KETTLE FALLS CITY COUNCIL MEETING
FEBRUARY 1, 2011

CALL TO ORDER

Mayor Dorothy Slagle called the meeting to order at 7:00 p.m.

ROLL CALL

Ray Smith, Les Callas, Dorothy Slagle, Jesse Garrett, Krist Matthews and Debbie Gaskin.

STAFF/GUESTS

Staff - Dave Keeley, Joel Gassaway, John Ridlington, Pat Monasmith. Scott Sterland and Raena Hallam.

Guests - Steve Gray, Susan Urhausen, Sue Richardson, Patricia Reneman, Krisan LeHew and Robyn Westerguard.

ANNOUNCEMENTS AND MAIL RECEIVED

As there were no Announcements or Mail Received, City Council moved on to Public Comment.

PUBLIC COMMENT

PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT - COMMUNITY CENTER

City Planner Dave Keeley distributed handouts to City Council and the audience and gave a staff report:

Staff Report: Community Development Block Grant – Public Hearing
February 1, 2011 David Keeley

Since I have worked for the city, many people have approached me about the need for a community center. However, each person's vision of a community center is quite different and range from a meeting room to an indoor hockey rink and everything in between. Other ideas included remodeling the Senior Center or having a community kitchen for banquets and receptions.

This hearing is required by Community Development Block Grant to allow an opportunity for the public to express their opinions about the use of these grant funds. If awarded, the City proposes to hire an independent consultant to facilitate several town meetings and generate an unbiased report addressing the following items:

- A prioritized list of community needs
- Evaluate several potential building sites, preferably on Meyers Street
- Provide conceptual sketches of the Community Center
- Develop a construction/remodel budget for each building site
- Outline a fund raising strategy
- Identify each civic organization and their role in supporting a community center

We have received several letters of support for this project that will be included in the grant application.

APPENDIX B-4

PUBLIC HEARING HANDOUT

Department of Commerce

Innovation is in our nature.

Community Development Block Grant Program

For More Information:

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Introduction

The Washington State Community Development Block Grant (CDBG) program provides funds on a competitive basis for public facilities, community facilities, economic development, housing rehabilitation, public services and planning projects that principally benefit low- and moderate-income households.

Since 1982, the Washington State CDBG Program has distributed and managed over $419 million from the U.S. Department of Housing and Urban Development (HUD). With this funding, the CDBG Program improves and maintains the environment of eligible, rural cities and counties to enhance the quality of life for low- and moderate-income residents, and as a result, make a difference for the entire community.

2010 Funding Set-Asides

In 2010, approximately $15 million in federal CDBG funds will be awarded to Washington State. It is proposed that funds be distributed as follows:

- **General Purpose Grants** **$12,000,000**
  Contact: Lynn Kohn
  Annual grant cycle during which eligible applicants may request up to $1 million for public facilities, community facilities, housing rehabilitation, or economic development projects principally benefiting low- and moderate-income persons. If total project costs exceed $10 million, the maximum grant can be $1.5 million. Applications are due by January 21, 2010, with awards announced by early May 2010.

- **Planning-Only Grants** **$400,000**
  Contact: Janea Eddy
  Grants support a range of planning activities that lead to implementation of priority projects for eligible small communities and rural counties. Funding levels vary by type of project, with the maximum grant for single jurisdiction at $35,000. Joint planning efforts may receive up to $50,000. The application handbooks for 2010 will be available by February 2010 and can be submitted year round (on fund available basis) beginning March 2010, with first awards announced by early May 2010.

APPENDIX B-5

PUBLIC HEARING HANDOUT

Federal Citizen Participation Requirements for Local Government Applicants to the State CDBG Program

Federal Regulations 24 CFR 570.486 (a)

(a) *Citizen participation requirements of a unit of general local government.* Each unit of general local government shall meet the following requirements as required by the state at Sec. 91.115(e) of this title.

(1) Provide for and encourage citizen participation, particularly by low and moderate income persons who reside in slum or blighted areas and areas in which CDBG funds are proposed to be used;

(2) Ensure that citizens will be given reasonable and timely access to local meetings, information, and records relating to the unit of local government's proposed and actual use of CDBG funds;

(3) Furnish citizens information, including but not limited to:

(i) The amount of CDBG funds expected to be made available for the current fiscal year (including the grant and anticipated program income);

(ii) The range of activities that may be undertaken with the CDBG funds;

(iii) The estimated amount of the CDBG funds proposed to be used for activities that will meet the national objective of benefit to low and moderate income persons; and

(iv) The proposed CDBG activities likely to result in displacement and the unit of general local government's anti-displacement and relocation plans required under Sec. 570.488.

