

MINUTES OF THE REGULAR COUNCIL MEETING

December 12, 2018

The meeting was called to order by Mayor Pro-Tem Terry Douglas at 6:00 p.m.

A roll call of the Council resulted as follows:

Sid Armstrong
Ron Mercado
Terry Douglas
Joan Head
Dennis Norris
Ron Delcamp

Officers present were:

Building Official Mark Magnus
Chief of Police David Wuolle
City Clerk /Treasurer Nila Jurkovich
Planning Consultant Collin Coles
Project Manager Rod Plank

Absent: Mayor Mac Pooler

Council President Terry Douglas led the Pledge of Allegiance.

STAFF REPORTS

All reports were submitted.

Building Official Mark Magnus

Wished everyone a Merry Christmas.

Superintendent of Public Works Craig Lewis

Advised the Council that the Archway Christmas Decorations were placed on the pool building and wished everyone a Merry Christmas.

Police Chief Dave Wuolle

Advised the Council his department is one employee short, and will be looking to fill the position in the upcoming month.

Planning Consultant Collin Coles

Advised the Council he is working on the abatement process with Keisha Oxendine, however she is in court this week.

CONSENT CALENDAR

1. Approval or correction of the minutes of the November 14, 2018 regular council meeting.
2. Approval of payment of the bills for the month of November 2018 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 November 19, 2018 Meeting – No Recommendations.
5. Report of Commissions and Committees:
Traffic Safety minutes from the November 20, 2018 Meeting-
Recommendations: A) Approval of street names and make the necessary street signs to continue roads: Teddy, Park, W. Park, Hillside and Roosevelt.
B) Submit LHTAC grant application with recommended changes from Amanda LaMott from LHTAC and include any accident/crash data if available. C) Move forward on the "No Parking" on either side of Elder Street, between Helen and N. Hill Street.

It was moved by Councilmember Mercado and seconded by Councilmember Armstrong to approve the Consent Calendar.

Motion carried.

OLD BUSINESS

EPA Road Remediation Projects & Sewer Projects Update– Alta Science & Engineering

Mr. Ben Davis advised the Council that both contractors are 95% complete and both contractors are on their winter shutdown. Work to date: includes 23,000 feet of sewer line had been replaced, 91 manholes and 300 services.

Council President Douglas informed those present of the meeting with Central Shoshone County Water District to discuss the upcoming work on East Cameron Avenue. Mr. Davis advised the Council that JUB will be speaking to the CSCWD Board and there is information that Knife River needs to supply. Council President Douglas advised Mr. Davis and the Council that the planning on the proposed work needs to be completed as soon as possible.

NEW BUSINESS

Proposed Noise Ordinance.

Chief of Police Dave Wuolle advised the Council that the noise regulations were originally in the land use ordinance and when the land use ordinance was revamped, the portion of the noise ordinance was left out. This came to the City's attention, and this proposed ordinance will place the noise ordinance in the police regulations.

It was moved by Councilmember Delcamp and seconded by Councilmember Mercado for the proposed ordinance to be read by title only.

Motion carried.

ORDINANCE NO. 601

AN ORDINANCE OF THE CITY OF KELLOGG, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING TITLE 6, POLICE REGULATIONS, CHAPTER 5, GENERAL OFFENSES, TO ADD A NEW SECTION 6-5-30, NOISE ORDINANCE, TO KELLOGG CITY CODE; PROVIDING FOR SEVERABILITY; PROVIDING REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and City Council of the city of Kellogg, Shoshone County, Idaho, as follows:

Section 1. Kellogg City Code Title 6, Chapter 5 is hereby amended to add a new Section 6-5-30, as follows:

6-5-30: NOISE ORDINANCE:

It is unlawful for any person to engage in acts of building construction, site development, use of heavy equipment for earthmoving or installation of public works, or other construction activities which involve use of concussion, compression, power tools, or which produce bothersome illumination, noise, dust, or similar undesirable environmental effects onto adjoining residential properties, between the hours of 10:00 p.m. on one day and 7:00 a.m. on the succeeding day of the week.

Decibel readings, measured at the complainant's property line, shall be no greater than 55db during the hours of 7:00 a.m. and 10:00 p.m., and no greater than 45db during the hours of 10:00 p.m. and 7:00 a.m., regardless of the source of the sound, to include but not be limited to, other equipment, vehicles, music, etc. Every person who violates this section shall be guilty of an Infraction on the first offence and may be punished as

provided in Title 1, Chapter 15, and each subsequent violation within 180 days shall be a Misdemeanor.

Section 2. This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section 3. All provisions of the current Kellogg Municipal Code or ordinances of the city of Kellogg which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 4. This ordinance shall be effective upon its passage and publication as provided by law.

ENACTED by the City Council as an Ordinance of the City of Kellogg on the 12th day of December, 2018.

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 December, 2018.

APPROVED by the Council President, as Mayor Pro Tem, in the absence of the Mayor on the 12th day of December, 2018.

CITY OF KELLOGG

By: _____
Terry Douglas, Mayor Pro Tem

ATTEST:

Nila Jurkovich, City Clerk

It was moved by Councilmember Delcamp and seconded by Councilmember Mercado to approve and pass the proposed ordinance as read by title only, and as submitted.

A roll call vote of the Council resulted as follows:

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

Motion carried.

It was moved by Councilmember Delcamp and seconded by Councilmember Norris to publish Ordinance #601 by summary, as written and approved by the City's attorney.

Motion carried.

2019 Beer, Wine & Alcohol License

The 2019 applications for liquor, beer and wine licenses were presented to the Council for consideration at the November 14, 2018 Council meeting, and have been reviewed by the Police Department.

