

**CITY OF KALAMA
CITY COUNCIL MEETING
FEBRUARY 16, 2011**

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 Adam Smee, Dominic Ciancibelli (left at 7:40pm), Chuck Hutchinson, Don Purvis, and Bud Gish. City staff present were Assistant Director of Public Works Kelly Rasmussen, Clerk/Treasurer Coni McMaster, and Police Chief Bruce Hall. 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

A. Citizens Concerned by Actions of Kalama School Board

Ms. Tina Day, a local citizen, made a request that the City Council show support of the citizens that will be attending the School Board meeting on Tuesday, February 22nd. The group is feeling like they are not being heard by the School Board. They are not requesting that the Council take any sides or stands on any one issue, but support the public's right to attend and speak at the open Board meetings. She continued that recent events have led citizens to want to address concerns that have been building over time. Many students, parents and school employees, feel they cannot address issues with the School Administration or School Board without fearing reprisals, harassment, and being targeted. Councilmembers Adam Smee and Don Purvis agreed they would attend the meeting to listen.

Ms. Cindy Volk, a long time citizen and former employee of the School District, described recent issues her family has had with the school and how her grandson, a senior, has been harassed and bullied and had his friends harassed for trying to stand up for his rights. The administration and School Board have refused to hear any kind of appeal, made it difficult to get on the agenda for a Board meeting and are not acting openly. There are issues of nepotism that need to be addressed. It has become a concern for her that due to all the harassment her grandson won't graduate.

Mr. Jon Wilfong of 340 Confer Road described an incident in which one of the Board members was cussing at Mr. Wilfong's son and other students for which he confronted the Board member. The School has

since banned Mr. Wilfong from the school grounds and yet he has done nothing to warrant such a ban. It was asked if the Police would arrest someone under such a ban. Chief Hall explained that the school can ban or trespass individuals from the property, so if they are violating such an order, an arrest could be made. He acknowledged that there are issues of civil rights in some of the recent incidents. Ms. Volk, noted that Chief Hall handled the incident at the football game very professionally and respectfully.

Mayor Poulsen noted that he has had discussions with members of the School Board and will continue to do so regarding recent incidents and the Police's involvement. He noted that the Council does support the community and he believes the citizens here are following the right process to address their concerns.

7. UNFINISHED BUSINESS

A. Interlocal Agreement with County/COG - Meeker Drive Sidewalk Funding

Clerk/Treasurer Coni McMaster explained that grant funding for the Meeker Drive Sidewalk project was applied for as a County wide grant through the Council of Governments (COG). Each entity in the County will receive a share and the COG will administer the grant. This is the final interlocal agreement for the grant approved by the County Commissioners and the COG which needs signed by the Mayor. Councilmember Chuck Hutchinson made a motion the Council authorize the Mayor to sign the Interlocal Agreement for the Meeker Drive Sidewalk Funding. Councilmember Don Purvis seconded, and the motion carried.

B. Police Policies and Procedures - Review for Approval

Chief Bruce Hall explained that these are policies that direct the actions of the department. He is proposing that a couple of the Councilmembers take the 4-inch binder of information and review the policies and bring back recommendations for adoption. There are some questions about adopting them as they are always evolving due to law changes. Different jurisdictions handle it differently, so the City Attorney will be consulted as to how we should do it. Mayor Poulsen noted he sees it as a living document that needs to have the ability to adjust as needed. Councilmembers Chuck Hutchinson and Adam Smee agreed to review it.

C. Draft of Noise Ordinance

Clerk/Treasurer Coni McMaster explained that the draft is an updated version of the draft from 2008. It was taken from other jurisdictions ordinances. She noted that this is not a decibel based ordinance but a noise disturbance one. The decibel based ordinances would require expensive equipment and getting to the scene in time to use it is just as hard as arriving in time to hear the noise being complained of. The clause banning compression brakes was discussed. At issue was the use of "un-muffled" as that is difficult to enforce.

Ms. McMaster noted that the sample ordinance she had found all referred to un-muffled compression brakes. The Council requested that

this be removed and compression brakes be banned. Councilmember Hutchinson also noted the need to include an allowance for emergency vehicles. Chief Bruce Hall agreed with the changes and stated his department could use the ordinance. The updated ordinance would be presented to the City Attorney for review and brought back for approval.

8. NEW BUSINESS

9. ORDINANCES & RESOLUTIONS

Ordinance No. 1268 - An Ordinance of the City of Kalama, Washington amending the 2011 Budget to account for the unanticipated revenues and expenditures for capital projects, community building operations, and fulfilling a request for the Kalama Housing Authority increasing the budget in the amount of \$444,500.00.

Ordinance No. 1268 was read by title. Councilmember Chuck Hutchinson made a motion the Council adopt Ordinance No. 1268 as read. Councilmember Don Purvis seconded. Councilmember Hutchinson noted that it was unclear what the community building issue was in the ordinance. Clerk/Treasurer Coni McMaster explained that the General Fund was having to provide funds to cover the operating costs so far this year and this required a transfer between funds. The amount of \$3000 for the General Fund shown on the Exhibit A is the amount of this portion of the amendment. She would add an additional "Whereas" section to the Ordinance to reflect this. The motion carried.

10. CORRESPONDENCE

11. MAYOR'S REPORT & COUNCILMEMBERS' REPORTS

A. Mayor Pete Poulsen reported the City would be participating with the Kalama Chamber and Port at the Business Expo being held in Longview on February 25, 2011.

B. Councilmember Adam Smee had no report.

C. Councilmember Dominic Ciancibelli had left the meeting early.

D. Councilmember Chuck Hutchinson had no report.

E. Councilmember Donald Purvis had no report.

F. Councilmember Bud Gish had no report.

12. DEPARTMENT REPORTS

A. Assistant Director of Public Works Kelly Rasmussen presented a written report noting the items regarding the Elm Street sidewalk repair and the damaged hydrant near the

Port park. Mr. Rasmussen informed the Council regarding the recent warranty type work completed on the City hydrants. The company that provides the hydrants had become aware of a problem that affects the opening of the hydrants and took it upon themselves to have them checked and fixed. This is at no cost to the City.

B. Police Chief Bruce Hall stated he appreciated the earlier comments from Ms. Day. Chief Hall presented an outline of items that he put together back in 2003 when he first began working for Kalama. It was part of a managerial assessment of the Department at that time. He reviewed the list and noted that nearly all the items had been addressed and improvements made. This has made for a better working relationship between the Department and the public including the business community. He noted his appreciation of the Council's support during his time with the City.

C. Clerk/Treasurer Coni McMaster provided the 2011 Budget spreadsheet. She reminded the Council that they will all need to file their public disclosure statements by April. Ms. McMaster told the Council that the Public Works truck and Police car had sold through Public Surplus for \$1625 and \$1926 respectively. Ms. McMaster informed the Council that three members of the Council are up for reelection this year – Mr. Hutchinson, Mr. Purvis and Mr. Gish. If they want to include anything in the voters pamphlet, she has received the information for the County elections office. She encouraged them all to run for re-election.

D. City Attorney Paul Brachvogel was absent.

13. CONSENT AGENDA

Councilmember Bud Gish made a motion the City Council approve the Consent Agenda including Claims Vouchers Totaling \$97,686.21, Payroll Vouchers totaling \$44,515.56 and the City Council minutes of February 2, 2011. Councilmember Chuck Hutchinson seconded, and the motion carried.

14. EXECUTIVE SESSION

At 8:30 p.m. Mayor Poulsen announced the City Council would be going into executive session for 30 minutes to review issues of litigation and personnel. The City Attorney, Paul Brachvogel would be attending by telephone. The meeting resumed at 9:00 p.m.

Upon return from executive session, Councilmember Bud Gish made a motion the City Council authorizes the payment of \$35,000 in addition to the AWC insurance settlement of the lawsuit filed by Helping Homes Development Corp. in consideration for the release of all claims and dismissal of the lawsuit in accordance with the settlement documents submitted and authorizes the Mayor to sign the necessary documents. Councilmember Don Purvis seconded, and the motion carried.

15. ADJOURNMENT

Mayor Poulsen adjourned the meeting at 9:02 p.m. These minutes are not verbatim. A copy of the tape can be made available for listening.

Pete Poulsen - Mayor

Coni McMaster - Clerk/Treasurer