



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

DATE: March 1, 2022

TIME: 6:00 p.m.

Mayor Lewis brought the meeting to order at 6:00 p.m.

Roll Call: Councilman Sundquist – HERE, Councilwoman Mjelde - HERE, Councilman Schock – HERE, and Councilman Rafferty– HERE.

Staff Present: City Clerk, Ronda L. Whittaker, City Engineer, City Planner, Clare Marley and Assistant City Planner Tessa Vogel.

Others Present: Steven Chamberlain, representing Sandpoint Law Enforcement, Steven's son, Derrick, Fire Chief Brad Mitton of Northside Fire District, Northside Fire District Commissioner Vernon Roof, Mike Sale representing Lignetics, Kermit Kibert representing the Department of Environmental Equality, Susan Kibert, Nancy Hasting representing All Seasons Nursery, Ken and Cis Gors, City residents, Sandra Anderson, City Resident, and Julie Washburn, City Resident.

Amendments to the Agenda – Ronda stated that she had just received an invitation to apply for a grant from the Idaho Nursery & Landscape Association and asked it to be included within the discussion portion of the Agenda. **Councilman Sundquist made a motion to add the suggested amendment to 3.2 of the Agenda, 2nd by Councilman Rafferty; roll call vote:**

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

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

Announcements – None were given.

Mayor opened the Public Hearing at 6:05 p.m.

PUBLIC HEARING – Adoption of Comprehensive Plan Resolution and Land Use Map by Resolution, Adoption of Northside Fire District Impact Fee ordinance, an amendment to Kootenai City Code, Title 7, new Chapter 3, Adoption of resolution to amend the City's Fee Schedule to add impact fees, Intergovernmental agreement with Northside Fire District by resolution and Resolution regarding advisory committee:

Mayor Lewis asked if anyone had signed up to speak. Ronda stated that no attendees had signed up to speak. Mayor advised that each speaker will 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 City's Planner, Clare Marley, advised that the

city of Kootenai would be considering the repeal and replacement of its 2011 comprehensive plan and projected land use map with a new plan and map. She stated the proposed plan contains the components required by Idaho Code Section 67-6508, including analysis of current conditions, services, land uses, trends, the city's desired goals and objectives, and a map indicating suitable projected land uses within the City. She also stated that the City of Kootenai will consider an amendment to the City of Kootenai Comprehensive Plan by the addition of the Northside Fire District Impact Fee Study and Capital Improvements Plan as Appendix C, for the purpose of entering into an intergovernmental agreement with the Northside Fire District for the collection and expenditure of the Northside Fire District's development impact fees, within the area of the City that is also within the boundaries of the Fire District, for the Fire Districts system improvements as identified in the Capital Improvements Plan. Clare stated that new to the Plan were the following

- Updated census totals advising that Kootenai was one of the youngest in the area at 33.7 years median age, compared with 46 countywide, and also had the lowest housing vacancy rate of all Bonner County cities. She advised that updated census data would be added to appendix once it is received.
- Northside Fire District Impact Fee Analysis and Capital Improvement Plan. Clare stated that the funding program was to meet demands of new growth in the service area which was projected to be \$4.3 million in capital improvements over the next 10 years and advised that the program would implement a \$785 impact fee for residential new development and 39 cents per sq. ft for non-residential new development.
- Earthquake and Hazardous Spill Potentials. Clare advised that the Hope Fault and Percell Trench intersect at Sandpoint and traverse through Kootenai. She also stated that the city was at high risk for hazardous spills due to highway and railroad and that there was concern about industrial risks of fire, spills, and particulate matter along with severe weather, specific losses and power outages from it.

Clare advised that Council had had several workshops over the last two years and that Council's priorities were to recognize property rights, develop infrastructure for safe access to schools, to recruit businesses that are a good fit for the City, and to advertise city amenities and partner with the local chamber and Bonner County Economic Development and work with Bonner County for meaningful voice in its area of city impact, to develop evacuation plan, work with Sandpoint and Sewer District to develop sewer and water capacity plan, to create park committee and work on underdeveloped or unused parks and to consider farmers' market or community garden options. Councilman Sundquist confirmed that there had been no changes within said documents since the last workshop. Clare advised that she had added the impact fee portion of the Comprehensive Plan and had corrected some cross reference errors within the impact fee ordinance as suggested by the City's attorney.

Staff Report – As stated

2. Public Testimony – In favor of application - None
3. Public Testimony – Neither for nor against - None
4. Public Testimony – Opposed to application - None
5. Rebuttal by Applicant – None were proposed.
6. Closure - Mayor Lewis closed the public hearing at 6:30 p.m.

