



City of Kootenai
**COUNCIL MEETING
MINUTES**

DATE: May 2, 2023

TIME: 6:30 p.m.

Mayor Lewis brought the meeting to order at 6:31 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 – PRESENT.

Staff Present: City Clerk, Ronda L Whittaker, City Deputy Clerk, City Planner Clare Marley, and City Attorney Britany Jacobs.

Amendments to the Agenda –None were proposed.

Announcements – None were proposed.

Others Present: City resident Julie Washburn.

Public Comment – None were given.

1. Consent Agenda:

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

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

Councilman Sundquist – AYE

Councilman Rafferty – AYE

Councilwoman Mjelde – AYE

Councilman Schock – AYE

2. Reports:

2.A. Mayor:

2.A1 Stop Sign on Second and Humbird – Mayor advised Council that the City had received several concerns from the Humbird Street community that there is an issue with speeding and pedestrian safety at the intersection of Second Avenue and Humbird Street. She suggested that the City seek an opinion from its Street Engineer, Ryan Luttmann before making any decisions pertaining to additional stop signs within the City. Resident Julie Washburn asked to speak. Mayor allowed her involvement. Julie stated that she had almost been hit several times due to speeding on Humbird Street and felt that there was much children pedestrians in the area and she was very concerned about their safety. Council discussed a past survey for potential stop signs within the City and confirmed that the last stop sign was put at the intersection of N. Main Street and Second and agreed that the City’s Street Engineer should provide his opinion. Ronda advised that Council could approve the stop sign be provided once the City’s Street Engineer had studied the situation and approved the additional stop sign. **Councilwoman Mjelde moved to have a 4-way stop sign put at the**

intersection if the City's Street Engineer approved, 2nd by Councilman Rafferty; roll call vote:

**Councilman Sundquist – AYE
Councilman Rafferty– AYE**

**Councilwoman Mjelde – AYE
Councilman Schock – AYE**

2.A2 Post Office Ramp – Mayor advised that the ramp coming into the City's Post Office was in dire need of repair. Council discussed the need for repair vs. a complete fix and how it would affect the entrance. Council agreed that a repair would be needed immediately and would not affect the entrance for too long. **Councilman Rafferty moved to have the Clerk arrange to have the area repaired as soon as possible, 2nd by Councilman Schock; roll call vote:**

**Councilman Sundquist – AYE
Councilman Rafferty– AYE**

**Councilwoman Mjelde – AYE
Councilman Schock – AYE**

2.B. City Engineer: Written Report Summary – Attached – Ronda advised Council that Ryan was not present due to knee surgery, but she was told that Ryan would be at the next Council meeting with more concrete information. There was no further discussion.

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

2.C4 Code updates regarding cell towers, accessory living units, RV occupancy and storage and Downtown zoning district – Clare confirmed the final editing of the draft ordinance that had been discussed during the April 17th code review workshop.

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

2.E. Selkirks-Pend d'Oreille Transit (SPOT) – Mayor Lewis reported that SPOT was busy doing repairs to buses and that they were working on providing a few more stops.

2.F. Clerk – Written Report – Attached. There was no further discussion.

2.G. Park Committee – Councilwoman Mjelde advised that her committee had reviewed two bids and had chosen a bid and design created by Highcraft Landscape and Sprinkler, LLC. She advised that the proposal for grading the area, placing several boulders for sitting and whatnot, creating a galvanized steel rolled top, decorative crushed stone over a weed barrier fabric, move existing concrete bench and anchor in a new spot, seed the area with grow-low drought tolerant natural seed blend, and install 1 hardy, drought tolerant ornamental tree. Mayor Lewis asked about the grow low seeding. Councilwoman Mjelde explained that it was a ground cover that would only grow to about two to three inches and there would be no need for mowing. There was discussion about the need to spray the area before or after the grading. It was determined that the area be sprayed before grading since there would be a weed barrier fabric placed. Councilwoman Mjelde stated she would speak to Highcraft first to seek their opinion and then suggested the Clerk to instruct the City's landscape service to spray the area. Ronda stated that the Spokane Conservation District/Idaho Department of Lands would donate two trees. Councilwoman Mjelde asked Ronda to see what type and what size the donated trees would be. Councilman Sundquist confirmed the name of the park. He advised that Council had named the park Maggie's Park

and the name should be kept. Council agreed. **Councilman Sundquist moved to accept the proposed bid from Highcraft Landscape and Sprinkler, LLC, 2nd by Councilman Rafferty; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

