

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1
DATE: February 12, 2009
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

SUMMARY:

Attached are the minutes of the January 22, 2009 Council meeting as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

MOTION: Move to accept the consent agenda as presented.

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The regular meeting of the Sultan City Council was called to order in the Sultan Community Center by Mayor Eslick. Councilmembers present: Champeaux, Wiediger, Slawson, Flower, Davenport-Smith, Blair and Doornek.

CHANGES/ADDITIONS TO THE AGENDA:

Discussion: Add fees for final reading on utility payments

Consent: Move Salary Ordinance to action

PRESENTATIONS:

Civil Service Commission: Mayor Eslick thanked the Civil Service Commissioners, Cindy Broughton, Paul George and Perry McPherson, for their service to the City.

Police Officers: Mayor Eslick thanked Officers Marshall and Pereira for their service to the City. Officers Berg, Vimpany and Gillespie will continue to work in the City under the Snohomish County Sheriff.

COMMENTS FROM THE PUBLIC:

Dolly Green: Advised the Sultan Early Birds Toastmaster will sponsor an eight week Youth Leadership program in Sultan and they need a place to meet. There is no charge to the students and the volunteers will pay the cost for the materials. They requested that the City waive the fee for the use of the Community Center.

Fred Seiner: The staff has proposed a garbage rate study, why not contract out the service and free up city employees for other work. During the snow, the employees were not available as they were trying to do garbage. If the city can contract out the police, they can contract out garbage. There is a debate on who the City Engineer works and wh if the salary schedule is the same. The City should combine the positions and save money. The City has more administrative people then employees and they are raising rates to cover the costs.

COUNCILMEMBERS COMMENTS:

Champeaux: Ask who the student leadership program was available to in the schools? (It is available to Middle and High School students). The City has looked at other options for garbage service, however, if they contract out the service there will not be funds to pay employees and layoffs would be required. After review, the City also decided it is better for the citizens to have the City control the rates and service level to get the best service at the lowest cost. The City has cut back employees over the past eight years, not added.

Slawson: If the City eliminates the garbage service, they will have to eliminate employees. The students could use the room at no charge.

Wiediger: Agrees the students should be able to use the community center for the program.

Davenport-Smith: Appreciates Dolly Green putting together the youth leadership program. It is important for people to speak well and be understood and she favors allowing them use the room. Appreciates the comments from Fred Seiner. The Council tries to keep the budget lean and keep costs down.

Blair: The Youth Leadership is a good program and the Council will see the students use the room at no charge. The City may look at contracting out burial services since it is a small part of the employee time. The City Engineer will only change who they report to and the part time employee will not be replaced. The City is working hard to maintain levels of service.

Doornek: Supports allowing the use of room for the youth program.

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Mayor Eslick: Would like the City to waive the room fees for the youth program and would like to see the program offered to the alternative school. Noted that Rosemary Murphy, Utility Clerk, has received a \$600 scholarship to attend the Clerk's conference in March.

HEARINGS:

- 1) Public Participation Policy (See minutes of hearing)

Action: Ordinance 1015-09, Public Participation: On a motion by Councilmember Champeaux, seconded by Councilmember Slawson, Ordinance 1015-09 was introduced and passed on to a second reading with recommended amendments. All ayes.

- 2) Iron Goat Franchise (see minutes of hearing)

CONSENT AGENDA:

The following items are incorporated into the consent and approved by a single motion of the Council. On a motion by Councilmember Blair, seconded by Councilmember Davenport-Smith, the consent agenda was approved as amended. Champeaux – aye; Wiediger – aye; Slawson – aye; Davenport-Smith - aye; Flower – aye except Item 7, nay; Blair – aye; Doornek - aye.

- 1) Approval of the January 8, 2009 Council Meeting Minutes as on file in the Office of the City Clerk.
- 2) Approval of Vouchers in the amount of \$243,133.31 and payroll through January 9, 2009 in the amounts of \$94,433.34 to be drawn and paid on the proper accounts.
- 3) Adoption of Ordinance 1017-09 Park Regulations – as amended
- 4) Adoption of Ordinance 1011-09 Public Disturbance Noise – as amended
- 5) Adoption of Ordinance 1012-09 City Engineer
- 6) Adoption of Ordinance 1007-09 Garbage Code revision
- 7) Adoption of Ordinance 1014-09 Garbage Rates
- 8) Approval of the Council Committee Assignments and meeting schedule
- 9) Authorization for the Mayor to sign a professional service contract with Weed, Graafstra and Benson for legal services.
- 10) Set Public Hearing on Flood Regulations for February 12, 2009.
- 11) Authorizat on for the Mayor to sign a professional service contract with John Galt for Hearing Examiner services.

ACTION ITEMS:

Snohomish County Tomorrow Representative: The issue before the City Council is the appointment of the City's Snohomish County Tomorrow Representative and alternate. Councilmember Slawson provided an overview of the county wide planning issues discussed at the board meetings. The meetings provide an opportunity to network with other cities and the ability to provide a small city voice to the issues. Councilmember Flower moved to nominate and appoint Councilmember Slawson as the City's Snohomish County Tomorrow representative; seconded by Councilmember Doornek. All ayes. Councilmember Wiediger moved to nominate and appoint Councilmember Davenport-Smith as the City's Snohomish County Tomorrow alternate representative; seconded by Councilmember Blair. All ayes.

Ordinance 1016-09 Civil Service: The issue before the Council is the introduction of Ordinance 1016-09 to repeal SMC Chapter 2.52 which creates a Civil Service Commission. The Council has taken action to enter into a contract with Snohomish County to provide police services.

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Ordinance 1016-09: Effective January 1, 2009, all law enforcement services were transferred to Snohomish County. Snohomish County officers are represented by the Snohomish County Civil Service. RCW 41.12 requires a Civil Service Commission if there are more than two persons, including the city marshal in the police force. Since there are no employees, the City does not need to maintain a Civil Service Commission. The City Attorney has recommended that SMC Chapter 2.52 be repealed so there is no question that there is no longer a Civil Service Commission.

On a motion by Councilmember Blair, seconded by Councilmember Flower, Ordinance 1016-09 was adopted. All ayes.

Kurt Latimore – Professional Service Contract: In 2003, the City signed up for a program through the Snohomish County Economic Development Commission (EDC) for assistance with the permit process through a program called "Loaned Executive". Boeing provided the executive in the form of Kurt Latimore, and EDC provided the program called "Administrative Best Practices". The program addressed a range of permit issues including development of permit application forms, permit intake and processing procedures, and permit tracking systems. The City forms and processes need to be updated to accommodate current issues such as new impact fees, development procedures to insure compliance with updates in the Comprehensive Plan and Development Codes, and capabilities of current Staff. There is \$18,000 budgeted in 2009 for the work.

On a motion by Councilmember Slawson, seconded by Councilmember Flower, the Mayor was authorized to sign a professional service contract with Kurt Latimore in an amount not to exceed \$18,000 to develop a permit processing system. All ayes.

AMEC Professional Service Contract: The issue before the City Council is to authorize the Mayor to sign a professional services contract with AMEC Earth & Environmental, Inc. not to exceed \$5,000 to review the Public Utility District No.1 of Snohomish County (PUD) preliminary license proposal as outlined in the scope of work. The City Council discussed the PUD re-licensing process and recently issued preliminary license proposal (PLP) at its January 8, 2009 Council meeting. Under the proposed contract, AMEC will provide the City with comments and recommended mitigation measures on proposed actions in the PLP including fish habitat, hydrology, flood storage, recreation and safety issues that might conceivably affect the City's interests. Staff needs technical assistance with the review of the PUD documents.

On a motion by Councilmember Flower, seconded by Councilmember Wiediger, the Mayor was authorized to execute a contract for services with AMEC to review the Public Utility District No.1 of Snohomish County (PUD) preliminary license proposal as outlined in the scope of work. All ayes.

Ordinance 1013-09 Salary Schedule: On December 11, 2008, the Council adopted Ordinance 1004-08 to establish salary rates for 2009. During the payroll set up process, it was discovered that Step 1 of the table did not include the 3.2% COLA and the ordinance was not clear on when and how employees receive a pay step increase. The revised ordinance will reduce the amount of match the City pays for dependent coverage for medical/dental insurance from 90% to 89%. This is consistent with the Public Works Union contract negotiated in 2008.

Discussion was held regarding COLA increases; the criteria for step increases and the need to develop a policy; step ranges for new hires; performance evaluation criteria; and the need for a salary survey. The City Attorney recommended the Sub-committee review the step increase process and criteria and provide policy recommendations at a later date.

On a motion by Councilmember Blair, seconded by Councilmember Flower, Ordinance 1013-09 was adopted. All ayes.

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DISCUSSION ITEMS:

Council/Mayor Pay: The issue before the Council is the amount and method of payment of the monthly salary for the Mayor and Councilmembers. The current code provides for a salary for the Mayor of \$500 per month. Councilmembers are paid \$40 per council meeting/maximum of two per month and \$35 per other meeting/maximum of two per month.

In accordance with RCW 35A.12.070 the Council can not increase its own pay unless a Salary Commission is established under RCW 35.21.015. The Council can increase the Mayor's pay at any time with the proper budget amendments. RCW 35.21.015 provides for establishment of a salary commission which allows mid term increases to council pay.

Wiediger: Would like to see the Mayor full time so they could lobby on behalf of the City. The only people running for Mayor are business owners. Salary should be \$3,000.

Flower: The City needs to attract and retain people for the Council. The Mayor donates a lot of time to the City and exerts efforts to promote economic development. There is a City Administrator to run the City and the Mayor is more public relations and a lobbyist. The salary should be a least \$1,500. There are four positions open this year on the Council and they need to make it more attractive for people to run and commit their time.

Slawson: If the Mayor has full time job, how could they work full time for the City. The current Mayor devotes a lot of time to the City but the next Mayor may not be able to spend as much time. The City may have to consider changing to a City Manager form of government. Must consider it they can justify the pay for the job.

Champeaux: The staff has the knowledge and runs the City. It doesn't matter if there is a Mayor or manager, the staff provides information. They do need to increase the salary of the Mayor to \$1000 to \$1,500 per month.

Doornek: The Mayor does a good job; any change to job description?

Blair: The RCW's define the duties of the Mayor and the Council sets the salary. Both the Mayor and Council need salary increases. The Mayor is not just a title, they run the City. There is no money available in the budget to provide increases now but the wage should be based on the position, not the person. The Council gets \$150 per month and spends a lot of time doing the job but a person should not run for office for the money; they should run because they are devoted to the City.

Davenport-Smith: The budget is tight and increasing salaries at this time does not seem right. She is nervous about the ability to draw quality people for the council position.

The matter was referred to the Sub Committee for further research.

Water Disconnect Fee: In the 2009 Fee Schedule it is:

- \$100.00 Water On/Off for Non-payment (Two months late)
- No payment arrangements – once the account is off, payment is required in full
- \$5.00 late fee for each water and sewer utility, if payment is not made within 10 days of the second utility billing.

The 2009 Fee Schedule approved by Council changed the water turn off fee for non-payment from \$50.00 to \$100.00. This increased amount would fully cover staff time, utility clerks, public works staff, equipment usage and supplies.

Brief discussion was held regarding emergency turn offs of water; the process involved in disconnects; issues with citizens turning back on their water and cost to the city. It was the consensus of the Council to leave the fee at \$100.

Final Read on Utility Bills: Brief discussion was held regarding charging for a final utility billing when an account changes ownership. It was recommended the fee schedule be amended to charge a \$50 fee for a final utility billing.

PUBLIC COMMENTS

Fred Seiner: On water shut offs if they break the valve you may have turn off the main line. A full time Mayor is a good idea as they would be available to the public. They could raise fees to pay for the Mayor as it would be a benefit to the town and they should be compensated for their time. It gives the public the opportunity for input and control.

COUNCIL COMMENTS

Blair: Community service is what you do for your country. It is a good idea to ask the public if they would raise taxes to pay for increases to the Mayor and Council salary.

Adjournment: On a motion by Councilmember Blair, seconded by Councilmember Flower, the meeting adjourned at 9:55 PM.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk

