

**Colville, Washington**  
**Regular City Council Meeting Minutes**  
**August 23, 2016**

**6:30 PM:** MEETING CALLED TO ORDER BY MAYOR LOUIS JANKE.

[6:30:06 PM](#)

**ROLL CALL:** FOLL, LOGGERS, LAWSON, CONNER, PIFER, BIRCH AND KYLE.

**PRESENT:** COUNCILMEMBER NANCY FOLL, COUNCILMEMBER CHRIS LOGGERS, COUNCILMEMBER ANNE LAWSON, COUNCILMEMBER MALLORY CONNER, COUNCILMEMBER BILL PIFER, COUNCILMEMBER MIKE BIRCH, COUNCILMEMBER DOUG KYLE AND MAYOR LOU JANKE.

**STAFF PRESENT:** CITY CLERK/HUMAN RESOURCES MANAGER HOLLY PANNELL, CITY TREASURER VICKIE STRONG, CITY PLANNER RJ KEETCH, STREET/PARK SUPERINTENDENT TERRY LECAIRE, POLICE CHIEF ROBERT MESHISHNEK, ENGINEERING TECHNICIAN RON FROSTAD AND CITY ATTORNEY CHARLES SCHUERMAN.

**SALUTE TO THE FLAG.**

**CONSENT AGENDA:**

- #01. **AUGUST 24, 2016 CLAIMS CHECKS #57672 - #57769 IN THE AMOUNT OF \$517,475.50 AS APPROVED FOR PAYMENT BY THE AUDIT COMMITTEE.**
- #02. **JULY, 2016 EFT DEBITS AND INTERNAL CHECKS #100460 ~ #100465 IN THE AMOUNT OF \$13,268.11.**
- #03. **JULY, 2016 REPORTS: EXPENDITURE, REVENUE, VENDOR AND TREASURER.**
- #04. **AUGUST 4, 2016 ~ AUGUST 17, 2016 CONTRACT/AGREEMENT LIST REVIEW.**

MAYOR JANKE READ THE CONSENT AGENDA.

COUNCILMEMBER KYLE MOVED AND COUNCILMEMBER BIRCH 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 23, 2016 AND DOES APPROVE FOR PAYMENT THOSE VOUCHERS INCLUDED IN THE ABOVE LIST AND FURTHER DESCRIBED AS FOLLOWS: AUGUST 24, 2016 CLAIMS CHECKS #57672 - #57769 IN THE AMOUNT OF \$517,475.50; JULY, 2016 EFT DEBITS AND INTERNAL CHECKS #100460 ~ #100465 IN THE AMOUNT OF \$13,268.11" AND DOES APPROVE THE CONSENT AGENDA AS READ.

MOTION PASSED.

**PUBLIC COMMENT PERIOD:**

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

LANNY HELLIE, 818 SOUTH PINE, STATED THAT HIS NEIGHBORS DON'T LIKE HIM PLAYING HIS MUSIC WHEN HE IS OUTSIDE WORKING IN HIS YARD. HE STATED THAT AGENDA ITEM #09 IS ABOUT HIM.

**PUBLIC HEARING/ACTION:**

- #06. **PUBLIC HEARING: CONSIDER A REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 FOR AMPLIFIED MUSIC IN THE CITY PARK ON SEPTEMBER 10, 2016 FROM 1:00 P.M. TO 7:00 P.M.**

[6:35:07 PM](#) MAYOR JANKE DECLARED THE PUBLIC HEARING TO CONSIDER A REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 FOR AMPLIFIED MUSIC IN THE CITY PARK ON SEPTEMBER 10, 2016 FROM 1:00 P.M. TO 7:00 P.M. OPEN AT 6:35 P.M. AND STATED THAT EVERYONE

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PRESENT WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. THE CITY CLERK WILL BE RECORDING WHAT IS SAID. WHEN YOU ADDRESS THE COUNCIL, PLEASE STEP TO THE MICROPHONE AND STATE YOUR NAME AND ADDRESS. ONLY ONE PERSON WILL BE ALLOWED TO SPEAK AT A TIME.

BOBBI BLANCHARD, 656 GOLD CREEK LOOP, STATED THAT THE VARIANCE REQUEST IS FOR MUSIC AT A WEDDING IN THE PARK.

[6:36:10 PM](#) AS THERE WAS NO FURTHER PUBLIC COMMENT ON THIS ISSUE, MAYOR JANKE CLOSED THE PUBLIC HEARING AT 6:36 P.M.

