

MINUTES OF THE REGULAR COUNCIL MEETING

August 12, 2020

The meeting was called to order by Mayor Pooler at 6:00 p.m.

A roll call of the Council resulted as follows:

Sid Armstrong
Ron Mercado
Terry Douglas
Dennis Norris
Ron Delcamp
Anna Moody

Officers present were:

Mayor Mac Pooler
City Clerk /Treasurer Nila Jurkovich
By telephone:
Building Official Mark Magnus
Chief of Police David Wuolle
Superintendent of Public Works Craig Lewis
Project Manager Rod Plank

Planning Consultant Collin Coles was absent.

Also present was Andy Helkey to provide the Council with an update

Mayor Pooler asked for anyone present on the telephone to state their name. No one announced themselves.

City Clerk/Treasurer Nila Jurkovich led the Pledge of Allegiance.

ORAL COMMUNICATIONS

None.

HEARING

It was moved by Councilmember Delcamp and seconded by Councilmember Douglas to enter into the public hearing at 6:02 p.m. Motion carried.

Mayor Pooler stated that this is the time to take public comment on the proposed budget for fiscal year 2020-2021. The notices of hearings were published in the Shoshone News Press on July 31st and August 7th.

2020/2021 Fiscal Year Budget

Council President Douglas advised those present, this is the budget hearing for the annual appropriation ordinance for the fiscal year beginning October 1, 2020 appropriating the sum of \$5,809,440. The proposed \$5.8 million budget is to defray the expense and liabilities for the City of Kellogg for said fiscal year, authorizing a levy of a sufficient tax upon the taxable property and specifying the objects and purpose for which said appropriation is made. In speaking with the City's attorney there has been a lot of controversy with the State's approach to the Property Tax Relief Program, the City was advised only non-budgeted police personnel costs could be captured with this Program. The Kellogg Police Department has not expended any personnel costs that were not budgeted since March 1st. Kellogg was further advised that there is a lawsuit that has been filed with respect to this Program.

Kellogg will utilize the 3% allowable increase which is guaranteed rather than see unforeseen consequences if the State Program was to be used.

As in the past, this a conservative budget, with several revenue sources declining due to COVID-19. In today's Governor conference call, the Sales Tax Revenue quarterly revenue came in with a 5% increase.

There were no comments from the public wishing to speak on behalf of the new budget for the upcoming fiscal year.

The Council had no questions on the proposed budget.

It was moved by Councilmember Douglas and seconded by Councilmember Delcamp to close the hearing and reconvene to the regular meeting at 6:07 p.m. Motion carried.

REPORTS FROM STAFF

Reports had been previously submitted and there were no questions from the Council.

CONSENT CALENDAR

1. Approval or correction of the minutes of the July 8, 2020 regular council meeting and the July 29, 2020 emergency council meeting.
2. Approval of payment of the bills for the month of July 2020 as presented. (Proving documents on file in the City Clerk's office)
3. Treasurer's Reports of Income & Expenditure.
4. P&Z Commission minutes from the July 20, 2020 Meeting. No Recommendations.
5. Reports of Commissions and Committees.
Depot Building Committee minutes from the July 20, 20 meeting.
Recommendations: move forward with lease for the Depot Building, forward to the City attorney for review and recommendation to the Council to approve the lease.

It was moved by Councilmember Douglas and seconded by Councilmember Moody to approve the Consent Calendar as submitted. Motion carried.

OLD BUSINESS

Mr. Ben Davis, Alta Science & Engineering provided a written update on the first three items and Mr. Derek Forseth, Alta Science & Engineering is on the telephone if there are questions from the Council.

2020 Paved Road Construction Project Update

Construction on Bunker Avenue and Wildcat Way began the week of July 27. The contractor is Big Sky Corp. They are making good progress so far and are moving along quickly. We anticipate that construction will be complete sometime around the end of August.

Phase 2 & Phase 3 Warranty Work Update- Alta Science & Engineering

Big Sky and Knife River are working through the warranty lists. Most of the water-related items for CSCWD have been completed. There are some road repairs that still remain for both Big Sky and Knife River.

Knife River was not able to move forward with the full warranty list. They are fixing the priority items on the water list and CSCWD is making due without the lesser repairs. For the road work, Knife River is going to chip seal Cameron Avenue although they are not taking responsibility for the road cracking that has happened here. They are contributing the dollars towards Cameron Ave in lieu of the other road repairs as this is a higher priority area for the City of Kellogg to repair. Alta tried to move forward with all repairs in many conversations with Knife River but they are reluctant to commit and we do not see the conversation going any further.

