

# City of Kootenai COUNCIL MEETING MINUTES

**DATE**: August 3, 2021 **TIME**: 6:30 p.m.

Mayor Lewis brought the meeting to order at <u>6:30</u> p.m. City Clerk opened the telephonic/video line for phone and/or video attendance.

<u>Roll Call</u>: Councilman Sundquist – HERE, Councilwoman Mjelde – HERE, Councilman Schock – HERE, and Councilwoman Bauer – HERE.

**Staff Present:** City Planner, Clare Marley of Ruen Yeager, City Engineer, Ryan Luttmann of Century West.

Amendments to the Agenda —Councilwoman Bauer made a motion to remove item 3.4 Alternate Code Administrator from the Agenda until the City receives the information needed to take action on, 2<sup>nd</sup> by Councilwoman Mjelde; roll call vote:

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilwoman Mjelde – AYE Councilman Schock – AYE

Announcements – None were given.

Others Present: Robert Rutan, City resident supporting Ting's request for waiver of public works contractor's licensing, Lieutenant Chamberlain with Sandpoint Law Enforcement, Mike Hammack, supporting Providence Park, Vicki Klemm, representing HMH Engineering in support of Providence Park, Julie Washburn, City resident, and Kari Saccomanno, representing Ting.

**Public Comment** – None were made.

Mike Hammack – Proposed development within the City's Area of City Impact – Mike advised Council that he was representing the new owner of property referred to as Providence Park east of the Seven Sisters Subdivision. He stated that he was already working with HMH Engineering as far as all the surveying, engineering, and planning He stated that he had been working with Bonner County and had been told that the County would approve the development of said property. He stated that they would like to developed the subdivision in the County but would like for the City to come into a development agreement with Bonner County to ensure that the development would be subject to the city of Kootenai's zoning regulations. He stated that the County's minimum lot size requirement was at 5,650 sq feet but that he would propose the City's minimum lot size requirement at 10,650 sq feet. He advised Council that he had talked to the title company and had asked them to put a condition on the deeds to state that the property would be annexed into the city of Kootenai, but they said no that something like that would need to be within a subdivision agreement and each property owner would need to sign the agreement understanding that the subdivision would be annexed into the city of Kootenai upon the City's request. Mayor Lewis asked if he could get water. He stated that he did not know yet as they would need a drawing and they were working on that now. He stated that he didn't see that there would be a problem with getting sewer or water at this point. Councilwoman Mielde stated that she thought that at one time

there was an agreement that the city of Sandpoint would not extend water unless the properties were annexed into the City. Mr. Hammack stated that when the development was proposed in the past there was a letter from the city of Sandpoint stating that they would give water to the proposed development. She then asked why they did not want to annex into the City and develop within the County. Mr. Hammack stated that the process is much more simple and less expensive to develop in the County. He stated that the original drawing for said development showed 5.750 sq foot lots. He stated that the subdivision could be developed with smaller lots if they choose and then the County would just offer the City the option to comment but that would be all it is, just a comment; it would not stop the project or anything. Mayor asked Mr. Hammack about connectivity. Mike stated that they had a 60'easement all the way down Providence Way and all they need is a turn lane on Hwy 200. He stated that his understanding was that the streets and roads within the Seven Sisters Subdivision were dedicated to the City for public use. It does not say for controlled use. He stated he did not know what that means but it does say for public use. Councilman Sundquist advised that all of the streets and roads within the Seven Sisters Subdivision belonged to the city of Kootenai and were not public rights-of-ways and advised that there would not be egress or ingress for said proposed development unless it were annexed into the City and he wanted to make sure that that would be very clear that there is only one egress off of Providence Road and that there is no egress from the city of Kootenai, Mr. Hammack stated that was fine, but he wanted some kind of agreement with the City. He stated that the property owner could not be here but is hoping he can be in the near future. Councilwoman Bauer asked how many acres would be developed. Mr. Hammack stated that there were 40 acres. She then asked how many homes would be proposed. Mr. Hammack stated that they proposed somewhere around 140 homes and that would be at the 10,650 sq foot lots, but if they use the County's 5,650 then there could be more lots. She asked if he had talked with the Kootenai-Ponderay Sewer District. Mr. Hammack stated he had and was told that they had enough capacity to serve the proposed subdivision. Councilwoman Mielde asked if he had talked with the school district. Mr. Hammack stated they were not that far into the process. Mayor aske if they would develop everything and then sell the homes. Mr. Hammack stated that they were proposing to develop and then sell vacant lots. She asked if they would be all single-family homes. Mr. Hammack stated that at this point they would be all single-family homes. If they did anything different, they would do duplex lots. Councilwoman Mjelde stated her concern about development quality, drainage issues and parking requirements. She recommended just annexing into the City. Clare stated that is illegal for them to require a property to be annexed into the City in the future using some kind of agreement. Each property owner would have to agree separately. Councilwoman Bauer was concerned about traffic safety onto Hwy 200 and asked if there had been any traffic studies. Mr. Hammack stated that they had not yet, but that ITD has a standard that must be addressed. He stated that they had enough easement as the previous owner had purchased an easement. Councilwoman Bauer asked if they had talked to property owners within the area about the proposed development. Mr. Hammack stated he had walked the property and spoke to a few who are concerned about water flow. He assured Council that they were working with licensed engineers, so that would be something that would be addressed. He stated that of course the property owner wanted to develop as many lots as he can and that is why he would really like to see them come into some kind of an agreement with the City and use the 10,650 sq ft lot size. Councilwoman Bauer expressed her concern about the quality of the homes or development as she has experienced shabby work within the development she lives in. Councilwoman Mjelde stated that the County does not have building codes; they just give a lot location permit. There were no additional comments.

