

CITY OF WINLOCK

CITY COUNCIL

Council Meeting – 6:30 p.m.

January 13, 2020

1. CALL TO ORDER

Mayor Bradshaw called the meeting to order at 6:30 p.m.

2. DETERMINATION OF QUORUM

Council Members Present: Brandon Svenson, Eric Contreras, Lonnie Dowell and Anne Randt

Employees Present: Penny Jo Haney, Deputy Clerk and Sam Satterfield, City Attorney

3. FLAG SALUTE

Sam Satterfield led the flag salute.

4. APPROVAL OF AGENDA

Mayor Bradshaw stated that the Agenda would need to be amended to delete item two (2) regarding the public update for the Water System Plan has been postponed.

Councilor Randt asked to amend the Agenda to add item number two (2) to amend the 2020 budget for Council discussion and action.

Mayor Bradshaw stated that he thought it was made clear that there would not be any last-minute adjustments to the Agenda.

Councilor Randt stated that she was not aware of it.

Mayor Bradshaw stated that it was a ruling and if she would like to change that it would need to be put on the Agenda for the next meeting.

Councilor Svenson seconded Councilor Randt's motion.

Mr. Satterfield explained that the item could be added to the Agenda for discussion, but no action can be taken at this evening's meeting.

Motion carried.

Councilor Svenson made a motion to amend the Agenda to add exploring other options for Winlock Municipal Court.

Mayor Bradshaw stated that it would have to be placed on the next Agenda.

Councilor Svenson asked why.

Mayor Bradshaw stated, "We agreed that there would not be any ambushes in here."

Councilor Svenson stated it was for discussion.

Mayor Bradshaw stated that he might be ready to discuss it, but the rest of the people might not be ready to discuss it.

Councilor Svenson stated that they can take a vote on it and if the others do not feel fully informed to discuss it then they won't.

Mr. Satterfield stated that they can discuss the issue, but no action can be taken at this meeting.

Councilor Contreras seconded the motion, motion carried.

Councilor Contreras made a motion to amend the Agenda for the resignation of Connie Sneed.

Mayor Bradshaw stated that he was informed today that Councilor Sneed had officially resigned. He explained what had come up at the last meeting about her posting her intentions in a private message and was not an official resignation. He stated that when he had spoken with her before she said that she did not resign; however, today he received an official resignation from Councilor Sneed.

Councilor Contreras made a motion to amend the Agenda to include the resignation of Connie Sneed, the resignation of Erin Hillier and the resignation of Theda Curry.

Mayor Bradshaw stated that the resignation of Theda (Tedi) Curry had been dealt with. He did not accept the resignation and Ms. Curry and that she was still gainfully employed by the City of Winlock. Connie Sneed simply said that she cannot take the harassment anymore and she resigned.

Councilor Svenson seconded the motion, motion carried.

Mr. Satterfield stated that the open Council seat needed to make a notice to fill the position. As far as Ms. Curry's resignation for discussion...

Councilor Contreras stated, "And accepting the resignations of all three. All three of them said they would resign, correct? It has been brought up. It needs to be discussed and/or voted on."

Mr. Satterfield stated that if the Council wants to add it to put it on the record that is something that Council can deal with or ask questions on.

Councilor Dowell stated that they can only discuss it but cannot take action. Accepting a resignation would be taking action because there has not been twenty-four (24) hours notification.

Councilor Dowell made a motion to approve the Agenda as amended, Councilor Contreras seconded, motion carried.

5. EXECUTIVE SESSION-POTENTIAL LITIGATION – RCW 42.30.110

Mayor Bradshaw recessed the Regular Council Meeting for fifteen (15) minutes at 6:38 p.m. for Executive Session pertaining to potential litigation.

It was announced at 6:53 that the Executive Session would take an additional 15 minutes.

The Mayor and Council returned to the Council Chambers at 7:08 p.m.

Mayor Bradshaw reopened the Regular Council Meeting.

6. OLD BUSINESS

Mayor Bradshaw stated that the old business items were added to the Agenda.

Councilor Randt stated that she had some old business to discuss. She stated that at the December 23, 2019 meeting she had asked for the cost of the audio and video coverage of council meetings through AVCaptureall. She thanked Penny Jo Haney for getting the information to her. She stated that also at the meeting on December 23, 2019 that she and Councilor Contreras asked for a copy of the contingency to hire letter to be in the Council packet this evening. She stated that she did not receive a copy in her packet. Councilor Contreras stated that he did not receive a copy as well.

