

MINUTES OF THE REGULAR COUNCIL MEETING

January 10, 2024

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
Terry Douglas
Ron Mercado
Dennis Norris
Jerry Cobb
Anna Moody

Officers Present: COP Paul Twidt, BO Keith Teeters, Clerk/Treasurer Bobbyjean Jurkovich, Public Works Director Mike Fitzgerald, Community Planner Monica Miller, Project Manager Rod Plank

Also present: Karla Douglas, Jenifer Cardenas, Victor Cardenas, Lori Teeters, Lindsay Strobel, Alex Cook, Judy Lewis, Jim Cason, Heidi Peterson, Carlton Ahern, Delaine Dahlke, Rylee Dahlke, Harlee Dahlke, Brooke Dahlke, Wayne Ferguson, Kathy Apthorp (via Zoom)

Absent: Alta Science & Engineering representative Felicia Cassidy

Chief Paul Twidt led in the Pledge of Allegiance.

ORAL COMMUNICATIONS

None

CONSENT CALENDAR

1. Approval of the December 13, 2023 council meeting.
2. Approval of payment of the bills for the month of December 2023 as presented. (Proving documents on file in the City Clerk's office)
3. Treasurer's Reports of Income & Expenditure, Annual Street Report
4. Approval of Reports and Minutes of Committees and Commissions: Admin Committee Minutes.

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

OLD BUSINESS (Alta representative absent, updates provided via email)

FEMA update on LOMR Mapping from Felicia Cassidy with Alta

FEMA has the application and it is under review. PW Director Fitzgerald indicated that Mark Kilmer was interested in assisting the city with a map update. It will be discussed in a February meeting.

DEQ Stormwater Project Phase 1, 2 and 3 from Felicia Cassidy with Alta

Phase 1 nearly complete with punch list items, Phase 2 design is on track for spring bidding, Phase 3 is on track for spring/summer 2024 investigations.

Government Gulch EDA Design update from Felicia Cassidy of Alta

Design is 60% complete and under review with EDA.

Kellogg Levee Report from Felicia Cassidy of Alta

Report is under review with Basin Commission and others.

NEW BUSINESS

Wayne Ferguson 5 E Mill Ave Sewer Reimbursement (item was moved ahead on agenda by Mayor Pooler for the convenience of Mr. Ferguson.)

To comply with City Code: 4-2-19, per Mr. Ferguson's stated inability to procure a qualified contractor to replace his lateral sewer line, the Public Works Department hired a contractor to complete the project. Mr. Ferguson was notified on May 9, 2023 to remit payment directly to the contractor, or the City would pay the balance and place a lien on the property. Mr. Ferguson received correspondence from the City on October 30, 2023, reminding him to pay in full or make arrangements to pay. On December 26, 2023, Mr. Ferguson was sent a final letter indicating the city would be discussing measures to place a lien on 5 E Mill at the January 10, 2023 Council Meeting. Mr. Ferguson stated that there were extenuating personal circumstances that took his

focus from the importance of this project. He also indicated that he did not fully understand what was required of him and that he would like to pay, but may not be able to pay all at once. There was discussion by Council of various financial assistance.

Councilmember Douglas moved to table the discussion until next meeting in order for Mr. Ferguson to explore available financial assistance, seconded by Councilmember Norris. Motion carried

Oath of Office for Councilmembers

Jenifer Cardenas and Lori Teeters were sworn in as Councilmembers for positions #2 and #3 respectively. Incumbents Terry Douglas and Jerry Cobb were sworn in for positions #5 and #6.

Council selection of the Council President

Councilmember Mercado moved to select Councilmember Douglas for another year. Motion was seconded by Councilmember Norris. Motion carried

Activity request for South Fork Silver July 17-21, 2024

City Staff will meet later to discuss details.

Councilmember Douglas moved to approve the request. Motion was seconded by Councilmember Mercado. Motion carried.

Activity request for Silver Valley Jesus Fest August 9-11, 2024

Councilmember Douglas moved to approve the request with further staff planning. Motion was seconded by Councilmember Cobb. Motion carried.

Resolution 24-01 Entering into Lease with Silver Valley Metals

Councilmember Douglas motioned for the clerk to read the resolution by title only. Motion was seconded by Councilmember Mercado. Motion carried.

Councilmember Douglas motioned to approve Resolution 24-01. Motion was seconded by Councilmember Cobb. A roll call vote of the Council resulted as follows:

Teeters –Abstain	Norris – Aye	Motion carried
Mercado – Aye	Cardenas - Aye	
Douglas – Aye	Cobb- Aye	

RESOLUTION # 2024-01

A RESOLUTION OF THE CITY OF KELLOGG, IDAHO, AUTHORIZING AND APPROVING A LEASE AGREEMENT WITH SILVER VALLEY METALS CORP DBA BUNKER HILL MINE; AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY; PROVIDING FOR RELATED MATTERS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kellogg is authorized to lease a portion of real and personal property as provided in Section 50-1407, Idaho Code; and

WHEREAS, the City of Kellogg desires to lease a portion of real property located at 1007 McKinley Avenue in Kellogg, Idaho, (more particularly described on Exhibit "A") to Silver Valley Metals Corp.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Kellogg that as follows:

SECTION 1: The City Council hereby finds and declares that the real property commonly known as "City Hall," more specifically described in Exhibit "A", which attached hereto and by this reference fully incorporated herein, is not otherwise needed for City purposes.

