

KETTLE FALLS CITY COUNCIL MEETING
JUNE 20, 2023

CALL TO ORDER

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

ROLL CALL

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

STAFF

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

Guests - Jody Emra, Phil Anderson, Ken and Diane Hendrix, Bill and Kathy Berrigan, Dagmar Galloway, Lisa Wolfe, Paul Ogburn, Langston Ogburn and Windham Ogburn.

ANNOUNCEMENTS AND MAIL RECEIVED

JULY 4TH HOLIDAY - RESCHEDULE COUNCIL MEETING

Mayor Jesse Garrett stated the next regular City Council meeting falls on the July 4th holiday. He recommended rescheduling the meeting to July 11, 2023.

City Council Member Wayne Wardlow made a motion to reschedule the next City Council meeting for Tuesday, July 11, 2023. Council Member John Ridlington seconded the motion. Motion carried by all. Council Member Wayne Wardlow - yes, Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

PUBLIC COMMENT

PUBLIC HEARING - HOUSING ACTION PLAN

Clerk/Treasurer Raena Hallam stated the draft copy of the Housing Action Plan distributed this evening to City Council is the most current copy since the last Planning Commission meeting. Raena stated the City Council will have a meeting on July 11th and she anticipates the Planning Commission to have a meeting on July 13th.

City Attorney Logan Worley opened the Public Hearing for public comment at 7:02 p.m.

Mr. Ken Hendrix, 1135 S. Pine Street, stated he reviewed a copy of the Housing Action Plan and the updated copy of the strategies. He stated in general he felt SCJ Alliance assumed the city wants to be compact. This goes against being a rural community where people like to spread out. The plan talks about different zoning, smaller lot sizes etc.

Mr. Hendrix stated he also reviewed Title 17 of the Kettle Falls Municipal Code and one of the comments is it is confusing. He stated he agreed to some degree, especially to those not familiar with it.

Mr. Hendrix stated population growth, which is referred to as a percentage, is a little misleading. It refers to 17% over the next 20 years, which is about 10 people a year. The plan was based on interviews with 7 people and 99 returned questionnaires. Neither of these numbers are significant. Therefore, their assumptions and conclusions are based on a very limited amount of input.

Mr. Hendrix stated based on their idea of smaller lots and different types of housing SCJ Alliance's own numbers of population growth doesn't support that. In a lot of ways this would be more appropriate to Post Falls and Coeur D'Alene which are the fastest growing areas in the country. He questions their conclusions based on the extremely limited input from Kettle Falls. If you read the comments in the back of the Housing Action Plan, it really brought to light that the Housing Action Plan is more than numbers.

Mr. Hendrix explained it says things will be zoned but if you don't like the zone all you need to do is petition for a variance or conditional use permit. So, what is the point of zoning if it can be changed if someone doesn't like it? The entire Singer area is zoned single family residential, and the property owner can come to the City and request a variance for smaller housing. There are some stringent requirements to create a subdivision, but it shouldn't be rushed, and due diligence not done.

Mr. Hendrix stated the plan also talks about affordable housing. He heard the lots at Singers will be sold for \$100,000. Even if they are \$50,000 each, it will still be close to \$300,000 to

build a home. What is there here in Kettle Falls that can support that in terms of jobs and commercial growth?

Mr. Hendrix stated, to sum it up, a lot of conclusions in this Housing Action Plan were made on faulty, shallow, or incomplete information. Due to the number of people interviewed and surveys were returned. Not everyone has access to the internet to be notified. Maybe advertising at the start of the process could have been better. He thinks it's a good plan for an area that will show good consistent growth over time not at 10 people a year. It is just not appropriate to build duplexes, four plexes etc. Doesn't seem to add up to the population growth.

Mr. Bill Berrigan, 1220 Josephine, stated he is concerned about the truss plant being built on the industrial lot of Singers. He stated that is fine and it will take care of the 10 employees that will move in next year. None of the growth happens here, it is out of town on 10-acre, 20-acre pieces. Businesses fail, even in Spokane. The economic growth isn't here. The retirees do not want to live in public housing or multifamily structures. There needs to be a plan before the zoning is changed or created. He thinks it can be done but will take a lot of rewording. He supports the efforts, but believes the cart is before the horse.

