



McCleary City Council Agenda

01/27/2021- 6:30PM

[Web Ex Meeting Link](#)

Join By Phone: +1-408-418-9388

Meeting number (access code): 126 741 1652

Meeting password: DsWKqBAp746 (37957227 from phones and video systems)

1. **Call to Order/Flag Salute/Roll Call**
Roll Call: ___ Pos. 1-Amsbury, ___ Pos. 2-Huff , ___ Pos. 3- Heller, ___ Pos. 4-Miller ___ Pos. 5- Iversen
2. **Agenda Modifications/Acceptance**
3. **Special Presentations**
4. **Public Comment**
5. **Consent Agenda**
 - a 1/13/2021 Minutes- Action
 - b Council Voucher Approval for Dec. 2020 & Jan 2021 Disbursements- Action
6. **Updates**
 - a Departments - L&P, Finance, WWTP & Building Department, PW
 - b Legal Update- Investigation update
6. **New Business**
 - a Speed Limit Discussion- Simpson and Summit- Discussion
 - b Permissive Use Permit- Action
 - c Council Meeting Schedule- Discussion/ Possible Action
7. **Old Business**
 - a
8. **Ordinance and Resolutions**
 - a
9. **Updates**
 - a Councilmembers
 - b Mayor - COVID-19 Update
10. **Executive Session**
11. **Adjourn**

Please turn off Cell Phones- Thank you

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CITY OF MCCLEARY
City Council Meeting
Wednesday, January 13, 2021

FLAG SALUTE	Mayor Orffer Called the Council Meeting to order at 6:30 PM.
ROLL CALL	Councilmembers present were Amsbury, Huff, Heller, Miller, and Iversen. The meeting was held via WebEx.
ABSENT	None.
STAFF PRESENT	Present at the online meeting were Clerk-Treasurer Wendy Collins, Director of Public Works Todd Baun, City Attorney Chris Coker and Police Chief Steve Blumer.
EXECUTIVE SESSION	None.
PUBLIC HEARING - PRESENTATION	At 6:34 PM, the Public Hearing opened. Jon Hinton from Gray & Osborne gave a PowerPoint presentation to the Council regarding Water System Plan. He asked the Council to consider adopting the Water System Plan so it can be sent to the Department of Health and to also adopt the Water Efficiency Goals within the plan. The Public Hearing closed at 7:04 PM.
ADOPTION OF THE CITY OF MCCLEARY WATER SYSTEM PLAN	It was moved by Councilmember Iversen, seconded by Councilmember Huff to adopt the City of McCleary Water System Plan and send it to the Department of Health. Motion Carried 5-0.
ADOPTION OF THE WATER EFFICIENCY GOALS WITHIN THE WATER SYSTEM PLAN	It was moved by Councilmember Amsbury, seconded by Councilmember Heller to adopt the Water Efficiency Goals within the City of McCleary Water System Plan. Motion Carried 5-0.
AGENDA LAYOUT CHANGE	Mayor Orffer reported that we modified the agenda layout for 2021. We are not married to this layout but we wanted to align things differently in an effort to help with the flow of conversation making it effective and more efficient. She is open to council's feedback.
PUBLIC COMMENT	<p>Angela Rittinger said she spoke at the last council meeting about concerns about asphalt being buried out at our well site. She showed pictures Skillings & Connelly provided when the 3rd Street Project was being bid on. One of the pictures showed a map of the waste site near the wells and aquifer. In the bid report, there was an agreement that included a waste site for disposal of material without excavation of the site and the spoils would be kept out of the protection zone. The allowable area is 8436 square feet. If you go out there now and look, the same overhead view shows a large area that is outside of the 8436 square feet area and shows excavation.</p> <p>She showed additional pictures showing excavation and asphalt that isn't showing anymore because it is covered up and is within 100 foot protection zone of our well. She asked if the Mayor has had the opportunity to go look at the well site in the last month. She added she feels the Mayor unfortunately chose to go on a personal attack of her rather than to address this issue seriously.</p> <p>Ms. Rittinger also addressed the public works employees to let them know this is being done for them, not to them. She has no vendetta against any public works employee whatsoever.</p> <p>She added that it has been brought to her attention that the Mayor has a personal relationship with Todd outside of work by going to church together and going on trips together. Todd's wife has employed the Mayor's children at her coffee stand. She asked what reassurances the Mayor can give us that she can be objective on this in light of her relationship with Todd outside of work. Mayor Orffer responded that she is well acquainted with Todd and his family and they do attend church together. She added that one of her daughters worked for Todd's wife at the coffee shop while she was in high school and college. Neither of them work there at this point. She wanted to ensure we maintained objectivity and so she launched an investigation into this project and turned it over to the city attorney. He will be discussing the status of this tonight. She is not involved in this investigation because she wants it completely objective and done professionally and get all the answers.</p> <p>Angela asked the Mayor if there is a reason she went on a personal attack on her by telling people she was just a crazy lady with a vendetta against her over the dog bite incident. Mayor Orffer stated she has no knowledge of telling people Angela is a crazy lady. Angela responded there may be a few people listening that might disagree with her. She thanked everyone for their time.</p> <p>Jeana Scott had a copy of the interlocal agreement between the City of McCleary and Grays Harbor County to protect and manage the Wildcat Creek Aquifer by coordinating land use development and establishing the Wildcat Creek Aquifer joint management program. Stated on page 5, section B4, it leads to a creation of a database monitoring system for the aquifer. She would like to know if there is a database that she can refer to find out the results of the monitoring and what the findings of the ongoing monitoring are and who is in charge of that program.</p> <p>Mayor Orffer wrote down her questions and we will get answers for her.</p> <p>Ms. Scott added, in addition to the interlocal agreement, she also has concerns about the non-excavation agreement at the dump site. She would like to know what additional protective measures are in place regarding excavating that site when it clearly states no excavation. She is also interested in the river system itself. She wonders if there have been any studies done showing the potential impact of the drainage in the three creeks; the Wildcat Creek, the Moxey Creek, and Cloquallum Creek, which are tributaries to the Chehalis River. Her concern is those creeks are spawning habitat for native wild steelhead, which are facing being enlisted under the endangered species act. She asked for any data regarding potential leaching or groundwater contamination into those spawning creeks.</p> <p>Mayor Orffer reiterated that she has written down Ms. Scott's questions and will get her answers to them.</p> <p>Suzanna Winston asked of the possibility of getting a community bulletin board placed in the downtown area for communication purposes. It would be a good alternative for people that are not social media users to have a central bulletin board to facility communications.</p> <p>Ms. Winston also asked if it would be possible to get together with the public works department to set up an Earth Day activity. She suggested they adopt a street program as a possibility. Councilmember Huff stated last year there was a community clean-up day attended by a couple Councilmembers and the McCleary Civic Renewal Council. He would like to move to a monthly basis instead of annual basis. Department of Ecology offers bags and Todd said the city will provide bags and gloves. Suzanna was excited to hear this was already happening.</p> <p>Jeana Scott is concerned about the excavation and asked if a group can go to the site and measure to determine the extent in which the debris is stored and buried at the well site. It seems it extends beyond the 100 square feet barrier. Mayor Orffer will share this information with the team that is conducting the investigation and we will see what we can find out for you.</p> <p>Monique Buechel understands there has been an issue with non-permitted asbestos material demolition at the city and she wants to ask Todd Baun to provide a quick overview of the proper procedure that needs to be in place before beginning asbestos abatement. Todd responded that he is not going to respond to that right now because he doesn't have it right in front of him. He added we have a policy that we are working on and when we get that policy completed, she is more than welcome to have it.</p>

