



City of Kootenai
COUNCIL MEETING
MINUTES
DATE: July 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 by phone conference, Councilwoman Mjelde – HERE, Councilman Schock – HERE, and Councilman Rafferty – HERE.

Staff Present: City Clerk, Ronda L Whittaker, and Stephen Chamberlain of Sandpoint Law Enforcement.

Amendments to the Agenda – None were proposed.

Announcements – None were proposed

Others Present:

Public Comment – None were given

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 Lewis informed Council that she would be attending the upcoming Urban Area Transportation meeting.

2.B. City Engineer: Written Report Summary – Attached – There were no further comments.

2.C. City Planner: Written Report Summary – Attached – There were no further comments

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 had found a new director who will be working with SPOT beginning August 1.

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

- **City Park** – Ronda stated she was waiting for dimensions of the platform that is needed for the swing. Councilman Rafferty that they were just waiting for the paperwork that came with the equipment parts to dry out as the delivery container had retained water.
- **Office Assistance** – Ronda stated that she had posted a job on the Idaho Department of Labor website.

3. Discussion/Action Items

3.1 Lignetics Update – Ronda advised that they had not received an updated inspection report as the Chief Brad Mitton had informed her that it would be coming from higher authority. She advised that Mr. Mitton had advised that Lignetics was using an improper fire code as far as the height of the sawdust pile was concerned. He advised that he had advised Lignetics that the pile should be at 30’ and not at 60’. She also advised that Mr. Mitton had advised that the screening issue was not something that the Fire Department regulated. Council agreed that the screening was inadequate and needed to be addressed. Councilman Sundquist expressed his concern that unusable sawdust pile may sluff into the stormwater drainage swale located at the base of the pile. Council agreed that the City should send a letter expressing their approval of issues that have been addressed and expressing their concern about said issues.

3.2 Park Committee – Councilwoman Mjelde advised Council that the small park area within the Brittany Loop area should be leveled and maybe even sprayed as it is being overgrown by Tansey. She stated that she had addressed all of the graffiti at the City Park and it was ready for sealing and painting. She asked where the McGhee park area was Councilman Schock advised it was at Second Ave and Boise and was pleased that it had been mowed. Councilwoman Mjelde expressed her concern that she was having trouble getting volunteers to join her committee and thought that a website/Facebook post may help. Council agreed.

3.3 – City Employee Agreement Review – Council agreed that the City’s attorney should draft up an employee policy. Councilman Sundquist asked that gender language not be used. Ronda suggested that the policy/agreement should address positions as employee and not use gender related language. Council also agreed that holidays should not be listed, and the City should grant holiday leave in accordance with all federally recognized holidays. There was discussion about when vacation pay should be implemented. Council agreed that the City be lenient as to probation time. Ronda thought that there should be at least a 3-month probation period. Council expressed that there should be enough probation time to ensure that an employee will stay long enough to be awarded the time. Councilwoman Mjelde mentioned that this is a small city and that an employee could come to Council if there became an issue before the probation period and ask for time. Councilman Schock advised that the policy should be drafted along with an individual agreement for each position available. Ronda stated that if the City’s attorney could get a draft policy together it could be reviewed at the next budget workshop under a special meeting agenda. Council agreed.

3.4 – Excess Funds Transfer from General to Money Market – Ronda stated that there were excess funds within the City’s General Fund that were only collecting .01 percent interest. She advised that her research had confirmed that a 60-month CD with the City’s current Credit Union was offering a 1% interest rate. She suggested moving funds into a 60-month CD rather than transferring funds into the City’s money market account that was only

paying out a .04 percent interest rate. Councilman Schock suggested that the City's financial report list the SLFRF funds received from the State separately along with related expenses so that the public can see an actual and easier to track. Ronda stated that she was working with the City's Engineer to see if the funds could be added to a proposed project within the City and that at that time the expenses would indeed be tracked and that there would be a detailed report available. She advised that she could move those funds into the City's money market account and at least get a little better interest rate as the funds were to be used soon.

