



# City of Vader

317 8<sup>th</sup> Street  
PO Box 189  
Vader, WA 98593  
360-295-3222  
vadercity@centurylink.net

**CITY COUNCIL MEETING**  
**LOCATION: VADER CITY HALL**  
**DATE: Thurs., June 23rd, 2016**  
**TIME: 6:00 p.m.**

## CITY COUNCIL MEETING AGENDA

---

**Call to Order**  
**Roll Call**  
**Pledge of Allegiance**

**Mayor's Report:**

1. Report on 4<sup>th</sup> of July Planning
2. Reminder about Public Hearing for CDBG Side-sewer Project Grant Close-out to be held on July 14<sup>th</sup>, 2016 @ 6pm

**Council Reports:**

**Special Reports:**

**Agenda Approval:** City Council Meeting Agenda for 6/23/2016

**Minutes Approval:** City Council Meeting 6/09/2016

**Voucher Approval:**

<b>End of June 2016:</b>	<b>\$ <u>10,015.41</u></b>
<b>June 2016 Total:</b>	<b>\$ <u>32,728.68</u></b>

**Public Comment:**

**City Business:**

1. Council discussion on Wastewater Treatment Facility Plan Update options with Cathi Read (Dept. of Commerce), Greg Zentner (Dept. of Ecology) and Tom Geise (BHC Consultants).
2. Council to consider Resolution 10-2016 – Use of Private Property for Community Activity

**Adjournment**

The City of Vader is an equal opportunity provider. If you have special needs, please contact us in advance of the meeting so we can make special arrangements. 360-295-3222 office



**CITY OF VADER**

317 8<sup>th</sup> Street

VADER, WA 98593

(360) 295-3222

**CITY COUNCIL MEETING**

**LOCATION:** Vader City Hall

**DATE:** June 9<sup>th</sup>, 2016

**TIME:** 6:00 p.m.

**CITY COUNCIL MEETING MINUTES**

Call to order: 6:02 p.m.

Roll Call: by Jill Nielson, Clerk/Treasurer

In Attendance	Absent Excused	Absent Unexcused	Name/Title
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ken Smith, Mayor
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Andy Wilson, Position #1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jason Dailey, Position #2
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Joe Schey, Position #3 & Mayor Pro-Tem
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Judi Costello, Position #4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ruth Crear, Position #5

**Action-----I move to excuse Judi Costello's absence from this meeting.**

**Motion Submitted by:** Andy Wilson

**2<sup>nd</sup> the motion:** Jason Dailey

**Vote:** unanimous, 4-0/ Motion carries

Pledge of Allegiance: Andy Wilson

Mayor's report:

1. Reported on the status of 4<sup>th</sup> of July Festivities planning and said it will be a "Knock your socks off!" event. The celebration begins at 8 p.m.
2. Reported on activities related to Cascadia Rising training event.
3. Reported that the Land Use/Open Government Training that was hosted partially by the City of Vader was very successful.
4. Announced that at the July 14<sup>th</sup> City Council meeting we will be holding a Public Hearing about the Sidesewer I & I Reduction Project that was funded by CDBG.

Council Reports:

1. Jason Dailey asked about stop sign at 8<sup>th</sup> and D Street. He also suggested holding a Public Meeting to get the public's input about what they would like to have happen at the public parks.

Special Reports:

1. LCSO Sergeant Cheeseman reported on the May law enforcement activities. He stated that things went well at the May Day event and for the public to be aware of Scams happening a lot right now.
2. Steve Krohn reported for the Park Board that the PUD checked out the line that had been laid years ago and said it was approved and would work. All they are waiting for is the check from the City for the remaining costs and they would have the electricity installed in a matter of a week or so.