Ms. Buechel has a document that states individuals must complete a Washington State certified four-day course that meets the requirements of WAC 296-65-005. She asked if Todd took that four-day course and Todd asked her what type of asbestos is she talking about. She said she is talking about the removal of asbestos at the hose tower. Todd said we do not have a city crew that is qualified to do that, so if we have a job for asbestos removal on any of our buildings, we hire that out to be professionally done by a contractor. Our city crew is only certified to work on asbestos cement pipe that is in the ground and provides our water to our water system.

Monique Buechel referenced an email she has and read it to the council that requested the documentation process to begin for asbestos exposure that happened while tearing down the hose tower and replacing windows in the council chamber. Todd said since this is an ongoing investigation, he is not going to answer the question.

Mayor Orffer added we are open to public comment and feedback and we are happy to take all of the questions that the community has and we can get answers to them in the course of the investigation that we are doing. Public comment is to notify the city of a concern or ask questions. We cannot be expected to respond to questions in the moment. We have to have access to resources and policies and procedures. Monique asked who did the work and Mayor Orffer told her she can put that with her questions and send them to the city and we will be happy to get the information to her. Mayor Orffer asked her to submit her list of questions via email to either her or to city staff, or drop them by, she will be happy to address them.

Monique said it is not fair because it is not in a public forum because these are things the community needs to know about. Mayor Orffer again stated this is an ongoing investigation and defer to the city's general council. Once the investigation is completed, there will be information shared in this forum and in a public conversation. There will be an update further down on this agenda regarding that investigation from our general council.

