

**CITY COUNCIL MEETING
MARCH 18, 2020
SALMON, IDAHO**

Mayor Marshall opened the meeting and excused himself due to illness.
Council President Hill conducted the regular City Council meeting at 6:00 p.m.

Those in attendance were:

COUNCIL MEMBERS: **Jim Baker**
 Jim Bockelman
 Ken Hill
 Neal James
 Robin Phillips
 Fred Waidely

CITY ATTORNEY: **Fred Snook**

Decisions/Action Items

- 1) Council agreed to open the end of 10th Street and the connecting road as platted.
- 2) Resolution 2020-1, A Resolution Declaring An Emergency As A Result of Coronavirus (COVID-19) was passed by Council.
- 3) Council set July 15, 2020 for the FY2021 Budget Pubic Hearing
- 4) Council approved the Professional Services Agreement for the Sacajawea Center Interpretive Programs.
- 5) Council approved the final Payment to Eagle Rock Timber for \$7,612.18

Consent Agenda – Action Item

- a) Meeting Minutes March 4, 2020 Regular Meeting and March 11, 2020, Special Meeting
- b) Bills for approval
- c) Week of the Young Child Proclamation

Councilor Waidely made a motion to approve the meeting minutes of March 4, 2020 and March 11, 2020, bills as submitted and Week of the Young Child Proclamation. Roll call vote carried as follows: Bockelman...aye, Waidely...aye, Phillips...aye, James...aye, Baker...aye, and Hill...aye.

Public Comments

- 1) LaVerne Sessions, 10 Eagle Lane, announced her candidacy for District 8 Legislative Seat B. She noted that it is the same seat that her father held for 20 years. She stated that she is ready to serve the people.

- 2) Harry Shanafelt handed out proposed plans for a multipurpose facility by the High School. A large donation has been made by Nep Lynch and the project is moving forward. He asked council to consider help from the Public Works Department for a few days hauling out dirt excavated from the site.
- 3) JimBob Infanger, 86 Infanger Lane, stated that the County Commissioners are in full support of the multipurpose facility. As planned, it will be functional as a multi-use facility with a removable floor to accommodate different types of events.

Reconstruction of Road 10th Street & Black Rock Road – Action Item

Joe Stephanishen owns property at 808 10th Street. Currently the road connecting to Black Rock Road cuts across his lots. They would like to sell those lots and currently have an offer on 9 of those lots. He would like to see the City reroute the road to how it was originally platted when the subdivision was approved.

Mr. Stephanishen does not want to give up part of his lot to widen the street which is currently 29.55 feet wide. Lenny Skunberg, owner of the property abutting the road on the opposite side does not want to give up part of his land either.

There were concerns about whether or not fire trucks could turn onto the existing roadway.

Councilor Waidely said 10th Street is 50 feet and the one they are turning onto is 25 feet (it is recorded as a 29.55 foot roadway) and the county roadway is very narrow. According to County Road and Bridge all county roads are 50 foot right-of-ways. He would like to open the street up as platted.

Councilor Baker stated that he is concerned about the short section going into the county road. He will not support a 25 foot street long term. The area is going to continue to develop. It was platted with a 30 foot roadway considering that the adjoiner would allow footage from their side to complete the street. For future development it is currently way too narrow. At some point Council will be trying to get more right-of-way.

Councilor Bockelman said unfortunately it is not just a city issue. We have no jurisdiction over the county.

Councilor James said he thinks we are looking at two different things. Joe wants the street off of his property and we have to do that. Steps to make the road better is a different subject. The idea is to move the road off of his property.

Joe Stephanishen said the owner outside of the city has been using the 50 foot right of way since 1935. He is just concerned with up to the city limits.

Charles Cockrell, Public Works Superintendent, said the road is drivable. He thinks it will be a very inconvenient road for what they are used to. We had it surveyed to locate the road and it is ready for crush.

Councilor Bockelman said it appears that there is some infringement.

Councilor Baker said his opinion is when someone fences your property and you don't protest it becomes theirs. Fred Snook said that does not apply to government property.

Lenny Skunberg, 31 Blackrock Road, said he does not agree that it is the County's problem. He has owned the property since the 70's and donated the width to the county all around his property to make a better road. He agrees that the road probably doesn't need to stay where it is but he would like to see it more of a sweep and wider. He does not feel that he needs to donate or lose more on the corner. He would like to see a compromise to make a little sweep but he does not think putting in two right angles is in the best interest of anyone.

