

## MINUTES OF THE REGULAR COUNCIL MEETING 1/10/2023

Mayor Sean Simmons  
6:00 p.m.

## Pledge of Allegiance

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

Staff: Administrator-Ryan Smathers, Clerk Treasurer-Donna Wilson, Building Official-Todd Perry, Public Works Supervisor-Shane Miller, Fire Chief-Bart Jones and Police Chief-Vincent Frazier

Absent: Water/Wastewater Supervisor-Michael Martin

Guests: Jeff Henson, Sal Lauria, Alan Schumacher, LJ Reece, Kaye Weller, Chris McCune, Mary Stanley, Shelly Donner, Helen Clark and John Erbst

Media: Nancy Butler and Elizabeth Morgan

## MINUTES

Councilmember Schrader made a MOTION to approve the Regular Council Meeting Minutes as written held on December 13, 2022. Councilmember Gladhart seconded the motion and it passed with a roll call vote resulting in all ayes.

A copy of the Regular P&Z Meeting Minutes held on December 12, 2022 was submitted to the Council for review and information only.

A copy of the Regular Urban Forests of Orofino Meeting Minutes held on December 6, 2022 was submitted to the Council for review and information only.

## BILLS AND CLAIMS

Councilmember Donner made a MOTION to approve the regular bills and the additional bills and the payroll dated December 17, 2022 and December 31, 2022. Councilmember Schrader seconded the motion and it passed with a roll call vote resulting in all ayes.

## PETITIONS, APPLICATIONS, APPEALS AND COMMUNICATIONS

Snow Removal Ideas-John Erbst-John Erbst stated that it is the homeowner's responsibility to shovel their property which includes the sidewalks in front of their homes. And had asked if he was correct that it is an ordinance that is on the books. Administrator Smathers stated that it is correct. John stated that elderly and disabled cannot and should not shovel. There are a number of these folks that live in the area. John asked if the ordinance is even enforceable? If it is enforceable, how would it be enforced? Will he get a ticket for not shoveling his sidewalk? What about Riverside? The whole sidewalk along there from the bowstring shop all the way down to Barney's is snow packed and people use it all the time. Whose responsibility is that? Public Works Supervisor Miller interjected that the State owns it, but for the maintenance agreement that is written the City is responsible for everything. Whether the State owns it or paid to have it put there the small communities in Idaho are responsible according to the Idaho Transportation Department's maintenance agreements. They can do multimillion dollar projects and then the Cities are responsible for them when they failed. John Erbst voiced his concerns that the sidewalks are packed with snow and people are walking down the highway with high-speed traffic and it isn't safe. At the end of the day there is a large population of elderly and disabled people and there seem to be more coming when homes become available. They want to be downtown because it's easier access to grocery stores, the post office and other businesses around town. John states that it is a bad situation and should they be put in harm's way making them shovel their sidewalks and risk their safety. How would the council feel if some gets hurt? John states that he thinks the simple solution is to have a blade on the four-wheeler and go up the road all the way to the railroad crossing, go to the other side of the park and then go to the other side of the park and come all the way back through town. He thinks this would be the best for powder snow. Just so there is a path through there. He was always told that if he needed help just ask for it. Now he is asking for help for him and the older folks who are having trouble getting around. John stated that the homeowners will shovel their sidewalks then the plows come by and it plugs the driveways. If they don't get out to shovel it right away, then it freezes like concrete. John is asking for a service for the people. He suggested the City gets another four-wheeler with a blade. He stated that the airport can get done pretty quickly. If that can be done, but the sidewalks can't get done. John states that the ordinance is causing problems. There are logging trucks and trailers parked up and down the street. Little kids walking down the middle of the street instead of the sidewalks because the sidewalks aren't clean. The kids are darting in and out of the parked trailers and trucks and is afraid that one might get hurt if not killed. Mary Stanley reiterated what John Erbst said. Mary stated she does what she can and now asking for help as they did the previous year. She stated that there is a problem when there is a lot of snowfall. The homeowners and renters do not do their part to clean up the snow. It is a dangerous situation and dangerous conditions. Mary appreciates the City reminding the homeowners and renters that they are responsible for snow removal. But there are mostly seniors who live along Michigan Avenue. Sometimes there are community members that do come along and do some snow removal, but not all the time. There are numerous people who choose to walk to the library, banks, post office and their dogs. The snow freezes and it melts and becomes a solid sheet of ice on the sidewalks. The outcome has been people walking in the street because there is nowhere to walk but the ice-covered sidewalk. Mary stated that one solution would be to plow Michigan avenue sidewalks on the north and south

sides. Enforcement of homeowners and renters to clean their sidewalks off. Mary stated that she cleaned the sidewalk between D and E Streets and another person had plowed down from Watson's Market and got the sidewalk opened in that direction. Mary requests that the City help out with additional equipment and personnel. Michigan Avenue needs to be open to people who walk. Jeff Henson thanked the City for doing a good job for getting the snow off the road. Jeff's voiced his concern for the sidewalks from the cannon and going out towards the high school. The snow was packed solidly on that sidewalk. There has been talk about taking the medium out on Brown Avenue for more parking. Where is that snow going to go when it is plowed? This will plug the sidewalks all the way down the residential neighborhood. Jeff states there is not a parking problem on Brown Avenue and suggested that the Council drive it to see there is no problem. He wants to keep the medium there, because if it isn't there, the snow will be on the sidewalk when the streets are plowed. John Erbst interjected that even the businesses downtown are not getting the snow off their sidewalks. Councilmember Gladhart asked Public Works Supervisor Miller why the snow does not get plowed to the middle of the streets? Supervisor Miller stated that was done before his time and that once that was stopped everyone had asked to not have that done ever again. Especially downtown. If you park on one side of the road and need to get to the other side, everyone will have to walk to the intersection to get across. People will not be able to pull in to their driveways and every intersection will have to be cleaned out and will have to do something with that snow. Councilmember Dunaway stated that if we plow the snow to the middle of the road, then we will run in to the same problems with people not being able to get to their driveways, because they cannot cross the center to turn in. We need to try to push surrounding neighbors to get out more and help the elderly and disabled. She stated that here were numerous occasions that she had gotten out and helped shovel herself when the neighbors needed help. Mayor Simmons suggested starting a committee of citizens and younger people on board that are able bodies that would possibly donate their time to help mitigate this to help the elderly and disabled people. Councilmember Donner stated that when the prison came to Orofino we were promised the work release program, but now has been told that we cannot get the inmates. How was it that it could be done before? Administrator Smathers reported that we can get inmates, he was trying to get them whenever we get two or more inches of snow to be able to come out automatically. We would provide them a list of residents that needed help and that is where he was running in to roadblocks with the administration. Sal Lauria stated that he helps where he can with his four-wheeler with the blade, but is leery of what and where he is doing because of the liability if something happens like breaking a meter, a sprinkler head in someone's yard or even breaking parts of the curbs. Sal states that last year there were contractors that came in and they hauled off the snow at a reasonable price, which was less expensive than buying a new piece of equipment. Supervisor Miller stated that the contractor donated half of the labor. It was \$20,000 and only charged the City \$10,000 and doesn't believe that it could ever be done for that again. We had gotten about two feet of snow at that time. Councilmember Schrader had suggested approaching the playgroup that have four-wheelers and UTVs. Mayor Simmons stated that if we can get a committee going, we can come up with ideas, network and find people that are available. Administrator Smathers stated that the problem with doing it with an ATV or anything then the City is assuming that liability for any damage that may happen. As it is now, the City gets blamed for damage in people's yards now plowing the streets. If you put volunteers out there on their own ATVs and sprinkler lines or the such get damaged, then who is going to assume that responsibility.

