

**CITY OF GOLD BAR
COUNCIL MEETING MINUTES
Tuesday, July 20, 2004**

CALL TO ORDER and ROLL CALL

Mayor Hawkins called the meeting to order with Councilmembers Minder, Price, Amenn, Hunt, and Turner present. Public Works Director Light, Chief Ruchty, and City Clerk Gilleland were also present.

AGENDA APPROVAL

Councilmembers Minder and Turner moved to approve the Agenda. Councilmember Amenn wished to add discussion items regarding attorney fees and the Amenn recall effort. Councilmembers Price and Turner moved to call for the question and the motion carried. Councilmember Amenn voted no. The motion to approve the Agenda as submitted carried. Councilmember Amenn voted no.

MINUTES APPROVAL

Councilmembers Hunt and Minder moved to approve the Minutes of June 15, 2004, June 18, 2004, and July 6, 2004. Councilmember Amenn requested his response to Susan Forbes' question about the Planning Commission during Citizen Comments be added to the July 6, 2004 Minutes. Councilmembers Hunt and Price moved to call for the question and the motion carried. Councilmember Amenn voted no. The motion to approve the Minutes as submitted carried. Councilmember Amenn voted no.

VOUCHER APPROVAL

By motion of Councilmembers Hunt and Price, Claims Vouchers in the amount of \$23,689.87, paid by checks #11930 through #11958, were approved for payment.

CITIZEN COMMENTS/AGENDA ITEMS

No comments were offered.

MAYOR'S REPORT

Mayor Hawkins received a letter from the American Red Cross regarding their 9th Annual Real Heroes Breakfast to be held December 7th. The Red Cross is accepting nominations until October 15th and Mayor Hawkins will leave the information and forms with the City Clerk.

August Meeting Change: Mayor Hawkins reminded everyone about National Night Out on Tuesday, August 3, 2004, and urged all to come enjoy the parade, food, fun, and community gathering. Mayor Hawkins requested Council motion to change the date for the regularly scheduled Council meeting from Tuesday, August 3, to Wednesday, August 4, 2004. By motion of Councilmembers Price and Hunt, the meeting was rescheduled to Wednesday, August 4, 2004.

Mayor Hawkins announced she would be on vacation the first two weeks of August. Mayor Pro Tem Price would be available during that time.

Mayor Hawkins stated there is a confidential memo before the Council from the City Attorney dealing with the recall action and requesting a motion from Council for clarification purposes. City Clerk Gilleland would be reading a paragraph from the memo into the Minutes. Mayor Hawkins handed the gavel to Mayor Pro Tem Price and left the room during this reading, the discussion, and the motion of Council.

City Clerk Gilleland read the following statement into the Minutes:

On June 18, 2004 the City Council authorized the use of city funds to pay for Mayor Hawkins' legal defense in a recall petition filed by Joan Amenn. In the judicial hearing on the recall Ms. Amenn withdrew her petition and informed the trial court she would refile her petition once litigation involving the disclosure of e-mails from the City of Sammamish was resolved. The recall attorney for Mayor Hawkins has represented her personally in the e-mail litigation since the e-mails have a direct bearing on Ms. Amenn's recall petition. The City Attorney has advised that Mr. Nichols' representation of the Mayor's personal interests in the e-mail litigation is still necessary to protect the Mayor's interests in a refiled recall petition and is beneficial to the city's legal interests in the e-mails as well. In order to clarify the scope of the Council's June 18, 2004 authorization of the Mayor's legal defense for recall purposes, a motion is needed from the Council to clarify that this authorization includes continued representation by Todd Nichols in the litigation involving the disclosure of e-mails from the City of Sammamish.

Councilmembers Turner and Minder moved to continue supporting the Mayor. Councilmember Amenn objected to the motion. Councilmembers Hunt and Minder moved to call for the question and the motion carried. Councilmember Amenn voted no. The motion to continue supporting the Mayor carried. Councilmember Amenn voted no.

Mayor Hawkins stepped back into the meeting.

STAFF REPORTS

Chief Ruchty invited all to bring their friends and families to National Night Out. An antique car show has been added this year.

Public Works Director Light reported Labor & Industries performed an unannounced inspection last week and there were no serious violations. The inspector was pleased with our accident prevention program. Councilmember Turner has volunteered to assist staff with setting up safety meetings.

Public Works Director Light reported deck sections of the May Creek Bridge need to be replaced. A Snohomish County bridge inspector has indicated the bridge could still handle regular traffic and weight limits. However, construction on the new bridge will not start until 2006 and sections of the deck should be repaired now.

Public Works Director Light announced the Gateway Park project bid opening would be Friday, August 6th, at 2 PM. The City has reserved the right to reduce the scope if necessary.

COUNCIL COMMENTS

Councilmember Turner reported he has volunteered to assist Staff with safety meetings because he is the Chairman of the Safety Committee where he works. He also stated he would be out of town for the next meeting.

