



# McCleary Regular City Council Meeting

Wednesday, June 09, 2021 – 6:30 PM

WebEx Virtual Meeting

## Agenda

### WebEx Meeting Link:

<https://cityofmcclary.my.webex.com/cityofmcclary.my/j.php?MTID=maf2503cd6ef424166640f2b92f413396>

Join By Phone: **+1-408-418-9388**

Meeting number (access code): **182 910 6333**

Meeting password: **pFftwh33Pm2 (73389433** from phones and video systems)

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

### Agenda Modifications/Acceptance

### Special Presentations

### Public Comment

### Consent Agenda

1. Accounts Payable May 16-31 Totaling \$39,317.45 Check Numbers 49277-49310
- [2.](#) Minutes May 26, 2021

### Updates

- [3.](#) Staff Reports - Public Works, Water & Wastewater, Building, Police

### New Business

- [4.](#) 6 Year Street Plan Public Hearing and Resolution
- [5.](#) Springbrook Express Additional Users

### Old Business

- [6.](#) Long Term Care Insurance Coverage
- [7.](#) Council & Mayor Policies

### Ordinances and Resolutions

### Updates

### Public Comment

### Executive Session

### Adjourn

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# 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

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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

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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 ops 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

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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

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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

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have another temporary sitting in the wings to fill in. It saves that staff time of having to put all of the 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

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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

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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**

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# City of McCleary

## STAFF REPORT

<b>To:</b>	Mayor Orffer and Council Members
<b>From:</b>	Steve Randich
<b>Date:</b>	June 1, 2021
<b>Department:</b>	Public Works

Mayor and Council,

I am happy to report that all personnel within the Public Works department are healthy and practicing safe social distancing at this time.

All personnel are aware that priority tasks are currently on an "as needed" basis. Meaning, any job that may come up will be evaluated for personnel required and only the amount required will respond to complete each task.

We have also created a schedule to clean and organize the department. Each day prior to going home we spend 45 minutes disinfecting the city vehicles and any equipment that has been used, along with wiping down all computers and cleaning our office. We also are starting Ash St. improvements which include new water services, storm lines and catch basins. Also we are mowing city right of ways and taking care of the cemetery and parks. It is my hope that by taking these precautions we will be able to keep our crew safe and healthy. If you have any questions, comments or concerns please let me know.

Thank you,  
Steve



## City of McCleary

# STAFF REPORT

<b>To:</b>	Mayor Orffer and City Council
<b>From:</b>	Kevin Trewhella
<b>Date:</b>	June 5, 2021
<b>Department:</b>	Water and Wastewater

Water and Wastewater treatment Plants are operating excellently. Repairs on the belt filter press have gone well. We are thankful that Harbor Machine shop in Aberdeen was able to help us in a timely manner. This allows us to make the needed repairs quickly, which helps control our budget.

We have been very fortunate that both Jon Ehresmann and I have stayed healthy.

Have a great week!  
Stay healthy!

*Kevin Trewhella*

To: Mayor and City Council  
 From: Josh Cooper  
 Date: June 3, 2021  
 Re: Building and Planning Department Activity.

**Permit Activity Totals for May/June 2021**

305 East Pine	BLA	Total Fee - \$600.00
423 W Simpson	Mechanical Permit	Total Fee - \$76.65
1542 N 5 <sup>th</sup>	Mechanical Permit	Total Fee – \$76.65
New Homes Permitted for 2021 4	All Permits Issued for 2021 45	Total Fees Charged for 2021 \$48,050.21
New Homes Permitted for 2020 16	All Permits Issued for 2020 131	Total Fees Charged for 2020 \$154,600.40
New Homes Permitted for 2019 28	All Permits Issued for 2019 269	Total Fees Charged for 2019 \$378,456.40
New Homes Permitted for 2018 17	All Permits Issued for 2018 57	Total Fees Charged for 2018 \$212,089.41

**Nuisances for May/June:**

- 401 S Main (8.16.020) - Active
- 503 S 3<sup>rd</sup> (8.16.020) - Active
- 124 N 8<sup>th</sup> (8.16.020) – Active
- 105 E Mommsen (8.16.020) - Active
- 311 W Simpson (10.20.020) - Complied.

**\*Anything that has not been officially reported will not be included.**





# City of McCleary

## STAFF REPORT

<b>To:</b>	Mayor Orffer and Council Members
<b>From:</b>	Chief Blumer
<b>Date:</b>	June 2, 2021
<b>Department:</b>	Police Department

Mayor and Council,

We will have Officer Morrison joining us back at the police department after his graduation from Basic Law Enforcement Academy on June 10, 2021. He has put a tremendous amount of time and effort over the last 19 weeks on completion of the academy. This has been an incredibly challenging academy of course with the increase safety protocols with COVID-19 and the different methods of training and time management. I would like to thank his wife Anne and his children Kendall, Isac for the sacrifices they also made during the time their (husband, father) was away.

I would like to also welcome Matt Crawford a temporary hire that started in May to help fill the void we have for our 5<sup>th</sup> officer that we had budgeted in 2020. Welcome Matt, to the team. We just recently completed our oral board interviews on May 21<sup>st</sup> with the civil service commission and will be moving forward with our top applicant into the background process. We hope to have the background done in the next month or so and have our applicant enrolled into the next available Basic Law Enforcement Academy.

I am currently working on 3 different grant applications and hopefully we will be fortunate enough to be selected and receive one of these highly competitive grants. The grants are Cops Hiring Program (CHP), Community Policing Development (CPD) Microgrants Program and the Small, Rural, and Tribal Body-Worn Camera (Microgrant).

We recently received a micro-grant from the Washington State Traffic Safety Commission for two new Alco-Pro – Portable Breath Testers. All of my officers are certified with PBT's and the Draeger breathalyzer and new equipment will allow all of them to be issued their own equipment to use. I am sure there is more to add but I will save that for next meeting.

Thank you,

Chief Blumer



# McCleary Police Department

## Law Total Incident Report, by Nature of Incident

<u>Nature of Incident</u>	<u>Total Incidents</u>
911 Hang-Up Call	2
911-Open Line	1
AUDIBLE ALARM	1
AGENCY ASSIST	9
ABANDONED VEHICLE	2
ABUSE OF CHILDREN OR ADULTS	2
VEHICLE ACCIDENT WITH INJURIES	1
NON-INJURY VEH ACC NON-BLOCKIN	2
ANIMAL PROBLEM	4
ASSAULT	4
CITIZEN ASSIST	6
ATTEMPT TO LOCATE	1
Civil Matter	3
CUSTODY DISPUTE/PROB	1
DISABLED VEHICLE	2
DISORDERLY CONDUCT	2
UNLAWFUL DISPLAY OF WEAPON	1
DUI ALCOHOL OR DRUGS	1
DOMESTIC VIOLENCE ACT IN PROGR	1
Escape	1
FIRE OR AID RESPONDING TO INC	19
HARASSMENT REPORT	2
ILLEGAL BURN	1
JUVENILE PROBLEM	2
MOTORIST ASSIST	1
NOISE PROBLEM OR COMPLAINT	4
PARKING PROBLEM COMPLAINT	1
POLICE INFORMATION MESSAGE	11
REPORT OF PROWLER	1
RECKLESS ACT OR DRIVING	3
REPORT OF RUNAWAY	4
CIVIL PAPER SERVICE	1
SUICIDE ATTEMPT OR SUBJ	2
SUSPICIOUS CIRCUMSTANCES	2
SUSPICIOUS PERSON	9
SUSPICIOUS VEHICLE	5
TRAFFIC STOP	115
Theft	1
THREATS RECEIVED	2
TRAFFIC HAZARD	1
TRESPASS	6
VERBAL ARGUMENT	2
CHECK WELFARE	3



## City of McCleary

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# Memorandum

To: Mayor Orffer

From: Todd Baun- Director of Public Works

Date: June 4, 2021- For June 9<sup>th</sup> Council Meeting

Subject: 2022-2027 STIP / Six Year Street Plan

### RECOMMENDATION

Please Adopt the 2022-2027 STIP as recommended or adjusted. Please keep in mind that the final STIP must be submitted to the State no later than June 30<sup>th</sup>, 2021.

### BACKGROUND

The Six-Year Transportation Improvement Program (STIP) is an annual process for local jurisdictions to identify their potential future transportation improvement needs. RCWs 35.77.010 & 36.81.121 require that cities update their program annually and file a copy of the adopted program with the Washington State Department of Transportation before July 1st. Completion of this annual update makes the City eligible to apply for State and Federal grants for transportation project funding.

I have attached the 2022-2027 STIP for your review. The 2022-2027 STIP is the same as the previous plans except the costs for projects have been updated.

In the event project ordering is reconsidered during the public hearing, we will adjust the final document to coincide with the recommendation.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING A SIX-YEAR STREET  
PLAN FOR THE CITY OF MCCLEARY**

**R E C I T A L S:**

1. The City Council and Mayor have received the recommendations of the Public Works Director in relation to the requirements and programming involved with the six-year street plan. The most recent update was accomplished by the adoption of Resolution 731.

2. A public hearing requesting input from the citizens was held on June 9, 2021, after the provision of appropriate notice.

3. The Council wishes to formally adopt those recommendations as they have been recommended by the Director subject to retained authority to authorize any modifications and expansions subsequently authorized by the Council as the result of changes in condition.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE CITY COUNCIL OF THE CITY OF MCCLEARY, THE MAYOR SIGNING IN AUTHENTICATION THEREOF:

SECTION I: That certain listing of streets and the priorities established thereon, attached hereto as Attachment Number 1 and incorporated by this reference, shall be and is hereby adopted as the Six-Year Street Plan for the City of McCleary, as that plan is required and designated by the appropriate divisions and agencies of the State of Washington, including but not limited to the Department of Transportation. This plan shall remain in effect until subsequently amended or succeeded.

SECTION II: The provisions of Resolution \_\_\_\_\_ shall be deemed superseded by the adoption of this resolution.

SECTION III: The City Clerk and the Director of Public Works shall provide such distribution of this Resolution as may be required by law or is found to be in the City's best interests from time-to-time.

PASSED THIS \_\_\_\_\_ DAY of \_\_\_\_\_, 2021, by the City Council of the City of McCleary, and signed in authentication thereof this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

CITY OF McCLEARY:

\_\_\_\_\_  
BRENDA ORFFER, Mayor

ATTEST:

\_\_\_\_\_  
WENDY COLLINS, Clerk-Treasurer

APPROVED AS TO FORM:

\_\_\_\_\_  
CHRISTOPHER JOHN COKER, City Attorney

N Inside

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	450,000	0	0	0	0
RW	0	150,625	0	0	0
CN	0	0	1,687,500	0	0
<b>Totals</b>	<b>450,000</b>	<b>150,625</b>	<b>1,687,500</b>	<b>0</b>	<b>0</b>

Six Year Transportation Improvement Program  
From 2022 to 2027

Item 4.

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06	2	Summit Road Downtown Summit Rd Simpson Ave to Beck St Simpson to Beck. 1478 LF Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, stormwater improvements and possible parallel parking along both sides of roadway. Water Main replace.	WA-05611					04	C G O P S T W	0.280		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2023	STP	1,478,112		0	230,688	1,708,800
Totals				1,478,112		0	230,688	1,708,800

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,708,800	0	0	0	0
Totals	1,708,800	0	0	0	0

# Six Year Transportation Improvement Program From 2022 to 2027

Item 4.

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06	3	Summit Road "S" Turn Part 1 Summit Rd Beck St to E. Wildcat Creek Beck St to E. Wildcat Creek. 1742 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.	WA-05612					04	C G O P S T W	0.330		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2025		0	TIB	1,634,000	87,000	1,721,000
Totals				0		1,634,000	87,000	1,721,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,721,000	0	0	0	0
Totals	1,721,000	0	0	0	0



# Six Year Transportation Improvement Program From 2022 to 2027

Item 4.

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06	4	Intersection Simpson and Summit Simpson Ave Simpson Ave to Summit Rd  Intersection improvements. Possible roundabout with ADA compliance ramps and walkways, improved crosswalks, installation of landscaped center island. Improve the walkability and bicycle access for increased access to local businesses and park.	WA-05610					04	C G O P S T W	0.020		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2023	STP	1,279,681	OTHER	1,405,430	273,689	2,958,800
Totals				1,279,681		1,405,430	273,689	2,958,800

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	2,958,800	0	0	0	0
Totals	2,958,800	0	0	0	0

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	5	West Ash Street Part 1 West Ash St N 9th St to N 7th St N. 9th St to N. 7th St. 686 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.	WA-05607					04	C G O P S T W	0.130		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2024		0	TIB	130,000	7,000	137,000
Totals				0		130,000	7,000	137,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,579,600	0	0	0	0
<b>Totals</b>	<b>1,579,600</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Six Year Transportation Improvement Program  
From 2022 to 2027

Item 4.

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06	6	Summit Road "S" Turn Part 2 Summit Rd E Wildcat Creek to SR 108 W. Wildcat Creek to SR 108 turn. 1640 LF Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.	WA-05613					04	C G O P S T W	0.310		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027		0	TIB	1,510,000	80,000	1,590,000
Totals				0		1,510,000	80,000	1,590,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,590,000	0	0	0	0
Totals	1,590,000	0	0	0	0

# Six Year Transportation Improvement Program From 2022 to 2027

Item 4.

