



McCleary City Council

PROPOSED AGENDA

August 13, 2008

6:00 Executive Session – Labor Negotiations

7:00 Council Meeting

Flag Salute
Roll Call
Minutes
Public Comment
Mayor's Report
Staff Reports:

Busse Nutley, City Administrator
Dan Glenn, City Attorney
Department Heads

Old Business:

Ratify Work Change Order for Re-Roofing

New Business:

City Signage
Computer Upgrade for Police Department
Contract with Elcon Engineering for Light & Power
Contract Extension for Jim Arthur
MOU with Teamsters for Grounds Maintenance I
Contract with Teamsters for 2009-2011
Extension of Water Service on McCleary Road
Agreement with DOT for SR8 Detour Route
Apply for TIB grant

Ordinances:

Resolutions:

Annexation Procedures
Development Standards Amendments

Vouchers
Mayor/Council Comments
Public Comment
Executive Session
Adjournment

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

Please Turn Off Cell Phones – Thank You

CITY OF McCLEARY

July 23, 2008
Regular Council Meeting

The regular meeting of the McCleary City Council was called to order at 7:00 PM with the flag salute.

Roll Call: Mayor Pro Tem Vessey
Council Members: Hays, Lake, Boling and Vatne

Staff Present: Attorney Glenn, City Administrator Nutley, Police Chief Crumb, Facilities Manager Baun, and Engineers Hinton and Bird

Mayor Pro Tem Vessey reported that Mayor Bentley is doing well following his surgery.

It was moved by Councilman Vatne, seconded by Councilman Boling, that the minutes be approved as amended. Carried.

The Council agreed to hold the August 13 meeting, but not the August 27 meeting unless business makes it necessary.

Administrator Nutley reported on the following.:

- 1) She reported that the Bear Festival seemed to go well for City staff.
- 2) The City is ready to go on street striping for First and Mommsen.
- 3) The manager of Simpson Door Plant called to report that the union did vote to strike if negotiations come to an impasse at the door plant. It is a vote they take each time negotiations begin. It is believed that a settlement will be reached, however.
- 4) Negotiation with Fire District No. 5 is continuing. They have hired a financial analyst to study their finances, but it does appear obvious that they are spending more money per month than they are taking in as revenues. Some of the other municipalities are talking about perhaps forming a "regional fire and ambulance authority." There is a meeting scheduled for July 31 regarding such a formation, and it was agreed that the City have representation at the meeting.

It was moved by Councilman Boling, seconded by Councilman Vatne, that the Mayor be authorized to sign an agreement with the McCleary School District for electrical service installation. Carried.

There was a general discussion of the danger of fire works. The City of Lacey has banned fire works in their city, and Police Chief Crumb was asked to contact them about the issue.

Bids were opened for the two used police vehicles that did not sell at the surplus sale. The two highest bids, which were received from Dick Vatne, were as follows:

Ford Crown Victoria 997 \$ 502.00

Ford Crown Victoria 648 \$1,002.00

It was moved by Councilwoman Lake, seconded by Councilman Boling, to accept the two highest bids. Carried. Councilman Vatne abstained from voting.

Resolution No. 569 entitled A RESOLUTION RELATING TO EMPLOYMENT POLICIES, AMENDING THAT CERTAIN

POLICY IN RELATION TO THE ABILITY TO RECEIVE COMPENSATION FOR UNUSED VACATION LEAVE, was introduced. It was moved by Councilman Vatne, seconded by Councilman Boling, that the resolution be adopted. Carried.

Resolution No. 570, entitled A NONHIGHWAY AND OFF-ROAD VEHICLE ACTIVITIES AUTHORIZING RESOLUTION, was introduced. It was moved by Councilman Vatne, seconded by Councilman Boling, that the resolution be adopted. Carried.

It was moved by Councilman Boling, seconded by Councilman Vatne, that the vouchers be approved as audited. Carried.

Councilman Vatne thanked all the city employees for all the work they put in for Bear Festival.

It was moved by Councilman Boling, seconded by Councilman Vatne, to hold an executive session of approximately 20 minutes for discussion of personnel and contract negotiations. Carried.

Back in regular session, it was moved by Councilman Boling, seconded by Councilman Vatne, that the Mayor and Administrator Nutley create a full time Maintenance/Landscaper/Gardener position with salary to be negotiated with the Teamsters. Carried.

It was moved by Councilman Boling, seconded by Councilman Vatne, that the meeting be adjourned. Carried.

STAFF REPORT

To: Mayor and City Council
From: Busse Nutley, City Administrator
Date: August 13, 2008
Re: Current Non-Agenda Activity

Wildcat Creek Aquifer

The County has scheduled a hearing on Monday, August 11 to extend the moratorium for development on the aquifer for an additional six months, although it is doubtful that the entire time will be required to finish the review and adoption of the proposed land use regulations for the aquifer. This includes the County's update to its Critical Areas Ordinance for the Wildcat Creek Aquifer. Because the Council packets are normally distributed during the time that the hearing is scheduled, I will provide the Council with an update at your meeting.

LeMay's

On Tuesday, August 5 Delroy Cox notified us that LeMay's, our garbage collector, was sold to Waste Connections, one of the largest waste handling companies in the country. I have provided information about the company that I took from its website. Delroy indicated that they do not anticipate any changes in service, and that the name will also be retained.

Remodeling

The remodel of the Clerk-Treasurer's Office continues to make progress. The hallway should have been painted prior to the Council meeting. During the last week in August the new carpet for the Council Chambers, the Building Department and the Mayor's Office will be laid. As you recall, we committed to purchase it last year and asked that it be stored until after this remodeling was completed.

Parks Plan

We have received notice from the state Recreation and Conservation Office that our Comprehensive Park and Recreation Plan has been reviewed and found in compliance with their requirements. This makes the City eligible for their grant programs.

Employee Handbook

The staff has finished its initial review of the proposed update to the City's personnel policies. Their comments were constructive and insightful. We need another "round" of reviews before it will be ready for your review. It is a lengthy document, but is critical to the effective operation of the City. I will get your copies to you as soon as the final draft

is complete, which should be at the end of August. I anticipate having it on the agenda at the end of September or the first meeting in October, depending on your preference.

Bid Limit Legislation

As you know, we have been negatively affected by the low dollar amount of the state-imposed bid limits. The rising prices of metal have been particularly difficult for Light & Power, and the increased cost of fuel and overall price increases have been causing problems for us to perform our usual and customary work within the low limits.

The Association of Washington Cities will be running a bill during the upcoming session of the legislature that will address the low bid limits. It will be difficult to be successful, as private contractors and many labor unions traditionally oppose (and loudly, too) anything they perceive that would allow “more” work to be done by public crews. We, of course, just want to perform work that our existing crews do, and are not interested in expanding.

Because McCleary is very close to Olympia and because I have had some experience with the legislative process, AWC would like McCleary, and me in particular, to be available as the bill is being developed and during the session itself, to tell our story and to promote the bill’s adoption.

Professional Finance Officer Award

For the 19th year, our Clerk-Treasurer, Donnie Rostedt has been presented with the Professional Finance Officer Award from the Washington Finance Officer’s Association. Congratulations, Donnie!

Vacation

I will be on vacation (yea!) beginning Friday, August 15 until Monday, August 25. I will be checking my email and I have not yet figured out how to evade/elude/avoid phone calls.

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Company

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Waste Connections is an integrated solid waste services company that provides solid waste collection, transfer, disposal and recycling services in mostly secondary markets in the Western and Southern U.S. The Company serves more than one million residential, commercial and industrial customers from a network of operations in 23 states. We also provide intermodal services for the movement of containers in the Pacific Northwest.



Our corporate strategy targets secondary and suburban markets that have strong demographic growth trends and where competitive barriers to entry can be developed. We seek to avoid highly competitive, large urban markets and target markets where we can provide either non-integrated or integrated solid waste services under exclusive arrangements, or markets where we can be integrated and attain high market share. We are a leading provider of solid waste services in most of our markets, and approximately 50% of our revenues are derived from market areas where we have franchise or exclusive rights to provide our waste services.

We believe the solid waste service business is a local business managed by professionals living and working in the communities we serve. We strive to provide service excellence for those communities that place their trust in our company and are always dedicated to putting our customers first. We look to technology and growth to help our customers, employees and shareholders "Connect with the Future". As a public company we have the resources to meet every customer's needs in a cost effective and environmentally compatible manner. We understand the markets, the philosophy and the unique needs of the customers we serve whether they be industry, commercial accounts, municipal jurisdictions or individual subscribers.

Background

The company was founded in 1997 by a dedicated group of industry professionals with over 50 years of industry experience through the purchase of five operations in Washington and Idaho from Browning-Ferris Industries. The company rapidly expanded into the California market in early 1998 and now has operations throughout 23 states located primarily in the Western and Southern United States.

Waste Connections went public in May of 1998 and is traded on the NYSE exchange under the symbol WCN.

Growth

Waste Connections has grown through a combination of both organic growth in our existing markets and acquisitions of selected companies in high growth markets. Operations of acquired companies are typically enhanced through the introduction of modernized fleets, technology, management support and the capital that comes from being part of a publicly traded company. We look to grow rapidly within a market through expanding the range of services we offer and by helping our local managers to continue the success they have built locally by expanding into adjacent regions. As we grow, whether by acquisition or by internal growth, we seek to constantly upgrade our level of customer service. At the same time we look to retain the local name and goodwill associated with the companies and the entrepreneurs who helped to build them.

Customers

Our customers range from individual residential subscribers to county contracts and include industrial and commercial accounts, contracts with homeowners associations, apartment owners and mobile home operators. We have a market based strategy for serving our customers to provide the most cost effective solution depending on local regulations and solid waste management practices. Where collection services are governed by exclusive franchise agreements, municipal contracts, or in the case of Washington, G certificates, the company focuses on excellence in collection services, transfer and recycling services. In other markets, not governed by these types of agreements, we can best serve our customers and provide the most cost-effective solution through having an integrated company with collection, transfer and disposal.

Safety And The Environment

We are committed to improve the environment for the future of the communities we live in and serve. We believe that our services play an integral part of improving the environment and we are always mindful of having the most cost-effective waste management solutions for our customers. In addition, we are committed to the safety of our workers and have programs in place to continually upgrade our risk management and environmental policies.

Technology

All our sites are linked with one another and to the corporate offices via a wide area network that allows real time communication for exchanging financial, customer service and internal data. The company employs a customer service, dispatch and routing platform that is Windows based and is both comprehensive and user friendly, allowing for rapid changes to accommodate our ever-changing customer needs. It is our objective to move from a highly paper intensive business towards a more automated environment for internal and external transactions and in the process improve overall efficiency. The company also seeks to implement utilization of automated equipment when appropriate and cost effective for our customers.

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Washington
Finance Officers
Association

CITY OF MCCLEARY

JUL 29 2008

RECEIVED

July 18, 2008

McCleary City Council
City of McCleary
100 So. Third Street
McCleary, WA 98557

Dear City Councilmembers:

The Washington Finance Officer's Association and I would like to inform you that **Donnie Rostedt** has earned the "Professional Finance Officer Award" for the State of Washington from the Washington Finance Officer's Association. This annual award requires ongoing educational and professional excellence on the part of each individual and is not automatically awarded.

Donnie is committed to achieving educational and professional excellence as acknowledged in the receipt of this award for 19 years.

The Association would like to thank you for your continued support and encourage you to recognize this accomplishment in some manner.

Sincerely,

Dawn Masko, PFO Chairperson
Assistant City Administrator
City of DuPont
303 Barksdale Avenue
DuPont, WA 98327
(253) 912-5383
DMasko@ci.dupont.wa.us

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: August 11, 2008
RE: LEGAL ACTIVITIES as of AUGUST 13, 2008.

THIS DOCUMENT is prepared by the City Attorney for utilization by the City of McCleary and its elected officials and is subject to the attorney-client privileges to the extent not inconsistent with laws relating to public disclosure.

1. **CONTRACT MATTERS**: There are a number of items relating to contracts. For ease, I am going to group them together.

A. **Roofing Contract**: As you remember, an agreement was authorized to undertake certain reroofing of a city building. Between the time of the submission of the proposal and the acceptance by the City, apparently the cost of materials increased significantly. A change order was requested to deal with these costs. Since there was an extended time between meetings, my advice was that the executive branch could authorize the change order so as to avoid the risk of additional increase in costs. Thus, the change order is before you for ratification, hopefully.

B. **Author Amendment**: Apparently there have been discussions about again extending the time period and expanding the scope of the trilateral contract among Mr. Arthur, the County, and the City. Jim Baker, the DPA handling the matter for the County, has prepared an amendment which incorporates the proposed changes in scope, timing, and money. If these three items meet your approval, I can indicate I have no problem whatsoever with the form of the document.

C. **Elcon Contract**: Elcon, which is the successor of the company originally chosen as the City's electrical consultant, was requested to provide an "at will" contract for the provision of consulting services. They did so and it was

forwarded to me for review. In doing so, there were certain modifications/additions which I recommended. As I understand their communication, they have agreed to the suggestions and returned the contract, with addendum, executed. Thus, if the general concepts are acceptable to you, the contract meets the formal needs of both parties.