Councilman Rafferty moved to allow the City's Treasure to move \$150,000 into 60-month CD provided by Idaho Central Credit Union, 2nd by Councilman Schock; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

3.5 Bonner County Historical Society Free Title – Ronda advised Council that the Bonner County Historical Society (BCHS) had filed a complaint requesting free title against the North Idaho Timber and Train Interpretive Center, who had originally deeded the property to the (BCHS) for use for a museum site or something honoring the site as a historical property. She stated that the intent of the original deed was that if the (BCHS) could or did not develop the property then the property be deeded to the City. Council expressed their concern that the intention was that an agreement be recorded with the deed and an executed or recorded agreement was to be attached but there was not executed or recorded agreement to be found. Councilman Sundquist stated that he would like someone be at the hearing to represent the City in order to make it known that that was the original intention for the property and not for the (BCHS) to have free title and sale the property outright. He felt that if they did sell the property, it should be known that that intention was present. He also expressed is concern that (BCHS) really did not own the property outright. Council agreed that the City should not be silent about this issue. Councilman Sundquist reminded Council that (BCHS) had come to the City in 2020 with a presentation and discussion about deeding the property to the City, therefore they did know the original intent. Councilman Rafferty asked the City Clerk to send him a copy of the minutes that included the presentation by the (BCHS) and the discussion about (BCHS) deeding the property to the City. Ronda stated she would make sure all Council had a copy of that information as well as the City's attorney. **Councilman Schock moved to have the City's attorney review the information and provide an opinion as to how the City should proceed, 2nd by Councilwoman Mjelde; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

3.6 – Hot Water Heater in City Hall Bathroom – Ronda advised that the hot water heater had given up. Councilman Schock stated that the heater should be fixed and the area where the unit was set up not was up to code. There was discussion about what options could the original heater be replaced with. Councilwoman Mjelde suggested a small use unit be used. Councilman Schock stated that the small use units would need to be flushed out each year and may not be the best choice. Council agreed that the original unit be replaced. Councilwoman moved to allow the City clerk to get it replaced, 2nd by Councilman Rafferty; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

4. Code Violations

4.1 – Outstanding Violations: Ronda advised Council that outstanding violations had been pending for quite some time. She advised that as instructed she had had the City's Alternate Code Administrator take current pictures of said violations to make sure they still exist. There was discussion about the severity of each outstanding violations. Council agreed that the City had codes and the extreme of a violation did not really matter. Councilwoman Mjelde stated that she knew of several of these outstanding violations and could confirm that these violations had been pending and ignored for several years now and that it was time to start enforcing the City's codes. **Councilwoman Mjelde moved to file complaints on the listed outstanding violations, 2nd by Councilman Sundquist; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

4.2 – New Violations: Ronda stated that the new violations listed had not been notified. Council agreed that the initial violation notice should be signed by Mayor Lewis and then if the violation is not abated, the City should move forward with notifying Council and direction would be given for legal assistance. Councilman Sundquist stated that eventually this will be an administrative procedure; if a violation is not abated then it will move forward to legal counsel.

Mayor Lewis adjourned the meeting at 8:19 p.m.

Submitted by:

Ronda L. Whittaker/City Clerk

City of Kootenai
Treasurer Report June 2022

Mt. West Money Market	\$	74,277.84	0.04% APY	
Mt. West Checking	\$	389,055.93	0.01% APY	
Park	\$	-	0.01% APY	
Idaho Central Credit Union	\$	399,970.61	1.85%	2025
Total Cash Assets	\$	863,304.38		

