

Colville, Washington
Regular City Council Meeting Minutes
August 28, 2012

7:00 PM: MEETING CALLED TO ORDER BY MAYOR DEBORAH RARRICK.

[7:01:54 PM](#)

ROLL CALL: FOLL, BERGIN, LAWSON, BEATTY, JANKE, BIRCH AND FOSTER.

[7:02:51 PM](#)

PRESENT: COUNCILMEMBER NANCY FOLL, COUNCILMEMBER DOROTHY BERGIN, COUNCILMEMBER ANNE LAWSON, COUNCILMEMBER BILL BEATTY, COUNCILMEMBER LOU JANKE, COUNCILMEMBER MIKE BIRCH, COUNCILMEMBER TERRY FOSTER AND MAYOR DEBORAH RARRICK.

STAFF PRESENT: DIRECTOR OF BUILDING/PLANNING JIM LAPINSKI, POLICE CHIEF ROBERT MESHISHNEK, CITY CLERK/HUMAN RESOURCES MANAGER HOLLY PANNELL, MUNICIPAL SERVICES ADMINISTRATOR ERIC DURPOS, RECREATION COORDINATOR JAKE WILSON AND CITY ATTORNEY CHARLIE SCHUERMAN.

SALUTE TO THE FLAG.

CONSENT AGENDA:

- #01. **AUGUST 29, 2012 CLAIMS CHECKS #47153 ~ #47231 IN THE AMOUNT OF \$44,665.00 AS APPROVED FOR PAYMENT BY THE AUDIT COMMITTEE.**
- #02. **AUGUST 10, 2012 ~ AUGUST 23, 2012 CONTRACT/AGREEMENT LIST REVIEW.**

MAYOR RARRICK READ THE CONSENT AGENDA.

COUNCILMEMBER BERGIN MOVED AND COUNCILMEMBER FOSTER SECONDED THE MOTION THAT "VOUCHERS AUDITED AND CERTIFIED BY THE AUDITING COMMITTEE AS REQUIRED BY RCW 42.24.080 AND THOSE EXPENSE REIMBURSEMENT CLAIMS CERTIFIED AS REQUIRED BY RCW 42.24.090 HAVE BEEN RECORDED ON A LISTING WHICH HAS BEEN MADE AVAILABLE TO THE COUNCIL AS OF THIS DATE AUGUST 28, 2012 AND DOES APPROVE FOR PAYMENT THOSE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS: AUGUST 29, 2012 CLAIMS CHECKS #47153 ~ #47231 IN THE AMOUNT OF \$44,665.00" AND DOES APPROVE THE CONSENT AGENDA AS READ.

[7:04:19 PM](#)

MOTION PASSED.

PUBLIC APPEARANCES AND FORUM TIME:

- #03. **DISCUSSION/ACTION: REQUEST TO USE CITY LAND TO CONSTRUCT A MOUNTAIN BIKE, HIKING AND CROSS COUNTRY TRAIL FOR A SENIOR PROJECT.**

DYLAN SCHANZ, 566 GARVEY RD, STATED THAT HE IS GOING TO BE A SENIOR THIS YEAR AT COLVILLE HIGH SCHOOL. HE WANTED HIS SENIOR PROJECT TO BENEFIT THE COMMUNITY. HE WOULD LIKE TO MAKE A SINGLE TRACK TRAIL 18-24 INCHES OF DIRT, TO BE USED FOR MOUNTAIN BIKING, HIKING AND CROSS COUNTRY. HE STATED THAT THERE IS A SMALL CORNER OF CITY PROPERTY THAT WILL NEED TO BE USED TO COMPLETE THIS PROJECT. THE TRAIL WILL BE A SMALL FIGURE EIGHT. HE STATED THAT THE PROPERTY IS LOCATED EAST OF TOWN AND TAKES OFF FROM THE EXISTING ROTARY TRAIL. HE STATED THAT HE WILL NEED PERMISSION TO USE THE CITY LAND, THERE IS ALSO A GUN RANGE AND CITY WELLS IN THE VICINITY. HE HAS ALREADY SPOKEN TO ADJACENT PROPERTY OWNERS BEARDSLEE, GREENMAN AND HANEY. THEY AGREED AS LONG AS THERE ARE NO MOTORIZED VEHICLES. HE HAS ALSO SPOKEN TO THE POLICE CHIEF ABOUT THE GUN RANGE AND WILL STAY AWAY FROM THIS AREA.

