



City of Kootenai
COUNCIL MEETING MINUTES

DATE: May 5, 2020

TIME: 6:30 p.m.

Mayor Lewis brought the meeting to order at 6:30 p.m. The City Clerk called into the phone conference to open the meeting up to the public and staff who attended by phone.

Roll Call: Councilman Sundquist – AYE, Councilwoman Mjelde - AYE, Councilman Schock – AYE, and Councilwoman Bauer – AYE.

Staff Present: City Clerk, Ronda L. Whittaker

Others Present: Deanna James – City resident at 124 Rebecca’s Way - phone presence, Monica Webb, representing TING – phone presence, Kari Saccamanno, representing TING – phone presence, Ryan Green, representing Kaniksu Networks – phone presence and Tami Yeager, representing Waste Management of Idaho – phone presence.

Presentation/Discussion – Monica Webb representing TING – Monica Webb advised that Kari Sacamonno would eventually come to the meeting as she is the local representative for TING in the Sandpoint area. Monica stated that she is located in Toronto Canada and working out of her home due to COVID-19. She went on to advise that Kari was the Sandpoint City manager and conducts most of the business within the local area. Monica emphasized that TING uses local contractors and installation teams working in the area. She advised that TING was exploring expanding into the city of Kootenai. She explained that TING’s parent company is Tucows which began in the early 1990’s starting up the original shareware/treeware. She advised that TING was the second largest mobile company. TING was launched in 2012 were named the top local global company in the Country in 2014. She stated that TING focuses on customer experience. She explained that the Parent Company was the major drive with 840 employees around the globe and generated about \$337 Million in revenue: some in home offices and some living and working on their own remotely. They go where Cities and their residents really wanted them to come. She stated that TING was very confident with their customer experience. She advised that most designs are for radio transmission they are focused on fiber transmission, which provided higher upload and download speed which enables good video capabilities which is most important as the world is changing. She stated that TING had highly trained employees/technologists. She advised that TING’s net promoter scores are in the 80s out of 100, and they offer friendly customer service. She stated that TING offers up to date fiber products that run at \$89 per month but does offer a lower tier for about \$20 per month. She also advised that TING also provides a business higher capability/ban-width for \$139 per month. She emphasized that they were locally base/employing locally. She stated that TING was very interested in working collaboratively with cities and was open to different types of models. She advised that when a project had been completed, they would have a network lighting the fiber event which would be a joint participation inviting City officials to the launch. She advised that TING makes sure the permit process is streamlined. They would announce the potential interest by asking the residents for a pre-sign up. Councilwoman Bauer asked about the infrastructure; would they be putting in 5G capability. Monica confirmed that TING rides on other companies’ infrastructure – all but ATT - and that there was no infrastructure for 5G in place; she stated

that the fiber optics were mostly underground inside conduit. Councilwoman Bauer ask if they were privately owned or a publicly traded company. Monica stated that TING was a publicly traded company that has a board of directors and investors. Councilman Schock asked what the timeline would be, 5 years, 2 years? Monica advised that they were looking to begin within the next year; planning would regulate timing. Councilwoman Mjelde asked how many people within the City had showed an in interest and how many or what percentage would they need. Monica stated that they really did not publish if there is a high threshold. Pre-orders would be considered. Mayor asked how many 10, 15, 100? Monica stated that there was no actual number. Ronda asked how TING proposed to seek out demand for service. How are the public notified? Monica stated that it would be initiated online with pre-orders; she advised that the City could let residents know how to pre-order. Ronda expressed her concerned that residents must reach out to them. Monica stated that they would just have to go onto their website, click on existing town and register to pre-order using their address. Kari advised that they offered a pre-order last year and were still seeking out those orders; she advised that TING received a decent response last year. She advised that they could do an outreach to the community by sponsoring events, and volunteer in different towns. She advised that this community is important to her and that TING was committed to staying local and would love to come into the city of Kootenai and did understand that it is small area; but there is a need within the community. Councilwoman Mjelde asked if TING would use a ditch or alley. Kari stated that TING would mostly boar underground using public rights-of-ways and then bore or use underground plowing to get to homes. She insured that TING would try to keep projects as clean as possible and would fix anything that is disturbed or damaged in the process of a project. Councilwoman Mjelde confirmed that TING would use City's rights-of-ways. Ronda asked if TING would consider a franchise agreement for using the City's rights-of-ways. Kari stated that TING would use a State level franchise agreement regulated by State Code. Councilwoman Bauer asked for the statute. Kari referenced IC 50-3007 and IC 50-3006. Councilwoman Mjelde expressed her concern that the City would then have no control. Kari advised that the State would notify the City and TING. She confirmed that it is mandated Statewide. Ronda expressed her concern that if a company is using the City's rights-of-ways to make money, the City should be compensated. Monica stated that if TING offers cable service, money will go to the political subdivision not the State; just an easier way to have a conformity. Councilwoman Mjelde expressed her concern that the City would not then have control as far as encroachment permits. Kari advised that TING would comply with any permits needed. There was no further discussion.