Deliberation and Decision: There were no further deliberation. Mayor Lewis asked for a motion to approve the Comprehensive Plan and Land Use Map. **Councilwoman Mjelde moved to approve the city of Kootenai, Idaho Comprehensive Plan and city of Kootenai, Idaho projected Land Use Map, dated March 1, 2022, and to repeal the 2011**

city of Kootenai Comprehensive Plan and Future Land Use Map and any previous plans or maps that may exist. She further moved to adopt Resolution #89, adopting the comprehensive plan, map and Northside Fire District impact fees element to the Plan, and repealing all previous maps and plans and stated the decision to approve is based upon the conclusion that the adoption meets the procedures and standards of Idaho Code Sections 67-6508 and 67-6509 of the Idaho Local Land Use Planning Act, 2nd by Councilman Sundquist; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

Clare advised that the Council now needed to continue the hearing to adopt the proposed Impact Fee Ordinance. Mayor asked if there were further deliberation. **Councilman Sundquist moved to read the ordinance on 3 different days, 2 by title and 1 in forll or dispense with rules, per Idaho Code Section 50-902, 2nd by Councilman Rafferty; roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

Councilman Sundquist moved to dispense with the rules for reading the ordinance on three different days and call for one reading of the proposed ordinance by title alone, pursuant to Idaho Code Section 50-902, 2nd by Councilwoman Mjelde; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

The City Clerk read the title of the Ordinance.

Councilman Schock moved to adopt the Ordinance, an amendment to Kootenai City Code, Title 7, to adopt a new Title 3, “Northside Fire District Development Impact Fees,” finding that it is in accord with the adopted policies of the city of Kootenai comprehensive plan and in accord with the authority standards, and procedures of the Idaho Development Impact Fee Act; 2nd by Councilman Rafferty; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

Councilman Sundquist moved to approve the summary of Ordinance #234, as presented and authorize the publication of this summary in accord with Idaho Code Section 50-901A, 2nd by Councilwoman Mjelde; roll call vote:

Councilman Sundquist – AYE
Councilman Rafferty– AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

Staff Report – Clare advised that Council now need to consider approving a resolution to adopt the amended fee schedule. She stated that the resolution changes included the impact fees of \$785 for residential new development and .39 cents per square foot for non-residential new development and the exhibit to the resolution to include the same.

- **Public Testimony** – In favor of application - None

- Public Testimony – Neither for nor against - None
- Public Testimony – Opposed to application - None
- Rebuttal by Applicant – None were proposed.

Councilman Sundquist moved to adopt Resolution, number to be assigned, adopting the 2022 city of Kootenai Official Fee Schedule Exhibit A that includes new fees for Northside Fire District development impact fees and rescinding Exhibit A of the 2020 Official Fee Schedule, and declaring the fee schedule effective upon adoption, 2nd by Councilman Schock; roll call vote:

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

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

Clare advised that Council now needed to consider approving the resolution to adopt the Northside Fire District Intergovernmental Agreement.

Mayor asked for a motion to adopt the Agreement

Councilman Rafferty moved to approve the Resolution, adopting the city of Kootenai and Northside Fire District Intergovernmental and Joint Powers Agreement for the collection and expenditure of Development Impact Fees for the Fire District Improvements, and authorize the Mayor and Clerk to sign the document, 2nd by Councilman Sundquist; roll call vote:

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

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

Clare advised that Council now needed to consider approving the resolution providing a joint development impact fee advisory committee.

Mayor asked for a motion to adopt the resolution providing for an advisory committee:

Councilwoman Mjelde moved to adopt the Resolution , providing for the Joint Development Impact Fee Advisory Committee, 2nd by Councilman Rafferty; roll call vote:

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

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

Councilman Sundquist thanked staff for the current and past efforts as the City has been working on this project since 2018. He also thanked Council for their diligent work to complete this project. Mayor also commended Council and Staff for their work to complete this project.

Mayor closed the public hearing at 6:41 p.m. and opened the regular Council Meeting.

Public Comment – Mayor advised attendees that all public comment would be heard at this time and that there would be no further public comment as Council continued on with the meeting and topics stated within the agenda. She advised that she would not accept respective comments or speak for other entities and that each comment would be limited to 3 minutes. Ronda stated that she had received a comment from Larry and Diane Ellis: My wife and I have lived in Kootenai for 33 years at 210 Boise Street. We have experienced debris from

Lignetics on our vehicles, on our deck and on our garage and house roofs the entire 33 years. It is a constant battle to clean the sawdust from the exposed surfaces. We are also concerned that there might possibly be issues affecting our health. We would greatly appreciate the city of Kootenai take action to eliminate the sawdust problem. Nancy Hastings asked Council to consider her formal complaint regarding unhealthy debris from Lignetics and referred to the City's Code regulating storage and maintenance of unsightly, unhealthy vegetation surrounding the site. She advised Council that she and her staff work outside and that there were times that they had to come inside as the debris was thick enough to get into their eyes. She also stated that there were times that her clients asked if her soil was contaminated with insects and she advised that it was sawdust. She expressed her concern about unhealthy air quality and asked Council to do something about it. Cis Gors stated that she had pictures that go back to 2008 that showed the nuisance sawdust that accumulates at her property and on her vehicles. She stated that she had attended an EEA meeting with Mr. Tucker and the past owner of Lignetics and had looked at the chips that were forming at the school which were like chunks of wood, plus I had bags of fine stuff and they said that that was what was coming out of the stacks. Since then, we have had year after year of debris filtering into the City. She stated that she did not want to shut it down but she wanted more efforts to resolve this issue.