Councilmember Amenn requested an hour of time with the City Clerk to discuss the financial report, stating he would put his questions in writing prior to the meeting; requested copies of bond covenants; asked if the UGA letter had been sent yet; and asked where the \$5,000 for the recall defense has been allocated from. Mayor Hawkins replied she would leave it up to the City Clerk whether or not a meeting would be held and stated the letter had not yet been written. City Clerk Gilleland asked him to fill out a records request for the covenants.

Councilmember Price asked staff about surplus equipment and vehicles. Public Works Director Light stated staff is conducting an inventory and would be suggesting some equipment that could be sold. Some discussion followed.

Councilmember Minder asked the Public Works Director about the possibility of steel reinforcements for the bridge. Discussion followed. Councilmember Minder suggested Council get back on schedule for the vision and goals of the City and that Council should hold a special meeting to discuss finances. He also congratulated staff on doing a good job.

Special Meeting Set: Council consensus set a workshop for discussion of overall finances for Wednesday, July 28, 2004, at 7 PM.

NEW BUSINESS

CONTRACT: GATEWAY PARK CDBG

Mayor Hawkins explained the contract with the County that is before the Council is for the last portion of the CDBG grant funds awarded by the County earlier this year. By motion of Councilmembers Minder and Turner, the Mayor was authorized to sign the

contract. Councilmember Amenn recused himself from the vote because he sits on the PAB for this grant cycle.

OLD BUSINESS

RESOLUTION: FEE SCHEDULE (TABLED)

By motion of Councilmembers Minder and Price, the Resolution was removed from the table. Councilmember Amenn objected and abstained from the vote. City Clerk Gilleland read the Resolution by title, being a resolution adopting a fee schedule for the City. Councilmembers Price and Minder moved to pass the Resolution. Councilmember Amenn voiced his objection to the fee schedule regarding copy charges. Councilmembers Hunt and Turner moved to call for the question and the motion carried. Councilmember Amenn voted no. The motion to adopt the Resolution for the fee schedule carried, with Councilmember Amenn voting no.

ORDINANCE: RECYCLING FEES (2nd Reading) (Tabled)

By motion of Councilmembers Minder and Hunt, the Ordinance was removed from the table. Councilmember Amenn voted no. City Clerk Gilleland read the Ordinance by title, being an Ordinance amending the GBMC to provide that recycling rates be set by resolution. By motion of Councilmembers Price and Hunt, the Ordinance was accepted for second reading and adoption. Councilmember Amenn voted no.

RESOLUTION: WATER EMERGENCY RESERVE (Tabled)

By motion of Councilmembers Minder and Hunt, the Resolution was removed from the table. Councilmember Amenn objected and voted no. City Clerk Gilleland read the Resolution by title, being a resolution adopting guidelines for the set aside of water collections for the Water Emergency Reserve Fund.

City Clerk Gilleland recommended Council reduce the percentage transfer to zero in Section 3 for the balance of the year and review the issue during the upcoming budget sessions. Councilmembers Hunt and Price moved to approve the Resolution amended as per staff recommendation. Discussion followed. Councilmember Hunt withdrew the original motion in order to restate it.

Councilmembers Hunt and Turner moved to approve the Resolution with the Sections 1 and 3 amended to read zero percent as recommended by staff. Councilmember Amenn objected to the Resolution. Councilmembers Hunt and Turner moved to call for the question and the motion carried. Councilmember Amenn voted no. The motion to adopt the Resolution as amended carried, with Councilmember Minder abstaining and Councilmember Amenn voting no.

COUNCIL RULES & PROCEDURES (Tabled)

This item remained on the table.

REVIEW FEE SCHEDULE (Tabled)

By motion of Councilmembers Minder and Hunt, this item was removed from the table and the Agenda.

CITIZEN COMMENTS/NON-AGENDA ITEMS

Bert McClellan agreed with Councilmember Amenn regarding the Reserve account and he urges the Council to keep the reserve funds intact.

Mr. White, 1st Street, complained about the speeding vehicles on First.

Heidi Biddell asked if there was a helmet law; Chief Ruchty stated there isn't. Ms. Biddell then requested Councilmember Amenn to stop his efforts against the Mayor and to stop blocking the forward movement of the City.

Ray Coleman, 19th Street, suggested the City try to locate a speed monitor for 1st Street. Chief Ruchty will attempt to locate one.

Crystal Hill, May Creek Place, requested the personal comments Councilmember Amenn makes during the Council business discussions be reserved for Citizen Comments.

Tami Rockman, 13th Street, stated she was Councilmember Amenn's friend and felt his questions were important. Joan Amenn also spoke in defense of her husband.

Steve Higgins directed his statements to Councilmember Amenn and asked him to resign.

Susan Forbes asked what the last audit cost the City; City Clerk Gilleland replied \$10,000. Ms. Forbes stated this added cost would hurt the City. She requested Councilmember Amenn to stop his activities against the City and to stop requesting an audit.

There being no further business, the meeting adjourned by motion of Councilmembers Price and Hunt.

ATTEST:

Colleen Hawkins, Mayor

Hester Gilleland, City Clerk-Treasurer