

Kelso City Council Agenda

Regular Meeting, 6:00 pm
April 7, 2015
City Hall, Council Chambers
203 South Pacific
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**

Invocation:

Pastor Chris Davis, abundant Life Nazarene

Roll Call to Council Members:

1. Approve Minutes:

1.1. March 17, 2015 – Regular Meeting

2. Proclamations:

- 2.1. National Crime Victims' Rights Week
- 2.2. Sexual Assault Awareness Month
- 2.3. National Library Week

3. Consent Items:

- 3.1. Fireworks Stand Permits
 - 3.1.1. Kelso Recreational Council – 2 Stands
 - 3.1.2. Kelso Kiwanis – 1 Stand
- 3.2. Contract Closeout – Mill Street Sewer Line Emergency Repair
- 3.3. Contract Closeout – Minor Road 60" CMP Storm Drain Repair

4. Citizen Business:

5. Council Business:

6. Action/Motion Items:

- 6.1. Ordinance, 1st Reading
 - 6.1.1. 2015 Budget Revision No.1

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- 6.2. Ordinance, 2nd Reading
 - 6.2.1. Amending KMC Chapter 10.04, Traffic Regulations
- 6.3. Ordinance, 2nd Reading
 - 6.3.1. Amending Stormwater Management Utility

Other Items:

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

Mayor David Futcher led the flag salute. The Regular Meeting of the Kelso City Council was called to order by Mayor Futcher. Councilmembers in attendance were Todd McDaniel, Rick Roberson, Dan Myers, David Futcher, Gary Schimmel, Gary Archer, and Jared Franklin.

Minutes: Upon motion by Councilmember Schimmel, seconded by Councilmember Myers, 'Approve the Minutes of the 3/03/15 Regular Meeting,' motion carried, all voting yes.

PRESENTATION:

Community Development Department 2014 Annual Report: Community Development Director/City Engineer Mike Kardas provided an overview of last year's activities in the Community Development Department, the Nuisance/Abatement Division, the Building/Planning Division, and the Engineering Department.

CONSENT AGENDA:

Auditing of Accounts: \$ 1,483,529.01

Upon motion by Councilmember Myers, seconded by Councilmember Schimmel, 'Approve the Consent Agenda and the Auditing of Accounts in the amount of \$1,483,529.01,' motion carried, all voting yes.

CITIZEN BUSINESS:

Rod Wright, 97 Banyon Drive, spoke about relocating the projector screen in the council chambers.

Rick Von Rock, 400 North 7th Avenue, spoke about the City providing a quarterly newsletter with the utility bills.

Chuck Hendrickson, Love Overwhelming Executive Director, provided an update on the activities of the low barrier shelter. He submitted a 2014 Statistics Report to the Council. Councilmember Archer spoke about receiving complaints relating to the shelter.

Greg Donges, 606 North 23rd Avenue, spoke about various items involving the nuisance/abatement service, buildings in need of repair, and street issues that he wrote about in a letter to Councilmember Archer. Mr. Kardas addressed the complaints made in the letter. Councilmember Archer invited Mr. Donges to meet with him to discuss his complaints.

COUNCIL BUSINESS:

Kelso Longview Chamber of Commerce Lodging Tax Funding Request – 2015

Visitor’s Guide City of Kelso Advertisement: Upon motion by Councilmember McDaniel, seconded by Councilmember Archer, ‘Approve the funding request,’ motion carried, all voting yes.

MOTION ITEMS:

Ordinance No. (1st Reading) Amending KMC Chapter 10.04, Traffic Regulations:

The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Roberson, seconded by Councilmember Myers, ‘Pass on 1st reading, ‘AN ORDINANCE OF THE CITY OF KELSO AMENDING CHAPTER 10.04 TRAFFIC REGULATIONS OF THE KELSO MUNICIPAL CODE TO UPDATE STATUTORY REFERENCES AND CLARIFY IMPOUND PERIODS.’ Motion passed, all voting yes.

Ordinance No. (1st Reading) Amending Stormwater Management Utility: The

Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Roberson, seconded by Councilmember Myers, ‘Pass on 1st reading, ‘AN ORDINANCE OF THE CITY OF KELSO AMENDING ORDINANCE NO. 14-3834 RELATING TO THE STORMWATER MANAGEMENT UTILITY BY REVISING THE SYSTEM OF CHARGES.’ Motion passed, all voting yes.

MANAGER’S REPORT:

Steve Taylor: 1) Commented that he and Mr. Kardas will be attending the Community Economic Revitalization Board meeting next Thursday to request funding assistance for a feasibility/master planning study on a heavy industrial park. 2) Briefed the Council on the landscaping/cleanup event that was held on March 6th and 7th. 3) Briefed the Council on the meeting with the Indigent Defense Attorney Debra Burchett and the Office of Public Defense. 4) Announced that the City was awarded \$20,000 in mitigation grant funds from the Washington Cities Insurance Authority to go toward a sidewalk improvement program. 5) Acknowledgment goes out to the Association of Rapsallions and River Rats and chainsaw sculptor Robert Tidwell for carving a dead tree into a likeness of the Loch Ness Monster at Tam O’ Shanter Park.

COUNCIL REPORTS:

Todd McDaniel: No report.

Rick Roberson: No report

Dan Myers: He commented that he is on the Longview Kelso Community Concert Association Board and that there is a special on season tickets for the upcoming season.

Gary Schimmel: No report.

Gary Archer: 1) Provided an update on the 'Big Idea' Board meeting. He commented that the 'Big Idea' is holding their first county garage sale at the county fairgrounds on May 2nd.