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Smathers has been looking at McCall's snow removal program and they have certain sidewalks that they do, but only on certain days only when the streets are caught up. They also have a list of about 10 snow removal agencies. There may be several small businesses that are trying to do this as a job and they don't charge much. Getting a list of these may help. The City might be able to designate some sidewalks like Main, Johnson and Michigan. The Mayor asked Supervisor Miller if there is any newer type of equipment that may be around a price of ATV or cheaper that is really efficient and easy to run for quick snow removal on sidewalks? Supervisor Miller didn't know of any. Councilmember Schrader asked about a snowblower for the front of a four-wheeler? Supervisor Miller stated that when he started here, they only had a couple of trucks and didn't plow every street but now his crew plows almost every street. They are moving the snow from downtown trying to get as much as they can. It keeps ending up being more and more that everybody wants. The guys are working a lot of hours and they take a lot of pride in it and when things like this come up they take it as they aren't doing a good enough job. Miller states that there needs to be another solution because he can't expect his department to work more hours through the storms, late in to the night or on the holidays. Administrator Smathers stated that he didn't want anyone to get the wrong idea about the prison being uncooperative to that effort. The problem was with the automatic response if it snowed. The prison hasn't been called for snow removal, because we don't have the guys to be able to supervise them as they are all out in snow plows. He thinks if we call them and had men to supervise them they could be out helping. Councilmember Dunaway asked if it was a possibility to have community citizen do it? Administrator Smathers stated that they would have to go through their ICIO training. Councilmember Dunaway stated that maybe they could take the class to supervise versus actually clearing the snow themselves. Mayor Simmons reiterated about getting a committee started to see what can be done to mitigate the snow on the sidewalks. Supervisor Miller stated that even with the current equipment and employees that the Public Works Department has, it still takes a few days to get caught up on everything. Mayor Simmons told John Erbst to get ahold of him and they could start coming up with a plan for a committee and help where he can to get something going.

Letter from David Dohms-Traffic Study-A letter was submitted to the Council concerning the traffic study for State Hwy 7 & Michigan Avenue for information only.

Reasons for Findings Special Use Public Hearing-12240 Kent Avenue-Angela Dittmar- Building Official Perry stated that the camper was legally parked, it was just the way it was being used as a dwelling. When he first made contact with Angela, the daughter, husband and child were living in the camper. He explained the process, they stopped and moved in to the house. The application was a request to go back to living in the camper. The family was waiting the Council's decision.

Councilmember Donner made a MOTION to deny the Special Use Application for 12240 Kent Avenue-Angela Dittmar per Planning & Zoning Commission's recommendation. Councilmember Tilley seconded the motion and it passed with a roll call vote resulting in all ayes.

## DEPARTMENTAL REPORTS

Administrator-Administrator Smathers reported the school board letter regarding the fence at the basketball courts. We are waiting on Josh Steiner the contractor to finish the concrete work, then the fence will go back up. Smathers did speak with Dr. Garrett and he was understanding. Councilmember Dunaway inquired about putting up an orange temporary fence along the edge. She thinks this would be a simple solution. Building Official Perry has spoken with Josh Steiner and he is getting ready to do the work. Smathers stated that in the middle of the two basketball courts there will be two ADA parking spots with a concrete path around the basketball courts to the tennis courts as part of the grant that was received from Parks and Rec, making that whole facility more ADA compliant. A lot of the work has been done when the basketball courts were done, it was the corner piece retaining wall and joining to where the ADA spots are going to be. Smathers just spoke with Lupe and John Hughes about their tennis season, which starts in February. They are concerned about a fencing project starting during their tennis season and would like for it to be done afterwards which is over in May. He did state that there will still plenty of time with the grant, so the City will wait to schedule the fencing project until after the season. There are still some issues with the tennis courts. After the last repair, they tried another product over the top and that didn't work well. There is a gentleman out of Spokane that was advising John last year on what products to use. Trying to look for a longer term solution for the courts. The bathroom for Champion Park was ordered and it is five to six months out. He has been working with Stephanie Deyo on the new website, which is going to look really sharp. At the next meeting on January 24<sup>th</sup>, Shanna Schwartz will be at there to take pictures. She will take individual pictures of the council members, the department heads and then a group photo of the Mayor and Council. JUB project update on what they have been working on. Will be trying to schedule a meeting with LTHAC, Avista, the County, the City and JUB. Avista has an upcoming project, but with not know what the County has planned for the corner they purchased, plus there has been discussion on redesigning Brown Avenue and Dent Bridge intersection when the FLAP grant comes in for Dent Bridge Road. Might bump that project up a little to get a preliminary design done on the intersection so Avista can go in now and place their equipment instead of having to go back in later. Avista's project may speed that timeline up a little. Smathers spoke with JUB and there are no issues. JUB asked for the meeting so they can make sure everyone is on the same page. It should be coming up. Has been researching other community sidewalk replacement programs. Smathers received an email and the City has won the Legacy and Leaves Award that is from the Idaho Nursery and Landscape Association. An invitation was extended to have Todd Perry and Ryan to go and accept the award. They stated that the Cities Arbor Day Celebration was the best in the state. Matt Perkins will be presenting the award at the INLA luncheon in Boise. The agenda showed some continuing education courses on it. Smathers opted out and is sending Shane Miller and Todd. They will travel down on Tuesday January 17<sup>th</sup>, classes on Wednesday, the luncheon on Thursday and return back on Thursday afternoon. It made more sense for Miller to take some additional CEUs and for Perry to accept the award. This was an unexpected award. Councilmember Donner asked if the Clearwater County Economic Development position has been filled yet? Administrator Smathers stated that interviews are being scheduled and during that time some additional applications have come in. Councilmember Donner stated that he has been concerned about the IOOF building and wanted to know if it has been officially condemned.

