

**CITY OF GOLD BAR
COUNCIL MEETING MINUTES
Tuesday, August 17, 2004**

CALL TO ORDER and ROLL CALL

Mayor Hawkins called the meeting to order with Councilmembers Minder, Amenn, Price, and Turner present. By motion of Councilmembers Minder and Amenn, Councilmember Hunt was excused due to a family emergency. Chief Ruchty, Deputy Upton, and City Clerk Gilleland were also present. Public Works Director Light was on vacation.

AGENDA APPROVAL

Mayor Hawkins requested Council to remove the Executive Session regarding Contract Negotiations from the Agenda. Mayor Hawkins stated she would like to postpone that discussion to the next meeting in September in order to conserve time at this meeting. She called Council's attention to a confidential memo from the City Attorney and stated that, if Council wishes to discuss further the contents of the memo, the City Attorney is available for Executive Session via telephone conference this evening. Council consensus was not to hold an Executive Session to discuss the memo.

By motion of Councilmembers Minder and Turner, the Agenda was approved as amended by removing the Contract Negotiation Executive Session.

MINUTES APPROVAL

By motion of Councilmembers Minder and Price, the Minutes of July 28, 2004 and August 4, 2004 were approved. Councilmember Amenn voted no.

VOUCHER APPROVAL

By motion of Councilmembers Price and Minder, claims vouchers in the amount of \$18,041.84, paid by checks #11981 through #12013, were approved. By motion of Councilmembers Price and Turner, claims checks #11970 and #12014, in the total amount of \$11,418.04, were approved for payment. Councilmember Amenn voted no.

CITIZEN COMMENTS/AGENDA ITEMS

Loretta Storm, a resident of Sultan, addressed the Council regarding the Public Information Act and the email controversy between the City of Sammamish, the City of Gold Bar, and others, and the political situation in Gold Bar. She stated the email release by the City of Sammamish was inappropriate and has been an invasion of her privacy

concerning her personal emails. She will take whatever steps are necessary to protect her rights. She also announced that an audio excerpt of the meeting from which Councilmember Amenn was expelled will be posted on her website, as well as a transcript of that portion of the meeting.

MAYOR'S REPORT

Mayor Hawkins called Council's attention to the attorney's bills for this year and asked them to note that he has been crediting up to \$1,000 on the billing invoices and has succeeded in talking others into lowering their hourly rates to the \$100 per hour he charges. Mayor Hawkins stated that she believes the credits are coming out of our attorney's personal pocket, not the firm's, and is pointing this out to the Council so that they know that our City Attorney is well aware of our limited financial capabilities at this time. In light of this, Mayor Hawkins requested Council to not hold up payments to the attorney over minor issues. If council has questions about the attorney's bill, they need to prepare written questions to staff in advance of the council meeting so that staff has an opportunity to get the information needed to answer the questions.

Mayor Hawkins then announced that the City Attorney has informed her that he will be phasing out his representation of Gold Bar by the end of the summer due to the amount of time, the billing rate, and the type of legal problems Gold Bar has been embroiled in lately. He stated he is a municipal law and land use specialist, not a family law attorney. The City will probably have to go out for Request for Qualifications at the end of the year to select another attorney and will have to pay more than \$100 per hour for services.

STAFF REPORTS

City Clerk Gilleland stated her staff report consists of the memo she sent out with the packet.

Chief Ruchty reported the radar trailer has been out and will be moved around town. He might be able to get a radar trailer that provides additional data and statistics, such as time of day, speed, etc. He also reported that he has contacted the juveniles on 2nd and Lewis regarding their skateboard activities.

COUNCIL COMMENTS

Councilmember Turner thanked staff and citizens who participated in the National Night Out Event. He then asked if the Council could adopt an ordinance providing for a 100 foot barrier away from our City entrance sign and the reader board for the posting of political signs so that people do not think the City is endorsing any specific candidate or issue. Some discussion followed. The Mayor will look into other sign codes.

Councilmember Amenn asked if the City could continue to collect the \$2 added to the water bills when the transfer has been set at zero percent to the emergency reserve fund. City Clerk Gilleland once again explained the situation to Councilmember Amenn. He asked if the Mayor is currently negotiating with any other city for services, specifically Sultan? Mayor Hawkins answered no. He then stated he wants to work with the Council

and Mayor but feels discriminated against and requested reconsideration of the Council's policy regarding contacting the City Attorney.

