

**City of Cosmopolis**  
Regular Council Meeting  
February 15, 2012

Mayor Vickie L Raines presided

Councilmembers Present: Jim Ancich, Carl Sperring, Karen Cox, Frank Chestnut and Debbi Moran

Staff Present: Finance Director Kathy Welch, Attorney Stephen Hyde, Police Chief, Casey Stratton and Public Works Director Darrin Raines

Meeting was called to order at 7:00 P.M. by Mayor Vickie L. Raines.

**MEETING CALLED  
TO ORDER**

It was moved by Carl Sperring and seconded by Frank Chestnut to approve the Agenda. Mayor Raines added request for letter of recommendation from Mr. Kim regarding a liquor store to New Business item G.

**AGENDA  
APPROVED**

It was moved by Carl Sperring and seconded by Jim Ancich to approve the Consent Agenda consisting of minutes of January 24, 2012 with the correction Councilman Ancich was not in attendance, and Claims Vouchers 17647 through 17679 in the amount of \$51,913.64.

**CONSENT AGENDA  
MINUTES  
APPROVED**

Mayor Raines introduced Harold Brunstedt and Bill Pickell representing the Working Wild Olympics. We will have a representative from the proponents of the Wild Olympics at the next meeting.

Mr. Pickell said the Wild Olympics is a group of eight or ten major national environmental groups, along with local environmentalists who would like to lock up a portion of the Olympic National Forest. They would like to take approximately 134,000 acres of timberland that exist now and put it into wilderness status. Wilderness status is the most rigid management plan you can find. Once declared wilderness, this means untrammeled by man. You are still allowed to hunt, hike and fish but are not allowed to take anything mechanical into it, including saws, motorbikes and bicycles. Generally in a wilderness area all roads are eventually obliterated. This has happened to Wild Sky, north of Seattle where they are taking out a nice paved road along with a big bridge. When Wild Olympics claims they are going to improve access to this area, it is not. Usually the roads are going to be wiped out. The current Park Service roads are in terrible shape and the only way to fix them is with money. Their source for money has always been logging. The Olympic National Park has always been one of the most lucrative parks in the nation until the spotted owl and the Northwest Forest Plan in the late 80's and early 90's. Where they were producing 250 million feet annually it is now down to 17 million (a thinning forest). You cannot clear cut any longer, you can only thin until age 80 and once the trees reach that age, they are free to grow forever. Eventually this area would become a park. We already gave up 90% of this forest under the spotted owl. This is one of our major objections, that this would take away a wood source from our mills. Sierra Pacific (produces 1 million feet day) Cosmo, Dahlstrom and another mill in Elma could all use that wood. The salvage Weyerhaeuser did from the 2007 storm damage affected their rotation for the next 20 to 30 years. There will not be much volume coming off these lands. The wood must come from a working circle, 60 to 100 miles truck haul. When the forest was designed were given the Quinault Circle, 150,000 acres dedicated to this community, they also gave one to Shelton working circle. When the spotted owl came along these working circles were obliterated for habitat. We had logged approximately 47,000 acres on a 150 year rotation. Loggers do not want the old growth; we want the three to four foot stems. They are making a proposal to lock up 130,000 acres in wilderness, a lot of that is good timberland. This is being sold as old growth, but about 32,000 acres is already logged land that is being promoted as pristine by the Wild Olympics group. The land owners who have had to set aside riparian zones were supposed to be reimbursed for the timber on that land. The State is over 15 million dollars in arrears on these payments. Mayor Raines said that she understands that under the current proposal, the State would have the first right to purchase land from private property owners willing to sell. Harold Brunstedt said that this opens the door for the Park to purchase land outside the Park boundaries. Right now they can only purchase land within the Park boundaries without express authorization from Congress. Frank Chestnut pointed out that the Olympic National Park is currently 920,000 acres; 95% of which is literally inaccessible (under Wilderness Designation). Mayor Raines asked if thinning was allowed, Harold said no, not within the Park. Bill Pickell said that the National Park designation was thought to be the severest restrictions on the land, but the Wilderness Bill surpasses that and puts more land and uses off limits to all of us. Frank commented that when the spotted owl came along, a pair was given 3,400 acres of protection; could be up to 5,000 acres. Managed properly, this amount of land could provide jobs for a sawmill employing 50 people in perpetuity. We have many spotted owl circles here that when this happened, we lost half of our membership in the woodworkers union from Jefferson, Clallam and Grays Harbor Counties. If we apply this to the 150,000 additional acres they are asking for, we need to understand the

magnitude of the job loss this will create. Mayor Raines thanked both Bill Pickell and Harold Brunstedt for their comprehensive presentation. Jim Ancich asked who pays Al Carters salary for the Wild Olympics. Mayor Raines said the Jon Owens Group. These groups want to lay out a management plan for the next 100 years on the green agenda.