Mr. Berrigan asked what has been making you tax money? Single family homes. Several points need to be addressed, what is your fire response, increased traffic, noise etc. The Singers site had an ideal area in the draw for recreational activities.

Council Member Wayne Wardlow asked what was SCJ Alliance's intent. How many units do they see us adding. This addresses the homeless problem on the other side of the state, it doesn't reflect the needs of our community. These people wouldn't be looking for jobs, they would be looking for government checks. Small housing developments would be full of people on government checks. Everywhere this has been tried, it has ended up in a dumpster fire train wreck. Name one community in the United States which it didn't turn into a disaster.

Mayor Garrett stated he doesn't see this as a plan to say go build. It is a plan that if a potential builder came what would their goals and the cities goals would be. Each individual proposal would be subject to the same process as it takes now. Nothing in this plan says we must do this. Nothing in this plan directs the City to cut lot sizes. The concern is if it does

happen, we need to have a plan in place stating what we would like to follow. It is not a hard and fast plan.

Council Member Wayne Wardlow stated as far as he knows all developers operate for profit. Everyone who he has talked to is not interested in half-sized houses. They are going to build for profit only and must get grant money. In CA they build tiny homes for \$400,000 apiece. The whole concept will fail and the State will shovel money in.

Council Member Wayne Wardlow explained this concept came from an outside agency who operates across the state. The reason you have a Planning Commission is so nothing like this can ever happen.

Public Works Superintendent Dave Willey asked if the Housing Action Plan changes anything? It still requires that you must have a binding site plan etc. Changing lot sizes all must go through the planning process.

Council Member Wayne Wardlow asked if the people in Singers got a public hearing notice before the trees were chopped down and the windstorm caused damage to their homes. Obviously, it impacted their community. Certainly, effected any ideas of the City having a park in that area since they cut all of the trees down. Did you know that before they cut all the trees down, we didn't know of any public hearings. I remain skeptical when it comes to grants, I believe grants always come with lots of strings attached.

Mr. Larry Kulesza, 530 Juniper, explained what this does is guides the discussion to the revision of the zoning code. If this says we need to consider the densities etc. then that is how it affects what happens in the city of Kettle Falls. These folks will have to come back for every discussion to argue changes to the zoning code that reflect this. They are saying it would be simpler to more reflect the Kettle Falls growth model in the beginning than to keep coming back month after month.

City Attorney Logan Worley closed the Public Hearing for public comment at 7:27 p.m.

Mayor suggested extending the Public Hearing until the July 11, 2023 City Council meeting.

Council Member Michael Weatherman made a motion to extend the Public Hearing to the July 11, 2023 City Council meeting. Council Member Dale Drake seconded the motion. Motion carried by all. Council Member Wayne Wardlow - yes, Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

PUBLIC HEARING - ANNEXATION - PARCEL #1940341

Clerk/Treasurer Raena Hallam stated Mr. Hendrickson approached the City about hooking up to the City sewer system which requires him to be annexed into the City. He needed to become part of the UGA. He also only wanted to annex a portion of his property. Mr. Hendrickson petitioned Stevens County to divide his property and include him in the UGA. That has been completed and approved by Stevens County. He is now ready to be annexed into the City.

City Attorney Logan Worley opened the Public Hearing for public comment at 7:37 p.m. As there was no public comment presented City Attorney Logan Worley closed the Public Hearing for public comment at 7:38 p.m.

CONSENT AGENDA

COUNCIL MINUTES FOR MAY 16, 2023

Council Member Wayne Wardlow made a motion to approve the Consent Agenda. Council Member Chris Shurrum seconded the motion. Motion carried by all. Council Member Wayne Wardlow - yes, Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

STAFF REPORTS

PUBLIC WORKS

Public Works Superintendent Dave Willey reported the following items for the Public Works department:

- The department is currently working on well #2 valves to handle the new flow from when the new well pump was installed.
- Marked out an area at the tennis court to replace where it is broken for ADA access.