Councilwoman Mjelde then suggested that Mayor Lewis contact Litehouse Dressing to see if they would be interested in putting in a half court and then naming the park at Boise and Second Avenue, Litehouse Park. Mayor Lewis advised that she would be happy to speak with them.

2.G2 Spokane Conservation District/Idaho Dept of Lands Tree Donation – It was previously discussed to accept the donation contingent on size and type of tree.

3. Discussion/Action Items:

3.1 2nd Quarter Financial Report – Ronda advised that the City’s Revenues were under the 50% mark as the City had not yet received the quarter revenue sharing and street funds yet. She stated that the City’s Expenses had not exceeded the 50% mark and expressed her satisfaction that the City was doing well financially. She mentioned that the third quarter would look different as funds would be coming in and projects would begin. **did not exceed Councilwoman Mjelde moved to approve the 2nd Quarter Financial Report and authorize publication of the same, 2nd by Councilman Sundquist; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

3.2 Resolution #96 – A resolution authorizing destruction of residential building permits and applications - Ronda advised that Council had approved a records retention schedule and that residential building permits and applications were considered temporary records and could be purged after two years. She stated that the certificates of occupancy and any pertinent information would be kept permanently. Councilman Schock asked if the resolution should be more detailed. Ronda stated that the resolution was detailed naming residential building permits and applications prior to September 30, 2017. Councilman Schock stated he thought the resolution should be more specific. Ronda stated that there were hundreds of files and that there was no need to name them all. The City’s Attorney, Britney Jacobs confirmed that the Resolution was specific and in good order. Councilwoman Mjelde mentioned that once a building had been issued a certificate of occupancy there was no more need for the application or permit. Councilman Sundquist confirmed that all Council decisions pertaining specific projects would be kept permanently. Ronda confirmed that all pertinent information would be scanned and kept permanently. **Councilwoman Mjelde moved to adopt Resolution 96, 2nd by Councilman Sundquist; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – NAY

3.3 – Code Enforcement:

- **100 Humbird Street Outside Storage Violation** – Ronda stated that the City had sent a violation notice to the property owners of said property and had received no response nor had the area been abated of outside storage or excessive parking. The

City's Attorney Britney Jacobs advised that her firm had requested the City's Alternate Code Administrator to take current pictures and suggested that the City would not be able to use Title 8 to address this issue but suggested the City use its General Nuisances Title 4 to address this issue. Council agreed. Britney asked Ronda to send her all past concerns related to said property to make sure the any correspondence and/or complaint sent from the City's legal team address all violations and/or concerns. She also suggested that once all information is received, the City could decide if they wish to proceed with civil or criminal actions. Britney also suggested that the City's parking code be reviewed as she was not sure that the amount of parking could be addressed.

- **403 Kootenai St – Martin Property – Home Occupation Violation** – Ronda advised that the City had received a complaint that there was a chainsaw art business being conducted at 403 Kootenai Street that was disturbing the neighboring community as outside chainsaw art was being performed day and night and on weekends. Britany advised that her office had filed a complaint against this property for all the outside storage on the property and that the Court finally provided a Court date. Britney stated that because the occupant was conducting business outside of the residence the City's Code Title 8 could not be used but again Title 4 General Nuisances could be used in this instance. Councilman Sundquist stated that he was happy to see the outside storage was finally being addressed. Britney suggested that the City's Alternate Code Administrator get some pictures and confirm that a business is being conducted at the location. Ronda advised that the City's Deputy Clerk had obtained information that a local artist had mentioned to her that her son was creating chainsaw art at a location in the city of Kootenai.
- **201 E Central Avenue** – Councilman Sundquist expressed his concern about the property owner keeping roosters which are disturbing the neighboring community. Ronda advised that she has sent a violation notice to the property owners in the past and had received no response. Councilman Sundquist asked that another letter be sent with an advisement that the issue will be handed over to the City's Legal Team if there was no compliance.