Ms. Buechel said one of her questions she is submitting is whether the city is getting a fine for not following proper procedures from ORCAA.

Chris Vessey was previously on the city council and he said there would be no problem with our water at the aquifer except for the previous mayor and council allowed the people out there by the aquifer to build more houses. The council never used to allow building out there but that changed with a different council, which allowed building out there.

CONSENT AGENDA

Mayor Orffer said with the new agenda, both the minutes and vouchers will be approved in the same motion. Councilmember Amsbury asked to separate the two items so they can be voted on separately.

MINUTES APPROVED

It was moved by Councilmember Amsbury, seconded by Councilmember Huff to approve the minutes from the December 9, 2020 meeting. Motion Carried 5-0.

APPROVAL OF VOUCHERS

Vouchers/Checks approved were 48596 - 48659, including EFT's, in the amount of \$342,979.63 and 48676 - 48727, including EFT's, in the amount of \$78,035.84.

Payroll Checks approved were 48660 - 48675, including EFT's in the amount of \$218,564.68.

Bank reconciliation Treasurer's Report for December 2020.

Councilmember Amsbury wanted to make a comment regarding the SHI invoice for \$28,000 for the ILINX purchase. The council was told they would see a contract before anything was going to be paid.

Mayor Orffer informed the council the Ilinx is the software we are attempting to purchase for electronic documentation storage. She agreed we previously discussed the software with council and we originally had this conversation in February 2020. There were some questions at that time and then our meetings got off due to Covid and we were trying to stick to essential business during that time. We brought this back in October when the council looked at the software packaging, the price, and wanted to see a final contract before the actual check was paid. We moved forward with printing the check based on council approval. This is where we are in a catch with this company.

She continued stating we purchased the software and then we have a meeting scheduled with them for next week. That's when they begin the contractual agreement of the services and all that is part of the package. For a lack of better terms, it's like which comes first, the chicken or the egg? Todd confirmed the meeting with Ilinx is actually tomorrow, not next week. Mayor Orffer said the meeting tomorrow is where they will outline their service plan.

Councilmember Amsbury asked if we pay them before doing a contract and Mayor Orffer responded you purchase the software and then you make the plan on the implementation and transition. Todd added that what was presented to the council is basically what they are going to do. That is the route that we are going to follow what was in the proposal that the council reviewed and approved back in October.

Councilmember Amsbury is frustrated because the council all agreed during the motion, which she went back and re-listened to, that they would see the contract and how it was going to come through because there are a lot of extras that can come in for how they are going to implement it. Once we buy the software, we're stuck with it. From her experience, there's a lot of extras that can come in and when we do not have IT on site, it can cause other things to come in. She is worried about the city getting locked into this and then seeing another bill down the line once we see a scope of work from them of what they are going to be doing, how they are going to help, if we need extra help and what that will cost. She wants it to be known that this is what she is afraid of and that we are going to be on the spot without a lot of things without having that agreement in place.

Mayor Orffer stated the things that Councilmember Amsbury mentioned are all of legitimate concern, but you would have the same concerns with any software package. The scope of the work, transition, implementation, and what we require to be done is not going to change. The common denominator is we need a software package in order to begin the project and to start putting all of our documentation into electronic format. She doesn't know how much of that you actually get to review in a software review. Over a year ago, a team of people sat down and looked at several different packages and this is the one that staff and that team recommended. She isn't sure how much the information the company provided during that review and she doesn't know if Todd or Wendy or anyone that attended the review if they remember how much of the review focused on what the software provides and how much of that was part of the decision.

Mayor Orffer apologized for not bringing something back to the council but we just don't have it as it is not their step or their process. The software had been approved in our budget for 2020 and a team of people had identified this as the best package for the city and she doesn't know what they would like her to do from here. We really want to get this going and the options she sees is she can either request the money back, we don't need to pay them, or we can start over again. She asked what does council want to do.

Councilmember Miller asked did at some point, they provide a contract so the terms don't constantly change? Do we have something locked in with them? Todd Baun said that is what the meeting is about tomorrow. They will give a timeline and actually find out what is in our system that they have to look at and if we need anything additional in our system and if it's going to be a smooth transition. That's what the meeting is about tomorrow. Councilmember Miller asked if that is when we start wrapping up the contract with them and Todd responded, yes.

Mayor Orffer added, that is what we are trying to explain. Any deficiency in our system is going to be the same whether it's this company or another company. Any scanning and materials that have to be processed are going to have to be done regardless of the company. This software package was chosen because its features seem to fit best with the city's needs based on this team of people that reviewed several packages. She is trying to find out what council would like to do.

Councilmember Amsbury is not arguing about the system that was chosen. At the County, they have done huge systems and they found out, after the fact, once you are locked in with this company, they start charging you down the line when you need things. The issue is the actual software and getting it to work how you need it. With us not having an IT Department, she is very worried that without having that outlined, we don't know what those costs are going to be. That is what she wanted ahead of time. The cost is going to be for the software company's staff time. Every doc type is going to have to be set up and it is a lot of work to get a doc management system in place. That is why she wanted to see what they are providing us, not just their scope of work. It's easy to show a bright shiny pretty product. The County got hit with that, which is why it's important to have a contract in place so that we know what we are getting and we know what we are paying. Down the line, you may find you don't know how to do something and you have to pay them to do it. Her concern is all of the extras.

Mayor Orffer thinks what they are both saying is we would have those issues regardless of the company. The company cannot tell us what we need until they review the system. They have no need to review our system until we actually want their software. That's why we are in this catch. We had to review several systems and pick one based off of what meets our needs. Our needs at the city are probably very different than the needs at the county, for example. We reviewed several packages, a recommendation came forward and she doesn't know if we can get the kind of information that you are looking for until we made a commitment to any software company.

Councilmember Iversen said what she is hearing is, in order for them to look at our system, they need something signed and some money down for the time and the work they are going to be looking through our system before they can tell us exactly what it is we need. Is that what you are saying?

Councilmember Amsbury responded we paid the full purchase price.

Mayor Orffer stated what she is saying is that software was identified that we felt fit our needs and now, until we purchase the software, that company has no reason to say, "Okay this is how you implement it." Councilmember Iversen stated it's because they have to see what we have first, correct? Mayor Orffer responded, right, but there is no reason for them to spend any time evaluating our system, the amount of work we have, the documentation we have, and what we plan to do unless we are buying their software. We shared our needs at the time and they highlighted the features that would serve our needs. Now it's a matter of what will it actually take to implement it. We won't know that until they look at our actual system. She asked Todd, if she is missing a piece, please help because she wasn't part of the team that reviewed the various programs, but she does have to trust the team that did. Todd said she is explaining it exactly how it is.

Mayor Orffer added, as Councilmember Amsbury pointed out, she did say in October we can get the council a contract, but she did not fully understand the scope of what she was saying because the company said, no, they cannot do that until you buy the software and then we can tell you what it is going to take to put it in. She feels that would be the case with any company that we would work with. She asked council if they want us to retract from this company and not pay them for the software and tell them we have to have more exact information on what is going to cost us after we buy the software before we buy it. Councilmember Iversen asked what the amount of money we already gave them is and was it a down payment? Mayor Orffer said it was the purchase of the software. Councilmember Iversen questioned her by stating, so we already purchased the software and we own it? Mayor Orffer said yes, we purchased it. It was budgeted and approved in our 2020 budget and we made the purchase.

Councilmember Iversen asked if the money we haven't paid yet is to implement it and maintain it, and Mayor Orffer responded that we don't know exactly how much help we are going to need from them versus how much we can do ourselves, and we don't know what they charge for everything they may, or may not, need to do. Councilmember Iversen asked if they have a list of charges and Mayor Orffer asked Todd to respond. Todd said a lot of this was in the proposal they provided. It has maintenance for one or two years and implementation of the system. It's not a contract yet because they don't know what we have. They actually have to get into our system. He is not worried about them charging additional money for installation and making stuff work. His concern is we might have to buy more memory or buy upgraded equipment. Mayor Orffer confirmed we would have to pay that ourselves regardless of what software system we chose.

Councilmember Iversen asked how we are budgeting for this if we don't know how much it is going to cost and asked how much we have in the budget for it. Todd doesn't remember right off the top of his head but he added we put money in the budget for stuff like this. Mayor Orffer said we put money in the IT budget that would be available to support this and we also have money in the budget for temporary help if we needed someone to come in and scan documents. We did our best to budget for everything.

Councilmember Iversen asked if this is like a cafeteria plan where if the cost gets too much, we can select something less or pull money from somewhere else and Mayor Orffer said yes, this year we can set up scanning according to what we can afford. We can't go outside of the budget without council approval. Councilmember Iversen has no problem moving forward if we stayed inside the budgeted amount.

