

NAPAVINE CITY COUNCIL MINUTES  
May 23, 2017 6:00 P.M.  
Napavine City Hall, 407 Birch Ave SW, Napavine, WA

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Mayor Sayers called the meeting to order at 6:00 pm and led the flag salute.

**ROLL CALL:**

Council members present: Mike Wood, Larry Stafford, Scott Hamilton, Shawn O'Neill, and Jim Haslett.

**EXECUTIVE SESSION:**

Mayor John Sayers called for executive session for possible litigation for ten minutes based on RCW 42.30.110 (1)(I). Kevin Nelson, City Prosecutor is present and will attend the executive session. Mayor Sayers called the regular council meeting back in session at 6:13 p.m, no decision was made after a ten minute session.

**CONSENT/APPROVAL AGENDA: COUNCIL MINUTES:**

Councilor Hamilton moved to approve the agenda with the addition of New Business #4, TIB Emergency Grant, second by Councilor Stafford, motion carried.

**APPROVAL OF MINUTES FROM THE REGULAR MEETING AND SPECIAL MEETINGS:**

Motion by Councilor O'Neill to approve the minutes of May 4, 2017, Special Meeting, May 9, 2017, Regular Meeting and May 11, 2017, Workshop, second by Councilor Wood. Councilor Haslett stated he was impressed of all the information that came out from the workshops and the response. Councilor Haslett inquired of Public Works Director Morris' water test from Well #6. Morris stated that the water pulled from Well #6 was clear and would like to pull water from all wells and present to the council and have them tell which water is from Well #6 in clear tubes and white containers. Discussion about testing, treating the well and the Ozone treatment options. Mayor called for vote, motion carried.

**CITIZEN COMMENTS:**

**STEVE PULCHEON, Taco Bell Construction Manager for Taco Bell Corp.;** stated that Taco Bell was about to back away from the project due to the costs and ask for deterring some of the costs until further development is complete in the area such as street widening of 150 feet, water connections, curbs, gutters. Pulcheon stated they usually take three months from construction to selling tacos. Councilor Wood explained the discussion from the workshops and the city would like to work with the developers to help deter the costs until more businesses are in place; then everyone can share the costs for curbs, gutters, sidewalks. Councilor Haslett stated that the city is also reviewing the ordinances regarding development. Pulcheon stated that Taco Bell is looking to build 12 new stores from in Washington and Seattle area and not doing anything in those areas because the cost is way too high. Councilor Hamilton requested they present details of areas the contractor would like to negotiate for development to narrow down to definable items to present to the council. Hamilton apologized to Taco Bell and the city missed a press opportunity to show that Napavine is open for business with the building of their business and homes.

**Tom Crowson, Lewis County Commissioner;** asked the council for a resolution to support the 911 Center, to house Emergency Management, Fire District 5 Headquarters at Exit 71. With the resolution in hand, he can then go around to different agencies to ask for money and grants. Crowson stated that he met with Frank Kirkbride in Olympia to prepare a physical plan and budget for Exit 71. Mr. Crowson is representing Fire District #5, which he is also a Fire Commissioner. If the Fire District headquarters is relocated to Exit 71, the city could use the fire department buildings for a community center. Warren Freece donated property for the 911 center and federal dollars are available for a 911 center/emergency management. Steve Mansfield is head of the 911 center, which their facilities are old as well as the equipment. Crowson stated there would be no cost or obligation to the taxpayers. The Council is in favor to support the project/facility. Mayor Sayers directed the Clerk-Treasurer to draft a resolution to support the project.

**Mike Hamilton;** asked Bryan Morris about the water samples taken from Well #6 and how many samples were taken from the well. Morris stated he took seven (7) samples from the Well and could not believe how clear the water was in the clear tubes. Hamilton stated that wells cycle and results can be different. Morris stated that the current council has not seen samples from Well 6 compared with the other wells in the city. **Larry Hamilton** suggested some controls on the wells and questioned if the well is pumping. Council discussed testing of the well and flushing the well of 10,000 gallons and testing the well again. The facts learned about Ozone treatment scared Larry Hamilton. Discussion about the water rights being in questioned and the legality of the rights, Mike Hamilton state the city is about out of water rights he believes. **Don Webster** suggested the city flush the well, test, flush the well, test etc. to get a better idea of the quality of water. Morris stated he has talked to other experts on wells and they state the wells get better with use.

