

**KETTLE FALLS CITY COUNCIL MEETING**  
**SEPTEMBER 6, 2011**

**CALL TO ORDER**

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

**ROLL CALL**

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

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

**STAFF/GUESTS**

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

Guests - Larry Kulesza, Rochelle Davis, Cali ?, Jesse Christopher, Madison Christopher, Doll Linton and Sara Brown.

**ANNOUNCEMENTS AND MAIL RECEIVED**

**MAYOR PRO-Temp**

Mayor Dorothy Slagle stated the position of Mayor Pro-Temp should be filled during Council Members Les Callas's absence. Mayor Slagle stated she would like to appoint Council Member Krist Matthews through the end of the year.

Council Member Jesse Garrett moved to confirm the Mayors appointment of Council Member Krist Matthews as Mayor Pro-Temp. Council Member Debbie Gaskin seconded the motion. Motion carried. Council Member Ray Smith - yes, Council Member Jesse Garrett - yes, Council Member Krist Matthews - abstained and Council Member Debbie Gaskin - yes.

**PUBLIC COMMENT**

As there was no Public Comment, City council moved on to the Consent Agenda.

CONSENT AGENDA

APPROVAL OF THE AUGUST 16, 2011 CITY COUNCIL MINUTES AND AUGUST  
VOUCHERS & PAYROLL

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

COMMITTEE REPORTS

As there were no Committee Reports, City Council moved on to Staff Reports.

STAFF REPORTS

SURPLUS PROPERTY

City Superintendent Joel Gassaway stated he has declared a scrap pile as surplus property. He further stated he set aside some chain link fencing and metal roofing that will probably be surplus by closed bid.

OLD CITY DUMP PROPERTY - LOGGING

City Superintendent Joel Gassaway reported the Gun Club is having their property logged near the gun range. The purpose is to clear a right of way for access for three property owners along the property lines.

EVERGREEN DRIVE

City Superintendent Joel Gassaway stated the hill on Evergreen Drive was patched up , but needs a permanent fix. Joel stated he intends to have the city Crew tear it up and repave the hill.

POLICE DEPARTMENT

A burglary occurred last night at the Wastewater Treatment Facility construction site. Fortunately one of the IMCO employees seen the guy and the Police Dept. have a couple persons of interest.

**POLICE DEPARTMENT - NUISANCE ISSUE**

Police Chief Scott Sterland reported three properties have not complied with the nuisance ordinance. Scott looked for direction from City Council as to what he would like him to do next.

Mayor Slagle stated the City has the following options:

1. Implement a per day fine for non compliance as per the ordinance.
2. Hauling the stuff off ourselves and charging the property owners.
3. Taking a soft approach and allowing more time.

City Attorney Pat Monasmith suggested taking the ordinance to the Stevens County Prosecutor to determine if their office will actually pursue charges if needed.

After discussion City Council asked Police Chief Scott Sterland to mail certified letters the non complying property owners giving them an additional seven days. The letter should outline penalties and costs involved if they remain non-compliant.

**POLICE DEPARTMENT 2012 BUDGET REQUEST**

Police Chief Scott Sterland distributed his 2012 Budget proposal to City Council. (Copy on file) Scott stated he will give a detailed presentation during the budget workshop.

**NEW BUSINESS**

**POSSIBLE BID AWARD - HWY 395 SIDEWALK PROJECT - NORTH SIDE**

City Planner Dave Keeley reviewed the bid tabulation for the Hwy 395 North Side Sidewalk Project. Baumann Brothers Construction Inc. is the lowest bidder at \$208,785.18.

