

COLVILLE, WASHINGTON
REGULAR CITY COUNCIL MEETING MINUTES
APRIL 23, 2013

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

[7:00:40 PM](#)

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

[7:01:36 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: POLICE CHIEF ROBERT MESHISHNEK, CITY CLERK/HUMAN RESOURCES MANAGER HOLLY PANNELL, CITY TREASURER VICKIE STRONG, MUNICIPAL SERVICES ADMINISTRATOR ERIC DURPOS, FIRE CHIEF JOE HIRSCH AND CITY ATTORNEY JEAN CONGER.

SALUTE TO THE FLAG.

CONSENT AGENDA:

- #01. **MINUTES OF THE APRIL 9, 2013 REGULAR COLVILLE CITY COUNCIL MEETING.**
- #02. **APRIL 24, 2013 CLAIMS CHECKS #48873 ~ #48947 IN THE AMOUNT OF \$555,702.17 AS APPROVED FOR PAYMENT BY THE AUDIT COMMITTEE.**
- #03. **APRIL 5, 2013 ~ APRIL 18, 2013 CONTRACT/AGREEMENT LIST REVIEW.**

MAYOR RARRICK READ THE CONSENT AGENDA.

COUNCILMEMBER BERGIN MOVED AND COUNCILMEMBER BEATTY 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 APRIL 23, 2013 AND DOES APPROVE FOR PAYMENT THOSE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS: APRIL 24, 2013 CLAIMS CHECKS #48873 ~ #48947 IN THE AMOUNT OF \$555,702.17" AND DOES APPROVE THE CONSENT AGENDA AS READ.

[7:03:33 PM](#)

MOTION PASSED.

PUBLIC COMMENT PERIOD:

- #04. **PUBLIC COMMENT:** THE FLOOR IS OPEN FOR ANY PUBLIC COMMENTS.

THERE WERE NO PUBLIC COMMENTS.

PUBLIC HEARING:

- #05. **PUBLIC HEARING: REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 – PUBLIC NUISANCES, SECTION 9.40.030 – PARTIES, GATHERINGS, MUSICAL INSTRUMENTS AND SOUND REPRODUCTION DEVICES FOR AMPLIFIED MUSIC AT THE CITY PARK ON SATURDAY, APRIL 27, 2013 FROM 7:30 A.M. TO 4:00 P.M.**

[7:05:12 PM](#) MAYOR RARRICK DECLARED THE PUBLIC HEARING REGARDING A REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 – PUBLIC NUISANCES, SECTION 9.40.030 – PARTIES, GATHERINGS, MUSICAL INSTRUMENTS AND SOUND REPRODUCTION DEVICES FOR AMPLIFIED MUSIC AT THE CITY PARK ON SATURDAY, APRIL 27, 2013 FROM 7:30 A.M. TO 4:00 P.M. OPEN AT 7:05 P.M. AND STATED THAT EVERYONE PRESENT WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. THE CITY CLERK WILL BE RECORDING WHAT IS SAID. WHEN YOU ADDRESS THE COUNCIL, PLEASE

COLVILLE, WASHINGTON
REGULAR CITY COUNCIL MEETING MINUTES
APRIL 23, 2013

STEP TO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS. ONLY ONE PERSON WILL BE ALLOWED TO SPEAK AT A TIME.

VONNIE MCCOY, CHEWELAH, STATED THAT THIS IS FOR A FUN RUN AND FAMILY FUN DAY TO RAISE FUNDS FOR THE CRISIS PREGNANCY CENTER IN COLVILLE. SHE STATED THAT THEY WILL HAVE AMPLIFIED MUSIC IN THE CITY PARK.

[7:08:43 PM](#) AS THERE WAS NO FURTHER COMMENT ON THIS ISSUE, MAYOR RARRICK CLOSED THE PUBLIC HEARING AT 7:08 P.M.

- #06. DISCUSSION/ACTION: REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 – PUBLIC NUISANCES, SECTION 9.40.030 – PARTIES, GATHERINGS, MUSICAL INSTRUMENTS AND SOUND REPRODUCTION DEVICES FOR AMPLIFIED MUSIC AT THE CITY PARK ON SATURDAY, APRIL 27, 2013 FROM 7:30 A.M. TO 4:00 P.M.**

COUNCILMEMBER BIRCH MOVED AND COUNCILMEMBER BERGIN SECONDED THE MOTION TO GRANT THE REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 – PUBLIC NUISANCES, SECTION 9.40.030 – PARTIES, GATHERINGS, MUSICAL INSTRUMENTS AND SOUND REPRODUCTION DEVICES FOR AMPLIFIED MUSIC AT THE CITY PARK ON SATURDAY, APRIL 27, 2013 FROM 7:30 A.M. TO 4:00 P.M.

