Kelso City Council Agenda

Regular Meeting, 7:00 pm
August 7, 2012
Tam O'Shanter Park
'National Night Out'
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:

Call to Order:

Roll Call to Council Members:

Approve Minutes:

July 17, 2012-Regular Meeting

Proclamation:

National Night Out

Consent Items:

Liquor License Special Occasion

Rogue Foundation, 2012 Highlander Festival, 1600 Tam O'Shanter Park

Citizen Business:

Council Business:

Action/Motion Items:

Ordinance 2nd Reading

Property Conveyance, 1408 Home Court

Other Items:

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

KELSO CITY COUNCIL **July 17, 2012**
7:00 P.M. **REGULAR MEETING**

Captain David Davis, of the Salvation Army, 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, Lefebvre, McDaniel, Myers, Archer, and Roberson. Councilmember Schimmel was absent.

Minutes: Upon motion by Councilmember Roberson, seconded by Councilmember Lefebvre, 'Approve the Minutes of the 7/03/12 Regular Meeting,' motion carried, all voting yes.

PUBLIC HEARING – ADOPT A SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM:

Mayor Futcher opened the Public Hearing at 7:02 p.m. Public Works Director David Sypher discussed that each year the City is required to adopt a Six-Year Transportation Improvement Program. This program is important to the City because it is the mechanism for receiving State and/or Federal Funding for the transportation projects. He commented that the Cowlitz-Wahkiakum Council of Governments, which acts as our Metropolitan Planning Organization Coordinator, gave us an additional $ 1 million for the West Main Realignment Project.

Rick Von Rock, 400 N. 7th Ave., asked how many dollars the program totals. Mr. Sypher commented that the list shows $28 million but these funds are only for the federally classified streets that are eligible for the STP funds. The total amount for all city streets can be found on the City of Kelso website, along with more detailed information, under the Capital Improvement Project. There being no further comments from the public, Mayor Futcher closed the Public Hearing at 7:06p.m.

CONSENT AGENDA:

1. **Liquor License Renewals:** a) El Charrito, 300 S. Pacific Avenue; b) Fraternal Order of Eagles, Kelso, 609 S. Pacific Avenue; c) Safeway #2637, 411 Three Rivers Drive; d) Safeway #2637-Fuel, 411 Three Rivers Drive
2. **Street Closure-Right of Way Permit**: 300 Block, South Pacific Avenue, July 27, 2012, 2 p.m. – 5 p.m.
3. **Auditing of Accounts:** $1,828,145.60

Upon motion by Councilmember Roberson, seconded by Councilmember Myers, 'Approve the Consent Agenda and the Auditing of Accounts in the amount of $1,828,145.60,' motion carried, all voting yes.

PROCLAMATION:

Mayor Futcher read a proclamation declaring August 5 – 11, 2012, as **"National Health Center Week"** in the City of Kelso. Cowlitz Family Health Center CEO Dian Cooper accepted the proclamation and spoke of how the 5 health clinics are serving Cowlitz County, Wahkiakum County, and southern Pacific County. In 2011 the health centers served approximately 22,000 people. There will soon be a sixth clinic located in Kelso. It will provide health services for up to 4,500 patients and will be located at 300 Oak Street.

CITIZEN BUSINESS:

Henry J. Behrens, Kelso Train Depot Board of Volunteers Treasurer, spoke about three issues regarding the train depot. 1) There is a lack of adequate lighting due to bulbs being moved to other fixtures in the depot and not being replaced. He said that requests for more bulbs from the City have been made but there has been no response. 2) There is a constant odor problem in the ladies bathroom. The volunteers have tried to get rid of the odor but have not been successful. He commented that someone had an accident in the ladies bathroom which left a puddle on the floor. A clean up request was called to the City but the request was not followed through in a timely manner. 3) He requested that the train depot be a regular bus stop for CUBS. Mayor Futcher commented that someone will get in touch with him about the lights for the depot. Mayor Futcher said that the bus stop issue will need to be taken to the CUBS Board. He said it was brought up in the past but it can be brought back.

Melissa L. Taylor, CWCOG, spoke about a Cowlitz County and Lewis County workshop scheduled on July 30th & 31st. The topic is "Improving the Economic & Fiscal Health of Our Communities". The first day will be a presentation and discussion. The second day will involve working sessions and break-out groups. There will be a consulting team that will follow up with a report outlining specific options and action steps for consideration. She handed out a flier to Council and staff and invited them to attend.

