



*City of Kootenai*  
**COUNCIL MEETING MINUTES**

**DATE:** September 1, 2020

**TIME:** 6:30 p.m.

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

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

**Staff Present: City Engineer, Ryan Luttmann, and City Planner, Clare Marley.**

**Others Present: Devon Brown, Representing Seven Sisters Homeowners Association (HOA) and City resident., Robert Rutan, Representing Seven Sisters Homeowners Association (HOA), Tim Closson, City Resident, Doris Nuss, City Resident, and Sandra Furlini, City Resident**

**Amendments to the Agenda – None were proposed**

**Public Comment –** Tim Closson expressed his approval of the partnership with the City of Sandpoint Law Enforcement, He also expressed his concerned about the risk of jurisdiction authority and regionalization. He thanked the City for offering to buy pizza for the Independent Highway District in association with the partnership with the City on the N. Main Street Project. Devon Brown expressed his concern about parking and speeding within the Seven Sisters Development. He mentioned that when the Sandpoint Police was asked about citing speeders, he was told that the Sandpoint Police Department would not enforce City Code.

**Presentation – Fatbeam to answer questions about the proposed Franchise Agreement –** Tony Perkins, CEO for Fatbeam advised that their services are mostly limited to businesses, schools, banks and government offices. He stated that their headquarters are in Coeur d'Alene and felt that this is home for them. Councilwoman Bauer asked if Fatbeam worked with other providers over others. Tony advised that yes, they work with other providers. Councilwoman Bauer asked if they were currently working with Star Link. Tony advised that they have provided wires for Star Link, one in Bonner County and one in the state of Montana. Councilwoman confirmed that Fatbeam was providing conduit for providers. Tony advised that they lay conduit underground in 2” HPV where allowed otherwise power poles were used if permissible. Ronda asked how the 5% revenues to the City were regulated. Tony advised that it is through a local agreement. Councilwoman Bauer is their goal to provide wire and internet to Kootenai. Tony advised that it would be just wire. Mayor asked if there were a lot interest in Kootenai. Tony stated that there were a few interests already, some just need to wait for existing contracts to expire before they can choose another service.

**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, 2<sup>nd</sup> by Councilwoman Bauer; roll call vote:**

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

**Councilwoman Mjelde – AYE  
Councilman Schock – AYE**

**2. Reports:**

**2.A. Mayor:** Mayor stated that her Saturday event was not well received, and she will work on gifting the candy another way.

**2.B. City Engineer:** Written Report Summary – Attached. Items specifically addressed:

**2.B3 Amendment #2 to the Service Contract for the upcoming year** – Ryan explained that this process allows him close out the current year and begin the new one. There was no further discussion. **Councilman Sundquist made a motion to approve Amendment #2 to the current Service Contract, 2<sup>nd</sup> by Councilman Schock; roll call vote:**

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

**Councilwoman Mjelde – AYE  
Councilman Schock – AYE**

Councilman Schock asked if the Discussion /Action Item 3.5 Culvert Regulations be addressed now. Mayor approved. Councilman Schock expressed his concern that the language on the Culvert Installation Permit Application was vague and confusing as it said that a variation in length would need approved by the City and in another area it stated that it would be approved by the City’s Engineer. Ryan stated that he considered changes to size and length per application. Council suggested that the form be edited to state that the City Engineer would have the final on variations to culvert installations as Council would have to seek advisement from the City’s Engineer anyway.

**2.C. City Planner:** Written Report Summary – Clare summarized her report advising Council that Bonner County was proposing an amendment to the zoning regulations that would reduce the minimum lot sized for Suburban, Commercial, Industrial, Rural Service Center, Recreation, and Alpine Village zones. She advised that these changes would affect the Area of City Impact by the addition to densities on the edges of the City and the creation of more lots served by drain field systems rather than municipal treatment. Councilman Sundquist confirmed that the density would increase by double. There was conversation about the density of septic systems Clare 2 ½ acres is recommended. Changes could be a potential for contamination, but the areas would be on the Sandpoint Water System. Councilwoman Bauer questioned how many private wells were in the area and expressed her concern about the safety of their water. Tim Closson advised that Kootenai-Ponderay Sewer district had identified all private wells at one time and only found one in the required radius others in Northside Water. Council advised Clare that this could be addressed next month and asked Clare to bring additional information for discussion next month.

