

MINUTES OF THE REGULAR COUNCIL MEETING

August 11, 2021

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
Deputy Clerk Bobbyjean Jurkovich
Building Official Mark Magnus
Superintendent of Public Works Craig Lewis
Project Manager Rod Plank
Planning Consultant Collin Coles

Present by Zoom, was City Attorney Caitlin Kling.

Also present was Andy Helkey, DEQ.

Absent was Chief of Police David Wuolle

Councilmember Moody led the Pledge of Allegiance.

ORAL COMMUNICATIONS

None.

HEARING

It was moved by Councilmember Douglas and seconded by Councilmember Mercado 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 2021-2022. The notices of hearings were published in the Shoshone News Press on July 30th and August 6th.

2021/2022 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, 2021 appropriating the sum of \$6,419,762. The proposed \$6.4 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. Health care costs increased by 12%, initiated an optical plan that went into effect on July 1st, proposing a 4% cost of living adjustment for employees and there are five employees that will also be getting their longevity increase also. There were some delays on getting the property tax revenue dialed in as the state legislators made several significant changes in property tax law, the State Tax Commission was then required to get all changes in law into a new L-2 form, which held up the County with providing us with the necessary values to finalize the City's budget. In the end the L-2 form was finalized and we were able to publish for this evening's budget hearing. The City will be seeking \$1,329,765 in property tax revenue. A couple of notable items the Silver Mountain 2018, 2019 and 2020 property value appeals were finalized and the City paid the County it's burden for those years. Silver Mountain's tax appeal for 2017 is still in litigation and we are unaware what will happen until it is finalized in the court system. The City received one time COVID funds called ARPA, this one time funding will come in two installments. The first installment to the City was already received in the amount

of \$229,000, the other installment will be received in next year's budget. There are some stringent rules for the City to follow for spending these funds which includes infrastructure for sewer and water, but not roads and bridges. The City met requirements in the last few years with the sewer bond funding in which we were able to build the dam in Vergobbi Gulch as it would help keep the I&I out of the City's sewer system. The City will be looking at additional stormwater projects and will utilize this funding source if allowed to do so.

Mayor Pooler advised that Idaho Transportation will have additional funds available for Cities, which will help on additional maintenance projects. The City Clerk has placed this new funding source into the upcoming budget.

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.

Public Works Superintendent Craig Lewis added the following to his report: Poe and Boswell have completed the road maintenance work. The Scout House will be getting exterior work done by a local log home restoration company called Mountain Country Log Restoration. The work will begin the first part of September and will take two weeks. The totem pole will be taken down to provide some maintenance to it and then will be re-installed. The cost for the Scout House project is \$12,000. Member Mercado reminded the Council that Bunker Hill Mine gave the Scout House to the City and the City is to maintain it in its perpetuity.

Mr. Lewis also advised the Council the pool will be closing for the season on August 21st as the lifeguards have school-related events they will be going to and will not be available to work.

Councilmember Douglas mentioned that the road work in the amount of \$470,000 was done at no cost to the citizens of Kellogg. This work was paid through the Local Option Tax revenue. The City will be looking to hold a Town Hall meeting for the as the City will want to amend the current ordinance for the Local Option Tax.

CONSENT CALENDAR

1. Approval or correction of the minutes of the July 14, 2021 regular council meeting.
2. Approval of payment of the bills for the month of July 2021 as presented. (Proving documents on file in the City Clerk's office)
3. Treasurer's Reports of Income & Expenditure.
4. No P&Z Commission Meeting.
5. Reports of Commissions and Committees.
IT Committee minutes from the July 21, 2021 meeting. Recommendation: move forward with the proposal submitted by A-tec to update the City's surveillance system located in the City's park in the amount of \$20,248.38
Traffic Safety Committee minutes from the July 27, 2021 meeting.
Recommendations: a) approve one sign for a parking space that allows a semitruck to park on the southwest side of the McKinley/Main intersection, which states loading/unloading, Monday-Friday between the hours of 7 - 5.
b) not to replace Ben Davis' position with another representative from Alta Science & Engineering, and consult with them on an as needed basis and also replace Nila Jurkovich with Bobbyjean Jurkovich due to Nila's retirement.
c) allow Councilmember Moody to work with the individual to draft the design/language for up to three (3) signs no larger than 12" x 18" and provide them to the Public Works Superintendent for review.