COUNCILMEMBER FOLL ASKED ABOUT AN INDEMNITY NOTICE AND LIABILITY NOTICES, SHE SUGGESTED THAT THE CITY ATTORNEY BE CONTACTED ABOUT LIABILITY. COUNCILMEMBER FOLL ALSO ASKED ABOUT GARBAGE ON THE TRAIL. DYLAN SCHANZ STATED THAT HE HAS SPOKEN TO THE ROTARY CLUB AND THEY MIGHT ASSIST WITH GARBAGE CLEAN UP.

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ERIC DURPOS STATED THAT THIS IS A WETLAND AREA AND HE WASN'T SURE IF THERE WOULD BE PERMITS INVOLVED TO DO WORK IN THIS AREA. HE ALSO STATED THAT THIS IS ALSO THE WELLHEAD PROTECTION AREA FOR THE CITY AND THAT WOULD NEED TO BE INVESTIGATED.

CHIEF ROBERT MESHISHNEK STATED THAT THEY TALKED ABOUT FENCING OFF THE UPPER PORTION OF THE TRAIL AND POSTING SIGNS THAT STATE THAT THERE IS A SHOOTING RANGE AND THEY SHOULD STAY ON THE TRAIL OR SOMETHING SIMILAR.

GENE DUBOIS, 520 HALLER CREEK RD, STATED THAT HE HAS A SECTION THAT NEIGHBORS THE CITY PROPERTY. HE HAS A NICE STAND OF TIMBER AND RIGHT NOW IT IS DRY AND HE IS CONCERNED ABOUT FIRES AND TRESPASSING. HE ALSO RUNS CATTLE IN THE AREA AND HE IS ALSO CONCERNED ABOUT FENCES BEING CUT.

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER LAWSON SECONDED THE MOTION TO APPROVE THE REQUEST OF DYLAN SCHANZ TO USE THE CITY LAND TO CONSTRUCT A TRAIL FOR MOUNTAIN BIKING, HIKING AND CROSS COUNTRY AS PART OF HIS SENIOR PROJECT AND CONTINUE TO WORK WITH HIS MENTOR, RECREATION COORDINATOR JAKE WILSON TO HELP ADDRESS THE OTHER ISSUES THAT HAVE BEEN DISCUSSED.

CHIEF MESHISHNEK STATED THAT DURING HIGH FIRE DANGER THE CITY COULD CLOSE THE TRAIL, AND HAVE A GATE AND CONTROL THE ACCESS.

COUNCILMEMBER FOLL STATED THAT SHE AGREES BUT WANTS TO COVER THE LIABILITY ISSUES AND ASKED DYLAN SCHANZ TO WORK WITH THE CITY ATTORNEY.

COUNCILMEMBER BIRCH ASKED WHO WILL FUND THE FENCING IF NECESSARY. DYLAN SCHANZ STATED THAT HE WILL BE LOOKING INTO THIS AND ALSO SOME GRANT OPPORTUNITIES AND SERVICE GROUPS.

[7:30:31 PM](#)

MOTION PASSED.

#04. DISCUSSION/ACTION: DEVELOPER AGREEMENT REQUEST.

AVRUM BAUM, 1512 MCFARLANE RD, STATED THAT HIS DEVELOPMENT AT 3RD AND OAK CONNECTS WITH THE CITY OF COLVILLE PROJECT. HE STATED THAT THERE HAS ALWAYS BEEN A FLOODING ISSUE IN THE ALLEY IN THIS AREA. THE BORE HOLE TOOK PLACE AND THE WORK GOT DONE AND NOW THEY ARE ALMOST FINISHED WITH THE PROJECT AND NOW THERE IS THIS GIANT BORE PIT. HE STATED THAT HE IS ASKING WHAT TYPE OF WARRANTY WILL BE PROVIDED FOR THIS SITE. HE WAS TOLD BY THE CITY THAT THE NORMAL WARRANTY IS ONE YEAR. AVRUM BAUM STATED THAT THIS IS NOT NORMAL OR ACCEPTABLE AND HE IS CONCERNED ABOUT A SINK HOLE OR OTHER ISSUES. HE STATED THAT HE IS ASKING FOR A 10 YEAR WARRANTY TO BE PROVIDED BY THE CITY.

