



McCleary City Council Agenda

May 11th, 2016- 7:00 PM

Flag Salute

Roll Call: ___ Pos. 1- Orffer, ___ Pos. 2-Richey , ___ Pos. 3- Peterson, ___ Pos. 4- Blankenship, ___ Pos. 5- Ator

Public Hearings

Public Comment

Executive Session

Cemertery Agreement

Minutes

Tab A Approval

Introduction **X** Action **X**

Approval of Vouchers

Introduction **X** Action **X**

Mayor Comments

Staff Reports

Tab B Dan Glenn

Tab C Todd Baun

Tab D Additional Staff Reports

Old Business

Tab E E-One Grinder Pumps

Introduction **X** Action **X**

New Business

Tab F Easement For Utilities

Introduction **X** Action

Ordinances

Resolutions

Tab G Curran- 100 yrs

Introduction **X** Action **X**

Tab H Home Inspection Connection Fee

Introduction **X** Action **X**

Tab I Utility Connection Fee Draft A; Draft B; Draft C;

Draft D

Introduction **X** Action **X**

Tab J Vacation Leave Resolution

Introduction **X** Action **X**

Tab K Planning Commision Resolution

Introduction **X** Action **X**

Mayor Council Comments

Public Comments

Executive Session

Adjournment or Recess Meeting

Please turn off Cell Phones- Thank you

Americans with Disabilities Act (ADA) Accomodation is Provided Upon Request

The City of McCleary is an equal opportunity provider and employer.

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, April 27, 2016

CHUCK WALLACE - GRAYS HARBOR EMERGENCY MANAGEMENT	At 6:30 PM, Chuck Wallace from Grays Harbor County Emergency Management addressed the City Council regarding the Cascadia Rising event. The event is held annually to help communities prepare for a catastrophic earthquake.
ROLL CALL AND FLAG SALUTE	Councilmember's Orffer, Richey, Peterson, Blankenship and Ator were in attendance.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Todd Baun, Wendy Collins, George Crumb, and Dan Glenn.
PUBLIC HEARING	The Public Hearing on the final draft of the Shoreline Management Plan opened at 7:01 PM. The Public Hearing closed at 7:02.
PUBLIC COMMENT	<p>Linda Spargo shared an idea a resident of Rainbow Park Apartments told her. She said the resident suggested it would be nice if the City could put wood planter boxes on the far side of the Beerbower Park, which runs along the creek, to be used as a community vegetable garden. She thought it would be nice to donate some of the vegetables to the food bank.</p> <p>Larry Birindelli will make comments about grinder pumps later when the topic comes up on the agenda.</p> <p>Bob Pringle has a drug rental house near him that he has complained about for years. He said he appreciated Paul Morrison coming over this week and updating him on the code enforcement progress on the house. Mr. Pringle is upset because the house is dangerous and is a terrible mess outside. He has been dealing with this for over six months and nothing has been done. He tried contacting the landlord but he wouldn't work with him. He recently had two men threaten him that frequent the house. He finally called a realtor because he's fed up and thinking of selling and the realtor told him it will be hard to sell with the drug house next door.</p> <p>Linda Thompson from the Historical Society asked if the City could consider helping them figure out why their bill is so high. She said they have enough funds for approximately four more years. They struggle because they do not have fund raisers so their money is decreasing. The utility bill is around \$200 month and she pointed out that it is a City-owned building. She said there is rarely anyone there and the cost is still high. It would be a great help to have the City look at the utility bills and see if there is anything they can do to lower their bills.</p> <p>Gloria Hale reported on the neighborhood watch group they are putting together. They have had two meetings so far and things are progressing. The next meeting is next Thursday at the Library around 6:00 - 6:30 pm and she invited everyone to attend.</p>
MINUTES APPROVED	It was moved by Councilmember Peterson, seconded by Councilmember Ator to approve the April 13, 2016 minutes. Motion Carried 5-0.
VOUCHERS	<p>Accounts Payable vouchers/checks approved were 40976- 41038 including EFT's in the amount of \$196,469.56.</p> <p>It was moved by Councilmember Ator, seconded by Councilmember Orffer to approve the vouchers. Motion Carried 5-0.</p>
CITY ATTORNEY REPORT	Dan Glenn provided a report and is available to respond to any questions.
MAYOR'S COMMENTS	Mayor Schiller attend a Grays Harbor Council of Governments meeting and transportation was the topic of discussion. They talked about bike lanes and walking paths. He said it was nice to see all the cities engaged in conversation.
DIRECTOR OF PUBLIC WORKS REPORT	Todd Baun said the students from the University of Washington that are working on the City's vision will be calling in on a conference call at 6:00 pm before the May 25th meeting. They will be prepared to deliver their findings to the Council.

Todd provided a resolution regarding the Planning Commission. Dan Glenn will prepare an amendment to the resolution by making the required member total change from 5 to 3 members.

HOME INSPECTION
CONNECTIONS FEES
RESOLUTION

Dan Glenn provided a "C" version of the resolution, which charges a \$50.00 flat rate for each reactivation occurrence. After speaking with both the Utility Accounts Manager and the City Clerk-Treasurer, it was a consensus that the "C" version best represents the issue. Staff believes keeping it simple by charging one flat rate is best for the City. The Council will review it and discuss at the next meeting.

E-ONE GRINDER PUMPS

Jon Hinton stated there will be additional maintenance required for grinder pumps. He said that good maintenance of the septic tanks is the key to keeping them operating at their best. He also said there is not much flexibility with this type of system because you cannot oversize them or you will have to worry about odor control. Todd Baun added that the City would have to pay to train an employee to run and maintain them. Larry Birindelli suggested a ser charge for the pumps to help with maintaining them.

Councilmember Orffer thinks that as a City, we should do everything we can to encourage growth to our community. Councilmember Ator wants to see some comparisons in cost from other cities that currently use grinder pumps. Councilmember Blankenship requested Todd Baun prepare more information about the pumps to help them in their decision.

UTILITY CONNECTION FEES

Todd Baun took an average of the neighboring areas for water and sewer connection fees. The Council agreed with the presented amounts and asked Dan Glenn to prepare a rate resolution for the next meeting.

SUMMIT PLACE 2 STORM
PONDS

Summit Place II has three storm ponds that are in Todd Hansen Inc.'s name. They are overgrown and need maintenance. Mr. Hanson is willing to execute a Quit Claim Deed to convey the storm ponds to the City, however, he does not want to pay any fees or taxes associated with recording the deed. **It was moved by Councilmember Ator, seconded by Councilmember Peterson to transfer the storm ponds from Todd Hanson to the City and for the City to pay all taxes and fees associated with the transfer, recording and applicable taxes. Motion Carried 5-0.**

SAFE ROUTES TO SCHOOL
GRANT APPLICATION

There is expected to be over 19 million dollars of funding available for a Safe Routes to Schools program to improve safety and mobility for children to bicycle and walk to school. Skillings Connolly has been working with Todd Baun on the grant application in an effort to obtain funds for the 3rd Street Project. **It was moved by Councilmember Ator, seconded by Councilmember Orffer to authorize the Mayor to sign the Safe Routes to School Grant Application. Motion Carried 5-0.**

TIGER GRANT APPLICATION

The Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant program has \$500 million dollars available to fund capital investments in surface transportation infrastructure, which may help by funding the 3rd Street Project. **It was moved by Councilmember Ator, seconded by Councilmember Orffer to authorize the Mayor to sign the TIGER Grant Application. Motion Carried 5-0.**

EXECUTIVE SESSION

None.

PUBLIC COMMENT

Larry Birindelli complimented the Mayor and Council on the professionally run meeting. He said it has greatly improved since the last time he attended and he appreciated how everyone had their chance to speak during the meeting.

Bob Pringle thanked the Mayor and Council for listening to him and allowing him to vent his frustrations about his ongoing neighbor problem.

Karl Ostheller, Superintendent of McCleary Elementary School, informed the community that the school will be participating in an active shooter training with the Grays Harbor County Sheriff's office on May 6, 2016 when school is out for the day.

MEETING ADJOURNED

It was moved by Councilmember Ator, seconded by Councilmember Peterson to adjourn the meeting at 8:03 pm. The next meeting will be Wednesday, May11, 2016 at 7:00 pm. Motion Carried 5-0.

Approved by Mayor Brent Schiller and Clerk-Treasurer Wendy Collins.