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

OLD BUSINESS

Mr. Derek Forseth, Alta Science & Engineering provided a written update for the Council.

Bunker & Wild Cat Way Warranty Work Update – Alta Science & Engineering

There is a small area inside the RV dump that does not drain very well. Craig and Derek met with Eric Hensyel of Big Sky at the RV dump area on Tuesday 8/2. Big Sky is looking at options for fixing the drainage. It appears it can be fixed by heating and re-rolling a small area of asphalt. This is being repaired as warranty work under the paved roads project for Bunker & Wildcat.

Council member Douglas asked that the above item be finalized through Craig Lewis and be taken off from Old Business.

FEMA Mapping Update – Alta Science & Engineering

Alta received notice to proceed from the County and BEIPC (Terry Harwood). The response back to FEMA will be submitted in the next 30 to 45 days. Mayor Pooler advised the Council he spoke to Mr. Harwood and Alta has 30-45 days to get the additional work done and then resubmit.

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

No updates from an engineering standpoint on this topic at this time.

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

Mr. Andy Helkey provided a written update to the Council with the latest information on COVID-19, advising the Council this is changing rapidly, Kootenai Medical Center had 42 admitted on Friday, Monday it was 68 and today there was 76 admitted to the hospital. Kootenai currently has the highest number for positive cases of Covid in the state. It is anticipated that it will peak by mid-October. It is also anticipated that the health care system will be overloaded by September. Those who have been hospitalized 97% were unvaccinated and 3% were only partially vaccinated. The variant has targeted healthy middle-aged population and children too. Vaccinations are increasing, it takes eight weeks to be fully immunized and it takes 70% of the population to be vaccinated to reach herd immunity. Currently Shoshone County is at 33.6%. There are numerous large events scheduled in northern Idaho counties. Not a lot of information is out there on whether schools will be requiring face coverings when school is in session. Washington is mandating vaccination for their state and health care workers.

Half Marathon – October 2nd & Radio Brewery Anniversary – October 2nd

Mr. Helkey has been in continued contact with the organizers of these events and will continue to monitor Covid activity. The organizers will change their distancing plans accordingly.

City Clerk Nila Jurkovich advised the Council these events were tentatively approved earlier this year, and Mr. Helkey recommended that they be back on the Council agendas in August and September to monitor the distancing plans as needed. Both items were placed as action items on the agenda in case the Council needed to make any decisions. She further stated that the route map was just received for the Half Marathon and wanted to make certain both Craig Lewis and Dave Wuolle had no issues with the submitted route. Mr. Lewis stated roads and streets cannot be completely closed down and this needs to be emphasized to the organizers.

NEW BUSINESS

Ordinance No 619 Fiscal Year 2021/2022 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 #619.

ORDINANCE NO. 619

AN ORDINANCE ENTITLED THE ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 APPROPRIATING THE SUM OF \$6,419,762 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 \$6,419,762 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, 2021.

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	1,943,230
STREET FUND	877,790
SEWER FUND	1,025,116
LIBRARY FUND	89,541
RECREATION FUND	261,908
RADIO BASE FUND	10,000
SANITATION FUND	577,220
REVENUE SHARING FUND	651,415
LIABILITY INSURANCE FUND	46,907
CAPITAL FUND	130,000
DEPOT FUND	18,150
CEMETERY FUND	86,200
GRANTS	157,000
LEASES	20,525
IMPACT FEES	5,000
FRANCHISE	50,000
MISC	42,200
LOCAL OPTION TAX	427,560
GRAND TOTAL OF ALL EXPENDITURES	\$ 6,419,762

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, 2021.