COUNCILMEMBER FOLL STATED THAT SHE UNDERSTANDS HOW THERE WOULD BE A CONCERN.

MATT GILLIS, WELCH COMER PROJECT MANAGER, STATED THAT THE PIT IS LARGE AND NEEDED TO BE. HE STATED THAT THE METHOD OF EXCAVATION AND BACKFILL WAS SOUND, IT WAS COMPACTED IN LAYERS AND TESTED DURING THE WHOLE PROCESS. WSDOT (WASHINGTON STATE DEPARTMENT OF TRANSPORTATION) SPECIFICATIONS WERE USED FOR THIS PIT. THOSE SPECIFICATIONS DON'T ALLOW A WARRANTY, THAT'S WHY THERE IS MORE EXTENSIVE TESTING ON THE COMPACTION LEVELS AND OTHER ISSUES.

COUNCILMEMBER LAWSON ASKED MR. GILLIS IF HE IS CONFIDENT THAT THIS IS A FAIL SAFE SITUATION. MATT GILLIS STATED THAT HE CANT SAY THAT IT IS FAIL SAFE, BUT HE IS FAIRLY CONFIDENT THAT THERE WON'T BE A PROBLEM IN THE NEAR FUTURE.

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COUNCILMEMBER JANKE STATED THAT HE THINKS THE CITY HAS SOME RESPONSIBILITY IN THIS SITUATION AND SUPPORTS A FORMAL AGREEMENT, BUT HE IS NOT SURE WHY A SURETY BOND IS NECESSARY.

CITY ATTORNEY CHARLIE SCHUERMAN STATED THAT THERE IS NO LEGAL OBLIGATION BY THE CITY TO ENTER INTO ANY AGREEMENT OR PROVIDE A BOND, BUT THE CITY CAN DECIDE TO DO SOMETHING IN THIS SITUATION. COUNCILMEMBER JANKE STATED THAT AN AGREEMENT SHOULD SUFFICE AND NO BOND SHOULD BE NECESSARY.

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER BIRCH SECONDED THE MOTION THAT UPON FINAL ACCEPTANCE OF THE THIRD AVENUE PROJECT, THE CITY ATTORNEY WILL WORK WITH AVRUM BAUM TO CREATE AN AGREEMENT FOR A 10 YEAR WARRANTY FOR THE BORE HOLE COMPACTION AREA TO ADDRESS ANY SETTLING AND PROTECT THE LANDSCAPING IN THE AREA.

COUNCILMEMBER FOLL THINKS THAT 10 YEARS IS TOO LONG. THIS IS ALREADY A PROBLEM AREA WITH SOIL AND UNDERGROUND WATER ISSUES.

COUNCILMEMBER FOLL MOVED AND COUNCILMEMBER FOSTER SECONDED THE MOTION TO AMEND THE MOTION TO PROVIDE A 5 YEAR WARRANTY AGREEMENT.

[8:02:05 PM](#)

MOTION TO AMEND FAILED. *THERE WERE DISSENSIONS NOTED FROM COUNCILMEMBERS BERGIN, LAWSON, BEATTY, JANKE AND BIRCH.*

[8:03:10 PM](#)

ORIGINAL MOTION PASSED.

AVRUM BAUM STATED THAT HE WOULD LIKE TO WORK WITH THE CITY ON HOW TO BETTER ILLUMINATE THE AREA AT 3RD AND OAK. HE STATED THAT HE HAS THE STANDARD MINIMUMS ABOUT LIGHTING AT INTERSECTIONS AND WOULD LIKE TO EVENTUALLY TALK ABOUT HOW TO GET THAT PART OF DOWNTOWN LIT. HE WOULD LIKE THE CITY TO RE-EVALUATE PUTTING IN ADDITIONAL AVISTA UTILITY LIGHTS IN THIS AREA.

