

# CITY OF WINLOCK

## CITY COUNCIL

Council Meeting – 6:30 pm

Monday March 9, 2020

### 1. CALL TO ORDER

Mayor Pro Tem Svenson called the meeting to order at 6:30 p.m.

### 2. DETERMINATION OF QUORUM

**Council Members Present:** Brandon Svenson, Anne Randt, Lonnie Dowell, Eric Contreras, Jeremy Allman.

**Employees Present:** Penny Jo Haney, Acting City Clerk, Stormy Bradley, Deputy Clerk and Sam Satterfield, City Attorney

### 3. FLAG SALUTE

Brandon Svenson led the flag salute.

### 4. Recess regular council meeting for executive session RCW

### 5. Executive Session – Appointment of Mayor RCW

Mayor Pro Tem Brandon Svenson stated that they were going to recesses the regular council meeting for an executive session, for 15 minutes where the appointment of Mayor would be discussed. They returned and resumed their regular meeting afterwards.

Councilor Dowell stated that he would like to advertise, and then appoint after interviewing candidate. The time limit of two weeks from advertisement, to interviews was suggested by Councilor Contreras. Councilor Dowell suggested advertising for the vacancy of the Mayor starting on the 16<sup>th</sup> and closing on the 23<sup>rd</sup> of March.

***Council member Lonnie Dowell motion, Council Member Eric Contreras 2<sup>nd</sup>, passed by majority.***

- **Council Member Lonnie Dowell – Motion**
- **Council Member Eric Contreras – 2<sup>nd</sup>**
- **Council Member Brandon Svenson – Approve**
- **Council Member Anne Randt – Disapprove**

- **Council Member Lonnie Dowell – Approve**
  - **Council Member Jeramy Allman – Disapprove**
- Regular meeting resumed.**

**6. Resume regular council meeting**

**7. Approval of Agenda**

Jon Hinton was added to agenda to discuss the church that will be going in on Military Road.

***Council member Lonnie Dowell motion, Council Member Jeramy Allman 2<sup>nd</sup>, passed unanimously.***

- **Council Member Lonnie Dowell – Motion**
- **Council Member Jeramy Allman – 2<sup>nd</sup>**
- **Council Member Brandon Svenson – Approve**
- **Council Member Anne Randt – Approve**
- **Council Member Lonnie Dowell – Approve**
- **Council Member Eric Contreras – Approve**
- **Council Member Jeramy Allman - Approve**

**8. Old Business**

The topic of the park caretakers' trailer was discussed. The title is currently an issue. Mayor pro tem Brandon Svenson stated that the previous owners will need to sign an affidavit of lost title. Svenson mentioned that this was a pressing matter as baseball season was approaching. There were two applicants that were interviewed by the park board on Wednesday Svenson stated, but without a trailer for potential caretaker to reside in, would be a breach of agreement. Svenson also talked about the fact that since the city will own the trailer potentially, the contract could be something similar to the own with the community building.

**9. Mayor Pro Tem Comments**

Mayor pro tem Svenson stated that it has been a busy week. He says that the office staff has been great, and things are going very well after Mayor Bradshaw resigned. Svenson stated that Bradshaw had some health issues and that Svenson wishes him well, and that he hopes he has a happy and healthy retirement.

**10. Council Comments**

Anne Randt said she has a message from a resident asking why the agenda could not be posted on the city website. Penny Jo Haney stated that she attempted to get that up on Friday, and had forgot that in using Google Chrome, there were some things it was not compatible with. She had to use Explorer and was not working correctly.

Brandon Svenson stated that if there was anyone out there who would like to spend some time working on the city website, it would be greatly appreciated.

### **11. Staff Reports**

- Penny Jo Janey - Billing Haney reported that 11 houses have sold since January and there were 10 pending close by March 31<sup>st</sup>. On dormant meters, she stated that almost \$60,000, a little over \$58,000 to date.
- Rodney Cecil – Water Sewer Cecil Reported on new lines going in. Council asked about how long this would take. Cecil stated 10 – 20 days or probably about a month. He said that work on First street is coming. He mentioned a lot of leaks that have been going on, on First street for many years, and there will be a lot of recovery on that after repairs. Cecil stated that he has a trainee about to graduate, a new one coming in, and that the trainee program has been going very well.

Rodney goes over his presentation on water loss, and action plan with council and others present using packet.

### **12. Public Comments**

- **Commissioner Jackson** - Jackson did a quick update on Mickelson Parkway. There has been word from the legislator that the \$750,000 that they were waiting will be coming through. He does not have any updated information on the Benaroya project.
- Not all of the UGA, and not inside city limits at this time.
- **Dee Cline** – Cline asked about the number of houses that have been completed, and how many are new builds. Penny Jo Haney states that she was not sure on the exact number on that, but the majority of them were new builds.
- Cline also wanted clarification on the advertising for Mayor – who voted yes, and who voted no. Clarification was stated.

### **13. Consent Agenda**

Mayor pro tem Svenson mentioned an item that was a payment on sewer treatment Penny Jo Haney mentions a late Visa bill that occurred during the current loss of treasurer.

Lonnie Dowell states that he will approve the vouchers and motions.

***Council member Dowell motion, Council Member Randt 2<sup>nd</sup>, passed unanimously.***

- **Council Member Lonnie Dowell – Motion**
- **Council Member Anne Randt - 2<sup>nd</sup>**
- **Council Member Brandon Svenson – Approve**
- **Council Member Anne Randt – Approve**
- **Council Member Lonnie Dowell – Approve**
- **Council Member Eric Contreras – Approve**
- **Council Member Jeramy Allman – Approve**

#### **14. Agenda**

- a. Jon Hinton on Deferral frontage agreement** - Jon Hinton passes out an example of an agreement that they used at another city. The situation that he talked about was the proposal of a church that would be on a county road, with no sidewalks. He talked about some issues of putting something in that does not have frontage agreements. He asked council to look over the agreement and let him know what they think at a later date. The location of the proposed church would be going in on N. Military Road on the way to the high school next to the Mickelson property.
- b. SR505 Well Telemetry Proposal and Contract, Authorize Mayor to Sign**

Council discusses. This will allow all of the wells to communicate with each other. Dowell confirms that this will be paid for by the water department.

*Council Member Anne Randt motion, Council Member Lonnie Dowell 2<sup>nd</sup>, passed unanimously.*

- **Council member – Anne Randt – Motion**
- **Council member Lonnie Dowell – 2<sup>nd</sup>**
- **Council Member Brandon Svenson – Approve**
- **Council Member Anne Randt – Approve**
- **Council Member Lonnie Dowell – Approve**
- **Council Member Eric Contreras – Approve**
- **Council Member Jeramy Allman – Approve**

- c. Gray and Osborne – Final Acceptance of SR505 Water Main Project**

Hinton speaks with council about the final acceptance of the SR505 Water Main Project. Hinton points to page 5 where it states at the bottom, that one million, seven thousand and fifty - two dollars as the original contract amount, where it is now at one point four one nine million. Hinton stated that a big part of that was due to the extension from Knowles road to the Shell. He said that there were several problems that came up during that project. Hinton goes continues to inform the council on dollar amounts.

**Council member Jeramy Allman motion, Council Member Anne Randt 2<sup>nd</sup>, passed unanimously.**

- **Council Member Jeremy Allman - Motion**
- **Council Member Anne Randt – 2<sup>nd</sup>**
- **Council Member – Brandon Svenson – Approve**
- **Council Member Anne Randt – Approve**
- **Council Member – Lonnie Dowell – Approve**
- **Council Member – Eric Contreras – Approve**
- **Council Member – Jeremy Allman – Approve**

**d. Legal Services Agreement**

Mayor Pro Tem Svenson goes over agreement. He says that he can get more information for the next meeting, and asks permission to go ahead with it, and get it sorted as soon as possible.

***Council member Lonnie Dowell motion, Council member Jeramy Allman 2<sup>nd</sup>, passed unanimously.***

- **Council Member Lonnie Dowell – Motion**
- **Council Member Jeramy Allman – 2<sup>nd</sup>**
- **Council Member Brandon Svenson – Approve**
- **Council Member Anne Randt – Approve**
- **Council Member – Eric Contreras – Approve**
- **Council Member Lonnie Dowell – Approve**
- **Council Member Jeramy Allman – Approve**

**e. Park Caretaker Contract**

The state of the trailer was discussed. The contract states that the city takes care of utilities in exchange for care of the park. Previously, the tenants owned the house, where the city provided the utilities. Svenson stated that considering the city now owning the trailer, the contract will need to be re-done. He said that in the meantime, himself and superintendent Kenny could keep the lawns mowed, and they could ask the park volunteers to offer any help they can around the park until the trailer situation can be sorted. Lonnie asked about the applicants and who the park board recommended. One of the applicants' lives locally and it was discussed as to whether they would be willing to take care of the park as a volunteer for the time being. From the sounds of it, the trailer still has at least a month of repairs. Lonnie asked if the trailer was something that the city wanted to purchase. Svenson spoke on the aspect of cleaning it up vs. having it removed Svenson stated that there is still a lot to get sorted. He asks if there is any other discussion on this. There was none.

**15. MAYOR COMMENTS – There were no comments, Mayor Bradshaw was absent**

## **16. COUNCIL COMMENTS**

- a) Councilor Randt provided update on the Park Board stating they had met along with two (2) Councilor members and others on February 14<sup>th</sup>, and that they would be posting in the newspaper of record a notice for Park Board Members and the qualifications required. They also determined they would meet again in March and thought it beneficial to have both Park Board members and Council members involved. It was requested to add this item to the March 9<sup>th</sup> agenda
- b) Councilor Contreras asked that if possible for the March 23<sup>rd</sup> Town Hall Meeting that the high school choir could come and sing the National Anthem, move our Town Hall and Council Meeting to the Community Building. After discussion it was decided to revisit this at the March 9<sup>th</sup> meeting.
- c) Councilor Dowell asked if any quotes had been received for contracting out the permitting services for Community Development and Court services. He was told none at this time. Pro Tem Svenson noted that City Attorney criteria, etc. had been completed and that we had received one (1) applicant.
- d) Pro Tem said that at the EDC banquet that he'd met with Lisa Goodwin from Benaroya and that she stated they did not have a tenant yet for the industrial park; however, noted that there was much work to do before they could move forward

He asked that Penny Jo put together a list of standing committees so that members could be appointed to work. Penny Jo said that to her knowledge that the Finance Committee was the only standing committee.

## **17. STAFF REPORTS**

Penny Jo Haney

- a) Ms. Haney stated that Commissioner Jackson had contacted her to relay the message the Council that the County is still working on the permitting proposal agreement and will provide and update shortly.
- b) Provided update on home sales in Winlock
- c) Stated that three (3) applications were received for the Park Caretaker

## **18. PUBLIC COMMENTS**

Several individuals signed in on the Public Comment sheet; however, they were with the group associated with the Second Amendment of the Constitution and did not wish to speak. There were no others who signed up.

## **19. CONSENT AGENDA**

- a) **Approval of Vouchers for February 24, 2020 - \$94,813.57** – Council had a few questions on expenditures and Ms. Haney was able to explain them. *Councilor Dowell motioned to approve the Vouchers for February 24, 2020 as presented, seconded by Councilor Randt, motion passed unanimously.*
- b) **After discussion and pointing out that the Minutes from January 13, 2020 and February 10, 2020 needed to be revised and completed, Ms. Haney commented that she believed these were the last two (2) meetings that Ms. Curry had done, but that she would go back and review the audio to complete both meetings to bring back for approval.**

## **20. AGENDA**

### **1. City of Winlock Proclamation Second Amendment of the Constitution**

Mayor Pro Tem Svenson read the Proclamation in its entirety to those in attendance, with a round of applause at the end. *Councilor Randt motioned to approve the Winlock Proclamation Second Amendment of the Constitution, seconded by Councilor Allman, with Councilor Dowell recommending that in the absence of the Mayor it be signed by the Mayor Pro Tem, motion passed unanimously.*

### **2. City of Winlock and Frank Randolph Legal Services Agreement**

The Council took Mr. Randolph's proposed agreement page-by-page and discussed the language and alternatives and additions. The primary revision to the agreement was to change everywhere it said Mayor to Mayor and City Council. *Councilor Dowell motioned to submit the revised agreement by the Council back to Mr. Randolph for his review and to address the amended agreement at the next Council meeting, seconded by Councilor Contreras, motion passed unanimously.*

### **3. Temporary Paid Office Staff**

This item was briefly discussed to utilize the \$13,000 budgeted to pay for additional hours and pay for a current volunteer assisting office staff. Pro Tem Svenson stated that although office staff did need the help, the current expenditure of a \$12,500 gross payroll to an individual just about took care of the budget. The issue was not discussed further; however, Ms. Haney said that she would look into the details that made up the \$12,500 payroll and get back to the Council.