Ms. Haney asked who the contingency letter was for.

Councilor Contreras stated any new hires.

Councilor Randt stated, "I would like to see the contingency to hire letter for all new hires in 2019."

Ms. Haney stated that the contingency letters are primarily for the Police Department, or you are hiring them based on the completion of certain items. Typically, if you are hiring for other positions you just have a letter of offer. Councilor Randt stated that she would like a copy of that.

7. MAYOR COMMENTS

Mayor Bradshaw stated, "I will try to keep this civil. I understand that the new Council wants to make severe changes. They wish to get rid of the court. They wish to get rid of the Police Department. They wish to get rid of the Community Development Department. I think this is counterproductive. When I ran for office the big things that people wanted me to do and asked me to do was to return our Police Department, get the building out at Grand Prairie from stalling, get the freeway project un-stalled and get utilities out there. We have done that. We have fully funded Mickelsen Parkway for this spring. That will be going in and that will allow other projects to go forward. We have two (2) that are on the front burner that will happen. My answer to that is that there is no other City that you do for us what we can do for ourselves better. Our Police Department has reduced crime by one third. We now have enough money to hire a third officer, which will increase our patrol time. I think that is what the whole objective was." He stated that two (2) years ago he told people he would have two (2) officers in the first year and would have three (3) by the first of this year. He stated that going to a City half the size of Winlock to take care of law enforcement was foolish when it was done and would be foolish to do it again. "It was not cost affective."

Councilor Svenson stated, "Actually it was a lot more cost effective."

Mayor Bradshaw stated that there is nothing that we should give away, and that our City assets belong to us. We are a sovereign City. We are fully capable of supporting ourselves, growing ourselves and policing ourselves. He stated there is no reason for the City to give away its assets.

8. COUNCIL COMMENTS

Councilor Randt asked if she could make some statements that she would like to read from a script not provided to the rest of the Council or the Mayor.

"This my personal opinion and observation in the two (2) years that I have been on Council. The Council Meeting on December 23, 2019 was a disaster because there was no professionalism by the Mayor, City staff and a Council Member. This disruption was not caused by the newly elected Council Members as indicated in the Chronicle. In my opinion the use of vulgar language and telling citizens to shut up was not necessary. Everyone needs to remember that you are representing the City of Winlock and should conduct yourselves as adults by showing respect to the citizens and Council Members. The Mayor, City office staff and Council all need to work together with the volunteer organizations in our community. I am speaking of the Lions, Lioness Club, Small Acts of Kindness, the WIN Group, the Winolequa Garden Club and the VFW. Please forgive me if I have not included and left someone out. During the last two (2) years, let's review a few endeavors from the Mayor, City Hall and previous Council Members. The loss of the Toledo Winlock Police Department coverage, a lawsuit that ended in a settlement against the City insurance, the Mayor terminating the lease agreement between the City and the Lions Club because he wanted this to happen to the City, which is now costing the citizens approximately forty five hundred dollars per year. Other organizations have also moved their meetings to