## 1. Consent Agenda:

Mayor Lewis asked Council for a motion to approve the Consent Agenda. Councilman Schock made a motion to approve the Consent Agenda, 2<sup>nd</sup> by Councilwoman Mjelde; roll call vote:

Councilman Sundquist – AYE
Councilwoman Bauer – AYE

Councilwoman Mjelde – AYE Councilman Schock – AYE

#### 2. Reports:

- **2.A.** Mayor: Mayor Lewis advised that she had meet with the County and stated that the County had made a couple of minor changes to the Memorandum of Understanding (Addressing MOU) which really did not change the integrity of the MOU that was proposed.
- **2.B.** City Engineer: Written Report Summary Specific topics were discussed: 2.B4 American Rescue Plan Act (ARPA) – Ryan advised that the City had received the first payment of funds to respond to COVID-19 or to invest in water, sewer or broadband infrastructure. He advised that there were several options for use of the funds but that stormwater was one that could be used. He advised that the City could use some ditching improvements and stormwater lateral improvements. Stormwater projects should reach out to the regional DEQ to review a proposed project for eligibility. There was discussion about problem stormwater areas within the City. Councilwoman Mjelde expressed her concern about stormwater buildup around City stormwater swales/wet land areas. Ryan stated he had talked with Independent Highway District and they agreed that a stormwater cleanout should begin at the lower end of the City and then work up from there. Ryan mentioned that there were culvert annalists being completed by Idaho Department of Transportation related to Hwy200 culverts. Ryan stated that he sent him the agreement that they were responsible for those culverts. Councilman Sundquist asked if maybe boardwalks could be considered say from Seven Sisters to Kootenai Meadows. Ryan cautioned Council that there will be transportation monies coming out that could be used for these types of projects. Councilman Sundquist asked if these funds could be used for recreation such as a tennis court, etc. or even recreation utility such as a public restroom. Ryan stated he did not know but didn't think so. Councilman Sundquist stated that it could be related to COVID-19 as it would give the community more opportunity to improve their health as they could be within walking distance. Council agreed that the City's stormwater drainage should be a priority. Ronda expressed her concern that she had to have the first report in by the end of August. Ryan suggested that the report give a summary of a proposed stormwater clean-up in accordance with DEQ review. Councilman Sundquist stated that this proposed summary could include boardwalks/sidewalks to provide connectivity within the City. Ryan suggested it could be labeled as a stormwater watch platform. Mayor stated that there will soon be funds that would support boardwalks and sidewalks. Councilwoman Mjelde suggested that Council trust Ryan and IHD to make a determination as to what was needed.
- **2.C.** City Planner: Written Report Summary Attached Specific Topics were discussed:
- **2.C2** Comprehensive Plan Clair stated that the U.S. Census Bureau has advised that the public will receive the data they need to begin redistricting by August 16<sup>th</sup>. She stated that this pushes back the City's plan to complete its update to its Comprehensive Plan and asked Council if they would like to move forward with updating as far as possible and then

implement the Census data once it was received. Council agreed that the City needed to move forward with finishing the Comprehensive Plan updates and agreed that a workshop be scheduled for October 20th 2021 beginning at 6:00 p.m.

- **2.D. City of Sandpoint Law Enforcement:** Attached There was no further discussion.
- **2.E. Selkirks-Pend d'Oreille Transit (SPOT)** Mayor stated that the system was running smoothly. She advised that SPOT had purchased an additional two buses for the ski route.
- **2.F.** Clerk Written Report Attached Council asked that the City have another Fall Clean-up. There were no additional comments.

## 3. <u>Discussion/Action Items</u>

3.1 Ting – Waiver of Public works License Request – Ronda stated that the City had received a support letter from the Seven Sisters HOA. Ryan stated that the City had received a utility encroachment permit application from Ting on May 17th and one of the requirements was that the contractor doing the work needed to have a Public Works Contractors License which he had gone over with the project manager for Ting at the time. Kari apologized to Council stating that there had been a turnover in management of the project and communications had crossed. She stated that Ting had planned to begin the project in August but that the Public Works License was holding up the project. She explained that the contractor that they were using did have one at one time but had let it expire and the license cannot be renewed therefore it could take 2 to 3 months to acquire. She stated that they had never been asked for this type of licensing and was hoping Council could waive the requirement so that Ting could get the project going and get something into the ground before this winter. She stated that if they could not get a build completed before the end of the year and due to what she had heard that Ziply was intending to also build within the City that they may not even build within the City. Councilwoman Mjelde mentioned that there were problems with their build in the city of Ponderay. Kari stated that yes, there had been some areas where exploratory holes were dug and the repair failed but that they were in the process of repairing them now. She stated that the city of Ponderay has stormwater swales as Kootenai does and it has caused some problems and that they have learned from that project. Councilwoman Mjelde asked Ryan if he had an opinion on the subject. Ryan stated that no he did not but was happy to make a couple of comments and Council could ask questions from there. He stated that a Public Works License was in place in order to allow contractors to bid on a project within a municipality. The license shows that the contractor has the experience to work within a municipality environment and that they have the financial backing to ensure that the work that to be performed will be secured. He indicated that the type of project at hand will require street cuts and at one time there was work completed by a contractor who did not have a Public Works License within the City where the street cut repair failed and there was a fatality. There was also another project where there was a sewer lateral project where the cut sluffed in and became a lot bigger; the contractor doing the work did not have a Public Works License and they had to get a contractor in that did have one. That was why the City now required this type of licensing. Ryan stated that the bores do not have a large impact on the street, but that it was when they do exploratory digging that causes problems. There may be a small hole but materials are being sucked out and exposing other infrastructure that may be in the area and this causes issues. When you are drilling underneath the street there is

water and he wanted to make sure he knew the depth information. He stated that one of the conditions of the proposed permit was a walkthrough every 20% of the project to insure all was being completed properly. Kari stated that if there were ever a sluffing issue then they would make sure repairs were completed when weather permitted. She also advised that Ting would be a better and cheaper service for the City's residence. Councilwoman Mielde and Councilman Sundquist expressed their concern that the work that was completed in the city of Ponderay was problematic. They stated that people were tripping over holes in the street as they were walking at night. Ryan stated that that was why he wanted to get a better idea of what Ting is planning as to where they plan to do any exploratory work and how Ting proposes to mediate problem areas. He stated he would like to not have these types of problems as Ting builds within the city of Kootenai. Councilwoman Bauer asked if Ting would use existing conduit. Kari stated that Ting was looking into that option. Kari stated that the Public Works Licensing is the only thing holding up the build. She advised that they already had the required Bonding and other things taken care of. Councilman Sundquist confirmed that in the past the City has had several instances where the contractors doing the work were not qualified and issues arose. Therefore, that is why the City then began to require the public works licensing. Councilman Sundquist asked if this was a timing issue or a financial issue as far as getting the license; can someone be hired who does have the required licensing. Kari stated that there was no one else in the area who could do the work. He then asked if the City was now setting a precedent. Councilwoman Mjelde suggested that there be conditions. Mayor asked Ryan that if he is supervising the project is it really necessary for the contractor to have the license. Ryan stated that he did not plan to supervise the project. His plan is to have a set of plans that meets the City's desired outcome, and that the contactor is familiar with the work that needs to be completed and he felt we were working in that direction. The only thing that he did not have clarified was if there were going to be cuts within the streets and roads. He advised that the City had just completed improvements to many of the City's streets and wants to insure that the integrity of the improvements are not compromised. He advised that if you have a smaller hole at the top and a larger hole at the bottom; how are they going to pack that. His understanding is that they were going to get a flow fill machine and he felt that would be what was needed. What we don't want to do is to have to come back in a year to repair. Kari stated that they try to do their best. Ryan suggested that a proposed waiver would condition not to include open trenches. Councilwoman Mielde stated that she would like to have the City Attorney's opinion and table the issue until the next meeting on the 18<sup>th</sup>. Councilwoman Bauer agreed. She stated that she had received many calls related to getting Ting in the City but she wanted to make sure the City's decision had solid attorney advisement. Kari asked if the City could get a decision sooner that the 18<sup>th</sup> as she was concerned that Ting would lose their construction crews and that they had planned to complete the construction by October. Councilman Schock confirmed that any waiver would be conditioned to not include open trenching. Councilwoman Mielde stated she did not have a problem waiving the licensing contingent on the City Attorney's opinion and with a no open trench condition. Ryan stated that he would like to see work discontinue after October 15 or when the weather sets in. Kari agreed that once the ground freezes they cannot continue. Councilwoman Bauer motioned to approve the Ting waver of public works license upon approval from the City's Attorney sign off on the request that the waiver is legal and that it would exclude open trench projects in the roadway, 2<sup>nd</sup> by Councilwoman Mjelde; roll call vote:

Councilman Sundquist – NAY Councilwoman Bauer – AYE

Councilwoman Mjelde – AYE Councilman Schock – AYE 3.2 Bid for City Hall Roofing Project – Ronda stated that a contractor had come into the office and had stated that he would submit a bid, but that she had receive nothing to date. She asked if the City would be interested in purchasing the metal roofing as the supplier was still offering the original pricing. Council agreed that the City should purchase the metal roofing to take advantage of the pricing and the offer for the supplier to store the materials until the City could get a solid bid and begin the project. Councilwoman Bauer moved to table the bid for the City Hall Roofing until the August 18<sup>th</sup>, 2<sup>nd</sup> by Councilman Sundquist; roll call vote:

Councilman Sundquist – AYE

Councilwoman Bauer – AYE

Councilman Schock – AYE

Councilman Schock – AYE

3.3 Bonner County Addressing Memorandum of Understanding (MOU) — Council discussed the changes proposed by Bonner County and agreed that they did not really affect the integrity of the Agreement. Councilwoman Mjelde stated that road naming would be addressed when a subdivision came to the City and that there are lots of workshops during that process therefore there would be plenty of time to address road and street names. There would really not be a need for any special meeting as the Agreement states. Councilman Sundquist stated that that clause would really be moot. Council confirmed that the Agreement still only affect new development. Councilman Sunduist made a motion to authorize Mayor to sign the MOU, 2<sup>nd</sup> by Councilwoman Mjelde, roll call vote:

Councilman Sundquist – AYE
Councilwoman Bauer – NAY
Councilman Schock – AYE
Councilman Schock – AYE

Mayor Lewis adjourned the meeting at 8:00 p.m. Submitted by: Ronda L. Whittaker/City Clerk

# CITY OF KOOTENAI SIGN-IN SHEET

**DATE:** 

August 3, 2021

TIME:

6:30 pm

Council Meeting

Council Meeting			
Name	Address	Representing	
Robert Rutan	424 Sever Sisters Dr.	HOA	
Steven Chamberlain	1123 Lake St. Sandport	Sandpoint PD	
Mike Hannack	1180 McGhee	Providence Park	
Muhi Hlemm	AmH Eng 514 Humbird St	Providence Pork	
Julie Washbarn	514 Humbird St no PO Box 15 Sdpt	here to observe	
Mari Occesiona	as to vex is suff	ling	
-11 All a -2 C - 1 Al			

# **City of Kootenai**

# **Treasurer Report July 2021**

Mt. West Money Market \$ 74,294.99 0.10% APY
Mt. West Checking \$ 281,093.90 0.01% APY

Park \$ - 0.01% APY

Idaho Central Credit Union \$ 392,103.12 1.85%

Total Cash Assets \$ 747,492.01

# INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 · GF REV	7		
Other Income	SLFRF	105,181.99	105,181.99
Franchise Fees			
*	Avista Corportation	3,448.17	
	Northland Cable Television	398.87	
	Waste Management, Inc	373.37	
Total Franchise Fees		=	4,220.41
Interest			
	Interest, MW Money Market	3.26	
	Interest, MW Checking	1.79	
	Interest, ICCU CDs	613.72	
Total Interest			618.77
Licenses & Permits	Business Licenses	0.00	0.00
Planning & Zoning Fees & Permit			
	Building Permits	1,655.49	
	Subdivision Fees	0.00	
Total Planning & Zoning Fees & Permit	3		1,655.49
Property Tax			
	Arrears Property Tax	602.15	
	Penalty & Interest	166.07	
	Property Tax Current	22,002.04	
	Recovered Homeowners Exemption	646.91	
	Circuit Breaker	0.00	
Total Property Tax			23,417.17
Rents			
	City Hall Rental	200.00	
	Post Office Rent	280.00	
Total Rents			480.00
State of Idaho Funds			
	State Liquor Fund	0.00	
	State Revenue Sharing	28,772.57	
Total State of Idaho Funds			28,772.57
	Total 01 · GF REV	59,164.41	59,164.41
		105,181.99	
		164,346.40	164,346.40

# INCOME/STREETS

Name	Account	Amount	Sub-Totals
02 · SF REV			
Idaho Transportation Dept			
	State Highway Users Fund	8,993.71	
	HB312	2,915.47	
Total Idaho Transportation Dept			11,909.18
Road & Bridge			
	Road & Bridge Current	16,834.98	
	Road & Bridge P & I	142.03	
	Road & Bridge Arrears	534.28	
	Circuit Breaker M & O	495.03	
Total Road & Bridge			18,006.32
Road & Streets		3	
Total Road & Streets			29,915.50
Stormwater/Encroachment	<b>Utility Encroachment Permit</b>	0.00	
Total Stormwater/Encroachment			0.00
	Total 02 · SF REV	29,915.50	29,915.50
	Total Income	194,261.90	194,261.90