### **4. Winlock Community Building Caretaker Contract**

In regard to the Agreement that was drawn up in January, the current Council voiced concerns about the validity of the agreement and that it was not presented to them for approval by Mayor Bradshaw. The Council also felt that the individual residing in the Community Building apartment did not have their authorization to reside there and wanted them to leave the premises. Mr. Satterfield explained to them some of the issues they could face and suggested that if they chose he would bring back to the next meeting a list of items to address during an executive session. The Council was in consensus with this option.

## **5. Ordinance No. 1030 Park Board**

Ms. Haney started by stating that this ordinance and the following two on the agenda were not being presented. She was waiting for clarification from the Council on the specifics and language to be considered, and whether or not they wanted to repeal or amend.

The suggested changes to Ordinance No. 1030 were in Section 1 and 4 where it said new members would be approved by the Mayor to amend to say approved by the Mayor subject to Council Approval.

Mayor pro tem Svenson talked about how he would like to open up the designated address area for potential park board members to be expanded from inside city limits, to the Winlock school district area. The reason for this Svenson said, is a lot of the current members are burnt out. They are willing to help new members but are themselves ready to resign. Svenson thinks it would be great to open it up to allow more people, who may be residing within the entire Winlock school district, and chance to apply and become a part of the park board. Svenson stated that he believes that those living within the Winlock school district, who will be using Winlock parks, should also have a chance to be on the park board making decisions.

Svenson said he would like this to be re-written for the next meeting along with the parts that stated all members should be confirmed by council and an appointed by mayor. The council agreed. After asking if there was anything else, there was not further discussion.

## **6. Ordinance No. 1061 Police Department**

Mayor Svenson opened by saying that in the last meeting, they discussed removing section 2, and leaving it up to the vote of council that the city of Winlock could not have its police services dispended, closed, terminated or other duties or contracted out to another agency without a 60% vote of registered voters within the city of Winlock.

City attorney Satterfield went over this with the city council, explaining and answering questions on the details. Council and Satterfield discussed whether or not the Mayor would be part of the vote it was decided as a “no” do to the number of 6 people voting. After that it was decided to approve with modified wording.

**Council member Dowell motion, Council member Contreras 2<sup>nd</sup>, passed unanimously.**

- **Council member Dowell – Motion**
- **Council member Contreras – 2<sup>nd</sup>**
- **Council member Svenson – Approve**
- **Council member Randt – Approve**
- **Council member Dowell – Approve**



- **Council member Contreras – Approve**
- **Council member Allman - Approve**

**Ordinance No. 1066 Planning Commission**

Council discussed the language of the ordinance. The members that were not appointed correctly were also discussed. Mayor pro tem talks about the conversation that he had with the city clerk Stormy, who informed him that the current members on the planning commission are good members. They have been doing a lot of work and are getting things done. Svenson brought up the fact that they are volunteers and have been doing the job. Svenson said that his recommendation was that council confirm, and reappoint them, and that this situation be remembered.

**Council member Randt motion, Eric Contreras 2<sup>nd</sup>, passed unanimously.**

- **Council member Rant – Motion**
- **Council member Contreras – 2<sup>nd</sup>**
- **Council member Svenson – Approve**
- **Council member Rant – Approve**
- **Council member Dowell – Approve**
- **Council member Contreras – Approve**
- **Council Member Allman – Approve**

**7. City of Winlock and Winlock Lions Club Contract**

Viola was not present at this meeting. Mayor pro tem Svenson mentioned her proposal of taking over half of the utilities instead all of them. Svenson talked about how nonprofits do not do as well as they used to. He said that the city maintains the building regardless, and that it would be good to have the Lions Club put a deposit down, and maintain it over the year, with a precedence over the days of use. Several members talked about how this could be mutually beneficial for the Lions Club, and for the city. The matter of utilities was discussed because utilities cannot be gifted so that matter requires more deliberating. Since Viola was not present to comment, the subject was tabled until the next meeting where hopefully Viola can attend.

