



**City of Kootenai**  
**MEETING MINUTES**  
**DATE:** February 7, 2017  
**TIME:** 6:30 p.m.

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

**Roll Call:** Councilwoman Closson – AYE, Councilman Sundquist – AYE, Councilman Schock, AYE and Councilman Macha – AYE.

**Amendments to the Agenda:** There were no amendments offered to the Agenda.

**Staff Present:** City Clerk, Ronda L. Whittaker, City Planner, and Clare Marley.

**Others Present:** Clif Warren representing Selkirks-Pend Oreille Transit (SPOT), Grace Bauer, city resident, Marty Taylor of James Sewell & Associates representing Floyd McGhee – McGhee Court 1<sup>st</sup> Addition, Tim Closson, City resident, Susan Kiebert, LHTAC, Jon Barrett representing Idaho Rural Partnership and Dan Lukezech representing Floyd McGhee – McGhee Court 1<sup>st</sup> Addition.

**Public Comment:** There was no comment

**Announcements:** The City’s Clerk announced that the City had applied for a grant from Union Pacific for new playground equipment and was awarded \$5,000.

**Mayor Lewis closed the regular council meeting to open the Public Hearing to adopt the city code ordinance.**

**Mayor Lewis opened the public hearing at 6:45 p.m.** She asked the following:

- Does anyone in the audience need assistance with hearing or seeing. There was no response.
- Has proper notice had been given. The City Clerk confirmed that it had.
- Do any of the council members have a conflict of interest with the hearing. None was reported.
- Has anyone signed the sign in sheet for the public hearing that wished to speak. The City Clerk obtained the sign in sheet and reported that no one had signed the sheet or requested to speak.
- She stated only those given the floor would be allowed to speak. Mayor then asked that the audience remain quiet while others were speaking.

**Presentation by the Applicant/Staff Report** – The City Clerk announced that Sterling Codifier had completed the codification of the City’s ordinances and that an ordinance was needed to adopt the City’s Code. She stated that the City’s attorney had reviewed the ordinance and had affirmed that it was in good order.

**There was no public testimony or rebuttal.**

**Mayor Lewis closed the public hearing at 6:48 p.m.**

**Deliberation and Decision** – There was no deliberation. Mayor Lewis asked for a motion.

**Councilwoman Closson moved to place the proposed ordinance relating to the adoption of the City’s Code as Codified by Sterling Codifiers on its first and only reading by title only, while under suspension of the rules. Councilman Sundquist 2<sup>nd</sup> the motion; roll call vote:**

**Councilman Sundquist – AYE**  
**Councilwoman Closson – AYE**

**Councilman Macha – AYE**  
**Councilman Schock – AYE**

The City’s Clerk read the title of the ordinance. Mayor Lewis then asked for a motion to pass the ordinance, **Councilwoman Closson moved to pass the ordinance relating to the adoption of the City’s Code as Codified by Sterling Codifiers and, direct the City Clerk to assign the appropriate ordinance number and publish the ordinance by Summary only, incorporating the Title as the body of the Summary. Council Sundquist 2<sup>nd</sup> the motion; roll call vote:**

**Councilman Sundquist – AYE**  
**Councilwoman Closson – AYE**

**Councilman Macha – AYE**  
**Councilman Schock – AYE**

**Mayor Lewis then re-started the regular Council Meeting.**

**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 Closson made a motion to approve the consent agenda, 2<sup>nd</sup> by Councilman Macha; roll call vote:**

**Councilman Sundquist – AYE  
Councilwoman Closson – AYE**

**Councilman Macha – AYE  
Councilman Schock – AYE**

**2. Reports:**

**A. Mayor:** Mayor Lewis stated that she and the City’s Clerk had attended the FEMA workshop put on by the County. Flood Preparedness was discussed. She also advised that the BCATT meeting was very informative and there was talk about the Department of Idaho Transportation would be expanding Hwy 200 from the McGhee

**B. City Engineer: Written Report Summary Attached:**

- **2017 Chip Seal** – There were no questions or further discussion.
- **Second Street and Main Temporary Patch** – There were no questions or further discussion.
- **New stop sign locations** – There were no questions or further discussion.

