

**CITY OF SEQUIM
CITY COUNCIL MINUTES
SEQUIM TRANSIT CENTER
190 WEST CEDAR STREET
SEQUIM, WA**

SEPTEMBER 14, 2009

5:00 P.M. STUDY SESSION

United Way Presentation

Jody Moss encouraged Council to continue to fund at least the current level. The County funded \$100,000 last year and may reduce their funding to \$46,000. She suggested changes in the funding criteria for 2010. This may allow for funding additional agencies or issues. Questions have been added to the funding application asking them to define how the poor or infirm are served by their agency.

Susan Lorenzen arrives 5:25 p.m.

Low Impact Development

Associate Planner Joe Irvin reviewed the proposed changes to the low impact development (LID) sections of the code. Hays asked about groundwater monitoring on big box stores. Lefevre stated monitoring wells can be addressed in Title 13. There was discussion concerning providing incentives to use LID. Chapter 18.23 is new and covers sediment and erosion control and clearing and grading permits. Concerning Chapter 18.40, Lefevre asked that Council members provide him with their comments. The Planning Commission will review this ordinance. The Council will then hold a public hearing in October.

6:00 P.M. REGULAR COUNCIL MEETING

Mayor Dubois called the meeting to order.

PLEDGE OF ALLEGIANCE

ROLL CALL

Clerk Kuznek-Reese called roll. Council members present: Laura Dubois, Erik Erichsen, Ken Hays, Bill Huizinga, Susan Lorenzen, and Walt Schubert.

MOTION to excuse Paul McHugh who is on vacation made by Schubert; second by Huizinga. **Carried Unanimously.**

City Staff present: Admin. Service Director Karen Goschen, Clerk Karen Kuznek-Reese, Planning Director Dennis Lefevre, Associate Planner Joe Irvin, Public Works Director Ben

Rankin, Interim City Manager/City Attorney Craig Ritchie, and Police Chief Robert Spinks.

INTRODUCTIONS & CORRESPONDENCE

CEREMONIAL

REPORTS

COMMITTEE, BOARD AND LIAISON SUMMARY

Boys & Girls Club

Schubert reported that first day attendance included 340 kids, 40 teens and 33 kinder kids.

Homelessness Task Force

Hays attended a Homelessness Task Force meeting. He will attend the October 19 homelessness task force meeting in Olympia and report back. The 10-year plan update is complete and should be available showing current homeless counts.

PRTPO

Lorenzen stated there is a PRTPO meeting on Friday and the executive committee meets on October 2. CTS board meeting is next Monday in Forks.

PRESIDING OFFICER REPORT

Mayor Dubois stated she introduced the final Music & Movies in the Park. There were many donors that were thanked at each presentation. She gave a special thank you to Karen Kuznek-Reese and Bobbie Usselman who coordinate the event.

Last year she sponsored an Earth Day and will do so again next year. They will fund this by donations and in-kind services. A small group is partnering with the Sequim Open Aire Market in April. The market will expand to include an Earth day community booth with demonstrations and lectures. It is possible they will have a low carbon emission vehicle show.

CITY MANAGER REPORT

Ritchie reported that Sequim Speaks is having their organizational meeting on September 21. Sharon Delabarre will facilitate.

He advised management meetings will be held every Wednesday. Linda Herzog is using her vacation time so will be on the payroll until Wednesday. She is putting together things she sees as unfinished. The sheriff's office is having difficulty getting DEA approval for the drug take back program. He will be working with the sheriff's office, drug stores and board of pharmacy

to obtain approval through the US Attorney General. This program helps the treatment plant substantially.

INFORMATION/COUNCIL QUESTIONS INVITED

1. Master Licensing Services program with State of Washington Department of Licensing

Kuznek-Reese reported on the Master License Service (MLS) which streamlines the licensing process by enabling businesses to file and receive all required registrations with a single application and fee.

All businesses are required to apply for a Master License and pay a \$15 fee. When they make application, the applicant selects all licenses for which they are applying and indicate which cities they plan to do business paying the appropriate fee.

The state handles all renewals, too. The businesses pay a \$9 processing fee.

There was Council agreement to pursue the partnership with the state.