Agency: McCleary

County: Grays Harbor

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	7	West Ash Street Part 2 Ash Street N 9th St. to N 10th St. N. 9th to end. 630 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.	WA-05608					04	C G O P S T W	0.120		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2026		0	OTHER	1,387,760	73,040	1,460,800
Totals				0		1,387,760	73,040	1,460,800

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	111,000	0	0	0	0
Totals	111,000	0	0	0	0



Y Outside

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,556,400	0	0	0	0
<b>Totals</b>	<b>1,556,400</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Six Year Transportation Improvement Program  
From 2022 to 2027

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	R/W Required
00	10	S. 4th Street Residential S. 4th St W. Fir St to South City Limits W. Fir St to 4th St Extension. 1900 LF. Full Depth Reclamation, Resurface, new curb/gutter and sidewalks on both sides of roadway, storm water improvements.	WA-05616					04	C G O P S T W	0.360		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2025		0	OTHER	1,518,480	79,920	1,598,400
Totals				0		1,518,480	79,920	1,598,400

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,598,400	0	0	0	0
Totals	1,598,400	0	0	0	0

Six Year Transportation Improvement Program  
From 2022 to 2027

Agency: McCleary

County: Grays Harbor

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	11	W. Maple Street Downtown W. Maple St S. 3rd St to S. 5th St 3rd ST to S. 5th ST. 900 LF Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.	WA-05617					04	C G O P S T W	0.170		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2026		0	OTHER	1,846,800	97,200	1,944,000
Totals				0		1,846,800	97,200	1,944,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,944,000	0	0	0	0
Totals	1,944,000	0	0	0	0



**Agency:** McCleary

**County:** Grays Harbor

**MPO/RTPO:** SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	12	W. Maple Street Residential W. Maple Street S. 5th Street to WWTP 5th ST to WWTP. 1370 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.	WA-08006					04	C G O P S T W	0.150		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	ALL	2027		0	OTHER	1,641,600	86,400	1,728,000
Totals				0		1,641,600	86,400	1,728,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
ALL	1,728,000	0	0	0	0
<b>Totals</b>	<b>1,728,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	Federal Funds		State Funds	Local Funds	Total Funds
Grand Totals for McCleary	2,757,793		16,618,400	1,460,132	20,836,325

2021 TIP Priority #	Year Planned (2021-2026)	2022 TIP Priority #	Year Planned (2022-2027)	Project Name	Estimated Costs for 2022-2027 TIP				Estimated Costs Beyond 2027 TIP	Funding Breakdown			
2021 TIP Approved by City Council July/2020	2022 TIP will be presented to City Council 6/2021				Design Costs	Right of Way Costs	Construction Costs	Total Costs	Design and Construction Costs	Federal- 13.5%	State- 5% Match	County/Other	Local
1				S. 3rd Street Upper- Completed 2020									
1	2021	1	2022	S. 3rd Street Lower	\$ 450,000.00	\$ 150,625.00	\$ 1,687,500.00	\$ 2,288,125.00		\$ 1,979,228			\$ 308,897
2	2023	2	2023	Summit Road Downtown	\$ 284,800.00	\$ -	\$ 1,424,000.00	\$ 1,708,800.00		\$ 1,478,112			\$ 230,688
3	2021	3	2025	Summit Road "S" Turn Part 1	\$ 344,200.00	\$ -	\$ 1,376,800.00	\$ 1,721,000.00		\$ 1,488,665			\$ 232,335
4	2022	4	2023	Intersection Simpson and Summit	\$ 484,800.00	\$ 50,000.00	\$ 2,424,000.00	\$ 2,958,800.00		\$ 1,279,681	\$ 1,405,430		\$ 273,689
5	2021	5	2025	West Ash Street Part 1	\$ 246,600.00	\$ 100,000.00	\$ 1,233,000.00	\$ 1,579,600.00			\$ 1,500,620		\$ 78,980
6	2022	6	2027	Summit Road "S" Turn Part 2	\$ 318,000.00		\$ 1,272,000.00	\$ 1,590,000.00	\$ 1,272,000.00	\$ 1,375,350			\$ 214,650
7	2021	7	2026	West Ash Street Part 2	\$ 226,800.00	\$ 100,000.00	\$ 1,134,000.00	\$ 1,460,800.00			\$ 1,387,760		\$ 73,040
8	2024	8	2024	Summit Road North	\$ 429,000.00		\$ 1,716,000.00	\$ 2,145,000.00			\$ 2,037,750		\$ 107,250
9	2024	9	2024	S. 4th Street Downtown	\$ 259,400.00		\$ 1,297,000.00	\$ 1,556,400.00			\$ 1,478,580		\$ 77,820
10	2025	10	2025	S. 4th Street Residential	\$ 266,400.00		\$ 1,332,000.00	\$ 1,598,400.00			\$ 1,518,480		\$ 79,920
11	2025	11	2026	W. Maple Street Downtown	\$ 324,000.00		\$ 1,620,000.00	\$ 1,944,000.00			\$ 1,846,800		\$ 97,200
12	2021	12	2027	W. Maple Street Residential	\$ 288,000.00		\$ 1,440,000.00	\$ 1,728,000.00	\$ 1,440,000.00		\$ 1,641,600		\$ 86,400
<b>Totals</b>					\$ 3,922,000.00	\$ 400,625.00	\$ 17,956,300.00	\$ 22,278,925.00		\$ 7,601,036	\$ 12,817,020		\$ 1,860,869

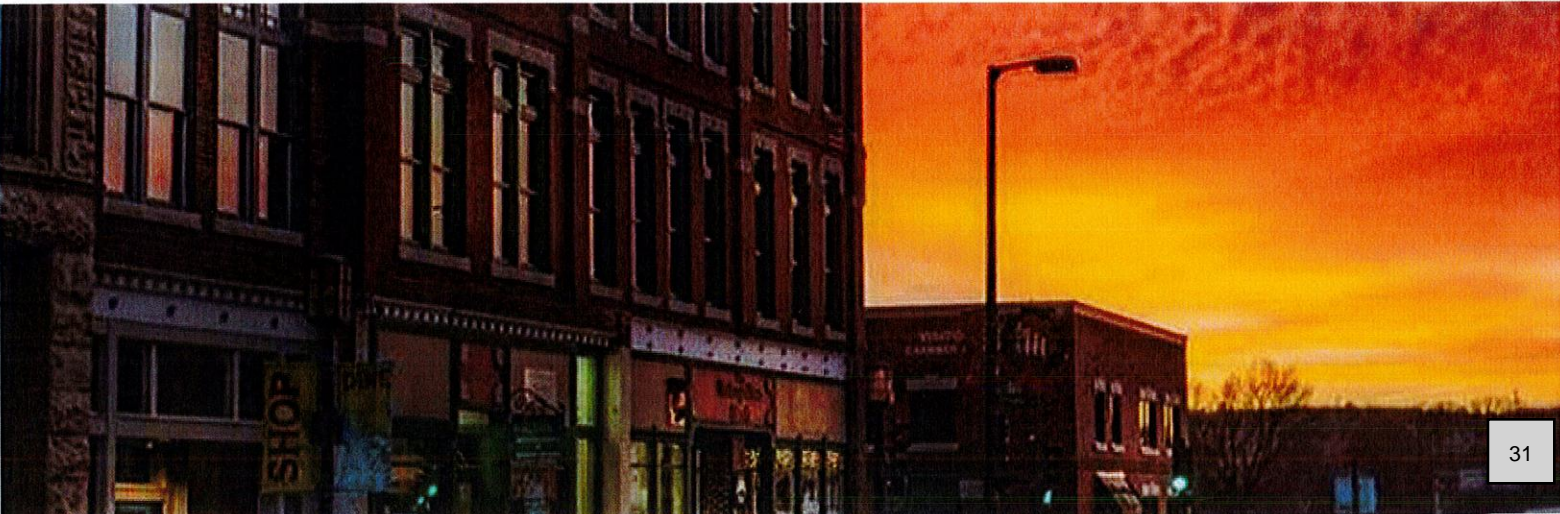
Project Descriptions	
<b>S. 3rd Street Lower</b>	Between E. Oak Street and Simpson Ave. 1320 LF. Resurface and repair, New curb and gutter, storm water improvements, planter strip where possible, sidewalk on both sides with ADA compliant ramps and shared bike lane, water main line replacement
<b>Summit Road Downtown</b>	Simpson to Beck. 1478 LF Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, stormwater improvements and possible parallel parking along both sides of roadway. Water Main replace.
<b>Summit Road "S" Turn Part 1</b>	Beck St to E. Wildcat Creek. 1742 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.
<b>Intersection Simpson and Summit</b>	Intersection improvements. Possible roundabout with ADA compliance ramps and walkways, improved crosswalks, installation of landscaped center island. Improve the walkability and bicycle access for increased access to local businesses and park.
<b>West Ash Street Part 1</b>	N. 9th St to N. 7th St. 686 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.
<b>Summit Road "S" Turn Part 2</b>	W. Wildcat Creek to SR 108 turn. 1640 LF Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.
<b>West Ash Street Part 2</b>	N. 9th to end. 630 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.
<b>Summit Road North</b>	SR 108 turn to Bear St. 2220 LF. Full Depth Reclamation where possible, Resurface, widen, new curb and gutter, storm improvements, sidewalk, planter strips, and bike lanes where possible.
<b>S. 4th Street Downtown</b>	Simpson Ave. to W. Fir St. 740 LF. Full Depth Reclamation, Resurface, widen, new curb and gutter, storm water system improvements, sidewalk on both sides of road separated from parking areas with planter strips, possible bicycle lanes.
<b>S. 4th Street Residential</b>	W. Fir St to 4th St Extension. 1900 LF. Full Depth Reclamation, Resurface, new curb/gutter and sidewalks on both sides of roadway, storm water improvements.
<b>W. Maple Street Downtown</b>	3rd St to S. 5th St. 900 LF Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.
<b>W. Maple Street Residential</b>	5th St to WWTP. 1370 LF. Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.

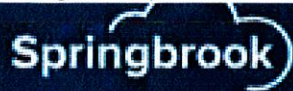
Other possible ideas	
<b>Simpson Rail Trail</b>	Create a pedestrian walkway/trail from Summit Road area near Beck Street to City property and back to Summit Road.
<b>Simpson Ash trail</b>	Create a pedestrian walkway/trail from Ash Street to City Property and back to Summit Road
<b>Wildcat Drive- Lowest Rated Street in City</b>	Reconstruct Wildcat Drive including replacement of storm drains and related storm-water facilities. Possible curb gutter and sidewalks on both sides. Water and Sewer Main replacements. Possible underground power and communication utilities. Could potentially use a cement treated base if existing ground is sufficient.
<b>Spruce Street- 2nd Lowest Rated Street</b>	Reconstruct Spruce Street including replacement of storm drains and related storm-water facilities. Possible curb gutter and sidewalks on both sides. Water and Sewer Main replacements. Possible underground power and communication utilities. Could potentially use a cement treated base if existing ground is sufficient.
<b>8th Street- 3rd Lowest Rated</b>	Resurface, landscaping and/or planter strips and bike lanes where possible; install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace.
<b>Birch Street- 4 lowest Rated</b>	Resurface, install needed curb, gutter, sidewalk, street lights, street trees, and stormwater improvements. Water Main replace. Sewer extension

Re-Occurring Projects (As Funded)	
<b>Pavement Overlay Program</b> - To protect the city's investment in its roadway system, regular maintenance is required. One of the maintenance components includes providing overlays to extend the life of the street surface and protect the roadway base. The ideal program would provide \$412,500 per year of overlay work at various street locations. The locations are currently determined by the pavement management system provided by the TIB. Currently, the city does not have a set budget per year and applies for grants from the Transportation Improvement Board (TIB). The City currently has 9.5 miles of roadway that we are responsible for the pavement. If pavement overlays were on a 20 year rotation, we would be paving about 2,500 feet a year. At current cost for installation of asphalt, that cost is \$412,500 a year.	
<b>Alley Reconstruct and Pavement Patching (annual cost)</b> - Various locations. Develop an annual program to reconstruct and overlay alleys and roadway pavement patching to reduce maintenance costs.	
<b>Crack Seals</b> - Various locations. Develop an annual crack seal program to preserve the City investment in newly constructed and overlaid roads.	
<b>Sidewalk Trip Hazard Elimination</b> - Trip hazards in the existing sidewalk system will be systematically repaired through either removal of affected sidewalk panels, removing the cause of the problem, and re-pouring the panels, or by grinding the problem areas and resurfacing the affected areas.	
<b>Inactive: Chip Seals</b> - Various locations. Develop an annual chip seal program to preserve the City investment in newly constructed and overlaid roads.	



**Order Form**  
**McCleary, WA - City of**  
**05-21-2021**  
**City of McCleary - Additional 12 Users**  
**Expiration Date: 06-30-2021**





Dear Wendy Collins,

Thank you for the opportunity to submit this order form in the amount of \$1,944.00.

All of us at Springbrook are working to provide the best possible solutions for your agency and your citizens.

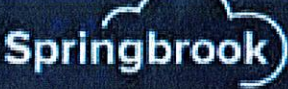
Our goal is nothing short of your 100% satisfaction.

Thank you for being a valued customer.

Sincerely,

*Jen Hribar*

Jen Hribar



Annual Product Pricing

Item Name	Rate	Quantity	Discount %	Net Price
Enterprise User Subscription	\$240.00	12	32.50%	\$1,944.00
Discount				32.50%
Products Total Net Price				\$1,944.00

Grand Total:	\$1,944.00
* Excludes Applicable Sales Tax	



## Order Details

### General Information

Customer Name:	McCleary, WA - City of
Customer Contact:	Wendy Collins
Customer Address:	100 S 3rd, McCleary, Washington, United States, 98557
Governing Agreement(s):	This Order Form is governed by the applicable terms found at: MSA: <a href="https://bias.my.salesforce.com/sfc/p/#F000000082J2/a/F0000000Trlc/HvddGkaOtmgMQ..f_mn9IUoCj_ZI_74Flg1S.ZX0INO">https://bias.my.salesforce.com/sfc/p/#F000000082J2/a/F0000000Trlc/HvddGkaOtmgMQ..f_mn9IUoCj_ZI_74Flg1S.ZX0INO</a>
Term(s):	3 year

### Order Terms

#### Order Start Date

The Order Start Date is defined as follows:

Items Ordered	Order Start Date
Professional Services Orders	Date of last signature on the Order Form
Software Licenses, Subscriptions, Maintenance and Hosting (New)	The earlier of a) date of delivery** of software or log-in to hosted software to Customer or b) 60 days after last signature on the Order Form
Software Licenses, Subscriptions, Maintenance and Hosting (Renewal)	The day after expiration of your last order of the same product
Special Order Terms	None

\*\*The date of delivery of software to the Customer is the date the software is made available to the customer, either by delivery of software or delivery of first log-in to a hosted environment, which may be either a test or production environment. This date of delivery is frequently earlier than the dates professional services are completed, the Customer completes user acceptance testing, the Customer distributes additional log-ins to end users, and the Customer go-live in a production environment.

## Order Duration

### The Order Duration is defined as follows:

- Any Software Licenses or Hardware are one-time, non-refundable purchases.
- Subscriptions, Maintenance, Hosting and Support ("Recurring Services") continue from the Order Start Date through the term listed in this Order Form (or if not listed, 1 year).
- Orders for Recurring Services auto-renew unless the Customer or Springbrook provides a written notice of non-renewal at least sixty (60) days' before the end of the Order Term
- Subscription Service fees and any other recurring fees will be subject to an automatic annual increase by not more than seven percent (7%) of the prior year's Subscription Service fees ("Standard Annual Price Increase").

### Invoice Timing and Delivery

Invoices are delivered electronically via e-mail to the billing contact on file for the Customer. Customer invoices are issued for the full amount of software and services purchased as follows:

Items Ordered	Invoice Timing
Professional Services Orders	Monthly for services in the prior month*
Software Licenses and Hardware	Customer signature on Order Form
Subscriptions, Maintenance and Hosting (New)	Customer signature on Order Form
Software Licenses, Subscriptions, Maintenance and Hosting (Renewal)	60 days in advance of the Order Start Date

\*Professional Services pricing is based on expected hours using Springbrook's standard implementation methodology. Actual hours and billings may vary from this estimate. Please note that only when project costs exceed \$5,000 of this estimate, a signed change order will be required to continue work – changes under \$5,000 will continue to be delivered and billed accordingly.



**Payment Terms**

Payment Terms	Net 30
Special Invoicing Terms	None
Billing Contact	Wendy Collins
Billing Email	wendyc@cityofmcclary.com
If the Customer requires a PO number on invoices, Customer must provide Springbrook with the PO number and a copy of the PO <b>prior</b> to invoice issuance. If a PO number is not provided prior to the invoice issuance date, invoices issued on this Order Form will be valid without a PO reference.	
PO# (If required):	

**Order Duration**

- Any Software Licenses or Hardware are one-time, non-refundable purchases.
- Subscriptions, Maintenance, Hosting and Support ("Recurring Services") continue from the Order Start Date through the term listed in this Order Form (or if not listed, 1 year).
- Orders for Recurring Services auto-renew unless the Customer or Springbrook provides a written notice of non-renewal at least sixty (60) days before the end of the Order Term
- Subscription Service fees and any other recurring fees will be subject to an automatic annual increase by not more than seven percent (7%) of the prior year's Subscription Service fees ("Standard Annual Price Increase").

**Invoice Timing and Delivery**

- Invoices are delivered electronically via e-mail to the billing contact on file for the Customer. Customer invoices are issued for the full amount of software and services purchased as follows:

Items Ordered	Invoice Timing
Professional Services Orders	Monthly for services in the prior month* unless specified in Special Professional Services Invoicing Terms
Managed Services and Annual Report Services	Managed Services, Report Services, begin upon the order start date and continue through June 30 of signed year. Specialized training services begin upon order start date and continue for four months.



	Other specialized support services within Managed Services, begin upon order start date for one year.
Software Licenses and Hardware	Customer signature on Order Form
Subscriptions, Maintenance and Hosting (New)	Customer signature on Order Form
Software Licenses, Subscriptions, Maintenance and Hosting (Renewal)	60 days in advance of the Order Start Date
CivicPay Transactions	Monthly for transactions in the prior month

\*Professional Services pricing is based on expected hours using Springbrook's standard implementation methodology. Actual hours and billings may vary from this estimate. Please note that only when project costs exceed \$5,000 of this estimate, a signed change order will be required to continue work – changes under \$5,000 will continue to be delivered and billed accordingly.

Special Order Terms	
Special Order Terms	None
In the event of an inconsistency between this Order Form, any governing agreement, purchase order, or invoice, the Order Form shall govern as it pertains to this transaction.	

Payment Terms	
Payment Terms	Net 30
Special Invoicing Terms	None
Special Professional Service Invoicing Terms	
Billing Contact	Wendy Collins
Billing Email	wendyc@cityofmccleary.com
If the Customer requires a PO number on invoices, Customer must provide Springbrook with the PO	

number and a copy of the PO **prior** to invoice issuance. If a PO number is not provided prior to the invoice issuance date, invoices issued on this Order Form will be valid without a PO reference.

PO# (If required):



As Buyer, by signing you agree to the terms and conditions as set forth in this agreement.

**Agency Representative**

BUYER SIGNATURE

BUYER SIGNATURE DATE

As Seller, by signing you agree to the terms and conditions as set forth in this agreement.

**Springbrook Representative**

Jared Hale

CFO

SELLER SIGNATURE

SELLER SIGNATURE DATE

DocuSigned by:  
*Jared Hale*  
3EC432F7806F441...  
5/21/2021

# What You Need to Know About Washington's Long Term Care Trust Act

Washington state is implementing the first publicly funded long term care program in the nation, which will provide working residents with basic support should they qualify for assistance with regular daily activities such as eating, bathing, or mobility.

Workers with private LTC insurance will have the opportunity to opt out of the program by applying for an exemption.

Here's how LifeSecure's flexible and affordable LTC insurance compares to Washington's public LTC program.

Washington's Long Term Care Trust Act	LifeSecure Worksite LTCi
<ul style="list-style-type: none"> <li>The program will be funded through a payroll tax beginning January 1, 2022</li> <li>Workers will be required pay a 0.58% tax on their income, or 58 cents for every \$100</li> <li>No discounts</li> </ul>	<ul style="list-style-type: none"> <li>Affordable premiums based on issue age</li> <li>Policy is Guaranteed Renewable for life</li> <li>Two discounts available: Spouse/partner and employer contribution</li> </ul>
<ul style="list-style-type: none"> <li>Workers will have access to a lifetime benefit up to \$36,500 that will be adjusted annually for inflation</li> <li>Benefits pay up to \$100 per day, or roughly \$3,000 per month</li> </ul>	<ul style="list-style-type: none"> <li>Policyholders choose their Benefit Bank amount of \$50,000, \$100,000, \$200,000 or \$300,000</li> <li>Monthly Benefits up to \$1,000 - \$6,000, depending on the Benefit Bank</li> <li>Optional compound inflation rider allows an annual Benefit Bank increase to help keep pace with inflation (1%, 3%, and 5%)</li> </ul>
<ul style="list-style-type: none"> <li>Benefits will be available to workers starting in 2025</li> <li>Care providers must be on the state Department of Social and Health Services approved providers list</li> <li>Family caregivers must meet formal training requirements in order to receive benefits</li> </ul>	<ul style="list-style-type: none"> <li>Quick access to benefits when care is needed</li> <li>Coverage for a broad range of providers, allowing the policyholder and family to decide which care options best meet their needs</li> <li>Cash Alternative Monthly Benefit provides the option to receive a cash payout of 30% of the Monthly Benefit made directly to the policyholder to use how they see fit, including to pay an informal caregiver such as a family member or friend (no training required)</li> <li>Coverage for home modifications and other products that help policyholders live more securely and independently at home (Reimbursable up to 1x the Monthly Benefit over the life of the policy)</li> </ul>
<ul style="list-style-type: none"> <li>Only Washington residents can qualify for benefits; the program does not provide portability outside of Washington</li> </ul>	<ul style="list-style-type: none"> <li>Plans are portable if you change jobs or move</li> <li>Benefits pay for care, treatment and services provided in the United States, Canada, or their territories or possessions</li> </ul>

Contact [Cori Mooberry](#), Manager of Sales Delivery and Worksite, for more information, or view the [LTCi Plan at a Glance](#) for product details.

*This is for informational purposes only. LifeSecure Insurance Company is an insurance provider. It does not provide legal or tax advice or make recommendations on how to qualify or apply for the exemption. Individuals should consult their own legal or tax professionals for additional information. Availability of LifeSecure LTC benefits, amounts, options and discounts may vary by state. Exclusions and limitations apply.*



## Worksite Proposal for Long Term Care Insurance

Plan Choice	Plan A	Plan B	Plan C	Plan D
Benefit Bank <sup>SM</sup>	\$50,000	\$100,000	\$200,000	\$300,000
Monthly Benefit Payout Structure	\$1,000	\$2,000	\$4,000	\$6,000
Benefit Wait Period	90 Calendar Days;	90 Calendar Days;	90 Calendar Days;	90 Calendar Days;
	Waive for Acute	Waive for Acute	Waive for Acute	Waive for Acute
Automatic Compound Inflation Benefit	None	None	None	None
Non-forfeiture Benefit	Excluded	Excluded	Excluded	Excluded

Monthly Premium Amount				
Age	Plan A	Plan B	Plan C	Plan D
18-30	\$23.50	\$29.25	\$43.75	\$65.58
31	\$23.92	\$30.08	\$45.42	\$68.08
32	\$24.33	\$31.00	\$47.58	\$70.75
33	\$24.83	\$32.00	\$49.92	\$73.67
34	\$25.25	\$33.00	\$52.25	\$76.67
35	\$25.75	\$34.00	\$54.75	\$79.83
36	\$26.25	\$35.17	\$57.33	\$83.17
37	\$26.75	\$36.33	\$59.92	\$86.67
38	\$27.33	\$37.58	\$62.67	\$90.42
39	\$27.83	\$38.83	\$65.42	\$94.25
40	\$28.42	\$40.17	\$68.00	\$97.92
41	\$29.00	\$41.58	\$71.00	\$102.25
42	\$29.58	\$43.00	\$74.08	\$106.83
43	\$30.25	\$44.50	\$77.42	\$111.67
44	\$30.92	\$46.08	\$80.83	\$116.83
45	\$31.50	\$47.42	\$83.75	\$121.58
46	\$32.25	\$49.17	\$87.67	\$127.50
47	\$33.17	\$51.17	\$91.92	\$133.92
48	\$34.08	\$53.33	\$96.58	\$140.83
49	\$35.08	\$55.75	\$101.50	\$148.25
50	\$36.17	\$58.17	\$106.42	\$155.50
51	\$37.33	\$60.92	\$112.25	\$164.17
52	\$38.67	\$63.92	\$118.50	\$173.67
53	\$40.08	\$67.00	\$125.25	\$183.83
54	\$41.58	\$70.42	\$132.42	\$194.75

## Monthly Premium Amount

Age	Plan A	Plan B	Plan C	Plan D
55	\$42.92	\$73.17	\$138.08	\$203.50
56	\$44.75	\$77.17	\$146.92	\$216.92
57	\$46.75	\$81.67	\$156.83	\$232.17
58	\$48.92	\$86.67	\$168.00	\$249.08
59	\$51.33	\$92.17	\$180.25	\$267.75
60	\$53.17	\$96.83	\$191.33	\$284.67
61	\$56.25	\$103.67	\$206.75	\$308.00
62	\$59.75	\$111.42	\$224.00	\$334.25
63	\$63.67	\$120.08	\$243.17	\$363.33
64	\$68.08	\$129.58	\$264.33	\$395.42
65	\$72.92	\$140.08	\$287.33	\$430.33
66	\$78.17	\$151.42	\$312.33	\$468.17
67	\$83.92	\$163.67	\$339.25	\$508.92
68	\$90.08	\$176.83	\$368.33	\$552.50
69	\$96.75	\$190.92	\$399.33	\$599.00

The premiums shown above are for illustrative purposes only. Actual premiums may vary slightly from those illustrated due to system rounding methods. A couple's discount may also apply to individual applicants. This item is intended only to provide a general overview of our product and services. Each applicant must complete an Application and qualify for coverage based on LifeSecure's underwriting criteria, which may include the applicant's age, build, MIB report, Prescription Drug Report, health history and current health conditions. Underwriting may also include a personal phone interview, and/or request for medical records. Future premiums may be increased. If we change the premiums, we must do so for all similar policies issued in the same state and on the same form. This proposal is valid for eligible individuals ages 18-69 submitting applications for LifeSecure's individual long term care insurance.





# Plan-at-a-Glance

## Long Term Care Insurance

### Standard Features

**Issue Ages:** 18 through 69

**Plan Choices:**

\$50,000 Benefit Bank*	\$100,000 Benefit Bank	\$200,000 Benefit Bank	\$300,000 Benefit Bank
\$1,000 Monthly Benefit (or, \$300 Cash Alternative)	\$2,000 Monthly Benefit (or, \$600 Cash Alternative)	\$4,000 Monthly Benefit (or, \$1,200 Cash Alternative)	\$6,000 Monthly Benefit (or, \$1,800 Cash Alternative)

\* In WI: The \$50,000 Benefit Bank is not available.

**Benefit Bank:** The Benefit Bank represents the lifetime dollar benefit amount available to you. Your Benefit Bank balance is reduced by any benefits paid to you or on your behalf.

**Monthly Benefit Payout Structure:** When you become eligible for benefits, you can choose between the payout options below (in accordance with your Plan of Care):

- **OPTION 1:** Receive reimbursement for qualified long term care services, up to your **Monthly Benefit for Covered Expenses**. Covered expenses include care at home through a home care agency or independent provider, in an assisted living facility, in an adult day care center, or in a nursing home. Hospice care is also covered.
- **OPTION 2:** Elect to receive a cash payout, equal to your **Cash Alternative Monthly Benefit** amount. The cash benefits can be used to pay an informal caregiver, such as a family member or friend – or used for other purposes unique to your care situation.

