

OPENING OF COUNCIL MEETING

Mayor Pro-Tem Debbie Chapman opened the remote and in person council meeting at 7:00pm. The council members present were Michelle Plumb, Marsha Smith, Mike Schrag, Dennis Chamberlain, Dede Boyer, and Scott Yaeger. Staff members in attendance were Clerk-Treasurer Julie Flyckt, Deputy Clerk Treasurer II Michelle Asmussen, City Police Chief Dave McCormick, City Attorney John Kragt, and Public Works Director Dave Breazeale. City Fire Chief Joel Bell and Mayor Linda Kadlec were excused. Also present were Barry Boyer, Linda Schrag, John & Jan Marshall, Dan Blankenship, Pate Spain, Lisa Brody, David Chapman, Ben Varela, and Dale Brown from the Cheney Free Press.

ACCEPTANCE OF THE CONSENT AGENDA

Mayor Pro-Tem Debbie Chapman asked if there were any corrections or additions to the consent agenda. Council Member Scott Yaeger stated, under the discussion agenda he would like to add Well 8 Pump Station Project Bid notification. Council Member Mike Schrag made a motion to approve the agenda for October 3rd, 2023, with the addition to the discussion agenda for Well 8. Council Member Dennis Chamberlain seconded the motion. Motion passed 7-0.

PUBLIC REQUESTS AND COMMENTS- Mayor Pro-Tem Chapman asked if there was anyone from the public who would like to comment. Pete Spain from 301 W. 8th Ave, stated he had a couple things he wanted to discuss. He talked about how permits are being laid out and how they are actually being signed off and how it is actually working because he was almost hit by a car on Jackson and Weber up by the three new houses that were built. The last house does not have enough of a setback for that driveway, when he parks his car there and two cars coming down that lane, and there isn't 10' from the center of that road to the end of his driveway. He does not know who signed that permit off, but that permit was definitely not legal as there is no setback at all and it should be 20'. My next issue is the water bill. We all know we have water bill problems around here as Pete was paying his water bill on Friday and was told there was another bill on his Broadway house and the water has been shut off since October. He was told that he didn't pay a water bill for a whole year in 2021 his property, and that is still in litigation back and forth. He proved that he paid over eight months alone on a spreadsheet. The spreadsheet has been passed back to him twice. How do we handle this? It is a continued reoccurring problem, and it just keeps happening. He said it just keeps going back and forth, and he doesn't want to sue the city and he doesn't want to fight with the city about it. Pete stated he knows for a fact they don't owe the city any money for the water bill.

Lisa Brody 407 S. Jefferson commented it is always the water bill and it seems to be the biggest problem. Why is it that you can't clearly state on the bills when things are due? You allow 10 calendar days to pay a bill, that's ridiculous as in most places it is 30 days. Why is it if you don't pay on the 26th there is a fee immediately added? It doesn't say what the fee is either it is just magically a number, but supposedly it is a percentage. This last water bill got her especially frustrated, and why is there all of a sudden now, notifying everybody a decade long where nobody has been charged, if you have a shut off water notice you are going to have to pay \$37 a month.

