



# McCleary City Council

## PROPOSED AGENDA

May 6, 2009

6:30 Worksession

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:

New Business: Bid Award – Pave Parking Lot  
Bid Award – Electrical Service, Beerbower Park  
Bid Award – Electrical Pedestals, Beerbower Park  
Bid Award – Accounting System Software

Ordinances:

Resolutions: Commercial Utility Deposits

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

Because the April 22, 2009 meeting was recessed until May 6, the minutes of both sessions will be combined.

## **STAFF REPORT**

To: Mayor and City Council  
From: Busse Nutley, City Administrator  
Date: May 4, 2009  
Re: Current Non-Agenda Activity

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### **Bear Festival**

The Bear Festival Court will be at the Wednesday meeting to present a button to the Mayor, and to remind us that the 50<sup>th</sup> Anniversary of this celebration will take place the second weekend in July.

### **Simpson Sidewalks**

The final project design is underway. We had additional information from Light & Power that two distribution poles need to be replaced within the project area. After a conference call with Mike Unger, our electrical engineer, and with Jon Hinton, City Engineer, we all appear to understand what steps will be taken. Both replacement poles will be installed either in place of the existing poles or immediately adjacent to them. This will minimize disruption of the street and any underground utilities that may be located nearby.

### **Spring Cleanup**

Although about 100 citizens took advantage of the ability to dump their junk on April 25, there are some minor changes that need to be made to the system. The "policy" has been that city crews would go to the residences of seniors and disabled to collect their contributions prior to the Saturday event. This year it became clear that there were a couple of problems with the policy when inequities were found. Todd is "rethinking" the entire project and he will work with the rest of the staff to come up with some possible changes to the system.

### **March Financial Statement**

We continue to have difficulty with the March report. In any event, a copy of it, in whatever state of balance, will be available for your review on Wednesday. The biggest problem is that some corrections that were made for the 2008 Annual Report were also carried over to 2009 by the accounting software, throwing a couple of the Funds off. Coupled with the fact that the monthly expenses are unavailable due to an inadvertent error in when the books were closed that this particular software does not allow us to correct, this has been a very frustrating endeavor for all involved.

### **Joint Management of Wildcat Creek Aquifer**

I am continuing to work with Jim Arthur and Lee Napier (County) to hammer out how the City and County will manage the aquifer. Once we have come to an agreement at the staff level, the information will be provided to the Council to make sure your concerns have been addressed. At that point, Jim Baker of the County Prosecutor's Office will draft an agreement for Dan's final legal review. Once there is a final draft we will set a joint meeting with the County Commissioners to hear citizen comments (probably at the Community Center). Finally, the agreement, with any modifications made as a result of citizen input, can be approved by both the City and County.

### **Options for Planters on 3<sup>rd</sup> Street**

When you gave the go-ahead to remove the trees from in front of the businesses along 3<sup>rd</sup> Street, you asked Todd to provide some options for replacements. The attached sheet provides six different possibilities. We will have pictures of various planters at the Council meeting.

## **Planter Options for the businesses on 3<sup>rd</sup> street**

The problem: Since we removed the trees in front of the businesses on 3<sup>rd</sup> street, we have seven empty areas (36x36) that could use some sort of sprucing up. Here are some options that Tami and I have come up with.

- 1. Concrete planters- \$210 each plus \$30 plants. Total \$240 Each**
  - Pros- Long lasting, good appearance, and resistant to some vandalism.
  - Cons- Heavy and Expensive.
- 2. Half-Barrel Planters- There is several types of barrels. Here are 3 of them**
  - a. Whiskey Barrel- \$36 each plus \$30 plants.(May need Liner \$35) Total \$66 each or \$101 each with liner**
    - Pros- Good appearance and Cheap
    - Cons- Not long lasting as other options and may need a plastic liner.
  - b. Wine Barrel-\$55 each plus \$30 plants.(May need Liner \$35) Total \$85 each or \$120 each with liner**
    - Pros- Good appearance
    - Cons- Not long lasting as other options and may need a plastic liner.
  - c. Plastic Whiskey Barrels--\$50 each plus \$30 plants. Total \$80 each**
    - Pros- Good appearance, long lasting, made of recycled plastic, heavy duty
    - Cons- May not be heavy enough
- 3. Block planters- \$110 each plus \$30 plants. Total \$140 each**
  - Pros- Good appearance, long lasting
  - Cons- Labor intensive, cost
- 4. Raised wood planters- 4 x 8 pressure treated wood. \$105 each**
  - Pros- Long lasting, easy to install
  - Cons- Cost, not movable
- 5. Just Plants- Includes Dwarf Boxwood and annuals planted in the spring. \$30 each**
  - Pros- Cost, easy to install,
  - Cons- Easy to walk through, damage to plants, soil wash on to sidewalks.
- 6. No Plants. Concrete fill in sidewalk- \$20.88 each**
  - Pros- Cost, Maintenance Free
  - Cons- No color, bland looking

**MEMORANDUM**

TO: MAYOR AND CITY COUNCIL, City of McCleary  
FROM: DANIEL O. GLENN, City Attorney  
DATE: May 4, 2009  
RE: LEGAL ACTIVITIES as of MAY 6, 2009.

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. **UTILITY CONNECTION DEPOSIT RESOLUTION:** Earlier this year, you adopted an updated resolution establishing new fees to be required as deposits for new utility customers. Based upon the information provided, implementation of that resolution and comparison with the amounts and approaches taken by other multiple utility entities has suggested that the amounts in question, as to commercial and industrial users, are difficult to calculate in certain cases.