Jared Franklin: A personal thank you to Chuck Hendrickson and the Love Overwhelming staff for the task they have undertaken.

David Futcher: No report.

There being no further business, Mayor Futcher adjourned the meeting at 6:50 p.m.

MAYOR

CITY CLERK

PROCLAMATION

National Crime Victims' Rights Week

April 19- 25, 2015

WHEREAS, 25,000,000 individuals in the United States are victims of crime each year, including over 6,000,000 victims of violent crime;

WHEREAS, a just society acknowledges the impact of crime on individuals, families, and communities by ensuring that rights, resources, and services are available to help rebuild lives;

WHEREAS, although our Nation has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of these gains;

WHEREAS, we must do more to ensure that services are available for underserved segments of the population, including crime victims with disabilities, victims with mental illness, and victims who are children, teenagers, elderly, or from urban and rural areas or communities of color;

WHEREAS, observing victims' rights and treating victims with dignity and respect serves the public interest;

WHEREAS, 2015 marks the 31st anniversary of the enactment of the Victims of Crime Act of 1984, the hallmark of the Federal Governments' recognition of its commitment to supporting rights and services for victims of all types of crime through the establishment of the Crime Victims Fund, that is paid for by criminal fines and penalties, rather than by taxpayers' dollars.

NOW, THEREFORE, I, David Fatcher, Mayor of the City of Kelso, do hereby proclaim April 19 - 25, 2015, as **CRIME VICTIMS' RIGHTS WEEK** and the City of Kelso supports the constitutional and statutory rights and needs of victims, and supports the goal of increasing public awareness of the impact of crime on victims and survivors.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Kelso to be affixed this 7th day of April, 2015

David Fatcher, Mayor

PROCLAMATION

Sexual Assault Awareness in Action Month April 2015

WHEREAS, the Washington Coalition of Sexual Assault Programs (WCSAP) is committed to uniting agencies engaged in eliminating all forms of sexual violence through education, advocacy, victim services and community action across the state; and

WHEREAS, WCSAP promotes healing services for survivors of sexual assault through Community Sexual Assault Programs and other providers; and

WHEREAS, WCSAP encourages every community to help put an end to sexual violence by working together to promote social change:

NOW, THEREFORE, I, David Futcher, Mayor of the City of Kelso, Washington, do hereby proclaim April 2015, as

Sexual Assault Awareness in Action Month

in the City of Kelso, and I urge all individuals and communities to join me in the special observance.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Kelso to be affixed this 7th day of April, 2015

David Futcher, Mayor

PROCLAMATION

National Library Week April 12– 18, 2015

WHEREAS, libraries help lives change in their communities, campuses and schools;

WHEREAS, librarians work to meet the changing needs of their communities, including providing resources for everyone and bringing services outside of library walls;

WHEREAS, libraries and librarians bring together community members to enrich and shape the community and address local issues;

WHEREAS, librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books;

WHEREAS, libraries offer programs to meet community needs, providing residents with resume writing classes, 24/7 homework help and financial planning services to teens applying for student loans to older adults planning their retirement;

WHEREAS, libraries continuously grow and evolve in how they provide for the needs of every member of their communities;

WHEREAS, libraries, librarians, library workers and supporters across America are celebrating the theme “Unlimited Possibilities @ Your Library” for this year’s National Library Week,

NOW, THEREFORE, be it resolved that I, David Futcher, Mayor of the City of Kelso, do hereby proclaim the week of April 12-18 2015 to be

“National Library Week”

I encourage all residents to visit the library this week to take advantage of the wonderful library resources available at your library. Lives change at your library.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Kelso to be affixed this 7th day of April 2015.

David Futcher, Mayor

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE: Fireworks Permits

Agenda Item No: _____

Dept. of Origin: Finance Dept.

Date of Meeting: April 7, 2015

Originator: Brian Butterfield

PRESENTED BY: Brian Butterfield

City Attorney: _____

City Manager: _____

Agenda Item Attachments:

Fireworks Stand Permit Application Forms

SUMMARY STATEMENT:

Attached are applications from two organizations requesting Fireworks Permits. The fees have been paid. Upon approval of these applicants, review will be done by Cowlitz 2 Fire. The Kelso City Attorney will review the Evidence of Insurability.

Kelso Recreation Council (2 Stands)

- (1) Kelso Safeway Parking Lot @ 411 Three Rivers Drive
- (2) Riverway Plaza @ 200 S. Kelso Drive

Kelso Kiwanis (1 Stand)

T & T Tires Parking Lot @ 816 Grade Street

RECOMMENDED ACTION:

Staff makes no recommendations of these two applicants.

CITY OF KELSO FINANCE DEPARTMENT
203 SOUTH PACIFIC, P. O. BOX 819
KELSO, WASHINGTON 98626
1-360-423-0900 PHONE
1-360-425-9807 FAX
email vanderson@kelso.gov

CITY OF KELSO SAFE AND SANE FIREWORKS

APPLICATION FORM

DATE: 01/01/2015

NAME OF APPLICANT: Kelso Recreation Council

ADDRESS: 2120 MILWAUKEE WAY TACOMA, WA 98421 PHONE 253-922-0800

LETTER OF REQUEST ATTACHED: YES _____ NO _____

IF ORGANIZATION, NAME OF CONTACT: Scott Derosier

ADDRESS: 100 Jones Ct Kelso, WA 98626 PHONE 360-957-1754

APPLICANT OVER THE AGE OF 18 YRS OF AGE YES X NO _____

PROPOSED LOCATION OF FIREWORKS STAND(S):