(4) Provide technical assistance to groups representative of persons of low and moderate income that request assistance in developing proposals in accordance with the procedures developed by the state. Such assistance need not include providing funds to such groups;

(5) Provide for a minimum of two public hearings, each at a different stage of the program, for the purpose of obtaining citizens' views and responding to proposals and questions. Together the hearings must cover community development and housing needs, development of proposed activities and a review of program performance. The public hearings to cover community development and housing needs must be held before submission of an application to the state. There must be reasonable notice of the hearings and they must be held at times and locations convenient to potential or actual beneficiaries, with accommodations for the handicapped. Public hearings shall be conducted in a manner to meet the needs of non-English speaking residents where a significant number of non-English speaking residents can reasonably be expected to participate;

(6) Provide citizens with reasonable advance notice of, and opportunity to comment on, proposed activities in an application to the state and, for grants already made, activities which are proposed to be added, deleted or substantially changed from the unit of general local government's application to the state. ***Substantially changed*** means changes made in terms of purpose, scope, location or beneficiaries as defined by criteria established by the state.

(7) Provide citizens the address, phone number, and times for submitting complaints and grievances, and provide timely written answers to written complaints and grievances, within 15 working days where practicable.

- **Housing Enhancement Grants** **$1,000,000**
  Contact: Kaaren Roe
  Companion funds to support priority applications submitted to the Washington State Housing Trust Fund, which fund necessary off-site infrastructure or community facility components of the affordable housing project.

- **Imminent Threat Grants** **$200,000**
  Contact: Kaaren Roe
  Provides funds to address unique emergencies posing a serious and immediate threat to public health and safety on a funds availability basis. Upon formal Declaration of Emergency and completion of an Imminent Threat grant application, costs can be covered for a temporary repair or solution while funding for a permanent fix is secured.

- **Public Services Grants** **$1,557,612**
  Contact: Kaaren Roe
  Provides funds to the 12 eligible counties and community action agencies to fund new or expanded direct services for persons with low- and moderate- incomes.

- **CDBG Loan Portfolio** **$15,000,000**
  Contact: Steve Saylor (Econ Dev)
  Provides eligible local governments with short-term loans for economic development/job creation financing on CDBG-eligible activities meeting a HUD National Objective. Applications may be submitted after adoption of the 2010 Action Plan.
  - Float Loan - Economic Development/Job Creation
  - Rural Washington Loan Fund
  - HUD Section 108 Guarantee Loans

HUD National Objectives

CDBG project activities must meet one of three HUD National Objectives:

- Principally benefits low-and moderate-income persons
- Aids in the prevention or elimination of slums or blight
- Addresses imminent threat to public health or safety

CDBG Eligibility Guidelines

- Eligible applicants are Washington State cities and towns with less than 50,000 in population or counties with less than 200,000 in population that are non-entitlement local governments and are not participants in a HUD Urban County Entitlement Consortium.
- Non-profit organizations, Indian tribes, public housing authorities, port districts, community action agencies, and economic development councils, are not eligible to apply directly to the CDBG Program for funding, but may be partners in projects and subrecipients of funding through eligible local governments.
- Applicants may submit one request per fund each program year, except for local microenterprise program applicants seeking a General Purpose Grant.

Council Member Les Callas asked if the City is not awarded the Block Grant will the City be obligated to pay for the project. City Planner Dave Keeley explained the grant requested is for $24,000 to complete a feasibility study for a community center. If the grant is not awarded the City does not have the funds to pay for the study and the City will need to reapply next year.

Mayor Slagle opened the Public Hearing for Public Comment at 7:07 p.m.

Patricia Reneman, 3743 Hill Loop Rd, expressed her support of a community center.

Steve Gray stated, Chairman of the Horizons Group, stated on behalf of the Horizons Group he is in full support of applying for the CDBG Block Grant and strongly supports a Community Center. Mr. Gray also stated the Horizons Group is willing to do anything that would help the project move forward.

Susan Urhausen, POB 747, Kettle Falls, stated the Northport Community built a Community Center. The Community Center has given the people hope for their future and a local police officer stated youth crimes has dramatically decreased by 65%.

Krisan LeHew, City of Chewelah Council Member, stated she was involved with the Northport Community Center. The Community Center offers a meeting room, a small kitchen, luncheon area and 15 brand new computers.

Sue Richardson, Chairman of the Kettle Falls Library Board, stated the Kettle Falls Library wants to expand also to meet the needs of the youth in the community. She stated she doesn't think expansion of the library will be enough to meet the current demand. Ms. Richardson stated a Community Center would help fill that void.

Robin Westerguard, Kettle Falls, stated she agrees with every ones comments and fully supports a Community Center.

Mayor Slagle closed the Public Hearing to Public Comment at 7:12 p.m.

Council Member Jesse Garret asked how the Northport Community Center is staffed. Ms. Krisan LeHew stated it is staffed by all volunteers.

CONSENT AGENDA

APPROVAL OF THE JANUARY, 2011 VOUCHERS AND PAYROLL

Council Member Jesse Garrett moved to approve the Consent Agenda. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

COMMITTEE REPORTS

COUNCIL COMMITTEES

Mayor Dorothy Slagle stated she did not make any changes to the City Council Committees.

Parks & Recreation Committee	Ray Smith, Debbie Gaskin
Labor Relations Committee	Krist Matthews, Jesse Garrett
Utilities Committee	Les Callas, Jesse Garrett
Finance Committee	Krist Matthews, Ray Smith
Police/Fire/Safety Committee	Les Callas, Jesse Garrett
Building/Street Committee	Les Callas, Krist Matthews
Library/Goodwill Committee	Debbie Gaskin, Jesse Garrett
Planning/Community Development Committee	Ray Smith, Debbie Gaskin

AVISTA CONTRACT

Council Member Jesse Garrett stated the Council Utility Committee is making good positive progress with Avista regarding the Memo of Understanding. Council Member Les Callas agreed with Council Member Jesse Garrett.

STAFF REPORTS

2010 FIRE REPORT

Fire Chief John Ridlington reported in 2010 there were 55 total fires, 10 were house fires. The Fire Department currently has 28 adult volunteers and 8 student volunteers.

Fire Chief John Ridlington reported he has submitted the application to have the departments rating reviewed. If the rating improves the Kettle Falls Fire Department will be rated the highest in the area.

CHIP SEALING PROJECTS

City Planner Dave Keeley stated the Transportation Improvement Board has authorized chip sealing of two of the City's streets. 8th Avenue from Juniper to Oak and Oak Street from 5th Avenue to the South City limits. The Transportation Improvement Board will pay for all the cost.

Council Member Ray Smith stated the City needs sidewalks along 8th Avenue to Oak Street.

WASTEWATER FACILITY

City Superintendent Joel Gassaway stated a large architecturally designed sign will be placed on the property of the new Wastewater facility. Joel explained the sign will refer to the Public Works Department rather than utilities Department referred to in the Kettle Falls Municipal Code. Joel asked if the department name should be officially changed. Mayor Slagle stated it may not take any more than just changing it.

City Superintendent Joel Gassaway also stated he has spoke with the Mayor regarding the name for the street that will be the entrance to the Wastewater Facility. Joel stated eventually this will be a City Street and will need to have an official name. Mayor Slagle stated she is enjoying thinking of names.

POLICE DEPARTMENT

Police Chief Scott Sterland stated he has spent the last month reviewing processes and procedures for the Police Department. Scott stated he plans to meet with the business owners in the next two weeks.

NEW BUSINESS

RESOLUTION NO. 11-01 - A RESOLUTION ADOPTING CERTIFICATIONS OF COMPLIANCE REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Council Member Krist Matthews moved to adopt Resolution No. 11-01. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member

Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

CITY OF KETTLE FALLS

RESOLUTION 11-01

A RESOLUTION ADOPTING CERTIFICATIONS OF COMPLIANCE REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the City of Kettle Falls is applying to the state Department of Commerce for funding assistance;

WHEREAS, it is necessary that certain conditions be met as part of the application requirements;

WHEREAS, Mayor Dorothy Slagle is authorized to submit this application to the State of Washington on behalf of the City of Kettle Falls;

NOW, THEREFORE, be it resolved that the City of Kettle Falls authorizes submission of this application to the state Department of Commerce to request $24,000 to do a feasibility study for a Community Center and certifies that, if funded, it:

Will comply with applicable provisions of Title I of the Housing and Community Development Act of 1974, as amended, and other applicable state and federal laws;

Has provided opportunities for citizen participation comparable to the state's requirements (those described in Section 104(a)(2)(3) of the Housing and Community Development Act of 1974, as amended); has complied with all public hearing requirements and provided citizens, especially low- and moderate-income persons, with reasonable advance notice of and the opportunity to present their views during the assessment of community development and housing needs, during the review of available funding and eligible activities, and on the proposed activities;

Has provided technical assistance to citizens and groups representative of low- and moderate-income persons that request assistance in developing proposals;

Will provide opportunities for citizens to review and comment on proposed changes in the funded project and program performance;

Will not use assessments against properties owned and occupied by low- and moderate-income persons or charge user fees to recover the capital costs of CDBG-funded public improvements from low- and moderate-income owner-occupants;

Will establish a plan to minimize displacement as a result of activities assisted with CDBG funds; and assist persons actually displaced as a result of such activities, as provided in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended;

Will conduct and administer its program in conformance with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act; will affirmatively further fair housing (Title VIII of the Civil Rights Act of 1968); has adopted (or will adopt) and enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and has adopted (or will adopt) and implement a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location that is the subject of such nonviolent civil rights demonstration within its jurisdiction, in accordance with Section 104(1) of the Title I of the Housing and Community Development Act or 1974, as amended; and

Will provide, upon request, and prior to any obligation of funds being made, a complete and accurate Applicant/Recipient Disclosure/Update Report detailing the required applicant/recipient information and, as appropriate, other government assistance provided or applied for, interested parties and expected sources, and uses of funds.