Mr. Derek Forseth advised the Council it was suggested that a letter be sent to Knife River, which was sent today. Knife River reached out to Alta this afternoon and a return call will be made on Thursday, and the City will be updated.

Update on the re-bid of Teeter's Field Concession Stand

Alta delivered updated Teeter's drawings to the City on July 31. Design changes included a new foundation plan and pre-fabricated floor panels to reduce costs based on input from the previous bidder. The prefabricated panels and foundation requires less removal of the existing concrete which is costly due to difficult access. Our opinion is the first bid was not a fair bid for the City. We are notifying contractors to look at this revised plan set when it advertises to encourage better pricing on the re-bid due to competition.

Mr. Derek Forseth reiterated the conversation Craig Lewis, Alta staff and the one bidder had with respect to the bid. Changes to the design have been made with a cost reduction of approximately \$75,000. Taking the one bid which was rejected, as it was a not a fair price for the City to move forward with, the price still could be around \$175,000 if the same construction company were to submit a bid. Alta still believes this building could be constructed for \$141,000. It may be best for the City to wait until a later time to rebid this when local construction companies could bid on the project.

It was moved by Councilmember Douglas and seconded by Councilmember Moody to rebid the project at a later date and when Craig Lewis, Public Works Superintendent advises the Council to move forward with the rebid. Motion carried.

Update on Wardner Sewer Inflow Analysis provided to the South Fork Cda River Sewer District.

Mayor Pooler met with the District Chair and an agreement will be forthcoming in which the Sewer District will be paying the City an annual amount of \$3,000 for the next two years. After two years, the District and the City will revisit the topic of the City of Wardner's sewer flows going through the City of Kellogg's sewer line.

Update on status of COVID-19 and large Activities within the City.

Mr. Andy Helkey updated the Council with the latest information on COVID-19, distributing an updated Policy Recommendations For Counties in the Red and Yellow Zones for COVID-19 activity. The State of Idaho has categorized green, yellow and red zones with Shoshone County now being in the highest category. Cases will continue to increase, there has been asymptomatic positive testing. There are individuals spreading the virus without knowing they are spreading the virus as they have no symptoms. Shoshone County has an older population which is compromised. Wearing masks, social distancing and washing of hands is important with schools starting it is even more important to keep the spread down, otherwise school will go virtual once again. There is a need to protect the community, businesses and employees. It is quite costly when businesses close. There are three of the five northern counties that are in Panhandle District One region that are in the Red Zone.

Mr. Helkey has seen other cities place signs asking visitors to wear masks to protect the community. This may be something for Kellogg to consider. A lot of positive feedback has been received from businesses and the community with the need to wear masks if social distancing cannot be met.

Councilmember Delcamp expressed his thoughts, stating there are places in town that are expressing Kellogg's mask requirements incorrectly and also believes there is an over-exaggeration in the reports that are being provided.

It was the consensus of the Council that educating the public is needed.

There is one outstanding large activity request for the half marathon scheduled for October 3rd. It was the consensus of the Council that the cautionary actions that are being planned for this event are good and the event may be able to happen. Since there is another council meeting prior to the event, the Council will re-evaluate at their September 9th council meeting.

Councilmember Delcamp brought to the Council's attention that Chief Wuolle's report indicates the need of wearing masks at large activities, otherwise they should be denied.

No action taken.

NEW BUSINESS

Ordinance No 612 Fiscal Year 2020/2021 Budget

It was moved by Councilmember Douglas and seconded by Councilmember Mercado to have the proposed ordinance read by title only. Motion carried.

The Clerk/Treasurer then read the title of proposed Ordinance #612.

ORDINANCE NO. 612

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 APPROPRIATING THE SUM OF \$5,809,440 TO DEFRAY THE EXPENSE AND LIABILITIES OF THE CITY OF KELLOGG FOR SAID FISCAL YEAR, AUTHORIZING A LEVY OF A SUFFICIENT TAX UPON THE TAXABLE PROPERTY AND SPECIFYING THE OBJECTS AND PURPOSE FOR WHICH SAID APPROPRIATION IS MADE.

