



McCleary City Council

PROPOSED AGENDA

Wednesday May 12th, 2010

7:00 Council Meeting

Roll Call
Flag Salute
Minutes (Tab A)
Public Comment
Mayor's Report

Fireman
Computer Status
Personnel

Staff Reports: Dan Glenn, City Attorney (Tab B)
Dept. Head Reports (Tab C)

Old Business: Simpson Ave. Construction Project Summary (Tab D)

New Business: Transfer Water Fund / Cash and Reserves (Tab E)
Planning Commission Update (Tab F)
Billing Issues (Tab G)
Utility Dept. Update (Tab H)
Simpson Ave Progress - Estimate # 2 (Tab I)

Ordinances:

Resolutions:

Vouchers
Mayor/Council Comments
Public Comment
Executive Session
Adjournment

Study Material
Memo – WWTP Solid Handling (Tab L)
Sample – Kalama Sidewalk, Curbs
and Gutters (Tab M)
Handbooks (Tab N)

Americans with Disabilities Act (ADA)
Accommodation is Provided Upon Request

Please Turn Off Cell Phones – Thank You

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, April 28, 2010

FLAG SALUTE	The meeting was called to order at 7:00 PM with the Flag Salute.
ROLL CALL	Mayor Dent, Councilmember's Boling, Ator, Lant, Schiller, and Geer.
ABSENT	None.
STAFF PRESENT	Public Works Director Nick Bird, City Attorney Dan Glenn, City Clerk/Treasurer Wendy Collins, Police Chief Crumb, Public Facilities Manager Todd Baun, and staff member Jennie Reed.
MINUTES APPROVED	Motion made by Councilmember Boling and seconded by Councilmember Geer to approve the minutes. Motion Carried.
PUBLIC COMMENT	Ron Fandrick spoke regarding ecclesiastical courts and provided the Council a packet of information to review. He would like to see the City of McCleary implement a new law supporting an ecclesiastical court system.
CITY ATTORNEY REPORT	<p>Attorney Glenn provided a memo for the Council to review. He will be on vacation the next ten days but will respond to emails while gone.</p> <p>Mr. Glenn also included detailed information regarding executive sessions under the OPMA and the matter of confidentiality. He again, urged the Council to read through the information.</p>
DEPARTMENT HEAD REPORTS	Provided for Council to review.
MARK REED HOSPITAL	<p>Renee Dunham from Mark Reed Hospital addressed questions regarding the new Oakhurst location in Elma where the hospital will be moving. She answered questions from both the City Council and residents. No final decision has been made for the current facility, however, they are hoping the clinic will continue serving residents at the facility.</p> <p>A big concern from Mayor Dent is what happens to the residents of McCleary if the hospital defaults. Ms. Dunham assured the Council the liability will be held with the USDA and not the tax payers. The Mayor mentioned we are considering pulling out of the hospital district if they go through with the move to Elma. The residents of McCleary do not want to see the hospital move. They have expressed they will go to Olympia before going to Elma for hospital care.</p> <p>Ms. Dunham stated the clinic and the hospital are both public entities and technically the county could have gifted the facility to the hospital. It's basically changing tax payer dollars from one site to another. She stated they are hoping to break ground next spring.</p>
ORDINANCE NO. 767 SHORT PLAT VS LONG SUBDIVISION	This was discussed at a prior meeting and the Council was given time to review it. Currently, a short plat, governed by McCleary Municipal Code (MMC)16.08.200 states that division of land into nine (9) or less lots is defined as a Short Subdivision. MMC 16.08.100 provides the definition of a Long Subdivision as 5 or more lots. It was moved by Councilmember Schiller, seconded by Councilmember Ator, to adopt Ordinance No. 767 to correct the conflicting definitions in MMC 16.08. Roll call taken in the affirmative. Ordinance Adopted.
PWTF WATER APPLICATION	The Public Works Trust Fund (PWTF) has state-wide money available to allocate to projects in 2011. The current condition of Well 2 and 3 should not be allowed to continue to degrade. In conjunction with the pre-design, we would like to apply for design and construction funding through PWTF for the Well 2 and 3 Improvements Project. The deadline for application is May 11. The PWTF will not have financing available in 2012. It was moved by Councilmember Lant, seconded by Councilmember Boling, to authorize the Mayor to execute the PWTF loan applications for the Well 2 and 3 Improvement Project. Motion Carried.