Jim Hill, 1100 N. 22nd Ave., spoke about amending the City of Kelso fireworks code. He provided a written copy of his proposed amendments and he stated he would like the response be put on the agenda for the next Council Meeting. Mayor Futcher said that the next available meeting is August 21, 2012. He commented that this is the time of the year that Council schedules a workshop to prioritize issues they would like to pursue for the year. The fireworks code can definitely be included. Mr. Sypher suggested scheduling the workshop when the new City Manager is on board. With the consensus of Council, Mayor Futcher scheduled a special workshop on "Goal Setting" for Sept. 4, 2012 at 6:00 p.m. This is the first day City Manager Steve Taylor officially starts with the City of Kelso. Mayor Futcher commented that if any of the councilmembers would like to have the item of amending the fireworks ordinance be placed on the agenda for August 21, 2012, to contact Administrative Assistant Shelly Timm.

MOTION ITEMS:

Resolution No. 12-1068 – Adopt a Six Year Transportation Improvement Program: The Deputy Clerk read the proposed resolution by title only. Upon motion by Councilmember Myers, seconded by Councilmember Archer, 'Pass Resolution No. 12-1068, 'A RESOLUTION OF THE CITY OF KELSO, COWLITZ COUNTY, WASHINGTON, ADOPTING A SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM FOR CONSTRUCTION OF STREET IMPROVEMENTS,' motion carried, all voting yes.

Ordinance No. (1st Reading): The Deputy Clerk read the proposed ordinance by title only. Upon motion by Councilmember McDaniel, seconded by Councilmember, Archer 'Pass on 1st reading, 'AN ORDINANCE OF THE CITY OF KELSO CONVEYING PROPERTY AT 1408 HOME COURT IN KELSO TO LOWER COLUMBIA COMMUNITY ACTION PARTNERSHIP,' motion carried, all voting yes.

STAFF REPORTS:

Janean Parker: No report.

David Sypher: 1) We are in the middle of our citywide catch basin cleaning program. This program is grant funded and has not been done for 15 years. We will be going citywide with this project. This should help some of our flooding problems during high rainfall events. 2) The overlay project that involves Holcomb Ave., Allen St., and Grade St. is completed. Allen Street will receive a double chip seal later this year. 3) This week you will see striping on the roads taking place throughout the city. So the town will be painted and beautiful. 4) The Kelso Downtown Revitalization Association has donated three benches and three trash cans for the downtown area. The City will be installing them within two weeks. 5) We have begun our budget process. Everyone is working hard on gathering the numbers to project our expenses and revenues for the next two years. 6) The Airport Board is progressing really well. The transition is still on schedule. At the last Airport Board meeting new regulations were adopted by way of resolution. Soon the city attorney will be bringing an ordinance to be adopted by the City of Kelso Council. Each entity is doing the same thing. Everyone has been working hard to stay on schedule and have the transition process completed by January 1, 2013. 7) Even though our public works crew has a workload that is more than they could ever get done, they put out the extra effort to save the City on costs. This reflects the loyalty and the love for the community that they uphold. Councilmember McDaniel asked where the benches will be installed and if the City would install more benches if other businesses would like to donate them. Mr. Sypher said they will be installed on Allen St., S. Pacific Ave., and Oak St. If the installation of the benches becomes a substantial project, we will need to take it to Council for clearance. Councilmember Myers commented about the Raney Well System. He was told that a Raney Well System's life span was only good for twenty years. Mr. Sypher commented that the Raney Well has been in place for forty

years. He said this is because the extreme care we have given it. My staff reassures me that it has a good solid life left. Councilmember Archer spoke about a sinkhole located on Chestnut Street. It developed after a contractor worked on the street back in August 2010. Mr. Sypher said that he recalls that the contractor was not liable for the sink hole. He said that he would have to check on the facts and he will get back to Councilmember Archer.

Nancy Malone: 1) The Shoreline Management Update is moving along. There is an Open house slated for sometime in October. 2) The remodeling job at the NSP Project located at 1408 Home Court is almost complete. It should be ready for occupancy next month. 3) The environmental review should be completed this fall for the 1124 N. Pacific property. The clean up will possibly begin next summer. 4) We have received a building permit and a site plan application for the Family Health Center which will be located on 3rd Ave. and Oak St. We received a building permit and a site plan application from Western Fire. They are putting in a new office and storage building on Parrott Way. We received a building permit and a site plan application from Grace Bible Fellowship which will be located on S. 10th Street. 5) I had the opportunity to walk through the new CAP building (Grounds for Opportunity Café). It is gorgeous inside. Right now they are just providing meals for the 'Meals on Wheels' program until they open to the public next month. There is a 'Soft Opening' for the cafe in the first part of August and the 'Grand Opening' will be later in the month. We will be looking forward to that. 6) We are busy with nuisance abatement issues. We have received 82 nuisance abatement complaints since April 21st of this year. At this time we have closed 45 of those complaints. Out of the 45 that are closed, up to one half of them are repeat offenders. Between July 3rd and July 17th, we have already received 19 complaints. The phones are ringing off the hook. Councilmember Myers commented about a stormwater drainage problem regarding the roof of the GFO building. The neighboring building's stormwater drains from their roof onto the GFO's roof. The owner of the neighboring building has been contacted and he seemed unconcerned. Councilmember Myers said that this could be a potential problem during heavy rains and it should be investigated. Ms. Malone commented that she will have that looked into.

