

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, March 27, 2013

ROLL CALL AND FLAG SALUTE Councilmen Catterlin, Lant, Reed, Ator and Schiller.

ABSENT Councilman Ben Ator was absent. **It was moved by Councilman Lant, seconded by Councilman Schiller to excuse Ben Ator from the meeting. Motion Carried 4-0.**

STAFF PRESENT Present at the meeting were Dan Glenn, Wendy Collins, Nick Bird, George Crumb, and Randy Bunch.

PUBLIC COMMENT Jack Tipping from Onalaska spoke regarding the E-Verify program that is funded and used by Homeland Security. It is a database that is used by contractor's and others to avoid hiring undocumented workers.

 Terry Schrader is a carpenter from Rochester and also supports E-Verify. He stated it levels the playing field for contractors when bidding jobs, especially for the small business person.

 Dan Glenn asked the Council if they were in support of a program such as this, would they be in favor of the implementation for the bidder or the winning bidder. The Council would support it for any bidder in an effort to keep it fair for everyone.

 Bob Pringle is an 8-year resident of McCleary and spoke regarding the questionable activity at a neighbors house. Cars come and go at all hours of the day and night and he is concerned about what he can do to prevent what he believes to be illegal activity. People show up without anything in their possession and when they leave, they always have something with them. Kids come and go to this house. It's also close to the school where grade school kids walk by every day. He has found hypodermic needles on the ground and there is unsafe/unsecured metal sheeting on the garage that flaps in the wind and could end up injuring someone. Nick Bird said the City can check into unsafe conditions on this property.

 Janice and Jerry Montgomery from Winlock also came to speak in support of E-Verify. They are hoping the City will begin using it for all future contract bids.

MINUTES APPROVED **It was moved by Councilman Lant, seconded by Councilmen Reed to approve the minutes from the March 6, 2013 meeting. Motion Carried 4-0.**

MAYOR'S COMMENTS Mayor Dent asked the Council to consider reappointing Dustin Richey to the Civil Service Commission.

CIVIL SERVICE APPOINTMENT **It was moved by Councilman Lant, seconded by Councilman Catterlin to reappoint Dustin Richey to the two-year term of Position #4 for the McCleary Civil Service Commission. Motion Carried 4-0.**

INSURANCE PARTIAL
ASSIGNMENT & RELEASE FOR
FRAUD CLAIM The City received a partial assignment and release from National Union Fire Ins. Co. for the Ardyce Taylor fraud case. The City submitted a notarized Proof of Loss alleging loss due to employee dishonesty in the amount of \$383,185. The insurance company has agreed to make a partial payment based upon covered loss in the amount of \$57,875.56 which represents payment for \$67,875.56 after application of the \$10,000 deductible. Approximately \$15,065 will be used to pay the State Auditor's Office for their investigation cost. **It was moved by Councilman Lant, seconded by Councilman Reed to authorize the Mayor to sign the partial assignment and release for the amount of \$57,875.56. Motion Carried 4-0.**

