



City of Kootenai
COUNCIL MEETING
AND COMPREHENSIVE PLAN REVIEW WORKSHOP
MINUTES
DATE: April 5, 2022
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 via telephone, Councilwoman Mjelde – HERE, Councilman Schock – PRESENT, and Councilman Rafferty – HERE.

Staff Present: City Clerk, Ronda L Whittaker, City Planner, Clare Marley, and City Engineer, Ryan Luttmann.

Amendments to the Agenda –None were proposed.

Announcements – None were proposed.

Others Present: City resident, Anna Robertson Chicks, City resident, Julie Washburn, and City resident, Sandra Anderson.

Public Comment – Ms. Chicks stated that the City street that goes to her home on Helena St has been mostly unpassable for the last two years. She advised that she would like the street to be fixed; she did not necessarily want the street to be paved, just fixed to a condition that is passable. She stated that she needed the street to be able to accommodate emergency vehicles is ever needed. She advised that the street has been impassable for over two years now and it is time to do something about it. She stated that she proposes to put some gravel on it as soon as weather permits if the City does not intend to do so. She also stated that the drainage ditches need to be re-ditched. Mayor thanked Ms. Chicks for her comments and advised that Council would take her comments under consideration.

1. Consent Agenda:

Mayor Lewis asked Council for a motion to approve the Consent Agenda.

Councilman Rafferty moved to approve the Consent Agenda, 2nd by Councilwoman Mjelde; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2. Reports:

2.A. Mayor: Mayor stated that she had attended the Urban Area Transportation Plan meeting with Ryan and found it to be very informative.

2.B. City Engineer: Written Report Summary – Attached – Specific topics were discussed:

2.B1 Urban Area Transportation Plan (UATP) – Ryan stated that the Urban area is based on the Census Bureau and includes the cities of Kootenai, Dover, Sandpoint, a portion of Bonner County; Sagle corridor, across the long bridge, and a little bit of the Independent Highway District. He advised that UATP includes biking, walking, and public transportation. He advised that the UATP should be updated every ten years and the last update was in 2008, over ten years. He added that the project is funded through the Local Highway Technical Advisory Committee (LHTAC). He advised that AECOM was selected to preform the UATP and Dave Vacier is the project manager and he brought his team up and attended the Bonner Area Transportation meeting and he was able to meet with each of those groups individually. He advised that these meetings were just strategy meetings, but that here will be opportunities for public outreach.

2.B2 Weight Limits – Ryan advised that weight limits would probably be held for at least 45 days as there is a lot of moisture still pending.

2.B3 Helena Right-of-Way – Ryan stated he had observed evidence of moisture sensitive soils with high moisture content in the unpaved portion of the Helena right-of-way. He advised that it is not an ideal time to place rock during the “mud season”, but the Independent Highway District (IHD) was able to level out some of the rutting earlier in the month. He advised that after soils have returned to normal moisture levels, the City could consider working with IHD to build up this section of the roadway with new material. Council agreed that this was a topic that had been part of the City’s Capital Improvement Plan and should be addressed. Ryan stated that he had run some numbers and it would cost approximately \$20,000 to build up the street to allow for paving once it was feasible to do so. Councilman Sundquist stated that he has been concerned about North Helena for several years and agrees that this is a project that is part of the City’s Capital Improvement Plan and needs to be addressed. He advised that it is a City street and we need not forget about that. He advised that there are at least two additional lots along that street, and it should be developed as a City street. Councilman Sundquist asked if the proposed build up would last until it was feasible to pave. Ryan stated that yes it should hold up for at least a couple of years. Ryan advised that stormwater needed to be considered. He advised that the area should be dug out and built up for good drainage. Councilwoman Mjelde stated that she would like to see a good gravel buildup be conducted along with some ditching this year and then prepare the City’s budget to include paving when it is applicable. Council agreed that this issue should be brought up at the May Council meeting and asked Ryan to come with a plan that would work with IHD.

There was a brief discussion about the pathway along Highway 200 to Railroad Avenue. Councilwoman Mjelde stated that it is not safe as there are users who do not consider that the path crosses McGhee Road to Railroad Avenue and the need to stop before crossing. She stated that there should be some kind of barrier or deterrent to notify users that they need to stop before crossing. Council agreed that this discussion should be on the May agenda.

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

2.C2 Land Use Applications – Clare advised a pre-application meeting had been conducted and an application is pending for a site plan review for a development project in the Downtown zoning district, east of the Lignetics site. She stated that the plan was in compliance with the City’s Zoning and that she would keep Council update as things progress.