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. There were none. **Councilman Sundquist made a motion to approve the consent agenda, 2nd by Councilman Rafferty, roll call vote:**

Councilman Sundquist – AYE
Councilman Rafferty – AYE

Councilwoman Mjelde – AYE
Councilman Schock – AYE

2. Reports:

2.A. Mayor: No Report was provided.

2.B. City Engineer: Written Report Summary – Attached – Mayor stated that the City was not awarded the Children Pedestrian Safety Grant but that there may be additional funds available in the near future. Ronda advised that Ryan had contacted her about stormwater flow and advised that he had reviewed the stormwater flow and water is flowing slowing but that is normal and that the flow should begin moving faster as soon as a good thaw happens. Councilwoman Mjelde stated that some of the culverts and stormwater swales have ice in them and it may take longer for them to begin moving properly. Ronda stated that it is important for property owners to keep the stormwater swales free of debris and weeds as this is partly a cause of slow-moving flow. Mayor mentioned that Ryan had mentioned the Urban Area Transportation Plan and advised that she and Ryan will be going to the next planned meeting to be held on March 23rd and that all the paperwork had been handed in to support the Plan and that the March meeting would give her and Ryan the time to discuss what the city of Kootenai would like as part of the Plan. She stated that if anyone had any suggestions to provide them to her before said meeting.

2.C. City Planner: Written Report Summary – Attached. Items specifically addressed:

2.C2 ACI – Bonner County ZC0003-22 Howard – Assistant Planner, Tessa Vogel summarized her review and concerns of the proposed County zone change – Attached.

Council agreed with Ms. Vogel's findings and asked that a comment be submitted. Councilman Sundquist asked that the City comment that it has no concerns that it does fit with our current zoning.

2.C2 ACI – Bonner County AM0001-22 & ZC0002-22 Miller – Assistant Planner, Tessa Vogel summarized her review and concerns of the proposed County amendment and zone change – Attached. Council expressed their concern as who would supply water and/or sewer. Ms. Vogel stated that water would be provided by Oden Water and at this point they would have individual sewer plans. Council and Mayor expressed their concern about another one way in and one way out. Council agreed with Ms. Vogel's findings and concerns and asked that a comment be submitted.

2.D. City of Sandpoint Law Enforcement: Lieutenant Chamberlain stated that things were pretty consistent as far as calls to the City.

2.E. Selkirks-Pend d'Oreille Transit (SPOT) – Mayor stated that there have been some mechanical issues with some of their busses and that they were thinking of using a smaller bus for the ski route.

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

3. Discussion/Action Items –

3.1 Legnetics Debris – Ronda introduced Mr. Mike Sale Vice President of Operations for Lignetics. Mr. Sale addressed Council stating that they operate 22 sites similar to the one located within the City all the way from Main to Oregon. Mr. Sale advised that it is his job to make sure the facilities are operating safely, providing local employment, and making a profit. Mr. Sale stated that a couple of weeks ago he was approach by a couple of people from his team for Lignetics he stated that he was working on fortifying his team. He mentioned that this local plant has been experiencing some leadership issues. He stated that since his position with Lignetics this plant – three years – there have been 2 plant managers and has been experiencing some deficiencies. He stated that he is in the process of finding a new plant manager who will pay more attention to detail and will follow the rules and policies that are put in place, without exception. Mr. Sales explained what the plant does and showed an example of what the sawdust looks like and the pellets that come from it. He stated that Lignetics received the waste products from lumber yards. It that waste was not used as stated it would end up in landfills. He stated that the lumber industry needed a consistent outlet for their waste. Therefor because the lumber industry is doing well there is much more “waste” that can be managed and that is what has happened in the last year or so with the economy doing well and he recognizes that there is a long history of issues with this plant, but that he has only been with the company for 3 years. He stated that this site has received over 15,000 tons of raw material which is in that pile that presently exists. He stated that he has a game plan to take that pile down and as of this morning it was down 13, 500 tons and the plan is to reduce the pile by 500 to 1,000 tons every month until September and it should be down to 8,500 tons. He stated that they had recently purchased a drone that will fly over the site and monitor the height of the pile. He stated that their nets go up to 70 feet and as of this morning the pile was at 63 feet. He stated that as long as they were less than 10 feet from the height of the netting, they will not disturb the pile if the wind is above 10 miles per hour. He advised that they do have to operate when the wind may be high. He expected that the pile will be below 10 feet within a week or two. He advised that they have also agreed to fly the drone every week to ensure that we never have a point above the top of the net. Mr. Sale showed an example of the screening that is used to help filter the sawdust when it is disturbed. He stated