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
<hr/>			
01 · GF REV			
SLFRF		105,181.99	105,181.99
Franchise Fees			
	Avista Corporation	0.00	
	Northland Cable Television	0.00	
	Waste Management, Inc	0.00	
Total Franchise Fees		0.00	0.00
Interest			
	Interest, MW Money Market	2.44	
	Interest, MW Checking	2.56	
	Park Fund	0.00	
	ICCU CD1	312.72	
	ICCU CD2	289.43	
Total Interest		607.15	607.15
Licenses & Permits	Business Licenses	100.00	
Law Enforcement Fines		0.00	100.00
Planning & Zoning Fees & Permit			
	Building Permits	7,816.38	
	Site Plan Review	0.00	
Total Planning & Zoning Fees & Permit		7,816.38	7,816.38
Property Tax			
	Arrears Property Tax	2,167.77	
	Penalty & Interest	4.06	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
Total Property Tax		2,171.83	2,171.83
Rents			
	City Hall Rental	250.00	
	Post Office Rent	280.00	
Total Rents		530.00	530.00
State of Idaho Funds			
	State Liquor Fund	9,411.00	
	State Revenue Sharing	0.00	
Total State of Idaho Funds		9,411.00	9,411.00
Total 01 · GF REV		125,818.35	125,818.35

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	2.88	
	Road & Bridge Arrears	1,111.03	
Total Road & Bridge			1,113.91
Road & Streets			
Total Road & Streets			1,113.91
Stormwater/Encroachment			
	Utility Encroachment Pmts	400.00	
Total Stormwater/Encroachment			400.00
	Total 02 · SF REV	1,513.91	1,513.91
	Total Income	127,332.26	127,332.26

City of Kootenai
Treasurer Report June 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	ICCTFOA District 1	10.00	10.00
Building Maintenance			
	Janitorial Service	60.00	
	Furniture & Fixtures	0.00	
	Custodal Supplies	0.00	
	Building Security	177.64	
Total Building Maintenance			237.64
Insurance			
	ICRMP	0.00	
	Legal Notices	0.00	
	Law Enforcement Contract	1,304.84	
	Alternate Code Admin	337.23	
Total Legal			1,642.07
Office Expenses			
	Computer Maintenance/Repair	106.13	
	Internet Service	137.06	
	Office Supplies	50.78	
	Other/Easter/Mayor	0.00	
Total Office Expenses			293.97
Park, Arbor Day & Earth Day		0.00	
	Maintenance - Landscaping	1,297.56	
Total Park, Arbor Day & Earth Day			1,297.56
Planning & Zoning			
	Planner	562.00	
	Site Plans	297.50	
	Ordinance Revisions/Comp Plan	0.00	
	Engineer	1,484.12	
	Code Enforcement	0.00	
	Building Permits	5,973.26	
	Zoning Map	37.98	
Total Planning & Zoning			8,354.86

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

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	0.00	
	Meals	26.18	
	Milage	0.00	
Total Training Workshops			26.18
Utilities			
	Electric & Gas	101.04	
	Garbage	0.00	
	Telephone	57.84	
	Water	34.01	
	Sewer	77.76	
Total Utilities			270.65
Wages & Benefits			
	Clerk/Treasurer	3,844.46	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	408.88	
	Retirement Fund - PERSI	623.22	
6560 - Payroll Expenses	Health Insurance	500.00	
	Wages & Benefits	0.00	
	Payroll Expense/Intuit	10.00	
Total Wages & Benefits			6,386.56
	Total 10 - GF EXP	18,519.49	18,519.49

City of Kootenai
Treasurer Report June 2022
EXPENSES/Street

Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches	Maintenance	1,050.00	
Total Ditches			1,050.00
Stormwater			
	Utility Encroachment Pmts	2,650.21	
	Engineer	0	
Total Stormwater			2,650.21
Streets			
	Materials	0	
	Engineer	2,792.00	
	Capital Improvement Project/KM	3,595.14	
	Signs	0	
Total Streets			6,387.14
Utilities, Streets			
	Signal Lights	34.77	
	Street Lights	0.00	
Total Utilities, Streets			34.77
	Total 20 · SF EXP	10,122.12	10,122.12
	Total Expense	28,641.61	28,641.61
Net Income			98,690.65

MEMO

To: Mayor Lewis and Council Members

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

Date: June 24, 2022

Re: Council Meeting Report for June Engineering Activities

Engineering activities for the month of June included coordination with utility providers, City drainage review and coordination with IHD, and SH 200 review comments with ITD.

