

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, February 12, 2014

ROLL CALL AND FLAG SALUTE Councilmember's Schiller, Reed, Ator, Catterlin and Peterson.

ABSENT Mayor Dent was absent. Mayor Pro Tem, Ben Ator, Chaired the meeting.

STAFF PRESENT Present at the meeting were Todd Baun, Wendy Collins, George Crumb, Dan Glenn, Randy Bunch, Christiane Mercer and Colin Mercer.

PUBLIC COMMENT Pauline Martin, Chamber of Commerce President and McCleary Subway owner, commented on the mobile food establishments. Her concern is there are three good restaurants in town and she isn't sure there is enough business in town to support another one. She is worried we are losing businesses in town and yet we allow another one to come in from outside instead of building up the ones we already have that pay taxes and utilities and provide jobs. She said she spends her money in town by shopping at Gordon's and uses the local library and other businesses to keep her money helping the local community. She doesn't want to see any more empty store fronts.

Jack Tipping lives in Lewis County and spoke last year about the E-Verify program. He wanted to again encourage the Council to start using this free program that prevents employers from hiring undocumented workers. Other cities have signed up for it and will not hire any contracting work from employers that do not use E-Verify for their own workers. He said Hoquiam, Centralia, Chehalis, Napa Vine, Long View and Woodland require it, along with some Counties.

Jerry Schrader from Rochester also spoke in support of the E-Verify program. He works in the construction business and believes it's very important for entry level jobs to be available for beginning workers in our communities.

MAYOR'S COMMENTS None.

MINUTES APPROVED **It was moved by Councilmember Reed, seconded by Councilmember Peterson to approve the minutes from the January 22, 2014 meeting. Motion Carried 4-0.**

CITY ATTORNEY REPORT Dan Glenn said he does have a draft resolution addressing E-Verify, if the Council chooses to consider it.

MOBILE FOOD UNITS Currently, there are no regulations so anyone having proper permits from the Health Department could set one up in a commercial location anywhere in the city. McCleary needs to be cautious in our approach because we already allow these food units during the Bear Festival. The draft ordinance Dan Glenn has provides for this type of exemption. It may be difficult to prohibit them completely because they are already legal by the State and are licensed through the Department of Health. A big concern is how do we distinguish between a food supplier that is properly working and has a permanent location versus one that is mobile and still meets the required standards.

Pauline Martin asked why you can prohibit the sale of marijuana, which is legal, but can't prohibit a mobile food unit? Dan replied stating there is a difference between smoking and selling pot than selling a sandwich. He said there is a great deal of difference between the two issues. The City has a moratorium on marijuana sales but the legislature could overrule it. The mobile food units are already legal and approved.

Councilmember Catterlin said his preference is to not allow the mobile food units other than during the Bear Festival. He said we not only have three restaurants, but also two gas stations, that also provide food options, making five eating establishments. Dan Glenn responded by stating we should not look at it like we are trying to create a monopoly on food suppliers because that is what we are talking about. We can't restrict the number of food suppliers because we do not want more. Dan will check into what the legalities of prohibiting mobile food units.

