McCleary City Council

PROPOSED AGENDA

Wednesday April 28th, 2010

7:00 Council Meeting

Roll Call
Flag Salute
Minutes (Tab A) 4/14/2010
Public Comment
Mayor's Report

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

Guest: Renee Dunham, Mark Reed Hospital

Old Business: Short Plat vs Long Subdivsion (Tab D)

New Business: PWTF Water Application (Tab E)
Well 2 & 3 Pre-Design Report (Tab F)
Summer Schedule

Ordinances: Ordinance Relating to Platting (Tab G)

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 14, 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	Councilmember Lant. It was moved by Councilmember Schiller, seconded by Councilmember Geer to excuse Councilmember Lant's absence. Motion Carried.
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 members Mick Schlenker and Jennie Reed.
MINUTES APPROVED	Motion made by Councilmember Boling and seconded by Councilmember Ator to approve the minutes. Motion Carried.
PUBLIC COMMENT	Planning Commission Chair Jeff Catterlin made a statement to the City Council in support of having the previous city clerk, Donnie Rostedt, coming back to assist in reworking the budget figures and assisting the new staff members with assistance. Ms. Rostedt was an employee of the city for 35 years and has a great deal of knowledge and experience she can share. Mr. Catterlin stated she is capable and honest and he can't think of a more qualified person to assist in reworking the budget. Leif Nesheim, Editor and General Manager of the Vidette, introduced himself and spoke in support of the open meetings act, which is currently an issue a neighboring city. Virginia Mohney made a complaint regarding the utility pole that was positioned in the middle of the front window of her home, which is her living room. She asked that it be addressed because she doesn't want it to affect her future home value. She said she wanted it documented, if it hurts the value of her home, she will sue the City. Joy Iverson wanted to inform the Council that Renee Dunham from Mark Reed Hospital offered to come to a meeting to address questions and concerns regarding the hospital move. Councilmember Schiller spoke in favor of her coming. Mr.Carnell stated he used to be a builder and assured the Council and residents that utility poles that had to be placed on someone's property should never be positioned in front of a living room window and obstructing their view.
MAYOR'S REPORT	Mayor Dent spoke regarding the transmitter issue and stated he is not interested in putting out any money toward it at this time, even though it does has some capabilities that could be useful. The Mayor requested the Council to approve to reappoint Nancy Koeppen to the Planning Commission. Resident Jeff Catterlin spoke in favor of Nancy by stating she has done a good job on the Planning Commission and looks at everything openly and fairly. Everett Chalstedt also spoke in favor of Ms. Koeppen by stating he worked with her for 10 years and he has first-hand experience in knowing she does a good job. It was moved by Councilmember Boling, Seconded by Councilmember Ator to approve the reappointment of Nancy Koeppen to the Planning Commission. Motion Carried. Mayor Dent said the budget is looking a little better due to major spending cutbacks and only making necessary purchases during the first quarter of 2010. He is continuing work on a potential replacement budget.
CITY ATTORNEY REPORT	Attorney Glenn included information in his memo to the Council regarding the transmitter topic. He asked the Councilmember's to read through it at their leisure and give their feedback. 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.
DEPARTMENT HEAD REPORTS	Provided for Council to review.