Note: The choice between the two options can be made on a monthly basis. Any un-used Monthly Benefit dollars will remain in your Benefit Bank and extend the life of your policy.

**Home Modification and Supplemental Products Benefit:** This benefit provides coverage for services and products that are required for you to live more securely and independently at home (in accordance with your Plan of Care). These expenses are reimbursable up to 1X your Monthly Benefit for Covered Expenses over the life of your policy. Payouts made under this benefit will reduce your Benefit Bank amount.

Examples of services and products that are eligible for reimbursement include:

- **Home Modifications** – equipping your home for greater safety or access related to your long term care impairment. *Examples include: building or installing an access ramp to your home, widening doorways, and installing grab bars in the bathroom.*
- **Assistive Devices or Technology** – adaptive tools, devices or technology that help you function independently in your home. *Examples include: specially adaptive eating or dressing devices, emergency medical response systems, or other technology devices used to monitor movement and personal safety in your home.*
- **Durable Medical Equipment** – medical equipment that you buy or rent, and is designed to assist you in living at home. *Examples include: walkers, hospital-style beds, crutches, and wheelchairs.*

The Home Modification and Supplemental Products Benefit can be received in addition to other reimbursable Covered Expenses or the Cash Alternative in a given month.



**Benefit Eligibility:** You are eligible for benefits if you have been certified as Chronically Ill within the last 12 months by a Licensed Health Care Practitioner. This means that you are unable to perform at least two Activities of Daily Living (bathing, dressing, toileting, transferring, continence and eating) for a period that is expected to last at least 90 days, or you require Substantial Supervision to protect your health and safety due to a Severe Cognitive Impairment.

**Benefit Wait Period: 90 Calendar Days** (once you are verified as Chronically Ill), unless your condition is triggered suddenly by an Accidental Injury or Stroke, in which case the Benefit Wait Period will be completely waived (**0 days**).

**Waiver of Premium:** Your premiums are waived beginning on the first day you start receiving benefits. As long as you continue to receive benefits, additional premiums will not be required.

**Spouse Discount:** If you and your spouse/partner both apply for coverage at the same time, a 10% premium discount will apply to each policy. To qualify for the discount, both individuals must apply for the same policy form series (LS-LTC-0006).

### Optional Benefit Riders

**Compound Inflation Benefit (1%, 3% or 5%):** If you elect this optional benefit, we will automatically increase your current Monthly Benefit and your remaining Benefit Bank by 1%, 3% or 5% each year. The increase will be effective on each anniversary of your policy and rider, even while you are receiving benefits.

**Nonforfeiture Benefit:** If this rider is in force for at least three full years, and your policy then terminates due to non-payment of premium, this optional benefit allows you to retain a reduced paid-up amount of coverage. You will have a revised Benefit Bank equal to the greater of: (a) 100% of the sum of all premiums paid by you; or (b) one times your Monthly Benefit. Not applicable if Benefit Bank is exhausted prior to lapse.

### Policy Limitations and Exclusions

This Policy will not pay benefits for care, treatment, services or charges: for a loss that occurs while this Policy is not in force; or for alcoholism or drug addiction (except for an addiction to a prescribed medication administered on the advice of a Physician); or due to declared or undeclared war or act of war; or due to participation in a felony, riot or insurrection or involvement in an illegal occupation; or due to suicide, attempted suicide or intentionally self-inflicted injury; or that are reimbursable under Medicare, or would be so reimbursable but for the application of a deductible or coinsurance amount; or that are reimbursable or provided under a governmental program (except Medicaid), any state or federal workers' compensation, employer's liability or occupational disease law; or provided outside the United States, Canada or their territories or possessions; or for which no charge is made in the absence of insurance, except as provided under the Cash Alternative Monthly Benefit; or provided by an Immediate Family member (except as provided under the Cash Alternative Monthly Benefit), unless: he or she is a regular employee of an organization which is providing the care, treatment or service; he or she receives no compensation other than the normal compensation for employees in his or her job category; and the organization receives the payment for the care, treatment, service or charge.

For more information, visit us at [YourLifeSecure.com](http://YourLifeSecure.com)

LifeSecure and the logo are trademarks of LifeSecure Insurance Company, Brighton, MI. Our long term care insurance product is individually underwritten by LifeSecure Insurance Company and may require a medical exam. This item is for illustrative purposes only and is not a contract. It is intended only to provide a general overview of our product and services. Availability of benefits, amounts, options and discounts may vary by state. Only the insurance policy can give actual coverage amounts, terms, conditions, limitations and exclusions. Refer also to the Outline of Coverage. This policy is guaranteed renewable for life and is intended to be federally tax-qualified as defined by the Internal Revenue Code of 1986, §7702B(b). Applicants are required to provide medical information. Premiums may increase. There is a 67 day grace period for premium payments. This is an insurance solicitation. An agent may contact you.



## City of McCleary

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# Memorandum

To: Mayor Orffer

From: Todd Baun- Director of Public Works

Date: May 6, 2021- For May 12th Council Meeting

Subject: Council and Mayor Policies

### RECOMMENDATION

Nothing at this time. Discussion and Guidance Only

### BACKGROUND

A Mayor and City Council Protocol manual, sometimes known as “Mayor and City Council Rules of Procedure”, is widely considered to be a “best practice” for effective city council operations and decision making. Many city councils have adopted formal rules of procedure to govern the conduct of their meetings. City councils are authorized by statute or charter to determine their own rules and order of business and to establish formal rules for the conduct of council meetings. (See [RCW 35A.12.120](#): noncharter code cities)

In beginning of this year, the Mayor, members of the policy committee and staff met to go over a draft of Mayor and City Council Protocol Manual. We are now looking for input on some items that are highlighted in yellow in the attached draft. The next page has the items that are highlighted in yellow and will need you input on the questions to the Council.

PAGE #	Issue	Question to Council
Page 9	Need language- Staff will get	
Page 13	Need to verify language- Staff	
Page 15	This is from RCW 35A.12.065. We do not have anything in our MMC that addresses Mayor Pro-Tem.	Use RCW or do we adopt an ordinance?
Page 17	Who is Designated Staff?	
Page 24	This is directly from City Resolution 618.	Do we need to update for offsite electronic meetings?
Page 25	McCleary Municipal Code 2.04	Do we need to clean up language?
Page 27	This is in our McCleary Municipal Code 2.04.015	Do we need to clean up language?
Page 28	Deadline time 4:30?	
Page 29	ten days	Is ten days ok?
Page 29	Agenda 5:00 or 4:30?	
Page 30	Public Comment	Is language ok or would you like to see anything added or deleted?
Page 31	Old and New Business	Would you like new titles to replace old/new business? Example: Discussion and Action Items?
Page 33	Public Comment	Is language ok or would you like to see anything added or deleted?





# CITY OF MCCLEARY MAYOR AND CITY COUNCIL PROTOCOL MANUAL



McCleary City Council 1949

ADOPTED-

Attachment A to Resolution No. \_\_\_\_\_

*Item 7.*

Resolution

# CITY OF MCCLEARY

## CITY COUNCIL AND MAYOR PROTOCOL MANUAL

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Oath of Office

## **Foreword**

In the course of serving as a public official, there are myriad issues with which you will become involved. This Protocol Manual attempts to centralize information on common issues related to local government and your role as a McCleary City Councilmember or Mayor.

The issues that are addressed in this publication are often complex and subjective. This manual is intended to be a guide and is not a substitute for the counsel, guidance, or opinion of the Mayor, City Attorney or City Staff.

The protocols included in this reference document have been formally adopted by the City Council. Provisions contained herein will be reviewed as needed to respond to changes in the law and the will of the Council.

## Chapter 1- Introduction and Overview

McCleary's citizens trust their representatives to act in the best interest of the community in a way that follows the rule of law and is participatory, consensus oriented, accountable, transparent, responsive, equitable, inclusive, efficient and effective. The City Council and Mayor Protocol Manual is a resource to assist officials and staff in meeting these expectations.

### Mayor-Council Form of Government

The City of McCleary is a Mayor-Council form of government. As described in the municipal code and Revised Code of Washington, certain responsibilities are vested in the City Council and the Mayor. Basically, this form of government prescribes that a City Council's role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines what public policy is and gives direction to the Mayor to administer the affairs of the city government in a businesslike and prudent manner.

### Association of Washington Cities and Municipal Research & Service Center of Washington

The Code City Handbook, published by the Municipal Research & Services Center (MRSC), provides a wealth of general information on the major functions of a Councilmember's and Mayor's job as a locally elected official. Another publication that goes hand in hand with the handbook is Knowing the Territory, Basic Legal Guidelines for Washington Municipal Officials, published by MRSC. This report discusses basic powers; basic duties, liabilities, and immunities of officers; conflict of interest and appearance of fairness; prohibited uses of public funds, property, or credit; competitive bidding requirements; the Open Public Meetings Act; Public Records Act; and immunities from tort liability. These documents should be reviewed and considered an integral part of procedures utilized within the City.

### Purpose of City Council and Mayor Protocol Manual

This Protocol Manual is to assist the City Council and Mayor by documenting accepted practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council, Mayor and staff to abide by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide the Council and Mayor in their actions.

### Overview of Basic City Documents

This Protocol Manual provides a summary of important aspects of City and Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction.

**A. McCleary Municipal Code**

The municipal code contains local laws and regulations adopted by ordinances. Title 1 of the code contains general provisions including City Classification. Title 2 of the Code addresses Administration and Personnel. In addition to these administrative matters, the municipal code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

**B. Employee Handbook**

The

**C. Revised Code of Washington**

The Revised Code of Washington {RCW} contains many requirements for the operation of city government and administration of meetings of city councils throughout the state. McCleary is an "optional code city," which means it operates under Title 35A of the RCW and the "general laws" of the state. As an optional code city of the State of Washington, McCleary is vested with all the powers of incorporated cities as set forth in the RCW, Constitution of the State of Washington, and McCleary Municipal Code. As a Mayor-Council Code city, McCleary is specifically governed by Chap. 35A.12 of the RCW.

**D. Annual Budget**

The budget is the primary tool and road map for accomplishing the goals of the City. The budget document is the result of one of the most important processes the City undertakes. By adopting the budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations.

**E. Annual Financial Report**

The annual financial report includes the financial statements of the City for a calendar year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial report includes statements for the various groups of funds and a consolidated group of statements for the City as a whole.

**F. Comprehensive Plan**

A comprehensive plan addresses the City's long-range planning needs relative to land use, transportation, economic development, utility planning and other planning elements. The City's comprehensive plan is reviewed on an ongoing basis, but may only be revised once a year, except as provided by State law.

### G. Six Year Capital Improvement Program

The Six-year Capital Improvement Program serves as a guide for determining priorities, planning, financing, and constructing capital projects which add to, support, or improve the physical infrastructure, capital assets, or productive capacity of city services.

### H. Disaster Preparedness Plan

The City maintains a disaster preparedness plan that outlines actions to be taken during times of extreme emergency. The Mayor is called upon to declare the emergency, and then the Police Chief directs all disaster response activities. The City Council may be called upon during an emergency to establish policies and approve expenditures related to a specific incident.

## Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the Mayor, an experienced Council Member and City Administration will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with staff. Newly Elected Mayors will also be given the opportunity to meet with experienced City Councilmembers and City Administration to learn City operations. Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected official's orientation AND the annual Association of Washington Cities conference. Members are highly encouraged to attend both of these excellent training and networking opportunities. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.

The Open Government Training Act ([ESB 5964](#)) requires many public officials, all appointed public disclosure officers ([RCW 42.56.080](#)) and state agency appointed records officers ([RCW 40.14.040](#)) to receive public records training.

This act requires training on Washington's public records and open government requirements which are in state law:

- Preservation and Destruction of Public Records ([Chapter 40.14 RCW](#)), which is under the authority of the Office of the Secretary of State.

The Office of the Attorney General has the authority over the other two statutes covered in the Open Government Training Act:

- Public Records Act ([Chapter 42.56 RCW](#))
- Open Public Meetings Act ([Chapter 42.30 RCW](#) and [Chapter 42.32 RCW](#)), also under the Authority of the Office of the Attorney General.

***For Public Records Act and Open Public Meetings Act Training, please visit the [Washington State Office of the Attorney General Open Government Training page](#).***

Training is critical in correctly implementing and complying with the laws. As a risk management and mitigation tool, training and education can help avoid or reduce litigation and its costs.

Managing records and information supports compliance with not only public records laws and requirements, it also promotes compliance with audits. Records and information are among an agency's most important business assets, and support an agency's business needs and other legal obligations.

### Team Retreats

Periodically, the Mayor, members of the McCleary City Council and appropriate staff representatives, may hold a retreat to discuss and establish key team issues, goals and priorities and develop agreements to optimize performance with a particular focus on developing a strong leadership team to direct the McCleary municipal government. These meetings are to be scheduled as Special Meetings and will be open to the public.

## Chapter 2- McCleary City Council and Mayor: General Power and Responsibilities

### City Council Generally

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents; to provide for the health, safety and general welfare of the citizenry. The City Council is the policy making and lawmaking body of the City. State law and local ordinances grant the powers and responsibilities of the Council.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. When it comes to establishing policies, voting, and in other significant areas, all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Council Members should respect adopted Council policy. In turn, it is staff's responsibility to ensure the policy of the Council is upheld.

Actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Council Members who held a minority opinion on an issue.

#### A. Council Non-Participation in Administration

In order to uphold the integrity of the Mayor-Council form of government, and to provide proper checks and balances, members of the City Council refrain from becoming directly involved in the administrative affairs of the City. As the Council is the policy making

body and the maker of local laws, its involvement in enforcement of ordinances would only damage the credibility of the system.

Except for the purpose of inquiry, the Council and its members will deal with City staff solely through the Mayor or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the Mayor. Subject to RCW 42.30.110 and the holding of executive sessions to discuss and review personnel matters, the Council is not prohibited, while in open session, from fully and freely discussing with the Mayor anything pertaining to appointments and removals of City officers and employees and City affairs.

