



City of Kootenai
**COUNCIL MEETING
MINUTES**
DATE: October 3, 2023
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 – NOT PRESENT – Councilman Sundquist had informed the City Clerk that he would not be present, Councilwoman Mjelde – HERE, Councilman Schock – HERE, and Councilman Rafferty – HERE.

Staff Present: City Clerk, Ronda L Whittaker, City Deputy Clerk, Mandy Corbett, City Engineer, Ryan Luttmann, Assistant City Planner, Tessa Vogel, and Assistant City Planner, Samuel Stringer.

Amendments to the Agenda – No Amendments were requested.

Announcements – No announcements were requested.

Others Present: City resident, Stephen Ferris, City resident, Sandra Furline, 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 Rafferty moved to approve the Consent Agenda, 2nd by Councilman Schock; roll call vote:

Councilman Sundquist – NOT PRESENT
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2. Reports:

2.A. Mayor: Mayor reported that she had attended the Bonner County Planning and Zoning Commission’s Public Hearing regarding the proposed Providence Subdivision, she advised that the City Planner would have some information within her report. She also advised that she had attended the BCATT meeting and found it to be very informative. She then went on to explain that she had received a draft layout of a new City Hall building and asked that Council approve the invoice related to the services. There was discussion from Council addressing their concern that there were not specifications or narrative related to the draft proposal. The advised that they would like to see community involvement and that no further services should be completed until approved by Council. The City’s Treasurer, Ronda, stated that the City did have a budget for architectural services and suggested that Council consider having a workshop specifically for the topic of the possibility of having a new or updated City Hall and discussing what they wanted and to talk about how the City would fund

a project like this. She advised that she had spoken to a financial representative about speaking with the City about funding opportunities and how to go about the process. Council agreed that a workshop would be in order and scheduled a workshop to be held on October 19th at 6:00 p.m.

2.B. City Engineer: Written Report Summary – Attached – Specific Topics were addressed:

2.B1 2nd Avenue Widening Design – Ryan advised that there were two alternatives for the widening project. He advised that the first option would be to begin on the south side of 2nd Avenue and then cross over at Helena Street to the north side of 2nd Avenue at that intersection and connect to the Seven Sisters pedestrian path. The second would be to stay on the south side of 2nd Avenue and then cross over midway from Helena Street. He advised that there would be a few trees either way that would need to be removed, and the City would work with property owners once a design was approved. Councilman Schock stated he was uncomfortable putting a crossing midway over 2nd Avenue. He expressed his concern that there was fast moving traffic on 2nd Avenue and a crosswalk just does not slow traffic down. Council discussed maybe RRFP lighting. After further discussion, Council agreed with the crossing at the intersection of 2nd Avenue and Helena to connect to the Seven Sisters pedestrian path.

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

2.C3 Area of City Impact, Bonner County ZC0006-23 – Tessa Vogel advised Council that the proposed zone change was requested for a rezone from Ag/Forestry-20 to Ag/Forestry-10, totaling 40 acres within the City’s Area of City Impact. She advised that the access would be provided at Firestone Lane which originates from North Kootenai Road and would be a 24-foot-wide gravel county road and if approved the applicants have stated that a private road would be extended from Firestone Lane. She stated that the re-zoning would be in compliance with the City’s comprehensive plan. She also advised that there were wetlands to be considered. Council expressed their concern that once again the County has not considered that there is only one way in and one way out of this area that will be subdivided and agreed that a comment should be sent about the width of the access and egress/ingress.

2.C4 Area of City Impact, Bonner County SS0003-21, Whiskey Jack – Phase 1– Tessa advised that the City was never noticed the City of this Subdivision project and that now the applicant was asking the City to sign off on the final plat. She stated that although the project was in compliance with the City’s comprehensive plan, there were concerns that the City had no opportunity to comment before this stage of the project. She advised that there were no open space/green belts proposed, all roads to be used by the proposed subdivision connect back to Whiskey Jack Road which has a single exit and entry onto Hwy 200. Therefore, emergency vehicle could be delayed and quick exit from the area in case of an emergency is limited due to one narrow way out, but that the City had been informed by the County Transportation Team that they are working on a second access point for Whiskey Jack Road. She advised that the Whiskey Jack railroad crossing is often blocked for up to 25 minutes by long trains and train issues. An increase in density could cause further delays for emergency vehicles due to traffic congestion. She also advised that Bonner County Road & Bridge noted their concerns over continued development that relies on Whiskey Jack Road for access in regard to emergencies. She also advised that the final plat for the project makes no note of the City’s “approval,” as requested by the City on previous plats. Council discussed Tessa’s concerns and agreed that the City send a comment of her proposed concerns and to be

very firm on the issue with the congestion this project will create along with the impact on the City's elementary school.