**C. City Planner: Written Report Summary - Attached.**

- **Building permit activity** – There was no further discussion.
- **Subdivision/Stormwater updates** – Clare Marley explained that she had been working with the City’s engineer and provided Council and Mayor with a summary of issues that they had been addressing within the stormwater ordinance revision project. See attached. She advised that there were some instances that should not require a stormwater plan. She suggested that minimums should be set for projects that would not require a stormwater plan such as minor subdivisions. Councilman Sundquist confirmed the definition of a minor subdivision. He expressed his concern that a minor subdivision as defined as two lots may be a hindrance for a property owner that would be combining two properties into one and building in the middle of the property. Clare advised that that was one of the issues that she and the City’s engineer were addressing.
- **Stormwater permit process**– There were no further discussion or questions.
- **Land use applications** – There was no further discussion.

**D. Selkirks-Pend Oreille Transit (SPOT):** Councilwomen Closson advised that SPOT was working on providing a route on Saturdays to and from Bonners Ferry three times a day; stopping at the Kootenai River Inn.

**E. Clerk:** Ronda reported that the Independent Highway District had had an equipment break down over the weekend and were in the process of repairing the equipment quickly before the next snow storm hit. Council expressed their satisfaction that IHD was doing a great job keeping up with the huge amounts of snow that the area was suffering. They asked Mr. Closson to relay their satisfaction.

**3. Discussion/Action Items**

- **Selkirks-Pend Oreille Transit (SPOT) Addendum to the Joint Powers Agreement** – Clif Warren summarized the attached Addendum which would allow SPOT to add an “at large member.” He explained that this addition would help with the growing project. Councilman Sundquist brought his concern that the “at large member” could monopolize decisions. No stakeholder from the same entity two times in a row. Clif assured that the board would be aware of possible unfairness and handle that issue internally. After a brief discussion, **Councilman Sundquist made a motion to**

**approve Addendum No. 1 to the SPOT Joint Powers Agreement. The motion was 2<sup>nd</sup> by Councilman Schock; roll call vote:**

**Councilman Sundquist – AYE  
Councilwoman Closson – AYE**

**Councilman Macha – AYE  
Councilman Schock – AYE**

- **Approval and authorization to publish the City's 1<sup>st</sup> Quarter Financial Report** – Ronda explained that she had drafted the report and was happy to see that the City's expenditures had not gone above 25% of the total budget. There was no further discussion. Councilwoman Closson made a motion to approve the 2017 1<sup>st</sup> quarterly financial report and authorize the City's clerk to publish the same; the motion was 2<sup>nd</sup> by Councilman Sundquist; roll call vote:

**Councilman Sundquist – AYE  
Councilwoman Closson – AYE**

**Councilman Macha – AYE  
Councilman Schock – AYE**

- **McGhee Court 1<sup>st</sup> Addition Final Plat** - Marty Taylor of James Sewell representing Floyd McGhee – McGhee Court 1<sup>st</sup> Addition advised Council that there were just a few conditions that needed to be addressed before the plat was completed and ready for execution. He asked that in event that there was a final completion and approval of those conditions before the next scheduled council meeting would Council consider authorizing Mayor Lewis to sign the plat in order to save time. He expressed that conditions may be completed within the next two weeks and the applicant would like the plat to be finalized before the next Council meeting. He advised that the City's staff had confirmed that there were 5 conditions remaining. Mostly that they were waiting for the City's engineer to provide a letter of completion. He stated that there were also some fees owed to the City which would be paid by the applicant and that there was a letter of credit that was in the process of being completed. Councilwoman Closson asked if the trees would be planted in the spring. Marty explained that there had been an approved amended condition that the trees would be planted as the lots were approved.

