

**CITY OF KALAMA  
CITY COUNCIL MEETING  
SEPTEMBER 21, 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 (arrived 7:02), Dominic Ciancibelli , Chuck Hutchinson, Don Purvis, and Bud Gish. City staff present were Director of Public Works Carl McCrary, Clerk/Treasurer Coni McMaster, and Acting Police Chief Steve Parker. City Attorney Paul Brachvogel 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**

**A. Wastewater Treatment Plant Operator of the Year - Rich Smith**

Mayor Poulsen announced the award by Pacific Northwest Clean Water Association of Washington State for Operator of the Year to Kalama's Wastewater Treatment Plant Operator, Richard Smith. Mr. Smith was presented the official award at the annual conference held in Vancouver last night. Director of Public Works Carl McCrary listed many of Rich's accomplishment over the years indicating just what an asset he is to Kalama and a credit to his profession. Rich stated that this is not a one-man job, and he credits former Assistant Wastewater Plant Operator Woody Woodward and current Assistant Operator Butch Owen as well as Carl and the entire crew for the award. Mayor Poulsen and all the Councilmembers offered their congratulations to Rich. A ten minute break was taken to enjoy the cake. The meeting resumed at 7:20 p.m.

**5. PUBLIC HEARINGS - None**

**6. PUBLIC COMMENTS/CONCERNS**

**A. Janet Preheim**

Ms. Preheim addressed the City Council regarding the February of 2011 minutes where the Council approved providing \$20,000 to the Kalama Housing Authority. She asked if the requested report from the Housing Authority showing how the funds were spent had been received.

At this time, no report has been provided to the City. Clerk/Treasurer Coni McMaster explained that with all the internal issues, the executive director having resigned, and federal reporting issues, she has not pushed for the report. She has a verbal report from the Housing Authority that at this time, the funds have not been spent. Ms. Preheim stated she would like to see the report. Councilmember Adam Smee stated that there isn't a report, and it

appears to have not yet been spent. He asked what it is that Ms. Preheim wants. She stated that she wants to see where the Housing Authority is spending its maintenance funds. Since her unit, which has a reported mold problem, hasn't been maintained she doesn't believe they are spending money appropriately. Mayor Poulsen explained that the City cannot micromanage the operations of the Housing Authority. Ms. Preheim asked if that is the case, why has Ms. McMaster requested a DUNS number and is drawing funds for the Housing Authority. Ms. McMaster indicated that this is not true. She cannot draw any funds for the Housing Authority. It was asked if the City had seen the mold reports. They had not. Ms. Preheim asked why they hadn't been provided to the City by the Housing Authority. It was explained that the City would have no reason to receive such reports.

The Housing Authority owns the property, not the City. Mayor Poulsen indicated that they will request copies of the inspection reports to look into the issue. There was more discussion regarding the issues that have been on-going with the Housing Authority for over a year. Mayor Poulsen and several Councilmembers noted that the City has no substantial authority over the Housing Authority. The Mayor appoints the Board members. The City wants the Housing Authority to continue to operate as it is an important service to the community. This is the reason the City has stepped up to help them through the issues they have faced over the last year. Some of the issues go back as far as 5 or 6 years but were only recently discovered. Changes will take time. The goal is to work to stabilize the operations and keep it viable in the community. Issues of who the Board is accountable to were addressed, but it is unclear. They are funded by the federal government under HUD. If they lose that funding they would have to close. While the City appoints the Board members they don't have authority on the operations of the organization. The City is helping to get them back on course and believes the board and staff are headed in the right direction.

## **7. UNFINISHED BUSINESS**

### **A. Interlocal Agreement with Cities - PUD Franchise Agreement**

Mayor Poulsen asked the Council to consider opting out of the interlocal agreement made with the other 3 small cities in Cowlitz County for developing the franchise agreement with the PUD. Under the agreement the City is incurring legal fees, and he believes that these fees are becoming more than the City should need to pay. At this point the negotiations have broken down. Mayor Poulsen has a meeting with the General Manager (GM) of the PUD next week to discuss the issues and try to get the agreement/negotiations back on track. He doesn't feel there has been any substantial movement toward getting the issues resolved, and the City is incurring fees. Director of Public Works Carl McCrary disagreed, stating that the Public Works Directors of all the cities had been meeting with the PUD staff to negotiate the agreement. Both sides had an attorney present. He believes the attorney has done a good job so far, and the costs are not prohibitive. Any agreement will have to have legal review. Mr. McCrary stated he believes the PUD's goal is to split up the group of cities from working collectively. The biggest issue is to make sure that as sidewalks and other street improvements are made, the PUD will

be required to move poles that are currently in the right-of-way areas and would block these improvements. He provided photos of some of the poles that are in such rights-of-way. Since the PUD has control of all the electric service in the area, they have all the power. Mayor Poulsen noted that a franchise is not a legal issue, so attorneys are not needed to negotiate them. The final agreement would have to be reviewed by legal counsel. This would mean the City would need to contract this out as Kalama's City Attorney does have a conflict. Mr. McCrary stated that he doesn't want to see this issue get tabled and not pursued. It is important for the City to have an agreement, so the rights of the City to control the work in its rights-of-way are recognized. Mayor Poulsen indicated that it is not his intention to end up with no agreement or to go back to the beginning of the negotiations. He believes this should be a partnership agreement to address the community issues. He is pursuing this down a different avenue that doesn't involve the attorneys, by meeting with the GM and one PUD commissioner. The City of Kelso's Mayor has also agreed to attend, and the other cities have been invited. He hopes all will meet in good faith, and they can come out with an agreement. It was suggested that we leave the decision on the interlocal agreement until the next meeting. This leaves the City responsible for added attorney fees during this period. It was noted that the attorney should not be doing much unless one of the other cities requested something. Mayor Poulsen tabled the item until the next City Council meeting.