Mayor Lewis adjourned the meeting at 8:06 p.m.

Submitted by:

Ronda L. Whittaker/City Clerk

City of Kootenai

Treasurer Report April 2023

Mt. West Money Market	\$	324,580.46	0.3% APY
Mt. West Checking	\$	348,821.71	0.05% APY
Idaho Central Credit Union	\$	555,659.03	1.85%
Park Fund	\$	-	
Total Cash Assets	\$	1,229,061.20	

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV			
Franchise Fees			
	Avista Corporation	5,380.83	
	Northland Cable Television	0.00	
	Waste Management, Inc	0.00	
Total Franchise Fees			5,380.83
Interest			
	Interest, MW Money Market	7.62	
	Interest, MW Checking	62.23	
	ICCU CD1	327.64	
	ICCU CD2	303.24	
	ICCU CD3	267.87	
Total Interest			968.60
Licenses & Permits			
	Business Licenses	50.00	
	Dog Licenses	10.00	
Planning & Zoning Fees & Permit			60.00
	Building Permits	5,816.53	
	Impact Fees	785.00	
	Site Plan Review	0.00	
Total Planning & Zoning Fees & Permit			6,601.53
Property Tax			
	Arrears Property Tax	567.84	
	Penalty & Interest	40.52	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
Total Property Tax			608.36
Rents			
	City Hall Rental	0.00	
	Post Office Rent	280.00	
Total Rents			280.00
State of Idaho Funds			
	State Liquor Fund	8,722.00	
	State Revenue Sharing	22,968.31	
Total State of Idaho Funds			31,690.31
	Total 01 · GF REV	45,589.63	45,589.63

INCOME/STREETS

Name	Account	Amount	Sub-Totals
02 · SF REV			
Idaho Transportation Dept			
	State Highway Users Fund	9,368.72	
	HB312	2,599.72	
Total Idaho Transportation Dept			11,968.44
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	29.57	
	Road & Bridge Arrears	424.11	
Total Road & Bridge			453.68
Road & Streets			
Total Road & Streets			12,422.12
Stormwater/Encroachment			
	Culvert Encroachment Deposit	550.00	
Total Stormwater/Encroachment			550.00
Total 02 · SF REV		12,972.12	12,972.12
Total Income		58,561.75	58,561.75

City of Kootenai
Treasurer Report April 2023
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	
	Maintenance & Repairs/Air Filters	254.85	
	Custodal Supplies	0.00	
	Building Security	177.64	
Total Building Maintenance			507.49
	Attorney	0.00	
	Legal Notices	0.00	
	Ordinance Codification	0.00	
	Law Enforcement Contract	2,107.72	
	Alternate Code Administrator	152.50	
Total Legal			2,260.22
Office Expenses			
	Computer Maintenance/Repair	150.96	
	Computer Software	549.00	
	Internet Service	131.94	
	Office Supplies	140.70	
	Other/Easter/Mayor	51.64	
	Manuals & Publications	265.02	
	Flag	62.54	
Total Office Expenses			1,351.80
Park, Arbor Day & Earth Day		0.00	
	Maintenance	179.20	
Total Park, Arbor Day & Earth Day			179.20
Planning & Zoning			
	Planner	1,161.00	
	Subdivision Fees/site plan	14.50	
	Building Permits	2,477.86	
	Engineer	0.00	
	Comprehensive Plan	0.00	
	Zoning Map	0.00	
Total Planning & Zoning			3,653.36

City of Kootenai
Treasurer Report April 2023
EXPENSES/General Fund - cont.