2.C3 Bonner County All-Hazards Plan Letter of Intent – Clare advised that Bonner County is updating its All-Hazards Mitigation Plan, which contains analysis of hazards and action plans for the County and its cities. She stated that Bonner County is inviting all its cities to participate in the plan update and advised that the County requests city approval of an authorization and letter of intent to participate in the plan update which would appoint a primary and secondary point of contact and designate the floodplain administrator. She advised that the city of Kootenai does not participate in the national Flood Insurance Program, so there was no need to appoint a floodplain administrator. She asked for a motion to participate and assign primary and secondary contact and authorizing the Mayor to sign the letter of intent. **Councilman Schock moved to approve the city of Kootenai’s participation in the Bonner County All-Hazards Mitigation Plan update, appointing Mayor as the primary contact and the City’s Planner Clare Marley as the secondary contact and authorize the Mayor to sign the letter of intent, 2nd by Councilman Rafferty; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2.C4 Bonner County Requests to Comment – AM004-22 and AM006-22 – Clair explained that the County had notified the City of two proposed amendments to its zoning codes and had invited comment. She summarized each proposed amendment. Council agreed that there would be no need for comment.

2.C5 Area of City Impact – Clare advised that the County was happy with the City’s comments in regard to ZC0003-22 Howard and ZC0002-Miller and were happy that the City had commented on these proposed amendments.

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

2.E. Selkirks-Pend d’Oreille Transit (SPOT) – Mayor Lewis stated SPOT would be looking for a new Director and the current Director was leaving to another position.

2.F. Clerk – Written Report – Attached – No further discussion

3. Discussion/Action Items

3.1 Independent Highway District Memorandum of Understanding – Mayor explained that the MOU had not been updated since 2017 and it was time to do so. She advised that the MOU had not changed. Councilman Rafferty asked if the City was receiving a monthly accounting of the services performed for the City as well as year-to-date totals. Ronda explained that yes, they were included in the statement each month or when their clerk had them completed. She advised that she always had a copy of all payables if he would like to review them. He also asked about IHD services that include cleaning of ditches and culverts. Ronda stated that for the most part if there is a problem area that is identified by the City’s Street Engineer, then a request for services is submitted to IHD. Councilman Rafferty was happy with Ronda’s explanations. **Councilwoman Mjelde moved to approve the MOU and authorize Mayor to sign, 2nd by Councilman Sundquist; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

3.2 Memorandum of Agreement – Spokane Conservation District– Council questioned the entity. Ronda explained that this was the agreement that Council had approved allowing the Department of Lands to offer free tree arborist services and that she thought it wise to keep that option open. Council agreed. **Councilwoman Mjelde moved to approve the Memorandum of Agreement with Spokane Conservation District and authorize Mayor to sign, 2nd by Councilman Rafferty: roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

3.3 Lignetics Debris – Mayor advised that the City had received an update of progress that was proposed in March.

3.4 Budget Workshops and Public Hearing Date – Ronda explained that it was that time again to set workshops and the Public Hearing Date for the City’s 2023 appropriations. Council agreed that the Public Hearing should be set for August 24th to begin at 6:00 p.m. and to schedule a budget workshop for June 15th and July 20th to begin at 6:00 p.m.

3.5 Tree Maintenance Letter – Ronda explained that she had received a draft letter from the City’s legal team advising property owners who have failing trees that either removal or maintenance is needed. Council agreed that the letter was satisfactory but should not name Ronda but to indicate questions or concerns be submitted to the “city clerk”.

Mayor Lewis moved Council into executive session at 7:48 p.m.

Mayor Lewis adjourned the meeting at 8:17 p.m.

Submitted by:

Ronda L. Whittaker/City Clerk

City of Kootenai

Treasurer Report March 2022

Mt. West Money Market	\$	74,270.43	0.05% APY
Mt. West Checking	\$	264,953.15	0.01% APY
Idaho Central Credit Union	\$	398,129.81	1.85%