that they had made a repair just this morning. He stated that the screening is made with some structure and some looping that helps filtration. He advised that they are committed to keeping the screening repaired. He admitted that there are sections of the screen that are open at the connection of screening panels. He also explained that they will demolish the delapidated storage building that can be seen from the highway and move the contents into the plant closer to where they are needed by the end of this summer. He stated that sawdust that is not used deteriorates to an unusable state. He stated that they had a large pile of such deteriorated waste that was formed into a berm, and they plan to hydroseed it this spring so that it will be more aesthetic to the eye. He stated that he knows that there has been passed issues with past ownership and that they had not kept to their word on problem issues. Mr. Sale stated he will do everything he just noted by the end of this summer. He stated that they are a larger company, and they take these things seriously in terms of being good partners and good neighbors. His intention is to improve and do better than what has been done in the past. Mayor Lewis asked if the plant here was one of their largest sites. Mr. Sale stated that it was not. She then asked about screening areas that are not protected by the existing screening. Mr. Sale stated that they could look at extending the netting. He stated that as the pile is reduced that area will recede. Kermit Kibert, chairman for the Department of Environmental Quality stated that he wanted to remind people of what it was here 30/40 years ago. This area was made up of lumber yards and there has been issues with sawdust historically. He asked if there was a possibility for Lignetics to spray/coat the pile with a light coating of latex as the coal railroad cars use. Mr. Sale stated that he could investigate that but that his concern was that they are regulated by a pellet fuels intuition (PFI) and at one point and time they added polyethylene to their product, and they don't do that anymore and he would be very careful about additives to their products as it is now 100% wood. Councilman Sundquist asked Mr. Sale to confirm what he meant when he mentioned netting, screening, and fencing during his presentation. Mr. Sale confirmed that there were two things, the netting the material he passed around that surrounds the area in front of the site, and that he is also planning to put up a privacy fence in the area where the dilapidated storage is that will be removed. Councilman Sundquist stated the netting in place to date has been then there for over 20 years and has been periodically stretched around and manipulated and that there are large gaps leaving those areas unfiltered and at this time is not effective. He advised that this is one of the things that need to be immediately resolved. He stated that he appreciates good business within the City and that it is Council's job to balance business rights and the rights of the community and air quality is a great concern. He advised that he does get dust and noise from the facility. He mentioned that there was a time when back-up beepers were used at night and at one time when a replacement truck was damaged and the beeper was on all night and that echoes throughout the City. He stated that he would like to have that addressed. He stated that if there is an Idaho DEQ particulate matter quota and it is being exceeded, that it needs to come to a point to where it is not being exceeded. Councilman Rafferty stated that there is one in Bonner County. Council agreed that this would be something that needs to be looked into. Councilman Schock stated that he has lived here all his life but that over the last 6 years it has gotten worse. He mentioned that there is particulate coming down even when there is no wind, and he feels that that is coming from the stacks. He stated that the Idaho Fire Code regulates that size of piles and as long as they are following that and DEQ standards he was fine with that. Mr. Sale stated that he was not aware of the 2018 International Fire Code regulation. Councilman Schock advised that he was reading Section 2808 from the code for storage and size of raw product. Mr. Sale stated he would look into that. Clare confirmed that Idaho had adopted the International Fire Code and that said code is current. There was discussion about other facilities comparable to the Kootenai site that enclosed their sawdust. Councilwoman Mjelde offered a picture of a site to Mr. Sale. Councilwoman Mjelde stated

that she has been dealing with this issue longer than anyone in the room and she remembered when the facility closed, and the rotting piles would catch on fire. She told Mr. Sale that she liked his suggestions, but that she has heard these types of suggestions over 40 years and still her window seals are continuously covered with light powdery sawdust. She advised that she was a block from the school, and it concerns her that the safety of the resident children is being threatened. She stated that now that she does not operate her day care and is not outside as much, she no longer coughs. She expressed her concern that the City has met with Lignetic representatives over the years and demands by the City have been met for a while but then all reverts back to the way it was. She stated that on the weekends that the steam that is supposed to be just steam is brown, so there are problems not only with the sawdust pile but also the stacks. She stated that she has grandchildren that will be visiting, and she did not want them to be breathing this air. She stated that it is time for our citizen's safety to come first whatever it takes. She stated that she felt that the facility was in violation with at least three City codes and three State codes. There was discussion about how many different attorneys that the City has used to resolve some of these issues in the past with no compliance. Councilwoman Mjelde stated that it is hard to trust Lignetics at this point. Councilman Rafferty stated that he works for the Idaho Transportation Department, and they have concern that the trucks that bring in the sawdust is uncovered and also contributes to the sawdust issue. Councilwoman Mjelde mentioned that she understood that there is an Idaho Transportation Department that requires 10-foot setback from the Highway and that is also a violation. Councilman Sundquist stated that he understood that Lignetics has a permitted right to do business and that he is not telling them that they can not do that but that the City has an obligation to know what the codes allow and Lignetics have an obligation to do the best that they can to meet those codes. That is what is going to make us good neighbors and the screening was a good idea, but it just does not work the gap between the poles make it unsuccessful. There was discussion about aesthetic trees planted in front of the pile. Councilman Rafferty stated that the area in front of the facility is State right-of-way and that the State came in and cleaned all that right-of-way out so really there is no room for tree planting in that area. Mayor Lewis asked Mr. Sale how soon the facility would get a new facility manager. Mr. Sale stated that they would be interviewing this next couple of weeks and evaluating their employees and getting them more engaged. He stated that a big part of this is keeping the pile lowered and that he is working to empower the plants employees and leadership to do that.

