



McCleary Regular City Council Meeting

Wednesday, January 10, 2024 – 6:30 PM

McCleary Community Center & Zoom Virtual Meeting

Minutes

Call to Order/Flag Salute/Roll Call

PRESENT

Councilmember Jacob Simmons
Councilmember Brycen Huff
Councilmember Ross
Councilmember Andrea Dahl
Councilmember Keith Klimek

Agenda Modifications/Acceptance

Councilmember Simmons requested to add conversation regarding ARPA funds to the agenda, as part of new business.

A motion was made by Councilmember Dahl, Seconded by Councilmember Ross to amend the agenda.
Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl, Councilmember Klimek

Public Comment - Agenda Items Only

Jeff Geer addressed the council and stated he was honored by the resolution they were about to pass. He said he was honored the Mayor Pro Tem would be signing it, because the person who was mayor when he began his career was worthless (in his opinion), and Jeff said he didn't want another worthless mayor to be signing his sendoff letter.

Paul Nott (speaking as a retired Fire Chief, and not an employee of the city), said he was honored and happy that Councilmember Huff would be putting pen to paper for him as well. Paul then asked council to look at Interim Chief Pittman's staff report, and voiced his displeasure with the recent process for selecting someone to fill the Fire Chief position. Paul's opinion was that Pittman should already be the chief because he's been selected as such by his peers.

Consent Agenda

There was some confusion by council regarding accounts payable dates (Agenda items 1 & 2). A brief recess occurred between 6:38-6:41 pm, to allow for research and clarification.

Motion made by Councilmember Dahl, Seconded by Councilmember Klimek to accept the proposed consent agenda.

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

1. Accounts Payable December 1-15, 2023 Ck Numbers 52792-52848 Including EFT's totaling \$470,376.09
2. Accounts Payable Dec 16-22, 2023 Ck Numbers 52849-52876 Including EFT's totaling \$43,983.00
3. October 11, 2023 Meeting Minutes

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4. October 25, 2023 Meeting Minutes
5. November 1, 2024 Meeting Minutes
6. November 4, 2023 Meeting Minutes
7. November 15, 2023 Meeting Minutes

Updates

8. Staff Reports - Light & Power, Water & Wastewater, Public Works, Police Activity, Fire Department, Finance

Council noted that a hand written call sheet for the month of December had been provided by the Police Chief, (which provided a brief summary), but that a completed, typed report was still needed. A report from Public Works also had not been received. Council asked for both of these reports to be provided in time for the second council meeting, later this month.

Councilmember Simmons inquired as to whether all the work around the VFD's was done. Chad Bedlington pointed out that information was in the packet for the end of December, and said it showed "all the work that's in place, along with the skills they're thinking of integrating."

New Business

Use of remaining ARPA funds - Councilmember Simmons asked the Clerk Treasurer (Jenna Amsbury) for clarification on the funding amounts (\$194,000 + \$10,000 approved from the audit from the end of December) and expected allocations, with regards to budget approval. It was determined roughly \$16,000 of ARPA funding remains. Simmons then asked other council members what they thought of using remaining ARPA funds toward the IT project, and whether this would be enough to complete it.

Paul Nott & Tyson Ryder have met with third party vendor Aktivov to discuss the scope of work needed to hand off the project for completion. It's their hope that company representatives are able to do a presentation on this matter, regarding next steps and projected costs, at the next council meeting on Jan. 24th.

Forensic Audit Costs - Clerk Treasurer Amsbury discussed with council the pros & cons of having the State of WA do the audit, vs. getting quotes from private agencies. She suggested just having the state conduct the forensic audit, as they will already be here in the near future for an annual audit, for years 2022-23, and believed this would be cheaper than hiring another agency do it. Council agreed with Amsbury's recommendation.

Old Business

9. Mayor Pro-Tem & Council Committee Assignments

Councilmember Dahl nominated Brycen Huff for the position of Mayor Pro Tem, Seconded by Councilmember Klimek. No other nominations were made.

A motion was then made by Councilmember Ross, Seconded by Councilmember Dahl to appoint Brycen Huff as the Mayor Pro Tem.

