

MINUTES OF THE EMERGENCY COUNCIL MEETING

March 18, 2020

At 5:00 p.m. the meeting was called to order by Mayor Pro-Tem Terry Douglas.

A roll call of the Council resulted as follows:

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

Officers present were:

City Clerk/Treasurer Nila Jurkovich
Superintendent of Public Works Craig Lewis
Project Manager Rod Plank

Absent: Mayor Mac Pooler

Joining by telephone: Ben Davis, Alta Science & Engineering

The full Council led in the Pledge of Allegiance.

Emergency Resolution COVID-19

RESOLUTION 2020-02

**CITY COUNCIL AFFIRMATION OF LOCAL EMERGENCY DECLARATION
COVID-19**

WHEREAS, the President of the United States and the Governor of the state of Idaho have declared a health emergency related to the threat of Covid-19, and

WHEREAS, pursuant to Idaho Code § 46-1011 the Mayor of the City of Kellogg has declared a local disaster emergency on the 17th day March, 2020 due to the threat of Covid-19; and

WHEREAS, said declaration sets forth legal and factual considerations in support of such declaration, and

WHEREAS, the City Council of the City of Kellogg recognizes the imminent threat of widespread and severe harm to the health of residents and visitors to the City of Kellogg as addressed by the Centers for Disease Control and by actions of the Governor of the state of Idaho , and

WHEREAS, such declaration activates the response and recovery aspects of applicable local or intergovernmental disaster emergency plans for the furnishing of aid and assistance; and

WHEREAS, the emergency referenced herein exists because the contagious nature and potentially serious consequences of the COVID-19 virus for residents and visitors to the City of Kellogg and requires state emergency assistance to supplement local efforts to protect life, health and property; and

WHEREAS, Idaho Code § 67-2808 authorizes the Council of the City of Kellogg to declare an emergency and that the public interest and necessity may demand the immediate expenditure of public money without compliance with formal bidding procedures; and

WHEREAS, an emergency declaration must be filed with the county recorder's office and "given prompt and general publicity."

NOW THEREFORE, the City Council of the City of Kellogg does hereby declare:

That a Local Disaster Emergency exists and that all efforts will be made to protect the citizens and property of the City of Kellogg through activation of all local disaster emergency plans and state emergency assistance; and

That this Local Disaster Emergency shall continue until the Centers for Disease Control and the Governor of the state of Idaho sound an end to the emergency and the City Council expressly authorizes the discontinuance of such Declaration; and

Pursuant to this Resolution the following steps are expressly authorized in furtherance of the foregoing disaster emergency declaration:

Examples:

Changing date, meeting place or method of holding council meetings.

Restricting Access to certain places

Changing methods of bill payment

Limiting building occupancy

Establishing temporary rules for using parks or other city facilities

Authorizing the Mayor, in consultation with the Council President, to establish other administrative policies necessary to protect the public health and safety

That this Declaration of Local Disaster Emergency (“Declaration”) shall be promptly filed with the Shoshone County Recorder’s Office; and

That prompt and general publicity shall be given by a press release notifying the public of this Declaration.

Approved by the City Council of the City of Kellogg this 18th day of March, 2020.

Terry Douglas, Mayor Pro-Tem

ATTEST:

Date: March 18, 2020

Nila Jurkovich, City Clerk

Date: March 18, 2020

MAYOR’S DECLARATION OF LOCAL DISASTER EMERGENCY

WHEREAS, Idaho Code § 46-1011 allows the Mayor of a city to declare a local disaster emergency; and

WHEREAS, Idaho Code § 46-1002(2) defines “disaster” as the “imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, windstorm, wave action, volcanic activity, explosion, riot, or hostile military or paramilitary action and including acts of terrorism;” and

WHEREAS, the imminent threat of widespread and severe harm to the health of residents and visitors to the City of Kellogg as addressed by the Centers for Disease Control and by actions of the Governor of the state of Idaho constitutes a “disaster”; and

WHEREAS, a declaration activates the response and recovery aspects of applicable local or intergovernmental disaster emergency plans for the furnishing of aid and assistance; and

WHEREAS, Idaho Code § 46-1002(3) provides that an “emergency” includes the imminent threat to life or property which requires state emergency assistance to supplement local efforts to protect well-being or property or to avert or lessen the threat of “disaster;” and

WHEREAS, the emergency referenced herein exists because the contagious nature and potentially serious consequences of the COVID-19 virus for residents and visitors to the City of Kellogg and requires state emergency assistance to supplement local efforts to protect life, health and property; and

WHEREAS, Idaho Code § 67-2808 authorizes the Council of the City of Kellogg to declare an emergency and that the public interest and necessity may demand the immediate expenditure of public money without compliance with formal bidding procedures; and

WHEREAS, an emergency declaration must be filed with the county recorder’s office and “given prompt and general publicity.”