WELL 2 & 3 PRE-DESIGN

A contract was entered into with Gray & Osborne to facilitate work to inspect Wells 2&3, and after further review, we decided to not pull the equipment and inspect the casings. Tumwater recently pulled one of their pumps to inspect the casing and the well is currently not functional, giving us the impression that we made the right decision. At that time, we decided to prepare a pre-design report outlining the required improvements to begin the repair. The pre-design report will provide an evaluation of the alternatives and recommended improvements. Figures will also be provided that will be very beneficial in the design stage. It was moved by Councilmember Lant, seconded by Councilmember Boling to authorize the Mayor to execute Amendment 17a, when received from Gray & Osborne. Motion Carried.

SIMPSON AVENUE SIDEWALK PROJECT - CHANGE ORDER #4

The existing Catch Basin #11, which was previously planned to be connected into by new storm piping, was a hand built brick structure, with no mortar used to join the bricks. This structure discharged into our storm system via a hole in the bottom of the structure. This hole was ultimately discovered to be a segment of concrete pipe with a hole broken into the top of the pipe to act as the outlet of the brick structure. The Contractor was directed to remove the existing brick structure, cut the existing concrete pipe, and install a new Type 1 Catch Basin so that the new storm piping could be connected to the structure. It was moved by Councilmember Lant, seconded by Councilmember Boling, to authorize the Mayor to execute Change Order #4, when prepared, which includes the work listed above for an amount not to exceed \$1,450.70. Motion Carried.

CITY COUNCIL MEETING SUMMER SCHEDULE

The Council decided to have one monthly meeting during the months of July, August, and September on the second Wednesday of the month and not have meetings on the fourth Wednesday of the month. It was moved by Councilmember Boling, seconded by Councilmember Geer to hold one meeting, on the second Wednesday, for the months of July, August, and September, 2010. Motion Carried.

APPROVAL OF VOUCHERS

It was moved by Councilmember Boling, seconded by Councilmember Geer, to approve the payment vouchers. Motion Carried.

MAYOR/COUNCIL COMMENTS

Councilmember Schiller asked if the Police Department could move the trailer advertising the missing child back a so it won't interfere with drivers pulling out of the parking lot. It's in a location that causes a hazardous view. Chief Crumb will make sure it gets moved further back while still being visible for traffic driving both directions.

Wally Bentley, previous Mayor, commented on an article he read in the paper regarding blame that has been placed on the previous council for the state the budget. He is not criticizing the paper for the article, he just believes there is a lot of misleading information given to the paper. He believes there are employees that are favored over others. He thought it was rude to see labor consultants meeting with city employees in a local restaurant. Mayor Dent informed him the labor union was meeting with a couple members, not labor consultants. Mr. Bentley also wanted to clarify Toni Nelson is not a State Auditor, she is a small cities specialist. He is receiving phone calls from people and political members too. Mayor Dent stated he is not holding him accountable for the problems.

Helen Lake asked for an article to be printed once all the personnel issues are straightened out to inform the public of what went on.

EXECUTIVE SESSION

At 8:05 PM, there was an executive session to review performance of public employees. Mayor Dent, all Councilmember's, Attorney Glenn, PW Director Nick Bird, and Clerk-Treasurer Collins attended the Executive Session to last 10 minutes. It was moved by Councilmember Lant, Seconded by Councilmember Boling, to have an Executive Session to review the performance of public employees pursuant to RCW42.56.110.9. Motion Carried.

The Executive Session ended at 8:17 PM and the City Council meeting resumed.

ADJOURNMENT

At 8:20 pm, It was moved by Councilmember Boling seconded by Councilmember Lant to adjourn the meeting. Motion Carried.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: May 7, 2010
Re: Current Non-Agenda Activity

Additional ARRA Funds

We are still in a holding pattern to regarding additional funding for our sidewalk project. I have talked to WSDOT regarding this issue a couple times to provide additional information. I am unsure when we will be notified of the decision, but I hope it is soon.

I did raise the request from \$112.5k to a nice round \$120k to provide a little more contingency.

PWTF Application (Well 2 & 3 Improvements)

The application for the construction of the Well 2 and 3 Improvements will be submitted May 11. On the off chance that we are offered funding for this project, the money does not become available for use until mid 2011, giving us plenty of time to complete the pre-design and design phases of the project, leading into construction.

