



*City of Kendrick*

808 Railroad Street · PO Box 195 · Kendrick, Idaho 83537

(208) 289-5157 · FAX (208) 289-5158

[cityhall@cityofkendrick.com](mailto:cityhall@cityofkendrick.com)

## **MINUTES**

### **MEETING OF THE KENDRICK CITY COUNCIL TUESDAY, APRIL 16, 2024 at 6:00 PM**

The meeting was held at the Fire Hall. The pledge was dispensed, and the meeting was called to order at 6:00 p.m.

Councilmembers Present: Susan Alexander; Ray Seegmiller; and Jessica Wegner

Staff Present: Chris Evans, Public Works and Judy Wilson; Clerk/Treasurer

Absent/Excused: Angie Coulson

Mayor Norris asked for a motion to amend the Agenda for the consent of the appointment of Judith Wilson as the City Clerk/Treasurer and to change the date for the May meeting due to conflict with elections at the Fire Hall.

**MOTION** to amend the agenda for the consent of the appointment of Judith Wilson as City Clerk/Treasurer and to change the date for the May meeting due to a conflict with elections at the Fire Hall made by COUNCILMEMBER WEGNER and seconded by COUNCILMEMBER ALEXANDER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

The May meeting will be held on May 14<sup>th</sup> at 6:00 p.m. at the Fire Hall.

#### **1) CONSENT AGENDA:**

##### **A. Appointment of Judith Wilson as the City Clerk/Treasurer (Action Item)**

**MOTION** to appoint Judith Wilson as City Clerk/Treasurer made by COUNCILMEMBER SEEGMILLER and seconded by COUNCILMEMBER WEGNER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

Mayor Norris called Judith Wilson to come up to be sworn in. The Mayor read the oath and Ms. Wilson repeated affirming appointment as City Clerk/Treasurer.



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**B. Minutes: Approve March 19, 2024 Regular Meeting Minutes (Action Item)**

**MOTION** to approve the March 19, 2024 minutes as written made by COUNCILMEMBER ALEXANDER and seconded by COUNCILMEMBER WEGNER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

**C. Minutes: Approve March 25, 2024 Special Meeting Minutes (Action Item)**

**MOTION** to approve the March 25, 2024 minutes as written made by COUNCILMEMBER SEEGMILLER and seconded by COUNCILMEMBER WEGNER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

**D. Minutes: Approve March 28, 2024 Special Meeting Minutes (Action Item)**

**MOTION** to approve the March 28, 2024 minutes as written made by COUNCILMEMBER WEGNER and seconded by COUNCILMEMBER ALEXANDER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

**E. Disbursements \$44,993.32 (Action Item)**

Councilmember Seegmiller asked if the Black Mountain Software charge was an annual fee and what AMR Interfacing and BDS mean. Acting Clerk/Treasurer, Jessica Wegner, said those fees are for when utility customers make a payment online and it uploads directly to Black Mountain. Mayor Norris said these funds are currently being paid out of ARPA funds for four years total and would normally be charged to the person making the payment online. After the four years are up, the customer will have to pay these fees or the City will have to decide what they would like to do.

Councilmember Seegmiller asked about the certificates for First Step Internet. It appears there are two payments for the same amount. Acting Clerk/Treasurer, Jessica Wegner, said there were two different certificates (SSI/SSL), but she is going to pull the invoices to show Councilmember Seegmiller.





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Councilmember Wegner said there were three things that were not included in the report. (1) Spectrum in the amount of \$238.00, (2) a refund for an RV spot reservation and (3) classes for Chris Evans that had to be paid in order for him to attend.

Councilmember Seegmiller asked for clarification on KME Specialties invoice. Mayor Norris said it was for telemetry repairs at Well #6.

**MOTION** to approve disbursements as presented made by COUNCILMEMBER SEEGMILLER and seconded by COUNCILMEMBER ALEXANDER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

**F. Hiring approval for Returning Pool Clerks Angie Cannon and Jessica Clemenhausen and returning rate of pay. (Action Item)**

Mayor Norris said these are the two Pool Clerks who will be returning this year. The Clerk's made \$13.00 an hour last year and, typically, it is nice to see an increase from the prior year, but it is up to Council to decide how much to increase it or to keep it at the same rate. Mayor Norris said the returning lifeguards will be asking the same thing.

Councilmember Alexander asked what lifeguards currently make. Mayor said \$10.00 an hour. Councilmember Seegmiller said he did not feel strongly one way or the other, but the matter of raises was left on the table for next meeting.

