

**KETTLE FALLS CITY COUNCIL MEETING**  
**OCTOBER 17, 2023**

**CALL TO ORDER**

Mayor Jesse Garrett called the meeting to order at 7:00 p.m.

**ROLL CALL**

Chris Shurrum, Jesse Garrett, John Ridlington, Dale Drake and Michael Weatherman.

**STAFF**

Staff - Larry Kulesza, Brandon Hoover, Dave Willey, Logan Worley, Phil Adams and Raena Hallam.

Guests - Karyss Heafer, Jody Emra, Brenda Whitehow and Mr. & Mrs. Farnam.

**ANNOUNCEMENTS AND MAIL RECEIVED**

Mayor Jesse Garrett stated there will be an Executive Session - RCW 42.30.110(i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to result in an adverse legal or financial consequence to the agency later during this meeting.

**PUBLIC COMMENT**

**BLUE WATER TANK ART DESIGN**

Karyss Heafer, Kettle Falls High School Student, stated she is 17 years old and is currently a senior at the Kettle Falls High School. She thanked everyone for allowing her to attend tonight's meeting so she can propose her senior project regarding the water tank. She explained she grew up in Kettle Falls and associates the water tank with Kettle Falls and thinks it is a staple in the community. However, it was and could use a makeover. Furthermore, when she heard there are funds for this project, she felt like it was a great opportunity to design a new logo.

Mayor Jesse Garrett suggested for her to discuss the project with Public Works Superintendent Dave Willey about the requirements as it will take special paint and is not any easy

project. However, he would like to review the drawings as he understands she is interested in this project.

Council Member John Ridlington asked for a cost to paint the front side of the tank.

Public Works Superintendent Dave Willey stated after reviewing the design he will have to figure out the type of paint needed because the tank retracts and expands throughout the year. He feels it is a viable project if he can find the correct paint.

Council Member Dale Drake stated he is excited to see the youth of the community getting involved.

### **CONSENT AGENDA**

As there was no Consent Agenda City Council moved on to Staff Reports.

### **STAFF REPORTS**

#### **CLERK/TREASURER**

#### **BUDGET WORKSHOP**

Clerk/Treasurer Raena Hallam stated she would like to schedule a Budget Workshop for Tuesday, October 24, 2023, at 6:00 p.m. and the next few Tuesdays, between the regular scheduled meetings, until the middle of November.

#### **ELECTED OFFICIALS ESSENTIALS**

Clerk/Treasurer Raena Hallam stated there is an Elected Officials Essentials seminar she handed out. She explained the training is required by RCW for elected officials and required through the city's liability insurance. She stated the seminar is ninety-five dollars (\$95.00) per person and the city would pay for it. However, if anyone would like to attend in person, they need to discuss it with the mayor, but it is also an on-line training and there are laptops available at City Hall to use.

Council Member John Ridlington asked if the city can get a projector to have the training at City Hall.

Clerk/Treasurer Raena Hallam stated maybe City Attorney Logan Worley can attend to answer any questions. She explained the training would have to be scheduled around the Budget Workshops but finds it a great idea.

Mayor Jesse Garrett asked if Clerk/Treasurer Raena Hallam knew how long the training would be. Clerk/Treasurer Raena Hallam stated they are about three hours long in person.

### **PUBLIC WORKS**

#### **GREY EAGLE TANK**

Public Works Superintendent Dave Willey stated the grey eagle tank has over twenty-four hundred square feet of severe cracks inside and the lid leaked in the last rainstorm. He explained he is waiting for a quote on the repairs but does not want to turn the tank back on-line until it is repaired due to contamination. He stated the two-million-gallon tank is holding up to the water consumption needed at this time. He explained the materials to fill in the cracks had to be adjusted because of the depth of the cracks.

#### **LEAF PICK-UP**

Public Works Superintendent Dave Willey stated he decided not to do a fall leaf pick-up this year because the leaves have not all fallen but will do a spring leaf pick-up.

### **PARKS**

Public Works Superintendent Dave Willey stated the crew is working on winterizing the parks and the sprinklers. He explained the meters will be all insulated by Friday, October 20, 2023, for the winter. He stated the shed for the park was delivered and the concrete slab that will be placed underneath the shed is in Spokane, which he is picking up tomorrow, October 18, 2023.