1. SAFEWAY #2637, 411 THREE RIVERS DR, KELSO, WA
2. _____

STORAGE LOCATION OF FIREWORKS: on site with security

FEES: \$25.00 NONREFUNDABLE FOR EACH FIREWORKS STAND.
RECEIPT # 322887 DATE: 2-5-2015

DEPOSIT FEES: \$100.00 REFUNDABLE UPON PROPER CLEANUP OF AREA/SITE.
RECEIPT # 322887 DATE: 2-5-2015

FOR CITY USE ONLY

LICENSE/PERMIT NUMBER: 15-0010

STATE FIRE MARSHALL LICENSE: _____

FIRE DEPT. APPROVAL: _____ DATE: _____
NAME-POSITION

INSURANCE COMPLIANCE APPROVAL: _____ DATE: _____
CITY ATTORNEY

CITY OF KELSO APPROVAL: _____ DATE: _____
COUNCIL ACTION

CITY OF KELSO FINANCE DEPARTMENT
203 SOUTH PACIFIC, P. O. BOX 819
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1-360-425-9807 FAX
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CITY OF KELSO SAFE AND SANE FIREWORKS

APPLICATION FORM

DATE: 01/01/2015

NAME OF APPLICANT: Kelso Recreation Council

ADDRESS: 2120 MILWAUKEE WAY TACOMA, WA 98421 PHONE 253-922-0800

LETTER OF REQUEST ATTACHED: YES _____ NO _____

IF ORGANIZATION, NAME OF CONTACT: Scott Derosier

ADDRESS: 100 Jones Ct Kelso, WA 98626 PHONE 360-957-1754

APPLICANT OVER THE AGE OF 18 YRS OF AGE YES X NO _____

PROPOSED LOCATION OF FIREWORKS STAND(S):

1. RIVERWAY PLAZA- 200 S. KELSO DR. KELSO, WA
2. _____

STORAGE LOCATION OF FIREWORKS: on site with security

FEES: \$25.00 NONREFUNDABLE FOR EACH FIREWORKS STAND.
RECEIPT # 322886 DATE: 2-5-2015

DEPOSIT FEES: \$100.00 REFUNDABLE UPON PROPER CLEANUP OF AREA/SITE.
RECEIPT # 322886 DATE: 2-5-2015

FOR CITY USE ONLY

LICENSE/PERMIT NUMBER: 15-0011

STATE FIRE MARSHALL LICENSE: _____

FIRE DEPT. APPROVAL: _____ DATE: _____
NAME-POSITION

INSURANCE COMPLIANCE APPROVAL: _____ DATE: _____
CITY ATTORNEY

CITY OF KELSO APPROVAL: _____ DATE: _____
COUNCIL ACTION

CITY OF KELSO FINANCE DEPARTMENT
203 SOUTH PACIFIC, P. O. BOX 819
KELSO, WASHINGTON 98626
1-360-423-0900 PHONE
1-360-425-9807 FAX
email bbutterfield@kelso.gov

CITY OF KELSÓ SAFE AND SANE FIREWORKS

APPLICATION FORM

DATE: 3-19-15

NAME OF APPLICANT: Kelso Kiwanis

ADDRESS: PO Box 552 Kelso PHONE 3602706443

LETTER OF REQUEST ATTACHED: YES NO

IF ORGANIZATION, NAME OF CONTACT: Carol Karns

ADDRESS: 301 Niemi PO. Longview PHONE 3602706443

APPLICANT OVER THE AGE OF 18 YRS OF AGE YES NO

PROPOSED LOCATION OF FIREWORKS STAND(S):

1. 816 grade st. Kelso

2. _____

STORAGE LOCATION OF FIREWORKS: on site

FEES: \$25.00 NONREFUNDABLE FOR EACH FIREWORKS STAND.

RECEIPT # 325212 DATE: 3-24-2015

DEPOSIT FEES: \$100.00 REFUNDABLE UPON PROPER CLEANUP OF AREA/SITE.

RECEIPT # 325212 DATE: 3-24-2015

FOR CITY USE ONLY

LICENSE/PERMIT NUMBER: 15-0444

STATE FIRE MARSHALL LICENSE: _____

FIRE DEPT. APPROVAL: _____ DATE: _____
NAME-POSITION

INSURANCE COMPLIANCE APPROVAL: _____ DATE: _____
CITY ATTORNEY

CITY OF KELSÓ APPROVAL: _____ DATE: _____
COUNCIL ACTION

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

SUBJECT TITLE:

Closeout of the emergency repair to the sewer line on
Mill Street – Project No. 591501

Agenda Item: _____

Dept. of Origin: Community Development

For Agenda of: April 7, 2015

PRESENTED BY:

Michael G. Kardas, P.E.
Community Development Director

Cost of Item: \$38,423.41

City Manager: Steve Taylor

AGENDA ITEM ATTACHEMENTS:

Final Invoice

SUMMARY STATEMENT:

A sinkhole developed on Mill Street between S. Pacific Avenue and S. 1st Avenue on Monday, January 5th. Public Works Operations initially investigated the sinkhole and it was determined the sewer line was broken. The decision was made to bring in a contractor with the necessary equipment to complete the investigation and effect any necessary repairs.

The contractor started work on Tuesday, January 6th and was completed on Tuesday, January 13th. Rotschy, Inc. replaced the broken concrete pipe with 16 feet of new PVC.

