



*City of Kootenai*  
**MEETING MINUTES**  
**DATE:** October 2, 2018  
**TIME:** 6:30 p.m.

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

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

**Amendments to the Agenda:** None were requested

**Staff Present:** City Clerk, Ronda L. Whittaker.

**Others Present:** Tim Closson, City resident and Steve Rigby, City resident.

**Public Comment:** Mr. Rigby addressed Council with his disapproval of the City’s final notice to either remove excessive vehicles from his property or put up sight obscuring fencing. He advised that he had cleaned up his property and had intentions of removing the excessive vehicles in the future. He stated that all of the vehicles on his property were registered with the State and operable. He also advised that he would not be purchasing additional vehicles in the future. He stated that he did not realize how many vehicles he had. He stated that he thought he should now be in compliance with the City’s Code. He stated that he was offended that the City require a sight obscuring fence as he felt it violated his rights of life, liberty and happiness given to him by the U.S. Constitution and he should not have to change his life style. Mayor stated that he had done a lot and she appreciated that. She was concerned about safety and fire but appreciated that he was working on it.

**Announcements:** None were given.

**1. Consent Agenda:**

Mayor Lewis asked Council if they had received and read the items on the consent agenda and asked if there were any corrections needed within the Consent Agenda. There were no concerns.

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

**Councilman Sundquist – AYE**  
**Councilwoman Bauer– AYE**

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

**2. Reports:**

**A. Mayor:** None was given. Thank you David for last meeting.

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

- **Street Parking** – no further discussion.
- **FY2018 Engineering Projects** – no further discussion.
- **Hwy 200 Safety Improvement Project** – no further discussion.
- **1<sup>st</sup> Addition to McGhee Ct 19-month warranty bond** – no further discussion.

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

- **Building Permit Activity update** – no further discussion.
- **Land use applications** – no further discussion.
- **Zoning Map update** – no further discussion.
- **Code and comprehensive plan update and request for workshop** – Mayor reminded Council that there would be a workshop on October 17<sup>th</sup> at 6:00 p.m. Councilman Macha

stated that he would be late for the workshop. Councilman Sundquist reminded visitors that the workshop was open to the public and they could have input. no further discussion.

**D. Selkirks-Pend d'Oreille Transit (SPOT) –** Mayor advised that SPOT was continuing their search for a new director.

**E. Clerk: Written Report Summary – Attached –** Ronda advised that the original bid for the joist repairs was canceled as the contractor had moved on to larger projects. She advised that she had received a referral list and was working on trying to get additional bids for the project. Councilman Sundquist suggested she contact him to see what he could come up with.

**3. Discussion/Action Items**

- **Waiver of fees for Selkirks-Pend Oreille Transit Right of Way Encroachment for Culvert Insulation Application –** Councilwoman Bauer put on the record again that it was in violation of the Idaho Constitution Article 12, sub-Section 4 making a donation of tax payer dollars to pay for the infrastructure of the bus station. She stated that they all took oaths of office to uphold the Idaho State Constitution and Constitution of the United States and the laws of Idaho. She stated that she understood that the City's Attorney gave us his opinion and it was for the good of the people, but she felt that that was not good enough. She stated that she was just putting this on the record and hoped Council would take that into consideration not to vote yes. Councilman Sundquist stated that this issue was on the September Agenda and it was discussed and voted on and asked why it was being brought back up. Ronda advised that after discussion, Councilman Sundquist requested it to be on the Agenda because it was a tie. Councilwoman Bauer disagreed. She stated that she thought it had been determined that it would not be brought back to the table. She expressed her concern that the subject was now in its third month on the Agenda. Mayor stated that September was the first month it was voted on. Councilman Sundquist agreed that Council did vote. Ronda reminded Council that it was a tie vote. Councilman Sundquist confirmed his understanding that it did not pass. Mayor stated that it did not pass as it was a tie. Councilman Sundquist expressed his concern that topic be brought up repeatedly until Council got a vote they wanted. Councilman Sundquist agreed there was not someone to break the tie. He was concerned that it may not be legal if the vote changed from last month's vote; would it be legally challenged. Ronda advised that it was a split vote and a decision had to be made. She stated that she was certain that Councilman Sundquist asked the topic be on October Agenda. There was confusion about whether it could be brought back. Ronda asked if Council would like a legal opinion. Mayor stated that the City had the second largest ride count and that no other city was making them pay. Councilman Sundquist stated that those were valid points, but he still felt that the motion did not pass/not granted. Ronda stated that it did not pass because it was a split vote; there was no conclusion. Mayor confirmed that there was no decision because it was a tie. Councilman Schock agreed that there was not a decision. Either vote now or table it until we get a legal opinion.  
**Councilwoman Bauer made a motion that we not waive the application fee and send a bill to Selkirks-Pend Oreille Transit for the Right of Way Encroachment permit fee, 2<sup>nd</sup> by Councilman Macha; roll call vote:**

