

Town of Oakesdale
TOWN COUNCIL MEETING MINUTES
For
November 7, 2011

- ** PUBLIC HEARING FOR ADDITIONAL 1% PROPERTY TAX FOR COLLECTION IN 2012 TOTALING \$428.18 – Mayor Dennis Palmer opened the public hearing at 7:00 p.m. The dollar amount of the increase over the actual levy amount from the previous year shall be \$428.18 which is a percentage increase of one percent from the previous year. Being no public comments the public hearing was closed at 7:06 p.m.**
- I. **CALL TO ORDER:** Mayor Dennis Palmer called the meeting to order at 7:07 p.m. following the public hearing.
- II. **ROLL CALL:** Mayor Dennis Palmer, Randy Robinson, Tom Crooks, Tom Johnson, Al Evans and George Dewan. Also present were Mary DeGon, Clerk/Treasurer; Keith Cooper, Town Marshal and Dick Brown, Public Works Director.
- III. **INTRODUCTION OF GUESTS:** None
- IV. **APPROVAL OF PREVIOUS MEETING MINUTES:** Council members reviewed October 17, 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.**
- V. **TOWN MARSHAL REPORT:** Keith Cooper submitted a monthly report for the police department for October 2011. The report listed 14 cases consisting of citizen disputes, animal problems, traffic offenses and burglary. Randy asked Keith to check on code violation 5.04.090 referring to a boat parked on city right-of-way on McCoy that will interfere with plowing snow on the narrow street. Keith will talk to the owner about moving the boat. It was mentioned that a certain landlord is renting a mobile home that has had the water turned off for the past six months due to no payments being made on the account. Council members asked Keith to check with Department of Health on the concerns of renting property without water. It was suggested to not only lien the property owner for unpaid bills but also send them to collections. This will be referred to Stephen Bishop, Town Attorney.
- VI. **PUBLIC WORKS REPORT:** The hot patching of streets was finished at the end of October. The wells are running at normal capacity now that we are into the fall season. The water leak was fixed behind the old tavern and the frost free hydrant was replaced at the lagoons.
- VII. **OLD BUSINESS:**
- A. **2012 BUDGET –** Council members received an updated 2012 preliminary budget. The only changes that have been made since the last council meeting are the removal of the

\$50,000 excess levy funds. The levies were not submitted to Whitman County this year on time resulting in the Town not having levies on the General Election Ballot for November 8, 2011. Current Expense Fund 001 has a big beginning balance that can cover the \$20,000 safety levy shortage. The Street Fund 101 has a much smaller beginning balance that will disappear from the lack of \$30,000 from a street levy. Council members did not have any additional changes to the budget. There will be a preliminary 2012 budget public hearing at the next council meeting on Monday, November 21st before the regular council meeting.

- B. FIRST STREET SIDEWALK UPDATE** – As of October 10, 2011, the Town of Oakesdale assumed full and unrestricted use of the project constructed by Bacon Concrete, Inc. The only exceptions to the unrestricted use were the installation of the pedestrian railroad crossing which was delayed by the Washington and Idaho Railway Company and the installation of the two street lights which were delayed due to the change to LED luminaries. On October 10, 2011 is considered the date of Substantial Completion. The contract time ended on that date. The final acceptance inspection was conducted on October 6, 2011. All items on the punch-list have been completed except for the street lighting items which are scheduled to be completed by mid December 2011.
- C. CAFÉ BUILDING** – Last Friday, one of the daughters of the deceased Rick Kuykendall, brought a copy of a letter from an attorney representing Kathy Gibson regarding the foreclosure of the café property due to the failure of making the last two payments. Kathy sold the café to Rick Kuykendall and apparently held the contract. Mary did call Kathy before we began the process of the Notice & Order to repair the building making sure she did not have any interests in the building. She confirmed she had sold the building to Mr. Kuykendall and had received all her money. The property taxes also show Rick the legal owner of the café. This letter was faxed to Stephen Bishop today and we are awaiting his guidance on the next step the Town needs to take to get that building repaired and up to code.
- D. PROBLEM RENTAL PROPERTIES** - We received an email from our Town Attorney, Stephen Bishop, following up on the questions from the last council meeting regarding Town Codes and if we can control what type of businesses can operate in Oakesdale. The Town cannot control the type of business in Oakesdale except as prescribed in the zoning ordinances. Al Evans submitted a copy of an Ordinance from Castle Rock, Washington relating to the land use and zoning controls regarding medical marijuana collective gardens. Council members had a very lengthy discussion on the direction the Town needs to have for medical marijuana. Keith Cooper will give Denis Tracy, Whitman County Prosecutor, a copy of this ordinance and invite him to our council meeting on December 5, 2011. Mary will fax our Town Attorney a copy as well and make sure he will be attending the first council meeting in December to discuss the medical marijuana collective gardens with Denis Tracy.
- E. WATER HOOK UP FEES** – Dick Brown submitted the cost of materials for installing a $\frac{3}{4}$ water meter set and a 1" water meter set. When you consider the cost of labor and other materials we are looking at a cost of \$1,500 for a water hook-up fee. Council

