



McCleary City Council

AGENDA

September 25, 2013

7:00 Council Meeting

Flag Salute
Roll Call
Public Hearings:

Public Comment:
Minutes (Tab A)
Mayor's Report/Comments:

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

Old Business:

New Business:

Ordinances:

Resolutions:

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

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CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, September 11, 2013

ROLL CALL AND FLAG SALUTE	Councilmember's Catterlin, Peterson, Reed, and Ator.
ABSENT	Councilmember Schiller.
STAFF PRESENT	Present at the meeting were Chris Coker (In for Dan Glenn), Wendy Collins, Nick Bird, and George Crumb.
PUBLIC COMMENT	Joy Iverson had fliers for an upcoming information night regarding the new Health Care Act. She said it is not political in any way, just informative.
MINUTES APPROVED	It was moved by Councilmember Catterlin, seconded by Councilmember Reed to approve the minutes from the August 28, 2013 Council Meeting. Motion Carried 4-0.
MAYOR'S COMMENTS	Mayor Dent informed the Council that the Washington State Liquor Control Board has issued six marijuana establishment approvals in the Grays Harbor area. McCleary may be too small to accommodate a dispensary due to the school not being far enough away from any commercial location.
CITY ATTORNEY REPORT	Chris Coker attended the meeting in Dan Glenn's absence. He has provided a report and is available to respond to any questions.
DIRECTOR OF PUBLIC WORKS REPORT	Nick Bird has provided a written report for the Council and is available for any questions. He will be focusing on the shoreline management plan to adhere to the Department of Ecologies requirement.
FREE STANDING CANOPY REQUEST	Mayor Dent does not see any reason to deny Mr. Blaylock's request for a third free standing canopy on his property near the freeway overpass. The canopy falls under the term, "accessory use", which in the land use table, accessory uses are permitted in all zoning districts. It was moved by Councilmember Catterlin, seconded by Councilmember Peterson to allow Mr. Blaylock to construct a third free standing canopy on his property for retail purposes. Motion Carried 4-0.
G & O WELL 2/3 PROJECT STATUS UPDATE AND DISCUSSION	Jon Hinton and Mike Johnson gave a brief explanation of the well 2/3 project and why the project had delays and what the current status is today. After completing a minor punch list, the project will be very close to being finalized.
BUDGET SCHEDULE	A budget schedule has been provided for Council's consideration. Council is asked to please let staff know if they have any questions or concerns.
APPROVAL OF VOUCHERS	Accounts Payable vouchers/checks approved were 33732-36785 including EFT's in the amount of \$186,904.75. Payroll vouchers/checks approved were 36644-36731 including EFT's in the amount of \$168,373.03 and 36786-36818 including EFT's in the amount of \$155,965.87. It was moved by Councilmember Ator, seconded by Councilmember Reed to approve the vouchers. Motion Carried 4-0.
PUBLIC COMMENT	None.
EXECUTIVE SESSION	None.
MEETING ADJOURNED	It was moved by Councilmember Ator, seconded by Councilmember Reed to adjourn the meeting at 7:22 PM. The next meeting will be September 25, 2013 at 7:00 PM. Motion Carried 4-0.

Mayor Gary Dent: _____

Clerk-Treasurer Wendy Collins: _____

MEMORANDUM

TO: MAYOR AND CITY COUNCIL, City of McCleary
FROM: DANIEL O. GLENN, City Attorney
DATE: September 19, 2013
RE: LEGAL ACTIVITIES as of SEPTEMBER 25, 2013

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. **LeMAY AGREEMENT**: Pursuant to your authorization, I have prepared and provided to Ms. Collins the agreement under which all issues would be resolved. I believe that the Mayor and Ms. Collins have executed it and sent it on to Mr. Dionne for provision to the authorized signators for the Company.

2. **AWC HEALTH INSURANCE PROTOCOLS**: Ms. Collins has provided to me material received from AWC as to a decision of the Board which manages the health insurance aspect of AWC's activities. That decision is to move from obtaining insurance coverages from outside companies to assuming a self-insured pattern along the lines of the basic approach of WCIA in terms of our liability insurance.

To effectuate this decision, the indication is the City will have to execute a separate interlocal agreement with AWC in terms of this matter. The alternative would be to obtain independent insurance which likely would be possible, but at a higher cost. The matter will be coming on for formal review and action by you at your first meeting in October. I will be reviewing the material during the next two weeks. In the interim, Ms. Collins will be providing you with a "fact sheet" dealing with this situation which has been forwarded by AWC.