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: May 6, 2016
RE: LEGAL ACTIVITIES as of MAY 11, 2016

THIS DOCUMENT is prepared by the City Attorney for utilization by the City of McCleary and its elected officials and is subject to the attorney-client privileges to the extent not inconsistent with laws relating to public disclosure.

1. **SEPA ORDINANCE UPDATE**: The provisions of the City's Code implementing compliance with the State's Environmental Protection Act (SEPA) and the provisions of the Washington Administrative Code (WAC) implementing the Act were adopted in 1993. The adoption provided for automatic adoption of amendments to the WACs that were mandated. Those that were not mandated, but optional, were not to be adopted since the goal was to allow specific consideration by the City on whether or not to implement the option.

An optional amendment to categorical exemptions is available for consideration. It will take some time to obtain concurrence from the State pursuant to a mandated review process of the City's submission of the request. It is available to McCleary since we are not located in a county subject to the Growth Management Act. Basically, if approved by you folks after review by the various entities, it would increase the categorical exemption from SEPA review of various types of construction. For example, warehouses with over 4,000 square feet of size and 20 parking stalls require a SEPA review. If the enhancement is approved, the exemption would be 12,000 square feet with up to 40 parking spaces. It also allows increased exemptions in relation to the number of single family and multi-family housing units, commercial buildings, and other items. For your information and comparison, I have set out at the end of this report the current levels of exemptions for the covered activities and the levels of exemption which would be applicable to the City if the modification is approved.

I would recommend that the Mr. Baun be authorized to commence the development of the necessary information for submissions requesting this modification be allowed.

2. PLANNING COMMISSION: Pursuant to the discussions at the last two meetings, I have prepared a draft resolution which would formally establish the membership of the Planning Commission at three. As indicated, this action is authorized by the Municipal Code and would reflect the reduced work load assigned to the Commission due to the creation of the hearing examiner's position. (As I have mentioned, the hearing examiner approach is now used by most cities to handle cases which are site or matter specific and thus more likely to be challenged judicially under the Land Use and Planning Act known by the acronym "LUPA".

The Commission's jurisdiction remains broad and is basically whatever the Council wishes to assign to it in land use matters.

As a condition of appointment, the Code requires that an individual have the same qualifications as it takes in order to be an elected official (a citizen who has resided in the City for at least one year and is a registered voter) and serves a six year term. As usual, the appointment will be made by the Mayor and is subject to confirmation by the Council.

3. LAW ENFORCEMENT SALES TAX ISSUE: In the Council Report for January 27th I referenced the fact that discussions had been going on among the County Commissioners and several of the Mayors about submitting to the voters a request to allow an additional sale tax to be imposed in the County. The funds generated are basically to be applied to funding law enforcement.

At that stage, the discussion was apparently tied to how the process would be done. I have been told that the discussion has moved forward and the Commissioners are likely to submit a proposal to the voters to authorize an additional sale tax in the amount of up to three-tenths of a percent on most items. (Automobile sales are excluded.)

Rather than reinventing the proverbial wheel, I am going to insert the information provided to you at that time.

"B. The second approach would utilize the authority to impose a sale tax with the choice to be between the one-tenth of one percent up to three-tenths of one percent. (RCW 82.14.450) As indicated, this is apparently the primary alternative being discussed. Theoretically a city could submit a proposal for the

imposition of this sales tax, but apparently more frequently it is done by the county which is the alternative being discussed. Unlike the .130 approach, it must be submitted to a vote of the citizens and approved by no less than a majority of those voting. The attraction to the County might be the allocation method, 60% must go to the County with the remaining 40% allocated among the cities based upon population.

Aberdeen Chief of Police Torgerson has circulated a document which would project that, if approved, a tax under RCW 82.14.450 at 1/10 of 1% would provide McCleary \$13,659.00, 2/10 of 1% \$27,718.00, and 3/10 of 1% \$40,977.00. His figures are extrapolated from the amount received by the Communication Center from its 1/10 of 1% tax. Of course, it is recognized that a lot must happen before any of these funds would be available.

As indicated in the estimate prepared by Chief Torgerson at the time which was referenced in the second paragraph of the February report, McCleary's share of the 40% which would be allocated to the cities is not huge, but would be helpful.

At the time of the preparation of the Report, I have calls in to the County Auditor and the Deputy Prosecuting Attorney who advises the County Commission with the goal of finding out the precise status of this matter in terms of submission. Hopefully, I will have more information by the time of this meeting.

4. INTERNATIONAL PROPERTY MAINTENANCE CODE ORDINANCE:

Mr. Mercer and now Mr. Morrison, as is true with the Building Officials/Code Enforcement Officers of every city, are faced with the task of dealing with properties which are not being properly maintained or utilized. This can result from the time it takes to clear ownership upon a property in foreclosure/forfeiture or simply through neglect. Currently, the enforcement is through alleging violations of Zoning or Nuisance provisions of the Municipal Code or, sometimes, the criminal code. A year ago in discussing this issue at a meeting involving Oakville's Mayor and other staff members, their Building Official referenced the potential applicability of the International Property Maintenance Code as an enforcement tool. He indicated that, at a meeting of building officials, it had been mentioned as a Uniform Code which provides specific provisions handling the entire area. I did some general research and confirmed that a number of governmental entities within the State have adopted it and have found it useful.

Thus, last year I provided a draft which would adopt the relevant portions of the referenced code. Based upon discussions I had with counsel of other cities, they have found the Code to be an effective and unified tool in terms of dealing with various problems relating to the condition of properties. Given all the issues which were present last year, the review by Public Works was not completed. I have raised it to Todd for review by Mr. Morrison and himself. They are currently reviewing it and it will be brought to you at a later meeting for further consideration.

There is no question that it is a more proactive tool than some of those we currently have in place.

5. RESOLUTIONS:

A. Temporary Utility Reactivation Provisions: Last meeting you were provided with the "C" version of the draft. It seeks to incorporate a balance between the costs assumed by the City for temporary reactivation of a utility account and the benefit of the property becoming "permanently" reactivated thanks to a showing. As you will note, the time period during which a utility may remain active under this resolution is set out, the base fees associated with the costs incurred by the Clerk-treasurer's Office and the Public Works Department are established, as is a provision making certain that the water use does not exceed certain basic levels. Ms. Hansen has reviewed it and feels it will work for her and make certain that the costs are internalized by the party making the request, not the other active users of the utilities.

B. Utility Connection Fees: After meeting with Wendy and Todd on Friday, it was clear that there were issues in addition to the amount of the connection fee. Thus, with the goal of resolving the issues raised during our discussion, my drafting broadened from preparing one draft to preparing three versions for your review and consideration.

1. All three versions incorporate the fees recommended by Todd to you at the last meeting. Rather than amending a couple of sections of the existing resolution and thus requiring staff to refer to two different resolutions in utilization, as indicated I have prepared successor resolutions.

2. I have drafted them so that the fees are changed, but the other aspects, including the automatic annual adjustment provisions are present. However, here is where the variations begin:

a. The B version keeps the annual adjustment at the lesser of 3% or a figure based upon a CPI methodology and makes clear that the annual adjustment is not applied to the reactivation fee. For your information, Wendy indicated it has been the practice that the fee related to account reactivation has not been adjusted. Thus, you will note that exception is now explicit.

b. The C version retains the alternative annual adjustment approach, but specifies the annual adjustment process applies both to the connection and reactivation charges.

c. Finally, the D version modifies the annual adjustment methodology to be simply a percentage. As noted, the current figure is 3%. However, in other situations in which you have used an annual adjustment of a fixed percentage, the figure used is 2.5%. As with C, D applies the adjustment not only to the connection fee, but also the reactivation fee while the other does not.

If there are any questions or suggestions, please let me know and I can prepare a modified draft.

As always, this is not meant to be all inclusive. If you have any questions or comments, please direct them to me.

DG/le

WAC 197-11-800-1(b), (c), & (d)

(b) The following types of construction shall be exempt:...

(I) The construction or location of four detached single family residential units.

(ii) The construction or location of four multifamily residential units.

(iii) The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots.

(iv) The construction of an office, school, commercial, recreational, service or storage building with 4,000 square feet of gross floor area, and with associated parking facilities designed for twenty automobiles. This exemption includes parking lots for twenty or fewer automobiles not associated with a structure.

(v) Any fill or excavation of 100 cubic yards throughout the total lifetime of the fill or excavation and any excavation, fill or grading necessary for an exempt project in (I), (ii), (iii), or (iv) of this subsection shall be exempt.