member's consensus was to change the water hook-up fees from zero to \$1,500. Mary will contact Stephen Bishop to make the necessary code changes.

VIII. NEW BUSINESS:

- A. CERTIFIED SEWER OPERATOR** – Council members were asked if we should continue having Duane Groom as our Certified Sewer Operator in 2012. We have been out of compliance with Department of Ecology twice in the past two years due to Duane not submitting the proper forms in a timely matter to DOE. Council members asked if the contract can be changed to state Duane would not receive his monthly compensation when the Town is out of compliance to DOE. This will be referred to Stephen Bishop. Council agreed to keep Duane on for 2012. Dick Brown will be retiring by June 2012 and it would be to our advantage to hire a Public Works Director who has his certifications in water and sewer.
- B. PROCLAMATION FOR AMERICA RECYCLES DAY** – The Town received a request from Judi Dunn-Gray asking for our Council Members to consider having the Mayor sign a proclamation to establish November 15, 2011 as “America Recycles Day” in Whitman County. Al Evans made the motion to allow Mayor Palmer to sign a proclamation that the Town of Oakesdale proclaims Tuesday, November 15, 2011 as America Recycles Day in Oakesdale, Washington, Whitman County. Randy Robinson seconded the motion, all council members voted yes – **motion passed.**
- C. RESOLUTION NO. 2011-326** – Randy Robinson made the motion to dispense with the reading of Resolution No. 2011-326 increasing the property tax from the previous year by one percent. Tom Johnson seconded the motion, all council members voted yes – **motion passed.** Randy Robinson made the motion to adopt Resolution no. 2011-326 increasing the actual levy amount from the previous year \$428.18 which is a one percent increase. George Dewan seconded the motion, four council members voted yes and one council member voted no – **motion passed.**

IX. COUNCIL MEMBER'S BUSINESS:

RANDY – We need to get the rest of the garbage off city right-of-ways using our Town Codes.

TOM C. – Nothing at this time.

TOM J. – Nothing at this time.

AL – He would still like to see the dog ordinances changed when it comes to any dog being unattended outside. Dog owners would need to have a kennel or fenced area for their dog(s) even if they are being tethered. This would help to prevent accidents and injuries. We are still waiting for a copy of Tekoa's dog ordinances from Stephen Bishop.

GEORGE – He would like to see an appreciation day for Bill Elkins from the Town and the Fire Department by the end of this year. The Fire Department will provide a service award and the Town can provide refreshments. Bill has dedicated many years of his life to this community and deserves the recognition. We will try to have this appreciation day before Christmas.

- X. **TREASURER'S REPORT/APPROVAL OF CHECKS:** Council members reviewed the Treasurer's Report, Check Register and Receipt Register for October 2011. Tom Johnson made the motion to approve paid checks #22551 - #22580 in the amount of \$128,054.62 for claims and \$9,174.56 for payroll totaling \$137,229.18 from October 20, 2011 through November 03, 2011 and EFT payment to WA State Dept of Revenue for excise taxes in the amount of \$641.57 and EFT payment to EFTPS for employee 941 taxes in the amount of \$1,573.45. Randy Robinson seconded the motion, all council members voted yes – **motion passed.**
- XI. **ADJOURNMENT:** George Dewan made the motion to adjourn the meeting at 8:45 p.m. Tom Johnson seconded the motion, all council members voted yes – **motion passed.**

ATTEST:

DENNIS PALMER, MAYOR

Mary DeGon, Clerk/Treasurer