

MINUTES OF THE REGULAR COUNCIL MEETING 5/12/2020

Mayor Pro-Tem Sean Simmons
6:00 p.m.

Pledge of Allegiance

Council Members: Jennifer Dunaway, Mark Swayne, Shannon Schrader, Josh Tilley and Doug Donner

Staff: City Administrator-Ryan Smathers, Clerk-Janet R. Montambo, Treasurer-Donna Wilson, Building Official-Todd Perry, Water/Wastewater Supervisor-Michael Martin, Police Chief-Jeff Wilson and Fire Chief-Jon Hoyt and Rick E. Laam

Guests: Dawn Head and Vince McAtee, Tek-Hut Representative

Media: Elizabeth Morgan

MINUTES

Councilmember Schrader made a MOTION to approve the Regular Council Meeting Minutes held on April 28, 2020. Councilmember Tilley seconded the motion and it passed with a roll call vote resulting in all ayes.

BILLS AND CLAIMS

Councilmember Swayne made a MOTION to approve the regular bills and the additional bills as presented and the payroll ending May 9, 2020. Councilmember Schrader seconded the motion and it passed with a roll call vote resulting in all ayes.

APPOINTMENTS

Councilmember Tilley made a MOTION to appoint Sean Simmons to fill the Mayor's vacancy. Councilmember Swayne seconded the motion and it passed with a roll call vote resulting in all ayes.

OFFICIAL SUBSCRIBE TO THE OATH OF OFFICE

Swearing in Mayor

City Clerk Montambo subscribed the oath of office to the newly appointed Mayor Sean Simmons. Mayor Simmons term will expire in 2021. Mayor Simmons will fill in as the Mayor until the next city council election where he will need to run for a new four-year term.

Election of Council President

Councilmember Swayne made a MOTION to nominate Jennifer Dunaway as President of the Council. Councilmember Schrader seconded the motion and it passed with a roll call vote resulting in all ayes.

Past Mayor Appreciation - Mayor Simmons presented a Crystal Clock to Ryan Smathers who served as Mayor for the past twelve years. Council Members and staff voiced their appreciation to Ryan for his years of service.

PETITIONS, APPLICATIONS, APPEALS AND COMMUNICATIONS

Vince McAtee Tek-Hut Representative/Easement Request - Vince McAtee, Tek-Hut Representative was in attendance to answer any questions the Council may have on Tec Hut's Easement Request. Tek-Hut was hired to install a fiber optic line for School District #171 from the Orofino Elementary School to the National Guard Academy in Pierce. The easement request is only that portion of land within the city limits. McAtee expects to have the job completed in thirty (30) days. Councilmember Swayne inquired if McAtee was satisfied with the city's request to lay an additional conduit for the city in the same trench. McAtee commented that there was no problem and he will work closely with city staff. It was noted Tek-Hut started the job at Cascade Drive.

Professional Services Contract - River Design Group, Inc. - The City of Orofino received a copy of the Professional Services Contract from River Design Group, Inc. The contract is for a Scope of Work for the Orofino Creek Channel Maintenance Design. Councilmember Swayne wanted to make sure in the design to add "routine maintenance program when its needed." Swayne commented he wanted to make sure the city is protected.

Federal Lands Access Program Match Agreement - The City of Orofino received a copy of the Federal Lands Access Program (FLAP). The agreement is to document the intent of Clearwater County and the City of Orofino to meet the match requirement for the project. The project is construction realignment, retaining walls, drainage improvements, the remove and installation of new guardrail, and improve the asphalt surfacing along the Dent Bridge Road. The project has a beginning point at the intersection of Riverside Avenue and Brown Avenue. It was noted that the area located at the base of Brown Avenue and Riverside Avenue needs improvement as well. This is a popular area for vehicle usage and consists of both Public and Private property. This area should be addressed during the design phase of the project. There is approximately of 2,770 feet that is within the city limits. The work will begin in 2024

