



# McCleary Regular City Council Meeting

Wednesday, May 26, 2021 – 6:30 PM

WebEx Virtual Meeting

## Minutes

### Call to Order/Flag Salute/Roll Call

All members of the Council and Mayor Orffer were present.

### Agenda Modifications/Acceptance

There were no modifications to the agenda.

### Special Presentations

1. Rep. Derek Kilmer gave an US Congressional Update
2. ORCAA - Mike Shults, Fran McNair, and Dan Nelson provided information regarding an online fire permitting option through ORCAA.
3. Aflac - Mike Mueller provided information on a group long-term care plan, which is available to the city employees. This is an option to the 2022 required Washington State Long Term Care requirement. The group plan will require a \$25 per employee, per month commitment from the city for the duration of their employment. The plan extends to elected officials.

### Public Comment

Angela Rittinger: I just wanted to clarify just a couple things from last meeting. The first thing I talked about was getting an update on the SAP (Sample Analysis Plan) out at the Summit site. Todd informed me at that time that you were going to be starting the SAP that next day on May 13<sup>th</sup>. I'm wondering if that did, or didn't happen. And if not, why? I did mention to you that I was a little confused that you were going out on the 13<sup>th</sup> because Rob King had just informed me that morning that he was waiting on you for a timeline. They wanted to be a part of that. If, in fact, you did get started on the 13th if you did reach out to Rob and clarify that he needed to be present and if so, when did that SAP get implemented and who is the company you use to do these soil sample collections?

Todd Baun: The soil collection was actually was not done on the 13th, it was actually done on the 20<sup>th</sup>. Rob King was on site on the 20th. The soil samples were taken by MTC, which is stated in our plan that they would be taking the sales samples, and they were taken to Libby Environmental to be tested.

Angela Rittinger: Is there a reason why this SAP wasn't done on the 13th, like you said, did you need to reach out to Rob to clarify that? Todd replied, no, the reason why we said it was going to be possibly on the 13<sup>th</sup>. Angela Rittinger commented, that's not true. I'll get an email from Rob confirming because as you know, I talked to him on the 20<sup>th</sup> and he confirmed to me that you did actually call them on the 14th and clarify and reschedule it for the 20<sup>th</sup>. But I thank you for once again, not sharing the truth with us.

My second comment is actually related to some other misinformation that was put out at the last council meeting. I'm basically going to say on this is that I want to apologize openly the Chief George Crumb, our former Chief. As I told you at that meeting, I knew what you were saying was not in fact, true. The cameras were not pulled by him. As a matter of fact, he had bought an updated camera as late as the 2016 receipts showed that I

**Please turn off Cell Phones- Thank you**

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

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

La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

said that I had and that Chief Blumer said there was a data transfer. There was not a data transfer, so I reached out to George and unfortunately in doing so, he got brought into this attack from this #ToddBaunNation group.

Three minute public comment time lapsed. Mayor Orffer had the statement muted and moved on with the agenda. Angela Rittinger will finish her comments during the next public comment time at the end of the meeting.

Mayor Orffer: All right, thank you for that. And I have clarification as well that I'll be sharing with council as I was in touch with Chief Crumb.

### **Consent Agenda**

Approve the Consent Agenda:

4. Approve the Minutes from the May 12, 2021 meeting.
5. Accounts Payable May 1-15 totaling \$344,931.65 - Check numbers 49197-49266
6. Payroll - April 2021 Check numbers 49187 – 49196, including EFT's totaling \$230,550.33.  
Treasurers Report for April 2021.

**Motion made by Councilmember Heller, Seconded by Councilmember Huff.**

**Voting Yea: Councilmember Amsbury, Councilmember Huff, Councilmember Heller, Councilmember Miller, Councilmember Iversen**

### **Updates**

7. Police Staff Report
8. Legal Update – Chris Coker stated he will be working with Todd on some procurement things for the June meeting.

