

MINUTES
SPECIAL MEETING OF THE KENDRICK CITY COUNCIL
NOVEMBER 17, 2015

At 6:01 PM Mayor Mark Lapinskas opened the special meeting and led in the Pledge of Allegiance. Present were council members Jeremy Alexander, Matt Kathanimane, Jim Marston, and Sarah Miles, maintenance supervisor Steve Howerton, and city clerk Barb Wilson. Citizens present were Don Warner, Richard and Norma Abrams, Michael Rollins, Dale and Fran Lisher, Val and Rose Norris, Lisa Kathanimane, Lee and Beth Cannon, Dean King, Gene and Betty Walsh, Paul Rush, and City of Juliaetta Mayor, Jeff Lohman.

Kendrick resident Richard Abrams said he is concerned about the vacant property at 702 Wheeler Street. He read from the 2012 International Building Code that talks about unsanitary and unsafe conditions, fire safety hazards and vermin. The City of Kendrick does not currently have a nuisance ordinance to address issues regarding properties that are not being kept up. The City will ask our building inspector to investigate the situation. We will also run the situation by our City attorney. The City may consider an alternative such as creating a nuisance ordinance to address some of these issues. Richard would like a copy of any reports on the property.

Fire Chief Val Norris said they are actively seeking new volunteers for the Fire Department. We have a mutual aid agreement with the Juliaetta Fire Department. There have been times when Kendrick has had more volunteers than Juliaetta and we rely on each other for assistance. Mark wondered if the City should consider a stipend for volunteers. The Kendrick Fire Department currently has 4 members, 3 trained and 1 not yet trained. Val asked all council members to ask citizens if they would like to volunteer. Sarah asked if there are any options. Val said first you need people. Val clarified that we are not a rural fire district and we do not guarantee coverage outside of the city limits which affects insurance rates for those citizens. If there is a fire close to town in the impact zone, the Fire Department responds if we have the manpower and equipment. They typically respond to rural calls for brush fires to keep them from growing. A rural fire district has been voted down in the past. The rural people need to organize themselves and then come to us. A rural fire district could allow for more people to be volunteers and possible access to grant money for rural fire districts. Jeff Lohman said we are the only cities in the area without a rural fire district. Three of the EMTs for the JK Ambulance are from outside the city limits. Sarah asked what the path of progress is and how can we come together? Mark said we are the only sliver in Latah County without a rural fire district. We need to find a way to get more volunteers and think outside of the box. Latah County is issuing more permits to areas with rural fire districts. Rose wondered if the Latah County Commissioners could publicize the need. Val said that the Brocke plant fire was the largest fire, cost-wise, in the State of Idaho this year. Val is planning to contact individuals to see if he can recruit people. The City of Juliaetta has younger demographics than Kendrick. They had two people that were interested that moved away. Being a fire department volunteer has a large time commitment for training and meetings. Mark asked what the qualifications were. Val said he has a handful of former firefighters that can respond in a pinch. Mark would like Val & Rose to brainstorm with the council for ideas on getting more volunteers. Mark said he appreciates Val and Rose.

The minutes from the October 19, regular meeting and September 16, special meeting were reviewed. Barb said she made a slight alteration on the minutes regarding the Clearwater Economic Development presentation made by Kelly Dahlquist. Sarah made a motion and Jim seconded to approve the minutes. All were in favor.

Disbursements were reviewed. Barb said she was waiting for an invoice to issue a check to K&L Gates (bond attorneys) for \$2570. Sarah made a motion with Jeremy seconding to approve the disbursements and to also authorize the payment to K&L Gates. All were in favor.

CORRESPONDENCE/ANNOUNCEMENTS:

Mark read a letter of resignation from Nadine Towne giving two week notice stating that she would no longer be able to clean the fire hall beginning November 30, due to a medical issue.

MAINTENANCE DEPARTMENT:

Steve is working on installing a new sewer line at 701 Main Street for the Hardware Brewing Company remodel. He said that in 1996 the contractor put in a water line and meter in the event that something eventually went into the building, but the meter line is shut off. The meter set is dry across the highway between TDS and Kups Koffee. We will have to excavate the highway and turn the corporation stop on. The current ¾" line is not large enough for the needs of the brewery. Steve will attempt to put a larger line in through the current pipe. Rotor Rooter said they would loan the City the tools he needs for the project. Steve will need a couple extra people for the project. He is hoping that John and Jake can assist. ITD approved the project but is opposed to trenching across the highway. The City is financially responsible for providing water to the meter. We may ask the brewery to pay for a portion of the costs.

The council approved Steve getting extra help for the above project. He said he will also need a flagging crew.

The blade was installed on the 1 ton sander. He just needs chains.

Steve was asked to run electrical for the lighting in the park. Val said he will help with this.

He said that the City of Kendrick and the City of Juliaetta are jointly filing an application for funding a joint transportation plan. The cities are applying for a \$30,000 grant with Local Highway Technical Assistance Council (LHTAC) to update the transportation plan. City of Juliaetta mayor, Jeff Lohman, came to our city council meeting to sign the application.

Steve said the ponds are starting to fill up. He said the sludge was removed and there shouldn't be a need for any more trucking of sludge. He said the spring inflows are so high it would be hard to lay pipe. Fire Mountain Farms took out over one million gallons of sludge.

TREASURERS REPORT:

As of October 31, we have \$463,863.26 in all combined accounts. The revenue checks that were received in October were \$46,754 from Community Block Grants, \$587.33 from Property Taxes, \$64.93 from Highway to City, \$2301 from State Liquor Revenue, \$1529.75 from Building Permits, \$874.82 from Avista Utility Franchise Fees, \$2824.95 from Highway User Revenue, \$3222.78 from State Revenue Share, \$251.17 from RV Dump, \$350 from JK Recreation for

Urban Forestry, \$35 from Fire Hall Rent, and \$2900 in RV Park Rent. She said Mitch Marx, with Presnell Gage LLC, was here on October 27 to perform the audit. Barb said would like to take a day of vacation on Wednesday, November 25.

URBAN FORESTRY – Matt Kathanimane – Matt said the Urban Forestry Committee had a meeting on Tuesday, November 10. He said there is a concern about funding since there is a lack of grant money. They are concerned about the future of the committee. They will ration out what they have left over the next couple of years for labor for watering the trees. There seems to be some confusion as to what the role of the committee is. The committee chairman reviewed the ordinance for the tree committee. Matt said the purpose of the committee was not intended for maintenance. The committee chairman said they are to have an active role. She thinks that they are the ultimate authority over the trees. Matt said the face of the tree committee could change in the next few years. They are planting a couple trees this winter. The committee decided they will start meeting every three months, instead of monthly.

PLANNING & ZONING - Sarah Miles – No Report

PARK & REC – Jim Marston – No Report – The meeting scheduled for 11/9 was cancelled due to a lack of items for the agenda. Sarah asked if the City had already paid for the pool report. Barb said that the company has not been paid since the reports have not been completed. The company that is supposed to be doing the Life Cycle Analysis and Leak Detection for the pool are not responding to emails or phone calls.

FIRE DEPARTMENT – Jeremy Alexander – Val & Rose already gave the report. Steve said that he talked to Strom Electric and that the 30,000 watt generator (that we could have received as a donation) would be marginal to provide back up for the well pumps. Val said that it is possible that they will be able to get a larger generator (50,000 watts or more) donated and that the only cost would be for the fuel to pick up the generator in Washington.

SWAC – Mark Lapinskas – Mark attended a meeting held with the Latah County Commissioners in Moscow regarding the possible increase in costs for the recycling bins. They are looking at spreading the increase in the cost of the dumpsters to the entire county. They are planning to wait to increase fees until next October since the budgets for this year have already been set. Mark would like to get a packet from Amanda Bashaw on the costs. The cost for fuel for moving the containers has increased.

UNFINISHED BUSINESS:

The city needs to appoint 2 in town residents and 1 area of impact citizens to serve on the P&Z Commission. The area of impact is one mile around the City of Kendrick city limits. Val Norris said he was willing to be on the P&Z Commission.

The Association of Idaho Cities Fall District Meeting on November 23, in Lewiston will be attended by newly elected council members Dale Lisher and Paul Rush and the city clerk.