**Councilman Sundquist – NAY  
Councilwoman Bauer – AYE**

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

**The vote was split - Mayor Lewis voted - NAY**

**4. Adjournment: Mayor Lewis adjourned that meeting at 7:03 p.m.**

Submitted by:  
Ronda L. Whittaker  
City Clerk



**City of Kootenai**  
**Treasurer Report September 2018**

Mt. West Business Checking	\$	144,743.27
Mt. West Money Market	\$	274,139.87
Mt. West Park Fund	\$	-
LGIP - Current thru 9/28/18	\$	74,030.49
<b>Total Cash Assets</b>	<b>\$</b>	<b>492,913.63</b>

**GENERAL FUND REVENUE**

Name	Account	Amount	Sub-Totals
<b>01 · GF REV</b>			
Park Contributions		0	
<b>Total Contributions</b>			<b>0</b>
Interest			-
	Interest, Mt. West MM	5.48	
	Interest, LGIP(August)	470.87	
	Interest, Mt. West Checking	3.86	
<b>Total Interest</b>			<b>480.21</b>
Licenses & Permits			
	Business License	50.00	
	Liquor License	-	
	Bulding Permits	10,923.92	
	Miscellaneous/weed abatement	80.00	
<b>Total Licenses &amp; Permits</b>			<b>11,053.92</b>
Property Tax			
	Penalty & Interest	193.17	
	Property Tax Current	-	
	Sales Tax - Inventory Phase Out	-	
	Arrears Property Tax	1,272.24	
<b>Total Property Tax</b>			<b>1,465.41</b>
Rents			
	City Hall Rental	200.00	
	Post Office Rent	250.00	
<b>Total Rents</b>			<b>450.00</b>
State of Idaho Funds			
	State Liquor Fund	-	
<b>Total State of Idaho Funds</b>			<b>-</b>
<b>Total 01 · GF REV</b>		<b>13,449.54</b>	<b>13,449.54</b>

**STREET FUND REVENUE**

Name	Account	Amount	Sub-Totals
<b>02 · SF REV</b>			
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	143.95	
	Road & Bridge Arrears	960.59	
Total Road & Bridge			1,104.54
Stormwater/Encroachment			
	Culvert Encroachment Deposit	0.00	
Total Stormwater/Encroachment			0.00
Total Streets			
	<b>Total 02 · SF REV</b>	<b>1,104.54</b>	<b>1,104.54</b>
	<b>Total Income</b>	<b>14,554.08</b>	<b>14,554.08</b>

**City of Kootenai  
Treasurer Report September 2018**

**GENERAL FUND EXPENSES**

Name	Account	Amount	Sub-Totals
<b>10 · GF EXP</b>			
Building Maintenance			
	Janitorial Service	60.00	
	Outside Lighting	704.73	
Total Building Maintenance			764.73
Legal			
	Attorney	-	
Total Legal			-
Dues & Membership			
Miscellaneous Memberships	ICCTFOA Scholarship Donation	49.96	
Dues & Membership	ICCTFOA District Dues	-	
Total Dues & Memberships			49.96
Insurance			
	ICRMP	980.50	
Total Insurance			980.50
Office Expenses			
	Internet Service	94.39	
	Office Supplies	104.94	
	Postage	38.01	
	Computer Maintenance/Repair	-	
Total Office Expenses			237.34
Park			
	Maintenance	350.00	
Total Park, Arbor Day & Earth Day			350.00