3. **ZONING MATTER-I 502**: As noted in my prior report, the LCB has completed, for all intents and purposes, its rules in relation to the licensing of the for profit operations for growing, processing, and selling cannabis. Given the timing of

the situation and the fact that the moratorium provisions lapse on December 31 unless you extend them, I would recommend that you refer the matter of zoning regulations for these areas to Mr. Aaland. Also, after you determine your general thoughts on the matter, authorize Mr. Bird, in association with Ms. Collins, Chief Crumb, and myself, to develop a proposal to go to Mr. Aaland based upon any initial thoughts you might have. As always, Mr. Aaland will hold a hearing and make recommendations to you for final consideration and adoption.

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

DG/le

STAFF REPORT

To: Mayor Dent
From: Nick Bird, Director of Public Works
Date: September 23, 2013
Re: Current Non-Agenda Activity

Water Quality

Since last meeting, the Public Works Department has had zero complaints regarding water quality. We are hopeful that this is occurring because the water quality throughout the system is better than it traditionally has been and not because our citizens feel that complaints fall on deaf ears. As we have previously indicated, our goal is to provide good water throughout the distribution system. If there are areas that need our attention, we need to know so that we can address the problem. Again, if you or anyone you know is experiencing water quality problems (discoloration, smell, etc) please have them contact me so that we may record and address the problem.

DOH Sanitary Survey

We have received the formal report from DOH. Nine items have been identified that require a response from the City before November 30, 2013. These items include follow up information like verify all vents and discharge piping is screened, to provide documentation on NSF certification for chlorine, and ensure that we have the appropriate certification levels for the operators. These are items that are relatively simple to address. Other recommendations include planning for installation of an emergency generator, studying the distribution system to determine the cause of chlorine demand, and modifying the small reservoir overflow piping. Other minor recommendations address contract items that still need to be completed, and basic operations of the water treatment plant. Based on the inspection, our operating permit color remains Green, which is the highest level a water system can achieve.

Well 2 & 3 Project

We are still prodding the Contractor to complete the remaining items of work on the punch list. The final reconciliation change order is currently being negotiated and the project will likely be recommended for acceptance in October.

Well / Reservoir Communication

Staff has worked with staff from CenturyTel to address some of the communication deficiencies we have been dealing with. We appreciate the work that CenturyTel is doing to make the service more reliable. Ultimately we will need to evaluate and make a decision regarding operation of the communication between the reservoir and well. This evaluation will likely be done in the water system plan in 2014.

General Sewer Plan

We have received a copy of the draft scope and cost proposal. With this information, we will determine where our focus should be on the project. The draft documentation is currently under review and when finalized, will likely be presented to Council in conjunction with the Ecology Grant/Loan Agreement in November.

Shoreline Management Plan

I have confirmed with Ecology that we must complete the plan. Our next steps are to prepare a scope and schedule, advertise for or select the appropriate professional services team, develop the project budget, confirm that the funding provided by Ecology is adequate, and execute the funding agreement with Ecology. Our goal is to accomplish these tasks by the end of 2013.

Water System Plan

No additional information to report since the August 28 Council Meeting.

Underground Boring Equipment

We are currently coordinating with the manufacturer to prepare a specification / bid package for the item because it is over the bid threshold. Once complete, we will advertise for the equipment and hopefully have a bid package to present to Council in late October or November.

TIB Main Street Application (SCAP)

The initial presentation of all of the projects submitted will be presented to the TIB board at the end of September. It is planned that the funding decision will be made at the board meeting at the end of November. This project is in the arterial program, where many large projects are considered. Since this project is relatively small, we are hopeful that there will be left over dollars that will not fully fund a large project, but will fully fund our project. We have contacted TIB to see how many applicants are in this pool, but have not received a response yet.

TIB Ash Street Application (SCPP)

Similar to the Main Street Project, we are anticipating our funding notice in November. This pool is typically much more competitive, but we hope that our proposal of using cement treated base will set us apart from the other applicants. Again, we do not know how many applicants are in the pool, but we hope to have this information in the near future.

3rd Street Improvements Phase I

No additional information to report since the August 28 Council Meeting.

WSDOT JC Agreement

No additional information to report since the August 28 Council Meeting.

7th and Ash (12 kV) Substation

We are currently waiting for one more part (gasket). Once the part is in hand, then we can schedule the outage to correct the nitrogen leak. As we are heading into fall, and we are uncertain of the part schedule, we are evaluating the risk of completing the work in the fall/winter vs. waiting until next spring when people are not using electricity to heat their homes. Again, if anything changes, we will make sure that all individuals affected will be well informed.

Snow Plow

No additional information to report since the August 28 Council Meeting.