Clear Zone Requirement

Last session, Council Member Schiller requested that we check into the clear zone requirements as it appeared the trailer used for the Baum poster was very close to the roadway.

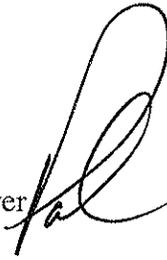
Based on Chapter 1604 of the WSDOT design manual (which technically we are not required to abide by within the City, however, it is a great reference point) the clear zone requirement for roadways with speeds less than 35 mph is 10 ft from the traveled edge. Based on a visual inspection, it appears that the edge of the trailer is greater than 10 feet from the traveled edge.

Simpson Avenue Sidewalks

I guess last meeting I was a little aggressive with the Contractors schedule. They completed installation of the storm structures and associated piping last week. This week the contractor is preparing the subgrade to pour the barrier curb along the south side. After the barrier curb is poured, the Contractor will prepare the sidewalk subgrade. Sidewalk will likely be poured the following week, with the sidewalk ramps following shortly thereafter.

STAFF REPORT

To: Mayor Dent
From: Paul Nott, Light & Power
Date: May 6, 2010
Re:



	Monthly Statistics;	YTD Totals;
New Services;	1	5
System Outages;	2	7
Pole Replacements;	9	20
Maintenance Work Orders;	5	18
Billable Work Orders;	1	5

During the last month the L&P crew has completed the setting of all of the poles that will be impacting the sidewalk project. There are still to 2 more to the west of the project that need to be set and about 4 that exist that will need to be changed out. We are kind of in a holding pattern to order the rest of the material to complete the project until the budget issue is resolved.

We've had two outages this past month they were both weather related.

We are currently working on a 7 poles and re-conductor out on the north end.

The AMR project has been put on hold until the billing issues are resolved. Once all the bugs are worked out of the monthly billing process we will be right back at it changing out meters. We estimate that we are a little over a third of the way finished.

Asphlund is on the schedule to come and do our annual weed spraying of all the substations.

That's about all I got for right now...

Did I mention, I saved a ton on my car insurance???

Later...

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Public Facilities Manager
Date: May 10th, 2010
Re: April Report

The following items are the highlights of what I have been working on during the month of April.

- I still have received no contact from Mr. and Mrs. Gravatt on the storm water issue affecting their property located at 311 W. Simpson Ave. We are in a holding pattern until we receive the legal documents that have been given to them by the city.
- Simpson Ave. Sidewalks project is now on the South side of Simpson Ave. As of today, the contractor has installed all storm water improvements, demolished all curb and sidewalk and is currently excavating and placing ballast for the roadway and curb base.
- I have been working on getting cost comparisons for our fuel that we are purchasing. I think there is a cheaper and better solution for our fuel, other than the Shell station option we have been using. I have been in contact with the WSDOT about fueling up at the State shop on Hwy 12. The WSDOT sent me some information about their pricing and process and I'm checking it with our current options we are using. Hopefully by next council meeting I will have some comparisons for you to look at.
- Beerbower Park has had its first mowing of the new grass. There are some light areas of grass that we purchased some more grass seed for. We will be over seeding some areas and also spreading some fertilizer this week.
- The crew installed a new water service to a new home on Main St.
- The crew has also been mowing and brushing out some of our ROW's. This is an on-going process that we will be doing until the fall.
- Nick and I met with several other agencies on a previously logged area on Mommsen Rd. There is some concern that some logging activities may have been too close to the creek in the area. I have not received any findings yet from our meeting.

If you have any questions, don't be afraid to ask. If you see something that needs attention or have any ideas that you would like me to pursue, my door is always open, so please come and talk to me.

To: Mayor Dent
From: Vern Merryman, Water/Wastewater
Date: May 2010
Re: Monthly Report

In April we processed 113,858 gals of digester mixed liquor through the belt filter press. This equates to approximately 2.4 dry tons of material (biosolids).