Total Cash Assets \$ 737,353.39

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	2.52	
	Interest, MW Checking	2.36	
	ICCU CD1	321.69	
	ICCU CD2	297.73	
Total Interest			624.30
Licenses & Permits			
	Business Licenses	50.00	
	Liquor Licenses	0.00	
Total Licenses & Permits			50.00
Planning & Zoning Fees & Permit			
	Building Permits	632.12	
	Subdivision Fees	0.00	
Total Planning & Zoning Fees & Permit			632.12
Property Tax			
	Arrears Property Tax	3,340.12	
	Penalty & Interest	48.11	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
	Circuit Breaker	0.00	
Total Property Tax			3,388.23
Rents			
	City Hall Rental	200.00	
	Post Office Rent	280.00	
Total Rents			480.00
State of Idaho Funds			
	State Liquor Fund	0.00	
	State Revenue Sharing	0.00	
Total State of Idaho Funds			0.00
	Total 01 · GF REV	5,174.65	5,174.65

STREET FUND REVENUE			
Name	Account	Amount	Sub-Totals
02 - SF REV			
Idaho Transportation Dept			
State Highway Users Fund			
	HB312	-	
	Hwy Users Fund	-	
Total State Hwy Users Fund			-
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	34.82	
	Road & Bridge Arrears	2414.71	
	Circuit Breaker M&O	0	
Total Road & Bridge			2,449.53
Stormwater/Encroachment			
	Culvert Encroachment Deposit	0.00	
	Utility Encroachment	0.00	
	Stormwater Management	0.00	
Total Stormwater/Encroachment			0.00
Total Streets			
	Total 02 - SF REV	2,449.53	2,449.53
	Total Income	7,624.18	7,624.18

City of Kootenai
Treasurer Report March 2022

GENERAL FUND EXPENSES			
Name	Account	Amount	Sub-Totals
10 · GF EXP			
Accounting & Audit			
Accountant	Mountain Ledger pre-audit	-	
Total Accounting & Audit			-
Bank Fees		0	0
Building Maintenance			
	Janitorial Service	85.60	
	Security	177.64	
	Custodial Supplies	-	
	Maintenance & Repairs	-	
Total Building Maintenance			263.24
Legal			
	Legal Notices	70.06	
	Attorney	70.00	
	Law Enforcement Contract	-	
Total Legal			140.06
Dues & Membership	ICCTFOA	-	
Dues & Membership	Bonner County Daily Bee	-	
Total Dues & Memberships			-
Insurance			
	ICRMP	-	
Total Insurance			-
Office Expenses			
	City Web Site	117.68	
	Internet Service	194.68	
	Office Supplies	-	
	Postage	-	
	Computer Hardware	394.00	
	Computer Software	-	
	Computer Maintenance/Repair	121.12	
	Mayor's Expense/Holiday Cards	-	
Total Office Expenses			827.48
Park			
	Maintenance	-	
Total Park, Arbor Day & Earth Day			-
Planning & Zoning			
	Building Permits	1,942.56	
	Comp Plan Review	128.00	
	Site Plan Review	239.00	
	Planner	1,205.50	
	Engineer	318.03	
Total Planning & Zoning			3,833.09

GENERAL FUND EXPENSES - Cont.

Name	Account	Amount	Sub-Totals
Training Workshops			
	Meals/ICCTFOA Conference	-	
	Training Expenses/ICCTFOA	-	
	Milage	-	
Total Training Workshops			-
Utilities			
	Electric & Gas	198.13	
	Garbage	12.44	
	Water	47.72	
	Telephone	71.68	
	Sewer	-	
Total Utilities			329.97
Wages & Benefits			
	Clerk/Treasurer	3959.03	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	417.60	
	Retirement Fund - PERSI	636.90	
	Health Insurance	-	
	Health Insurance Employee	-	
6560 · Payroll Expenses	Intuit Payroll	510.00	
Total Wages & Benefits			6,523.53
	Total 10 · GF EXP	11,917.37	11,917.37

City of Kootenai
Treasurer Report March 2022

STREET FUND EXPENSES			
Name	Account	Amount	Sub-Totals
20 - SF EXP			
Ditches			
	Ditch Maintenance	-	
Total Ditches			-
Stormwater			
	Culvert Inspections	212.00	
	Engineer	583.05	
Total Stormwater			795.05
Street Maintenance			
	IWorQ Annual Fee	-	
Asphalt Striping		0	
Street Fund Reserve		0	
Total Street Maintenance			-
Streets			
	Street Engineer	1360.86	
	Utility Encroachment Permits	-	
Total Streets			1,360.86
Utilities, Streets			
	Signal Lights	41.69	
	Street Lights	894.36	
Total Utilities, Streets			936.05
Transportation			
	Bike & Pedestrian Paths	-	
Total Transportation			-
	Total 20 - SF EXP	3,091.96	3,091.96
	Total Expense	15,009.33	15,009.33
	Total Income		7,624.18
Net Income			-7,385.15

MEMO

To: Mayor Lewis and Council Members

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

Date: March 31, 2022

Re: Council Meeting Report for March Engineering Activities

Engineering activities for the month of March included weight limit posting, soils monitoring, and on-going activities associated with the Urban Area Transportation Plan.