Presentation/Discussion – Ryan Green, representing Kaniksu Networks – Ryan stated he is the owner of Kaniksu Networks an internet provider based out of Hope doing business primarily around the lake. He advised that his company started primarily from a cost perspective and the ability to build a network started with wireless but knew eventually fiber would be needed. He advised that his company had started some initial discussions establish a Franchise Agreement with Hope and East Hope and in the next two weeks Clark Fork. He stated that he did have a project plan started within the city of Kootenai. He stated that his company is focused on customer service and mentioned that social media has given his company favorable comments. He stated that any outages if ever they happen run less than 4 hours usually 30 minutes or less. He advised that when he started the plan for an installation on a particular project he had not realized it was within the city of Kootenai and do to this recent information wished to move forward into franchise agreement with the City. He advised that they are shovel ready and would like to get a temporary agreement so that they could get started on the project. Ronda stated that a public hearing could be scheduled by July which would give them plenty of time to take advantage of the summer months. Mayor

confirmed his services would be fiber. Ryan confirmed that they would prefer to stay underground. Councilman Sundquist asked where in the City they started the project. Ryan did not want to disclose that information due to a competitive standpoint. Councilman Sundquist asked Ryan how he did not know where the City boundaries were located. Ryan stated that it was based on the individual homeowner's information and realized he had been given incorrect information. He confirmed that they had just implemented the plan and had not started the project. Ronda asked what the cost for services would be. Ryan stated that a 1 GB account would run \$89.99 per month with some services starting at \$29.99 per month. Councilwoman Bauer asked if he had a feel for how many people in the City would be interested. Ryan stated that they have done some social media outreach and have seen a high interest about 30% and feels that it will grow as they talk to the community. Councilwoman Mjelde asked if they would still be an interest if there were other fiber internet service options within the City. Did he have any fear of competition? Ryan stated that that was not a problem, they are very confident in their reliable and fast service. Mayor asked how long Kanixsu Networks had been in business. Ryan advised that they had been in business for two years and had picked up local investors and are currently a private company and will work on growing. Councilwoman Bauer asked if he was working on being a subsidiary of another company. Ryan stated that he was not. Mayor advised that she was happy with favorable reviews on social media. Councilwoman Mjelde advised that she would like to discuss this with the City's Attorney and thought that digging before July would not be recommended as the City has water issues. Councilwoman Bauer asked how to contact Ryan. Ryan gave his phone number. There was no further discussion.

Amendments to the Agenda – None were proposed.

Public Comment – No public comment.

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.

Councilwoman Mjelde made a motion to approve the consent agenda, 2nd by Councilwoman Bauer; roll call vote:

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2. **Reports:**

2.A. **Mayor:** No report given.

2.B. **City Engineer:** Written Report Summary – Attached – There was no further discussion.

2.C. **City Planner:** Written Report Summary – Attached – Specific topics were discussed:

Council discussed the need for a Comprehensive Plan Workshop. They discussed that the last need was how to get the community involved and maybe going door to door. It was agreed that due to COVID-19 issue it was just not a good idea to go door to door.

2.C2 Fee Schedule Revisions – Ronda advised that a change to the fee schedule was needed as there are times when a building permit is aborted, and the City could have problems collecting fees associated to staff review. Councilman Sundquist stated that he would like to have the City collect staff review fees when a permit is submitted to the City. He advised that there could be a non-refundable average collected. Councilman Schock expressed his concern that there are small projects that would not require as much review and did not feel comfortable with asking for an average that was calculated by using an over-all calculation. He suggested a tiered option for up front non-refundable fee be introduced. He advised that it would be a fee that the applicant would have to initially pay to get their permit anyway; this way the building inspector would not be responsible for collecting them; the fees would not be included on the application. Council agreed that stormwater review and planner review fees should be paid up front. No refundable as it is too hard to keep track. Stormwater is \$100 City has not been collecting that up front. This should be considered as a fee up front. The Building Inspector would only collect fees associated with their services. Council discussed that the Clerk and Planner work on an average fee for different projects and set up a tiered up-front depending on the project that would be a non-refundable and the final permit application would not have City fees on it as they had already been collected. Council agreed that a tiered schedule be submitted for public hearing at the next meeting.

