



City of Kootenai
**PUBLIC HEARING AND
COUNCIL MEETING MINUTES**

DATE: October 6, 2020

TIME: 6:30 p.m.

Mayor Lewis brought the meeting to order at 6:27 p.m.

Roll Call: Councilman Sundquist – AYE, Councilwoman Mjelde - AYE, Councilman Schock – AYE, and Councilwoman Bauer – AYE.

Staff Present: City Clerk, Ronda L. Whittaker, City Planner, Clare Marley.

Others Present: Garth Davis, representing Idaho Department of Lands, Tim Closson, representing Independent Highway District, Doris Nuss, City resident, Sandra Furlinei, City Resident, Bob Rutan, and Devon Brown representing Seven Sisters Home Owners Association, City resident Denis Swansen, City resident Dan Rose, City resident Robin Krum, City resident Jessi J, City resident Scott Bauer, Steven Chamberland, representing Sandpoint Police Department, Dan Prese, interested non-resident, Josh Pilch and Milton Oberland, representing Bonner County, and Jake Garringer representing State of Idaho Governor.

Mayor Closed the regular meeting at 6:28 p.m. and opened the Public Hearing at 6:29 p.m.

PUBLIC HEARING – Franchise Agreement with Fatbeam, LLC: Mayor Lewis asked if anyone had signed up to speak. Ronda stated that six attendees had signed up to speak. Mayor advised that each speaker would have time restraints. She asked the Clerk if proper notice had been given. The Clerk reported that it had. She asked if any of the council members had a conflict of interest with the public hearing. None were reported. She then advised that only those given the floor would be allowed to speak, she asked the attendees remain quiet while others are speaking, she asked that all cell phones and pagers be turned off, she also asked for speakers to identify themselves clearly.

- 1. Presentation by APPLICANT** – The applicant was not present. The City's Clerk, Ronda L. Whittaker stated that the applicant had been present at the last meeting and that all questions presented by Council had been answered and were reflected within the last meeting minutes. Ronda read one public comment submitted to the City just today - Marry Baenen – attached.
- 2. Staff Report** – Ronda stated that Council had reviewed the proposed Agreement at two different meetings and had advised that the proposed Agreement be set for public hearing.
- 3. Public Testimony** – In favor of application - None
- 4. Public Testimony** – Neither for or against – Two signed in but did not speak
- 5. Public Testimony** – Opposed to application – Four – Devon Brown – Reached out to Kaniksu LLC to provide internet that piggybacked off of Fatbeam to provide internet. He stated that Kaniksu wants to own the conduit and the Homeowners Association owned conduit and is a concern. He advised that Kaniksu's rates are determined by demand and installation fees will run from \$200 to \$500. He advised that Ting had comparable services and had expressed interest in coming into the City. He stated that

he had been talking with Kari Saccomanno of Fatbeam who had advised that if any other services comes in they will not come in. He stated that he thought that this was a disservice to the community. He advised that Kaniksu was a small new internet service and the Ting offered services with no installation fee and that the rates would be the same. He stated that Kaniksu was comparable.

Bob Rutan – Confirmed Devon’s statement and expressed his concern that if Kaniksu came into their area then no one else would offer their services

Dan Rose – Mayor asked if he was a City resident. Mr. Rose stated that he did not live in the City – He stated that he had nothing more to add to what was previously said.

Robin Krum– Agree with previous statements.

Scott Bauer– Expressed his concern about the possibility of towers and asked if the City had zoning regulations that would regulate that – Clare confirmed that the City did.

6. Rebuttal by Applicant – None was given

7. Closure - Mayor Lewis closed the public hearing at 6:38 p.m. and opened the regular meeting at 6:38 for discussion

Councilwoman Bauer expressed her disappointment that the applicant was not present. She stated she was concerned about the agreement as there is no penalty for breaking the agreement. She stated that the proposed agreement says that the City would give notice of violation and would give 30 days to remedy the issue. She was also concerned about the term of the agreement of 25 years with 5-year review options. She also expressed her concern that the proposed agreement allows for towers and antennas and that there were many children and elderly living within the City and how radiation levels would affect them. She also stated that when Fatbeam was present at last meeting she asked if that contracted with Star Link and was told that they did. She advised Council that Star Link had an illegal tower in the Selle Valley area. She stated that if Fatbeam only provides internet to businesses, schools and government agencies why would there be a need for towers and antennas within the City. She advised that she was okay with internet services as long as it was only fiber optics and there would be no above ground connections and she was still worried that there were no provisions for penalties for violations of the proposed agreement. She stated that there was a large crowd in opposition that needed to be considered. Mayor stated that all services should be underground. Councilwoman Bauer disagreed and stated that the proposed agreement allowed for towers and antennas. Ronda stated that the agreement was the same agreement that Council adopted for Kaniksu providing that services be underground unless they could not do so due to stormwater issues. Councilwoman Bauer disagreed. Council visited Section 2 of the proposed agreement stating that the Company may offer telecommunications services in, along, among, upon, across, above, over, under or in any matter connected with the rights-of-way located in the City and for that purpose to erect, install, construct, repair, replace, reconstruct, maintain or retain in, on, over, under, upon. Across, or along any rights-of-ways or extensions and additions such as poles, towers, antenna, wires, cables, conductors, ducts, conduits, vaults, utility access covers, pedestals, amplifiers, appliances, attachments and other related property or equipment as may be necessary or appurtenant to the telecommunications system, and also requires the Company to obtain a permit in order to construct, erect, install or modify its Telecommunications System. Councilwoman Bauer expressed her concern that above ground connections could change the look of the City and that above ground connections were not consider as far as the effects to the resident’s and that it would be important to have a radiation levels checked. Ronda asked if Ting would also have above ground connections if needed. Councilwoman Bauer stated that Ting would not put up towers and antennas. Clare stated that for a service to use above ground connections the service