ACTION AGENDA

- A. Marshall Schumann Alley Vacation Public Hearing, Ordinance 2170-** Mayor Pro-Tem Chapman opened the Marshall Schumann Alley Vacation at 7:10pm. This hearing was to allow the public the opportunity to comment on the proposed alley vacation application. Mayor Pro-Tem Chapman asked if there were any written comments received by 5pm today? Clerk-Treasurer Julie Flyckt stated there were no written comments. Mayor Pro-Tem Chapman asked if the staff had any additional information. Clerk-Treasurer Julie Flyckt provided a quick overview and then the Marshalls presented their application. The alley vacation is in block 34 of the Northern Pacific Addition to the City of Ritzville. There may have been a point in time where this was vacated but there is no documentation. The application has gone to the Planning Commission, and they approved a resolution to recommend approval of the alley vacation. John Marshall stated what they are trying to do is establish if the alley had been vacated in the past. There doesn't seem to be any record that it had been. When they bought the property eight years ago from Rick Telecky, John Marshall asked him about the alley (he had it fenced off at the time), and Telecky didn't have any recollection if there was an alley vacation or not. There have never been any utilities or maintenance in the alley that John Marshall is aware of. The Marshalls want to vacate the alley in case they ever want to sell the property or add on to the back of the building. After the alley is vacated, Marshall will have it surveyed and submit a property line adjustment application. They found out with help from the county and city, the road goes across their property and there is no indication that it was ever vacated or dedicated to the city. If the city actually owns that property, it will make it easier to donate the little sliver of ground on the other side with the flag. With no further testimony, the public hearing for the Marshall Schumann Alley Vacation was closed at 7:18pm. Council Member Scott Yaeger made a motion to adopt Ordinance No 2170 vacating the alley in Block 34, Northern Pacific Addition to the City of Ritzville. Council Member Mike Schrag seconded the motion. Motion passed 7-0.
- B. Show Cause Hearings:** Mayor Pro-Tem Chapman opened the Show Cause Hearings at 7:19pm. The purpose of the hearing was for the City Council was to hear and consider the pertinent facts relating to show cause why a resolution should not be adopted, ordering the nuisance be abated by the city or its designee with the costs of said abatement being charged against the said landowner.
- **109 W. Cherry Avenue-** Clerk-Treasurer Julie Flyckt stated the property owner is John Knutsen and on August 16th the first photos were taken. The yard was cluttered with an accumulation of debris & material, and multiple abandoned vehicles, which constitute a fire hazard. There was a letter mailed to the property on August 22 to clean up the property with a show cause date of October 3rd, 2023. The second set of photos were taken on October 2nd, and nothing has changed. Mayor Pro-Tem Chapman asked if the council had any questions. She then asked if there was anyone there to represent the property and there was no one present. Council Member Michelle Plumb made a motion to pass resolution no. 2023-17, a resolution of the city council of the City of Ritzville declaring 109 W. Cherry to be a hazard and a

menace to public health and for removal. Council Member Dede Boyer seconded the motion. Motion passed 7-0.

- **315 W. Broadway Avenue-** Clerk-Treasurer Julie Flyckt stated the property owner is Pete Spain and the first set of pictures were taken on September 5th, at that time there was debris/materials accumulation of items making it a fire hazard. There was a letter mailed to the property owner on September 5th, 2023, to clean up the property with a show cause date of October 3rd. The second set of pictures were taken on October 2nd and some siding has been added to part of the house and the debris and scrap piles remain. The city continues to get a lot of complaints about this property from the neighborhood. If the city can encourage the property owner to clean it up, even though it is under construction that would help. Mayor Pro-Tem Chapman asked if there was anyone there that would like to make a comment on behalf of the property. Pete Spain stated this property is currently under construction. They are putting the house wrap on before the siding because it is a 100-year-old house, and it has a ton of chipping paint. The fastest way to get rid of the paint is to wrap the house and side it. Spain State he got a stop work order on that house for siding and paint. He asked the Clerk-Treasurer Julie Flyckt what the code was for siding. Julie replied in this process Andy the building inspector took a look at the project and he did not need a permit for siding. Spain stated for multiple other jobs he has completed he hasn't had to get a permit to put metal siding over existing siding because they were not removing the siding. If we were removing the siding it would require a permit. A stop work order was placed on the property, but it didn't state the code violation. If he hadn't received a stop work notice it probably would have been done by now. If he had been hit for a stop notice for any of the footing, that would have been legitimate because all of that was illegal. Spain wanted Julie to show him where the debris was that was a nuisance. Julie stated it was in the top left picture. He said all the things she was talking about he was going to use for the remodel of the house. He needs to get it done as he is losing money. Council Member Dennis Chamberlain stated this is a construction site and it looks like a mess and covering it up may help but he cannot call it a nuisance. Spain stated, out of respect for the council he will try to have it buttoned up by the first of the year on the outside. Spain will address the weeds and stack the blocks sooner than that and will dedicate one day a week to try and get it done. Flyckt stated there have been multiple calls from community members about the property every two weeks. The council decided to take no action on the resolution. Mayor Pro-Tem Chapman closed the show cause hearings at 7:46pm.
- C. Cemetery Fees Public Hearing, Ordinance 2171-** The public hearing for the Modified Cemetery Fees was opened at 7:47pm by Mayor Pro-Tem Chapman. The hearing was to allow the public the opportunity to comment on the cemetery fees. The Mayor Pro-Tem Chapman asked if there were any written comments received by 5:00pm today. Clerk-Treasurer Julie Flyckt stated there were no written comments. Mayor Pro-Tem Chapman asked if the staff had any additional information. There was no additional information from the staff. Council Member and Finance Committee Chari Mike Schrag stated it has