**Bob Bozarth,** questioned the three items from the workshop that he recommended regarding the pea gravel for the pipe bedding, inspections on Friday's and fill permits. Bozarth suggested these discussions go into workshops because the discussions are taking too long (an hour) and no business has been conducted yet. Bozarth suggested take a look at the possibilities of an aquafer at Exit 71 which is the same aquafer he has at his residence is pristine water. Bozarth suggest a workshop to get everyone at the table to come up with ideas for water and a lift station at Exit 71. Councilor Hamilton stated Timberland Bank owns property down near Exit 71; if a road is opened up from Rush Road to Forest Napavine Road it would open up more opportunity for development.

#### **STAFF – COUNCIL REPORTS:**

**LeMay Refuse Rate Increase:** Clerk Treasurer Wood stated that Tom Rupert is here representing LeMay, there has not been a rate increase since 2014. The contract allows for 80% of the current 3% CPI of the Seattle-Tacoma-Bremerton area, which is a 2.73% increase. The rate is scheduled for July 1<sup>st</sup> based on the agreement with the city and LeMay which renews for a two year period automatically. The rate increase is minimal, less than a dollar, a 65 gallon can service every other week with recycle, would recognize a .46 cent rate increase.

**County Ballot Drop Box:** Clerk-Treasurer Wood reported that Tom Stanton from the Lewis County Auditor contacted the city and asked if the Governor signs the senate bill the county would need to install eight additional ballot drop boxes throughout Lewis County. The county would install the ballot box, purchase the box and the concrete pad and maintain the ballot box. Discussion on a location where the County could place a ballot box and PW Director Morris will review a location.

**TIB Emergency Street Repair Grant:** Public Works Director Bryan Morris reported the city was awarded the grant for the pothole on Rush Road and the island near Loves for emergency street repair with TIB.

**PW Director Morris** stated the generator is here at Travers and will be placing a pad at the Rush Road next

#### **OLD BUSINESS:**

**Ordinance 560 City Hall Hours:** Clerk-Treasurer Wood stated this is a revised version effective June 1, 2017, for City Hall hours Monday – Thursday from 8 am to 4:30 pm. Motion by Councilor Haslett to suspend the rules and adopt the Ordinance on first and second reading, second by Councilor Hamilton. Discussion on the challenge of being a full service city hall to serve the citizens and business is open until 5 pm Monday – Friday for 2018. Mayor called for vote, motion carried.

#### **ORDINANCE NO. 560**

**AN ORDINANCE OF THE CITY OF NAPAVINE, WASHINGTON, AMENDING SECTION 2.09.050 OF THE NAPAVINE MUNICIPAL CODE, AMENDING SECTION 2.10 OF THE NAPAVINE MUNICIPAL CODE, ESTABLISHING THE DATES AND TIMES OF CITY HALL OPERATION, REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES CONFLICTING HEREWITH, AND ESTABLISHING THE EFFECTIVE DATE HEREOF.**

**THE CITY COUNCIL OF THE CITY OF NAPAVINE, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1. "2.09.050 Office Hours**

The office of the City Clerk-Treasurer shall be kept open for the transaction of business from eight (8) a.m. four thirty (4:30) p.m., Monday through Thursday of each week, except in the event of legal holidays or if budget/staffing constraints do not make it possible."

**Section 2.** Section 2.10 shall be established setting forth the office hours for City Hall as follows:

**"Chapter 2.10" CITY HALL**

**2.10.010 Office Hours**

City Hall shall be kept open for the transaction of business from eight (8) a.m. to four thirty (4:30) p.m., Monday through Thursday of each week, except in the event of legal holidays or if budget/staffing constraints do not make it possible."