would need to go through the special/conditional use process which would be a public hearing process. Councilwoman Bauer expressed her concern that there was no penalty for violations to the Agreement. Ronda referred to section 9.3 of the agreement where it states the enforcement procedures and advised that there is always a requirement to give notice and option to remedy. Councilwoman stated she understood that but was still concerned that there were no penalties for violations just advisements and options to remedy. Councilwoman Mjelde confirmed that any proposed towers or antennas would need approval from the City. Councilman Sundquist stated that he has never been approached by Ting with an offer to provide services to the City. Councilman Schock stated that Ting had a State franchise. He asked if Ting or any other service would use someone else's standing structure or would they put their own in. He stated that he had heard that Ting would not use anyone else's structure they would put up their own and would not overbuild an area. Mayor stated they wanted to be exclusive. Councilman Sundquist stated that a year ago the City asked Fatbeam if they would be interested in providing internet to residences and was told that they had no interest; that basically they provided internet to government entities and businesses. He also stated that giving a nonexclusive franchise agreement gives options. He expressed that there were more questions than he anticipated and stated that six months ago there was no interest and that now he is hearing some residents want to eliminate one to allow another. He asked if Kanisku could run their internet without Fatbeam. He also stated that the City could cancel the franchise agreement within a 30-day notice. Councilwoman Bauer stated that a cancellation would need to go through the court system to sever the agreement; she referred to pg. 31 section 10.5 of the proposed agreement stating that the severability clause indicates that it must be declared by a court. Councilwoman Mjelde referred to pg. 29 section 9.1 which stated that a violation of the Agreement gave the City the right to be revoked. She also stated that her understanding was that Fatbeam would have to come to the City asking for a special use permit if they wished to put up a tower or anything that was not underground. Clare confirmed that there would be public hearing procedures. Councilwoman Bauer asked if there was a City Ordinance that requires a franchise agreement. Ronda stated she did not know but that if a utility is using the public rights-of-ways the City should benefit from it. Mayor asked for a motion to approve the ordinance for the Fatbeam franchise. No motion was given. Council agreed that there were too many questions to be answered and suggested the City table the public hearing to a determined time. Councilman Sundquist stated that fast internet is a part of the City's future and was not comfortable without knowing all the facts. Council proposed to table the public hearing until future notice. Mayor asked if Council wanted Ting to speak with them. Councilman Schock stated that Council needed to know what they want. He expressed his concern that the last representative for Ting was out of Canada and would like to have someone local provide the information Council is requesting. Councilman Sundquist stated he wanted to know if a services is proposing to go above ground that the City has control and the ability to stop the franchise at will and if the City could regulate the close of modulation. Councilwoman Bauer stated that if there is another hearing the applicant must be present. Councilman Sundquist stated that they do not even need a franchise. Councilwoman Mjelde stated that Council questions need to be submitted in preparation for any further presentation or public hearing. **Councilwoman Bauer made a motion to Table the public hearing to February 2, 2021, 2nd by Schock, roll call:**

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

Mayor then proceed to the regular meeting:

Amendments to the Agenda – None were proposed.

Announcements – None were given.

Public Comment – None was presented.

Mayor then proceeded to the Presentation portion of the Meeting.

Arborist Garth Davis – Tree risk assessment and management – Mr. Davis advised that he has conducted an inventory of the trees that he could see were in the City's rights-of-ways. He advised that he had given the City's Clerk the link to visit the inventory and advised that the inventory be reviewed with maybe the City's planner to insure that all of the trees had been inventoried as there were some areas that he was not sure if they were within the City's boundaries. Mr. Davis asked if the City was interested in contracting with the Idaho Department of Lands that would provide help with a tree plan and tightening up ordinance in order to reduce expense and rights-of-ways congestion at no expense to the City. Community agreement could be a suggestion. He stated he could send the City Clerk an example of a contract that could be considered. Mr. Davis mentioned that there were areas of the City where there was overgrown forest like areas within the City's right's-of-ways and a few cotton woods within the City that were standing dead or had dead growth within them. Councilman Sundquist asked if he had inventoried the City's alleys. Mr. Davis stated that he had not, as he was unsure where they were all located. Councilman Sundquist stated that he thought that would be where the "forests" may be located and agreed that these overgrowths could be subject to unsafe conditions. The City should think about the removal of specific hazardous trees and replacement of those trees. Councilwoman Bauer asked if Mr. Davis had an example of an ordinance that would regulate trees. He stated he could and advised he had received a copy of the City's existing ordinance. Clare stated there was just a small section that regulated trees and agreed that it could be enhanced. Bauer confirmed that his services was funded by the State. Mr. Davis confirmed that it was funded by the Idaho Department of Lands. Mr. Davis suggested that the City create a tree management plan that would guide the City as to how the City's rights-of-ways be managed and who should be responsible for that process. Clare confirmed that the City's Code does state that the property owner is responsible for keeping the rights-of-ways managed.