NEW BUSINESS:

Jim read part of the Tree Ordinance No. 683. There are conflicting statements in the ordinance as to who is responsible for the tree maintenance in the city right-of-way. There are many statements that state that the property owner shall bear the costs of the trees but at the end in

section 7-2-9 it states: General Maintenance: Cost of general maintenance, city inventoried trees shall be the responsibility of the city. (Ord. 683, 11-14-2000). Steve read section 7-2-4 where it states that citizens must get a permit and approval from the Urban Forestry Committee to prune or remove trees and that the property owner shall bear the cost of pruning, removal and replacements of all trees. These two statements are in direct conflict of each other. Matt said the Urban Forestry has a lot of responsibility to direct the city. The city has 178 inventoried trees. Jim said that the ordinance is vague. Dean King asked who owns the property between the sidewalk and the street. Steve said the State of Idaho Highway does, but that they will not be responsible for maintaining the trees. The City has a maintenance agreement with them stating so. Lee Cannon said that when they moved here 12 years ago, there were already problems with the trees. He said he asked who was to prune and who was responsible for hanging limbs. Who is responsible if limbs fall and hit a person or damage a vehicle? Lee said he was told at the time that the citizens shouldn't be responsible for the tree maintenance. Mark said the entire tree ordinance needs to be revisited and the issues of who has ownership and responsibility needs to be addressed. Lee said that his trees at least need to be pruned. This is a liability issue. The cottonwoods need trimming on part of the highway right-of-way. The south end of Pearl Street was vacated 40 years ago and the property was split between the adjacent property owners. Does the Highway 99 slope on the north side of the drainage ditch belong to the state? The person that bought the property is responsible for the 4 – 6 huge trees. An adjacent property owner is afraid that the trees could fall and strike his house. He asked Mark to look at the trees. Jim thinks the tree committee needs to look at the ordinance. Steve said that all of the locust trees are doomed and they are not worth his time to prune. Jeremy agreed with this. Steve said that if it is the city's responsibility to trim the trees that are in the city right-of-way, that it will cost a substantial amount of money and that it could take a full time person two years to prune all the trees. Mark said we need to figure out a remedy. The tree ordinance needs to be revisited. Mark asked Steve if he has looked at the trees next to Lee Cannon's property. He said he had. Steve said it could cost \$1000 just to prune one tree. Steve thinks that it would be best to have the locust trees cut down. Mark said the dangerous trees need to be identified. The city does not have any money in the budget for pruning or removal of trees. Matt was a certified arborist. Matt said he would be willing to assess the trees with Steve. They will also look at the age and size of the trees. Steve said he topped a tree that was dangerous by the Hillbilly Bar & Grill. Steve has to go through ITD for any trees that are in the right-of-way. He said that Cannon's tree would be pretty easy to cut down but flaggers would need to be used. Matt and Steve are to communicate with the tree committee.

Barb gave the annual pool report. Income from admissions was \$12,972.55 which was \$3107.45 more than last year. The approximate number of people using the pool this year was 3130, which is up around 817 from last year. The pool income, including admissions and donations, was \$23,472.55. The total pool expenses were \$28,129.80. This is a shortage of \$4,657.25. After the sales taxes of \$734.30 are paid the end of December, the balance in the swimming pool checking account will be \$14,384.28.

The results of the November 3, election for city council were Paul Rush 69 votes, Dale Lisher 56 votes and Richard Abrams 30 votes. Paul and Dale will be sworn in at the January council meeting.

Sarah made a motion with Jeremy seconding to accept the election results. All were in favor.

Steve said the city received a request from the Lion's Club to put electrical boxes on the light poles on Main Street. He checked with Matt Anderson with Avista to see if there is wiring for

120 volts on the poles so the Lion's Club can add lighted decorations. There will not be any cost to the City of Kendrick. The connections would be up high and not accessible to the public. Mark wondered if the 120 volt speed signs could use the same power outlets. The council did not have any problem with the outlets being installed.

