



CITY COUNCIL REGULAR MEETING

Monday, September 11, 2023 at 7:00 PM

City Hall

MINUTES

1. Call to Order

Mayor Troy Linnell called the meeting to order at 7:00 PM.

2. Flag Salute

In honor and memory of those impacted by 9/11, Mayor Linnell asked that everyone remain standing for a moment of silence.

3. Roll Call

PRESENT

Mayor Troy Linnell
Council Member Brenna Franco
Council Member Gordon Cook
Council Member Timothy Fairley
Council Member Lynda Osborn
Council Member William Thomas

Staff Present: Jessica Griess, City Clerk; Russ Avery, Public Works Director; James Schrimpsher, Chief of Police

4. Presentation

A. City Art Presented by Tobi Holland

Local resident artist Tobi Holland presented the idea of adding art to the city.

5. Approval of Agenda

Council Member Franco moved to amend the agenda by removing item 11A. The motion was seconded by Council member Cook.

Voting Yea: Council Member Franco, Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas

Motion made by Council Member Thomas to approve the amended agenda, Seconded by Council Member Franco.

Voting Yea: Council Member Franco, Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas

6. Consent Agenda

Motion made by Council Member Cook, Seconded by Council Member Osborn.
Voting Yea: Council Member Franco, Council Member Cook, Council Member Fairley,
Council Member Osborn, Council Member Thomas

A. Minutes

August 28th, 2023 Council Meeting

August 28th, 2023 Council Workshop

B. Audit of Reports

1. Claims #113141 - #113166 = \$110,390.31 September 11, 2023

2. Payroll # - # = \$ 45,313.83 September 1, 2023

7. Reports

Council Member Franco - None.

Council Member Cook - None.

Council Member Fairley - None.

Council Member Osborn - None.

Council Member Thomas - None.

Russ Avery, Public Works Director - Been mowing quite a bit in the right of ways, cleaning out storm drains before the rain hits. The crew has worked on clearing a portion of the wetland for the ceremony coming up. West Valley will be closed at night while the Transfer Station puts in a pipe.

James Schrimpsher, Police Chief - We had a house fire over the weekend, Would like to show the body cam footage. We are proud of our officer for the way she professionally handled the situation. Officer Fajardo will be receiving the life saving award. We will have training coming up. Bringing back a building clearing instructor on October 17th. One of our officers has written enough tickets that the court is complaining since we're filling up the docket. We will be putting in a four-way stop at Algona Blvd and 8th Ave N while the Transfer Station work continues and act as a speed mitigation. The Traffic Safety Commission has provided more funds for traffic emphasis. There will be an additional officer on while we have the funds available. We met with WA Fish and Wildlife and they commended the City for the work we have done on the ditch along 167 in the north side of town. They even asked us to dig it deeper. We are working with them on the next steps for the south end where we do need to get a permit with Fish and Wildlife. This has been a big win for the flooding issues.

Jessica Griess, City Clerk - Since October 9th is a holiday, Council agreed to move the meeting to October 16th. Preliminary budget will be presented at the first meeting of October. Will be attending the Washington Finance Officers Association Conference next

week. The land dedication is officially set for October 5th at 11:00 on the wetland preserve. Public Work is clearing an area for the dedication to take place.

Mayor Troy Linnell - Attended the KC Parks grants awards. We received a million for the wetland preserve. That goes along with the \$600,000 from the state. Also attended the SCA networking dinner with Jessica. The group from the FIFA planning committee presented. Something like 4 billion people tune in to the FIFA world cup. It has come to my attention that we illegally cleaned the 167 ditch. We did not. There is an agreement in place that authorizes the city to maintain the ditch and I thank whoever called the Fish and Wildlife department. Since they called, we were able to meet with the state and show the work we have done. He even said we need to dig two-three feet deeper. We will be working with him on the south end of town. We continue to work on flood mitigation projects.

8. Audience Participation

The City Council encourages public participation during meetings of the City Council and welcomes your comments. This time is set-aside for you to speak to the City Council on any issue. The Council ordinarily takes non-agenda matters under advisement before taking action. You are also invited to comment on action items as they are considered during the meeting. Individual speakers will be limited to three (3) minutes each in addressing the City Council. When addressing the Council, please speak clearly and audibly and state your name and address for the record.

Tobi Holland, 205 9th Ave N - Are there any fish in the streams?

Mayor Linnell responded that there currently isn't, but we are working to revitalize it to allow for fish again.

9. Discussion

A. Resolution 1260-23, Tacoma Blvd Water Main Replacement Project Bid Award

Public Works Director Avery briefed the Council on the recommended bid out of the six received for the Tacoma Blvd Water Main Replacement project. The recommended bid is from Rodarte Construction in the amount of \$277,921.03.

B. Waste Management New Rate Structure

Laura Moser presented the new rate restructure at the August 28th Workshop meeting. The City is looking at nearly a 15% increase in cost for garbage. Staff is working hard looking at other alternatives.

C. Ordinance 1224-23, Amending Ch. 15.04 International Codes and Ch. 2.43 Building Official

Council reviewed Ordinance 1224-23 for the second time. Zach Lell, City Attorney, briefed the Council. The Ordinance clarifies the enforcement power for the building official. It's more of a housekeeping measure.

10. New Business

11. Ordinances & Resolution

- A. Ordinance 1225-23, Interim Amendment to AMC Ch. 22 Open Space/Critical Areas
- Item removed from agenda -

12. Executive Session

- A. Executive Session pursuant to RCW 42.30.110(1)(i) for the purpose of discussing potential litigation with legal counsel.

Mayor Linnell started the Executive Session for 10 minutes. The Council is anticipating to take action after the session. An additional 10 minutes was announced during the session.

Zach Lell, City Attorney, offered the following language for the first motion: *I move that the City add two items to the agenda for tonight's meeting related to the enforcement and abatement of code violations and public nuisance conditions at the premises located at 331 Tacoma Blvd.*

Council Member Thomas so moved the offered motion. Seconded by Council Member Fairley. Voting Yea: Council Member Franco, Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas

Zach Lell, City Attorney, offered the following language for the second motion: *I move that the City Council acknowledge and declare the conditions at 331 Tacoma Blvd as a public nuisance, authorizes the Public Works Director, with approval by the Mayor, to negotiate and execute a Voluntary Correction Agreement (VCA) with responsible party for the code violation and public nuisance conditions located at 331 Tacoma Blvd providing for remediation and correction thereof, any VCA shall be in a form approved by the City Attorney and contain at a minimum the following parameters: the responsible party's concession of the violation and public nuisance condition, a compliance schedule not to exceed six months for the remediation and correction at the responsible party's sole expense of said violations and nuisance condition, authorization for City Staff to enter the property to verify compliance status, a waiver of all defense, authorization for the City to enter and abate the property charging all expenses to the responsible party if they fail to comply, recoupment of the legal and city staff time and fees for executing the agreement, and any other provision deemed necessary by the Mayor or Director.*

Council Member Thomas so moved the offered motion. Seconded by Council Member Fairley. Voting Yea: Council Member Franco, Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas

Zach Lell, City Attorney, offered the following language for the third motion: *I move that the City Council authorize the Mayor to take all necessary and appropriate measures including without limitation the initiation of civil litigation in order to ensure the remediation and correction of the violation and nuisance condition located at 331 Tacoma Blvd.*

Council Member Thomas so moved the offered motion. Seconded by Council Member Fairley. Voting Yea: Council Member Franco, Council Member Cook, Council Member Fairley, Council Member Osborn, Council Member Thomas

13. Next Workshop

No workshop.

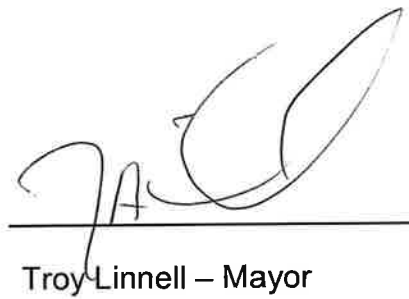
14. Adjournment

Mayor Linnell adjourned the meeting at 7:53 PM.

ATTEST:



Jessica Griess – City Clerk



Troy Linnell – Mayor