[7:11:25 PM](#)
MOTION PASSED.

UNFINISHED BUSINESS:

- #07. DISCUSSION/ACTION: REVISED LEASE AGREEMENT FOR THE PARKING LOT LOCATED AT THE CORNER OF 2ND AVENUE AND MAIN STREET.**

RYKE DAHLEN, COLVILLE PARKING COMMISSION, STATED THAT AFTER THE LAST COUNCIL MEETING MR. KEEFE HAD ISSUES THAT HE WANTED CHANGED IN THE LEASE AGREEMENT, DESPITE THE COUNCIL ACCEPTANCE. RYKE DAHLEN REVIEWED THE REQUESTED CHANGES. HE STATED THAT MR. KEEFE STILL WANTS THE FIRST RIGHT OF REFUSAL CHANGED TO 14 DAYS RATHER THAN 60 DAYS. HE ALSO WANTS ADVERTISING ALLOWED ON THE BENCH OR BENCHES THAT MIGHT BE PLACED ON THE PROPERTY. COUNCIL AGREED THAT IF A PERMIT IS NECESSARY TO PLACE THE BENCHES, THE PERMIT PROCESS SHOULD BE FOLLOWED AND NOT INCLUDED IN A CONTRACT. IF IT IS IN THE CONTRACT, IT SHOULD STATE THAT PERMISSION IS PURSUANT TO THE PERMITTING PROCESS THROUGH THE BUILDING/PLANNING DEPARTMENT. RYKE DAHLEN STATED THAT MR. KEEFE ALSO WANTS TO BE ABLE TO PARK A VEHICLE FOR SALE FROM TIME TO TIME. HE STATED THAT IT IS HIS UNDERSTANDING THAT THE ZONING IN THE AREA DOES NOT ALLOW FOR VEHICLES TO BE PLACED IN THE LOT FOR SALE. COUNCILMEMBER BERGIN STATED THAT THIS IS ALSO IN CONFLICT WITH SECTION 9 (C).

COUNCILMEMBER LAWSON STATED THAT SECTION 12 SHOULD BE STRUCK FROM THE AGREEMENT.

CITY TREASURER VICKIE STRONG STATED THAT THE FEES IN SECTION 3 HAVE NOT BEEN PAID AND CONTINUE TO ACCRUE. SHE STATED THAT BEFORE THIS AGREEMENT IS FINALIZED, THE AMOUNT WILL NEED TO BE UPDATED TO THE CURRENT BALANCE.

COUNCILMEMBER BIRCH ASKED IF THE WAIVING OF THESE PAST DUE FEES WOULD BE CONSIDERED GIFTING.

RYKE DAHLEN STATED THAT CHARLIE SCHUERMAN SUGGESTED LEAVING THE BEGINNING DATE AS OF APRIL 1.

COLVILLE, WASHINGTON
REGULAR CITY COUNCIL MEETING MINUTES
APRIL 23, 2013

COUNCILMEMBER FOLL STATED THAT SHE HAS AN ISSUE WITH WAIVING THE PAST DUE PARKING FEE AMOUNT. SHE ALSO WANTS SECTION 12 STRUCK AND SECTION 13 REGARDING THE BENCHES NEEDS TO BE ADDRESSED. SHE STATED THAT CHANGING THE RIGHT OF REFUSAL TO 14 DAYS IS FINE.

COUNCILMEMBER JANKE STATED THAT HE ALSO HAS A PROBLEM WITH WAIVING THE PAST DUE FEES. HE STATED THAT WE SHOULD STILL GO THROUGH DUE PROCESS FOR THE PAST DUE FEES.

IT WAS DECIDED THAT THIS WILL NEED TO GO BACK FOR FURTHER REVISIONS BY THE CITY ATTORNEY. COUNCIL AGREED THAT THEY ARE NOT IN FAVOR OF WAIVING ANY PAST DUE FEES. COUNCILMEMBER FOLL ALSO ASKED THE CITY ATTORNEY TO REVIEW THE INSURANCE REQUIREMENT FOR ADEQUACY.