been discussed for the last couple of council meetings and everyone has agreed on the fees. Mayor Pro-Tem Chapman then asked if anyone in the audience or the council had any questions. With no further testimony, the public hearing for the Modified Cemetery Fees was closed at 7:48pm. Council Member Mike Schrag made a motion to adopt ordinance no. 2171 establishing modified Cemetery fees at the Ritzville Memorial Cemetery. Council Member Dennis Chamberlain seconded the motion.
Motion passed 7-0.

- D. Water Distribution Project Pay Estimate 2, POW Contracting-** Ben Varela with Varela and Associates stated the pay estimate #2 is for the Distribution System Improvements Project. It is for installation of approximately 12 of the 17 connection details throughout the city associated piping to connect to existing water mains. It is also for potholing water mains to determine existing pipe material and size and for materials on hand. A lot of those connections should be made this week, and POW will work on the Weber and First Street crossings next week. Pavement patching will hopefully occur the week of the 16th. Council Member Scott Yaeger made a motion to approve pay estimate #2 for the Water Distribution System Improvement Project to POW Contracting, Inc in the amount of \$205,994.29. Council Member Mike Schrag seconded the motion. Motion passed 7-0.
- E. Main Ave Slurry Project Status Update-** Council Member Scott Yaeger stated last Fall when the slurry seal was completed, there were defects, and it was discussed, at that time, there was 989 square yards of defect. The contractor said they would come back and look at it in the Spring or Summer. On August 9th, Public Works Director Dave Breazeale, and Cody from Blackline and Council Member Yaeger met to look at the defects and how it was wash boarded at the joints. Council Member Yaeger discussed it with Cody, and he didn't really have a good solution to repair the defects. At that time, they agreed it was probably better off if the city did not pay the remainder of the 989 SY of slurry seal. A letter from Dave Breazeale to Blackline will be written to state the city's final payment was last November and the letter will be the documentation included with the bill. It will also give an accounting history of what the city has paid. Council Member Scott Yaeger made a motion the pay estimate #2 from November of 2022 was the final payment for the slurry seal, and the City of Ritzville will not pay for the 989 SY of defective slurry seal. Council Member Dennis Chamberlain seconded the motion.
Motion passed 7-0.
- F. Ritzville Pathway Trail Easement-** Clerk-Treasurer Julie Flyckt stated she has been working with Mike Connelly, the city's land use attorney to create an easement for the Ritzville pathway that was never completed with property owners. The draft has been provided to one of the property owners to review as it will be part of their short plat. During the short plat review it was discovered there was no record on the short plat of there being an easement for the Ritzville Pathway going through their property. There is also another property owner that lives near this property, that has brought this to the city's attention too. Moving forward, there will be an easement with each of the property owners but the easement document needs to be approved by the council. Flyckt has received feedback from public works, and they gave some feedback on the pathway width. In paragraph the width is stated approximately 5' in clear tread width, in

addition to such adjacent land 10' each side as necessary to allow holder to exercise all rights and duties. Council Member Dennis Chamberlain made a motion to move forward with the Pathway Easement. Council Member Mike Schrag seconded the motion. Motion passed 7-0.