Clare confirmed the advisory letter of January 30, 2017 related to the amended conditions. She advised Council that there were several layers of decisions that had to be made. One of those was a review and acceptance of the surety agreement which they did not yet have another was the letter of completion from the City's engineer which they did not yet have and the plat itself which would be an acceptance and dedication of the park area and streets, which they did not yet have. She stated that she had not seen the final plat yet. Ronda asked Clare if Council would need to approve the letter of credit. Clare confirmed that that would be one of the necessary requirements. She advised that the City's attorney had reviewed a draft of the document and that the City's engineer had supplied the applicant with the surety amount of \$109,000 that would be required for the surety. Ronda confirmed that what the applicant wanted was for Council to approve the surety agreement, the letter of credit and the final conditions before they had had it. Ronda stated that the letter of credit was awaiting Mr. McGhee's execution of the document. Councilman Sundquist confirmed that staff would insure that all was complete before the plat was brought to the Mayor to execute. Marty assured Council that the City's engineer had already approved the streets. Councilman Sundquist confirmed that the project could not be finalized without the City's engineer signoff. Mayor confirmed that all other conditions also had to be completed and approved. Clare stated that the letter of credit needed to have an evergreen clause; meaning that the letter of credit could not be released without the City's approval. She expressed concern that the City had not received the final drafting of the surety agreement or the letter of credit. Accept

improvements and engineer to sign off on the plat. Clare advised that Council would need three motions or one including the acceptance of the surety agreement and letter of credit upon approval of the City's attorney, the approval of the final improvements with the City's engineer's approval and signature on the plat and authorization for the Mayor to sign off on the plat. **Councilman Sundquist made a motion that pending completion and acceptance of a letter of surety, pending the signing of the city of Kootenai's engineer as to the physical improvements, and pending the plat being signed by the City's Mayor that we approve the final plat of the 1<sup>st</sup> Addition of McGhee Court; Councilwoman Closson 2<sup>nd</sup> the motion; roll call:**

**Councilman Sundquist – AYE**  
**Councilwoman Closson – AYE**

**Councilman Macha – AYE**  
**Councilman Schock – AYE**

- **Franchise Fees** – The City's Clerk advised Council that the City's Attorney was going to speak on the subject, but had been deferred as he had been visiting his family in Montana and the passage had been blocked by an avalanche and he was not able to attend the meeting. She stated that he had advised that he would provide the City with a memorandum explaining his opinion as soon as he could get back to the area.
- **Community Review** – Jon Barrett of the Idaho Rural Partnership apologized to Council for the delay in getting the Community Review Report completed. He then summarized the Community Review Report. Councilman Sundquist asked Jon to update the City's government and staff information within the report.
- **Damaged playground equipment** – Ronda advised that a resident had approached her about the damaged playground equipment and had offered to haul it away. She advised Council that the equipment had been vandalized this last summer and had no value to the City. After a brief discussion, Councilwoman Closson made a motion to allow the resident to remove the damaged playground equipment, the motion was 2<sup>nd</sup> by Councilman Schock; roll call vote:

**Councilman Sundquist – AYE**  
**Councilwoman Closson – AYE**

**Councilman Macha – AYE**  
**Councilman Schock – AYE**

**Open Discussion** – Councilman Sundquist asked when SPOT would be providing weather protection at the bus stops. Councilwoman Closson stated that the Board was working on that. Kudos to IHD for maintaining the streets so well.

**Mayor Lewis adjourned the Council Meeting at 8:02 p.m.**

Submitted by:  
Ronda L. Whittaker  
City Clerk



# City of Kootenai

## Treasurer Report January 2017

Mt West Business Checking	\$	65,796.56
Mt West Money Market Acct	\$	199,098.09
Banner Bank Business	\$	22,807.52
LGIP - Current thru 12/31/15	\$	71,464.62
<b>Total Cash Assets</b>	<b>\$</b>	<b>359,166.79</b>