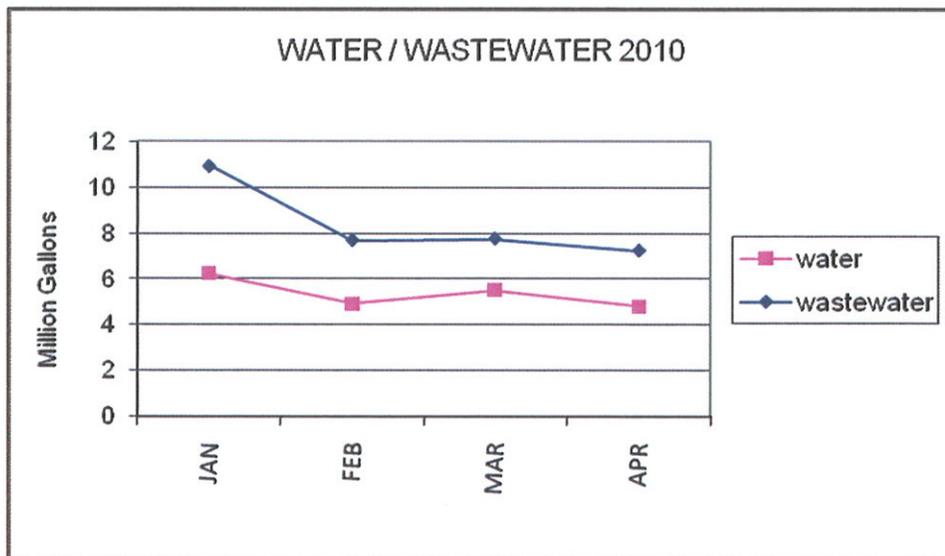
The processed effluent flow from the treatment plant totaled approximately 7.2 million gallons for April.

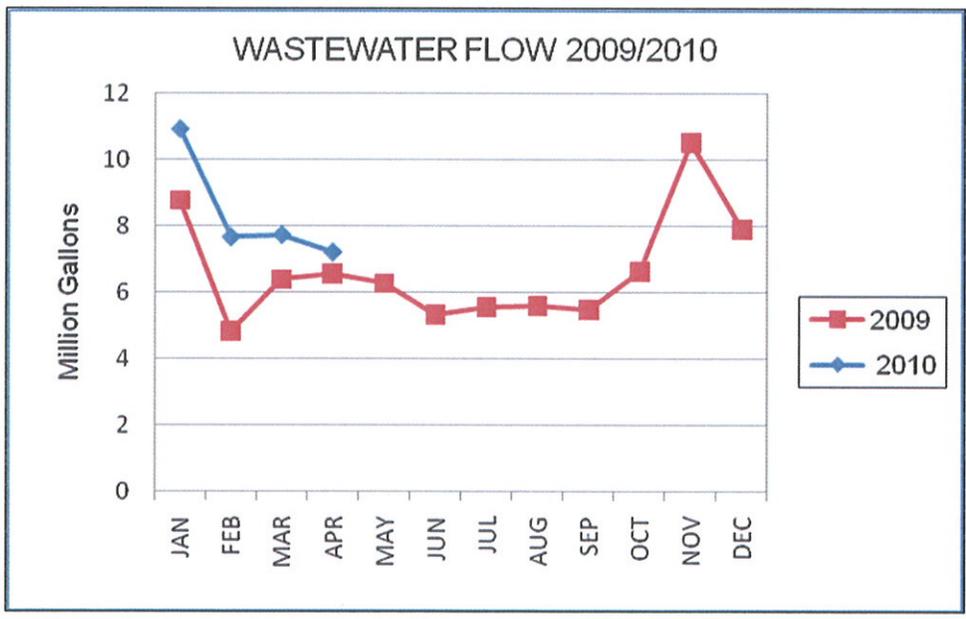
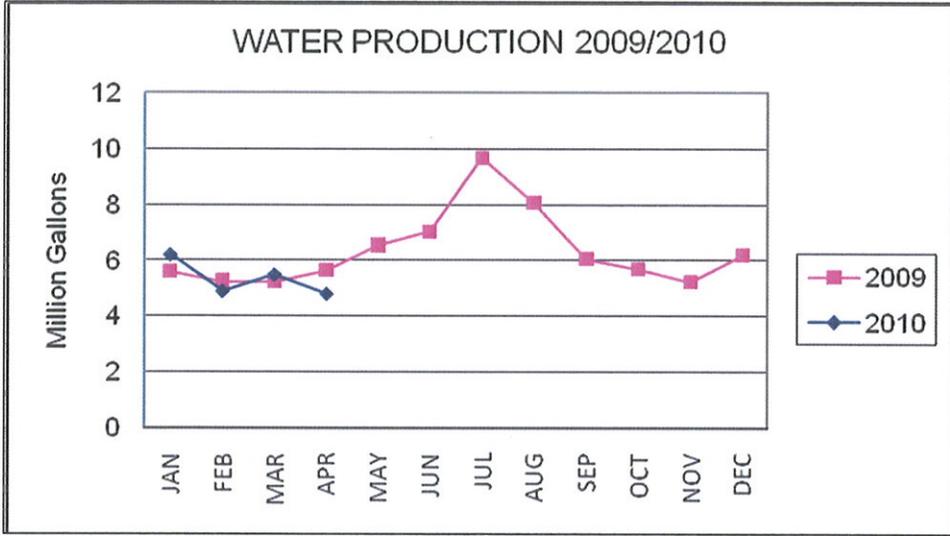
Performance evaluation testing for the treatment plant lab has been completed. This is done to satisfy requirements set by the Dept. of Ecology (DOE) to keep our lab accredited. The study closes the 16th of this month and the results will be known in June.