### Role of Council Members

Members of the McCleary City Council are collectively responsible for establishing policy, adopting an annual budget, and providing vision and goals to the Mayor and Departments. The following outline is a brief description of the various duties of Council Members. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the Council.

- A) Summary of Council Duties and Responsibilities as Provided in, but not Limited to, the Washington Administrative Code and Revised Code of Washington
  - 1) Establish Policy
    - a) Adopt goals and objectives.
    - b) Establish priorities for public services.
    - c) Approve/amend the operating and capital budgets.
    - d) Adopt Resolutions.
    - e) Approve contracts in excess of the dollar threshold signing authorities the Council has delegated to the Mayor, City Administration and other City Employees.
    - f) Amend the Comprehensive Plan
  - 2) Enact Local Laws
    - a) Adopt ordinances including zoning, development regulations and comprehensive plan.
    - b) Amend the McCleary Municipal Code
  - 3) Establish Boards/Committees
    - a) Confirm appointments to certain advisory bodies (currently the Planning Commission, Police Advisory Committee, and Land Use Hearing Examiner, require Council confirmation/approval; others are director Mayoral appointments.)
    - b) Provide direction to advisory bodies.
  - 4) Provide Public Leadership
    - a) Relate wishes of constituents to promote representative governance.
    - b) Mediate conflicting interests while building a consensus.
    - c) Call special elections as necessary.
    - d) Communicate the City's vision and goals to constituents.

- e) Represent the City's interest at regional, county, state, and federal levels.
- 5) Decision-Making
  - a) Study problems.
  - b) Review alternatives.
  - c) Determine best course of public policy.
- 6) Personnel Matters
  - a) Adopt personnel policies, establish positions, set wages and benefits.
  - b) Establish bargaining parameters and approve final labor contracts.
- 7) Budget
  - a) Establish goals and priorities which provide framework for budget- discuss and adopt final budget and amend as needed.
  - b) Set city tax rates, to the extent permitted by statutes.
  - c) Set utility rates and other fees as required.
- 8) Council Meetings
  - a) Adopt Council rules of procedure.
  - b) Participate in preparation of council meeting agenda as provided in council rules.
  - c) Discuss all policy matters and make decisions following the adopted rules.
- 9) Relationships with Other Entities
  - a) Decide whether City will participate in optional government organizations, provide guidance to Mayor or other city representatives.
  - b) Serve as City representative on certain intergovernmental bodies.

### Role of Mayor

The Mayor-Council plan of government is outlined in RCW 35A.12. The powers and duties of the Mayor include:

- Chief Executive and Administrative Office
- General supervision over the staff administrative affairs of the city
- Hire (subject to the above process, when possible), fire, supervise and discipline all city employees (civil service rules and labor contracts must be followed, if applicable) The City Council authorizes positions through the budget process; based upon that authorization, the Mayor makes the appointments. The Mayor appoints members to the Civil Service Commission.
- Negotiate labor contracts (sometimes Mayor is not member of negotiating team and delegates this duty)
- Prepare Council Meeting agenda, preside over meetings, report to Council on matters involving city administration, propose policy initiatives or changes
- As presider of meetings, facilitate an orderly meeting process
- Vote on measures to the extent allowed by the statutes and veto ordinances, as permitted by statutes
- Keep Council informed on city affairs



- Propose policy and implement as adopted by Council and report back regarding policy implementation and possible improvements
- Work with staff to develop preliminary budget
- Lead Council in process of establishing goals and priorities for the City of McCleary
- Implement budget adopted by Council, provide regular financial reports and present alternatives when Council has to deal with budget problems
- Sign contracts, supervise contract performance, enforce contracts
- Represent City as official spokesperson, in accordance with views or goals set by Council
- Act as official head of City for ceremonial events

### City Council/Mayor Relationship

The relationship between the City Council and Mayor honors the fact that the Mayor is the chief executive of the City. All dealings with the Mayor, whether in public or private, should respect the authority of the Mayor in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the Mayor.

The Mayor respects and is sensitive to the policy responsibilities of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

#### A. Annual Goal Setting

The Mayor and City Council may meet on an annual basis to ensure that both the City Council and Mayor are in agreement about performance and goals based upon mutual trust and common objectives. Department Heads may participate as needed.

### Absence of Mayor and Council Members

In the absence of the Mayor, the Mayor Pro-tem shall perform the duties of the Mayor. When both the Mayor and Mayor Pro-tem are absent, the Council may choose from among its members a person to serve as acting mayor, who shall, for the term of such absence, have the powers of the Mayor.

If the Mayor or other Council Members are absent from the City requiring them to miss a Council Meeting or Committee assignment, they shall notify the Mayor and City Clerk of such absence.

### Election of Mayor Pro Tempore

Procedures for electing the Mayor Pro Tempore are as follows:

#### A. Biennial Appointment of Mayor Pro Tempore

Biennially at the first meeting of a new council, or periodically, Council members, by majority vote, may designate one of their members as mayor pro tempore or Mayor Pro Tempore for such period as the council may specify, to serve in the absence or temporary disability of the mayor.

#### B. Resignation of Mayor Pro Tempore

If the Mayor Pro Tempore resigns, the City Council will appoint a new Mayor Pro Tempore, using the procedure outlined above. Such newly appointed Mayor Pro Tempore shall serve the remainder of the term.

### Advisory Bodies and Council Participation on Outside Boards

#### A. Creation of Boards and Commissions

The City Council is specifically empowered to create or dissolve all advisory boards and commissions pursuant to the provisions of Title 35A RCW, or such advisory boards or commissions not specifically enumerated, as the Council deems necessary or advisable. In the exercise of this power, the City Council may act to establish a consistent policy in its decision-making role to fairly and equitably evaluate those citizens of the community who demonstrate desire to serve on such boards or commissions. Such policy may be established in the McCleary Municipal Code or as a supplement to this Council Protocol Manual.

#### B. Councilmembers on Outside Boards

The City Council is often requested to appoint Councilmembers to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The City Council appoints members to some of these groups on an as-needed or as-requested basis.

Membership appointment to these groups shall be made by consensus of the Council. If more than one Councilmember desires to serve as a member of a particular outside group, the member for that group will be appointed by a majority vote of the Council. Council may appoint an alternate to attend outside boards, councils, commissions, or committees, if the main delegate to such group is unable to attend a meeting of the group.

Councilmembers participating in policy discussions at regional meetings will represent the consensus of the Council, except where regional appointment requires regional opinion. Personal positions, when given, will be identified and not represented as the position of the City. Assignment and direction of staff in relation to regional meetings are at the discretion of the Mayor. Councilmembers, the Mayor or staff members representing the City on these outside Committees shall provide verbal or written reports on committee meetings attended.

### C. Councilmembers' Role and Relationship with City Advisory Bodies

Council members shall not be appointed to City advisory bodies concurrent with their term of office as Councilmember.

Unless specifically authorized by majority vote of the full Council, no Councilmember shall state or testify to the policy or position of the Council before any advisory board or commission of the City.

Councilmembers shall police their own conduct before the City's advisory boards and commissions in order to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following minimum standards should be observed:

Council members shall not testify in quasi-judicial matters pending before any advisory board or commission that will receive, or could potentially receive, future appeal or review before the City Council.

Councilmembers shall refrain from providing testimony in legislative or administrative matters pending before any advisory board that will receive, or could potentially receive, future review or other action before the Council, unless the Councilmember declares on the record that the Councilmember is present in his or her private capacity as an interested citizen and not speaking on behalf of the Council.

### Dual Office Holding

State law prohibits Councilmembers from holding more than one office at a time, if those offices are considered to be "incompatible." Questions concerning dual office holding or compatibility of offices shall be addressed to the City Attorney on case-by-case basis.

## Chapter 3- Support Provided to City Council

### Staff/Clerical Support

Staff and administrative support to members of the City Council is provided by city staff as directed by the Mayor. Clerical support services, including scheduling of appointments, receipt of telephone messages, and word processing, are available as needed. Sensitivity to the workload of support staff members in the City is appreciated. Please note that individuals may have work assignments with high priority. Should requested tasks require significant time commitments, Council Members will consult with the Mayor prior to making assignments.

### Office Equipment

To enhance Councilmembers' service to the community and their ability to communicate with staff and the public, the City provides meeting facilities and office equipment for City business.

Designated Staff will provide a laptop or tablet, at the request of Councilmembers, for official City use. Designated Staff or vendor will ensure that all appropriate software is installed and will also provide an orientation in the use of computers and related software. Personal media and programs cannot be stored on City computers. Councilmembers shall agree to follow the City of McCleary Acceptable Use of Information Technology when utilizing City owned computers and electronic devices.

## City Buildings

Use of the City Buildings may be scheduled with the City Clerk-Treasurer.

## Mail and Deliveries

Members of the City Council receive a large volume of mail and other materials that are delivered primarily through the use of a mailbox located at the inside City Hall. The mailbox is maintained for all Councilmembers by the City staff. Councilmembers are encouraged to check the mailboxes often. In addition, City staff will email or personally deliver materials that are time-sensitive to a Councilmember's home or office, if appropriate.

## Email Use

It is important to note that all letters, memoranda, and interactive computer communication (e-mail) involving City Council Members and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with few exceptions stated by the Public Disclosure Act (RCW 42.17), are public records. E-mails must be retained in accordance to the Washington State Local Government Common Records Retention Schedule (CORE).

# Chapter 4- Financial Matters

## Council Compensation

The municipal code provides for payment of a modest honorarium to members of the City Council. A seated City Council may not increase or decrease its own compensation. Councils may only pass an Ordinance to adjust the compensation of an incoming City Council (MMC 2.04.340 and Constitutional Article 2, Section 25 and Article 30, Section 1). However, the Council may establish a Salary Commission as provided in RCW 35.21.015, which may adjust salaries mid-term.

## Mayor Compensation

The salary of the Mayor is set by the City Council. The Mayor of the City of McCleary is a part-time position. The salary of Mayor may be raised during their term of office, as long as their vote was not required to pass the applicable ordinance. The state constitution contains an exception allowing salary increases during an official's term in office if that official does not fix his or her

own compensation. The exception cannot be triggered by an official abstaining from the vote for a salary increase because it is a councilmember's authority to fix compensation that is determinative. This exception would allow the salary of a mayor in a mayor-council city to be increased during his or her term of office, provided that the vote of the mayor is not necessary for the passage of the applicable ordinance. (Attorney General's Opinion, AGO 1968 No. 36).

## Expenses

The City budget may include appropriations for expenses necessary for members to undertake official City business. Funding provided may include membership in professional organizations, attendance at conferences or educational seminars, purchase of publications and office supplies. Councilmembers are responsible for training and travel expenses within their budget allocation and must follow the City Employee Handbook policy for travel and reimbursement. Council travel is subject to review by the Mayor.

## Chapter 5- Communications

### Overview

Perhaps the most fundamental role of a Councilmember and Mayor is communication:

- Communication with the public to assess community opinions and needs, and to share the vision and goals of the City with constituents;
- Communication with staff regarding policy direction and to gain an understanding of the implications of various policy alternatives.

Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when Members are expressing personal views and not those of the Council, the public should be so advised.

### Correspondence from Councilmembers

Members of the City Council will often be called upon to write correspondence to citizens, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. The City Clerk is available to support the Council and Councilmembers in preparing written correspondence. In the event a Councilmember self-prepares correspondence related in any way to City business, a copy of the document shall be provided to the City Clerk and Mayor for Public Records purposes and for distribution to other Councilmembers.

On occasion, Councilmembers may wish to correspond on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, Members should clearly indicate that they are not speaking for the City Council as a whole, but for themselves as one Member of Council. A copy of any correspondence produced should be provided to the City Clerk for Public Records purposes and for distribution to other Councilmembers.

### Correspondence from the Mayor

The Mayor will often be called upon to write correspondence to transmit the City's position on policy matters to outside agencies on behalf of the City Council. The Mayor shall forward correspondence made on behalf of the City to Councilmembers for informational purposes.

### Local Ballot Measures

State statutes prohibit the City and any elected official from using its personnel, equipment, materials, buildings, or other resources to support or oppose a candidate for office or a ballot measure. What the City can do is distribute neutral and factual information for the purpose of informing the public of the facts of an issue.

The City Council may also vote as a body to issue an official Resolution supporting or opposing a ballot measure, as long as the number and title of the ballot measure is listed on the meeting agenda and any citizens who are supporters or opponents are given an equal chance for public comment.

### Proclamations

Proclamations may be issued as a ceremonial commemoration of an event or issue (e.g., National Night Out). Proclamations are not statements of policy; they are a manner in which the City can make special recognition of an individual, event, or issue.

### State Public Records Act

To ensure that business communications submitted to and by elected and appointed officials comply with the State Public Records Act, Chap. 42.56 RCW, and the State Open Public Meetings Act, Chap. 42.30 RCW, the following is set forth:

#### A. Records - Generally

Any documents, including letters, email, social media postings, and text messages, which are received, sent, or created by City Councilmembers, the subject of which relates to the conduct of government or the performance of any governmental function, are public records.

The Mayor and Councilmembers must ensure that all public records are kept in City custody to enable the City to satisfy public records requirements. The Mayor and Councilmembers

should minimize use of personal electronic devices and email accounts to create, send, receive, or modify any document that meets the definition of a public record. Any communications or records created, sent, or received by the Councilmember on a personal device or account are to be immediately transferred to City custody for retention and disclosure. Council members may accomplish this by forwarding records and communications to their City-issued email accounts, with a subject line that will allow the record to be found in the event of a search.

#### B. Written Communications

Written letters and memoranda received by the City, addressed to a Councilmember or the Council as a body, will be provided to all City Councilmembers, and a copy kept according to the City's Records Retention Schedule.