FINANCIAL SUMMARY:

Contract Amount:	\$38,423.41
Retainage:	\$1,778.86
Amount Paid to Contractor:	\$36,644.54

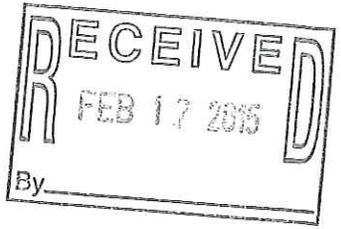
RECOMMENDED ACTION:

Staff recommends Council make motion to close out the Mill Street Sewer Line Repair Project and authorize the release of retainage upon receipt of final approval from the State of Washington Department of Labor and Industries, Department of Revenue, and Employment Security Department.



9210 NE 62nd Ave
 Vancouver WA 98665
 360 334-3100

INVOICE #: 14968



Invoice Date: 01/31/2015

Due Date: 02/10/2015

Terms: 10TH

PO#:

License: ROTSCI*1200A

Client#: 70

Billed To: City of Kelso
 PO Box 819
 Kelso WA 98626

Project: 1505
 COK Mill St. sewer repair
 S Pacific Ave & Mill St
 Kelso WA 98626

Description	Amount
Repair sewer line per Mike Kardas	35,577.23

A service charge of 18.00 % per annum will be charged on all amounts overdue on regular statement dates.

*Please make payments to **Rotschy, Inc.***

Thank you for your prompt payment!

Non-Taxable Amount:	0.00
Taxable Amount:	35,577.23
Sales Tax:	2,846.18
Retention:	0.00
Amount Due	38,423.41

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE:

Closeout of the Minor Road 60" CMP Storm Drain
Repair – Project No. 601402

Agenda Item: _____

Dept. of Origin: Community Development

For Agenda of: April 7, 2015

PRESENTED BY:

Michael G. Kardas, P.E.
Community Development Director

Cost of Item: \$75,411.00

City Manager: Steve Taylor

AGENDA ITEM ATTACHEMENTS:

Reconciliation Change Order
Final Pay Estimate

SUMMARY STATEMENT:

The City's large diameter storm drain on Minor Road that crosses Allen Street was damaged and filled with approximately 50 cubic yards of sand and debris. The City does not have the experience, expertise, or additional manpower to repair a line of this size. There was an urgency to repair the condition of and to clean the pipe because of the high traffic volume and primacy of the route to schools.

The City contracted with Rotschy, Inc. to conduct the repairs and cleaning of the 60" CMP Storm Drain. Contractor started work on Monday, January 5th and completed on Tuesday, January 20th. Rotschy, Inc.

FINANCIAL SUMMARY:

Contract Amount: \$61,522.20
Quantity Overrun: \$13,888.80
Retainage: \$3,491.25
Amount Paid to Contractor: \$71,849.93

**There was a formula error on the tax so an additional \$69.83 will be paid in addition to the release of retainage.

RECOMMENDED ACTION:

Staff recommends Council make motion to close out the Minor Road 60" CMP Storm Line Repair Project and authorize the release of retainage upon receipt of final approval from the State of Washington Department of Labor and Industries, Department of Revenue, and Employment Security Department.

CITY OF KELSO CONTRACT MINOR CHANGE ORDER

Change Order No. 1 Reconciliation Date: 23-Mar-15
 Project Name: 60" CMP Storm Drain Repair - Minor Rd Project Number: 601402
 Federal Aid Number: _____ (if applicable)

Rotschy, Inc.
Prime Contractor

You are hereby requested to comply with the following changes from the contract plans and Specifications:

Bid Item No:	Description of Changes	Change in Contract Price
<u>4</u>	<u>Days to Repair Storm Drain - Over 2 days</u>	\$ 8,900.00
<u>5</u>	<u>Clean & Remove Debris from Pipe - Over 24 cy</u>	\$ 3,960.00
		\$ -
	SUB TOTAL	\$ 12,860.00
	Sales Tax 8%	\$ 1,028.80
	Net Change in Contract Amount:	\$ 13,888.80

Justification for Change:

The work to secure the excavation and expose the pipe damage proved to be more complicated than expected and, therefore, took longer than estimated. The amount of material in the pipe was greater than the engineer's estimate.

Justification of Cost:

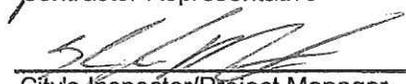
The costs associated with the overage were at the bid rates for days to repair and cubic yard of debris.

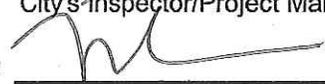
Original Contract Amount:	\$	61,522.20
This Change Order:	\$	13,888.80
Previous Change Order(s):	\$	-
Total Revised Contract Amount:	\$	75,411.00

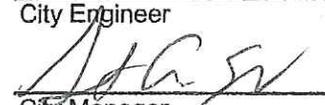
Verbal approval for change given on: 1/12/2015 By: M. Kardas
 Work began on: 1/9/2015 Work completed on: 1/16/2015
 Number of additional working days allowed: 2

This document will become a supplement to the contract and all provisions of the contract will apply hereto.

Accepted:  Date: 3/23/15
 Contractor Representative

Reviewed:  Date: 3/24/15
 City's Inspector/Project Manager

Recommended:  Date: 3.24.15
 City Engineer

Approved:  Date: 3/27/15
 City Manager

AGENDA SUMMARY SHEET

AGENDA ITEM: Ordinance 1st reading.
Budget revision #1 for the 2015 fiscal
year.