BID TABULATION		Baumann Bros. Const. Inc.		WM Winkler Co.		Cameron - Reilly, LLC		Engineer's Estimate		
City of Kettle Falls		2139 Fenton Way		1822 E. Fairview Ave		11201 W. 21st				
US 395 Sidewalk - North		Chewelah, WA 99108		Spokane, WA 99207		Airway Heights, WA 99001				
Item	Description	Est. Qty.	Unit Price	Total Amt.	Unit Price	Total Amt.	Unit Price	Total Amt.	Unit Price	Total Amt.
1	Mobilization	Lump Sum	L.S.	\$5,205.00	L.S.	\$14,800.00	L.S.	\$20,363.00	L.S.	\$10,000.00
2	Roadway Surveying	Lump Sum	L.S.	\$11,046.22	L.S.	\$6,200.00	L.S.	\$30,363.00	L.S.	\$10,000.00
3	Project Temporary Traffic Control	Lump Sum	L.S.	\$7,618.08	L.S.	\$7,000.00	L.S.	\$27,638.00	L.S.	\$6,000.00
4	Clearing & Grubbing	Lump Sum	L.S.	\$10,665.32	L.S.	\$3,200.00	L.S.	\$5,986.00	L.S.	\$10,000.00
5	Pavement Removal	2,020 S.Y.	\$7.05	\$14,241.00	\$4.00	\$8,080.00	\$7.76	\$15,675.20	\$10.00	\$20,200.00
6	Roadway Excavation	Lump Sum	L.S.	\$7,818.08	L.S.	\$33,800.00	L.S.	\$5,000.00	L.S.	\$15,000.00
7	Crushed Surfacing Top Course	290 C.Y.	\$37.74	\$10,946.60	\$25.75	\$7,467.50	\$60.00	\$17,400.00	\$40.00	\$11,600.00
8	Commercial HMA (3")	650 S.Y.	\$31.74	\$20,629.50	\$26.26	\$17,069.00	\$30.00	\$19,500.00	\$35.00	\$22,750.00
9	Commercial HMA (2")	416 S.Y.	\$25.39	\$10,563.86	\$21.00	\$8,715.00	\$25.00	\$10,375.00	\$30.00	\$12,450.00
10	Infiltration Trench	6 S.Y.	\$126.07	\$756.42	\$420.00	\$2,520.00	\$60.00	\$360.00	\$200.00	\$1,200.00
11	12" SDR 36 Storm Pipe	470 L.F.	\$46.67	\$21,936.90	\$36.75	\$17,272.50	\$40.00	\$18,800.00	\$36.00	\$17,040.00
12	Infiltration Trench Inlet	1 Ea.	\$507.66	\$507.66	\$940.00	\$940.00	\$500.00	\$500.00	\$500.00	\$500.00
13	Curb Inlet	8 Ea.	\$95.23	\$761.84	\$66.00	\$528.00	\$200.00	\$1,600.00	\$200.00	\$1,600.00
14	Catch Basin Type 1	2 Ea.	\$139.62	\$279.24	\$750.00	\$1,500.00	\$2,200.00	\$4,400.00	\$1,000.00	\$2,000.00
15	Service Connection & Meter Assembly	1 Ea.	\$2,037.49	\$2,037.49	\$2,625.00	\$2,625.00	\$5,000.00	\$5,000.00	\$750.00	\$750.00
16	SPCC Plan	Lump Sum	L.S.	\$914.84	L.S.	\$500.00	L.S.	\$750.00	L.S.	\$500.00
17	Sod Installation	800 S.Y.	\$6.66	\$5,328.00	\$6.70	\$5,360.00	\$12.00	\$9,600.00	\$10.00	\$8,000.00
18	Topsoil Type C	800 S.Y.	\$9.65	\$7,720.00	\$5.35	\$4,280.00	\$6.60	\$5,280.00	\$10.00	\$8,000.00
19	Irrigation System	Lump Sum	L.S.	\$10,665.32	L.S.	\$13,566.25	L.S.	\$12,000.00	L.S.	\$10,000.00
20	Cement Conc. Traffic Curb & Gutter	1,160 L.F.	\$14.60	\$16,924.00	\$12.27	\$14,110.50	\$11.06	\$12,719.00	\$13.00	\$15,180.00
21	Cement Conc. Driveway Entrance Type 3	256 S.Y.	\$54.20	\$13,875.20	\$60.64	\$15,524.80	\$50.00	\$12,750.00	\$45.00	\$11,475.00
22	Cement Conc. Sidewalk (4")	800 S.Y.	\$36.95	\$29,560.00	\$32.61	\$26,088.00	\$36.00	\$28,800.00	\$30.00	\$24,000.00
23	Cement Conc. Sidewalk (6")	290 S.Y.	\$92.18	\$26,732.20	\$16.68	\$4,838.40	\$50.00	\$14,500.00	\$35.00	\$10,150.00
24	Cement Conc. Sidewalk Ramp Type 2	2 Ea.	\$888.78	\$1,777.56	\$900.00	\$1,800.00	\$1,200.00	\$2,400.00	\$1,000.00	\$2,000.00
25	Cement Conc. Sidewalk Ramp Type Perpendicular B	1 Ea.	\$888.78	\$888.78	\$900.00	\$900.00	\$1,300.00	\$1,300.00	\$1,000.00	\$1,000.00
26	Cement Conc. Sidewalk Ramp Type Perpendicular A	1 Ea.	\$634.64	\$634.64	\$900.00	\$900.00	\$1,300.00	\$1,300.00	\$1,000.00	\$1,000.00
27	Paint Line	1,165 L.F.	\$0.47	\$548.15	\$0.75	\$873.75	\$1.00	\$1,165.00	\$1.00	\$1,165.00
28	Permanent Signage	Lump Sum	L.S.	\$438.04	L.S.	\$2,890.00	L.S.	\$3,500.00	L.S.	\$500.00
29	Hydroseed	Lump Sum	L.S.	\$1,714.07	L.S.	\$1,200.00	L.S.	\$2,600.00	L.S.	\$1,500.00

