

CITY OF TENINO
Minutes of the Council Work Session
Council Chambers
July 13, 2010

Work Session at 6:30 p.m.

Mayor Jones brought the work session to order.

Council reviewed the information distributed and Vouchers

Informal discussions

Name Tags

Council Policy

Police Liability

Park Survey

CITY OF TENINO
City Council Regular Meeting
Minutes
July 13, 2010

1) **CALL TO ORDER:** Mayor Ken Jones called the meeting of the Tenino City Council to order at 7:30 p.m. July 13, 2010.

COUNCIL: Present: Frank Anderson, Bret Brodersen, Rebecca Foster, Dawna Kelley-Donohue and Phil Simmons.

STAFF: Dick Riley, President, Gibbs & Olson; Tom Gower, Project Engineer, Gibbs & Olson; Sean Gallagher, Chief of Police; Steven Dawes, Police Officer; Dave Dafoe, Public Works Director; Ron Kemp, Development Services Director; and Betty Garrison, City Clerk-Treasurer.

FLAG SALUTE: Council member Kelly-Donohue led the pledge of allegiance.

2) **AGENDA APPROVAL:** Council member Kelley-Donohue moved to add the Tenino Eagles Request for a Beer Garden to the Agenda as item #10.f. Council member Anderson seconded the motion. The motion carried, 5-0. Council member Brodersen moved to approve the amended Agenda. Council member Kelley-Donohue seconded the motion. The motion carried, 5-0.

3) **APPROVAL OF MINUTES:** Council member Kelley-Donohue moved to approve the Minutes of the June 22, 2010 Work Sessions and Regular Meeting. Council member Simmons seconded the motion, which carried, 5-0.

4) **CONSENT CALENDAR:**

a) June 23 through July 13, 2010 Vouchers - Payroll Checks # 6104 through 6139 in the amount of \$76,424.99 and Claims Checks # 20381 through 20456 in the amount of \$196,936.92 for a total of \$273,361.91.

b) Treasurer's Report for the period ended June 30, 2010.

Council member Anderson moved to approve the Consent Calendar

consisting of June 23 through July 13, 2010 Vouchers - Payroll Checks # 6104 through 6139 in the amount of \$76,424.99 and Claims Checks # 20381 through 20456 in the amount of \$196,936.92 for a total of \$273,361.91, and the Treasurer's Report for the period ended June 30, 2010. Council member Kelley-Donohue seconded the motion, which carried, 5-0.

4) **PUBLIC COMMENTS:**

Donna from Donna's Eco-Scapes at 249 W Sussex addressed Council with question regarding Sewer charges for the property that she leases for her landscape business since she does not have a sink or toilet on the premises. Council member Simmons offered to pay \$36.00 to keep water from being turned off at this property.

Ron Danko, property owner at 249 W Lincoln addressed Council regarding Sewer charges for his property. The property is not connected to water. The building is under restoration and will be connected as soon as the restoration is completed; currently there is no plumbing in the building. Mayor Jones requested Mr. Danko submit a written request and Clerk-Treasurer to put it on the Agenda.

6) **PUBLIC HEARING:** Six Year Transportation Improvement Plan. Mayor Jones opened the Public Hearing at 7:40 p.m. Public Works Director Dafoe reviewed the Six Year Transportation Improvement Plan. Planning Commission Chair Donohue reported that the Commission reviewed the plan and recommends adoption. Mayor Jones asked for Public Comment. No one commented. Mayor Jones asked for Council questions or comments. Council member Brodersen requested clarification on costs for projects. Mayor Jones closed the Public Hearing at 7:54 p.m.

7) **PRESENTATIONS:**

a) Brittany Sills, Traffic Safety Commission – Addressed Council regarding the Target Zero Project. Her work is focused on traffic enforcement, targeting DUI, Seatbelt, and Speed Emphasis Patrols. The goal is to have zero traffic fatalities in our jurisdictions.

b) Oath of Office for Steven Dawes – Mayor Jones directed City Clerk-Treasurer Garrison to administer the Oath of Office for Police Officer Steven Dawes. Officer Dawes was welcomed by Mayor Jones and the City Council.

8) **REPORTS:**

a) **Staff**

Police – Chief Gallagher reported assigning Officer Haggerty the duties of Lieutenant and his completion of training certifying him as a hand gun instructor. The Police Department is ready for Oregon Trail Days. A stolen car was recovered from the Park. There was a traffic accident at 99 and Sussex. Chris Davis will be starting the Basic Law Enforcement Academy. The Police Department is expanding the Reserve Program. Angie May is returning and Casey Carlson a candidate graduated from the Lewis County Academy is going through the background process. There are four more candidates interested but no academy available to provide necessary training, so the Department is starting a Civilian volunteer program.

Public Works – No report.