SUBMITTED BY: Brian Butterfield

AGENDA ITEM # _____
FOR AGENDA OF: 4/7/2015
ORIGINATING DEPT: Finance
DATE SUBMITTED: 4/2/2015
COST OF ITEM: _____
AMT. BUDGETED _____
CITY ATTY. APPROVAL _____
CITY MGR. APPROVAL _____

AGENDA ITEM PAPERWORK:

See attached Ordinance

SUMMARY STATEMENT/DEPT. RECOMMENDATION:

Revisions include the following:

General Fund

- \$70,000 to fund new positions in the police dept. Funded by reserves.
- \$49,000 to replace radios in the police dept. Funded by reserves.
- \$10,000 upgrade panic alarm at city hall and city shops. Funded by reserves
- \$30,000 for various software upgrades. Funded by reserves.
- \$70,000 for professional services related to performance management, public records, and accounting software. Funded by reserves.
- \$125,000 to fund industrial park study. \$20,000 funded by reserves.

Street Fund

- \$36,000 to fund sidewalk replacement program. \$20K funded by WCIA grant, \$16K funded by Street reserves.
- \$50,000 for street repair enhancements. Funded by Street reserves.
- \$15,000 for South Kelso landscaping project. Funded by Street reserves.

Arterial Street Fund

- \$508,305 to fund the streetlight LED conversion project. \$120K from State grant, \$61K from PUD rebate, and \$324K from I.F Loan. Loan to be repaid from money saved on reduced electricity bills.

Library Fund

- \$49,000 to fund new position at the Library. Funded by reserves.

HUD Fund

- \$10,000 to Diking District for diking recertification.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KELSO RELATING TO PUBLIC EXPENDITURES AND DECLARING AN EMERGENCY UNDER THE PROVISIONS OF RCW 35A.34.150, FIXING THE AMOUNT OF MONEY REQUIRED TO MEET SUCH EMERGENCIES AND AUTHORIZING THE EXPENDITURE OF MONEY NOT PROVIDED FOR IN THE 2015-2016 BIENNIAL BUDGET OF THE CITY.

THE CITY COUNCIL OF THE CITY OF KELSO DO ORDAIN AS FOLLOWS:

SECTION 1. That by reason of the inability of the City and its officials to foresee and compute with accuracy the actual revenue and necessary expenditures of public funds for the current expenses of the City, it is deemed necessary to make the following amendment to the budget by increasing the following line items by the amounts set forth below for the 2015 Budget, to-wit:

GENERAL FUND

Revenues

001-00-308-00-00	Beginning Fund Balance	\$ 201,000.00
001-00-334-00-00	CERB Grant	50,000.00
001-00-334-00-00	Public Defense Grant	48,000.00
001-00-337-00-00	Rural County Funds	14,000.00
001-00-367-00-02	Private Grant	<u>50,000.00</u>
		\$ 363,000.00

Expenditures

001-06-521-20-11-0	Salaries	\$ 50,000.00
001-06-521-20-20-0	Benefits	20,000.00

001-06-594-21-64-1	Equipment – Police Radios	49,000.00
001-09-518-10-48-0	Miscellaneous Building – Panic Alarm	10,000.00
001-09-518-80-31-0	Performance Management Software	10,000.00
001-09-518-30-41-1	Professional Services - Policies	25,000.00
001-09-518-30-41-1	Professional Services - Records	25,000.00
001-09-518-80-41-0	Accounting Software Upgrade	20,000.00
001-09-518-80-41-0	Performance Management Services	20,000.00
001-09-594-19-61-0	Visitor Center Improvements	9,000.00
001-13-558-20-41-0	Industrial Park Study	<u>125,000.00</u>
		\$ 363,000.00

STREET FUND

Revenues

101-16-308-00-00	Beginning Fund Balance	\$ 81,000.00
101-16-367-00-00	Grant - WCIA	<u>20,000.00</u>
		\$ 101,000.00

Expenditures

101-16-542-30-48-2	Sidewalk Replacement	\$ 36,000.00
101-16-542-30-48-0	Maintenance – Roadway	50,000.00
101-16-542-30-48-0	Maintenance – Landscaping Project	<u>15,000.00</u>
		\$ 101,000.00

ARTERIAL STREET FUND

Revenues

102-18-334-00-00	State Grants	\$ 123,000.00
102-18-334-00-00	Contribution – Cowlitz PUD	61,580.00
102-18-381-10-00	I.F. Loan from Debt Service Fund	<u>323,725.00</u>
		\$ 508,305.00

Expenditures

102-18-595-15-00-3	Streetlight Conversion Project	\$ 508,305.00
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LIBRARY FUND

Revenues

103-18-308-00-00	Beginning Fund Balance	\$ 49,000.00
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Expenditures

101-19-572-10-10-1	Salaries	\$ 30,000.00
101-16-542-30-20-1	Benefits	<u>19,000.00</u>
		\$ 49,000.00

STADIUM FUND

Revenues

106-20-308-00-00	Beginning Fund Balance	\$ (6,988.00)
106-20-336-00-00	Contribution City of Longview	<u>8,100.00</u>
		\$ 1,112.00
106-20-519-90-44-0	City Advertising	\$ 1,112.00

HUD GRANT FUND

Revenues

114-48-308-00-00	Beginning Fund Balance	\$ 10,000.00
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Expenditures

114-48-559-20-49-1	Diking Recertification	\$ 10,000.00
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DEDT SERVICE FUND

Revenues

206-46-308-00-00	Beginning Fund Balance	\$ 323,725.00
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Expenditures

206-46-581-10-00-0	I.F. Loan to Arterial Street Fund	\$ 323,725.00
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DRAINAGE FUND

Revenues

407-52-308-00-00	Beginning Fund Balance	\$ 50,000.00
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Expenditures

407-52-594-34-62-0	NPDES Compliance	\$ 50,000.00
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EQUIPMENT RESERVE FUND

Revenues

502-33-308-00-00	Beginning Fund Balance	\$ 110,000.00
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Expenditures

502-33-594-48-64-3	Traffic Fleet	\$ 110,000.00
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SECTION 2. It is hereby ordered that the aforesaid sum be and the same is hereby appropriated in excess of the budget of the City of Kelso for 2015 and further that said budget be and the same is hereby amended accordingly.