another location. Nothing in the previous Council Minutes confirm that this was brought before the Council for open discussion and approval. The Mayor spending several thousand dollars in remodeling the Community Building. Unless this was done during the previous administration, this was never brought before the Council in an open meeting for deliberation and approval by the Council. No facts indicated in the 2018 and 2019 Council Minutes for any approval. Prior to this construction, was a building remodeling permit issued? The WIN group in an attempt to revitalize the downtown corridor, the Small Acts of Kindness attempting to sponsor a fundraiser for a local family and the Winolequa Garden Club in attempting to raise funds for local students' scholarships. These organizations all appear to have met with difficulties from the City Hall. I would like to see the Mayor Protem select one other Council Member to meet with these a representative each of the City's volunteer organizations and business owners for their input and discussion on how the Council can better help these organizations and businesses so that we can move forward in a positive manner. Now let's take a look at the Park Board. Beginning in 2018 I have attended the Winlock Park Board monthly meetings. In the December 9, 2019 Council Minutes, a Park Board representative stated a position was open on the Park Board. On January 8, 2020 the Park Board Chairperson submitted her resignation along with another member stating that she was also resigning. Later in the evening, I received a message that another member was resigning. These hard-working conscious volunteers for the last three years will definitely be hard to replace. I find it sad that they had to resign due to a lack of cooperation from the Mayor, City staff and Council Members. As one volunteer member stated, the Park Board Members gave and gave of their time with little help from the Mayor, City staff and Council. Another statement by a Park Board Member refused to speak out in fear of retaliation. The Mayor had made the statement that entered in the Comp. Plan the Park Department would need to rely on grants and donations for monies to operate. In order to be eligible to receive most grants, a contribution to a project is required by providing cash or in-kind contributions up to fifty percent (50%) of the project costs. We cannot rely on grants and donations to operate the Park Department in the future. The Park Department was advised by the insurance company the playground equipment is out of date and needs to be replaced. Again, no help from City Hall. The Mayor asked the Park Board to obtain bids on security cameras for the Parks. After obtaining the bids, a Board Member spoke at a Council Meeting about the camera bids and was told by the Mayor that he would purchase the cameras elsewhere and he would not consider the Park Board recommendations. The City Clerk, on several occasions, had been asked for financial statements for the Park Department. As of January 8, 2020, board minutes indicate that there is no information available. The skate park, after many hours of hard work and upgrading by volunteers, it is now the responsibility the city for cleaning, opening and locking the gate to help prevent vandalism. The gate at the skate park has not been locked nor has the garbage been removed from the skate park and the or uptown Volunteer Park as of January 8, 2020. This should not be the Park Board Member duties. Our citizens and business owners are being contently asked for donations. This puts a burden on them. In my opinion it is time for Council to step up and take control of the Park Department and help the volunteers. Next is the Planning Commission. The Mayor has removed several Planning Commission Members for speaking out on issues when they did not agree with the Mayor or Community Development Administrator. The Mayor removed a respected architect with many years of experience who could have and should have been allowed to retain his seat. Another member of the Planning Commission stood in front of this Council making accusations

making offensive statements against the Council and a Winlock business. That was not true. Another individual recently appointed with no experience lost her bid for a City Council position in the last election. These Planning Commission Members appointed by the Mayor should also understand speaking in front of open mics at the start of a meeting should not be holding a gossip session. A number of citizens outside of Lewis County also listens to what is taking place in Winlock. After I listened on AVCapture on the January 6, 2020 meeting a recorded statement by these individuals appointed by the Mayor it is apparent that they have no experience in building construction and development. Wanting to remove statements of a 6/12 pitch roofs and structures stated who cares if they have a flat roof or to possible removing landscape buffers. Before changing the Winlock Development Code, I would certainly hope someone with experience would research the current building codes SBCC and IBC for c compliance prior to removal or adding any language to this legal document. Mr. Mayor, I have a copy of these documents if you would kindly deliver the information to the individuals for a start on their research. As far as the 2020 Winlock Budget approved by the previous Council Members, the projection for revenues does not appear to be realistic. It appears that the Mayor will be spending money before it is received. What happens when the Mayor has already spent the money? The City Clerk previously stated we do a budget amendment. Why? In my opinion that is like writing a check with no money in the bank. You can't spend projected money you are hoping to receive before you get it. I would like to recommend that the Mayor Protem and one Council Member selected by him, schedule an appointment to meet with the Teamsters Local 252 Union rep for discussion of the Collective Bargaining Agreement and report back to the Council. Does anyone believe this is in the best interest of Winlock? Mr. Mayor, with all due respect, I have no confidence in your ability to lead our City without dividing it. Dividing and conquering works with the Military but not our community." Mayor Bradshaw stated that he would address some of the remarks.

Councilor Svenson stated, "These are Council comments, does anybody have anything else to say?" He stated that Councilor Randt's comments were stated well. He stated that he is just disgusted at this point. He stated that a lot of citizens in the City take time out of their lives on a daily basis to make Winlock better. He stated that they cannot work with the current governmental situation that they now have. He stated that it is the volunteers in the community that make the community and not the government. "I believe that government is a necessary evil. It needs to be kept small and provide only the services that we absolutely have to have."

Mayor Bradshaw stated that Sally Vogel and Tami resigned because they could not take what was going on with this particular Council. Councilor Svenson stated, "You are a liar and a coward."