Councilmember Miller asked if this could be pushed-off to the next meeting until after the meeting Todd has with the software company tomorrow so we can have some of these questions addressed. It sounds like they are saying, take our stuff and then see if it works. It's like buying a lemon and you find out all these things are wrong and having to keep buying more and more without even knowing the capability. Working for the state, this is opposite of what we do. You get the contract and put everything in and have all of the stipulations. They would come in because they want you to buy their software and figure out the capability, where all the shortcomings are and get everything sorted out and that would all be laid out in the contract and then you move forward. He feels like their pushing it on us and then we take it as we go. This just seems a little odd to him. Maybe if we push this off until after the conversation tomorrow, it will help us make a better decision.

Todd responded the problem is are you going to approve the vouchers or not. That's where we are at. We can push the one line back but it's up to the mayor and council.

Councilmember Miller asked, if we approve this and later find out it doesn't work, how far are we committed? We already bought the software and we are taking this next step, but if we find out this is really not going to work, since we are not contracted yet, can we just walk out any time, right. Todd replies, yes.

Mayor Orffer said to be transparent and so the council understands, Councilmember Amsbury's concern was that this check was made and paid prior to you all getting to see that contract. She is trying to explain why and how that happened. She can see all sides of this conversation. The issue is whether we approve that voucher or pull the payment back. If we do that, we have to pull away from this company and go back to square one.

Councilmember Iversen asked Councilmember Miller what he thinks and he said he doesn't like the way we went around the process because it's completely backwards. We did budget it already and the only option is we refund it. If we can't get a company to go forward and contract ahead to sort this all out, I don't know where we go. That's his concern. He doesn't have another recommendation. Councilmember Heller is in the same place with this as Councilmember Miller. It doesn't seem like a typical way you're going to start working with a company, but if that is how it's done, I guess we have to proceed with that.

Mayor Orffer asked the council how they want to proceed. Councilmember Iversen asked what is happening at the meeting tomorrow. Todd said it's a meeting to find out what their process is going to be and what they need from the city and to set up the beginnings of the contract. Councilmember Iversen asked if we can hold off on the payment until after the meeting and Todd said we paid it back in December. Chris Coker said they may already have work in on this and he doesn't know if we can pull the payment back. They could potentially have a claim.

Councilmember Amsbury said in her experience, you could tell them you are our selection and we award the contract to you but now we negotiate a contract and then they know that they have it but you're in the negotiation phase. What she is used to is you don't pay them until you have negotiated what that is going to look like. You tell them they are awarded the job and now you have to get down to the nitty gritty and figure out what our contract is. She has never had a company tell her she had to pay them first before they sit down and tell you how they are going to do the job.

Todd added the other problem was we had to go through a third party to get this, which is the state contract. We are actually paying a company out of New Jersey. The SHI Company, are contracting through Image Source to provide the service for us. In order for Image Source to move SHI forward we had to say yes, we want to move forward and provide a purchase order and payment so they can do their thing with Image Source and move forward. Chris Coker asked if there was a master contract someplace and Todd said it's from the state contract and Ilinx provided a project charter for the City. Councilmember Iversen asked if this is from the state and not the company itself and Todd said she is confusing him when she starts doing that. He said you have to go through a bid process and the bid process goes to whoever the state chooses to handle the bid process. We pay that company and they pay Image Source for it.

Councilmember Miller said, as messy as this sounds, he thinks they should approve the voucher but anything going forward we don't approve anything until we have a contract. Councilmember Iversen thinks the approval process the city did, this company looks good. She thinks we should go ahead and approve the voucher and we can control any additional costs going forward. Councilmember Heller agrees with Councilmember Miller and reiterated as we go forward, we need to see a contract before moving forward.

It was moved by Councilmember Iversen, seconded by Councilmember Heller to approve the vouchers. Motion Carried 4-1 with Councilmember Amsbury voting against.

MUNICODENEXT CONTRACT

It was moved by Councilmember Iversen, seconded by Councilmember Miller to authorize the Mayor to sign the Municode Contract.. Motion Carried 5-0.

EVERGREEN CONSULTING GROUP

It was moved by Councilmember Amsbury, seconded by Councilmember Huff to authorize the Mayor to sign the Evergreen Consulting Group Contract.. Motion Carried 5-0.

A2Z JANITORIAL CONTRACT RENEWAL

It was moved by Councilmember Miller, seconded by Councilmember Iversen to authorize the Mayor to sign the A2Z Janitorial Contract with increased cost due to Covid-19. Motion Carried 5-0.

