

**CITY OF KALAMA
CITY COUNCIL MEETING
MARCH 4, 2015**

1. OPENING

Mayor Pete Poulsen opened the City Council meeting at 7:00 p.m. Mayor Poulsen led those present in the Pledge of Allegiance.

Councilmembers present were Mike Truesdell, Dominic Ciancibelli, Mike Dennis Langham, Don Purvis, and Mary Putka. City staff present were City Administrator Adam Smee, Superintendent of Public Works Kelly Rasmussen, Clerk/Treasurer Coni McMaster, and Police Chief Randy Gibson. City Attorney Paul Brachvogel was also present (left 8:10 pm). Members of the public present are listed on the sign-in sheet.

2. EXECUTIVE SESSION - None

3. CHANGES TO THE AGENDA - None

4. PRESENTATIONS & AWARDS - None

5. PUBLIC HEARINGS - None

6. PUBLIC COMMENTS/CONCERNS

7. UNFINISHED BUSINESS

8. NEW BUSINESS

A. Dupont Road Annexation – Intent to Annex

City Administrator Adam Smee presented intent to annex property on the south end of town on Dupont Road filed by the owners James and Diana Downing. A map of the area was provided showing the city limits, the urban growth boundary and the area requested for annex and the area staff recommends be included should the City Council accept the intent to annex. City Planner Matt Buchanan sent a staff report of which Adam read portions into the record. The report contains Planner Buchanan's concerns regarding the urban growth boundary (UGB) and that the parcel in the initial request is not included in that UGB. The UGB was adopted in 2012. Kalama is not required to adopt this under GMA so this is policy rather than a binding boundary. Planner Buchanan feels the parcel requested to be annexed is outside of the UGB and therefore should not be approved unless the UGB is amended. He feels that doing amendments on a case by case base is not proper planning and amendments should only be done within the 3 year review cycle in order to meet the intent of the adopted policy. The property is separated by the freeway and railroad from the city limits which does not make a direct connection but is still allowed by law. Councilmembers asked if this is not within the UGB why are we considering it. An application was submitted and the City is required to act on the application. This year the Planning Commission is updating the Comp Plan. As a part of that process they will look at the UGB and how it could change so an amendment could take place prior to the annexation being completed. This is the first step

in the annexation process and it takes some time to get through to final acceptance of annexation. The city can accept, reject or modify the application. Staff recommends accepting the intent to annex with modifications even though Planner is not fully supportive. Staff showed the area that would need to be added to the proposal so that it is more contiguous to the city limit. If City modifies and accepts then the applicant will have to approach the neighboring property owners to complete the process and get them to sign on the petition as well. The UGB is a tool for planning for where services should be and what makes sense for growth. This area is already served with water and could have sewer service if infrastructure is put in place. This is the area where the City needs to link and loop our water systems that are currently on both sides of the freeway. This would provide better fire flow and water services to the community. Councilmember Dominic Ciancibelli took a tour of the area with Public Works Superintendent Kelly Rasmussen early today and was able to see how this will benefit the city. While the applicants only asked for their property, there is a need for fire flow in the area that could be improved. This could provide the City a better potential for expansion of industries or new development. Some of the existing enterprises in this area have had difficulties meeting certain requirements for development under county code for storage for fire protection. The local Fire District would prefer connection to City system versus storage systems. It was asked "Why do we need to go this far south?" Adam believes that the Exit 27 interchange is underutilized and there could be better uses if it were to be developed for potential commercial expansion. This could help the City financially. There would be needs to expand Police services and take on road maintenance as well as expansion of water and sewer system. Originally the City thought it would have to bore under I5 but may be able to go along Robb Rd with the water lines which would reduce costs. Administrator Smee stated he will be looking for local Economic Development funds and make application to help with the costs of looping the water system. With the railroad (BSNF) development ongoing in this area it is advisable to take a look at making these improvements to our system now. There will be lower costs if we join together. The issues with pressure zones would be helped if we could loop the system. This proposal is not much different than North Port annexation. The City is looking at the future of the community. Development in that area could be very beneficial for commercial and industrial growth. Superintendent Rasmussen explained that our system is split so one area west of freeway and north of town are on one PRV at bottom of Elm Street. If can tie to the Cloverdale system at Todd and then connect all 3 zones to provide service when large draws are made it will reduce problems and provide much better fire flow to the industrial area and south of town. The applicant's property is currently an equipment storage and owners have indicated they might develop further which could require them to help with the infrastructure costs. The looping of the water system could also help with future development of the property on the eastside of freeway which is already in the city boundaries. How the property would be zoned was discussed as the applicants have requested Mixed Use or highway commercial. With the modification to the area, part of the area is already zoned industrial so it may be best at mixed use. The Council can refer this to the Planning Commission for a recommendation. It was asked if the City could reject the proposal at the petition stage even if they accept the intent now. Yes was the answer of the City Attorney Paul Brachvogel. Administrator Smee recommended the council accept the intent to annex with modifications as recommend by staff and included on map presented. City Attorney suggested the City Council accept the intent to annex with modifications as outlined in the documents submitted by the City Administrator. Councilmember Don Purvis made a motion the Council move as read by city attorney including the modifications. Councilmember Mary Putka seconded and the motion

