

**CITY OF KALAMA
CITY COUNCIL MEETING
JULY 1 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 Dominic Ciancibelli, Mike Dennis Langham, Don Purvis, and Mary Putka. Councilmember Mike Truesdell was absent. City staff present were City Administrator Adam Smee, Superintendent of Public Works Kelly Rasmussen, Clerk/Treasurer Coni McMaster, and Police Chief Randy Gibson. City Planner Matt Buchanan was present. City Attorney Paul Brachvogel was absent but would attend executive session by telephone. 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

A. Marine Park/Ahles Point Petition to Annex from the Port of Kalama

Mayor Poulsen opened the hearing at 7:02 pm. Clerk/Treasurer Coni McMaster explained the Council approved the intent to annex received from the Port of Kalama for the property a month or so ago. The Port has now submitted the petition which has been certified by the County Assessor as sufficient. The next step is for the Council to issue tentative approval and forward the request to the Cowlitz County Boundary Review Board for review. Upon approval of the BRB, the Council will then adopt the final ordinance. There were not comments from the public. City Planner Matt Buchanan noted the property is already included in the current Urban Growth area of the City. The hearing closed at 7:05 pm. A resolution is on the agenda later in the meeting.

B. Urban Growth Boundary Update – Recommendations from Planning Commission

Mayor Poulsen opened the hearing at 7:06 pm. City Planner Matt Buchanan explained the City had established a Urban Growth policy three years ago which is designed to direct urban development, minimize infrastructure costs, support urban infill and prevent sprawl as the City grows. The plan states it will be reviewed every three years so in conjunction with the Comp Plan update the policy and boundaries have been reviewed. As the City is not under the growth management act, the Policy is not a binding policy, but it is a good policy to have in place. The proposed change in boundaries does not mean the City will expand into these areas, but would provide the opportunity for someone to apply for annexation if they wanted to. The full analysis is in the staff report and is based on

projections for population growth, existing zoning, environmental constraints, vacancy rates and needs for the future. The City has no vacancy in the current industrial zone and a lot of vacancy in the single-family residential zone but not much for multi-family. Included in the analysis is some population projections but these are difficult to predict as they are affected by many factors throughout the region. Population does need to be considered in the process. There has been slower growing after 2010 than back in the 1990's. Also considered are environmental issues such as geological hazardous areas and shorelines which can be addressed under critical areas when needed. Planner Buchanan continued that he presented options to the Planning Commission from minor, to moderate and then a major expansion. The Commission decided to recommend the moderate option which is for more industrial and commercial areas to the south and north as there are currently a lot of vacant residential areas. He again stated that is not saying the city will expand but allows for the opportunity in the future. The boundaries are drawn using parcel lines and rounded out what already exists to avoid odd boundaries.

Mr. Mark Wilson, Executive Director of the Port of Kalama addressed the options explaining that back in 2001 a group including the City and Port looked at the issues and decided to strike a balance leaving the north port area west of I5 out of the boundary and including the east port area that was recently annexed in order to address the tax base of both the County and City. The Port's perspective of how they have looked at the future growth of the Port and keep the balance of the County and City is that they will probably not annex the industrial park areas on the northwest side of I5. Mr. Wilson stated they are currently working with NW Innovations for permitting process of the proposed methanol plant which is very difficult and lengthy and haven't had the opportunity to see if this change would have any effects on these processes. He suggested that Council consider not taking any action at this time or to select a different option such as C.

Cowlitz County Commissioner Mike Karnofski stated he concurs with the Port's statement as they have had long term discussion with the Port and the developers in this area. The Urban Growth boundary is not required in Cowlitz County. He does understand the needs for industrial and commercial growth.