PUBLIC COMMENT PERIOD:

#05. PUBLIC COMMENT: THE FLOOR IS OPEN FOR ANY PUBLIC COMMENTS.

BILL PIFER, 1930 EAST IVY, STATED THAT HE IS CONCERNED ABOUT THE CREATION OF A STORM WATER UTILITY AND AN INCREASE IN THE UTILITY CHARGES. HE STATED THAT THE COUNCIL WAS TOLD THAT THEY NEEDED TO INCREASE THE UTILITY RATES IN ORDER TO ACCOMPLISH IMPROVEMENTS TO THE INFRASTRUCTURE. HE STATED THAT HE GETS THE IMPRESSION THAT THERE IS NO MONEY FROM WHAT HE IS READING IN THE NEWSPAPER AND WHAT IS IN THE PACKET TONIGHT REGARDING STORM WATER.

NEW BUSINESS:

#06. DISCUSSION/ACTION: STORM WATER MANAGEMENT PLAN UPDATE.

MUNICIPAL SERVICES ADMINISTRATOR ERIC DURPOS STATED THAT WE HIRED WELCH COMER TO UPDATE THE 1998 STORM WATER MANAGEMENT PLAN. THE FOCUS WAS SPECIFICALLY ON CAPITAL IMPROVEMENTS AND AREAS OF TOWN THAT NEED TO BE FIXED. THERE IS A PERMIT THAT IS REQUIRED OF LARGER CITIES, COLVILLE IS NOT REQUIRED TO HAVE ONE AT THE MOMENT.

COUNCILMEMBER JANKE STATED THAT THIS IS JUST A PLAN, IT IS NOT CREATING A STORM WATER UTILITY.

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ERIC DURPOS STATED THAT THIS IS PROCEEDING WITH THE NEXT STEP IN THE COMMUNICATION PLAN AS AGREED.

COUNCILMEMBER JANKE WOULD LIKE TO SEE THE RATIONALE FOR THE \$7/MONTH RECOMMENDATION.

COUNCILMEMBER FOLL MOVED AND COUNCILMEMBER BERGIN SECONDED THE MOTION TO ACCEPT THE WELCH COMER STORM WATER MANAGEMENT PLAN UPDATE.

[8:36:19 PM](#)

MOTION PASSED.

COUNCILMEMBER FOLL STATED THAT THE COUNCIL NEEDS TO DECIDE IF THE NEXT STEPS ARE TO MOVE FORWARD WITH COMMUNITY DISCUSSION AND PRESENTATIONS.

#07. DISCUSSION/ACTION: POSSIBLE APPROVAL OF TASK ORDER 12-06, TRANSMISSION MAIN REPLACEMENT.

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER BERGIN SECONDED THE MOTION TO APPROVE TASK ORDER 12-06 IN THE AMOUNT OF \$148,600.

[8:44:23 PM](#)

MOTION PASSED.

#08. DISCUSSION/ACTION: PROPOSED COLVILLE MUNICIPAL AIRPORT HANGAR COVENANTS.

IT WAS DECIDED THAT ALL OF THE PROPOSED AIRPORT ITEMS WILL BE DISCUSSED INDIVIDUALLY WITH CHANGES THAT ARE REQUESTED AND THESE ITEMS WILL NEED TO BE BROUGHT BACK TO A FUTURE MEETING.

CHANGES AS FOLLOWS:

FIRE EXTINGUISHERS SHOULD BE WORKING.

FLAMABLE LIQUIDS SHOULD BE APPROVED BY WHATEVER AUTHORITY IS APPLICABLE.

COUNCILMEMBER FOLL SUGGESTED THAT ALL THE COMMENTS/CONCERNS BE GIVEN TO JEFF HARSHMAN AND THE CITY ATTORNEY TO BE ADDRESSED AND BROUGHT BACK FOR POSSIBLE ACTION.

WHAT KINDS OF BUSINESS CAN BE CONDUCTED IN THE HANGAR.