Ditch Maintenance Review

Following the June City Council Meeting, I reviewed the drainage along the roadways in the City. Standing water was observed along a portion of W 1st Avenue, Sprague Street and Railroad Avenue. I followed up with a meeting with the IHD Road Supervisor to review and discuss maintenance opportunities. A request for services was drafted for IHD to provide ditch maintenance in this area, as best it fits within their summer/fall schedule.





TAP Grant Pathway

On June 14, 2022 I attended and participated in a final design review with the ITD staff. The project review included the safety improvements proposed for widening SH 200 through the City of Kootenai to accommodate a center turn lane and the construction of a multi-use pathway from the Seven Sisters Dr/SH 200 Intersection to Main Street within the ITD/City right-of-way.

The ITD design team will look to flatten the design slope along the pathway to reduce the length of bicycle safety fencing proposed. A future agreement between the City and ITD to adjust the roadside drainage for placement of fill onto City right-of-way may be needed in the future.

Utility Permits

The month of June was busy with the on-going installation of fiber optics by contractors working to expand the TING and Ziplly networks.

ENU 006-021 (TING) – TING's contractor is continuing with installation of underground infrastructure for fiber optics with a good portion of the underground boring work in-place. Repair of the exploratory holes, installation of the fiber optics and utility boxes will continue into July and final cleanup and repairs will likely extend into August. Some residents on the west side of the City have already connected to the TING infrastructure.

ENU 007-021 A, B, C (Zipty) – I performed a partial project walk through with Ridgeline Utilities on June 24, 2022. The contractors working for Zipty have been very responsive and appear to be committed to addressing any concerns I have offered during construction. Most of the underground boring work is complete and the contractors are working to have all of the fiber network spliced and operational by July 1, 2022. The supervisors are reviewing the work and preparing punch-list items for the construction crews to complete for clean. Clean up will continue into the first couple weeks of July.

As a general note regarding the installation of the fiber utilities, the City provided permits for work within the public right-of-way only. The contractors are performing some work within utility easements that are outside of the public right-of-way. For example, the Seven Sisters Subdivision area contains a 10' utility easement adjacent to the public right-of-way. My coordination with the contractors has been where utility crossings have resulted in exploratory holes within the asphalt, etc. If residents have concerns with any repair work outside the public right-of-way, they may need to coordinate with the utility provider or contractor directly.



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

MEMO

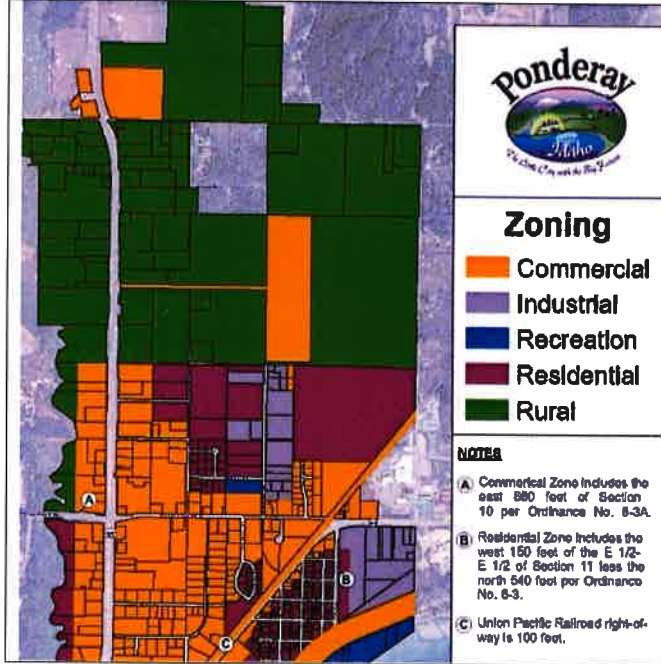
To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: June 28, 2022
Re: **Planning update for July 5, 2022, City Council meeting**

Building permit activity: ADVISORY. The City of Kootenai received one building permit during June for a porch addition to a single-family dwelling on Rebecca's Way. The total number of building permit applications for the year is eight.

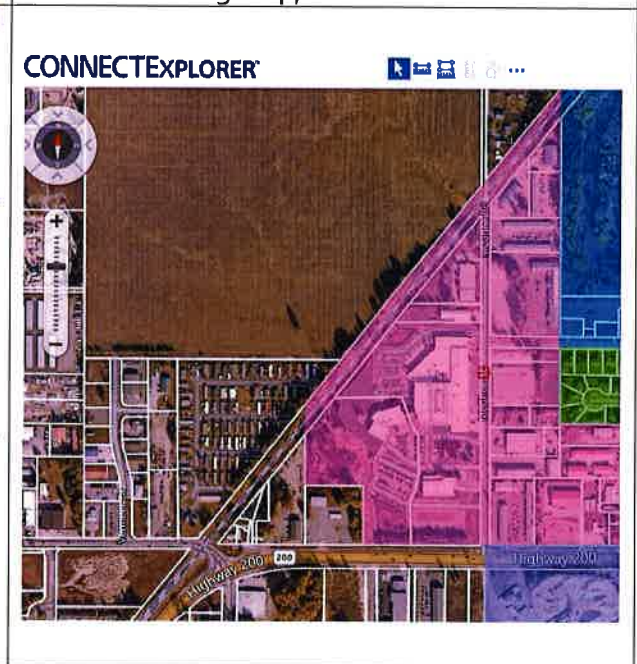
Land Use Application Activity: ADVISORY: City planning and engineering are continuing to review and comment on the proposed Kootenai Commerce Center site plan review for the development on State Highway 2 adjoining Lignetics. Additional information has been requested from the applicant regarding infrastructure, lighting, access, landscaping, stormwater, and other details.

Text Amendment Notice, City of Ponderay: ADVISORY: The City of Ponderay has provided the City of Kootenai with a public hearing notice regarding a citizen request to amend its land use codes to remove the temporary use designation for contractor yards and to allow the contractor's yard by right in the Rural and Industrial districts and by special permit within the Commercial district. The request by Mike Hammack is being considered July 5th by Ponderay City Council, with a recommendation of approval from the Planning and Zoning Commission. This is a courtesy notice, since there is no Area of City Impact agreement between cities. Kootenai city limits is bordered on the west by Ponderay's Commercial, Rural, and Residential zones and could be affected by the text amendment. The Kootenai lands adjoining Ponderay are zoned Commercial/Light Industrial (Coldwater Creek complex, Lighthouse, and commercial uses) and Multi-Family. (See attached maps.) RYA planning staff contacted Ponderay's Planning Director for additional information. KayLeigh Miller advised that: *Ponderay City Code 9-5B-6 (A) and (B) contain screening requirements for all commercial and industrial materials and equipment where they adjoin existing residences or residentially zoned areas. Additionally, the standards prohibit storage within the front yard setback. Ponderay requires site plan review for all uses other than single-family residential. As a result, the applicant will be required to provide a complete site plan, lighting plan, landscape plan, stormwater management plan and signage plan at the time of submission. These will be reviewed by staff and then presented to the Planning Commission for final approval. Conditions are placed at that time to ensure ongoing compliance with the approved plans. Additionally, in some zones a special use permit will also be required, allowing for additional scrutiny.*

Ponderay Zoning Map, east side



Kootenai zoning map, west side





City of Sandpoint, Idaho
POLICE DEPARTMENT

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

Mayor,

Report for May 2022

There were 31 total calls created for the City of Kootenai for the month of April 2022. Of the 31 calls created, 5 calls were created for other agencies responding to Kootenai to assist.

These 5 calls do not fit the billing requirements.

We will be submitting billing for 26 calls for service.