- He will be meeting with TIB to discuss chip sealing some streets. If all goes well Stevens County will do it the first week of August.
- The recent windstorm caused considerable damage to the wells. Over 20 nice sized pines were blown over and the electrical shorted out at the wells.
- The department came together and did a good job during the storm. Everyone agreed and commended the department.

FIRE DEPARTMENT

Fire Chief Phil Adams reported the department responded to nine runs including faulty water heaters, and six of those calls were windstorm related.

Council Member Wayne Wardlow asked Fire Chief Phil Adams if he had any issues forming a firemen's auxiliary to support the fire department and assist with fund raising etc. Chief Adams stated he would very much appreciate the support.

POLICE DEPARTMENT

Police Officer Brandon Hoover reported the department responded to 43 calls since the last meeting which included two arrests and a stolen vehicle.

Council Member Dale Drake questioned why the Kettle Falls Police Department responded to a call several miles out of the City limits. Police Officer Brandon Hoover stated sometimes the department is called to assist other agencies. He further stated the other agencies also support Kettle Falls when needed. They assist us more times than can ever be thanked for.

Council Member Wayne Wardlow asked what is the percentage of people in your calls that have mental health issues?

Officer Hoover responded that sometimes weather affects people, holidays etc. He doesn't know the percentage but responds to at least 1 or 2 a week.

Council Member Wayne Wardlow asked if the department had enough training to deal with these types of calls.

Officer Hoover stated yes, for the most part. People from our city we deal with frequently, so they know us and trust us.

Jody Emra main focus is the Housing Action Plan, still in the process. Motions

PLANNING COMMISSION

Planning Commission Chair Jody Emra reported the main focus of the Planning Commission right now is the Housing Action Plan. She stated the Planning Commission did make two motions to recommend approval of the Pickleball Project and spend up to \$1,800 for a little league fence at Happy Dell Park.

Planning Assistant Larry Kulesza reported Planning Commission voted to approve the resurfacing of the Tennis Court in collaboration with the Pickleball Club, Rotary Club and the City.

Planning Assistant Larry Kulesza stated upon review of the Housing Action Plan the Planning Commission recommended removing strategy 3 regarding tiny houses and recommended alternative transportation options in discussion of off-street parking.

Planning Assistant Larry Kulesza further stated the Planning Commission authorized \$1,800 for fencing for youth baseball at Happy Dell Park.

Planning Assistant Larry Kulesza stated the Planning Commission meeting is rescheduled for July 13, 2023.

COMMITTEE REPORTS

KETTLE FALLS LIBRARY COURTYARD

Council Member John Ridlington reported he was at the library the other day and the courtyard area is looking really nice.

NEW BUSINESS

PICKLEBALL/TENNIS COURT

Lisa Wolfe, E 9th, stated Mondays at 8:00 a.m. is pickleball practice. She attended the Planning Commission meeting to give their presentation and was able to get past some obstacles.

Council Member Michael Weatherman made a motion to approve the Pickleball Club tennis court project. Council Member John Ridlington seconded the motion.

Council Member Dale Drake asked about the funding sources for the project. Rotary grant, Pickleball fund raisers and pay it forward will pay for the ADA but City will do the ADA work.

Council Member John Ridlington seconded the motion. Motion carried by all. Council Member Wayne Wardlow - yes, Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

HAPPY DELL PARK LITTLE LEAGUE FENCE

Mr. Paul Ogburn started the baseball team, Kettle Falls Krushers. He wanted the team to continue with something past the Kiwanis league and created the All-Stars team. He was able to keep all the kids from the Krushers to be all stars. They are entered in the Colfax tournament as well as Deer Park at the end of the month.

Mr. Ogburn stated he would like to host a tournament in Kettle Falls maybe a couple times in August. It is the first all-star team in Kettle Falls, a big opportunity for the players.

Mr. Ogburn stated an outfield fence would be a great addition. It can easily be put up and taken down, and the team can place sponsor banners on the fence. It would be a temporary fence 4 ft high, royal blue in color.

Mr. Ogburn further stated he would like a larger storage shed for the equipment, pitching machine, fence etc.

Council Member John Ridlington stated it is easy to find players, hard to find workers. He explained the existing shed was donated by the Kettle Falls Rotary.