Mayor introduced Mr. Garringer from the Governor's office who was present

Bonner County Planning and Zoning – Mr. Ollerton advised Council that the Bonner County Board of Commissioners (Board) have meet with Mayors regarding renegotiating the City's Area of City Impact. He stated that the Board has offered the opportunity for the Cites to agree to decrease their ACI and then allow each City to enforce its City Zoning Code within its ACI. He advised that the County would receive the applications but would allow Cities to enforce their zoning codes. Mayor asked how that would work with the County doing all the zoning; would the County sign a resolution or ordinance. Mr. Ollerton advised that the city of Kent works outside the City limits. He advised that the County would have to adopt the City's Code which would be used to regulate those areas outside of the ACI. Councilwoman Bauer confirmed that the County would like to negotiate with Cities and that she understood that Selle Valley is not within the city of Kootenai's ACI. Mr. Ollerton disagreed as a portion of the Selle Valley is within the City's ACI. Councilwoman Bauer stated that several people come to the City's meeting with ACI interests. She also expressed her concerned about regional zoning and asked if the County was interested in regional zoning. Mr. Ollerton stated

that regionalization was not their intention and that the County would like to work with individual Cities. Councilman Sundquist asked if there was a timing issue. Mr. Ollerton stated that they would like to come to an agreement within the next couple of months. Clare stated Bonner County needed a current map to consider as the one they had was not correct. She stated she would resend it to them. Ronda asked how would reducing the ACI be an advantage to the City. Mr. Ollerton stated that they assumed properties annexed within the next 10 years residences may not be happy with the additional City regulations. Clare mentioned that additional research was needed as far as processing building permits. Councilman Schock asked if the County could build subdivision outside of the City which would impact the City and how could City Code be enforced on County properties. Councilwoman Mjelde mentioned a similar situation where a subdivision was built and then wanted to annex into the City and the County zoning requirements were not in-line with City Code. Clare asked that if the text fails could the City risk not getting what they wanted out of a County approved subdivision. Council expressed their concern that there was a lot of confusion as to who would regulate Code. Councilwoman Bauer asked if the County was negotiating with any other Cities. Mr. Ollerton stated that they had not. Councilwoman Bauer suggested the City wait as it was all too open ended to even consider ACI negotiations. Clare confirmed that there are timelines involved and if they are not met then it could end up in Court. Mr. Ollerton stated that there were lots of avenues to consider, but they were just offering the ability for Cities to have a say when zoning regulations are considered outside of the City's limits. Mayor asked what the next step would be. Councilwoman Mjelde asked how much of the ACI did the County want to decrease. Mr. Oberland stated that they were open to suggestions. There is a lot to consider. Councilman Sundquist asked if it was legal for ACIs to be regulated by Districts and asked if the conversation would be moot because the City cannot regulate County Code. Mr. Ollerton stated that when it goes to negotiations, a list of questions would be asked as to whose ordinance will be utilized, whose comprehensive plan will be considered and if City Code can be laid over County Code/Zoning. Clare stated Kootenai County does practice this type of overlay. Councilman Sundquist suggested that there were too many unanswered questions and suggested that it would be best to wait and see what happens with other Cities within the Count. Clare advised that the City was working on a revised comprehensive plan at this time and that the City needed community input.

1. **Consent Agenda:**

Mayor Lewis asked Council if they had received and read the items on the consent agenda and asked if there were any corrections needed within the Consent Agenda. Ronda mentioned that Mayor had brought attention to a name change to the regular meeting and the closing of the budget workshop minutes. **Councilwoman Bauer made a motion to approve the consent agenda, 2nd by Councilman Schock; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2. **Reports:**

2.A. Mayor: No report was given.

2.B. City Engineer: Written Report Summary – Attached – no further discussion

2.C. City Planner: Written Report Summary – Attached – specific items were discussed:

COVID CARES ACT Funding - Clare asked Mr. Garringer if his office could help guide the City on what things these funds can be used for and if these funds were still available. Mr Garringer stated that his office would be happy to help. He advised that he would check the COVID Virus Action site and check in to see what action is need. He stated that the funding was intended to address individual needs. Clare advised Council about the potential to capture some of the funds that could be available from the grant. She stated that she was looking at some technical telecommunications updates and additional sanitization needs and asked Council if they were okay with her proceeding on with submitting a grant; mainly to allow for telecommunications and zoom availability. Councilwoman Bauer agreed with offering zooming availability but not really a remodel of the Council Chambers. Councilman Schock agreed. Councilwoman Mjelde asked if there was a match requirement. Clare confirmed that no it was not a match. She stated that there was \$31,000 available to the city of Kootenai. Councilman Schock agreed that the City needed help with conferencing. Clare advised that the City would have to have everything purchased by December 30th. Councilwoman Bauer stated that she was not opposed to technology but did not feel that it is COVID related we have needed it for a long time. Mr. Garringer stated that it was the idea is that these improvements could be for continued use. Councilwoman Bauer stated that she would like to get over COVID and move on with life. Mayor stated that she would like to take the opportunity to upgrade our telecommunications technology that would offer future opportunity for all to call in and attend meetings via zoom. Clare stated that if the City had a purpose for it than the City should take advantage. There was discussion about maybe having a special meeting to approve the purchases if there was a time crunch. **Councilwoman Mjelde made a motion to move forward with processing the grant, 2nd by Councilman Sundquist; roll call vote:**

Councilman Sundquist – AYE
Councilwoman Bauer– NAY

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2,C3 **Bonner County - Title 12 AM0014 and AM0011-20** - AM0011-20 - Mining - Clare stated that the City had made a comment to the previous proposed amendment in August. She advised that the previous public hearing related to the amendment had been postponed and that now Bonner County was proposing the amendment to mining and batch plants again with additional changes in November. She asked if Council would like to make an additional comment. **Council agreed that the City should make additional comments.**

AM0012-20 Density – Councilwoman Bauer expressed her concerned about more wells within a smaller area and her concern that properties within the Selley Valley are already having to dig deeper for water. Councilwoman Mjelde asked if there was a mandate as far as distances of wells from drain fields. Clare advised that 1 acre would be proposed and that wells and drain fields should be separated by 2 ½ acres. Councilwoman Mjelde asked if it would really matter if we comment. Clare stated that comments were now being posted on the County’s web site. Councilwoman Bauer expressed her concern that it seemed that the City comments really do not give much leverage, but it would be recorded. Councilman Schock stated that the County just summarized submitted comments which basically did not really offer the full concern of the comment. Councilwoman Mjelde stated that she would like it on the record including a stated as to whether the County has sought Panhandle Health Department’s advisement about drainfields being distanced from wells by 2½ acres. **Council agreed.**

2.D. City of Sandpoint Law Enforcement: Councilman Sundquist stated he was concerned that there has been a practice of juveniles laying within the City Street intersections and asked if Lieutenant Chamberland had seen this practice elsewhere. Lieutenant Chamberland stated he had not seen this practice elsewhere and advised that his department would be on the lookout. SCHOCK asked exactly what the department covers. Difference City Ordinance criminal and State law. Public safety concerns.

2.E. Selkirks-Pend d'Oreille Transit (SPOT) –No report was given.

2.F. Clerk: Written Report Summary – Attached – no further discussion.

3. Discussion/Action Items –

3.1 Seven Sisters Homeowners Association (HOA) – Removal of Trees within City Rights-of-Ways – Ronda advised that information was received indicating the need for removal of trees within the City's rights-of-ways. She stated that City Code states that tree removal/cutting within City Rights-of-ways need to be approved by Council. Councilwoman Bauer confirmed that the HOA was planning to remove them at no expense to the City. HOA confirmed. She asked if the City's attorney had commented on this issue. Ronda stated that it was City Code therefore there was no reason to involve the City's Attorney. Councilwoman Bauer asked if all homeowners knew about the tree removal proposal. HOA stated that they had talked to them and there are just a few overgrown trees that need to be taken out. HOA advised that they will send out notification to property owners indicating the need for removal of unplanned trees. Councilwoman Mjelde asked if the large trees will be taken out. HOA stated that yes as they are cotton wood trees that are breaching into the stormwater culverts and streets in some places. Councilwoman Bauer asked if the HOA had created a budget for this type of project did they know how much money will be spent. HOA advised that this issue will be brought up for discussion at the November meeting. Councilman Sundquist expressed his concerned as to who decides what trees go and what trees do not. He advised that if moves forward with approval of this type of project, he would like this type of forum each time it is done within other parts of the City. Council discussed that the need for this type of forum. Mayor stated that if trees are in the City's rights-of-ways they need to be removed if they become hazardous. Councilman Sundquist stated that this needs to be a community decision. Ms. Jensen stated she was concerned that the HOA was stating that she was parking her car on the street to make it difficult for them to remove a tree on the property where she resides. She stated that the HOA is new and the home she lives in have been there since the development was started. She stated that she had not received notice as to what trees would be removed. She also advised that the property owner had told her that the tree has been there since the original subdivision phase and she loved the tree and did not want the tree removed. Ms. Jensen state that she had tried to communicate with the HOA but it did not go well as they would not communicate with her as she is renting. She advised that the HOA did mail out notices to everyone in her neighborhood that trees would be removed in September they were not. She advised that she parks on the roadway because there is not room within her driveway. She felt the HOA was being disrespectful. She asked that if the City has authority could they consider that the tree does create privacy. Mayor asked if the tree had been intentionally planted. Ms. Jensen stated that it was a voluntary tree. Councilwoman Bauer recommended approval of removal as long as it is approved by the HOA. Councilman Sundquist stated that the trees should not have been left to grow for so long. He also asked if the tree is within the City rights-of-ways and that the City had the right to remove it. He stated that the City has had trees removed in the past that he felt was heavy-handed without notice and now they are attempting to do that. He asked who gets to make the decision; if the HOA

is proposing to remove the trees then he was good with that. Councilwoman Mjelde agreed; she understands that cottonwoods are not a good tree to have within the City's rights-of-ways. **Councilwoman Mjelde made a motion to okay the removal of the trees by the HOA that are located within the City's rights-of-ways, Councilman Sundquist stated that he wanted someone to confirm that the trees were hazardous. Ronda stated that the City's Engineer and the Independent Highway District had reviewed the tree issue within the subdivision, 2nd by Councilman Sundquist; roll call vote:**

**Councilman Sundquist – AYE
Councilwoman Bauer– NAY**

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

3.2 Sub-pump drainage system – Mayor stated the City was having a problem with kids playing with the drainage system. Ronda stated that the PVC is long and is becoming a problem. If the longer portion is not present the water is just running back under the building. Being above ground causes a problem. Councilman Schock stated it should run out into the stormwater swale. Council confirmed that there needs to be a system developed for the drainage go to the stormwater swale. Council discussed that this project needs to be schedule. Council requested the City Clerk get some estimates to bring to Council for approval.

3.3 Park Restrictions/Rules- Ronda stated she though it was time to post park rules and restrictions. Council disagreed as posting rules and restriction just promotes rule and restriction to be broke. Mayor not a bunch of signs. Council confirmed that Clerk should just call law enforcement. Council discussed that there seems that there have been lots more problems this year as children are so board many are attending school at home. Mayor asked Chamberland if there were signs within other parks. Chamberland stated that there were very few signs no codes that enforce them. Kids will be kids.