SECTION 2: The City Council hereby finds and declares that the terms of the Lease Agreement, substantially in the form attached hereto as Exhibit "B," are just and equitable.

SECTION 3: The Lease Agreement with Silver Valley Metals Corp substantially in the form of the Lease Agreement attached hereto is Exhibit "B" is hereby approved.

SECTION 4: That the Mayor is hereby authorized to execute the Lease Agreement on behalf of the City.

BE IT FURTHER RESOLVED, this Resolution shall take effect and be in force from and after its passage and approval.

Dated, this 10th day of January 2024.

*City of Kellogg
Shoshone County, Idaho*

ATTEST:

Bobbyjean Jurkovich, City Clerk

*By: _____
Mayor Mac Pooler*

Silver Valley Metals Corp Lease Agreement

Small details are still being worked out.

Councilmember Douglas moved to give the mayor, or in his absence, the Council President the authority to sign this lease agreement when finalized. Motion was seconded by Councilmember Cobb. A roll call vote of the Council. A roll call vote of the Council resulted as follows:

Teeters –Abstain	Norris – Aye	Motion carried
Mercado – Aye	Cardenas - Aye	
Douglas – Aye	Cobb- Aye	

Resolution 24-02 Entering into Lease with Department of Environmental Quality

Councilmember Douglas moved to read the resolution by title only. Motion was seconded by Councilmember Norris.

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

Teeters –Aye	Norris – Aye	Motion carried
Mercado – Aye	Cardenas - Aye	
Douglas – Aye	Cobb- Aye	

RESOLUTION # 2024-02

A RESOLUTION OF THE CITY OF KELLOGG, IDAHO, AUTHORIZING AND APPROVING A LEASE AGREEMENT WITH IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY; AUTHORIZING THE MAYOR TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY; PROVIDING FOR RELATED MATTERS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kellogg is authorized to lease a portion of real and personal property as provided in Section 50-1407, Idaho Code; and

WHEREAS, the City of Kellogg desires to lease a portion of real property located at 1007 McKinley Avenue in Kellogg, Idaho, more particularly described on Exhibit "A," to Idaho Department of Environmental Quality.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Kellogg that as follows:

SECTION 1: The City Council hereby finds and declares that the portion of real property commonly known as "DEQ Superfund Project Office," more specifically described in Exhibit "A", which attached hereto and by this reference fully incorporated herein, is not otherwise needed for City purposes.

SECTION 2: The City Council hereby finds and declares that the terms of the Lease Agreement, substantially in the form attached hereto as Exhibit "B" are just and equitable.

SECTION 3: The Lease Agreement with Idaho Department of Environmental Quality substantially in the form of the Lease Agreement attached hereto is Exhibit "B" is hereby approved.

SECTION 4: That the Mayor is hereby authorized to execute the Lease Agreement on behalf of the City.

BE IT FURTHER RESOLVED, this Resolution shall take effect and be in force from and after its passage and approval.

Dated, this 10th day of January 2024.

ATTEST:

Bobbyjean Jurkovich, City Clerk

*City of Kellogg
Shoshone County, Idaho*

*By _____
Mayor Mac Pooler*

Department of Environmental Quality Lease Agreement

Councilmember Douglas moved to authorize the mayor, or in his absence, the Council President, to sign this lease agreement. Motion was seconded by Councilmember Mercado. A roll call vote of the Council resulted as follows:

**Teeters –Aye
Mercado – Aye
Douglas – Aye**

**Norris – Aye
Cardenas - Aye
Cobb- Aye**

Motion carried

REPORTS FROM STAFF

Chief Twidt: Have given monthly, plus annual report for KPD. Councilmember Douglas said this was very helpful.

Building Official Teeters:

Public Works Director Fitzgerald: Bridge over the CDA river on Bunker Ave will be replaced using LHTAC funding. A public meeting will be held January 17, 2024. The project could cause some traffic flow problems for several months.

Community Planner Miller:

Project Manager Plank:

ANNOUNCEMENTS AND REPORTS

Councilmember Norris: Thank you to Sid and Anna. Welcome new Councilmembers.


Councilmember Douglas: Annual audit is requiring more staff hours than usual.

Councilmember Mercado: Welcome new Councilmembers.

Councilmember Cobb: Thank you to Anna and Sid.

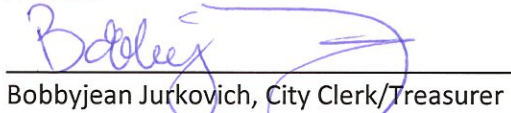
Mayor Pooler: Looking forward to busy year.

There being no further business to come before the Council at this time, Councilmember Norris motioned to adjourn, seconded by Councilmember Cobb. Meeting adjourned at 7:07 pm. The Council will meet at the regular time in February 2024.



Mayor Pro Tem, Terry Douglas

ATTEST:



Bobbyjean Jurkovich, City Clerk/Treasurer