



CITY COUNCIL

Special Meeting
November 5, 2007
Monday, 5:30 P.M.

CALL TO ORDER: Mayor Asay called the special meeting to order at 5:34 P.M.

ROLL CALL: Present were Councilmembers Beaudry, Drotz, Heddlesten, Neal, Sirack and Whalen. Councilmember Borek arrived after the roll call.

Mayor Asay adjourned the meeting to an executive session at 5:35 P.M. to discuss personnel issues and union negotiations and possible litigation for approximately 45 minutes. Possible action to follow.

Regular Meeting
November 5, 2007
Monday, 7:00 P.M.

CALL TO ORDER: Mayor Asay called the special meeting to order at 7:00 P.M.

ROLL CALL: Present were Councilmembers Beaudry, Borek, Drotz, Heddlesten, Neal, Sirack and Whalen.

STAFF PRESENT: Finance Director Pierce, Public Works Director Neal, Sergeant Hamry and Deputy City Clerk Marcelia.

ADDITIONS/DELETIONS:

Mayor Asay added the following: a voucher approval as the first item on the Main Agenda, a MOU between the City and IBEW Local 483 as Agenda Item 6I, and the Waldron Contract as Agenda Item 6J.

CITIZEN PARTICIPATION:

Milton Loflin, 1810 11th Ave., spoke on his ideas of improvements to the stormwater for the future.

Leonard Sanderson, 1201 24th Ave. Ct., commented on the City's website. He believes it's a good tool for the City to communicate with citizens. The City calendar has quite a

few errors though. He suggested eliminating the City calendar. He stated that the Public Meeting Notice is accurate, so the website doesn't need the City calendar.

Bryan Ott, 102 17th Ave. Ct., commented on the City Council approving the payroll of the City. He shared that the payroll doesn't need to be approved by Council and suggested that it be withdrawn from future agendas.

CONSENT AGENDA:

- (A) Minutes: October 8, 2007 Study Session
October 15, 2007 Regular Meeting
October 24, 2007 Special Meeting
- (B) October 20th Payroll: direct deposits, checks and benefits in the amount of \$141,395.69.
- (C) Checks/Vouchers: numbers 14041 – 14160, in the amount of \$378,046.00.
- (D) Set Public Hearing: 2007 Budget Amendment – December 3, 2007 at or about 7:00 P.M.

Councilmember Whalen pulled the October 20th payroll and the checks/vouchers.

Councilmember Beaudry moved to approve the Consent Agenda as amended.
Councilmember Heddlesten seconded. Motion carried 7-0.

(B) Payroll:

Councilmember Whalen doesn't feel comfortable approving payroll and protested the missing supporting documents. Mayor Asay stated that Councilmember Whalen can speak with the Finance Director if he has questions.

Councilmember Beaudry moved to approve the payroll. Councilmember Borek seconded. Motion carried 6-1. (Opposed: Whalen)

(C) Checks/Vouchers:

Councilmember Whalen asked a couple clarifying questions regarding vouchers 14064 and 14068.

Councilmember Beaudry moved to approve the checks and vouchers. Councilmember Borek seconded. Motion carried 7-0.

MAIN AGENDA:

Accounts Payable – LEOFF I Accounts Payable Voucher Approval:

Councilmember Beaudry moved to approve the additional accounts payable voucher.
Councilmember Drotz seconded. Motion carried 7-0.

AB07-067A Public Hearing for 2008 Budget:

Director Pierce introduced this item. Council was provided the 2008 projected revenues. She briefly went over the changes to the property tax, sales tax, and building permits.

Mayor Asay opened the Public Hearing at 7:20 P.M.

Robert MacDonald, 1308 15th Ave., asked clarifying questions regarding the EMS levy. Mayor Asay addressed his questions.

Leonard Sanderson, 1201 24th Ave. Ct., stated that he wanted to see a year-to-date figure for 2007. He commented on the sewer tax. He also commented on numerous permit revenues. He brought up an item in the Finance/Administrative fees for \$5,000; he commented that he wasn't sure what it was for.

Mayor Asay closed the public hearing at 7:24 P.M.

Director Pierce was available for questions. She clarified and gave answers to some of the questions asked by the citizens during the public hearing.

Councilmember Whalen asked if there is a year-to-date revenue for 2007. Director Pierce stated that it will be available soon. He also brought up the building economy and asked how much is reflected in the general fund revenue, in regards to building. Mayor Asay and Director Pierce addressed his question.

AB07-120 Property Tax Ordinances, Ordinance 1709-07, Ordinance 1710-07:

Director Pierce briefly shared some information regarding the two ordinances she brought before Council.

Councilmember Beaudry stated that he doesn't have a problem with passing the ordinance regarding the 1%, versus taking it to a study session.

Councilmember Beaudry moved to adopt Ordinance 1709-07, fixing and certifying to the Pierce County Assessor and King County Assessor the amount of tax levies for properties located in Pierce and King County for the year 2008. Councilmember Drotz seconded. Motion carried 7-0.