<u>Business Name</u>	LIQ	WINE	BEER
Best Shots	X	X	A
Broken Wheel	X		B
Cameron Conoco		X	A
Casa De Oro		X	B
Dirty Dog Saloon	X		C
Eddie Joes	X		C
F&B LLC	X		C
Galena Ridge		X	B
Hill St. Depot	X		C
Inland Lounge	X		C

Kellogg Elks	X		C
Kellogg Superstop		X	A
Longshot Saloon	Continual Operating LL		A
Moose Creek Grill		X	C
Mountain Café			B
Radio Brewery		X	C
Zanys Sunshine LLC	X		C
The Gondolier		X	A
Village Management			-
WGG Store		X	A
Wildcat Pizza		X	B
Yokes		X	A

It was moved by Councilmember Armstrong and seconded by Councilmember Delcamp to approve the above listed applications for 2019 liquor, beer and wine licenses upon proof of proper state and county licenses and payment of fees to the City. Motion carried.

Appointment To The Kellogg Public Library Board of Trustees

Per the recommendation from the Library Board and letter submitted by the current Chair of the Library Board of Trustees, the Mayor would like the Council's consideration on Mayor's Appointment of James Miller Jr. as he will move from being the alternative member and Christy Woolum will be the alternative member to the Kellogg's Library Board. Library Board member Ann Hill's term will be expire on December 31, 2018.

It was moved by Councilmember Norris and seconded by Councilmember Head to approve Mayor Pooler's appointment of James Miller Jr, and Christy Woolum as their alternative member to the Library Board.

Motion carried.

Multi-Jurisdictional Hazards Mitigation Plan Resolution

Building Official Mark Magnus advised the Council the proposed resolution is a renewal of the multi jurisdiction hazard plan within Shoshone County. All documents are in his office if anyone wishes to review the documents.

RESOLUTION # 2018-02

A Resolution of the City of Kellogg, Shoshone County, Idaho declaring City support and adoption of the Shoshone County Multi-Jurisdictional Hazards Mitigation Plan.

WHEREAS, The City of Kellogg supports the Shoshone County Multi-Jurisdictional Hazardous Mitigation Plan; and

WHEREAS, The City of Kellogg has participated in the development of the Shoshone County Multi-Jurisdictional Hazards Mitigation Plan; and

WHEREAS, The Shoshone County Multi-Jurisdictional Hazards Mitigation Plan will be utilized as a guide for planning as related to FEMA Pre-Disaster Mitigation and other purposes as deemed appropriate by the City of Kellogg.

THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Kellogg does hereby adopt, support, and will facilitate the Shoshone County Multi-Jurisdictional Hazardous Mitigation Plan's implementation.

DATED, this 12th day of December, 2018.

Terry Douglas, Mayor Pro Tem

ATTEST:

Nila Jurkovich, City Clerk

It was moved by Councilmember Armstrong and seconded by Councilmember Delcamp to approve the proposed resolution as submitted.

Motion carried

Alta Professional Service Agreement for the LHTAC Pedestrian Safety Grant

It was moved by Councilmember Mercado and seconded by Councilmember Armstrong to enter into and approve Terry Douglas, as Mayor Pro-Tem to execute the Agreement with Alta Science & Engineering as submitted.

A roll call vote of the Council resulted as follows:

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

Motion carried.

Alta Professional Service Agreement for the Teeters Field Concession Stand

It was moved by Councilmember Delcamp and seconded by Councilmember Norris to enter into and approve Terry Douglas, as Mayor Pro-Tem to execute the Agreement with Alta Science & Engineering as submitted.

A roll call vote of the Council resulted as follows:

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

Motion carried.

Owner-Engineer Amendment #6 Service Agreement for Roads & Sewer Projects

It was moved by Councilmember Delcamp and seconded by Councilmember Armstrong to enter into and approve Terry Douglas, as Mayor Pro-Tem to execute the Agreement with Alta Science & Engineering as submitted

A roll call vote of the Council resulted as follows:

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

Motion carried.

ANNOUNCEMENTS AND REPORTS

Councilmember Douglas

The second annual sewer loan payment was made in the amount of \$144,075 on December 1st.

Also, the Administrative Committee will be meeting on December 27th to discuss the draft audit, for the Council's approval at the January Council meeting, other agenda topics will be preliminary discussion on the City's 2019-2020 budget preparation.

Councilmember Armstrong

Wished everyone a Merry Christmas.

Councilmember Mercado

Wished everyone a healthy and prosperous 2019.

Councilmember Head

Wished everyone Happy Holidays.

Councilmember Norris

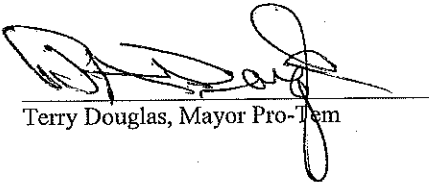
Wished everyone a Merry Christmas and was happy to see the great turnout at the Christmas dinner at the Kellogg Elks. It was a great time with great food.

Councilmember Delcamp

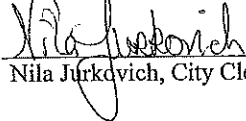
The City's agreement with the Central Shoshone County Water District is working well. The first month, there were twelve door hangers, and three water services that were actually shut off due to nonpayment. The threat of disconnection of water service is helping the City in the payments on past due sewer and sanitation accounts owed to the City.

At the last Water District meeting it was mentioned that both cities of Smeltonville and Osburn have approached the Water District on this process of collection on their past due sewer accounts.

There being no further business to come before the Council at this time, it was adjourned at 6:35 P.M. to meet at its regular time of January 9, 2019.


Terry Douglas, Mayor Pro-Tem

ATTEST:


Nila Jurkovich, City Clerk/Treasurer