Thus, you have a draft to review which incorporates a different methodology for establishment of these deposit figures. It should be recognized that this likely will be an interim approach since based upon discussions I have had with Ardyce and Busse. The ultimate goal is to come up with an even more equitable and simple approach. Based upon a conversation I had with Ardyce this morning, she is still contacting multiple utility providers and obtaining their amounts and methods in terms of deposits. She has come with an approach utilized by Centralia, which also provides all utilities, which she believes may be very useful and workable. Thus, we may be back to you at the next meeting with another approach.

As you will note, I have added something we have not had in the past. That is a section establishing a method of appeal. My rationale is that in the past, the figures have been fixed amounts. Since the new draft incorporates a certain amount of discretion in the establishment of certain of the deposits, to fail to provide some type of appeal process would likely subject the City to a challenge upon a due process grounds.

MEMORANDUM - 1

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

Finally, there are two drafts. The "A" draft has the figures recommended by Staff. The "B" draft has no monetary amounts in the commercial area so that if you decide after review and consideration of any additional information Ardyce may provide to use different figures, you will have a moderately clean document you may use.

2. **SOFTWARE AWARD:** It is my understanding that the matter of the possible award of a contract to provide a newer software accounting system is on the agenda. Under a specific provision of the bid laws, such acquisitions are handled in a somewhat different manner. Given the nature of such systems, the request does not have to include all of the detail a public works bid call must have. However, it does have to have enough guidance to a potential provisioner to allow them to submit a reasonable response. Further, it must be published at least one time. It is my understanding that we have met all of those requirements since the City has received at least two proposals from provisioners.

I would make one suggestion. Based upon my discussions with the Montesano City Attorney, the City should make certain that the program/s provide will accommodate any billing procedure changes the City might want to make as well as include elements which will do all that the City wishes.

3. **PEDESTAL SOLE SOURCE ACQUISITION RESOLUTION:** As part of the parking lot project, apparently certain pedestals of a somewhat unique nature are required. They appear to be available from only one source. Thus, I have prepared a draft sole source resolution for your consideration.

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

DG/le

## STAFF REPORT

To: Mayor and City Council  
From: Todd Baun   
Date: April 30th, 2009  
Re: Month of April

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Here are the projects I've been working on during April,

- I was notified by the Recreation and Conservation office that due to the financial troubles of the state, they are unlikely to fund the NOVA program this year. We were going to apply to this grant for trail studies in the city.
- I have been working with Jerry Morrissette and Associates on getting forms finished for the Simpson Sidewalks. These forms are necessary to receive the stimulus money.
- The WSDOT came in and swept up more of the maintenance sand. I will contact them again next month to start their monthly sweeping of the city.
- Nick Bird and I had a pre bid meeting for the parking lot paving project. We had 11 contractors that showed up and looked at the project. There were some good questions from the contractors and everything seems to be straight forward on this project. Bids are due by Tuesday, May 5<sup>th</sup> by 1:00pm. I hoping to receive many good bids for this project.
- The crew has been working on the new water line in front of city hall. This project is taking a little longer than anticipated because of all the strange things we have run into. We found a large storm water vault, a 24" storm water line, a large manhole with 4-24" storm lines in it.  
The crew has done a great job on this project considering the findings of these items. The new water line has passed all pressure and bacterial test and will be in use shortly.
- Tami has passed her pesticide sprayers license. She is now able to spray the weeds and other plants we don't want, on all the properties the city owns, with the "good stuff".
- I have been helping Colin with the city vehicle /equipment inventory and maintenance program that he has been working on.
- I have been ordering and specifying different items for the park. The topo survey has been completed and basketball systems have been ordered. The latest bid we have done, is for the materials for the sprinkler system.

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: Council and Mayor  
From: Colin Mercer Webmaster / Fleet Manager   
Date: May 1, 2009  
RE: April Website

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### RE-OCCURRING WEBSITE ACTIVITIES

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

### NEW WEBSITE ACTIVITIES

Removed vacancy on the Planning Commission from the site.  
Posted the Clerk – Treasurer position is open for applications.  
Posted that the Municipal Court will be closed April 23<sup>rd</sup> and 24<sup>th</sup>.  
Posted the cancellation of the Planning Commission meeting.  
Post on the Council Agendas page that the April 22<sup>nd</sup> meeting was recessed until May 6<sup>th</sup>.  
Post on the Events calendar the reconvened council meeting on May 6<sup>th</sup>.  
Added the Washington Coast Sustainable Salmon Partnership – Interlocal Agreement  
Uploaded all of the council minutes from 2006.  
Added Ordinances 756 & 757 to the website.

### ADDITIONAL TASKS

Created a new log on the city intranet to manage vehicle and equipment inventory, complete with Vin numbers, license numbers and photographs.

Updated the vehicle and equipment information with WCIA for insurance purposes. Removed surplus vehicles and added newly acquired vehicles to the WCIA site.

Issued new vehicle mileage log books for each vehicle and new Shell gas cards to each department.

Attended FEMA Flood Plain Management Meeting in Montesano and was updated on new forms and review procedures for building permits.

Attended the MRSC meeting in Busse's place and received information about the Citizens Help Desk online form reporting.

## Website Traffic Report

April 1<sup>st</sup> through April 31<sup>st</sup>

Page Views by Section		
Section	Page Views	Percent of Total
<a href="#">Default Page</a>	1625	28.49%
<a href="#">Events</a>	719	12.61%
<a href="#">City Jobs</a>	593	10.4%
<a href="#">Home</a>	325	5.7%
<a href="#">Agendas and Minutes</a>	314	5.51%
<a href="#">City Staff</a>	223	3.91%
<a href="#">Code, Ordinances &amp; Standards</a>	207	3.63%
<a href="#">City Departments</a>	166	2.91%
<a href="#">FAQ's</a>	133	2.33%
<a href="#">City Photos</a>	121	2.12%
<a href="#">Bear Festival</a>	119	2.09%
<a href="#">Search Results</a>	111	1.95%
<a href="#">Mayor and Council</a>	109	1.91%
<a href="#">Helpful Links</a>	104	1.82%
<a href="#">Police</a>	102	1.79%
<a href="#">Water / Wastewater</a>	80	1.4%
<a href="#">Public Facilities</a>	68	1.19%
<a href="#">Light &amp; Power</a>	62	1.09%
<a href="#">Fire</a>	60	1.05%
<a href="#">Community Center</a>	58	1.02%
<a href="#">Chamber of Commerce</a>	55	0.96%
<a href="#">Administration</a>	45	0.79%
<a href="#">Development Services / Building</a>	45	0.79%
<a href="#">2008-09 Budget</a>	41	0.72%
<a href="#">Flood Photos 2009</a>	41	0.72%
<a href="#">Interlocal Agreements</a>	40	0.7%
<a href="#">Christmas Photos 2007</a>	39	0.68%
<a href="#">Planning Department</a>	37	0.65%
<a href="#">Tell Us What You Think!</a>	26	0.46%
<a href="#">Municipal Court</a>	24	0.42%
<a href="#">Surveys &amp; Questionnaires</a>	7	0.12%
<a href="#">Public Facilities Survey ( Ends March 7th)</a>	4	0.07%
TOTAL	5703	100%

**STAFF REPORT**

**To: Mayor Bentley and Council**  
**From: George M. Crumb, Chief of Police** *gmc*  
**Date: May 1, 2009**  
**RE: May 6, 2009 City Council Meeting**

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**SUMMARY OF POLICE INCIDENTS / ACTIVITIES:**

\*00726 Incidents reported since January 1, 2009 to May 1, 2009 0946 hours

- \*Police department completed Range training with Hoquiam Police Department in April.
- \*State Patrol ACCESS Level 2 computer training complete with Mrs. Reed and Sgt Graham.

**Discussion:** Open

4 Police Officer Positions, 3 Positions filled. The department remains understaffed. Grays Harbor County Sheriff's office conducting background on 4 position applicant.

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

# STAFF REPORT

To: Council and Mayor  
 From: John Allardin, Maintenance Crew Foreman  
 Date: May 01 2008  
 RE: April status report



TASK	DESCRIPTION	MONTH		YEAR TO DATE	
		NO.	HOURS	NO.	HOURS
Building maintenance	Park, transit station restrooms, city compound, library, float shed & museum.		95		238
Meetings and appointments	Safety meeting, interviews, public works meetings, outside agencies and contractors.	5	6	33	32
Training	Professional growth classes	4	28	7	49
Water leaks	water leaks	1	2	5	20
Water complaints	Dirty, smelly or low water pressure.	2	1.5	4	3
Garbage collection	Down town, park, cemetery, city compound and city park trash cans.		12		42
Grounds maintenance	Gardening, hanging baskets, mowing, raking, baseball field maintenance and pressure washing		200		340
Motor pool maintenance	Motor pool maintenance in house and contract work	5	8	25	34.5
Pot hole program	patching potholes	20	20	90	55
Utilities locates	Locating underground utilities	2	2	7	5.5
Meter reading	Three people task includes meter reading, shut off list and re-reads		48		216
Flagging traffic	Flagging for Light and Power crew				
Citizen requests	Forms generated by requests from citizens	2	2	11	8
Valve exercising program	Checking for valve operation, location, and maintaining proper valve operation	5	20	62	96
Sanding streets and street sweeping	sweeping streets	1	8	3	22
Hydrant flushing program	Maintenance, flushing and exercising hydrants	5	10	56	78

## STAFF REPORT

To: Mayor and City Council Members  
From: Mick Schlenker Building Official   
Date: April 29, 2009  
Re: April Activity

### Building Permit Activity

	April Current	Fees	Total 2009 YTD	Fees
Last Month				
Customer Service	167		523	
Building Permits Issued	4	\$932.45	10	\$2,169.45
Nuisance Letters	4		7	
Inspections Performed	36		158	
Plan Reviews	1	Inc in Permit	5	
Stop Work Issued	0		0	
City Projects	0		0	
Complaints	6		21	
Demo Permits	0		0	
Court Issues	0		0	
Fire Projects	0		0	
Cars	1		1	
Abatements	0		0	
Elma Inspections	0			
<b>Total</b>	<b>219</b>	<b>\$932.45</b>	<b>725</b>	<b>\$2,169.45</b>

### Summit II

No new activity

### Cedar Heights/Kingbuilt Homes

Jon Hinton, Todd, Nick, Colin and I walked this site to over see possible corrections needed for the bank/bond issues.