**Section 3.** City Hall hours of operation shall be Monday through Thursday of each week, except on legal holidays through December 31, 2017.

**Section 4.** Beginning January 1, 2018, City Hall shall be kept open for the transaction of business from eight (8) a.m. to four-thirty (4:30) p.m.; Monday through Friday of each week, except in the event of legal holidays or if budget/staffing constraints do not make it possible.

**Section 5.** All ordinances or parts thereof in conflict or inconsistent with this ordinance are hereby repealed.

**Section 6.** The effective date of this Ordinance shall be the 1<sup>st</sup> day of June, 2017.

**PASSED** by the City Council of the City of Napavine, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 23<sup>rd</sup> day of May, 2017.

**Reset Workshop for Utility Billing Ordinances, Street Trees and Treehouses:** Councilor Wood stated the majority of the trees are in violation of the ordinance on the placement, motion by Councilor Wood to set the workshop for June 1, 2017, at 6 pm, second by Councilor Stafford, motion carried.

**NEW BUSINESS:**

**Vouchers May 23, 2017:** *Vouchers 33951 – 33991 in the amount of \$212,920.40; Electronic Funds Transfers from 5/10/17 to 5/23/17 in the amount of \$12,561.24 and ACH Direct Deposit Payroll on 5/18/17 in the amount of \$13,696.00 for a Grand Total in the amount of \$239,177.64.* Motion by Councilor O'Neill to approve the vouchers for May 23, 2017, second by Councilor Wood. Clerk-Treasurer Wood stated that Councilor Wood should abstain from Payroll vouchers, Mayor Sayers stated that Councilor Wood should withdraw his second, Councilor Stafford second the motion, motion carried, with Councilor Wood abstain from Payroll.

Councilor Hamilton suggested Councilor Wood abstain from Ordinance 560, Mayor Sayers recommend Clerk-Treasurer have the City Attorney provide an opinion on the matter.

**Resolution 17-05-81 Union Bargaining Contract for 2017 – 2019:** Mayor Sayers stated he appreciated the help from Mary Wood and there has not been a raise since 2012, Mayor explained the term of the contract which consist of Administrative Assistant for Community Development salary to return within the salary schedule of the union, and then receive the out of class pay at 20%, 3% COLA, Medical Cap from \$800 to \$900, One additional Personal Floating Holiday, Public Works OnCall from \$100 to \$125 per weekend, Police OnCall from \$1.50 to \$2.50 per hour. Note that the additional \$1.00 for OnCall will come from CJ Funds estimated at \$4,000. Sick Leave cap from 240 hour to 480 hours before the excess is cashed out. Councilor Hamilton stated the city needs to not lose site of the need for a Community Development Director, Mayor Sayers stated he would like to see Bryan Morris and Cris Dodd work together in Community Development. **Jerry Graham** stated that he will not conduct business with Cris Dodd, only Bryan Morris. Councilor Haslett discussed the budget and the employees that resigned, Clerk-Treasurer stated that four (4) employees resigned and the city has hired only two new employees. Motion by Councilor Hamilton to approve the Union Bargaining Contract and sign the contract, second by Councilor Stafford, motion carried.

RESOLUTION NO. 17-05-81

A RESOLUTION OF THE CITY OF NAPAVINE, WASHINGTON, APROVING THE TERMS AND CONDITIONS OF THE COLLECTIVE BARGAINING AGREEMENT WITH THE CITY'S WORKERS EFFECTIVE MAY 1, 2017 THROUGH DECEMBER 31, 2019, AND AUTHORIZING THE MAYOR TO EXECUTE THE COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE CITY.

WHEREAS, a new collective bargaining agreement has been negotiation with Teamsters Local 252 for the period of May 1, 2017 to December 31, 2019;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NAPAVINE, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. The collective bargaining agreement between the City of Napavine and Teamsters Local 252, effective May 1, 2017, through December 31, 2019, is hereby adopted.

Section 2. The Mayor is hereby authorized to make minor administrative changes, it necessary, to the collective bargaining agreement described herein, and to execute the agreement on behalf of the City of Napavine City Council.

