

CITY OF ROSLYN
CITY COUNCIL MEETING MINUTES
December 13, 2011 – 7:00 P.M.
Roslyn Council Chambers, 109 S. 1st, Roslyn, Washington

CALL TO ORDER, ROLL CALL, FLAG SALUTE, AGENDA UPDATE:

Mayor Pro-Tem Cooke called the meeting to order at 7:00pm, led the flag salute, and asked the Clerk – Treasurer to call roll.

PRESENT: Mayor Pro-Tem Cordy Cooke, Councilmember Andy Januszkiewicz, Councilmember James Begley, Councilmember Laura Osiadacz, Councilmember Geoff Scherer, and Councilmember Derek Gruber

ABSENT: Mayor Jeri B. F. Porter

MOTION: Councilmember Gruber **MOTIONED** to excuse the absent Mayor. Councilmember Osiadacz **SECONDED** the motion. The motion was **APPROVED** 6-0.

STAFF: Amber Shallow, Clerk – Treasurer; Brandi Taklo, Deputy Clerk – Treasurer; Lisa Haley, Planner/Permit Coordinator; Mitch Long, Public Works Crewmember

Mayor Pro-Tem Cooke asked the Clerk – Treasurer to swear in the newly elected Council Members.

OATH OF OFFICE:

1.) **AB11-086** Council Position #2 – Andy Januszkiewicz
Mrs. Shallow administered the oath of office.

2.) **AB11-087** Council Position #5 – Laura Osiadacz
Mrs. Shallow administered the oath of office.

3.) **AB11-088** Council Position #7 – Nolan Weis
Mrs. Shallow administered the oath of office.

Councilmember Januszkiewicz – I would like to add an item to the agenda regarding the livestock fee. I've received calls with questions & concerns and would like to discuss that topic tonight; Mayor Pro-Tem Cooke added the item as requested.

CONSENT AGENDA:

4.) Accounts Payable Checks #11225 - #11261, in the amount of \$48,728.94

5.) Payroll Checks #7652 - #7675, in the amount of \$19,839.22

Mayor Pro-Tem Cooke read the consent agenda.

MOTION: Councilmember Begley **MOTIONED** to approve the consent agenda. Councilmember Januszkiewicz **SECONDED** the motion. The motion was **APPROVED** 7-0.

Councilmember Laura Osiadacz asked to be excused from the meeting as she had another engagement she needed to attend to. The Council excused her and Councilmember Osiadacz left the meeting at 7:07pm.

CITIZEN'S COMMENTS: (non-agenda items)

Neal Lockett, Roslyn – I wrote a letter to Mayor Porter last month and I have not received any response to it.

Shirley Mosiman, Roslyn – was the salaries of each position ever published? Mayor Pro-Tem Cooke replied yes and you can get that information from the Clerk.

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

6.) **AB11-089** Presentation – Mr. Steve Gabriel, The Building Department Inc.

Mayor Pro-Tem Cooke introduced Mr. Steve Gabriel to give his presentation.

Steve Gabriel, The Building Department Inc. (TBD) – I have been an inspector for a little over eight years now. I wanted to take this opportunity to introduce myself to everyone and I've handed out a packet with TBD's qualifications. I was a construction worker for 28 years, went to school got a degree in construction management, became an inspector by taking 15 months of classes, taking the test and passing.

7.) **AB11-090** Appointment – Library Board Member

Mayor Pro-Tem Cooke read the agenda bill for this item.

MOTION: Councilmember Gruber **MOTIONED** to approve the appointment of Ms. Julie Miller to the Roslyn Library Board. Councilmember Scherer **SECONDED** the motion. The motion was **APPROVED** 6-0.

PUBLIC HEARING:

8.) **AB11-083a** 2012 Final Budget Hearing & Ordinance

Mayor Pro-Tem Cooke continued the public hearing at **7:23pm** and asked for public comment.

Deborah Parish, Roslyn – from my understanding there is a 60% increase to the utility rates of the next six years. Mayor Pro-Tem Cooke responded that the utility rates were set as part of a rate study and not part of the budget. He further explained that the increase was to help fund replacement of some portions of our aging infrastructure.