<b>GENERAL FUND REVENUE JANUARY 2017</b>
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Name	Account	Amount	Sub-Totals
<b>01 - GF REV</b>			
Franchise Fees			
	Avista Corporation	3743.82	
	Waste Management, Inc.	675.39	
	Northland Cable Television	531.03	
<b>Total Franchise Fees</b>			4950.24
Law Enforcement Fines		0	
<b>Total Law Enforcement</b>			0
Interest			
	Interest, Mt West Savings	40.58	
	Interest, Mt West Checking	1.64	
	LGIP Savings	37.27	
<b>Total Interest</b>			79.49
Licenses & Permits			
	Business License	400.00	
	Dog License	10.00	
<b>Total Licenses &amp; Permits</b>			410.00
Planning & Zoning Fees & Permit		-	
<b>Total Licenses &amp; Permits</b>			-
Property Tax			
	Arrears Property Tax	50.06	
	Circuit Breaker	323.24	
	Penalty & Interest	25.02	
	Property Tax Current	20,461.99	
	Recovered HO Exempiton	630.92	
<b>Total Property Tax</b>			21,491.23
Rents			
	City Hall Rental	200.00	
	Post Office Rent	250.00	
<b>Total Rents</b>			450.00
State of Idaho Funds			
	State Liquor Fund	5,960.00	
	State Revenue Sharing	9,450.56	
<b>Total State of Idaho Funds</b>			15,410.56
<b>Total 01 - GF REV</b>		<b>42,791.52</b>	<b>42,791.52</b>

# City of Kootenai

## City of Kootenai

### Treasurer Report January 2017

<b>STREET FUND REVENUE JANUARY 2017</b>			
<b>Name</b>	<b>Account</b>	<b>Amount</b>	<b>Sub-Totals</b>
<b>02 · SF REV</b>			
Idaho Transportation Dept			
	HB312	2,149.97	
	State Highway Users Fund	6,954.63	
Total Idaho Transportation Dept			9,104.60
Road & Bridge			
	Circuit Breaker M&O	233.99	
	Road & Bridge Arrears	70.06	
	Road & BridgeCurrent	14,814.99	
	Road & Bridge P & I	35.35	
Total Road & Bridge			15,154.39
	<b>Total 02 · SF REV</b>	<b>24,258.99</b>	<b>24,258.99</b>
	<b>Total Income</b>	<b>67,050.51</b>	<b>67,050.51</b>

**City of Kootenai**  
**City of Kootenai**  
**Treasurer Report January 2017**

<b>GENERAL FUND EXPENSES</b>			
Name	Account	Amount	Sub-Totals
<b>10 - GF EXP</b>			
<b>Accounting and Audit</b>	Anderson Brothers	1,290.00	
Building Maintenance			1,290.00
<b>Bank Fees</b>	Bank Charges, Checks, Supplies	4.00	
			4.00
	Janitorial Service	60.00	
	Repairs & Maintenance		
<b>Total Building Maintenance</b>			60.00
Law Enforcement Contract		300.00	
	Attorney	105.00	
	Legal Notices	118.78	
<b>Total Legal</b>			523.78
Dues & Membership		-	
<b>Total Dues &amp; Membership</b>			-
Office Expenses			
	Computer Maint/Repair	94.28	
	Computer Software	-	
	Gift Expense	-	
	Internet Service	64.39	
	Office Supplies	125.51	
	Postage	86.00	
<b>Total Office Expenses</b>			370.18
Park			
	Maintenance	-	
<b>Total Park, Arbor Day &amp; Earth Day</b>			-
Planning & Zoning			
	Building Permit	-	
	Code Enforcement	-	
	Ordinance Revisions	-	
	Planner	-	
	Subdivision Fees	-	
	Engineer	-	
	Subdivision Fees Refund	-	
<b>Total Planning &amp; Zoning</b>			-
Training Workshops			
Mileage		51.80	
Meals			
Training Expenses		195.00	
<b>Total Training Workshops</b>			246.80



