

MINUTES OF THE REGULAR COUNCIL MEETING

August 9, 2023

At 6:00 P.M. the meeting was called to order by Mayor Mac Pooler.

A roll call of the Council resulted as follows:

Terry Douglas
Ron Mercado
Dennis Norris
Anna Moody
Jerry Cobb

Officers Present: Mayor Mac Pooler, COP Paul Twidt, BO Keith Teeters, Clerk/Treasurer Bobbyjean Jurkovich, Public Works Director Mike Fitzgerald, Community Planner Monica Miller, Project Manager Rod Plank and Alta Science & Engineering Representative Felicia Cassidy

Also present: Kathy Apthorp (via Zoom), Heidi Burks (via Zoom), Will Niska

Absent: Sid Armstrong

Dennis Norris led in the Pledge of Allegiance.

HEARING

Budget Amendment Hearing for FY22-23 & Budget Hearing for Proposed Budget for FY23-24.

Motion was made by Councilmember Douglas to open the hearing, seconded by Councilmember Mercado.

No members of the public were present and no comment, written or oral was presented.

Councilmember Norris moved to close the hearing, seconded by Councilmember Moody.

ORAL COMMUNICATIONS

None

CONSENT CALENDAR

1. Approval or correction of the minutes of the July 12, 2023 regular council meeting
2. Approval of payment of the bills for the month of July 2023 as presented. (Proving documents on file in the City Clerk's office)
3. Treasurer's Reports of Income & Expenditure
4. P&Z Commission minutes:
5. Reports of Commissions and Committees:

Motion was made by Councilmember Douglas to approve the consent calendar as presented, seconded by Councilmember Moody. Motion carried.

OLD BUSINESS

FEMA update on LOMR Mapping from Felicia Cassidy with Alta - application loaded to online portal. The application has a 90 day turn around and we are about 30 days into that. Councilmember Douglas talked about looking into getting Senator Risch to write a letter to FEMA officials on the City's behalf, to hopefully spur some movement.

DEQ Stormwater Project Phase 1 from Felicia Cassidy with Alta - Bunker Creek construction is complete with planting planned for fall. Construction will commence on Hill Street in late August.

DEQ Stormwater Project Phase 2 from Felicia Cassidy with Alta - designs for Government Gulch Channel and East Kellogg in progress for completion in spring 2024.

Government Gulch EDA Design - design in progress for completion in spring 2024.

Chip Seal Bid Package from Felicia Cassidy with Alta - Chip seal in progress (week of council meeting) and slurry seal planned for late August. Alta is assisting with oversight since they were well below budget on bid package.

Update on Kellogg Levee Preliminary Engineering from Felicia Cassidy with Alta - Alta is working on the draft Preliminary Engineering Report. We plan on having a draft to Mike Fitzgerald by September 5th.

NEW BUSINESS

Memorandum of Understanding with ID Parks & Recreation Renewal

MOU outlines respective responsibilities of IDPR & City of Kellogg in regard to the "Kellogg Greenway" section of the Trail of the Coeur d' Alenes.

Councilmember Douglas moved to renew the City's Memorandum of Understanding with Idaho Parks & Recreation, seconded by Councilmember Mercado. A roll call vote of the Council resulted as follows:

Armstrong – Absent	Norris – Aye	Motion carried
Mercado – Aye	Moody - Aye	
Douglas – Aye	Cobb- Aye	

Request from ID Parks and Recreation for Easement along McKinley Ave

Discussion regarding IDPR granting a 60' or 50' right of way easement to the City of Kellogg. Heidi from IDPR says Union Pacific still has interest in the trail property, so perhaps a lease would be more appropriate. PW director Fitzgerald recommends a separate MOU that addresses the roadway for future development/utility options. IDPR will work on a draft agreement for later Council consideration.

NFE Invoice #1440 for Approval to Pay

Councilmember Douglas moved to approve this invoice in the amount of \$231,614.31. Motion was seconded by Councilmember Moody. A roll call vote of the Council resulted as follows:

Armstrong – Absent	Norris – Aye	Motion carried
Mercado – Aye	Moody - Aye	
Douglas – Aye	Cobb- Aye	

Activity Request from CM Studio and Gallery on 9/1/2023 on McKinley Ave

Councilmember Douglas moved to approve the request minus the requested extra police patrols and closure of McKinley Ave. Council will allow the use of three parking spaces marked by Public Works crew. Councilmember Moody seconded. Motion carried.

FBI Contract for Wardner Peak

Amount increased by \$5.00 from \$135.72 to \$139.79 for a term of 1-year.

Councilmember Douglas moved to approve this contract. Motion was seconded by Councilmember Norris. A roll call vote of the Council resulted as follows:

Armstrong – Absent	Norris – Aye	Motion carried
Mercado – Aye	Moody - Aye	
Douglas – Aye	Cobb- Aye	

Idaho Military Division Lease Agreement for Wardner Peak

Increase from \$900.00 to \$1,125.00 for a term of five (5) years.