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

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Klimek
Abstaining: Councilmember Huff

Committee Assignments - Huff thanked fellow council members for appointing him to the position again. He then assigned and/or had council members volunteer for the following committees:

Policy: Simmons/Klimeth

Finance: Simmons/Dahl

Communications: Ross/Huff

Public Works: Ross/Dahl

Chehalis Basin: Huff

Union Negotiations: Klimek/Dahl

10. 2024 Council Meeting Schedule

Councilmember Dahl recommended keeping the two meetings per month schedule (2nd & 4th Wednesdays), but suggested moving those meetings that would fall on holiday weeks to the 1st and 3rd Wednesdays instead (so meeting dates for November would be moved the 6th & 20th, and December dates would be moved to the 4th & 18th). Dahl also suggested having only two meetings for summertime months. Other council members agreed with these suggestions.

A motion was made by Councilmember Ross, Seconded by Councilmember Klimek to adopt the schedule as printed (with the exception of changing the summer, November and December dates as suggested by Councilmember Dahl) .

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

11. SAO Interagency Data Sharing Agreement

Councilmember Dahl explained this was an update to the data sharing agreement, between the US and State auditor's office. It updates technical terms so protected information can be shared. She noted that City Attorney Chris Coker had already reviewed the document for legal sufficiency.

A motion was made by Councilmember Dahl, Seconded by Councilmember Ross to accept the updated data sharing agreement.

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

12. 2024-2026 FOP Contract

A brief discussion was had as to whether council wanted to accept the bargaining agreement proposed by the FOP.

A motion to reject the FOP contract offer was made by Councilmember Dahl, Seconded by Councilmember Klimek.

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

Proposed agreement was rejected.

Ordinances and Resolutions

13. Resolution Allowing Council to Serve as Fire, Ambulance or Law Enforcement Officers

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Questions were taken by Attorney Chris Coker regarding Resolution 759.

Councilmember Dahl asked for clarification as to whether the resolution was specific to law enforcement and fire. She was under the impression there was a conflict between commissions and council as well.

City Attorney Chris Coker said there was not; that a specific statute allows for the creation of this resolution. Chris explained how he utilized the language from the statute to carve out the proposed resolution for the firefighters. He then expounded on the uniqueness of the resolution and stated, "It's an incompatible office issue," and clarified how the statute gets around the inherent incompatibility of these two specific offices, noting there is no statute that addresses the incompatibility of other commissions.

A motion to adopt resolution 759 was made by Councilmember Dahl, Seconded by Councilmember Klimek.

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

14. Resolution Honoring Paul Nott, Jerry Banks, Jeff Geer and Brad Lott's Service with McCleary Fire Department

The resolution was read aloud, which outlined the service career highlights of each man, their intention to retire from their volunteer positions within the McCleary FD, and expressed the gratitude for their combined 105 years of service.

A motion to amend the resolution to change the wording in the resolution from "Mayor" to "Mayor Pro Tem" was made by Councilmember Klimek, Seconded by Councilmember Ross.

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

Each of the four men received an individually signed resolution.

Executive Session

Public Comment - City Business Only

Dan Comer expressed frustration with Mayor Miller's attendance and lack of input at council meetings. Comer asked council members, "What's it going to take for you guys to understand what he's doing?" He then requested a vote of confidence on the mayor from each member of the council. Councilmember Ross declined to comment on the record, but suggested Comer speak with him after the meeting to discuss the matter. All remaining council members publicly expressed their vote of NO confidence for Mayor Miller.

Carrie Comer expressed her displeasure with the mayor's lack of attendance at council meetings, and how she perceives his actions are affecting the town in a negative manner. She then implored council members to use whatever power they had, to make Andrew Pittman the Fire Chief. Carrie also asked Attorney Coker to do everything he could to hold the mayor accountable for laws he has broken and have him removed from office.

Missi Olson said she perceived a noticeable change of in energy of the room, when the mayor is not present. She claimed tonight's meeting was what council meetings should be like; getting things accomplished, acknowledging people who serve our community, and keep our traditions going.

