

**CITY OF KALAMA
CITY COUNCIL MEETING
JUNE 20, 2007**

1. OPENING

Mayor Pete Poulsen opened the City Council meeting at 7:00 p.m.

A. Flag Salute

Mayor Poulsen led those present in the Pledge of Allegiance.

B. Roll Call

Councilmembers present were Dominic Ciancibelli, Chuck Hutchinson, and Bud Gish. Councilmembers Adam Smee and Don Purvis were absent. City staff present were Director of Public Works Carl McCrary, Clerk/Treasurer Coni McMaster, and Police Chief Bruce Hall. City Attorney Paul Brachvogel was also present. Members of the public present are listed on the sign-in sheet.

2. EXECUTIVE SESSION - Mayor Poulsen announced that an executive session would be held at the end of the meeting.

3. CHANGES TO THE AGENDA - None

4. PRESENTATIONS & AWARDS

A. Dept. of Ecology Award

Pat Bailey of the Washington State Department of Ecology presented an award to Wastewater Treatment Plant Operators Richard Smith and Robert "Woody" Woodward for 100% compliance during the last year. Ms. Bailey explained that this award is not easy to receive since any non-compliance issue would void eligibility. When she started working with Kalama in 1999 there was a tenuous relationship, and over the years there have been issues including the moratorium. She is pleased to be able to give this award to the City of Kalama.

Ms. Bailey also presented Mayor Pete Poulsen, the wastewater treatment plant operator for the Port of Kalama with a compliance award as well.

B. Mac Potts - Report to the Council

Mac Potts, student, musician and resident of Kalama, informed the Council with great joy of the success of his project to raise money to purchase a new piano for the Community Building. The recent concert and dinner was a huge success raising enough to purchase the piano as well as a bench and cover. Mr. Potts indicated that he has a four-year commitment to continue to raise funds for the maintenance of the piano. Mr. Richard Potts presented "the key to the piano" to the Mayor. Mayor Poulsen thanked Mac and stated that the concert was great. He continued that Mac is a great benefit to the community, and his commitment to this project says a lot for who he is. He should be very proud of himself. Councilmember Dominic Ciancibelli also thanked Mac, stating that

he was impressed by the talented musicians he was able to get to attend the event, including Michael Allen Harrison of Portland.

5. PUBLIC HEARINGS

A. Six-Year Transportation Improvement Plan

Mayor Poulsen opened the public hearing. Director of Public Works Carl McCrary reviewed the nine projects included on the Plan for 2008 through 2013 which are:

1. Downtown Streetscape Project - Phase 1
2. China Garden Road Shoulders
3. Various Street Repairs related to safety
4. Kingwood Catch Basins
5. Downtown Streetscape Project - Phase 2
6. N. Fourth to N. Third Streets
7. N. Third from Fir to Holly
8. Meeker Drive - Phase 2
9. Various Sidewalk Improvements

The first three projects have funding secured, and funding requests have or will be made for the remaining projects. There are numerous other projects listed on the City's Capital Facilities Plan, but these nine were the ones he prioritized for this next year. The Fir Street project currently under construction was included on the plans for 8 years or more before the City was able to secure funding. It was noted that the Fir Street project is going well and the contractor has been making great progress. Mrs. Sharon Woerz asked about the parking and it was explained that there would be both parallel and angle parking on Fir Street. There were no public comments on the six-year street plan. Mayor Poulsen closed the public hearing.

6. PUBLIC COMMENTS/CONCERNS - None

7. UNFINISHED BUSINESS

A. Meeker Drive Annexation Petition - Certified Sufficient

Clerk/Treasurer Coni McMaster noted that the petition had been received by the City and certified as complete by the Cowlitz County Assessor's office. The next step is for the Council to set a public hearing and recommended it be set for July 18, 2007. Applicant Lance Wheatley requested the Council set the hearing for July 2, 2007 rather than the 18th. Mayor Poulsen explained that with the Fourth of July holiday, the first meeting in July has been rescheduled to 5:30 on July 2. He will be heading out of town afterward for the holiday as will many others. It was pointed out that there will likely be a lot of public wanting to comment on this issue, and the holiday could cause difficulties for them as well. In the interest of allowing for as much public participation as possible the Council felt the hearing would be better held on July 18, 2007.