D. Dot Contract: In the last quarter of this year, apparently the State anticipates doing some work on SR 8 which will require a closure of certain lanes and routing through the City. The format is that they agree to give us notice, etc. It really is not one with which we can do much negotiating. However, I have recommended to Ms. Nutley that she discuss with the Chief the likelihood of increased police staffing due to the increase in traffic. If that were to be a potentiality, we would want to discuss with them a provision for the State to reimburse the City for the increased law enforcement cost.

As of the time of preparing this report, I am uncertain what conclusion was reached as to the potentiality.

E. Labor Matters: I have not seen the drafts in question and thus will not speak to them. However, if they are the results of the efforts of the City's consultants and Busse, they should meet the City's needs.

2. REGIONAL FIRE AUTHORITY FINANCING: At this stage, I am uncertain what role, if any, the City intends to play in the discussions and review on the concept of establishing of a Regional Fire Authority. Obviously, the analysis will include the operation benefits and burdens as well as the fiscal impacts. As you are aware, both Montesano and Elma are involved in the study group. As part of research of a query from a member of one of their Councils as to the fiscal impact of the co-existence of certain service entities, I had occasion to contact the chief fiscal consultant at the Municipal Research and Services Center. During the discussion, she confirmed that a RFA has at least two sources of revenue from its citizens.

One is its independent taxing authority. That authority is up to \$1.50 per one thousand dollars of assessed valuation without voter approval. That was not a surprise. During the discussion she pointed out an element which I had not previously known. If I understood her correctly, that element is that any portion of the \$1.50 imposed by a RFA is subtracted from the figure available to the member cities. She noted that the normal maximum available to a city such as McCleary, without some type of special approval, is \$3.10 per one thousand dollars of assessed valuation. She noted that she did not have immediately available the portion of that figure McCleary was utilizing at

this stage. For purposes of discussion, we could assume \$3.10. Thus, if the \$1.50 were to be utilized by a RFA, the amount available to the City would be \$1.60. Obviously, if the City is using close to the maximum allowed, it would result in a significant reduction in revenue. She noted that the entities which would likely be least effected by this allocation are those which already have a significant fiscal commitment to maintaining a fire service since it would be more like a transfer, rather than a reduction. A second potentiality for a RFA's funding is the ability to impose what is, in effect, a sum characterized as a "benefit charge." It would be established under the provisions of RCW 52.26.180 et seq. The relationship between and the impact of one upon the other is very complex.

Ms. Cox indicated the first RFA in the state was apparently organized in King County. One of the members of that entity is apparently the City of Auburn. She indicated she had been present when the CFO of Auburn made a very informative presentation upon the fiscal ins and outs of the entity. Thus, as the process moves along, to the extent the City has an interest in being involved, it would seem beneficial that the entities consider inviting her down to give a presentation to the entities.

3. RESOLUTIONS:

A. Annexation Process: Last session, I provided you a draft operational resolution setting forth proposed protocols for dealing with that aspect of the process. (As I have previously noted, nothing in the resolution supersedes any of the procedures we have followed in the "normal" annexation process under RCW 35A.79.) As you have recognized, the goal is primarily to set forth with clarity the responsibilities in processing the matter, including the BRB involvement. Secondly, it is to insure the internalization by the petitioner of the costs incurred by the City in processing a petition.

Assuming the concept of the resolution is acceptable to you, I would make the following comments.

(1) The most fundamental area for decision is in relation to submitting the notification to the BRB office. It is that step which commences the review period for the BRB, the passage of which is core to final effectiveness of any annexation. I recommend that you require the applicant to assume the responsibility of submitting to the BRB the now mandated form, properly filled out and executed, as well as pay the necessary fee required by the BRB. While I have included the alternative of the City

undertaking that responsibility, it is my perception that choosing that alternative simply increases the costs and risks incurred by the City.

(2) The second fundamental step is setting up the fees required for processing an application. The issue is whether the City absorbs the costs related to processing an annexation request or does the applicant absorb the necessary costs. As you know, I am a believer in what the economists refer to as the philosophy that the costs should be internalized by those causing the costs. However, that is a policy decision for the six of you to determine.

If you determine that the internalization concept is appropriate, then there would be two fee elements set. One is that related to the initial review by staff and you. If the decision is made to go forward with accepting the petition for hearing and consideration, then the second fee level would be triggered. As you will note, provision is made for return of any estimated fees which have been paid in the event that the estimate is too high.

B. Development Standards: This resolution has been requested to deal with several areas. They include modifying the standards relating to sidewalks in recognition of additional information obtained since you implemented certain mandatory changes several months ago. The width aspect is given greater discretion and the requirement that a property owner dedicate additional land to the sidewalk utilization under certain circumstances if removed. Additionally, provision is made for the City Administrator to have the discretion to add, delete, or modify the various forms which are utilized during the process. The forms are not the standards, any change in which will continue to require your authorization.

4. LeMAY COMPANY: As you likely have read, the company with which the City contracts for the provision of solid waste disposal service has been acquired by a larger firm. The news about the purchase appeared in *The Olympian* on Thursday, August 7, and likely appeared in *The World* that same day. That morning I received a telephone call from Mr. Cox, who has been LeMay's liaison with the City for some years. He assured me he would continue to so serve for the next period of time, although he has retired from his full-time position with the company in the last month or so. Further, that nothing will change.

I would anticipate two possible steps. The first is the easiest and also occurred when LeMay acquired Eastern Grays

Harbor Services from the Goodwins some years ago. That is the request to be allowed to assume the existing contract. The second step is unlikely to happen for a while. That step would be the request to review the terms of the contract or at least the charges assessed for the various services.

Only time will tell.

As always, this is not meant to be all inclusive. If you have any questions or comments, please direct them to me.

DG/le

**McCLEARY POLICE DEPARTMENT
REPORT TO COUNCIL MEMBERS**

Reporting Date: 08-13-2008 Wednesday
Close out Report for June

Date of Last Report: 07-23-2008

The below is a list of activities and complaints occurring which were either reported to, generated by, responded to or assisted with by the McCleary Police Department.

SUMMARY OF INCIDENTS

1768 Incidents

30 Traffic Stops, Subject Stops-

7 Speed Infractions-\$742 5-DWLS-court-, 4 -Insurance Violation-\$1650.

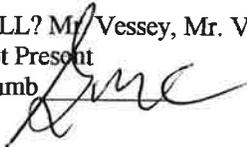
25 total infractions and citations(Total Bail / Fine: \$4238)(9 mandatory courts)

VIOLATIONS REPORTED OR INVESTIGATED

Abuse, Adult or Child	Civil Complaint(s)
Ambulance/9-Fire Response Broadcast	Sex Offense (Adult or Child)
Agency Assist Police	Court Order Service/ Violation)
Harassment	Subject Stop / Pedestrian Stop-
Aid Call	Citizen Assist
Hit & Run	Prowler
Juvi Problem /Found Child/Runaway	Defrauding Public Utility
Alarm(s)	Suspicious= , Vehicle, Circumstances.
Liquor Violation (MIP-minor in possession)	Death Report
Animal Complaint(1 dog bite)	Theft Complaint(s)
Malicious Mischief	DUI
Arrest(s) (Booked)	Threat Complaint(s)
Missing Person/Runaway Report	Disorderly Conduct/person
Arrest(s) (Warrant)	Trespassing Complaint
Man Down-intoxicated sub	Domestic Violence
Motorist assist	Traffic Hazard=/ Reckless / Offence
Arson Report	Unknown Problem
Noise Complaint	HAZMAT
Arrest Juvenile	Verbal Argument/Dispute
Open Window/ -Door	Dog Impounds
Attempted Suicide	DRUGS-VUCSA (Violation Uniform Controlled
Parking Violation/Complaints	Substance Act)
Assault Complaint(s)	Vehicle theft / Prowl / Recov Stolen.
Possession of Drug Paraphernalia	Fight
Burning Violation(s)	Vehicle = Accident / Disabled- / Abandon
Possession of Stolen Property	Firearm/Weapons complaint
<u>1-Burglary Complaint(s)</u>	Warrant Service/Transfer
Police Information	Fraud complaint
Controlled Substance Violation(s)	Welfare Check
Public Works Assist (McCleary City)	Found- / 0 Lost Property-
Custody Dispute(s)	911 Hang Up/Open Line
Referral	
Fire Response	

Discussion: Open

Council Members Present: ALL? Mr. Vessey, Mr. Vatne, Ms. Lake, Mr. Hays, Mr. Boling
Mayor Bentley: Present / Not Present
Officer Reporting : Chief Crumb



STAFF REPORT

To: Council and Mayor
 From: John Allardin, Maintenance Crew Foreman
 Date: August 14, 2008
 RE: July Status Report



TASK	DESCRIPTION	MONTH		YEAR TO DATE	
		<u>NO.</u>	<u>HOURS</u>	<u>NO.</u>	<u>HOURS</u>
Building maintenance	Park, transit station restrooms, city compound, library, float shed & museum.		36.5		537.5
Meetings and appointments	Safety meeting, interviews, public works meetings, outside agencies and contractors.		9.5		145
Training	Professional growth classes.			2	38
Water leaks	water leaks	1	1	10	90.5
Water complaints	Dirty, smelly or low water pressure.			7	6
Garbage collection	Down town, park, cemetery, city compound and city park trash cans.		8		92
Grounds maintenance	Gardening, hanging baskets, mowing, raking, baseball field maintenance and pressure washing		158		585.5
Motor pool maintenance	Motor pool maintenance in house and contract work		4		99
Pot hole program	Did some road shoulder and alley repair.			135	35.5
Utilities locates	Locating underground utilities	2	2	28	20
Meter reading	Three people task includes meter reading, shut off list and re-reads		48		336
Flagging traffic	Flagging for Light and Power crew			1	8
Citizen requests	Forms generated by requests from citizens	13	16	18	26
Valve exercising program	Checking for valve operation, location, and maintaining proper valve operation			19	40
Sanding streets and street sweeping	sweeping streets			2	7
Hydrant flushing program	Maintenance, flushing and exercising hydrants				52

STAFF REPORT

To: Mayor and City Council
From: Todd Baun *TB*
Date: August 7th, 2008
Re: Month of July

Here are the projects I've been working on for July

- Jerry Morrisette and his associates are making progress on the TIB grant for Simpson Avenue sidewalks. We should be seeing advanced design plans soon.
- The WSDOT has swept the streets in town in preparation for the Bear Festival.
- NOVA (Nonhighway and Off-Road Vehicle Activities) grant has been turned in. This grant is for \$70,000 and is to study and plan trails around the city. I will be giving a power point presentation of our proposal at the end of September to the RCO board. The grants will be then awarded the last week of November.
- Gray and Osborne are still reviewing the YAF (Youth Athletic Facilities) grant. We should have recommendations on the best way to proceed on this project.
- The Park parking lot design is currently being reviewed by Gray and Osborne. We will have recommendations soon to help save the city some money on the installation of the sidewalk.
- Mr. Ackley is waiting for his contractor to start with his new driveway.
- The SRFB (Salmon Recovery Funding Board) grant, for Sam's Canal has been turned in. The total is for \$131,580. This grant has a 15% match which is going to be \$19,737. The city will be matching this grant with materials we already have and permitting. Grants will be awarded in mid December.
- I have been working with Gray and Osborne for 2 new TIB grants. The projects will come off of the Six Year Transportation Improvement Plan. The first project is to rebuild 4th street from Simpson Ave. to Pine Street. We will add sidewalks, curbs, gutters and Stormwater improvements on both sides of the street. We chose 4th street because is a low rated road within the city. The second project is adding sidewalks on 3rd street. This is to help system continuity by filling in gaps between sidewalk sections along 3rd street.
- We used our new striping machine on the intersection of Mommsen and 1st street. It turned out well and we will see how often we have to re-stripe the intersection.
- The City Hall hallway has been textured and painted.

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.

STAFF REPORT

To: Mayor and City Council
From: Jennie Reed, Court Administrator *JJR*
Date: July 3, 2008
Re: June Report

	Court Filings		Court Fines Paid	
	July	YTD	July	YTD
Traffic Infractions	8	118	\$1,790.10	\$18,787.91
Non Traffic Infractions	1	2	0	0
Criminal Traffic	4	51	\$656.25	\$5,952.96
Criminal Non Traffic	2	32	\$1,308.61	\$3,364.23
Collection Fees Collected				\$147.01
TOTAL ISSUED	15	203	\$3,754.96	\$28,252.11

STAFF REPORT

To: Mayor and City Council
From: Jeff Gustafson, Senior Lineman *JG*
Date: August 5, 08
Re: July Activity

Pole Changes - 1
YTD - 11

Transformers
Overhead - 1
YTD - 4

Underground -
YTD - 3

Primary Extensions
Overhead - 1 at 660 ft. 2/0 ACSR
YTD -

Underground -
YTD - 1 at 502 ft. #2 15kvEPR

Primary Replacement
Overhead -
YTD - 3000 ft. 2/0 ACSR

Underground
YTD -

Service Connections
Overhead -1 at 85 ft. 2-2-4 triplex
YTD -2

Underground -1 at 165 ft. 350 MCM
YTD - 15 at 1375 ft. 4/0 total

Temporary Services -1
YTD -7

Street Light Services -1 at 100 watt.
YTD - 3 at 200 watt, 12 at 100 watt

Outages - 1
YTD - 4

Call Outs - 2
YTD - 9

STAFF REPORT

TO: Mayor and City Council
From: Jon Ehresmann Water/Wastewater 
Date: August 2008
Re: Monthly Council Report

Advanced Electrical Testing is ordering a new switch for the plants automatic transfer switch, but is 10 to 12 weeks out.