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DEPARTMENTAL REPORTS

Administrator - Administrator Smathers reported that his new position as City Administrator is quite a change for him but is challenging and a new learning experience. I, and other city staff, are moving forward in a positive and productive manner. Smathers stated he, along with Rick and Donna have met with each Department Head regarding their respective budgets. The three of them will be reviewing the general ledger and monthly expenditure reports to begin making adjustments for the 2021 Budget. Next year's budget is going to be difficult to compile, because revenue projections will be completely in question due to the economic downturn of our economy. At this time, unless the City Council overrides the recommendation, we are proposing a zero percent property tax levy increase for next year. Smathers explained the three percent property tax cap we are legally allowed to levy will automatically go into a 'Forgone' status, which means the city can levy these funds at a future date. The Idaho Legislature has toyed with the idea of eliminating the Forgone money option in the past (as early as this year), in an effort to give property tax relief to Idaho citizens. The three bills that were introduced this year were all defeated but will most likely be reintroduced next year. There is a possibility of the city losing any Forgone money if new legislation is passed next year. If the city levy's a zero percent tax increase, it would be about \$38,000 in lost revenue. Smathers commented this is a risk we take in order to best represent the citizens of our community. If the Council elects to forgo a property tax increase next year, it is staff's recommendation not to forgo any taxes for new Building Construction. Building Construction increases is part of the L-2 process (property tax collection) which allows cities to collect additional tax dollars on new construction projects. This is very small portion of the overall taxes Orofino receives, but is important because it adds value to our Market Value which controls our maximum levy rates for each fund. Last year we received \$3,300 in new construction rolls. If we waive any new construction taxes, we waive them forever, unlike the Forgone mentioned.

In other news, Clearwater Power has responded to Orofino's request to voluntarily enter into a Franchised Agreement with the city for a 3% Fee for the Konkolville residents recently annexed into the city. There are about 37 individual units, not many, but they are part of the city now. Under Idaho Law, we can assess an automatic 1% fee, but anything above that 1% requires an approval through an election. A 3% Fee is the maximum the city is allowed under state law. Clearwater Power is challenging that and wants an election. The entire city gets to vote on whether or not Konkolville residents gets to pay the same 3% Fee that other city residents pay using Avista power. The vote will be added to the city November 2021 election. A public education campaign would take place in next year's budget.

The city received a new agreement from Simmons Sanitation for review. There are some concerns with the agreement that we would need to talk about it. Simmons has been good to work with over the years, but we need to take care of our citizens. Administrator Smathers is recommending a Work Session to discuss the proposed agreement.

The city will receive \$20,000 from the Federal CARES Act for the Airport. Smathers is still working with staff discussing how to apply it. It is open to almost any operation of the airport.

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The Fire Department is experiencing an increase in activity that is financially draining on the department. Since hiring a full-time Fire Chief and hiring new firefighters, Orofino has become the nucleus of area Fire Districts that rely on our personnel and equipment for assistance. This includes a substantial increase in Clearwater County Ambulance calls which our Fire Department responds to. After talking with Rick and Jon, there is a need to examine potential new funding sources that would augment the property taxes we currently provide the Fire Department. Smathers would like to schedule a Work Session to consider an Ordinance to establish a program to charge mitigation rates for cost recovery for the Fire Department to charge Insurance companies at specific rates for certain services. This is not a new concept and is used by many other Fire Departments. We have a sample ordinance for review and discussion.

Treasurer - Treasurer Wilson submitted the State of Idaho, Cable and Electric Revenue Recap Reports ending April 30, 2020 for Council review. Treasurer Wilson reported after conferring with the Auditor, he suggested to get Council's approval on a budget change. Wilson explained back in 2015 the city had a Community Beautification Fund. When the fund was no longer in use it was de-activated. Last year the city received notification that they received a \$250,000 "Community Transformation Grant" from Blue Cross. The question that staff dealt with was where to place these funds since the funds will be used for different projects and distributed over a three-year period. Wilson stated, we can simply change the name of the "Community Beautification Fund" to "Community Transformation Fund" Funds will flow through the city as a reimbursement cost for approved projects. Councilmember Swayne made a MOTION to change the Community Beautification Fund name to Community Transformation Fund. Councilmember Dunaway seconded the motion and it passed with a roll call vote resulting in all ayes.