(c) Cities, towns or counties may raise the exempt levels up to the maximum specified in (d) of this subsection by implementing ordinance or resolution. Such levels shall be specified in the agency's SEPA procedures (WAC 197-11-904). Separate maximum optional thresholds are established in (d) of this subsection applying to both incorporated areas and unincorporated urban growth areas in fully planning jurisdictions under RCW 36.70A.040; other unincorporated areas in fully planning counties; and jurisdictions in all other counties. Agencies may adopt the maximum level or a level between the minimum and maximum level. An agency may adopt a system of several exempt levels, such as different levels for different geographic areas, and mixed use projects.

At a minimum, the following process shall be met in order to raise the exempt levels.

(I) Documentation that the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC 197-11-444) have been adequately addressed for the development exempted. The requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations.

(ii) Description in the findings or other appropriate section of the adopting ordinance or resolution of the locally established notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels.

(iii) Before adopting the ordinance or resolution containing the proposed new exemption levels, the agency shall provide a minimum of sixty days notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment.

(iv) The city, town, or county must document how specific adopted development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources when exemption levels are raised. The requirements for notice and opportunity to comment for the public, affected tribes, and agencies in (c)(I) and (ii) of this subsection and the requirements for protection and mitigation in (c)(I) of this subsection must be specifically documented. The local ordinance or resolution shall include, but not be limited to, the following:

* Use of available data and other project review tools regarding known and likely cultural and historic resources, such as inventories and predictive models provided by the Washington

department of archaeology and historic preservation, other agencies, and tribal governments.

* Planning and permitting processes that ensure compliance with applicable laws including chapters 27.44, 27.53, 68.50, and 68.60 RCW.

* Local development regulations that include at minimum pre-project cultural resource review where warranted, and standard inadvertent discovery language (SIDL) for all projects.

(d) The maximum exemption levels applicable to (c) of this subsection are:

Project types

Single family
residential

20 units

Multifamily
residential

25 units

Barn, loafing
shed, farm equipment
storage, produce
storage or packing
structure

40,000 square feet

Office, school,

12,000 square feet and 40 parking
spaces

commercial,
recreational,
service, storage
building, parking
facilities

Fill or excavation

1,000 cubic yards

STAFF REPORT

To: Mayor Schiller
From: Todd Baun, Director of Public Works
Date: May 6th, 2016
Re: Current Non-Agenda Activity

Maintenance Power Outages

We will be having 2 separate power outages as part of our cut over project. The outages will affect citizens living on 3rd Street and all that live East of 3rd Street.

The first section of the planned outage is scheduled to begin at 11:00 PM on Friday, May 20th, 2016 and end at 6:00 AM on Saturday May 21st, 2016.

The second section of the planned outage is scheduled to begin at 10:00 AM on Saturday, May 21st, 2016 and end at 6:00 PM on Saturday May 21st, 2016. The first outage will be on May 20th and May 21st.

We have the addresses affected on the website and have also posted the outage notice in the newspaper. We will also hand out door hangers to all residents affected.

Building and Planning Staff Report

To: Mayor and City Council

From: Paul Morrison

Date: May 5, 2016

Re: April Building and Planning Department activities.

New Permit Activities

702 Ash Street	Rebuilt roof over deck.	Total Fee \$44.10
600 West Camas Court	New SFR	Total Fee \$2,565.30
1581 North Summit Road	New SFR	Total Fee \$1,656.50
139 West Oak Street	Install heat pump and air handler	Total Fee \$113.46
Permit Revenues	Total fees charged for April \$ 4,379.36	Total amount collected for April \$ 4,365.86

Unresolved Nuisance Letters (MMC 8.16 & 8.20)

1134 North Summit Road

- Junk cars/trucks
- Overgrown Property
- Fire hydrant not accessible due to debris stacked around it

1060 North Summit Road

- Truck and trailer not running unlicensed
- Boat not licensed unknown if it runs
- Junk around the premises (washers, dryers, scrap metals, garbage)
- Overgrown property

1140 North Summit Road

- Cars/Trucks not running unlicensed
- Several unlicensed trailers, one used for storage
- Firewood in a pile in front of the house that has been there for some time

423 West Pine Street

- Trailer unlicensed with a blue tarp covering it
- Two broken down junk cars in the yard unlicensed
- Tarps, tires and garbage around premises

350 First Street

- Overgrown property
- Van in front of house unlicensed unknown if running

343 South First Street

- Two unlicensed junk vehicles in backyard next to alley
- Four unlicensed junk vehicles in front yard
- Junk, garbage, tarps, tires and scrap metal scattered around premises
- Tarp hanging from a branch off the tree
- Tarp covering garage with tire on top of the tarp

215 East Beck Street

- Two vehicles in the backyard beds of the truck full of debris
- Property scattered with garbage etc.

Building and Planning Staff Report

326 South Third Street

- Several non-running, unlicensed vehicles in front, next to street and backyard
- Garbage and junk scattered around the premises

605 South Fourth Street

- Trailer unlicensed in front next to street
- Two vehicles unlicensed unknown if running next to street
- Garbage and junk stacked around premises

Abatement Issued (Correction Notice)

503 South Third Street

- Truck unknown if running and truck bed full of garbage
- Quad non-running with two tires missing next to street
- Junk around the premises (Washer, couch, dressers, garbage etc.)

211 East Beck Street

- Broken down wrecked vehicles next to street
- Garbage scattered around premises

428 South Second Street

- Burned structure of a home
- Overgrown property

Cedar Heights 19 Total Parcels

- Overgrown properties

Citations Issued

221 South Main Street

- Junk, garbage scattered around premises
- Unlicensed vehicles unknown if running
- Accessory structures on property setbacks
- No Active Garbage service for over 1 year

Resolved Municipal Code Violations after Receiving Nuisance Letter

107 West Hemlock

- Vehicle bumper next to alley removed
- Garbage, junk, washer etc. removed next to alley

Evergreen Heights Several Parcels

- Overgrown properties were mowed

220 West Pine

- Truck with no engine next to street was removed

137 South Third Street

- Lemay's garbage service retained

702 Ash Street

- Building without a Permit

There are several properties that have contacted me and I am currently working with them to comply. There are several that have yet to contact me or comply.

STAFF REPORT

To: Mayor and Council
 From: Todd Baun- Director of Public Works
 Date: May 6th, 2016
 Re: Grinder Pump information

At the last council meeting, it was requested that I get some rate comparisons from communities that have grinder pumps. I have compiled the information that I found in the table below.

City	Base Rate-Residential	Grinder Pump Surcharge	Percentage Above Base
Bremerton	\$ 34.24	\$ 11.03	32%
Bonney Lake	\$ 53.45	\$ 18.00	34%
Tenino	\$ 94.00	\$ 3.00	3%
Bainbridge Island	\$ 50.00	\$ 23.59	47%
Sammamish Plateau	\$ 75.19	\$ 35.04	47%

I have made contact with Olympia, and they specifically call for the E-One system due to the reliability of the pumps. They are very happy with the E-One pumps that are currently in their system. They also do not charge a surcharge for customers that utilize grinder pumps. Homeowners are also responsible for the maintenance and repair of their pumps. The City does keep a minimal amount of parts on the shelf in case a home owner has an "overflow" event and cannot get it repaired in a timely manner. The City will then repair the pump to stop the "overflow".

For training personnel to work on the pumps, it will require minimal time to get up to speed on trouble shooting issues. The pump system is similar to our lift stations that we currently maintain. It has an alarm, float and pump just like our lift stations.

There is a 5 year warranty on these pumps. Parts for one of these pumps range in the area of \$2,000-\$5,000 depending on pump size.

Action Requested:

Please discuss and give direction.

EASEMENT FOR UTILITIES

THIS EASEMENT is granted on the _____ day of _____, 2016, ("Effective Date") by MICHAEL CAMPBELL. ("Grantor").

R E C I T A L S:

1. Grantor is the current owner of the real property, the description of which is set forth on Exhibit #1, attached hereto and incorporated by this reference.

2. The Grantor's predecessors in interest and the City became aware that Simpson Timber Company, a predecessor of the City of McCleary installed a stormwater line below the surface of Grantor's property at a time when Simpson Timber Company owned the parcel.

3. It is agreed that is in the best interests of both Grantor and Grantee that they execute a written document to formalize the existence of the line and the terms under which the line may be maintained.

