

## MINUTES OF THE REGULAR COUNCIL MEETING

July 14, 2021

At 6:00 p.m. the meeting was called to order by Mayor Mac Pooler.

A roll call of the Council resulted as follows:

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

Officers present were:

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

Absent: Public Works Superintendent Craig Lewis

Chief of Police David Wuolle led the Pledge of Allegiance.

### STAFF REPORTS

All reports have been submitted.

#### Chief of Police Dave Wuolle

Placing the E-citation equipment in the vehicles. Mayor Pooler asked the Chief to update the Council on last night's fire update meeting. Chief Wuolle stated as of last night, 2,300 acres were burning. There are two main fires, the one north of Murray has zero containment. Some access has been restricted in the areas of the fires. A daily report will be provided to the Mayor.

#### Building Official Mark Magnus

Introduced the employee that will be taking Mark's place upon his retirement later this year. It has been a record year in building permits.

### CONSENT CALENDAR

1. Approval or correction of the minutes of the June 9, 2021 regular council meeting.
2. Approval of payment of the bills for the month of June 2021 as presented. (Proving documents on file in the City Clerk's office)
3. Treasurer's Reports of Income & Expenditure, Treasurers Report will be posted on City Website.
4. P&Z Commission minutes of the June 21, 2021 Meeting.
5. Report of Commissions and Committees:

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

### OLD BUSINESS

#### Bunker & Wild Cat Way Warranty Work Update

*I believe this is actually supposed to be Bunker and Wildcat warranty work (but we all have referred to it as Phase 3 because Big Sky did the work).* The status is there is one potential warranty item related to a low spot near the RV dump site. Water ponds in an area that is roughly 10-ft x 20-ft in size. Craig/Derek discussed the issue and Alta is contacting Big Sky to discuss a plan to resolve the ponding.

#### FEMA Mapping Update

There are two issues regarding the FEMA update. The first issue is the LOMR. A letter of map revision (LOMR) was submitted to FEMA on March 25, 2021. FEMA responded on June 22, 2021. FEMA has 10 questions/comments regarding the application. Alta submitted a letter to the City, County, BEIPC with an estimated level of effort and budget to respond to FEMA's comments. The total cost to address FEMA's comments and finalize the application is \$6,900 and will be covered by the County and BEIPC per discussions with Terry Harwood.

The second issue related to the FEMA update is the budget for the initial application. Ben Davis (Alta) updated the Council in March notifying the City, County and BEIPC, that the original FEMA model contained significant discrepancies and incorrect data. Fixing the discrepancies and correcting the data in the model to the point that it would be acceptable for the LOMR took twice as much work than anticipated. Fixing the information was the only way to get the results that would be accepted by FEMA. As a result, Alta went \$13,856.25 over the initial budget estimate. Alta did not request a budget increase because we wanted to hear back from FEMA when everyone would know what would be needed to finalize the application. Now that we have comments from FEMA, Alta would like to ask if we can submit an invoice to the city for the \$13,856.25 overage or if discussion is needed to clarify why this request is being made.

City Clerk Nila Jurkovich advised the Council that Derek has asked for action on the \$13,856.25, and reminded the Council that Ben Davis had made the Council aware at their Council Meeting in March. At that time, Mr. Davis had stated there was no action necessary at that time, and wanted to wait until FEMA had responded after the ninety-day period.

It was moved by Councilmember Delcamp and seconded by Councilmember Douglas to pay the contract overage in the amount of \$13,856.25.

Motion carried.

#### 2021 Chip Seal Road Maintenance Update

Good news on the Chip Seal project. The construction contract, insurance and bonding is in place and notice to proceed was issued to Poe Asphalt. Work is slated to start July 26<sup>th</sup>. We advised the City to begin notifying residents. Parked cars will need to be cleared from the roadways. People should be strongly advised to drive slowly through the work zones and freshly chipped areas.

#### Wardner Sewer Inflow Analysis provided to the S. Fork Cda River Sewer District Update

The Sewer District provided a rebuttal the O&M cost share memo. Alta reviewed the rebuttal and agreed that the initial analysis put too much of the cost share onto the district because it effectively put the entire annual O&M of the 7000-ft of pipe in Kellogg that Wardner uses onto the District. The District proposed paying their fraction of the O&M for the 7000 feet of pipe that conveys the Wardner flows through Kellogg. In other words, the District proposed paying their fraction of the fraction of pipe that is used to convey the Wardner flows. The District agreed with Alta's opinion that other methods of calculating the O&M cost share were not appropriate. For example, trying to use flow-based values or looking into how much commercial vs. residential use had too much uncertainty with the information we all have to work with. As such, everyone agreed to dismiss these other ways of calculating the O&M cost share. The result would be the District paying or somehow reimbursing the City the District's proportional share of \$420 per month.