SECTION 3. This Ordinance shall be in full force and effect five days after its passage and publication of summary as required by law.

ADOPTED by the City Council and **SIGNED** by the Mayor this _____ day of April, 2015.

MAYOR

ATTEST/AUTHENTICATION:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED: _____

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

SUBJECT TITLE:

AN ORDINANCE OF THE CITY OF KELSO AMENDING CHAPTER 10.04 TRAFFIC REGULATIONS OF THE KELSO MUNICIPAL CODE TO UPDATE STATUTORY REFERENCES AND CLARIFY IMPOUND PERIODS

Agenda Item: _____

Dept. of Origin: Police

For Agenda of: April 7, 2015

Cost of Item: _____

City Manager: Stephen Taylor

PRESENTED BY:

AGENDA ITEM ATTACHMENTS: Proposed Ordinance, WAC Chapter 204-96

SUMMARY STATEMENT:

Due to changes in state law over time, some of the statutory references set forth in Kelso Municipal Code Chapter 10.04 Traffic Regulations were incorrect and as a result, the reference to impound periods adopted by the City were unclear. The City has the authority to establish these impound time periods by local ordinance. The code appeared to adopt impound periods set forth in RCW 46.55.113; however the impound periods are currently set forth in WAC 204-69. This ordinance changes the reference to the impound periods to be those set forth in the state rules. Further, additional references in the chapter were also updated as a housekeeping amendment to bring them up to date.

FINANCIAL SUMMARY: No Impacts

OPTIONS:

Approve the ordinance amending the code as recommended.
Direct staff to review and bring back further changes.

RECOMMENDED ACTION:

Move to approve the Ordinance on second reading.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KELSO AMENDING CHAPTER 10.04 TRAFFIC REGULATIONS OF THE KELSO MUNICIPAL CODE TO UPDATE STATUTORY REFERENCES AND CLARIFY IMPOUND PERIODS

WHEREAS, the Model Traffic Ordinance promulgated by the Department of Licensing has been codified at Chapter 308-330 of the Washington Administrative Code and the City Council wishes to update our municipal code to provide correct references; and

WHEREAS, Chapter 46.55 RCW has been revised and renamed since its adoption in 1985 and the City Council wishes to update our code to provide the correct references; and

WHEREAS, the statutory authority for impounds intends that either a local or state rule be adopted to incorporate impound periods and the City Council wishes to clarify its intent to adopt the state rules by reference;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KELSO DO ORDAIN AS FOLLOWS:

SECTION 1. That Kelso Municipal Code Chapter 10.04 is hereby amended to provide as follows:

10.04.010 Model Traffic Ordinance adopted.

The Washington Model Traffic Ordinance (MTO herein) promulgated by the Director of the Department of Licensing pursuant to RCW 46.90.010 and codified at Chapter 308-330 Washington Administrative Code, and further ~~and~~ published by Municipal Research & Services Center of Washington as Report No. 55 in April, 2002, is adopted by reference as if fully set forth in this chapter in accordance with the authority granted by RCW 35A.13.180, RCW 46.90.005 and RCW 46.90.010. ~~This~~ The following sections of the MTO are amended and/or deleted as follows:

A. WAC 308-330-510 is amended to provide as follows:

- (1) The Chief of Police upon receiving proper application therefor is authorized to issue a bicycle license which shall be effective for so long as the bicycle is owned by the same individual.

B. WAC 308-330-240 relating to “Traffic Accident Reports” is deleted.

10.04.020 Adoption of provisions not part of MTO.

The city adopts by reference ~~Chapter 46.55 Revised Code of Washington “Towing and Impoundment.” Chapter 377, laws of 1985 “Abandoned, Unauthorized and Junk Vehicles,” codified as RCW 46.55.010 through 46.55.902.~~

10.04.030 Statutes on file with clerk-treasurer.

Incident to the adoption of the MTO by reference, by the ordinance codified in this chapter, one copy of the text of the adopted statutes as identified in Section 10.04.010 of this chapter, shall be filed with the clerk-treasurer as required by RCW 35A.13.180 for use and examination by the public; provided, however, pursuant to RCW 46.90.010 subsequent amendments to RCW Chapter 46.90 by the State Legislature shall become a part of the city's “MTO” when effective without further filings.

10.04.040 Speed limits in alleys.

No person shall operate a motor vehicle at a rate of speed in excess of ten miles per hour in an alley.

10.04.050 Impoundment provisions implemented.

Pursuant to RCW 46.55.113, city of Kelso law enforcement officers are authorized to impound vehicles whenever the driver of the vehicle is arrested for a violation of RCW ~~46.61.502, 46.61.504, 46.20.342 or 46.20.345 46.20.420.~~ Further pursuant to RCW 46.55.360, the City of Kelso law enforcement officers are authorized to impound vehicles whenever driver of a vehicle has been arrested for a violation of RCW 46.61.502 or 46.61.504. The chief of police or a designee is authorized to provide written direction to hold the vehicle for the time periods provided for and specified in local ordinance or state law RCW 46.55.113(2). The city adopts the impound periods as set forth in Washington Administrative Code (WAC) Chapter 204-96 and adopts this Chapter of the WAC fully by reference.

SECTION 2. SEVERABILITY. The provisions of this Ordinance are declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect 5 days after its passage and publication of summary as required by law.