### **New Business**

9. Host letter, siting report, and site access agreement for PNSN monitoring equipment. <https://pnsn.org/host>  
Todd Baun gave an update stating the University of Washington Pacific Northwest Seismic Network, which monitors earthquakes, has a system out that alerts people by phone that there's an earthquake coming or potential earthquake coming. They have a hole in their system and McCleary happens to be in that hole. So they stopped in after they saw our site up at the reservoir on overhead maps, and asked if we would be interested in hosting their site to alert them of shaking going on. They came in brought in an agreement after that, which is in front of you to review. I think it would be a good thing and it would be at no cost to the city. They would provide all the infrastructure that they need at the site and they just need somewhere to put it.

**Approve the PNSN Agreement:**

**Motion made by Councilmember Iversen, Seconded by Councilmember Amsbury.**

**Voting Yea: Councilmember Amsbury, Councilmember Huff, Councilmember Heller, Councilmember Miller, Councilmember Iversen**

10. 2020 Annual Financial Report – Approval  
Wendy Collins, Clerk-Treasurer, submitted a memo in here with regard to the city's financial report. I believe she emailed a copy of the final numbers after talking with the State Auditor's office today to confirm that everything was accurate. The city's financial report is due on, May 31<sup>st</sup>, which happens to be a holiday this year, so we have to have it uploaded. The city does have opportunity to make changes to it if we were to find that something needed to be updated, changed or edited, we would be

**Please turn off Cell Phones- Thank you**

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

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

La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

able to do those things. Technically it's a draft until you approve it. We can upload that to fulfill our obligation by May 31st and then we could make any changes.

Councilmember Amsbury asked Wendy if there was anything that wasn't able to be resolved. Everything seemed to balance and looks fine. Wendy responded, yes, all of our financials are really clean. Everything's balanced and any issues were worked through and so it looks really good. 2020 is officially done! Councilmember Amsbury has no problem moving forward today, if the council is ready.

**Approve the 2020 Annual Financial Report**

**Motion made by Councilmember Amsbury, Seconded by Councilmember Iversen.**

**Voting Yea: Councilmember Amsbury, Councilmember Huff, Councilmember Heller, Councilmember Miller, Councilmember Iversen**

**11. Long Term Care (LTC) Insurance Coverage**

Mayor Orffer stated, we are exploring possibilities, and we have notified the employees of this upcoming tax that will begin being collected on January 1, 2022. We have made them aware of how to calculate it so that they would understand what they're contributing if they opt to pay the tax to the State, or do not opt to purchase insurance in another facet or another way. We've let them know that they should be exploring opportunities and at the same time, we are exploring this group option from a city perspective, but we need to hear from council if this is something that you think is worthy of continued exploration and research, or if the council is in opposition to doing this, because it would incur a cost to the city. As Mike Mueller explained, we would pay the first \$25. One of the requirements of a group plan is that the employer must contribute and so we would be paying the first \$25 per person, depending on what their premium is, and the employee would pay the remaining dollars after that.

What are the Council's thoughts on a group plan and whether you would like us to continue this research and bring it to you at some point for an approval discussion?

Councilmember Iversen asked has anybody calculated approximately what the annual cost would be for this. Mayor Orffer responded, Wendy and I discussed that briefly and based on an approximate 24 employees, if they all opted in and we were paying \$25 a month per person, we were able to calculate the number per year. I don't have a calculator in front of me, but I think it was around \$7,200 that the city would be paying and that's if every employee did it. This would also apply to council members. You would have the option of also being part of this group if you wanted to, because you are a W2 employee of the city. The volunteer firefighters, if they receive a W2, would also have the option. That is something that the city has to consider is who would we want to include. Can we say it's only for full-time employees? Those are some things to consider because if the city has to pay the first \$25 of everyone that participates, that's a consideration to bear in mind.

