

**CITY OF KALAMA
CITY COUNCIL MEETING
APRIL 4, 2018**

1. OPENING

Mayor Mike Reuter opened the City Council meeting at 7:00 p.m. Mayor Reuter led those present in the Pledge of Allegiance.

Councilmembers present were Mike Truesdell, Sandra Macias, Mike Dennis Langham, Rosemary Brinson Siipola, and Mary Putka. City staff present were City Administrator Adam Smee, Director of Public Works Kelly Rasmussen, Clerk/Treasurer Coni McMaster, and Police Chief Ralph Herrera. City Attorney Sam Satterfield was also present. Members of the public present are listed on the sign-in sheet.

2. CHANGES TO THE AGENDA – None

3. PRESENTATIONS & AWARDS - None

4. PUBLIC HEARINGS

A. Substantial Shoreline Permit – Port of Kalama Amphitheater Project

Mayor Reuter opened the public hearing. City Administrator Adam Smee gave a brief description of the project. The Port of Kalama is proposing to build an amphitheater just south of the new McMenamins, a permanent structure within 200 feet of the shoreline requiring a permit. As the former City Planner Mark Person has taken a job with the City of Vancouver, Planner Gary Yao from Mackenzie presented the staff report, noting the project includes the repaving of the pedestrian path along the waterfront. The project will create 7600 feet of additional impervious surface for which the stormwater will be released on site. The Port filed a SEPA which addresses all the environmental issues as well as existing parking concerns. The site is zoned I1 which allows for the amphitheater as a permitted use. The project needs to comply with all standards of the codes which includes the recreational use. It is projected that the existing parking should be adequate but the permit is conditioned that the Port will need to coordinate with all other entities to address events and any concerns related to ingress/egress and emergency access. The purpose of the permit is to protect critical areas while supporting development within the community. Compliance with the Comprehensive Plan was reviewed. The project encourages public access and provides increase in area of cultural opportunities. There are two applicable use categories, recreation and utilities. The permit works to help to regulate construction practices, while the project should not detract from current amenities, design will blend with current structures and there is no ecological impact or effect on current conditions. The scope and scale of the facility is small with little change to the character or environment. The Port will need to have construction and electrical permits which will include erosion control to keep contaminants from the water during construction, all of which are conditions within the permit to allow for the project to proceed in an environmentally responsible manner. There are 6 criteria to be met under the permit.

1. Protection of the statewide interests over local interest
2. Preserve the natural character of the shoreline

3. Addresses uses that result in long term benefit
4. Protects the resources and ecology of the shoreline
5. Increases public access to publicly owned shoreline areas
6. Increases the public's recreational opportunities

As outlined in the staff report and addressed in the conditions, the project meets all the criteria, and has met all the SEPA requirements. Comments were received from Fire District #5 addressing concerns with emergency access which have been addressed in conditions requiring coordination for access and safety to address congestion during peak usages. There were no other comments on the application. The project meets all the criteria and staff is recommending approval with conditions.

Charlene DesRosier, 5055 Meeker Drive asked about the parking issues during the day in August when fishing is at its peak. There are already major parking issues with using the launch, so how will the issues be addressed. Mr. Eric Yakovich, Port Business Development Manager, stated the Port has added 114 more parking spaces, along with previous parking improvements in the marina area. There about 500 spaces available in the park. The new amphitheater doesn't change the capacity of the park, but just gives it a better platform for activities. The location is just south of the new construction and the Port office building, near the totem poles.

Ron Madera, 5400 Meeker Drive, noted that the Christmas boat event had major parking issues last December. Mr. Yakovich noted that this is addressed in conditions of the permit. The Port will be coordinating efforts with the Police and Fire in the future. The Christmas boat event attendance was a surprise to both the Port and the event coordinators.

Councilmember Mary Putka asked who would manage or schedule the events. The Port will handle the schedule of events, requiring use agreements that will include projections for attendance and parking plans for major events. The size of an event will dictate what needs will have to be addressed. One suggestion will be the possibility of a shuttle service option provided by the event provider.

Councilmember Rosemary Siipola asked about the design for seating. It was explained that it will be dug down about 6 feet for the sitting are in the amphitheater with the stage level with the current grass. It will not be a raised stage.

Connie Dean, of 1115 China Garden asked if the park will still be open to the public during events. Only the amphitheater area could be closed off. The park remains open. The stage and seating area will only be a sixth of the current field area. The rest will be open.

Dana Loren, Graystone resident stated there will be parking issues even with the additional spaces. Just recently it was packed to the point, she wasn't sure how anyone got in or out. It isn't adequate and any potential growth will make it worse. Mr. Yakovich noted that is a historic issue with parking at the boat launch. It is an intermittent issue.