#09. DISCUSSION/ACTION: PROPOSED COLVILLE MUNICIPAL AIRPORT RULES AND REGULATIONS.

CHANGES AS FOLLOWS:

1(E) WHO IS THE CITY RISK MANAGER. TAKE OUT THE WORDS RISK MANAGER AS THERE ISN'T ONE FOR THE CITY.

WHEN IT COMES TO ADMINISTERING THESE RULES, IT SHOULDN'T BE THE WHOLE AIRPORT BOARD IN ALMOST ALL CASES AS STATED IN THIS DRAFT, SHOULD BE ONE PERSON. ACCEPTED BY THE AIRPORT MANAGER MAYBE OR THE MAYOR.

1(B) STATEMENT DOESN'T MAKE SENSE, MAYBE SOMETHING MISSING.

1(D) SHOULD BE BARRED NOT BARRING.

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#10. DISCUSSION/ACTION: PROPOSED COLVILLE MUNICIPAL AIRPORT CAR RENTAL AGREEMENT.

CHANGES AS FOLLOWS:

THERE WERE NUMEROUS QUESTIONS REGARDING INSURANCE. WHAT IF THEY DON'T HAVE INSURANCE? WHO COVERS THIS IN THE EVENT OF AN ACCIDENT? NOT ELIGIBLE TO USE THE CAR IF THEY DON'T HAVE INSURANCE? WHAT LEVEL OF INSURANCE WOULD WE REQUIRE? COMPREHENSIVE AND LIABILITY?

#11. DISCUSSION/ACTION: PROPOSED COLVILLE MUNICIPAL AIRPORT TIE DOWN LEASE AGREEMENT.

CHANGES AS FOLLOWS:

PENALTY OF \$5 SHOULD BE BLANK UNTIL THE FEES ARE ESTABLISHED BY THE CITY.

#12. DISCUSSION/ACTION: PROPOSED COLVILLE MUNICIPAL AIRPORT LEASE AGREEMENT.

CHANGES AS FOLLOWS:

ONE YEAR LEASE RENEWABLE FOR 20 YEARS ON AN ANNUAL BASIS. THE SQUARE FOOT DOLLAR AMOUNT HAS NOT BEEN ACCEPTED BY THE CITY YET SO SHOULD BE BLANK.

IT'S ONLY A SIXTY DAY NOTICE IF WE SENT BY OCTOBER 31ST. THE DATES NEEDS TO BE CHANGED TO SEPTEMBER.

INSURANCE AT LEAST \$1 MILLION, NAMING CITY AS ADDITIONAL INSURED. WILL THAT BE ADEQUATE IN 20 YEARS?

NO GARBAGE ON THE EXTERIOR, BUT WHAT ABOUT THE INTERIOR.

IS THE LEASE TRANSFERABLE? NOT ASSUMABLE OR ASSIGNABLE?

30 DAYS NOTICE TO THE CITY FOR SUBLETTING, 30 DAYS WILL NOT BE ADEQUATE, ESPECIALLY IF IT NEEDS TO GO TO THE CITY COUNCIL.

#13. DISCUSSION/ACTION: PROPOSED COLVILLE MUNICIPAL AIRPORT APPLICATION TO LEASE GROUND NON-COMMERCIAL AIRCRAFT STORAGE HANGAR.

CHANGES AS FOLLOWS:

ON THE BOTTOM IT SHOULD BE A FEE AND A BLANK, NOT \$250 IN CASE THE NUMBER CHANGES, OR JUST SAY THAT A FEE WILL BE REQUIRED.

ON THE BOTTOM, IT NEEDS TO BE APPROVED BY THE CITY COUNCIL, NOT THE AIRPORT BOARD.

#14. DISCUSSION/ACTION: PROPOSED RESOLUTION REPEALING SECTION 2, 3, 4; AMENDING SECTION 6 OF RESOLUTION 04-82; AND CREATING A FEE SCHEDULE FOR THE COLVILLE MUNICIPAL AIRPORT.

CHANGES AS FOLLOWS:

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COUNCILMEMBER FOLL STATED THAT SHE THINKS THAT THIS NEEDS TO BE PART OF THE OVERALL CITY FEES DISCUSSIONS.

