

**CITY OF KALAMA
CITY COUNCIL MEETING
NOVEMBER 18, 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, Don Purvis, and Mary Putka. Councilmember Mike Dennis Langham 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. 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. 2016 Budget & Capital Facilities Plan Hearing-
Water/Sewer/Streets/Garbage**

Mayor Poulsen opened the Budget Hearing. Clerk/Treasurer Coni McMaster provided a power point presentation of the Budget with a focus on Water/Sewer, Streets and Garbage. The proposed expenditures for the City in 2016 are \$6,111, 100. The Water/Sewer operating budget is projected at \$1,751,000 including personnel costs of \$770,000 and maintenance projects totaling \$105,000. The projected expenditures come in just \$300 under the projected operating revenues. Reserve balances and amounts allocated from rates will be used to pay construction loans in the amount of \$630,750. Water capital improvements funded for 2016 are upgrades to the computers at the Water Treatment Plant and making the waterline connection at Robb Road at the south end of town. Sewer funded capital improvements included a small amount for replacement of sewer lines and the sewer connection under the railroad and freeway at Hendrickson/Robb Road. The City has applied for funding to complete a sewer system plan update, but this has not yet been funded. It was noted that these expenditures are based upon the revenue projections which include the 4% water rate and 9.5% sewer rate increases. Ms. Kathy Schmidt asked since none of the numbers reflect a deficit, what are the sewer rates increasing 9.5%. It was explained that the current sewer reserves are just barely enough to make the sewer portion of the debt payments of \$406,650 and each year the City is required to use the amounts received from connection fees to help make these payments rather than for system improvements. The City has very little in the reserve to cover an emergency issue in sewer. It was also explained that the rate increased is based upon the recommendations included in the water/sewer rate study. Ms. Schmidt asked why she hadn't heard about the rate increases. Ms. McMaster and other Councilmembers noted that there were two meetings, one a public hearing, where

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the rate study was reviewed and discussed and then the rate increases were discussed at the Revenue public hearing held on November 4th. The information about the hearings was published in the paper, posted with flyers around town, posted on the City website and new Facebook page and was also included in the utility bills for customers.

The presentation moved to Streets which is funded by allocation of general fund tax revenues and fuel taxes for \$157,470 for 2016. The proposed expenditures equal \$168,760 including personnel costs of \$83,000 for a shortage of just over \$11,000. It is projected that \$20,000 will be carried over from 2015 and this will be used to cover the shortage. Street operations include activities for snow removal, roadside vegetation, litter control, storm drain maintenance, traffic control and street lights. Capital improvement projects of \$1.1 million include China Garden Road improvement, assessment of the Meeker Drive slide area, and overlay of several city streets. The City has received grant funding of \$1,070,050 toward these projects. The City wants to do some improvements to local access streets and will be requesting funding from the Transportation Benefit District which was established back in 2013 and funded from a \$20 car tab fee. Superintendent of Public Works Kelly Rasmussen explained what improvements to China Garden Road are planned. Garbage rates will be increasing monthly by seven cents for the smallest cart (32 gallon) and fifty-three cents for the largest residential cart (90 gallon). Commercial and Industrial rates will also increase as the City is required to charge the same rates as Waste Control. 85% of the rates collected go to Waste Control for the contracted services and the remaining \$55,000 goes to operating expenses, taxes and for street maintenance. The presentation of the General Fund expenditures for 2016 will be presented at the Public Hearing on December 2, 2015. Mayor Poulsen closed the hearing.

6. PUBLIC COMMENTS/CONCERNS - None

7. UNFINISHED BUSINESS

A. Laymon Rezone Application – Recommendations from Planning Commission

City Planner Matt Buchanan explained the request for 10 acres to be rezoned to Industrial from Highway commercial for a portion of a parcel of property along Old Pacific Hwy. north of Rebel Truck Stop. It was noted that the current owner and prospective tenants are considering the property for a marijuana process and grow operation but the industrial zoning will allow for additional uses and that use is not set by the rezoning decision. The application was first discussed at a public hearing in March with the request for the full two parcels to be rezoned, but the property then adjoined residential zoning areas. Industrial functions are not recommended to be zoned next to residential zoning. That first hearing was continued and since then the applicant revised the request to the 10 acres that do not border residential. There was also a concern that the full parcel being rezoned would invalidate the Sexually Oriented Business overlay which would not be available in an industrial area. The amendment meets the conditions within the Comprehensive Plan for growth and diverse economic balance. SEPA has been completed with only one comment from Department of Ecology regarding wetlands. That issue would be addressed in any future development applications. A second public hearing was held before the Planning Commission on October 29th. The applicants worked with the staff to comply with code and the comp plan recognizing

