES			
Name	Account	Amount	Sub-Totals
10 - GF EXP			
Accounting and Audit	Anderson Brothers	3,151.25	
Building Maintenance			3,151.25
Bank Fees	Bank Charges, Checks, Supplies	-	
	Janitorial Service	45.00	
	Snow Removal	75.00	
Total Building Maintenance			120.00
Legal		-	
	Attorney	885.00	
	Legal Notices	-	
	Ordinance Codification	500.00	
Total Legal			1,385.00
Dues & Membership	District ICCTFOA	10.00	
Total Dues & Membership			10.00
Office Expenses			
	Computer Maint/Repair	-	
	Computer Software	100.00	
	Gift Expense	-	
	Internet Service	25.00	
	Office Supplies	105.50	
	Postage	33.62	
Total Office Expenses			264.12
Park			
	Maintenance	-	
Total Park, Arbor Day & Earth Day			-
Planning & Zoning			
	Building Permit	-	
	Code Enforcement	81.50	
	Ordinance Revisions	65.00	
	Planner	533.00	
	Subdivision Fees	71.50	
	Engineer	-	
	Zoning Map	18.00	
Total Planning & Zoning			769.00
Training Workshops			
Mileage		11.55	
Meals		-	
Training Expenses		-	
Total Training Workshops			11.55

City of Kootenai
Treasurer Report January 2019

GENERAL FUND EXPENSES Cont.

Name	Account	Amount	Sub-Totals
Utilities			
	Electric & Gas	174.16	
	Garbage	0	
	Water	22.41	
	Telephone	94.15	
	Sewer	0	
Total Utilities			290.72
Wages & Benefits			
	Clerk/Treasurer	3,720.00	
	Council	500	
	Mayor	500	
	Payroll Taxes	361.07	
	Retirement Fund - PERSI	534.3	
	Workers Compensation	0	
	Wages & Bendfits - Insurance	-135.51	
	Blue Cross	677.57	
6560 Payroll Expenses	Intuit Payroll	20	
Total Wages & Benefits			6,177.43
	Total 10 · GF EXP	12,179.07	12,179.07

City of Kootenai

Treasurer Report January 2019

STREET FUND EXPENSES			
Name	Account	Amount	Sub-Totals
20 - SF EXP			
Ditches			
	Ditch Maintenance	-	
Total Ditches			-
Stormwater			
	Culvert Inspection		
	Mapping & Other Materials		
	Stormwater Repair/Excavation		
	Stormwater - Other	-	
Total Stormwater			-
Street Maintenance			
	Chip Seal	155.77	
Total Street Maintenance			155.77
Streets			
	Thorco/Crosswalk	0	
	Street Engineer	651.91	
	Signs	-	
	Materials	-	
	Utility Encroachment Permit	-	
Total Streets			651.91
Transportation			
	SPOT Bus	1,300.00	
Total Transportation			1,300.00
Utilities, Streets			
	Signal Lights	0	
	Street Lights	884.72	
Total Utilities, Streets			884.72
	Total 20 - SF EXP	2,992.40	2,992.40
Reconciliation Discrepancies	Erroneous Deposit/recaptured	36.00	36.00
	Total Expense	15,207.47	15,207.47
	Total Income		73,238.52
Net Income			58,031.05

MEMO

To: Mayor Lewis and Council Members

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

Date: January 30, 2019

Re: January 2019 Council Report

1. McGhee Road Cement Treated Base Project.

The City of Kootenai's strategic initiatives application was scored, and the City ranked #12 in the State. It is anticipated that the available funding will cover the top 26+/- applications throughout the State of Idaho. Award of projects is contingent upon the appropriation of funds through the Idaho Legislature and last year award notifications were sent out in March.

The City requested \$240,000 to perform a cement treated base project on 1,500 lineal feet of McGhee Road and there is no match for this funding program. The City can use up to 10% of the funding to cover engineering costs for bidding and award, construction and project closeout. Bidding documents need to be provided to LHTAC by April 30, 2019 and projects need to be completed by December 6, 2019.

2. Sprague Walkway Project.

The Children Pedestrian Safety grant application have been scored and presented to LHTAC's Executive Council for confirmation. The Children Pedestrian scores will not be posted until the results are approved by the Idaho Transportation Board at their February meeting. Since this is a joint program, the ITD Board must also approve the rankings before they are published. The City requested \$140,000 in the application.



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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: January 30, 2019
Re: **Planning summary for February 5, 2019 City Council meeting**

Building permit activity: No building permits were filed in the month of January.

Code update

Staff is continuing to work on the draft use tables and revised language provided by the City Council during recent discussions. A first draft should be ready for Council review and comment by March.

Bonner County ACI request for comment: A summary of the subdivision proposal within the Kootenai ACI (Ponder Point) is contained in a separate memo.

Land use application activity: City staff has received a revised "conceptual" plan for the Northwinds residential project that is under review by the city engineer and planner. This project, located on the northwest side of the city, has been "dormant" for about one year. The next steps are to complete a review of the conceptual plans against city land use codes and forward comments to the applicant. Should a revised application be submitted, staff will confirm the application is complete and forward to agencies for comment. This application is being considered under "quasi-judicial" or court-like proceedings. Site visits or discussions by decision makers outside the public hearing process are not permitted.



RUEN-YEAGER & ASSOCIATES, INC.

ENGINEERS ♦ PLANNERS ♦ SURVEYORS

MEMO

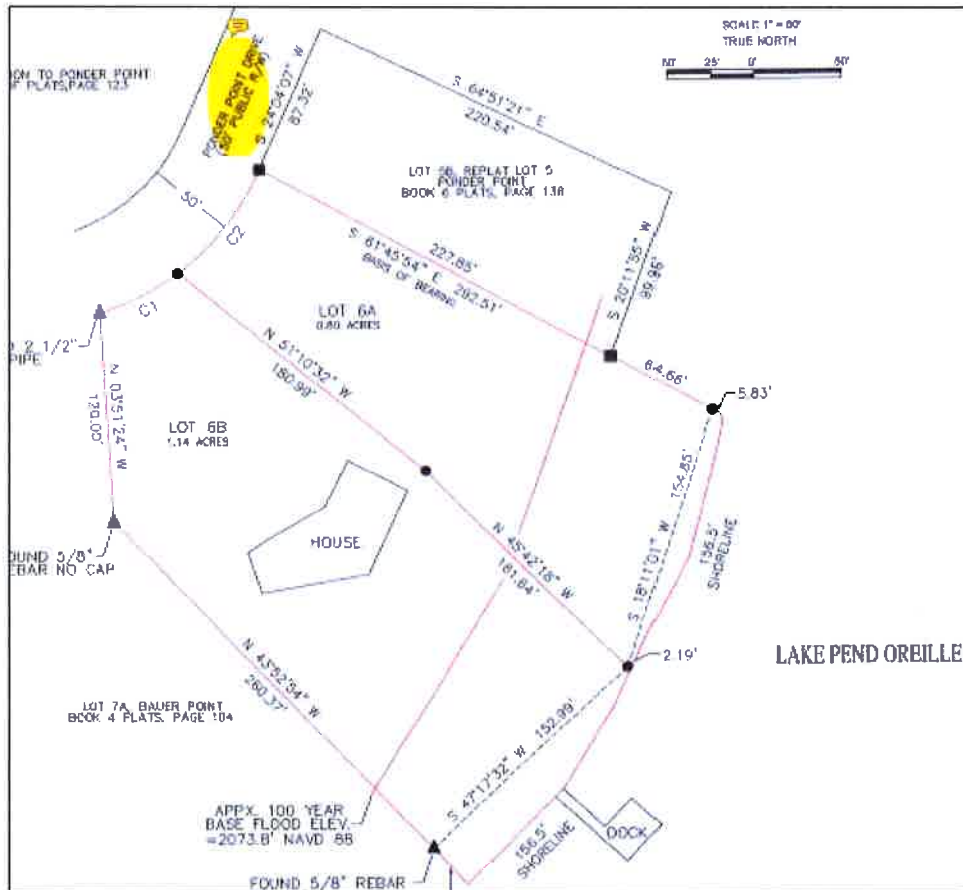
To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP
Date: January 30, 2019
Re: Request for comment on land division within Area of City Impact