3.2 Arbor Day Grant – Ronda stated that the City had been invited to submit a grant application for funds to celebrate Arbor Day. She advised that the funds could be used to enhance “Maggie’s Park” located in the Rebecca’s Way area that Council had mentioned doing in past meetings. Council agreed that the City should apply for the grant to help with said park.

4. Adjournment: Mayor Lewis adjourned the meeting at 7:54 p.m.

Submitted by:

Ronda L. Whittaker/City Clerk

City of Kootenai

Treasurer Report February 2022

Mt. West Money Market	\$	74,267.91	0.04% APY
Mt. West Checking	\$	279,512.68	0.01% APY
Idaho Central Credit Union	\$	396,950.91	1.85%
Total Cash Assets	\$	750,731.50	

INCOME/GENERAL FUND

Name	Account	Amount	Sub-Totals
01 - GF REV			
Franchise Fees			
	Avista Corportation	0.00	
	Northland Cable Television	440.87	
	Waste Management, Inc	0.00	
Total Franchise Fees			440.87
Interest			
	Interest, MW Money Market	2.28	
	Interest, MW Checking	2.24	
	ICCU		
Total Interest			4.52
Licenses & Permits			
	Business Licenses	100.00	
	Liquor Licenses	0.00	
Total Licenses & Permits			100.00
Planning & Zoning Fees & Permit			
	Building Permits	0.00	
	Subdivision Fees	0.00	
Total Planning & Zoning Fees & Permit			0.00
Property Tax			
	Arrears Property Tax	682.91	
	Penalty & Interest	12.22	
	Property Tax Current	0.00	
	Recovered Homeowners Exemption	0.00	
	Circuit Breaker	0.00	
Total Property Tax			695.13
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		1,770.52	1,770.52

STREET FUND REVENUE			
Name	Account	Amount	Sub-Totals
02 · SF REV			
Idaho Transportation Dept			
State Highway Users Fund			
	HB312	-	
	Hwy Users Fund	-	
Total State Hwy Users Fund			-
Road & Bridge			
	Road & Bridge Current	0.00	
	Road & Bridge P & I	8.9	
	Road & Bridge Arrears	493.7	
	Circuit Breaker M&O	0	
Total Road & Bridge			502.60
Stormwater/Encroachment			
	Culvert Encroachment Deposit	0.00	
	Utility Encroachment	0.00	
	Stormwater Management	0.00	
Total Stormwater/Encroachment			0.00
Total Streets			
	Total 02 · SF REV	502.60	502.60
	Total Income	2,273.12	2,273.12

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GENERAL FUND EXPENSES			
Name	Account	Amount	Sub-Totals
10 - GF EXP			
Accounting & Audit			
Accountant	Mountain Ledger pre-audit	-	
Total Accounting & Audit		-	
Bank Fees		0	0
Building Maintenance			
	Janitorial Service	60.00	
	Security	177.64	
	Custodial Supplies	-	
	Maintenance & Repairs	-	
Total Building Maintenance			237.64
Legal			
	Attorney	-	
	Legal Notices	183.62	
Total Legal			183.62
Dues & Membership	CostCo	60.00	
Miscellaneous Memberships	ICCTFOA Scholarship Donation	-	
Dues & Membership	ICCTFOA District Dues	-	
Total Dues & Memberships			60.00
Insurance			
	ICRMP	1,024.00	
Total Insurance			1,024.00
Office Expenses			
	Internet Service	76.18	
	Office Supplies	143.92	
	Postage	-	
	Computer Hardware	-	
	Computer Software	-	
	Computer Maintenance/Repair	121.90	
	Web Site	-	
	Mayor's Expense/Holiday Cards	22.09	
Total Office Expenses			364.09
Park			
	Maintenance	-	
Total Park, Arbor Day & Earth Day			-
Planning & Zoning			
	Building Permits	374.00	
	Comp Plan Review	467.50	
	Subdivision Fees	-	
	Planner	1,652.50	
Total Planning & Zoning			2,494.00

GENERAL FUND EXPENSES - Cont.

