



**CITY OF HOQUIAM
Council Meeting Minutes**

August 13 2012

CALL TO ORDER

Mayor Durney called the meeting to order at 7:00 p.m. Councilmember Nelson led the flag salute.

ROLL CALL

In attendance at the meeting were Mayor Durney and Councilmembers Carlstrom, Dickhoff, Diehm, Grun, McMillan, Moir, Nelson, Pellegrini, Swope, Wiedl and Winkelman. Absent from the meeting was Councilmember Smith.

Staff in attendance were Police Chief Jeff Myers, Interim Fire Chief Paul Dean, City Librarian Mary Thornton, City Attorney Steve Johnson, City Administrator Brian Shay, Finance Director Mike Folkers and Council Secretary Tracy Wood.

PUBLIC HEARING

**Appeal of Sign Code
Order – Timberland Bank**

Councilmember Moir moved to open the hearing at 7:02 p.m. The motion was seconded and passed by voice vote. Mayor Durney read the fair hearing doctrine. Councilmember Winkelman asked to abstain from voting on this issue as his law firm represents Timberland Bank. Timberland Bank was issued an order to remove a pole sign located on their property at 305 8th St. They are appealing the order to remove the sign. Parker and Winkelman submitted a letter to the council for the hearing on behalf of Timberland Bank stating their intent to keep the sign and why they do not believe they should remove it. Mr. Shay stated that staff was in attendance if anyone had any question. There were no questions. Mr. Shay stated that the code allows for monument signs in the downtown area. Over the past year several businesses were asked to remove pole signs and complied with that request when their signs were determined to be nonconforming uses.

Councilmember Wiedl asked why the motel was not being required to move their sign. Mr. Shay explained that they are an operating business and the sign was in place before the code changed to not allow these signs. As such they are allowed to keep their current sign. The building in question at 305 8th Street was closed for over 60 days and was not open and occupied. This resulted in the request to have the sign removed as it no longer met the code and had become a nonconforming use. If any other business in the downtown area with one of these signs were to close and not be occupied for over the 60 days they too would be asked to remove their pole sign. Councilmember Grun asked if they were aware of the nonconforming use option. Mr. Shay explained that due to the amount of work that they did during their remodel of the



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building Timberland needs to bring their building/sign into conforming use (up to current code). Councilmember Wiedl asked if they were told that the sign needed to be removed. Mr. Shay stated that in the packet of information provided to the council it shows that they were told over a year ago that the pole sign would need to be removed. Councilmember Grun asked if the City was still going to work with them to try and resolve the issue. Staff stated that they have been instructed by staff to comply with the ordinance, they appealed the order received from staff and now it is up to the council to act on the appeal. Mr. Shay stated that staff has interpreted the code correctly. Councilmember Moir moved that staff proceed with the issue as the ordinance dictates, with denial of the appeal. The motion was seconded and passed by voice vote.

**Moratorium on Medical
Marijuana Collective
Gardens**

Councilmember McMillan moved to open the hearing regarding the Moratorium on Medical Marijuana Collective Gardens at 7:14 p.m. The motion was seconded and passed by voice vote. Mr. Johnson explained that we are required to revisit this issue every 6 months to extend the moratorium. There were no public comments and Councilmember McMillan moved to close the hearing at 7:15 p.m. The motion was seconded and passed by voice vote.

**COMMUNICATIONS
Smoke Free Places**

Karolyn Holden, Gray Harbor County Health Department, made a presentation to the Council regarding smoke free spaces and the health hazards of second hand smoke. The County has been the recipient of a federal grant and will provide small grants to the communities for new signage. The City passed an ordinance at the last council meeting restricting smoking in all public parks.

Non Smoking Places

Mr. Jeff Cook, Aberdeen City Councilmember, spoke regarding the actions the City of Hoquiam is taking regarding non-smoking on city properties/public spaces. He commended the City Council for getting this through.

Senior Center

Mr. Dave Forbes, 2216 Aberdeen Avenue, Hoquiam, stated that the improvements to the Old Senior Center look really good.

