

# City of Gold Bar

EST. 1910



107 – 5<sup>th</sup> Street, Gold Bar, WA 98251

City of Gold Bar Council Meeting Minutes, Tuesday, June 7, 2016

## CALL TO ORDER, FLAG SALUTE, ROLL CALL

Mayor Hodo called the meeting to order at 7:00 pm.

Present were Councilmembers Dawson, Diaz, Martin, Wallace, and Ware. Also present was Chief Casey, Public Works Director Light, and Clerk Stowe.

## AGENDA APPROVAL

Councilmember Diaz moved to amend the agenda to move the open public hearing to follow the agenda approval and with a second by Councilmember Dawson the motion carried.

## OPEN PUBLIC HEARING

Clerk Stowe called the public hearing to order at 7:02. The applicable agenda was the City's Critical Areas Ordinance update. Clerk Stowe informed those present that testimony would only be received if it was relevant to the applicable agenda, that any party could request that the hearing be continued, or that the record be kept open for a period of time. She said the Council must be impartial and must disclose any ex parte contact, breaches of the appearance of fairness, or any conflict of interest regarding the applicable agenda. No Councilmember disclosed any reason to be recused from the public hearing.

Clerk Stowe reminded the audience to sign the public hearing sign in sheet if they wanted to speak on the applicable agenda. She then opened the hearing to discussion and comments.

Director Light gave a brief background regarding the requirement to periodically update the critical areas ordinance. BHC consultants Abby Weber and Talia Tittelfitz were present. Ms. Weber spoke about the Growth Management Act requirements to update development regulations, types of critical areas, the city's responsibility to protect those areas, and the City's requirement to delineate critical areas. Ms. Weber then reviewed what changes would be in the update.

At the conclusion of her presentation, Clerk Stowe asked if there was any reason to continue the hearing, and there was not. She then told the Council that they must make a motion to deny, approve, or approve with conditions, the topic of the hearing.

Councilmember Wallace moved to approve the update to the Critical Areas Ordinance with the condition of making that Ordinance readily available, and Councilmember Diaz seconded the motion. A vote was called for and the motion carried, with Councilmember Ware opposed.

Councilmember Diaz then moved to adjourn the Open Public Hearing and with a second by Councilmember Wallace the motion carried. The Hearing was adjourned at 7:16 and the regular Council agenda was returned to at that time.

## MAYOR'S REPORT

Mayor Hodo talked about the increase in legal expenses as a result of public records requests.

Mayor Hodo met with the County regarding their proposed 2/10% increase in sales tax. A portion of that will go toward law enforcement. He talked about the increase in heroin use and the need to avoid law enforcement layoffs.

Mayor Hodo presented an award to Makena Thelen for her community activities and achievements.

#### **STAFF REPORT**

Chief Casey talked about Brandon Perekz, missing since last Tuesday and last seen swimming in the Skykomish. He encouraged people to call if Mr. Perekz was seen.

Chief Casey also talked about a dark gray Ford Crown Vic that is made up to look like a police car, with a light bar, computer console, dashboard camera, and decals. The decal may look official but it is actually an Area 51 novelty sticker. While it is not illegal for someone to dress up as an officer, it is illegal if the person takes action, such as using lights to navigate traffic. Chief Casey asks that people call in if any illegal action is seen.

There is a new phone number to call for non-emergencies. Cards and flyers are available at the City Hall and posted in public areas. The number is 425-407-3999.

Clerk Stowe said that at the previous meeting there was confusion around how discussion took place with motions. She was asked for clarification. The Council discusses an agenda item generally in order to determine a course of action. Once a motion is made, the discussion can then only be on that motion.

Director Light talked about the recent work cleaning water tanks and the good shape they were in.

#### **COUNCIL COMMENTS**

Councilmember Wallace commended Makena Thelen and said he hoped more awards will come her way. Councilmember Martin also commended Ms. Thelen and said it was good to see young people being supportive and positive.

Councilmember Martin attended meetings and talked about the Department of Fish and Wildlife's bookmark competition. Mayor Hodo thanked Councilmember Martin for attending meetings.

Councilmember Dawson asked for more information on heroin use. Chief Casey told him that Snohomish County leads the nation in heroin use, but is also leading in response in how to deal with it.

#### **CITIZEN COMMENTS**

Joanne Price thanked the Council for raising water thresholds. She then asked them to do something about the noise nuisance at the VFW Hall. There was discussion around whether she could attend VFW meetings, the level of noise, the lack of neighbors reporting, and the City's noise ordinance.

Tracy Cotterill also talked about the VFW problem.

#### **CONTINUED BUSINESS**

1. Resolution #16-04, Public Records Procedures. At the previous meeting the Council had questions about the Procedures manual and referred those questions to the city attorney. Her response was reviewed. There was a great deal of discussion around oral requests, the legality of accepting them, the potential need for some, such as elderly citizens, to submit oral requests, and how to administer those types of requests. There was also a great deal of discussion and confusion around the word 'and'.

Councilmember Dawson moved to change the language of the Public Records Policies and Procedures Manual to add the word 'and' to section #2(A) and Councilmember Wallace seconded the motion. There was then more discussion around the motion. Councilmember Dawson moved to amend his motion to make the phrase 'and/or' and Councilmember Diaz seconded the amended motion. Mayor Hodo then called for a vote on the amended motion and the motion carried with Councilmember Ware opposed.

Councilmember Diaz then moved to adopt Resolution #16-04 relating to the Public Records Policies and Procedures Manual as amended and Councilmember Ware seconded the motion. There was discussion again around how to handle taking oral requests. Clerk Stowe reminded the Council that it is the Council's job to set policy, but the job of the Mayor and staff to decide how to administer those policies. With no further discussion a vote was called for and the motion carried.

2. Ordinance #693, Title 5, Business Licenses Amendment. Clerk Stowe told the Council that the ordinance had been numbered incorrectly at the last meeting as Ordinance #691. Councilmember Ware moved to adopt Ordinance #693 relating to Business Licenses as presented and with a second by Councilmember Wallace the motion carried.

3. Ordinance #694, Title 15, Buildings and Construction. Councilmember Ware moved to adopt Ordinance #694 relating to Buildings and Construction as presented and Councilmember Wallace seconded the motion. There was discussion around the location of parking, the clarification that parking on public property is administered with other sections of the Municipal Code, parking behind fences, enforcement when traveling recreational vehicles are lived in, and when those become junk vehicles. With no further discussion a vote was called for and the motion carried.

4. PUD Water Feasibility Study. Brant Wood from the PUD submitted his report on the initial feasibility study. Councilmember Diaz saw no reason to move forward. Councilmember Martin suggested thanking Mr. Wood for his work, but she saw no benefit to the City in going forward. Councilmember Wallace felt that overall costs for repairs might be cheaper down the road, but he has never seen water rates go down. Councilmember Ware said he was not prepared to make a decision and it could be a few months before a decision was made. Councilmember Dawson talked about consultants making the customer pay.

There was discussion around the next step, which would be the feasibility study that could cost around \$30,000, the chances of obtaining a grant to cover that, the costs residents would be responsible for, and current grants for utility work on hold until the City makes a determination.

Clerk Stowe reminded the Council that Mr. Wood had said the feasibility study with the associated costs would require a letter of intent to relinquish the water system to the PUD.

Councilmember Ware discussed initiating a sewer system study with Director Light. He does not see losing the water system as reason for un-incorporating, nor does he wish to see the city as remaining status quo.

Councilmember Diaz moved to not pursue the second feasibility study and Councilmember Martin seconded the motion. A vote was called for and the motion carried, with Councilmember Wallace opposed and Councilmember Ware abstaining.

Mayor Hodo reminded the Council that they could always revisit this at a later date.

## **NEW BUSINESS**

1. Ordinance #695, Title 8, Public Nuisances. Councilmember Ware questioned striking the phrase 'within the city'. He also asked if the current issues with the VFW Hall shouldn't be addressed. Chief Casey clarified that this amendment is only one piece of the Nuisance ordinance and was suggested to clarify wording that will be upheld in court. Councilmember Ware moved to accept Ordinance #695 relating to Public Nuisances for an introduction and first reading, and with a second by Councilmember Martin the motion carried.

## **FINAL COUNCIL COMMENTS/OTHER BUSINESS**

Councilmember Martin clarified that Director Light would now be able to move ahead with obtaining grants for water system work. Director Light will talk about engineering costs at the next meeting.

Councilmember Ware thanked Councilmember Martin for going to meetings and asked for ways other Councilmembers could get involved. Mayor Hodo will pass on meeting requests. Councilmember Diaz is also interested in becoming involved with the meetings.

Councilmember Dawson said he is going to review the public nuisance regulations.

Councilmember Wallace asked for an update on the Transportation Board District. There was discussion around the formation of the district and that the City could elect to form the district but not enact it. This would keep the County or other jurisdictions from forming a district in city limits and taking any revenue. There was discussion on how such a district would be administered. Mayor Hodo asked the Council to consider the formation and will talk more about this at the next meeting.

Councilmember Martin thanked Director Light for the flags on stop signs.

#### **MINUTES APPROVAL**

Councilmember Martin moved to accept the May 17<sup>th</sup>, 2016 minutes as presented and with a second by Councilmember Wallace the motion carried.

#### **VOUCHER APPROVAL**

Councilmember Diaz moved to approve vouchers 31393 through 31427, with \$29,593.67 for payroll and \$9,469.42 for claims, for a total of \$39,063.09 as presented and with a second by Councilmember Martin the motion carried.

#### **FINAL CITIZEN COMMENTS**

Chuck Lie said he was speechless.

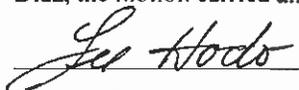
Dorothy Crowshaw thanked the Council for turning down the feasibility study.

Tracy Cotterill asked the Council to keep an open mind about what the PUD can do for the city.

Mr. Lie asked to modify his citizen comment to say he agreed with Ms. Cotterill.

#### **ADJOURNMENT**

With no further business, Councilmember Wallace moved to adjourn the meeting. With a second by Councilmember Diaz, the motion carried and the meeting was adjourned at 8:51 pm.

 , Lee Hodo, Mayor

 , Lisa Stowe, Clerk

