

ASOTIN CITY COUNCIL MINUTES
October 26, 2015
Asotin City Hall, 121 Cleveland Street, Asotin WA

CALL TO ORDER: Mayor Bonfield called the City Council Meeting to order at 5:30p.m.

PLEDGE OF ALLEGIANCE: Councilmember Appleton Led the Pledge of Allegiance.

ROLL CALL: Jennifer Bly, Mervin Schneider, Joe Appleton, George Tucker, Bob Van Pelt

STAFF PRESENT: Tiffany Rogers, Clerk/Treasurer, Jane Richards, City Attorney

PRESS: Kerri Sandaine, Lewiston Morning Tribune

AUDIENCE: Charlotte Tuttle, Elaine Greene, Lynn Jarvis, Jo Anne Miller, Asotin County Commissioner, Jim Fuller, Janet Truitt, Asotin County Aquatic Center Director, Scott Stoll, Lori Loseth

PUBLIC HEARING: Open 5:30pm –5:32Closed No Comments

A Public Hearing was held Monday, 10/26/15 at 5:30 PM at Asotin City Hall, 121 Cleveland, Asotin, WA for consideration of a selling City of Asotin surplus real property located by Cleveland and Meador Street. The sale excludes the Well House, the ground the Well House sits on and any access road to the Well House also included is egress, ingress and regress to enter, leave and return to city owned property. There is no gas, electric, water or sewer connection to this property. Condition of Sale, the City of Asotin is required by the Department of Ecology and Department of Health to reserve a 100 foot setback from the well head to any buildings. This setback does not include property lines and minor structures (i.e. fences, portable sheds, etc). Those wishing to make oral or written statements on this matter may do so during the hearing.

ORAL COMMUNICATIONS- PUBLIC COMMENT:

Mayor Bonfield explained in consideration of others wishing to speak, your remarks will be limited to three minutes for items not listed on the agenda. Please stand, state your name and address for the records.

Resident, Charlotte Tuttle asked Mayor Bonfield what was the final decision on Mrs. Greene's sewer line. Mayor Bonfield stated the city has to locate funding to replace the whole sewer line. Charlotte Tuttle also asked if the easement issue on Wilson Street has been resolved. Mayor Bonfield asked Elaine Greene if the posts have been removed. Elaine Greene stated yes the posts have been removed.

Asotin County Aquatic Center Director, Scott Stoll asked the city to reconsider not removing the sales tax funding from the Aquatic Center. Support is still needed.

Resident, Elaine Greene stated the "A" on the hill looks fabulous. Elaine Greene stated there is a fun read about hillside letters in Wikipedia. Elaine Greene also stated the white arrows that are painted on the ground through the Post Office are great. Mayor Bonfield asked the council and the audience if they noticed anything different about city hall. Mayor Bonfield asked did you know the outside was painted. It was painted before the last council meeting and nobody noticed. Mayor Bonfield stated Public Works Superintendent, Bob Portlock and Maintenance Worker, Kirk Frye did a great job painting the building.

CONSENT CALENDAR:

- 1. Minutes of September 28, 2015 Regular Meeting**
- 2. Minutes of October 13, 2015 Regular Meeting**
- 3. Expense Checks - #37723-#37754 \$174,562.13**
- 4. Payroll Checks- #37706-#37722 \$11,964.64**
- 5. EFT – \$4,250.16**
- 6. Voids-#37719 \$183.19**
- 7. Approval of Unexcused and/or Excused Councilmember’s absents**

Councilmember Appleton made a motion to approve the consent calendar. Seconded by Councilmember Tucker. There was no discussion. All Aye. Motion carried.

OLD BUSINESS:

- 1. City of Asotin Owned Property Parcel 1-049-00-033-0000 Part of Filmore Street Extended Lot 7**
This topic is on hold.

- 2. Appraisal on City of Asotin owned property (Cleveland and Meador) Update 68’x119’ 100’ set back (Well Lot) Lot 18**

Gary Chase completed a 16 page appraisal document for 418 Cleveland Street, Asotin WA 99402.

- 3. Appraisal on City of Asotin owned property Café property (Gateway Park) Commercial**
Gary Chase is still working on the appraisal for this property.

- 4. Asotin County District Court Contract**

Asotin County Commissioner, Jim Fuller stated the termination of this contract is October 29th which is the one year deadline. Asotin County Commissioner, Jim Fuller stated after this date the City of Asotin would not be able to use the Asotin County District Court. He stated he had the contract in hand if the council was ready to sign it. Mayor Bonfield stated there were a few changes that still had to be made before the contract could be signed.

- 5. Asotin County Jail Inmate Fees Contract**

Mayor Bonfield stated it is her understanding this contract is being examined by Deputy Prosecutor, Jane Bremner Rilsey.

NEW BUSINESS:

- 1. U.S. Army Corp of Engineers approval for Controlled Goose Hunt**

Mayor Bonfield explained the U.S. Army Corp of Engineers sent a letter authorizing the use of the U.S. Army Corp of Engineers property for the controlled goose hunt.

CONSULTANT/CONTRACTOR REPORTS:

- 1. Keltic Engineering, Inc.**

a. Shoreline Master Program Update Project #G1400537 –No Report

- 2. Keller Associates, Inc.**

- a. USDA (Rural Development) Waste Water Treatment Plant Upgrade**

Mayor Bonfield reported that the Waste Water Treatment Plant had a plug in the effluent line that transports the plant water to the river. Waste Water Treatment Plant Operator, Bill Frye talked with Pipe Line Services. They cannot repair the break in the Out Fall Line due to the 45 degree angle in the piping. They can possibly remove the roots but that does not fix the problem. Waste Water Treatment

Plant Operator, Bill Frye contacted Stillman Norton to ask him to draw up plans to set a manhole above the break in the line. This will not only fix the root problem in this section but will give an access point for future cleaning and possible repair to the out fall line. Waste Water Treatment Plant Operator, Bill Frye stated we need permission from the U.S. Corp of Engineers and the Tribe to do this project in a timely manner so it will not affect the ongoing project. Mayor Bonfield contacted the U.S. Army Corp of Engineers to inform them the blockage has causes the effluent line to backup and has stopped the plant. The City is in immediate need of a permit and/or permission to dig and repair the line. The City will also need permission to remove some of the trees due to the roots breaking through the line and causing the problem. Mayor Bonfield also contacted Pat Baird from the Tribe to inform him of the situation. The U.S. Army Corp of Engineers replied back with the message as follows: We do not want to hold this up as this repair sounds extremely urgent and needs to be addressed immediately. We just want to be sure all the proper notifications are/have been made, appropriate monitoring can be done during the work if needed, and any follow-up documentation will be done post repair. If in the course of the repair work, cultural material is identified, the contractor must stop work, protect the site and notify a staff archaeologist of the U.S. Army Corps of Engineers, Walla Walla District by telephone at one of the following numbers: 509-527-7274 or 509-527-7255 or 509-527-7278 or 509-527-7297. Mayor Bonfield also informed the U.S. Army Corp of Engineers there will be two trees removed in order to get into the line. The City will place a camera in the line after it is opened to make sure other areas are not plugged. This winter the City would like to remove trees that will be in line with the effluent line so we eliminate the risk of the roots invading the continuous line. Work will begin again next week.

CLERK'S REPORT:

- 1. Budget Workshop scheduled for Tuesday, November 10th at 3:00pm – 5:00pm**
Clerk/Treasurer, Tiffany Rogers stated there will be a Budget Workshop scheduled for Tuesday, November 10th at 3:00pm – 5:00pm at City Hall.
- 2. November 3rd will provide Election Results for the M&O Levy need 60% Yes votes to pass**
Clerk/Treasurer, Tiffany Rogers stated November 3rd the City will find out if the M&O Levy passes. The City will need 60% of yes votes to pass.

POLICE REPORT: None

CITY ATTORNEY:

City Attorney, Jane Richards stated she will discuss the Asotin County District Court Contract in Executive Session.

FIRE DEPARTMENT: None

PLANNING COMMISSION:

President, Ron Lamb of the Planning Commission stated the commission examined the new Ordinance #2015-793 which increased the buildable height from 16 feet to 18 feet for detached structures. The commission wanted to know who is going to enforcement this new height limit on out buildings. Mayor Bonfield stated the enforcement will be through the City of Asotin Building Department. Mayor Bonfield stated she also wants to examine the Ordinance for the original structure height restrictions. Mayor Bonfield will have the committee look at the original height and bring the information back to the council. Next Planning Commission meeting will be Thursday, January 7th 2016. Planning Commission meetings are the first Thursday of each quarter.

COMMITTEE REPORTS:

- a. **Mayor Pro-Tem** –Jennifer Bly
- b. **Administrative Personnel** - Jennifer Bly
- c. **Public Safety (Law Enforcement, Fire Safety, Emergency Services)** - Bob Van Pelt & Joe Appleton
- d. **Public Works (Water, Sewer, Utility Franchises)** - George Tucker & Jennifer Bly
- e. **Transportation (Streets, Dept of Transportation Liaison)** - George Tucker & Mervin Schneider
- f. **Parks and Recreation (Parks, Cemetery, Asotin Community Center)** - Bob Van Pelt
- g. **Finance** - Jennifer Bly & Joe Appleton
- h. **Asotin County EMS Board (HOLD)**
- i. **Asotin County Solid Waste Advisory (HOLD)**
- j. **Asotin County Health District** - Vikki Bonfield
- k. **PTBA** - Mervin Schneider
- l. **MPO Technical Advisory Committee** - Bob Portlock
- m. **MPO Policy Board** - Mervin Schneider
- n. **Stormwater** - Jennifer Bly

COUNCIL COMMUNICATIONS:

Mervin Schneider–None

Joe Appleton–None

Jennifer Bly-None

Bob Van Pelt– Councilmember Van Pelt stated he was informed by Asotin County Commissioner, Jim Fuller that the commissioners do not want to exchange any properties with the City of Asotin.

George Tucker–None

MAYOR’S REPORT:

CATS

Mayor Bonfield spoke with the Lewis Clark Animal Shelter and they are still working on a contract to include cats.

OPEN BURNING

Mayor Bonfield stated Open Burning will begin tomorrow. Open Burning is allowed from 10am–5pm daily. All fires must be completely extinguished including all embers by 5pm. Each burn shall not be larger than four feet by four feet by three feet in height (4’x4’x3’) and shall be at a distance of at least 50 feet from any building, structure or combustible material. Prohibited items to burn include but are not limited to: Garbage, Oil, Grease, Lawn clippings, Leaves, Commercial or Industrial waste, Products containing rubber, Dead Animals, Demolition debris, Asphalt shingles, Railroad ties, Telephone poles, Building materials, Green vegetation, Pallets, or any other materials which emit dense smoke or obnoxious odors. Call before you burn 509-243-2002 to verify burning conditions for the day. Penalties can be assessed with increasing severity for continued violations. The violations can range from \$200.00 for the first offense and can be as severe as \$10,000.00 for multiple violations.

RESOLUTIONS & ORDINANCES:

1. **Resolution #2015-563 A Resolution Rescinding the Agreement Between Asotin County and the City of Asotin Allowing the Sales Tax to be Paid to Asotin County for the Aquatic Center.**

Mayor Bonfield explained Asotin County imposed a .3% sales tax and monies were going to the county from the city for the Aquatic Center. City of Clarkston’s money came directly to the City of Clarkston then the City of Clarkston paid a flat fee to the Aquatic Center. City of Asotin is paying taxes on the Public Facilities District plus the .3% sales tax. Mayor Bonfield stated she talked with the Department of Revenue and the sales tax monies go to the county as a lump sum. Mayor Bonfield stated she talked

with Asotin County Chief Financial Officer, Chris Kemp and she stated the City of Asotin had been paying the sales tax to the county through a lump sum. Mayor Bonfield stated since the City of Asotin is already currently paying into the Public Facilities District, she feels it is appropriate for the sales tax monies to come back to the City of Asotin. Mayor Bonfield stated it is about \$1, 700.00 that would be coming back to the City of Asotin. Asotin County Commissioner, Jim Fuller stated the county pays the sales tax in to the Aquatic Center for the City of Asotin. Mayor Bonfield stated the City of Asotin is paying 5% sales tax into the Aquatic Center. Asotin County Commissioner, Jim Fuller stated there is legislation that stated the cities could take the sales tax or the REET tax. Asotin County Commissioner, Jim Fuller stated he remembered the City of Asotin choosing the REET tax because the sale of property was more profitable than sales tax for the City of Asotin. City Attorney, Jane Richards suggested the city do more research before taking a vote. Charlotte Tuttle stated there is still an opening on the Aquatic Center Public Facilities District for a City of Asotin resident to serve on the board. Councilmember Appleton stated he turned in an application to be on the Public Facilities District as the City of Asotin resident, but he never heard back from the Aquatic Center. Asotin County Commissioner, Jim Fuller stated he was not aware that Councilmember Appleton turned in an application. Mayor Bonfield also stated there is an opening for a City of Asotin Councilmember to serve on the EMS Council. They meet at 7:30am at Tri State Hospital quarterly. It is only a half hour meeting.

EXECUTIVE SESSION: RCW 42.30.110 (c) (i) contracts 40 minutes 5:55pm- 6:30pm

Asotin County District Court Contract

Councilmember Bly made a motion to instruct City Attorney, Jane Richards to make the proposed changes to the District Court Contract and send the changes to Deputy Prosecutor, Jane Bremner Rilsey and send a copy to Asotin County Commissioner, Jim Jeffords. Seconded by Councilmember Schneider. There was no discussion. All Aye. Motion carried.

Vacant Lot 418 Cleveland Property Sale

Councilmember Bly made a motion to sale the vacant lot at 418 Cleveland Street Asotin WA 99402 by using the sealed bid process. Seconded by Councilmember Tucker. There was no discussion. All Aye. Motion carried. The minimum bid will be advertised in the Lewiston Morning Tribune, posted at the post office and placed on the City of Asotin website. Sealed Bids will be received by the City of Asotin, WA, at City Hall, 121 Cleveland Street, PO Box 517, Asotin, WA 99402, until 5:00 pm local time on Friday, November 20, 2015. The sale excludes the Well House, the ground the Well House sits on and any access road to the Well House also included is egress, ingress and regress to enter, leave and return to city owned property. There is no gas, electric, water or sewer connection to this property. Condition of Sale, the City of Asotin is required by the Department of Ecology and Department of Health to reserve a 100 foot setback from the well head to any buildings. This setback does not include property lines and minor structures (i.e. fences, portable sheds, etc). Bids received will be publicly opened and read on Monday, November 23, 2015 at 5:30pm at City Hall, 121 Cleveland Street, Asotin WA 99402. The parcel of land will be sold to the highest and most qualified bidder. Any and all sealed bids submitted must be accompanied by a bid deposit in the form of a cashier's check payable to the City of Asotin in the amount of \$5,000. Such deposit accompanying the successful bid shall be deposited into escrow until closing on the purchase of the parcel and payment of the remaining amount of the purchase price shall be made within 30 days. In the event the purchaser is unable to pay the remaining amount within the required time, the earnest money deposit shall become nonrefundable and shall be retained by the city as liquidated damages and not as a penalty, since the calculation of actual damages due to time lost, transaction expenses and etc. will be difficult, if not impossible, to accurately calculate (such damages, as just defined, being referenced hereafter as "liquidated damages"); provided, however, that the purchaser may, at his/her option, deposit an additional \$5,000 extension fee (hereinafter "extension fee"), in which case his/her time to make full payment shall be extended for one additional 60-day period. In the event full payment is not

made by the conclusion of the additional 60-day period, an additional \$1,000 shall be retained by the city from the extension fee as liquidated damages relevant to the additional lost time and expense. The remainder of the extension fee shall be returned to the purchaser. The city council reserves the right to waive any irregularities in the bid process. Prospective Bidders may examine and/or obtain copies of the Bidding Documents at City Hall on Monday through Friday between the hours of 9:00am and 5:00pm or contact City Hall at 509-243-4411.

ADJOURNMENT: Motion to adjourn the meeting made by Councilmember Schneider. Seconded by Councilmember Bly. There was no discussion. All Aye. Motion carried. Meeting adjourned at 6:40pm.

Mayor, Vikki Bonfield

Clerk/Treasurer, Tiffany Rogers