### **Beehive**

Has requested permission to place in lawn sprinkler system South West corner. They will need add a back flow pervention valve and will work with Jon A/Vern when ready to proceed

### **McCleary School**

1. Working on roof system North side of school
2. Started more demo on North side of school of new class rm's
3. Ftg and Fnd walls inspection on South side of school, for kitchen area
4. Waiting on plans for new music bldg
5. Contractor is working on framing, plumbing, electrical North side of school

### **Brookside MH Park**

Larry has requested permission to cut top of slope back, which is ok  
no permit is required for this

Mick Schlenker  
Building Official

**STAFF REPORT**

To: Mayor and City Council  
From: Paul Nott, Light & Power  
Date: April 29, 2009  
Re:




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	<b>Monthly statistics;</b>	<b>YTD Totals</b>
<b>New Services;</b>	<b>0</b>	<b>1</b>
<b>System Outages;</b>	<b>1</b>	<b>6</b>
<b>Pole Replacements;</b>	<b>5</b>	<b>7</b>
<b>Maintenance Work Orders;</b>	<b>1</b>	<b>13</b>
<b>Billable Work Orders;</b>	<b>0</b>	<b>3</b>

**Report;**

Last weekend we had another underground fault on Olin Ave. It took about 7 hours to locate and repair the faulty cable. A large part of the time was spent on waiting for Mason Co. PUD #1 to dispatch and send a lineman with the fault locating equipment to our aid. This has always been an issue for the Light and Power crew and the customers that we serve. With the ongoing trend in the City to install power lines underground and the increase of our underground distribution system, we feel that research in purchasing cable fault locating/testing equipment should be considered.

We are still in the process of re-building the pole line from Summit Rd. to Mommsen via the alleyway behind City Hall. Half of the project is re-conducted and we anticipate having the new wire sagged and clipped in by the end of the week. Wash DOT will be here on Thurs. this week to transfer the service for the stop light. This whole project works in well with our cut-over plan and also addresses some of the needs for the asphalt project. In other words, this is still work in progress.

Thursday we also have Asplundh coming to town for our annual sub station vegetation maintenance.

**Up-coming Events;**

We still have the well project for the water dept. on tap (no pun intended) and also the danger pole on the north end.

We are also waiting for some guidance as to what the final outcome of the highline rebuild job. There have been some questions arise as to having a pole line on each side of Simpson Ave.(aesthetics) and also the highline poles interfering with the sidewalk project (disturbing the

existing asbestos water line). If the decision is to continue as designed then we need to be informed of this so we can get the rest of the material ordered and make sure that our work is coordinated with the sidewalk construction. If the decision is to change the current engineered design then we will still need to know what the City intends to do for street lighting and also the few distribution poles that are located within the project. If you have any further questions about this project feel free to contact me.

## STAFF REPORT

To: City Council  
From: Busse Nutley, City Administrator   
Date: May 4, 2009  
Re: Bid Award – Pave Parking Lot

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The Bid opening is at 1:00 pm on Tuesday, May 5. Information overheard at the pre-bid walkthrough was that the winning bid would probably be substantially less than the engineer's estimate. Cross your fingers.

## **STAFF REPORT**

To: City Council  
From: Busse Nutley, City Administrator   
Date: May 4, 2009  
Re: Bid Award – Electrical Service, Beerbower Park

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The Bid opening is at 1:00 pm on Wednesday, May 6. This is for the upgrade to the electrical service because we are currently at capacity at the Park.

## STAFF REPORT

To: City Council  
From: Busse Nutley, City Administrator   
Date: May 4, 2009  
Re: Bid Award – Electrical Pedestals, Beerbower Park

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This is a sole source bid, as it requires the fabrication of three pedestals to deliver electrical service to locations at the north end of the City Hall/Beerbower Park parking lot. The pedestals will be installed (basically plugged in) each time they are needed so that we do not have permanent posts “in the way” in the narrow portion of the parking lot.

The Council should discuss whether this service is worth the cost at this time. The staff has no recommendation for how to proceed.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION IN RELATION TO AWARDING OF A CONTRACT; CONFIRMING THE UTILIZING OF SOLE SOURCE METHODOLOGY FOR THE ACQUISITION AND INSTALLATION OF CERTAIN EQUIPMENT, & MAKING FINDINGS.

1. The City of McCleary maintains an electrical utility within the course of its operation. This service is core to health and safety of its citizens.

2. Within the course of its prior activities, the City is implementing an upgrade of the electrical system serving the municipal parking. As part of that construction, certain equipment accessory to the installation of the electrical system is being acquired.

3. A fundamental goal of the total project is to provide a site which is both safe and functional. One element which will improve that is to have certain elements of the electrical and light service, specifically three pedestals, capable of being removed so as to increase the utilization flexibility of the site.

RESOLUTION - 1  
5/04/2009  
DG/10

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

4. The City has sought various sources from which to acquire pedestals for the installation of electrical service which are capable of being easily removed and reinstalled. Only one source has been discovered which is capable of providing such equipment in a timely manner.

5. It has been and continues to be the desire and intention of the Mayor and Council to utilize the public bidding process to enhance the value received by the citizens but, under the circumstances of this particular matter, it is recognized as being appropriate to make a specific designation.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR CONCURRING:

SECTION I: The elements contained within the recitals stated above, as more fully detailed in the information provided to the Mayor and entire Council by the City Administrator, shall be and are hereby adopted as Findings and Conclusions by the Mayor and Council.

SECTION II: The actions of the City Administrator in soliciting and recommending those certain unit to be provided Control Systems, International LLC., as more fully described upon Exhibit Number 1, attached hereto and incorporated by this reference, are hereby ratified, and their purchase authorized.

RESOLUTION - 2  
5/04/2009  
ds/le

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

PASSED THIS \_\_\_\_ DAY OF APRIL, 2009, by the City Council  
of the City of McCleary, and signed in authentication thereof  
this \_\_\_\_\_ day of April, 2009.

