



McCleary City Council

PROPOSED AGENDA

February 9, 2011

7:00 Council Meeting

Flag Salute
Roll Call
Minutes (Tab A)
Public Comment
Mayor's Report

Staff Reports: Dan Glenn, City Attorney (Tab B)
 Nick Bird, Director of Public Works (Tab C)
 Department Head Reports (Tab D)

Old Business: City Facility Fees Resolution (Tab E)
 Float Shed (Tab F)
 LeMay Rate Resolution Addendum (Tab G)

New Business: AWC Employee Benefit Trust Employer Master Participation Agreement (Tab H)
 Reservoir Progress Estimate #3 (Tab I)
 Contract Amendment #16A to Reservoir Contract (Tab J)

Ordinances:

Resolutions: Res. 473; Update Community Center Fees and Deposits (Tab K)

Vouchers
Mayor/Council Comments
Public Comment
Executive Session
Adjournment

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

Please Turn Off Cell Phones -- Thank You

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, January 26, 2011

REGULAR MEETING	Called to order by Mayor Dent.
FLAG SALUTE	The meeting was called to order at 7:00 PM with the Flag Salute.
ROLL CALL	Councilmember's Boling, Geer, Schiller, and Ator.
ABSENT	Councilmember Lant was absent and called Clerk-Treasurer Collins requesting to be excused. It was moved by Councilmember Geer, seconded by Councilmember Boling to excuse Councilmember Lant's absence. Motion Carried.
STAFF PRESENT	Present at the meeting were Dan Glenn, Wendy Collins, Nick Bird, George Crumb, Todd Baun, and Jennie Reed.
MINUTES APPROVED	It was moved by Councilmember Geer, seconded by Councilmember Ator to approve the minutes from the January 12, 2011 meeting as written. Motion Carried. It was moved by Councilmember Boling, seconded by Councilmember Geer to approve the minutes from the January 18, 2011 Special Meeting as written. Motion Carried.
PUBLIC COMMENT	Joy Iverson announced there will be a Mark Reed Hospital Board Meeting at the Elma City Council Room, at 6:00 pm tomorrow evening to give updates on the new hospital location. Everyone is invited to attend.
CITY ATTORNEY REPORT	Changes in Resolutions for water and sewer rates were made and adopted at the Special Meeting on January 18, 2011. Mr. Glenn hopes this will clarify the billing rates.
PUBLIC WORKS DIRECTOR REPORT	A written report was provided for Council and Mr. Bird stated he is happy to address any questions. Councilmember Boling asked if the Fire Department could start submitting staff reports to the Council. Councilmember Geer said he could start providing them. Mayor Dent asked for them to be submitted to him and he will make sure they get added to the packet.
COMMUNITY CENTER FEES AND DEPOSITS	At the last meeting, a Resolution was introduced in regards to various City fees associated with the rental of City facilities. Staff requested the Council to review the fees for possible increases. Per Council request, staff added fee amounts to the draft Resolution for review and discussion. Councilmember Ator asked if the fees for overnight motor home parking at the park were included. Mayor Dent stated, and Mr. Bird agreed, there is already an Ordinance in place which addresses overnight camping at the park. Councilmember Geer requested to table the Resolution until the next meeting so they have more time to review the potential rates. It was moved by Councilmember Schiller, seconded by Councilmember Boling to table the proposed Resolution until the next meeting. Motion Carried.
APPROVAL OF VOUCHERS	None.
PUBLIC COMMENT	None.
EXECUTIVE SESSION	None
ADJOURNMENT	At 7:07 pm, it was moved by Councilmember Boling seconded by Councilmember Ator to adjourn the meeting. The next meeting will be held on February 9, 2011 at 7:00 PM. Motion Carried.
Mayor Gary Dent:	_____
Clerk-Treasurer Wendy Collins:	_____

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: February 4, 2011
RE: LEGAL ACTIVITIES as of FEBRUARY 9, 2011

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. **FACILITIES USE RESOLUTION**: As of the time of the preparation of this report, I have received no requests for modifications to the draft resolution provided for your review. However, assuming the textual elements are satisfactory, that still leaves open for clarification the rates to be charged.

For your information, I have set out at the end of this report the rates charged and deposits required by Montesano for rental of their facilities. Their upstairs banquet room is comparable in use and nature to the Community Center. The conference room is smaller than the Council Chambers or Court Room. The Pavilion is the gazebo is Fleet Park across from the Post Office. (It is usually rented for use in weddings and comparable events.)

2. **SOLID WASTE RATE RESOLUTION**: In discussions with Mr. Cox, he indicated that there were certain services which have been added and which were not covered by the resolution adopted previously. Thus, he has provided the information necessary to implement those charges. Those new charges are **bolded** in the attached resolution. He will be here this evening to respond to any questions you might have on the matter.

I would note that since the law requires that the City give at least 45 days prior notice as to any rate changes, the draft is done in such a manner that the newly added rates will not go into effect until notice is sent out by LeMay and the time period has elapsed. (Please note that for easy reference, we

MEMORANDUM - 1

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

have left the 2010 column in so that any person who might be concerned will be able to easily confirm that the rates for the other services, to the extent modified, are modified pursuant to enactment far more than 45 days ago and thus do not require a new notice.)

3. LEOFF MATTER: As of this time I have not been informed as to what action, if any, the County Board has taken in relation to determining what standards, if any, it will impose as to review of the level of long term care to be funded or the qualifications of care givers. (I was informed that they were reviewing the level of compensation which they required the City to pay one of the care givers but I do not believe that we have heard anything which has confirmed the results of any such review.) As previously referenced, it is my understanding the Mayors Conference is or has considered the sending of a group letter to the Board confirming that the interest in such matters is broader than just us. If that has been or is done, it would be very helpful in affirming the importance of the issue.

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

DG/le

8.1 RENTAL RATES

A. City Hall:

1. Upstairs Banquet Room:

a. Private Use:

Room only: \$250.00

Room & Kitchen: \$300.00

b. Governmental Use:

Room Only:

Four hours or less \$ 50.00

Daily \$ 100.00

Room & Kitchen

Four hours or less \$ 100.00

Daily \$ 150.00

c. Non-profit Organizations (hourly rate) \$25.00

2. Downstairs Conference Room (All users) \$50.00

(Per four hour block)

B. Fleet Park Pavilion:

1. For each four hour block or portion thereof:

Four hours or less: Fifty dollars (\$50.00)

2. Per day Fifty dollars (\$50.00)

8.2 DEPOSITS

A. City Hall \$300.00

B. Fleet Park Pavilion \$100.00

RESOLUTION NO. _____

A RESOLUTION RELATING TO PUBLIC SERVICES;
ESTABLISHING AND CONFIRMING FEES; REPEALING
RESOLUTION 619 UPON PASSAGE OF A CERTAIN
NOTIFICATION PERIOD; AND PROVIDING FOR
EFFECTIVE DATES.

RECITALS

1. Pursuant to Resolution 619, the Council and Mayor set forth fees to be charged for specified City provided services and provided for certain mechanisms in relation to the adjustment thereof. The fees were set after analysis by the Mayor and Council, after receiving the advice of LeMay, Inc., and City staff, as to the minimum levels necessary to adequately maintain and provide funding for the various services involved.

2. The necessity of the continued collection of the authorized levels of fees and the mechanisms for their adjustment has been confirmed by the Mayor and Council.

3. LeMay, by and through its representative, Delroy Cox, has informed the Mayor and Council that modifications in certain areas have been determined to be necessary to reflect a number of factors, including the implementation of rates for certain services not currently dealt with in the rate schedule. Thus, it is found to be appropriate to incorporate those changes in this resolution.

RESOLUTION - 1
2/3/11
DG/le

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

4. It is the intention of the Mayor and Council, in the adoption of this resolution, to achieve the continuing goal of providing the citizens adequate service and protecting the health and safety of the Citizens through continuation of a program of mandatory solid waste disposal.

5. While only certain areas are changed, it is found be in the interest of operational efficiency and ease of reference to adopt the entirety of the schedule and repeal the existing resolution.