Development Service – Development Services Director Ron Kemp reported completion and acceptance of the WWTP on the agenda tonight. E-One contract should be coming forward for acceptance and completion shortly. Twelve service connections are not completed.

Administration/Finance – City Clerk-Treasurer Garrison reported: Court Clerk is out with an injury; Court will be held this Friday so the temporary part-time administrative assistant position will be activated to bring in a professional Court Administrator to assist. The CDBG/CIF Grant will be closed out the end of January, all requests must be in by the 15th or it will be too late; the City will be returning approximately \$178,000 as un-used Grant funding. Training for Council on efficient public meetings will be available November 10th in Yelm. Chief Gallagher reported on the progress with getting a prescription drug drop off box for safe disposal. Tenino High School Band Booster request for use of the Quarry House for a Pancake Breakfast during Oregon Trail Days has died. The Providence Agreement for medical care of in-custody individuals is being re-worked.

b) **Commissions**

Civil Service Commission - No report.

Planning Commission – Planning Commission Chair Donohue reported: the Commission will be reviewing the Sign Ordinance and submitting recommendations. The Commission will be reviewing Development Regulations starting in September.

Park Commission – Park Commission Chair Dolstad reported on the meeting of the Park Commission. She expressed concern with regard to the direction and focus of the Commission and the need for direction before they move forward. She requested a joint session with Council, Planning and Park Commissions.

c) **Committees**

Sewer Committee – Council member Simmons reported that the Committee has work to get done with regard to recommendations for the Ordinance Changes. He reported that the Council was provided a walk around tour of the WWTP earlier in the evening and that representatives from the City of Rainier also participated.

d) **Liaisons**

Thurston Regional Planning Council – No report.

Transportation Policy – No report.

CAPCOM - Administrative Board Agenda and minutes were distributed.

Solid Waste Advisory – No report.

Home Consortium – Council member Kelley-Donohue reported attending the meeting Monday. They reviewed their action plan. The Grants for affordable housing and the homeless were awarded. They are working on a 10 year plan. Updated financials show that revenue is lagging by 13%. Some Grants will be moving into 2011. They will be electing new officers at the next meeting.

Medic (EMS) – No report.

Emergency Management – No report.

e) **Outside Agencies**

Library – Librarian Ryan Williams distributed a report. The Summer Reading Program is running until the middle of August with 300 participants. He outlined current programs and upcoming events. September is Preparedness Month and the City was invited to participate.

Museum – No report.

Fire District #12 – No report.

9) **OLD BUSINESS:**

a) Request for waiver of late charges - Theresa Janzen, Manager Tenino Estates addressed Council requested a waiver of late fees. She asked that the City consider accepting a waiver from the property owner, collection of a deposit from the tenant and not holding landlord responsible for utility billing. Council discussed past practice, setting of precedent, billing issues in the event the tenant

doesn't pay the billing. Landlord can request notification in the event of non-payment by the tenant, Tenino Estates has now made that request and all accounts for those properties have been flagged for landlord notification and it is currently being provided. **Council member Simmons moved to waive late fees of \$808.83 for the property at 773 Garfield. Council member Foster seconded the motion.** Council member Brodersen and Council member Kelley-Donohue voiced concern regarding the variation from past practice. Past practice has been to set up payment plan but not to waive late fees. **Council member Anderson abstained. Vote tied with two in favor and two opposed. Mayor Jones stated that he could not break the tie as it pertained to money. The motion failed as a tie vote does not provide the necessary majority to pass.** Council member Simmons requested this question be put to the City Attorney and State Auditor. Council member Kelley-Donohue requested information to validate how this situation can be considered different than previous situations so that it doesn't present a conflict with policy and previous practice. **Council member Anderson moved to bring this back at the next meeting after input from the City Attorney. Council member Kelley-Donohue seconded the motion, which passed 5-0.**

b) Park Survey – Park Commission Chair Dolstad, and Commissioner Gomez-Beloz addressed Council requesting direction for the Park Commission. Mayor Jones suggested this be deferred to a joint work session including Council, Planning Commission and Park Commission. Planning Commission Chair Donohue encouraged the setting of a joint Visioning Session. Council member Brodersen suggested that the City Clerk-Treasurer set a Joint Work Session at the earliest convenience. **Council member Kelley-Donohue moved to set a Joint Work Session with Council, Planning Commission and Park Commission members to discuss direction for the Park Commission. Council member Brodersen seconded the motion. The motion carried 5-0.**