2.D. City of Sandpoint Law Enforcement: Written Report - Attached. Councilman Schock stated that he liked the narrative report. Council expressed their satisfaction of law enforcement presence. Councilwoman Bauer stated that she liked the overview of the calls but was still concerned that her request for a breakdown of fees collected for citations had not been addressed. Councilman Sundquist and Councilman Schock suggested a quarterly breakdown report should be submitted. It was agreed that this information could be used when the contract is revisited. Councilwoman Bauer asked if there was a breakdown for administrative costs. Council discussed that the administration fee was at 15% of the total calls for service. Councilman Schock stated that fees are per call and that citation proceeds were for Court presence, and he would like a breakdown of expenses/revenues.

2.E. Selkirks-Pend d’Oreille Transit (SPOT) – Written Report. Mayor reported that there had been a decrease in ridership but due to COVID-19 FDA gave permission for SPOT to transport supplies and food to food banks to schools and they put in shields for the drivers and sanitizer dispensers. Twice a week they spray the busses for sanitation. Drivers are happy and no one has become ill.

2.F. Clerk: Written Report Summary – Attached – Specific Topics were discussed:

2.F1 Administrative – update. Ronda advised that the contract was accepted for our current Postmaster, Anita Houdobre which was a great accomplishment. She stated that the contract would now be good until Anita chooses not to renew it. Councilwoman Bauer asked if businesses had reached out to the City as far as what regulations were being upheld or how to get financial relief from the State. Ronda stated she had not received any calls.

2.F3 City funds’ investments – update. Ronda stated that she was successful with transfer of funds. She advised that she and Mayor had met with Therese Goodwin Gurgel, Business Relationship Officer with Idaho Central Credit Union (ICCU). She was happy to report that ICCU will match interest rates with competing financial institutions and found a rate of 1.85 % which is more that LGIP is paying out now.

3. Discussion/Action Items –

3.1 Solid Waste Collections –Ronda advised Council that the proposed ordinance and resolution was reviewed by the City’s Attorney and stated that she was advised that the instruments were satisfactory with him. Councilwoman Bauer asked if the fee increases were regulated by the City or the Solid Waste Management and if they could raise them whenever they wanted. Tammy confirmed that it is not regulated by the City, but that Bonner County regulated the fees and an annual escalator is used to regulate fees. Mayor stated that she thought the most recent disposal units. Councilman Sundquist confirmed that the new disposal unit increase was implemented last year. Councilwoman Bauer asked what the fee increase was going to be. Tammy stated that it was just the contract was being updated which did not have anything to do with fees. Council confirmed that the franchise agreement did not involve fees. Ronda asked Council if they would agree to set the public hearing for the next meeting in June. Council agreed.

3.2 Budget workshop. Ronda advised Council that they usually hold two workshops: one in June and one in July. Council agreed to set a workshop on June 17th and July 15th beginning at 6:00 p.m. each.

3.3 ADA Swing foundation – Ronda reminded Council that the swing had been completed this last fall and Council needed to decide where the foundation should be placed. Council discussed that there needed to be a walkway to the swing. Council asked Ronda to get bids for the project and to reach out to a couple of contractors including one who is experienced with ADA requirements. They advised that the project could be completed by two different contractors one for the foundation and one for the sidewalk way if needed. Councilwoman Mjelde suggested that the project be bid out as a whole project. Councilwoman reminded Council that Mayor could not approve an expense over \$500. Council agree that proposals could be approved by Council at next meeting as it will probably be too wet to do anything sooner.

