

**CITY OF KALAMA  
CITY COUNCIL MEETING  
JUNE 15, 2016**

**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, Rosemary Brinson Siipola, 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 Erin Hillier was also present. 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 HEARING**

**A. 2017 – 2023 Transportation Improvement Plan**

Mayor Poulsen opened the public hearing. City Administrator Adam Smee and Superintendent of Public Works Kelly Rasmussen presented the six-year Transportation Plan. This is a listing of specific projects that are under construction currently and adding projects that the City would like to do in the future. The plan is required for eligibility for funding of projects by several federal and state programs such as the Transportation Improvement Board (TIB). It is all helpful when discussing future improvements with the public and why certain streets are chosen. The estimated total cost of all the projects was estimated at \$1.95 million. There was a question regarding the pavement condition and how that is rated. This is done through Washington Department of Transportation and available on the TIB website. The plan only includes streets and not sidewalks. The sidewalk funding is more difficult to get. The City requires that sidewalks be built buy property owners when they do a major remodel or build new. If it is determined that building a sidewalk is not feasible or would be inappropriate for the location, the property owner would be required to pay into the Sidewalk fund. Some of the larger street projects often include some sidewalk work such as the downtown improvements, the Fourth Street improvements, and the current China Garden Road project. With no further questions or comments, Mayor Poulsen closed the hearing at 7:15 p.m.

**B. Garbage Rate Increase**

Mayor Poulsen opened the public hearing. Clerk/Treasurer Coni McMaster explained that the City received notice from Waste Control of their increase to the rates as of April 1, 2016. Per the City's contract with Waste Control we are required to charge the same rates

and therefore we are increasing the rates. The increase is due to an increase from the County for the disposal rates charged to Waste Control. Residential customers will see a monthly increase of .07 for a 32-gallon cart, .35 for a 60-gallon cart, and .53 for a 90-gallon cart. Mr. Mike Jenks asked how long the contract is for and if the City has looked for other providers. A new contract is currently being reviewed. There are some questions as to whether there are any other providers that could operate in Cowlitz County. The County controls the landfill and not sure they would allow an outside company access. The City will check it out by looking at Lewis and Clark County providers. It was also noted that Waste Control has to get approval of any rate increase for the Utilities Trade Commission so they have oversight. Mr. Jenks noted that Social Security doesn't get increases so all the raised rates create issues with those on fixed incomes. Mayor Poulsen and Clerk/Treasurer Coni McMaster noted the recent action taken by the Council to implement an exception that would allow for fewer pickups and cuts bills in half. To qualify you need to be a senior citizen or disabled and have a 32-gallon cart. There is a form available at the City offices. The City has been listening and is trying to help. City Attorney Erin Hillier explained that a city can't gift funds based on State law but there are allowances for them to make exceptions if it fits the law. Mayor Poulsen closed the hearing.

## **6. PUBLIC COMMENTS/CONCERNS – None**

### **A. Methanol Plant, Oil Train Hazards and Air Quality Concerns**

Cynthia Svensson of 490 Fir Street noted she had previously brought her concerns with the proposed methanol plant to the Council, focused on the possible reduction of property values. With the recent oil train accident in Moser Oregon, safety is now a concern as the local tracks will be right next to this new plant. These oil trains come through Kalama and across the country the rail safety record is not good. She asked if the Council is looking at the issue. She stated that she understands this is the Port's project and has addressed her concerns to them as well. Mayor Poulsen noted that the regulatory agency would be Cowlitz County, so she should probably address her concerns to the Commissioners. It was also noted that trains are a federal issue. City Attorney Erin Hillier informed all that anything that this City would do would be purely symbolic with nothing binding. The City can't set any regulations only the federal government can. The Council is concerned as they all live by tracks and see the train with the oil tankers going by. Mayor Poulsen stated that BNSF does tend to this section of track all year long, but things can still happen. Congress would be the federal regulatory agents, but dealing with that would be a slow process. The Moser incident brought this to the forefront of discussions and maybe something to make it safer will be done. Ms. Svensson noted that it could be a "double whammy" with the plant and the railroad so close to one another should an accident happen. It was noted that this is already true with the other industries including the chemical plant already along the railway as trains provide services to all the port industries. Councilmember Rosemary Siipola noted that the heavy volume of rail traffic here may be what keeps BNSF here on a regular basis doing maintenance. It was also noted that the City's wastewater plant is right next to the tracks so the City needs to stay vigilant. Ms. Svensson noted that the Methanol plant will add to the danger and the City should look at how much risk do they want to live with. Pollution is already a concern and how much more do we want as the new plant would add more including some that is not allowable from what is in their EIS report. There is a level of