Fire Mountain Farms have been taking the plants sludge with no trouble.

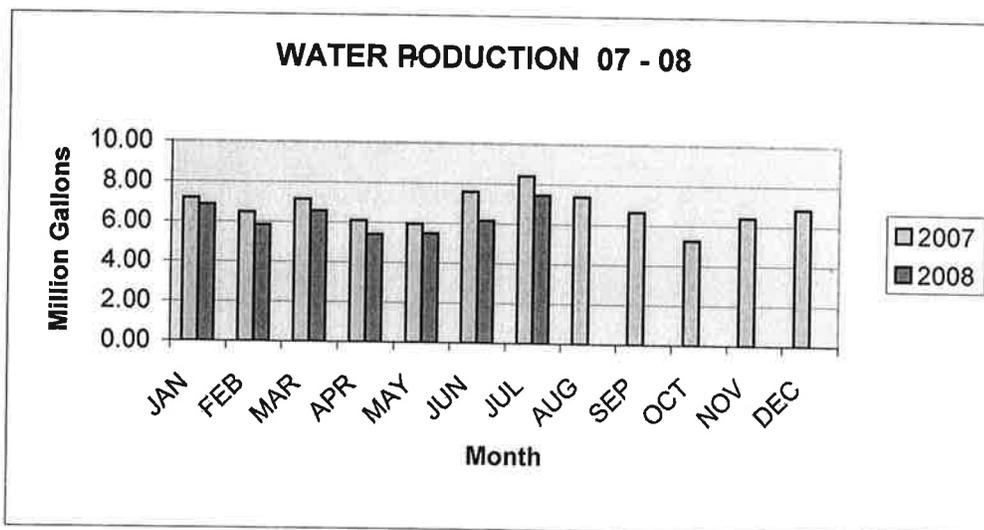
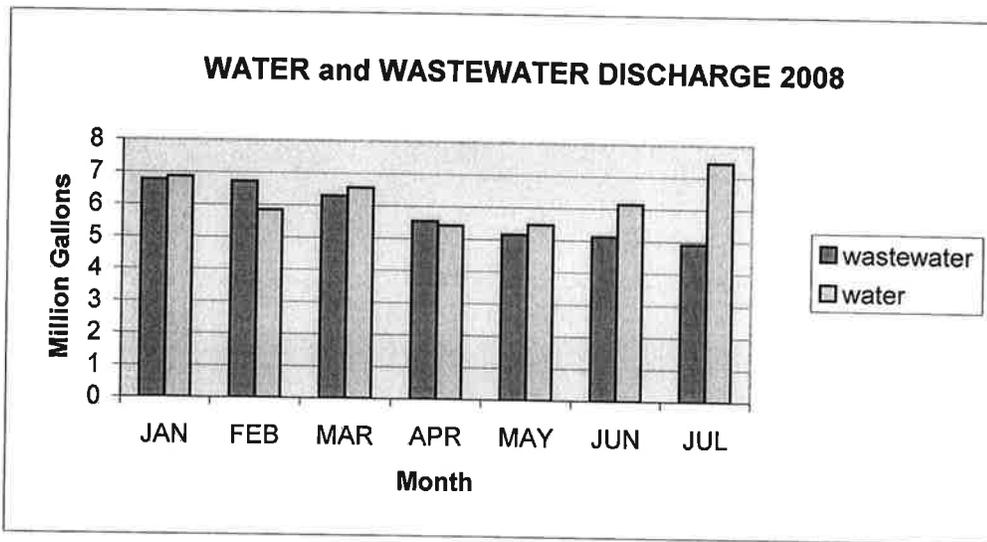
Reservoirs have been working with no problems.

The plants water chiller breaker kicked out, I placed it back on line but kicked out again, had Harbor Ventilation test it's voltage and tightened up the breaker in it's bucket and so far is working.

I am training Andrew Lunsford on minor lab work, testing and plant maintenance, well and lift station maintenance and procedures, I am focusing on plant control, DOE, DOH paper work and issues that come up.

I have just started wading in to the charts and graphs, I will do a better job next month.

MONTH		W/W 2007	W 2007	W/W 2008	W 2008
JAN	JAN	9.01	7.18	6.754	6.86
FEB	FEB	7.20	6.48	6.715	5.84
MAR	MAR	8.77	7.14	6.3	6.55
APR	APR	5.25	6.10	5.537	5.41
MAY	MAY	4.31	5.96	5.156	5.47
JUN	JUN	4.31	7.58	5.128	6.14
JUL	JUL	4.45	8.39	4.911	7.45
AUG	AUG	4.09	7.38		
SEP	SEP	4.23	6.65		
OCT	OCT	5.10	5.26		
NOV	NOV	5.22	6.42		
DEC	DEC	8.32	6.86		



STAFF REPORT

To: Mayor and City Council
From: Mick Schlenker, Building Official
Date: August 5, 2008
Re: July Building Activity

Building Permit Activity

	July		Total 2008	
	Current	Fees	Actual	Fees
Customer Service	241		1,779	
Building Permits				
Issued	9	\$9,033.78	55	\$45,212.00
Nuisance Letters	7		16	
Inspections				
Performed	84		570	
Plan Reviews	8	Inc in Permit	36	
Stop Work Issued	0		10	
City Projects	0		3	
Complaints	3		40	
Demo Permits	2		3	
Court Issues	0		1	
Fire Projects	0		0	
Cars	1		11	

July 2008 Building Permit Activity

Summit II

1. (2) new SFR have been issued
2. 1 Deck permit

Cedar Heights/Kingbuilt Homes

1. No building action going on at this time with Cedar Heights, most clean up of existing site and materials.

Kingbuilt Homes continued:

2. 4th and Pine New SFR is signed off for footing, foundations and shear wall nailing plus roof inspection
3. They have also purchased a lot off main st. and are going to place a (2) story SFR on this lot

Beehive

1. Some progress has started---lawn sprinklers in place on site South side of Maple St.

McCleary School

1. (3) new modular class rooms in place and block inspection completed
2. West end of school—modular has been inspected for blocking and skirting
3. Todd has been working with Joe House on water, sewer and hydrant placement

Rossvale Plat

1. It appears that Todd Hansen wishes to go back to the preliminary plat and change the plat to Mobil Homes for over 55. He will have to go through a condition use permit and binding site plan process. This area is zoned for Mobil Home use R-3.

Brookside MH Park

Larry Brinidelli has purchase this property and is in the process of clean up, not 100% sure what he will done, guess we'll have to wait and see what he does with permit application

City Work

1. The front office is nearly finished and the hall way is done with drywall, will texture in next couple of days-----could even be finished by council time
2. Had short meeting about garage sales, noticed last week that they are using corner of Summit and 3rd st. junction----they have permission from Don Hayes to use this property

Thank you

Mick Schlenker
Building Official
City of McCleary
360 495-3667 ext. 5

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: August 11, 2008
Re: Re-Roofing Bid Change Order

When our low-bidder, Pittman Roofing, tried to purchase the metal roofing material for the City Hall mansard replacement, he was informed that the price had increased by 15%, and that another price increase was expected to be implemented in early August. To avoid further cost increases and after discussing the problem with our legal counsel, we prepared a work change order for an additional \$714.00 to cover the discrepancy.

Requested Action:

Ratify the action to increase the price of the City Call re-roofing project by \$714.00 including Washington State sales tax.

Change Order

Change Order Number: **1**

Change Order Date:
7/24/08

Project Name: **City Hall Mansard**

Vendor

Company Name:

Pitman Roofing

Contact Name:

Ron Pitman

Telephone Number:

410 0764

Address Line 1:

City:

McCleary

State/Province:

WA

Postal Code:

98557

Reason for Change

Price of Roofing increase since bid. Up 15%

Changes to Parts Order

Line	Part Number	Description	Old Qty.	New Qty.	Cost
		Metal Mansard	1	1	714.00
Total adjustment					714.00

Signatures

Ron Pitman

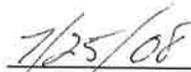
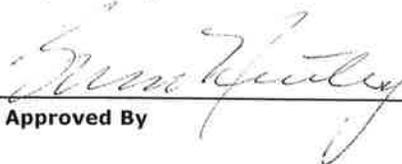
7/24/08

Requested By

Date

Approved By

Date



STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator
Date: August 11, 2008
Re: City Signage

As a part of the effort to spruce up City Hall, and to comply with both the American with Disabilities Act (ADA) and Emergency response requirements, the staff has been looking at what signs are needed. It turns out that we actually need a lot of additional signs to bring us into compliance and to help the public identify our various buildings and services.

The following table breaks the signs into two groups – signs that are informational or provide directions, and signs that are required by ADA. Note that we do not yet have an estimate for the cost of an electrician to install the 14 illuminated exit signs.

Description	Size	Qty	Price	Total
Informational Signs				
City Hall Campus Map	48x36	1	\$126.45	\$126.45
Wastewater Treatment Plant Map	48x24	1	\$84.30	\$84.30
Wastewater Treatment Plant Sign	36x24	1	\$43.95	\$43.95
Development Services Office	12x18	1	\$10.99	\$10.99
Community Center	36x24	1	\$43.95	\$43.95
Light & Power Office	30x12	1	\$18.31	\$18.31
Public Facilities Office	30x12	1	\$18.31	\$18.31
No Trespassing	24x24	2	\$29.30	\$58.60
Building A - Building H: 2 sets	24x18	16	\$21.98	\$351.68
McCleary City Hall, Logo & Address		1	\$150.00	\$150.00
Occupant Load		2	\$10.00	\$20.00
Municipal Court Arrow		1	\$161.28	\$161.28
Sub-Total				\$1,087.82
Sales Tax (8.3%)				\$90.29
TOTAL				\$1,178.11
ADA Required Signs				
Exit Signs, Illuminated		14	\$52.68	\$737.52
Exit Signs, Installation		14	???	bid
Exit Signs, Non-Illuminated		4	\$3.97	\$15.88
No Smoking w/in 25 feet		23	\$38.99	\$896.77
Door to Remain Unlocked		3	\$1.86	\$5.58
Fire Extinguisher Sign		26	\$3.97	\$103.22
Sub-Total				\$1,758.97
Sales Tax (8.3%)				\$145.99
TOTAL				\$1,904.96

The directional/informational signs are important for the general public to find city services. In addition, they are essential in emergencies for rescue workers to more quickly locate victims of accidents or illness.

The ADA signs, of course, are critical for safety, making it clear where exits are located in case of any emergency.

In addition to the signs, the front door to the main City Hall building does not meet current code or ADA standards. It should be a glass door with panic bars. The reason it needs to be glass is so that the door is not opened onto anyone.