DIRECTOR OF PUBLIC WORKS REPORT	Todd Baun will be reviewing the 3rd Street design project request for proposals, which are due on February 21st. He would like to know if any Councilmember's would like to assist in reviewing them and assisting with the interviews. Since there were no interested Councilmember's, Todd will independently move forward on this.
NEW FINANCE COMMITTEE MEMBERS	Councilmember Schiller asked for this to be added to the agenda because he would like to vacate his position. It was moved by Councilmember Schiller, seconded by Councilmember Reed to nominate Councilmember Catterlin to serve of the Finance Committee. Motion Carried 4-0. It was moved by Councilmember Catterlin, seconded by Councilmember Peterson to nominate Councilmember Reed to serve of the Finance Committee. Motion Carried 4-0.
MAYOR PRO TEM	It was moved by Councilmember Reed, seconded by Councilmember Peterson to nominate Ben Ator to serve as Mayor Pro Tem. Motion Carried 4-0.
CRITICAL AREAS ORDINANCE UPDATE	Local governments are required to periodically update their critical areas ordinance so they will be eligible to receive grants or loans. In late January, we were made aware that the City's critical areas regulations are currently out of date. The last update was Ordinance #703 adopted in July 2003. It was moved by Councilmember Catterlin, seconded by Councilmember Reed to authorize staff to select a firm from the professional service roster and request a proposal and budget to complete this update and bring it back to the Council for possible award. Motion Carried 4-0.
INSTA-PIPE SEWER/STORM REPAIR CONTRACT	Last fall, Insta-pipe was hired to clean and run camera sections of our storm lines and sewer lines. Two areas were identified that need immediate attention. The most critical is the gravity sewer line that serves the residents at Wildcat Drive. This line has two holes in it that is letting gravel and ground water into our system, which eventually ends up getting to the WWTP and sucked into the pumps, causing unnecessary wear and tear on the pumps. It is also one of the sources of Inflow and Infiltration (I&I) that has been plaguing our system for years. Elimination of the I&I sources gives our system capacity and rate payers will not have to pay to treat the extra water. Secondly, there is an issue on a storm line in the alley south of Simpson Avenue. The section of pipe between South 8th and 9th Street has a major root intrusion that restricts approximately 85% storm water flow through the pipe, causing the storm line to back up and flow out the manhole and down North 7th Street. It was moved by Councilmember Catterlin, seconded by Councilmember Peterson to authorize the City to execute the contract with Insta-Pipe for storm water and sewer repairs, as quoted, in the amount of \$4,336, including sales tax. Motion Carried 4-0.
WWTP MAINTENANCE CONTRACT WITH WHITNEY EQUIPMENT COMPANY	The City has six pumps at the waste water treatment plant that are worth approximately \$7,000 each. They require specific maintenance procedures that Whitney Equipment Company, Inc. can provide. They have the experience and tools necessary to inspect and maintain the pumps, which will prevent future pump failures. The proposed contract is for five years, starting in 2014 and will be fulfilled in 2018. The initial service call will be \$1,350.00 and each annual maintenance thereafter will be \$1,200. It was moved by Councilmember Catterlin, seconded by Councilmember Schiller to authorize the City to execute the contract with Whitney Equipment Company, Inc. for maintenance of the pumps indentified in the contract, not to exceed \$6,150.00 before sales tax. Motion Carried 4-0.
FEMA GRANT EXTENSION	Staff recommends authorizing an amendment to extend the disaster grant #1825-DR-WA from December 2008. Amendment D will extend the grant performance period from March 1, 2014 to March 1, 2016, which will give staff time to contact the proper people to close the grant, as there is no other activity needed. It was moved by Councilmember Schiller, seconded by Councilmember Peterson to authorize the City to execute the Amendment extending the grant performance period for disaster 1825-DR-WA. Motion Carried 4-0.
WATER SYSTEM PLAN	Every six years, water system plans are required for all Group A water systems. The last approved plan was in 2008, which means we will be required to complete the update in 2014. The plans can take up to 6-8 months and the anticipated cost is approximately \$50,000, which was included in the water fund for 2014. It was moved by Councilmember Peterson, seconded by Councilmember Reed to authorize the City to execute the amendment with Gray & Osborne to complete the Water System Plan, and not to exceed \$49,900. Motion Carried 3-0 with Councilmember Catterlin voting in the negative.

MOU - INTERIM PW DIRECTOR Councilmember Schiller does not have a problem with the MOU except for the area of overtime. The position is exempt so overtime should not be permitted. He recommends removing the overtime accrual option from the MOU. **It was moved by Councilmember Schiller, seconded by Councilmember Catterlin to authorize the Memorandum of Understanding for the Interim Public Works Director contingent upon removing the overtime compensation option. Motion Carried 4-0.**

CITY HALL LIGHTING The City utilized the Energy Efficiency Program to recoup a portion of cost associated with retrofitting the lighting in Building C and G. The EE incentive cost will be reduced starting in April 2014. Staff is requesting Council to approve moving forward to complete the retrofit project for City Hall, the Police Department and the Fire Hall buildings. The incentive savings is almost half of the project cost. **It was moved by Councilmember Schiller, seconded by Councilmember Reed to authorize staff to finish the lighting retrofit project before the April deadline. Motion Carried 4-0.**

RESOLUTION NO. 667 - SUPPLUS POLICE VEHICLES AND OTHER CITY EQUIPMENT Included in the surplus items are old computers with hard drives. Todd Baun asked how the Council would like to handle the hard drives because there is a cost affiliated with wiping the hard drives clean. Councilmember Catterlin said they could be removed and either smashed or burned making them unreadable and save the City a lot of money. He offered to come and pull them out himself to save the City money. **It was moved by Councilmember Catterlin, seconded by Councilmember Peterson to adopt Resolution No. 667, declaring materials to be surplus and for the disposition thereof. Motion Carried 4-0.**

APPROVAL OF VOUCHERS Accounts Payable vouchers/checks approved were 37466 - 37528 including EFT's in the amount of \$316,618.80.

Payroll vouchers/checks approved were 37193- 37272 including EFT's in the amount of \$156,325.27.

Payroll vouchers/checks approved were 37315 - 37465 including EFT's in the amount of \$157,890.82.

Payroll vouchers/checks approved were 37441 - 37554 including EFT's in the amount of \$238,303.29.

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

PUBLIC COMMENT Councilmember Catterlin asked Chief Crumb about his staff report and asked for clarification on various items that are listed. He would like to have more detailed information regarding what type of incidents are the highest impacts to the department. He believes this information would be valuable to the Council.

EXECUTIVE SESSION None.

MEETING ADJOURNED **It was moved by Councilmember Peterson, seconded by Councilmember Reed to recess the meeting at 7:40 PM. The next meeting will be February 26, 2014 at 7:00 PM. Motion Carried 4-0.**