MAYOR PRO TEM APPOINTMENT

A Mayor Pro Tem will need to be appointed and will run meetings in the Mayor's absence and is a secondary signature for the bank account. Councilmember Huff is happy to hand it over to someone else even though he enjoyed it. He recommended Councilmember Iversen and she said she is not interested. **It was moved by Councilmember Amsbury, seconded by Councilmember Iversen to appoint Chris Miller as Mayor Pro Tem. Motion Carried 5-0.**

FINANCE COMMITTEE APPOINTMENTS

Councilmember Iversen has enjoyed being on the finance committee and would like to continue. Councilmember Heller is happy to let someone else take his position on the committee. Councilmember Amsbury is interested in being on the committee and learning more. **It was moved by Councilmember Huff, seconded by Councilmember Heller to appoint Councilmember's Amsbury and Iversen to the Finance Committee. Motion Carried 5-0.**

INVESTIGATIVE SERVICES AGREEMENT

Chris Coker contacted an investigator he has worked with before to perform interviews based off of information he has received. He is not comfortable with conducting the interviews and thinks it is best to have somebody else conduct them. He thinks there are four to seven people that should be interviewed. It allows for an objective third party investigation. **It was moved by Councilmember Amsbury, seconded by Councilmember Iversen to approve the Investigation Services Agreement with the Law Offices of Richard Hughes, PLLC, to perform investigation services. Motion Carried 5-0.**

HEARING EXAMINER CONTRACT

It was moved by Councilmember Iversen, seconded by Councilmember Huff to approve the Hearing Examiner Contract with Sound Law Center, LLC. Motion Carried 5-0.

WEBSITE CONTRACT

This is the same company that does our codification. Municode provided a contract for council to review. Councilmember Huff would like to see online reservations for renting the community center and park kitchen. Todd told him we could add that to the agreement without it impacting the budget. Councilmember Amsbury asked if they can accept credit card payments. Wendy said she can check to see if there is a payment portal that can interact with Xpress Bill Pay. Council agreed we could add this later on when we are renting the facilities again. Councilmember Miller said last month at the McCleary Civic Renewal Council meeting, they talked about the website and they asked if we could put together a small committee made up of mostly residents because ultimately they are the end users. He saw in the proposal where we can make three changes before it is considered a final product. The Civic Renewal Council wants to be a part of that and give recommendations of issues that they see to help us so we can make those final recommendations to the company that works for the city as well as the public.

Mayor Orffer envisioned the public relations committee being engaged in this product and could also host a public forum for public testing and end user experience and gather that feedback. We will definitely want feedback. **It was moved by Councilmember Iversen, seconded by Councilmember Huff to approve the website contract with Municode. Motion Carried 5-0.**

CROSS CONNECTION CONTROL ORDINANCE

It was moved by Councilmember Iversen, seconded by Councilmember Heller to adopt Ordinance 863 RELATING TO THE PUBLIC UTILITIES AUTHORIZING THE ADOPTION OF THE CITY'S CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION MANUAL, ADDING A NEW SECTION TO 13.04.200 BACKFLOW PREVENTION DEVICES. Roll call taken in the affirmative. Ordinance Adopted 5-0.

CITY DEPARTMENT UPDATES

The staff provided written department staff reports. Todd, Chief Blumer, and Wendy all thanked their staffs for their hard work. Councilmembers thanked all employees for their hard work in 2020 because it was a difficult year. Councilmember Miller spoke on behalf of the Civic Renewal Council and thanked the city for the CARES funding and thanked the city for thinking of them. Councilmember Iversen thanked the city for the CARES money for the museum because it helped them, along with the fund raiser, to pay off the building.

Councilmember Huff wants to bring up speed reduction for Simpson and Summit Roads at a future meeting.

LEGAL UPDATE - ASPHALT INVESTIGATION DISCUSSION

Chris Coker spoke on behalf of the asphalt investigation. The city has had representatives from the engineering company, Grays Harbor Public Health, Department of Ecology, and ORCAA looking at the allegations of buried concrete. At this point no findings have been made that he is aware of. He recommended a third party investigator because it is important for all sides of the issue, including the public and the staff that are accused of doing things to make sure this thing gets investigated and get answers. He will be very transparent whether things are there or not. He is not an engineer and not a water system expert, he just wants to find out what is going on and act on the best interest of the city.

MAYOR'S COVID-19 UPDATE

Mayor Orffer gave a Covid-19 update. We continue to respond to the Governor's mandates. She thanked the power crew for handling the recent outage.

Councilmember Amsbury spoke regarding the new agenda format. Instead of old business and new business if it could say action items and discussion items so they know what is expected by them when they look at agenda items. She likes staff updates at the beginning of the meeting so they hear the staff's ideas before they address the agenda items. Councilmember Miller prefers the council comments at the end of the meeting. Todd said the reason we put it at the top is so people can comment on an agenda item before it's addressed. He doesn't think it's fair to the public.

