



City of Kootenai
COUNCIL MEETING
MINUTES
DATE: May 3, 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, Councilwoman Mjelde – HERE, Councilman Schock – HERE, and Councilman Rafferty – HERE.

Staff Present: City Clerk, Ronda L Whittaker, City Planner, Clare Marley, and City Engineer, Ryan Luttmann, and Chris Swan, City Alternate Code Administrator.

Amendments to the Agenda –None were proposed.

Announcements – Mayor introduced Mr. Swan and advised Council that he was the City’s new Alternate Code Administrator and the he would be working with the City’s attorney to address code violations that need his assistance.

Others Present: City resident, Anna Robertson Chicks, City resident, Julie Washburn, and City resident, Sandra Anderson, resident Doris Nuss, resident Ben Pyorula, Robert Dressel, City resident, Steven Chamberlain representing Sandpoint Law Enforcement, and Vern Roof and Brad Mitton representing Northside Fire Department.

Public Comment – Brad Mitton advised council that Northside Fire Department will be conducting a fire inspection at the Legnetics site on May 19 and that he had to change the time from 10:00 a.m. to 1:00 p.m. as there were attendees who were flying in. Mr. Roof thanked Council and the City staff for implementing the Northside Fire Department’s impact fees. Mr. Dressel stated that he would like Council to consider additional living units within the City’s residential zoning. He advised that housing availability and pricing in the area is hindering young people from renting or buying housing. He stated he has two 20-year-old sons who are working but have no place to live and he would like to just put a living space above his garage. He advised that he is willing to buy an additional sewer hook up and follow whatever other regulations that are needed to do a project like this on his property, but that the City’s zoning code for residential zoning does not allow him to do this. He advised that he understood that Council would not be able to make that decision at this meeting but suggested that Council consider an amendment to its zoning code at some point.

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: No report was given.

2.B. City Engineer: Written Report Summary – Attached – Ryan summarized his report. Specific topics were further discussed:

2.B4 Helena Right-of-Way – Ryan stated he had estimated that it would cost about \$10,000 to put a good base on the South end of Helena Street. And would cost approximately \$12,000 to pave the area. Council discussed if the street would support snow removal. Ryan stated that the stormwater ditches were adequate to hold excess snow. Councilman Sundquist asked if the Independent Highway District (IHD) would have a plan as to how to plow the area. Ryan mentioned that the project would be supported by IHD and he assumed they would have to back in and plow out since there was no connecting arterial; it dead ends at a property. Council agreed that there are a couple of more lots on the area of that street that will soon be occupied by residents and that it is necessary to at least fortify the area until oil prices decrease enough to pave. Ryan suggested that the project be split into two phases; one for the base project and then another for the paving portion of the project. Councilman Sundquist made a motion to approve phase 1 of the project, 2nd by Councilwoman Mjelde; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2.B5 Children Pedestrian Grant Application – Ryan advised that he had drafted a proposed application to hopefully be awarded some of the funds created by the Senate Bill 1359 distributing \$10 million for funding the Children Pedestrian Safety program. He stated that he was in hopes that the City would be awarded \$250,000 to help support the extension of Second Avenue to support a pedestrian path from N. Main St to Kootenai Elementary. Councilman Sundquist mentioned that Second Avenue is traveled well by pedestrians who basically use the whole street as foot trail, and it would be so much safer if there were a designated pedestrian path. There was discussion about the designing of the path. Ryan advised that the design could be discussed further if the City is awarded the funds. Councilwoman Mjelde made a motion to approve the Children Pedestrian Grant Application and authorize Mayor to sign the Application, 2nd by Councilman Rafferty; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2.C. City Planner: Written Report Summary – Attached – Clair summarized her report. Specific topics were discussed:

2.C2 Land Use Applications – Clare advised that the City’s planning staff has been fielding numerous calls regarding allowances for accessory dwelling units (ADUs) in the various city of Kootenai zones. She mentioned that this has been a topic that Council had considered addressing during the comprehensive plan process, but time did not allow a continued discussion. She advised that Council consider scheduling a zoning code amendment workshop. Council agreed and suggested that a workshop be scheduled for May 25th beginning at 6:00 p.m.

2.D. City of Sandpoint Law Enforcement: - Written Report – Attached. There was

no further discussion.

2.E. Selkirks-Pend d'Oreille Transit (SPOT) – Mayor Lewis stated SPOT is still considering a new Director.