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	0.00	
	Meals	0.00	
	Milage	116.10	
Total Training Workshops			116.10
Utilities			
	Electric & Gas	190.66	
	Garbage	0.00	
	Telephone	71.25	
	Water	23.15	
Total Utilities			285.06
Wages & Benefits			
	Clerk/Treasurer	3,551.67	
	Deputy Clerk	2,790.00	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	561.63	
	Retirement Fund - PERSI	861.69	
6560 · Payroll Expenses	Health Insurance	1,704.00	
	Payroll Expense/Intuit	30.00	
Total Wages & Benefits			10,498.99
	Total 10 · GF EXP	18,852.22	18,852.22

City of Kootenai
Treasurer Report April 2023
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	0	
Total Streets			0.00
Utilities, Streets			
	Signal Lights	39.33	
	Street Lights	0.00	
Total Utilities, Streets			39.33
	Total 20 · SF EXP	39.33	39.33
	Total Expense	18,891.55	18,891.55

Net Income

39,670.20

MEMO

To: Mayor Lewis and Council Members
From: Ryan Luttmann, P.E., Contract City Engineer
Date: April 27, 2023
Re: Council Meeting Report for April Engineering Activities

Engineering activities performed during the month of April, include:

Children Pedestrian Safety Grant

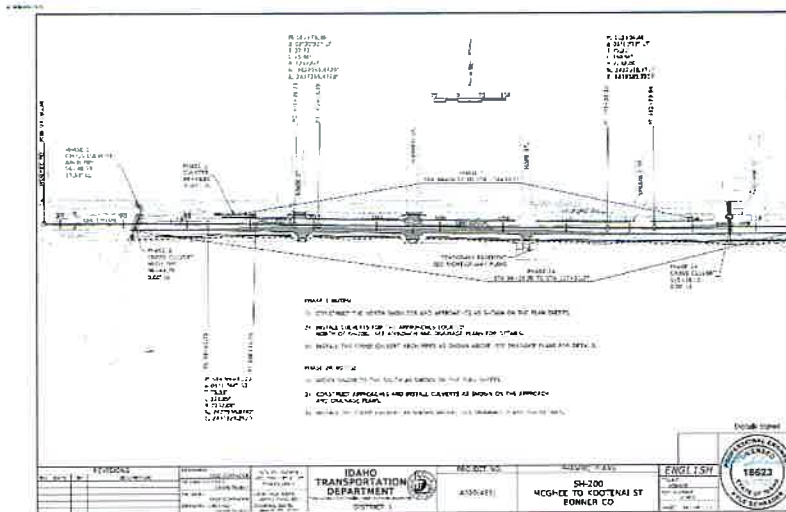
I contacted Amanda Lamott with LHTAC to discuss the feasibility of moving construction to 2024. Amanda confirmed this would be acceptable and this proposal would not be the first that LHTAC has received for this program.

It appears that additional funding is planned for future Children Pedestrian Safety opportunities. The City of Kootenai ranked #1 during the last round of project awards and LHTAC was able to fund 45 of the 79 applications. If additional funds are provided for this program and LHTAC continues to award more of the projects on the previously ranked list, then delaying construction until 2024 will not reduce the City's opportunity for additional funding (since the City already received \$250,000). If LHTAC opens the program for funding, the City would be eligible to apply for additional funds.

SH-200 Safety Improvements and TAP Grant

Kyle Schrader, PE with the Idaho Transportation Department has completed the plans for the SH-200 project and the multi-modal connection from Seven Sisters to Main Street. Construction of both projects is scheduled for 2024.

I have reached out to ITD to see if they would be interested in presenting the project to City Council at a future meeting.





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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: April 27, 2023
Re: **Planning update for May 2, 2023, City Council meeting**

Building permit activity: ADVISORY. The City received two new building permit applications during April for a single-family residence addition on McGhee Court and an internal remodel to the Regeneration Calvary Chapel at 130 McGhee (former Coldwater Creek building). The total number of permits for the year is five.

Land Use Application Activity: ADVISORY: No new land use permits have been submitted yet for 2023.

Land Use Files: Kootenai Commerce Center Site Plan Review ADVISORY: The City has received updated plans and information for the proposed commercial project adjoining Lignetics on Highway 200. The contract staff is continuing to work with the landowner's representative to review the latest information and obtain requested updates. A development agreement is being drafted for eventual review by the city attorney and City Council.

