

## JOE'S CITY COUNCIL MEETING NOTES TUESDAY JULY 18, 2006

The following are from my notes taken at the council meeting. They are not intended to be minutes of the meeting. Any comment I may have is in *italics*, otherwise the notes reflect what I heard.

Lonn Turner was on vacation, Dorothy had to leave late in the meeting due to an onset of illness. Crystal added an Interim Deputy City Clerk/Treasurer items to the agenda. Robert added an executive session with potential litigation to be acted upon after the session.

### **Mayor, Staff and Council Reports**

The Mayor's report concerned the National Night Out activity. She negotiated a discounted rate for a Rock Climbing Wall and a Bouncy Slide for \$ 1,000. The city had budgeted about \$ 200 for food et al and Crystal wanted to look for private partners for the additional items. The council approved spending an additional \$ 500 if another \$ 500 could be obtained as matching funds. Robert donated his July council salary (\$ 100) to start the ball rolling. The additional funds could be handled as a line item adjustment so no council motion was required.

John Light made a report on speed bumps for 1st Street. He went to WSDOT, MSRC, and Peak Engineering who said there was nothing in the various laws either for or against speed bumps. A 1967 Attorney General report noted that the additional hazard of speed bumps needed to be considered when using them. The people John spoke to suggested traffic tickets as the best way to enforce speed limits. Dorothy Croshaw reported that she had seen racing on 1st Street, driving on the sidewalks, and was told of a maximum 63 mph violation when the speed limit monitor was up. She also asked about the types of bumps and was told they would be the wide ones, not the narrow ones. Richard Norris who lives on 1st Street says people who see the police presence slow down, but the effect does not last long after the police leave. He noted that speed bumps will slow the traffic down. Robert Amenn said he would support speed bumps if they were removable. Crystal asked the City Attorney his opinion and he said the key concerns were if the city had the authority to do this (he said yes) and that it needed to be reviewed by the city's insurance pool at AWC. He wondered about video surveillance of speed, if it was doable. *In the 70's, during an aerospace lull, LTV in Texas came up with a speed measuring camera, an excellent technological solution to automating speeding tickets. They were unable to solve the 30 caliber rifle problem and the program was dropped.* Evidently the AWC will be contacted about this issue. Richard Norris brought up the Bothell solution of a twisted route, with parking in alternate patterns, perpendicular to the traffic flow. There was audience muttering about slalom courses and bumper car adventures.

Jerry Wood mentioned he has a Sno Cone machine that hasn't been started in a long time and might be useful for city functions. Ray Coleman and Joe Beavers volunteered to work with Jerry to see if the machine is operational.

Robert Amenn reported that Donna Murphy will be at City Hall on August 5th, Saturday, 10am-12 noon for a training session on grants. The City Attorney asked if he was supposed to be there (*his contract calls for him to attend all city council meetings*) but was excused for this meeting.

## **Citizen Comments**

Ray Coleman described an occurrence at the bridge next to the Mountain View diner where a bicyclist fell off of his bicycle into the center of the westbound lane. There was traffic across the bridge and, while no adverse conditions occurred, a few seconds difference in things would have resulted in a death.

Lee Gerry noted that 4 cars have been hit on 1st Street and one dog killed, all in the southbound lane. He noted that reducing the speed of cars traveling there is imperative and that Index uses a wide speed bump. He noted that he has driven over that speed bump and that it is effective. Lee also brought up the 7th Street incident where a group of kids hurt an 82 year old woman and a pistol was fired. Crystal said that the incident was under active police investigation and she could not give details. Lee then made a passionate argument for a sidewalk along the bridge next to the Mountain View diner.

Al White suggested that a counter be put on 1st Street in order to get the car count.

Chuck Lie noted that Bellevue makes wide use of speed bumps in their residential streets that have high traffic count. He also thanked the council for the new noise ordinance and asked when it takes effect and how it will be communicated to contractors.

## **Council Meeting**

The second reading of the reduction of the water utility tax was made, reducing the tax from 10% to 6%. It passed on a 3-1 vote. It will go into effect Sep 1st if a City Clerk/Treasurer is available.

