

PALOUSE CITY COUNCIL AGENDA

Regular Council Meeting
June 22, 2021 @ 7:00 pm
Via Zoom Teleconferencing

CALL TO ORDER:

Mayor Cook called the Council Meeting to order at 7:06 PM.

ROLL CALL:

Council members present: Mary Welcome; Tim Sievers; John Snyder; Libby Akin; Katie Cooper; Jim Fielder; Bill Slinkard (delayed, see CA Coughenour note).

Staff present: City Administrator (CA) Brad Coughenour, Deputy Clerk (DC) Misty La Follett; Police Chief Jerry Neumann; Public Works (PW) Supt. Mike Wolf.

Absent: None

Note: CA Coughenour also noted that Councilmember Slinkard was having issues joining through Zoom. Councilmember Slinkard was able to participate through a speakerphone. At approximately 7:40 PM Councilmember Slinkard rejoined the remainder of meeting via Zoom.

APPROVAL OF MINUTES:

Councilmember Welcome pointed out that there were several content and grammatical issues with the minutes of the regular council meeting held on June 8, 2021. Mayor Cook requested council provide feedback to CA Coughenour by June 24, 2021.

PUBLIC WORKS REPORT:

Supt. Wolf presented his report outlining current public work (PW) issues and facility status. Supt. Wolf notified council that there is a potential shortage of chlorine due to a fire at the manufacturing facility. Wolf suggested if the shortage of chlorine continues that the city may need to implement water restrictions. Mayor Cook agreed to Supt Wolf's assessment and will continue to monitor the situation.

Supt Wolf briefed the council concerning the issue with residents complaining about brown water. The issue as Wolf explained is due to the design of the water system in specific residential areas. These areas with complaints have a "tree designed system" that supplies their water. This system does not have a method to flush, compared to the loop system which can be flushed.

Supt. Wolf also discussed being called to residents to troubleshoot low water pressure issues. Wolf stated that in each case, the low-pressure issue was due to a faulty sprinkler head. He is encouraging residents to troubleshoot their outside water problems before requesting assistance from PW...

POLICE REPORT:

Chief Neumann reported to council that he received an updated COVID-19 report, and the City of Palouse has had zero positive COVID cases in a two-week period. Mayor Cook asked Chief Neumann when the Governor would address reopening the state? Chief Neumann answered that the mandate ends June 30, 2021.

Chief Neumann began to discuss his Spillman call report. Councilmember Welcome asked Chief Neumann why the report was not included in this packet as prior packets. CA Coughenour said Chief Neumann did include the Spillman report, but the report was pulled since the report contained personal addresses. Council did not receive the Spillman report dated 06/22/21. Mayor Cook reiterated that this report is part of the council packet.

Chief Neumann informed the council that his police vehicle has almost 100K miles. Chief Neumann briefly discussed the need to consider a new vehicle. An approximate replacement cost would be greater than \$50,000.

CITY ADMINISTRATOR/DEPUTY CLERK REPORT:

CA Coughenour updated the council on the FY21 budget status. Revenues are slightly above for mid-year and expenditures are normal.

CA Coughenour said he received the American Rescue Plan Act document. There are two documents for the Mayor to sign. These documents will need approval from council to proceed. CA Coughenour said is slated to receive approximately \$150,000.00.

CA Coughenour Informed council that FY22 there will be a provision for the state mandated long-term care act. Councilmember Cooper asked for clarification and more information. CA Coughenour reported from the information he received that the Long-Term Care Act is to provide a universal health care coverage and a long-term care benefit. Persons may opt out if they have a long-term care plan in place.

Councilmember Welcome would like to meet with CA Coughenour to go over the mid-year FY21 budget.

OLD BUSINESS:

Cove Sidewalk Project Update:

Mayor Cook asked CA Coughenour to update the council on the Cove Sidewalk Project. CA Coughenour said that the Transportation Improvement Board (TIB) and Munir Daud reviewed the plans for cost savings. Both engineers agree to reduce costs, the city can use asphalt instead of concrete. The potential savings for this change is approximately \$17,000.00. CA Coughenour further briefed council that the city has the approval of the engineer and the bidder to use the city's stockpile of rock. This will bring the potential savings to \$21,000.00.

Mayor Cook mentioned that there are other grants that the city may be eligible for. TD&H Engineering mentioned they could assist in finding grants. CA Coughenour informed council that there could be funds available through the BOCC .09 Fund.

Mayor Cook said, with the projected savings between \$21,000.00 and \$25,000.00. The funding gap would be approximately \$15,000. The Mayor felt this was a reasonable funding gap that the city could support. The Mayor also cautioned that the project cost will not go down if the city waits. This is the last window of opportunity to get this project completed or risk losing the \$200,000 TIB Grant.