Now, he did explain that an employee opts to bring a spouse into the coverage they are entirely responsible for that. The city is not responsible to pay for the first \$25 of a spouse benefit.

Councilmember Iversen said, if I understand it correctly, a council member, if we went with the state plan to pay .58 cents a month, does that sound right? Mayor Orffer responded, on your council member salary, yes. If you are employed elsewhere, you'll be paying the tax on that. Councilmember Iversen continued, but on our council member salary, if I chose as a council member to go with the city plan the city would have to pay \$25 a month for me? Mayor Orffer said that's my understanding. Councilmember Iversen said I think that definitely bears some discussion on who's eligible for that

**Please turn off Cell Phones- Thank you**

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

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

**La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.**

plan. Councilmember Amsbury said, I absolutely agree. I think it makes sense for the full-time employees. I think that is a good question to ask, can we limit it to just those full-time employees? Because, we're also getting a full benefit of them being a full-time employee.

Councilmember Iversen added, I think that people like the council who will owe .58 cents, we could probably come up with that. Councilmember Amsbury stated, there's other options. She added, Joy, you were gone at the last Finance Committee meeting and they brought this up a little bit. We had just gotten this information before the council meeting and so I was trying to do a little bit of looking into it as well, because it doesn't really puzzle out for some of us that don't have the salary to go with it. If we can get it elsewhere for a decent cost. I thought it was interesting that they said that it was hard for people under 40 or under 30 to get that and I do know that there are some city employees that would fit in that category. It might be a nice thing to be able to offer for those people. I haven't gone out and tried to get it, so maybe I'll do that too just so that I can bring back some homework for you guys and see what I find out.

Councilmember Iversen said my other question is, for me, personally, I have a long term care plan already in place that I pay for monthly. So, if any of the city employees have that, would they be able to use that and opt out of the other. Mayor Orffer responded, yes, if you have a long term care insurance plan then you can request to opt out and you submit that request to the employment security division or employment security department at the state of Washington. They will begin accepting requests to opt out on October 1 of this year and you will be able to request to opt out through December, 31 of 2022 but, you have to have owned your policy before, or by, November 1 of 2021. That is why he mentioned that time is of the essence if we were going to do this, or consider providing this benefit for employees. We would want to make the decision sometime in June would be ideal according to his comments so that they could move forward with the underwriting, the questions, the interviews, and so on and also work with employees to answer their questions so that they could make decisions on whether or not, they wanted to enroll.

Councilmember Iversen stated, it sounds to me like, this plan has a lot of leeway that allows for different circumstances for different employees. They're not locked into all having to do the same thing or having to give up their own long term plan. It sounds like this this has a lot of options available. The employees can pretty much decide what they want to do, short of not having anything. I understand that's a state decision, not ours. So, it sounds good to me.

Mayor Orffer added, Wendy in your conversation with Mike, did he mention whether we have to have a minimum number to create a group. Wendy responded no, he didn't. I know that the group was to benefit all ages across the board, but he did not have a minimum requirement or percentage. Mayor Orffer said, okay, we definitely have some more questions to ask him to make sure that we have full understanding. From what I'm hearing from some of you is, we would want to know:

1. Could we limit eligibility to full time employees only?
2. Do we have to offer it to everyone who's on the city's W-2 payroll list?
3. Is there a minimum number or minimum percentage of employees that have to participate in order to create the group?

We'll ask more questions and we'll bring it back to counsel again at our June 9th meeting would probably be a time that we would want to consider taking action, if we're going to. We will try to get all the information and questions answered.

Councilmember Huff said I think we should give that option for employees to decide what they want to do and council I think, can be excluded. It doesn't make sense to pay \$25 for .58 cents. Looking at my

**Please turn off Cell Phones- Thank you**

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

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

La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

own retirement plans, I would be annoyed paying in the taxes and not benefiting it because I know I don't plan to retire in Washington State when that wonderful day comes. I think we should give the employees, or at least the full time employees, that option because we don't know what their retirement plans are and that would be less than pleasant to give the government money and not being able to benefit from it.