PUBLIC COMMENTS *(For Items Not on the Agenda – Please limit comments to 3 minutes)*

Don Hall stated when the bypass was put in, the City did trash pickups. Now only 2 or 3 persons are going twice each month from 4-5 p.m. City employees are involved in the pickup. He asked for volunteer assistance. Susan Lorenzen asked to be added to the email list.

Beth Loveridge stated she is on planning committee for the North Olympic Peninsula Farm to Cafeteria Conference. She extended an invitation to Councilors today. The school superintendent supports this program. There were 600 people at a recent conference. Many young people were interested in this subject. There was a presentation on economic benefits. This is sponsored by the RC&D.

Andrew Shogren encouraged Council that OPMA expects that the vast majority of business is done in open session. As you move forward tonight he encouraged that discussions not pertinent in executive session be held in public so public may be allowed to participate and understand what is happening.

PUBLIC HEARINGS-None

CONSENT AGENDA

2. Approve/Acknowledge

- a. City Council Meeting Minutes – August 13, 2009
- b. City Council Meeting Minutes – August 24, 2009
- c. City Council Meeting Minutes – August 31, 2009
- d. City Council Meeting Minutes – September 1, 2009

- e. Claim Voucher recap dated 9/14/09 total payments \$1,253,179.73
- f. Proclamation proclaiming September as American Legion Month
- g. Proclamation proclaiming September 17-23, 2009 as Constitution Week
- h. Interlocal Agreement with Clallam County for hazardous waste event
- i. Resolution No. R-2009-14 Temporarily Closing a Portion of West Sequim Bay Road for Construction of the Pitship Estuary Bridge
- j. Ratify agreement with DOE to accept grant/loan funds for WRF expansion

MOTION to accept Consent Agenda as presented made by Lorenzen; second by Hays.
Carried Unanimously.

UNFINISHED BUSINESS

3. Municipal Court services including budget implications

Ritchie advised he just received the proposed price for services from the District Court. Comparing this with case load, this year may end up being less expensive with the County because of a decrease in civil disobedience. Infractions have dropped making it more cost effective to be with the County. From this point he will analyze the offer and come back with proposals for those services and whether to contract. One option may be to contract with the County in 2010 and reserve an option for municipal court in 2011.

Spinks stated the 53% decrease in infractions is due to budget cuts and loss of full-time officers. Criminal activity has continued to grow.

We have to evaluate the County's offer in conjunction with the City of Port Angeles, who is also looking at the possibility of a municipal court.

4. Relocation of Public Works/Planning Departments

Effective August 31 the current lease at Fifth Avenue goes to 125% of the previous monthly lease rate. Alternatives are to stay, move to Guy Cole, or move to modular units at City Hall with lease or purchase option. Council had previously asked to look at traffic flow and parking issues. At Guy Cole we would change the driveway from the skateboard park and move the BMX track at a cost of \$95,000. City employees would use the parking area at the skateboard park and have a pedestrian walkway. Additional up-fit costs at Guy Cole include minimal renovations such as restriping parking lot, moving and storage costs, coming to \$219,000 over a 5 year period. By putting in a new driveway there would be a five year cost of \$294,000. Council also requested we look at additional upgrades to Guy Cole for use in the future. Staff does not recommend any additional renovations not needed by the Public Works move. We have an environmental assessment being completed. One was completed a couple years ago that showed no environmental concerns. Dubois stated this is an accepted use according to the documents.

Lex Morgan stated 2 of the 3 owners of the Fifth Avenue building have a goal to keep the City as

a tenant. They are open to negotiating. The 125% increase was delineated in the lease agreement and should not have been a surprise. They want to negotiate with the City for something that works for everyone. It has been frustrating to get the communication happening. Who should they negotiate with? Andre Baritelle has been working on this and they understand the City's turmoil, and are willing to work with the City.

Schubert suggests the Public Works Director and City Attorney work together to develop a proposal for the next City Council meeting. Ritchie thinks the negotiations should work through the City Manager and property owners so we don't have to worry about interim issues. We are currently involved in litigation with the property owners who are on our side. We need to get clearance from their attorney to negotiate. We will set up meeting as soon as can.

