

Kelso City Council Agenda

Regular Meeting, 6:00 pm

August 2, 2016

'National Night Out'

Tam O'Shanter Park

Kelso, WA 98626



**Special accommodations for the handicapped and hearing impaired are available
by special arrangement through the City Clerk's Office at 360-423-0900**

Roll Call to Council Members:

Invocation:

Pastor Marv Kasemeier from New Song

1. Approve Minutes:

1.1. July 19, 2016 – Regular Meeting

2. Proclamation:

2.1. National Night Out - To be brought to meeting

3. Consent Item:

4. Citizen Business:

5. Council Business:

6. Action/Motion Items:

6.1. Ordinance, 2nd Reading

6.1.1. Amending KMC 13.04.160, Water Service Outside City Limits

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Other Items:

- City Manager Report
- Staff/Dept Head Reports
- Council Reports
- Other Business
- Executive Session

Pastor Marv Kasemeier from New Song Worship Center gave the invocation. Mayor David Futcher led the flag salute. Mayor Futcher called the Regular Meeting of the Kelso City Council to order. Councilmembers in attendance were Rick Roberson, David Futcher, Kim Lefebvre, Nancy Malone, and Larry Alexander. Councilmember Jim Hill arrived at 6:05 p.m. and Councilmember Todd McDaniel was absent.

Minutes: Upon motion by Councilmember Malone, seconded by Councilmember Lefebvre, 'Approve the Minutes of the 7/5/16 Regular Meeting,' Motion carried, all voting yes. Councilmember Hill was not in attendance at the time of the vote.

CONSENT AGENDA:

1. **Auditing of Accounts:** \$ 2,064,888.35

Upon motion by Councilmember Roberson, seconded by Councilmember Lefebvre, 'Approve the Consent Agenda and the Auditing of Accounts in the amount of \$2,064,888.35,' motion carried, all voting yes. Councilmember Hill was not in attendance at the time of the vote.

CITIZEN BUSINESS:

Cowlitz 2 Fire and Rescue Fire Chief Dave Lafave: Spoke about a proposed Capital Improvements Bond for \$11,000,000 that, if passed by the Board of Commissioners of Cowlitz County Fire District 2, shall be a ballot measure in the November 2016 election.

COUNCIL BUSINESS:

Sullivan Hangar Demolition and Removal Project Contract Award: Upon motion by Councilmember Lefebvre, seconded by Councilmember Roberson, 'Award the contract to Anderson Environmental, LLC,' motion passed, all voting yes.

FAA Grant Agreement Project No. 3-53-0034-016 – Airport Improvement Program, Southwest Washington Regional Airport: Upon motion by Councilmember Roberson, seconded by Councilmember Malone, 'Authorize the acceptance of the FAA Grant.' City Manager Taylor provided a brief update on the airport. Motion passed, all voting yes.

Appointments – City Charter Amendments Pro and Con Committees: Upon motion by Councilmember Lefebvre, seconded by Councilmember Roberson, 'Approve the Appointments as presented.' The appointments went as follows:

- **Pro Committee:** Ann Hight, Gary Schimmel, and Keith Lawrence
- **Con Committee:** Dan Myers and Rick Von Rock

MOTION ITEMS:

Ordinance No. (1st Reading): The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Malone, seconded by Councilmember Lefebvre, ‘Pass on 1st reading, ‘AN ORDINANCE OF THE CITY OF KELSO, WASHINGTON AMENDING THE KELSO MUNICIPAL CODE SECTION 13.04.160 RELATING TO WATER SERVICE OUTSIDE CORPORATE CITY LIMITS,’ motion carried, all voting yes.

Ordinance No. 16-3875 – Conveyance of Real Property to the Davis Terrace Water Association: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Malone, seconded by Councilmember Roberson, ‘Adopt Ordinance No. 16-3875, ‘AN ORDINANCE OF THE CITY OF KELSO CONVEYING REAL PROPERTY, PARCEL NOS. 24337 AND 24334 TO THE DAVIS TERRACE WATER ASSOCIATION,’ motion carried, all voting yes.

MANAGER’S REPORT:

Steve Taylor: 1) Provided an update on the joint Way Finding Sign Services project with the City of Longview. He commented that they are seeking councilmembers to serve on the project committee and be a representative of Kelso on the project task force. Councilmembers Roberson and Malone volunteered. 2) Commented that the National Night Out Event is August 2, 2016.

COUNCIL REPORTS:

Larry Alexander: No report.

Nancy Malone: No report.

Kim Lefebvre: Commented that she would like to see the plastic bag ordinance brought back for consideration.