Cindy Donaldson: 1) We are still busy with our summer reading program. We have over 300 kids signed up. In the last month and a half we have read over one thousand books. 2) There are three more programs left for the summer. There will be a puppet show next week. We will have a teen photo contest on July 31st. Our annual summer reading picnic will be at the Longview Public Library. There will be free hotdogs and you are all welcome to come. Councilmember Myers commented that he recently received a nice compliment about the Kelso Library. He was told that the library is a very nice facility and it is very family friendly.

Captain Darr Kirk: 1) We are in full swing this time of the year. The Police Department is down one person due to an officer being out on long term sick leave. As

of two days ago Officer Weismiller resigned to take another position in Centralia. We are trying very hard to keep our response time down. We lose a Defensive Tactics Instructor and a SWAT Operator with Officer Weismiller leaving. The cost to get someone trained to the level of Officer Weismiller and to be ready for the field is about $60,000. We are short handed but we are working on filling the shifts that were scheduled for Officer Weismiller. 2) We are looking forward to our annual event, 'National Night Out,' which is on August 7, 2012, at Tam O'Shanter Park. We invite everyone to come.

Traci Howard: The Highlander Festival Committee members are working very hard on setting up all the events and vendors for this year's festival. It will be held on September 8th and 9th, at Tam O'Shanter Park. This year's entertainment will be 'Men of Worth' and the 'Wicked Tinkers'. We are looking forward to a big turnout, so everyone come and enjoy the festivities.

COUNCIL REPORTS:

Gary Archer: No report.

Dan Myers: 1) CWCOG had a presentation on the Geographic Information Systems recent advances. They are exploring some license sharing agreements. During a round table discussion I heard that there has been a study of the current methods of funding county level services in Cowlitz County. The findings were that they are unsustainable. 2) We have all heard that the City of Longview made the Forbes Magazine's list of 'Most Beautiful Towns.' The rest of the story is that if Longview wants to reference that designation in any of its advertising, it has to pay royalty to the magazine. 3) News from Olympia is that they are proposing to set up a committee to encourage the cooperation of cities to develop plans to combine services between jurisdictions. 4) The 'Fire and Ice Scenic Loop', project is a route that loops around Mt. St. Helens. The project is now at the point where requests for qualifications are being sent out. They will want to have vendors and businesses on the route. So a feasibility study will be done because they will probably want to have broad band services too. 5) We heard that Boeing has decided to keep their 737 assembly plant in Seattle. What was pointed out is that there are at least a dozen suppliers, if not more, that provide supplies and services for this plant. These suppliers are located in the southeast and maybe looking at having an operation in the northwest. Since we are on the I-5 corridor, we think it could be a potential benefit to our area. I hope that the Economic Development Council is working hard on this one too. 6) I found an interesting statistic that showed that Cowlitz County had the largest concentration of blue collar workers on the west coast per capita. 7) I attended the 'EGT Grand Opening' ceremony on July 9th. It is a pretty impressive facility. It has large automated spouts that reach out to load the large grain ships. Therefore, the ship doesn't have to shift into the berth. The EGT facility can unload six 110 car trains simultaneously by using automated arms that open the bottom of the train cars while the train keeps in motion across the unloading grate.

Todd McDaniel: A couple of years ago I brought up the request about the CUBS bus stopping at the train depot to the CUBS Board. The issue was that sometimes there are tractors and cars parked on the street so that the bus cannot get through to the depot. Councilmember Roberson and I are both on the CUBS Board. I will not be at the next CUBS meeting but maybe Councilmember Roberson can bring this request back to the board. Discussion followed.

Kim Lefebvre: The 'Big Idea' has a lot of things going on in our county. They have branded a new marketing campaign called 'Where Nature Erupts'. It is to promote tourism around Mt. St. Helens. The Big Idea Board is strong and growing.