carried.

9. ORDINANCES & RESOLUTIONS

A. Ordinance No. 1356 – 2015 Budget Amendment

Ordinance No. 1356 was read by title: An Ordinance of the City of Kalama, Washington amending the 2015 Budget to account for the receipt of the USDA Rural Development loan proceeds, establishing new funds 210 USDA-RD 2015 Community Facilities Loan And 320 City Hall/Library Facility Improvements-USDA Funded, and including the associated expenditures related to the purchase of the Heritage Bank Building and building renovations for improvements to the space for City Hall and expansion of the Library, increasing the Budget in the amount of \$617,230.00. Councilmember Dominic Ciancibelli made a motion the Council adopt Ordinance no 1356 as read. Councilmember Mike Truesdell seconded, and the motion carried.

B. Ordinance No. 1357 – KMC Chapter 7 Garbage Code Amendment

Ordinance No. 1357 was read by title: An Ordinance of the City of Kalama, Washington amending Kalama Municipal Code Chapter 7. 08.130 Garbage Collection And Disposal Violation – Penalty to include imprisonment as a penalty for violations.

Chief Gibson clarified that this is jail time not prison time with only an up to 90 day penalty. This is to amend the Garbage Code not the Littering Code which was addressed previously to mirror state litter regulations. The City has been addressing Garbage issues at residences where garbage accumulates, drawing vermin and complaints from the neighbors. Absentee or non-responsive owners ignore citations and the court could not issue bench warrants with no jail penalties, so owners see no consequences. So based on recommendations from prosecutor in order to address these cases better the City is making the code amendment. Fines and costs are ignored but being jailed might get more attention. Including the possibility of jail time gives judges the ability to issue bench warrants. So it becomes serious to the owners and they can't just ignore the citation. This kind of connection in the nuisance code worked to result in improvements to the burned out building downtown, because they did not want to go to jail. There are limits for owners out of state but there are issues with having warrants out in other states that can be detrimental to those owners. It was asked how to get condemned buildings dealt with. There are several remedies both civil and criminal. They all take time but hopefully will work to get these places addressed so they are abated. We have to get the owner's attention. Councilmember Dominic Ciancibelli made a motion the Council adopts Ordinance No 1357. Councilmember Mike Truesdell seconded. Kalama citizen Tina Day asked if this the best use of resources or would it be better to lien the property as it costs the City to have someone in jail. It is possible to do liens. That is only a part of the process and liens are expensive and timely to execute and hard to collect from. Not all owners are from out of state. Ms. Day suggested that it might be better to look at other recourse. Councilmember Mike Langham stated that warrants can cause repercussions for driver license and gun permits renewals in all states. It is costly for the City to do the clean up and uses taxpayers money. The penalties are what is available to the city to use to get owners to comply. So we are strengthening the laws to address the issues. Randy pointed out that it is up to 90 days, but the court has latitude to determine

how much time based on each case. The home on Greystone took months to get the garbage issue addressed and the City did the clean-up. With no teeth in the code, the owner has seen no consequence for not taking responsibility for his property. The motion carried.