# City of Kootenai

## City of Kootenai Treasurer Report January 2017

<b>GENERAL FUND EXPENSES Cont.</b>			
<b>Name</b>	<b>Account</b>	<b>Amount</b>	<b>Sub-Totals</b>
Utilities			
	Electric & Gas	0	
	Garbage	25.11	
	Water	38.88	
	Telephone	87.89	
	Sewer	0	
<b>Total Utilities</b>			<b>151.88</b>
Wages & Benefits			
	Clerk/Treasurer	3,336.00	
	Council	400	
	Mayor	400	
	Payroll Taxes	316.4	
	Retirement Fund - PERSI	468.2	
	Workers Compensation	0	
6560 · Payroll Expenses	Blue Cross		
	Intuit Payroll	10.6	
<b>Total Wages &amp; Benefits</b>			<b>4,931.20</b>
	<b>Total 10 · GF EXP</b>	<b>7,318.45</b>	<b>7,318.45</b>

# City of Kootenai

## City of Kootenai Treasurer Report January 2017

<b>STREET FUND EXPENSES</b>			
Name	Account	Amount	Sub-Totals
<b>20 · SF EXP</b>			
Ditches			
	Ditch Maintenance	-	
<b>Total Ditches</b>			-
Stormwater			
	Culvert Inspection		
	Mapping & Other Materials		
	Stormwater Repair/Excavation		
	Stormwater - Other	-	
<b>Total Stormwater</b>			-
Street Maintenance			
	Asphalt Striping	-	
<b>Total Street Maintenance</b>			-
Streets			
	Street Engineer	-	
	Signs	-	
	Materials	-	
	Utility Encroachment Permit	-	
<b>Total Streets</b>			-
Utilities, Streets			
	Signal Lights	0	
	Street Lights	662.86	
<b>Total Utilities, Streets</b>			662.86
	<b>Total 20 · SF EXP</b>	<b>662.86</b>	<b>662.86</b>
	<b>Total Expense</b>	<b>7,981.31</b>	<b>7,981.31</b>
	<b>Total Income</b>		<b>67,050.51</b>
<b>Net Income</b>			<b>59,069.20</b>



J-U-B ENGINEERS, INC.

J-U-B COMPANIES



THE LANGDON GROUP



GATEWAY MAPPING INC.

# MEMORANDUM

**DATE:** January 31, 2017

**TO:** Mayor Lewis and Council Members

**FROM:** A. Jay Hassell, P.E., Contract City Engineer

**SUBJECT:** February 2017 Engineering Report

**City Stop Signs** – Based on Council Direction the Independent Highway District (IHD) will be installing two additional stop signs at the intersections of Central and Hope and Central and Humbird. I have provided IHD the following additional suggestions:  
 I would suggest the signs be installed by IHD this spring when the site can be reviewed without snow cover and underground utilities can be located. Also, I would discourage the City from changing traffic control in the winter months. The new stop signs will need to be installed in conformance with the Manual of Uniform Traffic Control Devices. I can meet IHD in the field and discuss the height and location of the signs when IHD is ready.

**2<sup>nd</sup> and Main Temp asphalt patch** – A dip had formed on Second and Main at an existing pipe trench and IHD has filled the dip with temporary patch. As the frost leaves the roadway section this spring, the patch location will be monitored to help determine a permanent fix. Currently it is not possible to definitively determine a cause (whether the trench settled or the surrounding road raised due to frost heave or both)

**2017 Chip Seal Project** – Requests for bids have been sent out for this year’s chip seal project. As a reminder, bids will be received for the following roads:

Roadway	Description of Work	Limits
1st Avenue	Chip Seal	Spokane Street to SH-200
Kootenai Street	Chip Seal	1st Avenue to 2nd Avenue
Helena Street	Chip Seal	1st Avenue to 2nd Avenue
Main Street	Chip Seal	2 <sup>nd</sup> Avenue to north 300-ft

I have sent the request for quote on the 2017 Chip seal project to Interstate and Woods Crushing. Both have acknowledged receipt of the request. Bids are due to the City by February 15th at 2pm.