Rick Roberson: No report.

David Futcher: It was suggested by Rick Von Rock to have the visitor center relocated next to the Starbucks building. I inquired about the price of that location and found that the cost might be too high. I passed that information along to the Chamber of Commerce President Bill Marcum. He is still looking at the option of the visitor center staying in the original location and getting a new temporary building for it.

EXECUTIVE SESSION:

The Council convened into executive session at 8:01 p.m. to discuss potential litigation. The executive session is expected to last approximately 10 minutes. The attorney was present. No action was taken.

The Council reconvened into regular session at 8:08 p.m. There being no further business, Mayor Futcher adjourned the meeting at 8:09 p.m.

_____

MAYOR

_____

CITY CLERK

Proclamation

NATIONAL NIGHT OUT
August 7, 2012

WHEREAS, The National Association of Town Watch (NATW) is sponsoring a unique, nationwide crime, drug and violence prevention program on August 7, 2012, entitled 'National Night Out"; and

WHEREAS, "National Night Out" provides a unique opportunity for the City of Kelso to join forces with thousands of other communities across the country in promoting cooperative, police and community crime prevention efforts; and

WHEREAS, it is important that all citizens of Kelso be aware of the importance of crime prevention programs and the positive impact that their participation can have on reducing crime and drugs in our neighborhoods; and

WHEREAS, neighborhood spirit and cooperation is the theme of the "National Night Out" project and plays an important role in helping the Kelso Police Department fight the war on crime and drugs in our community; and

WHEREAS, this initiative is much more than a single night, as it symbolizes a strong partnership between communities and law enforcement united in the common cause of public safety, intolerant of crime in all its forms, generating support for local anti-crime programs.

THEREFORE, BE IT RESOLVED **that I, David Futcher, Mayor of the City of Kelso, formally declare August 7, 2012, as "National Night Out", and encourage all citizens of the City of Kelso to shine their lights and add their voices to the outcry against criminal acts that compromises the quality of life in our City.**

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 August, 2012.

David Futcher
Mayor of the City of Kelso

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

SUBJECT TITLE: Liquor License Special Occasion

Agenda Item No: _____

Dept. of Origin: **Finance**

Date of Meeting: **August 7, 2012**

Originator: **Brian Butterfield** BB

PRESENTED BY: Brian Butterfield

City Attorney: _____

City Manager: _____

Agenda Item Attachments:

See attached request for: **Rogue Foundation, 2320 OSU Dr., Newport, OR, 97365**
Location: 1600 Tam O'Shanter Park – 2012 Highlander Festival

SUMMARY STATEMENT:

Various departments have been requested to give their input. Comments will be available by the City Council. The Finance Staff recommends this request be acted on by the City Council.

WASHINGTON STATE LIQUOR CONTROL BOARD-License Services
3000 Pacific Ave SE - P O Box 43075
Olympia WA 98504-3075

TO: MAYOR OF KELSO

July 26, 2012

REC'D CLERK
JUL 30 2012
CITY OF KELSO

SPECIAL OCCASION # 094836

ROGUE FOUNDATION
2320 OSU DRIVE
NEWPORT, OR 97365

DATE: SEPTEMBER 08, 09, 2012 TIME: 11 AM TO 7 PM

PLACE: TAM O'SHANTER PARK, 1600 TAM O'SHANTER PK, KELSO

CONTACT: NATALLA QUIVROGA, 303-668-7838

SPECIAL OCCASION LICENSES

* __License to sell beer on a specified date for consumption at specific place.
* __License to sell wine on a specific date for consumption at a specific place.
* __Beer/Wine/Spirits in unopened bottle or package in limited quantity for off premises consumption.
* __Spirituous liquor by the individual glass for consumption at a specific place.

If return of this notice is not received in this office within 20 days from the above date, we will assume you have no objection to the issuance of the license. If additional time is required please advise.

