

**Town of Concrete
Town Council Meeting
November 28, 2022**

6:00 pm. Mayor Reed called the meeting to order. Mayor Reed led the gallery in the Pledge of Allegiance.

Roll Call: Council Members: Rob Thomas, Drew Jenkins, and Jon Gunnarsson.

Councilmember Akers was absent and position #4 remains vacant currently.

Staff Present: Town Attorney David Day, Clerk Treasurer Andrea Fichter and Public Works Director Terry Coggins.

Staff Present Online: Town Planner Kevin Cricchio and Town Engineer Cody Hart.

Audience Members Signed In: Rachel Richter, Elizabeth Fernando, Deanna Estes, Ryan Wynn, Steve Bolan, Preston Bolan, Stephanie Semro, Racquel Muncy, John Boggs, Mike Bartel, Sierra Wagner, Tracy Webb, Sharon Riels. Deputy Case, and Lorin Massingale.

Audience Members Signed in Online: Caleb, Jude Dippold, Jim Handzlik, Val Stafford, Mickey, Wiley Moore, Anne Bussiere, Misty Powell, Benson, Craig Stewart, Teresa S., Robert Foster, Concrete Herald, Chelania Crews, Erin Guy, Tonya Hirtzel, Judy White, and Jill Ference.

Public Participation: Mayor Reed stated that she would like to discuss the water issue first because she believes this is why most people are here this evening. She asked Ryan from Water and Wastewater to provide a report.

Ryan reported on the samples that were taken on November 18, when those results were received and the timing of when the boil water notices went out. He stated routine tests take 3-4 days to receive results back. He stated they chlorinated the system on the 22nd and will do another round of chlorination starting in the morning. He stated that two sets of tests taken two days in a row, will be done and once those results are received the town will know if they will be able to lift the boil water mandate.

Audience member Hailey Minier asked about the samples taken, the dates, the results and time frame for deriving the boiling water notices. Audience member Sharon Riels asked if after this next round of tests if the boil water mandate would be lifted. Audience member Steve Bolan wanted to know what kind of efforts are being made to determine the problem and why these bad tests are occurring. Audience member Tracy Webb asked if she needed to boil the water that she uses for her the flowers at her shop and asked if there was a concern if people were to touch the water the plants or flowers are in.

Ryan reported on the sampling process, the dates the samples were taken, and when and what the results were for those tests. He stated as soon as the town received notice from the Department of Health, they issued the notices as instructed. He stated that after these next rounds of tests are completed and results are received and are clear, then the town can lift the boil water mandate as determined by the Department of Health. He also explained some of the work being done to determine the problem and to hopefully get it resolved. He stated there were overflow issues at a couple of the reservoirs that has been corrected as well as some issues with check valves. Councilmember Jenkins stated that E. coli is mostly transmittable by ingestion and that a person would have to ingest a large amount to get E. coli and he believes that this should not be an issue with the water the flowers are in unless people start drinking the flower water in large quantities.

Further discussion ensued on the testing, some businesses being closed while others are open, the health department rules for businesses open during this time, possible people getting sick and the work that continues to be done on this. Ryan stated that he is not aware of any actual E. coli cases because of this. Councilmember Jenkins stated the health department would most likely have let the town know if there was an actual positive case of E. coli in town.

Online audience member Wiley Moore stated that he had expressed concerns previously about the air in the water and if air was getting in the lines, then maybe other things were as well, he also asked if the reservoirs have been checked for any foreign materials or dead animals. Ryan stated a visual inspection of the reservoirs was completed and one of the three was cleaned today and the other two will be done this week.

Mayor Reed asked if there were any further questions on the water issue.

Stephanie Semro – Are Roads in Town Built to Handle Daily Travel of Loaded and Unloaded Log Trucks: Stephanie asked about truck parking and the weights the roads can handle She stated she has a neighbor who parks his truck in the street where it is partially blocking, and she believes this is a safety hazard for her and her neighbor. She stated a fire truck or ambulance may not be able to maneuver around the truck. Deputy Case stated that when this truck is parked in this way to call it in, and a deputy will contact the truck owner.