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| COBAIN AGREEMENT | Glenn and Peggy Cobain filed a claim against the City because of billing errors and the high cost of past tenant bills that were left on their rental home. The totals were in excess of \$4,000. To settle this matter and move on, the City Attorney has drafted an agreement offering the Cobain's to pay \$2,000 to satisfy the outstanding balance on their account and to remove any potential litigation regarding this matter. Glenn Cobain paid \$2,000 on March 26. It was moved by Councilman Lant, seconded by Councilman Schiller to authorize the Mayor to sign the Agreement with the Cobain's. Motion Carried 4-0. |
| CITY ATTORNEY REPORT | Mr. Glenn has provided a report for the Council and welcomes any questions. |
| DIRECTOR OF PUBLIC WORKS REPORT | Nick Bird reviewed both reports mentioned by Terri Franklin at a previous meeting regarding the Wilcat Creek Aquifer Study. She wanted to know why the City did not follow the recommendations from the reports. Mayor Dent pointed out a comment in Mr. Bird's report, which states that after checking with the Department of Health, it is their understanding that no one public agency in the State of Washington has gone through the program outlined in the report. The introduction of one of the Chapters included the statement, "All such programs require detailed applications, considerable funding, and appear to be more complicated than needed for present management of the Wildcat Creek Aquifer." The Mayor added that McCleary's is not a single aquifer. |
| COUNCIL ELECTRONICS | The Council agreed to the Wi Fi only option for the council packet I-pads with the start up cost of \$5,200.00. |
| SNOW & ICE CONTROL POLICY | It was moved by Councilman Catterlin, seconded by Councilman Schiller to authorize staff to implement the Snow and Ice Control Policy in accordance with Ordinance 779. Motion Carried 4-0. |
| SURPLUS TRANSFORMER DISPOSAL | Staff recommends utilizing Transformer Technologies for the PCB contaminated transformers and T&R for disposing the surplus transformers. It was moved by Councilman Lant, seconded by Councilman Reed to approve disposing of surplus materials as recommended by staff with the City receiving payment in the amount of \$3,320. Motion Carried 4-0. |
| 4kV TRANSFORMER PROCUREMENT | After advertising for bids, three bids were received on time and were significantly higher than the estimated amount. One bid came in late and another vendor asked for an extension and was denied. Due to the bids being too high, staff recommends re-advertising for bids. It was moved by Councilman Lant, seconded by Councilman Schiller to reject all bids and have staff re-advertise the material procurement package. Motion Carried 4-0. |
| MICROSOFT PURCHASE AGREEMENT | In order to purchase Microsoft products through the Department of Enterprise Services, the City needs to execute an agreement. It was moved by Councilman Catterlin, seconded by Councilman Reed to authorize the Microsoft Purchase Agreement with DES. Motion Carried 4-0. |
| POWER RATES INFORMATION | Information regarding power rate increases from BPA are included in the packet for Council's review. No action required. |
| ZONING AMENDMENT | The Public Hearing was held on March 6, 2013 and no one attended the meeting. Mayor Dent expressed he did not want yards of lumber to be in the downtown area. The Council needs to decide whether to hold another public hearing or move forward and accept the Hearing Examiner, Mr. Aaland's, recommendation. It was moved by Councilman Lant, seconded by Councilman Catterlin to move forward with the zoning amendment and schedule the Ordinance for the next meeting. |
| WATER METER PURCHASE | Tabled until the next meeting. |

RESOLUTION NO. 654 SOLE
SOURCE WATER METERS

The City budgeted to replace 50 water meters in 2013. The meters are supplied by only one vendor. Staff is requesting Council to authorize the purchase of the meters by one specific vendor since there are no other options. **It was moved by Councilman Catterlin, seconded by Councilman Schiller to adopt Resolution No. 654 authorizing sole source acquisition of certain meter reading equipment, making findings in relation thereto, directing certain actions by the Director of Public Works, and reserving the authority to make the final purchase decision in relation thereto. Resolution Adopted 4-0.**

LUSCOMBE UNDERGROUND
REPLACEMENT

Ten underground faults need to be replaced because they are past their life expectancy in the area of McConkey and Luscombe Streets. **It was moved by Councilman Schiller, seconded by Councilman Lant to authorize Elcon to complete the scope of work identified by staff for a cost not to exceed \$1,300.00. Motion Carried 4-0.**

COPIERS NORTHWEST

The City's copier agreement expires at the end of the month. The City received a bid for a replacement copier at a lower price. **It was moved by Councilman Lant, seconded by Councilman Reed to authorize the proposed 60-month program agreement, maintenance agreement, and non-appropriation addendum with Copiers Northwest. Motion Carried 4-0.**

UTILITY SERVICE
ABANDONMENT

Tabled until the next meeting.

EXECUTIVE SESSION

None.

PUBLIC COMMENT

None.

APPROVAL OF VOUCHERS

Payroll vouchers/checks approved were 35896-35987 including EFT's in the amount of \$156,804.96 and 36042-36142 including EFT's in the amount of \$67,087.27.

Accounts Payable vouchers/checks approved were 36143-36214 including EFT's in the amount of \$258,596.63.

It was moved by Councilmen Catterlin, seconded by Councilman Reed to approve the vouchers. Motion Carried 4-0.

MEETING ADJOURNED

It was moved by Councilman Lant, seconded by Councilman Reed to adjourn the meeting at 8:07 PM. The next meeting will be April 10, 2013 at 7:00 PM. Motion Carried 4-0.

Mayor Gary Dent:

Clerk-Treasurer Wendy Collins:
