



City of Kootenai
**COUNCIL MEETING
MINUTES**
DATE: January 3, 2023
TIME: 6:30 p.m.

Mayor Lewis brought the meeting to order at **6:32 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 Deputy Clerk, and City Attorney Benjamin Allan.

Amendments to the Agenda – None were proposed

Announcements – None were proposed

Others Present: Lieutenant Steven Chamberlain representing Sandpoint Police Department, City resident, Sandra Furlini, City resident, and City resident Julie Washburn.

Public Comment – None were given.

1. **Consent Agenda:**

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

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

Councilman Sundquist – AYE
Councilman Rafferty – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2. **Northland Cable/Vyve – Request for Renewal of Cable Franchise** – Attorney Allan advised Council that there were several different options for the process of a franchise renewal and that these processes were governed by federal law. He stated that because the current franchise agreement with the City was set to expire May 6, 2025, the three year mark began back on May 6, 2022, with the six month deadline for renewal request running up on November 6, 2022. Northland provided their request for renewal just inside of this timeframe and, the specific procedural requirement under the Cable Act will now need to be followed by the City which include the following:

- Within 6 months of receipt of the cable operator’s renewal notice, the City must identify future cable related community needs and interests and review the performance of the cable operator under the franchise. This process requires a public hearing.
- At any point following the completion of the public hearing, the cable operator may submit a renewal proposal on its own initiative or in response to a request for renewal prepared by the City. The franchising authority must provide “prompt public notice” that it has received the renewal proposal from the operator. Based upon the

information provided in the letter from Northland, it appears they are prepared to provide the renewal proposal on their own initiative.

- Within four months of the submission of the cable operator's renewal proposal, the City must either (a) renew the franchise, or (b) issue a preliminary assessment that the franchise should not be renewed. In this four-month period, it is common that a city and cable operator will attempt to resolve their differences to avoid an administrative hearing (which is the next required step).
- If the City preliminarily decides the franchise should not be renewed, the City is required to begin an administrative proceeding to make a formal determination on the facts.

Council agreed that the informal process would be in order and suggested a public hearing be set on the date of the next Council meeting in February. The City Clerk suggested that Attorney Allan draft up the appropriate notice of public hearing. Attorney Allan agreed.

3. Reports:

3.A. Mayor: No report was given

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

3.B3 Snow Removal – Councilman Schock advised that the business located at 2nd and McGhee was pushing their snow to such a height that it is obscuring sight when turning onto McGhee Road. Councilman Sundquist stated that the city of Ponderay is very strict about business snow removal. Council agreed that the business should be notified that they must remove the snow berm. Councilman Rafferty advised that if there is snow that is impeding vision onto Hwy 200 that he should be notified, and he will make sure it is addressed.

3.C. City Planner: Written Report Summary – Attached – There were no further discussions.

3.D City of Sandpoint Law Enforcement – Written Report Summary – Attached – Lieutenant Chamberlain stated that he provided a short report for calls to the City as Corey Coons was on vacation and a narrative was not submitted. There was no further discussion.

3.E. Selkirks-Pend d'Oreille Transit (SPOT) – Mayor Lewis stated that the mountain run is running smoothly

3.F. Clerk – Written Report – Attached. There was no further comment.

3.G. Park Committee – Councilwoman Mjelde stated that there would be no progress at “Maggie’s Park” until this Spring. Julie Washburn advised that the community in the area of 2nd Avenue would like the undeveloped park area to be a basketball court.

3.H Vegetation Management – Specific issues were discussed:

3.H2 Priority Tree Health Removal within City rights-of-ways –Ronda stated that she was finally able to get a return call from a tree removal service and was told that it would cost the City \$1,500 to remove the dead tree for safety reasons, but there was actually a clump of trees that are growing at the same area all grouped together blocking the right-of-way and if they were to remove all of them it would cost the City \$5,000. Council discussed where the

dead tree at 104 Central Avenue was actually located. There was discussion that property owners are responsible for keeping the alleys and swales clear of such trees and/or debris. Ronda stated that it would be a good will act for the City to remove the dead tree that is within the group of trees and then notify the property owners that it is their responsibility to provide a plan to the City to remove the remaining trees. Councilman Sundquist agreed. **Councilman Rafferty moved to have the City remove the dead tree at 104 Central Avenue and notify the property owners that it will be their responsibility to remove the remain trees, 2nd by Councilwoman Mjelde; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

4. Discussion/Action Items

4.1 4th Quarter Financial Report – Ronda stated that the City was in good shape for the quarter. Council agreed. **Councilwoman Mjelde moved to approve the 4th Quarter Financial Report and authorized for the same to be published, 2nd by Councilman Schock; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

