



Minutes
1356th Regular Council Meeting
June 24, 2020
(TELECONFERENCE)

6:00 p.m. Regular Council Meeting

Mayor Bob Poch called the 1356th 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 and Clerk/Treasurer Stefani Bowden. Engineer Daniel Cowger of Varela & Associates was also in attendance.

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

Councilman Dale Rey asked to add discussion for the Governor's order regarding face masks.

Consent Agenda

Keith St. Jeor moved with Mervin Schmidt seconding to approve the consent agenda. Motion carried.

Minutes Regular Council Meeting – June 10, 2020

Vouchers: Claim Vouchers and Checks:
Claim Voucher No.'s 38950 through 38959 and EFT's dated June 24, 2020 in the total amount of \$ 54,032.24 .

Manual Claim Vouchers and Checks:
EFT dated June 10, 2020 in the amount of \$18.00 .

Action Agenda

a. Restaurant Lease

Mayor Poch reviewed a couple of modifications that were made by the committee working on the lease. Councilman Mervin Schmidt asked that council agree to a 10% discount if the tenant pays the lease two years in advance. The committee also asked to remove the arbitration clause due to the high expense that could be associated with it. Councilman Dale

Rey asked about ownership of the equipment left in the building. It has been clarified through the attorney that the equipment is still legally owned by Juan Moreno who carried a contract with the previous tenant.

Mayor Poch stated that the lessee is asking to postpone the start date of the lease until August 1, 2020. This is to allow cleaning and removal of items left by previous tenant. Councilman Keith St Jeor stated he was okay with extending the lease start date to August 1, 2020, instead of July 1, and allowing the new tenant access to the building in July to clean as long as the Town received payment upfront for the 2 year period. Dale Rey agreed.

Keith St. Jeor moved with Dale Rey seconding to approve the lease with a start date of August 1, 2020 for a 2 year term and allow the tenant access to clean during the month of July. Motion carried.

Councilman Larry Hall asked if background checks are done on new tenants. The Clerk stated that a background check has to be done in order to issue a business license.

b. Coffee Stand

The Town Attorney drafted a preliminary agreement for the use of a portion of Town right-of-way for Daniel Moomaw to construct and operate a coffee stand. Councilmen Fred Netzel and Dale Rey both stated that they had reviewed the proposed agreement. Rey asked if the adjacent property owner had been contacted. Daniel Moomaw has contacted Tribal Planning and hasn't heard back yet. He is also waiting on information to present to the council.

In the absence of the Public Works Superintendent, Mayor Poch stated that the maintenance department is not in favor of the building being constructed on a permanent foundation. A storm tie-down, such as used on a manufactured home would be preferred. Fred Netzel asked if the town codes would allow something other than a foundation. Keith St. Jeor stated that they would have to get a permit and follow current building codes.

St. Jeor asked if it is a pre-made building or would it be constructed on-site. Moomaw had originally planned on a pre-built building but when the council started talks of a permanent foundation he changed his plans and was looking into having it built on-site. If the council would like a non-permanent foundation, he will go back to original plan of having a pre-built one brought in. Rey asked Moomaw to provide building specifications and site plan with Netzel agreeing. Rey inquired about RCW 35A and a bond requirement also.

Netzel asked the council if public input will be heard before making a decision. Mayor Poch stated he hadn't considered that but asked what council wished to do. St. Jeor stated that anyone is welcome to provide input at the council meetings during Public Input time. St. Jeor feels that once Moomaw gets the information on the building, then it can be presented to the public. Schmidt feels the public has a right to know.

Discussion Agenda

a. West Coulee Dam Lift Station

Daniel Cowger of Varela & Associates was in attendance to provide information and answer council's questions regarding the revised Technical Memorandum regarding the

West Coulee Dam Lift Station. Keith St. Jeor had a few questions regarding some items such as the electrical controls variable speed starters and the \$5000 expense for frost free portable water bid. Cowger stated that these are pre-design estimates and they want to allow enough in the budget. It is likely these costs will come down. St. Jeor also questioned the \$171,000 in engineering costs. After discussion and reference to Engineering Amendment No. 6 that was approved last November, Cowger clarified that the \$171,000 covered the entire West Side Lift Station Project for engineering, beginning to end. Keith St. Jeor made the statement that “we need to get moving on it” and get the bids out for the project. Fred Netzel asked if there would be any TERO requirements. The project is taking place off the reservation so TERO requirements would not apply.

b. Ferry Ave Sidewalk Project

Mayor Poch asked Daniel Cowger if he had a status update on the Ferry Ave Sidewalk Project. Cowger stated that the funds being used are federal which causes the Town to follow a list of specific requirements. The next step the Town needs to take is to begin the selection process for the consultant. Mayor Poch asked if it was still a possibility to begin the project this year. Cowger said it is a pretty short project but it would be tight to do it this year as there are many review processes that have to be done by other entities. Fred Netzel feels it would be best to wait until next year. Cowger will work on getting the advertisements posted.

c. Governor Inslee’s Face Mask Mandate

Dale Rey asked if the Town is prepared to enforce the mandate for face masks asking “what is the Town prepared to do if someone doesn’t wear one in the store?” Keith St. Jeor feels it should be left up to the business owner to require the masks and enforce it. Fred Netzel would like the Police Department to stand outside of the grocery store and monitor the use of masks for one hour in the mornings.

6:55pm – Fred Netzel asked to be excused from the meeting to attend to an ambulance page.

Mayor Poch asked the Police Chief what his thoughts were regarding the enforcement of mask wearing. Chief Bowden said that the Washington State Patrol and the Washington Association of Sheriffs and Police Chiefs have issued statements and guidance on this subject stating that it is a Health Department issue and not for Law Enforcement to monitor. Councilman Larry Hall stated that it is not a police issue and it is up to the store owner to enforce. They have a right to refuse business to anyone not wearing a mask. Dale Rey asked what happens in a situation where an individual refuses to wear the mask and pushes their way in to the store anyways and causes an issue. Hall and Bowden both stated that at that point it becomes a police issue because it could be assault and trespassing. Rey agreed that it should be up to the store owner and staff to provide the initial contact with customers but is very concerned due to other violent incidences that have occurred in other places. He also stated that there are “many, many, many of us, you included Larry” that this is matter of extreme importance.

Staff, Council & Committee Report

Council

Mervin Schmidt asked when meetings can be conducted in person again. The Clerk stated

that won't be an option until the county is into phase three and as of the current time, Douglas County isn't even into phase two. Even in phase three, there will be restrictions that will have to be followed in order to conduct in person meetings.

Project Updates – Varela & Associates

Daniel Cowger provided a brief project update on the wastewater treatment plant stating there have been some scheduling challenges. Dale Rey asked about the status of the Elmer City issues. Keith St. Jeor stated that both towns are aware of the issues. Complete project costs still need to be calculated out so we know what the final dollar amounts are.

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 7:09pm

Mayor 
Bob Poch

Clerk 
Stefani Bowden