

CITY OF MCCLEARY
Regular City Council Meeting

March 24, 2010

REGULAR MEETING	Called to order by Mayor Dent
FLAG SALUTE	The meeting was called to order at 7:00 PM with the Flag Salute.
ROLL CALL	Councilmember's Boling, Schiller, Geer, and Lant.
ABSENT	Councilmember Ator was absent. It was moved by Councilmember Boling, seconded by Councilmember Geer to excuse Councilmember Ator's absence from the meeting. Motion Carried.
STAFF PRESENT	City Attorney Dan Glenn, City Clerk/Treasurer Collins, Police Chief Crumb, Public Works Director Nick Bird, Public Facilities Manager Todd Baun, and staff members Jennie Reed, Mick Schlenker, and Randy Bunch.
MINUTES APPROVED	It was moved by Councilmember Boling and seconded by Councilmember Schiller to approve the minutes from the February 24, 2010 and the March 10, 2010 meetings. Motion Carried.
PUBLIC COMMENT	None.
MAYOR'S REPORT	<p>Mayor Dent stated the fire districts have been talking about a new fire communications transponder. He's been discussing this with Assistant Fire Chief Paul Nott and is interested to know if dispatch has been complaining about receiving too many emergency calls. They will be discussing the issue further and the Mayor will report back to the Council when he receives more information.</p> <p>The Mayor reported he and City Clerk Collins spent a day with Toni Nelson, Small Cities Specialist balancing and closing out 2009 and discussing the state of the budget. The Mayor is going to continue working on the Revenue side and when finished, will begin working on the Expenditure side.</p> <p>Mayor Dent believes previous City Administrator Busse Nutley did not provide the previous City Council all the budget information they needed to know every detail of the budget and how the money was being spent. Mayor Dent also mentioned the ULID is due on the park property we purchased and he wasn't able to locate the document's supporting their was an outstanding ULID, however, Dan Glenn believes it was discussed in the past. We will continue working and reviewing the budget and will keep the Council informed of any new information.</p> <p>The park fund, where the REET money was transferred into is dropping because the REET money is being used to make the payments on the park property. The loans the city has taken have to be paid back and they take priority in the budget. Toni Nelson stated we could make a replacement budget. The Mayor has to show he made efforts to correct current issues.</p>
LONG PLATTING DEFINITION AMENDMENT	Attorney Glenn stated that some years ago, the City chose to change the existing pattern of allowing platting of land through a strictly administrative process (short Plat) from a limit of four lots to a limit of nine. Every division of land, with certain limited exceptions, into more than that number of parcels goes through the hearing examiner process with the final decision by the Council. That was the process confirmed when the Unified Development Code was developed by Mr. Klein and adopted by the Council. That has been the protocol utilized by the City for the plats such as Summit Place. However, Nick Bird has noted one definitional section was missed during the review and updating carried out during the development of the UDC. To assure consistency, Mr. Glenn prepared an ordinance which would amend that definitional section. Headed language to make clear the terms "long Plat" and "long subdivision" mean the same thing since it appears the two terms appear at various places in our Code without confirmation that they are the same.
UTILITY DISCONNECTION POLICY	Ardyce Taylor, Utility Accountant, had a situation where a customer who had services as a tenant, had failed to pay the utility bill after receipt of a shutoff notice. At the time of termination, the customer arrived indicating the spouse had a medical condition, which required electrical service for refrigeration to preserve the medication provided. It was the customer's contention the City was prevented by law from disconnection of service in those situations. Ms. Taylor contacted Mr. Glenn and he confirmed that nothing had changed and there was no such prohibition under the conditions set out. Mr. Glenn is bringing this to the Council for review. The City will have to worry about the gift of public funds issue since such gifts are prohibited under Article VIII, Section 7 of our State Constitution. If the Council chooses to implement some type of limited policy for such continuation of service, it would have to be justified factually as falling under the "except for the necessary support of the poor and infirm" clause.
SIMPSON SIDEWALK CHANGE ORDER 1	<p>Nick Bird explained the change order request. The first item in the change order is due to the frames and grates we ordered are different in size to our existing size. The City needs to replace the frames and grates at a cost of \$2,200 (\$200 per frame maximum).</p> <p>The second item is to change from ballast to crushed rock, which has no additional expense.</p> <p>The third item is to change Schedules B-3 and B-4 stating that curb and gutter was to be placed directly on the compacted sub grade. This is not in accordance with City Standards. The Contractor has excavated an extra 8" for Ballast to be placed under the curb and gutter to correct the problem. The Contractor has agreed to use existing unit price costs for this additional work at a cost of \$1,300 - \$3,100 (pending usage of unit price items).</p>

The fourth and final item is, the Contract requires the use of polyethylene sheeting (plastic) be placed over the concrete during the curing process. The Contractor requested to use a curing compound instead of plastic, which is a better finished product. There is no cost for this change. It was moved by Councilmember Lant, seconded by Councilmember Boling to authorize the Mayor to execute Change Order #1, when prepared, which includes the items listed above as #1 through #4 for an amount not to exceed \$5,300. Motion Carried.

RESOLUTION NO. 614

This a Resolution to include Lemay Contract Exhibit A establishing and confirming fees. The attachment will be part of the original contract. It was moved by Councilmember Lant, seconded by Councilmember Schiller to adopt Resolution No. 614 relating to public services; establishing and confirming fees; and providing for effective dates. Resolution Adopted.

STORMWATER MANAGEMENT
PLAN

Gray & Osborne has suggested that we solicit public input to get an idea of what is actually occurring through the City. Hydraulic modeling will provide a snapshot of some of the problem areas, and public input is important information when determining the deficiencies and ultimately the solutions to correct these deficiencies. A public survey has been posted on the City's Website and paper copies have been distributed to the bank, post office, and library. Nick Bird urged everyone to give their input by completing the survey.

MOTION TO PAY VOUCHERS

It was moved by Councilmember Boling, seconded by Councilmember Lant to sign the vouchers. Roll call taken. All Councilmember's voted in the affirmative. Motion Carried.

PUBLIC COMMENT

Previous Mayor Wally Bentley stated the auditor's position only handles things of financial nature and doesn't have anything to do with policy. He spoke with legal Council to get a clarification. He wanted to make sure they don't try to set policy. Mayor Dent assured him this was not happening.

Previous Councilmember Helen Lake spoke regarding the ULID on the park property purchase. She said it is normally part of the purchase transaction and should have shown up when there is an outstanding ULID on a property.

A citizen asked if Mayor Dent had heard back from the letters he sent out to numerous Legislators regarding Mark Reed Hospital's desire to leave McCleary and move to Elma without taking a vote of the people. The Mayor had not heard back from any of his letters yet.

A Mark Reed Hospital employee shared there will be a meeting at the Elma City Council Chambers regarding Mark Reed Hospital's recommendation or where they have decided to move. The meeting will be Thursday at 6 PM.

Helen Lake reported in the Daily World all the Subway's were mentioned, except for McCleary's in the Best of Grays Harbor recognition. This was disappointing when our Subway is such a nice business.

EXECUTIVE SESSION

None.

ADJOURNMENT

At 7:55 PM, it was moved by Councilmember Boling, seconded by Councilmember Geer to adjourn the meeting. Roll call taken. All Councilmember's voted in the affirmative. Motion Carried.