**8. NEW BUSINESS**

**A. Chanticleer Pear Trees Downtown**

Director of Public Works Carl McCrary informed the City Council that due to some of the trees dying he has requested the supplier provide him a with replacements. The trees on the north part of town have never developed as they should. When planted they had a worm infestation. This was treated and a portion of the trees died. The trees are continuing to rot. There is technically not a warranty. He and City Attorney Paul Brachvogel are looking into what the City can do.

**9. ORDINANCES & RESOLUTIONS**

**A. Ordinance No. 1277 - An Ordinance of the City of Kalama, Washington amending the 2011 Budget to account for the unanticipated revenues and expenditures related to the City's acquisition of new police drug dog through donations from community citizens & civic organizations increasing the budget in the amount of \$7400.00.**

Ordinance No. 1277 was read by title. Councilmember Adam Smee made a motion the City adopt Ordinance No. 1277 as read. Councilmember Bud Gish seconded, and the motion carried.

**10. CORRESPONDENCE - None**

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

**A.** Mayor Pete Poulsen reported that once he has reviewed the final background reports he will be making an official offer for the Police Chief to the top candidate.

**B.** Councilmember Adam Smee had no report.

**C.** Councilmember Dominic Ciancibelli had no report.

**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.** Director of Public Works Carl McCrary presented a written report.

**B.** Acting Police Chief Steve Parker reported that the department had helped in the countywide response to the incidents at the new Longview grain terminal. Officer Justin Taylor has completed his course at the equivalency academy, scoring a 91% on the final test. The new online course is much tougher than former two week in-classroom training.

**C.** Clerk/Treasurer Coni McMaster reported the Library Board will be holding their annual book event on October 25, 2011 from 5 to 7 p.m. The book this year is No Ordinary Joe by Larry Colton. She informed the Council that there will be several openings on the various boards due to members running for Council and terms being up. The City is also looking for volunteer to sit on the "Big Idea" tourism board. Mayor Poulsen will be one member, but two more are needed.

The Planning Commission held its public hearing on the design code standards last night and is forwarding this on to the Council. Ms. McMaster asked if the Council wanted to hold a workshop to review it. The Council noted this has been discussed, so they didn't feel a workshop would be necessary. They would like the draft sent out immediately for more time to review. Ms. McMaster noted that she would like the Council to set a workshop to discuss the possibility of raising water and sewer rates. This is not something anyone wants, but it needs to be addressed soon for budget purposes. The Council agreed to hold one-hour workshops before the next two regular Council meetings on October 5<sup>th</sup> and 19<sup>th</sup>. Ms. McMaster noted that the revenue and budget public hearings will also be set in the near future. She will also schedule the meeting on the requests for Tourism funds to be on October 19<sup>th</sup>. The applications are due back to the City by October 1, 2011.

Ms. McMaster explained that she is working on an amendment to the water/sewer code to address the service termination policy. This will do away with the 24-hour door hangers currently being done. The late notice will indicate clearly that if the bill is not paid within

15 days, service will be terminated without further notice. It will also include an exact date for the shutoffs. This will be implemented over the next few months with door hangers still being done until the end of the year. Detailed notices will be included with all the bills and possibly duplicates send to the customers that are regularly delinquent. Director of Public Works Carl McCrary added that one other item will include a charge for having to remove the meter when a delinquent customer turns it back on after the City has turned it off. Pulling and reinstalling a meter is not an easy task.

D. City Attorney Paul Brachvogel had no report.

### **13. CONSENT AGENDA**

*Councilmember Bud Gish made a motion the City Council approve the Consent Agenda including Claims Vouchers Totaling \$56,274.75, Payroll Vouchers totaling \$46,637.85 and the City Council minutes of September 7, 2011. Councilmember Don Purvis seconded, and the motion carried.*

### **14. EXECUTIVE SESSION - Litigation Issue**

At 8: 26 Mayor Poulsen announced the Council would be going into executive session for 5 minutes to discuss an issue of litigation. An additional five minutes was requested. The meeting resumed at 8:35 p.m.

Councilmember Chuck Hutchinson made a motion the City Council approve the agreement to resolve the disputed claim for water connection fees with Bennu Glass. Councilmember Bud Gish seconded, and the motion carried.

### **15. ADJOURNMENT**

Mayor Poulsen adjourned the meeting at 8:38 p.m. These minutes are not verbatim. A copy of the tape can be made available for listening.

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**Pete Poulsen - Mayor**

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**Coni McMaster - Clerk/Treasurer**