



# McCleary Regular City Council Meeting

Wednesday, October 13, 2021 – 6:30 PM

WebEx Virtual Meeting

## Minutes

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

Mayor Orffer called the meeting to order at 6:32PM

PRESENT: Councilmembers Amsbury, Huff, Heller, Miller, and Iversen, and Mayor Orffer.

### Agenda Modifications/Acceptance

There were no modification to the agenda.

### Special Presentations

None

### Public Comment

Angela Rittinger – Still looking for transparency and answers. Regarding the Summit Site and the above ground asphalt, did the city save money by delaying the project, or did it cost the city more money?

Angela said the welcome sign wood carving turned out beautiful. She asked about the additional plants, labor, and concrete for the installation of the carving. Angela discussed a previous conversation in which Wendy Collins, former Clerk-Treasurer, stated that she was uncomfortable signing the check for the Wood Carving because it was not a fair bid process.

Angela is frustrated that her August 27<sup>th</sup> request for public records regarding camera footage was unable to be fulfilled. She states that the city knew it had 30 days until the footage was no longer available. Mayor Orffer reassured Angela in an email that we are working on an enhanced public records process. This isn't helpful to Angela in this situation, as her requested video footage is gone.

Next, Angela discussed election signs. She said the power and light crew moved the signs on city time. When Angela questioned a city employee about it, he used profanity at her. This is very disrespectful to her, and to the city.

Lastly, Angela had a question for Public Works Director Todd Baun. She asked Baun to share the name he chose for a baseball team for Bear Festival. Baun explained a local business donated and sponsored the team and they came up with the name, Baun Nation.

Mayor Orffer apologized to Angela for the lost video footage. Mayor Orffer also publicly apologized for the lost footage.

Bob Pringle- Brought up campaigning backlash. Bob referenced a section of the city's Employee Handbook, page 7, Section 2.11 which discusses city employees are to use assigned vehicles to conduct city business. Bob said the power and light crew used city time and vehicles to put up campaign signs. Bob asked Mayor Orffer if these types of activity are allowed on city time if Mayor Orffer is authorizing this. Mayor Orffer said no, she would investigate, but she has given employees a directive that no campaigning of any kind is to be done on city time. Mayor Orffer explained that she does not abuse city resources or authorize the abuse of city resources. She doesn't discuss campaigning at city hall, and she is very uncomfortable discussing it now.

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Suzannah Winstedt -Suzannah brought up the annexation. She shared that she had excellent conversation with some of the council members and hopes the councilmembers discuss their thoughts tonight prior to voting. Council is working on the best interest for the city.

Gary Atkins – Gary had some questions for the Council, he said he had asked several council members these questions in the past and no one knew the answers. Who approved the vehicle lease? Who allowed the Police Chief cash instead of benefits? This is taxpayer dollars. Gary asked Mayor Orffer if she was a lobbyist, and if she was the one responsible for the LTC. Mayor Orffer said she was a lobbyist but did not get paid for it, it is not her job. Gary went back to the cash paid in lieu of benefits to the Police Chief, he said Mayor Orffer should just admit she gave the chief a \$32,000 per year raise. Gary asked why Mayor Orffer wanted to investigate the campaign sign issue now, why didn't she rectify it when it happened? Gary then asked how it works if a police officer gets fired 3 times for flunking a test, but then gets immediately rehired? Is this allowed, shouldn't the job be advertised? Gary then asked the Council directly, who passed the lease, computers, signs, cameras? Councilmembers Heller, Huff and Amsbury all responded with their roles in the voting process for all the items Mr. Atkins mentioned. Mr. Atkins then restated that had received no answers. Mayor Orffer said she would be happy to meet with him at a later date. She said that council had a packed agenda tonight, and she had afforded him more than the allotted 3 minutes for public comment.

### **Consent Agenda**

1. Payroll September 2021 - Check numbers 49713-49722 and EFT's totaling \$222,331.62
2. Regular City Council Meeting Minutes 09/08/2021, and 09/22/2021
3. Accounts Payable Sept 16-30 Check Numbers 49723-49759 and EFT's totaling \$94,808.25

#### **Approve the Consent Agenda**

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

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

### **Updates**

4. Staff Reports - Finance & Administration, Building & Planning, Police, Light & Power, Public Works

### **New Business**

5. BPA Mutual Assistance Agreement

#### **Approve the BPA Mutual Assistance Agreement**

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

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

6. Lemay's Rate Increase, Resolution #739

#### **Approve Lemay's Rate Increase, Resolution #739**

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

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

7. Greater Grays Harbor Mutual Service Agreement

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Public Works Director Todd Baun explained that Greater Grays Harbor provides business and technical support, grant writing assistance and economic development ties.

**Approve the Greater Grays Harbor Mutual Service Agreement**

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

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

8. BIAS/Springbrook 2022 Renewal

**Approve the BIAS/Springbrook 2022 Renewal**

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

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

9. Itron Renewal

**Approve the Itron Renewal**

**Motion made by Councilmember Amsbury, Seconded by Councilmember Heller**

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

10. Post COVID Shut Off Procedures

Mayor Orffer discussed our process/policy for utility shutoffs and late fees. Council was asked if they wanted to make any changes regarding the fees or leave our process/policy as is. All Council members agreed to leave the process/policy as is, no changes.

11. DTF Commercial Real Estate Purchase Agreement

Discussion took place regarding the purchasing of the DTF property. Public Works Director Todd Baun said the RFP that went out to cruise the land in regards to timber and wetlands is due this Friday. Councilmember Huff said he heard there was a stipulation on this property from the previous owner stating it could not be logged. Chris Coker said nothing separates logging timber from the contract. Baun asked if we could get some dates changed in the agreement: change the inspection period from November 15<sup>th</sup> to **November 30<sup>th</sup>**, and the closing date from November 30<sup>th</sup> to **December 15<sup>th</sup>**, this would allow us adequate time to do our due diligence.

