



**Minutes**  
**1354<sup>th</sup> Regular Council Meeting**  
**May 27, 2020**  
**(TELECONFERENCE)**

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**6:00 p.m. Regular Council Meeting**

Mayor Bob Poch called the 1354<sup>th</sup> regular meeting of the Coulee Dam Town Council to order at 6:01p.m. via teleconference.

**Roll Call**

Council members present: Fred Netzel, Mervin Schmidt, Dale Rey, Larry Hall and Keith St. Jeor.

Staff Present: Police Chief Paul Bowden, Public Works Superintendent Mike Steffens and Clerk/Treasurer Stefani Bowden.

**Public Input**

Mayor Poch asked if there was anyone from the public that would like to speak. With no response heard, the Mayor moved on to the next agenda item.

**Updates and Modifications to Agenda**

Fred Netzel asked to add discussion time for Douglas Park restrooms and Dale Rey asked to review some questions about the Annual Financial Statements.

**Consent Agenda**

Keith St. Jeor moved with Dale Rey seconding to approve the consent agenda. Motion carried.

Minutes                      Regular Council Meeting – May 13, 2020

Vouchers:                      Claim Vouchers and Checks:  
Claim Voucher No.'s 38906 through 38918 and EFT's dated May 27, 2020 in the total amount of \$ 115,500.24 .

Manual Claim Vouchers and Checks:  
Claim Voucher No. 38875 dated May 5, 2020 in the amount of \$75,331.72 .

Voided Checks:              Check No. 38249 dated June 12, 2019 in the amount of \$16.54

Bank Fees:                      March 2020 Invoice Cloud fees in the amount of \$115.80 , April 2020 Invoice Cloud Fees in the amount of \$101.20 and bank deposits slips in the amount of \$61.30.

## Action Agenda

### a. Tree Removal Requests

Two requests for tree removals have been submitted. One on Ferry Ave and the other on Walnut Street.

Ron and Charlene Tracy have requested the removal of one tree located on Ferry Ave which is blocking access to part of their driveway. Councilman Dale Rey felt they had a valid complaint. Councilman Mervin Schmidt said he had no issues and felt that the tree should have been removed at the time the driveway was extended. Dale Rey moved with Mervin Schmidt seconded to allow the removal of the tree indicated in the photos as submitted in the removal request. Motion carried.

Duane and Nancy Johnson have requested the removal of 2 trees located at 702 Walnut Street. The Johnson's have stated that the trees are old, are a nuisance, roots are causing sidewalks to raise, branches overhang yard, chestnuts are falling onto vehicles and yard and the roots are damaging the yard. If the tree is removed, they would like to lay sod and plant new trees, which they are willing to help cover the cost of. Councilmen Mervin Schmidt and Dale Rey were not in favor of the tree removals. Councilman Fred Netzel was in favor stating that if it is allowed for one blocking a driveway, it should be allowed for one damaging yards. Schmidt felt it was a different situation stating that there are trees all over town causing yard and sidewalk damage. Rey felt that they shouldn't be removed because they are ugly and causing a mess and doesn't want to set a precedence. Councilman Larry Hall stated that the first request that was approved was due to blocking access to a driveway, the second one is more for aesthetics, which are two separate situations. Councilman Keith St. Jeor felt that the Tracy's request was legitimate and that Johnson's was not an equal situation. Netzel felt that if one was allowed, than the other should be as well. Schmidt stated again that it is two different situations, "lots of trees are messy". After lengthy discussion, Dale Rey moved with Mervin Schmidt seconded to reject the tree removal request. Motion carried with 3 (Schmidt, Rey, Hall) in favor, 1 (Netzel) opposed and 1 (St. Jeor) abstained.

### b. Coffee Stand

Mayor Poch asked Councilman Schmidt to update the council on the review of the coffee stand proposal. Schmidt and Poch met with Daniel Moomaw at the proposed site for the stand and measured off the area. Schmidt felt it was a good spot with sewer and electric readily accessible. Schmidt thought the proposed building is estimated at 10ft x 12ft but will double check on that. Moomaw is willing to agree to a 5 year lease and mentioned a monthly amount of \$600. The council will need to do research and decide on a fair lease amount. The building would sit approximately 20-30ft off of the adjacent property line to minimize issues with the property owner. Moomaw said he is willing to pay to have the property surveyed. Mayor Poch feels it is in the Town's best interest to hire the surveyor.

Councilman Rey inquired about drive up access and which side it will be on city property or tribal property. Mayor Poch stated that it will all be on city property. Rey feels that Moomaw should pay for the survey and provide a certified copy to the city. Rey also stated that if the structure is permanently attached to the ground, it becomes part of the property and therefore becomes property of the town at end of lease.



Councilman Netzel doesn't think that a structure can be built inside the street right-of-way and has concerns that somebody else may want to do similar thing in the future. He doesn't want to set precedence.