Councilmember Sievers asked to verify that the bid document is still in effect for the balance of the project without the modifications.

Councilmember Sievers also asked if White Diamond Concrete, LLC, would still be able to get us on the schedules, and CA Coughenour assured council that if council approved this action tonight, White Diamond Concrete, LLC would start the project the last week of July or the first week of August.

Councilmember Sievers and Cooper asked where the additional funds would come from. Councilmember Cooper asked to confirm the amount that the city was short. CA Coughenour said the amount was approximately \$19,550.00.

Councilmember Welcome wanted to confirm that the difference in funding the city is trying to meet is \$20,000.00?

CA Coughenour followed up on Councilmember Sievers earlier question regarding funds under account 320. The fund is at 102% and if the council reallocates funds from the public works shed project to the Cove Sidewalk Project this will leave an approximate remaining balance of \$67,000.00.

Councilmember Sievers made a motion to move forward with the sidewalk project and approve the adjusted bid.

Councilmember Cooper stated that once those budget decisions are made, that the council must do a budget amendment.

Councilmember Snyder seconded the motion.

Council unanimously voted in favor of motion.

Councilmember Sievers made a motion to award the bid for the Palouse Cove Sidewalk Project to WDC, LLC. Councilmember Snyder seconded.

Council unanimously passed the motion.

NEW BUSINESS:

FY 22 Levy Process

Mayor Cook asked CA Coughenour to explain the requirements for placing a levy issue on the ballot. CA Coughenour briefed council that additional information is needed from the Whitman County Auditor to proceed in writing the "For and Against" narratives for the ballot.

CA Coughenour reiterated that the levy actions needed action by council in July so the city can submit them to the auditor by the August 3rd deadline.

EXECUTIVE SESSION:

Council went into executive session at 8:12 pm to discuss personnel. Council reconvened at 9:05 pm.

Councilmember Slinkard left the Council meeting at 8:55.

MAYOR'S REPORT:

On July 14, there is a meeting with the Department of Ecology to discuss City of Palouse wastewater value engineering plan; Varela Engineering will be present. The Water and Sewer committee was invited to attend this meeting.

TIB is visiting on Friday, June 25, 2021, for the purpose of discussing funding sources for streets and sidewalks.

Mayor Cook asked for a motion to allow the mayor to pursue and apply for a low interest loan for the water line project drafted by TD&H.

Councilmember Sievers made a motion to grant permission to Mayor Cook to complete the paperwork necessary for the loan. Councilmember Cooper seconded the motion. Council unanimously passed the motion.

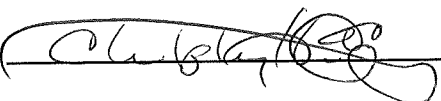
Councilmember Sievers made a motion to approve the hiring of the building inspector position. Councilmember Fielder seconded. The motion unanimously passed.


ALLOW PAYMENT OF BILLS:

Councilmember Welcome made a motion to approve bills and payment. Councilmember Akin seconded he motion. The motion unanimously passed.

ADJOURN:

Councilmember Fielder made a motion to adjourn. Councilmember Welcome seconded the motion. The motion unanimously passed. The council meeting adjourned at 9:14 PM.

APPROVED: 

ATTEST: 

Attachment - Applicant Certification

WHEREAS, City of Palouse is applying to the Washington State Public Works Board for a low-interest loan for an eligible project; and

WHEREAS, RCW 43.155.070 requires that applicants planning under RCW 36.70A.040 must have adopted comprehensive plans in conformance with the requirements of chapter 36.70A RCA, and must have adopted development regulations in conformance with requirements of chapter 36.70A RCW; and

WHEREAS, RCW 70.95 requires a comprehensive Solid Waste Management Plan to be adopted by the city or county; and

WHEREAS, RCW 70.235 requires Greenhouse Gas Emission Reduction requirement; and

WHEREAS, RCW 43.155.070(8) requires that solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

WHEREAS, the applicant certifies that it has a currently adopted plan for each and every one of the systems it owns and operates and that these plans fully conform to the specifics within this application; and

WHEREAS, RCW 43.155.070 requires that county and city applicants must have adopted the local optional one-quarter of one percent Real Estate Excise Tax, as described in chapter 82.46 RCW; and

WHEREAS, the local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors; and

WHEREAS, the applicant states that their Capital Facility Plan is consistent with the Comprehensive Land Use Plan of the jurisdiction in which they provide service; and

WHEREAS, the local governing body has approved submission of this application to the Public Works Board; and

WHEREAS, the applicant certifies that if they have permitting authority (Counties and Cities) that they have developed and are adhering to guidelines regarding their permitting process for those applying for development permits consistent with section 1(2) of Chapter 31, 2007 laws.