#08. DISCUSSION/ACTION: BIDS FOR THE 2013 HOT MIX ASPHALT PATCHING AND OVERLAY CONTRACT.

MUNICIPAL SERVICES ADMINISTRATOR ERIC DURPOS STATED THAT THE LEGAL OPINION IS ATTACHED IN ORDER TO REJECT THE BIDS.

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER BERGIN SECONDED THE MOTION THAT THE COUNCIL RECOGNIZES THAT THERE WAS A LEGAL ERROR IN THE PREVIOUSLY AWARDED BID IN THAT THE BID DID NOT STATE THAT THERE ARE BOTH BID BOND AND PERFORMANCE BOND REQUIREMENTS AND THIS BID WAS NOT A SMALL WORKS ROSTER BID EXEMPT FROM THESE REQUIREMENTS. THEREFORE, THE COUNCIL RESCINDS AND RETRACTS THE PREVIOUSLY AWARDED BID AND REJECTS ALL BIDS AND DIRECTS THAT THIS PROJECT BE REBID AND THE NEW BID PROCESS BE IN COMPLIANCE WITH ALL WASHINGTON STATE BIDDING BOND AND PERFORMANCE BOND STATUTES.

[7:35:51 PM](#)

MOTION PASSED.

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

STEVE BEATTIE, AIRPORT BOARD CHAIRMAN, STATED THAT HE WOULD LIKE SECTION 2 (C) CHANGED TO NON-AVIATION BUSINESS.

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER BEATTY SECONDED THE MOTION TO ACCEPT THE COLVILLE MUNICIPAL AIRPORT HANGAR COVENANTS, STRIKING SECTION 2 (C).

[7:42:35 PM](#)

MOTION PASSED.

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

STEVE BEATTIE STATED THAT SECTION 1 (F) SHOULD BE CHANGED TO NOTIFY THE AIRPORT MANAGER, NOT THE AIRPORT BOARD. ALL REFERENCES TO THE AIRPORT BOARD SHOULD BE CHANGED TO THE AIRPORT MANAGER IN SECTION 1 (F). SECTION 2 (B) SHOULD BE CHANGED TO THE AIRPORT MANAGER AND NOT THE AIRPORT BOARD. SECTION 2 (F) SHOULD JUST BE AT THE AIRPORT MANAGER'S DISCRETION. STEVE BEATTIE ALSO REQUESTED THAT WE STRIKE SECTION 4(I), THERE WERE NO OBJECTIONS FROM THE CITY COUNCIL. SECTION 5 SHOULD BE CHANGED TO STATE "FEE SCHEDULES ARE AVAILABLE AT THE AIRPORT, FROM THE AIRPORT MANAGER OR AT CITY HALL. FEES WILL BE PAID IN THE DROP BOX OR AT CITY HALL."

COUNCILMEMBER FOLL MOVED AND COUNCILMEMBER LAWSON SECONDED THE MOTION TO ADOPT THE COLVILLE MUNICIPAL AIRPORT RULES AND REGULATIONS WITH THE CHANGES AS DISCUSSED.

[7:55:10 PM](#)

COLVILLE, WASHINGTON
REGULAR CITY COUNCIL MEETING MINUTES
APRIL 23, 2013

MOTION PASSED.

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

STEVE BEATTIE STATED THAT HE WANTS THE SECTION THAT REQUIRES THEM TO FILL UP THE TANK TO BE STRICKEN. THE FEE TO TAKE THE CAR IS \$10. A SECTION SHOULD ALSO BE ADDED STATING THAT THE CAR IS LIMITED TO 20 MILES WITHOUT PRIOR APPROVAL OF THE AIRPORT MANAGER.

COUNCILMEMBER BERGIN MOVED AND COUNCILMEMBER BEATTY SECONDED THE MOTION TO ADOPT THE PROPOSED COLVILLE MUNICIPAL AIRPORT CAR RENTAL AGREEMENT AS REVISED.

[8:08:43 PM](#)

MOTION PASSED.

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

STEVE BEATTIE STATED THAT IN SECTION 3 THE USE FEE SHOULD BE \$2/DAY OR \$25/MONTH.

COUNCILMEMBER FOLL STATED THAT THERE ARE NUMEROUS TIE DOWN FEES LISTED IN THE CURRENT FEE SCHEDULE. CITY TREASURER VICKIE STRONG STATED THAT THE PENALTY SHOULD BE ADDED AND IT IS \$5/MONTH.