**MOTION** to approve the hiring of Pool Clerks, Angie Cannon and Jessica Clemenhausen made by COUNCILMEMBER WEGNER and seconded by COUNCILMEMBER ALEXANDER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

**2) UNFINISHED BUSINESS:**

**A. Steve Rishling Project Agreement Offer Discussion (Action Item)**

Steve Rishling was not in attendance at the meeting. Councilmember Seegmiller asked if a rebuttal letter had been received by the City. Mayor Norris confirmed that no letter of rebuttal has been received to date.

**MOTION** to table the Steve Rishling project made by COUNCILMEMBER WEGNER and seconded by COUNCILMEMBER SEEGMILLER.





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ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

### **B. Judicial Confirmation Hearing Update (Action Item)**

Mayor Norris provided an update on Judicial Confirmation. The Judge complimented our attorney. He considered all of the City's options and non-options and approved it.

### **3) NEW BUSINESS:**

#### **A. Swearing in of New City Clerk/ Treasurer Judith Wilson (Action Item)**

**NO ACTION TAKEN.** The agenda was amended to swear in Judith Wilson at the beginning of the meeting, so this agenda item was not needed.

#### **B. Idaho State Historical Society Proposal to Place the Sperry Grade Bridge on the Historical Register (Action Item)**

Mayor Norris welcomed Dan Everhart from the Idaho State Historical Society and asked him to give a background of the agency and the proposal to place Sperry Grade Bridge on the Historical registry. The Historical Society is a state agency with a Governor appointed Board that documents and manages historical data around the state of Idaho. The National Register of Historic Places, which is an honorific designation managed in partnership with the National Park Service and local partners. A handout was provided and is attached hereto as Exhibit A. A property is nominated, but typically before this happens there is a review process to determine if the property will be eligible for such designation. This ensures that the person requesting the designation does not invest a lot of time and money into a nomination if it does not meet the criteria. A nomination is then made to his office and is reviewed before being sent to the Board for consideration, which typically meets twice a year.

The honorific designation is treated differently by different property owners – some display a plaque and some demolish it because it is merely an honorific designation, not a requirement. The designation does not come with a funding mechanism. It does not open doors to grants or other financial incentives.

With regards to the nomination of Sperry Grade Bridge to his office, in 2018 the Idaho Transportation Department (ITD) decided to replace a bridge on the highway - middle fork of Potlatch Creek Bridge - in Latah County. As a result of this action, funded by the Federal Government (as most of our transportation projects are around the state), they were required to comply with a process to review the project and determine whether it would harm a place or site that was on the Register. It was determined that the bridge itself was eligible for listing, but removal of the bridge would be a harm to the bridge. Therefore, under the law, there was a process to make up for, or mitigate for, removal of this Register eligible property. In February of 2019, a Memorandum of Agreement was signed between ITD and the State Historical Society. That Memorandum stipulated the listing of the Sperry Grade Bridge in the National Register. Mitigation is often seen as a way to make up for harm and usually it involves a public conversation with interested and impacted partners.





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Mayor Norris asked Mr. Everhardt to elaborate on the Memorandum of Agreement and the mitigation process, which he did.

Mr. Everhardt said it appears as though neither ITD nor the Historical Society really did not do a good job on reaching out to the City of Kendrick, the Latah County Preservation District, or the Nez Perce County Road Department. He does not believe it was intentional, but the harm was done when the Historical Society agreed to a process to list the Sperry Grade Bridge in the National Registry without the participation of local partners. In 2022, ISHS received a draft nomination, they reviewed it, did some back and forth with their consultant and they thought they were ready to go to the State's Historical Review Board meeting. The Latah County Preservation Commission expressed concern with the process and asked them to hold the nomination, which they did. In 2023, ISHS met in Kendrick with the Latah County Preservation Commission to talk about the bridge, and they thought they were ready to present it to the Board. Until Mayor Norris pointed out that half the bridge sits within City limits of Kendrick. They had been told by the consultant and were told it was outside City limits. Upon the request by Mayor Norris, they pulled the review from the 2023 agenda. There is a Board meeting in May and nomination of the Sperry Grade Bridge will be considered on the agenda for the first time. Mr. Everhardt apologized for the oversight of not including local partners and assured everyone it was not intentional.