Councilmember Beaudry moved to adopt Ordinance 1710-07, approving an increase in the regular property tax levy for 2008 as approved by voters in August 2007 for EMS services. Councilmember Drotz seconded. Motion carried 7-0.

Councilmember Borek asked a question regarding the permit revenues. Director Pierce addressed his question.

Councilmember Whalen commented that the building is slowing down, which will give the utilities a chance to catch up.

AB07-121 Release of Utility Easement, Resolution 07-17xx:

Director Neal expressed that a citizen has completed all the requirements of the City of Milton for his short plat. It was discovered that a portion of vacated right-of-way was retained in its entirety as an easement, which is in conflict with the area that is needed for the proposed new home. There was a mistake made; Council vacated the land in 2001 but it was recorded wrong – as an easement across the entire vacated portion of Hemlock Street instead of 15 feet of Hemlock Street being retained for a utility easement.

The City Attorney recommends that a public hearing take place.

Director Neal asked the Council to set a public hearing for December 3, 2007.

Councilmember Drotz moved to set a public hearing for December 3, 2007 at approximately 7:00 P.M. to discuss surplusizing the property as appropriate by law. Councilmember Beaudry seconded.

Councilmember Neal asked if Mr. Linden will be affected by this.

Mr. Linden stated that it's been about six years, so one more month won't make too much of a difference.

Hearing no further discussion, Mayor Asay called for the vote. Motion carried 7-0.

AB07-122 2007 King County Community and Human Services Contract:

Mayor Asay stated that the grant would be used for an improved sound system and new tables and chairs for the Activity Center.

Councilmember Sirack moved to authorize the Mayor to enter into a contract with King County for the purpose of obtaining a \$5,000 grant to cover the cost of updating equipment in the Milton Activity Center. Councilmember Whalen seconded. Motion carried 7-0.

AB07-123 Department of Retirement Systems – Deferred Compensation Program, Resolution 07-1730:

Councilmember Beaudry moved that Resolution 07-1730, allowing City of Milton employees to participate in the DRS Deferred Compensation Program, be approved. Councilmember Sirack seconded.

Councilmember Heddlesten asked if there would be a fiscal impact on the City. Mayor Asay stated that the only impact it will have on the City is the minimal time that will be spent on the set-up.

Hearing no further discussion, Mayor Asay called for the vote. Motion carried 7-0.

AB07-124 Public Defender Contract:

Director Pierce stated that the judge has asked that the public defender be available for more than one day a month. As of January 1, 2008, court days will be held on Tuesdays. With that, the public defender has been asked to come two days a month. They asked if

they could adjust their fees. To be fair to the public defender, as well as the City, we put out an RFP. The current public defender was the only one who responded to the RFP.

Councilmember Whalen asked if there is enough money budgeted to support this contract. Director Pierce stated that additional money was budgeted.

Councilmember Sirack moved to approve the Mayor sign the contract with Stewart Beall MacNichols & Harmell, Inc., P.S. to serve as the City Public Defender. Councilmember Beaudry seconded. Motion carried 7-0.

AB07-116A Update David Papandrew's Contract:

Per Council's request, Director Pierce met with Mr. Papandrew regarding changes to his contract with the City. She requested that Council approve the change of scope for the remainder of the current contract as well as approve the 20 hours a week contract.

Councilmember Heddlesten asked how many hours would be needed to have an individual work for the City. Mayor Asay stated that Mr. Papandrew would only be doing the financials. Councilmember Heddlesten asked if the City's needs would be met by someone working 20 hours a week – or do we need someone who will be available to work more than 20 hours.

Councilmember Neal asked if hiring a bookkeeper would be beneficial. Director Pierce stated that she'd rather be on-call than the City hire a bookkeeper.

Councilmember Beaudry asked a clarifying question regarding Mr. Papandrew's initial contract and what it entails.

Councilmember Borek moved to approve changing the scope of work currently being performed by David Papandrew to allow him to provide assistance to the Finance Department for the remainder of the current year and through March 2008 or until his originally agreed upon hours have been used up. Councilmember Sirack seconded.

Councilmember Whalen asked what Mr. Papandrew has been working on. Director Pierce stated that he has been preparing the regular cash basis financial statements for the entire City. Councilmember Whalen shared his concern regarding the amount of money the City is spending, trying to recover from the redirection of staff to other City priorities as identified by the City. (i.e. staff working on the parade & picnic, historical information, etc.).

Mayor Asay stated that it was her decision to pull Jana King away from her Finance duties during the centennial celebration – it was not Director Pierce's decision.

Councilmember Heddlesten commented that having a joint Finance Director/City Clerk isn't working. He stated that separating the positions will benefit the productivity of the City.

Leonard Sanderson, 1201 24th Ave. Ct., shared his thoughts on the issue.

Councilmember Beaudry pointed out that, for the first time in the City's history, the City passed its audit with no findings, letters or corrections to be made.

Hearing no further discussion, Mayor Asay called for the vote. Motion carried 6-1.
(Opposed: Heddlesten)

Councilmember Sirack asked if the second part of the contract could be brought to the next study session.