Coliform sampling results from our distribution system were satisfactory, no presence of coliform.

Potable water production came in at approximately 4.8 million gallons for April.

Water production, wastewater flow and a comparison chart of the two follow.





STAFF REPORT

To: Mayor Dent
From: Colin Mercer Webmaster *cm*
Date: May 3, 2010
RE: April Website & Help Desk

RE-OCCURRING WEBSITE ACTIVITY

Council Agenda/ Packet .
Previous Council meeting approved minutes.
Planning Commission Agenda.
Previous Planning Commission approved minutes.

NEW WEBSITE ACTIVITY

Added information about the Fred Keel Memorial Scholarship program to the Fire Department page of the site.
Changed the start time if Planning Commission meetings to 6:00pm.

ADDITIONAL TASKS

Simpson Avenue sidewalk WSDOT project quality control.
Compile data gathered from the website for the Stormwater questionnaire.
Work with Nick on paperwork for Simpson Sidewalk Project.
Summit Road address change update, verify how many property owners have not posted their new address numbers.
Create and prepare for mailing a final notice letter regarding installation of new property address for Summit Road residents per McCleary Municipal Code.
Perform building department duties during the absence of the Building Official.
Typed the Planning Commission minutes from the recording device for the meeting held on 3-17-10.
Start payment records book for April on the Simpson sidewalk project.

HELP DESK ACTIVITY

Month	Number of Incidents reported	Staff Reported / Closed / Open	Citizens Reported / Closed / Open
OCTOBER	22	12 / 5 / 16	10 / 6 / 7
NOVEMBER	14	6 / 5 / 17	8 / 4 / 11
DECEMBER	19	5 / 5 / 17	14 / 9 / 16
JANUARY	18	7 / 6 / 18	11 / 9 / 18
FEBRUARY	6	2 / 12 / 8	4 / 7 / 15
MARCH	12	3 / 4 / 7	9 / 15 / 9
APRIL	9	4 / 3 / 8	5 / 4 / 10

STAFF REPORT

To: Mayor Dent
From: Colin Mercer Fleet Manager
Date: May 3, 2010
RE: April Fleet



No accidents to report.

Due to budget freeze, no regular maintenance is being performed at this time.

Regular Maintenance

Lube oil and filter :

None

Repairs

1990 Chevy Dump Truck (Streets) Taken in to have electrical system checked out, dead battery on 4-12-10. Replaced battery.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: May 7, 2010
Re: Simpson Ave. Project Summary

A few questions last session relating to how much of our contingency have we spent prompted me to provide this information.

At the start of construction, we had available for contingency: \$48,064.83

We have had 4 change orders to date:

- Change Order #1 – \$4,139.98
 - Change Order #2 – \$6,141.50
 - Change Order #3 – \$2,260.00
 - Change Order #4 – \$1,450.70
- Total\$13,992.18**

At this point in time, it appears that the remaining contingency balance is: \$34,072.65

Please keep in mind that this does not account for bid item over/under runs, which may significantly increase or decrease our contingency balance.

Action Requested:

No action requested at this time.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: May 7, 2010
Re: Planning Commission Update

On May 4, 2010, the Planning Commission met regarding infill and short plat development requirements. They have conceptually agreed to the policy and construction standards for both infill and short plat construction.

The next steps are to develop and/or revise the standards as appropriate and present this information to the Planning Commission and have the planning commission provide a recommendation to the members of Council.

