



City of Kootenai
COUNCIL MEETING MINUTES

DATE: September 7, 2021

TIME: 6:30 p.m.

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

City Clerk opened the telephonic/video line for phone and/or video attendance.

Roll Call: Councilman Sundquist – PRESENT, Councilwoman Mjelde – ABSENT, Councilman Schock – HERE, and Councilwoman Bauer – HERE.

Staff Present: City Clerk, Ronda L Whittaker, and City Planner, Clare Marley of Ruen Yeager.

Amendments to the Agenda –None were proposed

Announcements – None were given.

Others Present: Joseph Rafferty, City resident, Robert Rutan, City resident Sandra Furlini, City resident, Doris Nuss, City resident, Sandra Anderson, City resident, and Julie Washburn, City resident.

Public Comment – Ronda advised that Whitney Moreno was not present but had submitted a comment thanking the City for managing the dead tree on her corner of Schissler Meadows and asked Council to consider putting speeding signs in the area of Kootenai Meadows as there is a day care in the area and traffic speed is excessive. Sandra Furlini thanked Council for completing the Second Avenue Extension. Robert Rutan asked if the proposed development at the property east of the Seven Sisters Development had been talked about again. Mayor stated that the City had not heard anything more. Sandra Anderson stated that she had heard from the last meeting that a stormwater project may be considered, and she is concerned about the drainage on Humbird Street.

Avista Franchise Ordinance – Adoption of Avista Franchise Agreement – Ronda explained that she was advised by the City’s Attorney and an Avista representative that a public hearing was not necessary to adopt the Ordinance, but that the requirement was that the whole of the Agreement had to be publicized, which it was and Avista paid for the cost of the publication. She advised that the whole of the Agreement did not need to be read and Council could propose to adopt the Agreement on its first and only reading by title only. **Councilman Sundquist moved to place the proposed ordinance relating to the city of Kootenai granting a renewed Avista Franchise Agreement on its first and only reading by title only, while under suspension of the rules, 2nd by Councilman Schock; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer– NAY

Councilwoman Mjelde – ABSENT
Councilman Schock – AYE

The City’s Clerk read the title of the Agreement. **Councilman Sundquist moved to pass the ordinance relating to the city of Kootenai granting a renewed Avista Franchise Agreement 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, 2nd by Councilman Schock; roll call vote:

Councilman Sundquist – AYE
Councilwoman Bauer– NAY

Councilwoman Mjelde – ABSENT
Councilman Schock – AYE

1. Consent Agenda:

Mayor Lewis asked Council for a motion to approve the Consent Agenda. **Councilwoman Bauer made a motion to approve the Consent Agenda, 2nd by Councilman Sundquist; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer– AYE

Councilwoman Mjelde – ABSENT
Councilman Schock – AYE

2. Reports:

2.A. Mayor: Mayor Lewis advised that she attended a portion of the workshop provided by the Idaho Walk Bike Alliance, Looking Glass Academy located at the Ponderay City Hall and found the information presented very informative.

2.B. City Engineer: Written Report Summary – No further discussion

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

2.C3 RV Parking and Occupancy – Clair stated that staff has received several inquiries about allowances for parking and living in RVs in the city of Kootenai. She advised that the City’s Code specifically excludes RVs and travel trailers as dwelling units and confirms that RVs are not to be used as dwellings or for overnight camping. She stated that fencing is required around storage facilities but that it does not specifically refer to parking or storing RVs. She stated that there have been concerns about the loss on on-street parking with long-term storage of RVs, blockage of views by RVs parked within setbacks, and snow shed and stormwater run-off onto neighboring properties. Mayor asked if it was a violation to park an RV in a driveway where the hitch is encroaching onto the street. Clare advised that yes, it would be a violation and unsafe. Mayor then asked about sight obscuring issue when an RV is parked on a front street corner. Councilman Sundquist also expressed his concern about the safety of a parked RV obscuring traffic sight. Councilwoman Bauer was concerned about wastewater going into the stormwater swales and sight obscuring issues. Council also discussed maybe setting a time limit for a RV visit. Councilman Sundquist expressed his concern about how the density would be affected if people start using their RVs as a living quarter. There was also discussion about what constitutes moving when it comes to a time allowance for storage. Council agreed that this is a topic that needs more investigation and should be brought up at the next workshop.