Pat Johansen thanked Public Works for thinking creatively. She recommends we not sacrifice Guy Cole as it is an asset. The City does nothing to market the property. She has talked about doing community-wide needs assessment about what is needed at Guy Cole. She would be willing to look at obtaining grants. The City should hesitate to confiscate what has been given to the City for a different use. Guy Cole was built and established by the Lions Club and given to the City, as well as the park. It is highly unlikely that any improvements for Public Works would contribute to community use at a later time.

Ron Fairclough has offered to sell his property to the City. He approached Bill Huizinga and it has been difficult to get in touch with anyone. He is willing to rent or lease his property so we can place portables. It is his intention that the city hall remain on the current campus. You should look at the problem of city hall and its location. He would like to sit down and talk with the City Council. He prepared a written statement that was presented to the City Clerk.

Erichsen feels moving to Guy Cole is the least favorable concept.

Goschen explained that the City is facing fiscal difficulties, and we are looking at all possible options to save the General Fund. Money can be used to renovate Guy Cole. Annual savings to the General Fund is \$72,000 in rent. That was why there was a delay in negotiations so we could look at options to help save staff at current levels without having to raise revenues. We will have to look at other options for trying to make up the \$72,000 in rent.

5. Review and discuss Annexation Policy

There was consensus to proceed with the Renton-type annexation policy.

NEW BUSINESS

6. City Manager contract with Vernon Stoner

Ritchie stated there is an executive session to discuss potential litigation. He anticipated it will last 20 minutes. Action is anticipated. The meeting was adjourned to executive session at 7:05 p.m. The meeting was reconvened at 7:27 p.m.

Ritchie stated there have been various newspaper articles with allegations. It is incumbent upon the City to investigate those items. The hiring decision needs to be based on the facts. At the present time, Mr. Stoner would like to address the City Council. Ritchie suggested he conduct an investigation to obtain the facts. Waldron did look at economic records, judgments, criminal records and references. There were no negative results on any of the candidates on those items.

Vernon Stoner apologized for what has been presented in the news media. He has been a public servant for over 30 years. There has never been a finding in those years as to how he has managed and worked in these leadership positions. He was completely surprised about the settlement by the state. He was unaware of the issue. There have been no findings of sexual harassment. He has managed thousands of employees and made those employees happy and pleased with his work. He welcomes a background check and assures there will be no findings related to sexual harassment or how he has presented himself as a public servant.

Schubert asked why Stoner didn't tell the Council more when they met before. Stoner responded that he had a falling out with the commissioner. He did not say he was terminated. The records show he was not given any reason for the termination. He has hired an attorney to find out why. Anytime there is a complaint by an employee, you are obligated to investigate. The report was inconclusive and he didn't feel it was necessary to say anything. It happens in day-to-day operations. He had not done anything inappropriate so he didn't feel it was important. In retrospect he should have. When he left the Insurance Commissioner's Office (OIC), there was no claim filed. He has no knowledge about the employee's status. She was on administrative leave when he left the Commissioner's Office. He was under the impression she was having some personal issues and chose not to come to work.

He left the OIC in mid-April with two months' severance pay. He was still on call and obligated to be available until June 15.

Ritchie indicated he completed as much investigation as possible with the time allowed. There are still some documents missing and he wants to do a background check. He suggests discussing Waldron doing a further investigation on the top 3 candidates.

Mary Bell stated she was one of the interviewers. She would have appreciated knowing Mr. Stoner had a several million dollar claim against the State of Washington.

It was agreed the City Attorney and Waldron would further investigate the matter.

Mayor Dubois announced that this agenda item is continued to 5:00 p.m. on Monday, September 21, 2009.

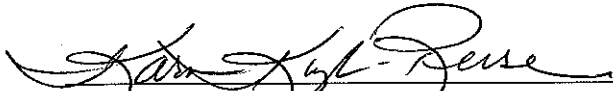
GOOD OF THE ORDER

PUBLIC COMMENTS *(Please limit comments to 3 minutes each)*

NEXT MEETING DATE

Mayor Dubois announced this meeting is continued to September 21 at 5:00 p.m. There will be a study session and regular meeting on September 28, 2009 beginning at 5:00 p.m. and October 12, 2009 at 5:00 p.m.

Respectfully submitted,



Karen Kuznek-Reese, MMC
City Clerk



Laura Dubois
Mayor

Minutes approved at a regular council meeting held on September 28, 2009.