the need to have more industrial land for economic growth. Staff believes the area is suitable for industrial uses as the adjacent C-2 zoning districts to the north and south are compatible with the I-1 District, provided that any future development is reasonably buffered to establish a transition between zones. Property to the east of the subject area is located outside city limits, undeveloped, and not zoned. Interstate 5 right-of-way is located west of the subject area. Any use will have to provide a development plan for approval and will need to make roadway and utilities available to the site. These are not issues for the rezone application. Staff and the Planning Commission recommend approval of the rezone application. There are roadway easements that will have to be transferred to public right-of-way for the street/roads to provide for direct access as the City does not allow streets to cross private property. Currently there are two possible access points with one at the north behind the Rebel Truck Stop and a second access from Old Pacific Hwy across from the Stone Forest Development. The proposal for the marijuana operation would be a legal use within the industrial zone, but the possible future use is not an issue when addressing the rezone request. The City has adopted all the state regulations and standards which would be addressed upon an application for the marijuana proposed use.

Kalama resident and local school teacher Kathy Schmidt asked why the City would want to do industrial. City Administrator noted that the City doesn't have any vacant industrial lands within its boundaries. Upon adoption the zoning would be set for the area until such a time a zoning change was requested in the future. Ms. Schmidt was very vocal during the discussion voicing her concerns with why do industrial zoning on the east side of the freeway, when there is plenty in the Port district; that no one (citizens) wants to see that industrial zone in this area of the city; they don't want to see these kind of uses (marijuana) in the area; that there wasn't enough effort by the City to notify all the residents in the area including those beyond the required 200 feet; and that if the Council were to table the decision until December 2nd she could fill the room with citizens to be heard. It was explained several times during the discourse that the time for testimony was at the public hearing before the Planning Commission at which neighbors of the property did attend and did comment. At the final hearing in October there were property owners present and they made no comments or voice any objections.

Mr. William Canada who lives in the Stone Forest Development stated that as a retired addiction counselor he is very much against the proposal and opposed to the industrialization next to a residential area. He has concerns with this kind of business across from where he lives and it increasing crime and reducing property values. He and Ms. Schmidt were very accusatory that the City did not get the news out. It was explained by staff and the Mayor that this particular property is very isolated and the property owner has the right to do with their property as they want. The procedures for the application and notifications were followed with the neighboring property owners receiving direct notifications, the property was posted, both public hearings were published and it was put on the webpage (This was found to be in error as it was not on the website as staff thought.) It was noted that the State and its citizens have legalized marijuana so the owners have a legal right to do business but the issue here is not marijuana but the issue is industrial zoning.

Ms. Schmidt asked if a petition would be considered and why flyers were not mailed to all residents in the area. It was noted that citizens have some responsibility for finding out what is going on in the community and the City is not going to go knocking on doors. It was

explained that the Council has to be careful as there are hearing rules that don't allow them to consider new testimony after a public hearing has been held. Councilmember Mary Putka stated she doesn't see the need to table as they are considering the rezone and not the proposal for how the property will be used. Councilmember Dominic Ciancibelli noted the City needs to see industrial growth. Planner Buchanan noted there were concerns with the original proposal being near residential and it was modified so that it will have little or no impact on the residential areas. Any project can be buffered further under development applications.

Longtime Kalama resident Ray Blanke spoke that he has been proud of community he lives in and he doesn't like the proposal but mostly he is disappointed in the approach that the Council is not wanting to listen, and need to realize that in this community citizens talk with each other rather than just reading the paper or viewing the internet. Councilmember Ciancibelli noted that they City has done all the things we needed to do and the Council is trying to do the best they can. It was suggested that in the future the City consider a mass mailing as many citizens didn't know about the application. Ms. Carly Sanders who lives outside city limits but runs in the area noted that a lot of joggers are in this area and it is not a good use of space for the industrial uses. The area could grow for more industrial or commercial or residential if the property owners were to petitioned for a change just like this process. Mayor Poulsen noted that the Planning Commission is very diligent and looked at this application in depth before making their recommendations. The Commission is one of the most conservative and hardworking group of volunteers the City has and work to make Kalama a great place. City Administrator Adam Smee commented that there have been a lot of statements about the citizen's rights during the discussion, but the applicant also has rights and is entitled to the process as outlined in code. The prospective tenants are also entitled to the process as outlined in the code. The applicants, staff and the Planning Commission all worked hard to follow the rules and provide due process to all. Mr. James Marsh a Stone Forest resident made a request that in dealing with the reconstruction of road for access that it would be better to keep the entry at the Rebel area rather than near the residential areas. Any prospective business use will still have to get the development permits which will be mostly administrative except for the SEPA. Mr. Scott Mosshart, one of the tenant applicants in the rezone proposal stated that he is aware of what is all involved in the industry and wants to provide for the least amount of impact. The proposal will not include retail activity and will have plenty of security while providing tax benefits to the City. They want to become a part of the community and ask that the citizens look at their proposal and don't base their conclusions on fear.

