

City of Forks
Council Meeting Minutes Regular Session
City Council Chambers
September 13, 2021 7:30 p.m.

PLEDGE OF ALLEGIANCE, AND CALL TO ORDER

Mayor Fletcher led the Pledge of Allegiance then called the meeting to order at 7:32 p.m.

ROLL CALL

Council members present (meeting conducted via Zoom): Gilstrap, Soha, Hillcar, Weissenfels [arrived 7:40 p.m.], and Mayor Fletcher. Staff present: Clerk/Treasurer Grafstrom, Attorney/Planner Fleck, Public Works Director Hampton, and Police Chief Rowley. Absent: Council Member Gingell.

MODIFICATIONS/APPROVAL OF AGENDA

Motion to approve the agenda as presented by Gilstrap, second Soha, motion carried.

PUBLIC COMMENT

Paul Hampton spoke as a private citizen. He stated that the easement vacation he is requesting applies only to a 30-ft. strip on his property. Vacating the easement would not prevent access from Highway 101 or Russell Road via city property. He has spoken with the property owner to the south and they had no objections.

PRESENTATION

Cynthia Bork, representing the Michael Trebert chapter of the Daughters of the American Revolution, and retired forester Shirley Lorentz gave a presentation on the history of the American elm, efforts to restore the American elm, and the American Elm Heritage Project. They are asking the City of Forks for permission to plant ten Dutch elm disease-resistant American elms and to install one interpretive sign on City property. They would also like City representation at community events and the planting ceremony, to be held on April 29 (Arbor Day), 2022, associated with the project and regular reports on the condition of the trees and interpretive sign.

Council Member Hillcar asked about Daughters of the American Revolution membership in Forks. The Regent of the Michael Trebert chapter said there are currently four members, including one who recently moved away but maintains her local membership, and one prospective member in Forks.

Council Member Weissenfels asked if the green space in Ford Park had been considered as a potential site for the trees. Clerk/Treasurer Grafstrom said that no specific sites have been lined up or selected. There is still much to consider.

Mayor Fletcher asked about the maximum size of mature trees. Shirley Lorentz said that it is unknown how large they may become in our conditions, but they can be expected to grow quite tall. The crown (branch span) is described as vase-like, gradually increasing in diameter toward the top of the trees.

Mayor Fletcher thanked the group for their presentation and stated he looked forward to working with them regarding the placement of the trees.

ACTION ITEMS

1. Motion to approve minutes of the Regular Meeting held August 23, 2021 by Gilstrap, second Soha, motion carried.

2. Motion to approve manual claim check numbered 39800 for \$181,174.01, manual claim check numbered 39801 and EFT 08242021 in the total amount of \$164.00, payroll checks numbered 39802 through 39818 for \$114,853.48, claim checks numbered 39819 through 39853 and EFTs as included in the total amount of \$59,005.26, and travel checks numbered 3598 through 3600 for \$386.36 by Soha, second Gilstrap, motion carried.

DISCUSSION ITEMS

1. Request to Vacate Easement/Right of Way at 1770 S Forks Avenue

Attorney/Planner Fleck reintroduced Paul and Kerstin Hampton's request of the City to vacate the portion of an easement/right of way located on their property at 1770 S Forks Avenue. The City serves two roles in this request, one as property owner and one as holder of the easement/right of way. Discussion with the Department of Ecology revealed that a suspected "well" on the side of the hill above the property was most likely a small spring or seep that would not be a dependable source of water for City utilization. Comments from council members to date have covered the spectrum from preferences that the City not give up any possession or legal rights, to outright vacation of the easement/right of way in question.

Council Member Hillcar said he has no interest in the City maintaining any claim to a "well" that the City is unable to utilize with any reliability. He also said that he understands the Hampton's request, and is open to vacation of the easement/right of way, but noted that vacating the portion in question may result in the property owner to the south requesting the same. However, he said he thinks the City must maintain any and all agreements with the Federal Aviation Administration (FAA) and existing air rights.

Council Member Soha said that with the water rights issue out of the way, and air rights not impeded, he sees no benefit to the City to maintain its claim on the easement/right of way.

Attorney/Planner Fleck said that a plat amendment, and an ordinance vacating any right of way would be necessary. Determination that the City has no need for the right of way now or in the future, and that the right of way serves no recreational benefit, would be needed to proceed with the vacation. He said that the necessary ordinance could be prepared for Council approval at an October meeting.

2. State Auditor's Office 2020 Audit Exit Conference

Clerk/Treasurer Grafstrom said the 2020 Audit Exit Conference is currently scheduled for 10:00 a.m., September 23 via Zoom. However, the auditor presented the City with the option of foregoing an actual meeting and completing the audit with a written report by the Auditor's Office that would be shared with Council and any interested parties. Council

Members Weissenfels, Hillcar, Soha, and Gilstrap agreed to conduct the Audit Exit Conference via e-mail.

3. Council Member Reports

There were no Council Member reports.

4. Staff Reports

Clerk/Treasurer Grafstrom said that City Hall has been hit hard with COVID-19 infections, and the office has been closed to the public at times due to staffing issues. She directed Council to e-mails between herself and Enterprise Fleet Management, Inc. showing that the Toyota Tacoma purchased in 2018 for \$32,240 sold for \$33,600, and was replaced with a 2021 model at a cost of \$30,100.

Public Works Director Hampton reported that erroneous construction work at the post office had been corrected. A railing will be installed at the southern-most door and the middle door. Other than the rails and City removal of some remaining rubble, the Spartan to Blackberry Sidewalks Project is complete. Corrections to the Allen Courts basketball courts are nearly complete. We are now waiting on paint. He noted that some rain is expected, and hopes the wells will finally get some needed water.

Attorney/Planner Fleck referred Council to a list included in the packets of the amicus briefs filed in the Department of Natural Resources (DNR) Supreme Court case that will be heard in October over Zoom. He also has a link to a 15-minute business podcast featuring the attorney representing the American Forest Resource Council (AFRC), purchasers, and trust beneficiaries in this lawsuit that explains the history of the trust, the issues, and the potential ramifications should the Court find for the environmental groups that are the petitioners in the case if anyone would like to listen to it.


He also reported that there has been a lot of work on land use issues, some of which he has been working on for the past few months.

5. Mayor's Report

Mayor Fletcher reported a very successful Forever Twilight in Forks Festival, as well as an increase in COVID-19 infections. He asks that any community members who are afraid of catching COVID to please wear a mask indoors and when out in public.

6. ADJOURNMENT

Motion to adjourn by Gilstrap, second Soha, motion carried. Meeting adjourned at 8:29 p.m.



Audrey Grafstrom, Clerk/Treasurer



Tim Fletcher, Mayor