Council Member Wayne Wardlow made a motion to approve up to \$1,800 to purchase a little league fence for Happy Dell Park. Council Member Dale Drake seconded the motion. Motion carried by all. Council Member Wayne Wardlow - yes, Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

ORDINANCE NO. 1818 - AN ORDINANCE OF THE CITY OF KETTLE FALLS, WASHINGTON, ANNEXING PARCEL #19403411 TO THE CITY OF KETTLE FALLS, WASHINGTON PROVIDING FOR THE ASSUMPTION OF EXISTING CITY INDEBTEDNESS AND FIXING A TIME WHEN THE SAME SHALL BE EFFECTIVE

Council Member Wayne Wardlow made a motion to introduce Ordinance No. 1818 by title only. Council Member Chris Shurrum seconded the motion. Council Member Wayne Wardlow - yes, Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

Jody Emra asked who pays for the annexation and sewer hookups. Who pays for it. Mr. Hendrickson pays for it.

Council Member Wayne Wardlow made a motion to approve Ordinance No. 1818. Council Member Chris Shurrum seconded the motion. Motion carried by all. Council Member Wayne Wardlow - yes, Council Member Chris Shurrum - yes, Council Member John Ridlington - yes, Council Member Dale Drake - yes and Council Member Michael Weatherman - yes.

OLD BUSINESS

PERSONNEL POLICY - COST OF LIVING INCREASE

Mayor Garrett stated the Labor Relations committee will attend an employee meeting on June 28, 2023.

ROAD ACCESS TO STAGE

Council Member Dale Drake asked why the road to the stage hasn't been graveled yet. Public Works Superintendent Dave Willey explained the department has been very busy and hasn't had time to do it yet.

Council Member John Ridlington stated the road doesn't get used much and didn't see why it is a priority. Public Works Superintendent Dave Willey stated the road needs graveled and will eventually be done.

PUBLIC COMMENT

POSSIBLE LITIGATION - SINGERS PROPERTY LOGGING

Mr. Bill Berrigan stated he has been researching the logging of the Singers property by Mr. Edwards. He thanked the City Crew

for cleaning up the mess in Singers after the windstorm. Very much appreciated.

Mr. Berrigan asked when the DNR request for comments was received, did the City according to WAC 197.11.938-4 not want to be the lead agency? Since the property was within the city limits, one would think the City would have an interest in how the property was treated.

Mr. Berrigan explained the City did not exercise due diligence in regards to the Singers Hachisoft project. He spoke with the DNR and asked for info, including posting notices. The DNR apologized for not notifying all the adjacent property owners. However, the permit application was submitted on April 12th by Chuck Singer, not Hachisoft. It was sent out for comment on April 18th and the property was sold on May 2, 2023. At that time, they used a transfer form from Mr. Singer to Hachisoft and were bound to all the conditions of the approved permit. The estimated trees left 50-100 trees 10" diameter or less and 4 trees greater than 10" in diameter. It also included retaining wildlife trees.

Mr. Berrigan stated the bottom line is they did not follow the guidelines of Mr. Singers approved forest act permit. The DNR did not use due diligence to ensure the guidelines were adhered to. He stated he notified the DNR and informed them this could be a legal issue and at the very least he will be providing all of his information to Senator Shelly Short.

Mr. Berrigan stated he is not threatening the City, but the City could also be dragged into the courts. He stated he feels the City's nonresponse to the DNR's request is what will drag them in to it.

Council Member John Ridlington stated he received a letter from the DNR, and believes the City received one too. The letter didn't ask if the City wanted to be the lead agency. Just a response letter.

Mr. Berrigan stated not acknowledging is not an excuse.

Council Member John Ridlington stated the City was never asked to join in. We didn't know what questions to ask.

Clerk/Treasurer Raena Hallam recommended the City Council and Mayor not participate in anymore discussion since it has the potential of possible litigation.

Mr. Berrigan stated he is very unhappy and thinks the City should have responded. The permit was not handled properly by the applicant, the DNR and the City are being drug into it by not responding.

ADJOURNMENT

Mayor Jesse Garrett adjourned the meeting at 8:21 p.m.

Approved:

Jesse Garrett, Mayor

Attest: _____
Raena L. Hallam, Clerk/Treasurer