



NAPAVINE CITY COUNCIL MINUTES
April 11, 2017, 6:00 PM
City Hall 407 Birch Ave SW, Napavine, WA

CALL TO ORDER:

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

ROLL CALL:

Councilor's Present: Mike Wood, Scott Hamilton, Shawn O'Neill and James Haslett. Absent Councilor Larry Stafford due to death in the family, motion by Councilor Hamilton to excuse Councilor Stafford, second by Councilor Wood, motion carried unanimously.

APPROVAL OF AGENDA – As Presented:

Motion by Councilor Shawn O'Neil to approve agenda as presented, second by Councilor Mike Wood, motion carried unanimously.

APPROVAL OF COUNCIL MINUTES:

Regular Meeting March 21, 2017 and Special Meeting March 28, 2017; Motion by Councilor O'Neil to approve the minutes of Regular Meeting March 21, 2017, and Special Meeting March 28, 2017, second by Councilor Wood, motion carried unanimously.

Mayor Sayers closed the Regular Meeting at 6:05 p.m.

Mayor Sayers Open PUBLIC HEARING – Hamilton Boundary Line Adjustment, Parkside Loop at 6:05 PM for public comment.

Cecilia Kolano asked where the property is located? **Cris Dodd, Community Development** explained that the parcel is located on Parkside Loop, which has a covenant's in the development for single family residence only and the property owner is requesting to move the boundary lines. **Scott Hamilton**, property owner explained that they own three lots and they are simply asking to move the boundary lines so there is one large lot and they have no intentions to build anything, just expand their property lines. Mayor Sayers closed the Public Hearing at 6:08 P.M.

Mayor Sayers re-opened the Regular City Council Meeting at 6:08 p.m.

CITIZENS COMMENTS:

Gerry Graham: 295 Kirkland Rd, Letter dated December 10, 2003, regarding negotiations of 254 acre feet per year to transfer Water Rights from Hamilton's to the City of Napavine by Department of Ecology Price and terms: transfer water rights for 14 domestic water connections and 5 sewer connections to city existing system. Later on Steve Ashley put an expiration date of ten (10) years from date of approval when there was no water available in that area. They eventually put the water line in down there so they could move forward with putting in a hotel down at Exit 72, but the connections were too expensive. Graham's asked for an extension for five more years which expire next year, questioned council if they have to request another extension.

Larry Hamilton addressed council regarding the carbon compound in well 6, he has a minor in Chemistry, questioned what are the chemicals in Well 6, would like to know what compounds are in the

well if you are going to force us to drink the water from the well. Unknown if the tannins are toxic like cedar water is toxic you'd be facing law suits.

Deaydra Stewart asks council to use the Amphitheater for a concert June 16 & 17th for a welcome summer celebration.

Cecilia Kolano address the council to rectify the situation the Hamilton's have been put through, if we cannot support the cost of the well as it stands now, consider other options. Concerns the water from the well is quality water vs color and consider other options for Well 6. Ask council to look at all options and consider all options for quality water. Discussion on the Napavine Water Plan.

Dr. Mike Hamilton, Hamilton Corner 1 LLC, discussed the salt level by the EPA and the standards to post the salt level on the door's on the businesses from Well 6 as well as the City of Napavine Water System Plan which is over 700 pages. Discussion on the tannins which tend to be black from trees depending on the type of tree which is 10,000 to 100,000 different types of tannins and question what type of tannins which have not been tested and are they toxic? Hamilton Corner 1 LLC lost again in court on his water rights and considers they were gone and consider them stolen. The judge made the decision and the city prevailed again per City Attorney Bill Hillier. Councilor's stated to Dr. Hamilton that this council will listen to citizen's concerns and they will work with the citizens on the open public meetings and be fair with everyone.

Debbie Graham, 295 Kirkland Rd, Hamilton Walnut Shade at Exit 72, listened to the recording online and upset over the comments made at the last meeting. Recognize that Steve Ashley is no longer here and Jon Hinton's statements regarding her mother, Betty Hamilton, he lied about the water right's document, Betty was talked into signing the document under duress. Steve Ashley came to them for need of water rights and that Betty did not fill out the document and lied about getting paid, There was no December 2003 gave 10 years, no water line to their property, had to ask for an extension. Will the city use it or lose it regarding the water rights if the city doesn't use it?

EXECUTIVE SESSION:

Mayor Sayers closed the regular session to go into Executive Session for legal issues regarding water rights and City Attorney at 6:50 pm for 30 minutes. Mayor Sayers announced that no decisions were made in executive session, discussed was legal issues with City Attorney. Regular council session resumed at 7:10 p.m.

STAFF & COUNCIL REPORTS:

Street Trees – Bryan Morris presented information from a vendor to shave the sidewalks for \$60 a section, there are three along Meadow Lane; there are six (6) trees creating a problem with the sidewalks and water line. Budget has \$2,000 for sidewalks and this vendor would be \$360. Discussion on tree ordinance and areas that are not in compliance on the placement that will interfere with the water line and sewer lines. The ordinance may need to be amended in the ordinance regarding Maple trees. Don Jensen asked for clarification who is responsible for the sidewalks, the city or the property owner's. Council need time to review the tree ordinance

Culvert damage – Bryan Morris reported that two private driveways are failing from commercial vehicles and the city ordinance does not address the issue of damage from commercial vehicles on private driveways and ask council to have the ordinance amended for clarification. Contractor Bob Bozarth stated if the culvert is failing, it probably was not put in properly the first place. Discussion

followed. Residents pay for a \$25 permit and they put in the culvert, however there is nothing in the ordinances on the maintenance, discussion on right of way. Kevin Lee asked if I have need gravel in my driveway is the city going to pay for the gravel, need to draw the line somewhere. Mayor Sayers' asked Councilor Wood to assist Public Works Director Morris to get an ordinance prepared. Councilor Hamilton Morris to ask the citizens and the comments

Amphitheater Lease - DeAydra Stewart usually hosts a concert at the Mossyrock Blueberry Festival and would like to move it to Napavine, as a Summer Festival June 16-17th with vendors, bouncy house for kids. Councilor Hamilton moved to prepare a lease agreement for June 16-17, Second by Councilor Haslett, motion carried unanimously.

Liquor License Renewal for Frank's Minit Mart – Mayor Sayers, no objection from council.

CONSENT/APPROVAL AGENDA:

OLD BUSINESS:

ORDINANCE 557 – COMBINE THE OFFICE OF CITY CLERK AND CITY TREASURER:

Councilor Haslett read the title of Ordinance 557 into record, at an earlier date Haslett read the Ordinance in its entirety;

AN ORDINANCE OF THE NAPAVINE CITY COUNCIL, COMBINING THE OFFICES OF CITY CLERK AND CITY TREASURER; REPEALING CHAPTER 2.08 OF THE NAPAVINE MUNICIPAL CODE; AMENDING CHAPTER 2.09 OF THE NAPAVINE MUNICIPAL CODE: AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

Councilor Haslett moved to approve Ordinance 557 on Second Reading, Second by Councilor Wood. Discussion, Councilor Hamilton asked Interim Clerk /City Treasurer if this is in the best interest of the city in the long run as council is aware of Wood being overwhelmed. Wood stated yes in the long run, there is a lot of housecleaning to do, once everything calms down and we have additional help to get caught up, things should run smoother. Mayor Sayers advised council that Billing Clerk Darnell has resigned and now Sharri has been doing the billing, and there is retention that has not been done since 2007, among other items. Mayor Sayers called for vote, motion carried. Point of Order called, Councilor Haslett amended his motion to approve Ordinance 557 on First and Second Reading, second by Councilor Wood, motion carried unanimously.

RESOLUTION OPEN MEETINGS WITH CITIZEN COMMENTS – Interim City Clerk-City Treasurer Wood stated that this resolution was tabled previously and had asked the City Attorney four times for the resolution, Motion by Councilor Hamilton to table until the resolution is prepared, second by Councilor O'Neill, motion carried unanimously.

RESOLUTION CITY COUNCIL QUALIFICATIONS CITIZENSHIP – This is another resolution that was asked from our City Attorney, which we do not have. Motion by Councilor O'Neill to table Resolution on City Council Qualifications Citizenship, Second by Councilor Wood, motion carried unanimously.

CONSIDERATION OF ORDINANCE OR RESOLUTION FOR “NO COMMERCIAL VEHICLES” ENFORCEMENT ON MILL ROAD - Public Works Director Morris requested council to pass for “No Commercial Vehicles” on Mill Road and the Chief of Police can enforce that. Motion by Councilor Haslett, Second by Councilor Hamilton, Discussion, Clerk Wood stated that for the Police to enforce the “No Commercial Vehicles, it

should be an Ordinance. Councilor Haslett amended his motion to Adopt an ordinance for No Commercial Vehicles on Mill Road, Second by Councilor Wood, motion carried unanimously. Don Jensen stated he witnessed commercial trucks going down Mill Road during the accident on I-5 and recommend the city post signs with arrows for those that are strangers to the area.

BASEBALL SCOREBOARD – COUNCILOR O’NEILL reported that everything is in place and have all the hardware and is ready to go, Councilor O’Neill motion to approve, Community Development Cris Dodd stated no need to approve, it has already been approved, just need to get the permit. O’Neill reported that the labor was donated by Keegan Electric and JT whom installed the conduit.

BETHEL CHURCH WATER CONNECTION FEES – Pastor Scott Collins stated it’s refreshing to see the council allow citizen comments. Bethel Church paid for a water connection fee already and asking to have that connection fee rolled over to the 6” line and abandon the 2” line. The learning center will be using the domestic water and for the fire coverage. Morris stated if the church comes off the 6” line to the 2” line and move the meter, it will be on private property. Councilor Haslett move to approve the transfer of the meter on private property, Second by Councilor O’Neill, motion carried unanimously.

NEW BUSINESS:

VOUCHERS: APRIL 11, 2017

Councilor Hamilton questioned if there was engineering fees on Well 6 in this voucher, Clerk Wood reported that there were none. **March, 2017 Supplemental Vouchers: Payroll vouchers 2nd Pay Period 33874 – 33875, and 33877 \$909.75; ACH Payroll Direct Deposit in the amount of \$13,861.72; Voucher 33876 \$4,941.00, Electronic Funds Transfer (EFT) dated 3/22/2017 – 3/30/2017 in the amount of \$16,559.30; Grand Total March Supplemental Vouchers \$36,271.7. April 11, 2017 Vouchers 33876 - 33906 \$24,314.84, ACH Direct Deposit Payroll \$14,424.48, EFT dated 4/1/17 – 4/11/17 \$6,549.22, Grand Total April Vouchers \$45,313.54.** Clerk Wood reported that check number **33889 has been voided and funds returned in the amount of \$25.00**; the city was billed for Section 218 Agreement by Dept. of Retirement, the city has no such agreement. Motion by Councilor Hamilton to approve the vouchers for April 11, 2017 and March Supplemental, Second by Councilor Haslett, motion carried, Councilor Wood abstain from payroll vouchers

INTERLOCAL AGREEMENT LEWIS COUNTY SOLID WASTE – STEVE SKINNER LC SOLID WASTE – Lewis County is asking the Interlocal Agreement be renewed for another 25 years, changed the dates and added the work “maintained” which states create and maintain in the agreement. Invite the City Council to attend the annual meeting in August. Councilor Haslett moved to approve the agreement for 25 years, Second by Councilor O’Neill, motion carried unanimously.

INTERLOCAL AGREEMENT CHEHALIS RIVER BASIN – SCOTT BOETTCHER & RON AVRIL – The City of Hoquiam asked to join the Chehalis River Basin Flood Authority Agreement with a total of 13 jurisdictions, partnership and collaboration on flood hazard reduction. Focused on small local projects, large projects, habitat restorations, been spending about \$5million a year on small projects. Discussion, state spent \$50 million a year on projects mostly on the dam, which they are finishing up the impact study. and habitat restoration pads. Motion by Councilor Haslett to approve the Interlocal Agreement Chehalis River Basin Flood Authority, second by Councilor Wood, motion carried unanimously.

PROCLAMATION SECUAL ASSAULT AWARENESS MONTH – RUTH ALLISON HRN – Ruth Allison, Board Member of the Human Response Network, reported that there was an increase in reporting sexual assault over 2016, and hope that it’s due to education. HRN can now respond with a rape kit to a police

department, provide support to the victims during the entire process. Ruth read the proclamation into record.

PROCLAMATION

WHEREAS, Sexual Assault Awareness Month calls attention to the fact that sexual violence is widespread and impacts every community member of the City of Napavine and;

WHEREAS, Rape, sexual assault, and sexual harassment impact our community, and statistics show one in five women and one in 7 men will be raped at some point in their lives; and

WHEREAS, Child sexual abuse prevention must be a priority to confront the reality that one in six boys and one in four girls will experience a sexual assault before the age of 18; and

WHEREAS, Young people experience heightened rates of sexual violence, and youth ages 12-17 were 2.5 times as likely to be victims of rape or sexual assault; and

WHEREAS, On campus, one in five women and one in 16 men are sexually assaulted during their time in college; and

WHEREAS, We must work together to educate our community about sexual violence prevention, supporting survivors, and speaking out against harmful attitudes and actions; and

WHEREAS, When we actively get involved we can prevent sexual violence. The first step is increasing education, awareness, and community involvement. It's time for all of us to take action to create a safer environment for all in the City of Napavine; and

WHEREAS, The Human Response Network is the recognized accredited service provider for Sexual Assault advocacy services for the citizens of Lewis County.

NOW THEREFORE, I, John Sayers, Mayor of the City of Napavine, do hereby proclaim the month of April, 2017, as "**Sexual Assault Awareness Month**" in the City of Napavine, WA. We ask that community members recognize the serious impact of Sexual Assault and to support, and embrace the significant role each of us can play in the prevention of Sexual Assault.

SIGNED, SEALED, AND DATED this 11th day of April, 2017.

MAYOR

RESOLUTION 17-04-77 TERMINATE RETAINER AGREEMENT WITH CITY ATTORNEY – COUNCILOR HASLETT Councilor Haslett moved to postpone, table the resolution since it is the mayor's responsibility to hire or fire the City Attorney, Second by Councilor O'Neill to table until such time the need arises, motion passed unanimously.

GMA GRANT – COMPREHENSIVE PLAN 17-63210-022 – CRIS DODD – Dodd stated this grant allows the city to finalize the Comprehensive Plan which Department of Commerce has reviewed and recommend changes, the grant will cover finalizing the Comprehensive Plan Update that was started back in 2015. Cecilia Kolano questioned what planning commission, Councilor Hamilton moved to approve the GMA Grant – Comprehensive Plan 17-63210-022, Second by Councilor O'Neill, motion carried unanimously.

HAMILTON BOUNDARY LINE ADJUSTMENT BLA 02-16-11 – CRIS DODD –Dodd stated that there is a covenant the city has to respect and uphold and document on the paper on Parkside Loop that the lot remains a Single Family residence lot. Councilor Haslett move to approve the BLA, Second by Councilor Wood, Councilor Hamilton abstain, Councilor Wood, O'Neill and Haslett voted yeah, motion carried.

INTERLOCAL AGREEMENT WINLOCK STREET SWEEPER – BRYAN MORRIS – stated that the city took some time and spent \$10,000 in repairs to get the sweeper working properly and if we allow Winlock to borrow the equipment it may be weeks before we know of any damage. Morris recommends that the city not approve the Interlocal Agreement with Winlock. Motion by Councilor Haslett to **NOT approve** the Interlocal Agreement with Winlock, Second by Councilor Wood, Discussion; motion carried unanimously. Morris stated that he would like to enter into an Interlocal Agreement with the School District.

ITEMS FOR COUNCIL CONSIDERATION:

City of Napavine Posting Places – Councilor Wood – Wood stated that Loves Travel Stop will allow the city to post notices. An ordinance will be needed to amend designate Loves as a posting place for Napavine.

Commercial Development Rates – Councilor Wood – Wood stated that he would like to schedule a meeting to meet with the developers to get our rates aligned to help get businesses going; Councilor Hamilton stated he would like to piggyback feasible to make it easier to do business here in Napavine. Need to clean up the rules and regulations for developing to make City of Napavine a user friendly city and readdress attitudes to help the contractors. Dr. Mike Hamilton addressed Council regarding fill permit. Mayor recommends a committee. Bob Bozarth addressed the council and encouraged by the council stepping up and have an optimism for the city and also appreciate Cris and Mike for stepping up to get his inspection.

GOOD OF THE ORDER:


Councilor Haslett stated he recognizes the stress of the employees and proud of them for stepping up with the changes, Cris, Bryan, Mary and Mrs. Salyers for coming forward to volunteer to help the city and proud of all the employees for stepping up. Very proud of the council as well and being very open to the citizens of Napavine.

Bryan Morris – put a picture of a tree house in Napa Estates, asked council for consideration and asked the council review the ordinance and provide input. Cris Dodd and Bryan discussed the tree house, which is on the city tree, concerned about the liability, but there is nothing in the ordinance to address.

Councilor Wood – asked if there is anything the city is doing to keep Sharri Salyers. Mayor stated we need to keep her. Clerk Wood advised Council that she spoke with the City Attorney and we need to post the position for Deputy Clerk now that the Clerk-Treasurer position was approved.

ADJOURNMENT: Motion by Councilor Hamilton to adjourn, Second by Councilor Wood, motion carried unanimously. Meeting adjourned at 8:52 PM.

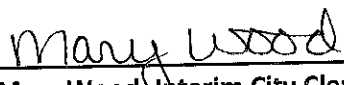
Respectfully submitted,



John Sayers, Mayor



Council Member



Mary Wood, Interim City Clerk