IT WAS DECIDED THAT THE CITY ATTORNEY SHOULD RE-WORD THIS SECTION AND SPELL OUT THE ASSOCIATED TIE DOWN FEES PER THE CURRENT FEE RESOLUTION AND BRING THIS BACK FOR POSSIBLE ADOPTION.

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

STEVE BEATTIE STATED THAT NON COMMERCIAL AND STORAGE NEED TO BE STRICKEN.

JERRY SATER STATED THAT SOME THINGS CAN BE IN CONFLICT WITH AVIATION. HE SUGGESTED THAT ALL PROPOSALS BE SUBMITTED TO THE AIRPORT BOARD FOR COMMENT.

IT WAS DECIDED THAT ITEMS 1-4 AT THE BOTTOM OF THE FORM SHOULD BE STRUCK. IT WAS SUGGESTED THAT SPACE BE ADDED FOR THE RECOMMENDATION FROM THE AIRPORT ADVISORY BOARD. THE CITY ATTORNEY WILL RE-WORD AND BRING THIS BACK FOR POSSIBLE ADOPTION.

NEW BUSINESS:

#14. DISCUSSION/ACTION: CITY PROPERTY REVIEW FOR PLUM CREEK VACANT LOT, CANNING PROPERTY, WATER SHOP & COMPOUND AND THE SANITATION SHOP.

PLUM CREEK VACANT LOT – COUNCILMEMBER JANKE STATED THAT THIS IS LAND THAT THE CITY DOESN'T NEED AND HE THINKS WE SHOULD SURPLUS IT. HE STATED THAT DIRECTOR OF BUILDING/PLANNING JIM LAPINSKI NEEDS TO ANSWER THE QUESTIONS ABOUT PARKING FOR ROTARY FIELD AND RIGHT OF WAY FOR DOMINION.

CITY WATER SHOP AND COMPOUND – COUNCILMEMBER JANKE STATED THAT THE AREA TO THE EAST HAS NO ACTIVITY, BUT IT IS AN AREA THAT THEY MOW AND MAINTAIN. COUNCILMEMBER JANKE STATED THAT THIS PROPERTY COULD BE ACCESSED OFF OF WASHINGTON STREET AND IT IS ZONED RESIDENTIAL. HE STATED THAT HE IS NOT SURE WHAT WE NEED IT FOR, IT SHOULD BE SURPLUSED

COLVILLE, WASHINGTON
REGULAR CITY COUNCIL MEETING MINUTES
APRIL 23, 2013

AND SOLD. JIM LAPINSKI WAS ASKED TO GET STAFF INPUT AND BRING THIS ISSUE BACK AT THE NEXT COUNCIL MEETING.

SANITATION SHOP – COUNCIL HAD NO ISSUES WITH LEAVING THIS PROPERTY IN ITS CURRENT USE.

CANNING PROPERTY – COUNCILMEMBER JANKE STATED THAT THIS AREA IS BEING USED FOR SNOW STORAGE AND THIS MIGHT NOT BE THE HIGHEST AND BEST USE OF THIS PROPERTY. JOE HIRSCH STATED THAT THERE IS A PROBLEM FINDING SNOW STORAGE. IT WAS THE CONSENSUS THAT FURTHER STAFF COMMENTS ARE NEEDED.

- #15. DISCUSSION/ACTION: **REQUEST TO CONTINUE THE WAIVER IN THE DOWNTOWN AREA TO ALLOW MERCHANDISE TO BE PLACED ON THE SIDEWALKS.****

COUNCILMEMBER JANKE MOVED AND COUNCILMEMBER LAWSON SECONDED THE MOTION TO CONTINUE THE WAIVER OF CHAPTER 9.12.010 ALLOWING MERCHANDISE TO BE PLACED ON THE SIDEWALKS IN THE DOWNTOWN AREA BEGINNING THE FRIDAY BEFORE MEMORIAL DAY THROUGH OCTOBER 31, 2013.

[8:56:17 PM](#)

MOTION PASSED.

- #16. DISCUSSION/ACTION: **PROPOSED PROCLAMATION DECLARING MAY, 2013 AS OLDER AMERICANS MONTH.****

COUNCILMEMBER BERGIN MOVED AND COUNCILMEMBER LAWSON SECONDED THE MOTION TO APPROVE THE PROPOSED PROCLAMATION DECLARING MAY, 2013 AS OLDER AMERICANS MONTH.

[8:57:29 PM](#)

MOTION PASSED.