#### **GREY EAGLE TANK**

Council Member Dale Drake asked if the grey eagle tank can be repaired.

Public Works Superintendent Dave Willey stated yes, it can be repaired but the cost to repair the lid was not figured into the 2024 budget. He explained the cost given to line the tank was one hundred ten thousand dollars (\$110,000) and the city budgeted one hundred forty thousand dollars (\$140,000). He stated he is hoping the lid repair cost will stay under the budgeted amount of one hundred forty thousand dollars (\$140,000) so that both the tank lining and the lid can be repaired at the same time.

**CITY HALL ROOF**

Public Works Superintendent Dave Willey stated next week they will start repairing the City Hall roof.

**HIGH SCHOOL SIDEWALK**

Council Member Dale Drake asked if there was anything on the sidewalk project. Public Works Superintendent Dave Willey stated no.

**PARK**

Council Member Dale Drake stated he drove through Happy Dell Park and the flagpole is in the dark. He explained the light needs to be fixed or the flag needs to be taken down. Public Works Superintendent Dave Willey stated he was not aware of the light not working and will look into it.

**FIRE DEPARTMENT**

Fire Chief Phil Adams reported three calls, one was a building fire in Marcus, a motor vehicle accident with multiple injuries the night of Cider Fest and a slash fire. He explained they have been doing EVOC driver training and getting ready for the winter season.

Council Member Dale Drake stated when he lived in Arden the elderly lady neighbor had a grease fire in her kitchen. The lady had a fire extinguisher, but she was so close the materials would blow right back at her. He explained he talked with Fire Chief Joe at the time and asked if he could put on a class on how to use a fire extinguisher. He asked Fire Chief Phil Adams if Kettle Falls can put a fire extinguisher class together. Fire Chief Phil Adams stated he would look into it.

**POLICE DEPARTMENT**

Officer Brandon Hoover stated the school has been keeping him busy the last couple of weeks, but he assisted on a county call and made an arrest for domestic violence. He explained the Tahoe is done so he will coordinate dropping his charger off to get repaired at the same time of picking up the Tahoe later this week. However, the radio is still on back order so there is not an actual radio in the Tahoe currently.

**PLANNING COMMISSION**

Planning Commission Chairperson Jody Emra stated at the last Planning Commission Meeting a gentleman requested a short plat but the Planning Commission Members discussed with him that he could do a lot line adjustment. She explained the gentleman has four lots but wants to divide them into two, which would give him two buildable lots. She stated if he was interested in doing the lot line adjustment he would have to turn in the application, and then go through administrative review. She stated the Planning Commission has also been working with a gentleman with an easement to his back property. Furthermore, Planning Commission Member Larry Kulesza will report on Title 17 and Planning Commission Member Nick Gourlie is working on a community grant. However, the park plan must be updated to be usable for the community grant.

Planning Assistant Larry Kulesza stated he contacted the auditor's office on the shot plat/lot line adjustment and the auditor confirmed that it is one property with four individual lots so the land use application would be a lot line adjustment not a shot plat.

**COMMITTEE REPORTS****KETTLE FALLS SWIMMING POOL**

Council Member John Ridlington stated the contractor is almost done with all his obligations and the pool was painted last weekend but still needs a little touch up. He explained there were about thirty gallons of paint used and had six volunteers. However, there is still some plumbing left to do but the electrical is complete. He stated there will be an open house at the pool on October 31, 2023, between three and five o'clock. Furthermore, the ADA sidewalk turned out good.

Council Member Dale Drake asked if all the necessary paperwork for the sidewalk has been signed and completed with the school.

City Attorney Logan Worley stated Mr. Olsen was going to present it to the school board but has not heard back. He explained he'll follow up with Mr. Olsen.

