

**CITY OF KALAMA
CITY COUNCIL MEETING
OCTOBER 5, 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 Dominic Ciancibelli, Chuck Hutchinson, Don Purvis, and Bud Gish. Councilmember Adam Smee was absent. City staff present were Assistant Director of Public Works Kelly Rasmussen, 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 - None

5. PUBLIC HEARINGS - None

6. PUBLIC COMMENTS/CONCERNS

Ms. Mary Putka, Library Board Chairman, informed the City Council of the Read Kalama event scheduled for October 25, 2011. The book this year is *No Ordinary Joe* and the author will be present at the event.

7. UNFINISHED BUSINESS

C. Appointment to the "Big Idea" Board - Taryn Nelson - Out of Order

Mayor Poulsen announced he will appoint Taryn Nelson to a position on the Tourism "Big Idea" Board. He will be filling one of the three positions and there is one still open. Councilmember Bud Gish made a motion the Council accept the Mayor's recommendation to appoint Taryn Nelson to the Big Idea Board. Councilmember Don Purvis seconded, and the motion carried.

A. Planning Commission Recommendations - Zoning Code Amendment - Downtown Design Standards

Planning Commission Chairman Don Mathison presented the recommendations of the Planning Commission for zoning code changes incorporating design code standards in the downtown business district. He thanked City Planner Matt Hermen for all his work on the project. He kept the Commission on task to produce the final document. The design standards are new territory for Kalama dealing with new and renovated buildings in the core. In four years they will review the code to see how it is working. Mayor Poulsen noted he was amazed at how

fast they were able to complete the task. Several Councilmembers agreed and all commended Mr. Hermen on the pamphlet he produced to help the public understand the new code. Citizen Jim Dickey noted he had attended the Planning Commission meetings and commended all the Commissioners and the staff for the work done. The ordinance will be presented later in the meeting.

B. Interlocal Agreement with Cities - PUD Franchise Agreement

Mayor Poulsen informed the Council he had met with one Commissioner and the General Manager of Cowlitz PUD to discuss the franchise agreement. They reached an agreement that a franchise agreement will be drafted along with an MOU attachment to address the removal of poles. The PUD did not want the pole removal included in the actual franchise agreement. The draft agreement that was discussed was the one that all four cities working together had drafted. Mayor Poulsen is asking the Council to opt out of the interlocal agreement with Castle Rock, Woodland and Kelso, so they can stop paying attorney fees. There were some questions as to when the Council will get to review the franchise agreement. This will probably happen at the first of the year. Adopting a franchise takes several steps including a public hearing and presentation at two separate regular meetings. The Council will have plenty of time to review the franchise agreement before the City adopts it. At that time it will have to have legal review which may be done through an outside attorney due to the conflict of interest the City Attorney has. Other than that, the City doesn't need to continue to pay attorney fees. *Councilmember Chuck Hutchinson made a motion that Kalama remove itself from the interlocal agreement between the four cities for the joint negotiation of a franchise agreement with Cowlitz PUD. Councilmember Bud Gish seconded.* Councilmember Gish asked if there had been any contact with the other cities. Mayor Poulsen indicated there had not. The PUD was not willing to continue with the negotiations directly with the Public Works Directors. The agreement is still the same one they were working on. Assistant Director of Public Works Kelly Rasmussen explained he understood the cities banded together to present a united front to the PUD. It was questioned why the PUD would want the pole removal addressed in an MOU. There was no explanation provided. Citizen Jim Dickey asked about a specific pole that is located in the middle of the sidewalk in his neighborhood. It is a safety hazard. It was explained that the sidewalk is the responsibility of the adjoining property owner and in this case the property owner would not pay to have the pole removed. There are different regulations regarding public and private developments. When a developer or property owner improves the property, whether it be building a new home or creating a subdivision, he is responsible for all the improvements including moving of any power poles. When the City does a project such as a new sidewalk, the PUD will relocate the poles at their expense. It was noted that they had gotten off the subject of the motion. Mayor Poulsen called for the vote. The motion carried with a vote of 3 to 1 to withdraw from the interlocal agreement. Councilmember Bud Gish voted against the motion.

8. NEW BUSINESS

A. Toteff Park Junipers

Assistant Director of Public Works Kelly Rasmussen explained that at Toteff Park the large junipers obstruct the view from the street to the back of the park as well as the culvert that goes through the park. Since the public, including the Police, can't see into the park very well, there are a lot of kids and transients that hang out there. There has been ongoing vandalism to the gazebo and electrical fixtures in the park. There is a pre-school size playground at the park, but currently it is not a great environment for small kids. Public Works is recommending that the junipers and trees be removed to open up the area. It could be replanted with the same trees that are in throughout the downtown area. They have contacted the Park Committee for their opinion. The local Boy Scouts were contacted to see if this could be a community service project. There was some discussion regarding the removal of all the fir trees. Councilmember Don Purvis suggested that the junipers definitely be removed and the trees trimmed. Then it could be seen how that opens the park up before more is done. Mr. Don Mathison noted the junipers should be removed to open the park up. Clerk/Treasurer Coni McMaster noted that she felt Director of Public Works Carl McCrary wanted the Council to see the issue and get a consensus if they thought it was something the City should do. They won't be doing the project right away, but hoping they can get the community involved to do it with no or very low cost. The Council all believed the junipers should be removed, but the trees should be left and trimmed as the first step.