2.C4 Property Line Adjustment PLA01-21 Wahlin – Clare advised that Council had approved the lot line adjustment with a condition that a corrected plat be recorded showing the correct width of West Central Avenue. She advised that rather than filing a corrected plat/record of survey, the project surveyor filed an affidavit of scrivener’s error. She stated that she had sought advisement from the Ruen Yeager surveyors on this type of practice and learned that this is a gray area; If there are errors in the boundary determinations, a new plat should be filed. If the error is of little or no consequence, the affidavit may be filed. She asked for direction from Council. Council agreed that it is really a moot point as the plat shows that West Central is 80 feet wide, so the scrivener’s error showing it at 60 feet really

does not have a substantial error and that the initial plat would trump the surveyor's error. Councilwoman Bauer asked if there would be a possibility that this type of issue would happen again in the future. Clare advised that in this case the lot line adjustment was recorded before it came to staff for review and the usual procedure is that the adjustment would not be recorded until approved and the error would have been previously addressed and corrected. So no, she did not see that this would be a future problem. **Councilman Sundquist motioned to accept the recorded surveyor's error related to the Property Line Adjustment File PLA01-21 Wahlin, 2nd by Councilwoman Bauer; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilwoman Mjelde – ABSENT
Councilman Schock – AYE

2.D. City of Sandpoint Law Enforcement: - Attached – There was no further discussion.

2.E. Selkirks-Pend d'Oreille Transit (SPOT) – Mayor stated that the system was running smoothly. She advised that SPOT had purchased an additional two buses for the ski route.

2.F. Clerk – Written Report – Attached – Ronda stated that the Fall Clean-Up had been scheduled for September 10th through the first weekend in October. She also advised that the ADA swing materials would be delivered this next Wednesday and she was trying to find a forklift and driver to unload the materials. Councilman Sundquist stated he would ask Sandpoint Building Supply if they could help.

3. Discussion/Action Items

3.1 Bid for City Hall Roofing Project – Ronda stated that they had received a bid from FM Construction, Frederick McGuckin and had also receive the proper licensing information ensuring FM Construction was insured and certified to do the work. Councilman Sundquist stated that some of the materials for the project would be more costly and advised that there would also be material delivery costs. He stated he was working with Mr. McGuckin and that the quote for the project would be around \$11,000. Council agreed that tearing off an old roof could bring up additional work and maybe additional materials. Council agreed. Councilman Sundquist made a motion to accept the bid from FM Construction and also to authorize Mayor Lewis to pay out 20% over the \$11,000 for unforeseen contingencies, 2n by Councilwoman Bauer; roll call:

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilwoman Mjelde – ABSENT
Councilman Schock – AYE

Mayor Lewis adjourned the meeting at 7:12 p.m.
Submitted by:
Ronda L. Whittaker/City Clerk

City of Kootenai
Treasurer Report August 2021

Mt. West Money Market	\$	74,253.04	0.05% APY
Mt. West Checking	\$	244,774.96	0.01% APY
Idaho Central Credit Union	\$	393,299.72	1.85%
Park	\$	4,000.19	
Total Cash Assets	\$	716,327.91	