APPOINTMENTS TO THE FINANCE COMMITTEE	The Mayor asked for nominations to appoint to the Finance Committee. It was moved by Councilmember Schiller, seconded by Councilmember Boling, to nominate Councilmember Ator. It was moved by Councilmember Ator, seconded by Councilmember Boling, to nominate Councilmember Schiller. Roll call taken. All Councilmember's voted in the affirmative. Appointments approved.
SHORT PLAT VS LONG SUBDIVISION	The Council will discuss this at a future meeting.
PROGRESS ESTIMATE #1	During the construction phase of the Simpson Sidewalk Project, Nick Bird will be giving monthly Progress Estimates where we pay the Contractor for the work that has been completed. A copy of the Progress Billing Form is included in the packet for Council to review. It was moved by Councilmember Schiller, seconded by Councilmember Geer to authorize the Mayor to pay Progress Estimate #1, when reimbursement has been provided by WSDOT and/or TIB. The amount to be paid is $68,621.07 and the amount to be deposited in the retainage account is $3,611.64. Motion Carried.
SIMPSON SIDEWALK CHANGE ORDER #2	After placement of the curb and gutter, it appears there are a variety of locations with a negative slope to the gutter line. A positive slope can be provided by saw cutting further out in the street. It was moved by Councilmember Boling, seconded by Councilmember Geer to authorize the Mayor to execute Change Order #2, when prepared, which includes the work listed above as Item #1 for an amount not to exceed $6,141.50. Motion Carried.
SIMPSON SIDEWALK CHANGE ORDER #3	An issue arose when working on the planter strips and slope. It will be very difficult to mow on the steep slope and, for maintenance purposes, the City staff would like to see a smooth, linear slope. The contractor will need to excavate and dispose of approximately 84 cubic yards of additional material. Work will include additional excavation, trucking , and disposal of the removed material. It was moved by Councilmember Boling, Seconded by Councilmember Ator to authorize the Mayor to execute Change Order #3, when prepared, which includes the work listed above as Item #1 for an amount not to exceed $2,260.00.
APPROVAL OF VOUCHERS	There were no vouchers to approve at the meeting. They will be available at the next meeting.
MAYOR/COUNCIL COMMENTS	None.
PUBLIC COMMENT	Staff member Jennie Reed spoke in confidence regarding Donnie Rostedt and her assistance in working on the budget and assisting city staff. She is aware there was a letter written in opposition of Ms. Rostedt's assistance and she wants everyone to know that she has known Donnie for over 35 years and knows her to be an honest person. She also stated she has her own personal reasons for being in support of the Mayor reworking the current adopted budget.
EXECUTIVE SESSION	None.
ADJOURNMENT	At 7:29 pm, It was moved by Councilmember Ator seconded by Councilmember Boling to adjourn the meeting. Motion Carried.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: March 26, 2010
Re: Current Non-Agenda Activity

Additional ARRA Funds

I received a call from WSDOT last week regarding our ARRA funded sidewalk project. WSDOT is aware that we did not award Schedule B-2 (7th to Gordon's on the north side). They are currently reallocating money throughout the state and were curious how much it would cost to "finish" the project.

The magic number for us to construct B-2 is an additional $112,500. This includes the SBC bid amount of $76k, plus a 10% contingency, plus an additional 17.5% for JWM&A, and complete reimbursement for City forces managing the project. I have already deducted the $35k that we have sitting to the side for contingency right now and the $13k already allotted to Change Orders 1-3.

This decision will be made Wednesday April 28, 2010, so keep your fingers crossed!!

Beerbower Park (RCO)

In 2008 we received a grant from the Recreation Conservation Office (RCO) to provide some improvements to Beerbower Park. These improvements include regarding the softball field, new infield material, irrigation throughout the park, an accessible trail to the recreation facilities, replacement of the basketball backboards and hoops, and bleacher movers, among other items. The work has been done mostly by City forces. This grant provides a 50% match for the work completed. The original project estimate was approximately $120,000, which means RCO allocated $60,000 in grant funding. We would still like to finish the project (still quite a bit of work can be done), however we need to spend $60,000 to receive the remaining $30,000 of grant funding.

It is possible that we will be able to bill the $30,000 out with the work that has been done, as the work completed by the City has not been billed. Additionally, RCO has indicated that we may be able to add a portion of the Light and Power Parking Lot, which was completed in 2009, as an additional item of work related to the project. I still need to provide some information to RCO, in addition to designing parking spaces adjacent to the park. At this point in time, it is possible we may be able to finish the park project this summer, especially if we receive reimbursement for work that has been previously completed.

Consumer Confidence Report

Vern has prepared the Consumer Confidence Report (CCR) that is required to be distributed annually. The CCR describes the "status" of the water system as it relates to regulatory requirements. We anticipate having the CCR mailed out before June.

City Hall Computers

Early last week we discovered three workstations that had serious, debilitating issues relating to viruses. Our computer consultant came and quarantined the viruses and was able to repair 2 of the 3 computers. The third computer, while still functional, has some difficulties functioning. This is a work in progress, but reminders have been sent out to all City Staff, not to open links in emails if you don't know the person and to limit internet usage to City related functions.

STIP Update

Just a reminder, but the annual Surface Transportation Improvement Program (STIP) update is right around the corner. We need to adopt our STIP before June 30, 2010. Hopefully we will have this information prepared in late May for your review.