Al Wright, a technical advisor for NW Innovations on the methanol plant, stated that the process has been on-going for a year and a half to get the permits that are required for the project from federal, state, and local agencies. They hope to have the permits in hand by this time next year and need to be sure they have satisfied all the requirements. This change causes concerns that the process could be delayed or changes would have to be incorporated in the environmental statements necessary for the permit process. He would also request that the City not act on the UGB expansion of option B. He believes this may cause a process change and while they don't have a pro or con opinion on the action it can create a level of uncertainty for the process and the investors in their project. Mr. Wright noted they were not aware of the proposed changes until this morning. It was noted that each option presented includes the prior one so that option C includes all the options and is not just residential. Mr. Wright asked "What is long term intent of the action?" Does including this area in the UGB signal the City intends to take future actions. Mayor Poulsen noted that he does not see anything taking place in near future. The City doesn't want to create an uncertain environment that could affect the permit process. His understanding of the proposal is that this is what our growth pattern might be for the future. The urban growth

boundary is not required so it is basically a policy and not a mandate. Since we are not under Growth Management the City could technically annex from outside the boundary if they wanted and were approached for annexation. This is a policy document and the proposed boundaries are the area the Planning Commission feels would be appropriate to have in the City limits at some point in the future. This is based on the feedback for needs for commercial and industrial to help sustain the City. Since the City uses the petition method of annexation the property owner is always in driver seat to decide if they want to change jurisdiction, not the City. The boundaries are also based on the City's ability to extend urban services and option B is appropriate for the city and future infrastructure. The requests were again for the City to put the decision off for a while. City Administrator Adam Smee explained that review of the policy is every 3 years and this is being completed as part of the comp plan update. Seeing what the City has and where it might want to go for a boundary was a step in the process so the Commission can look at what the needs would be in these areas. There are concerns with taking no action and tabling the decision indefinitely. The decision is needed whether it is to modify or not modify the boundary in order to continue the process of updating the comp plan. Mr. Wright noted that their sole issue is that the change could create a feeling of uncertainty and cause problems with investors in their project so they are asking the City to delay or reevaluate for at least a year. That is when they believe they will have financing and permits secured and will be able to move into the development stage. They would like to see no changes until after that.

It was asked what the City has for costs into the comp plan update and what a delay would cost. The costs are for planning services and time. If no action is taken it would leave the comp plan in limbo. It would be possible to table a decision for a few weeks, but would like a decision to be made to include with comp plan which is scheduled to be completed by the end of the year. It was again stated that this is a policy not a binding document which will always be modifiable in the future. Mayor Poulsen suggested that the City step back and have the Port and NW Innovations meet with the Planning Commission to address concerns directly. The City needs to complete the comp plan update does not want to disturb the process. If the Port and the developers want to provide information for the Commission to consider that might influence them to reconsider their decision the Council can hold off making a final decision. He stated he doesn't believe that this action would do any harm to what is happening out there, but believes the City is willing to listen to concerns. The next Commission meeting is 6pm on July 9th and the public is welcome to attend. It was noted that the Commission did not think there would be any impact as this is a policy line on the map. Mark Wilson clarified his earlier statement that now that he understands all the presented options, he would not want the City to adopt option C. Also that under the policy the City does require a property owner to agree to annexation for water service. The issue would be tabled to allow for more communication between the Commission and the Port and developers. The hearing was closed at 7:44 pm.

6. PUBLIC COMMENTS/CONCERNS - None

7. UNFINISHED BUSINESS

A. Visual Preference Survey – City Planner Matt Buchanan

City Planner Matt Buchanan noted that as part of the comp plan project he has drafted

the visual preference survey which questions how Kalama should look in the future. It will go out over next couple months and be available on line. It is 26 images and the taker indicates which they prefer. The survey was developed in conjunction with Planning Commission's comp plan committee. The photos are an effort to capture differing concepts of small town, suburbs, business districts, etc. Some are more rural in nature. The survey includes the ability to post comments. Councilmember Mary Putka asked if well known business names influence the responses and if they should be used. Planner Buchanan replied they could, but it can also be useful. While one name may be used, it could be to represent having a franchise or changes in old town areas. It is designed to provoke a response. Councilmember Dominic Ciancibelli noted that a previous study showed dislike of franchises in the downtown area and the Planning Commission at that timed based design standards on that and other information. There are some limitations on what can be pulled up for photos to be used in the survey. The hope is to get community feedback on how to develop design standards in the mixed use, small lot and commercial areas. The Planning Commission has some worry as to whether they are in touch with the citizens and want to be on track to what the community wants. They need feedback to help with the decision making process. It was noted that the City has no industrial areas to expand, but also has little or no multifamily and they need to address those needs. If we have standards already in place it is easier for a future developer to apply the standards and make application. The belief is that the City needs a healthy balance of single family residential, multi-family, commercial and industrial to keep viable for the future. If the City never changes, then we may not stay viable.

