

Pastor Ron Jorgenson, Three Rivers Bible Church, gave the invocation. Mayor David Futcher led the flag salute. The Regular Meeting of the Kelso City Council was called to order by Mayor David Futcher. Councilmembers in attendance were: Futcher, Myers, Lefebvre, McDaniel, Schimmel, Archer, and Roberson.

Minutes: Upon motion by Councilmember Roberson, seconded by Councilmember Schimmel, 'Approve the Minutes of the 1/03/12 Regular Meeting.' Councilmember Myers spoke about the comment he made at the 1/03/12 Regular Meeting regarding the Mayor Election process. He clarified that his intention was to say that he thinks we should have a Mayor Election process but put a limit on the amount of consecutive terms someone can serve as mayor. Unless there is no one else that chooses to serve as mayor, the same person may serve again. Motion passed, all voting yes.

PROCLAMATION:

Mayor Futcher read a proclamation declaring The Month of January 2012, as "***Big Brothers Big Sisters Month***" in the City of Kelso. Big Brothers Big Sisters of Cowlitz County Representative Tobie Crocker spoke of how this program started in 2007 in Cowlitz County. It is a volunteer based mentoring service and it has grown to serve over 100 kids. She said they saw a rise in volunteerism in Cowlitz County for 2011 compared to the decrease in volunteerism on the national level. They estimate another 25% increase in volunteerism for 2012. They have volunteers of all ages. If you know anyone that may need our services or would like to volunteer, please contact our office in the Lower Columbia Community Action Program Building at 1526 Commerce Ave, Longview, Washington. Your support is appreciated.

CONSENT AGENDA:

1. **Liquor License Assumption:** Jansen Enterprises (Izzy's Pizza), 1001 Grade St.
2. **Liquor License Renewal:** a. Kelso AM/PM, 1700 Allen St; b. B.P.O. Elks Kelso Lodge 1482, 900 Ash St.
3. **Municipal Stormwater IDDE Program**
4. **Agreement Approval:** Debra Burchett, Indigent Defense Attorney
5. **Shoreline Master Plan Interlocal Agreement**
6. **Auditing of Accounts:** \$1,520,645.87

Mayor Futcher asked if any items should be removed for separate consideration. Councilmember Schimmel requested to remove **Item No. 3 (Municipal Stormwater IDDE Program)** from the Consent Agenda to be discussed separately.

Upon motion by Councilmember Myers, seconded by Councilmember Lefebvre, 'Approve the Consent Agenda and the Auditing of Accounts in the amount of \$1,520,645.87 with the removal of Item No. 3,' motion carried, all voting yes.

COUNCIL BUSINESS:

Bi-Annual Review of Council Rules: Councilmember Schimmel spoke about the **Agenda Preparation in Section 13-B.** He said in Items No. 1 – 3, it shows that in order to get something put on the agenda, it requires at least two Councilmembers. But in Items No. 6 and 7, the Mayor and the Deputy Mayor can act alone to have something placed on the agenda. He would like to see all the Councilmembers to be able to have something put on the agenda without requiring a second person. Mayor Fatcher said the thought behind this rule was to not allow one person to have something on the agenda that only that person cares about. It would result in the waste of the Council's time. He said he does not believe our current Councilmembers would do that, but it does happen in other cities. Upon motion by Councilmember Schimmel, seconded by Councilmember Myers, 'Amend Section 13-B., to show that any one Councilmember will be able to act alone to have something placed on the agenda.' Councilmember Myers commented that any item that is brought up can be put away with a "Table Motion" which will end that discussion. Mayor Fatcher said that he favored striking out Section B, Items No. 6 and 7. He said since we are all Councilmembers, we should be equal in our ability to get something put on the agenda. A Councilmember should talk to another Councilmember about what they would like to have placed on the agenda. This way you will know if at least one other person is interested in discussing it at the meeting. Discussion followed. Motion failed, all voting no.

Upon motion by Councilmember Schimmel, seconded by Councilmember Lefebvre, 'Strike Items No. 6 and 7 from Section 13-B so it shows that it would require any two Councilmembers to have something placed on the agenda.' Motion carried, all voting yes.