Under suspension of rules, Mark read the first paragraph of Ordinance 751 which would move the monthly council meeting to the third Tuesday of the month, effective with the December council meeting. The start time will remain 6:00 PM. A rollcall vote was taken. Sarah - Yes, Jeremy - Yes, Matt - Yes, Jim - Yes. Jeremy made a motion with Sarah seconding to change the council meeting to the third Tuesday of the month. All were in favor.

The council reviewed a draft of an ordinance between Latah County and the Kendrick Area of Impact. The council was unsure of what the changes were. Sarah will look into the ordinance in depth and see what the changes are. Barb will also send the ordinance to our attorney for review. The council will revisit this at the December council meeting.

The council reviewed the ordinance for vacating 8th Street. Mark asked Steve if he confirmed the block and lots. He said he had. Our attorney reviewed the ordinance and added the section that says that the citizen requesting the vacation need to bear the costs of the vacation. A public hearing will be held on December 15, at 6:00 PM at the Fire Hall.

Jeremy said that in the future he doesn't think citizens should have to bear the costs of a vacation. Sarah feels that the citizens should pay for the legal fees and costs of notification to the adjacent citizens in exchange for getting the free land.

Laura McAloon, who was our bond attorney with K&L Gages LLC, sent the council a letter asking if the council would like to switch our bond council to her new firm Workland Witherspoon Attorneys at Law. K&L Gates is closing their Spokane office and moving their clients to their Seattle office. Because of this move, Laura has taken a position with Workland Witherspoon in Spokane. The council decided that we will move our bond business to Workland Witherspoon.

The wireless internet has been set up at city hall for the RV Park tenants with 1st Step Internet. The city clerk would prefer to keep her internet with TDS Telecom due to the number of people that have the current city email address. The city would be sharing the bandwidth with the RV Park. 1st Step could set up the router box so the city always has 50% use of the band width. It would take 1st Step about 2 hours at \$75.00/hour to make this change. The city council would like the city clerk to go ahead and try using 1st Step's internet service and see how it works. It could be a transition over a long period of time, maybe 6 months, to see how it goes.

The council discussed the rates for the RV Park. Sarah proposed increasing the monthly RV Park rate from \$375 to \$395. The daily rate would remain \$25/day and the weekly rate would remain \$125/week. Barb will draft a resolution to raise the rate. Steve will draft a letter to a couple of the RV Park tenants about their spaces having too much clutter of personal items.

Barb brought up that she came across minutes from the April 14, 2008 council meeting that said the sewer units for the school were increased to 18 units. There was a letter from mayor Jim Hoogland sent to the high school on April 23, 2008 stating that the school would be charged for 18 units at \$17.97 a unit beginning July 1, 2008. At the time, a sewer unit cost \$17.55. Barb is not sure why there was a discrepancy in the cost for the units. Dale Lisher was on the city

council at the time of the increase. He said he would contact Jim Hoogland and ask him if he remembers why there was a difference in the unit rate. Future increases were based on a percentage and so it is possible that the Kendrick High School has been paying slightly too much for their sewer connections since July 2008. We will put this on the agenda for the next council meeting.

Mark had asked Barb to advertise the Public Works position in the Spokane Review, the Idaho Statesman, the Lewiston Tribune and the Pullman Daily News. Barb obtained quotes from the different newspapers and the cost to run the ad on Sunday for 3 weeks would have been \$2100. The council decided to hold off on print advertising for now. Mark publicized the position with Idaho Rural Water, the Association of Idaho Cities and Indeed.com for free. The state website will not allow a position to be posted so far in advance of hiring. The position can go on the state website in January. We could also look at other free places to advertise such as Palouse Ads and Craigslist.

At 8:12 Jeremy made a motion with Sarah seconding to enter into executive session in accordance with Idaho code 74-206(1)(b) to discuss performance evaluations of city employees. A rollcall vote was taken Sarah - Yes, Jeremy - Yes, Matt - Yes, Jim - Yes All were in favor.

At 8:27 PM Jeremy made a motion with Jim seconding to adjourn the executive session and return to the regular meeting. All were in favor.

At 8:29 PM Matt made a motion with Jeremy seconding to adjourn the meeting. All were in favor.

Mark Lapinskas, Mayor

ATTEST:

Barb Wilson, Clerk/Treasurer