## Chapter 6- Conflicts of Interest and Liability of Elected Officials

### Conflicts of Interest

The Washington State Code of Ethics for Municipal Officers, Chap. 42.23 RCW, is intended to ensure that the judgment of public officers is not compromised or affected by inappropriate conflicts of interest, and that confidential matters are appropriately safeguarded. The Code of Ethics has provisions that prohibit:

- Using one's official position to obtain a special privileges or exemptions.
- Receiving compensation or gifts for the officer's services.
- Accepting employment or engaging in activities that could require or induce an officer to disclose confidential information.
- Disclosing confidential information or using such information for the officer's personal benefit.
- Being beneficially interested in a contract with the City.

The consequences of violating the Ethics Code may include: (1) a determination that an action taken by the Council is void, (2) financial penalties; (3) consequences assessed by the Council including censure; and (4) forfeiture of office through recall.

The application of the Ethics Code must be addressed on a case-by-case basis. The Ethics Code is not generally intended to preclude Council members from voting on legislation with City-wide impact, such as land use, police power, and taxation ordinances. In addition, a Council member might be found only to have a "remote interest" in a contract, such that the Council may still approve a contract if the interested Council member abstains from the vote.

The Mayor and Councilmembers are encouraged to consider whether public perception and trust would be best served by disclosure of individual interests or relationships that are relevant to a policy matter under consideration. To understand the effect of the Ethics Code and its applicability to any particular situation, Council members and the Mayor should contact the City Attorney as questions arise.

## Liability and Indemnification

Chapter 2.80 of the McCleary Municipal Code addresses indemnification of employees and officers, including Councilmembers. It is important to note that violations of certain laws and regulations by an individual Member of the City Council or the Mayor may result in the Member/Mayor being personally liable for damages which would not be covered by the City's insurance. Elected and appointed officials should participate in risk management training to reduce liability due to actions taken.

## Chapter 7- Interaction with City Staff

### Overview

City Council policy is implemented through dedicated and professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

### Mayor-Council Plan of Government

McCleary has a Mayor-Council plan of government. Basically, with this structure, the City Council's role is to establish city policies and priorities. The Mayor implements those policies and undertakes the administration of the organization. The roles of the Mayor and Council are described in Chapter 2 of this manual.

### City Council Non-interference

The City Council is to work through the Mayor when dealing with administrative services of the City. In no manner, either directly or indirectly, shall a Council Member become involved in, or attempt to influence, personnel matters that are under the direction of the Mayor.

Subject to RCW 42.30.110 and the holding of executive sessions to discuss and review personnel matters, the Council is not prohibited, while in open session, from fully and freely discussing with the Mayor anything pertaining to appointments and removals of City officers and employees and City affairs.

### City Council/City Attorney Relationship



Pursuant to recommendation of the Mayor, the City Council shall make provision for obtaining legal counsel for the City, either by appointment of a City Attorney on a full-time or part-time basis, or by any reasonable contractual arrangement for such professional services. The City Attorney is a contract employee appointed by the Mayor; such contract is confirmed by the City Council. The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the Mayor, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

- 1) Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
- 2) Represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
- 3) Prepare or approve as to form ordinances, Resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
- 4) Keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the city.

It is important to note that the City Attorney does not represent individual members of Council, but rather the City Council as a whole.

## Roles and Information Flow

### A. Council Roles

The full City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

Members of the City Council must avoid intrusion into those areas that are the responsibility of staff. Individual Council Members may not intervene in staff decision-making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Council Members, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal. If a Council Member wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

### B. Access to Information

The Mayor is the information liaison between Council and City staff. Requests for information from Council Members are to be handled based on the 3-tiered system described above and will be responded to promptly. When appropriate, the information requested will be copied to all members of Council so that each member may be equally informed. The sharing of information

with City Council is one of the Mayor's highest priorities. The Mayor shall strive to ensure that all Council Member inquiries are answered.

There are limited restrictions when information cannot be provided. The City is legally bound not to release certain confidential personnel information. Likewise, certain aspects of police department affairs (i.e., access to restrict or confidential information related to crimes) may not be available to members of the City Council.

### C. Staff Roles

The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council and in keeping the Council informed. Staff is obligated to take guidance and direction only from the Mayor or Department Director. This direction follows the policy guidance of the City Council as a whole. Staff is directed to reject any attempts of individual Council Members to unduly direct or otherwise pressure them into making, changing, or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Council Members; provided that, in the judgment of the Mayor, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff through the direction of the full City Council.

### Dissemination of Information

In addition to periodic reports provided by the Department Directors to the City Council concerning key aspects of their department, all Council Members receive copies of correspondence received by the Mayor that will assist in them in their policy-making role. The content and frequency of the reporting will be decided by the Mayor and Council during their annual goal-setting meetings.

A variety of methods are used to share information with Council. Workshops and study sessions are held to provide detailed presentations of matters. Mayor/Council/staff retreats serve to focus on topics and enhance information exchange. The Mayor's open-door policy allows individual Council Members to meet with the Manager on an impromptu or one-on-one basis.

### Magnitude of Information Request

Any information, service-related needs, or policy positions perceived as necessary by individual Council Members that cannot be fulfilled based upon the above guidelines should be considered as an item for the agenda of a City Council meeting. If so directed by action of the Council, staff will proceed to complete the work within a Council-established timeline.

### Staff Relationship to Advisory Bodies

Staff support and assistance may be provided to advisory boards, commissions, and task forces. Advisory bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their department head, City Administration and, ultimately, the Mayor. The members of the commissions, boards, or committees are responsible for the functions of the advisory body. The chairperson is responsible for committee compliance with the municipal code and/or committee bylaws. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

Staff support includes: (1) preparation of a summary agenda; (2) preparation of reports providing a brief background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary; and (3) preparation of minutes of advisory body meetings. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues.

Advisory bodies wishing to communicate recommendations to the City Council shall do so through adopted Council agenda procedures as outlined in this manual. In addition, when an advisory body wishes to correspond with an outside agency, correspondence shall be reviewed and approved by the City Council.

### Restrictions on Political Involvement by Staff

McCleary is a nonpartisan local government. Professional staff formulates recommendations in compliance with Council policy for the good of the community, not influenced by political factors. For this reason, it is very important to understand the restrictions of political involvement of staff.

By working for the City, staff members do not surrender rights to be involved in political activities. Employees may privately express their personal opinions. They may register to vote, sign nominating or recall petitions, and they may vote in any election.

### Attendance via Telephone

An elected official of the City, whether a Council Member or the Mayor, may participate telephonically in all or part of a Council Meeting subject to the following conditions:

- 1) All elected officials participating in the meeting are able to hear each other at the same time, such as by the use of speaker phone or other electronic means allowing such verbal communication;
- 2) The elected official or officials participating electronically shall have reviewed all of the applicable material; and
- 3) To the extent any vote is made by an elected official so participating, he or she has participated in the relevant portion of the Council Meeting related to the topic upon which the elected official is voting.

Any technical prohibitions or difficulties that unreasonably interfere with or prevent all elected officials present at the Council Meeting from adequately communicating with one another will negate any right or authority of the elected official participating electronically to vote on a matter.

## Chapter 8- City Council Meetings

The City Council's collective policy and law-making powers are put into action at the council meetings. It is here that the Council conducts its business. The opportunity for citizens to be heard, the availability of local officials to the citizenry, and the openness of council meetings all lend themselves to the essential democratic nature of local government.

### Meeting Schedule

A. The council shall hold regular meetings on the second and fourth Wednesday of each month, such meetings to convene at six-thirty p.m.; provided, that the council shall have the authority to cancel, continue, or recess such meetings as it deems appropriate. These meetings shall be subject to the following conditions:

1. As to the council, the same shall be regular sessions and final action on any particular item may be taken.
2. As to the committees of the city council, to the extent that such committee meetings are required by the Open Meetings Law of the state to be held at such regularly scheduled meetings, then the committees shall so meet; provided that nothing established in this chapter shall prevent or hinder a committee of the city council from meeting at another time to the extent that such meeting is not subject to the provisions of the Open Meetings Law of the state in relation to scheduling and notice. A committee shall have the right at meetings held pursuant to the schedule established by this section, to take any and all action which may be authorized under the Open Meetings Law of the state, as it may from time to time exist.

B. Nothing within this section shall in any way restrict the right of the city council or a committee thereof to call and/or hold special meetings in the manner allowed by the laws of the state as those laws may from time to time exist or from taking such action or carrying forth such discussions or receiving such information as may be allowed by the laws of the state.

### Public Notice of Meetings and Hearings

Pursuant to RCW 35.22.288, cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of McCleary is as follows:

#### A. Notices

Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the City

Council or the City's Boards and Commissions shall be given by one publication of a notice containing the time, place, date, subject, and body before whom the hearing is to be held, to include posting online, and in the City's official newspaper at least thirteen (13) days before the date set for the hearing.

#### B. Preliminary Agenda of Council Meeting

The City shall meet established legal requirements for notifying the public of meetings, special meetings, and public hearings. The public shall be notified of the agenda for forthcoming regular and special City Council meetings by posting in advance of the meeting, to include posting online and at:

McCleary City Hall  
100 S. 3<sup>rd</sup> Street  
McCleary, WA 98557

### Special Meetings

Special meetings may be called by either the Mayor or by a majority of Councilmembers. Notice of a special meeting will be made by the City Clerk. The special meeting notice must specify the date, time, and place of the special meeting, and the business to be transacted. Written notice must be delivered personally, by mail, fax, or e-mail at least 24 hours before the meeting to: each member of the governing body, unless the member submits a written waiver of notice in advance with the clerk, or the member is actually present at the meeting; and each member of the news media who has on file with the governing body a written request for notice of special meetings. The notice must be posted on the City's website 24 hours in advance of the meeting. The notice must be prominently displayed at the main entrance of City Hall and the meeting site if the meeting isn't held at City Hall.

The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical, and increase the likelihood of such injury or damage.

### Work Sessions

Work sessions are the forum used by Council to review forthcoming programs of the City, to receive progress reports on current issues, to conduct Council open discussion, and to receive information and presentation from the Mayor and others. Study Sessions allow Councilmembers to do concentrated preliminary work on time consuming, complex matters (i.e. budget, complex legislation or reports, etc.). One of the goals of Work Sessions is to allow a less formal atmosphere within which Councilmembers may ask questions of staff and each other, as opposed to taking time on the action agenda, thus shortening the time spent at Regular meetings. Public comment at work sessions is limited to and the specific items on the agenda. No final action is taken while in a work session. Work sessions will be scheduled as special meetings and minutes will be taken.

Commencing at six thirty p.m. on the evening upon which a regular council meeting will occur, a work session shall be subject to being called into session by such elected officials as may be present. It shall not be a bar to such session occurring that less than a quorum of the council is present, either at the time of commencement of the session or at any time thereafter. The session shall be subject to the following provisions:

- A. In the absence of the mayor or mayor pro tem, it may be called to order by any member of the council. No roll shall be required to be taken.
- B. All portions of the session shall be open to the public. The public shall participate in the discussion in such manner and to such degree as the presiding official deems appropriate, taking into consideration the topics to be discussed, the time available, and the availability of time specifically set aside for such role in the council's session which will intermediately follow the work session.
- C. The council and mayor may discuss such topics as they deem appropriate, including items upon the agenda for the council meeting, receive staff reports upon such matters as may be deemed appropriate, and receive, whether in an oral or written form, such other information as may be relevant.
- D. No action, as that term is utilized in RCW 42.30, shall be taken during a work session, whether in the form of the taking of a vote or the development of a formal consensus on an issue.
- E. Any document received and discussed by the mayor and council during a work session shall be deemed a public record and shall be open for review by the public at such time as is reasonably convenient, without unduly interfering with the completion of the work session.
- F. Department heads will be encouraged to be present so as to be able to respond to questions from the elected officials on pending matters.

### Council Attendance Policy

RCW 35A.12.060 (Mayor-Council Plan of Government) directs us to - Vacancy for Nonattendance. A council position shall become vacant if the Council Member fails to attend three consecutive regular meetings of the council without being excused by the council.

Councilmembers may excuse any absent members by majority vote of those present. Councilmembers are encouraged to call the Mayor or City Clerk's Office prior to 4:30 p.m. on the day of the meeting to provide an explanation regarding an anticipated absence.

## Placing Items on the Agenda

### A. Agenda Planning

All matters to be presented to the City Council at its regular meetings are reviewed by the Mayor.

### B. City Council

A Council Member may request an item be considered on a future agenda either by making an oral request at a City Council meeting or submitting the request in writing to the Mayor at least five working days prior to the meeting for which the item is requested to be placed on the agenda.

The City Council will review the projected agenda document at all regular meetings and agree to change the projected agenda if a majority chooses to do so.

### C. Advisory Bodies and Civic Organizations

Advisory bodies of the City Council and other civic agencies (i.e., Chamber of Commerce) may submit items for Council by submitting a request in writing to the Mayor at least 10 working days prior to the meeting for which the item is requested to be placed on the agenda.

### D. Members of the Public

A member of the public may request an item be placed on a future agenda while addressing the City Council during a regular meeting and/or by submitting the request in writing to the City Council, through the Mayor. In order to allow sufficient time for the Mayor to review, and staff to research the matter, the request should be submitted at least 10 working days prior to the meeting for which the item is requested to be placed on the agenda. Once the issue has been placed on the agenda, the City Clerk will notify the requester so that he or she may plan to attend the meeting.

### E. Emergency Items

Emergency items may be added to an agenda in accordance with state law. Emergency items are only those matters immediately affecting the public health, safety and welfare of the community, such as widespread civil disorder, disasters, and other severe emergencies. The reason(s) for adding an emergency item to the agenda shall be announced publicly at the meeting, and the issue shall be included in the minutes of the meeting.

## Development of the Agenda

Staff is required to submit a staff report for each topic of discussion on the City Council agenda. The deadline for submitting these forms is generally 5:00 p.m., the Wednesday prior to the date of the meeting for which the item is scheduled (unless a meeting date is adjusted due to a



holiday). The report must include background information, fiscal impact, supporting documentation and a staff recommendation (including suggested motion).