WHEREAS, the applicant certifies that, there is currently no litigation in existence seeking to enjoin the commencement or completion of the above-described public facilities project or to enjoin the applicant from repaying the loan extended by the Public Works Board with respect to such project. The applicant is not a party to litigation, which will materially affect its ability to repay such loan on the terms contained in the loan agreement.

WHEREAS, the applicant recognizes and acknowledges that the information in the application forms is the only information, which will be considered in the evaluation and/or rating process. Incomplete responses will result in a reduced chance of funding. In order to ensure fairness to all, the Public Works Board does not accept any additional written materials or permit applicants to make presentations before the Board; and

WHEREAS, it is necessary that certain conditions be met as part of the application process; and

WHEREAS, RCW 43.155.060 requires that the project will be advertised for competitive bids and administered according to standard local procedure; and

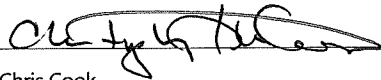
WHEREAS, the loan will not exceed the maximum amount allowed by the Public Works Board of eligible costs incurred for the project; and

WHEREAS, any loan arising from this application constitutes a debt to be repaid, and Chris Cook, Mayor has reviewed and concluded it has the necessary capacity to repay such a loan; and

WHEREAS, the information provided in this application is true and correct to the best of the government's belief and knowledge and it is understood that the state may verify information, and that untruthful or misleading information may be cause for rejection of this application or termination of any subsequent loan agreement(s); and

NOW THEREFORE, City of Palouse certifies that it meets these requirements, and further that it intends to enter into a loan agreement with the Public Works Board, provided that the terms and conditions are satisfactory to both parties.

Signed:



Name:

Chris Cook

Title:

Mayor

Phone Number:

(509) 878-1811

Date:

June 22, 2021

Project: PALOUSE COVE SIDEWALK PROJECT - (SR 27 / Almota Street to Park Street)
Alternate "A"- Segmental Block Wall
TIB Project No. C-E-916(001)-1, for The City of Palouse, Washington

NOTICE OF AWARD

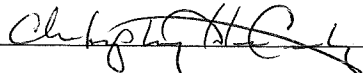
To: WHITE DIAMOND CONCRETE, LLC
2600 SPRING VALLEY RD
NEWPORT, WA 99156
LIC# CC WHITEDC812M5
406-382-2021

Date: JULY 6, 2021

The OWNER has considered the BID submitted by you for the above described WORK in response to its Advertisement for Bids dated MAY 4TH, 2021, and Information for Bidders. You are hereby notified that your BID has been accepted for items, LESS THE CHANGE ORDER NO. 1, in the amount of NOT TO EXCEED \$210,000.00 (INCLUDING SOME of the Sales Tax THAT ARE INCLUDED IN THE UNIT PRICES). You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S Performance BOND, Payment BOND and certificate of insurance within TEN (10) CALENDAR DAYS from the date of this Notice to you. If you fail to execute said Agreement and to furnish said BONDS within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law. You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

Dated this 20th day of July, 2021

Owner / City of Palouse

By 
Title MAYOR OF PALOUSE

Project: PALOUSE COVE SIDEWALK PROJECT - (SR 27 / Almota Street to Park Street)
[] ALTERNATE "A" - SEGMENTAL BLOCK WALL
TIB Project No. C-E-916(001)-1, for The City of Palouse, Washington

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged:
Contractor

By: WHITE DIAMOND CONCRETE, LLC _____
this the _____ day of _____, 2021
By _____
Title _____

Project: **PALOUSE COVE SIDEWALK PROJECT - (SR 27 / Alмота Street to Park Street)**
[] ALTERNATE "A" – SEGMENTAL BLOCK WALL
TIB Project No. C-E-916(001)-1, for The City of Palouse, Washington

CONTRACT

This contract made and entered into this _____ day of _____, 2021 by and between the **CITY OF PALOUSE, of Whitman County, Washington**, hereinafter called "Owner" and; **WHITE DIAMOND CONCRETE, LLC** doing business as; **WHITE DIAMOND CONCRETE, LLC**, County of **PEND O'REILLE, State of WASHINGTON**, hereinafter called **Contractor**".