Mayor Poulsen stated the missing piece is the how to implement once something is put in place. This has been addressed many times in the past and there doesn't seem to be any buy in from the existing property or business owners in the commercial district. How do we achieve the goals if you can't get property owners to buy into the ideas? There was a discussion of providing incentives and what incentives might be available. County Commissioner Karnofski suggested they talk with Alice Dietz formerly with the Cowlitz EDC, who worked with Longview where there are some incentives available. City Administrator Adam Smee stated he sees this as two phases; once we have a plan to present, we talk about implementation and incentives. It will be most productive to allow for various plans to be considered and provided for more feedback. He noted that Kelso got a grant for planning and Kalama may be eligible for grants as well. Mr. Jim Bain of 308 N. Second Street provided two examples of property owners that voluntarily made changes to building plans which were the Post Office and old Victorian building with the flower shop in it. These may be exceptions and not the rule. There is an array of responsible and irresponsible owners. It was suggested that perhaps a local non-profit could offer some kind of help for making improvements to the buildings downtown. Improvements would make the properties more profitable. The survey will provide some information to as to how to move forward. Planner Buchanan noted that included in the comp plan will be ideas and plans for how to implement so there will be research done to develop implementation strategies for the plan.

B. Engineering Selection – Meeker Drive Slide Area

C. Engineering Selection – Downtown Street Overlay

Superintendent of Public Works Kelly Rasmussen informed the Council the City has as part of the compliance requirements for the STP funding for these two projects, been going

through a selection process for the engineering services. The City received 16 different responses from the request for qualifications. He and Adam narrowed that down to four per project. Today, he, Adam and Councilmember Dominic Ciancibelli conducted telephone interviews with those selected for each project. They ranked the candidates and Gray & Osborne Inc came in as number one for both for both projects. Staff is recommending the Council accept the ranking as listed:

Meeker Drive Slide Area

1. Gray & Osborne
2. GRI
3. AKS
4. CTS

Downtown Street Overlay

1. Gray & Osborne
2. Hopper Dennis Jellison (HDJ)
3. Wallis Engineering
4. CTS

Staff will start with the first and negotiate costs for awarding the projects. Councilmember Dominic Ciancibelli made a motion the council accept the recommendations and ranking of the engineering applicants for the two projects. Councilmember Mike Langham seconded, and the motion carried.

NEW BUSINESS

A. Bicycle – Skateboard Helmets

Police Chief Randy Gibson noted that the issue of bicycle helmets came before the City Council back in 2005 and he is readdressing the issue due to three injuries that have occurred in the last two and a half weeks. In one a 12 year old took a header on the sidewalk in front of the Police Station resulting in a lower lip injury, lost teeth and a long gash on his head and the second was a two bike crash that sent one child to the hospital with a concussion. The City doesn't have an ordinance requiring helmets. As a public safety the City has other measures in place, but not in this instance. Kalama has street conditions in many locations that are less than ideal for bicycles and skateboards, plus the fact that Kalama is on the side of a mountain. Requiring helmets for children under age 18 may be beneficial to liability exposure, The absence of such an ordinance could reflect back negatively on the City under a liability claim. Mayor Poulsen noted that anytime we implement s new regulation, enforcement is the big issue. He asked, what would the fines or penalties be? The draft from 2005 has a warning for the first offense, and then \$25 for the second and then \$50 for the third. Chief Gibson explained that he believes this kind of enforcement is best handled by working with parents and would probably get cooperation the majority of the time. There was discussion that often it is an economic issue. Fire District #5 Chief Victor Leatzow addressed the Council noting the Fire District had brought the request before the Council back in 2005. They do provide free bike helmets and at the Kress Lake

Safety Day in May they gave our 110 helmets and ran out. They usually have a healthy stock, therefore helmets can be had at no cost for anyone. Chief Gibson noted that at Walmart, helmets range from \$14 to \$25, so are not outrageous in costs. The biggest issue is making the public aware of all the programs they offer such as this one and are getting the word out more including on social media. through facebook. The department will also refit helmets for growth. The regulation is really needed for kids, as adults can make their own decision. He noted that some jurisdictions do a program of recognition rather than penalties. The thought is that like seat belts, once it is known that it is required by law, people will follow the rule. Chief Leatzow informed the Council that a member of his staff is going back to a conference and will be able to get information to bring back wording for ordinance, from a national level and maybe how to address this with a softer approach. He asked if the Council could hold action until after that. Chief Gibson was on not proposing passage tonight and was only seeking verbal approval to work collaboratively with the Fire Dept. and others to craft an ordinance for future consideration. It Council indicated that it would be fine to craft a new ordinance. He did provide a list of cities that require helmets for both children or adults. for all ages. The Council was receptive to adopting an ordinance in the future.

9. ORDINANCES & RESOLUTIONS

A. Ordinance 1360 – KMC Amendment – Parks Rules

Ordinance No. 1360 was read by Title: An Ordinance of the City of Kalama, Washington amending the Kalama Municipal Code Chapter 9.30 Park Code of Conduct to clarify applicable parks rules. Councilmember Don Purvis made a motion the Council adopt Ordinance No. 1360 as read. Councilmember Mike Langham seconded, and the motion carried

B. Resolution 623 - Accept Marine Park/Ahles Point Annexation

Resolution No. 623 was read by Title: A Resolution relating to a pending annexation as identified as the Marine Park/Ahles Point Annexation and accepting the Petition to Annex of the owners of certain property described herein, and conditionally approving the same subject upon Boundary Review Board approval. Councilmember Dominic Ciancibelli made a motion the Council adopt Resolution No. 623 as read. Councilmember Mary Putka seconded and the motion carried.

C Resolution 624– Update to Urban Growth Boundary - Tabled

Resolution No. 624 was tabled at this time.

10. CORRESPONDENCE - None

11. MAYOR’S REPORT & COUNCILMEMBERS’ REPORTS

A. Mayor Pete Poulsen reported the 125th celebration is just 9 days away. There have been lots of people working on it and they are constantly looking for volunteers to help

with the mobilization. The plan is to close street at 5 on Friday night for the street dance and it will remain closed until 11am the next day to accommodate the big breakfast on Saturday morning and the Kalama River Run which will start downtown. The street will be closed between Elm to Fir Street. Most of the businesses have back street parking. The beer garden will be in the vacant lot at the bottom of Fir Street. Mayor Poulsen acknowledged that Public Works doesn't like the idea of shutting down the street for this long period of time, but it is the plan. The tables and chairs will be moving to school on Saturday after the breakfast and then on Sunday to the Park. Shirts and hats are on sale now at City Hall. At the Sunday picnic there will be food and kid's games including sack and 3 legged races. There is a tug of war and we need teams to sign up. The High School leadership class has been a big help with lots of energy having planned the 50s dance, the geocaching activity, the treasurer hunt and the kids games. The Tall Ships will be here and Mayor Poulsen asked the Council to attend the greeting party on Friday at 8am at the Marina. Invitations have been sent out to many that participated in the strawberry festival of the 1940's and family members. There will be presentations from the Ezra Meeker foundation, the Kalama Telephone Company as well as a history pageant on Saturday. A temporary museum at old Police building will be open for the weekend. This will be the first of several upcoming events including the Kalama Fair and grand opening of the Port of Kalama's Haydu Park, and the Kalama Music Festival with headliner JP Soars. A cigar box guitar has been donated by JP Soars to raffle off with the proceeds for the food bank.