4.2 Sandpoint Law Enforcement – Third Amendment to Joint Powers Agreement for Law Enforcement Services. Ronda advised that the City’s budget line for Law Enforcement was able to support the amendment. There was no further discussion. **Councilwoman Mjelde moved to accept the Third Amendment to the Joint Powers Agreement for Law Enforcement Services and authorize Mayor Lewis to sign and submit the same, 2nd by Councilman Rafferty; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

4.3 – SPOT – Joint Powers Agreement (JPA) – Mayor Lewis advised that it was necessary for SPOT to update its JPA every 5 years and reminded Council that the City’s Attorney had reviewed the JPA and found no negative issue or red flags within the Agreement. **Councilwoman Mjelde moved to approve the updated SPOT Joint Powers Agreement and authorize Mayor Lewis to sign and submit the same on behalf to the City of Kootenai, 2nd by Councilman Schock; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

4.4 – New Office Hours – Monday – Thursday – 9:00 a.m. to 5:00 p.m. – Mayor advised Council that she felt that the City was running more efficiently and she felt that the City office could now be open from 9-5 Monday – Thursday. She stated that there was no need for the City offices to be closed to the public now that the City has two employees. Council Agreed. There was no further discussion and there was no need for action on this matter as it did not affect the City’s budget and staff is already present for these hours it is just that the City offices will now be open to the public from 9-5.

4.5 Office Furniture and Fixtures – Proposed approval to purchase additional Council Chamber chairs – Ronda stated that the City had not really provided a budget line for Furniture and Fixtures. Mayor Lewis stated that she wanted to replace the old unsanitary chairs with new chairs. Ronda stated that there would be an additional 7 chairs. Councilman Sundquist asked about how much the chairs would be. Mayor stated that the cost would be about \$160 each. Ronda stated that the price could fluctuate. **Councilman Sundquist moved to approve additional chairs at a maximum of \$200 each and if the price was higher Council must be advised, 2nd by Councilman Rafferty; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

Mayor Lewis adjourned the meeting at 7:27 p.m.
Submitted by:
Ronda L. Whittaker/City Clerk

City of Kootenai

Treasurer Report December 2022

Mt. West Money Market	\$	324,376.46	0.04% APY	
Mt. West Checking	\$	266,028.31	0.01% APY	
Park	\$	-	0.01% APY	
Idaho Central Credit Union	\$	554,116.97	1.85%	2025
Total Cash Assets	\$	1,144,521.74		

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV			
SLFRF			
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	27.55	
	Interest, MW Checking	2.48	
	ICCU CD3	266.47	
	ICCU CD1	326.13	
	ICCU CD2	301.82	
Total Interest		924.45	924.45
Licenses & Permits			
	Business Licenses	500.00	
	Liquor Licenses	0.00	
Total Licenses & Permits		500.00	500.00
Law Enforcement Fines			500.00
Planning & Zoning Fees & Permit			
	Building Permits	864.89	
	Subdivision Fees	5,960.93	
Total Planning & Zoning Fees & Permit		6,825.82	6,825.82
Property Tax			
	Arrears Property Tax	15.10	
	Penalty & Interest	5.61	
	Property Tax Current	287.03	
	Recovered Homeowners Exemption	0.00	
Total Property Tax		307.74	307.74
Rents			
	Post Office Rent	280.00	
Total Rents		280.00	280.00
State of Idaho Funds			
	State Liquor Fund	0.00	
	State Revenue Sharing	0.00	
Total State of Idaho Funds		0.00	0.00
Total 01 · GF REV		8,838.01	8,838.01

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	218.15	
	Road & Bridge P & I	4.05	
	Road & Bridge Arrears	10.92	
Total Road & Bridge		233.12	233.12
Road & Streets			
Second Ave Widening Project			
		0.00	
Total Road & Streets			0.00
Stormwater/Encroachment			
	Utility Encroachment Pmts	0.00	
	Culvert Encroachment Deposits	0.00	
	Stormwater Management	0.00	
Total Stormwater/Encroachment			0.00
Total 02 · SF REV		233.12	233.12
Total Income			9,071.13