1. Do you approve of applicant? YES__ NO__
2. Do you approve of location? YES__ NO__
3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? YES__ NO__

OPTIONAL CHECK LIST	EXPLANATION	
LAW ENFORCEMENT		YES__ NO__
HEALTH & SANITATION		YES__ NO__
FIRE, BUILDING, ZONING		YES__ NO__
OTHER:		YES__ NO__

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

_____

DATE SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

AGENDA SUMMARY SHEET

Business of the City Council
City of Kelso, Washington

SUBJECT TITLE:

Ordinance, 2nd Reading
The City of Kelso Conveying Property at 1408 Home Court to the Lower Columbia Community Action Partnership (CAP)

Agenda Item:

Dept. of Origin: Community Development

For Agenda of: August 7, 2012

Cost of Item: N/A

Interim City Manager: Andrew Hamilton

PRESENTED BY:
Nancy Malone
Community Development Manager

AGENDA ITEM ATTACHMENTS:

Proposed Ordinance
Quit Claim Deed

SUMMARY STATEMENT:

At the February 21, 2012, council meeting authorization was granted to purchase 1408 Home Ct. as part of our Neighborhood Stabilization Program (NSP) funded through the Department of Commerce. The proposed action would adopt an ordinance conveying the property via a quit claim deed to Lower Columbia Community Action Partnership (CAP) for their use of the single family residence on the property for a low income family in accordance with NSP regulations.

FINANCIAL SUMMARY:

The proposed action is a quit claim deed with no compensation except the obligations to use the property per NSP rules.

RECOMMENDED ACTION:

Staff recommends council adopt the proposed ordinance on 2nd reading conveying the property at 1408 Home Ct. to Lower Columbia Community Action Partnership (CAP).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KELSO CONVEYING PROPERTY AT 1408 HOME COURT IN KELSO TO LOWER COLUMBIA COMMUNITY ACTION PARTNERSHIP.

WHEREAS, the City administers state and federal funds under the Neighborhood Stabilization Program to provide low income housing within the City of Kelso; and

WHEREAS, the City is authorized under the NSP regulations to sell the properties purchased or improved with NSP funds to low income families or to convey the properties to local non-profit community groups like the Lower Columbia Community Action Partnership for the further sale to low income families; and

WHEREAS, the City wishes to convey the property at 1408 Home Court in Kelso to Lower Columbia Community Action Partnership for use of the single family residence on the property for a low income family in accordance with the NSP regulations;

NOW, THEREFORE,

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

SECTION 1. The City hereby agrees to convey the property at 1408 Home Court in Kelso, Washington to the Lower Columbia Community Action Partnership via a quit claim deed substantially in the form attached hereto as Exhibit A for sale in accordance with the Neighborhood Stabilization Program requirements.

SECTION 2. The Interim City Manager is authorized to execute a quit claim deed substantially in the form attached hereto as Exhibit A and to execute such other documents and to take such other action as may be necessary to convey the property to the Lower Columbia Community Action Partnership.

SECTION 3. 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 4. 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 _____, _____, 2012.

_____

MAYOR

ATTEST/AUTHENTICATION:

_____

CITY CLERK

APPROVED AS TO FORM:

_____

CITY ATTORNEY

PUBLISHED:_____

When recorded return to:
City of Kelso
Community Development Manager
203 S. Pacific Ave.
P.O. Box 819
Kelso, WA 98626

QUIT CLAIM DEED

Grantors:	CITY OF KELSO, a Washington Municipal Corporation
Grantees:	LOWER COLUMBIA COMMUNITY ACTION PARTNERSHIP, a Washington Non-profit Corporation
Abbreviated Legal Description:	LOTS 8 AND 9, BLOCK 1, HOMESITE ADDITION TO KELSO
Tax Parcel No.:	21606
Address:	1408 Home Court, Kelso Washington

The Grantor, the City of Kelso, a Washington Municipal Corporation, having an address of 203 South Pacific Avenue, for and in consideration of $1 and such other good and valuable consideration hereby acknowledged;

Hereby conveys and quit claims to the Lower Columbia Community Action Partnership, a Washington Non-profit Corporation having an address at 1526 Commerce Avenue in Longview, Washington, the following described real estate, situated in the County of Cowlitz, State of Washington, together with all after acquired title of the Grantor herein:

> LEGAL DESCRIPTION: LOTS 8 AND 9, BLOCK 1, HOMESITE ADDITION TO KELSO, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 58, RECORDS OF COWLITZ COUNTY, WASHINGTON, SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON.

_____
Andrew O. Hamilton, Interim City Manager
City of Kelso

Accepted by:

_____
Ilona A. Kerby, Executive Director
Lower Columbia Community Action Partnership

STATE OF WASHINGTON)

) ss.

County of Cowlitz)

On this day personally appeared before me ANDREW O. HAMILTON, INTERIM CITY MANAGER for the CITY OF KELSO, A MUNICIPAL CORPORATION OF THE STATE OF WASHINGTON, the municipal corporation that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

GIVEN under my hand and official seal this _____ day of _____,

_____

NOTARY PUBLIC in and for the State

of Washington, residing at _____.

My commission expires: _____.