



McCleary Regular City Council Meeting

Wednesday, August 14, 2024 – 6:30 PM

McCleary Community Center & 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

ABSENT Mayor Chris Miller

Agenda Modifications/Acceptance

Councilmember Simmons requested to add camera access discussion to the agenda under old business. Motion made by Councilmember Simmons, Seconded by Councilmember Dahl to add camera access discussion to the agenda.

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

Special Presentations

None

Public Comment - Agenda Items Only

None

Consent Agenda

1. Accounts Payable July 16-31, 2024 Ck Numbers 53541, 53542, 53581-53618 Including EFT's Totaling \$92,011.81

Motion made by Councilmember Dahl, Seconded by Councilmember Klimek to approve consent agenda.

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

Updates

2. Staff Reports - Police, Finance, Light & Power, Water/Wastewater, Fire, Public Works, Director of Public Works

Councilmember Huff stated he spoke with Chief Patrick and the police department is trying to surplus a police vehicle to another agency or have it stripped to sell at public auction. Council asked for a price review of what the vehicle would be worth with both scenarios.

Councilmember Dahl thanked the Chief for getting the camera logs so quickly.

Councilmember Klimek thanked Kevin and Chief for full staff reports.

Councilmember Dahl mentioned some officers mentioned concern for the window tint. Huff spoke to the Chief about the window tint, and Chief agreed it should be set up for the officer's comfort level.

Dahl asked about the state violations in Kevins report and asked for an explanation. Chad Bedlington said the City is working on a grant with DOE for Inflow and Infiltration (INI) to see what the issues are and where within the system. Dahl asked about Olympic Ambulance submitting a proposal and asking if they could schedule a meeting with the City to go over the proposal. Huff asked Bedlington when they plan on putting out an RFP for IT services. Bedlington said within the next 4 weeks. Huff asked what we are going to do if we do not get a new City Attorney by Chris Coker's end in October? Jenna Amsbury said Chris will continue to work with us until we get a new City Attorney hired. Huff spoke about allowing dogs in the park. The majority of owners are responsible when waste bags are provided. Klimek would like to try allowing it temporarily to see how it works out. Councilmember Ross is in favor of this. Council requested adding this to next meeting's agenda.

New Business

3. Correspondence – Interagency Agreement with AOC for Blake Case Reimbursements

Chris Coker said this is an agreement for the reimbursement of fines. Miha at Grays Harbor District Court has signed this so the City can get reimbursement, since Grays Harbor handles the City court.

4. Highway 8 West Exit Discussion

Brent Schiller from Washington State DOT introduced a few DOT members that were attending on Zoom. Huff spoke about the collisions at McCleary's West exit over the years. What can the City and/or State can do to make this safer? Schiller said in 2003 the overpass was completed. The original plan was to close the West exit and only have the overpass. The City asked to keep it open because they were afraid it would lose too much traffic for the businesses in town. In 2018 DOT approached the City about realigning 108 and going up 3rd St. The City then put truck restrictions on 3rd St. Schiller stated the City and DOT could have more discussions on a plan to move forward with a solution, but as of right now there are no projects or plans in the works for the area. Councilmember Dahl would be interested in discussion on closure of the West exit.

Old Business

5. Strategic Planning Session 2024 with Athena Group

Jenna Amsbury said the Athena Group is the facilitator from last year and the city did budget for this session in the 2024 adopted budget. Amsbury asked Council if they were wanting to schedule this session on September 14th, she found a free of charge location at the Tumwater Library. Councilmember Simmons is not available on that date. Councilmember Dahl would like to keep the \$3000 in the budget, and hold a meeting in McCleary to start the budget process. Huff said we have gone several months now where the Mayor is MIA and no communication. Huff sees no justification on having a strategic planning session where one of the key people to contribute to it can't even show up for a meeting for free. If we want to do a Budget Workshop, I'm OK with that, but not hiring a consultant. Klimek asked if having a facilitator is worth it. Huff said that they keep it moving. Simmons said he didn't think it was worth it based off of attending last year's meeting. Amsbury asked if the council wanted to include strategic planning in the session. Council stated to keep it more budget focused rather than strategic planning focused. Councilmember Dahl asked for a list of projects from last year, what we accomplished and what we still have left. Bedlington said he could get that information to them.