**Approve the DTF Commercial Reals Estate Purchase Agreement with the date changes**

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

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

12. LOCAL Program Notice of Intent for DTF Property

The LOCAL Program is a possible funding opportunity for the DTF property. Submitting the intent won't lock us in to funding through the program

**Approve the LOCAL Program Notice of Intent for Funding**

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

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

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13. FOP Memorandum of Understanding

The FOP MOU corrects a clerical omission error that occurred during drafting of the final contract. This MOU rectifies the omission.

**Approve the FOP Memorandum of Understanding**

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

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

14. LIHEAP HOME HEATING ENERGY VENDOR AGREEMENT OCTOBER 1, 2021 – SEPTEMBER 30, 2023

**Approve the LIHEAP Home Heating Energy Vendor Agreement October 1, 2021-September 30, 2023**

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

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

**Old Business**

15. Annexation Resolution #738

Discussion took place. Councilmembers shared the factors influencing their decision on the vote.

Councilmember Iversen has several conversations with residents in the community, she feels we need a Planning Commission, whatever is decided will affect the future of the city, for this reason she does not want to approve the annexation at this time.

Councilmember Miller said there are just too many unanswered questions, with all the unknowns, he cannot approve the annexation.

Councilmember Huff has also had several conversations with residents and knows there are legitimate concerns for the community. He feels that if the city approves the annexation, we will have more control on what happens, for that reason he will approve the annexation resolution.

Councilmember Heller feels it is in the best interest in the city to annex the property. Put the city in control and we can rigorously follow the critical areas and state laws, he will be approving the annexation.

Councilmember Amsbury recused herself from the vote due to her work with the GHC Boundary Review Board.

Mayor Orffer called for a Roll Call Vote.

**Roll Call Vote to Approve the Annexation Resolution #738**

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

**Voting Yea: Councilmember Huff, Councilmember Heller. Voting Nay: Councilmember Miller, Councilmember Iversen. Recuse: Councilmember Amsbury**

City Attorney, Chris Coker explained that because there was a tie vote, Mayor Orffer can vote to break the tie. Passage of the annexation will move the process forward. Port Blakely will file a formal petition, then it will go through the Boundary Review Board, may be accepted, rejected, or modified at that time. Again, this vote to approve the annexation just sets the wheels of the process in motion.

Mayor Orffer said that she had done a lot of research on the annexation. Mayor Orffer feels strongly that the city would be in a better position with oversight on the annexation. For that reason, she will vote to approve the annexation.

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## **Approve the Annexation Resolution #738**

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

**Voting Yea: Councilmember Huff, Councilmember Heller, Mayor Orffer (tie breaker). Voting Nay: Councilmember Miller, Councilmember Iversen. Recuse: Councilmember Amsbury**

### 16. Mayor and Council Policies Resolution #740

**Approve the Council Policies Resolution #740 with an implementation date of January 1, 2022**

**Motion made by Councilmember Huff, Seconded by Councilmember Amsbury**

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

## **Ordinances and Resolutions**

### **Updates**

#### 17. Councilmembers

Councilmember Amsbury announced that the city is still seeking committee members for input and planning on the proposed DTF property purchase. Please contact Josh Cooper at city hall.

Councilmember Heller said the Park Board is currently researching information related to fines for dog related offenses.

#### 18. Mayor

Mayor announced the Budget Workshop taking place this Saturday, October 16<sup>th</sup> from 10:00am to 12:00pm at the Community Center. The workshop is open to the public, but there will be no public comment. Council will be reviewing revenues only, no expenditures at this time. There will be an agenda item requesting council feedback on future expenditures.

Covid cases are coming down. The safety and wellbeing of our community is a top priority to Mayor Orffer. If cases continue to decline, we anticipate the October 27<sup>th</sup> Regular City Council Meeting to take place in person at the Community Center.

The city is lit up in pink for the month of October which is Breast Cancer Awareness Month. Early detection is key in fighting this disease.

November 1<sup>st</sup> is the anticipated date for our new website to go live. We appreciate all the public's comments and feedback. If you are interested in viewing the website and proving comments, please contact Public Works Director Todd Baun and he will provide you with a link.

Mayor Orffer shared that we received a letter from Robert King at Grays Harbor County regarding the well site. The letter stated that the materials used as fill does not threaten the water supply. No further action is needed. Mayor Orffer is grateful for everyone who got the process started. Now the city can proceed with our plan. We are working on timing due to the delay of the letter.

### **Public Comment**

Angela Rittinger wanted to address the Summit Site, fantastic news. She is still curious why it sat there so long. Mayor Orffer explained that once the investigation started, we couldn't remove anything from the site. Moving forward we have safe water.

Angela is very disappointed in annexation, and really has a hard time grasping the decision.

Paul Nott wanted to address why he took a city vehicle to his home. There was an accident on 108, and while on the scene, Paul's portable radio went dead. He stopped by his house on his way back to the city shop and

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grabbed another portable radio. As the fire chief a portable radio is a necessity. Paul was confronted by a citizen and questioned why he had a city vehicle at his residence. Paul said we have an open-door policy, and should there be questions, he would like people to come to the source and he would be happy to answer them.

Bob Pringle referenced the city's employee handbook. He wants a city employee disciplined/reprimanded for their comments and conduct. Mayor Orffer let Mr. Pringle know that we would look into the situation with the employee.

#### **Executive Session**

#### **Adjourn**

**To Adjourn at 8:05pm. The next City Council meeting will be at 6:30pm on October 27, 2021.**

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

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

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