# City of Kootenai Treasurer Report July 2021 EXPENSES/General Fund

Cocounting & Audit ank Charges use and Memberships uilding Maintenance  Janitorial Service Furniture & Fixtures  Otal Building Maintenance  ICRMP Legal Notices Attorney  Otal Legal  Iffice Expenses  Computer Maintenance/Repair Internet Service Office Supplies Events/Mayor  Otal Office Expenses  ark, Arbor Day & Earth Day  Maintenance - Landscaping	5,750.00 0.00 445.00 60.00 0.00	0.00 445.00 60.00
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Computer Maintenance/Repair Internet Service Office Supplies Events/Mayor otal Office Expenses ark, Arbor Day & Earth Day	595.00	
Computer Maintenance/Repair Internet Service Office Supplies Events/Mayor otal Office Expenses ark, Arbor Day & Earth Day		595.00
Internet Service Office Supplies Events/Mayor otal Office Expenses ark, Arbor Day & Earth Day		
Office Supplies  Events/Mayor  otal Office Expenses  ark, Arbor Day & Earth Day	116.38	
Events/Mayor  otal Office Expenses  ark, Arbor Day & Earth Day	112.18	
otal Office Expenses ark, Arbor Day & Earth Day	0.00	
ark, Arbor Day & Earth Day	38.38	
		266.94
Maintenance - Landscaping	310.00	
	0.00	
otal Park, Arbor Day & Earth Day	-	310.00
lanning & Zoning		
Planner	515.50	
Subdivision Fees	43.00	
Ordinance Revisions/Comp Plan	0.00	
Engineer	0.00	
Code Enforcement	0.00	
Building Permits	130.50	
Zoning Map	0.00	
otal Planning & Zoning		689.00

# City of Kootenai Treasurer Report July 2021 EXPENSES/General Fund - cont.

Name	Account	Amount	Sub-Totals
Training Workshops			
	Training Expenses	487.96	
	Meals	31.70	
	Milage	20.02	
Total Training Workshops			539.68
Utilities			
	Electric & Gas	89.45	
	Garbage	0.00	
	Telephone	71.68	
	Water	119.73	
	Sewer	0.00	
Total Utilities			280.86
Wages & Benefits			
	Clerk/Treasurer	3,510.54	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	345.02	
	Retirement Fund - PERSI	523.61	
6560 · Payroll Expenses	Health Insurance	631.64	
	Wages & Benefits	-131.64	
	Payroll Expense/Intuit	10.00	
Total Wages & Benefits			5,889.17
	Total 10 · GF EXP	14,825.65	14,825.65

# City of Kootenai Treasurer Report July 2021 EXPENSES/Street

Account Amount Sub-Tot	Account	Name
		20 · SF EXP
55.00	Maintenance	Ditches
		Total Ditchs
		Stormwater
tions 0.00	Culvert Inspections	
0	Engineer	
MI		Total Stormwater
0	Materials	Streets
<b>11</b>	Engineer	
ement Project/NM 10,000.00	Capital Improvement Project/NM	
10,0		Transportation
0	BCATT	
<u> </u>		Total Transportation
		Utilities, Streets
35.44	Signal Lights	
890.49	Street Lights	
		Total Utilities, Streets
SF EXP 10,980.93 10,98	Total 20 · SF EXP	
ense 25,806.58 25,80	Total Expense	
168,45		



# **MEMO**

To: Mayor Lewis and Council Members

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

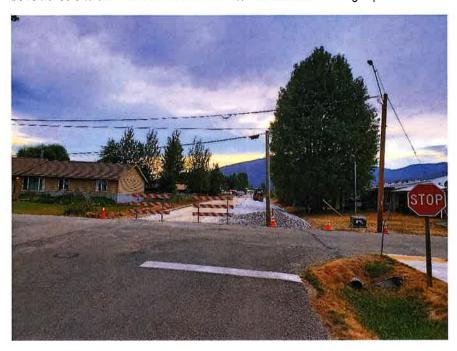
Date: July 1, 2021

Re: Council Meeting Report for July Engineering Activities

Engineering activities for the month of July included construction management for the 2<sup>nd</sup> Avenue Extension Project, coordination with Bonner County and IHD for the chip seal on Main Street, and reviewing additional fiber plans proposed for upgrades within the City.

#### 2<sup>nd</sup> Avenue Extension

The Independent Highway District has been working on the construction of the 2<sup>nd</sup> Avenue Extension project. Work in July included the staking and layout of the project, clearing and grubbing of the corridor, placement of geotextile fabric, placement of the rock cap base and installation of the <sup>3</sup>/<sub>4</sub>" minus top course material. AVISTA utilities installed a new gas line within the corridor and placed additional poles for the relocation of the aerial utilities. Ziply is schedule to relocate the final utilities so that the old power pole can be removed and the road construction work can be finalized. Paving is planned for the first week of August.





#### Main Street Chip Seal

The Bonner County Road and Bridge Department placed the chip seal on Main Street from Highway 200 to the City/County line. The Independent Highway District was on-site to perform additional traffic control at several of the road approaches along Main Street. Sweeping was performed and the Independent Highway District will replace the crossing and stop bar striping after paving of the 2<sup>nd</sup> Avenue Extension is completed.