3.4 Code Violation Options – Councilman Sundquist stated that he wanted to see this on the Agenda until the City can get some teeth into it. Councilman Sundquist question the non-compliant shed. Ronda stated that the Attorney had sent out a demand letter and would check on status. She reminded Council that they had already approved filing a complaint if there was no compliance. Councilwoman Mjelde asked about the burnt-out building. Ronda advised that she did call fire department, but no one is responding. Councilman Schock stated that he had found a City Code that addressed dilapidated buildings. Councilman Shock advised that the City had used the Nuisance Ordinance in the past but maybe the Building Code requirements may work better. Ronda stated that the last deed of record was that the property had been quit claimed to the current owner’s son and had been put into a Trust. There was discussion about the building at Ponder Point that is in the City’s rights of ways. Mayor stated that the City’s Planner had reached out to the Railroad but had not received a return call. Councilwoman Mjelde advised that it would be good to reach out to the Railroad leasing department. Councilwoman Bauer aske to have a 5G presentation put on the next agenda. Council agreed.

4. Adjournment: Mayor Lewis adjourned the meeting at 8:04 p.m.

Submitted by:

Ronda L. Whittaker/City Clerk

City of Kootenai

Treasurer Report April 2020

Mt. West Money Market	\$	74,189.36	0.11% APY
Mt. West Checking	\$	140,471.00	0.01% APY
LGIP - Current thru 3/31/20	\$	-	1.6343% Feb. 549.12
Idaho Central Credit Union	\$	385,127.32	
Total Cash Assets	\$	599,787.68	

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV			
Franchise Fees			
	Avista Corporation	4,474.66	
	Northland Cable Television	0.00	
	Waste Management, Inc	871.63	
Total Franchise Fees			5,346.29
Interest			
	Interest, MW Money Market	8.11	
	Interest, MW Checking	1.20	
	Interest, LGIP - 2/31/19	549.12	
Total Interest			558.43
Licenses & Permits	Business Licenses	50.00	50.00
Law Enforcement Fines		0.00	0.00
Planning & Zoning Fees & Permit			
	Building Permits	376.00	
	Subdivision Fees	0.00	
Total Planning & Zoning Fees & Permit			376.00
Property Tax			
	Arrears Property Tax	597.16	
	Penalty & Interest	5.36	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
Total Property Tax			602.52
Rents			
	City Hall Rental	150.00	
	Post Office Rent	280.00	
Total Rents			430.00
State of Idaho Funds			
	State Liquor Fund	6,627.00	
	State Revenue Sharing	11,771.62	
Total State of Idaho Funds			18,398.62
	Total 01 · GF REV	25,761.86	25,761.86

INCOME/STREETS

Name	Account	Amount	Sub-Totals
02 - SF REV			
Idaho Transportation Dept			
	State Highway Users Fund	8,533.17	
	HB312	2,392.06	
Total Idaho Transportation Dept			10,925.23
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	4.78	
	Road & Bridge Arrears	531.46	
Total Road & Bridge			536.24
Road & Streets			
Total Road & Streets			11,461.47
Stormwater/Encroachment			
	Culvert Encroachment Deposit	0.00	
Total Stormwater/Encroachment			0.00
	Total 02 - SF REV	11,461.47	11,461.47
	Total Income	37,223.33	37,223.33

City of Kootenai
Treasurer Report April 2020
EXPENSES/General Fund

Name	Account	Amount	Sub-Totals
10 · GF EXP			
Accounting & Audit		0.00	0.00
Bank Charges		70.00	70.00
Dues and Memberships	CostCo	60.00	60.00
Building Maintenance			
	Janitorial Service	60.00	
	Furniture & Fixtures	0.00	
Total Building Maintenance			60.00
Insurance	ICRMP	0.00	
	Legal Notices	118.42	
Total Legal			118.42
Office Expenses			
	Computer Maintenance/Repair	0.00	
	Internet Service	72.00	
	Office Supplies	0.00	
	Other/Easter/Mayor	176.27	
Total Office Expenses			248.27
Park, Arbor Day & Earth Day		0.00	
	Maintenance - Landscaping	0.00	
Total Park, Arbor Day & Earth Day			0.00
Planning & Zoning			
	Planner	578.50	
	Subdivision Fees	0.00	
	Ordinance Revisions/Comp Plan	221.00	
	Engineer	0.00	
	Code Enforcement	0.00	
	Building Permits	35.00	
	Zoning Map	750.00	
Total Planning & Zoning			1,584.50

City of Kootenai
Treasurer Report April 2020
EXPENSES/General Fund - cont.