Louie Hendricks, 153 Graystone, asked just how much the two-lane road can handle? These impacts will not do citizens any good. There are 5 months of fishing every year. Looks like this is being done just for McMenamins and the town is being pulled along. What will

happen during an emergency.

Tanaja Gravina, 475 N. Fourth, asked if there would be priority given to the citizens or McMenamins or would there be limitations on using the amphitheater. Mr. Yakovich stated the Port will be in charge and it will be on a first come - first serve just like it is now. Ms. Gravina asked if McMenamins would be booking a year in advance, which the locals wouldn't be able to do. The Port would not allow for every weekend to be booked by anyone. They keep it very accessible for the public and have a good track record. Ms. Gravina asked if a cap could be put on it. She asked if use fees would be charge and they will not be.

Charlene DesRosier, 5055 Meeker Drive asked if the Port would set aside parking for fisherman or would consider doing that. Mr. Yakovich stated the Port understands the competing uses and will do their best to manage the area. There is no assigned parking for those moored at the marina. There has been talk about looking for another boat launch location. Concerns should be brought to the Port as they are open to address issues.

Mayor Reuter closed the public hearing. Councilmember Rosemary Siipola made a motion the Council approve the shoreline permit for the Port of Kalama amphitheater project. Councilmember Mary Putka seconded, and the motion carried.

5. EXECUTIVE SESSION –Potential Litigation

At 7:35 pm. Mayor Reuter announced the Council will go into executive session for 15 minutes to discuss potential Litigation. The meeting resumed at 7:48 pm.

6. UNFINISHED BUSINESS - None

7. NEW BUSINESS - None

8. ORDINANCES & RESOLUTIONS

A. Ord No. 1397 Meeting Attendance – Teleconference/Video

Ordinance No 1397 was read by title: An Ordinance of the City Council of the City of Kalama adopting rules of procedure for the allowance of attendance at City Council or Planning Commission meetings to be completed via speaker phone or video computer technology. Councilmember Rosemary Siipola made a motion the City adopt Ordinance No. 1397 as read. Councilmember Mike Langham seconded. Matthew Merz, 5488 Meeker Drive, asked how the public would know that a Councilmember was not being pressured by someone else if they are not present. Mayor Reuter responded that it would need to be taken on trust. Ms. Tanaja Gravina asked if the Public would be able to use this to attend. Clerk/Treasurer Coni McMaster stated it is not meant for that and the City doesn't have the mechanism to be able to do that. City Attorney Sam Satterfield stated that he had never seen this, but it would require an additional ordinance to address all the issues. The motion carried.

B Ord No. 1398 Meeting Day Change

Ordinance No. 1398 was read by title: An Ordinance of the City of Kalama,

Washington amending Kalama Municipal Code Chapter 2.08.10 changing the day of the week on which City Council meetings are held from Wednesday to Thursday to allow for the live broadcasting of the meetings to the public. Councilmember Mary Putka made a motion the Council adopt Ordinance No. 1398 as read. Councilmember Mike Langham seconded, and the motion carried.

C. Ord No. 1400 2018 Budget Amendment

Ordinance No. 1400 was read by title: An Ordinance of the City of Kalama, Washington amending the 2018 Budget to account for unanticipated revenues and expenditures increasing the Budget in the amount of \$360,400.00. Clerk/Treasurer Coni McMaster explained the City has to account for funds as prescribed by the State Auditor which makes the budget appear to be more than it is. Using the example of \$1 as received under the new utility tax has to be receipted into the Water Fund 401 and then transferred (expended) from 401 to the new Capital Facilities Fund 315 where it is then expended on the project. This means it is counted twice in the budget amendment. Councilmember Rosemary Siipola made a motion the City Council adopt Ordinance No. 1400 as read. Councilmember Mike Truesdell seconded and the motion carried.

9. PUBLIC COMMENTS/CONCERNS

Matthew Merz, 5458 Meeker Drive, asked why the petition submitted by the citizens was not acted upon under ordinances. Mayor Reuter noted that it is listed under correspondence. The City Attorney will address it at that time, but otherwise the City won't comment.