### **COMMITTEE REPORTS**

COMMITTEE

**Public Works** – Jim Ancich said that he, Councilman Chestnut and Public Works Director Raines met to discuss the snow and ice removal policy and are looking to do some things differently. Darrin said that he met with Montesano and discussed this issue to get some ideas on how to handle the road conditions during these storms.

**Public Safety** – Councilman Sperring reported that they met with Union negotiators February 6<sup>th</sup> to discuss contract proposals.

**Council of Government** – Councilman Chestnut reported that they met. Executive Director Vickie Cummings dropped in. Vickie is recuperating from some very serious surgery. Amended 2012-2017 Regional Transportation Improvement Plan and provided funding for four mini buses to Grays Harbor Transit.

**E 9-1-1** – Mayor Raines reported that E 9-1-1 met and approved recent expenditures. Mayor Raines also reported that sales tax revenues were up quite a bit from last year.

**Legislative** – Carl Sperring reported that there are 3,917 proposed bills. The bill 6176 relating to B & O tax collection to Department of Revenue cities are protesting this as a revenue grabs. Right now it is stalled in committee. Mayor Raines said that she has asked the City of Cosmopolis to follow Westport, Hoquiam and Aberdeen with a resolution protesting this proposed bill. She reported that the Mayors sent a letter to the Coastal Caucus opposing this legislation. She received a couple of responses, one from Brian Blake thanking them for their interest and input on this issue.

### **CITY OFFICIAL REPORTS**

CITY OFFICIALS

**Police** – Matt Nelson will be back at work March 1<sup>st</sup>. Casey requested permission to spend budgeted monies on the purchase of two lap top computers. On duly carried motion by Debbi Moran and seconded by Frank Chestnut permission is granted to purchase the computers. Chief Stratton also requested permission to purchase computer forensics licensing upgrade for \$2800. On duly carried motion by Frank Chestnut and seconded by Debbi Moran permission to purchase forensic equipment granted.

**Fire** – Mayor Raines said Fire Department is absent due to a donkey basketball game scheduled tonight that the firemen are supposed to compete in.

**Public Works** – Darrin referred to written report. He said that the Mill Creek Park repairs will be deferred. We might be able to get some funds to replace the foot bridge at the end of the park. The crew recently replaced a fire hydrant at Elizabeth and Burns. They found the problem is more than just the hydrant. The water main is too small and will need to be replaced. Darrin will be working on some estimates. The crew will be doing the work that he estimates to cost between \$8,000 to \$10,000.

### **MAYOR'S REPORT**

MAYOR

Mayor Raines reported that Peterbuilt will be holding their grand opening Friday, February 17<sup>th</sup> from 11am to 5 pm. The ribbon cutting ceremony will be at 4:00 p.m.

### **UNFINISHED BUSINESS:**

#### **A. Approval of equipment purchase**

Darrin explained that he and Jim Ancich have to been able to find a reasonably priced used dump truck. Peterbuilt has four 2008 trucks in Portland that are brand new. We can purchase one through State Purchasing. These trucks were built to municipal specs. We can finance it for 60 months at \$1857.28 a month for \$115,756 total. On duly carried motion by Jim Ancich and seconded by Frank Chestnut approval given to purchase a dump truck. Mayor Raines explained that if we pay off the truck early there will be no penalty.

### **NEW BUSINESS:**

NEW BUSINESS

#### **A. Bonneville Power request for easement**

Darrin explained that the easement is for 700 feet in the same area that BPA topped the trees in before. This is basically maintenance for BPA. We should be good for about 20 more years. Attorney Hyde reviewed and approved the easement. On duly carried motion by Frank Chestnut and seconded by Carl Sperring the easement for BPA to top the trees in the described legal is approved.

#### **B. Resolution 2012-04 opposing the proposed tax & licensing simplification act**

Attorney Hyde read Resolution 2012-04 objecting to the proposed B & O bill in its entirety and on duly carried motion by Carl Sperring and seconded by Frank Chestnut Resolution 2012-04 passed.

#### **C. Ordinance No. 1257-2012 Budget Amendment in Equipment Reserve**

Attorney Hyde read Ordinance No. 1257 amending the 2012 budget in Equipment Reserve in its entirety and on duly carried motion by Debbi Moran and seconded by Frank Chestnut Ordinance No. 1257 passed.

**D. Approval of Aberdeen Little League Agreement to use Lions Club Park**

Mayor Raines explained that we have received the standard letter requesting the use of the Lions Field for the 2012 Little League season. Mayor Raines said this is a standard agreement, she requested that on first page article 3 terms would be March 1<sup>st</sup> 2012 through July 15<sup>th</sup>, 2012. Before action was taken Mayor Raines referred to the request from Corey and Kelly Daniels. On duly carried motion by Frank Chestnut and seconded by Jim Ancich the Little League Agreement for 2012 is approved.