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	0.00	
	Meals	0.00	
	Milage	0.00	
Total Training Workshops			0.00
Utilities			
	Electric & Gas	139.30	
	Garbage	0.00	
	Telephone	0.00	
	Water	10.95	
Total Utilities			150.25
Wages & Benefits			
	Clerk/Treasurer	3,658.56	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	356.37	
	Retirement Fund - PERSI	556.25	
6560 · Payroll Expenses	Health Insurance	702.42	
	Wages & Benefits	-140.49	
	Payroll Expense/Intuit	10.75	
Total Wages & Benefits			6,143.86
	Total 10 · GF EXP	8,435.30	8,435.30

City of Kootenai
Treasurer Report April 2020
EXPENSES/Street

Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches	Maintenance	0.00	
Total Ditches			0.00
Stormwater			
	Culvert Inspections	0.00	
	Engineer	0	
Total Stormwater			0.00
Streets			
	Materials	0	
	Engineer	577.52	
	Capital Improvement Project/KM	175.68	
Total Streets			753.20
Utilities, Streets			
	Signal Lights	43.39	
	Street Lights	872.27	
Total Utilities, Streets			915.66
	Total 20 · SF EXP	1,668.86	1,668.86
	Total Expense	10,104.16	10,104.16
Net Income			27,119.17

MEMO

To: Mayor Lewis and Council Members

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

Date: April 28, 2020

Re: April 2020 Council Meeting Report

Main Street Maintenance and Repairs

The MOU between the City of Kootenai and Bonner County was approved and signed by the Bonner County Board of Commissioners. I am planning to solicit bids from public works licensed contractors to pave Main Street, in accordance with the Idaho Code 67-2805-1-A. A summary of the bids will be presented to Council for consideration at the June City Council meeting.

Weight Limits

Weight limits were removed on April 8, 2020. The roads are open for normal use and hauling.

Sprague Walkway Project

December rain on snow events resulted in standing water on the property at 101 Sprague Street. The property has an existing underdrain that discharges under the new sidewalk installed along Sprague Street. The contractor has marked the location for utility locates and plans to remove one section of concrete, repair the underdrain and pour a new section of concrete sidewalk.



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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: April 29, 2020
Re: **Planning summary for May 5, 2020 City Council meeting**

Building permit activity: ADVISORY ONLY. No new building permit applications were received by the City during April.

Land use application activity: The application for a property line adjustment between two parcels for the former Northwinds residential project is still pending additional information from the applicant. Staff has requested details on how the two former McGhee parcels were subdivided to ensure the parcels were created in accord with subdivision regulations.

Application fees: Kootenai's first building permit application for 2020 was unexpectedly withdrawn before fees were collected from the applicant for stormwater plans, planning and zoning reviews, and building plan review. While withdrawal of a building application before issuance of the permit is a rare occurrence, it does point to a possible need to adjust the fee schedule or permit processing to make sure certain fees are collected up front at the time of application. Under the current process, the application is submitted without fees. The application is then provided to planning staff for zoning review. Planning staff inserts fees owed on the application form after completing the zoning review. Planning fees are based on an hourly rate and the stormwater plan review is a set fee on the City fee schedule. The application is then forwarded to the building official for plan review and issuance. The building official totals all fees and advises the applicant of the amount owing. Fees must be paid before the approved permit and plans can be picked up by the applicant. In this most recent case, the applicant declined to pick up the approved permit and pay the fees owed. The city is seeking reimbursement of fees owed. Options to avoid future fee losses could be:

1. In all cases, the fees for zoning, stormwater, and plan review should be non-refundable. Staff and contractors have incurred expenses reviewing the application before the permit is ever issued. The remaining costs are for inspections, which are incurred after permit issuance and start of construction. The fee schedule should note these fees are non-refundable and are due to the City whether or not the permit is ultimately issued.
2. Stormwater plan fees should be collected when the application is submitted. The fee schedule already provides for this, so no amendment to the schedule is needed to collect this up front.
3. Some cities collect an initial deposit for the zoning review at the time of application. Two of our cities collect a \$100 nonrefundable fee to be applied toward the final zoning review at the time of building permit application, plus any stormwater plan fees owing. This initial zoning fee may require an amendment to the fee schedule, although there is no fee increase involved.
4. Plan review fees are determined by the building official after calculating valuations and/or square footage and structure details. Because the building official is the last to see the permit application, these details are not known to him until the application is forwarded from planning. I will follow up with the building official on this element of fee collection.

3201 North Huetter Road, Suite 102, Coeur d'Alene, Idaho 83814, Phone: (208) 292-0820 Fax: (208) 292-0821

219 Pine Street, Sandpoint, Idaho 83864, Phone: (208) 265-4629 Fax: (208) 263-0404

If the Council decides to amend its fee schedule to make some adjustment to the building permit application process, it would be beneficial to tie this into other fee adjustments Council may be considering to consolidate advertising costs.

Comprehensive Plan update ADVISORY ONLY. Staff is continuing to work on the text of the draft comprehensive plan. The latest updates are to the property rights component and policy sections of the document. I have attached the property rights component update to this memo. This may be added to your workbooks for future discussion.

PROPERTY RIGHTS

Respect and acknowledgment for private property rights is a key component of any effective community planning effort. The City of Kootenai recognizes its commonly held goals can be achieved only when proper respect is shown for private property rights that are protected by the United States and State of Idaho Constitutions. Through this comprehensive plan process and ordinances adopted pursuant to the plan, the City acknowledges the essential role that private property interests play in Kootenai's land uses and development. At the same time, the City recognizes that an individual's land is not an island but depends substantially upon public facilities and its relationships with other private property for value and utilities.

The City of Kootenai believes that policies should be established to maximize options available to property owners while protecting the public interest in clean air and water, and protection from nuisances that diminish the quality of life. Accordingly, zoning districts will be applied in ways that minimize conflicts with nearby land uses and protect the private property rights of other landowners. Inherently, any such practice requires weighing the interests of all private property owners along with the public interest.

Idaho Code requires comprehensive plans analyze measures necessary to ensure land use policies, restrictions, conditions, and fees do not violate private property rights, adversely impact property values or create unnecessary technical limitations on the use of property. The Legislature directed the Attorney General to create a "takings" checklist to help local governments evaluate land use

UNCONSTITUTIONAL TAKING OF PRIVATE PROPERTY: REGULATORY OR ADMINISTRATIVE ACTION THAT IS TOTAL, PARTIAL, PERMANENT OR TEMPORARY DEPRIVATION OF PRIVATE PROPERTY: FIFTH AMENDMENT PROHIBITS A TAKING OF PRIVATE PROPERTY WITHOUT JUST COMPENSATION.

actions. The checklist provides a framework for the assessment of City actions involving land use decisions. The Attorney General's checklist includes six critical points. While a "yes" answer does not mean a takings has occurred, it does mean staff and the city attorney need to carefully consider the pending action. The Attorney General checklist asks:

- Does the regulation or action result in a permanent or temporary physical occupation of private property?**
- Does the regulation or action require a property owner to dedicate a portion of property or to grant an easement?**
- Does the regulation deprive the owner of all economically viable uses of the property?**
- Does the regulation have a significant impact on the landowner's economic interest?**
- Does the regulation deny a fundamental attribute of ownership?**

Does the regulation serve the same purpose that would be served by directly prohibiting the use or action; and does the condition imposed substantially advance that purpose?

To protect private property rights, newer provisions of Idaho's Local Land Use Planning Act have been added to:

Require establishment of clear and objective standards for all overlay zoning districts to ensure the application of such standards does not constitute a regulatory taking;

Advise that denial of a special use permit, variance, or subdivision, or approval with conditions unacceptable to the landowner, may be subject to a regulatory taking analysis;

Require every final decision be accompanied by a notice to the applicant regarding the right to request a regulatory taking analysis;

Address how an affected persons claiming "just compensation" for a land use action may seek a judicial determination;

Provide that every application decision be accompanied by a reasoned statement and notice of the right to a taking analysis;

Protect the uses of private property when a vacancy occurs.

SECTION 3: GOALS, POLICIES, & ACTION PLANS

PROPERTY RIGHTS

Goal: Ensure that ordinances, policies, and land use decisions do not violate private property rights, adversely impact property values or create unnecessary technical limitations on land use.

Policies:

1. Draft and apply ordinances recognizing that private property ownership is a basic constitutional right, worthy of protection and vigilant oversight.
2. Comply with state law regarding regulatory takings.
3. Administer ordinances, including provisions such as variances or special exceptions, to allow reasonable use of private lands consistent with the maintenance of public health, safety, and general welfare.
4. Review land use actions against the Attorney General's checklist to ensure that no unconstitutional takings of private property will occur.

