

**CITY OF KALAMA  
CITY COUNCIL MEETING  
MARCH 7, 2012**

**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, Mike Dennis Langham, Don Purvis, and Mary Putka. City staff present were Director of Public Works Carl McCrary, Clerk/Treasurer Coni McMaster, and Police Chief Randy Gibson. City Attorney Paul Brachvogel was also in attendance. Members of the public present are listed on the sign-in sheet.

**2. EXECUTIVE SESSION - None**

**3. CHANGES TO THE AGENDA**

- A. Unfinished Business - Fourth Street Sewer Line Engineering**
- B. Unfinished Business - COG Contract - Mayor to sign**

**4. PRESENTATIONS & AWARDS - None**

**A. Proclamation for Kick Butts Day - March 21, 2012**

Mayor Poulsen read the proclamation designating March 21, 2012 as "Kick Butts Day" which is presented to discourage youth from smoking. Kalama School students Morgan Connelly, Sarah Barlow, and Sarah Spading, all provided information on the causes and effects of smoking. Ms. Karla Gates thanked the kids for their work and presented the Council with t-shirts. Councilmember Don Purvis added his praise for the work the students are doing. Ms. Tina Day added her support to the students. She also thanked the City Council for helping to make the recent Kalama Cares event a success.

**B. Kalama Housing Authority - Report**

Mr. Marcel Goulet, new Executive Director of the Kalama Housing Authority introduced himself to the Council. He provided an overview of the status of the Housing Authority since he was hired in December. Based on information from recent HUD reviews, he has been able to work to address administrative issues they have, as well as those of the tenants. It is an on-going process. He has replaced staff with better qualified people, and has started making repairs and improvements to the facilities where needed. All the files have been reviewed and updated for calculations of rents and credits. HUD personnel have been very supportive. There are still financial struggles with a goal to build reserves again. Mr. Goulet reported that he has reconnected the Authority with local Housing needs groups and resources. Police Chief Gibson and the department have also been

of help to him. The Board also updated the bylaws so that a tenant can also be a member of the Board in hopes that a tenant advisory committee will be set up in the near future. Mayor Poulson stated that it is nice to hear the Housing Authority is moving forward and addressing the issues. He voiced his appreciation of the work Mr. Goulet has done.

**5. PUBLIC HEARINGS - None**

**6. PUBLIC COMMENTS/CONCERNS - None**

**7. UNFINISHED BUSINESS**

**A. Award Design Contract for Fourth Street Improvement Project**

**B. Sign Supplement to Fourth Street Agreement for Sewer Line**

These two items were discussed together. Director of Public Works Carl McCrary explained that the contract was negotiated with the top-ranked engineering firm HHPR for the design. In discussing the project, concerns with the old sewer line were raised, and he had the line cameraed to determine its condition. As it would be in the best interest to fix this while the street is open, he asked the engineer to include it as a supplement to the original agreement. Mr. McCrary continued that he contacted TIB about additional funding to cover the sewer. TIB indicated that they don't normally cover sewer lines, but after seeing that repairs to the street could possible damage the line, they agreed to cover 50% of the construction costs which is \$52,186. The estimate to engineer the line would be about \$4000. The total cost of the line replacement is estimated at \$118,000, so the cost to the City would be about \$60,000. This would come from the I&I reserve funds. Councilmember Adam Smee noted that he had concerns about the condition of the infrastructure and if there should be some study to determine if there need to be repairs done prior to a new street being constructed. Mayor Poulson raised concerns with adding costs to the project. These projected costs don't take into account anything to cover the possible change orders, and he cautioned that costs be held down as the City does not have excess funds available.

Engineer Rob VanderZanden noted that he saw the video and the old line is concrete, which has served its useful life. Replacing it now while doing the new street is a good opportunity to do so, especially with the TIB willing to pay a portion of the cost. It was noted that the sewer line is the main that services all the areas from up Taylor and on down. The sewer line portion of the project would be an addendum both for engineering and construction. The Mayor agreed that the engineering could be done now.

Councilmember Don Purvis made a motion the City Council authorize the Mayor to sign the Local Agency Standard Consulting Agreement with Harper Houf Peterson Righellis, Inc (HHPR) for design of the Fourth Street Reconstruction Project for an amount not to exceed \$74,250. Councilmember Smee seconded, and the motion carried.

Councilmember Adam Smee made a motion the City Council authorize the Mayor to sign the Supplemental Agreement #1 to the Local Agency

Standard Consulting Agreement with Harper Houf Peterson Righellis, Inc (HHPR) for design of the Fourth Street sanitary sewer line not to exceed \$4000 for a total project design contract not to exceed \$78,250. Councilmember Mary Putka seconded, and the motion carried.

**C. Authorize Mayor to Sign Annual COG Contracts**

Clerk/Treasurer Coni McMaster explained that this is the annual contract for the planning work the COG does for the City that is already included in the annual budget. It is a formality to have the Mayor sign the contract. Councilmember Don Purvis made a motion the City authorize the Mayor to sign the contract with the Cowlitz Wahkiakum Council of Governments. Councilmember Adam Smee seconded, and the motion carried.

**8. NEW BUSINESS**

**A. Marijuana Collective Gardens - Zoning Issues - Moratorium**

Mayor Poulsen noted that under the new State law passed in 2011, marijuana collective gardens are legal, but there are so many issues that the City will need time to address them. City Attorney Paul Brachvogel has prepared an emergency moratorium ordinance to stop any applications from coming to the City while we deal with the issues.