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV			
Franchise Fees			
	Avista Corportation	0.00	
	Northland Cable Television	0.00	
	Waste Management, Inc	0.00	
Total Franchise Fees			0.00
Interest			
	Interest, MW Money Market	3.05	
	Interest, MW Checking	2.31	
	Interest, ICCU CDs	0.00	
Total Interest			5.36
Licenses & Permits			
	Business Licenses	50.00	
	Dog Licenses	20.00	
Total Licenses & Permits			70.00
Planning & Zoning Fees & Permit			
	Building Permits	87.94	
	Subdivision Fees	0.00	
Total Planning & Zoning Fees & Permit			87.94
Property Tax			
	Arrears Property Tax	411.81	
	Penalty & Interest	35.29	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
	Circuit Breaker	0.00	
Total Property Tax			447.10
Rents			
	City Hall Rental	0.00	
	Post Office Rent	0.00	
Total Rents			0.00
State of Idaho Funds			
	State Liquor Fund	13,642.00	
	State Revenue Sharing	0.00	
Total State of Idaho Funds			13,642.00
Total 01 · GF REV		14,252.40	14,252.40

INCOME/STREETS

Name	Account	Amount	Sub-Totals
02 · SF REV			
Idaho Transportation Dept			
	State Highway Users Fund	0.00	
	HB312	0.00	
Total Idaho Transportation Dept			0.00
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	27.04	
	Road & Bridge Arrears	315.04	
	Circuit Breaker M & O	0.00	
Total Road & Bridge			342.08
Road & Streets			
Total Road & Streets			342.08
Stormwater/Encroachment	Utility Encroachment Permit	500.00	
Total Stormwater/Encroachment			500.00
	Total 02 · SF REV	842.08	842.08
	Total Income	15,094.48	15,094.48

City of Kootenai
Treasurer Report August 2021
EXPENSES/General Fund

Name	Account	Amount	Sub-Totals
10 · GF EXP			
Accounting & Audit		0.00	0.00
Bank Charges		0.00	0.00
Dues and Memberships	AIC/ICCTFOA	0.00	0.00
Building Maintenance			
	Janitorial Service	75.00	
	Building Security	177.64	
Total Building Maintenance			252.64
Insurance	ICRMP	0.00	0.00
Law Enforcement Contract		1,426.00	1,426.00
Legal			
	Legal Notices	333.67	
	Attorney	901.25	
Total Legal			1,234.92
Office Expenses			
	Computer Maintenance/Repair	120.66	
	Internet Service	112.18	
	Office Supplies	0.00	
	Events/Mayor	140.00	
Total Office Expenses			372.84
Park, Arbor Day & Earth Day		0.00	
	Maintenance and Landscaping	440.00	
	Material - ADA Swing	8,908.00	
Total Park, Arbor Day & Earth Day			9,348.00
Planning & Zoning			
	Planner	440.50	
	Subdivision Fees	0.00	
	Ordinance Revisions/Comp Plan	35.00	
	Engineer	0.00	
	Code Enforcement	151.00	
	Building Permits	0.00	
	Zoning Map	0.00	
Total Planning & Zoning			626.50

City of Kootenai
Treasurer Report August 2021
EXPENSES/General Fund - cont.

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	0.00	
	Meals	0.00	
	Milage	10.00	
Total Training Workshops			10.00
Utilities			
	Electric & Gas	95.94	
	Garbage	0.00	
	Telephone	0.00	
	Water	96.26	
	Sewer	77.76	
Total Utilities			269.96
Wages & Benefits			
	Clerk/Treasurer	3,708.00	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	360.15	
	Retirement Fund - PERSI	547.23	
6560 - Payroll Expenses	Health Insurance	631.64	
	Wages & Benefits	-131.64	
	Payroll Expense/Intuit	484.01	
	Workers Compensation	150.00	
Total Wages & Benefits			6,749.39
	Total 10 - GF EXP	20,290.25	20,290.25

City of Kootenai
Treasurer Report August 2021
EXPENSES/Street

Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches	Maintenance	110.00	
Total Ditches			110.00
Stormwater			
	Culvert Inspections	-	
	Engineer	243.39	
Total Stormwater			243.39
Streets			
	Materials	-	
	Engineer	852.60	
	Capital Improvement Project/2nd	29,395.08	
	Utility Encroachment Permits	1,022.24	
Transportation			31,269.92
	BCATT	-	
Total Transportation			-
Utilities, Streets			
	Signal Lights	40.74	
	Street Lights	890.49	
Total Utilities, Streets			931.23
	Total 20 · SF EXP	32,554.54	32,554.54
	Total Expense	52,844.79	52,844.79
Net Income			-37,750.31

MEMO

To: Mayor Lewis and Council Members

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

Date: September 2, 2021

Re: Council Meeting Report for August Engineering Activities

Engineering activities for the month of August included construction management for the 2nd Avenue Extension Project, coordination with ITD regarding design of the TAP grant pathway along Highway 200, and reviewing revised fiber plans proposed for upgrades within the City.