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

SECTION I: Commencing upon the dates set forth in Section II and continuing thereafter until changed as provided therein, the provision of solid waste service within the corporate limit shall be carried out pursuant to the terms, conditions, and rates set forth as follows:

Effective Date	1/15/2010	1/15/2011	1/15/2012
A. RESIDENTIAL			
Any extra container (30 gal)	\$ 3.86	\$	3.86
1. Cart Rates			
65gallon / 30 gallon insert once per month	\$ 9.72	\$	9.72
65 gallon weekly	\$ 27.62	\$	27.62

RESOLUTION - 2
2/3/11
DG/le

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

65 gallon every other week	\$ 18.11	\$ 18.11
65 gallon once per month	\$ 13.24	\$ 13.24
Special call - each	\$ 8.37	\$ 8.37
90 gallon weekly	\$ 35.16	\$ 35.16
90 gallon every other week	\$ 24.72	\$ 24.72
90 gallon once per month	\$ 14.86	\$ 14.86
Special call - each	\$ 11.89	\$ 11.89
<u>Return Trips, 60 or 90 gallons</u>	\$ 12.50	\$ 12.50

B. COMMERCIAL

1. Cart Rates

65 gallon weekly	\$ 27.62	\$ 27.62
65 gallon every other week	\$ 18.11	\$ 18.11
90 gallon weekly	\$ 35.16	\$ 35.16
90 gallon every other week	\$ 24.72	\$ 24.72
<u>Return Trips, 60 or 90 gallons</u>	\$ 12.50	\$ 12.50

**C. CONTAINER RATES -
Regular Service**

Effective Date	1/15/2010	1/15/2011	1/15/2012
1cu. Yard	\$ 79.91	\$ 79.91	
Each additional dump per week	\$ 67.62	\$ 67.62	
<u>Special Dump</u>	\$ 25.99	\$ 25.99	
1.5 cu. Yard	\$ 123.38	\$ 123.38	
Each additional dump per week	\$ 107.82	\$ 107.82	
<u>Special Dump</u>	\$ 36.85	\$ 36.85	

RESOLUTION - 3
2/3/11
DG/le

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

2 cu. Yard	\$	157.85	\$	157.85
Each additional dump per week	\$	132.35	\$	132.35
<u>Special Dump</u>	\$	<u>47.40</u>	\$	<u>47.40</u>
3 cu. Yard	\$	206.55	\$	206.55
Each additional dump per week	\$	179.37	\$	179.37
<u>Special Dump</u>	\$	<u>63.55</u>	\$	<u>63.55</u>
4 cu. Yard	\$	276.63	\$	276.63
Each additional dump per week	\$	247.05	\$	247.05
<u>Special Dump</u>	\$	<u>83.76</u>	\$	<u>83.76</u>
5 cu. Yard	\$	341.80	\$	341.80
Each additional dump per week	\$	297.12	\$	297.12
<u>Special Dump</u>	\$	<u>96.29</u>	\$	<u>96.29</u>
6 cu. Yard	\$	405.73	\$	405.73
Each additional dump per week	\$	365.42	\$	365.42
<u>Special Dump</u>	\$	<u>108.82</u>	\$	<u>108.82</u>
<u>Return Trips, Containers</u>	\$	<u>25.00</u>	\$	<u>25.00</u>

D. Temporary Container Service

Effective Date	1/15/2010	1/15/2011	1/15/2012
Delivery charge	\$ 18.05	\$ 18.05	
<u>Rental (per day)</u>	<u>\$ 0.52</u>	<u>\$ 0.52</u>	
1 yard each dump	\$ 20.58	\$ 20.58	
1.5 Yard each dump	\$ 26.84	\$ 26.84	
2 Yard each dump	\$ 33.70	\$ 33.70	

E. Hourly Rate:

Effective Date	1/15/2010	1/15/2011	1/15/2012
Rate (per hour)	\$ 48.11	\$ 48.11	

RESOLUTION - 4
2/3/11
DC/1e

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

F. Loose Material:

<u>Effective Date</u>	<u>1/15/11</u>	<u>1/15/12</u>
<u>1 to 4 cubic yards</u>	<u>\$ 21.19</u>	
<u>Additional cu yards</u>	<u>\$ 15.19</u>	

G. Charge for carry or roll out:

<u>Effective Date</u>	<u>1/15/11</u>	<u>1/15/12</u>
<u>Resident; monthly 5 to 25 ft</u>	<u>\$ 2.30</u>	
<u>for each added 25 ft</u>	<u>\$ 1.45</u>	
<u>Commercial; per pick up each 25 ft</u>	<u>\$ 0.34</u>	

H. Drive-in Charges:

<u>Effective Date</u>	<u>1/15/11</u>	<u>1/15/12</u>
<u>Drive-ins on driveways over 125 feet</u>		
<u>Residential per month</u>	<u>\$ 7.40</u>	
<u>Commercial per pick up</u>	<u>\$ 1.70</u>	

I. Drop Box Service:

<u>Effective Date</u>	<u>1/15/11</u>	<u>1/15/12</u>
<u>10/20 yard first pick up per month</u>	<u>\$ 206.20</u>	
<u>10/20 yard each additional pick up</u>	<u>\$ 131.20</u>	
<u>25 yard first pick up per month</u>	<u>\$ 216.20</u>	
<u>25 yard each additional pick up</u>	<u>\$ 136.20</u>	
<u>30 yard first pick up per month</u>	<u>\$ 236.20</u>	
<u>30 yard each additional pick up</u>	<u>\$ 146.20</u>	
<u>40 yard first pick up per month</u>	<u>\$ 256.20</u>	
<u>40 yard each additional pick up</u>	<u>\$ 167.20</u>	

J. Temporary Drop Box Service:

<u>10/20 yard initial delivery</u>	<u>\$ 130.20</u>
<u>10/20 yard per pick up</u>	<u>\$ 134.20</u>
<u>10/20 yard rent per calendar day</u>	<u>\$ 4.75</u>
<u>25 yard initial delivery</u>	<u>\$ 130.20</u>
<u>25 yard per pick up</u>	<u>\$ 142.20</u>
<u>25 yard rent per calendar day</u>	<u>\$ 5.25</u>
<u>30 yard initial delivery</u>	<u>\$ 130.20</u>
<u>30 yard per pick up</u>	<u>\$ 155.20</u>
<u>30 yard rent per calendar day</u>	<u>\$ 5.75</u>
<u>40 yard initial delivery</u>	<u>\$ 130.20</u>
<u>40 yard per pick up</u>	<u>\$ 184.20</u>

RESOLUTION - 5
2/3/11
DG/le

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

40 yard rent per calendar day \$ 6.50

K. Customer Owned Compactor Drop Box

<u>Effective date</u>	<u>1/15/11</u>	<u>1/15/12</u>
<u>15 Yard each scheduled pick up</u>	<u>\$ 186.20</u>	
<u>20 Yard each scheduled pick up</u>	<u>\$ 191.20</u>	
<u>24 Yard each scheduled pick up</u>	<u>\$ 196.20</u>	
<u>30 Yard each scheduled pick up</u>	<u>\$ 201.20</u>	
<u>40 yard each scheduled pick up</u>	<u>\$ 226.20</u>	

L. Additional charges

Add disposal to haul charges

Lids: \$ 12.00 per month

M. In addition to the sums stated by the prior paragraphs, there shall be an additional \$1.75 per customer per month added to the basic collection charge by and as costs of the City's billing and collection, including enforcement actions, to the extent and in the manner allowed by law, undertaken by the City to assure compliance with the mandatory solid waste disposal provisions of the City code. This charge shall be assessed as against each bill for service rendered. Additionally, state-imposed or city-imposed excise tax shall be added to the extent and in the manner provided by law.

SECTION II: INTERPRETATION

A. The rates established by Section I shall be effective as of the first billing period following the passage of the forty-five day notification period required under RCW 35A.21.152.