2.E. Selkirks-Pend d'Oreille Transit (SPOT) – Mayor Lewis reported that SPOT is waiting for new buses to get ready for their winter runs. Councilwoman Mjelde asked if they intended to get new drivers. Mayor stated that there was no need as they have plenty of seasoned drivers at hand.

2.F. Clerk – Written Report – There was no comment.

2.G. Park Committee – Councilwoman Mjelde stated that Maggie's Park had received a new tree and that she and Julie Washburn had abated the Tansey around the park. She asked Mayor if she had contacted Litehouse about funding the 2nd Avenue Park. Mayor stated that scheduling was in the works.

4. Adjournment – Mayor adjourned the meeting at 8:03 p.m.

Submitted by:

Ronda L. Whittaker/City Clerk

City of Kootenai

Treasurer Report September 2023

Mt. West Money Market	\$	325,119.71	0.04% APY	
Mt. West Checking	\$	258,529.22	0.01% APY	
Idaho Central Credit Union	\$	559,183.57	1.85%	
Reserved	\$	(460,363.98)		210,363.98 250,000.00
Total Cash Assets	\$	682,468.52	SLFRF	State Grant

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV	Election Fee		40.00
Franchise Fees			
	Avista Corportation	0.00	
	Vyve	0.00	
	Waste Management, Inc	0.00	
Total Franchise Fees			40.00
Interest			
	Interest, MW Money Market	110.41	
	Interest, MW Checking	13.34	
	ICCU CD3	261.91	
	ICCU CD1	319.97	
	ICCU CD2	296.14	
Total Interest			1,001.77
Licenses & Permits			
	Business Licenses	50.00	
	Dog Licenses	0.00	
Planning & Zoning Fees & Permit			50.00
	Building Permits	270.83	
	Sign Permits	0.00	
	Site Plan Review	0.00	
	Subdivision Fee	0.00	
	Engineering	0.00	
	Northside Fire Dept/Impact Fee	0.00	
Total Planning & Zoning Fees & Permit			270.83
Property Tax			
	Arrears Property Tax	545.30	
	Penalty & Interest	50.38	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
	Sales Tax - Inventory Phase Out	0.00	
Total Property Tax			595.68
Total Rents	Post Office Rent	280.00	280.00
	State Revenue Sharing	0.00	
	Liquor Fund	0.00	
Total State of Idaho Funds			0.00
Total 01 · GF REV		2,238.28	2,238.28

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	38.45	
	Road & Bridge Arrears	414.63	
	Cercuit Breaker M&O	0.00	
	Sales Tax Phase Out	0.00	
Total Road & Bridge			453.08
Stormwater/Encroachment			
	Culvert Encroachment Pmts	550.00	
	Utility Encroachment Pmts	400.00	
Total Stormwater/Encroachment			950.00
	Total 02 - SF REV	1,403.08	1,403.08
	Total Income	3,641.36	3,641.36

City of Kootenai
Treasurer Report September 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		0.00	0.00
Building Maintenance			
	Janitorial Service	75.00	
	Maintenance and Repairs	0.00	
	Custodal Supplies	186.04	
	Building Security	177.64	
Total Building Maintenance			438.68
Insurance	ICRMP	0.00	
	Attorney	892.50	
	Alternate Code Enforcement	379.00	
	Law Enforcement Contract	0.00	
	Legal Notices	0.00	
	Ordinance Codification	0.00	
Total Legal			1,271.50
Office Expenses			
	Computer Maintenance/Repair	108.96	
	Internet Service	141.00	
	Office Supplies	5.64	
	Other/Easter/Mayor	0.00	
	Postage	0.00	
Total Office Expenses			255.60
Park, Arbor Day & Earth Day			
	Maintenance - Landscaping	1,075.00	
	Material, Trees & Shrubs	0.00	
Total Park, Arbor Day & Earth Day			1,075.00
Planning & Zoning			
	Planner	1,153.00	
	Site Plans	0.00	
	Special Use Pmts - ADUs	493.00	
	Engineer	0.00	
	Ordinance Revisions	0.00	
	Building Permits	146.50	
	Code Enforcement	68.00	
Total Planning & Zoning			1,860.50

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

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	498.33	
	Meals	240.00	
	Milage	269.42	
Total Training Workshops			1,007.75
Utilities			
	Electric & Gas	105.47	
	Garbage	0.00	
	Telephone	0.00	
	Water	177.42	
	Sewer	0.00	
Total Utilities			282.89
Wages & Benefits			
	Clerk/Treasurer	10,055.37	
	Deputy Clerk	1,760.00	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	1,049.22	
	Retirement Fund - PERSI	1,519.42	
6560 · Payroll Expenses	Health Insurance	1,704.00	
	Wages & Benefits	0.00	
	Payroll Expense/Intuit	930.00	
	Workmans Comp	0.00	
Total Wages & Benefits			18,018.01
	Total 10 · GF EXP		24,209.93

City of Kootenai
Treasurer Report September 2023
EXPENSES/Street

Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches	Maintenance	150.00	
Total Ditches			150.00
Stormwater			
	Culvert Inspections	0.00	
	Engineer	0	
Total Stormwater			0.00
Streets			
	Materials	0	
	Engineer	0	
	Reserve Street Expense	0.00	
	Signs	0	
Total Streets			0.00
Utilities, Streets			
	Signal Lights	40.35	
	Street Lights	971.50	
Total Utilities, Streets			1,011.85
	Total 20 · SF EXP	1,161.85	1,161.85
	Total Expense		25,371.78
 Net Income			 -21,730.42

MEMO

To: Mayor Lewis and Council Members

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

Date: September 25, 2023

Re: Council Meeting Report for September Engineering Activities

Engineering activities performed during the month of September, include:

Idaho Strategic Initiatives Grant Program

The grant application was submitted to ITD for consideration and scoring. Results of the scoring are planned to be presented to the ITD Board for approval on October 18, 2023. There is \$50 million for this grant program that is available throughout the state for the local jurisdictions (outside of the municipal areas). The City of Kootenai's grant application was for \$1,700,000. In District 1, a total of 16 local grant applications were submitted, totaling \$26,000,000. The total amount requested throughout the state was around \$120,000,000. There is a lot of competition for these funds, and we should know more later this month.

2nd Avenue Widening (ACTION ITEM)

Design has resumed on the 2nd Avenue widening project. Two alternatives have been reviewed for the widening of 2nd Avenue for the portion of the project that is east of Main Street. The alternatives will be reviewed with Council at the meeting on October 3, 2023 for consideration and direction.

Encroachment and Utility Permits

Action was performed on the following permits:

- ENC 114 Rebecca Way – A permit for a culvert extension and widening of the driveway was finalized.
- ENC Providence – A permit for a culvert installation for a fire apparatus road was issued.
- ENU-005-023 – A permit to install a 12" water main stub to the right-of-way line on Seven Sisters Drive was issued with conditions.

An emergency water leak was repaired by the City of Sandpoint. The leak was observed along Main Street.



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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner & Tessa Vogel, Assistant Planner
Date: September 27, 2023
Re: **Planning update for October 3, 2023, City Council meeting**

Building permit activity: ADVISORY. The City received one building permit application for a porch addition to a single-family dwelling on Brittany Loop. The total for the year, as of September, is 16 permits.

Land Use Application Activity: ADVISORY/ACTION: DIRECTION TO STAFF: The special use permit application for an accessory living unit/ADU on the corner of Spokane Street and Second Avenue has been routed to agencies for comment. The file is ready to be scheduled to public hearing before the City Council. The next available date, allowing time for legal notices, is November 7th. Please advise staff if Council can accommodate this hearing during the regular November meeting. This is a "quasi-judicial" public hearing process, meaning all evidence used in making a decision must be on the record. No site visits or discussion by the decision makers regarding the project can occur outside the public hearing process. Please let planning staff know if you have any questions regarding procedures.

