

NAPAVINE CITY COUNCIL
December 8, 2009 ~ 6:30 p.m.
City Hall 407 Birch Ave SW, Napavine

Regular City Council Meeting

Mayor Nicholas Bozarth requested a moment of silence to recognize the four fallen police officers killed in the line of duty in Lakewood, WA.

CALL TO ORDER: Mayor Nicholas Bozarth called the meeting to order at 6:30 p.m.

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

ROLL CALL: Councilors present: Larry Stafford, Ken Williams, John Sayers, Robert Wheeler and Dave Williams.

PREVIOUS MINUTES: Motion by Councilor Larry Stafford to approve the previous city council minutes as written, second by Councilor Robert Wheeler, motion carried unanimously.

**TREASURER'S
REPORT:**

Clerk-Treasurer presented preliminary financial status of the four major funds, Current, Street, Water and Sewer. Treasurer explained the projected revenues and expenditures for December and the anticipated fund balances for each. Advised council that a budget amendment is necessary in the Street fund, with a preliminary estimate in the amount of \$19,000; and an interfund loan may be necessary in the amount of \$16,000.00. Councilor Dave Williams asked why street went over budget. Treasurer answered the expenditure of stripping, which was not budgeted that council approved was over \$3,000.00 and stabilization of the slope on Rush Road was paid by FEMA funds from the 2009 storms, which was not budgeted.

**MAYOR/COUNCIL
STAFF REPORTS:**

Public Works Director Steve Ashley advised council that the Assembly of God Church requested two handicap parking spaces in front of the church which is parallel parking and two in the parking lot behind the church. Handicap parking was not part of the original street plan. Councilor Larry Stafford asked if the width of the parking spaces allow for handicap parking. Public Works Director Steve Ashley stated the parking stalls will accommodate standard disability parking with passenger side access only. The request from the church was received today, December 8, 2009. Motion by Councilor Ken Williams to table to the December 22, 2009, council meeting, second by Councilor Dave Williams,

motion carried unanimously. The Well #6 item is on the agenda and will discuss it then. The third item Steve Ashley met with the WWF group that brought an interest in partnering with the city to obtain funding for the infrastructure of the WWF project. The city would need to be the lead to apply for complete infrastructure for water, sewer, street, street lights from Grand Blvd NE to I-5, which is 0.6 miles. The funding application is with USDA-Rural Development for a 50/50 grant/loan funding and the WWF group would make the loan payments. Councilor Robert Wheeler questioned the WWF group about the funding that they currently have. Their response is the PFD funding is used in various ways and has dropped drastically due to the economy. Has WWF looked at other avenues to find funding from other property owners, they have and the other property owners do not want to move forward at this time. The WWF group has a representative going to Washington DC to talk to legislatures for federal funding for infrastructure. Councilor Ken Williams stated it would be a good idea to look into funding with Rural Development. Council questioned Public Works Director Steve Ashley on how many pump stations is needed for the project. Public Works Director Steve Ashley stated one pump station to pump to Grand then down Rush Road. He estimates the project cost for infrastructure at \$2.6 million. WWF group had budget \$2.8 million for the infrastructure. Motion by Councilor Robert Wheeler to move forward with the research in funding the infrastructure, second by Councilor Larry Stafford, motion carried unanimously. Public Works Director Steve Ashley advised all in attendance to insulate their pipes since more cold weather is predicted.

Mayor Nicholas Bozarth requested to council to keep the Tahoe through the winter with the inclement weather; which is on the agenda under Surplus Vehicle Resolution. The Crown Victoria the Community Service Officer is driving is worn out and will be replaced with reserve officer vehicle.