8. NEW BUSINESS - None

9. ORDINANCES & RESOLUTIONS

A. Ordinance No. 1366 - 2015 Budget Amendment

Ordinance No. 1366 was read by title: An Ordinance of the City of Kalama, Washington amending the 2015 Budget to account for tourism expenditures and transfers to reserves of water/sewer connection fees increasing the Budget in the amount of \$108,500. Councilmember Dominic Ciancibelli made a motion the Council adopt Ordinance No. 1366 as read. Councilmember Don Purvis seconded, and the motion carried.

B. Ordinance No. 1367 – KMC – Zoning code Amendment

Ordinance No 1367 was read by title: An Ordinance of the City Of Kalama, Washington amending the Kalama Municipal Code Chapter 17.16 Zoning Use Districts Zoning Map to include the revisions and changes made under the Laymon Rezone Application as approved by the City Council. Councilmember Dominic Ciancibelli made a motion the City Council adopt Ordinance No. 1367 as read. Councilmember Mary Putka seconded. Councilmember Don Purvis noted that he appreciates the comments tonight but the application needs to move forward. The vote was Councilmembers Ciancibelli and Putka in favor and Councilmembers Truesdell and Purvis against. With a tie vote, Mayor Poulsen broke the tie voting in favor of adoption, and the motion carried.

C. Resolution No. 627 Set Tax Levy Rate

Resolution No. 627 was read by title: A Resolution of the City of Kalama establishing the dollar amount of tax revenue for Ad Valorem Taxes which will be necessary to meet the financial requirements of the City's 2016 Budget. This resolution sets the 2016 tax rate at \$1.97 per \$1000 of assessed value. Councilmember Dominic Ciancibelli made a motion the City Council adopt Resolution No. 627 as read. Councilmember Mike Truesdell seconded, and the motion carried.

D. Resolution No. 628 Tax Levy 1% Increase

Resolution No. 628 was read by title: A Resolution of the City of Kalama establishing the amount of the property tax increase to meet the requirements of the 2016 Budget. This resolution establishes the amount of the tax increase from the previous year which is \$4061.76. Councilmember Mike Truesdell made a motion the City Council adopt Resolution No. 628 as read. Councilmember Don Purvis seconded, and the motion carried.

10. CORRESPONDENCE - None

11. MAYOR'S REPORT & COUNCILMEMBERS' REPORTS

- A. Mayor Pete Poulsen had no report.
- B. Councilmember Mike Truesdell had no report.
- C. Councilmember Dominic Ciancibelli had no report.
- D. Councilmember Mike Langham was absent
- E. Councilmember Donald Purvis had no report.

F. Councilmember Mary Putka reported that the Chamber has many events coming up including on November 28th the Shop local event, the annual walk & knock on December 5th and the Christmas in Kalama events on the weekend of December 11th -13th. The Library has rehired Jeanine Copperstone to do the updating work on the circulation system for KOHA with the State.

12. DEPARTMENT REPORTS

A. City Administrator Adam Smee had no report.

B. Superintendent of Public Works Kelly Rasmussen presented a written report. He informed the Council the City finally received BNSF easement documents for the sewer portion of the project to loop water and sewer lines at south end of town. Many of the crew have been on vacation and the Tuesday storm kept the others very busy clearing storm drains, which resulted in no damages within the City when they got about an inch of rain in an hour and a half. He did note today the River turbidity was up due to the storm.

C. Police Chief Randy Gibson presented his statistical report including 97 incidents with 21 being investigated. There were 5 incidents involving stolen vehicles, with two of the cases resulting in arrests. He also noted a recent break-in attempt at the Pharmacy that was aborted by the alarms now installed.

D. Clerk/Treasurer Coni McMaster reported the City's Facebook page has been being liked and accessed since it was established. Hopefully it will continue.

E. City Attorney Paul Brachvogel was absent.

13. CONSENT AGENDA

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

A. Claim & Payroll Warrants 35453 – 35497 plus all electronic/ACH payments for a total of \$118,966.79 and Approval of Voided Invoice in the amount of \$70.43

B. Minutes of the November 4, 2015 City Council Meeting

C. Set a BUDGET PUBLIC HEARING and MEETING for the Kalama Transportation Benefit District. for December 2nd at 6pm.

Councilmember Don Purvis seconded, and the motion carried.

14. EXECUTIVE SESSION - None

15. ADJOURNMENT

Mayor Poulsen adjourned the meeting at 8:43 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