Kootenai Campus Subdivision: The project surveyor has advised staff that he is still awaiting a will-serve water letter from the City of Sandpoint and Idaho Department of Environmental/Panhandle Health District approvals for the utility provisions for the complex formerly known as Coldwater Creek.

Code Update: City contract planning staff is completing the revisions to the draft code amendments following the April 17th City Council workshop. The draft will be forwarded to the City under separate cover. A summary of the proposed amendments and revisions are as follows:

Topic	Details	Comment
Definitions	Accessory Living Unit amendment	Adds also known as accessory dwelling unit (ADU), moves standards to Chapter 14. Adds latest Idaho Code definition of ADU.
Definitions	Antenna	Adds a definition consistent with latest wireless/cell tower definition for antenna.
Definitions	Business Service Operation	Update allows office uses like accounting or real estate but prohibits vehicle and large machinery repairs but allows repairs to such things as cameras, sewing machines, bikes, etc.
Definitions	Communication Facility, Wireless	Updates with current industry definition.
Definitions	Attached/Detached	Provides definition needed for ALU/ADU sections
Definitions	RVs	Updates w/ state code definitions and suggestions from Council for commercial office or boat used for living quarters.
Accessory Units	Living Zoning District Changes to show as permitted and special permitted.	Allows by right (no hearing) an ALU on lots that meet minimum lot sizes. May be attached or

To: Kootenai City Council and Mayor
From: Ronda L. Whittaker, City Clerk
Date: April 2023
RE: Clerk's Report



Website Activity –Mandy continues her task of keeping the City’s website updated with business information and calendaring.

Business License – Mandy is monitoring all Licensing Permit Applications. We continue to have new businesses within the City who have not submitted a business and/or sign permit applications. We are working together to keep up on this issue. Mayor has suggested that chronic violators; there are 11 (businesses who refuse to submit a business license) should be referred to our legal team who should send a strict notice of violation. The City’s Code includes penalties for violation for not updating or submitting a business license.

Records Retention – I have worked with our legal team to draft a resolution to purge specific documents that only need to be kept for 5 years and have been doing some house cleaning in anticipation of the adoption of said resolution. I will bring a separate resolution addressing business licenses as discussed in the last meeting in May.

Working with the City’s Engineer and Planner – Continued watch on several projects within the City.

Deputy Clerk – Mandy continues to work on a procedure manual, and creating indexes for City minutes, resolutions, and ordinances. She is continuing to attend to City permit applications and questions concerning application procedures, etc. She is now in the process of working with me on City budget worksheets.

City Hall Improvements – Mayor has advised that the on/off ramp into the post office is in need of repair. The old, dilapidated storage shed on City property was vandalized. We were able to get a good copy of the incidence and reported the damage to City Law Enforcement. I would suggest that Council recommend demolishing the building as it is dilapidated and of no real use.

City Code Violations – Violation notices have been sent out and received regarding storage of unsightly debris and RV occupation.

Training – Mandy and I were able to attend a webinar presented by ICRMP regarding weed abatement. I found the information very informative and will be citing state code when advising of weed abatement needs. The State of Idaho realizes that weeds over one (1) foot in height are a fire hazard. Mandy and I attended a mental health seminar presented by our health insurance agency. Mental health is becoming more and more of an issue with economics within the United States and it is important that City Staff learn to recognize potential concerns in house and with disgruntled clients. We also attended States the Levy Training this month in preparation for the upcoming budgeting process.

CITY OF KOOTENAI
FY 2023 2nd Quarter Financial Report
January 1, 2023 to March 31, 2023

	BUDGET	Qtr Total	% REV/EXP
General Fund Revenue	\$553,951	\$ 92,358	.17%
Expenditures	\$553,951	\$ 60,989	.11%
Street Fund Revenue	\$ 143,990	\$ 44,929	.31%
Expenditures	\$ 143,991	\$ 13,860	.10%

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

Ronda L. Whittaker, City Clerk/Treasurer
04/27/23