**2.D. City of Sandpoint Law Enforcement:** - No Report was submitted.

**2.E. Selkirks-Pend d’Oreille Transit (SPOT)** –Mayor stated all was running smoothly and that the City had one of the highest volume of ridership. She stated that SPOT was working on getting a stop shelter put in by Walmart. Councilman Schock asked if they

had considered putting solar lighting within the shelters. Mayor stated that they did not have in their current plans. She stated she would try to have it addressed at the next meeting.

**2.F. Clerk:** Ronda stated that she did not have a written report, but that it was that time of year when weed abatement was critical as uncontrolled weeds are a fire hazard. She advised that she had sent out several notices and was starting to get responses. Councilwoman Bauer asked if the City had a Fall Clean-up. Council discussed the option and agreed that it would be a nice incentive especially as leaves begin to fall and trimming was imminent.

### **3. Discussion/Action Items –**

**3.1 3<sup>rd</sup> Quarterly Report – Approval and Authorization to Publish** – Ronda stated that the report looked favorable and revenues vs expenses were in order for the 3<sup>rd</sup> quarter. **Councilman Schock made a motion to approve and publish the City’s 3<sup>rd</sup> Quarter Financial Report, 2<sup>nd</sup> by Councilman Sundquist; roll call vote:**

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

**Councilwoman Mjelde – AYE**  
**Councilman Schock – AYE**

**3.2 Sandpoint Law Enforcement Joint Powers Agreement**– Ronda advised that the City’s Attorney had added some additional language related to jurisdiction. Councilwoman Bauer expressed her concern that the Agreement did not include enforcement of the City’s Codes. **Councilman Sundquist made a motion to approve the Amendment to the Sandpoint Law Enforcement Joint Powers Agreement, 2<sup>nd</sup> by Councilwoman Mjelde roll call vote:**

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

**Councilwoman Mjelde – AYE**  
**Councilman Schock – AYE**

**3.3 Fatbeam Franchise Agreement** – Ronda stated that the City’s Attorney had reviewed the Agreement and had added additional language regarding violation procedures. She asked if Council was ready to move forward with Public Hearing. Council agreed that public hearing should be set for next meeting October 6, 2020.

**3.4 Street Light at City Park** - Ronda stated that Councilwoman Mjelde had asked this to be on the Agenda as she felt that there may need to be more lighting within the park area. Mayor suggested that the overhead light off of the building be repaired which would give plenty of lighting. Councilman Schock suggested having an LID light put in. Council suggested that if the project was under the Mayor’s \$500 that she could approve the cost for the project.

**3.5 Culvert Regulations – Specifically optional lengths** – Moved to Engineer Report topic.

**4. Executive Session – Convene in Executive Session in accordance with Idaho Code 74-206(1)(f) to communicate with legal counsel regarding pending/imminently-likely litigation** – Ronda advised that Legal Council was not present. Councilwoman Bauer stated they should not enter into executive session. Council agreed that they could still discuss issues.

**Councilwoman Mjelde made a motion to move into executive session at 7:35 p.m., 2<sup>nd</sup> by Councilwoman Bauer; roll call vote:**

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

**Councilwoman Mjelde – AYE  
Councilman Schock – AYE**

**Councilwoman Mjelde made a motion to leave executive session at 8:11 p.m., 2<sup>nd</sup> by Councilwoman Bauer; roll call vote:**

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

**Councilwoman Mjelde – AYE  
Councilman Schock – AYE**

**5. Adjournment: Mayor Lewis adjourned the meeting at 8:11 p.m.**

Submitted by:  
Ronda L. Whittaker/City Clerk

**CITY OF KOOTENAI**  
**SIGN-IN SHEET**

**DATE:** September 1, 2020

**TIME:** 6:30 pm

***Council Meeting***

<b>Name</b>	<b>Address</b>	<b>Representing</b>
DEVON BROWN	195 KUSKANOOK RD.	SEVEN SISTERS HOA
Robert PUTAN	424 Seven Sisters Dr.	Seven sisters HOA
Tim Closson		
Doris Russ	401 3rd Street	
Sandra Furler	400W Second ave	self



## MEMO

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**To: Mayor Lewis and Council Members**  
**From: Ryan Luttmann, P.E., Contract City Engineer**  
**Date: August 26, 2020**  
**Re: September 2020 Council Meeting Report**

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### **Main Street Maintenance and Repairs**

Application for Payment #1 was submitted to the City for payment. The work performed by Woods Crushing and Hauling for the Main Street Project base bid was \$76,716.62. Change Order #1 for the 2<sup>nd</sup> Avenue paving was issued to Woods Crushing and Hauling, which totaled \$7,956.04.