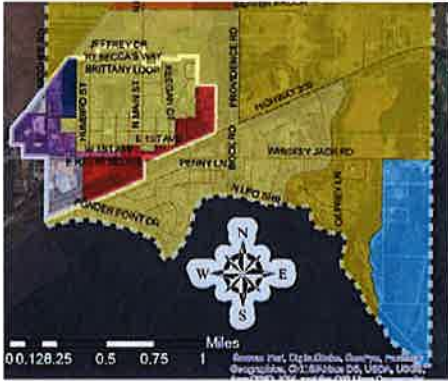
Minor Land Division – Area of City Impact (ACI)

Bonner County Planning Department has requested comment from the City of Kootenai for a proposed subdivision of 1.94 acres into two lots of 1.14 and 0.8 acres. (A replat of Ponder Point Block 1, Lot 6, County File #MLD0002-18).

The site is located at 342 Ponder Point Drive, south of the city limits on Lake Pend Oreille, and within the approved Area of City Impact (ACI). The landowner is Siemsen Trust.

Kootenai City Code Section 8-3D-6 requires all land use proposals within the ACI be submitted to City Council for review and comment. The Council has 40 days to provide a reply. The county lists the deadline for response as February 23rd. The ACI is governed by the county subdivision and zoning laws.





The following is a summary of the project background and suggested comments on the proposed subdivision. The City Council may have additional comments or concerns. A suggested motion follows this section.

Background:

1. The City of Kootenai’s comprehensive plan designation for this area is “Single Family Residential.” This map designation provides for “single family and duplex housing permitted on minimum lot sizes of 10,650 square feet.”
2. The proposed lots are 34,848 square feet and 49,658 square feet and are larger than the minimum size recommended by the Kootenai Comprehensive Plan.

3. The site fronts on Ponder Point Drive, which is shown on the plat to be a 50-foot right-of-way. The county standard width for rights-of-way is 60 feet. No additional dedication of right-of-way is proposed.
4. Ponder Point Drive is a paved, 23-foot wide travelway. The public right-of-way does not intersect Kootenai city streets directly.
5. The site is served by City of Sandpoint water and Kootenai-Ponderay Sewer District. The application states the current home is connected to services and the second lot “has preliminary approval for hookup to both” services.
6. A portion of the site is within the special flood hazard area of Lake Pend Oreille. The approximate 100-year floodplain elevation is shown on the preliminary plat.
7. Kootenai subdivision laws would require a land division such as this to be platted. The proposed subdivision will be platted.
8. Bonner County’s subdivision law, Section 12-647(H), BCRC, requires the plat include “a place for city approval if within an area of city impact.” The ACI certificate is missing from the draft final plat.

Suggested comments:

1. The proposed plat is in accord with the future land use map for Kootenai’s Area of City Impact (ACI) and suggested single-family residential uses and lot sizes.
2. The site is served by a substandard right-of-way (50 feet wide versus 60 feet wide). Consideration should be given to bringing the width to a minimum standard from right-of-way centerline as part of the conditions of approval.
3. While the public right-of-way serving the proposed land division does not intersect Kootenai city streets directly, continued development within the Area of City Impact will impact city streets and pathways, as county residents use the city’s transportation system and services to reach the Kootenai Elementary School, post office, parks, and work places.
4. Development of lots within the ACI will affect Kootenai’s ability to grow and develop as the number of available water and sewer hookups are reduced.
5. The draft final plat is missing the required Area of City Impact certificate. Please add the certificate for signature by the mayor and city clerk, reflecting the replat and been reviewed for its effects on the Area of City Impact. Please use the standard certificate language for ACIs, which excludes reference to “approval” of the plat by the City.

A draft ACI comment letter and the county application are attached. A suggested motion follows:

SUGGESTED MOTION: I move to approve the attached comment letter to Bonner County as written [or as amended], regarding the proposed Replat of Ponder Point Subdivision, Block 1, Lot 6, within the Kootenai Area of City Impact and authorize the mayor and city clerk to sign the letter on behalf of the City Council.