Urban Area Transportation Plan

The Urban Area Transportation Team held a goals and visioning workshop with representatives from all of the participating jurisdictions on March 23, 2022. The Mayor and I attended and participated with the group meeting, as well as a Kootenai area meeting with the team on March 24, 2022. The AECOM team will develop a plan for upcoming public outreach to gather feedback from the Kootenai community.

Weight Limits

Weight limit signs were installed at the City limits with green ribbons on March 4, 2022. The ribbons were changed to red on March 7, 2022 to indicate that weight limits are in place. For the last 3 years, the average number of days for weight limits in Kootenai was 45 days. This year weight limits were placed on March 7, 2022 and if historic averages are repeated then weight limits would likely extend to April 21, 2022. It is important to note that weight limits do not end hauling but limit the weight of the load that is distributed onto the road surface to protect the roads from damage during this vulnerable time of year.



Helena Right-of-Way

Evidence of moisture sensitive soils with high moisture content was observed in the unpaved portion of the Helena right-of-way. A property owner that utilizes the roadway notified the City of the poor conditions and the need for additional rock to be placed within the right-of-way. While it is not the ideal time to place rock during the "mud season", IHD was able to level out some of the rutting on March 29, 2022, after the ground had thawed to provide a temporary fix. After soils have returned to normal moisture levels, the City could consider working with IHD to build up this section of the roadway with new material.



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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: March 31, 2022
Re: **Planning update for April 5, 2022, City Council meeting**

Building permit activity: ADVISORY ONLY. The City of Kootenai received two new building permits: a replacement sign for So I Sew in the Dishaw business complex and a demolition permit for a manufactured home on Sprague Street. The total permits for the year is five.

Land Use Applications: ADVISORY ONLY. A pre-application meeting has been conducted and an application is pending for a site plan review for a development project in the Downtown zoning district, east of the Lignetics site. Site plan reviews are required for all new commercial development, per Chapter 4 of Title 8 of Kootenai City Code. The review covers parking, access, building placement, traffic, lighting, signage, landscaping, zoning compliance, utilities, stormwater, fire access and hydrants, and any required mitigation measures. No public hearing is required for site plan reviews for uses that are permitted by right in the applicable zone. The proposed use is anticipated to be a permitted use. Construction of improvements and landscaping are to be included in conditions of building permit approval. The code section requires the city engineer to approve or deny the site plan application. Any appeal of that decision shall be heard by the City Council. As soon as the site plan review application is filed, staff will provide details on the proposed development. This would be the first building permit to be assessed the new fire district impact fees with the building permit. The landowner has been advised of the estimated impact fees.

Bonner County All-Hazards Plan Letter of Intent: ACTION ITEM. Bonner County is updating its All-Hazards Mitigation Plan, which contains analysis of hazards and action plans for the county and its cities. Bonner County is inviting all of its cities to participate in the plan update. The county requests City approval of an authorization and letter of intent to participate in the plan update. Staff has advised the county of Kootenai's interest in addressing industrial hazards, rail and highway spills in the hazard plan update. The county is not seeking any financial contributions for the plan, although any assistance the City provides for the plan update can be counted as "in-kind" services, according to the county. Bonner County intends to hire a contractor for the plan update. The time frame for completion is unknown at this time. (*Pam Brockus, Chief Deputy, Planning & Preparedness Coordinator, email 3/30/22*). The letter of intent requests the city appoint a primary and secondary point of contact and designate the floodplain administrator. Kootenai does not participate in the National Flood Insurance Program, so there is no need to appoint a floodplain administrator.

DRAFT MOTION: I move to approve the City of Kootenai's participation in the Bonner County All-Hazards Mitigation Plan update, appointing Mayor as the primary contact and Clare as the secondary contact and authorizing the mayor to sign the letter of intent.