Councilmember Price commented that he understood that Councilmember Hunt was volunteering in the office and that is the only reason her name was on the Attorney bill. It could have been Hester's name or Cheryl's if they had made the call.

Councilmember Minder congratulated Deputy Upton for the outstanding job he did with National Night Out. He thanked the staff for their hard work. Councilmember Minder commented that in a discussion with a Fire Commissioner, they might reconsider purchasing the station owned by the City.

NEW BUSINESS

PURCHASING INTERLOCALS

Mayor Hawkins provided background to the proposed Interlocal Agreements with the City of Bellevue and the King County Director's Association Purchasing Cooperative for purchasing supplies and services. Staff recommends approving both because it gives the City more options and purchasing power. Neither agreement obligates the City to purchase anything. Councilmember Amenn asked about the overhead charged by the King County agreement. School Superintendent Robinson stated that the organization does provide bargains but you have to watch how the overhead is charged. By motion of Councilmembers Price and Minder, the Mayor was authorized to sign the Interlocal Agreements.

STEVENS PASS MOTEL: SITE PLAN AND VARIANCE

Mayor Hawkins provided background information regarding the proposed project, stating the Planning Commission has held a public hearing and recommends approval of the project and the adoption of the Facts and Findings. City Clerk Gilleland explained that the problem with the headlights and the neighbor has been solved. She then explained the request from the applicant for the City to allow a credit for the Water Capital Improvement Fee and the Transportation Impact Fee in exchange for the applicant replacing the water main in front of the project and making improvements to the adjacent streets as part of the project. Staff recommends approving the credit request.

By motion of Councilmembers Turner and Price, the Council adopted the Facts and Findings for the Stevens Pass Motel project and approved the credit request for the improvement fees in the amount of \$21,785.04.

GATEWAY PARK BID AWARD

Mayor Hawkins provided background information regarding the bids received for the Gateway Park project, both past and present. The City Engineer, Bill Reynolds, was at the meeting to answer any technical questions. City Staff recommends accepting the low bid. Discussion followed. By motion of Councilmembers Minder and Price, Council

awarded the bid to the low bidder, Corstone Contractors, in the amount of \$392,647.40, including sales tax.

OLD BUSINESS

COUNCIL RULES & PROCEDURES (Tabled)

This item remained on the Table.

APPROVAL: SETTLEMENT AGREEMENT -- SAMMAMISH EMAIL CASE

Mayor Hawkins turned the gavel over to Mayor Pro Tem Price to run the meeting during this Agenda Item because it directly relates to her. She left the Chamber. A member of the audience asked if Councilmember Amenn had a conflict of interest in this matter. Councilmember Amenn stated he didn't feel it was a conflict of interest because this matter is within the City's best interest and there was no gain by him. Some discussion followed.

By motion of Councilmembers Turner and Minder, the City Attorney was authorized to sign a stipulation regarding settlement and dismissal of the Gold Bar v. City of Sammamish matter and to accept the non-Sammamish emails of Colleen Hawkins subject to that action in accordance with the terms of the settlement.

Mayor Hawkins returned to the Council Chamber.

CITIZEN COMMENTS/NON-AGENDA ITEMS

Bert McClellan stated he noticed the noise at the May Creek Bridge when cars go over it. It must be hard for the people that live around it. Could the City post signs asking motorists to "Please" go 15 mph on the bridge?

Crystal Hill thanked the Officers for a great National Night Out, the radar trailer, and for talking to the kids about skateboards.

Ray Coleman asked about the Mooring property sale and stated he would like to see a street connecting the Creekside area to the rest of the city or widening of the SR2 shoulder.

Al White thanked the Council for attempting to work together. Mr. White thanked the Police for their efforts, it appears to be slowing people down. He concurred that the bridge is noisy.

Tami Rockman asked about the \$2, the water bill, and the Reserve fund. City Clerk Gilleland explained the mechanics of the reserve, the fees, and other financial information regarding the water billings.

Tracy Cotterill asked about the proposed fence that would close Linda between 3rd and 5th. Mayor Hawkins stated that the Public Works Director is handling that at this time. All entities and neighbors that could be affected by the proposed fence will be contacted. City Clerk Gilleland reported that she is working on it right now during John's absence. There is a road and utility easement on the plat for the property and has a call into the City Attorney about legalities. She will be contacting other utilities and the fire department, etc.

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

ATTEST:

Colleen Hawkins, Mayor

Hester Gilleland, Clerk-Treasurer