



McCleary Special City Council Meeting

Wednesday, November 29, 2022 – 6:30 PM

McCleary City Hall & Zoom Virtual Meeting

Minutes

Call to Order/Flag Salute/Roll Call

Meeting called to order at 6:30pm.

Present:

Councilmember Jacob Simmons
Councilmember Brycen Huff
Councilmember Max Ross
Councilmember Andrea Dahl
Councilmember Keith Klimek (after appointment)

Agenda Modifications/Acceptance:

Councilmember Huff asked to add the IBEW MOU to agenda. Councilmember Dahl asked to add the Salary Commission Ordinance to the meeting. Chris Coker stated as this is a special meeting no action can be taken on either matter, he suggests adding it to a regular meeting. Both Councilmembers stated they can hold the items until the December 13, 2023 meeting.

Motion made by Councilmember Huff, Seconded by Councilmember Ross to accept the agenda.

Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl.

Public Hearing

1. 2024 Final Budget:

Mayor Miller opened the hearing at 6:34pm. Clerk-Treasurer Jenna Amsbury provided a report on the current budget proposal includes removing 2 vacant public works utility positions, one summer help and the public works assistant position with adding the program manager position. The budget includes a 0% utility rate increase for all utilities, a resolution will be needed to not take the CPI increase. The utility taxes in the Current Expense Fund will need to be reduced by \$20,000 if there is no utility increases. There is still a deficit of approximately \$110,000 in the Current Expense Fund that needs to be addressed. The rest of the funds, except the Street Fund are balanced. The Street Fund requires funds from the Current Expense Fund.

Councilmember Huff noted the council and mayor increases were not approved due to the meetings not being properly advertised. Jenna Amsbury stated the increases were removed from the budget.

Councilmember Dahl asked about the vacant Building Official on the salary spreadsheet. Jenna Amsbury stated this is just a placeholder Larry Skinner, the current Building Official is paid through contract not as an employee.

Councilmember Huff asked if the new police car was removed, Jenna Amsbury said that it was. Councilmember Huff said he believes there is a need for reduction in workforce, he prefers to maintain the 6th officer in the Budget, his preference is to not cut public safety, but it needs to be the decision of the Administration, not Council.

Councilmember Dahl asked about utilities and summer help staffing levels and if the two vacancies were removed from the budget as well as one summer help position. Chad Bedlington said they were removed.

Jacob Simmons said he thinks the 6th officer needs to be looked at for an option for reductions as well as other staffing levels back to 2021. Councilmember Dahl agreed.

There was no public comment and the hearing was closed at 6:44pm.

2. PRA Fee Schedule Resolution:

Mayor Miller opened the hearing at 6:44pm. Ms. Amsbury provided a staff report. She explained fee schedule allowances in RCW have changed and new police body camera fees have been added to allowable charges. The City needs to have an updated fee schedule in order to charge accurately. This was reviewed by Mr. Coker.

Councilmember Simmons stated he doesn't think the city should charge for digital copies.

There was no public comment and the hearing was closed at 6:52pm

Executive Session

3. Review of Applicants for Public Office RCW 42.30.110 (1) (h). Mayor Miller moved out of the regular meeting and into the executive session announcing the session would last 5 minutes.

Executive Session started at 6:52pm and ended at 6:57pm. Mayor Miller announced no decisions were made and moved to the next executive session.

4. Litigation under RCW 42.30.110 (1) (i): At 6:58 pm Mayor Miller moved out of the regular meeting and into the executive session announcing the session would last 5 minutes. At 7:03 p.m. a five minute extension was announced.

Executive Session started at 6:58pm. Extended for additional 5 minutes. Executive Session closed at 7:13pm. Mayor Miller stated no decisions were made.

Action after session:

A motion was made by Councilmember Ross and seconded by Councilmember Dahl to approve a settlement agreement with Teamster and Steve Randich in the amount of \$17,500.

Councilmember Huff said this is an unfortunate position, he believes the city should have left a competent employee in place. Councilmember Ross stated the settlement is the best option given the circumstances the city is in.

Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl.

Council Appointment Position 5

Councilmember Huff stated after reviewing the applicants, this wasn't an easy decision and he appreciates everyone for applying.

Councilmember Huff nominated Keith Klimek to position number 5 Councilmember Dahl seconded the motion.

Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Dahl,
Voting Nay: Councilmember Ross

Mayor Miller provided the Oath of Office to Keith Klimek. Councilmember Klimek joined the table as a voting member for the remainder of the meeting.

Public Comment - Agenda Items Only –

Jeff Geer stated the councilmember appointment should have been after public comment so the public could comment. He asked why the resolution for a firefighter to be allowed to be a councilmember was not on the agenda. City Attorney Chris Coker said there was no reason to have it on the agenda yet, if the person was appointed, council could have requested the Resolution. Mayor Miller asked if we could have it in place for future. Mr. Coker will draft the Resolution.

5. Consent Agenda: Accounts Payable Sept. 1-15 Ck Numbers 51056-51118 including EFT's totaling \$222,190.13. Councilmember Dahl asked about the Dell computer purchase. Jenna Amsbury noted there needs to be a replacement program for future needs.

Motion made by Councilmember Huff, Seconded by Councilmember Ross to approve the consent agenda.

Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl and Councilmember Klimek.

Updates

Councilmember Huff said there is a Town Hall Meeting on the 15th and gave Chad follow-up questions. There was an incident that occurred after the meeting. Huff said this is unacceptable behavior by a planning commission member and asked to remove Mr. Atkins from the Planning Commission. Mayor Miller said the police is looking into this. Councilmember Huff added there were two people trespassed for seven days. They have not received the trespass issue in writing. He thinks Mr. Atkins should be trespassed as well. Sergeant Bunch stated he did serve the trespass warnings last night. Chief ordered the trespass. Councilmember Dahl asked how many man hours were spent investigating. Sergeant Bunch stated very few hours were spent.

New Business – None

Old Business

6. IZG Contract for Indigent Defense Services:

Jenna Amsbury stated there are no changes to the cost of the contract, \$700 per month. This is just a continuation of services. Councilmember Huff asked about the service. Chris Coker stated the attorney is responsive and he is not aware of any complaints.

Motion made by Councilmember Dahl, Seconded by Councilmember Huff to renew the contract with IZG.

Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl and Councilmember Klimek.

Ordinances and Resolutions

7. Budget Amendment Ordinance 885

Jenna Amsbury stated the amendment to the budget is needed to correct a few line items for the end of the year. Specifically, this proposed amendment includes increasing the expenditure line item for police vehicle purchase and upfitting in the police managerial fund 321 from \$100,000 to \$125,000 to match the fund cash balance available, remove a \$200,000 grant revenue line from the current expense fund 001 that

was not received, add sewer reserve fund 423 beginning cash balance of \$145,000 to match actual ending balance from 2022, adding a transfer out from the current expense fund 001 to police managerial fund 321 in the amount of \$25,000 and removing the transfer out from current expense fund 001 to the park and cemetery managerial fund in the amount of \$8,000, remove the transfer out from current expense fund 001 in the amount of \$69,000 to the fire levy lid lift fund 122 and the corresponding revenue in the lid lift fund 122 as the levy ended in 2022, adding \$14,000 in equipment line item for bunker gear purchase from the fire levy lid lift fund 122.

Councilmember Dahl asked about the bunker gear purchase. Jenna Amsbury stated she was waiting for the final information on the purchasing cooperative information for the final purchase.

Councilmember Simmons asked about the \$69,000 transfer. Jenna Amsbury stated the fire levy expired and this amount should not be transferred as it was an error from the County Assessor. The amount will be paid back in the coming years to the County.

Councilmember Simmons asked about the funding for the bunker gear and asked for verification where the expense is being taken out of. Jenna Amsbury stated \$50,000 was budget in both the Current Expense and the Fire Levy Lid Lift Fund. Councilmember Huff asked Andrew Pittman which fund was the preference, he stated the Current Expense fund was his understanding to keep the levy fund for vehicles.