Planning Commission

Tuesday April 27, 2010, I will be meeting with the Planning Commission regarding infill and short plat developments, specifically relating to frontage improvements. Once the Planning Commission feels comfortable to proceed, we will hold a public hearing, provide the recommendation to Council, then bring the package to you for your review and decision.

Simpson Avenue Sidewalks

The north side of Simpson actually is functional again. We are still ironing out a few items of concern on the north side, but the Contractor has moved to the south side to complete that work, as noted by the demolition last week. This week the Contractor will be installing the stormwater structures and associated piping. Next week, we anticipate forms being set and possibly pouring new sidewalks.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: March 26, 2010
Re: Short Plat vs. Long Subdivision

Last Council session, Council Member Schiller requested that this issue be tabled until Council Member Lant returned.

Again, assuming that all in attendance believes this issue should be amended, we should probably correct the conflicting definitions.

Just a reminder; currently, by definition, 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.

Action Requested:

Consider adopting the Ordinance provided by Mr. Glenn to correct the conflicting definitions in MMC 16.08.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: April 26, 2010
Re: PWTF Loan Application

The Public Works Trust Fund (PWTF), I believe has over $300 million state wide 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.

I believe this is a loan only program, however, application does not mean that we accept the loan terms.

The deadline for application is May 11 (right around the corner)! If we are to apply, we need to get moving.

PWTF will not have financing available in 2012 (they are allocated a biennium amount, and front load expenditures so the legislature does not take any unspent money in year 2).

Action Requested:

Authorize the Mayor to execute the PWTF loan application for the Well 2 and 3 Improvement Project.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: April 26, 2010
Re: Well 2 & 3 Pre-Design

One of the projects included in the USDA loan was to inspect Well's 2 & 3. A contract was entered into with Gray & Osborne to facilitate this work, however after giving it some thought, we decided to not pull the equipment and inspect the casings. Fortunately for us, the wells still work (knock on wood); 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.

Attached you will find a copy of the scope and budget provided by Gray & Osborne for preparing the pre-design report. 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.

Action Requested:

Authorize the Mayor to execute Amendment 17a, when received from Gray & Osborne.

WELL NO. 2 AND 3 IMPROVEMENTS PRE-DESIGN

Well No. 2 and Well No. 3 are 50 to 60 years old and have been identified to have the mechanical equipment replaced as part of Projects 011 and 012 as shown in the Capital Improvement Plan in Chapter 8 of the 2008 Water System Plan. In December 2009, the City entered into Engineering Services Amendment 17 with Gray & Osborne to complete an evaluation of these wells. After further consideration, the City has determined that it would be more effective to complete a pre-design report to evaluate alternatives and develop preliminary costs for replacing the mechanical equipment and installing iron and manganese treatment for these wells. This Amendment 17A will replace the previous Amendment 17.

SCOPE OF WORK

The scope of work for this project will be as follows:

1. Complete a site topographic survey of the proposed project site in the vicinity of Wells No. 2 and 3.
2. Review the 2002 Pilot Study Report and more recent water quality data.
3. Prepare a draft Pre-Design Report for the project including the following tasks:
    a. Evaluate project alternatives including:
        i. Replacing the Well No. 2 building.
        ii. Constructing a treatment facility adjacent to Well No. 2.
        iii. Constructing a treatment facility adjacent to Well No. 3.
        iv. Constructing a building to house both Well No. 2 and the treatment facility.
        v. Alternatives for phasing the project and providing room for future expansion of treatment capacity.
    b. Develop preliminary design criteria for replacing the well pumps and installing a new treatment facility.
    c. Develop preliminary site and building layouts for the Well No. 2 and treatment facility.
    d. Develop preliminary cost estimates for the project.
4. Prepare a final Pre-Design Report for the project incorporating comments from the City of McCleary. Pre-Design Report will meet the requirements of WAC 246-290-110.
5. Complete a site visit to review existing structural and electrical components. Meet with City staff to discuss project issues and review the draft Pre-Design Report. One site visit and two meetings have been assumed.
6. Complete Quality Assurance / Quality Control (QA/QC) review of the draft Pre-Design Report.