B. The annual adjustment provided for therein shall be implemented as provided. Rates set by the CITY OF McCLEARY/HAROLD

RESOLUTION - 6
2/3/11
DG/le

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

LEMAY ENTERPRISES, INC. CONTRACT FOR GARBAGE, RECYCLABLES AND YARD WASTE COLLECTION; Section 32, Rates and Rate Adjustments Items A. and B.

C. As of the date upon which the rates set by this resolution are implemented pursuant to subsection A of this section, Resolution 619 shall be deemed repealed, superseded and of no further effect, but such repeal and supersession shall not effect any obligation of a customer arising from services delivered under the provisions of any prior resolution or enactment, including Resolution 619.

PASSED THIS _____ DAY OF _____, 2011, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2011.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION - 7
2/3/11
DG/le

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

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: February 4, 2011
Re: Current Non-Agenda Activity

Department of Corrections – Reception Center

We just completed our site visits with Department Staff and their A/E team. None of the sites have been ruled out yet, but we anticipate one of the sites potentially moving onto the next phase (EIS). The Department will select 3 sites to consider out of 15 sites submitted. The Department intends to have the 3 sites selected in March and have a preferred site by the end of 2011. Again, in the event we are chosen for additional consideration through the EIS process, I am assuming we will be notified.

Conservation Program

With the whirlwind the Reception Center has generated, some of the other items on the agenda, and miscellaneous items that have come up this week, I was unable to complete the establishment of the conservation program. We are approximately 90% complete on the non-residential side, and anticipate deployment next week. I anticipate the residential program will follow shortly.

Stormwater Management Plan

The draft plan has been reviewed. Gray & Osborne is currently in the process of revising the modeling data and plan, and will provide a second draft to review shortly.

Well 2 & 3 Pre-Design Report

The draft report has been reviewed and is in the process of being revised. Once complete, the report will be shelved until design is complete (after funding is received), and will be submitted with the design documentation to the Department of Health for review and consideration.

Should you have any questions about any items that have not been addressed, please feel free to ask away!

STAFF REPORT

To: Mayor Dent
From: Todd Baun, Public Facilities Manager
Date: February 4th, 2011
Re: January Report

The following items are the highlights of what I have been working on during the month of January.

- I still have received no contact from Mr. and Mrs. Gravatt on the storm water issue affecting their property located at 311 W. Simpson Ave. We are in a holding pattern until we receive the legal documents that have been given to them by the city.
- We have been doing vehicle maintenance on the public works vehicles. We have been changing oil, filters and greasing. This saves some money with us doing it, so we will continue the routine maintenance and some minor repairs in-house.
- We have started to change our water meters out to the new radio read meters.
- We have just finished our sign inventory of the city. We have a total of 378 signs in the city. I will be making a change out list for signs that don't meet the MUTCD standards and get a schedule and estimate to change the signs out.
- Hydrant flushing went well this last time. We flushed half the hydrants in our system and ended up with a few "dirty" hydrants.
- I have been working with Nick on a few city issues.
- We have started a storm drainage design for the area of 6th and Hemlock. We have no drainage in that area, and water is running from city ROW into and under homes in the area.
- I have been working with L&P in reviewing some meter issues.
- And as always, we are trying to keep up on all our routine and daily maintenance of the parks, cemetery, streets, water, sewer, storm and buildings.

If you have any questions, don't be afraid to ask. If you see something that needs attention or have any ideas that you would like me to pursue, my door is always open, so please come and talk to me.

STAFF REPORT

To: Mayor Gary Dent
 From: Mick Schlenker Building Official
 Date: February 2-2011
 Ref: Staff Report January

Building Permit Activity

	Current	Fees	Total 2011		Project Valuation
			YTD	Fees	
Customer Service	71				
Building Permits Issued	3	\$310.00			\$6,711.00
Nuisance Letters	4				
Inspections Performed	19				
Plan Reviews	1				
Stop Work Issued	1				
City Projects	0				
Complaints	4				
Demo Permits	0				
Court Issues	0				
Fire Projects	0				
Cars	2				
Abatements	0				
Elma Inspections	0				
Montesano	0				
Total	105				

Summit II No construction at this time

Cedar Heights No construction at this time

Bee Hive In the permit process for new addition/remodel

M & M Properties Sending letter to either start construction or permit will expire

Bee Hive Will be starting permit application and inspections soon

Current Activities

- BP2011-01 First Methodist Church
- BP2011-02 Side Sewer
- BP2011-04 Commercial Roof
- BP2011-05 Title Elimination

Working on older permits or expiring out dated permits

STAFF REPORT

To: Mayor Dent
From: Paul Nott, Light & Power
Date: February 2, 2011
Re: January Light and Power Report



	Monthly Statistics;	YTD Totals;
New Services;	0	0
System Outages;	1	1
Pole Replacements;	0	0
Maintenance Work Orders;	4	4
Billable Work Orders;	0	0

This last month the L&P crew has been assisting the front office in some billing issues, correcting some AMR meter reading issues, cutting brush and opening up some new maintenance work orders.

We had one power outage last weekend due to a melted fuse which affected the S.E. portion of town.

This last month I have been collecting information from TOGA and KVA Electric in regards to substation oil sampling and substation maintenance. This is an issue that I feel needs prompt attention. Our substations are a vital link in providing reliable power to our customers and by not performing annual testing and maintenance I feel we are setting ourselves up for disaster. I have forwarded the information to Nick as far as the contact at GHPUD to discuss a possible agreement to assist us in maintenance for our substations and I am also awaiting a reply from KVA to set up an informational meeting in regards to the importance of substation maintenance and testing.

We (Nick, Brad and I) met with Mike Unger and Charlie Walker from ELCON Assoc. (the City's electrical engineering firm) and discussed the city's electrical CIP. We are in the process of collecting the requested data that will assist them in completing the CIP.

This time of year brings numerous requests from our customers as far as "re-reads" on their meters. With the lack of day light, cold weather, holidays etc. people tend to use more power than normal. The city has purchased and is awaiting the arrival of some dual meter socket adapters so that we will have an actual visual aid to test the customers meter against a tested accurate meter at their residence. This will allow us to either; replace their meter if it is actually metering inaccurate or advise the customer as to possible issues on their side of the meter.

As always if you have any questions, feel free to contact me...

STAFF REPORT

To: Mayor Dent
CC: Ron Pittman, Chief
From: Paul Nott, Assistant Chief
Date: February 3, 2011
Re: January Fire Department Report



	Monthly Statistics;	YTD Totals;
Actual Structure Fires:	1	1
Fire Calls:	2	2
Rescue/EMS assists:	1	1
Motor Vehicle Collisions:	4	4
Hazardous Material Response:	0	0
Service Calls:	1	1
False Alarms:	0	0

In January the Fire Department experienced one structure fire, a couple chimney fires, one EMS assist, numerous MVC's and one service call.

The structure fire was on Stillson Rd. and occurred at 04:30. There were no occupants in the structure and upon arrival of the FD the structure was completely involved. Due to the intensity and full extension of the fire we were forced to take a defensive position on this fire. We were assisted from GHFD 5 with water support and manpower. The fire resulted in a total loss.

We had two chimney fires which fortunately did not result to any damage to either structure. This is a good reminder that if you burn wood in your woodstove it is important to clean and inspect your chimney on a regular basis and also try to burn dry seasoned firewood.

We had one lift assist.

During the icy and snowy weather earlier this month we were toned to four MVC's. One of the calls required a patient extrication out of a vehicle that was on its side in the middle of Mox Chehalis Creek.

The service call was to a residence that had a flooded crawl space due to the amount of rain we were experiencing at the time. We referred the call to the City's Public Works crew.

I will be meeting with the Mayor to discuss PPE and apparatus repairs.

There was no firefighter injuries reported from the Safety Officer.



McCleary Firefighters Association
100 South 3rd St.
McCleary, WA. 98557

January 31, 2011

Dear, Mayor Dent and Councilmen

In December of 2009 the McCleary Firemen Association received a donation for \$3000.00 from the Cool Creek Nights car show group. This organization hosts car shows around the area and donates the funds generated to local fire departments for AED's. Since these funds were donated to the Firefighters Association we purchased two Zoll AED's as per the requirements of the donation.

At this time the McCleary Firefighters Association would like to donate the two Zoll AEDs to the McCleary Fire Department and activate them into service.

STAFF REPORT

To: Mayor Dent
From: George M. Crumb, Chief of Police
Date: February 4, 2011
RE: Report for February 9, 2011 Council Meeting

SUMMARY OF POLICE INCIDENTS / ACTIVITIES:

The below listed information are calls or contacts received by McCleary Police Officers either generated by Grays Harbor County dispatch 911 service, citizen reports or call in, or other officer generated incidents:

- *178 incident histories reported since 010111.
- *Infractions and Criminal Incidents since 010311: Bail amount of \$3989 (26 Citations including 12 criminal citations with court dates:
 - .7 DWLS 3rd-Driving while license suspended.
 - .1 Use of Drug Paraphernalia.
 - .1 Making False Statement to Public Servant.
 - .5 Insurance violations.
 - .2 Vehicle Registration violations.
 - .2 Theft 3rd Degree
 - .1 Attempted theft 3rd
 - .2 Failure to stop at posted stop.
 - .1 Seatbelt violation.
 - .3 Speeding violations.
 - .1 Wrong way on one way street violation.

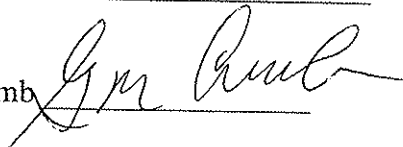
Discussion: Open

()


Council Members Present: ALL.... Mr. Ator, Mr. Boling, Mr. Geer, Mr. Lant,
Mr.Shiller.

Mayor Dent: Present / Not Present _____

Officer Reporting: Chief Crumb _____



STAFF REPORT

To: Mayor Dent
From: Colin Mercer Webmaster 
Date: February 1, 2011
Re: January Website & Help Desk

Re-Occurring Website Activities

Council Agenda/Packet posted online.
Council Minutes posted online.

New Website Activity

Changed FAQ about garbage to reflect service and billing now provided by LeMays.
Post Food Bank Dates on Events Calendar for 2011.
Update the Events calendar with the Holidays for 2011.
Update 2011 fees at various locations and departments.
Remove snowbird rate from FAQ page.
Create a new City Department page entitled "Utilities".
Upload missing Council minutes.

Additional Tasks

Department of Corrections facility submittal research, photos and other documentation.
Assist front office staff during peak utility periods.
Revise the Fee Schedule for various items.
Finish the timesheet tracking spread sheet by department and employee.
Attend Olympia Peninsula Planners Forum in Poulsbo.
Phone system reworking for Community Organization Voice Mail Boxes and adding new options for staff.

Help Desk Activity

Month	Number of Incidents Reported	Staff Reported / Closed / Open	Citizen Reported / Closed / Open
September	10	6 / 2 / 16	4 / 3 / 10
October	10	1 / 2 / 15	9 / 5 / 14
November	15	10 / 19 / 6	5 / 17 / 2
December	15	2 / 8 / 0	13 / 10 / 5
January	18	4 / 4 / 0	14 / 10 / 9

Website Comments

Your Site has received new information through an online form.
Online Form: Tell Us What You Think!
Site URL: www.cityofmccleary.com

First Name: Julie
Last Name: Martinez

Address: 63 E Mox Chehalis Road

Comments: I am seeking more information about the potential DOC intake center. I am very concerned about the impact a facility this size will have on the community of McCleary. Would the economic benefit be worth what would be lost? You can't increase the number of people in McCleary by 40% instantly (just employees of the site) and not have a huge negative impact. I am concerned about the three sites and the impact a facility this size would have on neighbors of these sites. At what point was the public informed about McCleary applying to be a finalist? When were the neighbors immediately adjacent to proposed sites going to be contacted? The Green Diamond site in particular has wetland concerns, etc. and I am sure neighbors of each of the other sites have their own issues as to why their site is not a favorable site. I would much rather support a facility at Satsop where the impact on the neighborhood would be minimal, infrastructure is there, the McCleary economy would benefit through jobs and increased retail. Please let me know when we can have input into this matter. We will not sit by idly if our neighboring property makes the short list.

Website Traffic

January 1 through January 31, 2011

Section	Page Views	Percent of Total
Default Page	2147	35.09%
Events Calendar	873	14.27%
Agendas and Minutes	324	5.3%
City Departments	259	4.23%
City Staff	186	3.04%
Search Results	179	2.93%
Police	166	2.71%
City Jobs	138	2.26%
Mayor and Council	120	1.96%
Code, Ordinances & Standards	116	1.9%
Public Facilities	107	1.75%
City Photos	99	1.62%
Community Center	93	1.52%
Administration	91	1.49%
Water / Wastewater	87	1.42%
FAQ's Page	85	1.39%
Bear Festival	79	1.29%
Previous Years Council Minutes	72	1.18%
Chamber of Commerce	72	1.18%
Development Services / Building	71	1.16%
Helpful Links	70	1.14%
Fire	69	1.13%
Municipal Court	64	1.05%
Tell Us What You Think!	60	0.98%
Light & Power	58	0.95%
Planning Department	52	0.85%
2008-11 Budget	42	0.69%
Bear Festival Photos	41	0.67%
65th Anniversary Photos	40	0.65%
Flood Photos 2009	38	0.62%
Interlocal Agreements	36	0.59%
Previous Years Council Agendas	36	0.59%
Park Project Photos	36	0.59%
Surveys & Questionnaires	36	0.59%
Christmas Photos 2007	29	0.47%
Home Page	23	0.38%
Utilities	23	0.38%
** Deleted Section **	1	0.02%
TOTAL	6118	100%

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: February 3, 2011
Re: City Facility Fees

Previously, Council had requested staff present “proposed” fees for the draft resolution presented at the beginning of January. Last meeting one question was asked regarding the use of the utility pedestals. No specific ordinance or resolution was located regarding this topic. Should you choose to establish a policy on the use of these utility pedestals, I would suggest adoption of a separate resolution, rather than incorporating the pedestals into this resolution. As there was no discussion on the monetary values presented last meeting, we still recommend the following revisions to Section VIII of the proposed resolution prior to adoption.

Rates

- A. City Hall – Remove Section A, as a staff member would need to be present to unlock the facility and ensure the facility has been secured after use.
- B. Park Kitchen - \$45 / 4 hour block
- C. Community Center - \$50 / 4 hour block; \$100 for Friday / Saturday evening
- D. Beerbower Park - \$50 / 4 hour block; \$100 a day for all day events

Spreadsheets for the rate evaluation can be found behind this staff report for items the Park Kitchen, Community Center, and Beerbower Park.

Deposits

- A. City Hall – Remove Section A if removed from Rates Section.
- B. Park Kitchen - \$100; assumes 3 hours labor for cleanup/repairs if necessary
- C. Community Center - \$200; includes allotment to pay for next evening in the event cleaning not completed; includes additional 3 hours labor if repairs / cleanup necessary
- D. Beerbower Park - \$100; assumes 3 hours labor for cleanup / repairs if necessary

Additionally, consideration to adding a Part D in Section VI should be considered for non-profit organizations (churches, little league, Bear Festival, etc.)

Action Requested:

Review and consider rates and deposits presented. Please consider adoption of the resolution with the recommendations provided herein.

STAFF REPORT

To: Mayor Dent
From: Nick Bird, P.E., Director of Public Works
Date: February 3, 2011
Re: Float Shed

Earlier this week the City was contacted by the Property Managers of the residence to the east of the float shed (a property owned by the City discussed at previous council meetings). A new tenant was moving into the residence and they noticed several portions of the "overhang" had fallen off of the structure; these portions contained many nails that could be hazardous to children playing around the area. Photos are attached behind this staff report. This debris was cleaned up the same day as the complaint. Obviously, the residents are concerned about the safety of the remainder of the "overhang" as well.