Name	Account	Amount	Sub-Totals
Training Workshops			
	Meals/ICCTFOA Conference	-	
	Training Expenses/ICCTFOA	-	
	Milage	-	
Total Tranining Workshops			-
Utilities			
	Electric & Gas	203.08	
	Garbage	-	
	Water	-	
	Telephone	57.64	
	Sewer	-	
Total Utilities			260.72
Wages & Benefits			
	Clerk/Treasurer	3347.99	
	Council	500.00	
	Mayor	500.00	
	Payroll Taxes	370.91	
	Retirement Fund - PERSI	563.94	
	Health Insurance	-	
	Health Insurance Employee	-	
6560 · Payroll Expenses	Intuit Payroll	512.75	
Total Wages & Benefits			5,795.59
	Total 10 · GF EXP	10,419.66	10,419.66

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STREET FUND EXPENSES			
Name	Account	Amount	Sub-Totals
20 · SF EXP			
Ditches			
	Ditch Maintenance	-	
Total Ditches			-
Stormwater			
	Culvert Inspections	-	
	Engineer	-	
Total Stormwater			-
Street Maintenance	IWorQ Annual Fee	-	
Asphalt Striping		0	
Street Fund Reserve		0	
Total Street Maintenance			-
Streets			
Street Engineer		0	
Utility Encroachment Permits		-	
Total Streets			-
Utilities, Streets			
	Signal Lights	44.46	
	Street Lights	0	
Total Utilities, Streets			44.46
Transportation			
	BCATT Meeting	7.10	
Total Transportation			7.10
	Total 20 · SF EXP	51.56	51.56
	Total Expense	10,471.22	10,471.22
	Total Income		2,273.12
Net Income			-8,198.10

MEMO

To: Mayor Lewis and Council Members

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

Date: February 24, 2022

Re: Council Meeting Report for February Engineering Activities

Engineering activities for the month of February included ongoing correspondence with Ziply for proposed fiber optic upgrades and on-going activities associated with the Urban Area Transportation Plan.

Children Pedestrian Safety Grant Application Update

The Local Highway Technical Advisory Council sent out the results of the Children Pedestrian Safety Grant Applications. The top 8 grant applications were awarded the available funding and the City of Kootenai grant application was not in the top 8.

The remaining 42 grant applications submitted totaled \$8.2 million dollars. Governor Brad Little's 2022 budget proposal includes one-time funds of \$10 million for children pedestrian safety (CPS) projects. Idaho's Joint Finance-Appropriations Committee unanimously supported the funds on Friday, February 18. In the coming weeks a bill will be drafted for legislative consideration that will include the \$10 million CPS funding. The City of Kootenai requested \$250,000 to construct shoulder widening along the south side of 2nd Avenue between the elementary school and the Seven Sisters Subdivision boundary. If the legislation passes, it still appears to be a strong possibility that the City's project will be funded for construction.

Urban Area Transportation Plan

I have been working with the AECOM team that was contracted to perform the Urban Area Transportation Plan. I have provided them with copies of recent transportation planning documents that were performed in the City and they have a copy of the "Draft" comprehensive plan. The team will be scheduling a goals and visioning workshop in the next month.

Permit Activities

ENU 007-021 (A, B, C and D) – The Ziply construction team has provided a new contact for the contractor that will be performing the fiber installation work. They will be providing the City with a Certificate of Liability Insurance and the appropriate bonding. After the permit application is updated, the contractor will schedule a walk through of the project areas, prior to construction starting this spring.

Weight Limits

Last year, the City posted weight limits on March 1, 2021. We are currently monitoring soil conditions and coordinating with Bonner County District 3 to coordinate implementation of the weight limits. It is important to note that weight limits do not limit hauling but limit the weight of the load that is distributed onto the road surface to reduce the potential for damage during this vulnerable time of year.