WITNESSETH: It is hereby mutually understood and agreed by and between the Owner and the Contractor as follows:

- I. CONTENTS OF CONTRACT:** The contract shall consist of:
- (1) This document, including amendments thereto;
 - (2) The bid proposal;
 - (3) Invitation for bids;
 - (4) Drawings and Standard Plans for the project (includes maps, plats, blueprints and any other drawings and any printed or written explanation thereof);
 - (6) Standard Specifications, (DOT/APWA, M41-10 Latest Edition), as amended and as defined in the Special Provisions of this Project;
 - (7) All applicable State & Federal Laws and Regulations & Permit Conditions;
 - (8) The Prevailing Wage Rates set by the State Department of Labor & Industries;
 - (9) Attached Construction Sidewalk Plans Sheets.
 - (10) **INCLUDING CHANGE ORDER NO. 1 LIST.**

- II. WORK TO BE PERFORMED:** Contractor shall commence and complete the construction project described as follows:

Project: **PALOUSE COVE SIDEWALK PROJECT - (SR 27 / Alмота Street to Park Street)**
[] ALTERNATE "A" – SEGMENTAL BLOCK WALL
TIB Project No. C-E-916(001)-1, for The City of Palouse, Washington

Herein after called the **project**, and all extra work in connection therewith. The Contractor shall perform the contract in accordance with terms and conditions set forth in this contract.

- III. PRICE:** Contractor shall perform the contract for the **UNIT PRICES** stated in the Bid Proposal for the **COMPLETE CONSTRUCTION OF 1,500-FOOT SIDEWALK ALONG PALOUSE COVE STREET (FROM SR27 / ALMOTA TO PARK STREET) IN ACCORDANCE WITH ALL THE ITEMS SHOWN ON THE PLANS and OTHER BID ITEMS, TO PRODUCE A COMPLETE PROJECT AS INTENDED FOR ITS USE**, of work for an estimated sum (based on some unit prices that includes applicable sales tax in the unit prices, in words and numbers;

NOT TO EXCEED (\$220,294.50),

\$ TWO HUNDRED TWENTY TWO HUNDRED NINETY FOUR DOLLARS & FIFTY CENTS, based on the accepted unit prices, for the complete construction of the Project items INCLUDING CHANGE ORDER NO. 1, Listed Below and trench safety provisions.

Project: PALOUSE COVE SIDEWALK PROJECT - (SR 27 / Almota Street to Park Street)
[] ALTERNATE "A" - SEGMENTAL BLOCK WALL
 TIB Project No. C-E-916(001)-1, for The City of Palouse, Washington

CONTRACT (Continued)

for the **CITY OF PALOUSE, of Whitman County, State of Washington**, and at the Contractor's own proper cost and expense furnish all the materials, supplies, machinery, equipment, tools, superintendent, labor, insurance, and other accessories, and services necessary to complete the said project in accordance with the conditions and prices stated in this contract.

IV. COMPLIANCE WITH STATE LAWS: It is understood and agreed that all statutes of the State of Washington relating to public works projects applicable hereto shall be fully complied with and fulfilled by the Contractor, including the applicable Federal Laws, and upon Contractor's failure to do so the Owner may terminate this contract as provided for under the laws of the State of Washington and the terms of this contract.

V. PAYMENT: The Owner agrees to pay the Contractor in current funds for the performance of the contract bid items, as outlined in the accepted Bid Proposal of the Contract Provisions / Contract Documents and Special Provisions, as stipulated in the contract, and for any approved extra work as provided. Owner also agrees to make payments on account of performance of the contract.

THE SET COMPLETION TIME FOR THE PROJECT IS WITHIN SEVENTY (70) CALENDAR DAYS FROM THE NOTICE TO PROCEED DATE. THE COMPLETION TIME WILL BE EXTENDED FOR EACH RAINY OR WET SOIL CONDITIONS THAT WOULD NOT PERMIT THE OPERATION OF THE EQUIPMENT OR THE PROPER COMPACTION OF THE FILL MATERIAL. THE LIABILITY INSURANCE AND PREVAILING WAGES ARE A REQUIREMENT UNDER THIS CONTRACT. HOWEVER 5% OF THE TOTAL PRICE WILL BE RETAINED UNTIL DEPARTMENT OF LABOR & DEPARTMENT OF REVENUE CERTIFY THE SUBMITTED PREVAILING WAGES AND THAT ALL TAXES ARE PAID TO THE STATE.

VI. COMMENCEMENT OF WORK: The Contractor hereby agrees to commence work under this contract promptly upon receipt of written "Notice to Proceed" from the Owner or on the date specified in the "Notice to Proceed" and to fully complete the project within the time shown in the Information For Bidders.