Councilor Bockelman said from previous meeting he understood that Lenny was unwilling to make the sweep compromise on his property. Lenny said he is talking about the sweep where the road is existing just moving it over on Mr. Stephanishen's property. Councilor Bockelman said our dilemma is we are not going to take Joe's property; we will take a right angle and take a right angle unless either party wants to give property.

Lenny Skunberg stated that all the Black Rock residents he has spoken to are opposed to the two 90 degree turns. Councilor Bockelman suggested exchange of property; however, Blackadar's have a water line in that portion of the street.

Councilor Phillips said she is not in favor of taking anyone's property without compensation. She is in support of Mr. Stephanishen preserving his property rights.

Councilor Waidely made a motion that we restore the road as platted. Roll call vote: Baker...no, James...aye, Phillips...aye, Waidely...aye, Bockelman...aye, and Hill...aye.

Councilor James suggested getting with the county to come up with a solution.

Corona Virus Discussion- Action Item

Councilor Baker would like City Council to move forward in some way to be able to react to the changing situation. He reviewed the current statistics of the Coronavirus (COVID-19). He had two recommendations: 1) How to identify problem areas and move to a solution. In this situation we need to move much quicker. Administration could handle the whole thing or administration/council or just council recommendation. We should become much more forward on providing information. 2) Draw up a

Resolution allowing Council to temporarily amend ordinances that restrict our ability to respond in emergency situations.

Councilor Bockelman noted that he was in attendance at the Commissioner's meeting where they passed a resolution declaring an emergency as a result of the Coronavirus.

Councilor Phillips said this medical issue is a serious thing but she also thinks the effects coming down on the economy are just as serious. She is concerned about what will happen to our small businesses.

Fred Snook read the resolution passed by the County Commissioners which is in effect until otherwise terminated. The Commissioners asked the City to take action also so he drafted a similar Resolution for the City per a request from the Mayor.

Councilor Phillips made a motion to approve Resolution 2020-1. Councilor amended the motion to include "to extend until Council terminates". Roll call vote on the amendment: Bockelman...aye, Waidely...aye, Phillips...aye, James...aye, Baker...aye, and Hill...aye. A motion was then made to approve Resolution 2020-1 as amended. Roll call vote: Bockelman...aye, Waidely...aye, Phillips...aye, James...aye, Baker...aye, and Hill...aye.

RESOLUTION 2020-1

A RESOLUTION DECLARING AN EMERGENCY AS A RESULT OF CORONAVIRUS (COVID-19), CITY OF SALMON, LEMHI COUNTY, STATE OF IDAHO

WHEREAS, COVID-19, is a respiratory disease caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person, which can result in serious illness or death thereby threatening widespread and/or severe damage to life or property thereby creating an "emergency" as defined by Idaho Code§ 46-1002; and

WHEREAS, the CDC identifies the potential public health threat posed by COVID-19 both globally and in the United State as "high", and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a "public health emergency of international concern"; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's

healthcare community in responding to COVID-19; and

WHEREAS, on March 11, 2020, The World Health Organization (WHO) made the assessment that COVID-19 can be characterized as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States issued an emergency declaration for the country in response to the increasing number of COVID-19 cases within the U.S.; and

WHEREAS, on March 13, 2020, Governor Brad Little entered a Proclamation and declared a State of Emergency in response to the novel coronavirus (COVID-19) emergency in the State of Idaho; and

WHEREAS, on March 13, 2020, the Idaho Department of Health and Welfare and the Idaho Health District issued recommendations for mass gatherings and public events in order to contain and slow the spread of COVID-19; and

WHEREAS, the Idaho Supreme Court of the State of Idaho issued an Order on March 13, 2020 to protect the health and safety of court employees, elected officials, and the public, and under Article V, Section 2 of the Constitution and the inherent powers of the Supreme Court, to issue guidelines to be implemented from Monday, March 16, 2020 to Friday, April 10, 2020; and

WHEREAS, a local disaster emergency may be declared only by a Mayor within a municipal political subdivision, pursuant to Idaho Code § 46-1011 and other relevant sections of Idaho Code; and