Mr. Everhart provided the Mayor with a draft of the nomination to be considered. Sperry Grade Bridge is one of the last, if not the last, pin-connected bridges in North Idaho. It is certainly one of the oldest in the state.

Councilmember Alexander asked what got the ball rolling on this. She wondered if this was an offering because they took out the bridge in Juliaetta. Mr. Everhart said there was an understanding that the Sperry Grade Bridge was significant and deserved a listing in the Register. He reiterated that the bridge listing is honorific and comes with no strings attached for the property owner or for Federal funding. There are no sacrifices here. If the City, Nez Perce County or ITD choose to use Federal funds to replace the bridge in the future, there will be a process to review the project. That is true any time Federal funds are used. He reiterated that the trigger of the review was the use of Federal funding. He said the designation does not stymie regular maintenance and repairs.

Mayor Norris asked if the Latah County Historical Preservation actually voted on agreeing to this or did they say they neither agreed or disagreed. Mr. Everhart said that in 2022, expressing concerns about ways the process had rolled out, the Latah County Historic Preservation Commission wrote a letter to his office stating they would neither agree or disagree to its listing. Having thought they corrected the problem they brought it back to the Latah County Historical Preservation in Kendrick, in 2023, and they voted in favor of a motion that essentially said that the property is eligible for listing, and we concur with your findings. Mayor Norris clarified that they agreed with the draft. Mr. Everhart said they cannot object to the listing; they only have the ability to comment.

Mayor Norris said that the City of Kendrick did not agree to the nomination and the only way she found out about it was when she saw it on the Latah County Commissioners agenda. Mr. Everhart clarified that the Latah County Commissioners were not asked for their comments, the Latah County Historical Preservation Commission was asked for comment and provided a letter of support from the Latah County Commissioners. The Mayor explained that the City of Kendrick and Nez Perce County

Councilmember Wegner said she is most focused on when the bridge needs to be repaired and maintained. She is concerned about fire and emergency access. Mr. Everhart reminded Councilmember Wegner that this designation





has no effect on repair and maintenance unless Federal funds are used. It does not mean that a project cannot move forward, it just means there may be additional requirements, or mitigation, as part of the process.

Councilmember Seegmiller asked Mr. Everhardt what mitigation strategies are available. Mr. Everhart said there are several options including things like planning for better preservation of historic resources in the affected community, interpretive signs, or documentation of other significant historical resources in the region. Councilmember Seegmiller asked if there is a negotiating mechanism. Mr. Everhart said it is possible, but not likely. It does not have to be a bridge for a bridge. It can be one historical resource for another.

### **C. Chelsey Ball Swim Team Presentation & Discussion (Action Item)**

**NO ACTION TAKEN.** Chelsey addressed the Council to let them know that last year she had a swim team and had a great turnout. In years past, there were 12-15 swimmers and last year, they were able to get 35 swimmers. She is hoping to get even more this year and move forward with swim team. She contacted Jill Groseclose, who has done swim team in the past, and she said swim team members were required to have swim passes and the City provided two lifeguards for the practices that were held three days a week. The City also provided lifeguards for their home swim meet. Chelsey also contacted the City of Nezperce, and their swim team is also required to have swim passes for each member, they pay the swim coaches who are lifeguard certified for the afternoon practices that are held five days a week and for the swim meet. In the City of Grangeville, swimmers are not required to have a swim pass, instead the swim team pays the City \$100 for their morning and evening practice that are held five days a week and then for the home swim meet, the swim team pays for the lifeguards.

Chelsey's proposal for swim team for the upcoming season would be to have practices three times a week – Monday, Wednesday and Friday – from 5:00 p.m. To 7:00 p.m. The plan is to have two swim coaches that are both lifeguard certified. Hayden Kimberling has agreed to be an assistant swim coach as long as they are able to move forward.

Chelsey said these are not the only options, but this is her proposal and would like to have a discussion about it.

One option would be that swim team pays the City \$400 that would cover renting of the pool for the season practices as well as a one day swim meet that lifeguards would be provided for by the City. The swim meet would be a five to seven hour event.

Second option would be that if the swimmers are required to have swim passes, the City would cover swimmer and coaches under the City's insurance or pay for swim coaches as lifeguards for practices in addition to the renting of the pool and for the season practices and for a one day swim meet and providing lifeguards for the event.

Mayor Norris asked Chelsey when she expected the season to start, and Chelsey said she would need to know when the City pool season is expected to start. The Mayor said she had emailed Chelsey a start date of June 18<sup>th</sup>.