Side Note: The Main Street segment was set up as an alternative bid item to complete a small portion of chip seal that was not completed last year north of 2nd and Main. If the project total costs are within budget, this alternative item may help with re-chip sealing that small area if needed.



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

**MEMO**

To: Kootenai City Council  
From: Clare Marley, AICP  
Date: January 31, 2017  
Re: **Planning summary for February 7, 2017 City Council meeting**

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**Building permit activity**

The city had no building permit application activity during the month of January.

**Subdivision amendment update**

A second draft of the subdivision ordinance has been completed and forwarded to the city engineer for comments on construction plans, design, bonding, and final plat comments. We hope to have a final draft to City Council for review by the end of February.

**Stormwater amendment update**

A first draft of the stormwater amendment has been written. I am working with the city engineer on the “thresholds” for determining what activities trigger a need for a grading, stormwater, or erosion control plan. Building on the December discussion with City Council and staff, I have prepared a draft ordinance that divides development activity into three categories: 1) Development activities that require no grading, stormwater, or erosion control plans; 2) “Low-risk” activities, that due to size or distance from water bodies, can be developed by the landowner; and 3) More intense activities that require a design professional to prepare a plan. The city engineer will review the suggested thresholds, and I will update the first draft for City Council review and comment. We also hope to have the first draft ready by the end of February so this can be considered prior to the start of construction season.

**Land use applications**

There have been no new land use applications submitted to the city in the past month. One “pre” pre-application meeting was conducted for a pending special use permit.

Activity	Level	Requires
GRADING, EXCAVATION, EARTHWORKS	Need to set point at which no permit required. Less than 50 cubic yards (or 100 ?) of fill/excavated material & less than 5,000 square feet of disturbed area?	No permit/plan
	Greater than 50 cubic yards but less than 250 cubic yards of fill/excavate material and between 5,000 and 10,000 square feet disturbed area; not within 300 feet of water course or 15% slope	Permit/plan required – Minor (Design professional plan optional; homeowner can do)
	Greater than 250 cubic yards; greater than 10,000 square feet disturbed area & within 300 feet of water course and/or 15% slope	Permit/plan required – Major (design professional plan required)
CONSTRUCTION (ALL)	Less than (500 or 1,000?) square feet of new impervious surface (Most sampled ordinances didn't require permit if less than 2,000 square feet of new impervious. Thought that was high.)	No plan required
	1,000 to 2,000 square feet of new impervious	Minor permit/plan (homeowner)
	Greater than 2,000 square feet of new impervious	Major plan (design professional)
	Within subdivision w/existing plan	Minor permit – landowner can do own, but most show how project meets approved plan.
SUBDIVISIONS	All subdivision require plan (Are there any instances when a plan wouldn't be needed or one that only required minor/erosion control plan?)	Requires design professional  Conceptual plan at preliminary plat stage (will need to define contents of such plan)  Final plan with submission of design/contruction plans for city engineer review
OTHER	Special use permits/variances	Based upon land disturbing, impervious surface criteria above
	Public projects	Plans needed for any entities over which the city has jurisdiction, based on criteria above.

JOINT POWERS AGREEMENT  
SELKIRKS-PEND OREILLE TRANSIT AUTHORITY ("SPOT")  
ADDENDUM NO. 1

THIS ADDENDUM to the Joint Powers Agreement by and between the City of Dover; the City of Sandpoint; the City of Kootenai; and the City of Ponderay ("Parties"), is entered into this \_\_\_ day of \_\_\_\_\_, 2016.

WHEREAS on or about May 4, 2016, the Parties entered into a Joint Powers Agreement (JPA") creating a new and separate entity to govern the operation and maintenance of SPOT; and

WHEREAS, the Parties have agreed to certain changes in the language of the JPA which are reflected in this Addendum.

NOW THEREFORE, the Parties agree as follows:

1 **Creation.** – shall amend and add the following:

1.1 **Members.** The public agencies, as defined in I.C. §67-2327, which enter into this Joint Powers Agreement and any other public agencies which qualify and agree to the terms of this agreement subsequent to the original formation shall be the "Members" of SPOT.

1.2.1 **Member-at-Large.** The Members may solicit nominations from a variety of organizations and individuals that it deems appropriate and have an interest in multimodal transportation to fill this position and such selection shall be made by majority vote of the Members. The Member-at-Large shall have a powers and obligations of a Member, but will not be required to make financial contributions to the SPOT budget.

Section 2-**Members.** – shall be amended to read:

2.1 **Board Representative.** After execution of this Agreement, the Mayor or Chairman of each Member shall appoint one representative to serve on the Board. The Member-at-Large shall also be a member of the Board.

This Addendum is incorporated by reference into the JPA. In the event of a conflict between the terms of the Addendum and the terms of the JPA, the terms of the Addendum shall control.

**CITY OF ~~DOVER~~ PONDERAY**

Signed: Steve Giger  
By: Mayor

Dated: 2-6-17

Attest: Su Warren  
By: City Clerk

**CITY OF SANDPOINT**

Signed: Shelly Rogness  
By: Mayor

Dated: 12/22/16

Attest: Maree Peir  
By: City Clerk

**CITY OF ~~PONDERAY~~ DOVER**

Signed: Anne Shaha  
By: Mayor

Dated: 1/26/2017

Attest: Michelle Hutchings  
By: City Clerk

**CITY OF KOOTENAI**

Signed: Nancy Lewis  
By: Mayor

Dated: 2-21-17

Attest: Ronda L. Whittaker  
By: City Clerk

## ORDINANCE NO. 213

**AN ORDINANCE ADOPTING AN ORDINANCE OF THE CITY OF KOOTENAI, BONNER COUNTY, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO ADOPTING THE CITY CODE FOR THE CITY OF KOOTENAI, BONNER COUNTY IDAHO**

**BE IT ORDAINED** by the mayor and city council of the city of Kootenai Idaho as follows:

**Section 1:** From and after the date of passage of this ordinance, the city code of the city of Kootenai Idaho prepared by Sterling Codifiers, containing the compilation of all ordinances of a general nature together with the changes made to said ordinances, under the direction of the governing body of the city, shall be accepted in all courts without question as the official code and law of the city as enacted by the mayor and city council.

**Section 2:** There is hereby adopted, as a method of perpetual codification, the loose-leaf type of binding together with the continuous supplement service, provided by Sterling Codifiers, whereby each newly adopted ordinance of a general and permanent nature amending, altering, adding or deleting provisions of the official city code is identified by the proper catchline and is inserted in the proper place in each of the official copies, one copy of which shall be maintained in the office of the city clerk, certified as to correctness and available for inspection at any and all times that said office is regularly open.

**Section 3:** All ordinances of a general nature included in this official city code shall be considered as a continuation of said ordinance provision and the fact that some provisions have been deliberately eliminated by the governing body shall not serve to cause any interruption in the continuous effectiveness of ordinances included in said official city code. All ordinances of a special nature, such as tax levy ordinances, bond ordinances, franchises, vacating ordinances and annexation ordinances shall continue in full force and effect unless specifically repealed or amended by a provision of the city code. Such ordinances are not intended to be included in the official city code.

**Section 4:** It shall be unlawful for any person, firm or corporation to change or amend by additions or deletions, any part or portion of such code, or to insert or delete pages or portions thereof, or to alter or tamper with such code in any manner whatsoever which will cause the law of the city to be misrepresented thereby.



**Section 5:** All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

**Section 6:** This ordinance and the code adopted by the same shall be recorded and shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED this 7<sup>th</sup> day of February, 2017

APPROVED this 7<sup>th</sup> day of February, 2017

Wendy Lewis  
Mayor

ATTEST:

Ronda L. Whittaker  
City Clerk

Roll Call Vote:

AYES: 4

NAYS: 0

ABSENT: 0