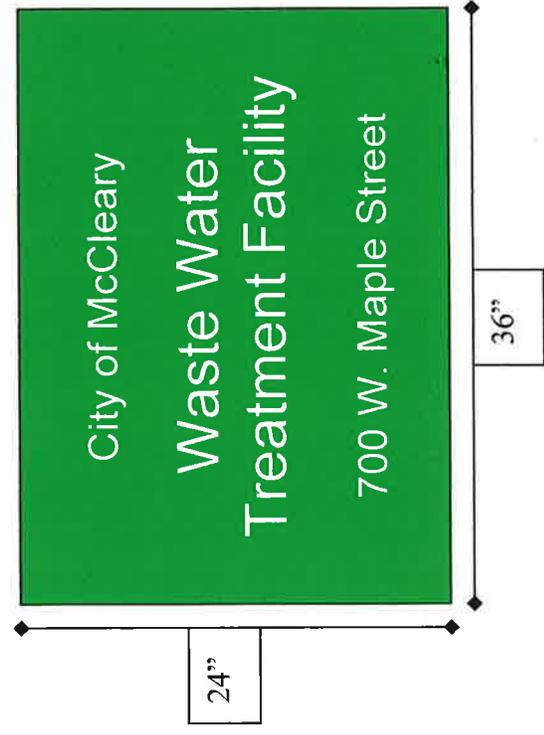
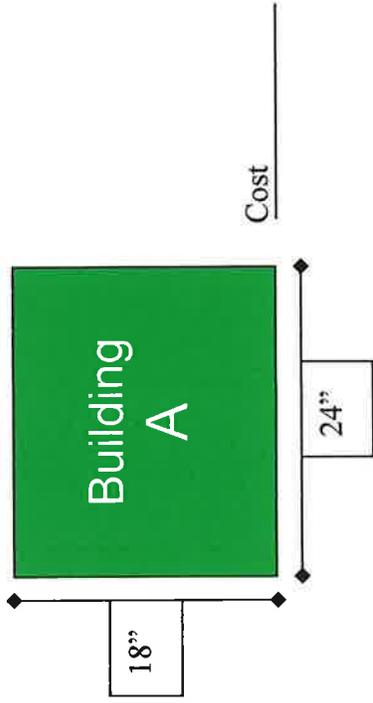
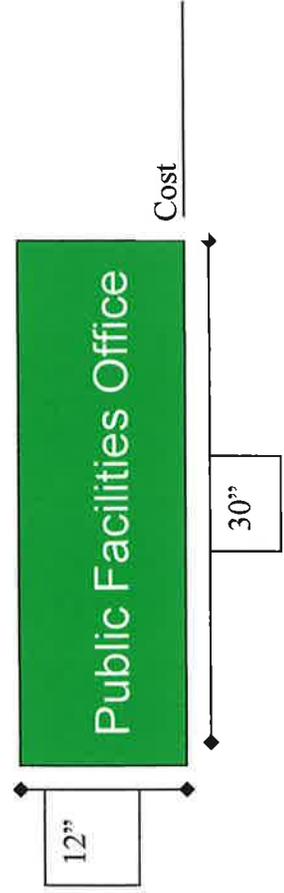
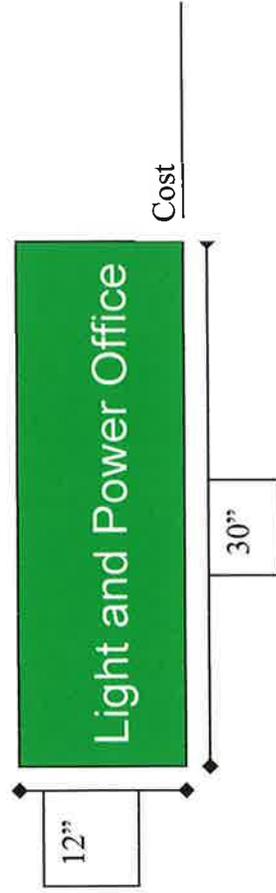
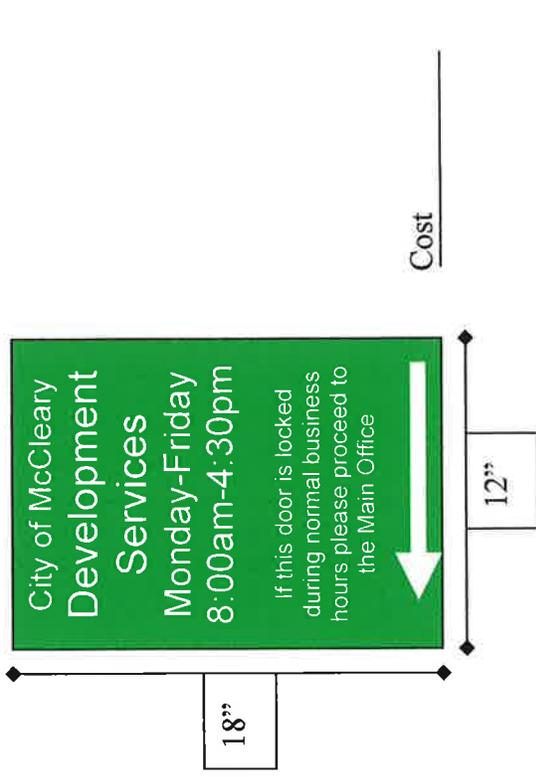
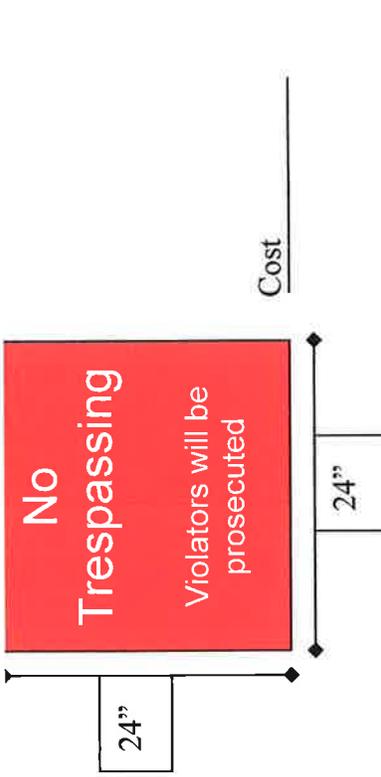
A glass door will also allow us to put more information in a place that is easily observed. For example, we do not have our office hours posted.

A commercial glass door is estimated to cost approximately \$700.00, assuming the City crew installs it.

Last year we budgeted funds for City Hall signs. If the various utility funds pick up their shares of the signs, there is enough room in the budget to purchase all the signs, including the new front door. As necessary as they are, we could delay purchase of the exit signs until early next year. That would allow us more time to determine the probable cost of the electrical work that needs to be done to make the illuminated signs actually illuminate.

Requested Action:

Authorize the purchase of all City Hall signs and glass door, except for the illuminated exit signs.



McCleary



City Hall

100 S 3rd Street

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: August 11, 2008
Re: Computer Upgrade for Police Department

The Police Department underwent a Technical Security Audit by the State Patrol this past spring, and was found to be “not in compliance” with certain aspects of the internal electronic security of the police computer system.

Attached is a memo from Chief Crumb outlining the steps taken to determine what changes would be needed to upgrade the system.

The upgrade will cost \$3,337.78, plus a monthly fee to Comcast for an additional internet connection. At this time we are unsure whether there will be an additional \$49.00 monthly fee, as we may have been overpaying for our Comcast service. That is under investigation. However, the separate connection is a security requirement and must be obtained.

Requested Action:

Approve the additional computer cost from the Police budget for Technology Tamers in the amount of \$3,337.78, and perhaps an additional monthly fee to Comcast for approximately \$49.00.

MEMORANDUM

Date: July 16, 2008

To: Busse Nutley,
McCleary City Administrator

From: George M. Crumb, Chief
McCleary Police Department

RE: Police Computer Upgrade for State Patrol Compliance

Busse;

On March 24, 2008 the police department had our Triennial Audit and later our Technical Security Audit. The security audit found the police department "Not in Compliance" with a number of issues regarding the internal electronic security of our police computer.

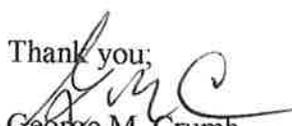
The city's computer technician, Jeff Brown has researched the suggestions made by the Washington State Patrol and the Grays Harbor County E911 Operation Manager. Jeff has come up with the attached solutions that will put the police department "In Compliance" and ready to meet future compliance issues for the FBI standards of security.

However, his solution for the upgrade will cost in excess of \$3337.78 and a monthly fee paid to Comcast for an additional internet line.

The solution to the fix is an unexpected expense; however, the NCIC FBI mandated restrictions are not avoidable if we wish to maintain this important police tool.

Please forward this request and Mr. Brown's attached estimate in order that we may fix this problem and be in compliance.

Thank you;


George M. Crumb
Chief of Police

City of McCleary Police Dept. compliance for Tech security

July 14, 2008

TECHNOLOGY TAMER INC.

Jeffrey Ray Brown
 40427 228th Way SE Enumclaw WA. 98022
 Email: jeffraybrown@gmail.com
 Office: 360-802-5476 Cell: 253-797-2477

The City of McCleary
 100 South 3rd St. McCleary, WA. 98557
 (360) 495-3863

Job Description

Provide all the hardware\Software\networking\& configuration to bring the City of McCleary Police Department into compliance to pass the Washington state Patrol Technical security Audit, Gray's Harbor E9-1-1 communications requirements for 128 bit FIPS 140-2 compliant encryption end to end , and FBI access requirements for the CJIS (criminal justice information services)

- Work with Comcast to bring in another physical connection to the Internet separate from the current shared City of McCleary connection. (internet service provision)(see 1st page for details)
- Provide a CISCO ASA5505-BUN-K9 Physical Firewall (see 1st page for details) and configuration
- Provide advanced firewall, antiviral, malicious software protection (see 1st page for details)
- Setup and documentation for the E 911 Gray's Harbor VPN solution (see 1st page for details)
- Consultation to sort out all the requirements into one solution

Itemized

Comcast setup and configuration: Contact Comcast and scheduling physical wiring, physical gateway for internet access for the police department, onsite to configure gateway for access via new Cisco router.	3 hours onsite during setup and testing to our new router\Firewall
Cisco router provision and configuration: Provide Cisco ASA 5505 Router, configure for internet access for all workstations, configure for \CJIS requirements\E-911 Requirements\WSP requirements\ Router will provide DHCP\DNS\gateway services for the Police department workstations. A new workgroup. Printer sharing scheme, configuration for files will have to be setup to remove the settings from the old CityofMcCleary network. Will configure (3) workstations to new network with all compliant requirements. (extensive requirements for workstations and router are documented in the Technical Security Audit Questionnaire provided to me by Jenny and George)	8 hours to setup Configure router & (3) workstations to use the new network\router\firewal \printer\wrkgrp And fulfill the requirements on the WSP form.
Advanced protection for virus ect. Configure (3) workstations with advanced protection software.	1 1/2 hours for setup on workstions, testing,
Setup of the E-911 Gray's harbor VPN solution for the Police Departments CAD terminals (2) Onsite to configure E-911 VPN solution with technical engineer from Gray's harbor. Gray's Harbor engineer will configure (1) workstation and I will configure the other and document the process so in the future if computers are changed out, we can configure without paying them the intial fee again. In order to use the solution, Gray's harbor E-911 requires coming on site to do only one terminal and requires the technical help for McCleary to be onsite as well. Consultation: I have spent as of July 14, 2008 3 1\2 hours on phone calls to Peggy Fouts @ 360-533-7885 @ E-911, research on NIST for requirement stipulation, CJIS documents on their stipulations for compliance, WSP system and consultation with others already having this system in place to find the best solution for all 3 requirements.	420.00 for VPN connections to the Access system at the E-911 center in Gray's Harbor. Labor for configuration and documentation of VPN config. 4 hours 3 1/2 hours
Labor (includes pre consultation time) 20 hours	2000.00
Router	525.00
Software (Advanced protection)	120.00
VPN solution from GraysHarbor E-9-1-1 communications	420.00
Sub Total	3065.00
Sales tax	272.78
Total	3337.78

This is an Invoice for goods and services. This contract is for completing the job as described above. It is based on our mutual evaluation and under normal circumstances without unforeseen disasters will be completed and delivered for said price.

Telephone support is available 7A.M.15 P.M Monday-Friday @ 360-802-5476 or Cell 253-797-2477

7/14/2008

City of McCleary: WSP Access Encryption, Technical security updates FBI required. E-911 system.

This is a list of the technical\hardware\software\networking requirements to come into compliance for the Washington state Patrol, Gray's Harbor E9-1-1 communications, and FBI requirements (criminal justice information services) technical security for the City of McCleary's police department.

Hardware/software/ Networking	Description
Comcast internet service connection specifically for the Police department computers only.	<p>Separate Physical connection and account for a Comcast ISP connection to remove the internet access sharing currently with the city of McCleary. Separate access account will fulfill the following requirements:</p> <ul style="list-style-type: none"> • Network firewalls for the CJIS (Criminal Justice Information Services) cannot reside on a server platform providing file and print services to a user community as it is now. • Access to the internet must go through a separate firewall with specific requirements not available on the current firewall the City of McCleary uses now. • Segments law enforcement from other city/county divisions (fire, public works ect.)
CISCO ASA5505-BUN-K9 Firewall: NIST approved... FIPS (Federal Information Processing Standards) Provides: Security Requirements for Cryptographic Encryption to CJIS	<p>Firewall required to:</p> <ol style="list-style-type: none"> 1. Provide a point of Defense for the CAD system (WSP, E911 Grays Harbor system) & both inside and outside the CJIS (Criminal Justice Information Services) networks. 2. It prevents unauthorized access to CJIS data and all network components providing access to the FBI CJIS WAN, WSP and E911 systems 3. CJIS requires the firewall to use a minimal feature set, have all networking protocols except TCP/IP implemented and to have a procedure that routinely maintains patches of the firewall. 4. Provides VPN services to the CJIS system when required.
Advanced virus, spyware protection with programs being password protected for administrator configuration only	<p>Advanced virus protection required:</p> <ul style="list-style-type: none"> ✓ Application for antivirus, spyware, malicious software, anti hacking, to detect and eliminate all possible threats to workstations, laptops, mail applications. ✓ Resident online scanning that cannot be turned off except by the City of McCleary technical administrator. This eliminates the possibility of any software or program running except what is absolutely deemed necessary for the police departments daily needs
The 911 center's VPN solution for 2 terminals	<p>VPN solution for the E 911 center for Gray's harbor county will provide all the requirements to pass the Washington State Patrol Technical Security audit, the fulfillment for the CJIS network as well as the requirements for the E 911 center. It includes:</p> <ul style="list-style-type: none"> ❖ Provides 128 bit FIPS 140-2 compliant encryption end to end. ❖ Segments law enforcement from other city/county divisions. ❖ Provides a FIPS 140-2 encryption certificate as the new rules require.