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Building Official Perry stated that we don't really officially condemn buildings. Administrator Smathers stated that the last time they spoke with the Odd Fellows Group they had two contractors there. Smathers stated that he doesn't feel that they are serious about mitigating the problem. We haven't gotten nowhere with legal. He knows it will become the City's problem, but just don't know when. They are not cooperative or easy to talk to. Can't ever seem to get the correct person to talk to. Building Official Perry stated that the building is in a holding status. It isn't safe to occupy but it is temporarily stable. It has to be fixed before anyone can occupy the building. There have been some calls by interested parties and have been very upfront and honest with them on the condition of the building. We have worked with Celtic Engineering out of Lewiston and keeping us updated. He was coming up every few weeks to reevaluate the building. The locks have been changed and the set of keys that we all have no longer work.

Clerk Treasurer-Clerk Treasurer Wilson reported that she is getting ready to start working on W-2s and 1099s this month.

Building Official-Building Official Perry reported that the UFO committee met with Matt Perkins, the Urban and Community Forestry Program Manager. He demonstrated on a website that the State of Idaho maintains called a tree plotter. It is for communities like ours to inventory our street trees and it is a really good website. The City of Boise, Meridian, Lewiston uses it. The UFO committee was unaware of this website and had tried to do one on their own, but it takes a lot of work from their volunteer guys from CT. Perry stated that he thinks this a much better way to go and thinks the committee all agreed. They are going to have another meeting this month to finalize their decision to go with the tree plotter. Matt also told them that the federal government has \$1.5 billion for the state's for their urban tree programs. Idaho has to request their share. Matt has to come up with a number and has asked Orofino to write a letter requesting quotes for what we are going to be looking for to help him out on what he would need to ask for. After February when the state does get the funds, then we will apply. Because Orofino is economically challenged, we should not have to do a match for the grant funds that we would receive for the tree program. That would include removal and planting of trees, but if you break a sidewalk while removing a tree the grant does not pay for that. Councilmember Schrader inquired about the status for the Montambo property that was supposed to be cleaned up on Michigan Avenue? Is the camp trailer still being occupied? Perry stated that he didn't believe that the camp trailer is being occupied and they are waiting for better weather. The 30 days is coming and gone, but waiting for the snow to leave the yard. He had a conversation with the attorney and they suggested that we post the property and send a letter to the occupants letting them know what our intentions are. He recommended a three day notice, we're giving five. In three days we will have a container put out front for debris to let them know we are serious. Councilmember Schrader asked if the tree committee went around looking trees that potential are going to cause damage? Perry reported yes they look at the street trees and the ones in the parks.

Public Works-Public Works Supervisor Miller reported that the pick-up that he ordered from Hanson's over a year ago has still not been built. Doug Adams at Hanson's did find one. It is a crew cab long bed 2018 Dodge with approximately 30,000 miles on it. It is closer to the amount of money that has been budgeted for. As soon as we get the truck it will replace Robert Baugh's

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truck that he is currently driving. There were a couple of extensive and fairly expensive plow truck issues. The Peterbilt had to have a new starter and "Sarge" the old Chevy had to have an injector and water pump and both the alternators replaced. The snow and ice budget took a pretty good hit due to those repairs.