Stephanie Semro – East County Resource Center, DSHS Truck Parking: Stephanie described the large truck that will be coming to town in January to perform public outreach and assist those in need of medical or food stamps. She stated they are looking for a place to park the truck and accommodate the people utilizing the service. Discussion ensued on different areas that could be used. It was stated to see who owns the property across from the bank as this would be a good spot and close to public restrooms.

Events Application: Tilt Creative & Production – Audi SUV Running Footage: Discussion ensued on possible areas that could be utilized for parking vehicles and staging for this event. Craig stated they would like to request use of the area near the silos. Andrea suggested the parking lot behind the fire hall as well. He stated he will be in town in the next few days and would contact Terry to view the areas and determine usage. He stated they will also narrow down the day at that time.

Audience member John Boggs stated he believed there was a question at the last meeting regarding the road closures as well. Craig stated they will not be full closures and would occur at 5-minute intervals.

Councilmember Thomas made a motion to approve. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Special Presentations: Public Safety: Deputy Case provided an update on new recruits and the time spent on training. He stated there are 6 deputies now assigned to the east detachment. He also reported they are investigating a few thefts that have occurred in the area.

Audience member Preston Bolan asked about cars parked along South Superior. Deputy Case stated there is not legally anything they can do about those at this point. He stated they are not in the street and are legally parked.

CRH Engineering: Cody stated that he did not have anything for this evening and everything from the last meeting is still moving forward.

Water and Wastewater (WWS): Water System Operations: Nothing further.

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Minutes prepared by Andrea Fichter.

Consent Agenda:

Town Council Minutes – November 14, 2022
Approval of Claims Checks - #8703 to #8717

Councilmember Thomas made a motion to approve. Councilmember Gunnarsson seconded the motion. The motion carried unanimously.

Public Hearings: 2023 Budget Hearing #1 – No Action: With no questions from the Council. Mayor Reed opened the public hearing for comment at 6:49 p.m.

Online audience member Wiley Moore commented on multiple airport budget related items, such as the assessments, lease rate for lot 601C and 601D, that assessments are charged per lot and not on square footage, and fuel station assessments. He also commented on different line items such as the miscellaneous expenses, the insurance for AWC and the utilities such as lighting and power. He also stated he was confused why the backhoe purchase would be paid for out of the Airport Reserves and suggested the town look into how their accounts are insured at the bank and possibly add accounts to correlate to each fund.

Mayor Reed closed the public hearing at 7:08 p.m.

2023 Property Tax – Resolution #2022-12: Andrea stated this is the annual hearing for the 1% increase. Councilmember Jenkins asked if this was basically an overall increase on the revenues of \$5,500.00. Andrea stated yes, it is a 1% increase.

Council Mayor Reed opened the public hearing at 7:09 p.m.

Audience member Stephanie Semro asked for an explanation on the increase. She stated that she has been getting a lot of comments and requests for assistance for some of the lower-income and senior residents. Andrea stated the County does that actual assessments and there is an option to appeal those, but she is not sure what the process is. Stephanie stated that it doesn't sound like that appeal process is working very well this year.

Councilmember Thomas made a motion to approve. Councilmember Jenkins seconded the motion. The motion carried unanimously.

2023 Utility Rate and Fees – Resolution #2022-13: Discussion ensued on what fees are stated in the fee schedule that are being increased. It was stated the fee schedule includes business license fees, permitting fees, water and sewer rates and other town fees.

Mayor Reed opened the public hearing at 7:13 p.m.

Audience member Steve Bolan asked if there was any appetite to give the town's people any relief of this water situation in the form of reduction in their water bill or something or are they expected to pay full tilt for this crap water they are getting. Councilmember Jenkins stated you don't have to live here. This comment was met with opposition.

Mayor Reed stated this question has been asked of her as well.

An audience member stated they will also be using extra water to clean their pipes and water heaters out when this is over and that should be taken into consideration.

Audience member Steve Bolan asked if any of the council had the courage to make a motion to give residents some relief. He stated he challenges them right now. Andrea stated they would

have to discuss what that amount would even look like and not a decision they can make right at this moment. Steve stated it should be a 100% discount. Several statements from the audience about having to buy bottled water and boiling their water and other statements about some who have continued to use the water normally.

Mayor Reed stated the council needed to get back to the scheduled hearing.