? Attachments can contain viruses that may harm your computer. Attachments may not display correctly.

George Crumb

From: Busse Nutley
To: George Crumb
Cc:
Subject: FW: McCleary Police Department Technical requirements
Attachments:  [City of McCleary PD compliance.pdf\(48KB\)](#)

George – here is Jeff's proposed fix for your computer issues. Is this ready to go to Council? Busse

From: Jeff Brown [mailto:jeffraybrown@gmail.com]
Sent: Monday, July 14, 2008 3:20 PM
To: Busse Nutley
Subject: McCleary Police Department Technical requirements

Busse,

Attached please find a technical upgrade guide to make the City of McCleary PD compliant for the 3 segments of law enforcement (E 911 system of Grays Harbor county, Washington state Patrol and the FBI CJIS (criminal justice information services) required by law for technical security. I am confident the city will be able to pass the Washington State Patrol Audit required every three years if you go with my suggested plan of upgrades.

I came up with the plan to best comply with all the requirements and to plan for future requirements (Patrol cars currently do not have to have a secure connection to the CAD system as the technology does not yet exist in an affordable solution) But they are going to, and the future requirements will use a firewall system as I am suggesting currently.

The information I was given came from several documents that Jenny gave me to sort out:

1. I contacted the WSP and the E-911 Director Peggy Fouts for further clarification.
2. I consulted the NIST.Gov site for FIPS 140-2 compliant hardware.
3. I used the guidelines provided at the FBI CJIS system website for further clarification
4. Finally I consulted with other consultants as to how they handled the situation.

I spent a lot of time unravelling government bureaucracy to simplify the bid for you so it is easier to understand. If you need all the documents I did my clarifications from, and the people I talked to, I can provide that as well.

Some other items:

- The police department will be able to get to anything they need on the McCleary network through RDP or RDC at the server, the mail, internal website, files if needed through VPN.
- Upgrading police equipment will be much easier in the future on this separate network.
- The Police department is going to be really locked down with no excuse to go to web sites that cause

virus's

jeff

--

Jeffrey Ray Brown
Technology Tamer inc.
360-802-5476 office
253-797-2477 Cell

Technical Security Audit Questionnaire

Agency Name:			
IT Contact Name:			
Date:	ORI:		
Email Address:	Phone #:		
Agency Head:			
Agency Head Email:			
Security Enforcement			
	Compliance	YES	NO
1) Our records indicate you use the following types of terminals:			
2) Are you maintaining a record of all IT staff that must receive fingerprint background checks within 30 days of employment? <u>If so, please provide a copy of the list.</u>			
3) Have you contacted the ACCESS ISO if you have findings on an employee?			
4) All IT personnel and vendors working in and around the system must receive security training within 6 months of hire/appointment and once every 3 years. <u>Please provide a copy of the signature log indicating the vendors have reviewed the training.</u>			
5) Have all IT personnel signed off they viewed the technical security training <u>(Provide a copy of the signature log)?</u>			
6) Please provide a copy of signed security addendums for contracted vendors.			
7) Please provide a drawing of the agency network only as it relates to ACCESS.			
8) Does your agency have a signed encryption addendum?			
9) Do you have the most current CJIS Security Policy (4.4)?			
IT Security			
10) Computer terminals that have ACCESS are in a secure location (not visible by the public)?			
11) Are all visitors escorted?			

	Compliance	YES	NO
12)What is your agency practice for disposal of media (shredding, incineration, degaussing, or other)?			
13)Does your agency use NIST approved firewalls between connections to other networks?			
14)How is your connection to WSP encrypted to meet FBI standards?			
15)Has your agency completed end to end encryption meeting the FBI standard? Provide a description of how and include wireless connections. If you are not encrypted to meet the standard please provide your plan and a timeline in which you intend to have it completed.			
16)Does all encryption meet the FIPS 140-2 compliance (provide FIPS Certificate)?			
17)Does your agency have all law enforcement ACCESS traffic separated so that it may not be accessed by unauthorized personnel (properly firewalled)?			
18)Do all computers maintain current virus protection?			
19)Does your agency have written procedures for the following (Please provide a current copy): <ul style="list-style-type: none"> • Password Management <ul style="list-style-type: none"> ○ Construction ○ Password and log-on deletion • Authentication • CJIS policy violations 			
20)Do you currently provide password authentication to access CJIS data? If so, do you meet the CJIS standard: <ul style="list-style-type: none"> ▪ Minimum 8 characters ▪ No dictionary words or proper names ▪ Password and Userid must not be the same ▪ Change in passwords every 90 days ▪ No password reuse (for systems purchased after September 30, 2005) ▪ Passwords shall not be transmitted in the clear outside the secure domain 			

	Compliance	
	YES	NO
Internet		
21) Is there a firewall in place to protect your network from the internet?		
22) Is a form of advanced Authentication in place (if so, what type)?		
23) If transmitting CJIS data via the internet, is it protected with at least 128-bit encryption meeting the FIPS standard?		
24) Does your agency use dial-up for internet? If so, are all transactions logged? (Provide a copy of recent log).		
Wireless		
25) Does your agency have any wireless access devices (if so, state types)?		
26) Please provide a list of agencies your agency provides CJIS data services for:		
27) If your agency is providing CJIS data services for another agency what type of connection do they have? Public Network? Wireless? Dial-up? Internet?		
28) Are all are policy requirements for these connections in place, i.e. advanced authentication, logging, firewalls, etc.?		
Security Incidents		
29) Reference the CJIS Security Policy page 12 do you report technical incidents to your agency and WSP ACCESS as needed?		



Please include the copies of the following (if applicable) with your completed questionnaire:

- Signature log for Security training completed by personnel
- Signature log for Security training completed by vendors
- Security addendums signed by vendors
- Personnel log including SID numbers indicating completed background checks
- Drawing of network as it applies to "ACCESS" traffic

Provided:

CHRISTINE O. GREGOIRE
Governor



JOHN R. BATISTE
Chief

STATE OF WASHINGTON
WASHINGTON STATE PATROL

P.O. Box 42619 • Olympia WA 98504-2619 • (360) 570-5252 • www.wsp.wa.gov

March 5, 2008

Ms. Jennie Reed
McCleary Police Department
100 South Third Street
McCleary WA 98557

Dear Ms. Jennie Reed:

State statutes and the National Crime Information Center (NCIC) regulations require a triennial Technical Security Audit of A Central Computerized Enforcement Service System (ACCESS) users. This is a correspondence audit and the intent of the audit is to ensure compliance with mandated security standards and the Criminal Justice Information Services (CJIS) Security Policy.

Please read through the attached documents and complete the questionnaire. Return the completed questionnaire and copies of required documentation no later than May 1, 2008 to:

Washington State Patrol
Attn: Ms. Kateri Anderson
PO Box 42619
Olympia WA 98504-2619

Upon receipt, Ms. Anderson will review the information and provide a final compliance report for your agency.

We appreciate your cooperation with this correspondence audit process and will do everything we can to assist your department. If you have any questions, please contact Ms. Anderson at (360) 534-2161.

Sincerely,

A handwritten signature in cursive script that reads "Heather A. Anderson".

Ms. Heather A. Anderson
ACCESS Section

HAA:klm

Enclosures

cc: Ms. Kateri Anderson, ACCESS Section



STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: August 11, 2008
Re: Contract with Elcon Engineering for Light & Power

Elcon Engineering has supported Light & Power for a number of years through a contract "assignment" from a previous firm. Because the City needs to have better control of the work being done by all its contractors, and because we also need to have a Capital Improvement Program developed for Light & Power, we issued a Request for Proposals.

Although several firms expressed interest, only Elcon actually submitted a response. Light & Power has been happy with Elcon's work, so it made sense to negotiate a contract with them.

We will be approaching this work in the same manner as for our general engineering. We will have a basic contract for "on-call services" and then will supplement it with addenda or work orders.

Requested Action:

Authorize the Mayor to sign a contract with Elcon Engineering for services to Light & Power.

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator
Date: August 11, 2008
Re: Extension of Contract for Jim Arthur

Jim Arthur has completed all the work envisioned in his initial contract and in the extension given earlier this year. A final report on the Wildcat Creek Aquifer has been issued. However, there are a number of tasks that will be required to insure that the recommendations are implemented.

Jim will be able to help the County and City design an interlocal agreement for overall management of the aquifer. In addition, he can assist the County in implementing its new provisions for Critical Areas. Finally, we need to go through a process with the state Department of Health to receive approval of the changes to our wellhead protection areas, and Jim can take the lead in making sure all the paperwork is properly completed. This will be especially helpful because of Vern's departure to Iraq.

Requested Action:

Authorize the Mayor to sign a contract between the County and City and Jim Arthur for the City's portion not to exceed \$2,500.00.

PERSONAL SERVICES CONTRACT AMENDMENT THREE

THIS AGREEMENT (hereinafter referred to as "Contract Amendment Three") amending the below-referenced agreements is made and entered on the latest date signed by the parties hereto, by and between Grays Harbor County, a political subdivision and municipal corporation of the State of Washington, hereinafter referred to as the "County," the City of McCleary, a municipal corporation, hereinafter referred to as the "City," and James Arthur, hereinafter referred to as the "Contractor," and each agreeing to be bound by the terms and conditions of this Contract Amendment.

WHEREAS, the parties previously executed a Personal Services Contract dated May 23, 2007 (hereinafter "the Basic Contract") with a term commencing the 23rd day of May, 2007, and terminating on the 23rd day of November, 2007; and

WHEREAS, the parties subsequently executed an agreed extension of the Basic Contract (hereafter, "the Contract Extension") for an additional period commencing on the 24th day of November, 2007, and terminating on the 30th day of May, 2008, and

WHEREAS, the parties subsequently executed a second agreed extension of the Basic Contract (hereafter, "the Second Contract Extension") for an additional period terminating on the 31st day of August, 2008, and

WHEREAS, further work in implementing and coordinating recommendations by the Contractor for the Wildcat Creek Aquifer System as stated in his June 16, 2008 report is necessary and in the best interests of the City and County in completing required tasks in an efficient and expedited manner, and

WHEREAS, the parties are desirous of amending the Scope of Work required of the Contractor to assist with production of documents for the City and County, and extending the term of the Basic Contract to December 31, 2008.

NOW THEREFORE, in consideration of the covenants and obligations contained herein and of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. PRIOR CONTRACT: All terms, conditions, and provisions of the Basic Contract, Contract Extension and Second Contract Extension, each of which is attached hereto and incorporated herein by reference, shall remain in full force and effect except as hereinafter amended.

2. EXTENSION OF PRIOR CONTRACT TERM: The Basic Contract, as extended by the Contract Extension and Second Contract Extension, shall be further extended to December 31, 2008, unless sooner terminated by mutual written agreement of the parties.

3. SCOPE OF WORK AMENDED: The Scope of Work identified in Exhibit A-2 to this Third Personal Services Contract Amendment is hereby substituted for and shall replace Exhibit A to the Basic Contract, and Exhibit A-1 to the Contract Extension which are no longer in effect.

4. ADDITIONAL FUNDING: The Contractor shall receive as compensation for the additional services performed as specified in Exhibit A-2 hereto, the sum of five-thousand dollars (\$5,000.00), of which the County and City shall each contribute fifty percent (50%) thereof.

CONTRACTOR

James Arthur
Date:
Address: 1825 Lenox Court NW
Olympia, WA 98502

Phone: (360) 357-7044
(360) 280-1895 (cell)

**BOARD OF COMMISSIONERS
Grays Harbor County**

Albert A. Carter, Chair, Commissioner

Mike Wilson, Commissioner

Bob Beerbower, Commissioner

CLERK OF THE BOARD

Donna Caton
Date:

CITY OF MCCLEARY

By: _____
Wallace Bentley

CITY CLERK

Donnie Rostedt
Date:

July 30, 2008

To: Lee Napier, Grays Harbor County, and Busse Nutley, City of McCleary
From: Jim Arthur
Subject: Contract Extension – Proposal

I propose that the County and City extend my contract through December 2008 and each fund it with \$2,500.00 for a total contract amount of \$5,000.00.

The purpose of the contract extension would be for me to assist the County and City with implementation of the recommendations in my June 16 report to the two governments. Specific tasks would include:

- Helping Jim Baker prepare the ordinances for adopting the Wildcat Creek amendment to the county code regarding critical aquifer recharge areas and for canceling the moratorium;
- Giving a presentation at the Board meeting held to consider the proposed code amendment and moratorium cancellation;
- Assisting the County and City with joint tasks listed under Part I of the recommendations in my report, including the development of an interlocal agreement for management and protection of the aquifer.
- Assist the City of McCleary with applying to the State Department of Health for a revision of its wellhead protection area, the revision to incorporate the ten-year capture zone as in the proposed Grays Harbor County Wildcat Creek Critical Areas Amendment..

I have truly enjoyed working with the County and City and look forward to assisting with the next step.