Sandpoint's Calls for service

911 Hang-up	6
Assist Other Agency	1
Business/Residential Alarm	1
Child Neglect	1
Citizen Assist	2
Civil Dispute	2
Custodial Interference	2
Disorderly Conduct	1
Extra Patrol Requests/E-mail	1
Previous Incident Follow Up	1
Information	1
Missing Person	2
Reckless Driving	1
Runaway Juvenile	1
VIN Inspection	2
Welfare Check	1

Calls not billed for

Assist Other Agency	1
Citizen Assist	1
Extra Patrol Requests/E-mail	1
Fire Vehicle	2

Patrol Highlights

- Vagrancy - report of a transient male sleeping. I contacted suspect sleeping under the gazebo on the north side of the building. He claimed he would soon start traveling east towards Montana. He was told to pick up the various items of garbage he had strewn about.
- Civil dispute - Officers responded to an unlawful entry call on Humbird Street. Rp reported she did not get along with either renters and was advised to go through the eviction process as she could not just kick them out. The renters were encouraged to avoid confrontation.
- Obscene conduct – RP report a homeless male masturbating under the picnic table on their property. Rp wanted him to leave. I made contact with the male inside the store who I recognized from prior law enforcement contacts. He was fully clothed and shopping. I asked him to leave the property and he did.
- Civil dispute – Officers responded to Humbird Street to answer questions regards to an eviction notice she was given.
- Extra Patrol – Rp requested extra patrol this coming Friday and Saturday as they were hosting a paid special event with two speakers who were going to speak about social justice, critical race theory, Marxism, and other hot button topics. He stated he didn't know if they would have protesters show up or attempt to disrupt the speakers and wanted us to be aware of the event.
- Welfare check – Offices responded to a report of a female who had passed out in her residence. Upon arrival, officers made entry into the house and was unable to locate the victim. Officers located the owner away from the house.
- Child abuse – Rp reported a female yelling and screaming at her child. Officer searched the area without success and requested video of the incident. case under investigation
- Alarm - Officers responded to an alarm trip on Brittany Loop, on arrival it was determined to an accidental trip and the responsible returned home while were still on scene.
- Disorderly - The reporting party, advised her niece, was slamming doors and yelling at everyone in the house. RP didn't feel she should allow the child to leave with his father. I advised all parties who were not the child's parents that if she wished to leave, she could.
- Run away – Rp called to report that her granddaughter had left the house and not has not returned yet. Rp believed she was going to her friend house. Officers were able to locate the runaway and return her home.

Traffic stops

Written Warning –

Taillights	1
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Traffic citations issued – 0

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Misdemeanor citations - 0

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Felony Charges –0

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



Website Activity – Continued update of the site. Calendar is active. Working on updating business information. Will work on keeping it updated 😊

City Park – Sprinkler system is running. Outside water fountain replacement parts have come in, Mr. Schock has agreed to take a look at it. Landscape yard maintenance is continuing. Kathy does a great job. Thank you to Mr. Schock and Mr. Rafferty for cleaning up the side yard.

ADA Swing – Still waiting for some kind of job description and dimensions so that we can try to get a contractor on board to complete the project. 8x8

Sub-Pump Drainage – Independent Highway will be able to get the rest of the drainage completed here in the next week or so.

Spring Clean-up – Cleanup was a success. This year has been challenging as people have put large metal debris into the dumpster. Waste Management did empty it but stated that if this keeps happening, they will not be able to provide this service.

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

Records Retention – Working on organizing and refileing the City's Building Permits for easy access. I was able to reach out to the Idaho Historical Society and get good contact information and will begin the process of seeking authority to purge acceptable documents.

Working with the City's Engineer and Planner – Keeping up with the fiber build within the City. The City's Engineer, Ryan Luttmann has kept me in the loop and has given me contacts for both projects in case any complaints come in. There have been a few as the season has been wet there are many boring holes that need to be fortified. Screening zoning and building calls and referring to City Planner.

Office Assistance – A deputy clerk position opportunity has been posted with the Idaho Department of Labor.

City Hall – Water Heater is broken in the City Hall bathroom. I have also notified Landmark Baptist Church that we will no longer be able to rent out the City Hall. I mailed the letter out and it was returned, but I did leave a copy of the letter at their check in board and it was retrieved.