ADOPTED by the City Council and **SIGNED** by the Mayor this ____ day of _____

_____, 2015.

ATTEST/AUTHENTICATION:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLISHED: _____

WAC Chapter 204-96

204-96-010 Vehicle impounds.

(1) When a driver of a vehicle is arrested for a violation of RCW [46.20.342](#), the arresting officer may, in his/her own discretion, considering reasonable alternatives, cause the vehicle to be impounded.

(a) When an arrest is made for violation of RCW [46.20.342](#) and the vehicle is a commercial vehicle, the driver of the vehicle is not the owner of the vehicle, the owner was not in the vehicle at the time, and the owner has not received a prior release under RCW [46.55.113](#)(3) or [46.55.120](#) (1)(a)(ii), prior to impounding the vehicle the officer will attempt in a reasonable and timely manner to contact the owner of the vehicle and may release the vehicle to the owner if the owner is reasonably available.

(b) If the driver is arrested for a violation of RCW [46.20.342](#) (1)(c) (3rd degree suspended/revoked) and has no convictions for violations of RCW [46.20.342](#) in the past five years, the vehicle may be impounded, but no suspended driver hold will be placed on the vehicle. If the driver is also the registered owner then the vehicle will be held until all outstanding penalties, fines, and forfeitures owed by him/her are satisfied. The driver/registered owner must present proof from a court of law that he/she has no outstanding penalties, fines, or forfeitures.

(c) If the driver is arrested for a violation of RCW [46.20.342](#) (1)(c) (3rd degree suspended/revoked) and has any prior convictions for violations of RCW [46.20.342](#) in the past five years, the vehicle may be held for thirty days.

(d) If the driver of the vehicle is arrested for a violation of RCW [46.20.342](#) (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has no convictions for violations of RCW [46.20.342](#) in the past five years, the vehicle may be held for thirty days.

(e) If the driver of the vehicle is arrested for a violation of RCW [46.20.342](#) (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has been convicted of a violation of RCW [46.20.342](#) (1)(a) or (b) in the past five years, the vehicle may be held for sixty days.

(f) If the driver of the vehicle is arrested for a violation of RCW [46.20.342](#) (1)(a) or (b) (1st or 2nd degree suspended/revoked) and has been convicted of a violation of RCW [46.20.342](#) (1)(a) or (b) two or more times in the past five years, the vehicle may be held for ninety days.

(2) The release of all vehicles impounded under this section will be governed by RCW [46.55.120](#). Commercially rented vehicles may be impounded, however no suspended driver holds will be placed upon these vehicles. The rental company will be notified by phone.

(3) A vehicle may be released prior to the hold period upon a showing of economic or personal hardship to the spouse of the operator, taking into consideration public safety factors, including the operator's criminal history and driving record; or that the owner of the vehicle was not the driver, the owner did not know that the driver's license was suspended or revoked, and the owner has not received a prior release under RCW [46.55.120](#) (1)(a)(ii) or [46.55.113](#)(3). Release will be denied in all other circumstances. All release requests will be in writing. Any denial or approval of a release will be in writing and will include factors considered by the impounding agency in reaching the decision.

[Statutory Authority: RCW [46.55.075](#). WSR 12-03-081, § 204-96-010, filed 1/13/12, effective 2/13/12. Statutory Authority: RCW [46.55.190](#). WSR 04-07-012, § 204-96-010, filed 3/4/04, effective 4/4/04. Statutory Authority: RCW [46.55.113](#) and [46.55.120](#). WSR 01-05-098, § 204-96-010, filed 2/20/01, effective 3/23/01; WSR 00-18-006, § 204-96-010, filed 8/24/00, effective 8/24/00; WSR 99-18-026, § 204-96-010, filed 8/24/99, effective 9/24/99.]

204-96-020 Vehicle impound—DUI/PC with twelve hour hold.

When a driver of a vehicle is arrested for a violation of RCW [46.61.502](#) or [46.61.504](#), the arresting officer will impound the vehicle in accordance with RCW [46.55.360](#).

[Statutory Authority: RCW [46.55.075](#). WSR 12-03-081, § 204-96-020, filed 1/13/12, effective 2/13/12.]

204-96-030 Impound form.

A uniform Washington state tow/impound and inventory record form established under RCW [46.55.075](#) as outlined in this chapter will be made available through the office of the state printer.

[Statutory Authority: RCW [46.55.075](#). WSR 12-03-081, § 204-96-030, filed 1/13/12, effective 2/13/12.]

AGENDA SUMMARY SHEET

Business of the City Council City of Kelso, Washington

SUBJECT TITLE:

Amendment to the Stormwater Management Utility Ordinance No. 14-3834

Agenda Item: _____

Dept. of Origin: Community Development/Eng

For Agenda of: April 7, 2015

Cost of Item: _____

PRESENTED BY:

Michael Kardas, P.E.
Community Development Director / City Engineer

City Attorney: Janean Parker

City Manager: Steve Taylor

AGENDA ITEM ATTACHMENTS:

Stormwater Management Utility Ordinance No. 14-3834 - redlined

SUMMARY STATEMENT:

The Stormwater Management Utility Ordinance No. 14-3834 is proposed to be amended such that it more equitably assesses fees to parcels with high-density housing. This housing includes four-plexes, apartments, condominiums and trailer parks. These parcels will now be charged by impervious area instead of the current multi-family base rate per dwelling unit address.

The ordinance amendment explicitly states that payment of the stormwater management utility fees shall be the responsibility of the parcel owner and states enforcement measures.

The ordinance amendment also clarifies how the monthly service charge for Other Developed Parcels is calculated.