After a review of the staff reports and minutes from last year, the primary goal was to replace the roof. Additional discussions with staff members indicate that they would prefer to keep the facility, rather than demolish it. However, I believe that our most cost effective and low risk option would be to demolish the structure. In my opinion, I do not believe that the City should accept the liability of either attempting to repair the structure or demolish it, but rather develop a small works package to correct the deficiency. Additionally, it is my understanding that the site is owned by Park & Cemetery (at least that fund has been paying the utility bills), which is financially challenged.

At this time, I need a decision on whether you would prefer to demolish the structure using a small works contract or attempt to repair it via a small works contract.

When evaluating which option to choose, I believe four major factors should be evaluated; Capital Cost, Risk, Additional Work, and Future Benefit. It is presumed that replacement of the roof would cost approximately \$20,000 - \$25,000, and the cost of demolition of the structure would cost approximately \$15,000 - \$20,000 (including site restoration).

When considering risk, the demolition option virtually has zero risk, as the demolition contractor will assume the liability, removal of the structure, foundation, and capping the utilities is not variable and will not likely result in any change orders, and no future risk will likely result as part of this project. With the re-roof option, risk is significantly higher as the integrity of the top plates and walls could be compromised as a result of the insect and rot spreading through the roof, which could result in significant change orders as part of the work.

Again, with the demolition option, no additional work will be necessary to the site, as everything will be removed and/or capped. With the re-roof option, windows need to be replaced, a portion of the concrete floor must be removed to repair the existing broken water service, the lean-to in the back will ultimately need to be replaced, and an

application of pest control will be necessary to salvage the remaining components of the structure.

Regarding future benefit, obviously the demolition option will have little benefit to the city other than an unfenced storage yard. By replacing the roof and completing the additional work previously identified, the City regains a 3,000 square foot enclosed storage area that can be used for the Food Bank and/or Bear Festival, which would ultimately free up two existing bay's for the Public Works Department and possibly the kitchen facilities located in the park kitchen.

To evaluate these four critical components, a decision matrix has been established using weighted scoring. Each item has been ranked from 1 to 5, with 1 being the worst, and 5 being the best. Each component has been given a "weight", so the total of all four items equals 100 percent. The ranking was then multiplied by the weight; then multiplied by 10 to provide a whole number score for ease of comparison. The result of this decision matrix is shown below.

Component	Weight	Re-Roof Ranking	Demolition Ranking	Re-Roof Score	Demolition Score
Preliminary Cost	30%	2	3	6	9
Level of Risk	20%	3	5	6	10
Additional Work Necessary	20%	1	5	2	10
Future Benefit	30%	5	1	15	3
Total Score	100%			29	32

Based on the results of the decision matrix, my recommendation would be to demolish the structure via a small works contract.

Action Requested:

Please determine if you wish to repair or demolish the structure in question.

Harold LeMay Enterprises, Inc.
Harbor Disposal and Eastern Grays Harbor Disposal
4201 Olympic Hwy
Aberdeen, WA 98520

November 15, 2010

Mr. David W. Danner
Executive Director and Secretary
Attn: Records Section
Washington Utilities and
Transportation Commission
1300 S Evergreen Park Dr SW
Olympia, WA 98504-7250

RE: Tariff Submittal, Harold LeMay Enterprises, Inc d/b/a Harbor Disposal and Eastern Grays Harbor Disposal G-98.

Attached please find revised pages for Tariff Number 12, Harold LeMay Enterprises, Inc., Harbor Disposal and Eastern Grays Harbor Disposal G-98.

Due to various increases in costs of providing regulated solid waste collection and recycling service, we are respectfully asking the Commission to approve a general rate increase to recover increased operating costs of labor, employee benefits, fuel, parts and equipment amongst other categories which the Company now seeks to update in rates.

The requested increases for classes of service affected by this filing are as follows: Residential service \$74,550 (5.98%); commercial can service \$7,615 (5.98%); commercial container service at \$43,394 (5.98%); roll-off service at \$194,665 (68.25%); and residential recycling service at \$371,525 (111.57%). The last general rate increase was January 1, 2007.

Attached are the proposed tariff pages containing the increased rates, as well as supporting documentation. If these proposed rates are approved by the Washington Utilities and Transportation Commission, they will become effective on January 1, 2011.

A rate increase notification letter will be mailed to all customers affected by these proposed changes no later than November 30, 2010. A notice letter will also be delivered to the office of the Grays Harbor County Council Chair.

If you have any questions regarding this filing, please contact me at (360) 832-8749 or via email at irmgardw@wcnx.org.

Sincerely,

Irmgard R Wilcox
Controller

Enclosure

Telephone Number (360) 832-8749, (253) 896-3278, Cell (253) 377-4208, Fax (360) 832-2897

Harold LeMay Enterprises, Inc.
d/b/a Harbor Disposal and Eastern Grays Harbor Disposal

4201 Olympic Hwy
Aberdeen, WA 98520
Phone: (360) 533-1251, (800) 345-1529

RATE INCREASE NOTICE FOR COMMERCIAL ROLL-OFF SERVICES

Dear Customer:

November 30, 2010

Harold LeMay Enterprises has filed a request for a rate increase with the Washington Utilities and Transportation Commission (WUTC). The last general rate increase was approved by the WUTC January 1, 2007. Since that time, the Company has experienced increases in operating costs in the areas of labor, employee benefits, fuel, parts and equipment in addition to other categories which it seeks to update in rates.

If approved, the proposed rates will become effective January 1, 2011. The rate per pick-up will increase as follows:

Roll-Off :	Current Rate	Proposed	Proposed Rate
	Per Pick-up	Increase Per Pick-up	Per Pick-up
20 yard first haul	160.00	110.00	270.00
Each add'l haul	85.00	58.00	143.00
25 yard first haul	170.00	117.00	287.00
Each add'l haul	90.00	55.00	145.00
30 yard first haul	190.00	131.00	321.00
Each add'l haul	100.00	69.00	169.00
40 yard first haul	210.00	146.00	356.00
Each add'l haul	121.00	83.00	204.00
Miles over 5 Miles	2.20	1.52	3.72
Other services not listed will increase an average 68.25%			

The Commission has the authority to set final rates that may be either lower or higher from the Company's request, depending on the results of its investigation. Commission staff will make a recommendation to the Commissioners at an open meeting in Olympia, which is scheduled for 9:30 a.m. on December 30, 2010. You will have an opportunity to comment in person at this meeting. If you are unable to attend the open meeting, the Commission has a bridge line which enables you to participate or listen by telephone. Call 360-664-1234 for instructions the day before the open meeting. You can also comment by using the "Public Comment" feature at the Commission's Web site at utc.wa.gov or by using the contact information below.

Washington Utilities and Transportation Commission
1300 S Evergreen Park Dr SW
Post Office Box 47250
Olympia, WA 98504-7250
E-mail: comments@utc.wa.gov
Telephone: 1-888-333-WUTC (9882)

If you have any questions regarding this increase, please contact Harold LeMay Enterprises, between 8:00 a.m. and 4 p.m. Monday through Friday.

Sincerely,
Management
Harold LeMay Enterprises, Inc.

Harold LeMay Enterprises, Inc.
d/b/a Harbor Disposal and Eastern Grays Harbor Disposal

4201 Olympic Hwy
Aberdeen, WA 98520
Phone: (360) 533-1251, (800) 345-1529

RESOLUTION NO. 619

A RESOLUTION RELATING TO PUBLIC SERVICES;
ESTABLISHING AND CONFIRMING FEES; AND
PROVIDING FOR EFFECTIVE DATES.

RECITALS

1. Pursuant to Resolution 614, the Council and Mayor set forth fees to be charged for specified City provided services and provided for certain mechanisms in relation to the adjustment thereof. The fees were set after analysis by the Mayor and Council, after receiving the advice of LeMay, Inc. and City staff, as to the minimum levels necessary to adequately maintain and provide funding for the various services involved.

2. The necessity of the continued collection of the authorized levels of fees and the mechanisms for their adjustment has been confirmed by the Mayor and Council.

3. Pursuant to review of the provisions of Resolution 614 carried out by Staff of the City and LeMay, modification in certain areas have been determined to be necessary to reflect a number of factors, including the decision of the City to cease

the provision of billing services. Thus, it is found to be appropriate to incorporate those changes in this resolution.

4. It is the intention of the Mayor and Council, in the adoption of this resolution, to achieve the continuing goal of providing the citizens adequate service and protecting the health and safety of the Citizens through continuation of a program of mandatory solid waste disposal.

5. While only certain areas are changed, it is found be in the best interest of operational efficiency and ease of reference to adopt the entirety of the schedule and repeal the existing resolution.

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

SECTION I: Commencing upon the dates set forth in Section II and continuing thereafter until changed as provided therein, the provision of solid waste service within the corporate limit shall be carried out pursuant to the terms, conditions, and rates set forth as follows:

Effective Date	1/15/2010	1/01/2011	1/01/2012
----------------	-----------	-----------	-----------

2 cu. Yard	\$	157.85	\$	157.85
Each additional dump per	\$	132.35	\$	132.35
week				
3 cu. Yard	\$	206.55	\$	206.55
Each additional dump per	\$	179.37	\$	179.37
week				
4 cu. Yard	\$	276.63	\$	276.63
Each additional dump per	\$	247.05	\$	247.05
week				
5 cu. Yard	\$	341.80	\$	341.80
Each additional dump per	\$	297.12	\$	297.12
week				
6 cu. Yard	\$	405.73	\$	405.73
Each additional dump per	\$	365.42	\$	365.42
week				

B. Temporary Container Service

Effective Date		1/15/2010		1/01/2011		1/01/2012
Delivery charge	\$	18.05	\$	18.05		
Rental (per day)	\$	0.08	\$	0.08		
1 yard each dump	\$	20.58	\$	20.58		
1.5 Yard each dump	\$	26.84	\$	26.84		
2 Yard each dump	\$	33.70	\$	33.70		

C. Hourly Rate:

Effective Date		1/15/2010		1/01/2011		1/01/2012
Rate (per hour)	\$	48.11	\$	48.11		

D. Services not covered by the above rates shall be billed by LeMay at the rates set in the WUTC Tariff No 11.2 Permit Number G-98 in the name of Harold LeMay Enterprises Inc.

DBA Harbor Disposal & Eastern Grays Harbor Disposal for Single Special Jobs and Drop Box Services.

E. In addition to the sums stated by the prior paragraphs, there shall be an additional \$1.75 per customer per month added to the basic collection charge by and as costs of the billing and collection, including enforcement actions, to the extent and in the manner allowed by law, undertaken by the City to assure compliance with the mandatory solid waste disposal provisions of the City code. This charge shall be assessed as against each bill for service rendered. Additionally, state-imposed or city-imposed excise tax shall be added to the extent and in the manner provided by law.

SECTION II: INTERPRETATION

A. The rates established by Section I shall be deemed to have been effective as of the 1st day of January, 2010.

B. The annual adjustment provided for therein shall be implemented as provided. Rates set by the CITY OF McCLEARY/HAROLD LeMAY ENTERPRISES, INC. CONTRACT FOR GARBAGE, RECYCLABLES AND YARD WASTE COLLECTION; Section 32, Rates and Rate Adjustments Items A. and B.

C. As of the date of the adoption of this resolution, Resolution 614 shall be deemed repealed, superseded and of no

further effect, but such repeal and supersession shall not effect any obligation of a customer arising from services delivered under the provisions of any prior resolution or enactment, including Resolution 614.

PASSED THIS 8 day of September, 2010, by the City Council of the City of McCleary, and signed in approval therewith this 8th day of September, 2010.

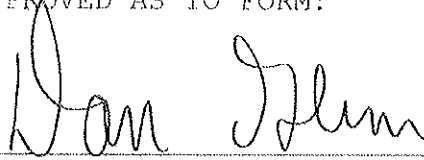
CITY OF McCLEARY:


D. GARY DENT, Mayor

ATTEST:


WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:


DANIEL O. GLENN, City Attorney

STAFF REPORT

To: Mayor Dent
From: Wendy Collins, Clerk-Treasurer
Date: February 9, 2011
Re: AWC Master Participation Agreement

AWC Employee Benefit Trust currently provides medical and dental insurance for City employees through an Employer Master Participation Agreement. The agreement did not include insurance benefits for part time employees.

As you are aware, due to budget issues, the Building Official was reduced to half-time employment. The original agreement did not include coverage for part-time employees, only employees with full-time status. As the agreement with AWC stands today, the Building Official would not be eligible for medical and dental insurance.

The City updated the agreement with AWC to include part-time employees with 20 or more hours per month. The employee is responsible for reimbursing the City for one-half of the cost for their insurance. There will be no additional cost to the City and the Building Official will continue to have medical and dental insurance while on part-time status.

Action Requested:

This memo is informational only. No action requested.



Gray & Osborne, Inc.
CONSULTING ENGINEERS

February 4, 2011

Mr. Nick Bird, P.E.
City of McCleary
100 South Third Street
McCleary, Washington 98557

SUBJECT: PROGRESS ESTIMATE NO. 3, RESERVOIR REPAINTING PROJECT
CITY OF MCCLEARY, GRAYS HARBOR COUNTY, WASHINGTON
G&O #09293

Dear Mr. Bird:

We have enclosed two copies of Progress Estimate No. 3 and the Contractor's Application for Payment for this project. Also enclosed is a summary of the work performed to date. The total amount now due the contractor and the amount to be deposited in the retainage account are as follows:

<u>Amount Now Due</u>	<u>Amount to be Deposited in Retainage Account</u>	<u>Total Retainage Amount</u>
\$9,890.04	\$478.24	\$6,954.23

Please call the undersigned if you have any questions or concerns regarding this matter.

Very truly yours,

GRAY & OSBORNE, INC.

Joseph Plakuta

JP/sp
Encl.

cc: Mr. Don Shields, Shields Painting Corporation
Ms. Debbie Harper, USDA Rural Development
Mr. David Dunnell, USDA Rural Development

PROGRESS ESTIMATE NO. 3
FEBRUARY 3, 2011

CITY OF MCCLEARY
 GRAYS HARBOR COUNTY
 WASHINGTON

PROGRESS ESTIMATE PERIOD
 JANUARY 1, 2011 TO JANUARY 31, 2011

PROJECT:
 CITY OF MCCLEARY
 RESERVOIR REPAINTING PROJECT
 G&O #09293

CONTRACTOR:
 SHIELDS PAINTING CORPORATION
 15025 SE MONNER ROAD
 HAPPY VALLEY, OR 97086

NO.	DESCRIPTION	BID ITEMS		QUANTITIES		PROJECT COSTS		ESTIMATED PERCENT OF PROJECT COMPLETION	
		QUANTITY	UNIT	UNIT PRICE	TOTAL TO DATE	TOTAL THIS PERIOD	AMOUNT TO DATE		AMOUNT THIS PERIOD
SCHEDULE A (BASE BID):									
1	MOBILIZATION	1	LS	\$12,500.00	66%	0%	\$8,250.00	\$0.00	66%
2	SURFACE PREPERATION FOR 500,000 GALLON RESERVOIR	1	LS	\$58,000.00	100%	2%	\$58,000.00	\$1,160.00	100%
3	INTERIOR PAINTING FOR 500,000 GALLON RESERVOIR	1	LS	\$14,850.00	100%	75%	\$14,850.00	\$11,137.50	100%
4*	DEHUMIDIFCIATION AND HEAT	1	LS	\$5,800.00	100%	-64%	\$5,800.00	(\$3,732.67)	100%
5	REMOVAL OF MILL SCALE	700	SF	\$1.00	8,909	0	\$8,909.00	\$0.00	1273%
6	MINOR CHANGES	1	LS	\$3,000.00	78%	33%	\$2,341.00	\$1,000.00	78%
*The unit price for Line Item No. 4 has been corrected from \$15,800 to \$5,800.									
SCHEDULE B (ADDITIVE):									
1	MOBILIZATION	1	LS	\$6,500.00	100%	0%	\$6,500.00	\$0.00	100%
2	SURFACE PREPERATION FOR 150,000 GALLON RESERVOIR	1	LS	\$23,700.00	100%	0%	\$23,700.00	\$0.00	100%
3	INTERIOR PAINTING FOR 150,000 GALLON RESERVOIR	1	LS	\$7,000.00	100%	0%	\$7,000.00	\$0.00	100%
4	DEHUMIDIFCIATION AND HEAT	1	LS	\$2,400.00	100%	0%	\$2,400.00	\$0.00	100%
5	REMOVAL OF MILL SCALE	300	SF	\$300.00	0.0	0.0	\$0.00	\$0.00	0%
6	MINOR CHANGES	1	LS	\$1,500.00	89%	0%	\$1,334.69	\$0.00	89%
CHANGE ORDERS: CO1 CO2									