Grant

1. Grant and Location of Easement. Grantor hereby grants and conveys to the City of McCleary, a municipal corporation ("Grantee"), its successors and assigns, a non-exclusive utility easement ("Easement") legally described upon Exhibit 2, attached hereto and incorporated by this reference. with immediate right of entry and continued access over, under, and across the real property depicted on Exhibit 1.

2. Purpose of Easement. The purpose of this Easement is for the construction, improvement, maintenance, and repair of underground utilities, including, but not limited to, underground water, storm drainage, and sanitary sewer pipes, and other appurtenant structures.

3. Maintenance of Easement. Grantee shall maintain and repair the utility pipes, water mains, and its appurtenant structures so as not to damage the property burdened by this Easement, or any other property. In the event that in the utilization of the rights granted under this easement Grantee disturbs the surface of the easement, it shall restore the

surface to its original condition, to the extent reasonably possible.

4. Interference. Grantor may use the surface above the Easement, PROVIDED that any use by Grantor or Grantor's licensee does not interfere with or cause damage to the utility pipes, water mains, and appurtenant structures, PROVIDED FURTHER that prior to constructing any building or any other improvement, as well as planting any trees or vegetation, other than grass, upon or within the Easement, Grantor shall obtain the written consent of Grantee, which consent shall not be unreasonably withheld. Grantor may construct a fence or other obstruction on Grantor's property, PROVIDED however that Grantor's actions shall not interfere with, prohibit, or impede Grantee's access to the Easement. Grantor may grant other non-exclusive easement rights in and to the Easement; PROVIDED, however, that no other utility pipe, line, or structure shall be located closer than five (5) feet parallel to the Grantee's utility pipe, water main, and/or appurtenances; and, PROVIDED FURTHER, that prior to such granting or installation of any utility pipe, line, or structure that crosses or parallels the Easement, Grantor shall obtain the written consent of Grantee, which consent shall not be unreasonably withheld. If, in exercising any right to use the surface above the Easement or grant other easements, the Easement is disturbed, Grantor shall return the Easement to its condition prior to its disruption, at Grantor's sole cost and expense.

5. Title. The Grantor warrants that the Grantor has good title to the above property.

6. Successor and Assigns. This agreement shall run with the property and be binding on the parties, their successors, and assigns.

7. Filing: Grantor agrees that it shall be responsible for the filing of this document with the Office of the Grays Harbor County Auditor, including the filing charge.

Grantor

MICHAEL CAMPBELL

STATE OF WASHINGTON)
 : ss.
County of Grays Harbor)

On this day personally appeared before me MICHAEL CAMPBELL to me known to be the person who executed the foregoing instrument, and acknowledged the said instrument to be his free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

GIVEN under my hand and official seal this _____ day of _____, 2016.

Notary Public in and for the State of
Washington, residing at: _____
My appointment expires: _____

Terms and Conditions Accepted by the City of McCleary this
_____ day of _____, 2016.

CITY OF McCLEARY:

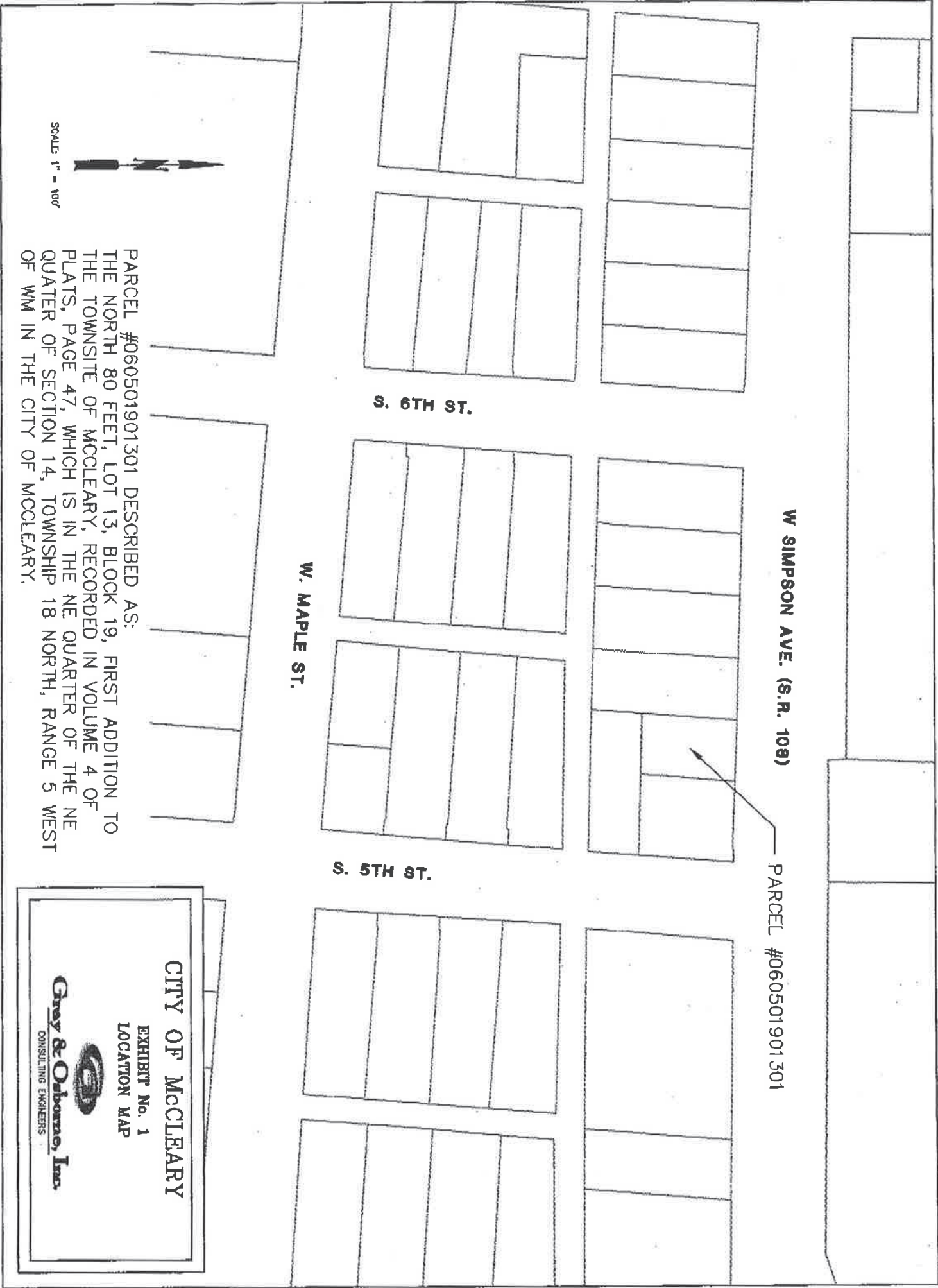
BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney



W SIMPSON AVE. (S.R. 108)

PARCEL #060501901301

S. 6TH ST.

W. MAPLE ST.

S. 5TH ST.

SCALE 1" = 100'

PARCEL #060501901301 DESCRIBED AS:
 THE NORTH 80 FEET, LOT 13, BLOCK 19, FIRST ADDITION TO
 THE TOWNSITE OF MCCLEARY, RECORDED IN VOLUME 4 OF
 PLATS, PAGE 47, WHICH IS IN THE NE QUARTER OF THE NE
 QUATER OF SECTION 14, TOWNSHIP 18 NORTH, RANGE 5 WEST
 OF WM IN THE CITY OF MCCLEARY.

CITY OF MCCLEARY

EXHIBIT No. 1
 LOCATION MAP



Gray & Osborne, Inc.
 CONSULTING ENGINEERS

Exhibit No. 2

Utility Easement

The west 10.00 feet of the North 80 feet, Lot 13, Block 19, First Addition to the Townsite of McCleary, recorded in Volume 4 of Plats, Page 47, which is in the NE quarter of the NE quarter of Section 14, Township 18 North, Range 5 West of WM in the City of McCleary.

RESOLUTION NO. _____

**A RESOLUTION RECOGNIZING THE FIRST CENTURY
OF ELLSWORTH CURRAN'S LIFE.**

R E C I T A L S:

1. On May 9, Ellsworth Curran will have celebrated his 100th birthday and the commencement of his second century of life on this Earth.