6. Assured Data Protection Master Services & License Agreement (MSLA) Renewal

Chad Bedlington said this is our data back-up and recovery software. This is not cheap, its about \$25,000+ per year. It's a great service. This is the same agreement as last year.

Motion made by Councilmember Ross, Seconded by Councilmember Klimek to approve the Assured Data Protection Agreement.

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

7. Washington Department of Enterprise Services
Energy Services Authorization/Agreement

Bedlington explained the City applied for a grant and was awarded \$2,750,000 for a solar array project. He said there is a link on the website for more information for the public. The next step in this project is to complete an IGA which generates an Energy Services Proposal. He stated this will get the project to 30% design and refine the scope of the project. Bedlington is asking for approval to enter into an agreement with Department of Enterprise Services (DES). The cost to complete the IGA is just under \$48,000, and is reimbursable through the grant award, if accepted.

Joel Hansen, Ameresco representative, spoke about project as his firm will be the lead on the project. There were concerns over maintenance. He explained rain washes the solar panels in Western Washington, the city could go out and wipe them down if they wanted to, but it is not necessary. He explained there is a warranty on the parts and there is very little maintenance or problems that occur with solar panels. He stated through the grant the City would have to own the equipment for at least 10 years, but the panels have a long life span.

Dahl wanted clarification on if we move forward with the IGA, that is absorbed into the grant, but only if we accept the grant? Mr. Bedlington stated the next step from the IGA is the grant acceptance with Department of Commerce, which would then reimburse this project.

Huff asked if we asked BPA if we would be in contract violation if we moved forward with this. Bedlington said he has had several conversations with BPA and they are very supportive of the project. Our goal is to try and manage what the power increases are with this solar project. We are in tier 1 right now, and we don't want to move into tier 2. There is a \$50,000 match to this grant, that does not have to be cash, it can be staff time, over a 3-year time frame. The savings for power generation would be around \$100,000 per year.

Councilmember Simmons said this is the worst area in the US for solar. How long until we meet the 30% design? Joel said the IGA would likely be complete by November and give enough time to get the project started on time. He explained in his experience with Commerce, if the project is in progress and there are issues beyond our control, Commerce has been willing to extend the grant award to allow the project to finish.

Dahl asked if they have worked with any other Cities on a project like this before? Joel said they are doing projects for City of Olympia and City of Walla Walla right now. Bedlington said we have 2.75 million dollars being provided to us, we are going to use it to build something as effective as we can, it won't affect the future Fire Station, he feels confident we are on the right track with this. Joel explained the current footprint of the site for solar is 4 acres, which is under half the size of the lot, giving plenty of space for other uses.

Motion made by Councilmember Ross, Seconded by Councilmember Simmons to approve the Energy Services Agreement.

Voting Yea: Councilmember Ross, Councilmember Klimek

Voting Nay: Councilmember Simmons, Councilmember Huff, Councilmember Dahl

Motion Fails

Councilmember Ross says, so this kills the project and the grant? 2.75 million provided to the city to save on power, why are you guys against it? Is this in the best interest for the community? I think we

are making a big mistake. Dahl said she still has a ton of questions, I don't understand it, and I'm not going to vote yes for something that I don't understand. Klimek asked if we could table this instead of rejecting it.

Chris Coker said there can be a motion made by the opposing side, to reopen this for discussion at a future meeting.

Motion made by Councilmember Simmons, seconded by Councilmember Dahl to open this up for additional debate.

Huff said last year there was discussion for a grant for a charging station. Then it was brought up that the City didn't receive that grant. Now we are finding out about this solar grant, and Chad, no offence, you are not the Mayor, so when the leader wants to look at solar opportunities, but he is not here to explain, why he feels this is the right path and try to persuade the council on how this benefits the City. There is a trust issue. He isn't here and isn't participating. We didn't know anything about this until we were awarded the money and it just feels rushed, like you needed this decision last month. That has been a big turn-off.

Councilmember Ross said our job is to make decisions in the best interest of the City. Obviously, there are trust issues with the mayor, it's not a secret, however, there are still things that can be done in the City that the Mayor actually supports, that can benefit the City. You have a \$2.75-million-dollar grant that can go a long way, it can do a lot. I want you to think of the best interest of the City and not act out of spite of the Mayor.

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

The agenda will be placed on the next council agenda for more discussion.