Mayor Bradshaw stated that Sally told him that we have gotten more done under this administration than has been done in the last ten (10) years. "She told me that personally. I know that she was fed up with the frustration with the arguments like a lot of citizens are. I know that I am." He explained that the money that was spent on the Community Building was funded by a private grant for the specific purpose of what was done. He stated that as far as the Lions Club taking back the lease on the Community Building was improper.

Heated discussion ensued between Mayor Bradshaw, Viola Rowton and Councilor Svenson. The Mayor chose to not discuss the issues further due to the disruption.

9. STAFF REPORTS

a. Water Sewer Billing Report – Penny Jo Haney

Ms. Haney provided a written report to the Council. She stated that she did add information regarding permitting for the years 2018, 2019 and 2020.

Councilor Randt asked what the effective date for the sewer rates is.

Ms. Haney stated that the new rates would start on January 1, 2020 and will be reflected in the next bill for the months of January and February.

b. Water Sewer Update and Request for Fund

Rodney Cecil provided a written report and information regarding a request for funds to the Council. He asked if there were any questions regarding the information that he had provided.

Councilor Randt asked what the cost would be for the proposed valve replacement program.

Mr. Cecil explained that the cost would vary depending on each individual valve. He explained that the valves have not been exercised in many years and when he attempts to exercise them it breaks the stem. The price could range between three thousand to six or seven thousand depending on which valve breaks. He stated that he allocated fifteen thousand dollars in his budget to update equipment. He stated that the recent wastewater treatment plant upgrades were effective in reducing the inflow and infiltration during the heavy rain that we experienced over the last few days. He stated that the thickening process was also upgraded which has always been a problem and that it is working as it should be now. The new well that Cardinal is responsible for installing and connecting to the existing water lines will be done in June or July of 2020.

Councilor Svenson asked if there would be any reserves and if a reservoir would be built.

Mr. Cecil explained that there would not be a new reservoir; however, when Benaroya builds in the industrial park, they will be responsible to build a reservoir. He explained that there is sufficient storage right now to do what needs to be done.

Councilor Svenson asked if additional hookups are contingent on getting the new well completed.

Mr. Cecil stated that it is included in the Water System Plan to the best of his knowledge. He stated that when the Water System Plan is approved by Council it will add an additional two hundred fifty (250) hookups.

Councilor Svenson asked how many connections exist now.

Mr. Cecil stated that we currently have six hundred forty-five (645) and are using six hundred forty-three (643) or six hundred forty-four (644) at this time.

Councilor Svenson asked, "So with these fifty (50) houses that we are supposedly going to build this year, how are we going to do that?"

Mr. Cecil stated that it would take fifty (50) out of the additional two hundred fifty (250).

Councilor Svenson asked, "When do we get the two hundred fifty (250)?"

Mr. Cecil stated that as soon as the Council approves the plan the additional hookups will be available. He stated that it will probably be in the next thirty (30) days. He stated that the waterlines out to the freeway with the fire hydrants have been tested.

Councilor Randt asked if they have been charged.

Mr. Cecil stated that would keep the Council updated on the progress.

10. PARK BOARD UPDATE

Holly Orbino, Park Representative updated the Council on a) Jeff Skutley just done with site plans for Volunteer Park for application for grants; b) commercial coffee pot and refrigerator not working; c) tool shed needs to be inventoried before new caretaker is in place, and Park Board wants to know status of caretaker; d) are cameras working?

Mayor Bradshaw stated that the caretaker situation hasn't been resolved, and he is appointing the Public Works Superintendent as the interim caretaker until resolved. The cameras are not working yet because although there is internet at the park, it has not been turned on.

Ms. Orbino read a resignation letter dated January 12, 2020 from Park Board Chair, Sally Vogel, and a resignation letter from herself dated January 13, 2020.

11. PUBLIC COMMENT ON NON-AGENDA ITEMS

Aisha Bayness the new Winlock Timberland Library Manager. She has worked here for the past three (3) years and wanted to introduce herself.

12. CONSENT AGENDA

- 1. Approval of Vouchers Open Period 2019 - \$19,391.27**
- 2. Approval of Vouchers 2020 - \$181,001.75**
- 3. Approval of Council Minutes Held on December 09, 2019**

Councilor Dowell motioned to approve the consent agenda items: Vouchers for Open Period 2019 for \$19,391.27; Vouchers 2020 for \$181,001.75 and Council Minutes December 9, 2019, seconded by Councilor Randt, motioned carried unanimously.