- B.** Councilmember Mike Truesdell was absent.
- C.** Councilmember Dominic Ciancibelli reported he spent Tuesday reviewing the engineering proposals and today spent 3 hours on the interviews to rank the proposals.
- D.** Councilmember Mike Langham no report as the COG meeting was cancelled..
- E.** Councilmember Donald Purvis noted that with the dry weather, fire safety and stay hydrated is important.
- F.** Councilmember Mary Putka had no report.

12. DEPARTMENT REPORTS

A. City Administrator Adam Smee informed the Council the Master plan application from the Port of Kalama is complete for processing. The City will likely meet with the applicants as they move forward to next step in continuing the process. He added the he, Kelly and Coni were involved in a lengthy phone review on the rate study. There is still some work to do on the numbers but it is encouraging to see progress.

B. Superintendent of Public Works Kelly Rasmussen reported his crew has been very busy. They are producing a lot of water during the hot weather and also Haydu Park has been doing a lot of irrigation. Operating with two filters and the plant is working flawlessly. They found a leak at the top of Todd Rodd by fire station where a pipe split which they sealed and got back on line. There was also a small leak on Gore Road. The crew has been dealing with two broken impellers at the Lift station at Meeker where a substitute pump has

been operating. The first replacement impellers were the wrong ones and the second set had one break during installation and the third one was found to have hairline fractures, so they are working with the company. Kelly is hoping to get it operating tomorrow and get the pumps sent back. The crew is working with Kalama Telephone on Vincent Road to replace a water line as part of the plan to get fire flow out to Todd Road. Working with the Telephone Company shares costs while the ditch is open. He has applied for the utility easements at BNSF and is working with the Port also. The paint sprayer is up and running so they will be striping next week so downtown will be looking good for the celebration.

C. Police Chief Randy Gibson presented his statistical report for 104 calls which is a high number of calls. He has no special concerns with the items noting that the one deceased individual appeared to be by natural causes. Councilmember Don Purvis asked if there were any recommendations for the elderly to stay hydrated during heat wave. There was a truck accident outside City where diesel was spilled near Steelscape causing a road closure. There was some discussion of the park rules for the July 4th fireworks that go one happens down at the river. There will be 3 officers will be as well as the Chief on duty for this event. Mayor Poulsen stated he wants the public to understand that there are no changes to the rules from the past. The State law does not allow drinking in the park and our forces will enforce the rules just like always. There are rumors running wild, but there are no changes in how the rules are enforced and the Police will not become Gestapo like. Chief Gibson explained that they started last year to educate the citizenry and will only make arrests or write tickets if someone is just completely uncooperative which would be the case in any jurisdiction and under all conditions. It is an effort to maintain a family friendly atmosphere where in previous years the large fireworks and lots of alcohol made it less so. He is addressing public safety issues that originate from this event which include drinking and driving.

D. Clerk/Treasurer Coni McMaster provided the finance report for June, noting that she has not looked at it in detail yet. She will be bringing a mid-year budget amendment to the Council at the next meeting which will include supplemental funding for the community building which is down to less than \$200. There will also be a need for a new filing system at the new building which she will present to Council in the near future. She has been finishing up the work she has been doing with the Housing Authority and hopes to get those issues resolved.

E. City Attorney Paul Brachvogel absent

13. CONSENT AGENDA

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

1. *Claims and Payroll Warrants 34848 through 34915 and all electronic ACH transactions totaling \$154,016.55*
2. Minutes of the June 17, 2015 City Council Meeting
3. Set a Public Hearing for the Extension of Eagle Cliff Estates Plat Approval for July 15th at 7pm.

Councilmember Don Purvis seconded, and the motion carried.

14. **EXECUTIVE SESSION / Closed Session.** At 9:27 pm Mayor Poulsen announced an executive/closed session to discuss contract negotiation after which the Council will reconvene to vote on the proposal. The session should last 20minutes. At 9:47, the Council took an additional 10 minutes and resumed the meeting at 9:58 pm. Councilmember Don Purvis made a motion the City Council approve the tentative agreement with the Kalama Police Guild and authorize the Mayor to sign it. Councilmember Mike Langham seconded and the motion carried.

15. ADJOURNMENT

Mayor Poulsen adjourned the meeting at 10:01 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