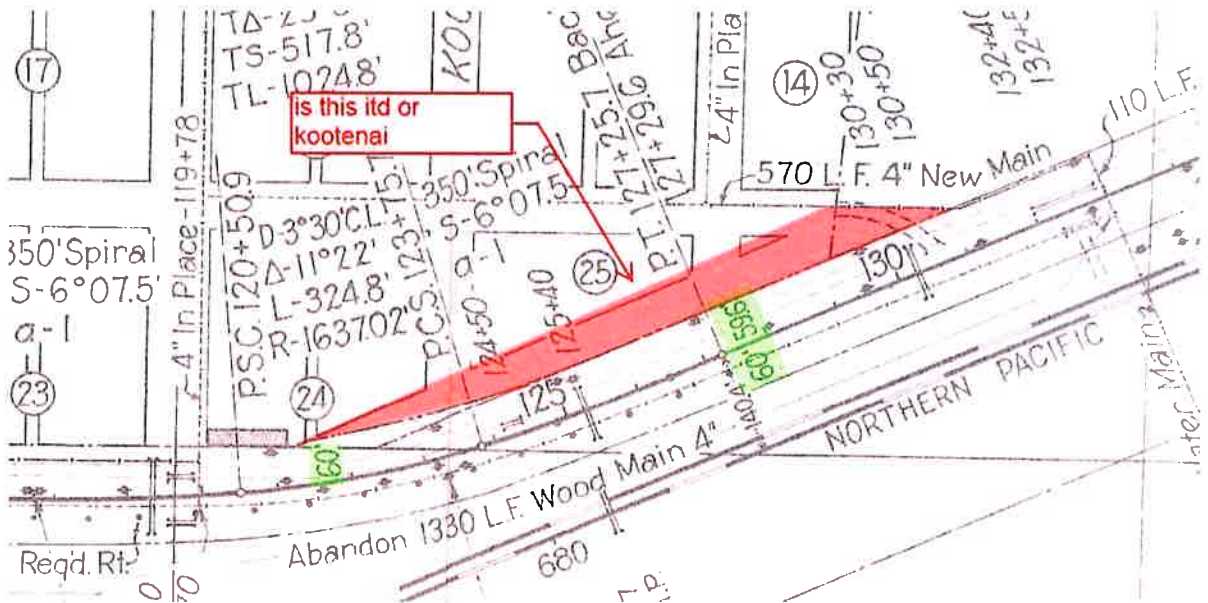
2nd Avenue Extension

The Independent Highway District completed work on the 2nd Avenue Extension project and Woods Crushing and Hauling placed the asphalt at a width of 34ft. Striping for the bike lane were painted and the stop signs were placed at both ends of the block. A ribbon cutting ceremony occurred on August 19, 2021 and the roadway was opened to the public for use.



Highway 200 Improvements/TAP Grant Trail

ITD is continuing to work on the design of the Highway 200 Improvements and the TAP Grant Trail that will run along the Highway from Seven Sisters to Main Street. I have been coordinating with the ITD engineers on some of the options for the trail slope and responded to questions regarding the right-of-way widths and ownership along the proposed trail route. It appears that additional public right-of-way exists and ITD will be investigating ownership of the right-of-way (State versus City).



Permit Activities

ENU 006-021 – Following approval of a public works license waiver for boring work by Council and additional information provided by the applicant, the TING permit was executed on August 26, 2021.