BE IT ORDAINED by the Mayor and City Council of the City of Kellogg, Shoshone County, Idaho.

Section 1: That the sum of \$5,809,440 be, and the same appropriated to defray the necessary expenses and liabilities of the City of Kellogg, Shoshone County, Idaho for the fiscal year beginning October 1, 2020.

Section 2: The objects and purposes for which such appropriation is made, and the amount of each object and purpose is as follows:

ESTIMATED EXPENDITURES

GENERAL FUND	1,410,660
STREET FUND	859,870
SEWER FUND	755,167
LIBRARY FUND	90,910
RECREATION FUND	262,808
RADIO BASE FUND	10,000
SANITATION FUND	430,500
REVENUE SHARING FUND	678,720
LIABILITY INSURANCE FUND	45,680
CAPITAL FUND	160,000
DEPOT FUND	6,300
CEMETERY FUND	80,200
GRANTS	210,000
LEASES	20,525
IMPACT FEES	3,050
FRANCHISE	51,200
MISC	41,800
LOCAL OPTION TAX	92,050
EPA ROAD FUNDS	600,000
GRAND TOTAL OF ALL EXPENDITURES	\$ 5,809,440

Section 3: That a general tax levy on all taxable property within the City of Kellogg be levied in an amount by law for the general purpose for said City, for the fiscal year beginning October 1, 2019.

Section 4: All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5: This ordinance shall take effect and be in full force upon its passage, approval and publication in one issue of the Shoshone County News Press, a newspaper of general circulation in the City of Kellogg and the official newspaper of said City.

ENACTED by the City Council as an Ordinance of the City of Kellogg on the 12th day of August, 2020.

PASSED under suspension of the rules upon which a roll call vote was duly taken and enacted as an Ordinance of the City of Kellogg at a regular meeting of the City Council held on the 12th day of August, 2020.

APPROVED by the Mayor on the 12th day of August, 2020.

CITY OF KELLOGG

By: _____

Mac Pooler, Mayor

ATTEST:

Municipal Clerk/Treasurer Nila Jurkovich

It was moved by Councilmember Delcamp and seconded by Councilmember Douglas to pass Ordinance #612 under suspension of the rules. A roll call vote of the Council resulted as follows:

Councilmember Armstrong-Aye	Councilmember Norris-Aye
Councilmember Moody-Aye	Councilmember Douglas-Aye
Councilmember Mercado-Aye	Councilmember Delcamp-Aye

Motion carried.

It was moved by Councilmember Delcamp and seconded by Councilmember Douglas to publish Ordinance #612 by Summary prepared by City's Counsel.

Motion carried.

Public Safety Personnel Responses to Large Activities

Police Chief Dave Wuolle explained his memo referencing large activities and the strain it can have on public safety personnel. Not only for his department but also the ambulance and fire department personnel. In some cities, such as Coeur d'Alene, require \$5,000 to \$6,000 fee to have an ambulance on site. This is a non-refundable fee. Events are growing in popularity and in the numbers that are attending.

Councilmember Moody advised the Council that at a recent Silver Mountain event the parking lot was filled so tightly that a fire truck would not have been able to get through if needed. There were twenty-two calls for public safety personnel for this event alone. The City may need to require a site plan which has defined ingress and egress for access from emergency vehicles.

Councilmember Delcamp advised the Council that skiing events can have between 700 to 1,000 people in one day, and inquired about the number that would trigger an additional fee.

It was the consensus of the Council to defer this topic to the Police Committee.

Testing Protocol for City Employees

The City's Attorney inquired with the City Clerk on how the City was handling employee testing or exposure of COVID. Although the City has been working with Panhandle Health District with each situation, as each situation has had its own unique circumstances, it was recommended the City having a written testing protocol. The City Attorney, Andy Helkey and Chief Dave Wuolle drafted the document before the Council.

Councilmember Armstrong asked if there have been any testing and exposure of city employees. The answer has been yes, several times.

It was moved by Councilmember Douglas and seconded by Councilmember Norris to approve the testing protocol for employees of the City, as recommended by the City's attorney. A roll call vote of the Council resulted as follows:

Councilmember Moody-Aye	Councilmember Douglas-Aye
Councilmember Mercado-Aye	Councilmember Delcamp-Aye
Councilmember Armstrong-Aye	Councilmember Norris-Aye

Motion carried.