PROGRESS ESTIMATE NO. 3
FEBRUARY 3, 2011

CITY OF MCCLEARY
 GRAYS HARBOR COUNTY
 WASHINGTON

PROGRESS ESTIMATE PERIOD
 JANUARY 1, 2011 TO JANUARY 31, 2011

PROJECT:
 CITY OF MCCLEARY
 RESERVOIR REPAINTING PROJECT
 G&O #09293

CONTRACTOR:
 SHIELDS PAINTING CORPORATION
 15025 SE MONNER ROAD
 HAPPY VALLEY, OR 97086

	PROJECT COSTS	
	AMOUNT TO DATE	AMOUNT THIS PERIOD
TOTAL EARNED TO DATE	\$139,084.69	\$9,564.83
SALES TAX		\$803.45
TOTAL WITH SALES TAX	8.40% \$11,683.12	\$803.45
LESS 5% RETAINED (BEFORE TAX)	\$150,767.81	\$10,368.28
	\$6,954.23	\$478.24
TOTAL EARNED TO DATE LESS RETAINAGE		\$143,813.58
CONTRACT AMOUNT (Incl. Sales Tax)	\$147,695.00	
CONTRACT PERCENTAGE TO DATE	97.57%	
PROGRESS ESTIMATE NO. 1	\$44,585.84	
PROGRESS ESTIMATE NO. 2	\$89,337.70	
TOTAL PAYMENT NOW DUE:	\$9,890.04	\$9,890.04

I HEREBY CERTIFY THE ABOVE ESTIMATE IS A TRUE AND CORRECT STATEMENT OF THE WORK PERFORMED UNDER THIS CONTRACT.

GRAY & OSBORNE, INC.


 MICHAEL B. JOHNSON, P.E.

SUMMARY AND DISTRIBUTION OF PAYMENTS

PAY EST NO.	PROGRESS ESTIMATE PERIOD DATES	TOTAL EARNED PER PERIOD	SALES TAX RATE	SALES TAX AMOUNT	MATERIALS ON HAND	RETAINAGE (5%)	TOTAL PAYMENT
1	NOVEMBER 15, 2010 TO NOVEMBER 30, 2010	\$43,119.77	8.40%	\$3,622.06	\$0.00	\$2,155.99	\$44,585.84
2	DECEMBER 1, 2010 TO DECEMBER 31, 2010	\$86,400.09	8.40%	\$7,257.61	\$0.00	\$4,320.00	\$89,337.70
3	JANUARY 1, 2011 TO JANUARY 31, 2011	\$9,564.83	8.40%	\$803.45	0	\$478.24	\$9,890.04
4							
TOTAL:		\$139,084.69	8.40%	\$11,683.12	\$0.00	\$6,954.23	\$143,813.58

Contractor's Application For Payment No. 3

Application Period: 1-1-11 - 1-31-11 Application Date: 2-4-11
 From (Contractor): Shields Painting Corporation Via (Engineer): Gray and Osborn
 Contract: Reservoir Repainting Project Engineer's Project No.: 09293
 Owner's Contract No.: _____
 Owner's Project No.: _____

APPLICATION FOR PAYMENT
 Change Order Summary
 Approved Change Orders

Number	Additions	Deductions
1.	ORIGINAL CONTRACT PRICE (less sales tax)	\$ <u>135,238.62</u>
2.	SALES TAX of Original Contract Price	\$ <u>12,406.38</u>
3.	Net change by Change Orders (less sales tax)	\$ <u>0</u>
4.	SALES TAX of Change Orders	\$ <u>0</u>
5.	CURRENT CONTRACT PRICE (Line 1 + 2) ± (Line 3 + 4)	\$ <u>147,645.00</u>
6.	TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate) + Sales Tax	\$ <u>150,707.81</u>
7.	RETAINAGE: Contractors	
a.	% x \$	Work Completed \$ <u>6954.23</u>
b.	% x \$	Stored Material \$ <u>6454.23</u>
c.	Total Retainage (Line 7a + Line 7b), on pre-tax work	\$ <u>6454.23</u>
8.	AMOUNT ELIGIBLE TO DATE (Line 6 - Line 7c)	\$ <u>138,833.54</u>
9.	LESS PREVIOUS PAYMENTS (Line 8 from prior Application)	\$ <u>9990.04</u>
10.	AMOUNT DUE THIS APPLICATION	\$ _____
11.	BALANCE TO FINISH, PLUS RETAINAGE (Total Earned to Date on Progress Estimate - Line 8 + Line 7c)	\$ <u>0</u>

CONTRACTOR'S CERTIFICATION
 The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied in account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise used in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Is recommended by: Joseph Flakuta (Engineer) 2-4-2011 (Date)
 Payment of: _____ (Line 10 or other - attach explanation of other amount)
 is approved by: The City of MacCleary (Owner) _____ (Date)
 Approved by: _____ Funding Agency (if applicable) _____ (Date)

By: [Signature] Date: 2/4/11
 EJCDC No. C-620 (2012 Edition)
 Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the Associated General Contractors of America and the Construction Specifications Institute

Reservoir Repainting Project – 3rd Pay Period

Summary of Work Period January 1st to January 31st

Work for this period has consisted of completing work on the 500,000 gallon reservoir. The stripe coat, intermediate coat, and finish coat were applied to the 500,000 gallon reservoir.

Description of Work

500,000 Gallon Reservoir:

All surface preparation was completed for the 500,000 gallon reservoir. Mill scale (an oxidative coating resulting from manufacture of the steel plates) was encountered on all interior metal surfaces. Since mill scale is not a suitable substrate for epoxy coating systems, the mill scale was removed by abrasive blasting. Per the contract, the contractor removed the mill scale at the unit price bid of \$1.00 per square feet. The amount of mill scale removed was estimated at 8,909 square feet. The payment due the contractor for this work was \$8,909 under Item 5 of Schedule A (Removal of Mill Scale); this was paid for in the 2nd pay estimate.

All coating for the 500,000 gallon reservoir was applied this period. The aggressive blast profile resulted in good primer adherence. To ensure coating penetration into the blast profile, the coating was back rolled to “work” the primer into the profile. The subsequent coatings were applied such that the total thickness of the coating system was slightly higher than our specification in the stripe coated areas. Ron Watts with Devoe Coatings confirmed that this overage could be addressed with additional cure time. Following final touchup, the coating was allowed to cure for a period of sixteen days (in contrast, the 150,000 gallon reservoir was allowed to cure for approximately seven days).

Minor Change Items

500,000 Gallon Reservoir:

To prevent corrosion between the roof plates and the rafters and roof panels, potable water caulking was applied to all roof plate seams and to the gaps formed between the roof beams and the walls. The total cost for this work paid for under the minor changes bid item is \$850.

Welding was required to fasten lugs to the base of the reservoir. \$150 in minor changes has been paid to cover the cost of the welder and lead rental.

**AMENDMENT NO. 16A
TO
CONTRACT FOR ENGINEERING SERVICES**

THIS AMENDMENT, made this day, by and between the City of McCleary, Grays Harbor County, Washington, hereinafter referred to as the Agency, and Gray & Osborne, Inc., hereinafter referred to as the Engineer, hereby modifies the contract for engineering services dated (by Agency) June 10, 2009, for additional services related to the General Engineering Services and hereby modifies Amendment No. 16 for Reservoir Interior Painting Engineering Services.