Project deliverables will include the following:

1. Topographic survey (1 hard copy, 1 CD-rom)
2. Draft Pre-Design Report (3 hard copies)

3. Final Pre-Design Report (3 hard copies / 1 CD-rom)

The proposed project schedule would be as follows:

Notice to Proceed	May 1, 2010
Complete topographic survey	June 1, 2010
Complete draft Pre-Design Report	July 31, 2010
Complete final Pre-Design Report	30 days after receipt of comments

Assumptions:

1. The 2002 Water Treatment Pilot Test Summary Report prepared by Parametrix adequately assesses the effectiveness of iron and manganese treatment and no additional pilot testing will be required.

EXHIBIT "B"

ENGINEERING SERVICES
SCOPE AND ESTIMATED COST

City of McCleary - Well 2 and Well 3 Improvements Pre-Design Report

Tasks	Principal Hours	Project Mgr. Hours	Civil Eng. Hours	Structural Eng. Hours	Electrical Eng. Hours	Mech. Eng. Hours	CADD Tech. Hours	PLS Hours	Survey Crew Hours
1 Complete Topographic Survey		1	2				4	4	20
2 Review Pilot Study Report and Data	1	2							
3 Prepare Draft Pre-Design Report									
a. Evaluate Project Alternatives	1	2	12						
b. Develop Preliminary Design Criteria	1	2	8	2	2	2			
c. Develop Preliminary Design Layouts	1	2	12	2	2	2	24		
d. Prepare Preliminary Cost Estimates		2	4	1	1	1			
4 Prepare Final Pre-Design Report	1	4	8				4		
5 Meetings and Site Visits		4	4	4	4				
6 QA/QC	3	2	2	1	1	1			
Hour Estimate:	8	21	52	10	10	6	32	4	20
Estimated Hourly Rates:	$56	$46	$36	$46	$50	$36	$28	$42	$75
Direct Labor Cost	$448	$966	$1,872	$460	$500	$216	$896	$168	$1,500

Subtotal Direct Labor:	$7,026
Indirect Costs (171%):	$12,014
Total Labor Cost:	$19,040
Fee (15%):	$2,856
Subtotal Labor & Fees:	$21,897
Direct Non-Salary Cost:	
Mileage & Expenses (Mileage @ $0.50/mile)	$600
TOTAL ESTIMATED COST:	**$22,497**

ORDINANCE NO. _____

AN ORDINANCE RELATING TO PLATTING, AMENDING SECTION 16.08.100 & SECTION 2.091, ORDINANCE 256, AS LAST AMENDED BY SECTION 8, ORDINANCE 431, PROVIDING FOR SEVERABILITY & AN EFFECTIVE DATE.

R E C I T A L S:

1. Pursuant to prior action, the City implemented a Uniform Development Code dealing with a broad scope of matters.

2. It has been determined that following that action, an inconsistency remained within certain definitional areas.

3. While the inconsistency is technically handled through the doctrine of repeal by implication, it is the desire of the Mayor and Council to provide the maximum clarity in the area of developmental regulations.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY:

SECTION I: Section 16.08.100 & Section 2.091, Ordinance 256, as last amended by Section 8, Ordinance 431, are each amended to read as follows:

"Long subdivision" means the division or redivision of land into ((~~five~~)) ten or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease or transfer of

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

ownership, except as provided in Section 16.04.070 of this title. The terms "long subdivision" and "long plat" shall be synonymous.

SECTION II: If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional, and if for any reason this Ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION III: This Ordinance shall take effect upon the fifth day following date of publication.

PASSED THIS _____ DAY OF _____, 2010, by the City Council of the City of McCleary, and signed in approval therewith this _____ day of _____, 2010.

CITY OF McCLEARY:

_____
D. GARY DENT, Mayor

ATTEST:

_____
WENDY COLLINS, Clerk-Treasurer

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

APPROVED AS TO FORM:

_____
DANIEL O. GLENN, City Attorney

STATE OF WASHINGTON)
: ss.
GRAYS HARBOR COUNTY)

I, WENDY COLLINS, being the duly appointed Clerk-Treasurer of the City of McCleary, do certify that I caused to have published in a newspaper of general circulation in the City of McCleary a true and correct summary of Ordinance Number _____ and that said publication was done in the manner required by law. I further certify that a true and correct copy of the summary of Ordinance Number _____, as it was published, is on file in the appropriate records of the City of McCleary.

_____
WENDY COLLINS

SIGNED AND SWORN to before me this _____ day of _____, 2010, by WENDY COLLINS.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, Residing at:
My appointment expires:

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557