Building Official - Building Official Perry reported he is working with Public Works Supervisor Miller on a project at Champion Park. Perry commented the Council gave permission for Joshua Grimshaw last year to pour concrete steps and place a handrail for his Boy Scout Eagle project at Champion Park. Perry contacted Grimshaw and was told there is no longer a Boy Scout Troup and he does not have his project sanctioned. Perry would like to complete the job along with expanding the concrete around the Cabana and moving the Bar-b-que Grill closer to the Cabana. Perry was asking Council's permission to move forward on the project without Grimshaw. There are other projects through-out the city that Perry can recommend to Grimshaw in the future if he wanted to do another project for the Boy Scouts to get credit for his Eagle Scout Badge. Councilmembers all agreed to move forward on the project at Champion Park.

Public Works - Public Works Supervisor Miller was not in attendance of the meeting. Administrator Smathers reported public works crew are behind in mitigating the weeds around town due to Covid-19. Miller has not been able to get the inmate help that he has in the past this time of year. In other news, Treasurer Wilson reported she ordered the Pet Waste Stations for public works crew to install at various places. One will be installed at the Memorial Park on Michigan another one at Champion Park and both ends of the dike in the Orofino Park.

Police - Police Chief Wilson reported this week Officer Remington is at a Fire Arms Training class in Coeur d'Alene. Sergeant Frazier will cover for some of his shifts. Chief Wilson will cover for Matt Russell who will take two weeks off at the end of the month. In other news, Wilson reported there was some contention on the upcoming High School Graduation where only four family members can attend the graduation. The only role the Police will be involved in is to assist with the safety and parking. It was noted Denise Pomponio of the Orofino Elementary School would like to conduct a 6th graders graduation parade at the Orofino High School. No individuals will get out of their vehicles.

Water/Wastewater - Water/Wastewater Supervisor Martin reported he still has one employee on light duty. Rick Bird will continue working at the Water Treatment Plant since there are no stairs there. Matt Baugh will continue working at the Wastewater Treatment Plant until Rick Bird will go back to full regular duty.

Fire - Fire Chief Hoyt along with City Administrator Smathers attended a Zoom meeting regarding the Cares Act. Hoyt learned during Covid-19 Cares Act he is eligible to get a reimbursement of \$107,000 based on the city's population. Hoyt will order more masks, suits and radio's for better communications during an emergency for the fire department to be proactive and other supplies to have on hand in the event of a second wave of outbreak on Covid-19.

In other news, Hoyt reported the outdoor burning season has been extended until May 31, 2020. After that it will be shut down for the summer until this fall. Councilmember Swayne inquired about the Fire Agreements. Hoyt has reviewed and signed Mutual Aid Agreements with the area Fire District's. Hoyt is still reviewing others and working with the process but at some point, will need to meet on them. Councilmember Dunaway complimented Fire Chief Hoyt for his role in the Department and being more active in the community where more people want to join the Fire Department.

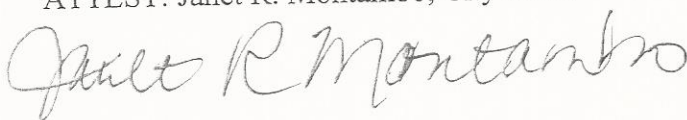
COUNCIL COMMENT

Councilmember Dunaway would like to talk about the vacancy on the Council. Dunaway commented that in the past, to fill a Council vacancy, we examined the individual (if any) who received the next highest votes in the last election for consideration. The Mayor will make a recommendation on who he would like to fill the position. The Council will then either confirm or reject the recommendation.

ADJOURNMENT

At 6:53 p.m., Councilmember Dunaway made a MOTION to adjourn. Councilmember Swayne seconded the motion and it carried unanimously.

ATTEST: Janet R. Montambo, City Clerk



Sean Simmons, Mayor

