

MINUTES OF THE REGULAR COUNCIL MEETING

September 11, 2019

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:

Ron Mercado
Terry Douglas
Dennis Norris
Ron Delcamp
Anna Moody

Officers present were:

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

Mayor Mac Pooler and Councilmember Sid Armstrong were absent.

Mayor Pro-Tem Douglas advised those present that Idaho Governor Little provided the orders to fly flags at half-staff today in honor of Patriot Day, being observed as the National Day of Service and remembrance in memory of the people killed in the September 11th attacks of 2001. Mayor Pro-Tem Douglas asked for a moment in silence to honor those who lost their lives on September 11th 2001.

ORAL COMMUNICATIONS

None.

REPORTS FROM STAFF

Building Official Mark Magnus

Report has been submitted, no questions were asked.

Chief of Police Dave Wuolle

Report has been submitted, no questions were asked.

Public Works Superintendent Craig Lewis

Report has been submitted. Sealcoating will start on several streets tomorrow.

Planner Collin Coles

Report has been submitted, no questions were asked.

CONSENT CALENDAR

1. Approval or correction of the minutes of the August 14, 2019 regular council meeting.
2. Approval of payment of the bills for the month of August 2019 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 August 19, 2019 Meeting. No Recommendations.
5. Reports of Commissions and Committees.
Traffic Safety minutes from the August 26, 2019 Meeting.
Recommendations: A) Request data from Alta Engineering for a recommended speed limit on McKinley Avenue, from west side of Kellogg City Hall building going west up to Deadwood Gulch turn. B) Review potential Traffic Control needs after the Shoshone County Fire Protection District #2 building has been built. C) Remove the "One Way" designation in

alleys located behind Cindy Carlson Realty between Hill Street and Cedar Street.

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

OLD BUSINESS

EPA Roadway Remediation Discussion – Phase 2 & Phase 3 Road & Sewer Construction Projects

Ben Davis, Alta Science & Engineering provided the following updates:

Phase 2 – Knife River: Project completed, with some striping and punch list items to be completed.

Phase 3 - Big Sky: Project completed, with some striping and punch list items to be completed.

2019 McKinley Rebuild & Pave Roads Project – Project completed with striping to be completed.

Mr. Davis also updated the Council on the Italian Gulch allowable storm drain work that has been added to the sewer project. Two storm pipes are 50% filled with sediment. Both pipes need to be cleaned. The intake structure will be designed to more efficiently convey drainage with overflow control. Additional work includes two manholes at Galena Ridge and work to be finalized on the sidewalk/retaining wall on McKinley Avenue.

Public Works Superintendent Craig Lewis advised the Council that the cement portion of the ADA ramp at City Hall has been completed, the handrail is being powder coated today, and the material for the roof cover has been ordered and will be up before winter.

Outside Seating with Serving of Alcohol on City Sidewalks Outside of Establishments

Chief Wuolle provided the Council with the City's attorney's comments for outside serving of alcohol on city sidewalks. The City's legal counsel provided feedback to the City, indicating a contract should be considered to reduce liability issues for the City, any City open container laws may need to be reviewed and addressed, and ADA standards for the sidewalks that will be minimized due to outside seating.

Chief Wuolle had previously contacted Alcohol Beverage Control (ABC) and was advised that any establishment interested in serving outside would need to amend their alcohol application, showing the outside areas, such as sidewalks in their floor plan. ABC has strict requirements for this type of request, with fencing being one of the requirements.

Chief Wuolle has concerns with sidewalks being able to accommodate tables and foot traffic, and be ADA compliant.

Citizen Brendan Bonner inquired on the ability of open containers on City streets.

It was moved by Councilmember Delcamp and seconded by Councilmember Moody to move forward with having the City to work on the necessary procedures for the city to follow and the necessary application forms. Motion carried.

Chief Dave Wuolle offered to work on the procedure and application forms.

NEW BUSINESS

Parade Permit for the Kellogg High School Homecoming event

The request has been submitted for Thursday, October 10th. The supervisors have no issues with the submitted activity request.

It was moved by Councilmember Norris and seconded by Councilmember Mercado to approve the parade activity request as submitted. Motion carried.

Letter Request from Todd & Sarah Still – Improvement Agreement for Railroad Ave. Property

Mr. Still stated the Hill Street Depot and The Bean would like to utilize parking such as the uptown area does, stating his properties have uniqueness to the area. Mr. Still discussed his sidewalk.

Councilmember Delcamp as the Chair of the Building and Planning Committee voiced concerns with the Still's request, and complemented Mark Magnus' packet of information provided to the Council. Councilmember Delcamp stated that the letter from Stills shows both of their properties as being affected, and that is not the case. The only requirement that needs attention is The Bean property, as the Hill Street Depot stands as is, and is not affected. A variance as requested is not the avenue to pursue. The Stills had many opportunities to get the required items completed, and have signed documents at different occasions with the City, stating they would follow through with the City's requirements. The proper time to have addressed this matter is prior to the building permit being issued and the zoning of the Still property is different zoning from the Uptown Commercial area with different requirements. The City has spent a lot of time and dollars on this process, having the City attorney draw up the Improvement Agreement, and shared his frustration.

Mr. Still explained that this indeed affects both properties due to the back of the property parking areas.

After additional review of the site plan that was originally submitted to the City, and information provided by Mark Magnus, Councilmember Delcamp corrected his prior statement, as Mr. Still was correct with the fact both of his properties are affected.

After this clarification, Councilmember Delcamp would like this to go to the Building and Planning Committee for review.

It was the consensus of the Council to have the Building and Planning Committee schedule a meeting to review this matter further.

Ratify Mayor Pooler's acceptance of the Economic Development Administration grant in the amount of \$140,000 for Economic Analysis and Roadway

Mayor Pro-Tem Douglas advised the Council that this grant application was submitted close to a year ago with the help of Derek Forseth of Alta Science & Engineering.

This grant will assist the City with economic analysis and a roadway to Government Gulch.

It was moved by Councilmember Norris and seconded by Councilmember Delcamp to ratify the Mayor's decision to accept the EDA grant in the amount of \$140,000 with and additional \$35,000 being paid through Department of Environmental Quality.

A roll call vote of the Council resulted as follows:

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

Motion carried.

ANNOUNCEMENTS & REPORTS

Councilmember Norris

Worked with the Citizen Committee for the School Bond with several outreach meetings for public to attend. Even though the election failed by the required 2/3's vote, the buildings are in need of maintenance. The public was asked to tour those buildings to see why the bond money is necessary.

Councilmember Mercado

Glad to see the construction projects finalized. Need to see how the financing of a new concession stand needs to be discussed further in lieu of the failure of the school bond. Lori Sawyer will be spearheading fundraising events for the construction of the new concession stand. The port of potties located behind Teeters Field, on McKinley Avenue need to be moved.

Mayor Pro-Tem Douglas

Mayor Pro-Tem echoed Councilmember Mercado's comments and stated the continue work on securing additional grants such as the EDA grant to see what would be the best land use fit for Government Gulch will assist making the best for the City of Kellogg. The City will continue its work in the SPA area to define additional uses for that land also. Kellogg does not have much flat land for future use, and these two areas are very important for the future of Kellogg. With all the work on the infrastructure, a new fire protection building, the needs of the Kellogg School is the link to the continued growth of Kellogg.

There being no further business to come before the Council at this time, it was adjourned at 6:40 P.M. to meet at its regular time of October 9, 2019.

ATTEST:

Terry Douglas, Mayor Pro-Tem

Nila Jurkovich, Municipal Clerk/Treasurer