City Manager Denny Richards commented that the Administration Department needs all agenda submissions turned in 4 business days prior to a meeting instead of 2 business days as shown in Section 13-B Item No. 3. Upon motion by Councilmember Myers, seconded by Councilmember Lefebvre, 'Amend Section 13-B Item No. 3 to show that agenda submissions must be turned in no later than 12:00(noon) four business days prior to the meeting.' Motion carried, all voting yes.

CITIZENS BUSINESS:

Rick Von Rock, 400 North 7th Ave., spoke from the audience about how a citizen can get something placed on the agenda without having to go through their Councilmember. He said he sees now that he can contact the City Manager to request something to be placed on the agenda. Mayor Fatcher said that was correct and another way is to bring it up during Citizens Business at a Regular Council Meeting. City Attorney Janean Parker commented that at a Special Meeting, the Council is restricted to the items on the agenda. At a Regular Meeting, if it is an emergency and requires attention that night, any one Councilmember may add an item to the agenda.

Continuation of the Consent Agenda (Item that was previously removed):
Municipal Stormwater IDDE Program:

Upon motion by Councilmember Schimmel, seconded by Councilmember McDaniel, 'Approve the Municipal Stormwater Illicit Discharge Detection and Elimination Program.' Councilmember Schimmel asked Public Works Director David Sypher about the additional staffing required having an affect on the budget. Mr. Sypher said it is anticipated that at least one Engineer will be needed within 2-3 years to implement the IDDE Program and other permits. Since this is an unfunded mandate, you will see it affect our budget in 2 – 3 years. Councilmember Schimmel asked about the stormwater fee income that the City receives through the utility bills being enough for the additional staffing and the implementation of the permits. Mr. Sypher said our current stormwater rates would not provide enough income. We have being reviewing our rates. A future rate increase proposal is probable. Discussion followed. Motion passed, all voting yes.

MOTION ITEMS:

Ordinance No. 12-3760 - City Hall Hours of Operation Change: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Roberson, seconded by Councilmember Myers, 'Adopt Ordinance No. 12-3760, 'AN ORDINANCE OF THE CITY OF KELSO AMENDING KMC 2.88.010 TO PROVIDE AMENDED HOURS OF OPERATION FOR CITY BUSINES OFFICES,' motion carried, all voting yes.

Ordinance No. 12-3761- Delinquent City Utility Penalty: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember McDaniel, seconded by Councilmember Myers, 'Adopt Ordinance No. 12-3761, 'AN ORDINANCE OF THE CITY OF KELSO IMPOSING A PENALTY ON DELINQUENT CITY UTILITY ACCOUNTS,' motion carried, all voting yes.

Ordinance No. 12-3762 - Temporarily Increase Utility Business Tax Rates: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember McDaniel, seconded by Councilmember Roberson, 'Adopt Ordinance No. 12-3762, 'AN ORDINANCE OF THE CITY OF KELSO TEMPORARILY AMENDING KMC 5.05.120 TO INCREASE UTILITY BUSINESS TAX RATES FROM EIGHTEEN PERCENT TO TWENTY PERCENT FOR WATER SEWER AND GARBAGE PROVIDERS UNTIL DECEMBER 31, 2012 AND PROVIDING A SUNSET DATE.' Councilmember Schimmel spoke against this proposal. He is concerned the City will become dependant on this extra funding even though it has a sunset date of 12/31/2012. Councilmember Myers spoke against this proposal. He said he was initially in favor of it, but after analyzing this further, he felt this proposal is just a method to subsidize the other city's departments. He believes this is an unfair method in generating revenue. The B&O Tax was calculated on the cost of doing the water/sewer and garbage business. The total cost was then divided to determine the percentage tax

rate. The customer rates we set are based on the cost to operate the Water/Sewer Garbage Department, which are already on a scheduled increase structure. This adds to the cost of the water/sewer business. He recognizes this may be the same process used in many cities, but the potential impact on the households in Kelso should be looked at. Lengthy discussion followed. Councilmember Roberson, McDaniel, Lefebvre, and Fitcher voted yes. Councilmember Schimmel, Myers, and Archer voted No. Motion passed, 4 to 3.