Add to the June 9th meeting.

12. Express Employment Professionals

They provide temporary staffing solutions when people are in need of temporary staffing. There is no cost to have an agreement in place with them. The city would only incur any costs if we utilize their services to obtain temporary staffing.

Wendy added, I ran this by Chris Coker and we talked about a couple areas of concern in the contract. Barbie from express employment cleared those items up. Because we are a public agency, we would not be bound to a lot of the tightness that some of the other smaller companies have that use them. They also would be negotiable on a fee if we ever did hire a temporary person, and then later have a full-time position. They would charge us much less so it just sounds very flexible. They're willing to work with us and for occasional need, it would be nice to have in place. It will prevent the city from having to add them to payroll, pay taxes, and all that. They take care of all of those things for us. It's actually quite a good deal.

Councilmember Iversen said I'm looking at the hourly rate, is that what we pay the company or is that for the actual person that we are using? Wendy responded, what they're trying to demonstrate here is that the hourly rate that they would pay the employee would be \$15. The actual amount the city would be paying would be the \$22 dollar figure, and that includes all the payroll taxes, L & I, federal & social security taxes, and all those things that have to be paid. I'm sure there's a profit amount in there, as well. Councilmember Iversen commented, basically out of that \$20.77 would come to \$15 dollars and then all those other things that you pulled out of a paycheck, correct? Wendy answered, yes, when they charge us, we would receive an invoice for \$20.77 an hour for specific amount of hours and then they pay everything else. They handle the quarterly taxes, and handle all of the monthly taxes and all the fees that are applied to payroll. Councilmember Iversen stated, that a very low amount. I hired temps when I worked at the hospital, I realized that's a different pay scale, but this is a very low amount, especially considering the cost of hiring people. Wendy added, yes, it would save on advertising, for sure.

Councilmember Amsbury added, just as a note, the county has used them, especially during Covid, to speed up the process because express does evaluate the people and they do all that pre-work so that you don't have to do the 2-weeks and you are able to get someone onboard quicker. If that person calls out and they're going to be sick for a week Express takes care of that and gives you someone else to fill in. At the county, we have found that it has worked pretty well for some of those temporary positions.

The county has seen use in it in the public health department and we've used them for our screeners. Councilmember Iversen asked Councilmember Amsbury, did they have trouble filling those positions and were there times she had to wait a week or two before they could find someone? Councilmember Amsbury responded no, and that was actually one of the things that we have really liked about it. When we have a person filling in for the front screener for when you come in the buildings, and that person would be out for a week for something, they had someone right there to fill right in and we never had a gap in service. Whereas, if they are you're temporary employee and they call it, you don't

**Please turn off Cell Phones- Thank you**

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

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

**La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.**

have another temporary sitting in the wings to fill in. It saves that staff time of having to put all of that work in if they're only going to be working for two months. You still have to do all this work same as you would for a full-time employee including all the paperwork.

**Approve Express Employment Professionals Agreement.**

**Motion made by Councilmember Iversen, Seconded by Councilmember Amsbury.**

**Voting Yea: Councilmember Amsbury, Councilmember Huff, Councilmember Heller, Councilmember Miller, Councilmember Iversen**

## **Old Business**

### **Ordinances and Resolutions**

#### **Updates**

13. Councilmembers
14. Mayor - Covid-19 Update

### **Council/Mayor Comments**

Councilmember Huff: I've gotten a lot of feedback from the community on the cemetery and the park and areas around town of how nice it all looks. One comment was that the cemetery is probably the best it's looked in years so just wanted to pass that along to Todd and Public Works that the community does appreciate the work they are doing with the grounds and he wanted to give some positive feedback.

Councilmember Iversen: Stated to Councilmember Huff, your effort with those monthly cleanups around town have also helped quite a bit. I'm sure Todd and his crew appreciate that. Thank you for doing that.

Councilmember Amsbury: I just got my CML Certificate. She was glad to get her last training through in May.

She asked Todd if he has an ETA on the swing set and also there was talk about a walking trail in the budget and so she wondered if he could provide a park update. Todd responded we are getting ready to install the swing set. We didn't realize the bolt set was not included in the shipment so we had to order them and they were four-weeks out. We just got them so when we finish up with Ash Street, the crew will put up the swing set. As far as the park trail, we are waiting for county for our waste plan that we are working on. Once we get that plan, we can crush that material out there and some of that material has the base of the park trail and once we do that, it's just a matter of getting it out there.

Todd added, he wanted to finish his answer from earlier. We did reach out to Rob King the next day, which was the 13<sup>th</sup> and they were unable to respond at that time so we rescheduled out to May 20<sup>th</sup> to have the soil samples taken, which everybody was able to reschedule and we got it completed on the 20<sup>th</sup>.

Councilmember Iversen said we had several community members very excited at the idea of having elliptical equipment along the park trail and asked Todd if he has done any more research into that. Todd said just initial research and we will look later in the summer after the trails are installed. Councilmember Iversen asked to make sure it stays on the radar and he can look at grants since he is the grant writer.

Mayor Orffer: I had a conversation with Chief Crumb. He emailed the council and I after the last meeting and I let him know that I would clarify at our next council meeting that the program referring to the body cam

**Please turn off Cell Phones- Thank you**

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

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

**La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.**

program had not been discontinued while he was here as chief and that it had not become fully operational while he was here as chief. We talked about the fact that there had been some city budgetary challenges during that time that were likely the largest factor impeding the city's ability to get everything up and running for that program. Chief Crumb shared with me, he very much believes in body cams. He shared that in his email as well, and notes that they can be a valuable tool.

I said that I would clarify that at this meeting, and I am doing that. If this is something that the city council would like to explore, we can see technology advances, and our city budget position, is better now and more amenable to instituting a program with body cams here in the city, and we can definitely do some research on that.

I appreciate Chief Crumb reaching out by email. He and I had a good conversation on the telephone and I assured him that I would make this clarification. We appreciate the work that he did for our city when he was here and we by no means wanted to disparage him in anyway. He was working very diligently to try to create a program and he had a lot of challenges that were impeding that process. Thank you to Chief Crumb for that. If you have any other questions, feel free to reach out to me, but I wanted to get clarification.

In other areas, we continue to have the Covid-19 guidance's in place. We're still working under the phase 3 restrictions. We have all been working with the latest announcements coming from the CDC and then the proclamations and guidance's that Governor Inslee's office had has been putting in place, along with the Department of Health with regard to fully vaccinated individuals, indoor masking, and things like that. We've been working on our covid response plan to update that plan and to make sure that all city employees are notified of any changes that have taken place and occurred.

We continue to document financials so that we can be in the best position possible to submit for reimbursement to FEMA to get assistance from them as well as to be prepared for the American rescue plan dollars and be prepared to allocate that money when it comes to the city. We will be having a conversation with Council about highlights and priorities that we want to see with that money. As Representative Kilmer mentioned earlier, the City of McCleary should see somewhere in the area of \$380,000. There will be some guidance as to how that money can be spent. The money will be distributed in certain ways and we won't just get a check for \$380,000 dollars. There will be requirements for how you spend money to get reimbursed, when you can get reimbursed, and for how much. It's intended to be a couple years that the city would be able to submit and apply to get those funds.

We're excited about the Bear Festival activities happening this summer during the second weekend in July. We are excited that we're going to be able to do a lot of activities this year. The group that is working on that committee has been extremely diligent and taking the time to think things through. They're being very thoughtful, methodical, and making sure that what they're doing can be done safely.