3.4 Written Public Comment Options – Mayor stated that Councilwoman Bauer had proposed this and she thought it was a good idea. It gives the public a way to offer written comment. Ronda stated that she could post an advisement online. Councilman Sundquist stated that it will not be more than 3 minutes Councilwoman Bauer stated she wanted to offer public comment during the meeting as topics come up. She felt it would be more citizen friendly allowing better communication with Council. Councilman Sundquist stated he was not crazy about comment during meetings. He advised that Public Comment should stay where it is. Councilman Schock expressed his concern that allowing open meeting comment could give the possibility to violate the open meeting laws and that Council should be careful about back and forth comment with the public as some things can be brought up that are not on the Agenda. Councilwoman Mjelde stated they are some topics that could be discussed with attendees. Mayor stated that written comment could be read. Councilwoman Bauer stated that public comments may help her with her decision making. Ronda stated that she could add advisement where the public comment section is to advise that public comment could be written or in person. **Council agreed that the Agenda should state that comments could be made in writing.**

Mayor asked if the November meeting would consider moving to another day as the 3rd is election day. Mayor is working the election. **Council agreed to reschedule the November to Wednesday 4th.**

4. Adjournment: Mayor Lewis adjourned the meeting at 9:05 p.m.

Submitted by:
Ronda L. Whittaker/City Clerk

DATE: October 6, 2020
TIME: 6:30 pm

[illegible]

Mary Baenen

Dear City Counselors, I understand that Fat Beam is making a presentation before the city council tonight. I can't be there, but I want to voice that I've been told that fiber optics from Fat Beam would be obtained by an untested microwave transmitter. I'm sure you agree, we don't want anything that will be a health hazard to our community. I request that you wait for a presentation from other fiber optic companies, before making a decision. I have heard good reviews about Ting, who is laying fiber optics in Sandpoint. I'm sure there are other companies to check out as well. I'm not for any particular fiber optics company, I just want it to be safe. I personally do not trust Fat Beam. Thank you for your consideration.

CITY OF KOOTENAI

SIGN-IN SHEET

DATE: October 6, 2020

TIME: 6:30 pm

Council Meeting

Name	Address	Representing
Bob Rattan	424 Seven Sisters	HOA
DEVON BROWN	195 KUSKANOCK	HOA
Dennis Swanson	122 Rebeccas Way	
Tim Closson	212 N MAIN	
Gail Davis		\$ IDL
Dan Rose	517 Sitting Bull	
Josh Pich		Banner County Planning
Mila Ollerton		Banner County Planning
Robin Krum	217 Chewelah Loop	Seven Sisters HOA
John Garringer	606 N Thornton St, Post Falls	Gov.
Boris Drouse		
Sandra Furlan	400 W Second	Self
Steven Chaul	Sandpoint PD	Police Dept.
JESSI J	SANDPOINT	

City of Kootenai

Treasurer Report September 2020

Mt. West Money Market	\$	74,216.48	0.07% APY
Mt. West Checking	\$	83,187.24	0.01% APY
Idaho Central Credit Union	\$	386,803.76	1.85%
Total Cash Assets	\$	544,207.48	

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV			
Franchise Fees			
	Avista Corportation	0.00	
	Northland Cable Television	0.00	
	Waste Management, Inc	0.00	
Total Franchise Fees			0.00
Interest			
	Interest, MW Money Market	4.25	
	Interest, MW Checking	0.74	
	Interest, ICCU CDs	581.56	
Total Interest			586.55
Licenses & Permits	Business Licenses	0.00	0.00
Planning & Zoning Fees & Permit			
	Building Permits	1,060.72	
	Subdivision Fees	0.00	
Total Planning & Zoning Fees & Permit			1,060.72
Property Tax			
	Arrears Property Tax	205.63	
	Penalty & Interest	19.44	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
	Circuit Breaker	0.00	
Total Property Tax			225.07
Rents			
	City Hall Rental	250.00	
	Post Office Rent	280.00	
Total Rents			530.00
State of Idaho Funds			
	State Liquor Fund	0.00	
	State Revenue Sharing	0.00	
Total State of Idaho Funds			0.00
Total 01 · GF REV		2,402.34	2,402.34

STREET FUND REVENUE

Name	Account	Amount	Sub-Totals
02 · SF REV			
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	17.36	
	Road & Bridge Arrears	183.06	
Total Road & Bridge			200.42
Stormwater/Encroachment			
	Culvert Encroachment Deposit	1650.00	1650.00
Total Stormwater/Encroachment		1600.00	1600.00
Total Streets			
	Total 02 · SF REV	3,450.42	3,450.42
	Total Income	5,852.76	5,852.76

City of Kootenai Treasurer Report September 2020

GENERAL FUND EXPENSES

Name	Account	Amount	Sub-Totals
10 · GF EXP			
Bank Fees	Deposit Slips	62.82	62.82
Building Maintenance			
	Janitorial Service	85.10	
	Outside Lighting	-	
	Security	138.54	
Total Building Maintenance			223.64
Legal	Attorney	-	
	Legal Notices	221.97	
Total Legal			221.97
Dues & Membership			
Miscellaneous Memberships	ICCTFOA Scholarship Donation	-	
Dues & Membership	ICCTFOA District Dues	-	
Total Dues & Memberships			-
Insurance			
	ICRMP	1,080.50	
Total Insurance			1,080.50
Office Expenses			
	Internet Service	111.18	
	Office Supplies	108.25	
	Postage	-	
	Computer Maintenance/Repair	114.96	
Total Office Expenses			334.39
Park			
	Maintenance	980.83	
Total Park, Arbor Day & Earth Day			980.83

GENERAL FUND EXPENSES - Cont.

Name	Account	Amount	Sub-Totals
Planning & Zoning			
	Building Permits	342.00	
	Comp Plan Review	-	
	Subdivision Fees	-	
	Planner	637.00	
	Site Plan follow up	-	
Total Planning & Zoning			979.00
Training Workshops			
	Meals/ICCTFOA Conference	-	
	Training Expenses/ICCTFOA	-	
	Milage	48.26	
Total Tranining Workshops			48.26
Utilities			
	Electric & Gas	84.69	
	Garbage	-	
	Water	135.93	
	Telephone	0	
	Sewer	-	
Total Utilities			220.62
Wages & Benefits			
	Clerk/Treasurer	3683.28	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	358.26	
	Retirement Fund - PERSI	544.24	
	Health Insurance	465.52	
6560 · Payroll Expenses	Intuit Payroll	10.73	
Total Wages & Benefits			6,062.03
	Total 10 · GF EXP	10,214.06	10,214.06

City of Kootenai
Treasurer Report September 2020

STREET FUND EXPENSES			
Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches			
	Ditch Maintenance	200.00	
Total Ditches			200.00
Stormwater			
	Culvert Inspections	175.67	
	Engineer	43.92	
Total Stormwater			219.59
Street Maintenance			
Asphalt Striping		0	
Capital Improvement Projects		2495.5	
Total Street Maintenance			2,495.50
Streets			
Street Engineer		263.52	
Utility Encroachment Permits		1010.15	
Total Streets			1,273.67
Utilities, Streets			
	Signal Lights	42.82	
	Street Lights	875.44	
Total Utilities, Streets			918.26
Transportation			
	SPOT		
Total Transportation			
	Total 20 · SF EXP	5,107.02	5,107.02
	Total Expense	15,321.08	15,321.08
	Total Income		5,852.76
Net Income			-9,468.32

MEMO

To: Mayor Lewis and Council Members

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

Date: September 30, 2020

Re: October 2020 Council Meeting Report

Main Street Maintenance and Repairs

Work associated with providing an asphalt pathway along Main Street between Kootenai Meadows and Brittany Loop was performed and will be included as a change order on the Woods Crushing and Hauling contract. Property pins marking the public right-of-way were not able to be located in the field but existing property pins within the subdivision were located and offset to identify the approximate location of the public right-of-way. A culvert was installed along Main Street to provide a better slope between the roadway and the pathway to reduce the potential for sloughing and to extend the life of the pathway which will add some additional cost to the project. The southern portion of the pathway shared a lot line with City property and the pathway could be shifted away from the ditch were the City lots exist to provide a better slope.

The Kootenai Ponderay Sewer District replaced 2 sewer laterals on Main Street and raised the existing manhole lids. The contractor placed a 1.5" minimum asphalt overlay along the remainder of Main Street. The contractor will return to place shoulder material along the overlay area and blend in gravel at the unpaved driveways.

The Kootenai Ponderay Sewer District was not able to repair the 6 sewer laterals on Boise Street, so the overlay for this area was not performed with the FY 2020 work. This additional work will not be included in the final change order for Woods Crushing and Hauling and the 2020 road improvements will be completed below the available budget.

A final pay request and change order will be prepared and submitted to the City as soon as the final work is completed and final quantities are tallied. The Independent Highway District will return to install striping in this area.

HWY 200 Improvements

The Mayor and contract City staff met with ITD engineers to discuss the status and direction of the Highway 200 safety improvements. ITD's team is working within their available safety budget to widen the highway corridor within the City to accommodate (3) 12' wide lanes – (1) eastbound, (1) westbound and (1) two-way left turn in the center. Approximately 6' wide shoulders would be placed along the travel lanes. Construction is scheduled for 2024.

The ITD staff are looking at combining the City's TAP grant project as a companion project. As preliminary development continues, some of the engineering dollars programmed for the project may be needed to investigate potential slopes or vertical structures that may be need to support the path and protect the existing drainage.





PERMIT ACTIVITIES:

ENC 209 & 211 Brittany Loop

A permit to install 12" diameter culverts along Brittany Loop for driveways associated with the construction of a duplex was issued on August 27, 2020.

ENU 005-020

A sewer lateral repair permit for 301 W. 2nd Avenue was issued on September 1, 2020. The work was performed on Hope Street as the property is on a corner lot and served by the sewer main at that location. The work was performed and the asphalt repair has taken place.

ENU 006-020

A sewer lateral repair permit was issued at 204 and 206 Humbird Street. The work is associated with the construction of new structures on these lots which triggered the sewer lateral repairs.

ENU 007-020

A utility permit was issued to Northland Cable to bore 2" conduit under McGhee Road at two locations. The road was reconstructed last year and no pavement cuts were approved at this location.

ENU 008-020

The Kootenai Ponderay Sewer District was issued a permit to repair a sewer lateral on Main Street in advance of the pavement overlay. The permit location was at 310 Main Street.

ENU 009-020

The Kootenai Ponderay Sewer District was issued a permit to repair a sewer lateral on Main Street in advance of the pavement overlay. The permit location was at 200 Main Street.

ENU 010-020

A permit was issued to AVISTA utilities for the repair of a gas leak that was detected near 200 Sprague Street. The road was closed during the excavation work and reopened to traffic after the repair and backfill work was completed.

ENC 307 Kootenai

A permit was issued at 307 Kootenai for the replacement of a driveway culvert. The permit approved the culvert size to be increased to 12" and added 2 ft to the overall length.