Agenda:

**Action-----I move to approve the Agenda for the June 9th, 2016 City Council Meeting as written.**

**Motion Submitted by:** Joe Schey  
**2<sup>nd</sup> the motion:** Andy Wilson  
**Vote:** unanimous, 4-0/ Motion carries

Minutes:

**Action-----I move to approve the Minutes for the May 29th, 2016 City Council Meetings as written.**

**Motion Submitted by:** Andy Wilson  
**2<sup>nd</sup> the motion:** Ruth Crear  
**Vote:** unanimous, 4-0/ Motion carries

Vouchers:

**Action-----I move to approve the vouchers for:**

First half of June, 2016:                   \$ 22,713.26

**Motion Submitted by:** Joe Schey  
**2<sup>nd</sup> the motion:** Ruth Crear  
**Vote:** unanimous, 4-0/ Motion carries

Public Comment: NONE

City Business:

1. Council considered Resolution 08-2016 which removed items from the Police Department Inventory and deemed them as surplus.

**Action-----I move approve Resolution 08-2016 a resolution to surplus certain Police Department Equipment and authorize the Mayor to dispose of items listed in Exhibit A by the appropriate auction process and items listed in Exhibit B by donating them to the Cowlitz County/Lewis County Fire District #20.**

**Motion Submitted by:** Joe Schey  
**2<sup>nd</sup> the motion:** Ruth Crear  
**Vote:** unanimous, 4-0/ Motion carries

2. Council considered Resolution 09-2016 regarding a grant agreement between the City of Vader and the WSDOT Transportation Improvement Board.

**Action-----I move to approve Resolution 09-2016 a resolution to authorize the Mayor to execute the State of Washington Transportation Improvement Board Grant Agreement attached as Exhibit A, for funds in the amount of \$35,000.**

**Motion Submitted by:** Jason Dailey  
**2<sup>nd</sup> the motion:** Ruth Crear  
**Vote:** unanimous, 4-0/ Motion carries

3. Counsel discussed the status of adding parking around City Hall. Councilor Jason Dailey provided a drawing to offer contractors so they can provide bids for the project.
4. Council decided to discuss the Facility Rental Fee at the next Council Meeting.

Meeting Adjourned: 

6:53 p.m.
-----------

Approved by:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk/Treasurer



**Subject: Res. 10-2016  
Temporary Site License Agreements**

**Dept. Origin:** City Administration

**Prepared by:** Jill Nielson

**For Agenda of:** June 23th, 2016

**Exhibits:** Res. 10-2016

**Proposed Action:**

Approve Agreement verbiage.

**INFORMATION / BACKGROUND**

As you know the City of Vader is providing the 4<sup>th</sup> of July Celebration this year. As part of the preparations the city needs to acquire Special Event Insurance to protect the City against any injuries or accidents that may happen as a result of the event. Part of the insurance requirements is to list all the properties where the event may take place. Several parcels of **private** property north of the Post Office are often used for this event. It does not cost the city anything to add the private property owners to the Special Event Insurance coverage but we do need to have permission to use the properties in order to justify adding them to the insurance.

Vader Attorney, Jennifer Robertson, has put together a letter that explains the situation as well as a simple use agreement that would officially give the city permission to use the private property and to add the property owners to the insurance coverage. It is a good deal for the property owners as it would be up to them to restrict the public from going on their property if they didn't want to allow use. This way the city has permission and the property owners and the city are covered in case of any accidental injury. It is really a win/win.

The property owner also has the option of agreeing to the lease for 2016 only or they may opt to allow ongoing use of their property for the 4<sup>th</sup> of July Celebration each year. This way they would not need to deal with this document every year.

**FISCAL CONSIDERATION**

There are 5 pieces of property and we are offering \$1 per property for the one day lease.

**RECOMMENDATION / MOTION**

Approve Resolution 10-2016 – Temporary Site Use Agreement

**Motion:** I move to approve Resolution 10-2016 a resolution to authorize the Mayor to execute the an agreement with certain private property owners for the use of their property during the July 4<sup>th</sup> Celebration which is attached as EXHIBIT "A".