Action Plans:

1. Review standard conditions, decision letter templates, staff reports, legal notices, and other land use documents and form letters to ensure they contain the minimum notices regarding the rights to a regulatory taking analysis, rights of appeal, and reference to the standards used to reach decisions.
- 2.

POPULATION

Goal: Use U.S. Census data and population projects to guide future development to maintain the small-town character and rural feel of the City of Kootenai and the lands within its area of city impact.

Policies:

1. Insert

Action Plans:

1. Insert
- 2.

City of Sandpoint, Idaho
POLICE DEPARTMENT

1123 Lake Street, Sandpoint, Idaho 83864
(208) 265-1482 Fax: (208) 263-3587

Mayor

April 2020 report

There were 22 total cases created for the City of Kootenai for the month of April, 2020. We will be submitting billing for only 20 calls for service. (see below)

Calls for service	numbers
911 Hang-up	2
Animal Problem	3
Citizen Assist	3
Welfare Check	2
Burglary	1
Custodial Interference	1
Domestic Dispute	1
Harassment	1
Information	1
Juvenile Problem	1
Parking Violation	1
Attempted Suicide	1
Theft of Property	1
Trespassing	1
Total:	20

Overview of calls:

- Harassment – Officers responded to a complaint of harassing text messages –
- Theft – Officers responded to a theft complaint. RP reported someone stole an amazon package from the front porch worth \$30.00. No suspects at this time.
- Suicide threat – 13 yof (year old female) was reported to have taken 30 or more pills in an attempt to commit suicide. Officers were able to locate the 13 yof was located and transported to BGH.
- Juvenile problem – Officers responded to Arnie’s gas station reference several kids running around and screaming. Officers located several kids play a game they call “hostage”. The teenagers were asked to keep it down.
- Trespassing – Offices were dispatched to a complaint of a female trespassing. Officers made contact and was able to determine the female had been on the RPs property without permission. The female was issued a trespassing notice.
- Burglary – Officers responded to NW self-storage for a reported burglary – RP reported misc furniture was stolen out of there storage unit. There are no suspects at this time.
- Parking problem – Officers responded to a complaint of someone camping in their vehicles. Officers made contact with the owner who was sleeping and asked them to move on, which they did.

Traffic citations

Excess Speed	1
Driving without privileges	1
Expired drivers license	1
No insurance	2
No seatbelt	1

Warning

Dogs at large	1
Slow moving vehicle	1

Misdemeanor citations

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To: Kootenai City Council and Mayor
From: Ronda L. Whittaker, City Clerk
Date: April 2020
RE: Clerk's Report

Website Activity – Continued update of the site. COVID – 19 resource links have been added.

City Records – Still Working on filing and scanning old records. Beginning stages of purging procedures.

Business License Renewals – The City has 41 businesses. There are no outstanding business license renewals.

Building Permit Inquiries – There have been several inquiries about set back regulations related to self-standing storage units. We have issued several building permit applications that have not been submitted yet. The City has received all fees associated to Staff review of abandoned building permit.

Working with city of Sandpoint Law Enforcement – No visits to City Hall by law enforcement due to COVID-19 restrictions.

Working with Sandpoint Waste Management – Working with Mayor - Arrangements have been made to place a Dumpster at the City Parking Lot from May 4th through May 30th.

City Post Office – Anita's Contract has been accepted and approved. The City will have its Post Office Postmaster until she decides to terminate it.

COVID – 19 – I have been attending the Governor's weekly conference call meetings with Mayor to keep up on current information and advisements. A sign was put up at the Park advising that the Playground Equipment is Closed. We have set up a station for Mayor's use as she is now having to attend meetings online. The old system is just that, an old system that does not have speakers or video. Technical devices are hard to come by as there has been such a demand for work at home set ups. Once things settle down, we can work on getting the station set up properly.

Funds Transfers to CDs – I have been working with the Local Government Investment Pool (LGIP) the City's Bank and Idaho Central Credit Union to transfer funds to get the CDs established. Financial facilities are moving quite slow with limited staff and at home offices. Idaho Central Union will match interest rates and our representative was able to find a rate which is higher than the current LGIP rate – Good News. The City will receive quarterly reports for its CD Accounts.

Association of Idaho Cities – I am working, at Mayor's request, to submit Ryan's progress related to the Children Pedestrian Safety and the Local Strategic Initiatives Programs that the City was awarded for the City Achievement Awards Project Program