Chelsey asked when the season would end, and the Mayor said probably the first or second weekend of August at the last because school starts and the availability of lifeguards. •

The Mayor asked if there is a version she is proposing that requires swim team to provide insurance. Chelsey said the option where they rent the pool for practices and the City would provide lifeguards for the swim meet. Mayor Norris asked Chelsey if she had received a quote for insurance naming the City as the additionally insured for \$1,000,000. Chelsey said she has looked into insurance but would need to look further into it to make sure.

Councilmember Ray Seegmiller asked Chelsey asked under option one, there is no assumption that kids would have access to the pool outside practices unless they have a swim pass. Chelsey said that is correct. Chelsey said last year a swim pass and a swim fee were required - some families benefited from it, but other families did not use their passes except to attend practices, so it was expensive for them.

Councilmember Jessica Wegner asked about the one-day swim meet and if she is asking for the City to provide lifeguards, how many would be required. Chelsey said there would need to be two lifeguards with a 30-minute break during the meet so there could possibly be two shifts of two guards coming in and two going out. The Mayor said scheduling of lifeguards may be an issue since some do not want to work evenings or weekends. She asked Chelsey if there is a 1:20 ratio for lifeguards to swimmers. Chelsey confirmed it is. Chelsey said they may have to rotate swimmers in and out during warmups at the meet, but it should not be an issue.

Mayor Norris said she would like a little more time to speak with the City's insurer, ICRMP, because how it was done last year is not a plausibility for this year.

Councilmember Susan Alexander asked Chelsey to read the current insurance she has. After reading it out loud, it appears Chelsey has the \$1,000,000 coverage, she just needs to add the City as the additionally insured. Chelsey said she will work on that.

Councilmember Wegner asked for clarification on the \$400 option and that it would include practices and the meet. Chelsey confirmed it does. Mayor Norris asked if the \$400 was negotiable and Chelsey said she does not want to go above that because of the cost of insurance and paying for two coaches it adds up really quick. The Mayor said the City will have to consider the cost of lifeguards, chlorine, chemicals and other staffing costs.

Councilmember Alexander asked what day the swim meet will be held. Chelsey said the day is flexible and can be done during the week if needed.

The Mayor said the City has not yet decided if the pool will be open seven days a week, six days a week or five days a week. It depends on the lifeguards, getting the pool started and for the paint company to refinish the kiddie pool.





Councilmember Wegner asked if there may be an issue with the Friday night practice since the evening swim is a social event for the older kids in the community. Chelsey said she chose 5:00 p.m. to 7:00 p.m. - as it was her understanding the night swim started at 7:00 p.m. The Mayor confirmed the evening swim does start at 7:00 p.m., but there is still an issue of finding lifeguards and how long they can work.

Mayor Norris said April is still a little early, but they should know more next month. Chelsey asked if she needs to be on the agenda for next month and the Mayor said she will make it an action item on May's agenda.

#### **D. April Fair Housing Proclamation (Action Item)**

Mayor Norris read the Proclamation in its entirety for the record.

**MOTION** to agree to the April Fair Housing Proclamation made by COUNCILMEMBER WEGNER and seconded by COUNCILMEMBER SEEGMILLER.

ROLL CALL VOTE:

VOTING AYE: ALENDANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

#### **E. Lifeguard Certification and Training Reimbursement 2024 Policy (Action Item)**

Mayor Norris said currently the City has four returning lifeguards. Hayden Kimberling is returning for her third season and is in the process of getting re-certified. Xavier Carpenter, Mason Kimberling and Tommy Stamper are all also re-certifying. Tommy is coming back in the capacity as maintenance/lifeguard. Last year, each lifeguard was making \$10.00 an hour. They were supposed to get a raise, but did not.

Mayor Norris told Council there are two returning Pool Clerks and we need one more. Mayor Norris said the Pool Clerk's need to be older to supervise the younger lifeguards.

Councilmember Wegner asked for clarification because the agenda item is for certification and training reimbursement, not wages. The Mayor said they need to establish returning rate of pay also. Councilmember Wegner said she thought Council had discussed certification and training reimbursement at the last meeting and it would be 50% reimbursement the first year and 50% the second year. Although it is an out-of-pocket expense to them, the City has paid for it in advance and then the individual has chosen not to be a lifeguard, and the City is out the money without a lifeguard.