Tanaja Gravina, 475 N. Fourth, asked if the public could speak to the petition at all. Mayor Reuter asked City Attorney Sam Satterfield to address the petition issues. Mr. Satterfield explained that the petition as submitted is correctly drafted, but the City does not have the power to act upon it. The City did have the Auditor certify the signatures, but they have no power to act. As a non-charter code city, Kalama does not automatically have the powers of initiative and referendum. Only first-class cities do. Kalama has to adopt these powers in order from the law to be applicable and it has not. Only 60 some cities of the 280 in Washington have adopted these powers. He read the code section and members of the audience disagreed, stating they were not trying to change the type of government, so it does apply. Ms. Satterfield explained that should the City wish to adopt the powers, the manner in how a city would adopt the powers is the same as if they were changing the type of government. Mr. Merz was adamant that the Council was defying the law and requested the Chief arrest the Council as he provide information on what laws were being violated. When Chief Herrera declined to take action, Mr. Merz stated he would be calling the Sheriff immediately and left the room.

Sara Hutchinson, 549 N. Fifth, stated that Clerk/Treasurer Coni McMaster has stated that it would take a year or two to implement a new facilities district and put in place a 2% sales tax to fund it. If this could be done it would raise a couple hundred thousand a year which could then reduce the new utility taxes. She noted that now would be the time to begin the process.

Tanaja Gravina, stated that RCW 35A.11 is not the only RCW that applies and under
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RCW 35.17, the City is required to follow the initiative and referendum and act on the citizens petition. She read the RCW 35.17.260. Attorney Satterfield stated he does not believe that this RCW applies but will take look to clarify what it is.

Tina Day Connelly asked why the citizen's letter presented to the Council at the last meeting was not included in correspondence and being addressed. Clerk/Treasurer McMaster explained that it was presented at the last meeting and did not need to be on this agenda. Ms. Day Connelly stated she wants it on a future agenda so the specific issues can be addresses and would like a response. The letter had been provided directly to the Councilmembers at the previous meeting. If the Mayor or Council request for it to be on the agenda, Ms. McMaster indicated she will put it on the next agenda.

10. CORRESPONDENCE - None

11. MAYOR'S REPORT & COUNCILMEMBERS' REPORTS

- A. Mayor Mike Reuter had no report.
- B. Councilmember Mike Truesdell had no report.
- C. Councilmember Sandra Macias had no report.
- D. Councilmember Mike Langham had no report
- E. Councilmember Rosemary Siipola reported she attended the COG Board meeting where they passed new by laws.
- F. Councilmember Mary Putka noted she will be bringing a tourism proposal back to the Council for consideration.

12. DEPARTMENT REPORTS

- A. City Administrator Adam Smee had no report, but would answer any questions the Council might have.
- B. Director of Public Works Kelly Rasmussen presented a written report. He noted the crew and himself were working on locating all the storm lines for the engineers as part of the storm system plan. He noted that they are adding some new plantings both downtown and along Graystone (after a generous donation of dogwood trees from a resident) which were put in with a drip irrigation system. The City groundskeeper is keeping the downtown looking wonderful. The City has also received seven new connections in the last month, so building is not slowing down.
- C. Police Chief Ralph Herrera presented his statistical report which included 138 calls for service with 16 reports. He noted the office is closed for fingerprinting and concealed weapons permitting due to Clerk Krystall Marriott being on vacation. He continued that he had a positive meeting with the McMenamins people to coordinate the activities for the grand opening later this month. They have a lot of experience dealing with events. He added the

officers will be participating in the County wide distracted driving enforcement coming up next week. Chief Herrera let everyone know he will be cooking for the Caribbean Fusion dinner next week which is a fund raiser for the annual Shop with a Cop event. He has the tickets - \$10 each. He is looking at candidates to fill the Department's current vacant position, and the anticipated new vacancy expected in the next 30 days. Councilmember Siipola noted the Chief along with citizens and Kelly are working on the Safe Route to Schools grant which includes a count of those walking and an online survey. She encouraged everyone to complete the survey. There were a couple of issues regarding the survey brought to Chief Herrera's attention, which he said he would address.

D. Clerk/Treasurer Coni McMaster reported she has closed March but does not have the quarterly report completed yet. She is also working on the bond financing documents, annual census information, preparing for the annual report, and looking at the city boundaries as the federal census approaches in 2020. The building department and all of the finance office is extremely busy right now.

E. City Attorney Sam Satterfield had no report.

13. CONSENT AGENDA

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

Claims and Payroll Warrants #38863-38918 plus ACH/EFT payments for the Month of March in the amount of \$ 175,779.09 and

Approval of Minutes of the March 21, 2018 City Council Meeting

Councilmember Mike Langham seconded, and the motion carried.

14. EXECUTIVE SESSION - None

15. ADJOURNMENT

Mayor Reuter adjourned the meeting at 8:27p.m. These minutes are not verbatim. A copy of the recording for this meeting is available for review upon request.

Mike Reuter - Mayor

Coni McMaster - Clerk/Treasurer