

**CITY OF MCCLEARY**  
**Regular City Council Meeting**  
**Wednesday, December 12, 2012**

ROLL CALL AND FLAG SALUTE	Council members Catterlin, Reed, Lant, Schiller and Ator.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Dan Glenn, Wendy Collins, Nick Bird, George Crumb, John Graham and Jon Hinton from Gray & Osborne.
PUBLIC COMMENT	Helen Lake wanted to wish everyone a Merry Christmas and commented on how nice the decorations look around the City.
MINUTES APPROVED	<b>It was moved by Councilman Catterlin, seconded by Councilman Lant to approve the minutes from the November 28, 2012 meeting. Motion Carried 5-0.</b>
MAYOR'S COMMENTS	<p>Mayor Dent discussed an eviction issue. When a resident does not have power or water for six months, due to non-payment, the ordinance provides eviction as a resolve. Mayor Dent does not desire to evict the residents at this point. After discussion between staff and Council, the Mayor is going to go against the current language and give the resident an additional two-weeks to come up with the outstanding amount owed, which is approximately \$200.</p> <p>Mayor Dent announced he as extended the new police officer's probation by six-months.</p>
CITY ATTORNEY REPORT	Dan Glenn provided a memo for the Council and invites any questions they may have.
DIRECTOR OF PUBLIC WORKS REPORT	Nick Bird has provided a memo for the Council and invites any questions. He has not received any applicants for the Wastewater Treatment Plant Operator position. He has advertised in various locations and is hoping that will help get the word out.
PUBLIC WORKS TRUST FUND AMENDMENT	A correction is needed that was stated in error on the PWTF loan documents. The correction will state that the loan will be paid off in 2031, not 2032. <b>It was moved by Councilman Catterlin, seconded by Councilmen Reed and Ator to authorize the execution of amendment to Loan Agreement/Contract PC12-951-069 (the 2012 PWTF Loan Agreement). Motion Carried 5-0.</b>
WELL PROGRESS ESTIMATE #3	We are about 55% finished on the project with a lot of work ahead. <b>It was moved by Councilman Ator, seconded by Councilman Lant to approve Progress Estimate #3 to Award Construction in the amount of \$220,704.20 and deposit \$10,672.35 into a retainage account. Motion Carried 5-0.</b>
WELL CHANGE ORDER PROPOSALS	Additive items are being requested that were not included in the original contract bid. The items include decommissioning existing Well No. 1 and chip sealing, adding additional cost to the project. After discussion, the Council asked Nick to provide them with the remaining balance in the contingency fund before making a decision on the additive items. This item will be tabled until then.
PECI/ESG	PECI implements the Energy Smart Grocer (ESG) program for Bonneville Power's conservation program. The agreement allows Peci to utilize some of the conservation dollars allotted to McCleary to implement this program and is intended for grocery-type facilities with refrigeration components. Two of the three retail establishments in McCleary are interested in this program. There is approximately \$21,000 remaining in the 2012 conservation budget and approximately \$38,900 is available for the 2013 fiscal year. By authorizing this agreement, conservation opportunities within the City will increase and will not increase staff workload to provide the added benefit to the community. <b>It was moved by councilman Lant, seconded by Councilman Ator authorize execution of the Peci/ESG Agreement. Motion Carried 5-0.</b>

RESOLUTION NO. 652 POWER  
RATE INCREASE

BPA raised their rates 7.8% in 2011 but the City did not increase rates to cover the increase. Now, Bonneville Power Administration will be increasing them again 6.8%. The Mayor does not agree with conducting an expensive rate study. Increasing rates are inevitable because the City cannot continue to absorb the increases. Both Council and staff are reluctant to increase rates but do not have a choice and are forced to make the difficult decision. Dan Glenn asked about the date it goes into affect and it was decided the billing period the increase will begin will be December 16, 2012 through January 15, 2013. Mr. Glenn asked about current Resolution 544, which has a base service rate of \$7.05 for the meter and a minimum charge of \$15.00, which includes the \$7.05. Commercial fee is \$21 for a single phase meter and \$36 for 3-phase. All usage rates would be increased by 7.8%, not the base rates and the usage will continue as a four-digit rounding number.

