

**CITY OF KALAMA  
CITY COUNCIL MEETING  
APRIL 5, 2017**

**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, Mike Dennis Langham, Rosemary Brinson Siipola, and Mary Putka. Councilmember Mike Truesdell was absent. City staff present were City Administrator Adam Smee, Superintendent of Public Works Kelly Rasmussen, Clerk/Treasurer Coni McMaster, and Acting Police Chief Steve Parker. City Attorney Erin Hillier and Planner Mark Person were also present. Members of the public present are listed on the sign-in sheet.

**2. EXECUTIVE SESSION - None**

**3. CHANGES TO THE AGENDA**

Clerk/Treasurer added under new business the approval of the Department of Commerce Grant for CAPO update.

**4. PRESENTATIONS & AWARDS - None**

**5. PUBLIC HEARINGS - None**

**6. PUBLIC COMMENTS/CONCERNS**

**Sandra Macias** presented a letter thanking employees Officer Steve Ross and Superintendent of Public Works Kelly Rasmussen for their help. The Stone Forest community has become a neighborhood watch community. Officer Ross provided information and helped them to get organized as well as educated the residents about the police department. The homeowner's association purchased signs which are now up in the community thanks to Kelly and the crew. These employees represent the City well.

**Dena Diamond-Ott** – Ms. Ott noted that in a response to her questions at the last Council meeting she received from Councilmember Dominic Ciancibelli he stated that there was “a case” against her, and she wanted to know what it was. City Attorney Erin Hillier noted that there is nothing since the issues were presented to the hearing examiner. Ms. Ott noted that under that strong Council/Mayor form of government, the Mayor would be the one addressing any issues on how the ordinances are being enforced so she would be making her request to him. Mayor Poulsen noted that the sidewalk code is on the agenda, and he agrees that it needs to be reviewed and improved. Ms. Ott noted that she has some ideas including that if the code gives authority to vary outside of the code then the Council or Planning Commission should have review authority. Now the only recourse is to appeal and there are no instructions on how that appeal should be filed. Ms. Ott asked the Mayor to answer 6 questions at the next meeting.

1. Why 17 homes were not charged a fee? – there was nothing in the files.

2. How it was determined that flag lots are not charged as it not addressed in the code?
3. Why is Taylor Road exempt and don't have to pay a fee in lieu of?
4. Why the fee was different for two homes receiving permits in September of 2014?
5. Why under the "unwritten rules" do they seem to apply to only homes under \$160,000 in value? Does the value play into the decision?
6. Why is there no formula or documentation on how the fee is determined.

Mayor Poulsen stated that he would look into it. Ms. Ott noted that if she was a Councilmember it would bother her if the rules are not being enforced according to the code which is why she is bringing it to their attention.

## **7. UNFINISHED BUSINESS**

### **A. Police Design Proposal – Mackenzie**

City Administrator Adam Smee explained that a year ago the City began the selection process and negotiations for the design of a new Police facility. During that time, they have been considering many sites and at the same time negotiating with Mackenzie for the design. Now having decided on a site Mackenzie has submitted a proposal for the entire design and options for bidding, permitting, and construction management. Adam noted that there is a certain amount of pressure to move forward as the Police have been in the current inadequate quarters for almost 18 months. In order for the City to pay for the new facility, a funding option will have to go out to the voters. The City will need to place this on the November ballot which has an August deadline. The City will need to be able to provide citizens with what we plan to do with the money requested. Adam is recommending the City pay cash from reserves for the design, so that they have a good hold on the cost for the construction and will also be bonding less to the public when the time comes.

Adam introduced Mackenzie architects Jeff Humphreys and Kim Doyle who will be working on the project. Mr. Humphreys is the director of architectural services at Mackenzie and has focused his entire career on public facilities including police and fire facilities. They have a proposed 1.5 to 2 million construction budget and should have the full design by mid-December. They will be working with Sgt. Parker and Adam on the needs of the department. Even though it is a small department, it is important to make sure the flow will be workable and safe. In the first phase, they will work with a conceptual design including a drive through area with secured police parking and a public parking area. Phase 2 is moving into construction documents with greater detail including the floor plan and will end with 50% drawings. At the conclusion of each phase they will look at the costs to ensure they are on target with the budget. The final phase will include the final details, specifications, colors and will be the document to be presented to the bidders and for permit submission. Mr. Humphreys explained that Mackenzie can do the bid and permitting at same time including the advertising, bid opening and questions so that documents are ready upon the bid award. Under the construction management they would do site visits, review submittals, prepare the final punch list and deal with any warranty issues for up to 11 months. Mackenzie will provide all the disciplines including the consultants for mechanical, plumbing, etc. Councilmember Dominic Ciancibelli asked how many police stations Mr. Humphreys had worked on and at

what % did the estimate come in to actual costs. Mr. Humphreys responded that he has worked on 32 police stations. Mackenzie has been doing this work for over two decades and has a history of bids coming in at or lower than the estimate, but there have been projects that have come in higher as well, that has not been the norm. They take pride in their work and plan to design to the budget and it will include contingencies built into the estimate for costs. Don't want to get surprised, which is why it is important to get through all the steps

