

Town of Oakesdale
TOWN COUNCIL MEETING MINUTES
For
September 6, 2011

**** PUBLIC HEARING FOR INITIATING THE PROCEDURES TO VACATE THE EAST-WEST ALLEY BETWEEN LOTS 2 AND 3, AND 1 AND 4, BLOCK 7, McCOY'S SECOND ADDITION – MAYOR DENNIS PALMER OPENED THE PUBLIC HEARING AT 7:00 P.M. PRIOR TO THE REGULAR COUNCIL MEETING. BEING NO PUBLIC COMMENTS THE PUBLIC HEARING WAS CLOSED AT 7:02 P.M.**

- I. **CALL TO ORDER:** Mayor Dennis Palmer called the meeting to order at 7:03 following the Public Hearing.
- II. **ROLL CALL:** Mayor Dennis Palmer, Tom Crooks, Tom Johnson and Al Evans. George Dewan arrived at 7:56 p.m. and Councilman Randy Robinson was not in attendance. Also present were Mary DeGon, Clerk/Treasurer; Keith Cooper, Town Marshal and Dick Brown, Public Works Director.
- III. **INTRODUCTION OF GUESTS:** Randy Noble, TD&H and Claudia Louk, Friends for Living Choices.
- IV. **TD&H:** Randy Noble gave a brief update on the First Street Sidewalk Project. The pre-con meeting was held today and work will begin this week. TD&H survey crew will provide control staking for Bacon Concrete. The project is to be completed by October 10, 2011. Randy also reviewed the supplement agreement with council on the section of sidewalk to be replaced on Steptoe. Al Evans made the motion to allow Mayor Palmer to sign the agreement. Tom Johnson seconded the motion, all council members voted yes – **motion passed**. Randy discussed the two TIB applications that were submitted last month. One application is for Small City Preservation Program (SCPP) for Steptoe and the other application was for Small City Arterial Program (SCAP) on Front Street. Awards will be announced towards the end of November 2011.
- V. **FIRSTWIND:** Not in attendance.
- VI. **APPROVAL OF PREVIOUS MEETING MINUTES:** Council members reviewed August 15, 2011 minutes. Tom Johnson made the motion to approve the minutes as written. Al Evans seconded the motion, all council members voted yes – **motion passed**.
- VII. **TOWN MARSHAL REPORT:** Keith Cooper submitted the police department's monthly report for August 2011. There were ten logged cases that included traffic offense, domestic disputes, theft, assault and citizen dispute. The new security system has been installed and is working. We have had some reports of children entering the old Mill Creek Inn building. We have attempted

several times to contact the owners by leaving messages that have gone unanswered. The front and rear entrance doors have been found open. Council members discussed sending a certified notice to the legal owners of the property to secure the premises.

VIII. PUBLIC WORKS REPORT: Dick Brown reported the wells are doing very good in keeping up with the water demand this summer. George Cotterill is still harvesting and should be back next week. We are getting ready for the sidewalk project. Mayor Palmer did get the green light from school officials to add two 40 yard dumpsters under the lean-to area for cardboard and paper recycling.

IX. OLD BUSINESS:

A. VACATING ALLEY – ORDINANCE NO. 606 – Al Evans made the motion to dispense with the reading of Ordinance No. 606 vacating the alley running between Lots 2 and 3, and Lots 1 and 4, Block 7, McCoy’s Second Addition to Oakesdale. Tom Johnson seconded the motion, all council members voted yes – **motion passed**. Tom Johnson made the motion to adopt Ordinance No. 606 vacating said alley reserving unto the Town a perpetual easement over, under, and across the alley for storm sewers, water, sewer, and natural gas lines, and for electrical transmission lines, telecommunication lines, and other utilities. Al Evans seconded the motion, all council members voted yes – **motion passed**.

B. FIRST STREET SIDEWALK PROJECT – UPDATE – The pre construction meeting was held today with Mayor Palmer, Mary and Dick present for Oakesdale; Randy Noble for TD&H and Greg Bacon for Bacon Concrete. We reviewed the following:

Contractor/Town/Consultant relationships, Utilities and other third parties, order of work schedule, subcontractors and agents, construction staking of work, project inspection, safety issues, material submittals, and environmental considerations.