**RESOLUTION NO. 10-2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VADER, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH CERTAIN PRIVATE PROPERTY OWNERS FOR USE OF THEIR PROPERTY DURING THE JULY 4<sup>TH</sup> CELEBRATION.**

---

WHEREAS, the residents of Vader have enjoyed a fireworks display and other activities held on July 4<sup>th</sup> (Independence Day) over the last several years which was put on by various private citizens of the community and held on public and private property; and

WHEREAS, the City Council agreed to accept responsibility to plan, prepare and pay for this annual celebration and has set aside funds to do so as part of the 2016 Budget; and

WHEREAS, the July 4<sup>th</sup> Celebration will likely result in spectators setting up blankets and chairs to watch the fireworks display along a closed city street, Werden Park and surrounding private property as has been done in the past; and

WHEREAS, the City desires to protect its residents by having event insurance to cover any possible injuries or other unfortunate event that could happen at such a celebration and understands that in order to include activities on certain private property in the insurance coverage a temporary lease agreement or site license needs to be in place.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF VADER, WASHINGTON, DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The Mayor is hereby authorized to execute a Temporary or Ongoing Site License Agreement (attached to this Resolution as Exhibit "A") with certain private persons who own property that is likely be used by spectators and participants of the City of Vader 4<sup>th</sup> of July Celebration.

RESOLVED this 23rd day of June, 2016.

---

APPROVED:

---

Kenneth Smith, Mayor

ATTEST/AUTHENTICATED:

---

Jill Nielson, City Clerk

# **EXHIBIT “A”**

**TEMPORARY OF ON-GOING SITE LICENSE AGREEMENT**

**BETWEEN**

**THE CITY OF VADER AND**

**CERTAIN PRIVATE PROPERTY OWNERS OF VADER**



**TEMPORARY SITE LICENSE**

<b>OWNER:</b> [INSERT PROPERTY OWNER(S)]	<b>LICENSEE:</b> City of Vader, a Washington Municipal Corporation
<b>TERM: Check one:</b> <input type="checkbox"/> One day only – July 4, 2016 <p align="center">OR</p> <input type="checkbox"/> One day each year on July 4 <sup>th</sup> , renewed annually until terminated.	<b>LICENSE FEE:</b> \$1.00 for each July 4 <sup>th</sup> until terminated
<b>COMMENCEMENT DATE:</b> July 4, 2016	<b>LICENSED SITE:</b> [INSERT PROPERTY ADDRESS]

**1. License of Site.** During the Term hereof, Owner grants a license to Licensee to allow the public to utilize Owner’s property for picnicking, recreation and watching fireworks. Licensee and members of the public shall at all times have the unrestricted right to enter or leave the Licensed Site during the days/dates licensed.

**2. License Fee.** The full License Fee payment shall be remitted to the Owner prior to the Commencement Date of this Agreement and if this Agreement is automatically renewing, should be paid each year prior to July 4<sup>th</sup>.

**3. Site Condition.** Owner represents that he/she/they do not know of any condition on the Licensed Site that would make it hazardous to members of the public for the use described in this Agreement.

**4. Indemnification.** Licensee shall indemnify and hold harmless the Owner from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property which arises out of the use of the Licensed Site by Licensee or members of the public, unless such injury or damage as shall have been occasioned by the sole negligence of the Owner and

provided, further, that the Owner did not fail to disclose a dangerous condition on the Licensed Site and such condition contributed to the claim.

**5. Insurance.** The Licensee shall procure and maintain for the duration of the Term insurance covering Licensee's activities on the Licensed Site.

**6. Notices.** Any notice or demand required or permitted to be given or made hereunder shall be deemed given when received. Notices may be sent by messenger delivery, overnight delivery, or by certified mail, postage prepaid, addressed::

Owner:  [INSERT OWNER NAME AND ADDRESS]	Licensee:  CITY OF VADER 317 – 8 <sup>th</sup> Street P.O. Box 189 Vader, WA 98189
---	---

**7. Termination.** If the Owner is granting a renewing license to allow the Licensee to use the site each year on July 4<sup>th</sup>, the Owner may terminate the license at any time by providing the Owner with 30 days advance written notice by June 4<sup>th</sup> they year of termination sent to the address in Section 6 above.

**8. Miscellaneous.** Failure or delay on the part of Owner or Licensee to exercise any right, power or privilege hereunder shall not operate as a waiver thereof. This License constitutes the entire agreement of the parties hereto with respect to the subject matter hereof and shall supersede all prior offers, negotiations and agreements. No revision of this contract shall be valid unless made in writing and signed by duly authorized officers or representatives of Licensee and Owner. Owner represents and warrants that it owns the Licensed Site and has full authority to execute and deliver this License. The proper venue for any dispute arising under this Agreement shall be Lewis County Superior Court, Pierce County, Washington.