<b>GENERAL FUND EXPENSES - Cont.</b>			
--------------------------------------	--	--	--

Name	Account	Amount	Sub-Totals
Planning & Zoning			
	Building Permits	1,260.50	
	Comp Plan Review	-	
	Subdivision Fees	-	
	Planner	559.50	
	Site Plan follow up	-	
Total Planning & Zoning			1,820.00
Training Workshops			
	Meals/ICCTFOA Conference	33.25	
	Training Expenses/ICCTFOA	-	
	Milage	80.31	
Total Training Workshops			113.56
Utilities			
	Electric & Gas	76.83	
	Garbage	-	
	Water	22.85	
	Telephone	91.93	
	Sewer	-	
Total Utilities			191.61
Wages & Benefits			
	Clerk/Treasurer	3588.00	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	350.98	
	Retirement Fund - PERSI	519.36	
	Workers Compensation	-	
6560 - Payroll Expenses	Intuit Payroll	10	
Total Wages & Benefits			5,468.34
	<b>Total 10 - GF EXP</b>	<b>9,976.04</b>	<b>9,976.04</b>

**City of Kootenai**  
**Treasurer Report September 2018**

<b>STREET FUND EXPENSES</b>			
<b>Name</b>	<b>Account</b>	<b>Amount</b>	<b>Sub-Totals</b>
<b>20 · SF EXP</b>			
Ditches			
	Ditch Maintenance	240.00	
Total Ditches			240.00
Stormwater			
	Culvert Permit Deposit Refund	-	
Total Stormwater			-
Street Maintenance			
Asphalt Striping		0	
Total Street Maintenance			-
Streets			
Capital Improvement Projects		0	
Total Streets			-
Utilities, Streets			
	Signal Lights	0	
	Street Lights	871.78	
Total Utilities, Streets			871.78
Transportation			
	SPOT		
Total Transportation			
	<b>Total 20 · SF EXP</b>	<b>1,111.78</b>	<b>1,111.78</b>
<b>Reconciliation Discrepancies</b>		<b>-108.65</b>	<b>-108.65</b>
	<b>Total Expense</b>	<b>10,979.17</b>	<b>10,979.17</b>
	<b>Total Income</b>		<b>14,554.08</b>
<b>Net Income</b>			<b>3,574.91</b>

## MEMO

---

**To: Mayor Lewis and Council Members**

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

**Date: September 27, 2018**

**Re: September 2018 Council Report**

---

### Street Parking

A request for services was issued to the Independent Highway District to purchase and install 2 no parking signs on the north side of Kootenai Meadows Drive (between Main Street and Keegan Court). The signs have been installed.



### FY2018 Engineering Projects

The 2018 Chip Seal Project is complete. I met with Dan Benson in the field to measure final quantities. The final construction cost will be \$32,990.80 which is lower than the contract award amount of \$33,450.00.

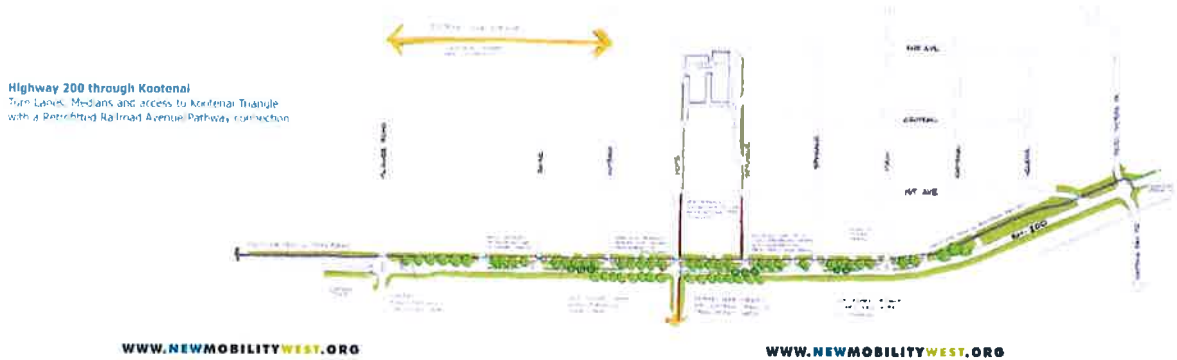
Kootenai Meadows Paving Project – Woods Crushing and Hauling completed the project and provided compaction results and material tonnage tickets for gravel and asphalt used to complete the project. The project is complete, and the final construction cost will be \$18,155.86 which is lower than the contract award amount of \$18,720.00.