C. BARTH PIT – Town Attorney, Stephen Bishop, confirms that Allen Barth and Patricia Barth are the last recorded owners on record for the pit. He suggested we should consider title insurance because there may be lien holders that we don’t know about who would be disclosed by the title report. The title insurance is part of having the title report prepared. He is estimating a cost of \$320 for the title insurance.

D. WATER HOOK- UP FEES – Tabled until our Town Attorney can be present for questions.

E. PROBLEM RENTAL PROPERTIES – Councilman Al Evans had a copy of a resolution used by the City of Pullman declaring a moratorium prohibiting medical collective gardens in all zoning districts within the City of Pullman, Washington. Council members discussed their ongoing concerns on the use of medical marijuana within our city limits. Council members would like to refer this resolution to our Town Attorney for legal advice. Al would like to see the Town bar the license dispensary of marijuana. We would need an ordinance for this action. Al also had a list from the Centers for Disease Control and Prevention (CDC) listing the top ten dangerous breed of dogs. He would like to see our

dog codes beefed up and gave some examples. Council members discussed their concerns with Pit Bulls and would like to see an example of a code recently adopted by the City of Tekoa banning the animals within city limits. Unfortunately, the Pit Bulls that are already licensed within our city limits would be grandfathered in. Al's recommendation on addressing dangerous dogs, *"Any person, owner, responsible party who has or keeps in their possession at least one of the above mentioned/listed dangerous dogs must meet the following requirements. A fence (permitted through) shall be erected that is a minimum of four (4) feet in height and continue and enclose the entire area that the animal (dog) will be enclosed. (a dog run) The fence is required by the owner/responsible person whether the dog is chained up or on a rope or tethered in the yard. The fencing shall comply with all other Town Ordinances. The fencing shall allow unrestricted access to Town utility workers for meter reading.* We will submit Al's suggestions to Stephen Bishop.

X. NEW BUSINESS:

- A. BIAS SOFTWARE UPDATE – NEW VERSION V.6** – BIAS Software is on a mission to convert all BIAS V.5 users to Version 6. BIAS Software launched V.6 in January 2010 to rave reviews. BIAS is offering the chance to convert to V.6 in 2011 and pay in 2012. They are scheduling 2011 V.6 conversions in September and October, first come first served. BIAS is offering a 10% discount on the 2012 BIAS User's Group Conference with the upgrade and a 2 year payment plan with payments beginning 2012. Council members discussed the upgrade and decided to move forward with the update allowing the Mayor to sign the acceptance of bid in December 2011 and budget the new version in the 2012 budget. The bid is good until 12/31/2011.
- B. CONSULTANT SUPPLEMENTAL AGREEMENT – STEPTOE SIDEWALK** – The sidewalk on Steptoe was added after we initiated the consultant agreement for the First Street Sidewalk Improvement Project. Since this addition was not within the scope of services of the engineering agreement, Gloria Bennett, TIB, agreed a Consultant Supplement Agreement should be agreed upon. Council members agreed to this supplemental agreement and made the motion earlier in the meeting under IV. TD&H.
- C. 2012 TIB APPLICATIONS** – TD&H have prepared two TIB applications for the Town of Oakesdale consisting of Small City Arterial Program (SCAP) for Front Street totaling \$496,250 and Small City preservation Program (SCPP) for portions of sidewalk of Steptoe totaling \$98,523. Council members received copies of both applications for their review.

XI. COUNCIL MEMBER'S BUSINESS:

GEORGE, AL, TOM J. AND TOM C. – Nothing at this time.

- XII. TREASURER'S REPORT/APPROVAL OF CHECKS:** Council members reviewed the Treasurer's Report, Check Register and Receipt Register for August 2011. Tom Johnson made the motion to approve paid checks #22456 - #22474 in the amount of \$8,094.39 for claims and \$5,552.75 for

payroll totaling \$13,647.14 from August 18, 2011 through August 31, 2011 AND EFT payment to WA State Dept of Revenue on 08/25/11 for \$505.84 for excise taxes and EFT payment to Electronic Fed Tax Payment System on 08/31/11 for \$1,670.17 for employee 941 taxes. Al Evans seconded the motion, all council members votes yes – **motion passed**.

XIII. **ADJOURNMENT:** Al Evans made the motion to adjourn the meeting at 8:10 p.m. Tom Johnson seconded the motion, all council members voted yes – **motion passed**.

ATTEST:

DENNIS PALMER, MAYOR

Mary DeGon, Clerk/Treasurer