CITY OF McCLEARY:

\_\_\_\_\_  
WALLACE BENTLEY, Mayor

ATTEST:

\_\_\_\_\_  
DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL O. GLENN, City Attorney

RESOLUTION - 3  
5/04/2009  
DG/le

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



Exh. #1

Quotation

Control Systems International, LLC  
 5024B Lambskin Street SW  
 Tumwater, Washington 98512  
 360.459.5850 Phone / 360.923.0708 Fax  
 E-Mail: controls@qulxnet.net

Date	Quote #
3/31/2009	LF-2260

Name / Address

City of McCleary  
 100 S. 3rd. St.  
 McCleary, Wa 98557

Project / Job
Temporary Pedestal
Contact Name
Paul

Item	Description	Qty	Cost	Total
	** Watertight (IP67)			
	CSI - Fabrication of Temporary Pedestal	3	1,342.20	4,026.60
	Each Pedestal to include:			
	3R Enclosure w/interior panel	1		
	50A 125/250V Receptacle	2		
	GFCI Receptacle	2		
	1P 15A Feed Thru C/B	2		
	2P 50A Feed Thru C/B	2		
	100A 125/250V Male Connector **	1		
	100A 125/250V Receptacle & Backbox **	1		
	5' Portable Cable	5		
	2 X 2 Powder Coated Post	1		
	U/G Pull Box	1		
	ALTERNATE			
	Deduct for Weatherproof \$291.30 EA (This will require two 50A Cord Sets with matching Receptacles)			
Terms	FOB	Subtotal		\$4,026.60
40% Down, Due w/order, Net 15	Olympia, WA	Sales Tax (8.4%)		\$338.23
Quote good 30 Days, Delivery 2-3 weeks ARO.	 Larry Filin	Total		\$4,364.83

## STAFF REPORT

To: City Council  
From: Busse Nutley, City Administrator  
Date: May 4, 2009  
Re: Bid Award – Accounting Software

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This is a product that should make a positive difference in the ability of your staff to provide financial accounting services. Our current software is old in software terms (over 15 years), and is based on a computer language that is seldom used in modern program applications.

The bidding is a hybrid of the RFP (Request for Proposal) used for professional services and a competitive bid (price) process. The deadline for the proposals with bids is Wednesday, May 6 at 1:00 pm.

The Finance Committee will be meeting in the afternoon to review the proposals and will make a recommendation to the Council.

We have provided funds in this year's budget for the software. We anticipate it will be installed this summer and personnel will be trained in its use by early fall.

Once the decision about this software has been made, and we receive approval of the grant/loan from USDA Rural Development for automated water meters, we can then put the automated meter reading project out for bid. Our goal is to convert at least one half of the water and electrical meters to automated reading by the end of 2009.

## STAFF REPORT

To: City Council  
From: Busse Nutley, City Administrator   
Date: May 4, 2009  
Re: Sprinkler System Bids – Beerbower Park

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A new irrigation system will be installed in Beerbower Park as a part of the athletic field renovation project. The City crew will actually install the system. The following bids were received for the equipment.

United Pipe & Supply	\$10,213.95
tax	<u>\$847.76</u>
	\$11,061.71
2M Comp Inc.	\$9,463.92
tax	<u>\$785.51</u>
	\$10,249.43
H. D. Fowler	\$8,962.74
tax	<u>\$743.91</u>
	\$9,706.65

### Requested Action:

Award the bid for sprinkler equipment to H. D. Fowler in the amount of \$9,706.65, including Washington State sales tax.

## STAFF REPORT

To: City Council  
From: Busse Nutley, City Administrator  
Date: May 4, 2009  
Re: Commercial Utility Deposits

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At the end of March the Council adopted Resolution 586, enacting the first increases in utility deposits since the 1980's. Unfortunately, the way that the commercial deposits were set resulted in unforeseen problems with implementation.

To remedy this, Ardyce and I evaluated actual business utility usage to see what the monthly payments were. Based on past experience Ardyce has stressed the need for a deposit roughly equal to three months of billings. Right away it was clear that there were definite groupings of types of commercial activity, showing that "one size fits all" is not the case for commercial resource consumption.

The attached table shows this information, without the names of the businesses. The monthly billing is an average over the past 12 months.

However, when Dan worked on preparing the Resolution and the process for this to work, he uncovered a couple of new "hitches" that need attention before Council action. As referenced in Dan's report, we are looking at the Centralia example as one that may solve all the issues. Those forms are included for your review.

**Commercial Utility Deposit Worksheet**  
**May 2009**

	1 Month Average of Last 12	X 3 Months	x 10% rate adjustment for 2009	Proposed Deposit
<b>Convenience Store/Gas</b>				
1	1,970	5,910		
2	1,682	5,046		
<b>Average</b>	<b>1,826</b>	<b>5,478</b>	<b>6,026</b>	<b>6,000</b>
<b>Offices - 4 Employees or more</b>				
1	485	1,455		
2	548	1,644		
3	919	2,757		
<b>Average</b>	<b>651</b>	<b>1,952</b>	<b>2,147</b>	<b>2,000</b>
<b>Restaurants/Laundries</b>				
1	571	1,713		
2	395	1,185		
3	633	1,899		
4	324	972		
5	1,061	3,183		
6	533	1,599		
7	461	1,383		
8	532	1,596		
<b>Average</b>	<b>564</b>	<b>1,691</b>	<b>1,860</b>	<b>2,000</b>
<b>Offices - 3 Employees or fewer</b>				
1	185	555		
2	285	855		
3	262	786		
4	166	498		
5	235	705		
6	220	660		
7	261	783		
8	310	930		
9	304	912		
10	202	606		
11	292	876		
12	186	558		
13	235	705		
<b>Average</b>	<b>242</b>	<b>725</b>	<b>798</b>	<b>800</b>

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION RELATING TO UTILITY DEPOSITS,  
ESTABLISHING AMOUNTS AND PROTOCOLS, REPEALING  
RESOLUTION 586, AND PROVIDING FOR TRANSITION.**

**R E C I T A L S :**

1. Pursuant to the provisions of Chapter 13.20 MMC, utility deposits are required as a general principal.

2. The protocols governing the amounts required and other operational factors were implemented through the adoption of Resolutions 240 and 586.