#### **Permit Activities**

**ENU 006-021** – Additional communication and TING management occurred regarding the City of Kootenai's utility permit requirements. TING resubmitted a project plans for installation of new conduit and underground fiber throughout the City for review on July 28, 2021.

**ENU 007-021** – Ziply has submitted a request to bore some new conduit within the City, pull new fiber through existing underground conduits and attach fiber to their existing infrastructure on AVISTA poles. The work is proposed throughout a large area of the City.

Note: Construction of fiber installation by multiple utilities will likely need to be coordinated so that traffic control plans and/or construction activities do not interfere with each other. In talking with the Contract City Attorney, the City should have a copy of the provider's franchise agreement with the State so that the City is aware of the requirements within that agreement. If the providers do not



have a franchise agreement with the State, they should have an agreement in place with the City. In addition, if the providers are going to be using AVISTA poles, they will need to be aware of any applicable requirements within the City's franchise agreement with the AVISTA and the City should be provided a copy of the use agreement that the provider has with AVISTA.

#### American Rescue Plan Act (ARPA)

The City of Kootenai has received the first payment of funds to respond to COVID-19 or to invest in water, sewer or broadband infrastructure. It seems that clarifications on how the money can be used continue to be updated and some of the clarifications have included some elements of stormwater improvements, lost revenues, etc. For cities that do not have water, sewer or broadband, there are options to work with water or sewer providers to use the funds for upgrades within the City. For discussion, below are some general costs for ditching improvements in the City and/or sewer lateral improvements.

Ditching Improvements – It is estimated that cleaning ditches and lowering/replacing some of the existing culverts within a City block could cost \$25,000 per block. Therefore, \$100,000 of stormwater ditching improvements would extend approximately 4 City blocks. If the City is considering using ARPA funds for a stormwater project, it is recommended that the scope of work be reviewed with the regional manager for IDEQ for eligibility with the use of funds.

Stormwater Lateral Improvements – The Kootenai Ponderay Sewer District estimates the cost to replace a sewer lateral to be approximately \$5,000. Therefore, \$100,000 would replace approximately 20 sewer laterals within the City. While the ARPA funds may not be used to fix or repair a roadway, some interpretations determine that if the primary goal is for use on water or sewer improvements then the roadway repair could be included in the project/use of funds.



# RUEN-YEAGER & ASSOCIATES, INC.

ENGINEERS ♦ PLANNERS ♦ SURVEYORS

#### **MEMO**

To:

Kootenai City Council, Mayor and Clerk

From:

Clare Marley, AICP, City Contract Planner

Date:

July 27, 2021

Re:

Planning update for August 3, 2021 City Council meeting

**Building permit activity: ADVISORY ONLY**. The City received one building permit in July for a porch covering, bringing the total to six for the year.

Comprehensive Plan update: The U.S. Census Bureau has advised that the public, will receive the data they need to begin redistricting by August 16. The Census Bureau will also deliver the final redistricting data toolkit to all states and the public by September 30. COVID-19-related delays and prioritizing the delivery of these apportionment results delayed its original plan. More 2020 Census population results will be available later including statistics on age, sex, race and ethnicity, and details about the center of population. RYA staff has prepared a compilation of existing policies and draft new language for policies missing from the current plan. Please advise whether the Council wishes to set another workshop to review the policies and other text and mapping components of the plan, since the population data continues to lag behind anticipated delivery dates.





# City of Sandpoint, Idaho POLICE DEPARTMENT

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

Mayor

Report for June 2021

There were 39 total calls created for the City of Kootenai for the month of June, 2021. Of the 39 calls created, 7 calls were created for other agencies responding to Kootenai.

These 7 calls do not fit the billing requirements.

We will be submitting billing for 32 calls for service.

# Sandpoint's Calls for service

32 calls

Domestic Dispute	4
Theft of Property	3
911 Hang-up	2
Fraud	2
Parking Violation	2
Reckless Driving	2
Suspicious Person/Circumstance	2
VIN Inspection	2
Welfare Check	2
Accident, Hit and Run	1
Animal Problem	1
Citizen Assist	1
Custodial Interference	1
Controlled Substance	1
Fire Structure	1
Fire Vehicle	1