**NEW BUSINESS**

**PERMITS FOR EXCAVATION AND DRILLING**

Public Works Superintendent Dave Willey stated Kettle Falls is the only city in the area that does not require a permit for a plan review for excavation on the roads. He explained this has been happening for the last few years and the project seems to be left unfinished. He stated he reviewed what Colville uses and would like to use their format as a guide to create one. He explained the fee would be twenty-five dollars (\$25.00), however the real reason to have a permit is to get a retainer, so the city can force the contractor to fix the road correctly after the project is complete. He asked if it would take an ordinance to require this type of permit.

Clerk/Treasurer Raena Hallam stated yes.

Public Works Superintendent Dave Willey stated at this time there is a requirement to get a permit for driveways and that is, so the property owner does not cover any water valves or dig them up.

Council Member Dale Drake stated he agrees with Public Works Superintendent Dave Willey that this is an issue.

Mayor Jesse Garrett stated the next step is for City Council to provide an approval for Public Works Superintendent Dave Willey and City Attorney Logan Worley to move forward.

Council Member Dale Drake made a motion to approve Public Works Superintendent Dave Willey and City Attorney Logan Worley to establish an ordinance on a permit for excavation and drilling. Council Member John Ridlington seconded the motion. Motion carried by all. Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

Council Member John Ridlington stated if a contractor starts work prior to obtaining a permit there should be an additional fee.

Mayor Jesse Garrett stated with his experience there are times where there is an emergency dig required. He explained it will be difficult for those to submit a permit depending on the day and time, so it is important to keep in mind when establishing an ordinance. Public Works Superintendent Dave Willey agrees.

Council Member Dale Drake suggested if a contractor is caught without a permit there should be a stop work order for twenty-four hours. He explained the cost of the equipment sitting for that time will cost them more than twenty-five dollars (\$25.00).

### OLD BUSINESS

#### KETTLE FALLS MUNICIPAL CODE CHAPTERS 6.04 & 8.12 - DOG ORDINANCE REVIEW

Mayor Jesse Garrett stated it is hard to enforce these types of ordinances because, by the time an officer responds to a report of a barking dog, the dog has stopped barking.

Officer Brandon Hoover stated the issue that created this discussion is a dog owner allowing their dogs to continue to bark. He explained he spoke with the dog owner again and they are open to a bark collar. He explained he is working with the two parties and trying to come up with a solution. However, when he worked for the county, there were animals at large like livestock in the closed range areas all the time. He stated most people understand and so does the prosecutor but when an animal is getting out five, ten and fifteen times then it becomes a problem, which then they will do something about it.

Council Member Michael Weatherman asked what if the Police Department received five separate complaints, then can you step in.

Officer Brandon Hoover stated yes, and he has spoken to several of the neighbors. He explained they all agree these dogs are an issue but ignore them. However, one neighbor does have an issue with the dogs barking. He stated if someone wants to report an issue, they will need to make a formal complaint.

Mayor Jesse Garrett stated City Council Member John Ridlington and himself were talking about the potential idea of when the police officers are making their rounds if they see an individual walking a dog, can you ask them if the dog is licensed or if someone walking a couple of dogs that are not on leashes let them know the leash requirements. Officer Brandon Hoover stated yes.

Council Member Chris Shurrum asked Officer Brandon Hoover if he can think of anything to add.

City Attorney Logan Worley stated unfortunately, the way the dog ordinance is written the prosecutor's office won't do anything

about it. He explained the ordinance is written too vaguely; the prosecutor's want it decibel level reading. He stated Chewelah's ordinance has a decibel level which is metered of a level of noise, and it is considered a misdemeanor. However, they don't do anything, unless there are multiple complaints. He stated this would be his recommendation. He explained the way Chewelah does it is they added a section on animals into the noise ordinance.

Mayor Jesse Garrett stated the misdemeanor would be added to the noise ordinance as opposed to the dog ordinance and to refer to the dog ordinance.

City Attorney Logan Worley stated no, the animal noise is a section added to the noise ordinance and the misdemeanor is what the county has added to give leverage.

Mayor Jesse Garrett asked aside from the noise issue are the articles of leash law and licensing enforceable as written?

City Attorney Logan Worley stated they probably need to be re-written if there are the same issues.

Mayor Jesse Garrett stated he would like a decibel level ordinance draft written up and presented to the City Council.