NOW THEREFORE, the Mayor of the City of Kellogg does hereby declare:

That a Local Disaster Emergency exists and that all efforts will be made to protect the citizens and property of the City of Kellogg through activation of all local disaster emergency plans and state emergency assistance; and

That this Local Disaster Emergency shall expire within seven (7) days unless the City Council expressly authorizes the continuance of such Declaration; and

That this Declaration of Local Disaster Emergency (“Declaration”) shall be promptly filed with the Shoshone County Recorder’s Office; and

That prompt and general publicity shall be given by a press release notifying the public of this Declaration.

Declared this 17th day of March, 2020.

Terry Douglas, Mayor Pro-Tem

Date: March 17, 2020

ATTEST:

Nila Jurklovich, City Clerk

Date: March 17, 2020

Confirmed by the City Council of the City of Kellogg on the 18th day of March, 2020.

City Clerk

Date: March 18, 2020

It was moved by Councilmember Mercado and seconded by Councilmember Armstrong to pass Resolution 2020-02 affirming the local emergency declaration. A roll call vote of the Council resulted as follows:

Councilmember Armstrong-Aye
Councilmember Mercado-Aye
Councilmember Douglas-Aye

Councilmember Moody-Aye
Councilmember Delcamp-Aye
Councilmember Norris-Aye

Motion carried.

Wardner Sewer Inflow Analysis

Ben Davis, Alta Science & Engineering discussed the background information provided in his Memo dated March 9, 2020.

Future dollars for operation and maintenance (O&M) needs to be considered, as Wardner has some demand on Kellogg's system. Alta's recommendation to Kellogg in the O&M Plan given to the City was to budget \$40,000 annually for the O&M of the new sewer system. Mr. Davis discussed 1) the cost share based on flow rates from the information gather from Kellogg's flow meters, 2) cost share based on connections, how many hookups in Wardner vs Kellogg, 3) the Impact Fee Study prepared by Tischler Bise in December 2019 which is based on a cost per service.

Councilmember Moody inquired how Kellogg would address the ongoing and any additional connection, how would we track if a new connection was added on a non-developed lot, would it be on a monthly fee basis or could we consider a new connection fee? It was advised any new connection fee would go to South Fork Sewer District as they are in charge of Wardner's sewer system.

Mayor Pro-Tem Douglas asked the Council to look at the recommendation by Alta to cost share for Wardner's use of Kellogg's system be a minimum of \$3,600 per year based on the ratio of lateral connections.

The other option the City could use is to have the Sewer District spread the cost district-wide but does not believe this is the right option.

Public Works Superintendent Craig Lewis advised the Council that South Fork Sewer District would like to take over all of the city sewer lines. There would be a lot of questions to be answered as Kellogg has three USDA loans, each of those are forty year loans with annual debt to be paid.

The topic was tabled and no action was taken.

Bunker/Wildcat Way Stormwater Update

Ben Davis, Alta Science & Engineering discussed the alternatives that were explained in his Memo dated March 12, 2020, this is a long time coming as their company provided a similar report five years ago. The City wanted to wait until the CTP work was completed, to save the City money. There are two alternatives explained with the first alternative being the best path to move forward and is the cheapest. With Alternative 1, the City may be able convince the Roads Board to invest roads board funds in the project, along with a possibility of EPA contributing to the project also.

Alternative 1 consists of roadway crowning, installing new drywells, cleaning and utilization of the existing basin at Bunker Avenue & Wildcat Way intersection.

Alternative 2 consists of utilization of Alternative 1 but includes the installation of overflow pipes down Bunker Avenue and Wildcat Way and then discharges to Bunker Creek. The estimate for this is over four times the amount of money as Alternative 1.

After discussion was finalized, it was moved by Councilmember Moody and seconded by Councilmember Delcamp to move forward with Alternative 1, with Mr. Davis working with Public Works Superintendent Craig Lewis and prepare the bid to go out the same time as the 2020 Roads Project.

Motion carried.

Teeter's Field Concession Stand Update

Ben Davis, Alta Science & Engineering advised the Council that Alta would like to forego the remaining funds in the agreement, approximately \$2,000, to kick start the fundraising for this building. The full Council thanked Mr. Davis for this donation.

Councilmember Moody would like the City to have some type of dedication plaque for those who donated to this project.

Mayor Pro-Tem Terry Douglas advised the Council that at the Administrative Meeting held earlier this evening, the proposed recommendations was to fund the concession stand building from the General Fund and have the Impact Fees collected for Parks & Recreation repay the General Fund. City Clerk Nila Jurkovich has been in contact with Julie Herlands, Tischler Bise and there are no issues with the City repaying the General Fund as funds are collected through the Impact Fees for Parks and Recreation. This will be done within this current budget.

Public Works Superintendent Craig Lewis advised the Council for longevity and to have a better building, the best building would be made of brick, a different color of brick will be used as a line through the building and there will be a window in back of the concession stand.

Mr. Davis stated the bid packet will be provided to the City in April.

It was moved by Councilmember Mercado and seconded by Councilmember Norris to fund the new concession stand through the General Fund and have the Impact Fees, Parks and Recreation repay the General Fund. Motion carried.

There being no further business to come before the Council at this time, it was adjourned at 5:45 P.M.

ATTEST:

Terry Douglas, Mayor Pro-Tem

Nila Jurkovich, City Clerk