3. Since the adoption of Resolution 586, continuing review by staff has led to a recommendation that certain of the current levels of deposit doesnot adequately reflect the actual utility costs involved for the utilizations and thus does not achieve the goal of protecting the citizens from losses resulting from delinquent utility bills.

4. In light of that information, it is deemed a necessary and appropriate to modify the terms of that resolution,

**RESOLUTION -A- 1**  
**5/03/2009**  
DG/le

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

as well as to clarify certain procedures to be followed in the event of a request for a return of a deposit.

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

SECTION I: Deposits Required

Those certain deposits required for commencement of utility services shall be as follows:

A. Non-commercial Services:

1. When only electrical utility service is provided by the City: \$250.00

2. When multiple utility service is provided by the City: \$300.00

B. Commercial Service:

1. Specific Uses Receiving All Utilities:

A. Customers operating a retail business in a facility containing 10,000 square feet and more, including grocery stores: A deposit in an amount based upon projected use of electrical, sewer, and water compared with the usage of other commercial categories.

B. Customers operating a retail business in a facility containing less than 10,000 square feet, service businesses, and offices

RESOLUTION -A- 2  
5/03/2009  
DG/le

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

having four or more employees,  
health care offices, restaurants,  
laundries, & dry cleaners:  
\$2,000.00

C. Customers operating a retail  
business, service business, or  
office having three or fewer  
employees: \$800.00

D. Convenience store/gas stations  
& car washers: \$6,000.00

2. Customers receiving only the electric  
utility: 75% of the deposit which otherwise  
be required under sub-paragraph 1.

3. If the provisions of none of the prior  
sub-sections are applicable, an amount no  
less than \$\_\_\_\_\_ if electrical service  
only is provided or \$\_\_\_\_\_ if multiple  
utility services are provided.

C. Industrial Service: A deposit in an  
amount based upon projected use of  
electrical, sewer, and water compared with  
the usage of other comparable categories.

SECTION II: Establishment and Appeal Process:

A. As to any deposit required under Section I which  
requires calculation to achieve determination, it shall be  
established by the City Administrator, after receiving the  
necessary information from the Office of the Clerk-treasurer.

B. Appeal Process:

RESOLUTION -A- 3  
5/03/2009  
DG/le

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

1. Any customer who is aggrieved by a deposit established pursuant to the authority granted in this section shall have the right to appeal that decision to the City Council by filing a written notice of appeal with the Office of the Clerk-treasurer within ten calendar days of the mailing of the notification of the amount or its delivery. The appeal shall set forth the specific bases upon which the appeal is based.

2. The appeal shall be heard by the City Council after the giving of written notice of the scheduled date and time to the appellant. The Council may receive such information and testimony as it deems necessary and appropriate. Its decision shall be final subject to appeal to the Superior Court filed within ten calendar days of the mailing of the notification of the decision or its delivery to the appellant,

SECTION III: Alternatives to Deposit

In lieu of the deposit required pursuant to the provisions of Section I, the Applicant may:

A. Provide such deposit waiver as may be from time-to-time authorized by the City Administrator which has been executed by an individual or entity who or which meets the following criteria:

**RESOLUTION -A- 4**  
**5/03/2009**  
DG/1e

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

1. Has had a utility service account of comparable nature with the City for a period of no less than twelve consecutive months within the last twelve (12) months and own their own home and receive their power from McCleary Light and Power.

2. Owns the property to which the services are rendered.

3. Has a record of payment with the City which shows no evidence of delinquency or deficiency within the most recent twelve month period prior to the date the request for waiver is submitted.

4. Acknowledges continuing direct responsibility for payment in the event the applicant fails to pay a bill for utility service to the subject property and further that the property served shall be subject to such lien, whether in the form of denial of service or otherwise, as may be authorized by the laws of the State of Washington for such services.

SECTION IV: Transfer of Deposits

In relation to the matter of the transfer or refund of accounts of deposits held by the City pursuant to the provisions of the Code and this Resolution, the following provisions shall apply:

**RESOLUTION -A- 5**  
**5/03/2009**  
DG/le

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

A. As to any customer who or which, at the time of the request for transfer and until the actual date of transfer of service meets the criteria which would authorize that customer to execute a waiver of deposit for another customer, there shall be no additional deposit required to implement a transfer of utility service: PROVIDED THAT, as to any obligation existing at the prior service, that obligation shall be paid in full in a timely manner or a deposit may be required to continue service.

B. As to any customer who or which does satisfy the criteria set out in subparagraph A, any deposit then held by the City upon the existing account may be transferred from the existing account upon its closing to the newly established account: PROVIDED THAT the transfer shall be implemented and the new account opened upon the basis of that transfer only after the existing account has been paid in full. In the event that the deposit required to establish the new account, as determined pursuant to the provisions of Section I, is greater than the amount being transferred, the difference shall be paid prior to the opening of the new account.