#### Status of COVID-19 and large Activities within the City

Mr. Andy Helkey provided the Council with an update, stating Shoshone County has the highest incident rate in the State. Mr. Helkey advised the Council on the facts that make Shoshone County the highest in the state. Community spread is low and hospitals are handling the hospitalization stays. The age group that is spiking right now are the 29 – 45 age group. Nationally, cases are increasing.

**NEW BUSINESS**

**Tentative Budget for fiscal year 2021/2022**

Councilmember Douglas advised the Council that the tentative budget has been prepared and is in front of them. Legislative changes on property taxes have left some unknowns as the State and County have not been able to provide the documents and the information needed to the cities in a timely matter. The property tax figures in the General Fund have been entered a little high, as the City cannot raise the budget total, we can only lower it. If a fund has exceeded its maximum levy limit, that too may be edited. Employees will be receive a 4% cost of living adjustment, and longevity increases will also be provided to those who are eligible. Member Douglas stated the proposed budget is in the amount of \$6,419,762. The budget hearing will be published in the Shoshone News Press and we hope to still hit the August 11, 2021 budget hearing date.

It was moved by Councilmember Douglas and seconded by Councilmember Moody to accept the tentative budget as prepared.

Motion carried.

**Ratification on the Notice To Proceed for Poe Asphalt**

The Notice To Proceed was provided to Poe Asphalt on July 1<sup>st</sup>. Poe intends to start their work in Kellogg on July 26<sup>th</sup> and the work will only take approximately ten days. Work is required to be completed by the end of August.

It was moved by Councilmember Delcamp and seconded by Councilmember Douglas to ratify the mayor's approval on the Notice To Proceed for Poe Asphalt.

A roll call vote of the Council resulted as follows:

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

Motion carried.

**Planning & Zoning Appointment**

Mayor Pooler would like to appoint Richard Chris Rice to the Planning and Zoning Commission.

It was moved by Councilmember Mercado and seconded by Councilmember Douglas to approve the Mayor's appointment of Mr. Richard Chris Rice to the Planning and Zoning Commission.

Motion carried.

**Two-Year Depot Lease with Chamber**

Councilmember Douglas advised the Council the current two-year lease will be expiring July 31<sup>st</sup>. The lease is identical as the lease that is set to expire, with the new term ending July 31, 2023. The Chamber will be asked to provide the quarterly reports to the City, as stated in the lease.

It was moved by Councilmember Douglas and seconded by Councilmember Delcamp to enter into the two-year depot lease with the Chamber.

A roll call vote of the Council resulted as follows:

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

Motion carried.

Letter Agreement/MOU for Wardner Sewer Inflow with S. Fork CdA Sewer District  
Councilmember Douglas advised Council that an annual payment to the City in November of each year in the amount of \$420 per year, and not per month as indicated in Alta's update. Alta agreed it was their mistake in the analysis, therefore we accepted the revised analysis at 29 cents per connection, and the operation & maintenance should be for 120 hookups rather than 800 hookups. The 800 figure erroneously included Kellogg hookups and it is Kellogg's intent the O&M needs to be fair. The City's belief was that it was only fair to have the Wardner residents be charged the fee as it should not be a district wide cost. In our meeting with the District it became very obvious the cost associated with the operation and maintenance of Kellogg's sewer line was not going to be charged only to those residents in Wardner.

It was moved by Councilmember Douglas and seconded by Councilmember Armstrong to authorize the Mayor to execute the memorandum of understanding as described with payment of 120 sewer hookups at 29 cents which would equal \$420 per year and paid in November.

A roll call vote of the Council resulted as follows:

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

Motion carried.

#### **ANNOUNCEMENTS AND REPORTS**

##### Councilmember Mercado

Believes the 4% cost of living adjustment was needed the City wants to keep competitive wages.

##### Councilmember Norris

Welcomed Keith to the City, and hopes all will stay safe during the fire season.

##### Councilmember Moody

Saw the notices given to business owners in the uptown area and inquired if we could have a greater marking on where the public can park. There may be an individual/business that may be able to donate nice signs directing the public on where there is public parking lots.

Inquiries were made with respect to the squatters that are using the uptown parking lot. Chief Wuolle will have his department on it.

##### Mayor Pooler

Be careful out there.

There being no further business to come before the Council at this time, it was adjourned at 6:40 P.M. to meet for the regular council meeting on August 11, 2021.

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Mac Pooler, Mayor

ATTEST:

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Nila Jurkovich, City Clerk/Treasurer