The City of Kettle Falls designates Mayor Dorothy Slagle as the authorized Chief Administrative Official and the authorized representative to act in all official matters in connection with this application and City of Kettle Falls participation in the State of Washington CDBG Program.

Passed and approved by the City Council at their regular meeting on February 1, 2011.

RESOLUTION NO. 11-02 - A RESOLUTION ADOPTING A GRIEVANCE PROCEDURE FOR CITIZENS REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Council Member Debbie Gaskin moved to adopt Resolution No. 11-02. Council Member Jesse Garrett seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

CITY OF KETTLE FALLS

RESOLUTION 11-02

A RESOLUTION ADOPTING A GRIEVANCE PROCEDURE FOR CITIZENS REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the City is required to adopt a grievance procedure pursuant to a Community Development Block Grant now, therefore,

THE CITY COUNCIL OF THE CITY OF KETTLE FALLS RESOLVES AS FOLLOWS:

All complaints regarding the CDBG program shall be submitted to the City of Kettle Falls Project Manager for resolution. A record of the complaints and action taken will be maintained. A decision by the designated official will be rendered within 30 working days.

If the complaint cannot be resolved to your satisfaction by the designated official, the complaint will be heard by the City Council and discussed at an open, public meeting of the elected body. A written decision will be made within 30 working days. The decision of the governing body is final.

A record of action taken on each complaint will be maintained as a part of the records or minutes at each level of the grievance process.

Passed and approved by the City Council at their regular meeting on February 1, 2011.

2011 BUILDING INSPECTOR CONTRACT

Mayor Dorothy Slagle stated she would like to renew Dave Jones Building Inspector Contract for 2011. There are no changes from the 2010 contract. City Attorney Pat Monasmith asked if the contract addressed the cost of inspection if Mr. Jones himself built a house in the city limits of Kettle Falls. After review the issue was addressed in the contract.

Council Member Ray Smith moved to authorize the Mayor to enter into a contract with Dave Jones for Building Inspection services. Council Member Jesse Garrett seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

INDIGENT DEFENSE CONTRACTS

Mayor Dorothy Slagle stated she would like to enter into contracts with Attorney Joshua Gilstrap and Slate Law Firm for indigent defense services.

Council Member Les Callas moved to authorized Mayor Slagle to enter into contracts with Attorney Joshua Gilstrap and Slate Law Firm for indigent defense services. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

OLD BUSINESS

WASTEWATER TREATMENT FACILITY - ENGINEERING

City Planner Dave Keeley reported the City is ready to select an Engineering Firm to advertise the project for bid. The cost will be $72,560 which will be paid for from the DOE loan.

Council Member Jesse Garrett moved to authorize the Mayor to execute a contract with E&H Engineering and their subcontractors for professional services. Council Member Debbie Gaskin seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

Council Member Jesse Garrett confirmed that this motion is only for the bidding process. Once the bids are received the City Council will need to decide to move forward with the project or not depending upon the cost. City Planner Dave Keeley stated that is correct.

Council Member Jesse Garret moved to authorize E&H Engineering to advertise the Wastewater Facilities project and proceed with the bid process. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

ORDINANCE NO. 1704 - AN ORDINANCE CREATING KETTLE FALLS MUNICIPAL CODE 18.0 ENTITIES "CRITIICAL AREAS"

Council Member Debbie Gaskin moved to read Ordinance No. 1704 by title only. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

City Attorney Pat Monasmith read Ordinance No. 1704 by title only. *Ordinance No. 1704 - An ordinance creating Kettle Falls Municipal Code 18.0 Entities "Critical Areas".*

Council Member Jesse Garrett moved to adopt Ordinance No. 1704. Council Member Debbie Gaskin seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Les Callas - yes, Council Member Jesse Garrett - yes, Krist Matthews - yes and Debbie Gaskin - yes.

PUBLIC COMMENT

As there was no Public Comment, City Council moved on to Adjournment.

ADJOURNMENT

Mayor Dorothy Slagle adjourned the meeting at 7:50 p.m.

Approved:

Dorothy Slagle
Mayor Dorothy Slagle

Attest:

Raena A Hallam
Raena Hallam, Clerk/Treasurer