Bonner County Requests to Comment: ACTION/ADVISORY: The county has notified Kootenai of two proposed amendments to its zoning codes and has invited comment. The following is a summary of these two files. Please advise if the Council wishes to provide any comment regarding these files:

- AM004-22: An application by Linscott/Peak to amend zoning codes to clarify that mining operations within grandfathered and State of Idaho-approved quarries or pits can expand or continue to mine within the boundaries of the subject property as they existed in 2008. The purpose of the proposed amendment is to rectify current county "misinterpretations" of the code that suggest mines cannot continue to extract minerals from approved or grandfathered operations, according to the narrative. The right to continue mining operations is supported by state code, the application states.
- AM006-22: A Bonner County-initiated amendment to zoning codes to add specific standards and a development agreement process for conditional zoning. Idaho Code authorizes cities and counties to adopt conditional zoning standards. Conditional zoning allows the execution of written commitments for specific uses to be allowed as part of a zone change.

Area of City Impact follow-up: ADVISORY ONLY. For the two recent Bonner County land use applications that the City of Kootenai commented on, the Bonner County Planning and Zoning Commission took the following actions:

- ZC003-22 Howard - In the Kootenai ACI, Ag-10 designation. Proposal to change zoning from Ag/Forest-20 to A/F-10 (would conform to Kootenai ACI designation). Located off West Shingle Mill Road.
 - The P&Z was very happy with the City letter as it clearly explained the concerns but also showed that the proposal would be fine for the City if the property were to be annexed.
 - P&Z recommended approval.
- ZC002-22 Miller - In the Kootenai ACI Ag-10 area. Located off Loose Horse Lane north of the City. Proposal to change comp plan and zoning from Ag/Forest-10 to Rural-5. Kootenai commented that the change is not in accord with ACI designation of Ag-10.
 - Project rep talked about the quality of the road that was brought up in the letter stating it was only required at the time of the plat to meet private road standards. She also stated that the property wouldn't probably ever be annexed because of how far the property is from the City;
 - Members of the public brought up that properties within the ACI should be required to conform to the requirements of the ACI, including the designed minimum density of the Ag-10 designation for the ACI.
 - P&Z recommended denial.

To: Kootenai City Council and Mayor
From: Ronda L. Whittaker, City Clerk
Date: March 2022
RE: Clerk's Report



Website Activity – Continued update of the site. Calendar is active. Working on updateing business information. Will keep updated 😊 Addressing fradulant email submissions from the City's website.

Business Licenses – There are 11 outstanding business license renewals. I am in the process of final correspond with them with notice of legal consequences.

City Park – Sprinkler system will be running soon. I have asked our sprinkler service to check the system as it does not seem to be distributing well.

Spring Clean-up – The City offers a dumpster to be located within the City parking lot each Spring. I propose the month of May.

Arbor Day – The City has been awarded the \$300 grant which is subject to trees and supporting scrubs. I felt secure to schedule May 20th.

Nuisance Reports – The City has received several nuisance concerns. This issue should be discussed.

Lignetics – The City has received updated progress reports. The facility has found a new manager 😊 Working with the City's legal team to get a legal opinion in regard to State Statutes and International Fire Codes that regulate retention of sawdust.

Building Security –I have been working with ADT as the Post Office security panel has a panic button that keeps sending notices of trouble. After many attempts of virtual help, we have managed to get a scheduled service to address the problem. Confirming that the Post Office station is confirmed. Service scheduled for the 11th.

Grants for Outside Activity –Sad to inform that the City did not receive the Blue Cross Grant. I will keep striving to find funds to develop the McGhee Park area.

Records Retention – Working on organizing and refiling the City's Building Permits for easy access. I am running out of space to put the City Minutes as we only have two FireKing filing cabinets that provide the protection needed in case of fire. The City is required to keep originals of all minutes, resolutions, ordinances, and other documents FOREVER. City clerks are working with the Association of Idaho Cities and Legislature to revisit this statute in hopes of allowing pdf retention which should be backed up and kept on a cloud service. The City has this back-up services we just need the statute to allow a scanned copy to be kept 😊

Working with City Attorney – Still working on getting some recommendations for alternate code enforcement. I have received no response to my past requests for help with this issue. Mayor suggests we publish a request for proposals.

Office Assistance – The City will need to discuss how to add an additional station to support a deputy clerk. After further evaluation, I feel that the front station could be set up for a station. This would be good as it is the first entrance contact.

Northside Fire District Impact Fee Project – All Building Permit Applications have been updated to state fees subject to submission of the application. Impact Fees will be collected and reported separately for easy reporting and transmittal.

ARPA Reporting – All documents needed to begin reporting have been uploaded. First report will be required by April 31st. Working with City Engineer.