City Planner Dave Keeley stated the City's match will be \$10,500.

Council Member Jesse Garrett moved to award the bid to Baumann Bros. Construction, Inc. Council Member Krist Matthews seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Jesse Garrett - yes, Council Member Krist Matthews - yes and Council Member Debbie Gaskin - yes.

### WATER ORDINANCE FOR APARTMENTS

City Superintendent Joel Gassaway discussed with City Council drafting an ordinance for multi-connections such as apartments, trailer courts etc. Joel distributed the following:

**Multi-Use Connections: Apartments, Trailer Courts, and Hotel / Motels / RV Parks**

**Re: Procedures for de-commissioning of multi-use units as it relates to city utility charges. Suggested language to be added to section 13.04.055 "Multi-Use Connections."**

If the owner of a multi-use property wishes to de-commission one or more units without disconnecting the service to the entire property in order to avoid monthly city utility charges on such unit(s), either permanently or for an indefinite period of time, they may submit a written application to do so to the Clerk/Treasurer, subject to approval by the Council, provided also that a means is provided to lock off or disconnect water service to said unit(s) in a way that said disconnection can be verified by the City Superintendent, with reasonable access provided for periodic re-inspection.

Water and other utility services shall be restored upon payment of the water re-connection fee set forth in 13.04.230 of the municipal code for each unit re-connected.

**Re: Establishing a water re-connection fee. Suggested language to change section 13.04.230.B**

For periods of shut off, there will be no charge for water ~~or charge for turning water off and on at the meter~~. A re-connection fee of \$17.00 for in-town users and \$33.00 for out-of-town users is established for turning on water services that are shut off at customer's request. This fee does not apply to services shut off due to emergencies or temporary shut offs for scheduled repairs.

City Council asked City Superintendent Joel Gassaway to continue drafting an ordinance for review regarding multi-connections.

### COMMUNITY GARDEN WATER

The Community Garden located on City property is requesting water be provided at no cost to the property for care and maintenance of the garden.

Council Member Jesse Garrett moved to provide water to the Community Garden and authorize the Public Works Dept. to install the water line. The Community Garden volunteers will provide

the stand pipe etc.. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Jesse Garrett - yes, Council Member Krist Matthews - yes and Council Member Debbie Gaskin - yes.

#### OLD BUSINESS

#### ORDINANCE NO 1705 - AN ORDINANCE AMENDING THE KETTLE FALLS MUNICIPAL CODE ALLOWING THE KEEPING OF CHICKENS AND RABBITS

Council Member Debbie Gaskin moved to adopt Ordinance No. 1705 by title only. Council Member Jesse Garrett seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Jesse Garrett - yes, Council Member Krist Matthews - yes and Council Member Debbie Gaskin - yes.  
Council Member

#### ORDINANCE NO. 1706 - AN ORDINANCE AMENDING THE BASIC FLAT RATE FOR EQUIVALENT SEWER USERS

Council Member Jesse Garrett moved to adopt Ordinance No. 1706 by title only. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Jesse Garrett - yes, Council Member Krist Matthews - yes and Council Member Debbie Gaskin - yes.

