

MINUTES OF THE REGULAR COUNCIL MEETING

January 9, 2013

The meeting was called to order by Mayor Mac Pooler.

A roll call of the Council resulted as follows:

Ron Mercado
Mark Aamodt
Terry Douglas
Joan Head
Dennis Norris
Todd Goodson

Officers present were:

Mayor Mac Pooler
Building Official Mark Magnus
Chief of Police David Wuolle
Planning Consultant Collin Coles
Superintendent of Public Works Craig Lewis
City Clerk /Treasurer Terry Sharp.
Deputy Clerk/Treasurer Nila Jurkovich

Councilman Head led the Pledge of Allegiance.

STAFF REPORTS

Planning Consultant Collin Coles advised the Council of the Building & Planning Committee meeting earlier on this date to discuss new code ideas and the Committee will be moving forward on this.

CONSENT CALENDAR

1. Approval or correction of the minutes of the December 12, 2012 regular council meeting.
2. Approval of payment of the bills for the month of December 2012 as presented. (Proving documents on file in the City Clerk's office)
3. Treasurer's Reports of Income & Expenditure.
4. P&Z Commission minutes No December Meeting-None
5. Report of Commissions and Committees:
Public Works Committee minutes from the December 13, 2012 Meeting and the December 27, 2012 Meeting-Recommendations to the Council: 1) Select TerraGraphics with a one year contract with a 10% ceiling and 2) Add Cameron Avenue to the EPA Roadway Remediation List.

Member Goodson provided a detailed description of the additional roadwork on Cameron Avenue as follows: an overlay will be done from the west end of Bunker Avenue to the west end of Cameron Avenue (by the Condos); then, going east, an overlay will be done from Division Street to the city limits. Sewer work will be done from Thorne Street to the city limits. Between the Division Street and Bunker Avenue intersection, Cameron Avenue will be crack sealed then fog sealed.

It was moved by Terry Douglas and seconded by Ron Mercado to approve the Consent Calendar as presented.

Motion carried.

UNFINISHED BUSINESS

EPA Roadway Remediation/Sewer Work-Lateral Discussion

Member Goodson advised the Council that the sewer lines have been tv-ed on Howard Street. The sewer line needs to be replaced, as it is no longer round, it is an oval shape. Therefore, it is being crushed.

Member Goodson would like the Council's thoughts on preparing a city policy which would allow the City to replace the laterals at the time the City is replacing or working on its sewer lines. The policy should also include procedures when Cure In Place is being done. With the Cure In Place procedured, the City can go out a total of fifteen feet, and the City should go that far, or to the edge of the City's right-of-way. When the City is not using the Cure In Place procedure, the City will go to the property line.

Member Mercado had concerns with property owners coming to the City stating they have sewer problems, after the City had replaced lines and laterals.

Craig Lewis stated that their sewer lines will be tv-ed and documented prior to closing the project. The film will be kept and will be reviewed, in this type of situation.

After a lengthy discussion, it was moved by Todd Goodson and seconded by Dennis Norris to have the City prepare a policy for the replacement of laterals and Cure in Place procedures, along with tv-ing the property owner's sewer line prior to the lateral work being done.

Motion carried.

NEW BUSINESS

Council Election of the Council President for 2013

The Mayor asked for a motion from the Council for the Council President.

It was moved by Todd Goodson and seconded by Ron Mercado to re-elect Terry Douglas as the Council President.

Motion carried.

It was the consensus of the Council and Mayor that Terry Douglas has done a great job as Council President.

Mayor's 2013 Committee Assignments

Mayor Pooler would like to keep the committee assignments the same as last year's assignments.