Additional work, authorized by Council, will be performed by Woods Crushing and Hauling and included as change orders to the original bid/contract. Work will include:

- Construction of the asphalt sidewalk along the west side of Main Street between from Kootenai Meadows to the northern Brittany Loop.
- Overlay the remainder of Main Street from Railroad Avenue to end of the 2020 paving, just north of 2<sup>nd</sup> Avenue.
- Overlay Boise Avenue from Railroad Avenue toward McGhee Court. Limits of paving on Boise may be dependent on remaining funds within the project improvement budget.

I have been communicating with Kootenai Ponderay Sewer District (KPSD) and City of Sandpoint staff regarding the 2020 overlays. The KPSD has identified 2 sewer laterals on Main Street and 6 sewer laterals on Boise that they would like to replace/repair prior to paving. The KPSD is currently seeking bids to perform the utility work and the overlay paving will be performed after the work is complete. In addition, we are coordinating with Bonner County Road and Bridge and their schedule for paving of N. Kootenai Rd in order to avoid having their contractor's paving trucks driving through Main St. while the overlay work is being performed in the City.

### **ENU 002-020**

The sewer later repair was performed at 109 Sprague and the asphalt repair work was completed.

### **ENU 003-020**

The sewer lateral repair was performed at 205 Main Street and the asphalt repair work was completed.

### **ENU 004-020**

A utility encroachment permit was reviewed and approved for fatbeam to install conduit/fiber within City right-of-way along the west side of Seven Sisters Drive for Kaniksu Networks. The project started near Highway 200 and ended at 2<sup>nd</sup> Avenue.



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

**MEMO**

To: Kootenai City Council, Mayor and Clerk  
From: Clare Marley, AICP, City Contract Planner  
Date: August 27, 2020  
Re: **Planning summary for September 1, 2020 City Council meeting**

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**Building permit activity: ADVISORY ONLY.** The City received two building permits in August. One for a garage on Keegan Court and a second for foundation replacement for a single-family dwelling on Kootenai Meadows Cut-off. The total number of applications for the year is 5.

**Land use application activity:** No new land use applications were received during August or July.

**Mapping:** The U.S. Census Bureau has completed an update of the City of Kootenai boundaries. Planning staff advised the Census Bureau of a number of boundary errors several months ago. Those errors have been corrected and staff has advised the Census Bureau that the final boundary map is now correct.

Now that the City has access to the October 2019 aerial photography of Kootenai, planning staff will be adding a zoning district layer to the maps to aid in assisting the public with land use-related questions. We will advise when this mapping feature has been added.

**Stormwater Easements:** The Seven Sisters stormwater easement issues remain under review by the city engineer and planner. Staff has requested additional stormwater capacity calculations from the project engineer. This information should provide stormwater basin capacity data and allow the city engineer to evaluate the current situation better. Staff will keep the Council updated on this review.

**ACI Comment: Advisory/Action:** Bonner County Planning Department has advised of a proposed amendment to the zoning regulations that would reduce the minimum lot sizes for the Suburban, Commercial, Industrial, Rural Service Center, Recreation, and Alpine Village zones. The Suburban and Recreation districts are within Kootenai's Area of City Impact. If approved, the minimum lot size would be changed to 1 acre in these zones, where current minimums are 1½ acre and 2 acres, depending on water and sewer services. Attached is the invitation to comment and the chart indicating the proposed changes, based on sewer and water availability. Effects of the changes on the Area of City Impact could include additional densities on the edges of the City and the creation of more lots served by drainfield systems rather than municipal treatment. Please advise if you wish to comment on the proposed change.

CITY OF KOOTENAI  
FY 2020 3rd Quarter Financial Report  
April 1, 2020 to June 30, 2020

	BUDGET	Qtr Total	YTD June REV/EXP
General Fund Revenue	\$314,569	\$ 186,083	0.79%
Expenditures	\$314,569	\$ 38,401	0.34%
Street Fund Revenue	\$ 138,596	\$ 74,056	0.88%
Expenditures	\$ 138,596	\$ 8,174	0.19%

Citizens are invited to inspect the detailed supporting records of the above financial statements.

Ronda L. Whittaker, City Clerk/Treasurer  
08/26/20