ENU 007-021 – Ziplly has submitted a request to bore some new conduit within the City, pull new fiber through existing underground conduits and attach fiber to their existing infrastructure on AVISTA poles. I reviewed the revised plans provided by Track Utilities that is working with Ziplly on the installation and design work. The response provided did not appear to satisfy my initial review comments and I provided more clarification of the items the City is requesting and why they are important to the City of Kootenai. In response, the project applicant is reviewing their build with the City of Kootenai and considering just building in Ponderay and neighboring Sandpoint. This permit is on hold until we hear back from the applicant.



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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: September 2, 2021
Re: **Planning update for September 7, 2021 City Council meeting**

Building permit activity: ADVISORY ONLY. The City did not receive any building permit applications during August. The total for the year remains at six.

Land use permit activity: Planning staff has fielded inquiries during August regarding housing options in the Commercial/Light Industrial zone; signage, setbacks, and potential lot line adjustments or subdivisions of property. No applications for land use projects were filed during August. Staff followed up on one zoning/building violation regarding a portable shelter.

RV parking and occupancy: Staff has fielded a couple of calls from the city and its citizens regarding allowances for parking and living in RVs in the City of Kootenai. Concerns have been raised about whether RVs can serve as a living unit and whether these vehicles are subject to zoning setback standards. Kootenai City Code, Definitions, Section 8-2-2-, specifically excludes RVs and travel trailers as dwelling units. The "Outdoor Recreational Vehicle and Boat Storage Facilities" regulations, Section 8-14-3-3 further confirms RVs are not to be used as dwellings or for overnight camping. Security fencing of 6' is required around these storage "facilities." Section 8-14-2-8 addresses storage in general. This section requires screening of "storage" and compliance with setbacks for "storage areas." The code does not specifically refer to parking or storing RVs in these sections. Concerns have been expressed about the loss of on-street parking with the long-term storage of RVs, blockage of views by RVs parked within setbacks, and snow shed and stormwater run-off onto neighboring properties. Staff has routinely advised callers that RVs and tiny homes classified as RVs may not be used for dwellings. The rules on parking and storage of RVs are somewhat gray, since the code does not appear to specifically call out RVs as needing to meet setbacks and the difference between "parking" and "storing" can be a couple of days to months in one spot. If Council wishes further discussion on the issue or desires to look at a code amendment to address specific problems, please let me know.

Property line adjustment PLA01-21, Wahlin: The City of Kootenai approved the lot line adjustment of Lots 7 and 8, Block 9 of Kootenai Townsite on July 6, 2021, with a condition that a corrected plat be recorded showing the correct width of West Central Avenue. (The street label said 60 feet wide, rather than 80 feet wide.) Rather than filing a corrected plat/record of survey, the project surveyor filed an affidavit of scrivener's error (attached). Staff sought advice from RYA surveyors on the practice of using a scrivener's affidavit versus a corrected plat and learned it can be a gray area. If there are errors in the boundary determinations, a new plat should be filed. If the error is of little or no consequence, the affidavit may be filed. Since the Council decision specified the recording of a corrected plat/survey, staff wishes to verify whether Council would accept the affidavit in lieu of the corrected plat/survey so we can properly advise the applicant as to whether the conditions of approval are met.



City of Sandpoint, Idaho
POLICE DEPARTMENT

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

Mayor

Report for July 2021

There were 37 total calls created for the City of Kootenai for the month of July, 2021. Of the 37 calls created, 6 calls were created for other agencies responding to Kootenai.

These 6 calls do not fit the billing requirements.

We will be submitting billing for 31 calls for service.

