

# NAPAVINE CITY COUNCIL

**December 22, 2009 ~ 6:30 p.m.**  
City Hall 407 Birch Ave SW, Napavine

Regular City Council Meeting

**CALL TO ORDER:** The regular city council meeting was called to order at 6:32 p.m. by Mayor Nicholas Bozarth.

**FLAG SALUTE:** The flag salute was led by Mayor Nicholas Bozarth.

**ROLL CALL:** Councilors present: Larry Stafford, Ken Williams, John Sayers, and Robert Wheeler. Councilor Dave Williams absent, motion by Councilor John Sayers to excuse Councilor Dave Williams, second by Councilor Ken Williams, motion carried unanimously. Also present, City Attorney Dana Williams.

**PREVIOUS MINUTES:** Motion by Councilor John Sayers to approve the minutes of the previous meeting as written, second by Councilor Robert Wheeler, motion carried unanimously.

## **MAYOR/COUNCIL STAFF REPORTS:**

**Public Works/Community Development Director Steve Ashley** reported the well drilling hit water at 339 feet. Testing on water quality, amount of water withdrawal and type of screen needed is being conducted at this time.

**City Attorney Dana Williams** reported that the Critical Areas Ordinance 464 has been codified and replaces the old Chapter/Title 14. **Clerk/Treasurer Mary Todd** reported the street fund has sufficient revenues to avoid an interfund loan to cover the expenditures for the Street Fund 101. A transfer is necessary in the amount of \$176.33 to bring the Mayme Shaddock Park Fund 003 to zero before the fund can be dissolved. **Councilor Robert Wheeler** advised of a grant opportunity for the skate park, the Tony Hawk foundation. **Mayor Nicholas Bozarth** stated the city has already applied for funding with the Tony Hawk Foundation. **Councilor Ken Williams** questioned the lease on the old city hall building, no one has heard from the intending lease, and is considered a dead issue. City Attorney Dana Williams explained the appraisal cost of \$8,000-\$10,000 to sell public property. Councilor Ken Williams stated the city is better to lease the property.

**CITIZEN BUSINESS:** No citizen business.

**SETTING OF AGENDA:** Motion by Councilor Ken Williams to set the agenda as written, second by Councilor Larry Stafford, motion carried unanimously.

**OLD BUSINESS:**

**A. CRITICAL AREAS**

**ORDINANCE 464:**

Critical Areas Ordinance 464 read by title **AN ORDINANCE OF THE CITY OF NAPAVINE, WASHINGTON, REPEALING EXISTING TITLE 14 OF THE NAPAVINE MUNICIPAL CODE AND REPLACING THAT CHAPTER WITH A NEW TITLE 14 OF THE NAPAVINE MUNICIPAL CODE WHICH IS DESIGNATED AS THE NAPAVINE CRITICAL AREAS ORDINANCE (NCAO)**. Motion by Councilor John Sayers to adopt Critical Areas Ordinance 464, second by Councilor Robert Wheeler. Motion by Councilor Ken Williams to amend original motion to adopt Ordinance 464 on first and second reading, second by Councilor Larry Stafford. Motion carried unanimously to pass amended motion. Discussion, Councilor Ken Williams questioned City Attorney Dana Williams on the Critical Areas Ordinance 464, called to question, motion carried unanimously.

**B. HANDICAPPED PARKING:**

Public Works Director Steve Ashley advised council that he reviewed the area of the request and the code requirements, the site will not meet ADA requirements. The church will need to revise parking on Melrose and the parking lot in the back for handicap parking. The city is not obligated to provide handicap parking for businesses in the city.

**NEW BUSINESS:**

**A. APPOINT PLANNING COMMISSIONER**

**LIONEL PINN:**

Motion by Councilor Robert Wheeler to appoint Lionel Pinn for a four year (4) term to the Planning Commission, second by Councilor John Sayers, motion carried unanimously. Clerk/Treasurer Mary Todd swore in Lionel Pinn to the Planning Commission.

**B. RE-APPOINT MUNICIPAL**

**COURT JUDGE:**

Motion by Councilor Larry Stafford to retain Joseph Mano as Municipal Court Judge, second by Councilor Ken Williams, motion carried unanimously. Clerk/Treasurer Mary Todd swore in Joseph Mano as Municipal Court Judge.

**C. ORDINANCE 465  
STREET BUDGET  
AMENDMENT:**

**ORDINANCE 465, AN ORDINANCE OF THE CITY OF NAPA VINE, WASHINGTON, AMENDING THE ANNUAL BUDGET FOR THE CITY OF NAPA VINE FOR THE CALENDAR YEAR 2009 BY INCREASEING THE REVENUES \$29,750.00 AND INCREASING THE EXPENDITURES \$29,750.00 OF THE STREET EXPENSE FUND 101; AND DIRECTING THE CITY CLERK-TREASURER TO AFFECT THE BUDGET AMENDMENT HEREIN PROVIDED TO THE 2009 BUDGET.** Motion by Councilor Ken Williams to adopt Ordinance 465 Street Budget Amendment on first and second reading, second by Councilor Larry Stafford, motion carried unanimously.

