



NORTH BONNEVILLE CITY COUNCIL
Tuesday, February 28, 2012
Minutes

Meeting Call to Order: 7:00 PM

Roll Call

Present: Mayor Don Stevens, Charles Pace, Jerry Arthurs, Mike Baker, Tim Dudley and Jennifer Stratton-Pies

Absent:

Staff Present: Clerk / Treasurer / Administrator John Spencer, Attorney Ken Woodrich

Guests Present

Approximately 13 guests were present, including Tanya Crites and Lisa Roberts from WCIA, Bob Bianchi (Planning Commission Vice-Chair), and Teri Deras (applicant for Planning Commission).

Agenda Changes and Additions

None.

Public Hearings

None.

Consent Agenda

The consent agenda included 2/13/12 Council Minutes and 2/28/12 Vouchers.

- **Councilor Dudley moved to approve the council minutes; 2nd by Councilor Stratton-Pies.**

Councilor Pace – Asked to strike a sentence from the minutes; also asked a couple questions on the vouchers.

Yes: Councilors Pace, Arthurs, Baker, Dudley and Stratton-Pies

No:

Passed 5 - 0

Guest Presentations

Lisa Roberts, Washington Cities Insurance Authority (WCIA) Risk Manager, provided a background on WCIA and a “Do’s and Don’ts” training for councilors on how to avoid putting themselves and the city at risk. Focus topics centered on Quasi-Judicial Decisions, particularly on Land Use, and on: Appearance of Fairness, Siting of Adult Sex Shops, Personnel, Executive Sessions, Acting Beyond Authority (taking matters into their own hands), Attorney-Client Privilege, Spontaneous Remarks/Promises, Electronic Communications; Open Public Meetings Act and Dealing with the Media.

A Question and Answer session followed. Discussion ensued regarding confidentiality of executive session discussions. Ken Woodrich clarified that what is discussed in executive session is confidential while information learned outside of executive session

may be disclosed. Once an issue (such as a property acquisition) is complete, the executive session information may in some cases be disclosed. If there is any uncertainty, council members should contact attorney Ken Woodrich for assistance.

Public Comment

Mary Armantrout – Called for openness and honesty, and read a prepared statement on a variety of issues (attached).

Cheryl Jermann – Reiterated her call for answers regarding payroll issues.

Council Member Comments

Councilor Stratton-Pies – Noted that she missed the last planning meeting. She excused herself at this time from this (2-28) meeting because she felt ill.

Councilor Pace – Thanked the members of the audience for their comments.

Clerk/Treasurer's Report

Presented. John corrected a mistake on building fees in his report. A brief discussion ensued.

Attorney Report

None.

Unfinished Business

Towns-to-Trails Letter of Support

- **Councilor Dudley moved to authorize the mayor to sign the letter of support; 2nd by Councilor Baker.**

Councilor Pace expressed concern about supporting the vision while the vision is not fully spelled out. Discussion ensued.

Yes: Councilor Arthurs, Baker, and Dudley.
No:
Abstain: Councilor Pace
Passed 3 – 0 – 1

Audit Findings

Approval to seek 2011 audit

John provided background, explaining that he would like to seek an early audit of 2011, which should cost in the range of \$8,000, and that he wasn't sure the auditor would actually be able to fit the city into their schedule.

- **Councilor Arthurs moved to approve seeking a 2011 audit; 2nd by Councilor Dudley**

Discussion ensued.

Yes: Councilors Pace, Arthurs, Baker, and Dudley
No:
Passed 4 - 0

Overpaid Employees

Councilor Arthurs said he would like to table the discussion pending more information.

Ken cautioned the council not to say anything that could be used against the city in case of litigation.

Councilor Dudley suggested that this be discussed in executive session.

Councilor Pace said that the information raises questions that he feels should be investigated. He said the Mary Owens may also come to a future council meeting to discuss this issue. Ken asked the council not to respond to any remarks from Ms. Owens for fear that this issue could end in litigation.

Councilor Arthurs asked for clarification on his ability to respond to citizens who ask him about this issue. Discussion ensued.

- **Councilor Arthurs moved to table to the next meeting; 2nd by Councilor Pace**
Yes: Councilors Pace, Arthurs, Baker, and Dudley
No:
Passed 4 - 0

New Business

Planning Commission Appointment – Teri Deras

- **Councilor Arthurs moved to appoint Teresa Deras to the planning commission; 2nd by Councilor Dudley**

Councilor Pace noted that Deras’ application was unanimously recommended by the Planning Commission.