10. CORRESPONDENCE - None

11. MAYOR'S REPORT & COUNCILMEMBERS' REPORTS

A. Mayor Pete Poulsen reported the 125th planning meetings continue.

B. Councilmember Mike Truesdell had no report

C. Councilmember Dominic Ciancibelli went for a ride with Kelly today surveying the areas in addressed earlier tonight and the BNSF project work. Dominic requested the staff get information together to address the stormwater issues. After the recent storm and the storm sewer issues that it created the City needs to look at how we can improve the system. The City needs to investigate creating a storm sewer utility. Mayor Poulsen noted he has been advocating that for years. Dominic requested it be put on the next agenda. Then need the information on how and the costs for establishing a utility. Kalama is one of the few cities that don't have one in place already. It will take some time to put in place and it takes money to make the improvements.

D. Councilmember Mike Langham no report.

E. Councilmember Donald Purvis had no report.

F. Councilmember Mary Putka had no report.

12. DEPARTMENT REPORTS

A. City Administrator Adam Smee no report

B. Superintendent of Public Works Kelly Rasmussen presented a written report He noted that spring is here as the crew mowed yesterday for the first time and they have taken the snow plow off. The crew worked with WSDOT to trim trees on west side of I5 for 4 days last week along with corrections crew. The WWTP operators are doing a great job having been able to troubleshoot issues with the UV system to determine that it wasn't the bulbs but a system card in the equipment. The crew also moved the 25 mph sign on Geranium and added a sign in the Police parking lot. Regarding the south port water line discussed earlier, since BNSF will be completely tearing up the tracks, the City will be able to get a new line under the railroad tracks while they are tearing it up. In June Kelly will come back to look for funding to have this happen even it only the conduits. The railroad can be difficult to work with, so it is more likely to get done while they are working in the area.

C. Police Chief Randy Gibson presented his statistical report including the cross country custodial interference case, where the father took the child out of state to Missouri. The Department was able to track the suspect through social media sites as he took the bus

across country posting photos. He also discussed the semi-truck accident during the road closure for BNSF new crossing construction. Also noted was the tragic accident that killed a longtime resident being crushed while working on his car.

D. Clerk/Treasurer Coni McMaster reported that Utility Clerk Kiley Mirenta is on extended medical leave. So to get some part-time help, she has hired a temporary employee from a local temp agency. There are new Parks & Rec programs for Zumba and Moms & Tots group being advertised. There is also a new voucher process for which the Council will no longer have to actually sign the voucher reports at each meeting. The amounts will be included in full on the consent agenda and in the minutes.

E. City Attorney Paul Brachvogel had no report. 8:10pmm

13. CONSENT AGENDA

Councilmember Mary Putka made a motion the City Council approve the Consent Agenda including:

Approval of the Claims and Payroll for February

Claim Warrants 34394 through 34427 \$73,341.90

Electronic Claim Payments dated March 5, 2015 \$ 7,917.32

Payroll Warrants #34364 through 34393 \$63,850.91

Electronic Payroll Payments dated: March 5, 2015 \$16,219.45

Voided Warrant 34352 dated February 18, 2015 \$ - 381.36

and the Minutes of the February 18, 2015 City Council Meeting

Councilmember Don Purvis seconded, and the motion carried.

14. EXECUTIVE SESSION - None

15. ADJOURNMENT

Mayor Poulsen adjourned the meeting at 8:30 p.m. These minutes are not verbatim. A copy of the recording for this meeting is available for review upon request.

Pete Poulsen - Mayor

Coni McMaster - Clerk/Treasurer