



NORTH BONNEVILLE CITY COUNCIL

Mayor Don Stevens
Bianchi

Councilmember Bob

Finance Committee Meeting Minutes Tuesday April 26, 2016

Roll Call6:35 P.M. Councilor Bianchi [excused absence]

Unfinished Business

Devin Jackson from AKS Engineering provided the Councilors an update on efforts to rehabilitate Evergreen Drive. He provided the Council with a preliminary copy of the plan set. He said traffic control discussions were underway with WSDOT for purpose of coordinating this effort. He estimated the coordination cost at \$1,100. He advised the council that a portion of this roadway will be closed for upwards of a day but that the contractor would be obligated to provide the motoring public significant advanced notice of that closure process. He noted that only one lane of traffic will be closed at a time. He advised that the core sampling process had been completed and the analysis identified that the Evergreen Drive asphalt averaged 2 ½ inches in thickness and would be replaced with a 3-inch overlay.

Devin said the roadway construction as well as the replacement of the transit water line would be accomplished within an estimated 20-day time period. He said the next step in the improvement process would be identifying a staging area and there were two [2] candidate sites available for that purpose. He noted that AKS was finishing up with the construction bid package that would then be submitted to the Washington State Transportation Improvement Board [TIB] for contract review. Steve clarified the intent was to have one contractor do both the transportation improvement and replacement of the water line. He noted it was likely that the contractor would subcontract the water line improvement. Steve said TIB will pay 95% of the transportation improvement costs and the City will pay 100% of the costs associated with water line replacement, which is estimated to be \$80,000 and also noting the Council has budgeted that sum as part of this year's budget. Devin said the project should be done by August if all goes well.

New Business

Steve advised the Council that two individuals had expressed an interest in acquiring a City lot within the last week and noting it has been 8years since the City sold any of its property. He said this new found interest was indicative of the Skamania County real estate market making a strong recovery. Steve noted that the City continues to have few rental dwellings for lease or residences available for sale and meantime, there is increased interest in subdividing and developing property in North Bonneville to apparently include the acquisition of City property.

Steve noted that Tom Jermann had constructed several documents to be found in the council packet to include a list of City owned property, a map of City lots that have been sold or could be sold, an inventory of City land sales and the price of City properties sold since 2000. Steve said the sale of public property is a two-edged sword: on the one hand, developable City property is a resource and it is always helpful to have some resources [assets] set aside for a rainy day. On the other hand, the sale of public property to a private concern not only provides an infusion of cash but also places the property on the tax roll, which then provides the City a long-lasting revenue stream. Steve said that if the City council is interested in selling its public property, there are State directed prescriptions that need to be followed in its disposal. With this in mind, Steve asked the Council to give thought to whether or not they were receptive to selling City land so that staff could advise the public of that position. **Adjournment 6:55PM**



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City Council Meeting Minutes Tuesday April 26, 2016

Meeting Called to Order 7:03 P.M.

Roll Call: Councilor Bianchi [excused absence]

Audience: 9

Pledge of Allegiance

Agenda Changes & Additions -a request to excuse Councilor Bianchi under new business

Consent Agenda

Approval of April 12 Minutes and April 26th Invoices

Councilor Forster made a motion to approve the minutes and seconded by Councilor Whitcomb

Yes Councilors Sabo, Norris, Whitcomb and Forster

No

Abstain

Passed 4-0-0

Guest Presentations:

Public Comment:

Mike Hamilton responding to an inquiry by Councilor Norris that he did not understand the need for the City having so many phone providers, noting he had combined two [2] of these carriers and paid half the costs by that combination; the point being: that having phone carrier options was not a bad thing. Mr. Hamilton also noted that he recently went to refinance his mortgage and found he had to pay for a photographer to come out and take pictures of his house because the City had pursued a federal emergency declaration due to the November and December windstorms.

Julie Sabo expressed a concern about the possibility of the City selling the M19 property and having it utilized for marijuana growing purposes.

Diane Hamilton provided an overview of the purpose and intent of constructing the Facebook site known as *Reclaiming North Bonneville* and noting a public disclosure request had been filed concerning its content. She identified herself as one of its administrators and expressed the value the site provides the community. She said its presence builds a sense of community and trust. She noted the site was closed but certainly available to those living in North Bonneville.

Councilor Comment:

Councilor Forster note he was on this closed site but only for purpose of sharing information and as another means to be available to his constituents and certainly not to be part of a conspiracy.