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 11th day of August, 2021.

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 11th day of August, 2021.

APPROVED by the Mayor on the 11th day of August, 2021.

CITY OF KELLOGG

By: _____
Mac Pooler, Mayor

ATTEST:

Municipal Clerk/Treasurer Nila Jurkovich

It was moved by Councilmember Douglas and seconded by Councilmember Armstrong to pass Ordinance #619 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 Douglas and seconded by Councilmember Mercado to publish Ordinance #619 by Summary prepared by City's Counsel.

Motion carried.

John McNulty Easement Request

Mr. McNulty approached Council requesting an ingress/egress easement along with utility easement for his property located on the northside of the freeway of the City's property, now named Riverview Park.

Council reviewed the easement request received submitted by Mr. McNulty.

Mr. McNulty acknowledged he put the road in prior to obtaining an easement from the City.

Mr. McNulty was advised that no easement was obtained from the City.

Mr. McNulty stated gravel has been brought in and the existing road through the City's property had been approved upon.

Superintendent of Public Works Craig Lewis advised the City was required to grade the road, there was no money placed into the road, no material, it was just graded.

Councilmember Douglas does believe an easement would create an encumbrance on the property and the City would no longer be able to exercise complete control over the City's property. Councilmember Douglas does not see any benefit to the tax payers of the City.

Councilmember Moody does not support the request for easement, stating the uses for the City's property are changing. Improvements to recreate are being made through Idaho Fish and Game, Dept of Environmental Quality and other organizations. It is used to recreate, people walk their dogs there, access to fishing, boating will all be a part of that land. The use for recreation on the City's property needs to stay and will be recreation based, not for a private land owner access.

Mr. McNulty did not see how his request for an easement would encumber the City's use of their property, stating the traffic barriers and the need to bring in heavy equipment to move the barriers.

Councilmember Moody asked Mr. Helkey if the DEQ work that was completed by the Theater Bridge may reflect why Mr. McNulty believes the road has been enhanced.

Mr. McNulty had hoped to settle this in a civil manner, and if needed he will go to court and that the City did not make a good argument.

Mayor Pooler thanked him for his time and stated if he is seeking legal counsel, the conversation with the city will be over.

It was moved by Councilmember Armstrong and seconded by Councilmember Mercado not to grant the easement requested by Mr. McNulty.

A roll call vote of the Council resulted as follows:

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

Motion carried.

Chamber Letter Request for a One Month Lease Extension

Councilmember Moody stated the Chamber President Tara Lodi had concerns regarding maintenance costs, heating maintenance and that the Chamber would prefer and requested a one-month lease extension. However, a two-month lease extension seemed more appropriate. Councilmember Douglas agrees that a two-month extension would make more sense. Councilmember Delcamp concurred and would like another depot meeting scheduled.

It was moved by Councilmember Moody and seconded by Councilmember Delcamp to approve a two-month extension for the Chamber.

A roll call vote of the Council resulted as follows:

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

Motion carried.

Federal Bureau of Investigation One Year Renewal at Wardner Peak

Councilmember Douglas advised the Council that the FBI automatically does an increase of \$5.00 each year and will be paying \$132.00 per month with Option 7 on their lease.

It was moved by Councilmember Mercado and seconded by Councilmember Norris to approve the one-year renewal for their antenna located at Wardner Peak.

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.

ANNOUNCEMENTS & REPORTS

Councilmember Delcamp

Looking forward to the updates in the surveillance system at the city park.

Councilmember Douglas

Stated there will be a short turn around along with the holiday weekend for the September 8th Council Meeting, therefore the regular meeting has been scheduled for Wednesday, September 15, 2021.

There being no further business to come before the Council at this time, it was adjourned at 7:05 P.M. to meet on September 15, 2021 at the time of 6:00 p.m.

ATTEST:

Mac Pooler, Mayor

Nila Jurkovich, Municipal Clerk/Treasurer