Given the rigorous time frame for agenda development, it is extremely difficult for staff to compile or prepare information requested less than **ten days** in advance of the next agenda bill deadline.

The Council will generally receive follow-up information at the second Council meeting following the date it is requested. This would allow staff sufficient time to prepare reports that require additional investigative research and/or additional time due to complexity of subject matter.

Agendas will be posted to the website and emailed to the Mayor and Council Members by **5:00 p.m.** on the Friday prior to the regular meeting. Special Meetings require at least 24 hour notice. Council Members require time to review the agenda and supporting documentation.

### Audio Recordings of Meetings

The City Clerk, or designee, shall make and keep audio recordings of all meetings of the McCleary City Council, except those meetings or portions of meetings conducted in Executive Session. Recordings and related records of all City Council meetings, except as referenced above, shall be retained by the City.

Audio recordings are designated as the primary record of “Audio/Visual Recording of Official Proceedings” for Council and board/commission proceedings, and are kept for six years and then transferred to the WA State Archives for permanent retention, in accordance with Disposition Authority No. (DAN) GS50-05A-13 Rev. 2.

Agenda packets are retained under the same DAN for permanent retention.

### Order of Business

The City Council, by adoption of this manual, establishes the general order of meetings. This section summarizes each meeting component. The Council may, at any time by simple majority of those present, vote to consider items in a different order.

#### A. Call to Order; Pledge of Allegiance

The Mayor, or in the Mayor's absence the Mayor Pro-Tempore, presides over all meetings of the City council, and after determining that a quorum is present, calls the meeting to order. Motions may be made to excuse absent Councilmembers. In the absence of the Mayor and Mayor Pro-Tempore, the City Clerk shall call the Council to order, whereupon a temporary Mayor Pro-Tempore shall be elected by the Members of the Council present. Following the call to order, those in attendance are asked to join the Council in reciting the Pledge of Allegiance.

## B. Roll Call

The City Clerk, or designee, takes roll and announces the presence or absence of individual Council Members.

## C. Agenda Modifications

Any Councilmember may use this time to pull an item from the consent agenda for full consideration and discussion by the Council. There may be a consensus or simple majority vote to consider items in a different order or remove agenda items. To avoid surprise and allow for staff preparation if necessary, Councilmembers are highly encouraged to notify the Mayor of any anticipated agenda modifications in advance of the meeting.

## D. Special Presentations

The City Council may receive awards or special recognition's from various agencies, committees, or individuals during this segment of the meeting.

Council may also take the opportunity to acknowledge outstanding achievements or present awards to employees, groups, or other individuals

## E. Public Comment

During this portion of the meeting, the Mayor will invite citizens to talk with the Council about topics that are not scheduled for public testimony on the evening's agenda. All speakers are asked to sign the "Sign-In" sheet provided, and to state their full name and whether they are a City resident on the record. Speakers shall limit their presentations to three minutes. No speaker may convey or donate his or her time for speaking to another speaker. If an unusual number people wish to speak during general public comment, Council may, by consensus or majority vote:

- Limit the total amount of time dedicated to a single issue of public concern; and/or
- Reduce the time allotted to every speaker
- Continue the time for public comment on that issue to a future Council meeting; and/or
- Encourage citizen groups to appoint a single spokesperson to speak for their group.

Written comments may be submitted into the record of a Council meeting by presenting the written document to the Clerk of the Meeting. A copy of the document will be provided to each Council Member; the document will not be read aloud.

## F. Consent Agenda

Those matters of business that require action by the Council which are considered to be of a routine and non-controversial nature are placed on the consent agenda. The individual items on the consent agenda shall be approved, adopted, or enacted by one motion of the Council. Examples of such items include:

- Approval of all Council minutes;
- Acceptance of advisory board and commission minutes;
- Treasurer's Report
- Approval of Vouchers;
- Approval of payroll – preliminary and final;
- Setting dates for public hearings/meetings;
- Acknowledging receipt of claims for Damages against the City;
- Final acceptance of public works projects as complete.

No discussion shall take place regarding any item on the consent agenda beyond asking questions for simple clarification. Prior to approving the items on the consent agenda, Council Members may request to withdraw (or pull) any item and take action separately on that item. Council will consider each withdrawn item during the course of the meeting after the amended consent agenda has been approved.

Unless a member of the Council requests a reading of the minutes of a Council meeting, such minutes may be approved without reading, if the Clerk has previously furnished each member with a copy thereof.

#### G. Updates/ Staff Reports

Written staff reports are to be submitted for the agenda by all Management staff at least once monthly to provide departmental information, project updates, requests and information on meetings attended on behalf of the City. Oral staff reports from the City Attorney are acceptable in place of written reports.

#### H. New Business

Items presented for initial discussion and consideration, with no final action to be taken. To enable full Council discussion, policy changes and new policy documents should be presented as new business for discussion prior to requesting adoption by the Council.

#### I. Old Business

Items presented for final action, including but not limited to Resolutions, Ordinances, contracts, agreements and purchases.

#### Prior Administrative Review

All Ordinances and Resolutions shall, before presentation to the Council for final action, have been approved as to form and legality by the City Attorney or the City

Attorney's authorized representative, and shall have been first referred for review to the head of the department under whose jurisdiction the administration of the subject matter of the Ordinance or Resolution would devolve.

#### Ordinance and Resolution Preparation

The City Attorney shall review all Ordinances and Resolutions. The City Attorney shall prepare no Ordinance or Resolution unless ordered by a majority vote of the Council or requested by the Mayor.

#### Ordinance Passage

No Ordinance shall contain more than one subject that shall be fully and clearly expressed in its title. Ordinances shall be presented to each Councilmember and the Mayor in written form prior to any vote thereon; provided, however, that amendments may be made by motion at such meeting. Ordinances must pass by at least three votes.

#### J. Public Hearings:

The Mayor will open the Public Hearings and Council shall proceed in the following order: Staff brief/presentation (if applicable); public comment; motion to approve and second; Council discussion; vote.

Individuals desiring to speak during public hearings are to address the Council after giving their name and address. Comments are limited to the specific matter for which the public hearing is held and are limited to three (3) minutes. No speaker may convey his or her time for speaking to another speaker. Written comments may be submitted to the City Clerk before the public hearing is closed.

In the event of single subject group comment, at the discretion of the presiding officer, single time allocation for a spokesperson greater than three (3) minutes can be allowed. Groups shall submit to the presiding officer, prior to comment, a list of present group constituents or others in agreement so that duplication will not occur.

After a public hearing is closed, no member of the public shall be permitted to address the Council or the staff. In fairness to members of the public, the City Council shall be considered to be in deliberations from that point forward. Continuance of the item shall place it on the "action" portion of any forthcoming agenda; PROVIDED that additional public testimony either that evening or at a future meeting would be precluded until public hearing notification procedures required by applicable legal authority are satisfied.

#### K. Ordinance and Resolution

**L. Mayor/Council Updates:**

Members of the Council and the Mayor may take this opportunity to make comments, extend compliments, express concerns, or make announcements concerning any topic they wish to share with staff or the public. Council Members will share current activities on regional, state, and federal committees, boards, or commissions on which they serve and provide departmental reports as necessary.

This is also the opportunity to bring initiatives forward by the Council that do not rise to the level of formal goals, but are important for the Council to address. Consensus must be reached among members of the Council that a new initiative should be moved forward for review by staff to further define the possible nature of the initiative, associated costs, and time requirements. Based upon Council consensus, the staff will conduct a review process and schedule a presentation of the outcome of this process at a subsequent Council meeting for further discussion and possible actions.

**M. Public Comment**

This is the second time for Citizens to provide public comment. All speakers are asked to sign the "Sign-In" sheet provided, and to state their full name and whether they are a City resident on the record. Speakers shall limit their comments to three minutes. No speaker may convey or donate his or her time for speaking to another speaker. If an unusual number people wish to speak during general public comment, Council may, by consensus or majority vote:

- Limit the total amount of time dedicated to a single issue of public concern; and/or
- Reduce the time allotted to every speaker
- Continue the time for public comment on that issue to a future Council meeting; and/or
- Encourage citizen groups to appoint a single spokesperson to speak for their group.

**N. Executive Session**

At the call of the Mayor, or with a majority vote, the City Council may recess to Executive Session to privately discuss and consider matters of confidential concern to the well-being of the City. The purposes for which an Executive Session may be held are identified in RCW 42.30.110:

- Discussion with legal counsel of pending or potential litigation and agency enforcement actions
- The price at which real estate may be purchased or offered for sale or lease, when public awareness of such discussion may result in a detrimental change in price

- Matters affecting National Security
- Performance review of publicly bid contracts
- Complaints or charges brought against a public officer or employee
- Qualification/performance review of job applicants and employees
- Evaluate qualifications of candidates for appointment to an elective office

The Council may also meet in private to plan or adopt a strategy or position to be taken during collective bargaining, professional negotiations, or grievance or mediation proceedings, or to review proposals made in ongoing negotiations. State law specifically provides that the Open Public Meetings Act does not apply in the above-noted situations.

Before convening in Executive Session, the presiding officer shall publicly announce the purpose for the Executive Session, the anticipated time when the Executive Session will be concluded, and whether the Council anticipates taking action following the executive session. An Executive Session may be extended to a stated later time by announcement of the presiding officer.

#### O. Adjournment

A Council Member may propose to close the meeting entirely by moving to adjourn. The meeting will close upon the majority vote of the Council. A motion to adjourn will always be in order and decided without debate.

#### Addressing the Council - Generally

- Written Communications.

All persons may address the Council by written communication, including e-mail. Such written communication pertaining to items subject to public hearing procedures will be made a part of the public record, but will not be read aloud.

Written comments may be submitted to the Council at any time by mailing or otherwise delivering to the City Clerk, 100 S. 3<sup>rd</sup> Street, McCleary, WA 98557. The Clerk will distribute a copy of the correspondence to each Council Member.

- Oral Communications

All persons may address the Council verbally, either:

- During the Public Comment portions of the Agenda

- During public comment portion of public hearings;

P. Addressing the Council - Manner & Limits

Each person addressing the Council will give his or her name and address in an audible tone of voice for the record, and shall limit the address to three (3) minutes. The Mayor may ask the City Staff to follow-up with members of the public concerning questions raised during the comment period.

Q. Addressing the Council -- Decorum

The Mayor shall preserve decorum and decide all questions of order, subject to appeal to the full Council. During Council meetings, Council members shall preserve order and decorum and shall not delay or interrupt the proceedings or refuse to obey the legitimate orders of the chair or the rules of protocol. Any person making personal, impertinent, or slanderous remarks who creates an unreasonable disruption while addressing the Council shall be directed to cease by the Mayor. If the unreasonably disruptive conduct continues, the person shall be removed from the meeting.

## General Meeting Procedures

A. Signing of City Documents

The Mayor, unless unavailable, shall sign all ordinances, Resolutions, interlocal agreements, contracts and other documents which have been adopted by the City Council and require an official signature; except when the City staff has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the Mayor Pro-Tempore may sign such documents.

B. Quorum

Three (3) Members of the Council shall constitute a quorum and are necessary for the transaction of City business. In the absence of a quorum, the Mayor shall, at the request of any two members present, compel the attendance of absent members.

C. Minutes

The City Clerk or designee shall take minutes at all meetings of the City Council. The minutes shall be made available for public inspection.

D. Votes Required for Passage



The passage of any Ordinance, grant or revocation of a franchise or license, and any Resolution for the payment of money, requires an affirmative vote of at least a majority of the whole Membership of the Council.

Public emergency ordinances, necessary for the protection of public health, public safety, public property, or public peace, may take effect immediately upon final passage (instead of after specified delay), if passed by a majority plus one of the whole Membership of the Council.

Passage of an Ordinance for an emergency expenditure requires a vote of more than a majority of all members of the Council.

Unless otherwise provided by the rules of parliamentary procedure, all other matters require a majority vote of Members in attendance.

### Open Public Meetings Act

All meetings of the Council shall be open to the public, except in the special instances as provided in RCW 42.30.140, as now existing or hereafter amended. A meeting takes place when a quorum (a majority of the total number of Council members currently seated on the Council) is present and information concerning City business is received, discussed, and/or acted upon as defined in Washington's Open Public Meetings Act. Whether the meeting is referred to as regular or special, workshop or study session, the notice, agenda and minute-taking requirements must be met.

No action can be taken by the Council except in a public meeting. At a Special Meeting, action can be taken only on those items appearing on the posted agenda, except for emergency items as defined herein. At a Regular Meeting of the City Council, the Council is free to take action on non-agenda items, subject to applicable notice requirements in state statutes or local ordinances for the subject matter being considered.

### Serial communications

Councilmembers should use care when communicating amongst each other via email or text message concerning any substantive issues of City business. E-mail or text communications shared among four or more Councilmembers, whether concurrently or serially, may constitute a "meeting" in violation of the Open Public Meetings Act. If the e-mail or text includes or lead to deliberations, discussions, considerations, reviews, evaluations, or taking a collective positive or negative decision, such communications must be held at an open meeting rather than via electronic communication.

## Chapter 9- Parliamentary Procedure

Meetings shall be conducted in accordance the most recent version of the Robert's Rules of Order that is to be used as the document to guide Parliamentary Procedure in the City of

McCleary. Parliamentary rules are intended to assist the Council in conducting business in an orderly manner, but strict adherence to parliamentary procedure shall not be required. Councilmembers are encouraged to work through discussions by consensus wherever possible. In the event that the procedure for considering a matter is unclear or in dispute, the following procedure shall be employed: (a) a motion shall be made proposing a course of action; (b) a second shall be required; (c) thereafter, each Council member shall be afforded the opportunity for discussion; and (d) the Mayor shall call for a vote. Council shall be bound by the results of the vote.