B. Corner Cup Espresso Request - Letter from Adjoining Property owners

Ms. Jennifer Amren addressed the Council regarding her request to lease a portion of street right-of-way for an espresso stand. The Council has been reviewing the proposal and recommendations from the City engineer. Ms. Amren referred to the letter from the neighboring

property owner, Mr. Carrigg, objecting to the placement of the stand. She stated that Mr. Carrigg had been supportive of the project prior to the point when it was discovered that the property was in fact city right-of-way. She had approached him prior to the City about the project. Ms. Amren stated she needs to know where the City stands on the issue. Mayor Poulsen indicated that he believes the project would require a barrier of some kind be put in place along Kingwood Street to better delineate exactly where the drive through lane is versus the travel lane of traffic. There are also concerns with congestion in the area. There are no records of any accidents along Frontage Road. There was discussion of doing a year-to-year lease, and Ms. Amren indicated that due to the financial investment she would request a two year lease to start. Councilmember Ciancibelli stated that based upon the engineer's concerns, he could not approve the proposal. As much as he would like to see the business in town, the liability issues of possibly blocking the road or creating congestion are too great. City Attorney Paul Brachvogel noted that should an accident occur, the City could be sued. Ms. Amren stated that there are other areas where there are blind exits or safety issues where entering traffic cuts across a traffic lane. If the lanes are full, she believes that people will just drive past. Councilmember Ciancibelli stated that the city cannot create new problems just because old ones exist. Police Chief Bruce Hall suggested that they set up a demonstration and video tape it so all can see how the traffic would flow. Ms. Amren noted that the stop sign will have to be moved, and this should be taken into consideration. She added that she is frustrated with the length of time the decision is taking and would really like a decision tonight. Mayor Poulsen and Mr. Brachvogel informed the body that the Council may not be able to act tonight due to lack of quorum since Councilmember Bud Gish would be abstaining due to his relationship to the applicant. Councilmember Gish confirmed that he would abstain from the vote due to the appearance of fairness doctrine, which left the Council without a quorum for the vote. Director of Public Works Carl McCrary explained that the area is marked with the proposed locations of the building and drive through lanes. He and engineer Mike Johnson had driven and walked the area. Chief Hall agreed to meet with the applicant on site and study the traffic concerns. The Council agree to put this on the next agenda and to make a final decision at that time.

8. NEW BUSINESS

A. Cowlitz Co. Elections - Request for Curbside Ballot Box

Ms. Ameer Paxton, Cowlitz County Deputy Chief Auditor explained the Elections Office request for the placement of a curbside ballot box inside the City limits. All other cities within the County have agreed to have the placement of boxes in their jurisdictions. Director of Public Works Carl McCrary had met with representative of the Elections Office to look at possible locations. The best choice appears to be on City property in the Ivy Street right-of-way along the drive through path at the Kalama Post Office. Since the County has gone to all ballot by mail elections, having a convenient location for the dropping of ballots will help to encourage voter participation. The County will be responsible for all maintenance to the box. The box will only be open from the time the ballots are mailed through election day. The box will be locked at all other times. Clerk/Treasurer Coni McMaster noted the letter from Kalama Post Office requesting the Council postpone a decision on this request as Postmaster Alice Ferrarin is out of town. Ms. McMaster explained that in her conversation with the Acting Postmaster the concerns are related to the public use of the Post Office's drive through lane. Ms. Paxton responded that postponing the decision will make it hard for Elections to provide adequate notification of the drop box location to the voters in time for the

primary election in August. She indicated that they are more than willing to talk with the Postmaster and address her concerns. Councilmember Chuck Hutchinson made a motion the City allow the Department of Elections to place a ballot box in the proposed City Ivy Street right-of-way. Councilmember Bud Gish seconded, and the motion carried.

B. George Johnson - Old Street Vacation

This is the case of an old street vacation that was never finalized due to non-payment. Mr. Johnson was not present. City Attorney Paul Brachvogel indicated that while the old ordinance would vacate the street, the City cannot give away property by state law. He recommends the applicant reapply for the vacation and go through the process for vacating the street including payment of all fees and for the right-of-way. Clerk/Treasurer Coni McMaster will contact Mr. Johnson.

C. Robert & Sharon Woerz Request Taylor Road Extension & Maintenance

Mr. Robert Woerz of 1124 Taylor Road explained that in order to build a second home, for his aging parents, on the property near the top of Taylor Road the County is requesting that he obtain the City's agreement to "publicly maintain" this section of roadway. The current road is 12 feet wide and gravel, but Mr. Woerz will blacktop the 450 feet of roadway at the present width of 12 feet. Mayor Poulsen questioned how the City could agree to maintain a private road that is located in the County. Mr. Woerz explained that half the road is in the City, and half the road is in the County. Currently the City has plowed snow on the road in the winter. Mr. Woerz indicated that in his talks with the County, they would agree to let the City maintain this section of road as it is isolated at the end of Taylor Road which is mostly in the City limits. City Attorney Paul Brachvogel indicated that if this was possible at all it would take an interlocal agreement with the County. The big question is whether it is a private or public road. If the City was to take it over, it would have to be brought up to City standards to be improved which would mean it would have to be widened from the 12 feet. Mr. Woerz stated that the road is currently only used by five vehicles. At this time the County will not allow him to build the second residence if the road is privately maintained. In reality except for snowplowing, the road has not been maintained by either the County or City. Mr. Brachvogel suggested that staff meet with the City Planner and discuss how this might be possible and then bring the issue back to the Council on July 2nd if possible. The Mayor and Council agreed.