SHOULD REPEAL THE OLD RESOLUTION AND START OVER AND THE FEES NEED TO BE DISPLAYED DIFFERENTLY, HARD TO READ.

COMMITTEE OR SPECIAL REPORTS:

#15. CITY ATTORNEY: REPORT ON ANY PENDING ITEMS.

NO REPORT.

#16. COUNCIL PENDING ITEMS: REVIEW LIST OF COUNCIL PENDING ITEMS.

NO REPORT.

#17. EXECUTIVE SESSION: DISCUSS REAL ESTATE PER RCW 42.30.110(1)(b).

[9:32:39 PM](#) MAYOR RARRICK CALLED FOR AN EXECUTIVE SESSION TO DISCUSS REAL ESTATE PER RCW 42.30.110(1)(b) AT 9:32 P.M. AND STATED THAT IT WILL LAST APPROXIMATELY 15 MINUTES. DIRECTOR OF BUILDING/PLANNING JIM LAPINSKI, CITY ATTORNEY CHARLIE SCHUERMAN AND CITY CLERK/HUMAN RESOURCES MANAGER HOLLY PANNELL REMAINED IN ATTENDANCE DURING THE EXECUTIVE SESSION.

[9:48:44 PM](#) MAYOR RARRICK RECONVENED THE REGULAR MEETING AND STATED THAT AN ADDITIONAL 10 MINUTES WOULD BE NEEDED FOR THE EXECUTIVE SESSION.

[9:59:18 PM](#) MAYOR RARRICK RECONVENED THE REGULAR MEETING AND STATED THAT AN ADDITIONAL 10 MINUTES WOULD BE NEEDED FOR THE EXECUTIVE SESSION.

[10:08:10 PM](#) MAYOR RARRICK RECONVENED THE REGULAR MEETING AT 10:08 P.M.

INDIVIDUAL REPORTS BY MAYOR, COUNCILMEMBERS AND STAFF:

COUNCILMEMBER JANKE ASKED WHO WILL HAVE THE LEAD ON THE COLVILLE MOUNTAIN PUBLIC COMMENT. MAYOR RARRICK STATED THAT SHE HAS NOT MADE THAT DETERMINATION.

COUNCILMEMBER JANKE STATED THAT ON MAIN STREET THE SPRINKLERS ARE WATERING ON THE BULB OUTS AND IN SOME CASES WATERING CONCRETE OR ROCKS AND NOT LANDSCAPING.

COUNCILMEMBER JANKE STATED THAT HE HAD SOME COMPLAINTS ABOUT SMOKING IN THE PARK DURING RENDEZVOUS. MAYOR RARRICK STATED THAT THERE IS NO PROHIBITION AGAINST IT.

COUNCILMEMBER JANKE STATED THAT HE WILL NOT BE HERE FOR THE NEXT MEETING.

COUNCILMEMBER LAWSON STATED THAT SHE IS ALSO GONE FOR THE NEXT MEETING.

MAYOR RARRICK STATED THAT JEREMIAH RAINER AND SOME OTHERS HAVE COMPLETED THE SKATEBOARD PARK PROJECT.

COUNCILMEMBER FOLL STATED THAT THERE HAS BEEN A LOT OF DISCUSSION ABOUT PEOPLE IN THE PARK AND WHAT THEY ARE DOING THERE. SHE STATED THAT RURAL RESOURCES IS GOING TO HOLD A PUBLIC MEETING ABOUT WHAT IS GOING ON IN THE PARK AND WHO CAN DO WHAT AND SHE WOULD LIKE TO HAVE IT CO-SPONSORED BY THE CITY OF COLVILLE AND HAVE CITY PARTICIPATION.

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AS THERE WAS NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER FOSTER MOVED AND COUNCILMEMBER BEATTY SECONDED THE MOTION TO ADJOURN THE MEETING.

[10:18:38 PM](#)

MOTION PASSED.

TIME OF ADJOURNMENT 10:18 P.M.

MAYOR DEBORAH RARRICK

Attest:_____

Holly Pannell, CMC, PFO, City Clerk/
Human Resources Manager