ENC 204 & 206 Humbird St.

A culvert permit was approved for installation with a new home at 206 N Humbird St. The existing culvert at 204 Humbird St was modified at the property line to allow drainage from the site to enter the existing stormwater collection and conveyance system.



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

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Clare Marley, AICP, City Contract Planner
Date: September 30, 2020
Re: **Planning summary for October 6, 2020 City Council meeting**

Building permit activity: ADVISORY ONLY. The City received two building permits in September. One for a two-unit townhome on Brittany Loop and the second for a single-family dwelling on Humbird. The total number of applications for the year is 7.

Land use application activity: No new land use applications were received during September.

Mayors/Board of Commissioners meeting: Advisory: The mayors and staff of the Bonner County cities met with the Board of County Commissioners and staff on September 11th to review Area of City Impact agreements and other topics, including addressing. The county indicated they plan to continue discussions with the cities about adjustments to the Area of City Impact, suggesting that the boundaries should reflect area likely to be annexed within the next 10 years. Sandpoint city staff commented on the negative effect to cities of a proposed county zoning amendment to reduce lot sizes to 1 acre if "urban water," including wells serving only two residences, is adopted. The county indicated that in exchange for reduced ACI boundaries, the commissioners may be willing to adopt and enforce city zoning codes and possibly building codes within ACI boundaries. Further research is necessary to determine whether building codes could be enforced within the ACIs. The commissioners also suggested fees for building permits should be split with the cities on a 50:50 basis, but this also needed further legal review. As for the addressing discussion, the county GIS director said the MOUs sent to each of the cities are "starting points" for discussion and may be revised and presented to the county for consideration.

COVID CARES Act Funding: Discussion/Decision: The State of Idaho Coronavirus Financial Advisory Committee allocated \$42 million to Idaho cities for expenditures for COVID-related expense reimbursements. The City of Kootenai has an expenditure cap of \$31,700 assigned by the State of Idaho. Expenditures incurred from March 1, 2020 to December 30, 2020 for COVID responses may be reimbursed to the city under these allocations. These expenditures must be necessary due to the public health emergency and may include expenses for: communications; disinfection measures; technical assistance for mitigation of public health threats, paid sick leave and expenses for communication. Please advise whether Council wishes to have staff explore funding options and actual expenses incurred in response to the pandemic.

ACI Request for comment, Bonner County File #AM11 (Mining): Discussion/Action: The Bonner County Planning Department has issued a request for comments to taxing districts for the reconsideration of the mining/batch plant zoning amendment. The Kootenai City Council previously commented on this file August 11th (copy attached), noting concerns about the 3201 North Huetter Road, Suite 102, Coeur d'Alene, Idaho 83814, Phone: (208) 292-0820 Fax: (208) 292-0821

219 Pine Street, Sandpoint, Idaho 83864, Phone: (208) 265-4629 Fax: (208) 263-0404

proposed change to allow administrative approval of mines and batch plants. The county tabled the August 27th public hearing. A revised amendment will be considered by the county Planning & Zoning Commission November 5th. The revised amendment retains the administrative approval process for existing mines, open pits and temporary mines and quarries, adds a 21-day comment period for landowners within 300 feet of the subject parcel prior to administrative action, and changes batch plants to conditional use permits, which require public hearings. However, the terms of proposed Batch Plant, 12-482.2 C 2 states: A batch plant shall obtain a "certificate of zoning compliance," which is an administrative permit. Also, standard #21 prohibiting batch plants within the Area of City Impact is stricken from the codes. A copy of the revised draft is attached to this memo. Please advise if you wish to provide additional comment on this proposed amendment.

ACI Request for comment, Bonner County File AM0012-20 (Density): Discussion/Action:

Kootenai City Council requested staff provide information regarding wells and water district services within the Kootenai Area of City Impact so they would consider a response to Bonner County's proposed change to density for lands surrounding the city. At the September meeting, the Council reviewed Bonner County's proposed amendment to the zoning regulations that would reduce the minimum lot sizes for several zoning districts, including the Suburban and Recreation zones that adjoin the Kootenai ACI. The change would reduce the minimum lot size in these zones from 2 acres to 1 acre where "urban water" is provided. Urban water is defined as a publicly or privately maintained water supply and distribution system. In addition, lot minimums for land served by large drainfields would be reduced from 1.5 acres to 1 acre minimums. Effects of the changes on the Area of City Impact could include additional densities on the edges of the City and the creation of more lots served by drainfield systems rather than municipal treatment. Future annexations could be more difficult to accomplish and properly serve with the drainfields and multiple wells. Please advise if you wish to comment on the proposed change. Below is a map of the wells within the vicinity of Kootenai (source: Idaho Department of Water Resources). The Colburn Water Association and Oden Water Association serve water to land east and north of the city, within the Area of City Impact. The coverage reaches from Oden Bay to east of the Boyer Slough and north to Selle Road. Staff will provide a map of these service areas at the council meeting.



City of Sandpoint, Idaho
POLICE DEPARTMENT

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

Mayor

August report for 2020

There were 33 total cases created for the City of Kootenai for the month of August. We will be submitting billing for 27 calls for service.

School is back in session and the School Resource officers have been in and around Kootenai Elementary School. We are currently working with the Lake Pend Oreille School district to assist with traffic flow during drop off and pick up hours.