D. Change Order - Fir Street Project

Director of Public Works Carl McCrary informed the City Council that he has approved two change orders on the Fir Street Project. One for connecting curb cuts at \$240 and the other for setting a monument at \$150.

F. Hendrickson Drive Culvert Project - Out of Order

Mayor Poulsen brought the culvert project up for the Council to approve the contract to include the additional costs associated with the additional days of pumping that were required. This additional pumping was included as part of phase two which was required to have separate approval. Mayor Poulsen indicated that he believed the Port of Kalama might cover the additional costs. Due to the issues associated with this project the contract was not signed prior to work be started. Councilmember Bud Gish made a motion the Council reauthorize the Mayor to sign the contract with Rotschy including up to \$7000 of Phase 2 expenditures. Councilmember Dominic Ciancibelli seconded, and the motion carried.

E. Variance Request - Hearing Examiner Disclosure

The Mayor and City Council were in receipt of an email from Hearings Examiner Dennis Weber disclosing his business and personal relationship to the applicant requesting a variance. He indicates that he can hear the case and apply the code fairly. City Attorney Paul Brachvogel informed the Council that they can waive any objections to Mr. Weber hearing the case if they choose. Councilmember Dominic Ciancibelli made a motion the City Council acknowledges the disclosure of the previous relationship between the Hearings Examiner and the applicant, and authorizes Hearings Examiner Dennis Weber to proceed with the case. Councilmember Chuck Hutchinson seconded, and the motion carried.

G. Trees at Elm and First

Councilmember Chuck Hutchinson asked about the issue of the trees on Elm Street being trimmed. Mayor Poulsen informed the Council that he had a professional tree trimmer come in to trim them. They are now trimmed and look good. There is a bush that still blocks one of the signs. The signs were also questioned. It was explained that these signs have not been permitted, and that is being addressed.

9. **ORDINANCES & RESOLUTIONS**

A. **Resolution No. 502** - A resolution adopting the 2008 - 2013 Six-Year Transportation Improvement Program. Clerk/Treasurer Coni McMaster read the resolution into the record.

Councilmember Bud Gish made a motion the City Council adopt Resolution No. 502 as read by the City Clerk. Councilmember Dominic Ciancibelli seconded, and the motion carried.

10. **CORRESPONDENCE - None**

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

A. Mayor Pete Poulsen expressed his relief that the City is nearing completion of

several of the ongoing projects in the downtown area. The Fir Street project is going well and on schedule. It was noted that it will take some time for the residents to get use to the blub outs, but they will be good for the community and address pedestrian safety issues. Mayor Poulsen also noted that the crew had completed a concrete ramp where the pavers were installed along the street at the Community Building.

Mayor Poulsen informed the Council that he believes that it is in the City's best interest to provide professional training to the staff especially the department heads. When he first became Mayor there was a lot of interest in hiring a City Manager/Administrator, but the City does not have the finances to do so. Since the Mayor and Council are basically part-time, the department heads operate the day-to-day functions of the City. Training will allow them to grow and continue to do good work for the City. He recently authorized Clerk/Treasurer Coni McMaster to take a week-long course at the Dan Evans School of Public Administration at the University of Washington. These courses are more costly than the regular training classes but provide great benefits. He wanted the Council to understand the costs and their necessity.

Mayor Poulsen noted that he was recently in the area of Military Road and noticed one of the park benches is in need of repair. Director of Public Works Carl McCrary indicated he would check it out.

- B. Councilmember Adam Smee was absent.
- C. Councilmember Dominic Ciancibelli had no report.
- D. Councilmember Chuck Hutchinson reported he had met several times with Chief Hall.
- E. Councilmember Donald Purvis was absent.
- F. Councilmember Bud Gish had no report.

12. DEPARTMENT REPORTS

- A. Director of Public Works Carl McCrary submitted a written report and noted that many of the ongoing projects are nearing completion. Mr. McCrary presented the Council with a copy of the Public Works Department vision, mission statements and objectives. He noted that he has a great crew and takes great pride in the work they do.
- B. Police Chief Bruce Hall reported that one of the officers attended a report writing course, which he found valuable. Officer Skeie will be attending firearms instructor training so Kalama will have a firearms instructor on staff. Chief Hall noted that while working with placing the dog kennel at the Wastewater Treatment Plant, he was given a tour of the plant which he found very interesting. He was also given a tour of the Water Plant by Carl and suggested this would be valuable for the Council to do as well.
- C. Clerk/Treasurer Coni McMaster reported that the Library will be holding a Jazz Reception on July 19, 2007 to honor their donors and focus on the jazz collection that was donated. Ms. McMaster then presented a request to the City Council from the Class of 2008 to place their fundraiser fireworks stand in Maruhn Park. Staff did not believe this would be a good location. It was decided that the Council would allow staff to review possible locations and decide if there was one available.

Ms. McMaster asked the Council if they had any recommendations or feed back for architect Rob Barrantine on his presentation from the last meeting. Where would the Council