ADJOURNED MEETING

It was moved by Councilmember Huff, seconded by Councilmember Iversen to adjourn the meeting at 9:06 PM. The next meeting will be on January 27, 2021 at 6:30 PM. Motion Carried 5-0.

Mayor Brenda Orffer:

Clerk-Treasurer Wendy Collins:

To: Mayor and City Council
 From: Josh Cooper
 Date: January 22, 2021
 Re: Building and Planning Department Activity.

Permit Activity Totals for January 2021

222 Cottonwood Court	New SFR	Total Fee - \$11,148.46
New Homes Permitted for 2020 16	All Permits Issued for 2020 131	Total Fees Charged for 2020 \$154,600.40
New Homes Permitted for 2019 28	All Permits Issued for 2019 269	Total Fees Charged for 2019 \$378,456.40
New Homes Permitted for 2018 17	All Permits Issued for 2018 57	Total Fees Charged for 2018 \$212,089.41
New Homes Permitted for 2017 11	All Permits Issued for 2017 104	Total Fees Charged for 2017 \$124,686.92

Nuisances for December/January:

- **622 South Main St – 8.16.020 – Active**
- **327 South 5th St – 8.16.020 - Active**

City of McCleary
STAFF REPORT



To:	Mayor Orffer and City Councilmembers
From:	Wendy Collins, Clerk-Treasurer
Date:	January 27, 2021
Department:	Finance & Administration

The Finance Department continues working at full staff and everyone is healthy, with one employee continuing to work from home on Tuesdays and Thursdays.

I completed the W-2's and they have distributed them to elected officials and employees. Happy tax season, everyone!

Payroll has been updated with minimum wage increase, benefit rate changes, salary changes, and step/longevity increases.

Lindsay completed the 1099's and they too, are in the mail. She also completed the 13th month expenditures so we can now focus on 2021.

Lori Ann finalized her process for Bill Pay customers. She also updated the utility rates so they billing system is current.

The Finance Office continues to follow COVID-19 protocols for PPE and office cleaning.

City Hall offices remain open from 8:00 am to 12:00 noon each day. For business outside of those hours, we are happy to assist by appointment.

City of McCleary

STAFF REPORT



To:	Mayor Orffer and Council
From:	Paul Nott
Date:	1/19/2021
Department:	Light and Power

Hello All,

I am happy to report at this time all L&P staff is still healthy and reporting to work as assigned. At the present time we have all L&P staff reporting to work. We follow the COVID-19 Response Plan to ensure our team safety.

The most pertinent issue that has occurred since the last report is the outage on 1/13 and into the 14th. I would like to clear up some issues and questions I was made aware of circulating on social media.

The outage was caused by a significant wind event that seemed to roll through east Grays Harbor County and affected numerous utilities in its path. As everyone knows, the entire City of McCleary was out of power; that was due to the feeder that serves McCleary from Elma had being knocked down. There were also trees that had fallen over into the highline that needed to be removed. Once the PUD crew made the repairs and the tree was cleared from the lines, crews were releasing their clearance and preparing to energize the high line when a switch that needs to be closed failed during closure. This extended the outage until a temporary fix could be made. Now we are in the process of scheduling a planned outage to replace the switch.

During the outage, the Light and Power crew made numerous repairs and we were also impacted with "cold load pick up" on circuits on the north end of town. What happens is that everyone's houses have been sitting for hours with no heat and when we try to close in the fuses to reenergize, the load exceeds the fuse. To correct this issue, we need to energize sections of the circuit individually, let the circuit "cook" for some time, and then add load as the circuit stabilizes.

At times, misinformation provided by individuals who are not well informed of how these outages occur and the processes to make the repairs gets circulated. We report updates on the City's official Facebook page. If the public is looking for accurate and up-to-date information, that will be the place to find it. We do not report out via any other Facebook pages or social media platforms. If there are questions regarding these issues, I am more than happy to explain actual events; however, in the midst of a crisis or emergency, we send one report to the City to ensure our attention is not diverted from resolving the issue and restoring power.

We have a great working relationship with Grays Harbor PUD and their crews. I want to assure everyone that in every instance that we have lost the feeder to McCleary that they make it a priority to get the repairs made and get our town back in lights as quickly as possible.

If you have any questions or concerns feel free to contact us.

Stay safe and healthy...

Paul

City of McCleary
STAFF REPORT



To:	Mayor Orffer and Council Members
From:	Steve Randich
Date:	Jan.22,2021
Department:	Public Works

Mayor and Council,

I am happy to report that all personnel within the Public Works department are healthy and practicing safe social distancing at this time.