2. Ellsworth has been a resident of the McCleary for over seventy-five years. In 1939, seeking a warmer environment he brought his Mother and his three younger siblings to live in the McCleary area. His Mother enjoyed the warmth of western Washington passing away when she was ninety-nine years of age.

3. Since his arrival in 1939, ELLSWORTH has played a variety of roles in the life of this nation and of McCleary.

4. Ellsworth's public service began when he enlisted in the United States Army in 1942. He was assigned to what was then known as the "Air Corps" and served in the Armed Forces with his primary area of assignment being China. Upon release from the military service in 1946, he returned to McCleary and resumed his life as a private citizen.

5. His employment with Simpson Timber Company had a duration of over twenty-five years. He then became licensed as

a real estate broker and served as such for Elma Realty for an additional fifteen years.

5. His public service resumed when became a member of the McCleary City Council in 1958 serving in that position until the end of 1965. In 1966, he changed positions beginning two terms of service as McCleary's Mayor. Thereafter he served on the Board of what as then known as the Mark Reed Hospital District and upon the Board of its Foundation. Appropriately, given his involvement in so much of it, he served as an officer of the McCleary Historical Society.

6. In 1998, the Council and McCleary took an initial action to recognize his contributions to the City by naming a street in his honor, a street upon which he has been able to drive for some years. They now wish to take a second step of a less formal nature as he moves on in to the second century of his life, perhaps involving buying a DeLorean so as to return to the future.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: The Council and Mayor of the City of McCleary wish to thank Ellsworth for all that he has done to make McCleary a good place to live. They wish him a happy birthday and hope that his wife, Annette, and he are able to enjoy many such days into his second century of life.

SECTION II: The Clerk-treasurer shall provide Ellsworth and Annette an exemplified copy of this Resolution.

PASSED THIS _____ DAY OF _____, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION NO. _____

**A RESOLUTION RELATING TO PUBLIC SERVICES;
ESTABLISHING AND CONFIRMING FEES IN RELATION
TO TEMPORARY REACTIVATION OF WATER SERVICE;
AND PROVIDING CONDITIONS RELATED THERETO.**

R E C I T A L S:

1. Pursuant to Resolution 656, as clarified by Resolution 657, the Council established certain fees for the reactivation of utility services which have been deactivated for an extended period of time.

2. A set of circumstances in which, usually for purposes of testing of services related to a review of a residence or other structure for sale purposes or other similar purposes not associated with immediate occupancy, a short term reactivation of the water service is requested occurs not infrequently.

3. In furtherance of cooperation with those seeking such services, the Council approved an interim protocol for such reactivation at its April 13 meeting. It now wishes to formalize that protocol after receiving further recommendations from the involved staff members.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: The provisions of Section II shall apply to a water service which would otherwise be subject to the provisions of Resolution 656, as now existing or hereafter amended or succeeded, which is requested to be reactivated for purposes related to confirming the adequacy and condition of the utility lines and apparatus within or associated with any structure located upon the property.

SECTION II: Conditions of temporary reactivation:

A. Fee to be paid: \$50.00

B. Period during which utility service will be left activated: Maximum of 48 hours from time of service being turned on: PROVIDED THAT, any service reactivated pursuant to the provisions of this resolution shall be shut off no later than 4:00 pm on Friday of the week in which it has been reactivated.

C. Proof of Authority Required: The party requesting the reactivation shall provide written proof reasonably satisfactory to the Office of the Clerk Treasurer of the purpose for and authority to request reactivation.

D. Extent of Utility Consumption: The service which becomes available as the result of the reactivation shall not result in anything other than minimal consumption. For purposes of this resolution, the maximum consumption shall be thirty-four (34) cubic feet, as measured by the meter serving the property. Any use greater than that shall result in the imposition and payment of a charge which shall be the greater of \$20.00 or the

rate imposed by the applicable utility rate resolution for the amount of usage.

E. Responsibility: It shall be the sole responsibility of the individual upon whose request the reactivation has been implemented to make certain that no damage results from the reactivation, whether from water leaks, damaged lines, faucets or other similar items left active, or any other cause associated with the reactivation. The individual or her or his designee upon whose authorization the service is reactivated shall sign such document as may be provided by the City confirming acceptance of such responsibility.

SECTION III: Any payment made or any action taken under the provisions of this resolution setting forth protocols for temporary utility reactivation shall not be deemed in lieu of, replace nor preempt the provisions of the resolutions or ordinances relating to reconnection of a water or sewer utility account which is deemed to be an inactive account.

PASSED THIS _____ DAY OF _____, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

RESOLUTION -C- 3
04/26/2016
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION NO. _____

A RESOLUTION RELATING TO PUBLIC SERVICES;
ESTABLISHING AND CONFIRMING FEES IN RELATION
TO CONNECTION TO THE CITY'S UTILITY SYSTEMS;
REPEALING RESOLUTION 656; AND PROVIDING FOR
EFFECTIVE DATES.

R E C I T A L S:

1. Pursuant to the applicable provisions of the Municipal Code, the Council and Mayor may set by written resolution fees and rates to be charged for specified City provided services and provide for certain mechanisms in relation to the adjustment thereof.

2. The fees and rates set in the following sections have been in place for some time. As a result of a review, it has been found appropriate to adjust those fees as indicated in the following sections. Pursuant to the provisions of that resolution, commencing as of January 1, 2017, the actual fee amount which is payable will be adjusted on an annual basis as required. The fees for 2016 are set forth in the following schedules.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: On and after the effective date of this resolution, the following overall connection fee (OCF) to be paid by a party seeking to obtain connection to the City's water and sewer utility shall be as set forth herein.

A. As to properties within the corporate limits of the City at the time of the submission of the request for connection, the following connection fees shall be required prior to connection to the utility in question.

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,000.00.

b. As to a sewer connection, the sum of \$3,700.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

b. Commercial Connections: The BOCF for the utility connection sought shall be applicable: PROVIDED THAT, in the event the City Administrator determines the utilization of the utility will exceed an ERU, the OCF shall be determined by the Administrator as a product of the BOCF multiplied by the ERU derived by application of the standards set forth in the applicable adopted planning document or plan.

c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

B. As to properties outside of the corporate limits at the time of the submission of the completed application, the following connection fees shall apply:

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,700.00.

b. As to a sewer connection, the sum of \$6,400.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

b. Commercial Connections: The BOCF for the utility connection sought shall be applicable: PROVIDED THAT, in the event the City Administrator determines the utilization of the utility will exceed an ERU, the OCF shall be determined by the Administrator as a product of the BOCF multiplied by the ERU derived by application of the standards set forth in the applicable adopted planning document or plan.

c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

SECTION II: Labor & material costs: The cost for the City's provision of the necessary labor and materials to achieve

the physical connection to the system shall be in addition to the fee set forth in Section I. These shall be such figures as are established in the schedule issued by the Director of Public Works, who is hereby authorized to establish and maintain such schedule. These schedules shall reflect the then existing current material costs and current City labor costs, as determined on the 1st day of January of each calendar year and subject to adjustment on the 1st day of July of each calendar year.

SECTION III: Changes in existing connections:

A. Subject to the responsibility to pay any fees established by subsection B (required as a result of more extensive use of the property or change of use), an applicant seeking service to a property which is being served as of the date of the application and/or has been served by the utility from which service is sought within the six months immediately preceding the date upon which application was filed shall not be required to pay the reactivation or closure fees authorized by Section 13.24.070 MMC.

B. The following provisions shall apply to an application which will either result (1) in a change of use through increased consumption, or (2) an increase in the number of residential, commercial, industrial, or business equivalency

units actually served by the particular utility connection as contrasted with existing use.

1. The City shall calculate the connection fee which would be charged if the applicant was seeking connection for the current actual utilization, as well as the connection fee which would be charged for the proposed use. The calculations shall be done as if the applicant was making a request for initial connection to the utility system. In the event that the figure for a proposed use exceeds the figure determined for the existing use, this differential shall be paid to the City.

2. Payment of the amount determined pursuant to this Section shall be required whether the increased use is [1] as a result of the replacement of an existing structure or structures with a new structure or new structures, [2] as the result of the remodeling of an existing structure or structures, [3] the placement of an additional structure upon the served property, or [4] any combination thereof.

C. For purposes of applicable Ordinances and Resolutions, a property shall be deemed to have been served or be being served by the utility in question so long as there is or has been, within the period established in Section I, an active account maintained with the City for which billings were rendered

as a result of the actual utilization upon the subject property of the utility in question.

SECTION IV: Adjustment:

4.1. To reflect the effect of inflation, commencing with the year 2017, the monetary figures established pursuant to the provisions of this resolution shall be increased, as of the date of the commencement of each calendar year, as follows.

The adjustment shall be the greater of (1) three percent (3%) or (2) the monetary amount which is the result of the following calculation:

A. Methodology of Calculation: The then existing connection fee multiplied by a figure established as the average of the Seattle-Tacoma-Bremerton Area Bi-Monthly Index CPI-U (June compared with June) and the US All City Average CPI-U for the same period. [Example: S-T-B Area Bi-monthly Index CPI-U is 3.5% and the US All City Average CPI-U for that period is 2.5%. The multiplier to be utilized is 3.0%.

B. Principals of application:

1. The average for the CPI multiplier, if not an even 1/10th of a percent, shall be rounded upward to the nearest 1/10th of a percent.

2. The resulting product of the calculation carried out pursuant to SA shall be rounded up or down to the nearest dollar.

4.2. The rates set in Section V shall not be subject to the provisions providing for an annual adjustment.

SECTION V:

A. The fee to be paid for reactivation of a utility service shall be as follows [Service not active for more than six months and less than five years prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$200.00 |
| 2. Sewer Service: | \$250.00 |

B. The fee to be paid to recommence provision of utility service to a connection deemed to have been closed [Service not active for five years or more prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$525.00 |
| 2. Sewer Service: | \$650.00 |

SECTION VI: The provisions of this resolution, including rate structures, shall be effective as of 12:01 a.m. upon the day following adoption hereof: PROVIDED THAT, any completed application meeting the qualifications for submission to the City and on file in the Office of the Clerk-treasurer prior to adoption of this resolution shall be processed under existing provisions.

SECTION VII: Resolution 656 shall be repealed as of the effective date of this resolution: PROVIDED THAT, such repeal shall not effect any billing or obligation for services received prior to that date under the terms of that resolution: PROVIDED FURTHER THAT any application for service pending at the time of the effective date shall be subject to application of the connection fee rates set forth in this resolution.

PASSED THIS ____ DAY OF _____, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this ____ day of _____, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION NO. _____

A RESOLUTION RELATING TO PUBLIC SERVICES;
ESTABLISHING AND CONFIRMING FEES IN RELATION
TO CONNECTION TO THE CITY'S UTILITY SYSTEMS;
REPEALING RESOLUTION 656; AND PROVIDING FOR
EFFECTIVE DATES.

R E C I T A L S:

1. Pursuant to the applicable provisions of the Municipal Code, the Council and Mayor may set by written resolution fees and rates to be charged for specified City provided services and provide for certain mechanisms in relation to the adjustment thereof.

2. The fees and rates set in the following sections have been in place for some time. As a result of a review, it has been found appropriate to adjust those fees as indicated in the following sections. Pursuant to the provisions of that resolution, commencing as of January 1, 2017, the actual fee amount which is payable will be adjusted on an annual basis as required. The fees for 2016 are set forth in the following schedules.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

RESOLUTION -B- 1
05/06/2016
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

SECTION I: On and after the effective date of this resolution, the following overall connection fee (OCF) to be paid by a party seeking to obtain connection to the City's water and sewer utility shall be as set forth herein.

A. As to properties within the corporate limits of the City at the time of the submission of the request for connection, the following connection fees shall be required prior to connection to the utility in question.

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,000.00.

b. As to a sewer connection, the sum of \$3,700.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

b. Commercial Connections: The BOCF for the utility connection sought shall be applicable: PROVIDED THAT, in the event the City Administrator determines the utilization of the utility will exceed an ERU, the OCF shall be determined by the Administrator as a product of the BOCF multiplied by the ERU derived by application of the standards set forth in the applicable adopted planning document or plan.

c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

B. As to properties outside of the corporate limits at the time of the submission of the completed application, the following connection fees shall apply:

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,700.00.

b. As to a sewer connection, the sum of \$6,400.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

b. Commercial Connections: The BOCF for the utility connection sought shall be applicable: PROVIDED THAT, in the event the City Administrator determines the utilization of the utility will exceed an ERU, the OCF shall be determined by the Administrator as a product of the BOCF multiplied by the ERU derived by application of the standards set forth in the applicable adopted planning document or plan.

c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

SECTION II: Labor & material costs: The cost for the City's provision of the necessary labor and materials to achieve

the physical connection to the system shall be in addition to the fee set forth in Section I. These shall be such figures as are established in the schedule issued by the Director of Public Works, who is hereby authorized to establish and maintain such schedule. These schedules shall reflect the then existing current material costs and current City labor costs, as determined on the 1st day of January of each calendar year and subject to adjustment on the 1st day of July of each calendar year.

SECTION III: Changes in existing connections:

A. Subject to the responsibility to pay any fees established by subsection B (required as a result of more extensive use of the property or change of use), an applicant seeking service to a property which is being served as of the date of the application and/or has been served by the utility from which service is sought within the six months immediately preceding the date upon which application was filed shall not be required to pay the reactivation or closure fees authorized by Section 13.24.070 MMC.

B. The following provisions shall apply to an application which will either result (1) in a change of use through increased consumption, or (2) an increase in the number of residential, commercial, industrial, or business equivalency

units actually served by the particular utility connection as contrasted with existing use.

1. The City shall calculate the connection fee which would be charged if the applicant was seeking connection for the current actual utilization, as well as the connection fee which would be charged for the proposed use. The calculations shall be done as if the applicant was making a request for initial connection to the utility system. In the event that the figure for a proposed use exceeds the figure determined for the existing use, this differential shall be paid to the City.

2. Payment of the amount determined pursuant to this Section shall be required whether the increased use is [1] as a result of the replacement of an existing structure or structures with a new structure or new structures, [2] as the result of the remodeling of an existing structure or structures, [3] the placement of an additional structure upon the served property, or [4] any combination thereof.

C. For purposes of applicable Ordinances and Resolutions, a property shall be deemed to have been served or be being served by the utility in question so long as there is or has been, within the period established in Section I, an active account maintained with the City for which billings were rendered

as a result of the actual utilization upon the subject property of the utility in question.

SECTION IV: Adjustment:

4.1. To reflect the effect of inflation, commencing with the year 2017, the monetary figures established pursuant to the provisions of this resolution shall be increased, as of the date of the commencement of each calendar year, as follows.

The adjustment shall be the greater of (1) three percent (3%) or (2) the monetary amount which is the result of the following calculation:

A. Methodology of Calculation: The then existing connection fee multiplied by a figure established as the average of the Seattle-Tacoma-Bremerton Area Bi-Monthly Index CPI-U (June compared with June) and the US All City Average CPI-U for the same period. [Example: S-T-B Area Bi-monthly Index CPI-U is 3.5% and the US All City Average CPI-U for that period is 2.5%. The multiplier to be utilized is 3.0%.

B. Principals of application:

1. The average for the CPI multiplier, if not an even 1/10th of a percent, shall be rounded upward to the nearest 1/10th of a percent.

2. The resulting product of the calculation carried out pursuant to SA shall be rounded up or down to the nearest dollar.

4.2. The rates set in Section V shall not be subject to the provisions providing for an annual adjustment.

SECTION V:

A. The fee to be paid for reactivation of a utility service shall be as follows [Service not active for more than six months and less than five years prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$200.00 |
| 2. Sewer Service: | \$250.00 |

B. The fee to be paid to recommence provision of utility service to a connection deemed to have been closed [Service not active for five years or more prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$525.00 |
| 2. Sewer Service: | \$650.00 |

SECTION VI: The provisions of this resolution, including rate structures, shall be effective as of 12:01 a.m. upon the day following adoption hereof: PROVIDED THAT, any completed application meeting the qualifications for submission to the City and on file in the Office of the Clerk-treasurer prior to adoption of this resolution shall be processed under existing provisions.

SECTION VII: Resolution 656 shall be repealed as of the effective date of this resolution: PROVIDED THAT, such repeal shall not effect any billing or obligation for services received prior to that date under the terms of that resolution: PROVIDED FURTHER THAT any application for service pending at the time of the effective date shall be subject to application of the connection fee rates set forth in this resolution.