- #07. DISCUSSION/ACTION: REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 FOR AMPLIFIED MUSIC IN THE CITY PARK ON SEPTEMBER 10, 2016 FROM 1:00 P.M. TO 7:00 P.M.**

COUNCILMEMBER CONNER MOVED AND COUNCILMEMBER BIRCH SECONDED THE MOTION TO APPROVE THE REQUEST FOR A VARIANCE TO COLVILLE MUNICIPAL CODE CHAPTER 9.40 FOR AMPLIFIED MUSIC IN THE CITY PARK ON SEPTEMBER 10, 2016 FROM 1:00 P.M. TO 7:00 P.M.

MOTION PASSED.

**PUBLIC APPEARANCES AND FORUM TIME:**

- #08. DISCUSSION/ACTION: AMERICAN LEGION RIDERS REQUEST FOR TRAFFIC ASSISTANCE FROM POLICE AND FIRE DEPARTMENTS ON SEPTEMBER 10, 2016 FOR THE ANNUAL 9-11 MEMORIAL RIDE.**

[6:37:07 PM](#)

JOHN HORTON, AMERICAN LEGION RIDERS, STATED THAT THE POLICE AND FIRE DEPARTMENTS USUALLY HELP WITH THIS EVENT EVERY YEAR AND PROVIDE AN ESCORT THROUGH TOWN. HE ALSO STATED THAT THE RIDE WILL END IN POST FALLS, IDAHO THIS YEAR.

COUNCILMEMBER LAWSON MOVED AND COUNCILMEMBER LOGGERS SECONDED THE MOTION TO APPROVE THE REQUEST FOR TRAFFIC ASSISTANCE FROM POLICE AND FIRE DEPARTMENTS ON SEPTEMBER 10, 2016 FOR THE ANNUAL 9-11 MEMORIAL RIDE.

MOTION PASSED.

- #09. DISCUSSION: BILL AND SHANNON PROVOST ARE LOOKING FOR CLARIFICATION ON THE MUNICIPAL CODE 9.40.030 AND THE REASONING BEHIND ITS LACK OF ENFORCEMENT TO PROTECT THE RIGHTS AND PROPERTY OF THE CITIZENS.**

[6:42:33 PM](#)

BILL PROVOST, 909 EAST HAWTHORNE AVE, STATED THAT HE IS HERE ON BEHALF OF HIS FAMILY AND HIS NEIGHBORS WHO ARE FRUSTRATED, DISCOURAGED AND ANGRY. HE STATED THAT THEY ARE SUBJECT TO ONGOING EXCESSIVE AND INVASIVE NOISE AND LOUD MUSIC. MR. PROVOST PLAYED A RECORDING ON HIS CELL PHONE WHICH WAS RECORDED FROM HIS BACK PORCH DEMONSTRATING THE LOUD MUSIC BEING PLAYED BY HIS NEIGHBOR. HE STATED THAT THIS HAS BEEN GOING ON FOR OVER A YEAR. MR PROVOST STATED THAT HE HAS TALKED TO THE POLICE CHIEF AND MAYOR. HE HAS ALSO HAD A COUNCILMEMBER IN HIS HOME WITH NO RESOLUTION TO HIS PROBLEM. HE ASKED HOW THE COUNCIL CAN HEAR AND VOTE ON A VARIANCE TO A NOISE ORDINANCE THAT CAN'T BE ENFORCED. IT APPEARS THAT THIS ORDINANCE IS BEING SELECTIVELY ENFORCED. MR. PROVOST STATED THAT THIS IS THE SOURCE OF THEIR FRUSTRATION. HE STATED THAT HE AND HIS WIFE HAVE BEEN SUBJECT TO PUBLIC HUMILIATION BECAUSE OF THEIR PURSUIT OF THIS MATTER. THERE HAVE BEEN VULGAR SIGNS POSTED BY THE NEIGHBOR IN HIS FRONT YARD AND THEY ARE CURRENTLY BEING SLANDERED ON SOCIAL MEDIA. HE STATED THAT HE HAS RESEARCHED MANY NOISE ORDINANCES AND THERE ARE MANY WAYS TO ENFORCE THE LAW. ACQUIRING EXPENSIVE EQUIPMENT IS NOT NECESSARILY THE RESOLUTION TO THIS PROBLEM. HE REQUESTED THAT THE

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COUNCIL MAKE THIS ISSUE A PRIORITY AND THAT A FINALIZATION DATE BE SET AND THOSE RESPONSIBLE BE HELD ACCOUNTABLE.