Jenna Amsbury noted that using the \$50,000 out of the Current Expense Fund would create a \$160,000 deficit for next year instead of the \$110,000. Councilmember Simmons stated that since the purchase was over by \$14,000 that could come from the Fire Levy Lid Lift since it wasn't budgeted from Current Expense. There was further discussion on the funds and expenditures for fire gear. Council agreed they want the \$50,000 to come from Current Expense and the \$14,000 from the Fire Levy Lid Lift Fund.

Motion made by Councilmember Ross, Seconded by Councilmember Simmons to approve Ordinance 885 adopting the 2023 budget amendment.

Roll Call Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl and Councilmember Klimek.

8. Ad Valorem Ordinance for Property Tax Levy in 2024:

Jenna Amsbury provided a staff report. She explained the City was not eligible for a 1% increase in property tax for 2024 year, as the amount of levy is reduced due to not having the fire levy lid lift anymore. There is also a decision on the number of years to pay back the levy lid lift overpayment in 2023 a three-year option allows for \$16,000 per year. \$355,000 is the estimate for property tax revenue in 2024. Ms. Amsbury stated the banked amounts from the 1% is not available as it was not listed properly on the property tax forms per the Assessor, so that is lost.

Motion made by Councilmember Huff, seconded by Councilmember Ross to approve Ordinance 886 and do the repayment option over three years for the fire levy lid lift.

Roll Call Voting - Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl and Councilmember Klimek.

9. Budget Ordinance:

Councilmember Simmons stated he does not want to see another budget until the FOP Contract is settled. It has not been approved yet, and without real numbers the budget is not accurate. Councilmember Huff stated the budget is not balanced yet and should not be approved until it is. He stated he believes it is the administration that needs to present a balanced budget not the council. He is not ready to approve, and more discussion needs to be had on the urban planner position.

Councilmember Dahl agrees with Councilmember Huff and wants to see a balanced budget. She has provided recommendations to the administration on reductions. She agreed with Councilmember Simmons as well on the FOP Contract needing to be approved in order to balance the budget accurately.

No Action Taken

10. PRA Fee Schedule Resolution:

Councilmember Ross said it's important to not lose money on record requests. He is in favor of the revisions. Councilmember Dahl agrees.

Councilmember Simmons doesn't agree with charging for records. He stated there needs to be more transparency.

Chris Coker explained the gifting of public funds statute for giving away USB drives etc. for no cost.

Councilmember Huff agrees about transparency but thinks the city needs to recoup fees.

Councilmember Klimek stated this is just to recoup fees not make money on them.

Motion made by Councilmember Ross, Seconded by Councilmember Dahl to approve Resolution No.757 establishing a public records fee schedule.

Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl, Councilmember Klimek.

Voting Nay – Councilmember Simmons

Public Comment - City Business Only

Jeff Geer made comments on the trespass issue, the Chief must have had a directive to do it. 7 days, it happened 3 weeks ago, why did this take so long for the individuals to receive the notice?

Council Updates

Councilmember Huff said 7 families were provided meals for Thanksgiving by the Police and Credit Union. He thanked the donors.

Councilmember Simmons said he won't pass the budget without an approved FOP contract.

Councilmember Klimek thanked the Council for their vote of confidence.

Councilmember Huff spoke about his concerns over the budget. Two years ago, we had money. He stated the previous Clerk-Treasurer did not do a good job. He won't take that full responsibility.

Closed Session

11. Collective Bargaining RCW 42.30.140(4)(a)

At 8:16 p.m. the Mayor moved the meeting to closed session and announced the session would last 15 minutes. At 8:31pm there was a 5 minute extension announced.

At 8:36pm the Mayor reconvened the special meeting and announced no decisions were made.

Adjourn

Meeting Adjourned at 8:36pm

Motion made by Councilmember Huff, Seconded by Councilmember Dahl.

Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl, Councilmember Klimek.