tolerance that you don't want to go beyond. She added that while the City may not be able to make decisions, they can influence decisions. Mayor Poulsen assured Ms. Svensson that the Methanol Plant proposal is being scrutinized very thoroughly at all levels of County and State, so he doesn't think they will allow something that would be overly volatile. There are some concerns that not all the information is reaching all the citizens. The discussion turned to the water that the plant will use which will come from the Columbia River aquifer but won't be potable. The City will provide the potable water but that will only be a small amount. Ms. Svensson thanked the Council and Mayor.

Mr. Mike Reuter asked the Council if they are addressing the concerns with air quality from the new plant. Currently Kalama has Novean, Steelscape, and Chemtrade which are in the top ten companies with the highest pollution in the county. He wasn't sure where the glass plant falls, but it was noted that this one is different than the one in Portland that was producing a lot of lead. He asked if we have any way to monitor the levels. Superintendent of Public Works Kelly Rasmussen informed him that Southwest Clean Air Agency (SWCAA) may have the information and would be the monitoring agency for this area. He explained that once a year the city's diesel equipment is checked by SWCAA and there are limits in place as to how many hours the generators can run per year. Mr. Reuter asked if there was any kind of a warning system for a toxic release or if that was even possible. Mayor Poulsen noted that last summer Weyerhaeuser had one and Kalama was not notified so he understands the concerns. These would be questions for the State. Mr. Reuter stated he read where the federal government doesn't regulate air quality. It was noted that Congress has set it that they don't regulate air quality and unless it is directly delegated to lower levels of government – state or local, federal laws preempt local laws.

## **7. UNFINISHED BUSINESS**

### **A. Authorize Mayor or City Administrator to Sign Contract for Architectural Services for the City Hall/Library Conversion.**

City Administrator Adam Smee explained that the Council accepted the ranking but had not included authorization to sign the contracts. The finalized version of the contract was provided to the Council earlier in the week. Councilmember Dominic Ciancibelli stated he had reviewed the contract and had some concerns, and Councilmember Rosemary Siipola noted she did too. Adam noted that he had discussed some issues with the consultant so he would respond to questions. Councilmember Ciancibelli went through each page of the contract noting his concerns which included:

- a) under excluded items it included interior design, floor vibration/concrete, optional services for electrical/mechanical/fire protection;
- b) Purchase order not required and the wording for limitation on solutions and deviations to contract.
- c) If Funding is available to meet the 30-day payment requirement with the budget of \$250,000....
- d) design of interior – which was excluded on the first page included in other areas of the document so is it included or not?
- e) optional service to address the moisture issues which if this is from the flood why would it be optional.
- f) What would the meeting with the stakeholders be

- g) review of existing building from flood damages for structural damages, exterior components and developing options for HVAC.
- h) Estimating they will charge us for reimbursable expenses outside of contract....4300 fees to be evaluated on case by case basis
- i) seismic not anticipated
- j) additional exclusions again: floor vibration.....interior design....space planning....furniture... are they doing interior design or not?
- k) fire suppression/alarm and if required
- l) Construction cost estimated would or would not be included, but in one section it looks like an additional cost
- m) Attachment from BCE - not to exceed \$2000...included or not.....
- n) City zoning – downtown design standards

Councilmember Ciancibelli explained his concerns and that seeing “options” makes him see added costs and he doesn’t want the City to run out of funds. He is not sure what they mean if options are selected. He doesn’t understand doing anything to outside of the building, as he thought it was all interior work. It isn’t clear if the total cost includes the options. He added that if some of the items are not included then there could be lots of extras they could run into for added costs.