10) **NEW BUSINESS:**

a) Change Order #01 to Boss Construction - Tom Gower, Project Engineer, Gibbs & Olsen, presented this Change Order #01 for approval and the Mayor's signature. This change order is a final reconciliation. **Council member Anderson moved to approve and authorize the Mayor to sign Change Order #01 to Boss Construction, Inc. reducing the contract by \$183,572.73 including State Sales Tax. Council member Kelley-Donohue seconded the motion. The motion carried 5-0.**

b) Project Acceptance of Tenino WWTP – Project Engineer Gower asked that Council accept the completion of the Tenino Wastewater Treatment Plant. He thanked Council for attending the walk through this evening. **Council member Simmons moved to accept the completion of the Tenino Wastewater Treatment Plant. Council member Anderson seconded the motion. The motion carried 5-0.** Council and Mayor Jones thanked Mr. Gower for his assistance through this phase of the Project. Dick Riley, President of Gibbs & Olsen addressed Council and thanked City Staff, Engineering Staff, Mayor Jones and the City Council for support as we worked through the past nine years getting this project planned, constructed and completed.

c) Request for closing of Stage Street South from 8 a.m. Friday, July 23rd through the close of business on July 26th - **Council member Brodersen moved to authorize the closure of Stage Street South from 8 a.m. Friday, July 23rd through the close of business on July 26th. Council member Anderson seconded the motion.** Council member Brodersen clarified with Public Works and the Police Department that there were no issues with this action. **Council member Kelley-Donohue abstained. The motion carried 5-0.**

d) Weyerhaeuser – Road Use Permit – Paul Donohue presented this request to Council.

This request is tied to the Park Land Acquisition Project. Mr. Donohue suggested the fee be \$100.00 and a \$500.00 refundable deposit. **Council member Brodersen moved to authorize the Temporary Road Easement to Weyerhaeuser with a \$100 fee and a \$500 refundable deposit while waiting for the property transfer to be finalized. Council member Kelley-Donohue seconded the motion. The motion carried 5-0.**

e) Weyerhaeuser – Forest Practice Permit – Paul Donohue presented this request to Council for authorization and approval. This is connected to the Park Land Acquisition Project. **Council member Anderson moved to authorize the Mayor to sign the Forest Practice Permit for Weyerhaeuser while waiting for the property transfer to be finalized. Council member Kelley-Donohue seconded the motion. The motion carried 5-0.**

Council member Anderson left the meeting at 9:31 p.m.

f) Tenino Eagles Request for permission to operate Beer Garden during Oregon Trail Days – Chief Gallagher contacted the Liquor Control Board in an effort to have the answers to questions Council may ask regarding this last minute request. He was told that this could only work if it was attached to their place of business, otherwise it would require a special permit from the Liquor Control Board and there were not any applications for Special Permits on file. Council discussed issues with liquor license, insurance, the alley, lack of information included with the request and that they would not approve something that may be contrary to regulations of another regulatory agency. It was the consensus of the Council that they were not provided with sufficient information or time to process this request and that the Chief should contact Tenino Eagles and the Liquor Control Board to advise them that no action to approve or deny the request was taken by the Council due to the lack of information provided.

11) **RESOLUTIONS:**

a) Resolution No. 2010-27 – Declaring certain personal property as surplus and of no further value to the City, and directing the disposal thereof. - **Council member Kelley-Donohue moved to adopt Resolution No. 2010-27 – Declaring certain personal property as surplus and of no further value to the City, and directing the disposal thereof. Council member Foster seconded the motion.** City Clerk-Treasurer Garrison clarified that this personal property consisted of old cell phones, a fax and some dot matrix printers. **The motion carried 4-0.**

b) Resolution No. 2010-28 – Adopting the 2011-2016 Six Year Transportation Improvement Plan, pursuant to RCW 35.77.010, laws of the State of Washington - **Council member Kelley-Donohue moved to adopt Resolution No. 2010-28 – adopting the 2011-2016 Six Year Transportation Improvement Plan, pursuant to RCW 35.77.010, laws of the State of Washington. Council member Simmons seconded the motion.** Council member Brodersen asked that the dollars be verified prior to publication. **The motion carried 4-0.**

12) **ORDINANCES:**

a) Ordinance No. 777 – Repealing Tenino Municipal Code 3.36.190 – City Clerk Treasurer Garrison presented this Ordinance to correct cash on hand as identified by Ordinance to actual. Accounting records will be updated and corrected. **Council member Brodersen moved to adopt Ordinance No. 777. Council member Kelley-Donohue seconded the motion. The motion carried 4-0.**

13) **ANNOUNCEMENTS:**

Council member Brodersen announced the new program for recycling Styrofoam.

Council member Kelley-Donohue announced the Annual Lion's Club Garage Sale, Seattle to Portland Bicycle Run and the Farmer's Market all coming up this week-end.

14) **ADJOURNMENT:** Hearing no further business Mayor Jones adjourned the meeting at 9:50 p.m.

Betty J. Garrison, MMC, CPFA, Clerk/Treasurer

ATTEST:

Kenneth A. Jones, Mayor