MAYOR JANKE STATED THAT THIS ITEM IS CURRENTLY THE TOP PRIORITY FOR THE CITY ATTORNEY.

CITY ATTORNEY CHARLES SCHUERMAN STATED THAT OUR EXISTING NOISE ORDINANCE DOES NOT HAVE A MEASURABLE STANDARD. HE STATED THAT THE PROSECUTING ATTORNEY'S OFFICE HAS REFUSED TO TAKE AND PROSECUTE ANY NOISE ORDINANCE VIOLATIONS. THE PROSECUTOR'S OFFICE HAS STATED THAT OUR EXISTING ORDINANCE IS UNCONSTITUTIONALLY VAGUE. HE STATED THAT THEY ARE IN THE PROCESS OF RE-WRITING A DRAFT ORDINANCE BASED ON INPUT FROM THE PROSECUTOR'S OFFICE.

SHANNON PROVOST STATED THAT SHE DOESN'T LIKE TO BE HOME ALONE AND SHE IS TIRED OF THE THREATS. SHE STATED THAT THEY HAVE BEEN UNABLE TO SELL THEIR HOUSE BECAUSE POTENTIAL BUYERS HEAR THE MUSIC AND ASK IF IT IS A REGULAR OCCURRENCE. SHE STATED THAT SHE IS ASKING THE CITY COUNCIL TO PLEASE HELP THEM AND THIS SITUATION.

CHAN ST. CLAIR, 900 EAST HAWTHORNE, STATED THAT THE MUSIC IS BAD.

[7:07:39 PM](#)

MAYOR JANKE ASKED THE CITY ATTORNEY TO PROVIDE AN EMAIL UPDATE REGARDING THE DRAFT ORDINANCE REVISIONS IN THE NEXT FEW DAYS.

**#10. DISCUSSION: STEVENS COUNTY HISTORICAL SOCIETY REQUEST FOR APPROVAL TO CONSTRUCT AND MAINTAIN A "PIONEER CHURCH" IN THE HISTORICAL VILLAGE.**

[7:29:53 PM](#)

DENNIS VAAGEN, STEVENS COUNTY HISTORICAL SOCIETY PRESIDENT, STATED THAT THIS WAS PREVIOUSLY PROPOSED IN 2004 AND THE CITY ATTORNEY AT THE TIME WAS NOT IN FAVOR OF THE PROPOSAL. MR. VAAGEN STATED THAT SINCE IT IS NOT A TRUE CHURCH AND JUST A REPLICA OF A HISTORIC BUILDING THEY BELIEVE IT WOULD BE ALLOWED.

COUNCILMEMBER KYLE STATED THAT IT IS A GOOD IDEA, BUT THE QUESTION IS IF THE CITY IS WILLING TO TAKE THE CHANCE IF SOMEONE COMPLAINS TO FIGHT TO KEEP IT.

COUNCILMEMBER FOLL STATED THAT SHE WOULD LIKE THE CITY ATTORNEY TO REVIEW THE PREVIOUS MATERIALS AND CONFIRM IF THE PARAMETERS ARE STILL VALID.

MAYOR JANKE STATED THAT WE WOULD NEED TO LOOK AT APPROVAL TO HAVE IT ON CITY PROPERTY, IT WOULD NOT BE CITY OWNED OR MAINTAINED. THERE WOULD BE AN AGREEMENT WITH PARAMETERS THAT WOULD COME BACK TO COUNCIL FOR APPROVAL. MAYOR JANKE ASKED THE CITY ATTORNEY TO REVIEW THE PREVIOUS MATERIALS AS REQUESTED. HE ALSO REQUESTED A CONCEPT PROPOSAL FROM THE HISTORICAL SOCIETY.

**#11. DISCUSSION/ACTION: REQUEST TO HOLD THE ANNUAL FAIR PARADE ON AUGUST 27, 2016 ON MAIN STREET.**

[7:52:59 PM](#)

COUNCILMEMBER PIFER MOVED AND COUNCILMEMBER KYLE SECONDED THE MOTION TO APPROVE THE REQUEST TO HOLD THE ANNUAL FAIR PARADE ON AUGUST 27, 2016 AT 10:00 A.M. ON MAIN STREET.

COUNCILMEMBER FOLL MOVED AND COUNCILMEMBER LAWSON SECONDED THE MOTION TO AMEND THE ORIGINAL MOTION TO INCLUDE THE CLOSURE OF OTHER CITY STREETS PER THE PROVIDED MAP EXHIBIT.

MOTION TO AMEND PASSED.