13. AGENDA

1. Amy Smith, Public Records –

Ms. Smith stated that based on information being requested from staff at city hall to the health department, she put in a public records request to the City and the County. The result as she alleged showed that there was information withheld from what the City provided vs. what she received from the County Health Department. Several of the emails to the Health Department were from personal emails from staff

Note: This item Water System Plan Update by Gray & Osborne was replaced with the 2020 Budget.

2. 2020 Budget for Discussion

After some discussion ***Councilor Svenson motioned to Table this item until the next meeting, seconded by Councilor Contreras, motion carried unanimously.***

3. Cardinal Float Glass Agreement

Mayor Bradshaw stated that this item had already been dealt with previously by Rodney Cecil.

4. Annual Interlocal Agreement with Lewis County for VPN Services

Mayor Bradshaw stated that this was the annual tech support agreement with the County for Virtual Private Network (VPN) for Spillman reporting services and 911 ***Councilor Dowell motioned to approve the Interlocal Agreement with the County for VPN, seconded by Councilor Svenson, motion carried unanimously.***

5. Dangerous Tree Removal Quotes

Mayor Bradshaw this issue was regarding trees up on NE Second that are a hazard. However, with it being a rainy season removal of them at this time could cause slides. He recommends that we hold off until it dries out. ***Councilor Randt motioned to Table this issue until quote is received from Paul's Tree Service, seconded by Councilor Svenson, motion carried unanimously.***

6. Municipal Courts for Discussion

Councilor Svenson stated that he'd like to explore other options for Court services primarily based on cost effectiveness. Mayor Bradshaw said that we'd looked into before and to go to District Lewis County it would be more expensive. Councilor Dowell asked that since Vader Court has pulled out of Winlock, could we not get current costs from the County?

Sam Satterfield, Attorney suggested that Winlock make formal requests for quotes to other cities who run their own courts, and to the County. Councilor Svenson said that he would

talk to Napavine about the issue, and the Mayor said he would ask Ms. Hillier to make a request to the County. ***Councilor Svenson motioned to direct the City to solicit formal quotes for Court services and to table this further until quotes were received, seconded by Councilor Randt, motion carried unanimously.***

Debbie Kenoyer from Vader asked to speak to find out what was going on for the people in Vader whose cases were being held up in Winlock, and what would happen to them if Winlock moved their Court? Mr. Satterfield explained to her that folks would need to contact Vader or District Court. Councilor Contreras asked Penny Jo what she knew of this. Ms. Haney explained that Winlock had been directed to no longer accept payments, etc. since Vader had cancelled their contract with Winlock. Ms. Kenoyer asked who had directed Winlock to do that, and Ms. Haney said that the Court Judge advised us of this, and someone else on the Council stated that the same Judge had served in Vader as well.

7. Council Position Number #4 for Discussion

Mayor Bradshaw stated that he'd received Connie Sneed's resignation letter today, and that *he accepted her resignation. After brief discussion, Councilor Dowell motioned to advertise for Council Position #4 with a closing date of February 10, 2020 with interviews and appointment on February 24, 2020, seconded by Councilor Contreras, motion carried unanimously.*

8. Resignation of the Clerk Treasurer

Mr. Satterfield stated that given that Ms. Curry made a verbal statement of resignation during a meeting, the Council might want to allow further discussion on this since the Union will be involved in this.

After discussion and sensitivity of the issues ***Councilor Svenson motioned to Table this until the next meeting, seconded by Councilor Contreras, motion passed unanimously.***

9. City Attorney Resignation

Mr. Satterfield stated that their firm submitted their letter of resignation December 23, 2019, giving a 90-day notice. Mayor Bradshaw stated that we were working on a list of qualifications that would go out to other firms for bid and consideration.

14. CORRESPONDENCE – Park Board Minutes from December 4, 2019, Park Board Minutes from January 8, 2020, Letters from Hillier, Scheibmeir and Kelly Regarding Trespass Legality, Public Notice of Lewis County Strategic Planning.

Councilor Svenson motioned to adjourn, seconded by Councilor Dowell, motion passed unanimously and adjourned at 9:03 pm

I

Brandon Svenson, Mayor

Attest:

Penny Jo Haney for Tedi Curry, Clerk/Treasurer

Note: For audio details of the meetings please visit www.avcaptureall.com