The Mayor or any Councilmember may ask the City Attorney for clarification or guidance on matters of parliamentary procedure. While the primary responsibility for points of order lies with the Council Members, the Mayor, City Clerk, and City Attorney shall have the ability to raise points of order as necessary to clarify the record or prevent the Council from taking illegal or legally deficient action.

## **Chapter 10- Protocol Administration**

### **Review**

Elected Officials will review and revise this Protocol Manual as needed to respond to changes in state law and local policy. Whenever possible, the Mayor and City Council shall refrain from changes to this manual during discussion/deliberation on that particular issue.

### **Adherence to Protocol**

The Council trusts that all elected officials of the City of McCleary will act with integrity, honesty, and in accordance with their Oath of Office and these Protocols.

### **City Attorney as Protocol Advisor**

The City Attorney shall assist the Mayor and serve as an advisor for interpreting the City Council's adopted Protocol Manual.

## **11- Leaving Office**

### **Return of Materials, Equipment and records**

During their service on the City Council Members and the Mayor may have acquired or been provided with equipment such as computers or other items entailing a significant expense, as well as copies of the McCleary Municipal Code, Comprehensive Plan, building keys, etc. These items are to be returned to the City immediately at the conclusion of a Member's

term. Councilmembers shall ensure that any and all public records located in personal accounts or on personal devices have been transferred to City custody for retention and disclosure.

### Filling Council/Mayor Vacancies

A Council position or the position of Mayor shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in RCW 42.12.010, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember/Mayor. The Councilmember/Mayor who is vacating his or her position cannot participate in the appointment process.

The City Council shall direct staff to begin the appointment process and establish an interview and appointment schedule, so that the position is filled at the earliest opportunity.

The City Clerk's Office shall prepare and submit a display advertisement to the City's official newspaper, with courtesy copies to all other local media outlets, which announces the vacancy consistent with the requirements necessary to hold public office: that the applicant (a) be a registered voter of the City of McCleary, and (b) have a one (1) year residency in the City of McCleary. This display advertisement shall be published once each week for two (2) consecutive weeks. This display advertisement may contain other information, including but not limited to, time to be served in the vacant position, election information, salary information, position powers and duties, the deadline date and time for submitting applications, interview and appointment schedules, and such other information that the City Council deems appropriate.

The City Clerk's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. Applications may be available at City of McCleary City Hall, City website and such other locations that the City Council deems appropriate.

Applications received by the deadline date and time will be copied and circulated, by the City Clerk's Office, to the Mayor and City Council. Packets may also contain additional information received such as endorsements, letters of reference and other pertinent materials.

The City Clerk's Office shall publish the required public notice(s) for the meeting scheduled for interviewing applicants for consideration to the vacant position. This meeting may be a regularly scheduled City Council meeting, or a special City Council meeting.

The City Clerk's Office shall notify applicants of the location, date and time of interviews.

#### A. Interview Meeting

Each interview of an applicant/candidate shall be no more than 20 minutes in length as follows:

The applicant shall present his or her credentials to the City Council. (5 minutes)

The City Council shall ask the predetermined set of questions which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions, and will have 2 minutes to answer each question. (10 minutes)

An informal question and answer period in which Councilmembers may ask and receive answers to miscellaneous questions. (5 minutes)

The applicants' order of appearance will be determined by a random lot drawing performed by the City Clerk.

The Council may reduce the 20-minute interview time if the number of applicants exceeds six (6) candidates, or alternatively, the Council may elect not to interview all of the applicants if the number exceeds six (6) candidates. The decision as to which applicants to interview will be based on the information contained in the application forms.

#### B. Voting

Upon completion of the interviews, Councilmembers may convene into Executive Session to discuss the qualifications of the applicants. However, all interviews, deliberations, nominations and votes taken by the Council shall be in open public session.

## Appendix

### Suggestions for Successful Public Service

#### 53 ideas on how you can govern better

<https://www.wacities.org/docs/default-source/resources/53suggestsuccesspubservice.pdf?sfvrsn=2>

- 1) **Learn all you can about your city**, its history, its operation, its financing. Do your homework. Know your city ordinances. Dust off your comprehensive plan.
- 2) **Devote sufficient time to your office** and to studying the present and future problems of your community.
- 3) **Don't burn yourself out** on the little things, but recognize that they are often important to the public. Save some energy – and time – for the important matters.
- 4) **Don't act as a committee of one.** Governing a city requires a team effort --practically and legally.
- 5) **Don't let honest differences of opinion** within the governing body degenerate into personality conflicts.
- 6) **Remember that you represent all the people** of your community, not just neighbors and friends. Be wary of personal experiences coloring your public decisions.
- 7) **Take your budget preparation job seriously** for it determines what your city does or doesn't do for the coming year, and will influence decisions and actions in future years as well.
- 8) **Establish policy statements.** Written policy statements let the public, and the city staff, knows where they stand. They help the City Council govern, and writing them provides a process to develop consensus.
- 9) **Make decisions on the basis of public policy** and be consistent. Treat similar situations similarly and avoid favoritism.
- 10) **Focus your attention on ways to prevent problems** rather than just trying to solve them as they occur. Filling potholes is one approach to governing – developing plans to prevent them is more important.
- 11) **Don't be misled by the strong demands of special interest groups** who want it done now, their way. Your job is to find the long-term public interest of the community as a whole, and you may be hearing from the wrong people.
- 12) **Don't be afraid of change.** Don't be content just to follow the routine of your predecessors. Charge your appointed officers and their employees with being responsible for new ideas and better ways. Listen to what they have to say.
- 13) **Don't rush to judgment.** Few final actions have to be taken at the first meeting they are considered. Avoid crisis management.
- 14) **Don't give quick answers when you're not sure** of the real answer. It may be embarrassing to appear ignorant, but it can be more embarrassing and damaging to tell a person something that is wrong.
- 15) As an individual, even if you're the Mayor, **don't make promises you can't deliver!** Most decisions and actions require approval of the governing body, and that takes a majority vote.
- 16) Remember that **you have legal authority as a governing body** member only when the governing body is in legal session.

- 17) **Don't spring surprises on your fellow governing body members** or members of your city staff, especially at formal meetings. If a matter is worth bringing up for discussion, it is worth being on the agenda. Surprises may get you some publicity, at the embarrassment of others, and tend to erode the team approach to governance.
- 18) **Conduct your official public meetings with some formality**, and follow rules of procedure. Have an agenda, and follow it. Most governing body members agree that formal meetings expedite the process, and tend to promote better decision making.
- 19) **Participate in official meetings with the dignity and decorum** fitting those who hold a position of public trust. Personal dress and courteous behavior at meetings help create an environment for making sound public decisions.
- 20) **Don't be afraid to ask questions.** It is one of the ways we learn. But do your homework by studying agenda material before meetings.
- 21) **Vote yes or no on motions.** Don't cop out by abstaining, except when you have a conflict of interest. A pass does not relieve you of responsibility when some decision must be made.
- 22) Once a majority decision of the governing body has been made, **respect that official position**, and defend it if needed, even if you personally disagree
- 23) **Respect the letter and intent of the open meetings law.** But also keep private and confidential matters to yourself – don't gossip.
- 24) **Retain competent, key employees.** Pay them well, trust their professional judgment and recognize their authority and responsibilities.
- 25) **Don't bypass the system!** If you have a manager or other chief administrative officer, stick to policymaking and avoid personal involvement in the day-to-day operations of the city. If you do not have an administrative officer, make sure you have some management system that officers, employees, and the public understand.
- 26) **Don't let others bypass the system.** Insist that people such as equipment or service suppliers first work with your city staff. If direct contact with governing body members is necessary, it should be with the governing body as a whole, or a committee, and not on a one-on-one basis.
- 27) **Don't pass the buck** to the staff or employees when they are only following your policies or decisions.
- 28) **Don't always take no for an answer.** The right question may be "How can we do this?" instead of "May we do this?" Be positive!
- 29) **Learn to evaluate recommendations** and alternative courses of action. Ask your staff to provide options. Encourage imaginative solutions.
- 30) **Avoid taking short-term gains at the expense of long-term losses.** Be concerned with the long-term future of the city.
- 31) **Be friendly and deal effectively with the news media.** Make sure what you say is what you mean. Lack of good communication, with the media and the public, is one of the big problems of cities
- 32) Remember that what you say, privately and publicly, will often be news. **You live in a glass house.** Avoid over-publicizing minor problems.
- 33) In determining the public interest, **balance personal rights and property interests**, the possible harm to a few versus the good of the many. Recognize that in some situations, everyone can't be a winner.
- 34) **Remember that cities are for people!** Be concerned with the total development – physical, economic and social – of your community.

- 35) **Don't act as if the city operates in a vacuum.** Cities must work within the intergovernmental system to be effective. Keep in contact and cooperate with your federal, state, county and school officials.
- 36) **Know your neighbors.** Get to know the officials of neighboring and similar size cities. Visit other cities, particularly those with a reputation of being well run.
- 37) **Keep your constituents informed,** and encourage citizen participation.
- 38) **Learn to listen** – really listen – to your fellow governing body members and the public. Hear what they are trying to say, not just the words spoken.
- 39) **Expect and respect citizen complaints.** Make sure that your governing body members, and your city, have a way to effectively deal with them. Have a follow-up system.
- 40) **Be careful about rumors.** Check them out. Help squelch them when you know they are false.
- 41) **Appoint citizen advisory committees and task forces** when you need them, but be prepared to follow their advice if you use them.
- 42) **Take care in your appointments to boards and commissions.** Make sure they are willing and capable as well as representative of the whole community.
- 43) Never allow conflicts of interest to arise between your public duties and your private interests. **Be sensitive to actions you take that might even give the appearance of impropriety.**
- 44) **Seek help.** Use manuals, guides and other technical assistance and information available from AWC and other agencies. Attend workshops and conferences put on for the benefit of you and your city.
- 45) **Pace yourself.** Limit the number of meetings you attend. Set some priorities, including the need to spend time with your family. Recognize that life – and the city – is dependent on a lot of things you have little control over.
- 46) **Be a leader, as well as part of the team** of elected and appointed officials who were selected to make your city an even better place to live.
- 47) **Establish some personal goals and objectives.** What do you want to help accomplish this year? Next year?
- 48) **Help develop some short-term and long-term goals** and objectives for your city and check your progress at least every six months.
- 49) **Help your city develop a vision of the future.** Plan going from the future to the present and listen to different community voices along the way.
- 50) **Focus on the future,** and try to leave your city better than that which you inherited as a city officer.
- 51) At least once a year, **schedule a governing body discussion about how you are governing.** Review the processes and procedures. Sit back and ask, “How are we doing? How can we do things better?”
- 52) **Be enthusiastic about your public service,** and the privilege you have, and let the public know it. But maintain your sense of humor. Don't take yourself or the business of government so seriously that you don't enjoy it. It should be fun as well as a rewarding experience.
- 53) **Celebrate!** Always focusing on problems and issues may lead you and the public to believe that nothing positive ever happens. Good things do happen. Let the public share our successes.



### Approaches to governing

Public officials have different styles or approaches to governing. It is vital that a governing body, and its members, spend at least some time on governing – leadership, providing direction, and making policy.

Once in a while sit back and think about “Where do I, an individual, spend most of my time?” “Where does my governing body spend most of its time?” “Where should we spend more of our time?”

Ask yourself the following questions:

- Do you often propose, or do you usually dispose of those matters brought before you?
- Do you act, or do you primarily react?
- Do you plan ahead, or do you spend most of your time responding to the immediate issues confronting you?
- Are you concerned about tomorrow, or mostly about today?
- Do you initiate, or do you mostly review?
- Are you more concerned with preventing problems, or in solving problems once they occur?
- Are you responsive to change, or more interested in preserving the status quo?
- Are you a homemaker, or a housekeeper? (There is a difference between the two.)
- Do you try to exercise control, or are you primarily controlled by events and the actions of others?
- Do you provide some sense of direction to your government, or do you muddle through?
- Do you manage, or are you managed?
- Are you part of an organized team, or a collection of people?
- Do you lead, or do you follow?
- Do you set goals, or do you specialize in crisis management?
- Do you make policy, or simply accumulate policy by individual actions?
- And finally, do you govern, or are you governed?

Use the table on the following page to summarize your answers. For each approach, write down the percentage of time you spend, totaling 100%. For example, you may spend 10% for propose, and 90% for dispose. Then do the same thing for your governing body as a whole on the table that follows. Looking at the proportionate amount of time spent on each of the options can bring some misleading connotations. The quality of effort may be much more significant than quantity of time. A typical governing body may spend less than 10% of its time on the left hand side. Given the nature of public service at the local level, the great bulk of time must normally be spent on day-to-day concerns, commonly on the right hand side of the ledger. In helping you more clearly see where you and your governing body spend most of your time, these tables may help you answer the question **“Where should we spend more time?”**

**Percentage of time spent by you:**

		%		%
1.	Propose		Dispose	
2.	Act		React	
3.	Plan Ahead		Respond	
4.	Tomorrow		Today	
5.	Initiate		Review	
6.	Prevent problems		Solve problems	
7.	Responsive to change		Preserve status quo	
8.	Homemaker		Housekeeper	
9.	Control		Controlled	
10.	Direct		Muddle through	
11.	Manage		Managed	
12.	Organized team		Collection of people	
13.	Lead		Follow	
14.	Set Goals		Crisis management	
15.	Make policy		Accumulate policy	
16.	Govern		Governed	

**Percentage of time spent by governing body:**

		%		%
1.	Propose		Dispose	
2.	Act		React	
3.	Plan Ahead		Respond	
4.	Tomorrow		Today	
5.	Initiate		Review	
6.	Prevent problems		Solve problems	
7.	Responsive to change		Preserve status quo	
8.	Homemaker		Housekeeper	
9.	Control		Controlled	
10.	Direct		Muddle through	
11.	Manage		Managed	
12.	Organized team		Collection of people	
13.	Lead		Follow	
14.	Set Goals		Crisis management	
15.	Make policy		Accumulate policy	
16.	Govern		Governed	

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