#### **KETTLE FALLS MUNICIPAL CODE CHAPTER 10.88 - ORV ORDINANCE REVIEW**

Mayor Jesse Garrett stated the existing ordinance addresses snowmobiles and ORV's. He explained there are copies of Snohomish, Colville and Kettle Falls Washington ORV ordinances. He stated neither one of those address snowmobiles and feels here in Kettle Falls snowmobiles have declined in usage since the ordinance was created ten years ago. He asked City Attorney Logan Worley if he had a chance to review age and licenses requirements for ATV?

City Attorney Logan Worley stated by Washington State statute all drivers are required to have a valid driver's license and Washington State law supersedes city ordinances. He explained there needs to be a map with a list of restrictions and if the city wants to allow wheeled all-terrain vehicles there needs to be a list of restrictions.

Council Member John Ridlington stated all city roads are twenty-five MPH except Hwy 395, which is a state highway.



City Attorney Logan Worley stated the city could allow wheeled all-terrain vehicles excluding state highway, but drivers would need to follow all the rules.

Council Member Dale Drake stated his understanding is no one is allowed to travel on the state highway but can only cross it if it is thirty-five mph or less.

City Attorney Logan Worley stated the city can overrule the state and allow people to travel on roads that are thirty-five mph.

Council Member Dale Drake stated last year he saw three to four snowmobiles racing on Oak and when he plowed up snow, they drove up over those. He explained he doesn't see a problem with the playing but as fast as they were driving up and down the street is not okay.

Mayor Jesse Garrett stated they are to follow the ordinance; however, the issue is catching them to be able to enforce it. He asked if the city is less restricted than the state or county for authorizing snowmobiles on public highways, would the city be in violation.

City Attorney Logan Worley stated he thinks the city could only allow snowmobiles on city streets but will double check.

Mayor Jesse Garrett stated he noticed there is nothing in WAC stating the city can require people to register their vehicles.

City Attorney Logan Worley stated yes, the vehicle already must be registered. He explained the city can't require a second registration.

Mayor Jesse Garrett asked if the city could have the flag requirement.

City Attorney Logan Worley stated not on ATV's but on the snowmobiles.

Council Member Dale Drake stated he would like to see a sticker on the vehicles, so the officers know that person received a copy of the ordinance.

City Attorney Logan Worley stated he thinks the reason the state doesn't require the sticker is because the safety rules, gear and equipment are the same everywhere. He explained for those reasons the city cannot require anything separate as the driver is to have a valid license.

Mayor Jesse Garrett stated if the city cannot require some type of acknowledgement or understanding with the ordinance, how is the city to correct this issue. He asked can the city require drivers to have a copy of the regulations on the vehicle. City Attorney Logan Worley stated no.

City Attorney Logan Worley stated the city can limit the area where the vehicles can operate within the city, follow the rules of the road, be registered and be a licensed driver.

Mayor Jesse Garrett stated maybe what needs to happen is to have a public re-education program where the driver must follow the WAC. He asked Officer Brandon Hoover if he pulled over an ORV for speeding, can you check registration and licenses at that time?

Officer Brandon Hoover stated whatever is not written in the ordinance is all the rules of the road, which is under RCW. He explained for most of the violations, he doesn't need an ordinance.

Mayor Jesse Garrett stated to further enforce and educate rules of the road, people need to understand the off-road vehicles on a public street and requirements per state rules. He explained the city ordinance can only authorize people with ORV's specific streets that they can or cannot drive on.

Council Member Dale Drake asked when the new ordinance is written, can the officers have them available in their vehicles for when they stop someone? Officer Brandon Hoover stated yes.

Public Works Superintendent Dave Willey suggested putting up specific signs for ORV's with the speed limit.

Council Member Dale Drake asked who will be the one to work on writing the new ordinance?

City Attorney Logan Worley stated the Council Members need to decide which streets ORV's are not allowed on and are snowmobiles allowed?

Council Member Dale Drake suggested Council Member Michael Weatherman and himself meet with Officer Brandon Hoover to discuss these decisions as they are on the Police Committee and then present to City Council what they recommend.