Administrator Smathers did want to clarify about the snow plowing at the airport. The reason for that is that grant monies were received for a snow plow at the airport. It isn't a priority, the main streets do get done first, but the reason they work harder on keeping the airport clear is because we receive a call daily from Life flight to see whether or not it can be landed on. It is the kind of partnership the City and Life flight have to make the airport safe to land on for their fixed wing planes. That is just a clarification as to why it may look nicer than some of the side streets. Councilmember Schrader asked if the monies received for the grant are from FAA and not taxpayers? Smathers stated that was correct. Only 2.5% of local funds go towards the airport. We were just presented with an additional \$10,800 from Department of Aeronautics Idaho State.

Police-Police Chief Frazier reported staying busy with the weather being the way it is. There have been a few accidents in town due to the bad weather. Staying busy with the personnel they have. Did give a conditional offer to a young man to fill one of the open positions. He indicated he accepted it and will move forward getting him into an FTO program. The other officer that is on light duty will be expected to be operational by the 24<sup>th</sup> of this month. She has been very active in light duty, handling some very important cases. Chief Frazier spoke with ICRMP about the damaged truck. They didn't accept the estimate that was done by the company that did it. They don't have somebody in our area, they had to freelance it to a company out of Coeur D'Alene. Should have an update soon on when we will get the vehicle back. The other vehicle that was getting upfitted has been completed. Sarah Walker will go down to Boise and pick the vehicle up and bring it back. Chief Frazier state that they have been looking at what they call Public Serve Plus, which is a website that anybody can go anywhere in the state. Most municipalities, government agencies, school districts and everybody is using this. This will make it easier and quicker for items to be surpluses instead of sitting and waiting to surplus items and equipment out. Anytime a resolution is done and the council deems something to be surpluses. Put it on their website, they take care of the bid process, take care of the payments and cuts the City a check. There is no funding source that comes from the City. All the funding for them and what they make is all done by the person buying the items. The County has moved in this direction and seems to be working well for them. Chief Frazier will work more with Administrator Smathers to move forward with this to see if this is the direction we would like to go. Councilmember Swayne wanted to thank the department for all they did for Christmas 911. Chief Frazier state that is only happens because the community steps up. They might be the ones who go out to the homes, but the City of Orofino and Clearwater County step up to help their own so they can do what they do. They ended up with 22 families and 59 kids.

Water/Wastewater-Water/Wastewater Supervisor Martin was not in attendance of the meeting.

Fire- Fire Chief Jones reported that he just wanted to recap the call volume from last year. They had 64 fire calls a total of 630 hours and 124 rescue calls with 489 hours. Hosting a wildland mapping work shop with IDL and CPTPA. They have another opportunity for FEMA grant for City of Orofino Regular Council Meeting held 3/8/2022

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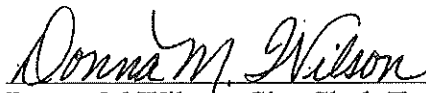
SCBAs. The grant has been submitted for review with Lexipol and will be returned for submission. The grant closes on February 10<sup>th</sup>. The SCBAs are getting old and not NFPA compliant. They have had a couple of new applicants. One denied due to criminal activity. Administrator Smathers stated that the rescue truck is still broke down. They have been watching the surplus websites. Councilmember Donner asked who handles the fires on Bobbit Bench? Chief Jones stated that Big Canyon does. We did respond to the fire on Bobbit Bench. All politics aside, if they are sent there they respond. It is a service, you're being a good neighbor. Only one truck was sent and not leaving the City without.


Public Comment – Elizabeth Morgan stated that she had a broken water pipe on Christmas morning. Robert Baugh came out and shut the water off for her Christmas night. She was very appreciative of it.

#### ADJOURNMENT

At 7:45 p.m., Councilmember Dunaway made a MOTION to adjourn. Councilmember Swayne seconded the motion and it carried unanimously.

ATTEST:

  
 Donna M Wilson, City Clerk Treasurer

  
 Sean Simmons, Mayor