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator
Date: August 11, 2008
Re: Memorandum of Understanding for New Position of Grounds Maintenance I

At the last meeting the Council approved a new full-time position of Grounds Maintenance I, with the salary to be negotiated with the Teamsters. That negotiation took place and, if you agree, the Grounds Maintenance I position will be paid equivalent with the Utility Maintenance I position. For the remainder of 2008, that amount is \$2,388.00 per month. We are currently negotiating a new contract with Teamsters for 2009 – 2011.

Requested Action:

Authorize the Mayor to sign a Memorandum of Understanding with the Teamsters that the new full-time position of Grounds Maintenance I will be paid \$2,388.00 per month, and includes full benefits.

MEMORANDUM OF UNDERSTANDING
TO THE
AGREEMENT
BY AND BETWEEN
CITY OF McCLEARY
AND
TEAMSTERS LOCAL NO. 252

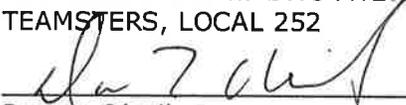
It is understood and agreed by the parties signatory hereto that upon signing this Memorandum, the position of Grounds Maintenance Worker I, shall be established at \$2,388.00 per month.

DATED this 31ST day of July, 2008.

FOR THE CITY OF McCLEARY

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL 252

Mayor Wallace Bentley



Darren O'Neil, Secretary-Treasurer

Attest:

City Clerk

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: August 11, 2008
Re: Teamsters Contract 2009-2011

Your negotiators have tentatively agreed to a new contract with the Teamsters and will present it to you at a work session at **6:00 pm on Wednesday, August 11.** (Please note the earlier starting time than usual.)

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator
Date: August 11, 2008
Re: Water Service Extension – McCleary Road

In May 2007 the City was approached by several property owners along McCleary Road who expressed interest in becoming water customers. The water line extends beyond City boundaries, and they signed annexation covenants, indicating that in exchange for water service they agreed to annex at some time in the future, if and when the City was able to annex. Unfortunately, the property owner of a key parcel situated between where the water line ended and the new customers were located, was not able to join the effort. Therefore, the request died for lack of interest.

On July 31 that property owner, Randy Goodman, applied for water service, agreeing to the annexation covenants. We have put him in touch with his neighbors to see if there is still interest in proceeding. It is expected that two or three properties will want water service.

The existing line is 10". Eventually, the plan is for the line to cross the freeway to provide a loop on the south side (joining with another freeway crossing near the interchange).

Several things have to happen for the water service to be extended:

1. City Council approval for extending the service
2. Proponents hire an engineer to design the project, and pay the fee for our engineer to review and approve the plans
3. Adoption of the updated Water Supply Plan that is in final preparation, incorporating comments from reviewers (final date not known at this point). The WSP envisions service to this area, and the City cannot extend the line without the Plan update.
4. Proponents pay for the installation of the line and all hookup fees.

Requested Action:

Approve the extension of the water line and service to property owners along McCleary Road, provided they sign covenants to annex.

Properties Requesting Water Service - August 2008



STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator
Date: August 11, 2008
Re: WSDOT Detour for SR 8

The state Department of Transportation contacted the City to inform us that as a part of their project to repair the right-hand shoulder of SR8 just east of the Summit Grocery, that the right lane will be permanently closed during the nearly three month project, and that both eastbound lanes will be closed at night for about 35 days. The only way that eastbound traffic will be able to get to Olympia during this full closure is through McCleary on SR 108. The plan is to divert the traffic at the interchange, rerouting it along S. 3rd Street and then onto SR 108.

WSDOT would like an agreement with the City that they will repair any damage to the City's street (S. 3rd Street) that may occur during the detour. We have asked for – and received – traffic counts, and have expressed concern about the adequacy of controls at the intersection of S 3rd Street and Simpson Avenue (SR 108).

No doubt, there will be additional information available at the Council meeting.



**Local Agency
Haul Road/Detour
Agreement**

Organization and Address
City of McCleary
100 South 3rd Street
McCleary, WA 98557

Agreement Number
HRD3-0083

Section / Location
SR 8 Emergency Slide Repair, MP 18.40, Detour Agreement

State Route Number Control Section Number
SR 8 3404

Region
Olympic Region

Description of Roads or Streets
Exhibit A - Detour Plan
Exhibit B - Condition Prior to Usage

Intended Use (Haul Road or Detour Road)
Detour

Vehicle Restrictions
Legal Limits

THIS AGREEMENT, made and entered into this _____ day of _____, between the STATE OF WASHINGTON, Department of Transportation, acting by and through the Secretary of Transportation, (hereinafter the "STATE") and the above named organization, (hereinafter the "LOCAL AGENCY").

WHEREAS, the STATE is planning the construction or improvement of a section of state highway as shown above, and

WHEREAS, in the construction of the project it is planned to use, for the purpose noted above, those LOCAL AGENCY roads or streets described above and as further detailed in red on the attached Exhibit "A", and

WHEREAS, it is anticipated that as a result of the use of these roads or streets, additional maintenance expense may be incurred by the LOCAL AGENCY.

NOW THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

I

The LOCAL AGENCY hereby agrees to the STATE's use of the roads or streets covered by this AGREEMENT subject to the conditions contained herein.

II

Immediately prior to the beginning of the STATE's use of the above described roads or streets, the parties to this AGREEMENT shall make a joint condition inspection and the STATE shall prepare a memorandum record of the condition of said roads or streets. The memorandum record shall include a statement of the extent and frequency of routine maintenance operations normally carried out by the LOCAL AGENCY on said roads or streets and may include photographs showing condition of the existing roadway.

III

The STATE agrees to reimburse the LOCAL AGENCY for the cost of additional routine maintenance and repairs, operations in excess of those enumerated in the record made under the provisions of Section II, made necessary by the STATE's project. The reimbursement for such additional routine maintenance and repairs shall be limited to the actual cost of such operations supported by proper records. Such costs are to be exclusive of all administrative and overhead costs and all charges for small tools.

IV

Upon completion of use of the roads or streets covered by this AGREEMENT, a joint inspection shall be made by the parties to determine the condition of said roads or streets. All maintenance and/or repairs shall be based upon the conditions of these roads or streets at the time of this completion inspection, taking into account the memorandum record made under Section II.

V

It is expressly understood that the STATE shall be responsible only for that extra maintenance and repairs of the LOCAL AGENCY's roads or streets occasioned by the project use. In the event of a dispute over the terms of this AGREEMENT and/or the extent of maintenance or repair work required to be performed, the dispute shall be submitted to the Secretary of Transportation for determination. In determining this responsibility the Secretary shall give consideration to the memorandum record provided for in Section II. The conclusions of the Secretary as to the extent and amount of such maintenance shall be final and conclusive as to all parties to this AGREEMENT.

VI

The LOCAL AGENCY agrees not to restrict below legal limits the size, weight, or speed of vehicles using the roads or streets covered by this AGREEMENT except as stated above under Vehicle Restrictions.

VII

No liability shall attach to the STATE or the LOCAL AGENCY by reason of entering into this AGREEMENT except as expressly provided herein.

IN WITNESS WHEREOF, the parties hereto have executed this AGREEMENT as of the day and year first above written.

LOCAL AGENCY

**STATE OF WASHINGTON
DEPARTMENT OF TRANSPORTATION**

By

By

Title

Title

Date

Date

Memorandum Record of Condition Prior to Detour Usage

Video log by: _____ of WSDOT

Date of video log: _____

Inspected by: _____ of WSDOT

_____ of City of McCleary

Date of inspection: _____

General Comments:

Specific Comments:

<u>Road/Street</u>	<u>Milepost/Location</u>	<u>Comments</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



DATE: _____

TO: Neal Campbell, P.E.
Olympic Region
Local Programs Engineer MS: 47440
(360) 357-2666

FROM: John McNutt
Olympic Region
Project Engineers Office MS: 47447
(360) 570-6752

SUBJECT: SR 8
Emergency Slide Repair
Detour Agreement **HRD3-0083**

The Department of Transportation has completed work on SR 8, Emergency Slide Repair which required the detour of traffic onto City of McCleary's city streets as defined in Exhibit A of Detour Agreement HRD3-0083.

On the _____ day of _____, _____, the State and the City of McCleary performed a joint inspection of the detour routes per section IV of the above named agreement, and the City of McCleary accepts the detour/haul road route.

of City of McCleary

of WSDOT

Date

Date

cc:
City of McCleary
Misun Peck
file

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator 
Date: August 11, 2008
Re: TIB Grant Application

Todd is busy trying to find the City money for sidewalks and street improvements. This project is fairly ambitious, and will take quite a bit of money for the 5% match. However, it will qualify for Real Estate Excise Tax (REET) funds. We currently (as of July 1) have \$184,839.74 in the fund, with \$30,000 budgeted for matching funds for the Beerbower Park restoration project.

Requested Action:

Authorize the Mayor to apply for Transportation Improvement Board (TIB) funds for sidewalks and street improvements along S. 4th Street.

Memo

To: Busse

From: Todd Baun 

CC:

Date: 8/8/2008

Re: TIB grant

With council approval, I will be applying for 2 grants from the Transportation Improvement Board. The grant programs that we will apply for are the Small City Arterial Program (SCAP) and the Small City Sidewalk Program (SCSP). Both grants have a due date of August 29th. Gray and Osborne will be helping me complete these grants in the next 2 weeks and we will have more complete estimates for costs after that time.

The SCAP provides funding for projects that improve safety and roadway conditions. I worked with Nick Bird, from Gray and Osborne, and we came up with 4th Street as being the best project to fit this program. We came to that conclusion by looking at the pavement ratings, lack of sidewalks, lack of Stormwater improvements, and it will connect the McCleary School with the downtown area. 4th Street is also #2 on our current 6 year transportation improvement plan. This project is going to be phased in order for the city to meet the 5% matching funds. The first phase is not to exceed \$800,000, so the city's 5% match will not exceed \$40,000. This project would qualify to use proceeds from the City's Real Estate Excise Tax (REET) for this match amount.

The SCSP provides funding for projects that address safety, access to generators, and system continuity by filling in gaps within the system. The best fit for this project that Nick and myself came up with is on 3rd Street. The project will connect the exiting sidewalk on the east side of 3rd Street with the sidewalk that is currently on McCleary Road. This will make a continuous sidewalk from 3rd Street to McCleary Road. 3rd street is #3 on our current 6 year transportation improvement plan. The cost of this project will not exceed \$200,000 and requires a 5% city match. The match will not exceed \$10,000.

Since this is the only meeting in August, I would like the Council to authorize the Mayor to sign the complete grant applications before the due date of August 29th, 2008.

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator
Date: August 11, 2008
Re: Fees for Annexation Requests

In the past few months the Board of County Commissioners established a Boundary Review Board for Grays Harbor County. The purpose of the Board is to review all proposed annexations and other jurisdictional boundary changes to assure they meet certain service standards, financial equity among local governments, and logical boundaries.

Although the BRB will not review all proposed annexations, when they do invoke jurisdiction, they will no doubt charge the fee allowed by statute. Depending on the situation, the fee could be \$50.00 or \$200.00.

The question for the Council is: who should pay these fees for annexation? If the City's policy is to encourage annexation, might the new fee discourage it? On the other hand, it will now require a much greater effort for City staff to prepare the City's annexation case for the BRB. Should the City absorb this cost, or should it charge the proponents something to help offset this new cost?

Requested Action:

Discuss the policy implications of fees charged for annexation.

1. Determine how the City will pay fees charged by the Grays Harbor County Boundary Review Board.
2. Determine what, if any, fees the City will charge to cover its costs associated with annexing property.

RESOLUTION NO. _____

**A RESOLUTION IN RELATION TO PROCEDURES
INVOLVING THE PROCESSING OF PETITIONS FOR
ANNEXATION OF PROPERTY TO THE CITY.**

R E C I T A L S:

1. Pursuant to applicable statute, the City has the authority to annex real property to within its corporate limits upon request of a property owner and upon other rationales.

2. In 2007, the County adopted a process requiring review of petitions to annex property by a Boundary Review Board.

3. Since that time, the City has undertaken a review of its procedures and deems it appropriate to clarify certain aspects of and the fees related to the processing of an application.

4. Under procedural mandates, an initial review is required of a petition prior to the determination of whether or not a public hearing will be scheduled to consider the matter of the requested annexation.

5. In recognition of the costs incurred, it is the goal of this resolution to establish procedures and to insure to the extent reasonably possible, that the applicant assume the costs in reviewing and processing the applications.

RESOLUTION - 1
7-7-08
DG/le

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

6. In furtherance of those goals, it is deemed appropriate to establish the procedures and to set forth the fees contained within the following provisions.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: PROCEDURE:

A. Upon presentation of a Petition to Annex to the Clerk-Treasurer, an initial review fee of \$_____ shall be paid. The Petition shall be reviewed by staff who may make a recommendation to the Council as to whether or not to undertake consideration of the Petition. The determination of whether or not to accept the Petition for consideration and to direct a public hearing shall be one in the sole discretion of the Council.