Councilmember Wegner suggested increasing the returning lifeguards pay \$.25 an hour. Councilmember Alexander said she would like to see what the pool budget allows. The Mayor said it was \$17,500 last year and the budget was over about \$1,500 because of overtime for lifeguards and swim team. Councilmember Seegmiller





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asked if \$.25 an hour is a standard rate increase because CPI was 3.5% last year. The Mayor told them that no one received a raise last year. Councilmember Seegmiller asked if they could be increased to \$10.50 an hour.

**MOTION** to continue certification and training reimbursement on a 50% over two years to incentivize returns and to increase rate of pay to \$10.50 made by COUNCILMEMBER SEEGMILLER and seconded by COUNCILMEMBER ALEXANDER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

#### **F. Letter of Engagement Zwygart & Associates for 2022/2023 Audit (Action Item)**

Mayor Norris said Interim Clerk Jessica Wegner is appointment tomorrow with Jordan to get him the last reports he needs to complete the 2021 audit. Once he has those reports and can finalize the audit, he can begin working on the next fiscal year audit.

**MOTION** to send a letter of engagement to Zwygart & Associates made by COUNCILMEMBER WEGNER and seconded by COUNCILMEMBER ALEXANDER.

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

#### **PUBLIC COMMENTS**

None

#### **MAYOR'S REPORT - Rose Norris**

1/3 of what was done. Sidewalk project after Locust Blossom. Redesigns are being done. Proposed crosswalks for ITD, pedestrian crossing. July 17<sup>th</sup> tentative date of Safety Fair in the Park. They are hoping to be able to do a demonstration of the new pedestrian crosswalk at the safety fair. They are asking the City to sponsor the event and no charge. The Mayor and Clerk can approve small events and large events and there was no City Clerk yesterday so she approved it. It is on a Wednesday night. Fire Department will participate doing fire prevention. Angie Tweit and Kendall McWilliams are organizers of the event. Third Wednesday of July AED awareness station since they deployed four in the community. Life Flight to hand out brochures and subscription information.





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## **PUBLIC WORKS/MAINTENANCE - Chris Evans**

Could not attend the meeting tonight because he had to attend a Planning and Zoning meeting of his own because someone is putting in a rock quarry behind his house. His report shows he produced a total of 895,130 gallons of water. Jake did the water sampling. Frost free water tap was installed for the garden club at the end of town by the sign. Work on upcoming Locust Blossom. Crosswalk paint refresh estimate received from Stripe-A-Lot for \$3,500 for three crosswalks. He is going to get another estimate because it seems like it only cost \$2,400 last year. Chris Kochsmeier asked Mayor what the chances were of getting more crosswalks down on her end of town. The Mayor said that is a question for ITD, but from what she has seen, it is not something they are interested in doing. The Mayor did say there are proposed ITD projects for 2025 that may be beneficial down by Wheeler Street.

## **CITY CLERK/TREASURER - Jesse Wegner, Acting Deputy Clerk**

Jesse said SHE MADE IT! She worked with Black Mountain Software to get utility bills out and there was only a handful of people who didn't receive bills, but that issue has been resolved and Council received the disbursements, so she made it.

### **6) Adjourn:**

**MOTION** to adjourn regular meeting at 8:01 p.m. made by COUNCILMEMBER WEGNER

## **EXECUTIVE SESSION (IN ACCORDANCE WITH IDAHO CODE 74-206(1))**

(B) To consider the evaluation, dismissal, or discipline of, or to hear complaints, charges, brought against a public officer, employee, or staff member or individual agent, or public student: (Action Item)

(F) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated. The mere presence of legal counsel at an executive session does not satisfy this requirement.

**MOTION** to enter into Executive Session at 8:01 p.m. made by COUNCILMEMBER WEGNER

ROLL CALL VOTE:

VOTING AYE: ALEXANDER, SEEGMILLER, WEGNER

VOTING NAY: NONE

**MOTION CARRIED**

APPROVED AS WRITTEN this 20<sup>th</sup> day of August, 2024.

A handwritten signature in cursive script, appearing to read 'Roseanne W. Norris'.

Honorable Mayor, Rose Norris





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*Susan Alexander*

Councilmember Susan Alexander

*/ Absent /*

Councilmember Angie Coulson

*Ray Seegmiller*

Councilmember Ray Seegmiller

*Jessica Wegner*

Councilmember Jessica Wegner

ATTEST:

*Judy Wilson*

Clerk/Treasurer, Judy Wilson