WHEREAS, in accordance with Idaho Code, the effect of such declaration is to activate the recovery aspects of any and all applicable local or intergovernmental disaster emergency plans and to authorize the furnishing of aid and assistance thereunder; and

WHEREAS, the City may pass all ordinances and make all regulations necessary to preserve the public health; prevent the introduction of contagious diseases into the City; make quarantine laws for that purpose and enforce the same within the City pursuant to Idaho Code §50-304; and

WHEREAS, the imminent threat of public health emergency is expected to effect the City's ability to protect, maintain, and deliver critical services to its citizens despite the best efforts of the City, District SEVEN Health, and other governmental entities within the Political Subdivision, and the Special Districts serving the citizens of the City; and

WHEREAS, the city of Salmon, Idaho desires to take action in order to be proactive and help reduce the spread of this virus and encourages its community members and community businesses to do their part to prevent and limit the spreading of this virus;

NOW, THEREFORE BE IT RESOLVED THAT, the Mayor of the city of Salmon, Idaho, does hereby proclaim and declare a local disaster emergency in the city of Salmon, county of Lemhi, state of Idaho, with specific provisions as follows:

1. A disaster emergency is imminent within the city of Salmon, resulting from the occurrence and imminent threat to public health and safety arising from the effects of COVID-19.
2. Such disaster may require state assistance to supplement local efforts to provide for public safety and the protection of property and to avert and lessen the threat and impact of the disaster.
3. The city of Salmon hereby requests that the Governor of the State of Idaho, together with other appropriate state officials, make such declarations, and provide assistance within the city of Salmon as is required and allowed by law.
4. The city of Salmon directs all City Departments to take immediate action with reasonably necessary steps to prevent and limit the spreading of COVID-19.
5. The city of Salmon recommends the Public follow the all recommendations of the Idaho Department of Health and Welfare and that of the Seventh Public Health District while conducting activities within the city of Salmon.
6. The city of Salmon recommends all event and venue managers located within the city of Salmon postpone or cancel mass gatherings and public events in accordance with the requests by the Idaho Department of Health and Welfare and the Seventh Public Health District

AND THEREFORE, BE IT FURTHER RESOLVED, this Resolution is adopted by Vote of the Salmon City Council and shall remain in effect until otherwise terminated by the Salmon City Council in accordance with Idaho Code Idaho Code Section 46-1011(1).

THIS RESOLUTION SHALL BE RECORDED IN THE RECORDS OF LEMHI COUNTY, IDAHO AS PER LAW.

Set Date for FY2021 Budget Public Hearing – July 15, 2020 - Action Item

Councilor Baker made a motion to approve July 15, 2020 for FY2021 Budget public hearing. All voted aye and the motion carried.

Team Meeting Minutes – Informational Item

a) Finance Team Meeting Minutes

Finance Team Meeting Minutes

March 11, 2020

Submitted by Robin Phillips

The Finance Team meeting was held at 1:00 PM on March 11, 2020 with Councilors Robin Phillips, Jim Baker, Ken Hill and Finance Director Amy Fealko present.

1. The team reviewed the financial statements for the month of February. Both revenues and expenses are tracking on budget. A question arose concerning equipment maintenance. Amy is reclassifying the elevator inspection to building expense rather than equipment maintenance.
2. The closeout documents for the Lift Station were received with all of the lien releases and the final payment request. The balance, including the change orders which were previously approved by the council, is \$7612.18. This figure includes the set off of \$4642.82 which resulted from the repairs which were incurred as a result of the project exceeding the contract conclusion date.
3. The last item on our agenda was a discussion on the Local Option Tax. One of the points of discussion was whether to administer the funding on a cash or accrual basis. Amy presented us with a preliminary report on the funds collected to date. There have been five requests for this period. It was agreed that further discussion needs to take place at the next council meeting to formulate policy and procedures for the LOT committee.

Professional Services Agreement – Sacajawea Center Interpretive Programs – Judy Washbon – Action Item

Council approved the Agreement as submitted with the addition of a termination clause by motion of Councilor Bockelman in the amount of \$1,710. Roll call vote:

Bockelman...aye, Waidely...aye, Phillips...aye, James...aye, Baker...aye, and Hill...aye.