Administrator Smee noted he appreciates the questions and recognizes that understanding the contract is important. He addressed the issues raised. The City’s design standards were developed by the Planning Commission and he believes it is important that the City acknowledge them by using them and retaining some historical accuracy as they complete this project. He noted the wording on the fees on case by case basis is for the unknowns that could be found. The architects did not do any destructive testing in looking at the building. He asked them to address all the issues regarding the exterior brick veneer of the building which has needed attention for at least 10 years and the windows that leak, so the moisture issues they refer to are not flood related. Administrator Smee informed them he provided the consultant with old plans from when the roof was redone and the building renovations from 1996 as well as concept drawings from the City’s 2007 Facilities Plan. He provided the Library space planning drawing and let them know that fund raising has been started along with some purchases for shelving and interior items. What he wanted the focus to be on was the bones of the building rather than the interior work. This has been requested by the Librarian as well – a solid building with good heat and air conditioning. So the interior design piece is that space planning won’t be included, but they will focus on what walls can or cannot be removed and how to open up the space. Mechanical or electrical or plumbing issues will be addressed to make the building function and meet all ADA requirements need to meet the USDA loan requirements. Seismic and fire suppression should not be an issue and therefore are excluded from the design. The issue of floor vibration is addressed because we are not asking them to address it but they will have to determine how to fix the varying floor levels on the two sides of the building. Based on the \$250,000 budget the City has funds available to be able pay the invoices timely and we will not use purchase orders. The issue of construction cost estimating, he believed was included, but would be sure to address it. Once there are some design options available, the stakeholders such as a member of the Board and/or Folk would be asked to meet with the design team along with the Librarian to review and comment. Administrator Smee would like approval of the contract with a limit on expenditures of \$65,000 to include contingency funds. City Attorney Erin

Hillier had some additions for the contract to include indemnification for the City, a modification clause, a termination provision, jurisdiction for any disputes should be identified as Cowlitz County Superior Court and that the liability limitation paragraph be removed. The Council can also approve the contract for a not to exceed amount and authorize signature upon final legal approval. Ms. Cynthia Svensson, Library Board Chairman asked about protection against future flooding. Flood mitigation was not included in the insurance replacement costs but the City is looking for other funding to address those issues by applying for FEMA mitigation. Mayor Poulsen noted he would recommend other businesses put in protection measures as well. Several members of the Council agreed that the structure is key before the paint and space plans. Councilmember Mary Putka made a motion the Council approve the contract in an amount not to exceed \$65,000 and authorize the Mayor to sign subject to legal approval. Councilmember Mike Langham seconded, and the motion carried.

#### **B. Robb Road Water Line Extension–Toteff Road/BNSF Boring – Put to Bid**

City Administrator Adam Smee explained this is the first phase of a 3 phase project which will extend the water/sewer lines to loop the system on the south end of town. This has been a long time plan of the City. The project began a year and a half ago as the railroad began the third rail project. The City had to get right-of-way permits from the railroad which was a long process. It will be expensive, \$1.5 million, for all phases to be completed. Phase one will be to bore under the tracks and connect west to east which will be difficult as it is all solid rock. This went out to bid today and if the cost comes in too high the City can reject the bids. At this time with what was allocated in the budget, Administrator Smee will be back asking for an additional \$300,000 to make this happen. Water funds are available as the debt payments have been made for the year and the City has already surpassed the projected hookups for 2016. This project has long been identified as a need to improve service to the south end of town and provide fire flow. He stated he wanted to prepare the council for the costs that will be involved, but wants to see how the bids come back before finalizing any budget request. Superintendent Kelly Rasmussen did have one boring contractor look at the site to determine what could and if it could be done. The City received \$120,000 from Cowlitz County in 2015 for design of this project, but there were no funds available from the County this year. The City will look for funding next year to continue the next two phases. The need to complete this phase now is due to the railroad easements which will expire in September and were costly, over \$15,000, to obtain. Next year phase two will connect the east side to old pacific highway and Robb Rd. The third phase is to replace 1400 feet of old undersized waterlines so adequate fire flow can be provided. He would hope to award the contract in early July.

### **8. NEW BUSINESS**

#### **A.**

### **9. ORDINANCES & RESOLUTIONS**

#### **A. Resolution No. 637 – Increase to Garbage Rates**

Resolution No. 637 was read by title: A Resolution of the Kalama City Council of the

City of Kalama adopting new rates for providing garbage service to the residents of Kalama beginning July 1, 2016. Councilmember Rosemary Siipola made a motion the Council adopt Resolution No. 637 as read. Councilmember Mike Langham seconded, and the motion carried.

**B. Resolution No. 638 – Adopt the 2016-2022 TIP**

Resolution No. 638 was read by title: Whereas, pursuant to the requirements of R.C.W. 35.77.010, Laws of the State of Washington, the City of Kalama has prepared a revised and extended Six Year Transportation Improvement Program for the ensuing six calendar years, 2016 Through 2022. Councilmember Mike Truesdell made a motion the Council adopt Resolution No. 638. Councilmember Dominic Ciancibelli seconded, and the motion carried.

**C. Resolution No. 639 – Set Hearing on City Assumption of Kalama TBD**

Resolution No. 639 was read by title: A Resolution of the City Council of the City of Kalama, Washington, establishing a hearing date on July 6, 2016 at 7pm at 216 Elm Street to consider and take public comment on an ordinance to authorize the City to assume the rights, powers, functions, and obligations of the City of Kalama Transportation Benefit District. Councilmember Dominic Ciancibelli made a motion the Council adopt Resolution No 639 as read. Councilmember Mike Langham seconded, and the motion carried.

**10. CORRESPONDENCE - None**

**11. MAYOR'S REPORT & COUNCILMEMBERS' REPORTS**

**A.** Mayor Pete Poulsen reported on a meeting with BNSF's contractor about the crash wall being built as part of the new project. This raised concerns of what it would look like, how big it would be and the effect it would have on the appearance of and from the City. The wall at the pedestrian overpass will be 8ft long and about 6ft high or at street level. They will provide plants in front so it won't just be a concrete wall. There will be one at Oak Street also. These are safety walls and while concrete walls are not what the City wants to look at, it appears the railroad is planning to make them not too offensive. They will not allow murals. Mayor Poulsen added that it hasn't been officially announced by BNSF but they have chosen Kalama as the 2016 Heritage Community Award, which is a big deal for the railroad. There will be an official presentation and awards which will be filmed and broadcast.

- B.** Councilmember Mike Truesdell had no report.
- C.** Councilmember Dominic Ciancibelli had no report.
- D.** Councilmember Mike Langham had no report.
- E.** Councilmember Rosemary Siipola had no report.
- F.** Councilmember Mary Putka had no report.

**12. DEPARTMENT REPORTS**

- A.** City Administrator Adam Smee had no report.

**B.** Superintendent of Public Works Kelly Rasmussen presented a written report He noted that today a motor at Meeker lift station went out, so they are currently running on one pump while repairs are made.

**C.** Police Chief Randy Gibson presented his statistical report which had 108 calls for service with 11 actionable items. He noted that Kalama's graduation when on with no issues.

**D.** Clerk/Treasurer Coni McMaster reported the work with FEMA and the insurance continues while the staff is settling into the new facility. She has been keeping up on all the grant submittals for funding on all the projects. The Library summer programs are being held at the Community Building and all those items have been secured with the help of Public Works. The Port has a tenant for the space where the Library has stored their collection, so the Library is moving. Since local storage was unavailable, two PODS have been ordered and the Library will use those at the City Hall site. The Kalama Housing Authority is moving forward with having Kelso take over the entity. If all goes well it could be completed by July 1, 2016. If so, the Council will need to take some action at the meeting on July 6<sup>th</sup> to dissolve the Board.

**E.** City Attorney Erin Hillier had no report.

### **13. CONSENT AGENDA**

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

1. *Claim Warrants 36273 through 36321 and electronic ACH transactions for a total of \$286,010.21*
2. *Minutes of the June 1, 2016 City Council Meeting*

*Councilmember Mike Truesdell seconded, and the motion carried.*

### **14. EXECUTIVE SESSION - None**

### **15. ADJOURNMENT**

Mayor Poulsen adjourned the meeting at 9:08 p.m. These minutes are not verbatim. A copy of the recording for this meeting is available for review upon request.

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**Pete Poulsen - Mayor**

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**Coni McMaster - Clerk/Treasurer**