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ORIGINAL MOTION AS AMENDED PASSED.

**NEW BUSINESS:**

- #12. DISCUSSION/ACTION:     **REQUEST FOR LODGING TAX FUNDING FOR THE STEVENS COUNTY HISTORICAL SOCIETY FOR REPAIRS TO THE KELLER HOUSE AND CARRIAGE HOUSE.****

[7:56:08 PM](#)

COUNCILMEMBER LAWSON MOVED AND COUNCILMEMBER CONNER SECONDED THE MOTION TO APPROVE THE REQUEST FOR LODGING TAX FUNDING IN THE AMOUNT OF \$22,965.56 FOR THE STEVENS COUNTY HISTORICAL SOCIETY FOR REPAIRS TO THE KELLER HOUSE AND CARRIAGE HOUSE.

COUNCILMEMBER PIFER MOVED AND COUNCILMEMBER KYLE SECONDED THE MOTION TO AMEND THE ORIGINAL MOTION TO INCLUDE \$25,000 IN ADDITIONAL FUNDING FROM THE CURRENT EXPENSE CFP (CAPITAL FACILITIES PLAN) RESERVE.

MOTION TO AMEND PASSED.

ORIGINAL MOTION AS AMENDED PASSED.

[8:12:04 PM](#) COUNCILMEMBER KYLE MOVED AND COUNCILMEMBER CONNER SECONDED THE MOTION TO INCLUDE THE CARRIAGE HOUSE IN THE PROJECT AS APPROVED WITH THE KELLER HOUSE.

MOTION PASSED.

- #13. DISCUSSION/ACTION:     **POSSIBLE BID AWARD FOR KELLER HOUSE REPAIRS.****

[8:12:44 PM](#)

COUNCIL REQUESTED MORE INFORMATION ON THIS ISSUE BEFORE THEY WILL BE ABLE TO TAKE ACTION. THIS ISSUE WILL BE BROUGHT BACK TO THE NEXT COUNCIL MEETING AND INCLUDE THE SCOPE OF THE PROJECT, CONFIRMATION THAT THE CARRIAGE HOUSE IS INCLUDED AND A DETAILED BREAKDOWN OF THE LABOR AND MATERIALS.

- #14. DISCUSSION/ACTION:     **REQUEST FOR FUNDING FOR ENGINEERING FOR HERITAGE COURT REDEVELOPMENT.****

[8:21:23 PM](#)

COUNCILMEMBER KYLE WONDERED HOW THIS WAS ELEVATED SO QUICKLY IN THE CFP PROCESS RANKINGS. COUNCILMEMBER KYLE ALSO HAD SOME CONCERNS REGARDING THE PROPOSED FUNDING SOURCES. CITY PLANNER RJ KEETCH STATED THAT THERE WAS AN OPPORTUNITY TO MOVE FORWARD WITH A PROJECT THAT WAS ALREADY UNDERWAY AND IN CONJUNCTION WITH THE MAYOR IT WAS DECIDED THAT THIS DIDN'T NEED TO GO THROUGH THE NORMAL RANKING PROCESS.

COUNCILMEMBER LAWSON MOVED AND COUNCILMEMBER PIFER SECONDED THE MOTION TO APPROVE THE SPENDING OF UP TO \$16,257.00 TO FUND ENGINEERING FOR HERITAGE COURT REDEVELOPMENT AND ASTOR AVENUE AS RECOMMENDED.

COUNCILMEMBER LAWSON MOVED AND COUNCILMEMBER CONNER SECONDED THE MOTION TO AMEND THE ORIGINAL MOTION TO REMOVE THE FUNDING AS RECOMMENDED.

FUNDING SOURCES TO BE DETERMINED ADMINISTRATIVELY.

MOTION TO AMEND PASSED.

ORIGINAL MOTION AS AMENDED PASSED.

MATT GILLIS, WELCH COMER & ASSOCIATES, STATED THAT THE HAWTHORNE PROJECT IS SLIGHTLY BEHIND SCHEDULE. PAVING IS SCHEDULED FOR THURSDAY FOR THE FIRST LAYER, BUT THEY WILL NOT BE DONE PRIOR TO THE START OF THE SCHOOL YEAR. HE STATED THAT THE PLAN IS TO HAVE

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HAWTHORNE CLOSED BUT LEAVE CEDAR OPEN AS WAS DONE THIS SUMMER AT THE END OF THE SCHOOL YEAR. HE ALSO STATED THAT THERE WILL BE A SMALL CHANGE ORDER TO HELP WITH THE SIGNAGE AND THE DRIVEWAYS THAT ARE ALONG THE MULTI USE PATH.