Depot Lease with Coeur d'Alene Bike Company

Councilmember Douglas advised the Council that the Domy's were retiring after 20 years and have found an ambitious company to purchase their business. Coeur d'Alene Bike Company is interested in leasing the City's building the Domy's have used. The Depot Committee recommended entering into a Triple Net Lease for five years, with a five year option. Tenant pays everything, and there is an escalation clause for each year.

It was moved by Councilmember Douglas and seconded by Councilmember Delcamp to approve the building lease with Coeur d'Alene Bike Company. A roll call vote of the Council resulted as follows:

Councilmember Armstrong-Aye	Councilmember Norris-Aye
Councilmember Moody-Aye	Councilmember Douglas-Aye
Councilmember Mercado-Aye	Councilmember Delcamp-Aye

Motion carried.

Resolution 2020-05 Surplus & Destruction of Surplus

Councilmember Moody advised the Council of the Library Board and Director's desire to either recycle or destroy equipment that is no longer usable.

RESOLUTION # 2020-05

A RESOLUTION OF THE CITY OF KELLOGG, SHOSHONE COUNTY, STATE OF IDAHO, APPROVING AND AUTHORIZING THE CITY TO DEEM CERTAIN EQUIPMENT AS SURPLUS AND DESTROY SURPLUS EQUIPMENT

WHEREAS, the City of Kellogg owns certain personal property no longer usable;

WHEREAS, Idaho Code Section 50-301 authorizes cities to deem property as surplus;

WHEREAS, Idaho Code Section 50-301 authorizes cities to destroy surplus personal property;

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL AND MAYOR OF THE CITY OF KELLOGG, AS FOLLOWS:

1) The City shall deem the following as surplus and destroy the same:

- 5 Computer Monitors;
- 5 System Units with Window 7 Software;
- 1 MAC;
- 1 TRENDnet 16 port Switch; and
- 2 Konica Minolta Copier Machines.

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

DATED this 12th day of August, 2020.

Mac Pooler, Mayor

ATTEST:

Nila Jurkovich, City Clerk

It was moved by Councilmember Delcamp and seconded by Councilmember Armstrong to approve Resolution 2020-05 as submitted. A roll call vote of the Council resulted as follows:

Councilmember Armstrong-Aye	Councilmember Norris-Aye
Councilmember Moody-Aye	Councilmember Douglas-Aye
Councilmember Mercado-Aye	Councilmember Delcamp-Aye

Motion carried.

Alta Science & Engineering Task Order #2 for S. Fork CdA River Flood Mapping

Mayor Pooler advised the Council that this has been a long voyage and he has discussed this with the City of Smelterville Mayor.

Mr. Derek Forseth stated the end goal of this work is to have Alta compete the application for FEMA to revise the flood map. This is a pretty big task for the revision of the map, and FEMA has been advised, and they are anticipating the application.

Councilmember Norris stated there will be many residents in Kellogg that will save a lot of money if they do not have to pay flood insurance.

Councilmember Delcamp advised the Council that Mark Magnus does an annual report for FEMA. FEMA keeps on moving the requirements, making it more difficult for Kellogg to achieve discounts for flood insurance.

Councilmember Douglas advised the Council that the full cost is \$35,000. Both the County and the City of Kellogg are committing \$15,000 with Terry Harwood committing the difference from the Coeur d'Alene Basin Committee.

It was moved by Councilmember Douglas and seconded by Councilmember Norris to approve Task Order #2 with Alta Science and Engineering. A roll call vote of the Council resulted as follows:

Councilmember Moody-Aye	Councilmember Douglas-Aye
Councilmember Mercado-Aye	Councilmember Delcamp-Aye
Councilmember Armstrong-Aye	Councilmember Norris-Aye

Motion carried.

ANNOUNCEMENTS & REPORTS

Councilmember Moody
Appreciate the cleaning of uptown area.

Councilmember Norris
We continue in unchartered territory, stay well.

Councilmember Mercado
This is a trying time and is testing all of us. We may not all agree, we still act as a group and support the full council.

Mayor Pooler
Does not take offense when Council does not always agree. Appreciates Andy Helkey keeping the City up to date and appreciates each of the supervisors.

There being no further business to come before the Council at this time, it was adjourned at 7:26 P.M. to meet at its regular time of September 9, 2020.

ATTEST:

Mac Pooler, Mayor

Nilá Jurkovich, Municipal Clerk/Treasurer