## **Public Comment**

Angela Rittinger: I'd like to finish my comments. First of all, thank you Todd for clarifying the information with the SAP from earlier. I appreciate that.

Second of all, I just want to continue with my public apology to Chief George Crumb for dragging him in to the mess from the misinformation last meeting. Based on that information, it's very unfortunate events with our Canine Officer Gettle's wife, Shannon, went on a social media attacks on him going on and on about how incompetent he was, and that he was fired. I just wanted to clear up that, in fact, he was not fired. George Crumb retired December 31st of 2016. He was awarded in 2005, with a fellow officer, given a special letter of accommodation for his role in capturing those responsible for robbing what was then, the Simpson Credit Union, and I think Mayor, you actually signed resolution 696, honoring George Crumb with George Crumb Day on

**Please turn off Cell Phones- Thank you**

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

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

La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.

January 25th of 2017. I just want to clarify that George Crumb was neither fired nor was he incompetent because actually, from what I understand, he was quite a good man and serve our community well. He was honored with his own day and I think that speaks for itself, that he was not fired and that he was very well respected in the community. Thank you for your time.

Chris Vessey: The other day I was in the post office and I heard a couple of gentlemen talking that there was person running for a Council seat, which I don't know the gentleman, but he was against having another police officer and the cameras. I just want to make a point that back if we had cameras when Lindsey got taken, maybe something would have been seen.

I had the pleasure sitting in on the Civil Service Board for the 3 Police applicants that were interviewed by the oral board. I know the Chief's got a good choice because all three of the gentleman were very good. I do think we do need another police officer because our officers we've got now are getting burned out.

Max. Ross: I'm calling in a little bit late. I was wondering what is going on with the SAP at the Summit site and if that's already been discussed in this meeting and I missed it, just let me know, and I can go back and look at the minutes, but I wanted to know if the county accepted this and if the sampling has started and if any results have been received and if the county has given any further instructions for other city owned sites, like the Mox Chehalis one.

Mayor Orffer: We did mention earlier the SAP was approved and the soil sample tests were collected on the 20<sup>th</sup>. Those test results should be back within a week or two from that date. The inert ingredients that are out there, we are finalizing that plan to submit to the county. That's where we're at.

Max. Ross: I've heard some talk around the views of body cameras at the city police department. I just wanted to voice my concern in the use of a body cameras. I think they are a good tool to improve transparency and trust with the police department in the community. I also think it's important to hold both officers and bad guys accountable for their actions that occur during police encounters. I think video documentation is a really effective tool do that. As a community member, I'm in support of that.

The last thing I want to mention is, I had a conversation with the owner of the Scout Subs that recently opened and he explained me an issue that he's having with his drive through. The City of McCleary only has a handful of businesses and I feel as though the city should be doing just about everything in their power to support those businesses as they provide tax revenue and traffic to the city. What was explained to me is that the city put in a new power pole on the corner of the lot, but did not remove the old one. So there's two power poles a couple of meters apart, which prevents cars from being able to turn out of the lot, which basically prevents people from being able to use his drive through. I feel like that impedes his business and if the solution is to remove a power pole that is no longer in use, it seems like a win-win for both the business owner, and the city, in terms of increased business, resulting in increased tax revenue. Thanks for thanks for hearing me out.

Mayor Orffer: I will follow up with you. I've had a conversation with the owner at Scout Subs, and I can provide you additional insight on that.

## **Adjournment**

Adjourn the meeting at 8:09 PM. The next council meeting will be June 9<sup>th</sup> at 6:30 pm.

**Motion made by Councilmember Iversen, Seconded by Councilmember Heller.**

**Voting Yea: Councilmember Amsbury, Councilmember Huff, Councilmember Heller, Councilmember Miller, Councilmember Iversen**

**Please turn off Cell Phones- Thank you**

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

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

La ciudad de McCleary es un proveedor de igualdad de oportunidades y el empleador.