DISCUSSION AGENDA

- A. Fiber to the Home Project Update-** Dan Blankenship Adams County Commissioner District #1 stated as far the design elements are pretty well completed. It is completed to a degree where today the county approved and signed the call for bids, material, and cable. The notice will be in the newspaper next week and published twice. There will be material on its way here and start moving dirt soon after the first of the year. The rest of the design elements that they are still working on is finalizing the documents, franchise agreements, and crossing agreements with DOT and Burlington Northern. As far as the lease goes for the co-location on the facility down by the old fire station, the county has a document that they think will work. Commissioner Blankenship couldn't tell you what year it was, but at the time the annexation and development of the Love's truck stop occurred, the City of Ritzville applied for and was granted a permit to bore holes underneath I-90 for water and sewer for that project and for on going development. Around the same time, the City of Ritzville also applied for and got a permit to place two 4" conduits under the freeway for future telecommunications. The county would like to be able to use part of one of those 4" conduits to take fiber optic cable across the freeway to Love's and future development there. Public Works Director Dave Breazeale stated he met with the county and contacted Kris Robbins who was the Clerk at the time, and she stated she thought the conduits were put in there for telecommunications. Breazeale did not see any issue with having the conduits being used for fiber, but he will research the plans and permits.
- B. 2024 Budget Workshop:** Mayor Pro-Tem Chapman reminded council about the budget workshop scheduled for Friday, October 6th, from 9am-1pm, at the Washington Wheat Foundation Community Room.
- C. Well 8 Pump Station Project Bid Notification-** Ben Varela stated they finally have everything they need from Rural Development (RD) to start the bid notification process. Last week RD approved the documents, and Varela is hoping to go out to bid this week. Next week there will be the first bid notice, with the target to be completed with the bid process by the November 7th Council meeting, in order to award that project. The estimated cost is about 1.9 million and have until next September to get it done as that's when the RD money ends. The biggest thing with the schedule is going to be the electrical and the pump, and those are typically 6-8 months out. Right now, in the contract there is a July 31st tentative completion date. There is a generator, that will be a separate bid item and schedule, because it will be based on the remaining budget.
- 7. CORRESPONDENCE:** There were RPDA August minutes in the meeting packet.

8. **MAYOR UPDATES:** There were no mayor updates.

9. **DEPARTMENT UPDATES**

- A. **City Attorney-** John Kragt stated Julie has a lot going with the land use attorney and Mike Connelly does a great job.
- B. **Public Works-**Public Works Director Dave Breazeale stated they were just working on the water distribution project, and Justin and Kevin have been doing a real good job notifying the people of the water shut offs and the clerks at city hall, so they know who is going to be out of water. The last meter reading before winter started today and then it will go back to the average billing next month. The grass seed planted up on the hill is complete and it should be coming in anytime.
- C. **Police Department-** Chief Dave McCormick stated unless anybody had any questions, he really didn't have anything to talk about.
- D. **Clerk/Treasurer-** Clerk-Treasurer Julie Flyckt stated the federal and financial audit started last week, and she has been responding to a lot of emails and providing documentation. She is prioritizing the federal audit over the financial one. AWC reached out to the city to help with a location for the district 1 meeting here in Ritzville at the Wheat Growers room. It is going to be October 17th during the lunch hour, but Flyckt has not seen an announcement yet. Flyckt will be attending a planning conference next week, Wednesday-Friday. This will be the first planning conference she is attending and hope to connect with other cities to see how they have managed growth. There is a staff member that has been out sick for over a week. Flyckt stated it was interesting in the condition survey from AWC, there was a question about whether your city is facing more harassment from the public. Flyckt answered, yes, because we are having a situation with a citizen who is more elevated with his harassment when he comes into city hall. The Clerk Department is working with the police department, city attorney, and the mayor on how to respond to the harassment.

ADJOURNMENT-With no further comments or business to come before the council, Mayor Pro-Tem Chapman adjourned the remote and in person meeting at 8:25pm.


Michelle Asmussen, Deputy Clerk-Treasurer II