

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, January 8, 2015

ROLL CALL AND FLAG SALUTE	Councilmember's Reed, Schiller, Catterlin, Ator and Peterson.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Todd Baun, Wendy Collins, George Crumb, Dan Glenn, and Paul Nott.
PUBLIC COMMENT	<p>Karen Peterson stated she is married to Councilmember Peterson and she has her own opinion about things and she has a right to give her opinion. She addressed Mayor Dent and said he called her home about two weeks ago and told her husband, Councilmember Larry Peterson, there was going to be a law suit against him and quoted a RCW and said they should be receiving papers shortly and he was only going to tell him this one time. She asked Mayor Dent if this was true, a threat, or an error in judgment. Mayor Dent said he did not make that call. Mrs. Peterson said that is not true because she was right there when it happened and heard him on the phone. She said this was an error in judgment and does not make him look good. Mayor Dent said whatever it means, if he did, he certainly didn't mean that, and that's not where things stand. Mrs. Peterson responded stating that is not true, and asked the Mayor, "Is it not true"? Mayor Dent said no, it's not true. She added all she needed was an explanation because she needs to know if she has to start saving money for attorney's fees. She said it's been very upsetting.</p> <p>Fred Miller from WAVE Broadband and Astound Networks spoke to the Council regarding a project they are working on in our area. They are in the process of adding a fiber network around the region. They will own and operate the network system. They will bring in more capacity than needed in preparation for the future. He is working with Dan Glenn for a franchise agreement, which enables them to work in our area. Dan Glenn added that the WAVE Broadband will not be doing business in McCleary. They will just be doing franchise agreement work.</p>
MINUTES APPROVED	It was moved by Councilmember Peterson, seconded by Councilmember Catterlin to approve the minutes from the December 10, 2014 meeting. Motion Carried 5-0.
CITY ATTORNEY REPORT	None.
MAYOR'S COMMENTS	None.
DIRECTOR OF PUBLIC WORKS REPORT	<p>Todd Baun provided a report and is available for questions.</p> <p>Councilmember Catterlin asked to bring up a couple old business items. He wants to revisit the HB 1642 again regarding the 4 wheel RV vehicles. He said they did not come to a consensus on it. Mayor Dent said it would be added to the next meeting. Dan Glenn will send the Council some information regarding this topic prior to the next meeting.</p> <p>Councilmember Catterlin announced he will be having extensive surgery in February and will miss some meetings during that time. He reminded them that he and Councilmember Peterson were appointed to handle the contract negotiations with the County. Councilmember Catterlin asked Dan Glenn how to appoint Brent Schiller to the negotiations committee to fill in for him during his medical absence. After Mr. Schiller agreed to the appointment, Mr. Glenn told Mr. Catterlin he could just make the motion. It was moved by Councilmember Catterlin, seconded by Councilmember Schiller to appoint Councilmember Schiller to the negotiations committee to fill in for him during his medical absence. Motion Carried 5-0.</p>

INDIGENT DEFENSE COUNCIL
INTERIM CONTRACT

Mr. Jordan will no longer be providing public defense services for the City. Dan Glenn has contacted Amanda Kleespie to provide defense services on an interim basis. She currently provides these services for Elma and Oakville and is willing to assume the task for the City during the interim period. **It was moved by Councilmember Catterlin seconded by Councilmember's Reed and Peterson to authorize the interim contract for indigent defense services on a month to month basis with an increase of only \$75.00 per month. Motion Carried 5-0.**

RESOLUTION 674 - INDIGENT
DEFENSE CASE WEIGHTING

The Supreme Court has established restrictions upon the number of criminal cases which an attorney providing public defender services may assume during a time period. There is a recognized difference among criminal cases as to the amount of time required to properly provide services to the individual defendant by authorizing a case weighting system. **It was moved by Councilmember Ator, seconded by Councilmember Reed to adopt Resolution 674 relating to the provision of public defense services to indigent defendants, adopting a case weighting schedule. Resolution Adopted 5-0.**

RESOLUTION 675 - PUBLIC
DEFENSE STANDARDS

RCW requires cities operating a court to adopt standards for the delivery of public defense services. **It was moved by Councilmember Ator, seconded by Councilmember Schiller to adopt Resolution 675 relating to the adoption of public defense standards. Resolution Adopted 5-0.**

APPROVAL OF VOUCHERS

Accounts Payable vouchers/checks approved were 38931 - 38990 including EFT's in the amount of \$208,353.44 and 38991 - 39058 including EFT's in the amount of \$41,470.59.

Payroll vouchers/checks approved were 38899 - 38994 including EFT's in the amount of \$154,132.15.

Bank reconciliations approved for December 2014.

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

EXECUTIVE SESSION

At 7:20 PM, Councilmember Schiller made a motion for a ten minute executive session per RCW 42.30.110 Paragraph (f) To receive and evaluate complaints or charges brought against a public officer or employee. However, upon the request of such officer or employee, a public hearing or a meeting open to the public shall be conducted upon such complaint or charge.

The executive session ended at 7:27 PM. No action was taken.

PUBLIC COMMENT

Councilmember Catterlin says he believes it's important for the Council to have consensus over the response to the auditor over the Finding during the last audit. He thought the letter was vague and didn't discern between the operating funds and reserve funds, and made no mention of what the state of the reserve funds should be. The figures regarding the capital improvement plan were very vague and he doesn't think they are accurate. He addressed Paul Nott from the audience and asked if he could talk about the cutover project and how much is left. Paul wasn't prepared but knows the capital improvement plan was created six years ago and states a timeline to get the cutover completed. The project is designed in stages on a yearly basis and could be impacted due to other things that could take priority.

Councilmember Catterlin is looking for a dollar amount for what is remaining on the project. Paul believes it could be between \$2.7 - \$3 million. **Councilmember Catterlin made a motion to take a roll call of support or non support of the auditor response letter for the record.** He stated this is because the auditors read the minutes. Dan Glenn said with all due respect, the City attorney did not prepare the figures but he has confidence in the figures developed by Mr. Baun. Mr. Glenn said when Mr. Catterlin goes down this path and makes those types of comments, it doesn't smell very good. He said he has every right as a Councilmember but he needs to be consistent. Mr. Glenn said the letter was prepared by Mr. Baun and Mrs. Collins and he did most of the drafting himself and the Mayor signed off on it. The auditor has acknowledged receipt of it and has not indicated a position on it other than checking the numbers. He told Mr. Catterlin he can take any action he wants but needs to make it clear that this is his position but he respects his rights. **Councilmember Catterlin restated his motion. There was no second. Mayor Dent said the motion failed.**

Councilmember Peterson wanted to thank the McCleary Fire Department for the Christmas food drive. The received 389 pounds of food and had to do it in some bad weather. The Food Bank really appreciates everything they did.

MEETING ADJOURNED

It was moved by Councilmember Ator, seconded by Councilmember Peterson to adjourn the meeting at 7:35 pm. The next meeting will be Wednesday, January 28, 2015 at 7:00 pm. Motion Carried 5-0.

Mayor Gary Dent:

Clerk-Treasurer Wendy Collins:
