

CITY OF ROSLYN
CITY COUNCIL MEETING MINUTES
February 14, 2012 – 7:00 P.M.
Roslyn Council Chambers, 109 S. 1st, Roslyn, Washington

CALL TO ORDER, ROLL CALL, FLAG SALUTE, AGENDA UPDATE: 7:00pm
Mayor Lockett called the meeting to order, led the flag salute, and asked the Clerk – Treasurer to call roll.

PRESENT: Mayor Neal Lockett, Councilmember Laura Osiadacz, Councilmember Geoff Scherer, Councilmember Karen Flowers, Councilmember Nolan Weis, and Councilmember Derek Gruber

ABSENT: Councilmember Andy Januskiewicz and Councilmember James Begley

STAFF PRESENT: Amber Shallow, Clerk – Treasurer; Mitch Long, Public Works Crewmember

CONSENT AGENDA:

- 1.) Accounts Payable Checks #11324 - #11342, in the amount of **\$69,653.11**
 - 2.) Payroll Checks of January 31, 2012 #7728 - #7751, in the amount of **\$20,827.95**
 - 3.) Minutes of November 22, 2011 regular Council Meeting
- Mayor Lockett read the consent agenda.

MOTION: Councilmember Scherer **MOTIONED** to approve the consent agenda. Councilmember Gruber **SECONDED** the motion. The motion was **APPROVED 5-0.**

CITIZEN’S COMMENTS: (non-agenda items)

Jonine Collins, Ronald – I’m here because Council graciously granted the Sunday Market funds from the lodging tax and I wanted to give the Council information so you can be more aware of where the tourism funds go for the Sunday market. This year one of our big deals is being in the Chinook Book, this is a coupon book that you buy in Seattle and the Roslyn Sunday Market is doing alliance marketing with the Huckleberry House, Rustic Root Catering, and Vintage Vine to help make Roslyn look like a destination. So you come to Roslyn and there is Friday night wine tasting, Saturday night art walk, and Sunday farmers market. Along the same lines as the marketing we are also doing fundraising to help get insurance for the art walk on March 15th at Vintage Vine and the market is co-sponsoring that. There will be soups from local chefs, Frank & Jessica, and Sibyl from Huckleberry House will be doing chocolate chip cookies. We will also have door prizes from local businesses.

Councilmember Flowers – is there a way to track the coupons?

Ms. Collins – the market can't do coupons but the Huckleberry House does and they have been in the Chinook Book for the last couple of years and they always get enough people in to pay for this. This is a \$2,000 page so we all split the cost.

Mayor Lockett – do you know how many of those books are printed up, distributed, and is it just in the Seattle area?

Ms. Collins – I don't know, it's all about sales.

Margaret King, City Attorney – they also have the book electronically, so you can purchase it and get it all on iPhone. I don't think they have a set number, I think as long as people are buying them or downloading them, they sell them.

Mayor Lockett – I was just wondering if there was a set number so you could get an idea of how many people this may reach, because there are many others taking part in this and competing for business.

Ms. Collins – these are all sustainable businesses, so there is another layer of criteria you need to meet just to be in the book.

At this time the Clerk – Treasurer reminded Mayor Lockett & Council that the absentees had not been excused yet.

Mayor Lockett asked the Council what they would like to do about Councilmember Januszkiwicz & Councilmember Begley.

MOTION: Councilmember Gruber **MOTIONED** to excuse the absent Council Members. Councilmember Scherer **SECONDED** the motion. The motion was **APPROVED 5-0**.

Kass Robblee, Roslyn – I would like to get a miniature goat and I was told that I couldn't because I didn't have enough property. My reasoning for a miniature goat was to help take care of the backyard as it is all up hill and I'm old and have a hard time mowing, also as a pet. So I checked it out and a pot bellied pig average size is between 120 – 150 pounds, a miniature goat is 49 – 50 pounds at adulthood. I checked a little further and Seattle does have an ordinance that allows you to have a miniature goat in the city limits as long as 1) a male is neutered and 2) they are de-horned. I would like to see us accept the fact that miniatures are coming out, we have miniature sheep and cows; but all I want is a goat.

Mayor Lockett – it was my understanding that our livestock ordinance was going to allow goats, is that correct?

Margaret King – I'll take a look again but my recollection from when this discussion came up before was that there wasn't a restriction on goats. What I'm being told here is that RMC 6.15.160 says that there is a general space and care requirements, "there must be a minimum space of 2,000 square feet for each grazing animal such as a horse, cow, mule, or other grazing animal." The only problem is that I'm not really seeing how a grazing animal is defined in here. I do see that livestock is define as mules, cattle, sheep, mink, poultry, and rabbits; and previously goats were not allowed at all, but that was

changed to allow them. I'm not sure that there is a restriction, I'm happy to take a look at the various amendments and give an opinion on that. Certainly it is something the Council can request to be clarified if the intent was not to have it apply or you want to limit it to certain types of goats.

Ms. Robblee – when I went in I was told I couldn't have a goat because I don't have enough space.

Ms. King – my interpretation is that basically what's happened is that goats have now been allowed but none of the other requirements have been updated to reflect them. This is a perfect example of why the animal code needs to be looked at.

Mayor Lockett – I think that would be very beneficial for Ms. King to look at the grazing requirements.

Ms. King – would the council like to give staff direction to go in and clarify that aspect in the code? Council agreed by consensus; so I would think that what I am hearing here is that the Mayor and the Council are saying that they interpret it to be allowed so there is not going to be an enforcement issue.

Amber Shallow – to clarify, the application Ms. Robblee spoke about is the pet application and a goat would go on the livestock application.

Katia Merkel, Friends of the Library Representative – I would like to invite everyone to Seussapalooza on March 3rd at 6pm at the NWI building here in Roslyn. Tickets can be purchased here at the library during regular business hours, and you can also purchase online at friendsofroslynlibrary.org.

ANNOUNCEMENTS, PRESENTATIONS, APPOINTMENTS:

- 4.) **AB12-010** – Update on the Old City Hall Project, and change orders processed

Mayor Lockett read the agenda bill and asked Mr. Mitch Long to give the Council an update.

Mr. Long – there are two change order requests and the first change order request is to up-set a beam. This particular beam was supposed to be part of this project but was omitted to try and save money. The beam is located where the data/communications room is currently being built in this phase and would cause issues.

Councilmember Gruber – what does “up-set” mean?

Mr. Long – all the beams before this phase were below the floor joists, after this phase they will be above the floor joists.

Mayor Lockett – the change orders were submitted in two requests so that I could approve them to keep the project moving but we want to share this information with the Council to keep you informed.

Mr. Long – progress is coming along quite well, the contractor is starting to work on the interior framing and plumbing. There have been quite a few requests for information

(RFI), especially for the construction for this phase. The problem with phasing this project is making sure that everything is complying with the building code, building inspector requirements, and structural engineer requirements. I do expect more change orders due to the complex nature of this project and will be reviewing them in detail to make sure everyone is being treated fairly before I bring the requests before Council. Also, if the Council wants a tour of the building just let me know and I'll take you through the building.

Mayor Lockett – at this time there are 27 RFI's out there, which means they have run into a number of different areas that even when they had a chance to look at the building and bid the project there are still things they run into on this old building that cause them to have to get more clarification and exchange information between the contractor and the project manager which is Mr. Long.

Mr. Long – and the architect and just to be clear there have been 45 RFI to this point, and 27 of them are structural that actually could pose some time constraints or costs from what they expected at bid, as far as different materials that are required. Like I said I will be going through those change order proposals when they get to me with a fine tooth comb to make sure I understand what they are saying and looking at what was put out to bid for specs and things to see what is fair and if there is any wiggle room.

Mayor Lockett – very few of the RFI's have to do with electrical work, a few of them have to do with concrete and the rest generally have to do with the structure that they are putting together. We met with them for about 2 hours this morning and the project looks like it is coming along very well, they just need to get these points of clarification before they can move on.

Mr. Long – just to be clear the work is going excellently and I'm actually happy that the communication is happening between Regency and our architect and the civil engineers. All this work is being done so that way when we get to the next phase it's going to be something that is even more seamless, or at least that is the hope.

Mayor Lockett - Mitch Long has been very, very effective in managing this project.

Councilmember Scherer – thank you very much.

Jonine Collins, Ronald – when the RDA (Roslyn Downtown Association) made a request to the legislature last year for 1.8 million dollars; part of that was construction funding for the re-location of the Roslyn City offices to the renovated historic Old City Hall building. They didn't get the 1.8 but from the \$300,000 they were supposed to study analyzing the adaptability and relocation of city offices. I know that was a priority because at the July RDA meeting Jeri Porter was charged with finding out just how much it would cost to do that piece. So, I'm wondering where that stands?

Mayor Lockett – I think I'll refer to our City Clerk on that as she does the financial side of it.

Amber Shallow – it's not city money so that is up to RDA, we would have know oversight.

Katia Merkel, Friends of the Library representative – would the moving of the offices be after the whole building is renovated?

Mayor Lockett – right now we are working on the ground floor which will be used for the library and Council chambers, which can also be used for other meetings as well, eventually that will be staff offices though.

Mr. Long – yes, the current plan is to move out of the administration building at completion; and as of right now there has been no (feasibility) study. Also at completion the Council chambers will be moved to the gymnasium and the offices will be on the bottom.

FINAL READING:

5.) **AB12-008a** – Ordinance Amending the 2012 Budget
Mayor Lockett read the agenda bill for this item.

MOTION: Councilmember Gruber **MOTIONED** to approve an ordinance amending the 2012 budget as a **FIRST READING**. Councilmember Flowers **SECONDED** the motion. The motion was **APPROVED 5-0**.

Mr. Long – I just want to clarify that the maintenance on the valves is for two pressure reducing valves in two locations on 2nd street; they need to be rebuilt every five years.

6.) **AB12-009a** – Ordinance Amending RMC 2.35
Mayor Lockett read the agenda bill for this item.

MOTION: Councilmember Weis **MOTIONED** to approve Ordinance #1086. Councilmember Scherer **SECONDED** the motion. The motion was **APPROVED 5-0**.

Councilmember Flowers – I'm just curious as to the amount of time or if there was an estimate to the amount of time for the duties of water commissioner.

Mayor Lockett – there is no water commissioner; we are just clarifying the ordinance to bring it up to today.

INTRODUCTION:

7.) **AB12-011** – Ordinance Amending the Animal Code
Mayor Lockett asked the Clerk if this ordinance would require a second reading.

Ms. Shallow clarified that Council can choose to pass it as a first & final or just a first reading and require a second reading at the next meeting.

Mayor Lockett then read the agenda bill for this item.

MOTION: Councilmember Scherer **MOTIONED** to approve Ordinance #1087 as a **FIRST & FINAL** reading. Councilmember Weis **SECONDED** the motion. The motion was **APPROVED 5-0**.

Mayor Lockett brought the Council's attention to the Department of Health new release included in the Council packets and read it for the public. The news release stated that rabies vaccines are now required by state law.

Councilmember Scherer – do we have to put ferrets down now that it is state law?

Ms. King – well we had this discussion at the staff level and it was decided that rather than putting it in the dog and cat section, that staff would like to put it in when this whole section gets revised, or put it in a different section so it wasn't missed when people were looking at it. So we concluded that since it is a state law for ferrets to have rabies vaccinations they are going to be required to do it anyway or they are in violation of state law which is going to be a penalty. So at this point it was decided to keep ferret out but yes you still do have to vaccinate. The question was, should you put it in your ordinances at all when you amend them and I think it is always helpful to have it in your ordinances because then you are not forcing people to look at state laws to see what's required. Mitch Long – would that mean that we would now need to license them, otherwise how else would we track that?

Ms. King – it doesn't require you to license them it just requires that they be vaccinated.

8.) AB12-012 – Resolution Designating the Official City Newspaper
Mayor Lockett read the agenda bill for this item.

MOTION: Councilmember Gruber **MOTIONED** to approve Resolution #12-003 designating the Daily Record as the official City newspaper. Councilmember Scherer **SECONDED** the motion. The motion was **APPROVED 5-0.**

Councilmember Osiadacz – I realize this is because the Daily Record came in at a lower rate, would it go against any moral or legal obligation to go back to the NKC Tribune to see if they could meet or do better than the Daily Record to try and keep the money more local.

Mayor Lockett – the difference between the two were quite significant financially and when it comes to publishing notices for the city, sometimes having a publication that only comes out on Thursday's can be a detriment to transacting business. I'm not saying no, but it could be a problem.

Councilmember Flowers – how often are we posting things in the paper?

Mrs. Shallow – the main postings for legal notices would be any ordinance adopted by Council. Most ordinances do not become effective until 5 days after the date of publication, for example the animal ordinance adopted tonight if we were with the Tribune they would not be published until next week and would not become law until the following week. With the Daily Record we can send it in tomorrow morning, it'll be in Friday's paper and effective by the middle of next week.

Councilmember Flowers – how often, generally are we publishing?

Mrs. Shallow – it depends on Council and how many ordinances are being passed.

Ms. King – there are also requirements for noticing certain land use applications, so that would be dependent on what you have going on in your community at any given time. The legal requirements are that you have to have an official newspaper, and in order for an ordinance to be effective it has to be in the official newspaper. In response to the other question – we called for sealed bids, you can't then go to negotiate with someone else to try and negotiate a lower price. They have the option next time, since we do this yearly, coming in knowing what the bids were last year.

Councilmember Flowers – is it required to do a sealed bid?

Ms. King – I'd have to go back and take a look but it's not that unusual to require that.

Mayor Lockett – we are getting a little ways away from the actual subject here.

Councilmember Flowers – I'm just trying to determine what the cost difference is between the two bids, because they don't appear to be that far apart.

Mrs. Shallow clarified that the price is per column inch. There is a bill in the accounts payable for publication of the call for newspaper bids and was around \$30 in the Daily Record, in the Tribune it would be roughly double that amount. In one inch it's not much but overall for an entire title it could be substantial especially when it comes to land use, those can be two – three columns long, or an entire page.

Ms. King – there is nothing saying you can't put notices in any other paper, you just need to make sure the required legal notices are in your official paper.

Mayor Lockett – I just want to say that I'm disappointed that the NKC Tribune is not our official newspaper.

9.) AB12-013 – Resolution Authorizing DOE Contract for Storm water retention in the Urban Forest

Mayor Lockett read the agenda bill for this item.

MOTION: Councilmember Scherer **MOTIONED** to approve Resolution #12-004 authorizing a contract with the Department of Ecology for the storm water retention project in the Urban Forest. Councilmember Gruber **SECONDED** the motion. The motion was **APPROVED 5-0**.

Mr. Long – last fall/early winter we had a design charrette and out of that came a lot of work regarding our access and infrastructure and storm water management in the urban forest. Jane Creech was very impressed with the work plan for this project. Because of that, she drafted up this contract and I had a few questions that Jane is working on answering. Once we have the final contract we will definitely get it to Margaret King for final look over before the Mayor signs it if approved tonight. Basically what Jane is looking for is support from the Council for the project. We are looking to get Council's support for the project and authorization for the Mayor to sign the contract when we get it.

Discussion continued among Mayor, Council, and Mr. Long in regards to the project work and how the funding works.

10.) AB12-014 – Resolution Authorizing the City’s continued participation in the WA State Purchasing Co-Op
Mayor Lockett read the agenda bill for this item.

MOTION: Councilmember Weis **MOTIONED** to approve Resolution #12-005 authorizing the City’s continued participation in the Washington State Purchasing Co-Op. Councilmember Flowers **SECONDED** the motion. The motion was **APPROVED 5-0**.

MAYOR AND COUNCIL CONCERNS AND INITIATIVES:

Councilmember Flowers – I had sent a request to Amber, it didn’t make it on the agenda for this meeting, asking Council to consider establishing a policy for communications between staff and council and community members that would state a length of time for a response. Is that something Council would consider?

Councilmember Gruber – I’m not sure I understand.

Councilmember Flowers – establishing a policy for communication with the city, sometimes it’s taken me almost two months to get a response.

Mayor Lockett – not knowing what you asked I’m not sure if it was a fair length of time for the response.

Councilmember Flowers – is this something council would be willing to look at? Does anyone think this is a crazy request or had any other experiences.

Councilmember Scherer – it depends on what questions you’re asking; some could take six weeks for a response and some could be really fast.

Councilmember Osiadacz – not necessarily require the answer in a certain amount of time, but maybe acknowledgment of the request being worked on.

Mayor Lockett – I personally try to respond as quickly as possible, but sometimes it’s not possible. As far as city staff you wouldn’t believe how remarkably busy they are. It was only after having an opportunity to work with them and seeing not only the good work that they do but also, how much of it they do. There isn’t any real downtime in the office and so it’s a matter of doing as much as possible, answer as many things as possible, because they’ve got phones ringing and everything else. A lot of people who call on the phone are getting their answers just right as they come in. But there are other things that do take some time and take some research.

Councilmember Flowers – I think we should talk about it to understand what the response time would be.

Councilmember Scherer – I was at the Conference of Governments two weeks ago, the article in the paper does a great job of summing up what that group is about. One of the

things on the agenda is the by-laws and currently there is a voting by-law that so many members need to be present and the only real authority this council has is population allocation. Everything else is recommendations. We just had a census and this year this body will decide on the population distributions. Part of what we are trying to go thru is how we decide a super majority vote on that.

Ms. King – is the population based solely on the census?

Councilmember Scherer – yes and now that there is a new census we'll probably adjust it. I'm going to try and negotiate with these people that we have a fair voting right even though we don't have much of a population.

Mayor Lockett – I received a letter from the City of Cle Elum regarding their budget cuts and Mayor Glondo ensures us that the cuts will not affect the animal control or other proposition 2 funded positions.

Mayor Lockett – there is a section in the code that requires us to have a finance committee which consists of the Mayor, City Treasurer, and one Council Member and I would like to make a personal invitation to Councilmember Scherer to be on this committee since he is on the Budget, Finance, & Administration committee already. It wouldn't require you to do any additional work.

Councilmember Scherer – I'd be happy to.

Mayor Lockett asked the Council what their pleasure was on this and they agreed by consensus that it was acceptable.

Mayor Lockett then read a memo to the public outlining the more important topics and meetings attended to over the past two weeks then handed the gavel to Councilmember Osiadacz and asked if she had anything to add and if not then to call for the motion to adjourn.

ADJOURNMENT: 8:30pm

MOTION: Councilmember Osiadacz **MOTIONED** to adjourn the meeting at 8:30pm. Councilmember Scherer **SECONDED** the motion. The motion was **APPROVED 5-0.**

Neal R. Lockett, Mayor

Attest: _____
Amber Shallow, Clerk – Treasurer