The moratorium would not apply to an individual person with the proper permit to grow it for personal individual purposes. The Council will have to decide how to address the placement of the gardens, how many, and how to regulate. There was some discussion of banning them altogether or labeling marijuana as a noxious weed as other states have. The rules of law will have to be followed but the City may be able to pass interim regulations to deal with the issues, while legalities between federal and state laws are ironed out. There are no clear rulings on the new state law versus the federal laws which label marijuana as an illegal substance. Mr. Brachvogel will work up a draft ordinance to present to the Planning Commission for review. The Council will need to hold a public hearing on the moratorium within 60 days, and it is scheduled for April 4, 2012.

**9. ORDINANCES & RESOLUTIONS - None**

**A. Ordinance No. 1285 - An Ordinance of the City of Kalama Authorizing the amending of Kalama Municipal Code Chapter 9.12 to address the crime of disorderly conduct.**

Ordinance No 1285 was read by Title. Chief Randy Gibson noted that this is an update to the current code addressing some actions that were not included, such as urinating in public. Councilmember Adam Smee made a motion the City Council adopt Ordinance No. 1285 as read. Councilmember Mary Putka seconded. Councilmember Don Purvis asked why the ordinance doesn't directly address public intoxication even though many of the actions in the ordinance could be related. There was some discussion that adding such specific wording could

create some issues for individuals that may have had a few beers, and decide to walk home rather than drive. Being intoxicated is not a crime. It is usually other activities that create the problems. The motion carried.

**B. Ordinance No. 1286 - An Ordinance Of The City Of Kalama, Washington Declaring A Moratorium On The Establishment Of Medical Cannabis Collective Gardens In All Zoning Districts Within The City For Six Months, Establishing An Effective Date And Setting Public Hearing Thereon.**

Ordinance No 1286 was read by title. Councilmember Don Purvis made a motion the City Council adopt Ordinance No. 1286 as read. Councilmember Adam Smee seconded, and the motion carried by a unanimous vote.

**10. CORRESPONDENCE**

**A. COG Annual Report**

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

**A.** Mayor Pete Poulsen reported he had attended the Big Idea Tourism meeting and was continuing work on the Blues Festival.

**B.** Councilmember Adam Smee reported he had met with Coni and discussed the software issues, trying to get the developers on site; options for on-line payments including costs; and moving forward with investing some of the City funds.

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

**D.** Councilmember Mike Langham had no report. He noted Guild negotiations will be next week.

**E.** Councilmember Donald Purvis had no report.

**F.** Councilmember Mary Putka had no report. She noted that planning for the upcoming Wordcatcher event to benefit the Library is progressing well. She acknowledged the work of the City's webmaster Jacob Misiak work on setting up an on-line payment system through Paypal for them.

**12. DEPARTMENT REPORTS**

**A.** Director of Public Works Carl McCrary presented a written report. He provided photos of the work on last week's waterline break at RSG. Carl noted that advertising is out for bids on both the Military Road sidewalk and Elm Street Beautification projects. Councilmember Don Purvis asked about the pressure problem that broke the waterline last week. Carl explained that it was a broken fitting that caused the PRV to fail. They do check the PRV's regularly and would be checking these fittings in the future.

**B.** Police Chief Randy Gibson presented a three-week statistical report. He added that members of his department participated in the Kalama Cares event. Also the Kalama department was represented at the funeral of the fallen State Patrol officer last week by Officer Cody Traub.

**C.** Clerk/Treasurer Coni McMaster reported that the new software has been a challenge, but it will get better. She informed the Council regarding the FEMA update of the flood insurance maps. This is being coordinated by the COG for the entire county. There will be a public open house on April 9, 2012 at the Expo Center in Longview. Notification of the event has been a topic for discussion. FEMA and the COG will publish the event. There were some concerns about the need to do individual notifications for those in areas where changes are being made. It doesn't appear that any areas in Kalama are being re-designated. The Port area along the river has always been designated within the flood zones. Nothing on the east side of the freeway is being added. So notifying individuals doesn't appear to be an issue here. Coni noted that she has discussed with Director of Public Works Carl McCrary the investing of water and sewer funds. He is on board to investing the funds that represent the loan reserve that the City is required to keep in reserve in the amount of \$300,000. If the Council doesn't object, she will move forward with getting this completed. Interest could increase from the current \$400 annually on \$300,000 in the Investment Pool up to \$3300 depending on the term of investment the City chooses. Carl noted that his only concern is tying up the funds and not being able to move them when the interest rates begin to go up. Ms. McMaster noted that she will be getting some additional information on how this can be dealt with and being sure to keep the principle as secure as possible.

**D.** City Attorney Paul Brachvogel had no report.

### **13. CONSENT AGENDA**

*Councilmember Mary Putka made a motion the City Council approve the Consent Agenda including Claims Vouchers totaling \$50,300.57, Payroll Vouchers totaling \$115,760.97 and the City Council minutes of February 15, 2012. Councilmember Adam Smeed seconded, and the motion carried.*

**14. EXECUTIVE SESSION - None**

### **15. ADJOURNMENT**

Mayor Poulsen adjourned the meeting at 8:58 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**