PASSED THIS _____ DAY OF _____, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION NO. _____

A RESOLUTION RELATING TO PUBLIC SERVICES;
ESTABLISHING AND CONFIRMING FEES IN RELATION
TO CONNECTION TO THE CITY'S UTILITY SYSTEMS;
REPEALING RESOLUTION 656; AND PROVIDING FOR
EFFECTIVE DATES.

R E C I T A L S:

1. Pursuant to the applicable provisions of the Municipal Code, the Council and Mayor may set by written resolution fees and rates to be charged for specified City provided services and provide for certain mechanisms in relation to the adjustment thereof.

2. The fees and rates set in the following sections have been in place for some time. As a result of a review, it has been found appropriate to adjust those fees as indicated in the following sections. Pursuant to the provisions of that resolution, commencing as of January 1, 2017, the actual fee amount which is payable will be adjusted on an annual basis as required. The fees for 2016 are set forth in the following schedules.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: On and after the effective date of this resolution, the following overall connection fee (OCF) to be paid by a party seeking to obtain connection to the City's water and sewer utility shall be as set forth herein.

A. As to properties within the corporate limits of the City at the time of the submission of the request for connection, the following connection fees shall be required prior to connection to the utility in question.

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,000.00.

b. As to a sewer connection, the sum of \$3,700.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

b. Commercial Connections: The BOCF for the utility connection sought shall be applicable: PROVIDED THAT, in the event the City Administrator determines the utilization of the utility will exceed an ERU, the OCF shall be determined by the Administrator as a product of the BOCF multiplied by the ERU derived by application of the standards set forth in the applicable adopted planning document or plan.

c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

B. As to properties outside of the corporate limits at the time of the submission of the completed application, the following connection fees shall apply:

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,700.00.

b. As to a sewer connection, the sum of \$6,400.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

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c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

SECTION II: Labor & material costs: The cost for the City's provision of the necessary labor and materials to achieve

the physical connection to the system shall be in addition to the fee set forth in Section I. These shall be such figures as are established in the schedule issued by the Director of Public Works, who is hereby authorized to establish and maintain such schedule. These schedules shall reflect the then existing current material costs and current City labor costs, as determined on the 1st day of January of each calendar year and subject to adjustment on the 1st day of July of each calendar year.

SECTION III: Changes in existing connections:

A. Subject to the responsibility to pay any fees established by subsection B (required as a result of more extensive use of the property or change of use), an applicant seeking service to a property which is being served as of the date of the application and/or has been served by the utility from which service is sought within the six months immediately preceding the date upon which application was filed shall not be required to pay the reactivation or closure fees authorized by Section 13.24.070 MMC.

B. The following provisions shall apply to an application which will either result (1) in a change of use through increased consumption, or (2) an increase in the number of residential, commercial, industrial, or business equivalency

units actually served by the particular utility connection as contrasted with existing use.

1. The City shall calculate the connection fee which would be charged if the applicant was seeking connection for the current actual utilization, as well as the connection fee which would be charged for the proposed use. The calculations shall be done as if the applicant was making a request for initial connection to the utility system. In the event that the figure for a proposed use exceeds the figure determined for the existing use, this differential shall be paid to the City.

2. Payment of the amount determined pursuant to this Section shall be required whether the increased use is [1] as a result of the replacement of an existing structure or structures with a new structure or new structures, [2] as the result of the remodeling of an existing structure or structures, [3] the placement of an additional structure upon the served property, or [4] any combination thereof.

C. For purposes of applicable Ordinances and Resolutions, a property shall be deemed to have been served or be being served by the utility in question so long as there is or has been, within the period established in Section I, an active account maintained with the City for which billings were rendered

as a result of the actual utilization upon the subject property of the utility in question.

SECTION IV: Adjustment:

4.1. To reflect the effect of inflation, commencing with the year 2017, the monetary figures established pursuant to the provisions of this resolution shall be increased, as of the date of the commencement of each calendar year, as follows.

The adjustment shall be the greater of (1) three percent (3%) or (2) the monetary amount which is the result of the following calculation:

A. Methodology of Calculation: The then existing connection fee multiplied by a figure established as the average of the Seattle-Tacoma-Bremerton Area Bi-Monthly Index CPI-U (June compared with June) and the US All City Average CPI-U for the same period. [Example: S-T-B Area Bi-monthly Index CPI-U is 3.5% and the US All City Average CPI-U for that period is 2.5%. The multiplier to be utilized is 3.0%.

B. Principals of application:

1. The average for the CPI multiplier, if not an even 1/10th of a percent, shall be rounded upward to the nearest 1/10th of a percent.

2. The resulting product of the calculation carried out pursuant to SA shall be rounded up or down to the nearest dollar.

4.2. The rates set in Section V shall be subject to the provisions providing for an annual adjustment.

SECTION V:

A. The fee to be paid for reactivation of a utility service shall be as follows [Service not active for more than six months and less than five years prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$200.00 |
| 2. Sewer Service: | \$250.00 |

B. The fee to be paid to recommence provision of utility service to a connection deemed to have been closed [Service not active for five years or more prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$525.00 |
| 2. Sewer Service: | \$650.00 |

SECTION VI: The provisions of this resolution, including rate structures, shall be effective as of 12:01 a.m. upon the day following adoption hereof: PROVIDED THAT, any completed application meeting the qualifications for submission to the City and on file in the Office of the Clerk-treasurer prior to adoption of this resolution shall be processed under existing provisions.

SECTION VII: Resolution 656 shall be repealed as of the effective date of this resolution: PROVIDED THAT, such repeal shall not effect any billing or obligation for services received prior to that date under the terms of that resolution: PROVIDED FURTHER THAT any application for service pending at the time of the effective date shall be subject to application of the connection fee rates set forth in this resolution.

PASSED THIS _____ DAY OF _____, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION NO. _____

A RESOLUTION RELATING TO PUBLIC SERVICES;
ESTABLISHING AND CONFIRMING FEES IN RELATION
TO CONNECTION TO THE CITY'S UTILITY SYSTEMS;
REPEALING RESOLUTION 656; AND PROVIDING FOR
EFFECTIVE DATES.

R E C I T A L S:

1. Pursuant to the applicable provisions of the Municipal Code, the Council and Mayor may set by written resolution fees and rates to be charged for specified City provided services and provide for certain mechanisms in relation to the adjustment thereof.

2. The fees and rates set in the following sections have been in place for some time. As a result of a review, it has been found appropriate to adjust those fees as indicated in the following sections. Pursuant to the provisions of that resolution, commencing as of January 1, 2017, the actual fee amount which is payable will be adjusted on an annual basis as required. The fees for 2016 are set forth in the following schedules.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: On and after the effective date of this resolution, the following overall connection fee (OCF) to be paid by a party seeking to obtain connection to the City's water and sewer utility shall be as set forth herein.

A. As to properties within the corporate limits of the City at the time of the submission of the request for connection, the following connection fees shall be required prior to connection to the utility in question.

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,000.00.

b. As to a sewer connection, the sum of \$3,700.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

b. Commercial Connections: The BOCF for the utility connection sought shall be applicable: PROVIDED THAT, in the event the City Administrator determines the utilization of the utility will exceed an ERU, the OCF shall be determined by the Administrator as a product of the BOCF multiplied by the ERU derived by application of the standards set forth in the applicable adopted planning document or plan.

c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

B. As to properties outside of the corporate limits at the time of the submission of the completed application, the following connection fees shall apply:

1. Single family residence: As to a single family residence, a base overall connection fee, hereinafter referred to for convenience by the acronym BOCF, shall apply for a connection requiring service for no more than an equivalent residential unit (ERU):

a. As to a water connection, the sum of \$3,700.00.

b. As to a sewer connection, the sum of \$6,400.00.

2. Non-single-family water and sewer connections: As to such connections, the following provisions shall apply:

a. Multi-family: An overall connection fee (OCF) determined by multiplying the base overall connection fee (BOCF) for the connection requested by a figure representing the equivalent residential units, the applicable ERU figure being derived by application of the standards set forth in the applicable adopted planning document or plan.

b. Commercial Connections: The BOCF for the utility connection sought shall be applicable: PROVIDED THAT, in the event the City Administrator determines the utilization of the utility will exceed an ERU, the OCF shall be determined by the Administrator as a product of the BOCF multiplied by the ERU derived by application of the standards set forth in the applicable adopted planning document or plan.

c. Industrial: Shall be calculated and established by the Administrator based upon the BOCF of the utility connection sought multiplied by the number of ERU represented by the utilization for the applicant property derived by application of the standards set forth in the applicable adopted planning document or plan.