VII. LIQUIDATED DAMAGES: If the Contractor fails to complete the work within the time specified in the Special Provisions of this Contract documents, the Contractor shall pay liquidated damages as provided in Section 1-08.9 of the Standard Specifications.

VI. CHANGE ORDER NO. 1 ITEMS AS LIST BELOW:

- A. Revise Bid Item No. "14A" – The City will furnish 100-Tons of crushed rock & the Contractor will haul, place & compact the crushed rock, and the Contractor will furnish another estimated 100-Tons of crushed rock at a **revised unit price of \$23.75 per ton**. For a **Final Item Total of \$4,750.00**
- B. Revise Bid Item No. "15A" – Reduce the Unit price of the 150 Tons, from \$65.00 / Ton to **\$23.75 / Ton** of crushed rock for the walk base. For a **Final Item Total of \$4,750.00**.
- C. Revise Bid Item No. "17A"- Revise the Cement Concrete Sidewalk to 2-inch compacted HMA PG64-28 Asphalt Pavement, Except for the two ADA Ramps across SR 27 (Almota Street) that will be concrete, at a reduced unit price of \$43.60 per Square Yard. **For Item Total of \$42,292.00.**
 (Note: The Contractor will be paid at the unit price of \$58.00/S.Y. for the two ADA concrete ramps)
- D. Revise Bid Item No. "18A"– Reduce the number of the ADA pads at the ramps from 8 to 2 ADA pads. **For Item Total of \$400.00.**
- E. **Delete Bid Item No. "23A" Seeding of disturbed areas. (A Total Reduction of \$2,200.00).**
 (The Total Original Revised Items = \$76,210.00, and the Total Revised / Reduced Items = \$55,954.50, for a Total Reduction of \$20,255.50. The Original Contract Amount was \$240,550.00 and the **FINAL CONTRACT AMOUNT IS \$220,294.50 Based on the Listed Unit Prices**).

By executing this document below, the parties to this contract signify that they have read the contents of this contract, understand it and agree to be bound by its terms.

Project: *PALOUSE COVE SIDEWALK PROJECT - (SR 27 / Almota Street to Park Street)*
[[ALTERNATE "A" - SEGMENTAL BLOCK WALL
TIB Project No. C-E-916(001)-1, for The City of Palouse, Washington

CONTRACT (Continued)

DATE: _____, 2021

CONTRACTOR:

To: **WHITE DIAMOND CONCRETE, LLC**
2600 SPRING VALLEY RD
NEWPORT, WA 99156
LIC# CC WHITEDC812M5
406-382-2021

(Name of Organization)

(President-Individual)

ATTEST:

Secretary

Washington Contractor's
License # **CC WHITEDC812M5**

DATE _____, 2021

OWNER:

CITY OF PALOUSE, WASHINGTON

Mayor Chris Cook
For the City of Palouse

ATTEST:

Brad Coughenour
City Clerk / Administrator

Approved as to Form:

Stephen Bishop, City Attorney

Project: **PALOUSE COVE SIDEWALK PROJECT** - (SR 27 / Almota Street to Park Street)
Alternate "A" - Segmental Block Wall
TIB Project No. C-E-916(001)-I, for The City of Palouse, Washington

NOTICE TO PROCEED

To: **WHITE DIAMOND CONCRETE, LLC**
2600 SPRING VALLEY RD
NEWPORT, WA 99156
LIC# CC WHITEDC812M5
406-382-2021

Date _____, 2021

By the **CITY COUNCIL OF THE CITY OF PALOUSE,**

You are hereby notified to commence WORK in accordance with the Agreement date _____, 2021,
on or before _____, 2021, and you are to complete the WORK following project within;

Project: PALOUSE COVE SIDEWALK PROJECT - (SR 27 / Almota Street to Park Street)
[] ALTERNATE "A" - SEGMENTAL BLOCK WALL
TIB Project No. C-E-916(001)-I, for The City of Palouse, Washington

WITHIN SEVENTY (70) CALENDAR DAYS.

thereafter. The date of completion of all WORK is therefore; _____, 2021,

PALOUSE CITY COUNCIL
City of PALOUSE, Washington

For Owner

By _____

You are required to return an acknowledged copy of this NOTICE TO PROCEED to the OWNER;
[CITY OF PALOUSE, City Hall Main Street, P. O. Box 248, PALOUSE, WA. 99161]

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged by

Dated this _____ day of _____, 2021.

Contractor
WHITE DIAMOND CONCRETE, LLC
2600 SPRING VALLEY RD
NEWPORT, WA 99156

By _____

Name & Title

Employer ID#