Councilmember Borek moved to authorize the Mayor to sign a contract with David Papandrew, CPA PS, to provide professional services during the period of the Finance Director's maternity leave (approximately March 15, 2008 through June 15, 2008). The motion died for a lack of a second.

Councilmember Drotz asked for a list of what Mr. Papandrew's duties will be and would be while Director Pierce is on maternity leave. Director Pierce stated that he'll be working on the bank reconciliation and a financial analysis.

Councilmember Beaudry stated that anyone we hire to fill the position is going to cost us at least as much as Mr. Papandrew will. Beaudry share that if Director Pierce believes Mr. Papandrew can accomplish what needs to be done in a 20 hour workweek, he'll support her and her recommendation.

Councilmember Drotz moved to authorize the Mayor to sign a contract with David Papandrew, CPA PS, to provide professional services during the period of the Finance Director's maternity leave (approximately March 15, 2008 through June 15, 2008). Councilmember Borek seconded.

Councilmember Heddlesten asked if the contract would have the details of the responsibilities of Mr. Papandrew as well as how much time will be devoted. Director Pierce stated that it will be our standard City contract and it does come with a scope of work. Councilmember Heddlesten asked if it has an escape clause. Director Pierce answered that it does.

Hearing no further discussion, Mayor Asay called for the vote. Motion carried 6-1
(Opposed: Whalen)

AB07-125 Telephone and Internet Service Upgrade:

The partial T-1 service that the City currently has is not adequate to support the number of City employees. Combining our voice and data services on a new billing bundle will upgrade the City's service and save money.

Councilmember Borek moved to authorize the Mayor to sign the agreement with Eschelon to upgrade the telephone and internet service from a fraction T-1 to a full T-1 service. Councilmember Heddlesten seconded.

Leonard Sanderson, 1201 24th Ave. Ct., asked what change allowed us to get a full T-1 for less money.

Director Pierce answered by saying that when the partial T-1 was installed, it was installed in a way that it could easily be converted to a full T-1.

Hearing no further discussion, Mayor Asay called for the vote. Motion carried 7-0.

MOU between the City and IBEW Local 483:

Mayor Asay shared a Memorandum of Understanding between the City and IBEW Local 483.

Councilmember Sirack moved to authorize the Mayor to sign the MOU, an amendment of the agreement between the City of Milton and IBEW Local 483 regarding compensation concerning the administrative staff. Councilmember Beaudry seconded. Motion carried 7-0.

Waldron & Company Contract:

Mayor Asay stated that the City has advertised for a City Administrator but hasn't received any qualified applicants.

Councilmember Drotz moved to authorize the Mayor to enter into a contract with Waldron & Company for the purpose of a City Administrator search. Councilmember Sirack seconded.

Councilmember Whalen asked what the expenses will be. Mayor Asay stated that it will depend on how much advertising they do.

Hearing no further discussion, Mayor Asay called for the vote. Motion carried 7-0.

Councilmember Borek moved to raise the salary for the City Administrator to a range of \$6,000 - \$9,000/month. Councilmember Beaudry seconded.

Jacquelyn Whalen, 1605 13th Ave., asked if a City Administrator is still needed. Mayor Asay stated that there was a revaluation when the ordinance came forward to make the position permanent.

Hearing no further discussion, Mayor Asay called for the vote. Motion carried 5-2.
(Opposed: Sirack and Heddlesten)

COUNCIL REPORTS:

Councilmember Sirack: asked about the reader board. Director Neal stated that it will be installed on Wednesday or Thursday this week. She also asked about the sound system. Mayor Asay state that the bid process has been started.

Councilmember Whalen: PCRC provided the final recommendations for affordable housing. He requested that council be provided the Planning Commission information as related to the Aerie Crest Plat. Mayor Asay stated that the information will be provided as the Attorney recommends.

Councilmember Heddlesten: asked Director Neal about her report regarding roadside planter strips: he thought the maintenance of those strips were the responsibility of the property owners. Director Neal clarified what she was referring to in her report. He commented on the computer use policy. He informed Council that November 16th is *Supporting Military Kids – Day of Awareness* and encouraged Council to support this.

Councilmember Neal: invited everyone to the Third Annual Veteran's Dinner, hosted by Band of Brothers, on November 10th at 5:00 P.M. Tickets can be picked up at Faith Family Church.

Councilmember Beaudry: wished all of the candidates luck in tomorrow's election.

MAYOR'S REPORT:

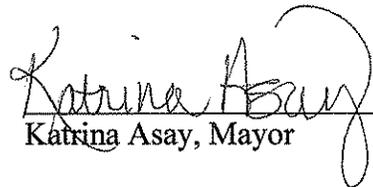
The study session will be on Tuesday, November 13th due to the Veteran's Day holiday.

December 1st is Milton's Christmas Tree Lighting and volunteers are needed.

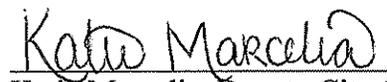
ADJOURNMENT:

Councilmember Beaudry moved to adjourn. Councilmember Borek seconded. Motion carried 7-0.

The meeting was adjourned at 8:48 P.M.


Katrina Asay, Mayor

ATTEST:


Katie Marcelia, Deputy City Clerk