SECTION II: Labor & material costs: The cost for the City's provision of the necessary labor and materials to achieve

the physical connection to the system shall be in addition to the fee set forth in Section I. These shall be such figures as are established in the schedule issued by the Director of Public Works, who is hereby authorized to establish and maintain such schedule. These schedules shall reflect the then existing current material costs and current City labor costs, as determined on the 1st day of January of each calendar year and subject to adjustment on the 1st day of July of each calendar year.

SECTION III: Changes in existing connections:

A. Subject to the responsibility to pay any fees established by subsection B (required as a result of more extensive use of the property or change of use), an applicant seeking service to a property which is being served as of the date of the application and/or has been served by the utility from which service is sought within the six months immediately preceding the date upon which application was filed shall not be required to pay the reactivation or closure fees authorized by Section 13.24.070 MMC.

B. The following provisions shall apply to an application which will either result (1) in a change of use through increased consumption, or (2) an increase in the number of residential, commercial, industrial, or business equivalency

units actually served by the particular utility connection as contrasted with existing use.

1. The City shall calculate the connection fee which would be charged if the applicant was seeking connection for the current actual utilization, as well as the connection fee which would be charged for the proposed use. The calculations shall be done as if the applicant was making a request for initial connection to the utility system. In the event that the figure for a proposed use exceeds the figure determined for the existing use, this differential shall be paid to the City.

2. Payment of the amount determined pursuant to this Section shall be required whether the increased use is [1] as a result of the replacement of an existing structure or structures with a new structure or new structures, [2] as the result of the remodeling of an existing structure or structures, [3] the placement of an additional structure upon the served property, or [4] any combination thereof.

C. For purposes of applicable Ordinances and Resolutions, a property shall be deemed to have been served or be being served by the utility in question so long as there is or has been, within the period established in Section I, an active account maintained with the City for which billings were rendered as a result of the actual utilization upon the subject property of the utility in question.

SECTION IV: Adjustment: To reflect the effect of inflation, commencing with the year 2017, the monetary figures established pursuant to the provisions of Sections I and V of this resolution shall be increased, as of the date of the commencement of each calendar year _____ percent (___%).

SECTION V:

A. The fee to be paid for reactivation of a utility service shall be as follows [Service not active for more than six months and less than five years prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$200.00 |
| 2. Sewer Service: | \$250.00 |

B. The fee to be paid to recommence provision of utility service to a connection deemed to have been closed [Service not active for five years or more prior to date of application to recommence.]:

- | | |
|-------------------|----------|
| 1. Water Service: | \$525.00 |
| 2. Sewer Service: | \$650.00 |

SECTION VI: The provisions of this resolution, including rate structures, shall be effective as of 12:01 a.m. upon the day following adoption hereof: PROVIDED THAT, any completed application meeting the qualifications for submission to the City and on file in the Office of the Clerk-treasurer

prior to adoption of this resolution shall be processed under existing provisions.

SECTION VII: Resolution 656 shall be repealed as of the effective date of this resolution: PROVIDED THAT, such repeal shall not effect any billing or obligation for services received prior to that date under the terms of that resolution: PROVIDED FURTHER THAT any application for service pending at the time of the effective date shall be subject to application of the connection fee rates set forth in this resolution.

PASSED THIS _____ DAY OF _____, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION -D- 8
05/06/2016
DG/le

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557

RESOLUTION NO. _____

A RESOLUTION RELATING TO EMPLOYMENT POLICIES, AMENDING THAT CERTAIN POLICY IN RELATION TO THE ABILITY TO RECEIVE COMPENSATION FOR UNUSED VACATION LEAVE, AMENDING SECTION 4.7 OF THE CITY'S PERSONNEL POLICIES, AS ADOPTED BY RESOLUTION 574, AND PROVIDING FOR TRANSITION.

R E C I T A L S:

1. The City currently has in place a policy setting forth guidelines in relation to the accumulation and use of vacation leave for its full-time employees who are not members of a collective bargaining unit.

2. Through the adoption of Resolution 574, the Council adopted an amendment to Section 4.7 of the City's Personnel Policies seeking to deal with issues related to such accumulation and usage.

3. After review of the implementation of that policy, it has come to the attention of the Mayor and Council that it is appropriate to implement a policy for such employees generally consistent with those authorized for employees represented by the Teamster's Union.

4. In recognition of that fact, the Council desires to modify the existing policy under which vacation leave may be purchased.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: Section #7.1 of the Personnel Policies of the City is amended to read as set out upon Exhibit #1.

SECTION II: As noted within the policy amendment, the policy is intended to be of such a nature as to be subject to modification and there shall be no vesting of rights thereunder.

PASSED THIS ____ DAY OF _____, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this ____ day of _____, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

Exhibit #1

Section 4.7.

A. General Statement: To the extent not inconsistent with the specific policies set forth below, the provisions set forth in the then existing collective bargaining agreement between the City and the Teamsters Union governing the use of benefits, including sick leave and vacation, shall apply to any employee covered by this section.

B. Specific Provisions:

1. Each full time, non-bargaining unit employee, who has begun full-time service with the City shall be entitled to vacation credit for each year of service and be entitled to vacations in accordance with the following schedule:

An employee who has completed fewer than 5 years of employment will accrue 8 hours per month.

An employee who has completed 5 years will accrue 10 hours per month.

An employee who has completed 10 years will accrue 12 hours per month.

An employee who has completed 15 years or more will accrue 14 hours per month.

The ((~~City Administrator~~)), Clerk-Treasurer, Chief of Police and Director of Public Works, ((~~Building Official~~)) each accrue 14 hours per month.

2. An employee may carry a vacation balance of up to 320 hours. The employee's appropriate supervisor shall grant or deny vacation requests. The City further reserves the right to schedule vacation requests for staffing needs. With prior Council approval, the Mayor may authorize an employee to receive compensation in lieu of taking said vacation when the City, for its operational benefit, has denied reasonable use of vacation during the calendar year.

3. In recognition of the service hours challenge resulting from staffing variations, the Chief of Police may elect to receive compensation of up to _____ hours in any calendar year in lieu of vacation (~~(, if the following conditions are met:~~

1. ~~At least twenty (20) hours of vacation are available after the request has been fulfilled~~

1. ~~((When four (4) or fewer full-time officers, including the Chief, are approved by the annual budget: up to 80 hours per calendar year~~

1. ~~When five (5) full-time officers, including the Chief, are approved by the annual budget: up to 40 hours per calendar year~~

1. ~~When six (6) or more full-time officers, including the Chief, are approved by the annual budget: none))~~

This benefit may be terminated at any time and shall not be deemed a vested right.

4. A full time employee who is subject to this section and whose employment is terminated by death, reduction in force, resignation, dismissal or retirement, who has accrued vacation credit, shall be paid therefor, or their personal representatives shall be paid therefor if they be deceased.

RESOLUTION NO. _____

**A RESOLUTION RELATING TO THE PLANNING
COMMISSION, MODIFYING THE NUMBER OF MEMBERS,
& PROVIDING AN EFFECTIVE DATE**

R E C I T A L S:

1. Pursuant to the provisions of Ordinance 678, authority was granted to the Council to establish by resolution the size of the Planning Commission.

2. In recognition of the modifications in the role of the Planning Commission as the result of the delegation of certain of its historical responsibilities to the Hearing Examiner, it is found appropriate to exercise that authority. This delegation is largely a result of the increased degree to which land use decisions relative to particular actions have become subject to review as quasi-judicial matters.

3. By implementation of this change, the Council and Mayor continue to recognize the importance of the Commission in terms of providing guidance on the broad issues of land use within the City. That there are no currently serving members of the Commission makes this an appropriate time to implement this modification.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF McCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: Until further action of the Council, the Planning Commission of the City of McCleary shall consist three (3) members who shall have the qualifications set forth in, be appointed pursuant to, and serve subject to the provisions of Section 2.08.010 MMC. They shall have jurisdiction over such matters as may be delegated by the provisions of the Municipal Code or by action of the City Council.

SECTION II: The provisions of this resolution shall take effect immediately upon passage.

PASSED THIS _____ DAY OF MAY, 2016, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of May, 2016.

CITY OF McCLEARY:

BRENT SCHILLER, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION -A- 2
05/02/2016
DG/1a

CITY OF McCLEARY
100 SOUTH 3RD STREET
McCLEARY, WASHINGTON 98557