Fireworks Violation	1
Threatening Suicide	1
Trespassing	1
Unlawful Entry	1

#### **Patrol Highlights**

- Citizen assist RP called and wanted to know if it was legal for people to take pictures of children in public.
- Unlawful entry Officers responded to Kootenai for a report of an unlawful entry. I met with the RP who is the maintenance worker at the property. He said he found the door to unit 8 partially open and the apartment looks like someone trashed it. Case is under review.
- Family Offense RP reported his cousin Shawn held him down under water in a kid's inflatable pool and choked him so he couldn't breathe. Multiple witnesses confirmed Shawn was holding him down under water and his clothes were dripping water. Shawn was cited for Battery, in violation of I.C. 18-903.
- Suspicious RP reported coming home and seeing the light in her residence turn on. The residence was locked from the outside with a padlock, which was in place. The residence was checked and nobody was located.
- Fraud RP reported receiving a letter in the mail from an attorney out of Canada that said a loved one passed away and she was entitled to some money. She said she thought it was a scam. I looked up the business address the "attorney" put on the letter and it returned to a condo complex not a business. scam
- Theft U-haul tow dolly was stolen from Squeaky's.
- Fire structure Officers responded to 407 Hope Street in Kootenai for a possible structure fire. A female called 911 advising her smoke alarm was going off and she could smell smoke inside the residence. Northside Fire Department responded and was unable to locate any smoke.
- Family Offense Officers responded to a domestic dispute on Brittany loop. Upon arrival, Officers spoke with both parties who sated it was not physical and would not elaborate further.
- Fraud A business reported an ex-employee had used the company credit card to charge up to 1,400 dollars. Case is under investigation.
- Custodial Interference RP reported his ex-wife violated the court ordered custody agreement they have in place by physically leaving the residence on Main Street in Kootenai with the children during a supervised visitation. Under investigation
- Drugs Erik D Raab, 42 YOA of Chattaroy WA, was arrested for DWP, 2nd offense no
  insurance, possession of marijuana and possession of paraphernalia. Brandi L Wright, 43
  YOA of Sandpoint, was arrested for frequenting.
- Suicide threat Officers responded to a suicidal male identified as Kyle. Officer spent some time speaking with Kyle reference to his concerns. It was determined he was not suicide just upset.

• Family offense – Officers were dispatched to Brittany Loop for a report of a 911 hang-up. I did not attempt to contact the reporting party, by phone seeing that dispatch informed me there had been two previous Family Offense calls at this address this year. During my interview with RP, it was clear she was upset and appeared afraid. After interviewing her and noticing obvious hand and finger marks on her neck, I interviewed her husband. Based off the marks on her neck and both of their statements, I placed Andrew under arrest for Attempted Strangulation.

# Traffic stops

Verbal warnings	2
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# Written Warning

Excessive speed	2
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## Traffic citations issued

3
1

## Misdemeanor citations -

DUI	1
Possession of a controlled substance	2
Drug paraphernalia	2
Driving without privileges	1
Frequenting a place drugs are used	1
Battery	1

## **Felony**

Attempted Strangulation (domestic)	1

To: Kootenai City Council and Mayor From: Ronda L. Whittaker, City Clerk

Date: July 2021 RE: Clerk's Report



**Website Activity** – Continued update of the site. Working on downloading past information that was deleted. Calendar is active. Will keep updated

**Building Permit Inquiries** – Screening questions about additions to existing homes; many are trying to add additional rooms; advising of setback regulations and additional hookup fees if needed. Collection of non-refundable initial fees. Ongoing inquiries regarding additions and/or inside improvements going on; some have been started without permits. Project was aborted; still keeping an eye on the site.

Clean Up Issues –There are a lot of properties who are creating a nuisance with their outside debris. I will be working with our City Attorney to see what the City can do to remedy this practice. Notices have been sent out for debris cleanup where needed. Our City Attorney has sent out a Formal Notice of Violation to an ongoing outside debris violator and if not abated will be coming to Council for direction. I meet with Northside Fire Department and was told that the property owner at All Seasons was to provide a plan of action to clean up unused supplies stored on the property and weed abatement in the area. I have heard nothing to date.

Working with New Technology – A new router has been installed. Lets hope this will cure our technology issues.

Working with Independent Highway District (IHD)— Working with IHD to plan on when to start the drainage re-route project and weed abatement. Avista agreed to take out the Cottonwood from the Keegan Court area. IHD has agreed to take care of the wood. IHD has also agreed to take care of the dilapidated barbed wire fencing at the edge of the Second Street Project and the designated park area that was brought to the City's attention by Councilman Schock.

**Playground Activity** – Working with Justin with HMH Engineering. We have ordered the ADA Swing which will be delivered within the next 4 to 6 weeks. Justin, myself and Ryan will be working on a plan of action to get the walkway and pad in place to ready the assembly of the Swing. Very excited.

Records Retention – Working on organizing and refiling the City's Building Permits for easy access.

**Parking Lot** – New ADA sign has been ordered. Just waiting for delivery.

State and Local Fiscal Recovery Funds – The City has received the first distribution of \$155,182. I have been working with Ryan on a plan of action. The first report will be due by August 31<sup>st</sup>.

Working with Ting and Ziply Broadband Build – A lot of backing and forth with Ting, Ziply, and Ryan trying to get all of the required documents together in order to have a complete application from them both. There have been a lot of staff changes and it makes it hard for all to stay in the loop.

Avista Franchise – Working with the City's Attorney to ready the City for adoption of the Agreement. Good News, State Statutes have changed, and we do not need to read the full ordinance and we are not required to have a public hearing. The proposed Agreement has been published; after 30 days Council may adopt the Agreement and waive the readings.

**Working with City Attorney** – Working on getting a scope of work and contract together for an alternate code administrator and getting the Northside Fire Department Impact Fee documents edited and finalized in order to begin adoption procedures.