CONSENT AGENDA

Councilmember McMillan moved to adopt items a through c on the Consent Agenda as presented and the motion was seconded. Those items appearing on the agenda were as follows:



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- The Hoquiam City Council Minutes of July 23, 2012;
- The Regulatory Committee report recommending approval and payment of claim check numbers 75155 through 75356 in the amount of \$645,822.52; ACH and EFT deposits in the amount of \$451,737.80; and payroll check numbers 25616 through 25687 in the amount of \$223,404.26;
- A request for approval of acceptance and release of retainage and bonds for the completion of work done by Rognlin's, Inc. on the Senior Center Façade Improvements in the amount of \$57,668.37.

The motion for approval of the consent agenda passed by voice vote.

COMMITTEE REPORTS

Watershed Committee

**Interlocal Agreement for
Forestry Services**

The Watershed Committee recommends that their committee study the Interlocal Agreement with Montesano for Forestry services further and that they bring back a formal recommendation to the Council on September 10, 2012. Councilmember Grun moved to adopt the report, the motion was seconded and passed by voice vote.

**Public Safety Committee –
Jail Contract with DOC**

The Public Safety Committee made a recommendation that the Mayor be authorized to sign a jail services contract with the Department of Corrections. Councilmember McMillan moved to adopt the report. The motion was seconded. Representatives from the Department of Corrections and Chief Myers spoke briefly regarding the need for these services. The motion for approval passed by voice vote.

My ID Club

The Public Safety Committee made a recommendation that Council authorize the Police Department to sign an agreement with My ID Club. Councilmember McMillan moved for adoption of the report. The motion was seconded. Chief Myers explained that the program offers parents photo ID's of their children that can be used for several different things. There is no cost to the city as we are partnering with the City of Montesano. The motion for approval passed by voice vote.

OFFICER REPORTS

Warrant Sweep #7 and #8

The Police Department provided a written report to the Council regarding two recent weekend warrant sweeps. A total of 49 defendants were booked into the city jail on a combination of warrants and court commitments. Ten were female and 39 were male. Five posted bail resulting in the collection of \$6,500 in



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bail money. A total of 78 warrants were cleared during this 10-day open jail session.

2012 Quarter 2 Financial Report

Mr. Folkers presented information regarding the 2012 Quarter 2 Financial Report which was completed the end of June. At this time all funds are within budget projections with expenditures sitting at approximately 67%. Revenues are slightly down but still within acceptable budget parameters. Sales taxes are down 3.6%; B&O down 20%; but utility taxes are up by 2%. General Fund revenues down approximately 10%; ambulance fees are up 9%; and investment income has dropped dramatically.

Timber Sale

The City recently called for bids on approximately 10 acres of timber harvest. There were two bids received as follows: Sierra Pacific Industries \$178,104.00; and Dahlstrom Lumber in the amount of \$126,200. Staff recommends that the Council award the bid to Sierra Pacific as the apparent high bidder. Councilmember McMillan moved to approve the staff recommendation and award the bid to Sierra Pacific. The motion was seconded and following a brief discussion, passed by voice vote.

Surplus Equipment Fire Department

Interim Chief Dean provided information to the Council regarding a request to surplus a Transfer Switch purchased approximately 3 years ago. The Company that is currently servicing the generators at the Fire Department have offered to take the switch on trade against the current bill and in exchange for a remote sensor panel work approximately \$600. A Resolution will be considered later in the meeting to consider this request. Councilmember Moir moved to accept the recommendation made in the officer report. The motion was seconded and passed by voice vote.

MAYOR'S REPORTS

Taxi Cab Insurance

Mayor Durney provided the Council with information regarding insurance requirements for taxicabs. The wording in the current ordinance needs to be upgraded to fit current commercial auto policies which tend to be written on a single limit (bodily injury and property damage combined). Councilmember McMillan moved to approve the proposed language and have staff bring back an ordinance to the Council. The motion was seconded and passed by voice vote.

Upcoming Events

Mayor Durney spoke briefly about upcoming events as follows:

- The On Track Art Festival will be held 8/25-26, 2012;



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- Loggers Playday will be 8/8/2012;
- **THE GREAT SHAKEOUT** International Earthquake Exercise on 10/18/2012;

Improvements to Parks

Mayor Durney briefly discussed the history of the wading pool at Pocklington Central Play Park; and the recent improvements that have been made to 4 of the neighborhood parks. He also spoke briefly regarding the recent remodel to the main fire station.