Section 3. Severability. If any section, sentence, clause, or phrase of this Resolution or any resolution adopted or amended hereby, should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Resolution.

RESOLVED this 23rd day of May 2017.

**LaVerne Haslett**, suggested that the city consider another police officer as a priority before we put the cart before the horse. Clerk-Treasurer Wood stated the Police Chief inquired about a Federal Grant to hire a third officer, which required a match on the city and the city would have to retain the officer forever. Discussion on the uncertainty of the city's finances to commit to the long term expense of a third officer via Federal Grant. Clerk-Treasurer also stated the discussion Chief Salyers had regarding hiring a reserve officer and have the individual sign a contract to commit to the city for a length of time equivalent to the investment cost of the city to send the individual to the CJTC Academy, uniforms, polygraph and psychological tests.

**Resolution 17-05-82 Appointing Agent to receive claims for damages:** Clerk-Treasurer stated RCW 4.96.020 requires the city appoint an agent for damages and recorded with the Lewis County Auditor. Motion by Councilor O'Neill to approve Resolution 17-05-82, second by Councilor Haslett, motion carried. Councilor Hamilton pointed out that Councilor Wood had abstain for the appearance of fairness.

RESOLUTION NO. 17-05-82

A RESOLUTION OF THE CITY OF NAPAVINE, WASHINGTON, APPOINTING AGENT TO RECEIVE CLAIMS FOR DAMAGES.

WHEREAS, effective May 23, 2017, the governing body of each local governmental agency shall appoint an agent to receive any claim for damages made by a third party; and

WHEREAS, the City Council of the City of Napavine intends to comply with State Law RCW 4.96.020,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Napavine as follows:

Section 1. The

Clerk-Treasurer is hereby established as the agent for the City of Napavine to receive any claim for damages made by a third party. All claims may be filed with the Clerk-Treasurer whose address is 407 Birch Ave SW, P. O. Box 810, Napavine, WA 98565 and whose phone number is 360-262-3547, during normal business hours.

Section 2. The resolution shall be recorded with the Lewis County Auditor.

Section 3. Napavine Municipal Code shall be amended to add a new section 2.08.070 entitled "Agent" and should read: The Clerk-Treasurer is the agent to receive claims for damages pursuant to RCW 4.96.020, during regular business hours, at the office of the Clerk-Treasurer located at 407 Birch Ave SW, Napavine, WA. 98565.

PASSED BY the City Council of the City of Napavine and approved by the Mayor on this 23rd day of May, 2017.

**TIB Emergency Road Repair Grant** – Councilor Wood asked that Loves be advised when the construction begins. Councilor Haslett moved to approve the grant, second by Councilor Hamilton, motion carried.

**GOOD OF THE ORDER:**

Councilor Hamilton stated all members of the council questioned whether the city signed and approved the contract on Well #6 for ozone equipment, Motion by Councilor Hamilton to stop all contract activity to purchase any equipment on Well #6, second by Councilor Haslett, motion carried.

Councilor Haslett mentioned the pictures regarding Mayme Shaddock Park. Mike Johnston stated the city asked for bids to repair the kitchen Mayme Shaddock Park, or for a totally new structure. Johnston stated the city did not receive many bids; however the one bid the city did receive, was astronomical and are continuing to seek bids to make the park much nicer. Council Hamilton has two parcels of property 25 feet by 30 feet long and another piece of property of selling that property that has timber on it with a memorial to her husband as well as a Veterans Memorial that Councilor Slemph contacted McDonalds whom expressed an interest to support the project.

Motion by Councilor Hamilton to adjourn, second by Councilor Wood, motion carried. Meeting adjourned at 8:02 p.m.

*These minutes are not verbatim. If so desired, a recording of this meeting is available online at <http://media.avcaptureall.com/index.html#/?search=agency:%20City%20of%20Napavine,%20WA> and can be heard.*

Respectfully submitted,

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Mary Wood, Clerk-Treasurer

John Sayers, Mayor

Councilor