Area of City Impact Review: ADVISORY/ACTIONS ITEMS

Bonner County File ZC0006-23, Zone Change Request: A request for agency comment was received from Bonner County regarding a requested zone change in the Area of City Impact (ACI). The applicants are requesting a rezone from Ag/Forestry-20 to Ag/Forestry-10. Bonner County requests any comments be submitted by **October 31, 2023**, for the Zoning Commission public hearing on **November 16, 2023**. A review of the request conducted by City Planning Staff is as follows:

- **Applicant:** Laura & Arnie Rains
- **Summary:** The applicants have requested a zone change from Ag/Forestry-20 to Ag/Forestry-10 on two parcels, RP58No1W326350A and RP58No1W326750A, totaling 40 acres within the City's ACI. The proposal would allow the minimum density to be reduced from 20 acres to the 10 acres. Access is provided via Firestone Lane, a 24-foot-wide gravel county road. If approved and the land is subdivided, the applicants state that a private road would be extended from Firestone Lane. Firestone Lane originates from North Kootenai Road.



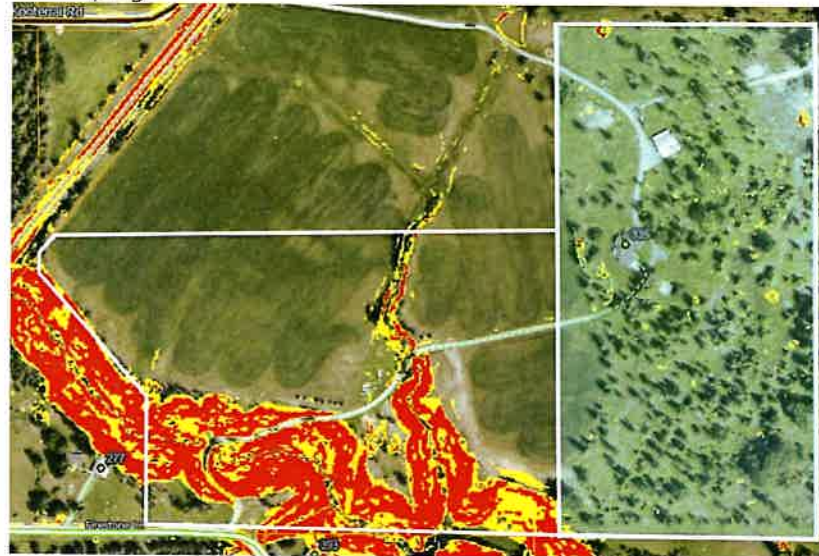
Subject Parcels

- **Compliance with Comp Plan:**
 - The City of Kootenai's comprehensive plan map designates this as Forest/Farmland/Residential (AG-10), per the updated Comprehensive Plan Map of March 30, 2022.
 - The Forest/Farmland/Residential (AG-10) designation states, *The uses in this designation include rural-residential one- and two-family homesite development, small ranches, agricultural and forestry production, opportunities for on-site sales of agricultural products, and through special use permits certain community facilities such as schools, churches, daycares, and parks. The general lot sizes are 10 acres and larger.*
 - The proposal would allow for a lot size minimum of 10 acres.
- **Concerns/Comments:**
 - The proposal would allow for a density minimum of 10 acres, which would be in compliance with the City's comprehensive plan designation of Forest/Farmland/Residential (AG-10) if the parcels are divided.
 - Firestone Lane is only a 24-foot-wide, gravel county road. With an increase in density on the road, it would be beneficial to increase its width and improve the travel surface. Since this is not a conditional rezone request, the request for road widening would come during the subdivision application process.
 - The application states that if the proposal is approved and a future land division occurs, a private access road will be extended from Firestone Lane for the future lots.
 - The proposal does not show any preliminary design for future land division configurations (none are required for a rezone).
 - The proposal states that the properties are/will be served by individual septic systems and Oden Water District or individual wells.
 - Mapped Freshwater Forested/Shrub and Freshwater Emergent wetlands are present on site (see map below) along with an intermittent stream within the same boundary as the Freshwater Forested/Shrub wetlands. Care should be taken to ensure development is not encroaching into these areas.



Mapped Wetlands per the NWI Map

- There are slopes in excess of 30% grades onsite. Care should be taken when developing in these areas.

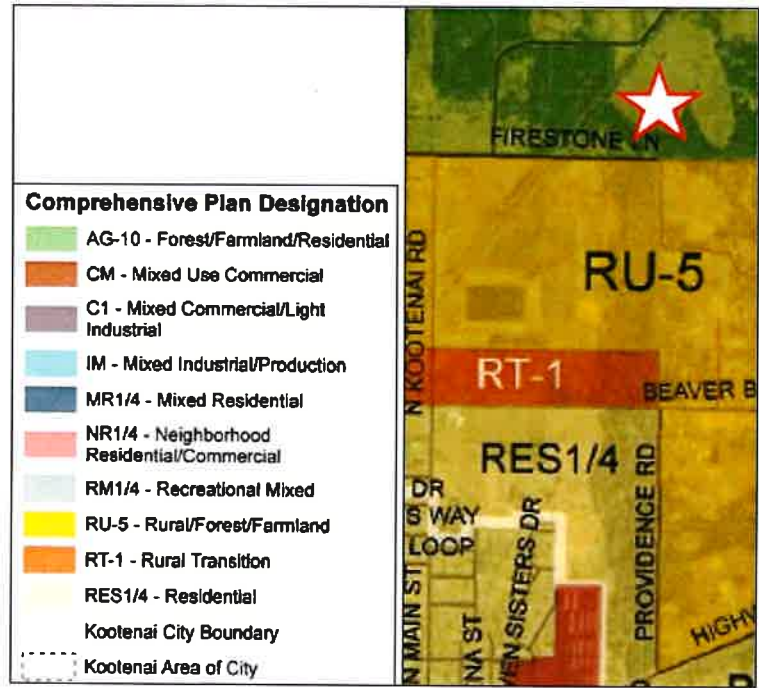


Mapped Slopes

Yellow = 15%-30% grades

Red = Grades greater than 30%

- **City Review of Bonner County Files in the ACI:** Kootenai City Code §8-3D-6 requires any request for development within the ACI be referred to the City Council for review and comment. The City has 40 days to provide comment to Bonner County. Potential impacts to the City should be evaluated, and may include effects of noise, traffic congestion, impact to the existing roads and environmental features like wetlands, and access to the sites by emergency vehicles on North Kootenai Road and Firestone Lane. A map of the Kootenai comprehensive plan map designation for this land within the ACI is copied below. **Please advise if the Council wishes to provide comments on this project.**



ACI Map and Designations

Bonner County File SS0003-21, Whiskey Jack – Phase I: This project for a 10-lot subdivision on Whiskey Jack Road was already approved by Bonner County in 2021, but apparently never was provided to the City of Kootenai for ACI comment. The project surveyor presented the draft final plat to the City for signatures and advised that the County did not route the application to Kootenai for ACI review. Kootenai City Code requires the City Council review subdivision applications within the ACI prior to authorizing signatures on the plat. The ACI certificate states the project has been reviewed for impact to the city but does not indicate city “approval.” An analysis of the project conducted by City Planning Staff is as follows:

- **Applicant:** Mort Construction, Inc. (landowner); Tricore Investments, LLC (applicant)
- **Summary of Proposal:** The applicant requested preliminary plat approval for a short plat to replat Lot 1 of Whiskey Jack Estates, a 4.24-acre lot, into 10 residential lots ranging from 12,480sf (0.29 acres) to 18,405sf (0.42 acres). The property has critical wildlife habitat as Boyer Slough hosts waterfowl, bald eagles, and osprey. The proposed development will be served by Whiskey Jack Circle and Malibu Way, both 60-foot-wide public rights-of-way. Belmont Lane, a private, 60-foot-wide road, will provide access as well at the end of the cul-de-sac of Malibu Way. The sites will be served by the Kootenai-Ponderay Sewer District, Oden Water Association, Inc., North Side Fire District, and Avista Utilities.
- **Compliance with Comp Plan:**
 - The City comprehensive plan map designates this as Recreational Mixed (RM_{1/4}) per the updated Comprehensive Plan Map signed March 30, 2022.
 - The Recreational Mixed (RM_{1/4}) designation states, *This map designation is established for areas where waterfront access, existing private resorts, trails, or other land and development features provide an opportunity for a mix of housing and commercial uses related to recreational activities. Use of conservation development designs and dedication of open space/green belts to protect sensitive environmental features and reduce infrastructure costs are encouraged. The anticipated uses in this map designation include single-family housing, community facilities, and public parks. Through special use permits, resort/recreational facilities*

and limited commercial uses associated with recreational ventures could be permitted. Lot sizes may vary from ¼-acre to 1-acre.

- The application states that the 10 lots are proposed to be for residential uses, including single-family housing
- Lots will range between 0.29 acres to 0.42 acres
- **Concerns/Comments:**
 - The proposed lot sizes are greater than the minimum ¼-acre size allowed in the RM_{1/4} designation. If annexed into the City, the lots would conform to the lot size minimum for the RM_{1/4} designation.
 - No open space/green belts are proposed.
 - Whiskey Jack Circle and Malibu Way are both 60-foot-wide public rights-of-way with Malibu Way ending in a cul-de-sac that connects Belmont Lane, a 60-foot-wide private road.
 - Belmont Lane, Malibu Way, and Whiskey Jack Circle all give access to Whiskey Jack – Phase II (file SS0004-21), which is adjacent to Whiskey Jack – Phase I. The City Planning Staff have no record of Bonner County sending notice for SS0004-21.
 - All roads to be used by the proposed subdivision connect back to Whiskey Jack Road, which currently has a single exit and entry onto Highway 2. Emergency vehicles could be delayed and quick exit from the area in case of an emergency is limited due to one, narrow way out. (The City has been advised by the county at Bonner County Transportation Team meetings that they are working on a second access point for Whiskey Jack Road. No specific timeline has been given.)
 - The Whiskey Jack railroad crossing is often blocked for up to 25 minutes by long trains and train issues. An increase in density could cause further delays for emergency vehicles due to traffic congestion.
 - Bonner County Road & Bridge noted their concerns over continued development that relies on Whiskey Jack Road for access in regards to emergencies.
- **ACI Certificate on Final Plat:** The language for the ACI certificate makes no note of the City's "approval," as requested by the City on previous plats. The language states, "*I hereby certify that this plat was reviewed for potential impact to the City of Kootenai*" and includes the signatures for the City's Mayor and Clerk.
- **City Review of Bonner County Applications in the ACI:** Kootenai City Code §8-3D-6 requires any request for development within the ACI be referred to the City Council for review and comment. The City has 40 days to provide comments to Bonner County. The county comment period ended **September 07, 2021**, and the file has been approved. Potential impacts to the City should be evaluated, and may include effects of noise, traffic congestion, impact to the pathways, and access to the site by emergency vehicles on Whiskey Jack Road. A map of the Kootenai comprehensive plan map designation for this land is copied below and a copy of the draft final plat submitted to the City on September 26, 2023, is attached with this report. **Please advise if the Council wishes to extend the review of the project through the allowed 40 days or would like to authorize the signature on the final plat at this City Council meeting, October 3, 2023.**



ACI Map and Designations

Bonner County File S0002-23, Providence Subdivision: The Bonner County Board of Commissioners will have heard the file on October 2, 2023, to make a decision to approve, deny or table to a future hearing. Planning Staff will update the Council following the hearing.

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



City Clerk/Treasurer Position – The City has received two applications. Mayor will be interviewing during the month of October; we hope to receive additional applications. Mayor will bring her recommendations to Council in November. I propose a December start date December for training with a proposed appointment in February. Mandy continues to work on a procedural manual, which is a live document that will be very beneficial for training purposes. I continue to organize the City's documents for easy access for your next Clerk.

Election Process – Mayor will run unopposed, Councilman Schock will run unopposed, and Stephen Ferris is running unopposed for Councilwoman Mjelde's seat.

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

City Hall/Park Improvements – I have not received confirmation for the work on the Post Office entrance ramp nor the ADA sidewalk and pad. I am still looking for a service who can demolish the small, dilapidated outbuilding. Looks like as the weather begins to cool these projects may have to wait until this next spring 😞

Record Management – Mandy and I have been working on scanning and saving permanent records for keeping.

Audit – Continued work on getting all current documents ready for the audit process coming in November/December.

Training – Mandy and I attended the Idaho City Clerks, Treasurers, and Financial Officers Association (ICCTFOA) Conference in Boise. This conference is an annual event and is filled with very important training. It is also a great networking opportunity. I was able to get some assistance and guidance to register for the new State Controller's site; this is where I get all the reports for State Fund distributions – very confusing for all. I was also able to attend a class regarding the Idaho Transparency project; this is where the City has to provide the State with its budget and audit. The State is now requesting that the budget be broken down (kind of like the worksheets I provide you during the workshops) but they have conformed line items that are not subject to small cities and they are also requesting the cities to report their reserve funds. This has been a very controversial subject with Idaho cities as there is concern that Legislature will use these figures for Fund distribution results. This will be a very time-consuming task for all. Mandy also attended very informative classes such as a class on compiling information related to a procedural manual (a living document), liquor licensing and regulations, along with many other learning options. It is very important for a city to support training for both its Clerk/Treasurer and its Deputy Clerk. It is a great way to keep the cross-training process moving forward.