**It was moved by Councilman Catterlin, seconded by Councilman Schiller to adopt Resolution 652 changing power rates by a 7.8% increase for power usage and include language change addressing when a house is vacant for a year, connection fees are not required. Resolution Adopted 5-0.**

FIRE DISTRICT #13 AGREEMENT

**It was moved by Councilman Lant, seconded by Councilman Schiller to authorize the Mayor to sign the agreement with Mason Fire District #13 with the alteration of not giving a one-year notice but use a three or six-month notification for cancelation. Motion Carried 5-0.**

UTILITY SERVICE  
ABANDONMENT

Tabled.

FIRE DEPARTMENT ROOF

Mayor Dent received another bid for \$15,000 plus tax from Ron Pittman. Mr. Pittman is considered a public employee since he is the City's Fire Chief. Mayor Dent understands Mr. Pittman cannot make more than \$18,000 a year in this capacity and has no problem with hiring him to do the work, especially since he is the low bid. **It was moved by Councilman Catterlin, seconded by Councilman Schiller to authorize the City to hire Ron Pittman Construction LLC to replace the roof of Building D (Fire Department) for the base amount of \$14,942 (which includes sales tax) and to replace plywood sheathing for \$30/hr and \$15 per sheet with the total cost not to exceed \$18,000. Motion Carried 5-0.**

GUTTER REPLACEMENT

**It was moved by Councilman Lant, seconded by Councilman Schiller to authorize the City to pay Progress Estimate #1 in its entirety, specifically waiving the retainage retention as authorized under RCW 39.04.155(3) with the amount to be paid as \$17,485.46 and accept the project as complete. Motion Carried 5-0.**

ORDINANCE NO. 789 CRIMINAL  
LAW REVISION

**It was moved by Councilman Lant, seconded by Councilman Reed to adopt Ordinance 789 relating to criminal law, amending 1(Part), Ordinance 679, and 9.22.900 of the municipal code; and imposing penalties. Roll call taken in the affirmative. Ordinance Adopted 5-0.**

ORDINANCE NO. 790  
GOVERNMENTAL OPERATION  
(PLANNING  
COMMISSION/HEARING  
EXAMINER)

**It was moved by Councilman Lant, seconded by Councilman Schiller to adopt Ordinance 790 relating to governmental operation, clarifying grants of authority in relation to certain matters, providing definitions, amending sections 2.28.050, 2.28.080, 2.28.090, and 2.30.020 of the municipal code, providing for severability and an effective date. Roll Call taken in the affirmative. Ordinance Adopted 5-0.**

RESOLUTION NO. 653 LEVY  
SHIFT OBJECTIONS

Mayor Dent stated this resolution basically tells the County they made a mistake and are ripping off our tax payers again. **It was moved by Councilman Lant, seconded by Councilman Ator to adopted Resolution 653 relating to Levy Shift Objection. Resolution Adopted 5-0.**

APPROVAL OF VOUCHERS

Accounts Payable vouchers/checks approved were 35674-35737 including EFT's in the amount of \$355,922.21 and payroll checks approved were 35616-35753 including EFT's in the amount of \$161,160.47.

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

PUBLIC COMMENT

Councilman Lant asked to revisit the idea of Council laptops to replace the large Council binders. The Council understands there will be a cost savings by not needing to photo copy the enormous documents that are frequently included in the Council packets. The laptops can be handed down to the next Council and are very reasonably priced, especially State surplus laptops. Mayor Dent stated he will revisit it after he sees the cash balances at the end of the year.

Councilman Schiller is concerned about the Mayor's comment about handling the eviction situation himself and not following order. Mayor Dent said he would take the blame if anything arises from the decision.

EXECUTIVE SESSION

**It was moved by Councilman Schiller, seconded by Councilman Reed to go into an executive Session at 7:50 pm for 10 minutes to discuss the Fire Mitigation and land acquisition issue. Attending were Mayor Dent, Councilmember's, Dan Glenn and Nick Bird. Motion Carried 5-0.**

The Executive Session ended at 8:00 pm. No action was taken.

MEETING ADJOURNED

**It was moved by Councilman Lant, seconded by Councilmen Ator to adjourn the meeting at 8:01 PM. The next meeting will be on January 9, 2013 at 7:00 PM. Motion Carried 5-0.**

Mayor Gary Dent:

\_\_\_\_\_

Clerk-Treasurer Wendy Collins:

\_\_\_\_\_