



## NORTH BONNEVILLE CITY COUNCIL

Mayor Don Stevens  
Councilmember Tom Flanagan  
Councilmember Michael Hamilton

Councilmember Bob Bianchi  
Councilmember Mike Baker  
Councilmember Craig Forster

### Finance Committee Meeting Minutes Tuesday October 27, 2015 6:00 p.m.

**Roll Call:** all present

#### **Continued Business: Budget Review**

John Spencer provided the Council members with a 34-page draft budget document that has been under construction for several months. John spent approximately one hour walking the Council through each section explaining the City's various revenue sources and expenditure obligations affiliated with each of the City's 9 funds. John explained how revenue and expenses had been apportioned to the City's many different operations based on various activities and actions forecast for 2016.

He noted the document has been constructed to show revenues and expenditures since 2012 as to afford the public an opportunity to see how revenue sources and their uses have fared overtime relative to expenditure demands.

Council members asked any number of questions about the budget calendar; the origin of revenue sources; various types of expenditures associated with different operations; the Mayor's budget message; the City's organization chart; interfund transfers and projected payroll among the items queried.

Based on the Council's input, John will modify the draft budget document and provide an updated one for further review at the November 10<sup>th</sup> Council meeting.

**Adjournment:** 7:00 P.M.



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### City Council Meeting Minutes Tuesday October 27, 2015 7:00 p.m.

**Meeting Call to Order** 7:05 PM

**Roll Call:** All present

**Audience:** 12 persons present

**Pledge of Allegiance**

#### **Agenda Changes & Additions**

#### **Public Hearing: Second Revenue Hearing on 2016 Budget and Related Matters**

Mayor Stevens opened up the second public hearing noting the City is required to have two hearings during the budgeting process to assure adequate public input. He noted next year's budget is predicted to be slightly smaller than this year due to a decrease in utility tax revenues and because considerable of the CDBG funds that were placed in this year's budget as grant income will be expended in 2015. He noted the Ad Velorum Tax, the 1% property tax, would generate approximately \$2,000 in new monies. Cheryl Jermann requested the City set aside tourism dollars for economic development purposes. Bev Charlton requested revenues be earmarked in the 2016 budget for the community garden.

#### **Consent Agenda**

#### **Approval of October 13, 2015 Minutes and October 27<sup>th</sup> Invoices/Receipts less the Sierra Springs [Drinking Water] invoice 23366**

Councilor Baker made a motion to approve the minutes and invoices and seconded by Councilor Bianchi

Yes Councilors Bianchi, Forster, Flanagan and Baker

No

Abstain Councilor Hamilton

Passed 4-0-1

#### **Approval of Sierra Springs [Drinking Water] invoice 23366**

Councilor Bianchi made a motion to approve invoice 23366 and seconded by Councilor Forster

Yes Councilors Bianchi, Forster, Flanagan and Baker

No Councilor Hamilton

Abstain

Passed 4-1-0

**Guest Presentations:** None

#### **Public Comment:**

**Irene Bitikofor** noted that the City requires those who leave town for the winter to continue making monthly payments unless they are gone a minimum of 6 months. She requested this policy be modified, as it appears to target the snowbirds. She also said our monthly utility rates were too high. She also

wished to thank the public works crew for fixing the roads.

**J.B Tennison sought** a clarification of whom he should seek out in the City government structure to address his needs and noting the Stevenson Fire Chief advised him that he went directly to the Council for assistance.

**Attorney Woodrich** interjected that the fire chief was a department head and thus reported to the Mayor; essentially the Mayor was his boss.

**Cheryl Jermann** brought to the Council's attention that the BNSF railroad intends to construct a side track in North Bonneville next year for purposes of parking a train while another ones passes by. She said that she became aware of this project while reading the Skamania County Pioneer legal notices, as apparently there was no direct effort by the railroad or other public agencies to contact the City. She noted this was the second legal notice so the City needs to respond quickly if we desire to comment. She expressed concern if there was not sufficient coordination between the City and the railroad that certain roads could be blocked placing area citizens at risk during the construction. Cheryl also asked that all the streetlights shut off earlier this year be turned back on for safety reasons.

**Robyn Legun** advised the Washington State Liquor Control Board had granted the Public Development Authority [PDA] an endorsement allowing them to also sell medical marijuana [in addition to recreational marijuana] starting in July of 2016.

#### **Councilor Comments**

**Councilor Forster** commented this was the first he had heard about this railroad project and wondered what influence we had over its development?

**Mayor Stevens** suggested Attorney Woodrich provide the Council insight into the City's authority to influence the railroad project.

**Attorney Ken Woodrich** said the City's ability to influence the railroad's decision making was limited because federal authority preempted local land use controls over this form of transportation with the possible exception of an ability to address safety related concerns under provisions of the Federal Railroad Safety Act. Ken noted that we do have a gas line in proximity to the railroad tracks and we need to be able to assure North Bonneville residents have the ability to safety ingress and egress their property during project construction. Thus, the City can put in place some local regulation to assure public safety although there is a question of how enforceable that action. He said to keep in mind the railroad and the Interstate Commerce Clause pretty much trump local actions to influence railroad outcomes. Also railroads predate the advent of civilization as we know it and thus their right-of-way has priority over other considerations.

**Councilor Bianchi** thanked Cheryl for calling this matter to the City's attention. He said we need to find out how the railroad intends to address storm water runoff impacts resulting from the construction and also noting the viaduct that serves to transport traffic to the resort is so narrow as to impair traffic access. He said it would be nice if we could convince the railroad to widen the viaduct so two cars traversing the roadway underneath could pass one another with some level of safety margin.

**Tom Jermann** said that the railroad would need to comply with the Washington State Environmental Policy Act [SEPA].

**Attorney Woodrich** advised that the railroad only filled out the SEPA review as an act of courtesy. He said there is a reality, if push comes to shove, the railroad could ignore SEPA.

**Steve Hasson** asked if the railroad was subject to NEPA and Ken said yes - to the extent the National Environmental Act was involved in this project they would have to comply.

**Mayor Stevens** we need to research this issue and figure out how best to approach this concern.

**Councilor Baker** I would be receptive to looking at the 6-month shutoff utility provision.

**Councilor Hamilton** it would appear from the information I have read that the railroad did their due diligence by placing two small ads in the business section of the newspaper. Apparently, that was the minimal amount of noticing they had to provide and fortunately Cheryl picked up on their second notice.

He also noted he was receptive to looking at the 6 month utility shutoff timeframe.

**Mayor Stevens** said to JB Tension that if he had questions or concerns he was available to respond to his needs anytime. He commented on Irene's concern about the 180 day utility shutoff provision suggested that it should be reviewed and noting the utility code was instituted many years ago. He also noted that all of us were unaware of the train issue. He suggested formation of a committee to develop a plan for how best to approach this issue and noting the federal government's overriding jurisdiction. He said he would like to work with the railroad to assure whatever they do here has the least amount of community impact. He encouraged anyone interested in addressing this issue to contact him or City hall and that he planned to place a notification in the newsletter to alert citizens. Finally, he said after reflection he was in agreement with the streetlight concern and believes they should be turned back on.

**Administrator's Report** None

**City Attorney's Report:** Attorney Woodrich noted that he had forwarded information to the City about railroad's jurisdictional authority that should be distributed.

**Unfinished Business:** None

**New Business**

#### **Cleaning Contract with Clean World Maintenance Incorporated**

Councilor Baker made a motion to accept the cleaning contract and seconded by Councilor Forster.

Yes Councilors Bianchi, Forster, Flanagan and Baker

No

Abstain Councilor Hamilton

Approved 4-0-1

#### **Ordinance 1055 - an Ordinance of the City of North Bonneville, Washington, amending North Bonneville Municipal Water Code 13.04**

Steve noted the intent of this action was to provide a more informal due process for those citizens whose billings were in arrears to the extent they were subject to water shutoff.

Councilor Bianchi made a motion to approve Ordinance 1055 and seconded by Councilor Baker.

Yes Councilors Bianchi, Forster, Flanagan, Hamilton and Baker

No

Abstain

Approved 5-0-0

#### **Ordinance 1056 - an Ordinance of the City of North Bonneville, Washington, amending North Bonneville Municipal Wastewater Code 13.12**

Councilor Bianchi made a motion to approve Ordinance 1056 and seconded by Councilor Baker.

Yes Councilors Bianchi, Forster, Flanagan, Hamilton and Baker

No

Abstain

Approved 5-0-0

#### **Closing Public Comments**

**JB Tension** asked the Mayor to consider resigning his Mayoral position or face a recall because there was a movement afoot to gain signatures for that purpose.

**Cheryl Jermann** said that a couple parking spots should be set aside in the CBD to assure the locals have spaces when there is disc golf tournament that otherwise has the capacity to consume all parking spots as it did this last weekend. She also thanked the public works individuals for picking up the trees in proximity to her property.

**Closing Council Comments**

**Councilor Hamilton** noted there was a letter to the editor in the Skamania Pioneer about possible financial reporting discrepancies associated with the Cannabis Corner.

**Mayor Stevens** noted there were two letters in this week's Pioneer that address and dispel this financial concern.

**Adjournment**

Councilor Forster made a motion to adjourn the meeting and seconded by Councilor Bianchi.

Yes Councilors Bianchi, Baker, Hamilton, Flanagan and Forster

No

Abstain

Approved 5-0-0

Meeting was adjourned approximately 8:00 PM

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**Mayor**

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**City Clerk**