SECTION II: In the event the Council determines it appropriate, pursuant to the provisions of RCW 35A.79, to accept the Petition for consideration and to schedule a public hearing, the following shall occur:

A. A filing fee in the amount of \$_____ shall be paid to the Clerk-Treasurer. In addition, an amount established by the Clerk-Treasurer as the estimated cost of publication of required notices shall be paid at the same time. To the extent the actual cost of publication is less than the estimated cost paid in, it shall be refunded to the applicant. In the event

that it is a higher amount, then that amount shall be paid by the applicant prior to the date of the hearing.

Alternative approaches:

Alternative #1: B. The Director of Community Development shall promptly file notice of the Petition with the appropriate agency of the County so as to initiate the time period for review by the Boundary Review Board. The filing fee for such filing shall be deemed included within the filing fee paid to the City pursuant to Section II, A.

Alternative #2: B. The Applicant shall promptly file notice of the Petition with the appropriate agency of the County so as to initiate the time period for review by the Boundary Review Board. The filing fee for such filing shall be paid by the Applicant directly to the County and shall not be deemed included within the filing fee paid to the City pursuant to Section II, A. Proof of such filing shall be provided no less than ten (10) calendar days prior to the date of the hearing before the Council on the petition to annex.

C. To the extent that the land covered by a Petition for Annexation meets the criteria for discretionary exemption under the provisions of RCW 36.93.110, the Director shall submit a request for such discretionary exemption to the Chair of the Boundary Review Board. Documentation confirming the date of the filing of the Petition and of the request for exemption, if applicable, shall be maintained within the records in relation to

the Petition. These filings shall be accomplished within _____ days of the payment required under the provisions of Section II, A.

SECTION III: In the event that an applicant does not timely pay the fees required pursuant to Sections I and II, then further processing of the Petition, including the notice of publication, shall be held in abeyance and, if not paid within a timely manner, the Petition shall be deemed to have been abandoned.

SECTION IV: In its sole discretion, the Council may waive any provision of this Resolution, this Resolution being for the sole benefit of the City.

PASSED THIS _____ DAY OF _____, 2008, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2008.

CITY OF McCLEARY:

WALLACE BENTLEY, Mayor

ATTEST:

DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION - 4
7-7-08
DG/1e

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

STAFF REPORT

To: City Council
From: Busse Nutley, City Administrator
Date: August 11, 2008
Re: Development Standards for Infill Lots

In late 2006 the City adopted a new set of Development Standards, geared especially toward large new subdivisions and commercial and industrial uses. There were no special standards for small new development or redevelopment in the existing City.

The City was approached a few months ago about the appropriateness of the Development Standards for houses built on "infill" lots (lots that are vacant and surrounded by houses). The question was whether it was necessary to build half-width street improvements, curb, gutter and sidewalks.

The Council approved an addendum to the Gray & Osborne Engineering contract to devise a new standard for "infill" lots that would waive the half-street improvement and substitute drainage swales (Low Impact Development) for curb, gutter and storm pipes. Those standard details for the Development Standards are now complete and ready for adoption.

There still is concern on the part of developers that the City is requiring too much. The argument is that sidewalks will be "orphans" and it will be years before they are connected into a system.

Although that sounds like a reasonable policy, the totality should be carefully examined.

1. "Orphan" sidewalk segments present no safety issues, so there is no reason they cannot exist for many years, unconnected to the neighboring property.
2. No one can know when redevelopment of any lot will occur. The property next door could be the next one.
3. Essentially, the issue is about "who pays."

If no infill sidewalks are required and the City policy is to have sidewalks, then the taxpayers will have to build all the sidewalks. They will either have to pay as a part of a bond issue, or through their City taxes for a matching grant from a public agency that is funded by the taxes paid by a larger group of citizens.

Any sidewalk segments that are constructed by the homeowner or its developer will decrease the amount of money that all the taxpayers will have to raise in the future.

Summary: Resolution amending the Development Standards, adding Standard Details 110.11A and 110.11B, and removing Appendix D, renaming Appendix E as D. (I will have to make three internal reference changes.)

RESOLUTION NO. _____

**A RESOLUTION ADOPTING STANDARDS BY
REFERENCE IN RELATION TO DEVELOPMENTS AND
SYSTEMIC IMPROVEMENTS OR MODIFICATIONS
WITHIN THE CITY; REPEALING RESOLUTION 560;
& PROVIDING AN EFFECTIVE DATE.**

R E C I T A L S :

1. Pursuant to the adoption of Ordinance 739, the adoption of development standards by resolution is authorized.

2. By the adoption of Resolution 560, the Council to exercised that authority.

3. Since that adoption, the City's staff has carried forth the development of updated provisions in relation to the certain matters related to projects being constructed upon existing lots.

Those provisions are now incorporated in an updated version of the City of McCleary's Development Standards.

4. After review, adoption of the provisions set out in updated version of the Standards has been recommended by Staff as being appropriate.

RESOLUTION - 1
8/01/2008
DG/le

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

5. In adopting these standards, it is the Council's intention that they shall be applicable until further action of the Council.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: The following design and development standards and policies shall be applied to any improvements covered by their respective provisions, whether as part of the review, design, approval, and construction of a plat or project, in relation a particular structure or installation, or otherwise.

1.1. The City of McCleary Development Standards, August, 2008 edition.

1.2. The most recent editions of following publications which are on file with the City at the applicable time.

A. Water. American Public Works Association, Washington State Chapter (APWA), American Water Works Association (AWWA), and State Department of Health (DOH);

B. Sewer. Washington State Department of Ecology standards (DOE), American Public Works Association (APWA) standards, and the Environmental Protection Agency of the United States (EPA) standards;

C. Streets. Washington State Department of Transportation (WSDOT) standards and the American Public Works Association, Washington State Chapter (APWA) standards;

D. Storm Sewer. DOE, WADOT, and APWA standards;

E. Electrical Standards:

1. Line Construction Standards Manual, Grays Harbor PUD #1.

2. Material Standards Manual, Grays Harbor PUD #1, including , MS 8020, MS 8040, & MS 8300.

1.3. The City of McCleary Comprehensive Plan, a copy of which is on file in the Office of the Clerk-treasurer.

1.4. State of Washington Department of Ecology's Stormwater Management Manual for Western Washington, 2005 edition, including the published thresholds for NPDES Phase I municipalities.

1.5. The City of McCleary's Roadway Classification, a copy of which is on file in the Office of the Clerk-treasurer.

1.6. The City of McCleary's Pest Management and Aquifer Protection Standards, a copy of which is on file in the Office of the Clerk-treasurer.

1.7. The following, which are hereby adopted by reference, shall be applicable to the control and regulation of vehicular access and connection with the portions of the State highway system within the corporate limits of the City:

A. RCW 47.50, as now existing or hereafter amended.

B. Chapter 468-51 and Chapter 468-52, as now existing or hereafter amended or succeeded.

1.8. The adopted standards of other associations, entities, or organizations as deemed appropriate by the City Administrator, after submission to and approval by the Council.

SECTION II: The following general principals shall apply in the interpretation and application of the standards adopted pursuant to Section I.

To the extent of any inconsistency between or among any provision of the Standards, the following shall be the primary sequence of preemption:

1. City of McCleary Development Standards.
2. Electrical Standards: Line Construction Standards Manual, Grays Harbor PUD #1 & Material Standards Manual, Grays Harbor PUD #1 in their respective areas.

SECTION III: Administrative Authority:

The City Administrator shall have the following discretionary authority

A. to determine the order of precedence in the event of any other inconsistency or of any consistency between the standards referenced in Section II.

B. to develop and issue forms to be utilized in the submission and processing of all matters subject to these Standards.

SECTION IV: Effective Date & Transition

4.1. The provisions of this resolution shall take effect as of 12:01 a.m. on the day following its adoption.

4.2. Resolution 560 shall be repealed as of the effective date and time of this resolution: PROVIDED THAT, any specific physical construction or improvement which was designed pursuant to the standards set forth in Resolution 560 and approved by the City prior to the date of repeal shall be governed thereby.

PASSED THIS _____ day of August, 2008, by the City Council of
the City of McCleary, and signed in authentication thereof this
_____ day of August, 2008.

CITY OF McCLEARY:

WALLACE BENTLEY, Mayor

ATTEST:

DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION - 5
8/01/2008
DG/le

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

The issue at hand involves a property on S. 4th Street. The City is currently preparing a grant application as a follow up to the July adoption of its Six-Year Street Plan where S. 4th Street redevelopment was ranked very high in priority. There is no way of knowing whether the City's application will be successful. The Transportation Improvement Board has cautioned all local governments that the grant funds are becoming more scarce as the number of gallons of fuel sold is decreasing due to the rising price of oil. If we could be confident of our success, then we could waive the sidewalk requirement along S. 4th Street. However, because we have no way of knowing, we should continue to require that improvements be made.

In the alternative, we could ask the developer to pay a fee in lieu of constructing the sidewalk and drainage improvements, and use the cash as part of the match for the grant. Unfortunately, the City could only keep those funds for a maximum of five years, after which they must be returned to the developer. If no grant application were to be successful within five years, the City would have no improvements at all along S. 4th Street where a new home was constructed.

The second sidewalk issue in the Development Standards is a remnant from an earlier Council discussion about downtown sidewalks. At that meeting, the Council left language in the Development Standards that require 8 foot sidewalks to be constructed along Simpson Avenue in commercial zones when existing residential properties convert to commercial use. We learned from the recent surveys of these properties that the existing configuration of the right-of-way and the existing construction of Simpson Avenue would make 8 foot sidewalks in these areas virtually impossible. Therefore, the language is proposed to be deleted.

The final change in the Development Standards is the removal of the Appendix containing various forms. These need to change to reflect new understandings of how to gather required information. The new provision is that the City Administrator provides forms that are in compliance with the code requirements.

Requested Action:

Adopt the Resolution, incorporating the new infill lot improvement requirements.

1. Concrete sidewalks shall be constructed in accordance with City Standard Nos. 111.1-111.2. Sidewalks shall be installed on both sides of streets within the public right-of-way contiguous to the property line.
2. On Simpson Avenue in all Commercial Zones, the minimum sidewalk width shall be 8 feet, except where right-of-way constraints and parking could be jeopardized, the City Administrator may approve a lesser width, but not less than 5 feet.

~~Where existing residential uses, right-of-way constraints and parking concerns exist, 5-foot sidewalks may be constructed, with City Administrator approval. When a change in use from residential to commercial occurs, then 8-foot sidewalks are required.~~

3. On Third Street from Simpson Avenue to Fir Street, the minimum sidewalk width shall be 8 feet.
4. On Summit Road from Simpson Avenue to the Railroad Tracks, the minimum sidewalk width shall be 5 feet, with a planter strip between the sidewalk and curb and gutter.
5. Except for eight (8) foot sidewalks along Simpson Avenue, in C-2 and C-3 Zones, the minimum sidewalk width shall be 10 feet.
6. The minimum sidewalk width in all other areas shall be 5 feet.

Walkways and trails shall be installed in accordance with ADA Standards.

101.9 Curb and Gutter

Concrete curb and gutter shall be constructed in accordance with City Standard Nos. 111.4 – 111.6. The minimum face of curb radii at intersections shall be 25 feet for residential streets, 35 feet for collectors and arterial streets, and at least 5 feet at the intersection of a street and alley unless otherwise determined by the city engineer. Increases to these minimum values may be necessary to accommodate larger design vehicles.

101.10 Driveway Approaches

1. Driveway approaches shall be constructed in accordance with City Standard No. 111.7 and 111.8 for residential, and City Standard No. 111.9 – 111.11 for commercial, industrial, and public facilities.
2. No driveway entrance shall be wider than 30 feet unless otherwise approved by the city engineer. The total width for all driveways shall not exceed 50 percent of the property frontage.
3. The driveway approach within public right-of-way shall slope toward the street unless otherwise approved by the city engineer.
4. See Section 204.2.6 for additional information regarding culvert pipes for driveways.

1.5 **Engineer's Registration Stamp**

Engineering plans and/or calculations submitted for approval shall be stamped by a Washington State licensed professional engineer.

1.6 **Right-of-Way Dedications**

All required right-of-way dedications shall be completed on a "Statutory Warranty Deed" and shall be recorded by Grays Harbor County prior to final plan approval. All easements shall be completed in a format to the City's requirements. Easements for utilities shall be drafted and signed by the property owner and given to the City prior to final plan approval. Upon completion of the project, the original easement shall be modified, if necessary, and then recorded at the property owner's expense. All such easements and dedications shall be clearly shown on the engineering plans. (~~See Appendix C for sample forms~~Forms are available from the City Administrator.)

1.7 **Alternative Methods or Construction Materials Request**

When circumstances warrant, the applicant may request to vary from the design standards set forth in this manual. The applicant should be aware that the City of McCleary design standards are considered minimum requirements. It will be up to the applicant to provide the justification for the request. The applicant shall submit a completed "Alternative Methods or Construction Materials Request" form to the engineering services with the applicable fee. The request will be reviewed by all applicable City departments. The final decision will be by the city administrator. (~~See Appendix C for the "Alternative Methods or Construction Materials Request" form~~Forms are available from the City Administrator.)

