

**CITY OF MCCLEARY**  
**Regular City Council Meeting**  
**Wednesday, March 12, 2014**

ROLL CALL AND FLAG SALUTE	Councilmember's Schiller, Reed, Ator, Catterlin and Peterson.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Todd Baun, Wendy Collins, George Crumb, Dan Glenn, and Christiane Mercer.
PUBLIC COMMENT	Alissa Shay, from the Port of Grays Harbor, made a presentation regarding Port activities and future growth. Also attending were Gary Nelson from the Port and Chuck Caldwell, District Representative. The Council enjoyed the presentation and thanked them for their time.
MAYOR'S COMMENTS	<p>Mayor Dent commented about the E-Verify Resolution, which is addressed in Dan Glenn's momo, is already required by the State and Federal Government so he doesn't see any reason to get involved with it.</p> <p>Mayor Dent also commented about the landlord utility billing issue mentioned at the last meeting, stating landlords aren't happy they have to pay for outstanding utility balances when a tenant abandons the property. The Mayor believes owning a home for the purpose of renting it is no different than a corporation investing in capital issue. They are doing it to make money. He is opposed to the City being put into a situation where they have to pay the bill. He wants the Council to think about it.</p>
MINUTES APPROVED	<b>It was moved by Councilmember Ator, seconded by Councilmember Peterson to approve the minutes from the February 26, 2014 meeting after making the correction stating the meeting was adjourned, not recessed. Motion Carried 5-0.</b>
DIRECTOR OF PUBLIC WORKS REPORT	There are some of the stormwater ponds are not being kept up and are not draining properly, causing flooding on certain properties. This is an ongoing issue that will need to be addressed.
CITY ATTORNEY REPORT	Dan Glenn has provided a report and welcomes and questions the Council may have.
BPA REP SETTLEMENT	There are two options for the BPA REP Settlement. Dan Glenn supports signing Revision No. 1 instead of the option of doing nothing because he believes we may come out ahead. The Council will review and table until the next meeting.
SHORELINE MASTER PLAN UPDATE	The Department of Ecology (DOE) required the City to complete a Shoreline Master Plan (SMP) and they will provide the City with a \$50,000 grant to complete the plan. The City received two proposals, which Jon Hinton and Todd Baun reviewed. Based on qualifications, number of SMP's approved by the DOE and the fact they will be doing the SMP update for Grays Harbor County in the surrounding area, The Watershed Company is the City's best choice. <b>It was moved by Councilman Catterlin, seconded by Councilmember Reed to authorize the City to sign the Agreement for Professional Services with the Watershed Company and City of McCleary Shoreline Master Program Scope of Work, if the Mayor agrees. Motion Carried 5-0.</b>

ORDINANCE NO. 801  
OPERATING HOURS

The City must adopt operating hours for the City to conduct business. In the past, the hours were 8:00 am - 5:00 pm, giving the employees and hour lunch. This was changed many years ago making the City's current hours as 8 am - 4:30 PM, however, the City locks the doors from taking payments at 4:00 pm to meet the State Auditor's requirement of balancing the cash drawers and depositing all monies within 24-hours. Councilmember Schiller questioned the hours of operation and wanted to know if there was a State RCW mandate requiring this. Dan Glenn responded by stating the mandate is that there must be an Ordinance for operating hours. The City is still open from 4:00 - 4:30 to take phone calls and conduct other business. Employees do not leave at 4:00 pm. To accommodate the closure, there is a drop box and the City will also take payments over the phone and we provide Xpress Bill Pay for customers to pay 24-hours a day online. **It was moved by Councilmember Ator, seconded by Councilmember Peterson to adopt Ordinance No. 801 relating to governmental operation, adding a new section to Chapter 1.04 MMC. Roll Call taken in the affirmative with Councilmember Schiller voting in the negative. Ordinance Adopted 4-0.**

RESOLUTION NO. 668 MRSC  
SMALL WORKS ROSTER

Todd Baun informed the Council at the last council meeting the Council authorized staff to use the MRSC Small Works Roster. This resolution is for MRSC stating this is the intent of the Council. **It was moved by Councilmember Catterlin, seconded by Councilmember Schiller to adopt Resolution No. 668, authorizing an alternative process for establishing and utilization of a small public works roster process to award public works contracts, creation of a consulting services roster for architectural, engineering and other professional services, and superseding Resolution 622 to the extent said resolution is inconsistent with the terms of this resolution. Resolution Adopted 5-0.**

APPROVAL OF VOUCHERS

Accounts Payable vouchers/checks approved were 37688 - 37728 including EFT's in the amount of \$21,571.63.

**It was moved by Councilmember Ator, seconded by Councilmember Reed to approve the vouchers. Motion Carried 5-0.**

PUBLIC COMMENT

Carl Japhet has a business office next to the Rain Country Restaurant he is renting out to Brian Riley, Farmers Insurance Agent. He said he asked the City to turn his water on and he didn't realize the water has been on since he vacated the building. He said there was a water leak from a pipe and there was no shut off valve. When he shut the water off, it shut off at the restaurant too. Todd Baun confirmed it is a shared meter. He said he received a letter awhile back from the City stating he had to turn the water on or they would be subject to a substantial hook up fee. He said there was some communication problems between Chris Mercer and himself about hooking up the water. He said his wife went to the City and was told they weren't on the schedule. He said he should have been told at that time the water was still on because he didn't know it. He said he would have told the City to start billing him if he knew it was still on. He said now the fee is so high it could prevent him from renting to Mr. Riley.

Mayor Dent asked who has been paying the water bill and Chris Mercer, who was in attendance, commented that the restaurant has been paying for the full bill. Todd Baun found in his research that Rain County opened the account for this meter and they were not getting billed for water or sewer and limited amount of power for approximately five years. The meter is shared so any time there is another occupant in the strip mall, the utilities are shared. Because Mr. Japhet discontinued his services and did not respond before the deadline when he received his letter from the City, he has to pay \$1175.00 to reconnect his water service, which is stated in the Ordinance.

Chris Mercer responded stating there was a misunderstanding between what the City asked the Japhet's to do and what the Japhet's thought they were supposed to do. The Japhet's did not respond to the letter and did not fill out the paperwork that was sent out. Mr. Japhet said he would either pay the back bills, which will be substantial, or he will pay \$475.00 for the six months or less hook up fee. Neither of these options follow the current ordinance. Dan Glenn will work with staff to research possible solutions.

Helen Lake asked if the sewer was also a problem with this strip mall. Todd said it has a shared sewer for the building. Diana, owner of Rain Country Restaurant, stated the sewer is also a big problem. The old bar and other units all run through their sewer pipes, which had major problems every time there is a large gathering and a lot of sewer usage. It gets blocked up at the restaurant end. Todd responded stating that when this has happened, they City checks on the issue and it is on the owners side, not the City's so we cannot address it. It has to be corrected by the owners of the building because it is a private issue. Diana said the plumber told her the City's sewer pipe is smaller than customers pipe, causing the issue. Todd assured her the City's pipe is larger than the building's pipe.

Councilmember Schiller asked about a leak that is mentioned in Kevin Trehwella's treatment plant memo. Todd said the treatment plant cannot handle the heavy rain's and has major I&I problems in our system. Todd does not feel it's right for the City to treat ground water at City rates. He would like to address this to take the burden of cost off the residents.

EXECUTIVE SESSION

None.

MEETING ADJOURNED

**It was moved by Councilmember Ator, seconded by Councilmember Peterson to adjourn the meeting at 7:56 PM. The next meeting is scheduled for March 26, 2014 at 7:00 PM. Motion Carried 5-0.**