Mayor Stevens noted that the emergency declaration was not enacted for purpose of causing undue hardship [or unintended consequences] but to facilitate allocation of resources to address the storms impacts. The Mayor also noted the City had received yet another public disclosure request and wanted to extend an opportunity to the Councilors to come by City Hall and ask for information and City staff will do what they can to make the information readily available. He said it was not his intent to dissuade anyone from using that public information process but noted this method of procuring information is time consuming and costly because of statutory protocols and a possible need for attorney review.

Administrator’s Report:

Steve built on the Mayor’s comments noting that significant time has been spent over the past three years to organize the City into 400 topic subjects with that information readily available on request.

City Attorney’s Report

Attorney Ken Woodrich touched on the public disclosure process noting that both the Washington Legislature and Washington Courts have made it abundantly clear that they embrace the sunshine laws [blue sky laws] intended to make public processes transparent. He reminded Councilors of the need to go through training courses that had been established to familiarize them with their legislative roles. Mr. Woodrich noted the City has received two [2] recent public records requests dealing with social media. He said just the fact that a councilor or the administrator is having a conversation with someone does not necessarily mean it is subject to a records request. However, if during that conversation the topic turns to City government, that conveyance becomes a public record regardless of whether its expressed by way of email, Facebook, Twitter, LinkedIn or other similar avenues. And in this circumstance the City has to be able to respond to a record requestor’s request. Thus, councilors need to know at what point their conversation becomes a public record. Similar to the open meetings act, you need to know when you’re in that discoverable status. Mr. Woodrich suggested the City come up with a social media policy to assist councilors in understanding their public disclosure obligations. He noted councilors are politicians and need to converse with their constituency but it would be his preference they do this one on one. He said Washington courts are wrestling with this matter as we speak because there is a Constitutional right to free association and certain privacy protections that conflict with provisions of public disclosure. Mr. Woodrich said until the courts provide some further guidance he would recommend the councilors err on the side of caution. He asked the councilors to timely provide the affidavit of diligence search with respect to the recent public disclosure request so not to place the City in a liability position. **Diane Hamilton** asked Mr. Woodrich some hypothetical questions to help her understand when a conversation may be subject to disclosure. Mr. Woodrich noted that when someone makes a records request, there is no discretion on the part of the City to inquiry why they need the information. **Mayor Stevens** noted just because something is subject to a public records request does not mean they have done anything wrong. **Councilor Sabo** interjected that even with the training available there is very little information about addressing public media issues. He said that when staff provides documents it is important not to hit reply all when responding as that action trespasses against the open meetings act. He said we need a social media policy and it should be extended to the NB Planning Commission and the NB Public Development Authority [PDA]. **Mayor Stevens** noted he has been on the MRSC website to gain information about social media. **Councilor Sabo** also noted the Washington Attorney General has provided some guidance. He said if we are going to move forward we need to build a trust level between the administrative and legislative bodies because we [collectively] have a problem that needs timely resolution. Steve said it was likely that staff could construct a draft social media policy for the next council meeting to be held May 10.

Unfinished Business none

New Business

Excusing Councilor Bianchi from this evening’s council meeting

Councilor Forster made a motion to excuse Councilor Bianchi and seconded by Councilor Sabo

Yes Councilors Sabo, Norris, Forster and Whitcomb

No

Abstain

Approved 4-0-0

Seeking a new representative on the Skamania County Chamber Board

Councilor Sabo made a motion to have Councilor Forster serve as the City’s representative on the Skamania County Chamber Board and seconded by Councilor Whitcomb

Yes Councilors Sabo, Norris, Forster and Whitcomb

No

Abstain

Approved 4-0-0

Approving Ordinance 1066 – clarifying accessory building size

Councilor Forster made a motion to approve Ordinance 1066 and seconded by Councilor Sabo

Yes Councilors Sabo, Norris, Forster and Whitcomb

No

Abstain

Approved 4-0-0

Closing Public Comments

Mike Hamilton asked if the councilors were going to be reimbursed for the time and effort they expended attending to the Freedom of Information Act [FOIA] request. He said this all started when Steve Hasson sought information under FOIA. What right does a person living in Vancouver have to file such a request in NB. The Mayor can hardly complain about costs when his own administrator started this costly process.

Brian Dudley if the City sells some of its lands, like the M-19 property, located by my house, will it still control the zoning?

Closing Council Comments

Mayor Stevens responded to Mike Hamilton noting that there was no means available to compensate councilors for responding to a public records inquiry. The Mayor also responded to Mr. Dudley, assuring him that the City retains zoning authority over the lands it sells and that all City property is currently zoned and the City staff can advise what land uses are allowed in a given zone.

Adjournment

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

Yes Councilors Sabo, Norris, Forster and Whitcomb

No

Abstain

Approved 4-0-0

Meeting was adjourned approximately 8:07PM

Mayor

City Administrator