

**City of Coffman Cove
Special Council Meeting
Thursday, October 6th, 2011 @ 5:00 p.m. at City Hall**

Call to order: 5:04 pm

Roll Call: Randy Lenz, here; Misty Fitzpatrick, here; Carolyn Duncan, here; Gary Wilburn, here; Elaine Price, here; Sara, here; Mariana Carter, absent. Quorum present.

Pledge of Allegiance:

Public Comment: No public comment.

Persons to be heard: none

Approval of Agenda: Misty made a motion to approve the special meeting agenda, Elaine seconded; AIF.

Agenda:

- 1. CRW Engineering and Lynn Marino with Village Safe Water** – Lynn Marino speaks: “Here is a hand-out with the bad news first. It shows that funding for sanitation projects is declining. It is predicted to continue in this direction. We had a boost in 2010 with stimulus money but that was a one-time thing. The needs are going up and up while the money available is going down. It is becoming more of a struggle to get funding. Right now Coffman Cove has a grant for 1.9 million dollars and of that 413 thousand dollars is left and the purpose of the grant was to construct the raw water storage tank which is done and to design and construct lift station improvements. The 413 thousand is enough for design but not enough for construction. Will we be able to get enough money for construction? The answer is probably. It would be about ½ of a million dollars. The third thing the grant was supposed to pay for was to design and construct a new water intake. What we are doing right now is collecting stream data to determine how much water really is in Dog Creek to see how that data compares with what the permit requires and to use to convince agencies to fund a new intake at Coffman Creek. The estimated cost for the new intake is probably low because it was made a while ago. The estimated cost is 6 million dollars and that is going to be hard to get for a town of 200 people. Sometimes you have to do baby steps to convince federal funders to fund these projects. I applied for money to do a study of Luck Point and did not get it. We will look at the terminal sewer manhole while we are here and I will continue to try and get money for the other two things. Funders are saying no to a lot of things that they would not have said no to 5 years ago. Funders are focusing on communities that do not have any kind of water/sewer facilities. What is happening in Coffman Cove is that your system was built a long time ago and now things are starting to break which is inevitable

and the tendency will be to keep asking for VSW money and eventually the answer will be No.”

There was discussion on the funding criteria for extending the water and sewer to subdivisions that are outside of city facilities at this time. Matt Edge talked about water infiltration in Lift Station #1. Elaine asked if he was going to replace the pump and Matt said he was not. The lift station will be dug up and fixed. Construction will be done by local crews. It will take 3 ½ to 4 weeks. The cost will be in the neighborhood of 370,000\$. More discussion. Matt asked if we would like to have a local superintendent. Elaine asked if the electrical panel could be simplified. Matt said it could be done but would be expensive. There was discussion on the creek levels in Dog Creek and that the data so far supports the fact that the water level is too low to support a water intake.

- 2. Oceanview RV Park (Request to be considered under the old subdivision ordinance):** Misty stated that she called this meeting after receiving a letter from Oceanview RV Park because they were made to abide by the new subdivision ordinance but were not provided the terms of a surety bond by the City. It says in the new subdivision ordinance the city is responsible for providing those terms. Chuck and Deedee have communicated to Misty that the best solution for them is to be considered under the old subdivision ordinance. Randy asked if the platting board approved their plat. Misty replied that they did. Randy asked if there was a legal problem with us going by the old ordinance. Sara also asked if it was legal. Misty stated that the advice she had received from the government specialist was procedural advice not legal advice and that she would not seek legal advice without the consent of the council. Randy feels things should have been done by the rules at the time of the approval of the plat. Sara asked what Lawrence Blood had to say about this subject and how much information he had received on it. Misty stated that they had gone over the new subdivision ordinance at great length and that she had read dates to him over the phone from work orders in the Oceanview file. Glen Hamberg stated to Misty that it sounds like they should be under the old ordinance but he reiterated that he was not giving legal advice. Elaine asked if Misty had found on any of the recordings where Chuck had asked to be considered under the new ordinance. Misty said that she did not. Chuck recollected Elaine telling him at the time that she thought it would be better for him to be under the new ordinance and that he had replied to her that he paid the fees under the old ordinance and he wanted to be considered under the old ordinance. The problem for Chuck is that the City has not recorded the plat and he does not have clear title to his property. There was some discussion on utilities and the difference between the two ordinances. Elaine stated that she had not had a chance to read everything. Deedee stated that the way she read the old ordinance, it was supposed to be recorded as soon as it was approved. Chuck B. expressed that our ability to turn someone’s utilities on or off is our form of insurance and that we do not need a bond requirement. Randy made a motion to consult our attorney to make sure it is legal and then to consider Oceanview RV Park under the ordinance that was in effect at the time they submitted their application. Sara seconded. Chuck and Deedee stated that it is their intention to install water and sewer utilities up to city specifications and that they

would be willing to provide a contract stating such. Elaine agreed that this would be a good solution. Deedee pointed out that she had provided Misty with a new versus old ordinance comparison that is not in the city council packet. It was discussed that although Oceanview had to make some changes to their Mylar, it was still corrected and approved before the new ordinance was approved. Sara thinks that it is fair to try and work with Oceanview since we did not provide them with terms for the bond and does not think it is fair that we changed the rules in the middle of their application process. Misty listened to the recordings of the meetings where the new ordinance was changed and that the council at the time was trying to avoid making a mistake like the one that was made Beilgard's. Deedee stated they have never done anything against the better interests of the city and have no plans to do so in the future. They would like to continue to provide an RV Park but will not be able to afford it unless they can move forward with selling some of their lots. They finally put in three stub outs that they had put in a work order for Ron Rusher to do three years ago. They cannot even advertise their lots for sale until the plat is registered. Chuck stated that it was very clear in the old ordinance that the plat should have been registered within 60 days. Deedee said they are trying to do things this way per advice of their lawyer. Carolyn stated that there is a need to move forward with this but she wants to make sure no one else will be slighted if we approve this motion. There was some discussion on Beilgard's Subdivision. Misty agrees with Carolyn that we need to have a firm understanding of the consequences of this decision and she doesn't know whether that can be done at this point. Misty does not know whether the individual council members have done enough research. Sara feels we have been going over this forever and that providing terms for the bond was Elaine's responsibility. Elaine said that this is not her fault. Misty stated that Elaine is not the only one responsible for providing the terms. It was discussed that Cindy Huff, as the platting clerk would be responsible for providing the terms. Carolyn wishes that the council could have time to do a little more research. Sara, yes; Carolyn, yes; Gary, yes; Elaine, no; Misty, no; Randy, yes. Motion passes. Misty would like Oceanview to provide a contract. Deedee agreed to provide the contract anyway.

Public Comment – Deedee said that when Thorne Bay switched over to main power they had a switch so they could immediately go to generator power and she would like the City to look into having the same thing. Misty said we have the switch but only Gary S. can operate it. Randy asked why Wetherford's subdivision was approved without utilities. Elaine said that during the time it was approved, the ordinance was different. More discussion. Misty stated that it is to the City's advantage to have all of our lots with water and sewer facilities. Randy N. stated that he understands why the City would want water/sewer facilities to each lot.

Adjourn: Misty made a motion to adjourn. Elaine seconded. AIF.

Carolyn Duncan, Mayor

ATTEST: Misty Fitzpatrick, Acting City Clerk