CITIZEN BUSINESS:

Cheryl Williams, Alder Street asked to be put on the agenda and was removed. Cheryl Williams asked when the policy changed. Apparently council sponsorship is required for an item to be placed on the agenda. Mayor Bozarth explained the agenda is put out by the Mayor and the item was discussed many times and there was a final decision made. That is why the item was removed from the agenda. Mayor Bozarth sent the council an email and asked if council would like it placed on the agenda and received no response. Cheryl asked why the fence was discussed at the last meeting when a decision was made on August 11, 2009. A Councilor brought up the fence at the last meeting, which was not on the agenda. Cheryl Williams stated she has the minutes from the

August 11th meeting where council approved the fence with slats and a firm date of when the fence will be installed. Motion by Councilor Ken Williams to reinstitute the original plan of a fence with privacy slats on August 11, 2009, second by Councilor John Sayers to bring the item into discussion. Councilor Larry Stafford spoke to Cheryl Williams on the phone and he stated she prefers the trees over the fence. Cheryl Williams stated she wants something, trees or fence with slats and understands the council watching the budget. Discussion about the original park plan and cannot find proof of a fence in the plan. Public Works Director Steve Ashley stated yes there is a park plan, it does exist and the fence was discussed, but was not in the plan. Cheryl Williams stated the city fenced everywhere except by the ball fields, there needs to be something there as a barrier. The cost of the fence is \$6,462 with slats, 100' x 125' netting is \$1,000, and poles are donated. The cost of the fence without slats is \$3,450. Public Works Director Steve Ashley asked when slats get broken who will replace the broken slats. Councilor Ken Williams stated the baseball field. Councilor Robert Wheeler called to question, Mayor Nicholas Bozarth explained vote yes for plan in August, No for no privacy slats. Councilor Larry Stafford – No, Councilor Ken Williams – Yes, Councilor John Sayers – Yes, Councilor Robert Wheeler – No, Councilor Dave Williams – abstain. Vote tied two nays, two ayes Mayor will vote to offset the tie when no financial decision is made – No. Motion failed nays 3-2.

Alan Reise, 615 Koontz Rd, brown mesh fence covering that is used at the concert venue is less cost prohibitive. They come in 4, 6 and 8 ft widths in 25 and 50 foot lengths. They do get age spots with an 8-10 year life span and are less weather sensitive.

SETTING OF AGENDA: Motion by Councilor Robert Wheeler to set the agenda as presented, second by Councilor Larry Stafford, motion carried unanimously.

OLD BUSINESS:

A. Critical Areas

Ordinance:

Motion by Councilor Ken Williams to table to the December 22, 2009, council meeting, second by Councilor Larry Stafford, motion carried unanimously.

B. Rush Rd Well #6:

Public Works Director Steve Ashley reported that Hokkaido Drilling has drilled 312' and found nothing but clay. The budget is \$82,000 for the drill, if they drill to 350' and find water the cost would be \$91,000.00, can take additional money from Capital Improvement. If they drill to 350' and not find water, the cost to return the land to its natural state would cost \$52,719.15. Wells on

the North side of the river are 315-325 feet, and wells on the south side of the river are at 350'. The contract is for 300' and asking for permission to drill to 350'. If they do not find water at 350 feet the cost will be under budget at \$52,719.15, if they do find water the cost is about \$9,000.00 over budget which will require approval. Motion by Councilor Ken Williams to continue drilling to 350', second by Councilor Larry Stafford, motion carried unanimously.

NEW BUSINESS:

A. Surplus Vehicles

Resolution 09-12-10: Resolution 09-12-10 presented and read as follows:

RESOLUTION NO. 09-12-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF NAPA VINE, WASHINGTON, DECLARING CERTAIN
PROPERTY TO BE SURPLUS TO THE NEEDS OF THE
CITY AND DIRECTING DISPOSAL OF SUCH PROPERTY**

WHEREAS, the city of Napavine, Washington, is authorized pursuant to RCW 35A.79.010, to dispose of property owned by the city by sale; and

WHEREAS, the City Council of the City of Napavine, Washington, considers the below described items of personal property owned by the city to be surplus to the city's needs; and

WHEREAS, the City Council of the City of Napavine, Washington, considers the sale of the below described items of personal property to be in the best interest of the citizens and patrons of the city,

NOW, THEREFORE, BE IT RESOLVED THAT THE City Council of the City of Napavine, Washington, does declare the following described items of personal property, surplus to the needs of the city:

- 1996 Ford Crown Victoria 4D; ID #2FALP71W1TX113195;
- 1999 Ford Crown Victoria 4D, ID #2FAFP71W7xX144812;

IT IS FURTHER RESOLVED that by this resolution the above items may be disposed of at auction or public sale.