All personnel are aware that priority tasks are currently on an "as needed" basis. Meaning, any job that may come up will be evaluated for personnel required and only the amount required will respond to complete each task.

We have also created a schedule to clean and organize the department. Each day prior to going home we spend 45 minutes disinfecting the city vehicles and any equipment that has been used, along with wiping down all computers and cleaning our office. Currently we are busy trying to get caught up with the potholes around town and filling in gravel shoulders in the parking strips along our streets. We are also working on a sign inventory to get new signs up where needed. Along with addressing any storm water issue that may come up. We are trying to get some new catch basins installed around town but that is weather permitting. It is my hope that by taking these precautions we will be able to keep our crew safe and healthy. If you have any questions, comments or concerns please let me know.

Thank you,
Steve

City of McCleary
STAFF REPORT



To:	Mayor Orffer and City Councilmembers
From:	Kevin Trehwella
Date:	1/25/2021
Department:	Water & Wastewater

Both Jon and I are healthy.

With all this rain our wells are full!

The Wastewater Treatment plant was under a bit of a strain because of all the rain. Fortunately, with the rains easing, the plant is coming back around to peak operation.

This rainfall is good for our wells, rivers, lakes and streams, but, because of I & I (inflow & infiltration) affecting the sewer collection system, the rain puts a strain on the process of the WWTP.

The equipment we need to help reduce the odors emanating from the Trailer for hauling out the Bio-solids, has come in. We are coordinating with Public Works to get this installed.



City of McCleary

Memorandum

To: Mayor Orffer

From: Todd Baun- Director of Public Works

Date: January 22, 2021- For January 27th Council Meeting

Subject: Permissive Use Permit- Robertson

RECOMMENDATION

Please authorize the Permissive Use permit for Leif Robertson at 137 N. 7th Street, with no annual monetary amount and no expiration to the permit.

BACKGROUND

Leif Robertson is requesting a permissive use permit at 137 N. 7th Street. This permit will allow him to erect a fence and maintain the City's right of way (ROW) around his house.

There are conditions that come with approval of this permit.

1. The City will determine the monetary amount required for the use of the right-of-way or property for payment during the review process. The permit holder shall pay the City the Annual amount in January of each year, and for the life of the permit.
2. Such permit may be cancelled by written notice given by the City of McCleary to the named applicant at the stated address by depositing notice in the United States Mail, postage prepaid, to said address.
3. In the event that the City or its franchise holders require use of this area to install, repair, renew, or maintain any utilities, or for any other purpose, the applicant shall, at his expense, remove any improvements which he may have placed on said property, all at his own expense: PROVIDED, that if the applicant does not comply with the City's direction in this regard promptly, the City may remove said improvements and charge the applicant for any expenses incurred by the City in doing so.

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4. If the City requires such area for any public purposes or use, this permissive use permit shall be cancelled and the applicant shall, upon receipt of said notice of cancellation, remove all improvements from said area and terminate this said use of said area. If the applicant fails to restore said property as specified in this agreement, the City may do so at applicant's expense.
 5. The City, at any time during the life of this permit, may require the permit holder to file a bond in an amount to be designated by the City, to insure the permit holder's compliance with all conditions of this permit. The City may also require the permit holder to provide evidence of property liability or property damage insurance in such amount as may be determined to be necessary and appropriate by the Council, with such proof to establish that the City is the named insured thereon.
 6. The applicant agrees to protect and save harmless the City of McCleary from all claims, actions, or liabilities to third persons by reason of the use of said property by said permit holder; and in case any suit or action is brought against the City of McCleary for damages arising out of or by reason of said use, the applicant shall, upon notice to him of said commencement of said action, defend the same at his own expense and will satisfy any judgment after any such suit or action shall have been finally determined if adverse to the City of McCleary.
 7. Failure of the permit holder to comply with all of the conditions of this permit shall automatically terminate and cancel all rights conferred under said permit.
 8. This permit shall be in full force and effect for a term determined by the City of McCleary and subject to termination by the City of McCleary as provided for herein, or as a result of a breach of any of the conditions of this permit by the permit holder.
 9. Upon receipt of the original and two copies of this permit, the applicant shall affix his signature to and return the original and one copy to the Office of the City Clerk-Treasurer will then notify the Council of the acceptance and file the original in the records of the City.
 10. If deemed necessary and appropriate by the Clerk-Treasurer, the permit holder shall pay such an amount as may be necessary to file a copy of this permit with the Office of the Auditor of the County of Grays Harbor, State of Washington. The permit will become effective upon the date of receipt by the Clerk-Treasurer.