Mayor Reed closed the public hearing at 7:19 p.m.

Councilmember Gunnarsson made a motion to approve the 2023 utility rates and fees. Councilmember Jenkins seconded the motion. The motion carried unanimously.

Town attorney David Day stated there are couple different discussions occurring and make it impossible for the council to act tonight on any type of rate reduction. He stated he understands the justification, but something would need to be presented that detailed how the reduction was determined, if at all, and is the same for the same class of customers. He stated that he will have to investigate if the town can legally do this and make sure it's not a gift of public funds.

Old Business: Resolution #2022-11 – Surplus – Reduction of Minimum Bid: Andrea stated that this resolution was no longer needed. She stated at the time there had not been any bids made and she believed it may require a reduction on the minimum bid. She stated the item has now sold at auction and the minimum bid reduction is no longer needed.

New Business: Civil Air Patrol Sponsorship Request: Councilmember Thomas asked if this request had been made anytime in the past. Andrea stated that she did not believe so.

Councilmember Thomas stated that this request looks to support the CAP program on a national level, and he would like to know how the local program would benefit from a town sponsorship.

Andrea stated that she can follow up with Kelly Siebeck and see if she has more information.

Discussion Items: None.

Council Reports: Parks: Jeremy Akers: Mayor Reed reported the living wall is being worked on and there are approximately 13 spots that have been adopted so far.

Airport: Jon Gunnarsson: Councilmember Gunnarsson reported the card reader at the fuel station is still not operating and is a possible mother board issue.

Health Care: Drew Jenkins: Councilmember Jenkins stated the COVID-19 healthcare mandate has been lifted. He also stated that although numbers are down, there are still COVID-19 vaccines available for people who want them.

Historic Preservation and Landmarks Commission: Jeremy Akers: Councilmember Akers absent.

Economic Development Commission Jeremy Akers: Andrea stated they do not have another meeting until January, but the draft workshop and meeting minutes are in their packets.

Councilmember Thomas stated that since his name was referenced a couple of times from a previous meeting he was involved with, he would like to comment. He stated that he appreciates John Boggs clarifying during the meeting what he had actually said. He stated that his comment was misrepresented by a member of the EDC and is noted in the minutes and it is also noted that John Boggs clarified what he said, and he appreciated that.

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Minutes prepared by Andrea Fichter.

Mayor Reed asked who does the minutes. Andrea stated that she types them using the recordings of those meetings.

Department Reports: Planning Commission/Historical Preservation: Kevin Cricchio: Kevin stated that he does not have any updates at this time.

Administration/Finance Report: Andrea Fichter: Andrea reported that she has been working on all the items within the packet this evening as well as budget and audit items.

Public Works: Terry Coggins: Terry reported they are busy cleaning catch basins and getting vehicles and equipment ready for snow. He stated one of the rebuilt pumps for lift station #2 will be installed tomorrow. He also reported he is working on the order for the needed check valves. He also discussed different storm drains that are plugged and the jetter and nozzles they have been using to try and get those unplugged.

Mayor's Report: Mayor Reed stated the furnace at the incubator business has gone out and the quote for fixing that is \$3,750 plus tax. She asked the council with the roof work and now the needed furnace if they want to put this kind of money into this building. She stated that Terry is working on getting another roofing company out here to look at the roof and see if there are actual repairs needed or if the repairs that have been completed are sufficient.

Councilmember Thomas stated that it doesn't make sense to replace the furnace if they are not going to fix the roof, if it needs it. Discussion ensued on the total estimated costs for the furnace, the roof, and the work on suite A. Terry reported on work that had been done when he was here before.

Tracy Webb stated that she is currently using small space heaters for heat and she is still having an issue with the door leaking. Discussion ensued on the lease, the term and the rent and utilities paid.

Councilmember Jenkins stated his concern if the weather gets cold and then we have pipes freezing. He also stated if the town is willing to spend the amount approved on the living wall, he believes the town can find a way to make the needed repairs to this building to keep a business in town. Councilmember Jenkins asked about the lease and if the town was held to a certain standard. David Day discussed the lease and the terms associated with it and the termination language.

Further discussion ensued on the building and the town wanting to keep a business in town but that they also must take into consideration the costs associated with maintaining this building.