**D. ORDINANCE 466  
DISSOLVE MAYME SHADDOCK  
FUND 003:**

**ORDINANCE 466, AN ORDINANCE OF THE CITY OF NAPA VINE, WASHINGTON, DISSOLVING THE MAYME SHADDOCK PARK FUND NO. 003 BY INCLUDING THE REVENUES AND EXPENDITURES IN THE CURRENT EXPENSE FUND NO. 001; AND DIRECTING THE CITY CLERK-TREASURER TO AFFECT THE BUDGET AMENDMENT HEREIN PROVIDED TO THE 2009 BUDGET.** Motion by Councilor Larry Stafford to adopt ordinance 466 on first and second reading, second by Councilor Ken Williams, motion carried unanimously.

**E. RESOLUTION 09-12-12  
MEDICINE RETURN**

Mayor Nicholas Bozarth asked Councilor Robert Wheeler to explain resolution 09-12-12. Councilor Robert Wheeler explained he was appointed to the Solid Waste Commission of Lewis County. This resolution would show support of legislation by asking pharmaceutical companies to set up a system to dispose of medicines safely. Mayor Nicholas Bozarth read Resolution 09-12-12 by title.

**RESOLUTION NO. 09-12-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA VINE, WASHINGTON, SUPPORTING A SECURE, CONVENIENT MEDICINE RETURN PROGRAM TO REDUCE THE PUBLIC SAFETY AND ENVIRONMENTAL IMPACTS OF UNWANTED MEDICINES.**

Motion by Councilor Ken Williams to accept Resolution 09-12-12, second by Councilor Robert Wheeler, motion carried unanimously.

**F. RESOLUTION 09-12-13**

**RECYCLE MERCURY**

**LIGHTING:** Mayor Nicholas Bozarth read Resolution 09-12-13 by title:

**RESOLUTION NO. 09-12-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA VINE, WASHINGTON, SUPPORTING A SECURE, CONVENIENT FLUORESCENT LAMP RECYCLING PROGRAM TO PROTECT THE PUBLIC SAFETY AND THE ENVIRONMENT.**

Councilor Robert Wheeler stated this Resolution is similar to an Ordinance passed by Lewis County. Motion by Councilor Robert Wheeler to adopt Resolution 09-12-13, second by Councilor John Sayers. Discussion. Councilor Larry Stafford questioned the legal responsibility of the disposal of Mercury. City Attorney Dana Williams explained the Resolution shows support of the concept. Called to question, Councilor Larry Stafford, nay, Councilor Ken Williams, aye, Councilor John Sayers, aye, Councilor Robert Wheeler, aye, motion carried 3-1.

**G. PARK FEES**

Councilor John Sayers stated the city has not been charging to use the kitchen over the past years, and the city has expenses for power to the kitchen. Centralia and Chehalis charge to use their facilities. Suggestions of Council contact other cities to see what they charge for park fees. Mayor Bozarth encouraged council to form a committee. Councilor Robert Wheeler suggested table to the next city council meeting.

**F. SWEAR IN TWO CITY COUNCILORS:**

Clerk/Treasurer Mary Todd swore in Richard Rouse to council position #1 and Aaron Brandt to council position #2.

**EXECUTIVE SESSION:**

Council went into Executive Session at 7:21 p.m. for five (5) minutes regarding Personnel. City Attorney Dana Williams went into the executive session. Council returned at 7:26 p.m., no decisions were made during the Executive Session.

**VOUCHERS:**

Motion by Councilor Ken Williams to approve the vouchers, second by Councilor Larry Stafford, motion carried unanimously.

**GOOD OF THE ORDER:**

Councilor Ken Williams thanked city staff, council members and the citizens of Napavine for his time on the City Council. He has been a citizen of Napavine his whole life of 58 years, on the fire department for 29 years, with the police department for 14 years.

His grandfather on his mother's side helped develop Third Ave NW. At one time there was no Third Ave NW, which Mr. Carlson gave property to the city to develop Third Street. Councilor Ken Williams requested the city place a historical sign on the street after his grandfather naming it Annis Rd.

Motion by Councilor Larry Stafford to adjourn, second by Councilor Robert Wheeler, motion carried unanimously.

Meeting adjourned 7:32 p.m.

Respectfully submitted,

Mary Todd  
Clerk Treasurer

Mayor

Councilor