Mayor Jesse Garrett stated he wants City Attorney Logan Worley to review and approve beforehand.

**RELEASE OF POOL FUND**

Clerk/Treasurer Raena Hallam stated there are no updates.

Mayor Jesse Garrett asked Public Works Superintendent Dave Willey if L & I were going to be at the pool Thursday, October 19, 2023, for the final inspection?

Public Works Superintendent Dave Willey stated yes, Thursday morning to do the final walk through on the electrical.

Council Member John Ridlington asked if the contractor must be there. Public Works Superintendent Dave Willey stated he does not believe so.

**WATER RATE STUDY UPDATE**

Planning Assistant Larry Kulesza stated the customer update and assets list has been verified and the new purposed rates are available. He explained the asset list and the cities list are equivalent to the water rate study. The new water rate study provides a two-million-dollar calculation with a five-year span. As of right now there is only an understanding of a too high and too low monthly rate. He stated they are waiting for suggestions from RCAC on how the city is going to move forward. He sent an email but had Clerk/Treasurer Raena Hallam review it and spoke with Council Member Dale Drake first because there was an insinuating that he might be throwing out his own ideas opposed to being a spokesman for the group.

**2024 BUDGET**

Fire Chief Phil Adams reviewed his 2024 Budget with the City Council.

**District 71% - City 29%  
2024 Fire Department Budget**

		Joint Budget	City Share	District Share
001.522.10.10	<b>SALARIES</b>			
	Fire Chief Salary	\$ 7,300.00	\$ 2,117.00	\$ 5,183.00
	<b>TOTAL SALARIES</b>	<b>\$ 7,300.00</b>	<b>\$ 2,117.00</b>	<b>\$ 5,183.00</b>
001.522.10.20	<b>BENEFITS</b>			
	Fire Chief Benefits	\$ 250.00	\$ 72.50	\$ 177.50
	<b>TOTAL BENEFITS</b>	<b>\$ 250.00</b>	<b>\$ 72.50</b>	<b>\$ 177.50</b>

<b>001.522.10.30</b>	<b>SUPPLIES</b>				
	Batteries/Drinking Water/Misc.	\$	3,500.00	\$	1,015.00
	<b>TOTAL SUPPLIES</b>	\$	<b>3,500.00</b>	\$	<b>1,015.00</b>
<b>001.522.10.32</b>	<b>GAS/OIL/FUEL</b>				
	Fuel & Oil	\$	9,500.00	\$	2,755.00
	<b>TOTAL GAS/OIL/FUEL</b>	\$	<b>9,500.00</b>	\$	<b>2,755.00</b>
<b>001.522.10.35</b>	<b>SMALL TOOLS/MINOR EQUIP.</b>				
	Helmets/Gloves	\$	1,000.00	\$	290.00
	Miscellaneous	\$	2,000.00	\$	580.00
	<b>TOTAL SMALL TOOLS</b>	\$	<b>3,000.00</b>	\$	<b>870.00</b>
<b>001.522.10.43</b>	<b>TRAINING</b>				
	General Training	\$	5,500.00	\$	1,595.00
	Firemen Reimbursement	\$	33,000.00	\$	9,570.00
	Physicals	\$	1,000.00	\$	290.00
	Education Materials for Kids	\$	622.93	\$	180.65
	<b>TOTAL TRAINING</b>	\$	<b>40,122.93</b>	\$	<b>11,635.65</b>
<b>001.522.10.48</b>	<b>REPAIRS &amp; MAINTENANCE</b>				
	Maintenance	\$	6,000.00	\$	1,740.00
	<b>TOTAL REPAIRS &amp; MAINT.</b>	\$	<b>6,000.00</b>	\$	<b>1,740.00</b>
<b>001.522.10.49</b>	<b>MISCELLANEOUS</b>				
	Annual Dinner	\$	2,000.00	\$	580.00
	Coats/Hats/Miscellaneous	\$	500.00	\$	145.00
	<b>TOTAL MISCELLANEOUS</b>	\$	<b>2,500.00</b>	\$	<b>725.00</b>
<b>001.522.10.55</b>	<b>DISPATCH</b>				
	Stevens County 911	\$	3,500.00	\$	1,015.00
	<b>TOTAL DISPATCH</b>	\$	<b>3,500.00</b>	\$	<b>1,015.00</b>
<b>001.594.22.60</b>	<b>FIRE CAPITAL OUTLAY</b>				
	Replace Equipment	\$	7,000.00	\$	2,030.00
	Miscellaneous	\$	2,500.00	\$	725.00
	<b>TOTAL FIRE CAPITAL OUTLAY</b>	\$	<b>9,500.00</b>	\$	<b>2,755.00</b>
	<b>2024 BUDGET GRAND TOTAL</b>	\$	<b>85,172.93</b>	\$	<b>24,700.15</b>
<b>110 Reserve Fund</b>	<b>Gear</b>	\$	<b>5,000.00</b>		
<b>110 Reserve Fund</b>	<b>Equipment</b>	\$	<b>5,000.00</b>		
	<b>Total 110 Fund</b>	\$	<b>10,000.00</b>		