It was stated to get an additional estimate for the roof work or get someone to look at it to see if there is further work that is needed before they decide on whether to spend the funds on the furnace replacement.

Mayor Reed stated she has a list of service lines and meters that need to be installed or corrected and that public works will start doing the ones on the list that they are able to. She stated there are houses that share lines, lines going under houses and garages and there are meters that still need to be installed. She stated there are services that cannot be turned off for those who are not paying their bill because we do not have access or do not know where the shut off is.

Announcements: Mayor Reed stated that is the end of the regular meeting and we will be going into executive session.

Audience member Em Beals stated that apparently this meeting is over, and she got bumped from speaking tonight and stated that she filled out the form and would like to know how and when she can fill out a form so that she could speak possibly at the next meeting because she has items she would like addressed.

Mayor Reed asked Em to go ahead and come up to speak. Em stated, no, that she had waited 2 hours and 15 minutes and she will just continue to wait until the next meeting. She stated she just wants to know what the correct procedure is to speak.

Andrea stated this is the correct procedure and that Mayor Reed had asked if anyone had any further questions before they moved on from the water discussion earlier.

Discussion ensued regarding other audience members having additional questions or wanting to speak and did not believe it was clear when it was asked earlier if there were further questions.

Mayor Reed stated that she apologizes, and she had looked at the forms that were turned in and believed that everyone that had turned in a form had spoke and had the opportunity to ask questions earlier. An audience member stated she had completed the form to speak not to ask questions, so that was confusing to her when it was asked if there were any further questions, and she believes there were people online that also still had questions.

Andrea stated if the meeting is going to go beyond 8:30 p.m. that we are going to need a motion and consensus of the council to do so.

Em stated that she waited long enough and had to get back to work at a business that is currently closed. She stated she will fill out this paperwork and turn it in and if that doesn't work than she will request a translator. Ms. Beals and other audience members left the meeting at this time.

Andrea referred to council and stated that public participation is not a requirement and not something the council has to allow. She stated the council is required to have an open public meeting and the public can attend but that allowing public participation is not a requirement. Councilmember Jenkins stated that allowing public participation would be fine, let them speak for their 3 minutes and then move on and no more hand raising or discussion coming from the audience. Councilmember Thomas stated that he has assumed that everyone had had ample opportunity to speak or ask questions on the water issues. Mayor Reed stated that apparently, they had all assumed wrong.

Councilmember Jenkins stated he attended a council meeting in Sedro-Woolley and this Council allows the public a lot of leniency during these meetings that is not allowed at a lot of other council and commissioner meetings in this County.

Councilmember Jenkins made a motion to extend the meeting to no later than 8:45 p.m. Councilmember Thomas seconded the motion. The motion carried unanimously.

Audience member John Boggs stated that he believes some of the questions or comments were not to get water and wastewaters response but to get the town's response. He stated when the speaker was standing at the podium the questions were directed to WWS. Mayor Reed stated that was because he had the answers. John Boggs stated he would not have had the answers to why wasn't the notification system different, why were notices put on people's front doors without someone knocking and telling them what was going on, and he said Em got a notice on her front door and the only time they use their front door is for customers. Mayor Reed stated that she was one of the ones out delivering the notices and when you get to a house with four different doors and you're trying to figure out which one to put the notice on, it can get complicated and time consuming. Councilmember Thomas stated that he believes John's issue is that WWS had some

of the answers and the town had answers as well. John stated that he understands it was a unique situation and not something the town is used to doing and it's a learning experience, but he believes everyone's issue is, has the town learned anything from it and can people sign up for a text or email alert next time rather than waiting for a notice on the door.

Executive Session: Mayor Reed called for an executive session to discuss with legal counsel on litigation or potential litigation under RCW42.30.110(I)(i) at 8:24 p.m. and will last approximately 10 minutes. She also stated that no further business will occur when the meeting resumes.

Mayor Reed reconvened the meeting at 8:31 p.m.

Adjournment: Councilmember Thomas made a motion for adjournment at 8:32 p.m. Councilmember Gunnarsson seconded the motion. The motion carried unanimously.



Marla Reed, Mayor



Attest: Andrea Fichter, Clerk Treasurer