Rick Roberson: No report.

Jim Hill: No report.

David Futcher: No report.

There being no further business, Mayor Futcher adjourned the meeting at 6:29 p.m.

MAYOR

CITY CLERK

AGENDA SUMMARY SHEET
Business of the City of Kelso
City of Kelso, Washington

SUBJECT TITLE:

**AN ORDINANCE OF THE CITY OF KELSO,
WASHINGTON AMENDING THE KELSO
MUNICIPAL CODE SECTION 13.04.160
RELATING TO WATER SERVICE OUTSIDE
CORPORATE CITY LIMITS**

Agenda Item: _____

Dept. of Origin: City Manager

For Agenda of: August 2, 2016

Cost of Item: _____

City Manager: Stephen Taylor

PRESENTED BY:

Janean Parker

AGENDA ITEM ATTACHMENTS:

Proposed Ordinance

SUMMARY STATEMENT:

The City currently provides water to one private water district outside the corporate City limits—the Davis Terrace Water District, which owns and operates its own water system. The City has been in negotiations for the terms and conditions of sale of water to the District.

The definition in the current City water code for a water district is broad enough to encompass private and public districts, inside and outside of the City, that own their own system or are served by the City's system. The current code also sets one rate, which is one and one half times the city rate for all types of water districts, whether they are in city or not and whether they are a privately owned system or owned and maintained by the City. As drafted, the code does not provide flexibility for the differences in cost and impacts to the City that may exist between privately owned and City owned systems and for other conditions that may be provided by contract.

The proposed amendments will provide the City Council authority to set by contract all rates for water service to water districts; Currently, under the agreement with the District, the City charges and has historically charged 110% of the city rates for water use and wishes to continue that price in the new agreement. The changes would clarify that the City has the authority to do so.

FINANCIAL SUMMARY:

None

OPTIONS:

Do nothing

Amend the water code to provide additional flexibility.

Direct staff to take some other action

RECOMMENDED ACTION:

Move to approve the ordinance amending the Kelso Municipal Code Section 13.04.160 relating to water service outside corporate city limits.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF KELSO, WASHINGTON AMENDING THE
KELSO MUNICIPAL CODE SECTION 13.04.160 RELATING TO
WATER SERVICE OUTSIDE CORPORATE CITY LIMITS**

WHEREAS, the City currently provides water to one private water district outside the corporate City limits and has been in negotiations for the terms and conditions of that service; and

WHEREAS, the definition in the City's code for a water district is broad enough to encompass private and public districts, inside and outside of the City, that own their own system or are served by the City's system; and

WHEREAS, one rate, that is currently set as one and one half the city rate for all types of water districts, does not provide sufficient flexibility for the differences between privately owned and City owned systems and for other conditions that may be provided by contract; and

WHEREAS, the amendments will provide the City Council authority to set by contract all rates for water service to water districts;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF KELSO,
WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. **Public Interest.** The Kelso City Council finds it to be in the public interest to adopt these amendments that provide the authority to contract for the sale of water at rates negotiated by the City.

Section 2. **Chapter 13.04.160 Amended.** That Kelso Municipal Code Section 13.04.160 (D) is hereby amended as follows:

D. Minimum monthly charge for water supplied to water districts shall be that charge agreed upon in a contract approved by the city council or shall be as established in the current rate ordinance, as adopted or hereafter amended, for each occupied dwelling house within such water district. All water passing through the meter of such water district per month for each occupied dwelling shall be paid for by said water district at the rate agreed upon in a contract approved by the city council or the rate of one and one-half times the rate charged for domestic consumption of water within the limits of the city of Kelso.

Section 3. **Chapter 13.04.160 Amended.** That Kelso Municipal Code Section 13.04.160 (F) is hereby amended as follows:

F. The minimum charge for water supplied to patrons without the city and not within a water district shall be set by the current rate ordinance as adopted or hereafter amended. All water used shall be charged at one and one-half times the rate charged within the city limits, unless otherwise provided by contract approved by the city council.

Section 4. **Corrections.** The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. **Severability.** Any provision of this ordinance or its application to any person, legal entity, or circumstance is held invalid; the remainder of the ordinance or its application to other persons, legal entities, or circumstances is not affected.

Section 6. **Effective Date.** This ordinance shall be in full force and effect five (5) calendar days after adoption and publication pursuant to law.

ADOPTED by the City Council and **SIGNED** by the Mayor this _____ day of _____, 2016.

MAYOR

ATTEST/AUTHENTICATION:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED: _____