27 Calls for service

911 Hang-up	4
Harassment	4
Animal Problem	2
Information	2
Theft of Property	2
Non-Injury Accident	1
Burglary	1
Citizen Assist /theft	1
Counterfeit	1
Custodial Interference	1
Message Delivered	1
DUI, Alcohol or Drugs	1
Domestic Dispute	1
Previous Incident Follow Up	1
Loitering	1
Runaway Juvenile	1

Trespassing	1
Weapon Offense	1
	2
Total Incidents for This Agency:	7

Overview of calls

- Death Notification – Officers delivered a death notification to a family and then stood by and provided emotion support until other resources could arrive.
- Family Offense – Officers responded to a family offense. Upon arrival, they determined it was verbal only and officers to give one of the parties a ride to Sandpoint.
- Harassment – Officers were dispatched to a residence for a report of harassment. The Reporting party stated she had been receiving phone calls reference her dog.
- Animal Cruelty – Officers responded and determined the animal was not being abused.
- Counterfeit bill – Arnies gas station called in and reported a female had attempted to pass a counterfeit 50.00 bill. Case is under investigation.
- Theft – Officer responded to Kootenai, reference a theft of pills.
- Theft – RP reported the theft of gas. The reporting party, stated she filled up her tank on her Nissan Altima on 07-29-20. She said she last drove prior to noticing it was empty three days ago and the gas tank was still full at that time. No suspects
- Animal Problem – RP reported a dog running at large. Officers responded and were unable to locate the dog.
- Weapons Offense – Officers were dispatched to the area of East 2nd Avenue and Seven Sisters Drive in reference to a possible weapons offense. The reporting party, reportedly heard what sounded like five to six-gun shots and someone running. When I arrived in the area, I was unable to locate any victims or suspects. I cleared unable to locate.
- DUI – Unable to locate the suspect vehicle.
- Burglary – Officers responded reference a report of a burglary. Upon arrival officers contacted the RP who reported a children's inflatable slide was stolen from her storage unit between May and today's date.

Traffic citations – 5

49-1232 Insurance-fail/provide proof	1
49-301 Expired license/No license	1
49-456(1) Operate vehicle without reg	1
49-973(1) failure to wear seatbelt	1
49-645(2) Speed	1
Total	5

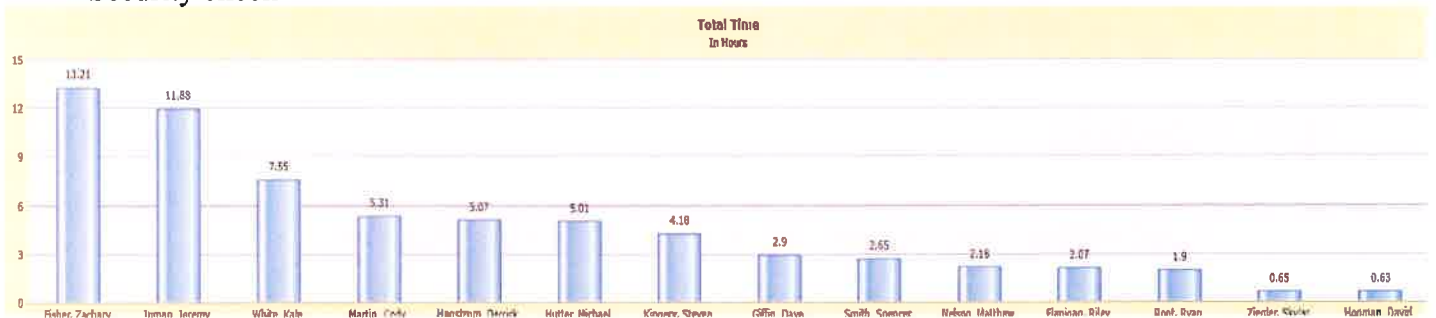
Warning – 5

49-655 Impeding traffic	1
49-430 Fail to renew registration	1
49-801 Failure to obey traffic light	1
49-428 Display license plate/tags	1
49-654(2) Excess of posted speed limit	1
49-430 Fail to renew registration	1

Misdemeanor citations – 1

37-2734A Drug Paraphernalia Use/Possess	1
Total	1

Security check





To: Kootenai City Council and Mayor
From: Ronda L. Whittaker, City Clerk
Date: September 2020
RE: Clerk's Report

Website Activity – Continued update of the site.

City Records – Still Working on filing and scanning old records. Beginning stages of purging procedures. Need attorney assistance.

Building Permit Inquiries – Ongoing filtering of inquiries related to stormwater and setback issues. Collection of non-refundable initial fees. Filtering of sign permit applications.

Business Licenses – One new business: Sand Creek Upholstery located at the Kootenai Mini Storage complex.

Working with the City's Planner and Engineer – I have been filtering encroachment permit applications to ensure that all appropriate insurances and bonds are received. I have been working with the City's Planner regarding land use and stormwater violations. Keeping up with Bonner County's Title 12 amendments.

Playground Activity – There has been some troublesome activity within the City's Park. Law Enforcement has been advised and is monitoring the area. There is a need for discussion about Park rules. I feel it is time to regulate skateboards, roller skates, scooters, etc. on City Park sidewalks and pagoda, tree climbing, fence climbing, etc.

Audit Preparation – Mountain View Ledgers will be in to review the City's financials to make sure everything is in order for this year's audit. A three-day Audit will begin the middle of November.

City Code Codification – Sterling Codifiers has been bought out by American Legal Publishing. Have asked for an updated contract. Have asked the City's Attorney for advisement as to whether we need to amend the ordinance to name the new service.

Road and Street Report – Working on getting figures for the report. Will be working with the City's Engineer to calculate how much improved/maintained streets have been completed and what future needs will be. Excited that we have been able to cross off a few of the past proposed projects!!!!