City of Kootenai
Treasurer Report December 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 Conference	10.00	10.00
Building Maintenance			
	Janitorial Service	75.00	
	Furniture & Fixtures	38.45	
	Maintenance and Repairs/Snow Removal	412.00	
	Custodal Supplies	61.97	
	Building Security	0.00	
Total Building Maintenance			587.42
Insurance	ICRMP	0.00	
Legal	Attorney	0.00	
	Law Enforcement Contract	0.00	
	Alternate Code Admin	0.00	
	Legal Notices	0.00	
	Ordinance Codification	500.00	
Total Legal			500.00
Office Expenses			
	Computer Maintenance/Repair	0.00	
	Computer Hardware	0.00	
	Computer Software	0.00	
	Internet Service	208.69	
	Office Supplies	0.00	
	Postage	0.00	
	City Web Site	0.00	
	Other/Easter/Mayor	149.36	
Total Office Expenses			358.05
Park, Arbor Day & Earth Day			
	Maintenance - Landscaping	0.00	
	Vegetation Management	0.00	
Total Park, Arbor Day & Earth Day			0.00
Planning & Zoning			
	Planner	435.50	
	Site Plans	0.00	
	Ordinance Revisions/Comp Plan	0.00	
	Engineer	0.00	
	Code Enforcement	0.00	
	Building Permits	136.00	
	Subdivision Costs	127.50	
Total Planning & Zoning			699.00

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

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	0.00	
	Meals	0.00	
	Milage	0.00	
Total Training Workshops			0.00
Utilities			
	Electric & Gas	0.00	
	Garbage	12.42	
	Telephone	0.00	
	Water	24.19	
	Sewer	0.00	
Total Utilities			36.61
Wages & Benefits			
	Clerk/Treasurer	3,462.59	
	Deputy Clerk	2,770.00	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	868.04	
	Retirement Fund - PERSI	848.66	
6560 · Payroll Expenses	Health Insurance	1,904.00	
	Workers Compensation	0.00	
	Payroll Expense/Intuit	30.00	
Total Wages & Benefits		10,883.29	10,883.29
	Total 10 · GF EXP		13,064.37

City of Kootenai
Treasurer Report December 2022

STREET FUND EXPENSES			
Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches			
	Ditch Maintenance	-	
Total Ditches			-
Stormwater			
	Culvert Inspections Engineer	-	
		-	
Total Stormwater			-
Street Maintenance			
Asphalt Striping		0	
Capital Improvement Projects		0	
Total Street Maintenance			-
Streets			
Street Engineer		0	
Utility Encroachment Permits		0	
Total Streets			-
Utilities, Streets			
	Signal Lights	0	
	Street Lights	875.31	
Total Utilities, Streets			875.31
Transportation			
	Walk Bike Alliance	100	
	SPOT	-	
Total Transportation			100.00
	Total 20 · SF EXP	875.31	975.31
	Total Expense		14,039.68
	Total Income		9,071.13
Net Income			-4,968.55

City of Kootenai

Treasurer Report November 2022

Mt. West Money Market	\$	324,348.91	0.04% APY	
Mt. West Checking	\$	283,151.99	0.01% APY	
Park	\$	-	0.01% APY	
Idaho Central Credit Union	\$	553,222.55	1.85%	2025
Total Cash Assets	\$	1,160,723.45		

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV			
SLFRF			
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	26.66	
	Interest, MW Checking	2.53	
	ICCU CD3	0.00	
	ICCU CD1	0.00	
	ICCU CD2	0.00	
Total Interest		29.19	29.19
Licenses & Permits			
	Business Licenses	600.00	
	Liquor Licenses	575.00	
Total Licenses & Permits		1,175.00	1,175.00
Law Enforcement Fines			
Planning & Zoning Fees & Permit			
	Building Permits	0.00	
	Subdivision Fees	-300.00	
Total Planning & Zoning Fees & Permit		-300.00	-300.00
Property Tax			
	Arrears Property Tax	95.25	
	Penalty & Interest	13.62	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
Total Property Tax		108.87	108.87
Rents			
	Post Office Rent	280.00	
Total Rents		280.00	280.00
State of Idaho Funds			
	State Liquor Fund	0.00	
	State Revenue Sharing	0.00	
Total State of Idaho Funds		0.00	0.00
	Total 01 · GF REV	1,293.06	1,293.06

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	9.84	
	Road & Bridge Arrears	68.86	
Total Road & Bridge		78.70	78.70
Road & Streets			
Second Ave Widening Project			
		0.00	
Total Road & Streets			0.00
Stormwater/Encroachment			
	Utility Encroachment Pmts	0.00	
	Culvert Encroachment Deposits	0.00	
	Stormwater Management	0.00	
Total Stormwater/Encroachment			0.00
	Total 02 - SF REV	78.70	78.70
	Total Income		1,371.76