SECTION V: Procedure for Return of Deposits

RESOLUTION -A- 6  
5/03/2009  
DG/le

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

In the event that a deposit required pursuant to the provisions of this Resolution is to be returned to the customer, the following provisions shall apply.

A. A written request shall be submitted to the Office of the Clerk-treasurer upon such form as may be established by that Office.

B. A written confirmation of the amount of deposit held, the eligibility of the account for such return or release, and the party by who or which it was paid shall be issued.

C. Prior to the issuance of any refund, the documentation shall be submitted to the Clerk Treasurer for approval.

D. Upon a quarterly basis or such more frequent basis as may be requested by the Finance Committee, a written summary setting forth in reasonable detail the names, dates, basis for request, and amounts of deposits released or refunded shall be submitted to the Finance Committee by the Office of the Clerk-treasurer.

SECTION VI: Repeal and Transition

Resolution 586 shall be repealed as of the date of adoption of this resolution: PROVIDED THAT, any deposit made and held pursuant to the provisions of Resolution 240 or Resolution

**RESOLUTION -A- 7**  
**5/03/2009**  
DG/le

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

586 shall continue to be held and shall hereafter be subject to the provisions of this Resolution.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009, by the City Council of the City of McCleary, and signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF McCLEARY:

\_\_\_\_\_  
WALLACE BENTLEY, Mayor

ATTEST:

\_\_\_\_\_  
DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL O. GLENN, City Attorney

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RESOLUTION -A- 8  
3/21/2009  
DG/le

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION RELATING TO UTILITY DEPOSITS,  
ESTABLISHING AMOUNTS AND PROTOCOLS, REPEALING  
RESOLUTION 586, AND PROVIDING FOR TRANSITION.

R E C I T A L S:

1. Pursuant to the provisions of Chapter 13.20 MMC, utility deposits are required as a general principal.

2. The protocols governing the amounts required and other operational factors were implemented through the adoption of Resolutions 240 and 586.

3. Since the adoption of Resolution 586, continuing review by staff has led to a recommendation that certain of the current levels of deposit does not adequately reflect the actual utility costs involved for the utilizations and thus does not achieve the goal of protecting the citizens from losses resulting from delinquent utility bills.

4. In light of that information, it is deemed a necessary and appropriate to modify the terms of that resolution,

RESOLUTION -B- 1  
5/03/2009  
DG/le

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

as well as to clarify certain procedures to be followed in the event of a request for a return of a deposit.

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

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1. Specific Uses Receiving All Utilities:

A. Customers operating a retail business in a facility containing 10,000 square feet and more, including grocery stores: A deposit in an amount based upon projected use of electrical, sewer, and water compared with the usage of other commercial categories.

B. Customers operating a retail business in a facility containing less than 10,000 square feet, service businesses, and offices

RESOLUTION -B- 2  
5/03/2009  
DG/le

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

having four or more employees,  
health care offices, restaurants,  
laundries, & dry cleaners:  
\$ \_\_\_\_\_

C. Customers operating a retail  
business, service business, or  
office having three or fewer  
employees: \$ \_\_\_\_\_

D. Convenience store/gas stations  
& car washers: \$ \_\_\_\_\_

2. Customers receiving only the electric  
utility: 75% of the deposit which otherwise  
be required under sub-paragraph 1.

3. If the provisions of none of the prior  
sub-sections are applicable, an amount no  
less than \$ \_\_\_\_\_ if electrical service  
only is provided or \$ \_\_\_\_\_ if multiple  
utility services are provided.

C. Industrial Service: A deposit in an  
amount based upon projected use of  
electrical, sewer, and water compared with  
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SECTION II: Establishment and Appeal Process:

A. As to any deposit required under Section I which  
requires calculation to achieve determination, it shall be  
established by the City Administrator, after receiving the  
necessary information from the Office of the Clerk-treasurer.

B. Appeal Process:

RESOLUTION --B- 3  
5/03/2009  
DG/le

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

1. Any customer who is aggrieved by a deposit established pursuant to the authority granted in this section shall have the right to appeal that decision to the City Council by filing a written notice of appeal with the Office of the Clerk-treasurer within ten calendar days of the mailing of the notification of the amount or its delivery. The appeal shall set forth the specific bases upon which the appeal is based.

2. The appeal shall be heard by the City Council after the giving of written notice of the scheduled date and time to the appellant. The Council may receive such information and testimony as it deems necessary and appropriate. Its decision shall be final subject to appeal to the Superior Court filed within ten calendar days of the mailing of the notification of the decision or its delivery to the appellant,

SECTION III: Alternatives to Deposit

In lieu of the deposit required pursuant to the provisions of Section I, the Applicant may:

A. Provide such deposit waiver as may be from time-to-time authorized by the City Administrator which has been executed by an individual or entity who or which meets the following criteria:

**RESOLUTION -B- 4**  
**5/03/2009**  
DG/1e

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

1. Has had a utility service account of comparable nature with the City for a period of no less than twelve consecutive months within the last twelve (12) months and own their own home and receive their power from McCleary Light and Power.

2. Owns the property to which the services are rendered.

3. Has a record of payment with the City which shows no evidence of delinquency or deficiency within the most recent twelve month period prior to the date the request for waiver is submitted.

4. Acknowledges continuing direct responsibility for payment in the event the applicant fails to pay a bill for utility service to the subject property and further that the property served shall be subject to such lien, whether in the form of denial of service or otherwise, as may be authorized by the laws of the State of Washington for such services.