GENERAL SERVICE COMMITTEES FOR 2013

HANDICAPPED COMMITTEE CITY HALL/BUILDINGS

Mark Magnus

COUNCIL PRESIDENT

Terry Douglas

**LIBRARY BOARD
as constituted-see next page**

PUBLIC WORKS/STREET/PARKS

**Todd Goodson-Chairman
Ron Mercado
Dennis Norris**

PERSONNEL

**Terry Douglas-Chairman
Mark Aamodt
Dennis Norris**

City Rep Joan Head

POLICE DEPARTMENT

Mark Aamodt - Chairman
Ron Mercado
Joan Head

McKINLEY AVE/EAGLE CREST

Terry Douglas - Chairman
Dennis Norris
Mac Pooler

ADMINISTRATIVE COMMITTEE

Terry Douglas-Chairman
Ron Mercado
Dennis Norris

PLANNING & ZONING

Jerry Cobb-Chairman
Susan Temby-Co-Chair
Connie Petersen-Secretary
Mark Magnus-Building Official
Jill Rinaldi
Steve Bristow
Francine Pooler
Dwayne Sieler

TREE COMMITTEE

Jan Olson - Chair
Nuel Wallace-Co-Chair
Iver Larson
Janet Lake
April Muhs
Marvin Lake
Cheryl Brant
Lou Larson
Craig Lewis-Superintendent Public Works
Connie Petersen-Secretary

GEM COMMUNITY TEAM

Joan Block - Chair
Brenda Armstrong
Joan Head-City Rep
Gary Temby
Dale Jacobs
Connie Petersen-Secretary

DEPOT BUILDING

Terry Douglas-Chairman
Todd Goodson
Joan Head

**BUILDING DEPARTMENT
PLANNING & ZONING**

Dennis Norris-Chairman
Todd Goodson
Mark Aamodt

DEPARTMENT SUPERVISORS

Terry Sharp-City Clerk/Treasurer
Dave Wuolle-Chief of Police
Mark Magnus-Building Official
Craig Lewis-Superintendent of Public Works
Collin Coles-Planning Consultant

TRAFFIC SAFETY

Terry Sharp-Secretary
James L. Miller, Sr.-Interim Chairman
Tony Dechand-School District Rep
Terry Douglas-City Representative
Dave Wuolle-Chief of Police
Dale Costa-Fire Chief
Craig Lewis-Superintendent Public Works

LIBRARY BOARD

Steve Shepperd-Chairman
Ann Hill - Vice Chair
Giovanni James - Secretary
Carol Costa - CoTreasurer
Mary Lou Cobb - CoTreasurer
Mary Harding-Alternate
Joan Head-City Rep

FIREWISE COMMITTEE

Jan Olson - Chair
Nuel Wallace - Co-Chair
Iver Larson
Janet Lake
April Muhs
Marvin Lake
Cheryl Brant
Dale Costa-SCF District II Chief
Billie Irwin-Landowner

Mark Magnus-Building Official

**Gerard Parrot-Landowner
Terry Douglas-Council Rep
Craig Lewis-Superintendent Public Works
Connie Petersen-Secretary
Lou Larson**

It was moved by Ron Mercado and seconded by Todd Goodson to approve the Mayor's assignments for 2013.

Motion carried.

Resolution #245-Alcohol Licensing Procedures

Resolution # 245

A RESOLUTION OF THE CITY OF KELLOGG, SHOSHONE COUNTY, STATE OF IDAHO THAT ADOPTS ALCOHOL LICENSING PROCEDURES.

WHEREAS, the City of Kellogg is authorized to issue Alcohol licenses within the city limits of the City of Kellogg , and

WHEREAS, the City of Kellogg desires to set forth procedures for the issuance of said licenses,

NOW THEREFORE BE IT RESOLVED, the Mayor and the City Council of the City of Kellogg approve the implementation of alcohol licensing procedures described as Exhibit A.

BE IT FURTHER RESOLVED, this Resolution shall take effect and be in force from and after its passage and approval.

DATED this 9th day of January, 2013.