COMMITTEE OR SPECIAL REPORTS:

- #17. CITY ATTORNEY: **REPORT ON ANY PENDING ITEMS.****

NO REPORT.

- #18. COUNCIL PENDING ITEMS: **REVIEW LIST OF COUNCIL PENDING ITEMS.****

COUNCILMEMBER LAWSON STATED THAT SHE THINKS SHE FOUND SOME PEOPLE INTERESTED IN THE TREE BOARD.

INDIVIDUAL REPORTS BY MAYOR, COUNCILMEMBERS AND STAFF.

COUNCILMEMBER FOSTER STATED THAT HE AND COUNCILMEMBER JANKE MET WITH RECREATION COORDINATOR JAKE WILSON AND OTHERS FOR THE FIRST MEETING OF THE COLVILLE MOUNTAIN RECREATION COMMITTEE. HE STATED THAT MANY ISSUES WERE RAISED AND THEY ARE PROGRESSING. HE ALSO STATED THAT HE IS RECOMMENDING THAT THE HUNTING ISSUE ON COLVILLE MOUNTAIN BE TAKEN OFF THE WORK SESSION AGENDA.

COUNCILMEMBER BIRCH STATED THAT HE MET WITH THE DOMINION MEADOWS ATHLETIC ASSOCIATION AND THEY DISCUSSED GETTING A WATER HOOK UP OFF THE 15TH HOLE, AND THEY ARE BORROWING THE MONEY TO DO IT. HE STATED THAT THEY ARE ALSO LOOKING AT MOVING THE DOUBLE WIDE TRAILER OUT AND MOVING FORWARD WITH AN RV PARK WITH A POTENTIAL OF SIX SITES AND ALSO HIRE A SECURITY PERSON THAT WOULD HANDLE THE RV PARK AREA. HE STATED

COLVILLE, WASHINGTON
REGULAR CITY COUNCIL MEETING MINUTES
APRIL 23, 2013

THAT THEY ARE WORKING ON SIGNAGE ON THE TEES BLOCKS AND THEY ARE LOOKING FOR SPONSORS. DOMINION MEADOWS MIGHT ALSO BE LOOKING AT APPLYING FOR HOTEL/MOTEL FUNDS THIS YEAR.

COUNCILMEMBER JANKE ASKED ABOUT THE AIRPORT MANAGER STATUS. MAYOR RARRICK STATED THAT THIS IS BEING TAKEN CARE OF AND WILL BE ON THE NEXT AGENDA FOR POSSIBLE ACTION. COUNCILMEMBER JANKE ALSO ASKED ABOUT THE RATIONALE FOR THE AIRPORT PHONE AND INTERNET AND ABOUT MEETING CODE TO PROVIDE A PHONE AT THE SITE OF THE FUEL TANK. HE STATED THAT THE ICBO (INTERNATIONAL COUNCIL OF BUILDING OFFICIALS) SAYS THERE MUST BE A PHONE AT THE TANK. COUNCILMEMBER JANKE REQUESTED THAT THERE BE A WRITTEN STAFF REPORT REGARDING THESE ISSUES. COUNCILMEMBER JANKE STATED THAT THE FINAL CEDS (COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY) IS OUT FROM TEDD. COUNCILMEMBER JANKE STATED THAT WE NEED TO REVIEW OUR PERSONNEL POLICIES AND HOW THEY RELATE TO THE NEW MARIJUANA LAWS.

COUNCILMEMBER LAWSON STATED THAT ON SATURDAY, THE TRACK TEAM CLEANED UP COLVILLE MOUNTAIN. SHE ALSO STATED THAT ON SUNDAY THERE WAS AN ARTICLE IN THE NEWSPAPER THAT TALKED ABOUT CLOSING THE ROAD TO VEHICULAR TRAFFIC TO A SIMILAR PARK AND IT WAS KEY TO MAINTAINING THE PARK AND KEEPING IT CLEAN.

MAYOR RARRICK STATED THAT SHE HAS A BRAIN TUMOR AND THE NEWS IS NOT GOOD AND HER TUMOR IS GROWING AND THEY CHANGED HER CHEMOTHERAPY. THE FIRST OF MAY SHE STARTS A NEW KIND OF TREATMENT.

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

MOTION PASSED.

TIME OF ADJOURNMENT 9:23 P.M.

MAYOR DEBORAH RARRICK

Attest: _____
Holly Pannell, CMC, PFO, City Clerk/
Human Resources Manager