Ordinance No. 12-3763 - Suspension of Right of Way and Frontage Improvements

Along Talley Way: The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember Schimmel, seconded by Councilmember Myers, 'Adopt Ordinance No. 12-3763, 'AN ORDINANCE OF THE CITY OF KELSO AMENDING AND EXTENDING CERTAIN PROVISIONS OF THE TEMPORARY SUSPENSION OF THE RIGHT-OF-WAY AND OTHER PUBLIC INFRASTRUCTURE IMPROVEMENTS IN CONJUNCTION WITH NEW DEVELOPMENT.' Councilmember Archer asked about the 2020 expiration time in Section 4. Attorney Janean Parker explained that 2015 was the expiration time in the original agreement. Since the Council wanted the City Manager to be able to push out extensions, she chose 2020 to allow for that and, at the same time, be consistent with the other agreements. Discussion followed. Motion passed, all voting yes.

MANAGER'S REPORT:

Dennis Richards: 1) I recently attended a quarterly meeting held by CWCOG . It is called the Forum. It consists of representatives from Longview, Kelso, Cowlitz County, the Ports, School Districts, Lower Columbia College, and the occasional elected legislatures and senators. I gave a report which I called "Baby Steps toward a Better Economy for the City of Kelso". The Jack in the Box is working on their concrete foundation. Starbucks is close behind. The new mini-mart on Grade Street has opened. There is a new fitness center called Snap Fitness at the Riverway Plaza and it is very nice. The construction for the new Grounds for Opportunity Café is coming along. It will look really nice. The Wilco Farm and Feed Supply Store will help the City in sales tax revenues when it starts up. Randco Tanks is a real welcomed industry to our city. They are doing well in other cities and they want an L.I.D to make the Talley Way area look nice. People came in and got permits for the old American Legion building. They paid their back taxes and they want to move forward. They still need to paint the building. There have been some promises from the Three Rivers Mall that something will be happening in the old Emporium space. I was told I will learn more about that in January or February. It is exciting to see some positive changes in the City. Councilmember Schimmel asked if we could cancel the two percent B&O tax increase to the Water/Sewer and Garbage Department mid year if we see revenue increasing. Mr. Richards said Wilco will not be starting up until this Fall, but we can cancel the two percent increase at anytime.

STAFF REPORTS:

Janean Parker: 1) No report.

David Sypher: 1) We worked really hard to get a lot of the decaying water lines done. 2) We are now actually using the new Paxton Reservoir. 3) We got the first big \$1 million project done for the dilapidated water lines and the \$600,000 project will be winding down in a couple of weeks. We have made great progress. With the Council's support and foresight and Finance Director Brian Butterfield's work on the bond, we were able to get these projects done. 4) What remains is the Automated Meter Reading System Project. We are putting the Request for Proposal in and hopefully that will be completed within the next year and a half. 5) Our overlay program is just about ready to bid out for the next season.

Nancy Malone: No report.

Cindy Donaldson: 1) Our winter "Story Time" began tonight. It will run through April. 2) I am working with the Washington State Library on a grant for downloadable books for our Kelso Library patrons. Hopefully, if it all works out, you will be able to download books by the first part of March. You will need a Kelso Library Card to do this.

Andrew Hamilton: 1) It has been a very busy month. Accidents are up due to weather conditions. 2) I will be meeting the Captain and the Sergeants tomorrow to review the evaluations from last year and to discuss where we are going with the amount of staff we have this year. 3) We currently have one officer out on sick leave. To my knowledge the two officers we laid off are currently still looking for employment.

Brian Butterfield: No report.

COUNCIL REPORTS:

Gary Archer: No report.

Dan Myers: I made a couple of major purchases locally this Holiday Season and the sales tax totaled about \$260. This is something people should consider. If they are supporting this community, they need to shop locally.

Todd McDaniel: No report.

Rick Roberson: No report.

Kim Lefebvre: No report.

Gary Schimmel: I wanted to bring up the subject about a community forum. I fully agree that we provide the opportunity for people to come to us and speak at the Council Meetings, but we get very little public input. I spoke to Ms. Donaldson about using the Library as a venue for a community forum. The Library has a lot of activities throughout the week. We are working on which night of the week would be best. People of all ages come to the Library and I feel that people would be more apt to speak up there rather than at a Council Meeting where they are televised and speaking in public. I would like Council to consider a night they would be available for citizen's questions and concerns at a community forum.

David Futcher: No report.

There being no further business, Mayor Futcher adjourned the meeting at 8:12 p.m.



MAYOR



CITY CLERK