2.F. Clerk – Written Report – Attached – Specific Topics were discussed:

- City Park – Ronda stated that the ADA Swing project had been delayed once again. Council agreed that they wanted to get the project underway and suggested that a bid be obtained to at least get the walkway and pad in so that the Swing could be assembled. Ronda stated that she could put out a request for proposals as soon as she had more information about the dimensions and/or plan needed. Council agreed that this would be a good start.

3. Discussion/Action Items

3.1 Second Quarter Financial Report – Ronda stated that the City was in good order as it had received over 50% of its projected revenues for the general fund and had only expended 17% and that the Street Fund had received almost 50% of its projected revenues and had expended only 9%. **Councilman Sundquist moved to approve the Second Quarter Financial Report and authorize publication of the same, 2nd by Councilman Schock; roll call vote:**

Councilman Sundquist – AYE

Councilwoman Mjelde – AYE

Councilman Rafferty – AYE

Councilman Schock – AYE

3.5 Lignetics Update – Council expressed their concern that the report stated that the screening had been completed. Councilman Sundquist and Councilman Schock stated that there were still large gaps within the screening. Council also expressed their concern that the unusable sawdust that was being bermed up was getting very large and were concerned about access to the site if there were a fire.

Mayor Lewis moved Council into executive session at 8:02 p.m.

Mayor Lewis adjourned the meeting at 8:36 p.m.

Submitted by:

Ronda L. Whittaker/City Clerk

City of Kootenai

Treasurer Report April 2022

Mt. West Money Market	\$	74,272.95	0.04% APY
Mt. West Checking	\$	309,379.20	0.01% APY
Idaho Central Credit Union	\$	398,746.23	1.85%
Park Fund	\$	-	
Total Cash Assets	\$	782,398.38	

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV			
Franchise Fees			
	Avista Corporation	5,199.48	
	Northland Cable Television	0.00	
	Waste Management, Inc	1,857.77	
Total Franchise Fees			7,057.25
Interest			
	Interest, MW Money Market	2.53	
	Interest, MW Checking	2.42	
	Park Fund	0.00	
	ICCU CD1	312.72	
	ICCU CD2	289.43	
Total Interest			607.10
Licenses & Permits	Business Licenses	50.00	50.00
Planning & Zoning Fees & Permit			
	Building Permits	1,618.53	
	Northside Fire Impact Fee Cost Reim	3,066.67	
	Impact Fees	785.00	
	Site Plan Review	200.00	
Total Planning & Zoning Fees & Permit			5,670.20
Property Tax			
	Arrears Property Tax	491.73	
	Penalty & Interest	5.07	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
Total Property Tax			496.80
Rents			
	City Hall Rental	200.00	
	Post Office Rent	280.00	
Total Rents			480.00
State of Idaho Funds			
	State Liquor Fund	9,411.00	
	State Revenue Sharing	21,737.78	
Total State of Idaho Funds			31,148.78
	Total 01 · GF REV	45,510.13	45,510.13

INCOME/STREETS

Name	Account	Amount	Sub-Totals
02 · SF REV			
Idaho Transportation Dept			
	State Highway Users Fund	9,590.58	
	HB312	2,737.58	
Total Idaho Transportation Dept			12,328.16
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	3.63	
	Road & Bridge Arrears	355.42	
Total Road & Bridge			359.05
Road & Streets			
Total Road & Streets			12,687.21
Stormwater/Encroachment			
	Culvert Encroachment Deposit	0.00	
Total Stormwater/Encroachment			0.00
	Total 02 · SF REV	12,687.21	12,687.21
	Total Income	58,197.34	58,197.34

City of Kootenai
Treasurer Report April 2022
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	CostCo	0.00	0.00
Building Maintenance			
	Janitorial Service	75.00	
	Furniture & Fixtures	0.00	
	Custodal Supplies	0.00	
	Building Security	182.07	
Total Building Maintenance			257.07
	Attorney	-1,295.00	
	Legal Notices	173.52	
	Ordinance Codification	1,058.95	
Total Legal			-62.53
Office Expenses			
	Computer Maintenance/Repair	0.00	
	Internet Service	77.18	
	Office Supplies	0.00	
	Other/Easter/Mayor	0.00	
Total Office Expenses			77.18
Park, Arbor Day & Earth Day		0.00	
	Maintenance - Sprinkler System	70.00	
Total Park, Arbor Day & Earth Day			70.00
Planning & Zoning			
	Planner	463.50	
	Subdivision Fees/site plan	170.00	
	Building Permits	237.00	
	Engineer	0.00	
	Comprehensive Plan	-790.50	
	Zoning Map	15.00	
Total Planning & Zoning			95.00

City of Kootenai
Treasurer Report April 2022
EXPENSES/General Fund - cont.

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	150.00	
	Meals	16.70	
	Milage	0.00	
		<hr/>	
Total Training Workshops			166.70
Utilities			
	Electric & Gas	129.39	
	Garbage	12.42	
	Telephone	0.00	
	Water	34.15	
		<hr/>	
Total Utilities			175.96
Wages & Benefits			
	Clerk/Treasurer	3,398.91	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	485.10	
	Retirement Fund - PERSI	570.02	
6560 · Payroll Expenses	Health Insurance	0.00	
	Wages & Benefits	0.00	
	Payroll Expense/Intuit	510.00	
		<hr/>	
Total Wages & Benefits		5,964.03	5,964.03
	Total 10 · GF EXP	6,743.41	6,743.41

City of Kootenai
Treasurer Report April 2022
EXPENSES/Street

Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches	Maintenance	0.00	
Total Ditches			0.00
Stormwater			
	Culvert Inspections	0.00	
	Engineer	0	
Total Stormwater			0.00
Streets			
	Materials	0	
	Engineer	0	
	Capital Improvement Project/KM		
	Signs	-51	
Total Streets			-51.00
Utilities, Streets			
	Signal Lights	38.04	
	Street Lights	894.36	
Total Utilities, Streets			932.40
	Total 20 · SF EXP	881.40	881.40
	Total Expense	7,624.81	7,624.81
 Net Income			 50,572.53

MEMO

To: Mayor Lewis and Council Members

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

Date: April 29, 2022

Re: Council Meeting Report for April Engineering Activities

Engineering activities for the month of April included weight limit soils monitoring, coordination with utility providers, Helena Road maintenance planning, Railroad Avenue bike path review and Child/Pedestrian grant review.

Weight Limits

Weight limits were lifted in the City of Kootenai on April 21, 2022. Weight limits started on March 7, 2021 and remained in effect for 7 weeks this year. Several contractors and service providers that are planning to perform installation of fiber optics within the City of Kootenai have been eagerly waiting for the limits to be removed. The city received its first utility encroachment permit request for 2022 on April 27.

ARPA funds

As part of the American Rescue Plan, The City of Kootenai has received State and Local Fiscal Recovery Funds (SLFRF). Additional information and clarifications have been released on how the funds can be used. Based on the final rule released on January 6, 2022, it appears the city can invest the funds into the community to serve low-income households with projects that promote improved health outcomes and public safety, such as parks and recreational facilities. Projects may include management and/or treatment of stormwater. The opportunity exists to have a workshop to discuss and prioritize a list of projects that meet the available use of funds while providing the greatest benefit to the community.

Helena Road Maintenance

Preliminary plans and estimates have been prepared for the proposed 2022 maintenance improvements for the northern portion of Helena Road. The project proposal will be reviewed with Council at the meeting on May 3.

Children Pedestrian Safety Application

Senate Bill 1359 created \$210 million for funding local transportation projects. The bill provides \$10 million for the Children Pedestrian Safety program. LHTAC will administer this program and eligible projects must be related to maintenance and address safety and mobility. The projects must be completed by late fall/early winter 2023. The City recently applied for this program but the 2nd Avenue widening did not score within the top 8 in the state, which was the cutoff for funding. I have received feedback from LHTAC regarding the scoring of the last application and will be asking Council to consider approving resubmittal of the application at the council meeting on May 3. Applications are due June 8.

Railroad Avenue Bike Path

The City/IHD maintain the multi-use pathway along HWY 200 from McGhee Road to the west end of Railroad Avenue where the path ends and transitions to shared use with the roadway. Two barricades exist at this location to deter driving on the pathway. The barricades had been widened to accommodate plowing and IHD can reduce the width between the barricades. In addition, the pathway used to have several bicycle stop signs along the path from Kootenai through Ponderay that were removed in the past. IHD still has these signs and can reinstall a sign at this location on an existing sign post.



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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: April 28, 2022
Re: **Planning update for May 3, 2022, City Council meeting**

Building permit activity: ADVISORY ONLY. The City of Kootenai received one new building permit for a single-family residence on Sprague Street. This is the first building permit to be assessed the newly adopted Northside Fire District impact fees (\$785/dwelling unit). The total number of building permit applications for the year is six.

Land Use Applications: ADVISORY ONLY. The following land use activity occurred during April:

Kootenai Commerce Center: Rainey Design Group LLC submitted an application for a site plan review for the development of 8 acres east of Lignetics into a "business service operation" and "personal service establishment" commercial complex in the Downtown zoning district accessed off Highway 2. The application for Phase 1 of a three-phase project calls for approximately 48,000 square feet of commercial/service space, divided into 32 separate units containing a small office/kitchen/bathroom area, an indoor warehouse/storage area and a large garage-door entry that would allow a vehicle to park inside. The eventual three phases would include construction of about 84,000 square feet of floor area. City staff met previously with the applicant to review the Downtown district standards. The two intended uses are defined by Kootenai City Code as:



- **BUSINESS SERVICE OPERATION:** An establishment providing services to business establishments on a fee or contract basis, including, but not limited to, advertising services, business equipment and furniture sales or rentals, or protective services. This term includes, but is not limited to, an employment agency, photocopy center, commercial photography studio or mailing service. This term does not include maintenance, repair and office uses, such as accounting, advertising, architectural design, city planning, environmental analysis, insurance, interior design, investment, landscape design, law, management consulting, ordinance research and real estate.
- **PERSONAL SERVICES:** Establishments providing nonmedically related services, including, but not limited to, barber shops, beauty shops, massage therapy, nail salons,

personal trainers, psychic readers, tanning salons and/or tattoo parlors. These uses may also include accessory retail sales of products related to the services provided.

The site plan review is an administrative process covered by Chapter 4 of Title 8 zoning codes. The process will include a review of proposed uses, lot coverage, setbacks, stormwater, grading, highway access, sewer and water provisions, traffic analysis, landscaping, lighting, parking, and other zoning and utility standards. The city engineer will provide a written decision to the applicant once the review is complete. None of the proposed uses requires a special use permit or public hearing. Any appeals of the administrative decision will be considered by the City Council. The future buildings would require building permits.

Planning staff conducted a pre-application meeting for a proposed subdivision of the former Coldwater Creek Campus, now known as the Kootenai Campus. The landowner is considering a division of the existing buildings and one vacant area into a four-lot subdivision. The site is zoned Commercial/Light Industrial. The applicant's representative and staff will be reviewing issues related to the division of the land, including utilities, easements, access, parking requirements, stormwater features, and setbacks to future lot lines. A minor plat is reviewed by planning and engineering staff and affected agencies. A staff report is provided to City Council, who makes the final decision. An application is pending.

Planning staff have been fielding numerous calls regarding allowances for accessory dwelling units (ADUs) in the various city of Kootenai zones. Some of the callers have expressed disappointment that the additional dwelling units cannot be placed on the smaller Kootenai townsite lots due to acreage limitations. Other callers have reported violations of the city code by landowners who have converted garages or other outbuildings into living areas or used RVs for additional living quarters. Staff had prepared a discussion on RVs for a workshop to be coupled with the comprehensive plan review, but the discussion was deferred to another time because completion of the comp plan was imperative. Please advise if Council would like staff to bring the RV discussion and accessory dwelling unit issue to a future workshop.

City of Kootenai April '22 Cases

Total Cases in Kootenai in April 2022: 39

Total Cases Handled By SPD: 33

April '21 Kootenai Cases Handled By SPD: 33

Highlights:

2 - Trespassing

2 - Suspicious

2 – Welfare Check

2 – Missing Person

1 - Sex Offenses

1 - Battery

1 - Burglary

1 – Threats

1 – DUI

1 – Protection Order Violation

1 - Domestic



City of Sandpoint, Idaho
POLICE DEPARTMENT

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

Mayor

Report for March

There were 29 total calls created for the City of Kootenai for the month of March 2022. Of the 29 calls created, 2 calls were created for other agencies responding to Kootenai to assist.

These 2 calls do not fit the billing requirements.

We will be submitting billing for 27 calls for service.

Sandpoint's Calls for service

911 Hang-up	2
Business/Residential Alarm	1
Animal Problem	3
Citizen Assist	1
Civil Dispute	1
Domestic Dispute	3
Disorderly Conduct	1
Previous Incident Follow Up	3
Juvenile Problem	2
Runaway Juvenile	1
Suspicious Person/Circumstance	1
Theft of Property	1
Traffic Hazard	1
VIN Inspection	2
Welfare Check	4

Patrol Highlights

- Animal Problems –
- Theft - Squeak's Mini Storage reported approximately 25-30 gallons of fuel was siphoned out of a U-Haul at 32211 Highway 200.
- Juvenile problem – RP reported two of her sons were in a physical altercation. Upon arrival, Officers spoke with boy sons. Officers explained to them what battery was per Idaho code and the consequences that could come and cleared without incident.
- Family Offense – RP reported her husband, was mad, intoxicated, and throwing "shit" around. Prior to arrival, RP advised the incident was verbal only and requested to cancel the response as her husband had left. Officers responded and met with RP who was given a Lillybrooke pamphlet and her questions were answered about how to handle issues like this in the future.
- Family offense RP called in to Bonner County Dispatch to report her daughter's boyfriend, was destroying the inside of her daughter's bedroom. RP also reported she could hear her daughter screaming. After arriving officers made contact with suspect at the front of the residence. Victim informed them during the course of suspects actions inside the residence, he pushed her down and she struck the dresser in her room, causing her to strike both her elbows to which I noted she had red and purple contusions on the inside of both elbows. Based on the evidence collected and interviews with all parties involved, suspect was arrested for Felony Domestic Battery/I.C. 18-918(2)(a), and Felony Malicious Injury to Property/I.C. 18-7001(2)(a).
- Welfare check - anonymous person requested a welfare check at W First Ave. for dirty living conditions and reports of the children possibly not attending school. Suspect was contacted and was told about the complaint. The report is being sent to Idaho Department of Health & Welfare as the house was messy, however not to the point of being uninhabitable.
- Fight – Officers responded to the area of W. 1st Avenue in Kootenai for a report of a possible fight between several people. Officers contacted a male 15 YOA) and a male 17 YOA. They admitted to being in a physical altercation with several others who had left in a vehicle prior to my arrival.
- Welfare check – RP requested a welfare check on children at the residence due to what he described as possible drug activity. I contacted a male at the residence, identified verbally, who stated everything was fine and declined me entering the residence to check for basic welfare items for the children who lived there. I contacted the RP by phone, who did not articulate any concern for the children's welfare, but stated he believed there to be drug activity at the residence due to consistent vehicle traffic in and out. RP could not give any specific time frame as to when the traffic was more frequent, and agreed to contact dispatch when he determined a specific time frame when officers could complete extra patrol.

Traffic stops

Written Warning –

Registration	1

Traffic citations issued

Stop sign	1

Misdemeanor citations – 0

Felony Charges

- Domestic Battery/I.C. 18-918(2)(a)
- Malicious Injury to Property/I.C. 18-7001(2)(a).



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

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

City Park – Sprinkler system is ready to run when we need it

Spring Clean-up – Bonner County has awarded the City a waiver of fees for a dumpster to be placed in the City's parking lot May 2nd - 29th for our Spring Clean Event.

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.

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 – We have an interest for the alternate code administrator. The City's Attorney has reviewed a couple of concerns and is happy with the applicant.

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. We have two possible applicants to fill a position, but will only accept a full time position and benefits.

Northside Fire District Impact Fee Project – We have received our first building application for a new residence. Impact Fees have been collected and tracked.

ARPA Reporting – I was able to attend a webinar training on how to submit a report for the funds. The site has been simplified and I was able to submit our report. We actually do not have a project to report to date which is fine as we have another couple of years to complete a project.

AIC District Training – I was able to attend the Spring Training. It is always very informative.

Levy Training – I was able to attend the Levey Training. The State is again changing the forms, so the training was successful as far as new legislative changes.

CITY OF KOOTENAI
FY 2022 2nd Quarter Financial Report
January 1, 2022 to March 31, 2022

	BUDGET	Qtr Total	% REV/EXP
General Fund Revenue	\$440,271	\$ 222,859	0.51%
Expenditures	\$440,271	\$ 35,832	0.17%
Street Fund Revenue	\$ 91,200	\$ 39,191	0.43%
Expenditures	\$ 91,200	\$ 8,657	0.09%

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

Ronda L. Whittaker, City Clerk/Treasurer
04-20-22