**ADDITIONAL RESERVOIR INTERIOR PAINTING
ENGINEERING SERVICES SCOPE OF WORK**

Gray & Osborne, Inc. is requesting an increase to the current budget for the Reservoir Interior Painting Engineering Services. Additional work has included:

- The original contract assumed 25 days of full time inspection. 32 days of full time inspection (including 57 hours of overtime) have been necessary during construction to supervise the contractor's activities. The contractor's schedule has been extended due to encountering mill scale on the 500,000-gallon reservoir.
- Additional staff time has been necessary to assist with coordination of power supply to the reservoir, draining and filling reservoirs, and temporarily relocating the reservoir control telemetry while the 500,000-gallon reservoir was repainted.

AGREEMENT

Due to the additional work required, compensation for services provided under this Contract Amendment shall be increased by \$5,000. The total authorized under this contract shall not exceed \$39,200 without further authorization from the Agency.

IN WITNESS WHEREOF, the parties hereto have executed, or cause to be executed by their duly authorized officials, this AMENDMENT to the Contract for Engineering Services in duplicate on the respective dates indicated below.

GRAY & OSBORNE, INC.

CITY OF MCCLEARY

By: _____
(Signature)

By: _____
(Signature)

Name: Thomas M. Zerkel, P.E., President
GRAY & OSBORNE, INC.

Name: _____
(Print)

Date: _____

Date: _____

"Equal Opportunity/Affirmative Action Employer"

RESOLUTION NO. _____

A RESOLUTION RELATING TO THE UTILIZATION OF CERTAIN MUNICIPAL FACILITIES, ESTABLISHING FEES; AND REPEALING RESOLUTION NUMBER _____ AND ANY OTHER RESOLUTION IN CONFLICT THEREWITH.

R E C I T A L S:

1. The City has previously adopted a Resolution in relation to those facilities it makes available to the public for rent. Since the adoption of that resolution, the City has added additional facilities, expanded the utilization of these facilities by groups directly related to the parks and recreation programs implemented by the City, and undertaken a general review of the existing utilization and provisions. In light of those factors, the Mayor and Council deem it appropriate to update these provisions.

2. It is the intention of the Council, the Mayor concurring, to provide certain terms and conditions that relate to the utilization of covered City facilities by non-profit entities associated with the operations of the parks and recreation activities of the City, modify rates, and clarify fees.

RESOLUTION -A- 1
01/07/11
DC/le

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

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 facilities covered by the terms of this Resolution shall be the public areas of City Hall, the Community Center, and the City's Parks made available for rental by the City, as they may from time-to-time exist pursuant to Council authorization.

SECTION II: Any person or entity requesting the right to utilize the public property normally offered for rental shall make an application to the Clerk-Treasurer upon such form as may from time-to-time be established by the Clerk-Treasurer. The rental shall be at such rates and upon such terms as the City Council, the Mayor concurring, shall from time-to-time establish by action.

SECTION III: The utilization of the facility may be conditioned upon such terms as may be deemed reasonably necessary by the Clerk-Treasurer. These terms shall include, but not be limited to, the following:

A. No intoxicating beverages shall be served or provided to nor shall any consumption be allowed by any minor.

B. All necessary banquet and gambling permits required by law must be obtained prior to the function and only such

activities as may be lawfully authorized on public properties shall be allowed.

C. Care shall be taken to insure that no individual is allowed to consume an excess of intoxicating beverages. For purposes of this term, excess shall mean so as to affect in any significant manner whatsoever the individual's physical or mental capabilities.

D. Deposits shall be paid at the time of application and shall be refunded only upon proof satisfactory to the Clerk-Treasurer that no damages have occurred and that all cleaning has been completed.

E. Any application must be in writing and executed by an authorized individual. That individual shall acknowledge responsibility for the application and for fulfilling the terms of the rental agreement.

F. At the time of the reservation of the facility, one-half of the rental amount shall be paid. The remainder of the rental amount shall be paid no less than forty-eight (48) hours prior to the intended utilization.

G. Any party or entity renting a facility shall be responsible for the cleaning and repair of the facility by restoring it to the condition existing prior to the commencement of utilization. In the event of a failure to do so, whether as to cleaning or repair, the City shall notify the utilizer of the

RESOLUTION -A- 3
01/07/11
DG/1a

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

failure and the costs related to correction of that failure. In the event of a failure to fulfill these responsibilities within such time period as may be established by the Director of Community Development, the responsible individual or entity shall be billed for the costs and shall pay the same.

H. The provision of such insurance coverages as may be deemed necessary and appropriate in light of the type of activity involved.

SECTION IV: The Clerk-Treasurer shall be and is hereby authorized to promulgate such rules and regulations as may be deemed from time-to-time reasonably necessary for operation of the facility. Prior to their effectiveness, they shall be submitted to the City Council and Mayor for review. To the extent not disapproved, such rule or regulation shall go into effect upon the thirtieth day following the first Council Meeting at which they are presented to the Mayor and Council in a written form: PROVIDED that the Council specifically reserves to itself the right to suspend such proposed rule or regulation, or reject, modify, or supplement such proposed regulations.

SECTION V: As to the security and/or supervision for an event, the Chief of Police or the Chief's designee shall have the sole discretion to determine the level of staffing and the level of qualifications to be required in relation to any particular activity.

RESOLUTION -A- 4
01/07/11
DG/le

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

SECTION VI: NON-GENERAL CATEGORIES:

A. Utilization of the facility for governmental purposes by another governmental agency shall be allowed at the hourly rate of _____ dollars (\$__.00). The utilizing entity shall be responsible for cleaning the facility after use and for the repair or replacement of damage done arising out of or related to its use of the facility. In the event of a failure to fulfill these responsibilities, the entity shall be billed for the costs and shall pay the same.

B. Utilization of the facility by associations related to the operation of the parks and recreation program of the City whose utilization is approved by the Mayor shall be allowed to utilize the facilities without cost so long as the utilization relates directly to their program. The utilizing entity :

1. Shall post a damage deposit of _____ dollars (\$__.00) which shall be retained until the association gives notice of its intention to cease utilization, and

2. Shall be responsible for cleaning the facility after use and for the repair or replacement of damage done arising out of or related to its use of the facility. In the event of a failure to fulfill these responsibilities, the entity shall be billed for the costs and shall pay the same.

RESOLUTION -A- 5
01/07/11
DG/le

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

C. In recognition of the contribution to the community previously provided by the senior citizens, a rate of one-half of that which is normally charged shall be charged for senior citizen functions carried out by non-profit groups.

SECTION VII: Until further action of the Council, the Park kitchen facilities may be utilized by applicants utilizing the City facility for the purpose of maintaining perishable foods at the appropriate temperatures, whether requiring heating or cooling. Such utilization shall be at the sole risk of the applicant. In the event that any such perishable foods require such heating or cooling, the applicant shall provide such equipment as may be necessary to accomplish these actions and to comply with such standards as may from time-to-time be established by the appropriate agency having control over such health matters.

SECTION VIII: The rates and deposits for general utilization of the cited facilities for a period of up to _____ hours are established as follows:

6.1 RATES

A. City Hall

- 1. Council Chambers \$ _____
- 2. Non-profit Organizations (hourly rate) \$25.00

B. Park Kitchen and Pavilion:

- 1. For each four hour block or portion thereof:

_____ dollars (\$____.00)

C. Community Center: \$_____

D. Beerbower Park \$_____

6.2 DEPOSITS

A. City Hall \$_____.00

B. Park Kitchen & Pavilion \$_____.00

C. Community Center \$_____.00

D. Beerbower Park \$_____.00

SECTION IX: Resolution _____ and any other resolution or portion thereof in conflict with the provisions of this resolution shall be and are hereby repealed.

PASSED THIS _____ DAY OF _____, 2011, by the City Council of the City of McCleary, and signed in authentication thereof this _____ day of _____, 2011.

CITY OF McCLEARY:

D. GARY DENT, Mayor

ATTEST:

WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

DANIEL O. GLENN, City Attorney

RESOLUTION -A- 7
01/07/11
DG/le

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