February 6, 2019

Milton Ollerton, Planning Director
Bonner County Planning Department
1500 Hwy 2, Suite 208
Sandpoint, ID 83864

RE: City of Kootenai Area of City Impact Comment, File #MLD0002-18

Dear Mr. Ollerton:

The City of Kootenai has received your request for comment on the above-named file, a proposed subdivision of a platted lot within Ponder Point Subdivision.

Please be advised that the Kootenai City Council reviewed the application at its February 5, 2019 regular meeting, pursuant to Kootenai City Code 8-3D-6. The City Council voted unanimously to provide the following comments to Bonner County on the proposed land use application:

Background:

1. The City of Kootenai's comprehensive plan designation for this area is "Single Family Residential." This map designation provides for "single family and duplex housing permitted on minimum lot sizes of 10,650 square feet."
2. The proposed lots are 34,848 square feet and 49,658 square feet and are larger than the minimum size recommended by the Kootenai Comprehensive Plan.
3. The site fronts on Ponder Point Drive, which is shown on the plat to be a 50-foot right-of-way. The county standard width for rights-of-way is 60 feet. No additional dedication of right-of-way is proposed.
4. Ponder Point Drive is a paved, 23-foot wide travelway. The public right-of-way does not intersect Kootenai city streets directly.
5. The site is served by City of Sandpoint water and Kootenai-Ponderay Sewer District. The application states the current home is connected to services and the second lot "has preliminary approval for hookup to both" services.
6. A portion of the site is within the special flood hazard area of Lake Pend Oreille. The approximate 100-year floodplain elevation is shown on the preliminary plat.
7. Kootenai subdivision laws would require a land division such as this to be platted. The proposed subdivision will be platted.
8. Bonner County's subdivision law, Section 12-647(H), BCRC, requires the plat include "a place for city approval if within an area of city impact." The ACI certificate is missing from the draft final plat.

Comments:

1. The proposed plat is in accord with the future land use map for Kootenai's Area of City Impact (ACI) and suggested single-family residential uses and lot sizes.
2. The site is served by a substandard right-of-way (50 feet wide versus 60 feet wide). Consideration should be given to bringing the width to a minimum standard from right-of-way centerline as part of the conditions of approval.
3. While the public right-of-way serving the proposed land division does not intersect Kootenai city streets directly, continued development within the Area of City Impact will impact city streets

and pathways, as county residents use the city's transportation system and services to reach the Kootenai Elementary School, post office, parks, and work places.

4. Development of lots within the ACI will affect Kootenai's ability to grow and develop as the number of available water and sewer hookups are reduced.
5. The draft final plat is missing the required Area of City Impact certificate. Please add the certificate for signature by the mayor and city clerk, reflecting the replat and been reviewed for its effects on the Area of City Impact. Please use the standard certificate language for ACIs, which excludes reference to "approval" of the plat by the City.

If you need any additional information, please contact me or City Clerk Ronda Whittaker at Kootenai City Hall. Thank you for the opportunity to review and comment.

Sincerely,

Nancy Lewis, Mayor of Kootenai

c: Kootenai City Planner

To: Kootenai City Council and Mayor
From: Ronda L. Whittaker, City Clerk
Date: January 2019
RE: Clerk's Report



Audit – The Audit Draft has been completed, Journal Entries have been entered

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

Building Permits/TCO–All fees have been collected for TCOs. Two were issued this month for Seven Sisters Development.

Business License Renewals –We have received 33 business renewals. Still working on compliance for about 9 more business.

Dog Licenses – There have been 14 licenses issued this month

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.

Flag – Durfee Construction is working on repair of link to hang flag.

Post Office – The City's Attorney has been working with the Regional Director for the Post Office (Western Area) out of Seattle. Applications have been sent to one applicant thus far. Advisements have been posted in the post office and delivered to all post office boxes. Deadline to reply was January 28th.

Building Status – The annual building statistics for construction has been completed and submitted. There were 17 homes built within the City this year valued at \$2,930,035 totaling 29,961 sq ft.