Staff contracts were discussed. Robert wanted to require all staff members (future and present) to enter into contracts. Crystal said that would be forcing existing members into a contract. The attorney said there were several issues on contracts, he could give an off the cuff opinion, but it needs study. He said one issue would be liability. Dorothy said that employees are at will and a contract would protect them. She would not force a contract on a current employee. Richard asked what would be the intent of a contract. Would it protect the city, give the employee peace of mind, put the city at liability to perform some duty? He prefers at will employment. Jerry mentioned a job description as part of the contract. Crystal mentioned something about terms of termination. Robert said a contract should include clear severance, not affect at will, set an expectation, list out jobs such as doing minutes and vouchers and research for council. John Light noted that his job description is not the totality of what he does, that the city can't function with pre-specified job descriptions. The attorney said he was not familiar with these sort of things, but could study it. Robert asked about enforcing contracts and the attorney said the council can't take over the Mayor's job. Robert gave an example about a strip of grass in front of a business that had not been mowed. Richard said the

city should get the AWC response first before doing anything else. Crystal noted that the AWC liability pool does not cover liability on contracts. She will contact AWC about whether or not they cover employment contracts.

Crystal then discussed that she has hired a temporary staff member (*Denise*) to split her time between helping the Utility Clerk and the Maintenance Department. While this had been discussed by the council, Crystal noted that it was with the authority of the Mayor to do this on her own. Crystal has an agreement with Christine Yates of Skykomish to come help with the accounting systems about 2 hours every weekend. This would handle the budget issues and get the bills paid. Crystal noted that she was working out how to do this legally, either through a temp agency or else as a direct hire which was the City Attorney's preference. Richard suggested a 90 day term to any contract. Robert asked if we could do this as we did the building inspector contract. The attorney said that this was not a contractor relationship due to the nature of the job, it being under the direct control of the mayor.

### **Citizen Comments**

Burt McClellan said he spent 42 years in electrical construction without a contract, as an at will employee. He said if you write detailed job descriptions you end up in a union-like environment. For example, there is a major break in a water line and the lawn mower person can't fix it because it's not part of his job description. Burt also noted that the fire hall is having a new roof installed at a cost of about \$ 50,000. He just wanted everyone to know that the fire department is taking good care of area facilities.

Leon Skinner noted that Wallace Falls draws 100,000 visitors a year according to the state. He asked when the council will hire more people for the city.

Nan ? of Nuggett Road said her neighbor has very tall weeds in his yard that are a nuisance and a fire hazard. She said of 22 people that live on Nuggett, 11 had made complaints about this. Crystal said there were no codes regulating this, but will check the nuisance ordinances. Nan had photos of the offending yard.

Leon Skinner asked what was the number of cars someone could keep in their yard. John Light said we have a junk car ordinance and offending persons have been notified. However, everything came to a stop with the new attorney who has yet to meet with John on this. Crystal noted that the new attorney does not handle prosecutions as did the previous attorney, so nothing further can be done on this ordinance until an agreement with a prosecuting attorney group can be negotiated. She is working with the County Prosecutors on this, awaiting their response.

Ray Coleman asked about an Eric Adams letter to the city on code enforcement. Crystal said the letter was about fire investigation services which are not handled by the Sheriff and for which the county fire group doesn't have staff.

Joe Beavers discussed his employer which has two distinct divisions, a machine shop and an engineered products group. He noted that job descriptions and procedures work well for the machine shop which does the same operation over and over. However, job descriptions and procedures do not work at all in the dynamic environment of the product group. He then noted that during his volunteering at City Hall he observed a dynamically changing work environment, similar to the product group. In that situation you have to hire good people and treat them well, else they will get hired away by others. He then proceeded to graphically illustrate a job procedure for mowing grass and then entered into a discussion with Robert on project scheduling using spreadsheets. Crystal finally told him to sit down and shut up to the relief of the audience.

Al White then noted you should find qualified people and hire them to work in a broad area. Similar to what Joe had said, but in about 5,000 fewer words.

### **Executive Session**

The council then retired to an executive session with the attorney to discuss taking action on potential litigation. This was a short recess after which Crystal asked the council if they wanted to take action on potential litigation. Richard Norris made a motion to adjourn the meeting and Robert seconded it. It passed.