Local Option Tax Policy for Disbursement of Funds – Action Item

Councilor Phillips said she thinks we should allocate based on what we have collected. Amy Fealko stated that in the past funding has been based on actual funds available. Councilor Phillips said based on requests that we have had one was for a significant sum of money to pay wages to an organization. She does not see where that is part of the ordinance and an acceptable request. The LOT Commission has not met yet and

needs guidance from Council. Ordinance 19-839 Section 5 tells you the purpose of the taxes. She would recommend they encourage the commission to follow that.

Councilor Bockelman said if there is vagueness in the Ordinance/Resolution we could come up with a Resolution to clarify.

Councilor Phillips stated that the public voted on and approved based on how it is currently written. Councilor Bockelman said Council has the right to say whether an organization gets funding. If it's not directly in the Resolution Council can just say no and direction can be given to the Commission not to kick them out because wages are listed. When asked if applicants had to have a 501C3 designation Councilor Bockelman stated that the Resolution does not exclude those that do not.

Councilor James asked about "Funding shall be limited to once per year". It was clarified that funding for an event is limited to once per year. If an application for funding is not awarded they can reapply.

House Bill 409 - Property Tax Freeze Bill – Informational Item

This bill was voted down. Councilor Bockelman said he put the item on for discussion in case the bill is brought back.

Final Payment to Eagle Rock Timber \$7,612.18 – Action Item

Councilor Phillips made a motion to approve the final payment to Eagle Rock Timber in the amount of \$7,612.18. Roll call vote: Bockelman...aye, Waidely...aye, Phillips...aye, James...aye, Baker...aye, and Hill...aye.

Informal Discussion/Round Table

- 1) Councilor Bockelman asked if there was a problem with the streets in the proposed Multipurpose Facility area. Charles Cockrell stated that it would be brought before Council. Councilor Waidely asked about Bean Lane and whether it was a platted City Street.
- 2) Councilor Baker gave Council the Phone number for the Office of Emergency Management/Health for information -720-279-0026 and key number is 237992#. There is apparently money available for States and Counties. We are now in the queue with the passage of our Emergency Resolution. He would like to have the ability to call special council meetings to discuss issues between meetings, even if it is done by telephone.
- 3) Councilor James said we need a committee to get 10th Street done. Councilor Baker said 10th Street is 50 feet, the other going North is 25 feet (actually 29.55), then it turns into a 50 foot right-of-way by the County.
- 4) Councilor Phillips said she is grateful for the generosity of the community. The hospital got \$100,000 from an anonymous donor and now a donation to make the multipurpose facility a reality.

Committee Meetings / Public Information

- a) Public Works Team – April 8, 2020 – 2:00 p.m.
- b) Parks and Recreation Team – TBD Spring 2020
- c) Finance Team – April 8, 2020 - 1:00 p.m.
- d) Public Safety Team – April 8, 2020 – 4:00 p.m.

Public Comments

1) Robert L. “Bob” Blackadar, 10 North Cherokee Road, stated that to review 10th Street the document council wants to have is the Arlington Heights plat. It was made by Jim Caples, Sr. It shows the North branch of Jesse Creek (it also lists Jesse Creek as Pollard Creek) there are some incongruences in it. He believes the County has been modified multiple times but the north/south streets are 60 feet wide and the right of way that runs east/west is 30 feet wide. He excavated a trench for water pipes (sprinkler lines) there. His father has an easement with the City of Salmon for the pipes (there are 2). There was an easement concession from The Blackadar Trust. They conceded the right-of-way to the county. Right where Black Rock Road starts where the old sign post used to be is virtually a brass cap and that is a section line that runs north/south. It is a closing corner so the other brass cap is 100 yards away. He also suggested viewing an aerial black and white picture which he has seen at Alliance Title that is dated 1978. He also cautioned Old Leesburg Road starts in the City and goes into the County so there may be a situation there also.

2) Tammy Stringham, 615 Union Avenue, said she thinks having the LOT Commission, which was a cross section of the community, helped the commission and council make solid decisions about where funding should go.

Future Council Meeting Agenda Items Future Action Items

- 1) Completion of Monk Street Transfer of Property (Beers/Slavin)
- 2) Water Facility Planning Study Review – Keller Associates Teleconference April 1, 2020

Adjournment – Action Item

The Council meeting was adjourned at 8:24 p.m.

Mayor, Leo Marshall

Mary Benton, City Clerk