**E. Request by Corey and Kelly Daniels to use Lions Club Park** Mayor Raines explained that we have received a letter requesting a time slot for practice on the Lions Field for three teams that D4 Sports is sponsoring. Debbi Moran asked if this would be in conflict with the Little League. Mayor Raines said that yes, this is the problem. After discussion on how much Little League would be using the field, Mayor Raines asked if D4 could use one of the fields at Makarenko Park. Darrin said that it would be possible to work with Youth Soccer on this. It was decided that we would offer D4 Sports the use of a field in Makarenko Park for a fee of \$100.

**F. Release of interest on Washington, Victoria, Tacoma and Los Angeles Streets to Gary Swartz**

Attorney Hyde reviewed the request and explained that the City has no interest in the property listed. This is basically a housekeeping item as an 1890 law had reversionary clauses in areas that were platted and streets never constructed. On duly carried motion by Carl Sperring and seconded by Debbi Moran, release of interest is approved.

**G. Letter of approval to Bum Kim regarding Liquor Store**

Mayor Raines said that we have received a request from Bum Kim, owner of Maxi Mini Mart, for a letter of recommendation to open and operate a liquor store out of Maxi Mini Mart. Mr. Kim has already submitted his application to the Liquor Control Board and they are requesting a letter of recommendation by the City. Mr. Kim said that he would remodel part of the store to accommodate the liquor sales. Mayor Raines said that we received a letter of intent from Barbra Sumner today expressing interest in opening a liquor store in Cosmopolis. She stated that she is a long time resident of Cosmopolis and is currently managing the Aberdeen Liquor Store. She stated that there are two law suits pending on the constitutionality of I-1183 and does not think the State will issue these licenses until this is resolved. She is currently looking at the old Cosi Liquor Store and has spoken with the Tom regarding leasing this building. Mayor Raines asked Ms. Sumner who Tom is. Ms. Sumner said that this is Tom Distler whose parents own the building. Mayor Raines said that we had a similar request from Sean Robels in 2009 that the State decided not to reinstate a contract liquor store there at that time. Mayor Raines said that we needed to address these requests one at a time. Mr. Kim is waiting on the Council’s decision to submit the rest of the paperwork to the State as he was instructed to do by the Liquor Licensing Board. Mayor Raines asked the Council if they wanted to provide Mr. Kim a letter of recommendation in support of him opening a private liquor store. Mayor Raines suspended normal Council rules to let Ms. Sumner comment. Ms. Sumner said that she spoke with a liquor enforcement officer today and was told that due to the fact that they have not defined a “trade area” and any application for a license for a building under 10,000 sq ft will be put on hold until they have finished with the 10,000 sq ft license. She said that she understands that there are some contingencies on the building she is interested in. The building has gone into default and the Distlers are trying to get the building back. Mrs. Distler said that she would work with Ms. Sumner if the City would say it is ok. Mayor Raines said that the Council can chose to do what they want to do, but feels that at this time there are too many ifs related to her specific issue. We do have an established business that is making a request at this time. Whether the State allows approval of the license remains to be seen. Mayor Raines said that her concern is that if the property goes into default and if it goes back to the original owner they would consider working with you, providing the City gave you a letter of recommendation. Mayor Raines said an analogy is when Weyerhaeuser was in the process of trying to sell the mill we dealt with this issue when Sateri said they wanted to purchase the pulp mill; followed by Evergreen Pulp and Paper saying they were going to purchase the pulp mill. We actually had a check in hand from Evergreen regarding the franchise agreement for the affluent line that controls the water that exits the mill site, we did not sign this agreement. She does not feel that Ms. Sumner’s request is firm enough for her to take back to the Council. Mayor Raines did tell Ms. Sumner that if all of this comes to fruition that the Mayor and Council would be willing to readdress this issue. Ms. Sumner asked if she gets all her ducks in a row if she can request a letter of recommendation at that time. Mayor Raines told her yes. Mayor Raines asked Attorney Hyde if he had any comments. Steve asked Chief Stratton if there had been any liquor violations at Maxi Mini. Chief Stratton said there had not been any. On duly carried motion by Debbi Moran and seconded by Frank Chestnut the Council approved giving Mr. Kim a letter of recommendation to submit to the State Liquor Licensing Board to operate a liquor store at Maxi Mini Mart. Frank commented to Ms. Sumner that if their proposal was a little more solid, he would feel a little more comfortable granting her a letter of recommendation.

**Council Comments:**

Frank Chestnut said that he thinks we might need to go back to two meetings a month. Tonight’s

COUNCIL  
COMMENTS

marathon meeting is a good example of the need for two meetings.

**Public Comments:**

Al Sommerville said that he would like to see the speed bumps removed. He said they do not do any good. Winnie Moulton, a neighbor, said that she doesn't care one way or another. Mayor Raines asked Chief Stratton and the Public Safety Committee will meet to discuss this issue.

\_\_\_\_\_  
Finance Director

Attest:

\_\_\_\_\_  
Mayor

**MAYOR**

**NEW BUSINESS**









