



## NAPAVINE CITY COUNCIL MINUTES

March 7, 2017, 6:00 PM

City Hall 407 Birch Ave SW, Napavine, WA

---

**CALL TO ORDER:** Mayor John Sayers called the Napavine City Council Meeting to order at 6:00 p.m. which is a continuation from last Tuesday, February 28, 2017, and led the flag salute.

**ROLL CALL:** Councilors Slemp and Sullivan were not present; one did resign however no letter yet, so cannot say who resigned.

### COUNCIL

**APPOINTMENTS:** Lewis County Commissioners appointed Scott Hamilton to Position #3, Shawn O'Neill to Position #4 and Jim Haslett to Position #5. City Attorney Erin Hillier swore in the Oath of Office to the three appointed positions as a group to their respective City Council Positions.

### PUBLISHED

**AGENDA:** Councilor Haslett motion to appoint Council Position #2, motion died for lack of a second. Councilor Hamilton move to approve the agenda as published, second by Councilor O'Neill. Discussion, Councilor Hamilton asked about citizen business and moves to add citizen business at the end of the agenda, Councilor Hamilton and O'Neill yah, Councilor Haslett nay, motion carried.

### COUNCIL MINUTES

**JANUARY 17, 2017:** Councilor Hamilton motion to approve the minutes of the last regular Council Meeting of January 17, 2017, second by Councilor O'Neill, Councilor Hamilton and O'Neill yah, Councilor Haslett nay, motion carried.

### NAPAVINE FOUNDATION

**DONATION:** Mayor Sayers reported that the Napavine Foundation has dissolved and donated their fund balance to the city for the parks, which was around \$2,106.

### NAPAVINE YOUTH BASEBALL

**AGREEMENT:** Interim City Clerk Tedi Curry stated the contract is the same as 2016, Councilor O'Neill motion to approve the Napavine Youth Baseball Agreement which is pretty straight forward and the deposits for water, electricity, damage and keys for 2017, second by Councilor Haslett, motion passed unanimously.

### VOUCHERS FOR FEBRUARY 21 THROUGH

**MARCH 7:** Councilor Haslett questioned how the city can pay vouchers without a legal approved budget. City Attorney Erin Hillier explained the research she did on the validity of the action of the council since June. The De facto of officers doctrine

which allows for those who taken office with color of title to that seat and occupy those seats and believe to be valid and fully, that those seats on the council and so long as there is a quorum. The acts under color of title to that seat, as long as they were acting under color of title to that seat, the actions are deemed effectual and valid. This does not change the fact that a new council cannot come in and revisit decisions unless they desire to do so because a council is a continuing and acting governing body. Councilor Hamilton move to approve the vouchers of February 21, 28 and March 7, second by Councilor Haslett, motion passed unanimously. ***Vouchers for Feb. 21, 2017 Council Meeting: 3375 - 33811 in the amount of \$53,004.77, Payroll Vouchers: 3375 \$157.00, Electronic Funds Transfer (EFT) Payments 2/1/2017 - 2/21/2017 \$39,079.14, ACH Payroll Direct Deposit 2/9/17 - \$15,887.98. Supplemental Vouchers: 33814 - 33821 - \$6,618.76, Electronic Funds Transfer (EFT) Payments 2/22/2017 - 2/28/2017 \$18,225.30, Payroll Vouchers 33812-33813 - \$1,034.75, and ACH Payroll Direct Deposit 2/23/2017 \$13,894.72. Voided Checks: 33792 Note: was re-processed as an EFT payment included in the vouchers.***

**ITEMS FOR COUNCIL  
CONSIDERATOIN:**

Councilor Hamilton discussed the council consider the council go back to two council meetings a month on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday's of the month and to allow the citizens, property owners, and business owners to allow them to speak to the council and longer than three minutes to ask the council how they feel about issues and the council to respond to their concerns. Mayor Sayers stated he would like to see two council meetings a month, we are not getting enough done and supports allowing citizen input is most important and request this be placed on the agenda for March 21<sup>st</sup>.

Councilor Hamilton questioned what constitutes a meeting and what does not and asked the Mayor to expand on the petition of the Mayor, Councilor Slemph and Councilor Sullivan that was signed and delivered to the Governor. Hamilton asked how you can do that personally and may be a legal counsel question I don't know how you can get together with three people without calling a meeting agreeing to sign a petition without proper notifying the public of your intent, or otherwise that constitute an illegal meeting outside the scope of the council to conduct business of Napavine. Attorney Hillier stated she can look into that and if a violation of the open public meeting act.

Councilor Hamilton would like to arrange workshops: 1<sup>st</sup> is the water situation of Napavine and the stories of Well 6, other wells, water capacity, businesses at Exit 72 that some are on the water and some are not, why? Invite the citizens to the workshop. Secondly a special task force made up of contractors, city employees, property owners, and come together to be more informed and formulate policy of

water users. Also discuss the situation of employees, those that are full time, part time and to discuss the budget in a workshop to discuss the streets, sewer, the water and look at those departments individually. On tonight's agenda you pointed out our Interim City Clerk from Winlock that Steve Ashley's last day was March 4<sup>th</sup> by reading the Chronicle, so the burden not be on the Mayor let's open up and allow the citizens, property owners and business owners to join task force and sit on boards. Councilor Haslett supported the idea of allowing input from citizens.

**CITIZEN BUSINESS:** **Bob Bozarth, 47-06 Woodard Rd** congratulated the new council on their appointments. Two or three years ago Lewis County obtained a Grant for Ham Radio to put at the fire departments throughout the county for backup if in the event that Central Dispatch lost power. This happened a few months ago. A group has been working with the fire departments working off simplex not repeaters. Napavine has a repeater and antennae and asked council if they could put an antennae on the water tower which would allow them to talk all over Lewis County. Asked for three things,

1. Have some people check out that coax to see if that antennae and coax will work on the frequency,
2. Napavine does not use the repeater, can they use the repeater?
3. Would like permission to put antennae on the water tower.

Cris Dodd, Community Development recommend Mr. Bozarth come into the city work on these issues and discuss with Public Works regarding the antennae.

**Dr. Mike Hamilton, Hamilton Corner 1 LLC** thanked the Lewis County Commissioners for taking the time to appoint the new council and thanked the newly elected council members for their time to devote to the council. Dr. Hamilton expressed his concerns regarding the illegal acts or questionable acts of the city over the past five years. He addresses concerns over the cost of the water of Well #6 of the council decision to spend \$230,000 on equipment that is not going to remove the sodium and manganese in the water and ask council to consider a new well which is considerably cheaper. Hamilton recommended the council appoint Mr. Stafford or Mr. Wood to the Council Position #2 which the appointment of Mr. Sullivan is questionable as the governing body does not include the Mayor. Mr. Hamilton informed the council that he had offered one of his working wells to Steve Ashley which pumps 800-1000 gallons a minute at market value and ask that the city not eminent domain his property which is very valuable, which Mr. Ashley never presented to the city council. Dr. Hamilton asked of the status of the Planning Commission, Mayor stated he can appoint the two people that submitted letters of interest to the commission so there would be a quorum.

**Scott Collins, Bethel Church** thanked the newly appointed councilors for coming and volunteering and good for Napavine and the Church. Mr. Collins has owned

Chehalis Pump and Electric and has 20 years experience in water and a licensed electrician. He is passionate about business and growth and would like to see Napavine grow and flourish. Bethel Church would like to be of service to Napavine and invite the city to call upon the church for help and we have people to meet those needs of Napavine. Mr. Collins thanks Mayor Sayers for his years of service and loving Napavine.

**James Lee, Woodard Rd** the potholes on Woodard Road are bad and asked what the city is doing to fix Woodard Road. Mayor Sayers stated Public Works have filled the potholes and there is no money for repairs right now, but the city can address in the budget for next year.

**Duane Elwood, former Mayor of Napavine** said it's all about the kids and is angered to see all the empty lots along Rush Rd and Hamilton Rd, the city needs to get businesses in so there are jobs for the kids when they get out of school. Napavine has the best schools, three state championships. Mr. Elwood stressed how important it is to have all the employees work together as a team and utilize each employee's strengths as well as leave the mistakes in the past and move forward to turn the city around.

**ADJOURN:** Motion by Councilor Hamilton to adjourn, second by Councilor O'Neill, passed unanimously. Meeting adjourned at 7:28 p.m.

Respectfully submitted,

\_\_\_\_\_  
John Sayers, Mayor

\_\_\_\_\_  
Council Member

\_\_\_\_\_  
Mary Wood, Interim City Clerk