8. City of McCleary - Conservation District Annexation

Bedlington said this is an opportunity for the City to annex into the District to partner with GH County Conservation District for grant opportunities and funding they receive for projects. This is a \$5 investment and opens up partnerships within Wildcat Creek. Councilmember Ross recused himself from voting because he works for the agency that provides most of the funding for this.

Councilmember Huff asked if they can come do a presentation for us so we can ask questions.

Councilmember Ross explained what they are and how they assist.

Tabled until next meeting do the Conservation District can be present.

9. Added item: Camera Access Discussion

Councilmember Simmons wanted to confirm that anyone that isn't supposed to have access, does not have access anymore. Jenna Amsbury stated only police department personnel have access to the cameras, Chief has removed everyone else. Councilmember Dahl wanted to add to the Camera Policy that you cannot give your user credentials out to anybody. Huff said he spoke with the Chief he wants the officers to log why they are logging into the cameras.

Ordinances and Resolutions

10. Resolution Amending City Financial Management Policies to add Revenue to Current Expense Fund for all Interest Income from Investments

Jenna Amsbury said this is addressing our financial policy. This is relating to interest income, and we can decide where that interest goes. Currently it is going into multiple funds, but per RCW it can go into current expense and streets. We just added \$800,000 into our LGIP account which will increase our monthly income by approximately \$3500 per month which will bring us up to about \$12,000 per month in interest. This would allow us to put the interest into the current expense fund and each budget year the council could allocate that out. For example, this year, no money was able to be moved from current expense to the streets fund. Streets have very little revenue. This is one way to get revenue into the fund. It can also go to the Fire Department and the Police Department. This is the only option she could find for additional revenue to current expense and streets. When its prorated out into all the other funds, it's a very small amount that doesn't make much of an impact.

Councilmember Huff said he is aware that the City has had findings in the past from moving money between funds. Can we pull interest that was going to Light and Power and put it to current expense,

how are we getting around that? Amsbury said there is a specific RCW written on interest income that allows this use with a policy. Simmons doesn't like the idea of the other funds not getting any of the interest income. Klimek thinks that the Streets needs the money more to fix our roads and streets. Chris Coker stated the Resolution authorizes the Clerk-Treasurer to do certain things with interest income. From a council perspective, you have to rely on your City Clerk to make audit-justified decisions. This is authorizing her to do what avoids an audit finding. It allows her as the City Clerk to manage the City on her expertise. The Council can give the Clerk some direction on where you want the interest income to go, but at the end of the day she needs to be able to decide what's in the best interest of the City financially. Simmons asked Coker, doesn't the Council run the City? Coker said they do, but they need to delegate some of it. You need to defer to the person that was hired to make those decisions. The council is really getting into the day to day operations of the City and that isn't necessarily the role of the City Council. Simmons said he doesn't believe that \$144,000 is getting into day to day, and I also trust Jenna in her decision making, I don't trust her boss in his decision making, which takes all the power out of her hands. Amsbury said going into the next budget cycle, the council can decide how much of that can go into each fund, you still have that authority during that process. With the money being in current expense, you have the flexibility to give it to water for example, because current expense money can go anywhere. Huff asked if there is an urgent need for this to get passed now, or can we continue discussion during the budget process? Jenna said it can wait. Item was tabled.

Public Comment - City Business Only

Carri Comer said this is a long meeting with a lot here. There is a lot of frustration here. She appreciated the thoughtfulness Council is putting into the decisions. The Mayor has earned the label of being untrustworthy. There is no Mayor again. This solar thing is probably a fine idea but this is a special interest of our Mayor, and he isn't here to sponsor it, makes it even less trustworthy. He is planning his next campaign and wants this associated with it. On the cameras, what is the retention policy. I hope you consider a Town Hall on the dog park discussion for input. She spoke in regards to budget goals. She asked if the Mayor was still getting paid. He isn't representing the City. He's supposed to take the decisions of the Council and implement them. I don't know how he's qualified to get paid.

Executive Session - None

Council Comments

Councilmember Huff stated that National Night Out went over very well. He thanked Public Works, Police, Fire and volunteers.

Councilmember Klimek thanked Brycen for putting National Night Out together again.

Mayor Comments - None

Adjourn

Motion made by Councilmember Ross, Seconded by Councilmember Dahl to adjourn the meeting at 8:48pm
Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl,
Councilmember Klimek