Sandpoint's Calls for service

31 calls

911 Hang-up	4
Abandoned Vehicle	3
Citizen Assist	3
Information	2
Welfare Check	2
Non Injury Accident	1
Business/Residential Alarm	1
Custodial Interference	1
Death Investigation	1
DUI, Alcohol or Drugs	1
Domestic Dispute	1
Fireworks Violation	1
Missing Person	1
Disturbing the Peace	1
Reckless Driving	1

Recovered Stolen Property	1
Threatening Suicide	1
Suspicious Person/Circumstance	1
Vehicle Theft	1
Traffic Hazard	1
Unsecure Premises	1
VIN Inspection	1

Patrol Highlights

- Welfare check - Officers responded for a request for a welfare check. Shaun requested a check on one of his employees that did not show up to work that day.
- Suspicious – Officers responded for the report of suspicious noises being heard. 12yof reported hearing what sounded like rocks being thrown at the windows of the house. Officers were unable to locate anyone throwing rocks
- Suicide threat – RP reported his son was threatening to hang himself at his residence 105 in Kootenai.
- Noise complaint - Officers responded to the area of Rebeccas Way in Kootenai for a barking dog complaint. Once in the area, it was discovered it was most likely 302 Jeffrey Drive. The dogs were brought inside by the owner.
- Family Offense - The reporting party, stated her boyfriend, hit her in the chest, wouldn't let her leave and she locked herself in her room. Once on scene, I spoke with both parties who had similar but differing stories. Neither party was willing to pursue charges.
- Fireworks - Officers responded to the area of 201 E. Central Avenue in Kootenai, Idaho, for the report of fireworks. Officers did not observe any fireworks in the area. There was a young child using pop it “noise” makers.
- Missing person – Rp reported his partner was missing. During a search of the area, his partner was located in the camper trailer in the back yard.
- Traffic hazard – Officer responded to the area of 400 Hope Street (Kootenai, Idaho) for a report of a traffic hazard. The caller reported that two trucks were parked across from each other on the roadway and it was difficult to pass in between the two. Upon arriving in the area, I only noticed one vehicle parked along the roadside on the west side of the road.
- Death investigation – Offices were requested to check the welfare of a Kootenai residence. Upon arrival, Officers were able to located the subject deceased inside the house. Nothing suspicious was noted.

Traffic stops

Verbal warnings	3
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Written Warning

	3
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Traffic citations issued

Expired license	1
Stop sign	1

Misdemeanor citations –

DUI	1

Felony



To: Kootenai City Council and Mayor
From: Ronda L. Whittaker, City Clerk
Date: August 2021
RE: Clerk's Report

Website Activity – Continued update of the site. Working on downloading past information that was deleted. Calendar is active. Will keep updated 😊

Building Permit Inquiries – Screening questions about RV Storage. Collecting information from other small cities for next code workshop.

Clean Up Issues – Fall Clean Up – Working on getting a dumpster set.

Working with New Technology – All seems to be working correctly after new router was installed.

Working with Independent Highway District (IHD) – Working with IHD to plan on when to start the drainage re-route project. The Second Street Extension is completed, and the school resource officer and law enforcement have been informed.

Playground Activity – Working with Justin with HMH Engineering. The swing materials are due to be delivered this next Wednesday. Looking for help to unload the materials. Justin is working on getting a forklift borrowed to unload materials but will be out of his office and will not be present.

Records Retention – Working on organizing and refiling the City's Building Permits for easy access.

Parking Lot – New ADA sign has been ordered. Just waiting for delivery. Direction markers have been painted.

State and Local Fiscal Recovery Funds – The City has received the first distribution of \$155,182. I have been working with Ryan on a plan of action. The first report will be due by October 31st.

Working with Ting and Ziplly Broadband Build Ting has been issued a permit to begin building. I am told that they intend to begin this month. We are still waiting on Ziplly trying to get all the required documents together in order to have a complete application from them. They may not build within this City.

Working with City Attorney – The Alternate Code Administrator Contract has been executed and I have instructed Russell to work with the City's Attorney regarding badging and instruction. We have not yet heard from our contact for Northside Fire Department regarding the Impact Fee documents editing.

Elections – As this is an election year, the City has received a Declaration of Candidacy for Seat 3 and two for Seat 1. I have asked the State for additional Ethics, Public Records Law and Open Meeting Law manuals.

ICCTFOA – The Idaho City Clerks, Treasurers and Financial Officers Association will have their conference in Boise this year. I am registered to attend and will be out of the office the week of September 20th.