For your own edification, the Planning Commission was asked to evaluate:

1. Four Infill Frontage Construction Policies
 - a. Zone based improvements (according to Zoning)
 - b. Area based improvements (according to critical areas; park/school/etc.)
 - c. Any lot within the City Limits
 - d. New construction and substantial remodel (\$50k worth of work); similar to Kalama Code
2. Three Short Plat Frontage Construction Policies
 - a. Zone based improvements (according to Zoning)
 - b. Area based improvements (according to critical areas; park/school/etc.)
 - c. Any lot within the City Limits
3. Three Infill Frontage Construction Standards
 - a. Full Half Street Frontage Improvements
 - b. Modified Frontage Improvements
 - c. Storm Drainage Improvements Only
4. Three Short Plat Frontage Construction Standards
 - a. Full Half Street Frontage Improvements
 - b. Modified Frontage Improvements
 - c. Storm Drainage Improvements Only

Policies define when and where Frontage Construction Standards would be required.

Frontage Construction Standards define the actual construction requirements for Infill and Short Plat developments.

All information presented to the Planning Commission will be presented to the members of Council for decision after the Planning Commission has made their recommendation.

Action Requested:

None action is requested at this time.

STAFF REPORT

To: Mayor Dent
From: Wendy Collins, Clerk-Treasurer 
Date: May 10, 2010
Re: Billing Issues – Utility Department Update

As you are aware, on April 9, 2010, two employees were put on paid administrative leave pending an internal investigation into potential mishandling of personal utility accounts and/or other accounts. After the investigation, Christiane Mercer was reinstated without prejudice and Ardyce Taylor was discharged on April 30, 2010.

During Ms. Taylor's absence, the City hired an experienced temporary replacement, Vicki Gerth, who was on budgetary lay-off status from the City of Ocean Shores. Ms. Gerth has three years experience working in the utility billing department, however, she did not handle the billing process for the city, as that was the supervisor's main responsibility.

During the time that Ms. Taylor was on administrative leave, the following computer issues were discovered:

1. The computer was overtaken by at least 28 viruses
2. The virus protection was turned off
3. The handheld electric meter reading software was missing
4. Numerous applications were installed that were "unauthorized" by the city
5. ASP Billing application software was redirected to the C: drive, not the network, which caused Vicki to spend 3 days wasted inputting billing information which could not be merged into the live database

Many other issues beyond those identified were found. The City staff has worked exhausting hours trying to recapture what was lost and to start up from scratch. The computer had to be stripped to bare-bones and all software had to be reinstalled.

The April billing had issues, with the main one being the billed amount and usage amount were pulled from the March billing causing all bills to be duplicates from the previous month. Staff is working with the software vendor trying to resolve this and prevent it from happening again. Also, because the software for the handheld electric meters was missing, the city staff had to go back to manual meter reads, which takes a great deal of extra time. In addition, because the computer backup was redirected to the C: drive, none of the billing information that had been entered by hand was in the system. Ms. Gerth had to re-enter every read again.

Action Requested:

Due to the inconvenience and confusion resulting from the April billing, city staff is requesting the City Council to authorize the Mayor to waive all late fees for the billing that will be sent out at the end of May 2010.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: May 7, 2010
Re: Utility Department Update

You have copies of the Department Head's reports as part of this Council Packet.

I wanted to provide a quick update on the Utility Departments, relating to safety, as this has become a big topic with us, and particularly Labor & Industries.

We were fined \$100 a month ago as a result of not having our 300A form posted in the break room (even though nobody here knew that this was a requirement as of January 1). Since then, we have coordinated with L&I to complete a consultation evaluation, which was completed on May 5.

We are pleased to report that through the consultation, we had no significant findings. We do however have a few deficiencies to correct; fire extinguisher placement and signs, grinder tolerances, etc.

Over the course of the next few months, we will be focusing heavily on safety. We will be developing a checklist for personal protective equipment (PPE) necessary for typical work crews undertake in conjunction with evaluating typical safety precautions required for work done by our crews. We will also revise the employee handbook as necessary to revise and update our safety standards.

Action Requested:

No action requested at this time.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: May 7, 2010
Re: Progress Estimate No. 2

Well, it's time for the Contractor to be paid again. At the time of printing, we have not finalized Progress Estimate #2. A revised summary with action requested will be provided at the Council Meeting.

I will copy the Progress Billing Form for Progress Estimate #2 to the revised summary.

Action Requested:

Authorize the Mayor to pay Progress Estimate #2, when reimbursement has been provided by WSDOT and/or TIB.