Councilmember Douglas moved to approve this lease agreement. Motion was seconded by Councilmember Moody. A roll call vote of the Council resulted as follows:

Armstrong – Absent	Norris – Aye	Motion carried
Mercado – Aye	Moody - Aye	
Douglas – Aye	Cobb- Aye	

Consideration on the Proposed Ordinance 624 setting the budget for Fiscal Year 2023-2024

Unable to approve because L-2 was not received from Shoshone County. Should be available for September Council meeting.

Consideration on the proposed Ordinance 625 amending the budget for 2022-2023 Fiscal Year

ORDINANCE NO. 625

AN ORDINANCE OF THE CITY OF KELLOGG, IDAHO, AMENDING ORDINANCE NO. 622 THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023: APPROPRIATING ADDITIONAL MONIES THAT HAVE BEEN RECEIVED BY THE CITY OF KELLOGG, IDAHO IN THE SUM OF \$2,380,000 AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KELLOGG, IDAHO:

Section 1: That Ordinance No. 622, the appropriation ordinance for the City of Kellogg, Idaho for the fiscal year October 1, 2022, and ending September 30, 2023 be and the same is hereby amended as follows:

<u>Expenses</u>		<u>Revenues</u>	
Govt Gulch	30,000	Govt Gulch	30,000
LHTAC Pedestrian Grant	250,000	LHTAC Pedestrian Grant	250,000
DEQ Storm Water Proj #2	1,200,000	DEQ Storm Water Proj #2	1,200,000
LOT Chip Seal Project	900,000	LOT Chip Seal Project	900,000

Expenditures of the monies will be in accordance with the provisions to be used for authorized activities.

Section 2: This ordinance shall be in full force and effect from and after its passage, approval and publication.

ENACTED by the City Council as an Ordinance of the City of Kellogg on the 9th day of August, 2023.

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 9th day of August, 2023.

APPROVED by the Mayor on the 9th day of August, 2023.

CITY OF KELLOGG

By: _____
Mac Pooler, Mayor

ATTEST:

Clerk/Treasurer, Bobbyjean Jurkovich

Councilmember Douglas moved to approve Ordinance 625. Motion was seconded by Councilmember Moody. A roll call vote of the Council resulted as follows:

Armstrong –Absent	Norris – Aye	Motion carried
Mercado – Aye	Moody - Aye	
Douglas – Aye	Cobb- Aye	

Request from Shoshone County regarding Silver Mtn Tax Appeal: penalties and interest \$51,183.02

Councilmember Douglas moved to reimburse Shoshone County \$51,183.02. Motion was seconded by Councilmember Moody. Motion carried.

Notice of Award/Contract agreement with Boswell Asphalt Paving Solutions, Inc. for Slurry & Chip Seal.

Councilmember Douglas moved to sign construction contract in the amount of \$850,825.00. Motion was seconded by Councilmember Norris. A roll call vote of the Council resulted as follows:

Armstrong –Absent	Norris – Aye	Motion carried
Mercado – Aye	Moody - Aye	
Douglas – Aye	Cobb- Aye	

REPORTS FROM STAFF

Chief Twidt: Working with Public Works to get internet & cameras to the Teeter’s concession stand and pool area. This will hopefully deter vandalism and police will be able to monitor from City Hall. Mayor Pooler says good job at all-class reunion and Silver Hoops.

Public Works Director Fitzgerald: Over 64 hours logged by PW staff to get ready for Silver Hoops as an example of how much hard work and time put in to get ready for events like these. PW will be meeting with Kellogg School District to see if we can combine efforts and costs for one of their stormwater projects.

Community Planner Miller: A current STR permittee suggested the City place a “cap” on future short-term rentals. Miller says she will do some research. Councilmembers Mercado & Douglas discussed whether we were at that point yet or if restricting would free up any housing for long-term rentals.

Projects Manager Plank: Was a slow July, but picking back up in August.

ANNOUNCEMENTS AND REPORTS

Councilmember Douglas: Kudos to Chief Twidt & Building Official Keith for facilitating the demolition of the burned W. Mullan house. He is excited about the City being able to take care of the asphalt.

Councilmember Mercado: Good job prepping the city for the summer functions. Many of the trees that the City has planted along the right of ways appear to be dying. Maybe look into different species. Fitzgerald says the Sani crew will be doing pruning this fall during the last half hour of their shift. Also, he will look into trees that haven’t been donated, that way they may be more suited to the climate.

Councilmember Norris: Just sick about the damage to the concession stand. The contractor is doing a good quality job on the chip seal.

Mayor Pooler: Received lots of compliments from the all-class reunion.

There being no further business to come before the Council at this time, Councilmember Norris moved to adjourn. Councilmember Moody seconded. Meeting was adjourned at 6:57 P.M. to meet for the regular time in September 2023.

Mac Pooler

Mayor Mac Pooler

ATTEST:

Bobbyjean

Bobbyjean Jurkovich, City Clerk/Treasurer