SECTION IV: Transfer of Deposits

In relation to the matter of the transfer or refund of accounts of deposits held by the City pursuant to the provisions of the Code and this Resolution, the following provisions shall apply:

RESOLUTION -B- 5  
5/03/2009  
DG/le

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

A. As to any customer who or which, at the time of the request for transfer and until the actual date of transfer of service meets the criteria which would authorize that customer to execute a waiver of deposit for another customer, there shall be no additional deposit required to implement a transfer of utility service: PROVIDED THAT, as to any obligation existing at the prior service, that obligation shall be paid in full in a timely manner or a deposit may be required to continue service.

B. As to any customer who or which does satisfy the criteria set out in subparagraph A, any deposit then held by the City upon the existing account may be transferred from the existing account upon its closing to the newly established account: PROVIDED THAT the transfer shall be implemented and the new account opened upon the basis of that transfer only after the existing account has been paid in full. In the event that the deposit required to establish the new account, as determined pursuant to the provisions of Section I, is greater than the amount being transferred, the difference shall be paid prior to the opening of the new account.

SECTION V: Procedure for Return of Deposits

**RESOLUTION -B- 6**  
**5/03/2009**  
DG/1\*

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

In the event that a deposit required pursuant to the provisions of this Resolution is to be returned to the customer, the following provisions shall apply.

A. A written request shall be submitted to the Office of the Clerk-treasurer upon such form as may be established by that Office.

B. A written confirmation of the amount of deposit held, the eligibility of the account for such return or release, and the party by who or which it was paid shall be issued.

C. Prior to the issuance of any refund, the documentation shall be submitted to the Clerk Treasurer for approval.

D. Upon a quarterly basis or such more frequent basis as may be requested by the Finance Committee, a written summary setting forth in reasonable detail the names, dates, basis for request, and amounts of deposits released or refunded shall be submitted to the Finance Committee by the Office of the Clerk-treasurer.

SECTION VI: Repeal and Transition

Resolution 586 shall be repealed as of the date of adoption of this resolution: PROVIDED THAT, any deposit made and held pursuant to the provisions of Resolution 240 or Resolution

RESOLUTION -B- 7  
5/03/2009  
dc/lc

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

586 shall continue to be held and shall hereafter be subject to the provisions of this Resolution.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009, by the City Council of the City of McCleary, and signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF McCLEARY:

\_\_\_\_\_  
WALLACE BENTLEY, Mayor

ATTEST:

\_\_\_\_\_  
DONNIE ROSTEDT, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
DANIEL O. GLENN, City Attorney

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RESOLUTION --A- 8  
3/21/2009  
DG/le

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



Phone: (360) 330-7657

Customer Service Center  
500 N. Pearl  
Centralia, WA 98531

Fax: (360) 330-7593

## Owner Application for Utility Service

\_\_\_\_\_  
Name

\_\_\_\_\_  
Phone

\_\_\_\_\_  
**EFFECTIVE DATE**

\_\_\_\_\_  
Service Address

\_\_\_\_\_  
Mailing Address (If different than service address)

\_\_\_\_\_  
Driver's License #

\_\_\_\_\_  
State

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Phone

I hereby make application for utility services from the City of Centralia, Washington, subject to all of the provisions of City ordinances now existing or hereafter adopted, copies of which are available for inspection during normal business hours at City Hall and agree to pay all charges as provided for therein and that the obligations of the parties are covered thereby. This application shall automatically grant the City of Centralia the right to access the property for performance of the City's services.

I hereby certify that I am the legal property owner and have the authority to establish utility services at the above service location.

I understand the City of Centralia shall have a lien against the property in accordance with RCW 35.21 and RCW 35.67 of charges which shall be the obligation of the owner of the property, its heirs, successors and assigns, until the same is paid in full. The City may enforce the lien by shutting off and not restoring electricity, water and/or sewer until all delinquent and unpaid charges are paid in full. The City of Centralia may also employ other legal remedies such as collection agencies, small claims court or superior court to collect the unpaid amount from the property owner.

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Date

**Confidentiality Note:** This document contains information belonging to the City of Centralia which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this in error, please immediately notify us by telephone to arrange for return of the document to us.

### Office Use Only

Account Established     Ownership verified    

Date: \_\_\_\_\_    Escrow: \_\_\_\_\_    Other: \_\_\_\_\_



Phone: (360) 330-7657

Customer Service Center  
500 N. Pearl  
Centralia, WA 98531

Fax: (360) 330-7593

## Tenant Account Information Form

For my convenience, please establish a utility billing account for my tenant:

_____	_____	_____
Tenant Name	Phone	<b>EFFECTIVE DATE</b>
_____	_____	_____
Service Address	Mailing Address (If different than service address)	
_____	_____	_____
Driver's License #	State	
_____	_____	_____
Place of Employment	Employers Phone #	

To offset any potential liability I may have as owner of the property, I require the City of Centralia to collect a deposit in the amount of \$ \_\_\_\_\_ from my tenant.

As owner of the above named property, I agree to abide by Centralia Municipal Code 13.02.010, State of Washington RCW 35.21 and 35.67, and all other pertinent City Codes and RCWs as they now stand or are hereafter amended. The City may shut off and not restore utilities until all delinquent charges are paid in full and may also employ other legal remedies to collect the unpaid amount.

_____	_____	
Owner Name	Phone	
_____		
Mailing Address		
_____		
City	State	Zip
_____	_____	_____
Owner Signature	Date	

**Confidentiality Note:** This document contains information belonging to the City of Centralia which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this in error, please immediately notify us by telephone to arrange for return of the document to us.