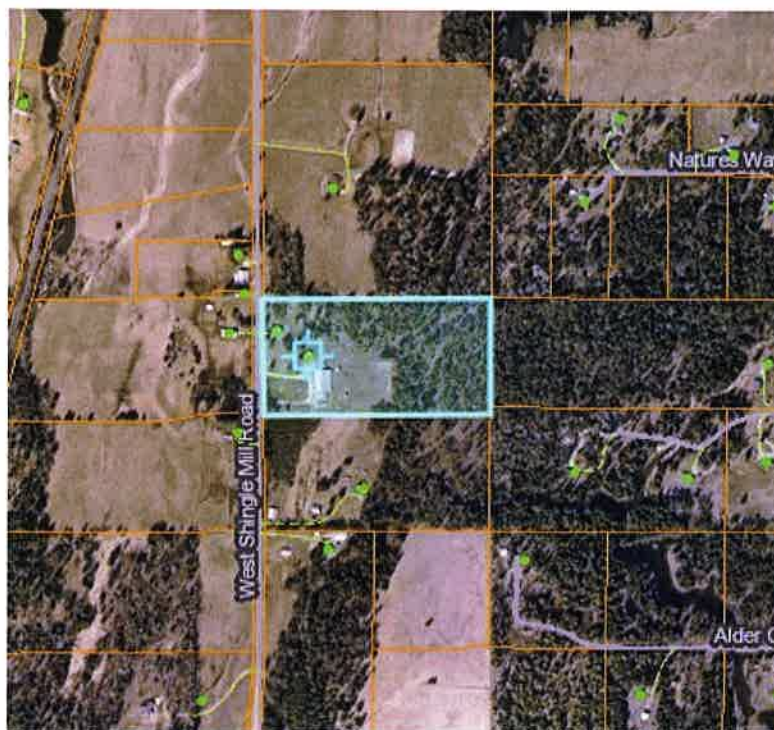
RUEN-YEAGER & ASSOCIATES, INC.
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

MEMO

To: Kootenai City Council, Mayor and Clerk
From: Tessa Vogel, Assistant Planner
Date: February 23, 2022, for March 1, 2022 Council action
Re: **ACI Review of Bonner County File ZC0003-22, Howard**

Applicants: Gayle & Robert Howard with representative Josh Pilch.

Summary: Gayle & Robert Howard are requesting a zone change from A/F-20 to A/F-10 on a 20-acre, unplatted parcel (RP58No1W297203A) addressed at 1039 and 985 West Shingle Mill Road within the Area of City Impact (ACI) of the City of Kootenai. The property does not require a comprehensive plan map amendment with Bonner County due to the current comprehensive plan land use designation of Ag/Forest Lane (10-20 acres). Comment from the City of Kootenai is due to Bonner County Planning by **March 09, 2022**. A copy of the subject parcel is copied below.



Subject Lot Proposed to be Changed to a 10-acre Density

Compliance with City Comprehensive Plan:

- The property is located with the City of Kootenai's ACI area, which currently (prior to March 1, 2022 actions on comp plan update) has the City comprehensive plan map designation of AG-10 – Forest/Farmland/Residential.

- The AG-10 – Forest/Farmland/Residential designation states, *The uses in this designation include rural-residential one- and two-family homesite developments, small ranches, agricultural and forestry production, opportunities for on-site sales of agricultural products, and through special use permits certain community facilities such as schools, churches, daycares, and parks. The general lot sizes are 10 acres and larger.*
 - The proposal is to allow for a zoning density minimum of 10 acres.

Concerns:

- The proposal would allow for the 20-acre parcel to have a parcel size minimum of 10 acres, which would still be in compliance with the City's comprehensive plan designation AG-10 – Forest/Farmland/Residential parcel size minimum of 10 acres. If the property were to be incorporated into the City of Kootenai, the land would conform for that area's land use.
- West Shingle Mill Road is a 60'-wide public right-of-way with a gravel travel surface of varying widths. West Shingle Mille Road is county maintained and the property accesses directly off the main road.
- There are intermittent streams that run throughout the property in multiple areas with mapped designated Freshwater Emergent and Riverine wetlands along the intermittent stream areas on site. Increased density where mapped wetlands and intermittent streams are present could negatively impact those areas. A copy of the National Wetland's Inventory Map showing the presence of wetlands and a copy of the County map showing the location of the intermittent streams on site are copied below.



National Wetland Inventory's Map



Map Showing Intermittent Streams Present on Site

- The proposal does not show any preliminary design for future parcel configurations.
- The proposal states that the property is currently served by an individual septic system and Oden Water District and states that no extensions of the services, including West Shingle Mill Road, will be required.

The site is within the City of Kootenai's ACI. Kootenai City Code §8-3D-6 requires any request for development within the ACI be referred to the City Council for review and comment. The City has 40 days to provide comment to Bonner County. The county notice requests a response by **March 09, 2022**. Potential impacts to the City should be evaluated, and may include effects of noise, traffic congestion, impact to the pathways, and access to the sites by emergency vehicles on West Shingle Mill Road. A map of the proposed Kootenai comprehensive plan map designation for this land within the ACI is copied below. Please advise if the Council wishes to provide comment on this project.



Comprehensive Plan Map ACI



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MEMO

To: Kootenai City Council, Mayor and Clerk
From: Tessa Vogel, Assistant Planner
Date: February 24, 2022, for March 1, 2022 Council action
Re: **ACI Review of Bonner County Files AM0001-22 & ZC0002-22, Miller**

Applicants: Jamie & Doris Miller and Lester & Claudia Shaw with representative KayLeigh Miller.