Mac Pooler, Mayor

ATTEST:

Terry Sharp, City Clerk

EXHIBIT A

City of Kellogg Alcohol Licensing Procedures

The process for obtaining an alcohol license in the City of Kellogg is as follows:

The applications are mailed to each license holder on October 1st of each year stating the date the application needs to be returned (October 31st) and any additional information that we may require.

The application will then be reviewed at the November Council Meeting.

At the December Council Meeting each application will be approved or denied.

The licenses will be issued after payment and when all of the criteria are met.

State law requires that the license holder must have a valid State and County license before the City license can be issued, therefore, we will need a copy of each of the State and County licenses for the new year. As a reminder a receipt of payment from the County does not serve as proof of a County license being issued.

No phone calls to remind license holders of the deadlines will be made by the Clerk's Office.

It was moved by Terry Douglas and seconded by Todd Goodson to pass Resolution #245.

Motion carried.

Once passed, a copy of this policy will be sent out to each license holder with their 2014 application packets, and each year upon their renewal.

Discussion on the letter received from Real Life Ministries Silver Valley with respect to the Gun Range property (Parcel #D00000357500, 66.8 acres)

Mayor Pooler acknowledged the representatives present from Real Life Ministries Silver Valley.

Mayor Pooler inquired if the Council had received their copy of the letter from Real Life Ministries Silver Valley, along with the research documentation provided by Collin Coles.

Two issues surround this property. One, the City is currently working with the State of Idaho Parks & Recreation Department, trying to re-coop money that the City paid on grant obligations. The other issue is the Quitclaim Deed entered into with Pintlar Corporation. There is a clause in the recorded deed that restricts the use of the land and it can be used for municipal purposes only.

Member Goodson advised the Council that he had the opportunity to speak to his father who had worked for Pintlar Corporation, and was the last employee at Pintlar's Kellogg location. Pintlar gave the land to Kellogg for municipal purposes only. Pintlar is still an active company. Pintlar could pull the property back into Pintlar's control if the City chose to use the land for purposes other than what is listed on the Quitclaim Deed.

Mayor Pooler advised the representatives from Real Life Ministries Silver Valley that the City cannot venture into such a use for that property, for the above-stated reasons.

ANNOUNCEMENTS & REPORTS

Councilman Aamodt

There will be a meeting with the Police Chief and his officers along with the Prosecuting Attorney on Friday, January 11, 2013.

Councilman Douglas

The City has not received the draft of the Audit as of yet. Hopefully we will have it for the February Council meeting.

Councilman Norris

The Building Department and Planning Department had met earlier this day and will be working towards finalizing a few items. A joint meeting of the City Council and the Planning and Zoning Commission will be requested in the near future.

Councilman Head

Congratulations to Council President Terry Douglas.

Councilman Goodson

Now that TerraGraphics is officially on board, the City will be moving forward on the EPA Roadway Remediation Work. Public Works Committee meetings will continue throughout this project and the City will need to schedule a town meeting to inform the public on what projects will be done.

The Town Square should be paved this year, and the curbs will be in.

Government Gulch property needs to be resolved and a fence in place to store dumpsters and the bricks from Town Square. Asarco Trust is contesting the survey that Meckle Engineering performed for the City. Silver Valley Engineering surveyed the property for Asarco. There is approximately 4 1/2 acres of property. Mark Magnus will stay on top of this, and keep the Council informed.

Mayor Pooler

The State Legislature is looking at revising the personal property laws for the state. In conversation with Shoshone County Assessor, Jerry White, the City of Kellogg has \$100,000 in personal property tax revenue that is in jeopardy. AIC's Legislative Committee will be keeping a close eye on this. We need to keep apprised of this issue, as it can be very detrimental to the City of Kellogg.

There being no further business to come before the Council at this time, it was adjourned at 6:33 P.M. to meet at its regular time of February 13, 2013.

Mac Pooler, Mayor

ATTEST:

Nila Jurkovich, Deputy Clerk/Treasurer