Mayor Jesse Garrett asked how this budget is compared to last year?

Fire Chief Phil Adams stated it is the same except for the ten thousand for gear and equipment.

Mayor Jesse Garrett asked if that was for the city portion?

Fire Chief Phil Adams stated yes, but he will be asking the district for extra as well.

Mayor Jesse Garrett asked if that is an addition to the twenty-four thousand seven hundred dollars and fifteen cents? Fire Chief Phil Adams stated yes.

Mayor Jesse Garrett stated the amount for the 2024 budget would be a total of thirty-four thousand seven hundred dollars and fifteen cents. Fire Chief Phil Adams stated yes.

### **PUBLIC COMMENT**

#### **PANORAMA RV PARK**

Mr. Tony Farnam, Panorama RV Park, Kettle Falls, stated the Kettle Falls Planning Commission and City Council has been working on Title 17, which pertains to the RV Park. He explained they had not heard anything and were thinking it was getting complete.

Planning Assistant Larry Kulesza stated the Planning Commission referred Title 17 back to City Council on what the Planning Commission purposed for Panorama RV Park. He explained the proposal is to operate after it is sold as a legal nonconforming use. However, the requirements will be a current inventory list of operation at the park with a sign off by the Public Works Department. There will also be a questionnaire required with a sign off from the Police Department and Fire Department as to public health and safety. He stated then it will be presented to the Planning Commission for a sign off and either recorded or put in a file. He explained this would give the potential buyer the chance to operate it as is but if they choose to make any substantial changes they would need to comply with the ordinance and Title 17 which would require a binding site plan.

Mrs. Farnam, Panorma RV Park, Kettle Falls, stated they will be going to Arizona in three weeks and will be back in January 2024, so they wanted to make sure nothing occurred while they were out of state.

Planning Assistant Larry Kulesza stated the Planning Commission will come up with a plan and then let them know.

Mr. Farnam stated there is still a ways to go with the process.

Planning Assistant Larry Kulesza stated Public Works Superintendent Dave Willey has a good idea with the as is inventory list and there is a preliminary report from both the Police and Fire Department. He explained that each party will have to sign off on a binding sit plan.

Public Works Superintendent Dave Willey asked Mr. & Mrs. Farnam if they had a layout and or a design for the park.

Mr. Farnam stated he has a map with all the spots. He asked Public Works Superintendent Dave Willey if he needed a map of all the sewer and water lines.

Public Works Superintendent Dave Willey stated, yes and he would like to go over the average occupants throughout the year.

**EXECUTIVE SESSION**

Mayor Jesse Garrett announced the City Council would now enter into Executive Session under the guidelines of RCW 42.30.110(i) To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to result in an adverse legal or financial consequence to the agency later during this meeting.

The Executive Session will be approximately 15 minutes.

City Council entered into Executive Session at 8:12 p.m.

City Council returned to the regular session at 8:47 p.m.

**ADJOURNMENT**

Mayor Jesse Garrett adjourned the meeting at 8:48 p.m.

Approved:

\_\_\_\_\_  
Jesse Garrett, Mayor

Attest: \_\_\_\_\_  
Raena Hallam, Treasurer/Clerk