**9. Damage of Licensed Site.** If the Licensee's use of the Licensed Site creates damage to the Site or results in garbage being left on the Site, the Licensee agrees to clean up the site and shall repair any damage done by Licensee or members of the public during the 4<sup>th</sup> of July event.

IN WITNESS WHEREOF, the parties have executed this License as of the latter date below.

**OWNER:**

**LICENSEE:**

[INSERT OWNER NAME]

City of Vader  
317 – 8<sup>th</sup> Street  
P.O. Box 189  
Vader WA 98189

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: Kenneth Smith

Title: \_\_\_\_\_

Title: Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Attest:**

\_\_\_\_\_  
Jill Nielson, City Clerk

**Approved as to Form:**

\_\_\_\_\_  
Jennifer Robertson, City Attorney

STATE OF WASHINGTON )

)

ss.

County of \_\_\_\_\_ )

On this day before me personally appeared \_\_\_\_\_ to me known to be the Owner of the Licensed Site and who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said person, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

GIVEN under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

NOTARY PUBLIC in and for the State  
of Washington, residing at \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_.

STATE OF WASHINGTON )

)

ss.

County of Lewis )

On this day before me personally appeared KENNETH SMITH, to me known to be the Mayor of the City of Vader, Washington, and who executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

GIVEN under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

NOTARY PUBLIC in and for the State  
of Washington, residing at \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Subject: Wastewater Treatment Facility  
Plan Update**

**Proposed Action: Discussion**

**Dept. Origin:** Clerk's Office

**Prepared by:** Jill Nielson

**For Agenda of:** June 23rd, 2016

**Exhibits:**

### INFORMATION / BACKGROUND

The Vader Wastewater Treatment Facility (WWTF) is out of compliance with its permits limits which has been issued by the Department of Ecology (DOE). The DOE permit regulates the effluent (treated waste water) that gets discharged into a body of water. It also sets limits for how much wastewater our WWTF can handle.

One common permit violation in Vader is found mostly during the Fall and Winter months when we experience the highest levels of rainfall. This violation is related to the amount of flow coming IN to the WWTF. The rule is that our WWTF needs to be large enough to handle the amount of inflow (stuff coming into the WWTF) even on the wettest of days. In a perfect world, there would not be any rain or ground water getting into the sewer collection pipes and therefore the rainfall wouldn't make any difference in our WWTF inflow. Unfortunately, this is virtually impossible to achieve. We can, however, work to reduce the amount of "clean" water that infiltrates our sewer collection system.

Some days when it is really rainy we can get more than a million gallons of inflow into our WWTF. What happens when we have too much inflow for the WWTF to handle is that the wastewater gets pushed through the treatment system too fast and it does not have enough time to get properly treated before it is discharged into the Creek. In the past we have even seen manhole covers literally blow off as the collection pipes heading towards the WWTF get overfilled by excess rainwater and actually overflows the system into the streets.

The City has been working to try to reduce the amount of inflow and infiltration (I&I) into the WWTF. It is a costly endeavor but so far we have only used grant funds to pay for this work. We have seen small improvements in our I&I since the completion of our most current project but it has become obvious that we have not yet found the largest source(s) of I&I.

Here are a couple of ideas to address the issues of too much inflow:

1. Build a larger treatment system that can handle the higher levels of inflow.
2. Make significant reductions to the amount of I&I coming into the system so the flows stay below the permit limits.
3. A little of both.

Another permit violation relates to the amount of undesirable elements still in the effluent when it is discharged from the lagoons into the Olequa Creek. One reason is that a lagoon system can allow a significant amount of animal fecal matter into the system, especially in the Spring and Summer months. In Spring and Summer our lagoons become a favorite hang out for many birds including wild geese. These are big birds and to be completely honest, they

poop a lot!. The birds tend to like Lagoon #3 the most as it is the largest and it does not have an aerator in it which causes waves and activity the birds don't like. These birds spend all day every day in our lagoon and add back into the system fresh solid fecal matter. The lagoon system is set up to remove the large solid fecal matter in Lagoons #1 & #2. When the wastewater gets to Lagoon #3 it is treated with chlorine to remove any lingering fecal particles. What we find is that after the wastewater goes through the treatment processes in Lagoons #1 & #2 and it gets treated with chlorine in Lagoon #3 and instead of using the time it travels from one end of the lagoon to the other to allow the chlorine to kill all the remaining "yuckies", it gets new fecal matter from the geese and it becomes re-contaminated before being discharged. This makes it difficult to stay in compliance with permit limits. One thought might be to add bird netting over the lagoons as a way to deter the geese but we don't know if it will work and it is difficult to completely secure the area from all wildlife.

There are also questions about the effectiveness of a lagoon system itself. We know that there are other aeration systems out there that claim to do a much better job of removing contaminants than our current aeration system and could possibly improve the effectiveness of the current system. DOE has also stated concern about whether or not the clay liners at the bottom of the lagoons are still doing their job. It is unknown whether this is an actual problem or not.

Something else to consider is Permit Limits. State regulations on certain contaminants allowed to be put back into the creek gets more strict every year. The permit limits for a WWTF is based upon many things including what the type of system itself is able to accomplish, what the body of water being discharged into can handle, what the fish and wildlife can handle and what the state regulations require at the time the system is built. Because of the age of our system our WWTF permit limits are not nearly as strict as the current regulations. When we update or change the type of system being used, the permit limits are reevaluated and change to meet the current state limits. So when we talk about upgrading our current WWTF we are looking at needing to be able to meet the current permitting limits set by the state. This is why we are needing to look at adding additional filtration to any upgrade option we consider.

## **FISCAL CONSIDERATION**

We are all keenly aware of the limitations of our current rate payer base. We have approximately 230 active sewer accounts and all costs to run and maintain the system are funded by their rates. When considering costs for a new or updated system it is important to note that the City can qualify for reduced loan rates and even some grant funding. Loan and grant funding can only be used on the capital costs of updating the WWTF. This means that we can use grant/loan funds for building it, but we will not be able to use the grant/loan funds for running the system on a day to day basis. That is funded only by the sewer rates.

So when looking at cost of a particular WWTF it is important to weigh the capital costs (building the system) and the O&M or operations & maintenance costs (running the system each day). Ideally we would find a solution that will be built using as much grant funds as possible and has a low O&M cost for running the system. This would allow us to keep rates as low as possible. It is incredible how much difference the O&M costs can make on our rates.

## **OPTIONS**

Due to the newest notice from DOE stating that we will not be able to (or it would be very difficult to) discharge into the Cowlitz River and that our current "Preferred Alternative" would

need modification in order to be approved by DOE, Council will need to decide how to proceed with the City's WWTF plans. Council has a few options:

1. Select a new "Preferred Alternative" (WWTF system) which addresses additional regulations for discharging to Olequa Creek.
2. Keep the same "Preferred Alternative" but add additional filtration measures and re-route the effluent line back to Olequa Creek.
3. Do nothing. DOE would allow the City to wait on doing any updates to their WWTF for 2 years. This would however, cause the City to lose its current funding source (\$900,000) to pay for the rest of the WWTF Plan Update and the Design of the new system. It may also impact our ability to get the Vader Water System back. Vader needs to be able to prove that it can manage a public utility properly in order to get approval to get the water system back. If the WWTF is not meeting permit limits the City may find it difficult to prove its ability to run the water system.

Some things to think about when weighing the WWTF options:

- Will this option address the problems the City is experiencing with its current system?
- Will this option cause any new problems for the City?
- Will this option meet DOE requirements? – Does this option need to meet DOE requirements?
- What are the capital costs for the system?
- What are the O&M costs for running the system?
  - Will this option require a higher level of licensed operator
  - Will the operator need to work more hours to run?
  - Additional chemical/equipment purchases and maintenance?
- Will this option allow for expansion or possible future annexations? (more hook-ups in the future)
- How would this option be funded?
- What impact will this option have on the rate payers?
- How will this option affect the body of water to which it is discharged?
  - Animal life
  - Plant life
  - Public use