**#15. EXECUTIVE SESSION: DISCUSS COLLECTIVE BARGAINING NEGOTIATIONS PER RCW 42.30.140(4) (a)&(b).**

[8:53:16 PM](#)

MAYOR JANKE CALLED FOR AN EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING NEGOTIATIONS PER RCW 42.30.140(4) (a) & (b) AT 8:53 P.M. AND STATED THAT IT WOULD LAST FOR APPROXIMATELY 35 MINUTES. CITY CLERK/HUMAN RESOURCES MANAGER HOLLY PANNELL AND LABOR NEGOTIATOR KEVIN WESLEY REMAINED IN ATTENDANCE.

[9:28:39 PM](#) MAYOR JANKE RECONVENED THE REGULAR MEETING AT 9:28 P.M. AND STATED THAT THE EXECUTIVE SESSION WOULD LAST AN ADDITIONAL 15 MINUTES.

[9:45:26 PM](#) MAYOR JANKE RECONVENED THE REGULAR MEETING AT 9:45 P.M. AND STATED THAT THE EXECUTIVE SESSION WOULD LAST AN ADDITIONAL 10 MINUTES.

[9:55:40 PM](#) MAYOR JANKE RECONVENED THE REGULAR MEETING AT 9:55 P.M. AND STATED THAT THE EXECUTIVE SESSION WOULD LAST AN ADDITIONAL 10 MINUTES.

MAYOR JANKE RECONVENED THE REGULAR MEETING AT 10:05 P.M.

**COMMITTEE OR SPECIAL REPORTS:**

**#16. CITY ATTORNEY: REPORT ON ANY PENDING ITEMS.**

NO REPORT.

**#17. COUNCIL PENDING ITEMS: REVIEW LIST OF COUNCIL PENDING ITEMS.**

NO DISCUSSION.

**INDIVIDUAL REPORTS BY MAYOR, COUNCILMEMBERS AND STAFF:**

COUNCILMEMBER KYLE STATED THAT HE WALKED THE TRAILS ON COLVILLE MOUNTAIN AND THEY LOOK GREAT.

COUNCILMEMBER PIFER STATED THAT THE VOLUNTEERS HAVE PUT IN 272 HOURS OF TIME ON THE TRAIL SYSTEM ON COLVILLE MOUNTAIN.

COUNCILMEMBER CONNER STATED THAT SHE DISTRIBUTED SOME INFORMATION REGARDING SKATEPARK FUNDING. SHE STATED THAT SHE ATTENDED THE HISTORICAL SOCIETY MEETING LAST WEEK, AND THE BOARD WOULD LIKE THE COUNCIL TO GO ON A TOUR OF THE MUSEUM AND GROUNDS AS A GROUP.

COUNCILMEMBER LOGGERS STATED THAT HE IS STILL WORKING ON A DRAFT CAT ORDINANCE.

COUNCILMEMBER FOLL REQUESTED THAT WE ADD THE PIONEER CHURCH TO THE ATTORNEY PENDING LIST.

MAYOR JANKE STATED THAT THE REPLACEMENT OF THE GILBERT SHELTER IS MOVING FORWARD. HE STATED THAT HE WILL BE ATTENDING THE BOARD OF HEALTH MEETING TOMORROW. HE STATED THAT THE CITY HALL ADA RAMP WENT OUT TO BID AGAIN AND THERE WERE NO BIDDERS. HE STATED THAT IF WE CAN FIND A CONTRACTOR, WE CAN NEGOTIATE A PRICE TO GET THIS WORK COMPLETED. HE DIRECTED THAT A ROAD CLOSURE SIGN BE PUT UP ON THE ROAD UP TO THE TOP OF COLVILLE MOUNTAIN. THE STREET SHOP IS PROGRESSING, BUT THEY ARE A LITTLE BEHIND SCHEDULE. THE

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SOLAR ARRAY PROJECT WILL BE STARTING NEXT WEEK. HE STATED THAT THERE WILL BE A BID AWARD FOR THE SEWER MAIN AT WALMART AT THE NEXT MEETING. THE GILBERT SHELTER REPAIRS WON'T BE DONE UNTIL SPRING DUE TO THE TREE ISSUES IN THE PARK.

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

[10:13:02 PM](#)

MOTION PASSED.

**TIME OF ADJOURNMENT: 10:13 P.M.**

\_\_\_\_\_  
MAYOR LOUIS F. JANKE

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