City of Kootenai
Treasurer Report November 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 Conference	0.00	0.00
Building Maintenance			
	Janitorial Service	87.73	
	Furniture & Fixtures	330.62	
	Maintenance and Repairs	0.00	
	Custodal Supplies	0.00	
	Building Security	177.64	
Total Building Maintenance			595.99
Insurance	ICRMP	0.00	
Legal	Attorney	0.00	
	Law Enforcement Contract	0.00	
	Alternate Code Admin	0.00	
	Legal Notices	0.00	
Total Legal			0.00
Office Expenses			
	Computer Maintenance/Repair	386.47	
	Computer Hardware	0.00	
	Computer Software	0.00	
	Internet Service	131.94	
	Office Supplies	0.00	
	Postage	168.00	
	City Web Site	240.00	
	Other/Easter/Mayor	57.81	
Total Office Expenses			984.22
Park, Arbor Day & Earth Day			
	Maintenance - Landscaping	0.00	
	Vegetation Management	0.00	
Total Park, Arbor Day & Earth Day			0.00
Planning & Zoning			
	Planner	827.50	
	Site Plans	-766.00	
	Ordinance Revisions/Comp Plan	0.00	
	Engineer	-4,293.38	
	Code Enforcement	191.00	
	Building Permits	3,641.38	
	Subdivision Costs	348.50	
Total Planning & Zoning			-51.00

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

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	0.00	
	Meals	0.00	
	Milage	0.00	
Total Training Workshops			0.00
Utilities			
	Electric & Gas	209.55	
	Garbage	0.00	
	Telephone	0.00	
	Water	17.90	
	Sewer	80.10	
Total Utilities			307.55
Wages & Benefits			
	Clerk/Treasurer	3,755.35	
	Deputy Clerk	2,950.00	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	935.86	
	Retirement Fund - PERSI	905.11	
6560 · Payroll Expenses	Health Insurance	1,604.00	
	Workers Compensation	0.00	
	Payroll Expense/Intuit	0.00	
Total Wages & Benefits		11,150.32	11,150.32
	Total 10 · GF EXP		12,987.08

City of Kootenai
Treasurer Report November 2022

STREET FUND EXPENSES			
Name	Account	Amount	Sub-Totals
20 - SF EXP			
Ditches			
	Ditch Maintenance	-	
Total Ditches			-
Stormwater			
	Culvert Inspections Engineer	- -	
Total Stormwater			-
Street Maintenance			
Asphalt Striping		0	
Capital Improvement Projects		0	
Total Street Maintenance			-
Streets			
Street Engineer		0	
Utility Encroachment Permits		0	
Total Streets			-
Utilities, Streets			
	Signal Lights	0	
	Street Lights	875.31	
Total Utilities, Streets			875.31
Transportation			
	SPOT	-	
Total Transportation			-
	Total 20 - SF EXP	875.31	875.31
	Total Expense		13,862.39
	Total Income		2,664.82
Net Income			-11,197.57

MEMO

To: Mayor Lewis and Council Members

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

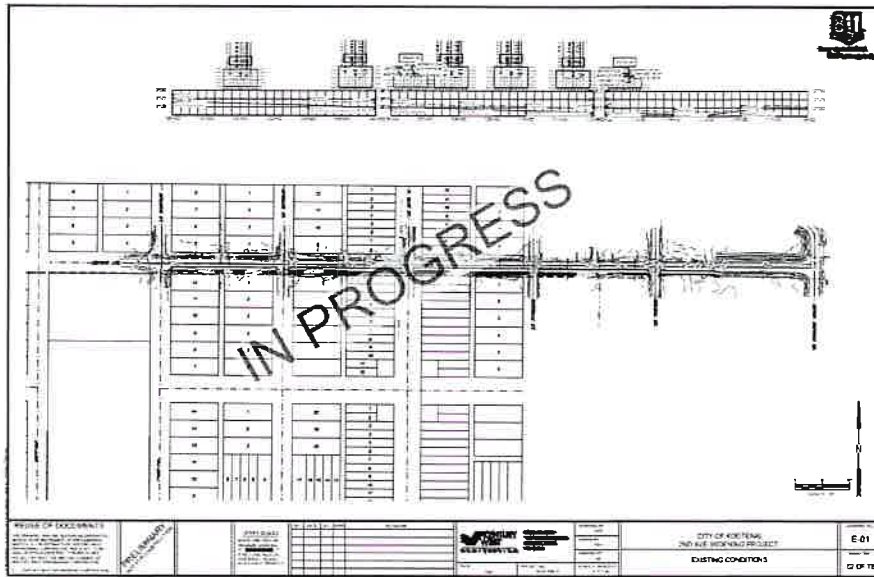
Date: December 21, 2022

Re: Council Meeting Report for December Engineering Activities

Engineering activities performed during the month of December, include:

Children Pedestrian Safety Grant

Preliminary drawings have started, in accordance with the grant application. The typical section for widening 2nd Avenue is consistent with the grant application which includes a minimum 5' of additional width to provide a pedestrian lane between Kootenai Elementary and the Seven Sisters Development. Adjustments to the stormwater conveyance system within the existing right-of-way are needed to accommodate the widening.