Devon Brown Seven Sisters Homeowners Association (208) 255-8100

info@sevensistershoa.com www.sevensistershoa.com

August 3rd, 2021

Kootenai City Council Members | City Hall 204 Spokane St. Kootenai, ID 83840

Dear Mayor Nancy Lewis & Council Members,

I am writing in support of the Waiver of Public Works License Request submitted by Ting internet. This letter is submitted on behalf of the 55 homeowners within the Seven Sisters Homeowners Association, to which the majority are without a sustainable and affordable source for internet.

I believe the recent article in the Idaho Star Journal by David Finkelnburg summed it up nicely when he said:

"Given that the pandemic we're still in seems to be riding on a virus that never quits, wider internet availability can't come soon enough."

A fair number of the homes in our community are owned by families with school-age children. An expanded internet infrastructure would benefit them and other families like them as we prepare for the upcoming school year. This does not account for the many still working from home or, like myself, those who have an online business.

Access to high-speed internet is an urgent priority for Idahoans in all corners of the state, including Kootenai. This access allows us to link to global marketplace, gives students and families the tools to succeed, assists in the growth of local businesses and creates a "smart city" to which benefits are abundant.

It would be a shame to see this infrastructure and these benefits delayed any longer due to a requirement that is potentially unneeded and not required by any other public entity where Ting internet is established.

On behalf of the Seven Sisters Homeowners Association, we ask that you waive this requirement so that high-speed internet access can no longer be a dream for our community, but rather, a reality we can all enjoy.

Devon Brown

Secretary/Treasurer

#### MEMORANDUM OF UNDERSTANDING

#### **Between CITY OF KOOTENAL and BONNER COUNTY**

This MEMORANDUM OF UNDERSTANDING (hereinafter referred to as the "MOU") is hereby entered into by and between the CITY OF KOOTENAI ("City"), a municipal corporation incorporated pursuant to the laws of the State of Idaho and BONNER COUNTY ("Bonner"), a political subdivision of the State of Idaho.

I. PURPOSE. The purpose of this MOU is to provide for Bonner to provide municipal addressing and road naming services within the corporate city limits of Kootenai for purposes of new development. This agreement will provide the Bonner County Address Administrator with the authority to provide addressing and road naming support for all new development requests within the City boundaries and provide a seamless process where addresses and road names will be incorporated into the Public Safety Answering Point (PSAP).

## II. RESPONSIBILITIES.

- a. Costs
  - 1. The landowner shall be responsible for all fees incurred or owed in accordance with the Bonner County GIS Fee schedule.
  - 2. Fees shall be paid directly to Bonner County by the landowner.

#### b. City shall:

- 1. Make available for copying and/or inspection all City documents necessary to complete the addressing, to the landowner, developer, and/or Bonner upon request.
- 2. Schedule a Special council session as needed to review any addressing or road name concerns as requested by Bonner County GIS.

#### c. Bonner shall:

- Provide GPS data collection of all new access points, driveways, roads and structures while meeting all National Emergency Number Association ("NENA") accuracy requirements.
- Review all proposed road names to ensure compliance with NENA standards as particularized in the Bonner County Addressing Ordinance and coordinate with City Officials as needed to resolve conflicts.
- 3. Draft and distribute all address assignment or road name notifications to:
  - i. Affected Property Owners
  - ii. United States Postal Service
  - iii. County Assessor
  - iv. Local Municipality
- 4. Draft and distribute all address verification letters.
- 5. Refer all requests to City Officials for action and approval when the submission involves readdressing or action necessary to address conflicting road names.

#### d. Maintenance:

1. Bonner County will store and maintain all data in the GIS Enterprise.

City may request a copy of their data at any time, which shall be provided without, charge to City.

## III. TERM AND TERMINATION.

- a. That this MOU shall be deemed executed as of the date of last signature below, and shall be effective thereafter, unless previously terminated by either party.
- b. Either party may terminate this MOU, with or without cause, with thirty (30) days written notice to the other party.
- IV. GENERAL PROVISIONS. The parties agree:
  - a. That each party shall be liable for any and all claims, damages or suits arising from the acts, omissions or negligence of its officers, agents and employees.
  - b. That this MOU shall in no way restrict Bonner County from participating in similar activities with other public or private agencies, organizations, and individuals.
- EXCLUSIONS. This Memorandum of Understanding shall in no way grant permission or V. authorization for Bonner County to engage in re-addressing of existing locations within the City limits without express approval and action of the City, nor shall it authorize Bonner County to rename existing roadways. IN WITTNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding as of thelatest date written below. DATED this 3 day of Aug 4021. Ronda L. Whittaker, City Clerk-Treasurer Nancy Lewis, Mayor City of Kootenai **BONNER COUNTY BOARD OF COMMISSIONERS** Dan McDonald, Chairman Steven Bradshaw, Commissioner Jeff Connolly, Commissioner ATTEST: Michael Rosedale, Clerk

By:\_\_\_