City Administrator Smee recommends the Council accept phases 1 & 2, get the 50% drawings by August. The timeline is short so need to start work immediately. The cost of \$169,900 is over the amount budgeted of \$150,000. He noted that the new public safety tax which starts in April and will be received first in June should cover the additional amount. Councilmember Rosemary Siipola asked at what point would the Council address the other options. Adam explained he would see including them in the funding mechanism whether that is a bond or levy lid lift. He believes it will be very important to present an accurate number for the public which should include all the fixed costs such as bond council and underwriting involved in preparing the bond as well. Another option would be to find a private investor that would give a city long term lease with a buyout at the end. The facility could still be specifically designed as a police station, built and leased back to the City. This could save some of the costs involved in construction but would still have to go to voters. This could be a different structure such as levy lid lift setting the property tax rate back at the \$2.10 limit. Both the property tax and sales tax would then be applied to the project. These two options have all share in the costs. Either way it is best to have completed design and have to decide by July. It was asked if there were any matching funds. Adam explained that with the short time line, not at this time. There is the potential to go to state capital budget, but we need to have cost estimate and design to make a presentation. Most of these funding mechanisms are willing to fund only a portion and require a long process with no guarantee of approval. Ms. Dena Diamond-Ott clarified that this would be design only through to bidding documents but not an actual bid for construction. Councilmember Rosemary Siipola made a motion the Council the project base services – phases 1 and 2 - from Mackenzie for design of the police facility totaling \$169,900. Councilmember Mike Langham seconded, and the motion carried.

#### **B. Robb Road Water Main Loop – Change Order – Rock Boring**

Superintendent Kelly Rasmussen explained that this covers the rock boring at Robb Road which slowed down the project for about 5 days at a cost of \$18,374.00. While it was not a surprise to find rock, it wasn't possible to know how much or how far it would go to have it included in the original bid. Councilmember Dominic Ciancibelli made a motion the City accept the change order as presented. Councilmember Mary Putka seconded, and the motion carried.

#### **C. Sidewalk Code Update**

A copy of the current sidewalk code had been provided to the Council. City Administrator Adam Smee stated that it is an awkward code and the City needs update it. It states the "market rate" is used to determine cost but doesn't let it know when it should be updated. The City had been using the same rate for years and He asked the engineers to provide updated costs which were significantly higher, so the staff updated the rate in determining future fees. He suggests the City update the map now, again in 2020 and then

every 5 years. If there is sidewalk indicated on the map, then sidewalk is constructed by the property owner for all frontage. If no sidewalk is indicated on the map or for flag lots then a set fee is paid in lieu of. This fee would be set by the Council as it does other fees once a year. He would suggest \$5000. The intent of code is that sidewalks are important for the community. Any revenue stream needs to be sufficient to meet the intent of the code and not a minimal amount that won't meet the costs of adding sidewalks. It was suggested that the City establish a standard per foot. It was noted that the staff does the best it can with code as written, and a more prescriptive code would be easier for them to administer and for citizens to understand. City Attorney Erin Hillier explained that some state laws will relegate what the city can do. The City is dealing with a complex code and issues that relate to sidewalk liability as well. Liability for an unsafe sidewalk does not go to the adjoining property owners. There are lots of examples of sidewalk codes. Kalama has unique terrain and she would recommend sending the issue to the planning commission for recommendations. Everyone was in agreement that they want it to be clear to the public and defensible. It is important to understand the intent and how to implement based on the unique conditions that exist at each property. Current code sets \$30,000 in construction costs to trigger sidewalk requirements which can add up to \$10,000 to cost creating difficulties for all. Ms. Dena Diamond-Ott stated that where the thought needs to be is with the Map. It should be showing sidewalks where it is safe and conducive to the placement of sidewalk so it benefits the community especially in the areas that are used for walking to and from the school. Ms. Linda Dolph noted that new sidewalks should benefit the areas to the school but shouldn't burden the citizens, so they can't afford to improve their homes. City Attorney Hillier noted that code updates are often triggered by questions from the public or changes in law. Sidewalks are a shared benefit for all in the community and all should share in the cost. Ms. Ott stated that the map is arbitrary. Attorney Hillier stated the codes can be improved. She noted that the Hearing Examiner had upheld the current code and current staff actions as having applied the code correctly. Disagreement with that decision does not mean there was a misapplication of the code. The Council is looking at how to improve the code and deal with the issues. She explained that under the law each parcel of land is treated as a unique piece of land. The Council is listening to the concerns brought to them and trying to make changes. The Council was in agreement to send the review of map and the code to the Planning Commission to work on next. They are currently working on the critical areas ordinance update. Councilmember Rosemary Siipola suggested that they concentrate on the sidewalk plan but include how it is related to stormwater management as well.