SH-200 Safety Project and Pedestrian Pathway

I met with the ITD project manager and ITD design engineer in Coeur d'Alene to review the current design drawings and the slope limits for the proposed pathway along SH-200. ITD will be adjusting the fill slope to a 3:1 slope and modifying drainage. The new backslopes for the drainage along the highway will extend beyond the ITD right-of-way. The additional area that is needed to accommodate the new back slopes is within public land, that belongs to the City or ITD. It appears to be land that was originally platted with the City when SH-200 may have been in a different location. The surveyor that is working on the project indicated to ITD that the City may own the land. The ITD staff will likely draft a MOU for City consideration to accommodate the construction of the new back slopes for the conveyance ditch. I anticipate this agreement will be presented to the City in 2023.



Snow Removal

Snow removal operations in the City of Kootenai are performed by the Independent Highway District. There have been a couple cars or trailers that have been parked in a manner that has caused some challenges for snow removal this year. If a trailer or vehicle is parked upon any of the streets within the city that impairs the ability of the street to be plowed of snow, the Independent Highway District Road Supervisor will supply the license plate number to the City Clerk and the Clerk will send the information to the appropriate contact with the Sandpoint Police Department. Parking Regulations during snow removal can be reviewed at City Code 6-3-4. Snow removal does not always occur during a storm event, sometimes the crews are cleaning up the snow floor or widening the streets between storm events.





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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: December 22, 2022
Re: **Planning update for January 3, 2023, City Council meeting**

Building permit activity: ADVISORY. The City of Kootenai received one new building permit in December for a concrete pedestrian bridge for the Cedar Hills Church on McGhee Road. The total building permit applications for the year is 16. For comparison, the City received 11 permit applications in 2021; 10 in 2020; 23 in 2019; and 23 in 2018. The last two years of this list were the build-out years of Seven Sisters Subdivision.

Land Use Application Activity: ADVISORY: No new land use permits were submitted in December. Staff is still awaiting sewer and water service information for the proposed Kootenai Campus short plat, and Kootenai Commerce Center site plan review remains on hold pending receipt of fees so that work on the development agreement draft can begin.

2023 Planning Projects: Planning staff has drafted amendment language for four topics reviewed by the City Council at workshops during 2022. These are: **cell tower standards update; accessory dwelling units; RV parking/occupancy; and Downtown zoning district clarifications.** Early in 2023, staff will provide the Council with an ordinance draft for review/discussion. In order to enact changes to the land use law, the City Council would eventually need to initiate the ordinance amendments at a regular Council meeting to give city staff the authority to begin advertising for the required public hearing. Please advise whether the Council would like to set a workshop to review the draft amendments.

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



Website Activity –Mandy is continuing to update business information and calendaring on the site.

City Permitting Applications – Mandy is doing a wonderful job with all City permit applications. AS usual it is a struggle to get many of the businesses within the City to renew their business license. She is doing a great job notifying and we are continuing to move away from hard copy notices to email contacts 😊

Records Retention – I am still working on a retention schedule. Both Mandy and I are getting the City's retained records organized.

Working with the City's Engineer and Planner – Keeping a close watch on a couple of projects. Screening calls related to stormwater issues as this year's weather is causing yard and basement flooding.

City Hall – The City Hall seems to be getting smaller and smaller. Mayor has suggested that we work on getting rid of the uncomfortable conference chairs and replacing them with matching chairs.

City Finances – The City's Auditor was able to collect all the information need for an audit and is in the process of completing the 2022 audit.

City Clerk/Treasurer – So happy to have beat my COVID journey. We had a couple of hick-ups with some of the tasks that I tried to tutor our Deputy Clerk on, but I think I have everything ironed out and am ready for the year end and new year reports and tax forms.

Procedure Manual – I am working with Mandy to create a procedure manual for Clerk/Deputy/Treasurer duties and tasks.

City of Kootenai December '22 Cases

Preliminary numbers for the City of Kootenai

Total Cases Handled in December 2022 by SPD: 29

Last year December cases: 25

Highlights:

9: 911 Hangups

3: Welfare Checks

3: Citizen Assists

3: Parking Issues

1: Drugs

1: Threats

1: Structure Fire

10 citations were issued in December in Kootenai

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



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