**Council member Contreras motion, Council member Dowell 2<sup>nd</sup>, passed unanimously.**

- **Council member Contreras – Motion**
- **Council member Dowell – 2<sup>nd</sup>**
- **Council member Svenson – Approve**
- **Council member Randt – Approve**
- **Council member Dowell – Approve**
- **Council member Contreras – Approve**
- **Council member Allman - Approve**

## **8. Discussion – Town hall meeting**

The town hall meeting was discussed by the council. It was decided that it should start at 5:30 pm and last for one hour and would be advertised in the Lewis County News. This is to be a phone call meeting.

## **9. Surplus Sealed Bid Result**

This is the trailer that the public works attendant Kenny has fixed up and painted. The only bid was from Kenny. Mayor pro tem Svenson asked if it was a given that they have to take this, being the only bid, or if they have the option to advertise elsewhere. Clerk Haney stated that they have the option of declining the offer. Councilor Dowell asked what Kenny wants to do, because currently the trailer is taking up space. Svenson asked for this to be tabled while they discuss with Kenny what he wants to do. Svenson talked about the work that Kenny put in on it. Dowell says that he will make a motion to approve the bid contingent upon public works superintendent (Kenny) would like to do. Svenson wanted to make a motion to approve the generator but decline the flatbed trailer. Council believes they can get more for the trailer. Eric motioned to accept the bid on the generator that is for \$50.00 but decline the bid on the trailer that is for \$300.00

**Council member Contreras motion, Council member Allman 2<sup>nd</sup>, passed unanimously.**

- **Council Member Contreras – Motion**
- **Council Member Allman – 2<sup>nd</sup>**
- **Council Member Svenson – Approve**
- **Council Member Randt – Approve**
- **Council Member Dowell – Approve**
- **Council Member Contreras – Approve**
- **Council Member Allman - Approve**

## **21. Hazardous Tree Removal**

This is about a tangle of maples located next to the cell phone tower in town. If it fell, it would not hurt the tower, but could destroy much, or all of the electronics connected to it. The maples are located on the easement that the city owns. Mayor pro tem mentions that they just took down a large fir tree about 50 feet from that location and thinks that is when that got brought up. Svenson says that the landowner there is cleaning up and keeping the wood from that fir tree. He is currently recovering from illness and does not have the fir tree anywhere near cleaned up so he would not be interested in taking on any more work from any more trees. This is a situation where someone would need to come in and clean up the maple trees. Council discusses options. Svenson asked if council would give him the authority to accept the lowest bid and get this done. Svenson talks about the positioning of the trees and says that there is really only one that would hurt the tower if it fell. He

thinks they could start with that one. He told council that he will sort out what they want done and come back next week with it. Council agreed to wait until the next meeting to decide.

**Council member Randt motion, Council member Allman 2<sup>nd</sup>, passed unanimously.**

- **Council member Randt – Motion**
- **Council member Allman – 2<sup>nd</sup>**
- **Council member Svenson – Approve**
- **Council member Randt – Approve**
- **Council member Dowell – Approve**
- **Council member Contreras – Approve**
- **Council member Allman – Approve**

**22. Correspondence – Don Bradshaw Resignation, Chief Valentine Report, Hillier, Scheibmeir and Kelly**

- a. On the done Bradshaw resignation, council member Dowell said that he has thought a lot about it. Where Bradshaw stated in his resignation “do to failing health brought on the lawless council, I resign” Dowell says that he would like to challenge him to where the council was lawless.
- b. Council discusses incredibly briefly before making motion to adjourn.

**23. ADJOURNMENT**

***Councilor Contreras motioned to adjourn the meeting, seconded by Councilor Allman, motion passed unanimously, and the meeting adjourned at 8:57 pm***

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Mayor Pro Tem

Attest:

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Penny Jo Haney, Acting City Clerk

*Note: For audio details of the meetings please visit [www.avcaptureall.com](http://www.avcaptureall.com)*