#### WASTEWATER TREATMENT FACILITY UPDATE

City Planner Dave Keeley reminded City Council of the Construction meetings held each Wednesday at 10:00 a.m.

#### AVISTA UPDATE

A copy of a letter Council Member Jesse Garrett wrote to Mayor Slagle was distributed to City Council.

Mayor Dorothy Slagle;

Kettle Falls City Council:

I would like to present to you some of my thoughts and ideas concerning the latest development with Avista and the use of the river water. First a brief history; we have been in several discussions with Avista for the purpose providing them river water, thus freeing up our ground water for residential and commercial expansion. The initial emphasis was on establishing a viable way to sell them the river water much the same way the ground water is done. The biggest hang-up was determining how much to charge since Avista was supplying all means of pumping and transporting the water for their use. Another contention was Avista's concern with the expected need to have the ground water instantaneously available should the river water prove unusable. This did not meet our desires, and was one of my main concerns also. The exchange of ideas and proposals went back and forth many times. In the meantime, Avista was pursuing their acquiring river water rights for themselves and not need our water. They have managed to acquire almost all of the needed rights. This brings us up to the current proposal from Avista.

Avista has offered to purchase 200 Acre Feet of our river water rights, roughly 20-25 percent of total. The offered price of \$1750.00/AF, or \$350,000.00 is more than we would have obtained from the proposed use of river water. Joel has diligently researched and has found this to be on the low end of the going rate so this is still open for negotiation. The following statements support my favorable position as stated:

1. Avista is still in negotiations with others to acquire needed rights.
2. We can get Avista off any "special" contracts and establish a universal pricing for all users depending on our developing a new water billing system which charges based on usage and availability to use (water connection size).
3. If Avista acquires rights somewhere else, we will be in a financial hardship due to loss of revenue. Although this is not an immediate problem, it will be in the near future.
4. The loss of 200AF river water will not severely impact our ability to use river water if we need it. In the event we need river water, emergency action would be required regardless of selling them the amount or not.
5. The proposed sale would provide a much needed lift to our water reserve fund and give us the funds to develop our anticipated increase in ground water rights.

As you can deduce, I am in favor of selling them a portion of river water rights. I know this is against our initial stand on not selling our river water rights, but we still retain the majority of our rights, accomplish our goal of removing Avista's strangle hold on our ground water, ensure sufficient revenue to maintain and improve our water supply, cancels any current Avista agreements (or disagreements) and puts all customers on an equal footing for future billing adjustments.

Thank You.

Jesse Garrett, Utility Committee member

City Superintendent Joel Gassaway stated there will be two agreements with Avista, one to purchase river water with our water right and the second agreement will pertain to remaining connected to the current City water system.

City Superintendent Joel Stated Avista is in the process of obtaining their own water rights and he eventually expects them to not need any water from the City. He believes their goal is to be completely off the City water system.

City Superintendent Joel Gassaway stated Avista has offered to purchase 20% of the City's water right at \$1,750 per acre foot which equals \$350,000. Joel stated the Mayor and Utility Committee are looking very favorable to selling them 20%. It answers the City's immediate concerns for revenue and the City will still keep a majority of the water right.

City Superintendent Joel Gassaway stated Avista needs a letter by Friday stating the City would be interested in selling Avista 20% of our water right. Joel also suggested asking \$2,000 per acre foot.

Council Member Jesse Garrett moved to authorize the Mayor to write a letter of intent stating the City is favorable upon selling 200 acre feet of our water right to Avista, price to be determined. Council Member Ray Smith seconded the motion. Motion carried by all. Council Member Ray Smith - yes, Council Member Jesse Garrett - yes, Council Member Krist Matthews - yes and Council Member Debbie Gaskin - yes.

PUBLIC COMMENT

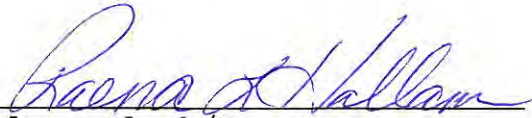
As there was no Public Comment, City Council moved on to Adjournment.

ADJOURNMENT

Mayor Dorothy Slagle adjourned the meeting at 8:20 p.m.

Approved:

  
Mayor Dorothy Slagle

Attest:   
Raena Hallam, Clerk/Treasurer