**HWY 200 Safety Improvement Project**

ITD has recently had the corridor surveyed and will start processing the data. The safety improvement project is tentatively scheduled to be constructed in 2022. I met with the project engineer and provided her with a copy of the City of Kootenai Bicycle and Pedestrian Master Plan and shared information regarding the Regional Collaboration Strategy for Multimodal Transportation and Investment that was prepared for the Highway 2/200 Corridor by New Mobility West for the Cities of Dover, Sandpoint, Ponderay and Kootenai in February of 2016 by New Mobility West.



**1<sup>st</sup> Addition to McGhee Court 18-Month Warranty Bond**

The letter of credit for the warranty work associated with the public infrastructure for the 1<sup>st</sup> Addition to McGhee Court Development is scheduled to expire on September 30, 2018. I performed an early morning visit to confirm that the street lights were in working order. One of the lights was not working during the site inspection and my surety review letter has been provided to the City



September 20, 2018

Mayor Nancy Lewis and City Council  
Attention: Ronda Whittaker, City Clerk  
City of Kootenai  
PO Box 566  
Kootenai, ID 83840

**RE: SURETY FIELD REVIEW**  
**PROJECT NAME: 1<sup>st</sup> Addition to McGHEE COURT**

Dear Mayor Lewis and Council Members:

A subdivision surety agreement for 1<sup>st</sup> Addition to McGhee Court was executed with the City on March 7, 2017 for a warranty guaranteeing the work and repair of any defects in improvements that occur within eighteen months of the first acceptance of the completed work by the City. The project engineer's estimate for public improvements was prepared by Tim Blankenship, P.E. in the amount of \$422,335.00. The estimate included costs for the road and stormwater improvements, water system improvements and sewer system improvements. The letter of credit provided in amount of \$109,084.00 was based on 25% of the project engineer's estimated actual costs for construction plus \$3,500.00 in potential pass-through costs.

On August 16, 2018 I visited the 1<sup>st</sup> Addition to McGhee Court Subdivision and reviewed the roadway condition, the existing stormwater swales, signage and striping. I also reviewed the subdivision in the early morning hours on September 20, 2018 to review the street light operations. During my visits, I noted the following observations:

- The silt fence installed around the parkland parcel dedicated to the City could be removed as vegetation is established in this area.
- The street trees were not installed in accordance with the plans approved for construction. **On November 1, 2016, the City Council accepted modifications to the preliminary plat conditions of approval to allow adjustments to stormwater and tree planting requirements by extending the date of satisfactory installation to prior to certificate of occupancy issuance for each lot.**
- The swales located on Lots 1 and 2 of Block 3 and Lot 1 of Block 2 have not been constructed at this time. **On November 1, 2016, the City Council accepted modifications to the preliminary plat conditions of approval to allow adjustments to stormwater and tree planting requirements by extending the date of satisfactory installation to prior to certificate of occupancy issuance for each lot.**
- The street light installed at the north end of Boise Street was not operating during the site inspection.

I contacted the Utility Supervisor at the City of Sandpoint who did not have any outstanding issues to report. I also contacted the Kootenai Ponderay Sewer District (KPSD). The KPSD requires the developer to contact the District after the system has been operational for 1 year of operation. The developer needs to have the sewer main cleaned and provide a video for review and approval prior to the District accepting the sewer main. The KSPD holds a deposit that is intended to cover the

105 Pine St. Unit 105A  
Sandpoint, ID 83864

208.946.4380 office



costs for this work. The district indicated that they would initiate the process of reaching out to the developer to start this process.