Councilman St. Jeor referenced a lease the Town had with USBR where a building was placed on a concrete slab in the park. At the end of lease, the owner offered the building to the Town, but the Town made him take it down. St. Jeor doesn't know why the Town would want the coffee stand building stating it seems to him that a pre-built building would be removable. They would just have to remove the anchors and move it.

Schmidt feels that the attorney needs to be involved and the town should get moving on it. He doesn't want to keep the business owner waiting while council continues to keep discussing it.

St. Jeor had some concerns over increased traffic that may be caused in the residential areas and would like to hold a public meeting on it. Rey has questions whether or not the town wants to start setting up businesses in right-of-ways. Mayor Poch will contact the attorney with the questions and concerns.

Netzel asked Schmidt if he asked for architectural drawings. Schmidt responded that he did not at this point but floor plans were shown. Rey asked if financial obligations, deposits, etc. were discussed and Netzel asked how the \$600 figure was arrived at. Schmidt said it was just a figure that Moomaw threw out and nothing has been agreed upon.

Keith St. Jeor moved with Dale Rey seconding to postpone the issue until after discussion with attorney. Motion carried.

### **Discussion Agenda**

a. Melody Roof

Mayor Poch reported that according to MRSC, the town will need to go out for formal bid for the roof project. Rey agreed that the formal process should be followed. Poch stated that he will use an R-30 insulation factor when preparing the specifications.

b. Melody Lease

Mayor Poch informed the council that the individual that had previously shown interest in leasing the restaurant has now withdrawn. There is now another interested party that would like to open by July 1<sup>st</sup>. He will be here this coming Monday to look at the building.

Fred Netzel would recommend adding water, sewer and garbage utilities to the lease and make the tenant responsible for the electric. Keith St. Jeor asked what kind of water usage the business has.

Schmidt and Netzel will get together to do a quick run through of the lease agreement prior to Monday's meeting.

## Staff, Council & Committee Report

### Council

Keith St. Jeor asked that with community events being cancelled, how the hotel/motel tax will be used. He would like to see a way to use some funds for playground equipment at Cole Park. It was also asked if the Chamber of Commerce has asked for any reimbursements yet this year. The Clerk stated “not yet” but the Chamber also uses some of the funds for general advertisement for the area that isn’t directly related to a specific event.

Dale Rey had some questions regarding the Annual Financial Report. He asked why the Electric Fund took a huge hit. Mayor Poch explained to him that some large projects were done in 2019, such as the transformers in the Credit Union and electric pole fire wrap. The Clerk also explained that a large invoice was received after the year end for services received in 2019 that wasn’t expected but due to the “Open Period” the expense had to be recorded to the electric fund 2019 budget. This caused a budget overage and due to timing the council could not hold a meeting to adopt a budget amendment. The main cause was electric purchased from BPA that was higher than expected. Revenues received from the sale of electric supported the increase in expenditure.

Fred Netzel asked about the west side lift station and when it will go out to bid. Mayor has not heard details from the engineer. Netzel asked if Elmer City is paying their portion of the loan payments that will be due in November which led to more discussion regarding payments received from Elmer City and how the council intends to move forward. St. Jeor reminded the council that this is a public meeting and to be careful about putting words in Elmer City’s mouth. This issue needs to be discussed in an executive session.

### Mayor

Mayor informed the council that a meeting with the planner and Planning Commission Chair is scheduled for Friday to go over the changes to the Comprehensive Plan.

### Public Works

Superintendent Mike Steffens reported that the water has been turned on to the Douglas Park restrooms. They have started plumbing and general repairs to the restrooms. Fred Netzel appreciated that Steffens had taken on the project.

Steffens talked with Varela regarding the TIB chip seal project. It sounds like the TIB money for repairs to Lincoln and Douglas is going away and only the chip seal/crack seal will be funded. The project is estimated to be about 2 to 3 weeks out. Dale Rey asked how large of an area is in need of repairs. Steffens thought it was about a block’s worth. Netzel expressed his disappointment that the repairs would not be made.

### Police Department

Police Chief Paul Bowden reported that the Police department has been working, with the assistance of the Record’s Clerk, to get letters out regarding code violation/nuisance issues. They have development a spreadsheet to note problem areas and letters are being sent out with the Police Chief’s signature. To date, 16 letters have been sent out. So far, 6 have complied and a couple others have asked for more time.

Chief Bowden stated that he is hoping the county will be able to move to phase 2 soon so that the court system will move forward again.

**Public Input**

Mayor Poch once again asked if there was anyone from the public that would like to speak which no response was received.

**Adjournment**

Mayor Poch adjourned the meeting at 7:18pm

Mayor Bob Poch  
Bob Poch

Clerk Stefani Bowden  
Stefani Bowden