9. ORDINANCES & RESOLUTIONS

A. Ordinance No. 1278 - An Ordinance of the City of Kalama, Washington repealing Kalama Municipal Code Chapter Sections 17.26.070 and 17.26.150 and replacing them With a new Chapter Section 17.26.100 establishing New Design Standards for the Downtown Commercial District.

Ordinance No. 1278 was read by title. Councilmember Don Purvis made a motion the City Council adopt Ordinance 1278 as read. Councilmember Dominic Ciancibelli seconded, and the motion carried.

B. Ordinance No. 1279 - An Ordinance of the City of Kalama, Washington amending sections of Kalama Municipal Code Chapter 12.12 related to the calculation of connection charges for larger meters, updating the process for termination of service for non-payment, base fees on prorated bills, and strengthening enforcement language

Ordinance No 1279 was read by title. This ordinance will revise the process of terminating services for non-payment as well as adjusting some provisions of the water code. Councilmember Bud Gish made a motion the Council adopt Ordinance No. 1279 as read. Councilmember Chuck Hutchinson seconded, and the motion carried.

C. Ordinance No. 1280 - An ordinance of the City of Kalama, Washington amending the 2011 Budget to account for the unanticipated revenues and expenditures for new patron computers at the Library funded through Envision Kalama increasing the Budget in the amount of \$3000.00

Ordinance No. 1280 was read by title. Councilmember Don Purvis made a motion the Council adopt Ordinance No. 1280 as read. Councilmember Chuck Hutchinson seconded, and the motion carried.

10. CORRESPONDENCE - None

11. MAYOR'S REPORT & COUNCILMEMBERS' REPORTS

A. Mayor Pete Poulsen reported he had met with representatives from Energy Northwest and Williams Pipeline regarding the gas line that will be extended to the North Port area for a new power plant. It will come down over the hillside and out to the area near Steelscape. Mayor Poulsen wasn't sure if this line would also serve the glass plant.

B. Councilmember Adam Smee was absent.

C. Councilmember Dominic Ciancibelli had no report.

D. Councilmember Chuck Hutchinson had no report. He asked about utility deposits, noting that other entities seem to use them frequently. Clerk/Treasurer Coni McMaster noted that they monitor accounts very closely and if delinquent bills become too delinquent, a lien is placed on the account.

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 reviewed the written report presented, pointing out electrical repairs at Toteff Park, work on the new generator at the City Shop, a water leak in the Sauer Road waterline, a repair to a sewer lateral near Military Road and the replacement of a check valve at the Meeker Drive pump station.

B. Acting Police Chief Steve Parker and Mayor Poulsen reported that the new Chief, Randy Gibson will be here next week. He will start work on October 17th and should be at the next Council meeting.

C. Clerk/Treasurer Coni McMaster reported she is preparing the preliminary budget so the Council will have it prior to the upcoming hearings. She noted she will be bringing information back to the Council soon on investing the City funds in bonds rather than only the State Investment Pool. The City is currently getting very little interest, so this would allow the money to get a better return for the City. Ms. McMaster then asked the Council if they had anything for the Planning Commission to begin working on once they complete a subdivision review. This is scheduled for their meeting on October 20th. Planner Matt Hermen noted there will be some shoreline work, but this would be sporadic. He suggested that they might cancel the meetings scheduled for November and December.

When prompted by citizen Jim Dickey, Ms. McMaster reported that the City had applied for an extension of the conditional use permit for the placement of the Police Station which will expire at the end of October. A hearing before Hearings Examiner was held on September 28th. The City received the decision from the Examiner which is a five-year extension of the conditional use permit. The only issue the City needs to address is to deter the public from using the neighboring Burger Bar parking lot for police business. This owner attended the hearing, noting his concerns. The solutions suggested were adding more shrubbery between the sites, enlarging the signs, removing the banner above the door, or putting in a decorative fence to deter people from using it as access to the station.

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 \$50316.91, Payroll Vouchers totaling \$71,375.64, the City Council minutes of September 21, 2011, set Public Hearing for 2012 Revenues including Property Tax Levy - Water & Sewer Rate Increases - Fee Increases for November 2, 2011 @ 7 pm. Councilmember Don Purvis seconded, and the motion carried.

14. EXECUTIVE SESSION

Mayor Poulsen announced at 8:07 p.m. the Council would go into executive session for 25 minutes to discuss issues of potential litigation. An additional fifteen minutes was requested. Upon return to the meeting at 8:38 p.m. Mayor Poulsen noted that the session also included job performance issues.

Councilmember Don Purvis made a motion the City Council ratify the conflict waiver document executed by the Mayor on September 22, 2011 and on file with the City Clerk. Councilmember Dominic Ciancibelli seconded, and the motion carried.

15. ADJOURNMENT

Mayor Poulsen adjourned the meeting at ____ 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