It is my recommendation that applicant should be notified of the following infrastructure improvements that need to be repaired or corrected at the applicant's expense:

- The silt fencing around the parkland parcel dedicated to the City should be removed.
- The street light installed at the north end of Boise Street needs to be operational between sunset to sunrise hours.

If you have any questions, please contact me.

Sincerely,

Century West Engineering

A handwritten signature in black ink, appearing to read "Ryan Luttmann", written in a cursive style.

Ryan Luttmann, P.E.  
Contract City Engineer

cc: City Clerk, City of Kootenai  
Clare Marley, Contract City Planner, City of Kootenai  
Stephen Snedden, Contract City Attorney, City of Kootenai



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

**MEMO**

To: Kootenai City Council, Mayor and Clerk  
From: Clare Marley, AICP, City Contract Planner  
Date: September 25, 2018  
Re: **Planning summary for October 2, 2018 City Council meeting**

---

**Building permit activity**

Six single-family dwelling building permit applications were submitted to the City during the month of September. Five permits were for Seven Sisters subdivision, and one was within the McGhee Court 1<sup>st</sup> Addition, bringing the total permit applications to date to 17. This compares with 31 permits by the end of September last year.

**Land use activity**

There have been no new land use file applications for the month of September. Revisions and additions to the Northwinds preliminary plat application are still pending.

**Zoning and County GIS mapping system**

Staff is working with Bonner County to address some inaccuracies in the county GIS layers relating to zoning. The county on-line mapping is erroneously displaying county zoning districts within the City of Kootenai. For example, most of the City is shown as yellow for Suburban, which is a county zoning district and does not correlate with any Kootenai zoning district. This has caused a problem with the public, who use the site to view property information. The county intends to correct the discrepancy by identifying the boundaries of all cities and blocking out the county zoning within those boundaries. The correction should be made within a week or so. As an aside, the county may consider hosting city zoning district boundaries on its site, pending review and approval by the Board of Commissioners. If this is approved, and the City is interested, the replacement map being prepared by Ruen-Yeager could be used because it will be GIS-compliant. The City Council would first need to review and approve the replacement map.

**Code and comprehensive plan updates**

The City has advised that Council has scheduled a planning workshop for 6:00 p.m. Wednesday, October 17<sup>th</sup>. Topics of discussion would include:

- Planning tasks for the fiscal year 2019;
- A review of the draft replacement zoning map;
- A discussion of the comprehensive plan and map update for 2019;
- A discussion of potential code revisions to include:
  - Non-conforming use standards
  - Revisions to the procedures section
  - A land use matrix to improve readability of city code

If there are other issues you wish to include in the workshop discussion, please let me know.



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

---

**Audit** – I am in the process of collecting final invoices for year end and working with the City's Auditor.

**McGhee Court 1<sup>st</sup> Addition** – I have been working with the City's Attorney, Engineer and Planner in completing a final Surety inspection of the Development. Correspondence, approved by the City's Attorney, has been sent to the Surety holder and the development representatives in regard to the Surety deadline and costs related to the final review.

**Website Activity** – Continued update of the site.

**ICCTFOA Annual Conference** – The conference was very informative and useful. Cities are now looking at other options for fund investing. I have some resources that I will research and report on. Networking opportunities with other small cities, AIC staff and ICRMP gives me confidence that our City is operating according to State requirements and is keeping up with current procedures and challenges.

**Building Permits/TCO**–Still working with developers and builders to evaluate completion of building permit conditions. Waiting for payment for Lightning Lube TCO will seek legal council if not received by October 8<sup>th</sup>.

**City Code Enforcement -Notices of Violations** - Second violation notices have been sent out per legal counsel in regard to storage outside of storage units and junk care clean-up.

**Weed Abatement** – Ongoing. Mayor has requested me to send out weed abatement advisements to several properties.

**City Hall Building Repair** – Brent Keller Construction advised that they will not have time to address the repairs. I have received a list of referrals and am in the process of getting additional bids for the work.