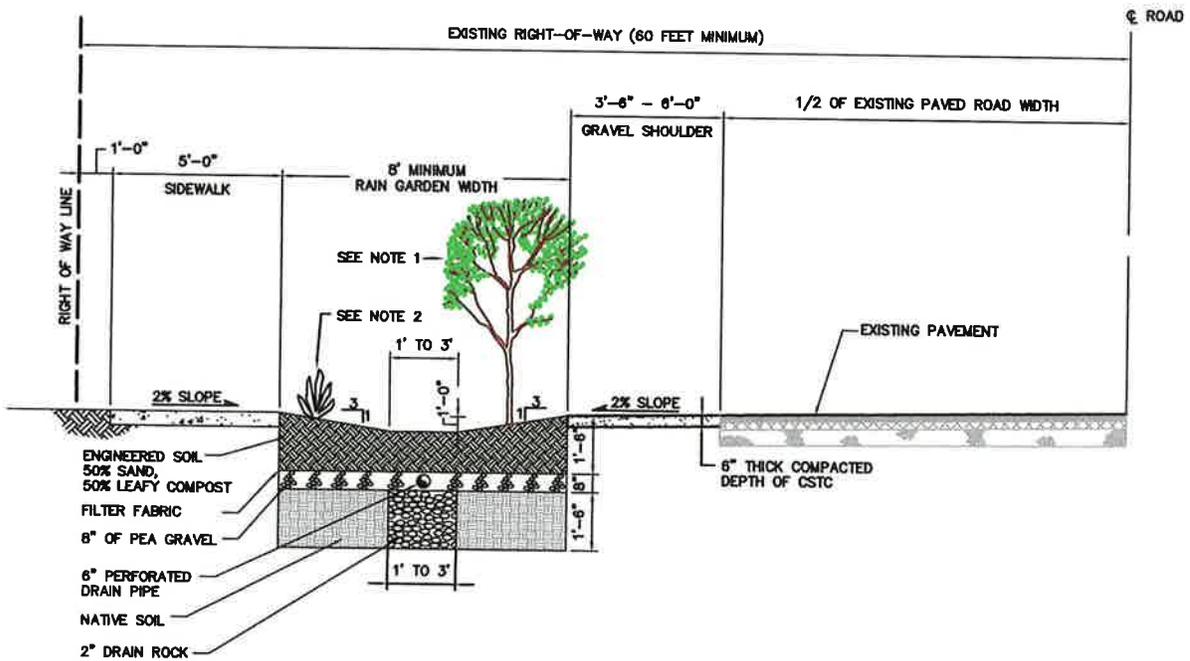
1.8 **Plan Review Sequence**

The following sequence shall be followed when engineered plans are required for review by the engineering services:

1. Seven (7) blueline sets of engineering plans showing all work outside building footprints including utilities, commercial developments, plats, roads, clearing, grading, and temporary erosion and sedimentation control, and seven (7) sets of stormwater design calculations shall be submitted to the development services for review and approval. The city engineer will review plans for conformance with City development requirements, policies, the standards set forth in this publication, and all other publications referenced herein. Red-line drawings and plan review comments will be returned to the design engineer for corrections.
2. The design engineer shall revise the plans addressing all red-line comments and "Plan Review Checklist" requirements. Seven (7) sets of revised bluelines and the red-line comments shall be resubmitted to the City for a second review.
3. When the plans are acceptable for approval by the City, the original plans shall be submitted for signature. (See Section 1.4 for approval block requirements.) Once signed, the original plans will be returned to the design engineer.
4. One (1) reproducible mylar set and seven (7) blueline sets of the approved plans shall be submitted to the City for public record files. The design engineer shall complete and submit the City's "Estimate of Cost" form (~~See Appendix C for a copy of the "Estimate of Cost" form~~Forms are available from the City Administrator.) with the mylars.
5. Prior to issuance of any construction permits, a preconstruction conference shall be scheduled no sooner than four (4) work days after the City receives its record copies of the approved plans. Contact City Hall to schedule the meeting. The meeting shall be

attended by all contractors that will perform work shown on the approved engineering plans and representatives from all applicable utility companies.

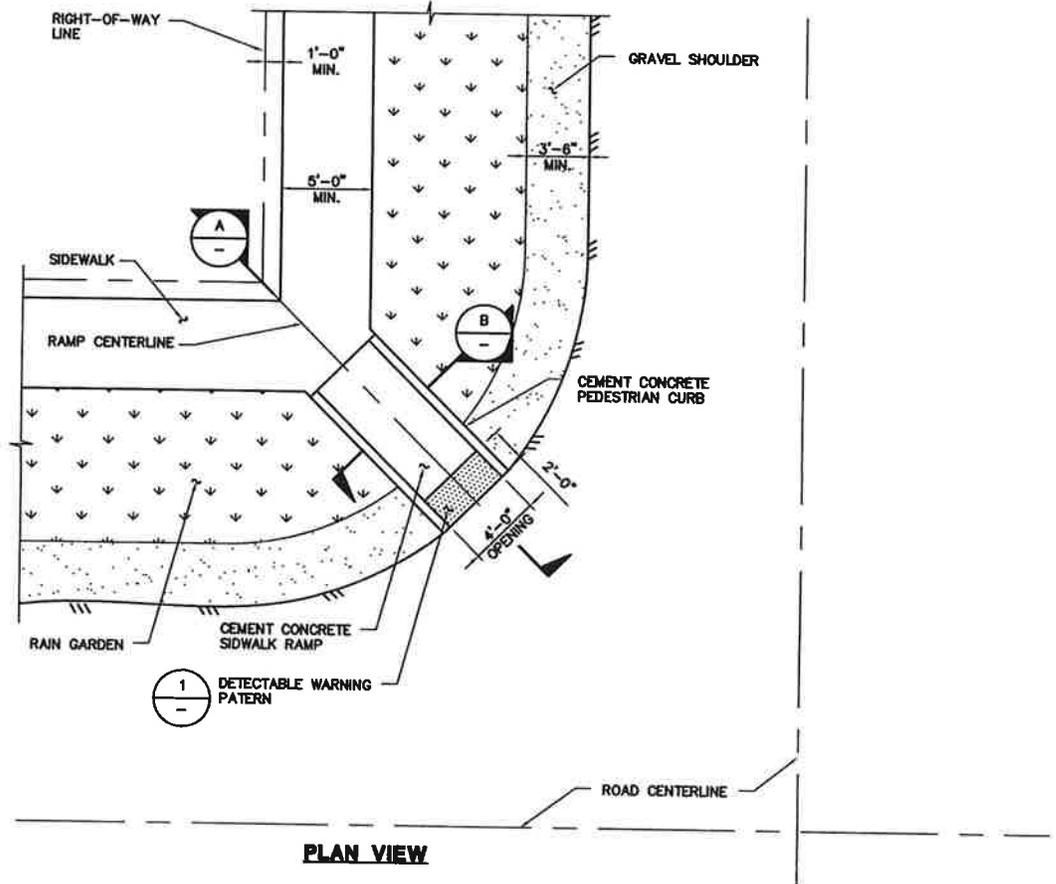
6. All required permits from the City normally may be picked up immediately following the preconstruction meeting provided that all applicable fees required have been paid and the SEPA process is complete.
7. Any changes to the scope of the work as outlined on the approved plans shall be documented on the "Plan Change Request" form provided by the City. The city engineer shall review and give approval of all changes prior to the commencing of any work related to the change. (~~See Appendix C for the "Plan Change Request" form~~Forms are available from the City Administrator.)



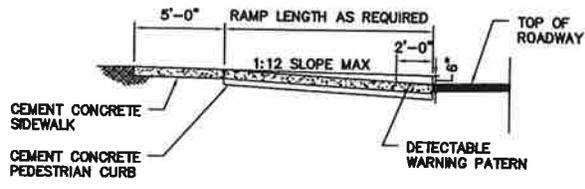
NOTES:

1. RAIN GARDEN TREES SHALL BE PLANTED 25 FEET ON CENTER, MAINTAINING A MINIMUM SEPARATION OF 6 FEET FROM THE FRONT OF SIDEWALK AND 12 FEET FROM DRIVEWAY EDGES. RAIN GARDEN TREES SHALL BE A COMBINATION OF INCENSE CEDAR, SWISS MOUNTAIN PINE, RED MAPLE AND RAYWOOD ASH. OTHER TREES LISTED IN APPENDIX 3 OF THE LOW IMPACT DEVELOPMENT TECHNICAL GUIDANCE MANUAL FOR PUGET SOUND, 2005 MAY BE USED IF APPROVED BY THE CITY. A LANDSCAPE PLANTING PLAN SHALL BE REVIEWED AND APPROVED BY THE CITY PRIOR TO PLANTING.
2. RAIN GARDEN SHRUBS SHALL BE PLANTED 4 FEET ON CENTER, MAINTAINING A SEPARATION OF 3 FEET FROM THE FRONT OF THE SIDEWALK AND DRIVEWAY EDGES. RAIN GARDEN SHRUBS SHALL BE A COMBINATION OF PACIFIC COAST IRIS, GLADWIN IRIS, MOCK-ORANGE, SHRUBBY CINQUEFOIL, BALD HIP ROSE, ORCHID ROCK ROSE AND WHITE ROCK ROSE. OTHER SHRUBS LISTED IN APPENDIX 3 OF THE LOW IMPACT DEVELOPMENT TECHNICAL GUIDANCE MANUAL FOR PUGET SOUND, 2005 MAY BE USED IF APPROVED BY THE CITY. A LANDSCAPE PLANTING PLAN SHALL BE REVIEWED AND APPROVED BY THE CITY PRIOR TO PLANTING.
3. TREES AND SHRUBS SHALL BE WATERED AS NECESSARY TO MAINTAIN PLANT HEALTH BY DEVELOPER/PROPERTY OWNER FOR A PERIOD OF 12 MONTHS AFTER PLANTING. ANY TREES OR SHRUBS THAT DO NOT EXHIBIT HEALTHY GROWTH AFTER THIS ONE YEAR PERIOD SHALL BE REPLACED AND REPLANTED AT THE EXPENSE OF THE DEVELOPER/PROPERTY OWNER.
4. INSTALLATION OF AN INJECTION WELL MAY BE REQUIRED FOR LOTS LOCATED AT THE END OF THE BLOCK OR AT THE LOW POINT OF THE ROADWAY. THE CITY ENGINEER SHALL DETERMINE INJECTION WELL REQUIREMENTS ON A CASE BY CASE BASIS.
5. DRIVEWAYS THROUGH RAIN GARDENS SHALL BE CONSTRUCTED SIMILAR TO STD. DETAIL 111.7 WITH THE EXCEPTION OF INSTALLING A 6" STORM DRAIN UNDER THE DRIVEWAY, CONNECTING TO THE 6" RAIN GARDEN PERFORATED DRAIN PIPE ON EACH SIDE OF THE DRIVEWAY.
6. ALL WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE CITY OF McCLEARY STANDARDS AND THE MOST CURRENT ADDITION OF THE WSDOT/APWA STANDARD SPECIFICATIONS FOR ROAD, BRIDGE AND MUNICIPAL CONSTRUCTION.
7. ALL APPROVALS AND PERMITS REQUIRED BY THE CITY OF McCLEARY SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION (REFERENCE GENERAL NOTES IN CITY OF McCLEARY DEVELOPMENT STANDARDS).
8. THE CONTRACTOR WILL BE FULLY RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING UTILITIES. THE CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION BY CALLING THE UNDERGROUND LOCATE LINE AT 1-800-424-5555 A MINIMUM OF 48 HOURS PRIOR TO ANY EXCAVATION.

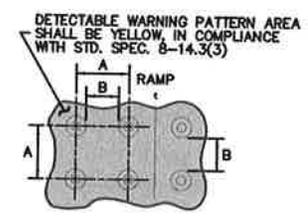
**CITY OF McCLEARY
PUBLIC ROADWAY FOR
INFILL LOT CROSS SECTION
STANDARD DETAIL 111.18A**



PLAN VIEW
SIDEWALK RAMP LAYOUT
 SCALE: 1"=10'-0"



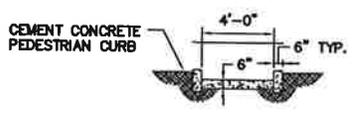
SECTION A
 SCALE: 1"=10'-0"



	MIN.	MAX.
A	1 5/8"	2 3/8"
B	5/8"	1 1/2"
C	7/16"	3/4"
D	7/8"	1 7/16"

ELEVATION
 TRUNCATED DOMES (SEE NOTE)

NOTE:
 1. DETECTABLE WARNING PATTERNS MAY BE CREATED BY ANY METHOD THAT WILL ACHIEVE THE TRUNCATED DOME DIMENSIONS AND SPACING SHOWN.



SECTION B
 SCALE: 1"=10'-0"

DETECTABLE WARNING PATTERN DETAIL
 NOT TO SCALE

CITY OF McCLEARY
WHEEL CHAIR RAMP FOR
INFILL LOT CROSS SECTION
STANDARD DETAIL 111.18B