Monica Reeves expressed her thanks for the opportunity to return to the community. She too condemned the mayor by stating, "It's no surprise to me he's not here. He has always vacated his position when there's been any indication that there's something he's not on board with." Monica thanked staff in the Public Works department for putting up the decorations around town for the Christmas in the Park celebration. She then asked the new policy committee members to prioritize and address the following policies:

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- 1) Media/Public Relations on city platforms
- 2) HR hiring and personnel investigations
- 3) Safety and risk management
- 4) Thousands of dollars wasted on arbitration

Monica finished by informing council that she and others within the community are working on gathering signatures for a recall (of the mayor).

Robert Lisle (speaking as a lineman for the city) talked about what linemen employees do, referring to the odd hours they work and how this takes away from time with family. He spoke of not always knowing what to expect when heading out on a late night call, and emphasized a lot could go wrong. In spite of the dangers, Robert said he felt safe because of the extensive knowledge of his foreman, Paul Nott. Robert said of Paul, "he will never put me in a position to get hurt, or hurt anyone." Robert wanted to publicly acknowledge the work Paul and others do to keep the community functioning and safe, and urged council members not to take them for granted.

Gina Banks pointed out that many people in McCleary wear multiple hats, referring to the multiple roles they fill, in between their daily jobs and various volunteer positions. She expressed her concern that one or more of these individuals could make a costly mistake, due to the mayor causing them additional, unnecessary stress, and being spread too thin. Gina echoed the comments of other citizens, by encouraging council members to take action and have the mayor removed from office.

Jeff Geer spoke of the six mayors and three chiefs the city has had in his 25 years as a fireman. He expressed the need for McCleary to have good leadership in all it's departments, and shared his view that Andrew Pittman is not an interim fire chief in his mind, but the actual chief, because he and other firefighters trust Pittman's leadership. Jeff then harshly criticized the mayor's leadership skills.

Cindy Nott thanked council for acknowledging the retirement of the four firefighters earlier in the meeting, and noted her own sadness that the mayor was not present for this event. Cindy said she views the mayor's interactions with employees and the public in this matter, as a slap in the face to everyone on the fire team.

Paul Nott talked about the importance of training new department heads and leaders properly. He spoke of a previous tradition of interviewing potential employees for the fire department through a month-long process. He pointed out that this tradition helps to weed out potential employees that aren't a good fit, more quickly than the current selection process does, which has resulted in losing employees after 6-9 months, because the relationship didn't work out. Paul expressed his dismay at what he believes to be a lack of communication between city leadership and the fire department, regarding the process of selecting a new fire chief.

Darren Banks talked briefly about his own experience, regarding the brotherhood that exists between firemen, and the trust that develops between individuals in such bonds. Darren talked about the need to have trust in leadership going forward, in order for the city's fire department to be successful.

Eric Cohen spoke of a need for permanency within the fire department and believes the council should take advantage of the opportunity to deal with the problem of having an interim fire chief, so everyone can move forward.

Council Comments

Councilmember Simmons expressed his thanks and appreciation to all the employees and volunteers of the fire, and light & power departments.

Councilmember Ross expressed his understanding of the situation and appreciation for firefighters, and said, "I've tried to get creative and come from multiple different angles to address this problem." Ross further believes the issue has been a lot more complicated than it needs to be, and apologized to the community for being in the current situation.

Councilmember Huff expressed understanding of the frustration that coincides with the situation, and said he hoped the mayor would do the right thing and make Andrew Pittman the permanent fire chief.

Councilmember Klimek expressed his appreciation to the firemen in the community, and pointed out that he was wearing a shirt in support of McCleary's firefighters.

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Councilmember Dahl responded to an earlier complaint by a citizen, regarding the loss of a city police officer. She clarified the loss was NOT due to any action or inaction by council. Rather, that the officer took a position with another department because it was closer to his home and offered better pay. Dahl then addressed the arbitration topic that had been mentioned by another citizen, earlier in the meeting. Dahl said she believed it was inappropriate for city employees to be disciplined for bringing up a safety concern. She noted that such a situation creates an unsafe environment for employees going forward. Dahl thanked those individuals who chose not to just set back and take it, and fought for a fair outcome, in spite of the hostile work environment she said was present, throughout the investigation. Dahl said she hopes the city will apologize to these individuals for all they've been through over the last two years.

Mayor Comments

Mayor not present at this meeting.

Adjourn

Meeting was adjourned at 19:55 hours (7:55 pm).

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