PASSED BY MAJORITY of the City Council of the City of Napavine, Washington, this ____ day of _____, 2009.

Nicholas W. Bozarth, Mayor

Attest:

Mary Todd, Clerk-Treasurer

Approved as to form:

Dana L. Williams, City Attorney

Motion by Councilor Ken Williams to approve Resolution 09-12-10 with the Tahoe removed, second by Councilor Larry Stafford, discussion revenue from the sales will go to the Police Internal Service fund, motion carried unanimously.

B. Surplus Inventory

Resolution 09-12-11: Resolution 09-12-11 presented and read as follows:
RESOLUTION NO. 09-12-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPAVINE, WASHINGTON, DECLARING CERTAIN PROPERTY TO BE SURPLUS TO THE NEEDS OF THE CITY AND DIRECTING DISPOSAL OF SUCH PROPERTY BY TRADE/EXCHANGE TO NORTHWEST ARMORY, LLC., IN ACCORDANCE WITH STATUTE

WHEREAS, the city of Napavine, Washington, is authorized pursuant to RCW 35A.79.010, to dispose of property owned by the city may sell, transfer, exchange, lease or otherwise dispose of any property; and

WHEREAS, the City Council of the City of Napavine, Washington, considers the below described items of personal property owned by the city to be obsolete and no longer used by the city; and

WHEREAS, the value, obsolescence and condition of those items of inventory make it practical to trade the same in on future purchases of new inventory items from the attached list from Northwest Armory LLC;

NOW, THEREFORE, BE IT RESOLVED THAT THE City Council of the City of Napavine, Washington, does declare the following described items of personal property, surplus to the needs of the city:

- Ruger P89DC 9mm, Serial #309-11323 with 2 magazines
- Ruger P89DC 9mm, Serial #309-20194 with 2 magazines
- Ruger P89 9mm, Serial #307-35203 with 2 magazines
- Ruger P89 9mm, Serial #305-51680 with 2 magazines
- Charter Arms Bulldog 44 SP, Serial #9S4260
- Charter Arms 38 Special, Serial #23903
- Maverick 12GA Shotgun, Serial #MV36003A
- Mossberg 500A 12 GA Shotgun, Serial #K445771
- Smith & Wesson 3000 12GA Shotgun, Serial #FB94262
- Remington 870 12 GA Shotgun, Serial #407500V

IT IS FURTHER RESOLVED by the City Council of the City of Napavine as follows:

1. Based upon the findings and recommendations of the City staff, the items of inventory belongings to said City as listed above, are declared to be surplus to the foreseeable needs of the city.
2. That it is deemed to be for the common benefit of the residents of said City to dispose of said inventory.
3. That the Mayor is authorized to dispose of items listed above, in a manner that will be to the best advantage to the City of Napavine.

PASSED BY MAJORITY of the City Council of the City of Napavine, Washington, this ____ day of _____, 2009.

Nicholas W. Bozarth, Mayor

Attest:

Mary Todd, Clerk-Treasurer

Approved as to form:

Dana L. Williams, City Attorney

Motion by Councilor Ken Williams to pass Resolution 09-12-11, second by Councilor Larry Stafford. Discussion: Councilor Larry Stafford questioned would it be better to sell the items than trade them. Councilor Ken Williams stated it would be better to trade the items for the police department. Called to question by Councilor Ken Williams, motioned carried unanimously.

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 brought up the fence issue. Motion by Councilor Ken Williams to change the fence to Arborvitae trees and to be in place as soon as possible before the baseball season, second by Councilor John Sayers. Councilor Stafford – aye, Ken Williams – aye, Sayers – aye, Wheeler – aye, Dave Williams – aye. Motion carried unanimously.

Motion by Councilor Ken Williams to adjourn, second by Councilor Larry Stafford, motion failed unanimously.

Councilor Dave Williams questioned the Rush Road water line is that as far as it goes. Public Works Director Steve Ashley stated the line is $\frac{3}{4}$ installed; the portion from Somerville Road up Rush Road hill is put on hold until March or April 2010. Some of the money backers backed out.

Motion by Councilor Dave Williams to adjourn, second by Councilor Ken Williams, motion carried unanimously.

Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Mary Todd
Clerk-Treasurer

Mayor

Councilor