Yes: Councilors Pace, Arthurs, Baker, and Dudley
No:
Passed 4 - 0

Discussion – Travel Policy / Procedures

John explained his concern regarding the ability to pay for travel expenses, particularly hotel reservations, without the ability to use a credit card. Discussion ensued, including suggestions for a pre-paid card, for creating a very detailed travel policy, for pre-approval of credit card expenditures, and for limiting authorization for staff to make travel reservations.

Consensus for John to work on specific rules toward the use of a limited or pre-paid credit card.

Status of Utilities Manager Position

Councilor Pace noted that the 2012 budget anticipated savings by not filling this position. He expressed concern about not having a manager responsible for operations and expressed interest in filling the position.

Ken clarified that the council can discuss only the budgetary aspects of this issue. Councilor Dudley noted that the Mayor can choose whether or not to fill a budgeted position.

Councilor Arthurs asked the mayor to rewrite the job descriptions to remove references to the Council from them.

Discussion ensued.

John suggested holding some budget meetings to discuss and become more familiar with the budget. Councilor Pace suggested tying the first meeting to the 1st quarter financials.

Resolution 440 – Livestock Permit Fees

- **Councilor Arthurs moved to approve Resolution 440; 2nd by Councilor Baker**

Councilor Dudley provided background on this issue.

Councilor Arthurs clarified that the resolution reduces the fee to \$30. He suggested that over a period of years the city would recoup its costs.

Discussion on whether grand-fathered residents should pay the annual fee. Ken explained that imposing the fee on residents with existing livestock would be an “administrative taking,” because this is a land-use issue.

Yes: Councilors Dudley, Baker, and Arthur
No: Councilor Pace
Passed: 3 – 1

Sewer Rates – Peterson Precast

John provided a letter from Mr. Peterson requesting a reduction in his sewer rate. His argument was that much of the water he uses does not enter the sewer system.

John suggested that the council resolve to direct staff to calculate the average sewer rate of small commercial users and to apply this rate to Peterson Precast. Ken clarified the reasons behind John’s suggested resolution.

- **Councilor Dudley moved to give Peterson Precast an adjusted sewer rate based on the average of small commercial customers; 2nd by Councilor Baker.**

Yes: Councilors Dudley, Baker, and Arthur
No:
Passed: 3 – 0
Councilor Pace recused himself from this vote.

Closing Comments

Bob Bianchi – Discussed the history of planning commission work regarding sex shop locations. Mayor Stevens asked the Planning Commission to work on this issue.

Cheryl Jermann – Discussed the Peterson Precast resolution, expressing concern that the issue may be more complicated than it seems.

Paul Lambson – Asked about the source of the new gate in city Hall. Mayor Stevens explained that the library paid for the installation in order to be able to be open outside of city business hours.

Cheryl Jermann – Asked the council to be careful about getting involved in the payroll issue.

Adjournment

- **Councilor Arthurs moved to adjourn; 2nd by Councilor Baker.**
Yes: Councilors Pace, Arthurs, Baker, and Dudley.
No:
Passed 4 – 0

Adjourned 9:23 PM

Mayor

Clerk

MARY CATON ARMANTROUT

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A small community in Massachusetts is doing something local politicians don't do nearly enough. They are being completely straight and honest with the voters. Whether the voters agree or not with the strategies of their leaders, they owe those leaders their thanks and respect. "The officials have treated them like intelligent adults who are capable of understanding the facts, rather than political sheep who need to be shepherded" (Gouviea, *An Inside Look*, 2006).

That is what I call for from our city administration, council, and community. As a citizen, I want truthful information. Blame costs more money than we have. Blame disrupts and breeds distrust. We need to promote responsible stewardship and have a credible review of progress.

MYTHOLOGY OF AN ORGANIZATION

1. Plus of money are somewhere.
2. Some one person, years ago, was able to do everything alone – didn't need extra help, overtime, or new equipment. That person was friendly to everyone, never got tired, never needed a raise, and never made a mistake.
3. We never used to _____ (fill in the blank).
4. Cutting fees, services, and taxes increases our revenue.
5. Commercial development is the only answer to our reduced revenue.

TRUTH FOR CITIZENS

1. It is increasingly clear we cannot make do, and there are significant pressures on the town's budget, and our 2012 budget must be revisited with accurate numbers.
2. Higher costs do NOT always mean inefficiency. Rising costs are a reality.
3. Creativity in solving problems does NOT mean creativity in accounting.
4. Engaging the public in the challenges needs to happen far before elections.
5. A North Bonneville CAN DO reality means we balance expectations with the shared opportunity to work together.