Janine Brodine, Roslyn – Ms. Brodine read a letter from the Roslyn Planning & Historic Preservation Commission asking the Council to keep the Planner's hours at 40.

Janelle Black, Roslyn – my cursory reviews of the development regulations leads me to believe they are very restrictive and to have something on the website that would direct us to which forms we need would be helpful.

Rhonda Holden, Roslyn –at the last meeting there was a recommendation to look at other options for the attorney retainers, did that happen? Amber Shallow, the Clerk – Treasurer

replied that Kenyon Disend, the current City Attorney, was contacted and agreed to lower the monthly retainer for 2012.

Shirley Mosiman, Roslyn – how much time does the attorney usually spend on Roslyn items?

Margaret King – I'm not sure what the actual hours are but that is public record and you could obtain it from the office. I do know that the firm has done community contributions which means we have written off costs over the monthly retainer.

Deborah Parrish, Roslyn - From our experience the planner has done nothing but slow the process down so I think the cut is a good move.

John Wagenknecht, Roslyn – is the retainer fee for the city attorney similar to other cities of similar size. Mrs. Shallow responded that she didn't feel you could do a fair comparison since each city's needs are different.

Margaret King – we represent several cities in Washington and the fee is usually negotiated with the Mayor based on what the City is looking for in terms of coverage.

Mayor Pro-Tem Cooke closed the public hearing at **7:35pm**.

Mayor Pro-Tem Cooke then read the agenda bill.

MOTION: Councilmember Scherer **MOTIONED** to approve **Ordinance #1083** with option E for staff cuts as discussed in the Work Study. Councilmember Gruber **SECONDED** the motion. The motion was **APPROVED** 6-0.

Councilmember Begley – just for clarification, option E was to only reduce the planner position to 20 hours.

Janine Brodine, Roslyn – I'm very disappointed and I think it will negatively impact everyone. We'll do our best though to work with it.

Shirley Mosiman, Roslyn – It would be interesting to know exactly what it is the planner does. I would like to know what she does and if this cut will be a big impact.

Mayor Pro-Tem Cooke – the planner is the first official you would see for any type of project that you want to do, she does a reality check and helps you fill out the appropriate forms and then also helps the commission with professional advice.

Ms. Brodine – if folks come in with a relatively simple project she can approve them directly.

Andrea Sweet, Roslyn – when you call into the city because maybe your neighbor has something going on that may be an issue, then the planner inspects the issue as she is also the code enforcement officer.

Lindsey Flowers, Roslyn – I'm curious if the planner's hours are cut, whose responsibility will it be to make those decisions.

Mayor Pro-Tem Cooke – other staff will pick up some of it and it is likely that things will be slowed down.

Lea Beardsley, Roslyn – a few years ago we had contract planners and I wonder if the Council has considered it again?

Mayor Pro-Tem Cooke replied yes but it's too expensive and we won't be doing that.

Janelle Black, Roslyn – is it the Mayor who will direct and prioritize what gets handled with the reduction in hours.

Neal Lockett, Roslyn – I believe that if there is not a city administrator or a planner then those duties fall onto the Mayor.

Lea Beardsley, Roslyn – does this budget include paying unemployment to the former city manager; Council replied no.

FINAL READING:

9.) **AB11-091** Ordinance – 2011 Budget Amendment #2

Mayor Pro-Tem Cooke read the agenda bill for this item.

MOTION: Councilmember Scherer **MOTIONED** to approve **Ordinance #1084**. Councilmember Begley **SECONDED** the motion. The motion was **APPROVED** 6-0.

INTRODUCTION:

10.) **AB11-092** Resolution – Contract with Kenyon Disend for 2012

Mayor Pro-Tem Cooke read the agenda bill for this item.

MOTION: Councilmember Begley **MOTIONED** to approve **Resolution #11-044**. Councilmember Scherer **SECONDED** the motion. The motion was **APPROVED** 6-0.

Margaret King, City Attorney – I just want to point out that we have a standard provision in the contract that allows for a 30-day termination notice.

Mayor Pro-Tem Cooke – I've worked with Margaret King and Kenyon Disend, the quality of their performance is outstanding and we'd be foolish to change attorneys.

11.) **AB11-093** Resolution – Contract with Gray & Osborne for Water System Comp Plan Update

Mayor Pro-Tem Cooke read the agenda bill for this item.

Councilmember Gruber - we had a Transportation and Public Works Committee meeting and our recommendation is to pass with the condition that we get a schedule from G&O.

MOTION: Councilmember Gruber **MOTIONED** to approve **Resolution #11-045** with the condition that a schedule from Gray & Osborne for the work be obtained. Councilmember Begley **SECONDED** the motion. The motion was **APPROVED** 6-0.

12.) AB11-094 Resolution – Visitor Center Agreement w/Roslyn Downtown Association

Mayor Pro-Tem Cooke read the agenda bill for this item.

MOTION: Councilmember Scherer **MOTIONED** to approve **Resolution #11-046**. Councilmember Weis **SECONDED** the motion. The motion was **APPROVED** 6-0.

Neal Lockett, Roslyn – is this money coming from the hotel/motel tax, council replied yes and he asked if the Roslyn Downtown Association is a 501c3 group, council replied yes.

Lea Beardsley, Roslyn – how much money will they be receiving? The Clerk replied \$1500 per year.

Mayor Pro-Tem Cooke – we discussed this at the Budget, Finance, and Administration committee and the committee was unanimous in support of this agreement.

Myke Woodwell, Roslyn – Does anyone know what the hours and location of the Visitor’s Center are? Council replied it is located in the NWI building and the hours are mostly weekends.

13.) AB11-095 Resolution – Contract for Old City Hall Project, Phase 1b

This item was removed from the agenda and Mayor Pro-Tem Cooke asked Mrs. Shallow to explain why.

Mrs. Shallow explained that staff had hoped BOLA Architects would be done with the reference check on the contractor with the lowest bid but had not completed it as of the end of the business day today.

Councilmember Januskiewicz – we have a placeholder on December 27th to take care of this item and we did make a promise to the Friends of the Library to move this along as quickly as possible.

The Council then discussed the possibility of scheduling a special meeting instead.

Margaret King – you could leave the meeting scheduled for the 27th and if a special meeting could be worked out then you could cancel.

Mayor Pro-Tem Cooke – I agree with Councilmember Januskiewicz but the 27th is not a very good date how does the Council feel about next Tuesday, December 20, 2012.

Councilmember Scherer asked Mitch Long, Project manager if the contract will be ready by next Tuesday; Mitch replied more than likely.

Council then set a meeting for December 20th at 7pm.

14.) AB11-096 Resolution – BOLA Contract for Construction Administration, Phase 1b

Mayor Pro-Tem Cooke read the agenda bill for this item.

MOTION: Councilmember Gruber **MOTIONED** to approve **Resolution #11-047**. Councilmember Begley **SECONDED** the motion. The motion was **APPROVED 6-0**.

Councilmember Januszkiewicz – this contract expires May 29, 2012, is that regardless of whether the project is completed or not?

Mr. Long replied the contractor must be finished by that date or there are financial consequences.

Mrs. Shallow explained that BOLA's proposal and fees only cover service through that date.

15.) Livestock Discussion

Councilmember Januszkiewicz – I've received lots of phone calls and been approached by other in regards to the livestock fee. First of all I thank you for contacting us and for being so civil about this. It seems to have really hit a nerve. Everybody, regardless of positions in other areas, seemed to have a common approach which shows me that we need to revisit this. Frankly I think sometimes we all make mistakes and this may be one of them.

Janelle Black, Roslyn – I'm wondering how much was included in the 2012 budget from livestock fees. Mrs. Shallow replied none.

Jon Wagenknecht, Roslyn – during the initial meeting that the Council discussed this I initially put in the vote for keeping that fee. I want to re-state that it is not a right but a privilege granted to the citizens by the City. But I do think that \$50 is too much, I hope the city will state what that money will go to. However, there is no code enforcement officer for the city. On the suggestion of a friend who owns poultry, he is not opposed to a simple \$10 annual fee. Two years ago I found a Northern Goshawk that was shot & dumped on one of the city trails in the Urban Forest. I am pretty certain that the Goshawk was shot by a chicken owner since the Goshawk is a bird of prey.

Shirley Mosiman, Roslyn – my chicken coop is at least 100 years old, animals in Roslyn are an important part of our history. I've lived here for 15 years and I've had chickens for 12 years.

Craig Parrish, Roslyn – I have 6 chickens and they are pets. I don't see how they affect anyone, they do free range in our yard; we raise them just like we raise a garden.

Janine Brodine, Roslyn – if the Council could please outline what the fee covers so we can understand it better.

Mrs. Shallow – the fee is for livestock permits and livestock is defined as all horses, mules, cattle, sheep, goats, mink, poultry, rabbits, and all other animals excepting domesticated dogs and cats, and small household birds such as canaries.

Margaret King – you have a couple of options, a livestock permit has always been required and it's only the fee that's been added.

Marie Fischer, Roslyn –I cannot find any other city that charges a fee for raising livestock. Livestock can be a supplemental food and can really help people in this economy. Also, the tourist do come here and take photos of the animals. To charge people for raising animals is ridiculous, what's next a garden fee? There are lots of ways to save money in the current budget.

Deborah Parrish, Roslyn – providing a plot plan seems a little excessive.

Neal Lockett, Roslyn – I see a dichotomy here that Council needs to address; you have people who are raising them commercially to sell the product and those that are raising them for their personal use.

Lea Beardsley, Roslyn – for the 125 years that Roslyn has existed people have had animals and it is part of our history and charm. My sister with her horses has people stopping in her yard to pet the horses and feed them apples. You need to look at the ramifications of these regulations.

Janelle Black, Roslyn – people value Roslyn for its rural nature and our connection to the forest. Around the perimeter of this town are farms, but that is one of the things that makes the transition to the urban core of Roslyn and the forested and open areas pleasant. To impose fees on that you are discouraging the rural character of the town and in addition you have all the tourists who come to town because it is so cool to see chickens and horses and dogs.

Mitch Long, Roslyn – I have a letter from my wife Darcy who did some research on different cities and their chicken regulations and will read it for Council.

Glenn Burkhart, Roslyn – I just got into raising chickens and I did it to try and increase our self sufficiency. Where did the value of the fee come from and what is the purpose?

Mayor Pro-Tem Cooke – in our initial discussion the fee was for the estimated two hours of staff time required to review the permit applications and that is why we have done it; is it the right thing to do – maybe not.

Neal Lockett, Roslyn – can I request that the Council not enforce this ordinance until Council has time to review it?

Mr. Wagenknecht – if we abolish this fee, then you should get rid of dog licenses too.

Ms. Fischer – chickens and horses do not carry rabies.

Marie Nichols, Roslyn – I have a question, my daughter and a friend of ours and I were considering sharing a miniature cow who would pay, each of us or all together? I oppose the fee unilaterally.

Resident, 305 W California – I oppose the fee and also wonder if the pigs/goats are a separate issue? I personally would like to have a goat to milk.

Rhonda Holden, Roslyn – I think we do have a right to have livestock, WA State has a right to farm statute on the books, and Kittitas County has farms in urban areas. Roslyn is an area that has never given up our rights to animals. I should be able to choose where I want the chicken coop on my property.

Shirley Mosiman – what I didn't even think of with chickens is that a lot of people have moveable coops which would make it really hard to have a plot plan.

MOTION: Councilmember Januskiewicz **MOTIONED** to repeal the livestock fee and refer the livestock ordinance back to the Committee. Councilmember Begley **SECONDED** the motion. The motion was **APPROVED** 6-0.

Mayor Pro-Tem Cooke - I would like to request the motion include putting the code back before committee for review.

MAYOR AND COUNCIL CONCERNS AND INITIATIVES:

Councilmember Scherer – I'm glad we got rid of the chicken tax.

ADJOURNMENT: 8:40pm

MOTION: Councilmember Begley **MOTIONED** to adjourn. Councilmember Januskiewicz **SECONDED** the motion. The motion was **APPROVED** 6-0.


Neal R. Lockett, Mayor

Attest: 
Amber Shallow, Clerk – Treasurer