Summary: Jamie & Doris Miller (Jamie's Lots, Lots 1 and 2) and Lester & Claudia Shaw (Jamie's Lots, Lot 3) are requesting a comprehensive plan map amendment from Ag/Forestry to Rural Residential and a zone change from Ag/Forestry-10 to Rural-5 on Lot 1 (±10.01 acres), Lot 2 (±11.52 acres) and Lot 3 (±11.50 acres) of Jamie's Lots subdivision located off Loose Horse Lane within the Area of City Impact (ACI) of the City of Kootenai. Comment from the City of Kootenai is due to Bonner County Planning by **March 09, 2022**. A copy of the subject lots is copied below.



Subject Lots Proposed to be Changed to a 5-acre Density

Compliance with City Comprehensive Plan:

- The properties are located within the City of Kootenai's ACI area which currently has the City comprehensive plan map designation of AG-10 – Forest/Farmland/Residential.
 - The AG-10 – Forest/Farmland/Residential designation states, *The uses in this designation include rural-residential one- and two-family homesite developments,*

small ranches, agricultural and forestry production, opportunities for on-site sales of agricultural products, and through special use permits certain community facilities such as schools, churches, daycares, and parks. The general lot sizes are 10 acres and larger.

- The proposal is to allow for a zoning density minimum of 5 acres.

Concerns:

- The proposal would allow for lots under the allowed lot size for the AG-10 – Forest/Farmland/Residential designation of the City’s comprehensive plan. If these lots were to be incorporated into the City of Kootenai, they would be non-conforming for the comprehensive plan map designation of the area.
- Loose Horse Lane, per the Jamie’s Lots subdivision, is a 60’ wide private easement with a 25’ wide gravel road that has not been constructed to county standards for maintenance. Loose Horse Lane has a single exit and entry onto Shingle Mill Road, a 50’ wide public road. Emergency vehicles could be delayed and quick exit from the area in case of an emergency is limited due to one way out of the subdivision. The proposal could allow an additional three (3) lots to the subdivision if approved.
- There is an intermittent stream that runs along the western border of the three (3) lots and a second intermittent stream runs through the middle of the portion of Lot 2. Riverine and Freshwater Forested/Shrub wetlands follow along the intermittent streams present on all three (3) of the lots. Increased density where mapped wetlands and intermittent streams are present could negatively impact those areas. A copy of the National Wetland’s Inventory Map showing the presence of wetlands is copied below.



National Wetland Inventory’s Map

- The proposal does not show any preliminary design for future lots.
- The proposal states that the lots are currently served by individual septic systems and Oden Water District and state that no extensions of the services, including Loose Horse Lane, will be required.

The site is within the City of Kootenai's ACI. Kootenai City Code §8-3D-6 requires any request for development within the ACI be referred to the City Council for review and comment. The City has 40 days to provide comment to Bonner County. The county notice requests a response by **March 09, 2022**. Potential impacts to the City should be evaluated, and may include effects of noise, traffic congestion, impact to the pathways, and access to the sites by emergency vehicles on Loose Horse Lane. A map of the proposed comprehensive plan map and ACI is copied below. Please advise if the Council wishes to provide comment on this project.



Comprehensive Plan Map ACI

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



Website Activity – Continued update of the site. Calendar is active. Working on updating business information. Will keep updated 😊 Addressing fraudulent email submissions from the City's website.

Business Licenses – There are 12 outstanding business license renewals. I am in the process of final correspondence with them with notice of legal consequences.

Building Security – I have been working with ADT as the Post Office security panel has a panic button that keeps sending notices of trouble. After many attempts of virtual help, we have managed to get a scheduled service to address the problem.

Grants for Outside Activity – I attended the webinar on February 10th and have submitted an application in hopes of getting some funding for developing the proposed park area in the McGhee Court area. I have inquired about getting some cost estimates for a pickle ball court and track at the site. I was able to speak with a couple of companies and have been told that I will be able to get more information once the City knows if there is funding.

Records Retention – Working on organizing and refiling the City's Building Permits for easy access. I am running out of space to put the City Minutes as we only have two FireKing filing cabinets that provide the protection needed in case of fire. The City is required to keep originals of all minutes, resolutions, ordinances, and other documents FOREVER. City clerks are working with the Association of Idaho Cities and Legislature to revisit this statute in hopes of allowing pdf retention which should be backed up and kept on a cloud service. The City has this back-up services we just need the statute to allow a scanned copy to be kept 😊

Working with City Attorney – Still working on getting some recommendations for alternate code enforcement. There have been some changes with our legal team, so responses have been slow. I have sent out an email to the city of Sandpoint's City Administrator to see who they use with no response.

Office Assistance – The City will need to discuss how to add an additional station to support a deputy clerk. This will be better discussed during the appropriations workshops.

Northside Fire District Impact Fee Project – Working with Vern Roof, the City's legal counsel, and the City Planner to clean up all documents to ready for public hearing.

ARPA Reporting – Working to get registered with the federal portal in order to upload information. Having trouble with the site and have sought advice.