**LEGAL BUSINESS
ORDINANCES**

**Moratorium on Medical
Marijuana Collective
Gardens**

An Ordinance of the City Council of the City of Hoquiam; extending a moratorium on the licensing and permitting of Medical Marijuana Collective Gardens for an additional six months. Councilmember Moir moved for adoption of the ordinance. The motion was seconded. The ordinance was read by title a second time after which the motion passed by a vote of 9 to 2 with Wiedl and Carlstrom voting no.

Smoking in Public Places

An Ordinance relating to smoking in public places; adding a new Section 5.36.030 to Chapter 5.36 of the Hoquiam Municipal Code; and adding a new Section 5.36.040 to Chapter 5.36 of the Hoquiam Municipal Code. Councilmember Moir moved for adoption of the ordinance and the motion was seconded. Following a brief discussion on the rights of the citizens, Councilmember Moir called for the question. Mr. Folkers read the ordinance by title a second time after which the motion passed by a vote of 9 to 2 with Wiedl and Winkelman voting no.

RESOLUTIONS

**Surplus Property – Fire
Department**

A Resolution declaring certain personal property owned by the City to be surplus items pursuant to Hoquiam Municipal Code Section 1.64.005, 1.64.010 and 1.64.020. Councilmember McMillan moved for the adoption of the resolution and the motion was seconded. The Resolution would surplus a transfer switch no longer needed by the Fire Department. The motion to approve the Resolution passed by voice vote.

**Surplus Property – Water
Department**

A Resolution declaring certain personal property owned by the City to be surplus items pursuant to Hoquiam Municipal Code Section 1.64.005, 1.64.010 and 1.64.020. Councilmember McMillan moved for the adoption of the resolution and the motion was seconded. The Resolution would surplus a 1989 John Deere mower no longer needed by the Water Department. The motion to approve the Resolution passed by voice vote.



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**Surplus Equipment –
Community Services
Department**

A Resolution declaring certain personal property owned by the City to be surplus items pursuant to Hoquiam Municipal Code Section 1.64.005, 1.64.010 and 1.64.020. Councilmember McMillan moved for the adoption of the resolution and the motion was seconded. The Resolution would surplus an Echo Backpack Sprayer no longer needed by the Community Services Department. The motion to approve the Resolution passed by voice vote.

**Surplus Equipment –
Police Department**

A Resolution declaring certain personal property owned by the City to be surplus items pursuant to Hoquiam Municipal Code Section 1.64.005, 1.64.010 and 1.64.020. Councilmember McMillan moved for the adoption of the resolution and the motion was seconded. The Resolution would surplus miscellaneous computer and office equipment no longer needed by the Police Department. The motion to approve the Resolution passed by voice vote.

**OTHER LEGAL
Sewer Force Main**

Included in the Council packets was an agreement with HDR Engineering to provide project management and biological assessment duties for the Sewer Force Main Project. Councilmember McMillan moved to authorize the mayor to sign the agreement and the motion was seconded. A brief discussion followed on the redundancy of some studies that are being required for projects. Following this discussion, the motion to authorize the Mayor to sign the agreement passed by voice vote.

**Athletic Fields/Facilities
Agreement – Hoquiam
School District**

Council was provided with a lease between the City of Hoquiam and the Hoquiam School District for use of the athletic fields for the 2012-2013 school year. The School District will pay the City \$20,000 for field use as outlined in the agreement. Councilmember McMillan moved to authorize the Mayor to sign the agreement and the motion was seconded. Councilmember Grun moved to amend the agreement under item Item 7 to increase the to increase the use of lights from 10 to 15. The motion was seconded but failed by voice vote. The main motion to approve the lease agreement and authorize the Mayor to sign on behalf of the City passed by voice vote.

**NEW BUSINESS
Fire Department
Equipment Needs**

Councilmember McMillan asked the Mayor to consider forming a committee to discuss fire department vehicle needs, replacement, etc. Mayor Durney asked if there was interest in serving on this Committee. Councilmember McMillan, Nelson and representatives from the Fire Department will serve on the committee.



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Excuse Absent Members

Councilmember Moir moved to excuse the absent members who notified the city. The motion was seconded and passed by voice vote.

Pets in Parks

Councilmember McMillan moved to have the Public Safety Committee look into the issue of pets in the public parks. The motion was seconded and passed by voice vote.

ADJOURNMENT

Councilmember McMillan moved to adjourn the meeting at 8:24 p.m. The motion was seconded and passed by voice vote.

JACK DURNEY – Mayor

TRACY WOOD – Council Secretary