#### **D. Stormwater Utility Update**

City Administrator Adam Smee noted this has been talked about many times, most notably in 2008 and 2013. Gray and Osborne (G&O) has presented a similar cost estimate to the one from 2013 tonight. The City has the ability to form and then set a fee for a stormwater utility. They have to substantiate what that fee needs to be or it can create a liability for the city. This will require a study to determine the amount and how to structure that fee for residential, multi-units and commercial uses in the City. Usually residential fees are set at a level fee and other types of uses pay by a square footage determination. The plan or study will require a survey of the old system as much of it is not mapped. There are maps of the old sewer mains that were converted to stormwater lines. Many areas where there might be constriction points will need to be identified. It will be a multifaceted plan. The problem is there is no funding mechanism at this time for a study or plan. Stormwater is

currently funded through streets which is funded by a portion of the general fund tax revenues. The City does what it can with these limited funds. They would much rather be proactive than reactive. The G&O proposal is for \$43,000 and change, so Adam is recommending a \$50,000 budget, but is not sure where it will come from. Once a utility is established and fees set, those funds are allocated solely for stormwater through a dedicated enterprise fund. The money needed now will pay for the plan which would include some surveying the system, but that is very limited. This plan is necessary to justify how the city determines the fees it will need to set. Mayor Poulsen and City Attorney Erin Hillier stated there might be some potential funding to help with the plan and study, so can we hold off on the funding issue and come back in two weeks. The study will take some time. Kelly explained that the system dates back to 1956 and was adequate back then. Kelly was asked about the issue at the north end of town at the creek and progress on rechanneling the stormwater. He explained he is having to look at other options as there are fibre optics in the way of where he planned on re-channeling the water. He is looking at changing or up-sizing the size of the pipe to carry more. The high water this winter has created problems on both sides.

## **8. NEW BUSINESS**

### **A. Department of Commerce Grant – CAPO Update**

Clerk/Treasurer Coni McMaster explained that Washington Department of Commerce had contacted the City about a \$2500 grant to help with the costs of updating the critical areas ordinance. The City responded and had been approved for the grant funding. The request is to authorize the Mayor to sign the grant paperwork. Councilmember Rosemary Siipola made a motion the Mayor sign the DOC grant agreement. Councilmember Mary Putka seconded, and the motions carried.

## **9. ORDINANCES & RESOLUTIONS - None**

## **10. CORRESPONDENCE - None**

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

**A.** Mayor Pete Poulsen had no report.

**B.** Councilmember Mike Truesdell was absent.

**C.** Councilmember Dominic Ciancibelli reported on current activities of the Public Works crew.

**D.** Councilmember Mike Langham had no report.

**E.** Councilmember Rosemary Siipola had no report.

**F.** Councilmember Mary Putka reported that it has been good working with the personnel at Mackenzie on the Library project. Mayor Poulsen noted he was recently in the facility and is impressed with how open it is going to be.

## 12. DEPARTMENT REPORTS

A. City Administrator Adam Smee had not report.

B. Superintendent of Public Works Kelly Rasmussen presented a written report. He noted the crew has been working on issues from the last storm which included repairing the road into the Vivian Road Reservoir that was damaged. Staff at the Wastewater plant has made several repairs on equipment to improve performance. Other repairs were made at the Old 99 lift station. Evergreen Rural Water held a control valves class here in Kalama which two of the crew attended. They went out to the Water Treatment plant for some hands on training to rebuild one of the City valves. The sidewalks around town have been marked for raised areas as part of the City's safety plan. Crew member Travis VanSkike is cross training at sewer plant as he works to get his wastewater license.

C. Police Sgt. Steve Parker presented his statistical report noting the one interesting response was to investigate a Woodland Police vehicle accident where the care ended up in a ditch. He and Officer Skeie are working on looking at applicants for the open position. Officer Skeie just completed some investigator training so he hopes they will be able to do more soon.

D. Clerk/Treasurer Coni McMaster provided the March cash and investment report and noted they are very busy in the office.

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. *March Claim and Payroll warrants 37406-37486 and ACH/EFT transactions totaling: \$299,847.35*
2. *Minutes of the March 15, 2017 City Council Meeting and the March 22, 2017 Special City Council meeting*

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

## 14. EXECUTIVE SESSION - None

## 15. ADJOURNMENT

Mayor Poulsen adjourned the meeting at 8:38 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**

2017-4-05 minutes

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**Coni McMaster - Clerk/Treasurer**

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