FINANCIAL IMPACT:

RECOMMENDED ACTION:

Staff recommends council to make a motion adopting the proposed Ordinance on 2nd reading.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF KELSO AMENDING
ORDINANCE NO. 14-3834 RELATING TO THE STORMWATER
MANAGEMENT UTILITY BY REVISING THE SYSTEM OF CHARGES.**

WHEREAS, the City operates a utility for the provision of stormwater management services and has set rates and fees to fund the costs of these services; and

WHEREAS, high-density housing should be assessed by the amount of impervious surface area;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF KELSO DO ORDAIN

AS FOLLOWS:

SECTION 1. That Ordinance No. 14-3834, relating to the City’s stormwater management utility, is hereby amended to provide as follows:

System of Charges: The following monthly service charges are hereby established for all parcels of real property within the boundaries of the City of Kelso as they now exist or as they may be hereafter established for the purpose of carrying on the responsibilities of the stormwater management utility:

A. Undeveloped Parcels: Undeveloped parcels shall not be charged. For the purposes of this ordinance, an undeveloped parcel is defined as a parcel that has native vegetation, including second-growth forests, and undisturbed native soils that existed prior to Euro-American settlement.

B. Single-Family Parcels: The monthly service charge for each single-family parcel shall hereafter be referred to as the “base rate.” For the purposes of this ordinance, a single-family parcel is defined as a residential parcel with only one residential building that is either a single-family home or a duplex or a triplex. Alternatively, the residential parcel could contain two single-family homes.

	2015	2016	2017	2018	2019
Single-Family (per house)	\$ 8.91	\$ 9.18	\$ 9.45	\$ 9.74	\$ 10.03

~~C. Multiple Family Parcels: Parcels with multiple dwelling units, such as duplexes, apartments, condominiums and mobile home parks, shall be charged the base rate for each dwelling unit address within the parcel.~~

	2015	2016	2017	2018	2019
Multi-family (per unit)	\$ 8.91	\$ 9.18	\$ 9.45	\$ 9.74	\$ 10.03

~~CD.~~ Other Developed Parcels: The monthly service charge for ~~all Other d~~Developed Parcels shall be determined by multiplying the parcel's impervious area by the parcel's rate found below in the parcel rate schedule table. The parcel's impervious tier is determined by taking-dividing the parcel's total measured impervious surface area divided by the parcel's total acreagearea. The monthly service charge shall be determined by taking this percentage and using the following rate schedule to see what category any particular parcel falls into:

Table: Parcel Rate Schedule

	2015	2016	2017	2018	2019
<u>Impervious Tiers for Other Developed Parcels (Per Gross Acre)</u>					
Very light – 0% to 9%	\$ 4.26	\$ 4.39	\$ 4.52	\$ 4.65	\$ 4.79
Moderately light – 10% to 24%	\$ 11.22	\$ 11.56	\$ 11.91	\$ 12.26	\$ 12.63
Light – 25% to 39%	\$ 19.53	\$ 20.11	\$ 20.72	\$ 21.34	\$ 21.98
Moderate – 40% to 54%	\$ 27.92	\$ 28.76	\$ 29.62	\$ 30.51	\$ 31.42
Moderately heavy – 55% to 69%	\$ 36.23	\$ 37.31	\$ 38.43	\$ 39.59	\$ 40.77
Heavy – 70% to 84%	\$ 46.03	\$ 47.41	\$ 48.84	\$ 50.30	\$ 51.81
Very heavy – 85% to 100%	\$ 58.68	\$ 60.44	\$ 62.26	\$ 64.12	\$ 66.05
<i>Tiers are based on % of impervious area in the parcel</i>					
<i>Minimum chargeCharge (base rate): for non-residential</i>					
	\$ 8.91	\$ 9.18	\$ 9.45	\$ 9.74	\$ 10.03

~~E.~~ Minimum Charge: Notwithstanding the ~~number-amount~~ of impervious surface units area applicable to any individual ~~property~~parcel, the minimum ~~parcel monthly service charge~~rate for all ~~developed properties~~“Other Developed Parcels” shall be equal to the base rate.

DF. Senior Citizens: Senior citizens shall be exempt from the stormwater ~~sewer~~ chargemanagement utility fee provided they apply and qualify for such a reduction per RCW 74.38.070.

For purposes of implementing this section, “low-income senior citizen” shall mean a person who is sixty-one (61) years of age or older and whose total income, including that of his/her spouse or co-tenant, does not exceed the amount specified in RCW 84.36.381(5), as it now exists or is hereafter amended. Further, for purposes of implementing this section, the definitions of “combined disposable income,” “disposable income,” and “co-tenant” shall be as defined in RCW 84.36.383(5), (6), and (7), as they now exist or are hereafter amended.

EG. Capital Recovery Fees – Stormwater Connections:

Base Equivalent Service Charge

	2015	2016	2017	2018	2019
	\$ 143.00	\$ 176.00	\$ 217.00	\$ 267.00	\$ 329.00

SECTION 2. The rates established herein shall take effect on the ~~customer's~~ parcel owner's first billing cycle after May 1, 2015.

SECTION 3. Payment of Stormwater Management Utility fees and Capital Recovery fees shall be the responsibility of the parcel owner. Non-payment of these fees can result in a lien against the parcel or discontinuation of water service.

SECTION 34. This Ordinance shall be in full force and effect five (5) days after its passage and publication of summary as required by law.

ADOPTED by the City Council and **SIGNED** by the Mayor this ____ day of _____, 2015.

MAYOR

ATTEST/AUTHENTICATION:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY