



NAPAVINE CITY COUNCIL MINUTES
Special Meeting March 14, 2017, 6:00 PM
City Hall 407 Birch Ave SW, Napavine, WA

CALL TO ORDER: Mayor Sayers led the flag salute and called the special meeting to order at 6 p.m. The purpose of this special meeting is to appoint the two vacant council positions.

ROLL CALL: Present were Scott Hamilton, Shawn O'Neill and Jim Haslett.

PUBLISHED

AGENDA: Councilor Hamilton moved to approve the agenda as published. Councilor Haslett asked to amend the agenda; appoint Mayor Pro-Tem, legal issues, hiring freeze and salary increases, Councilor suggested to add Items for Council Consideration, Haslett agreed, second by Councilor O'Neill, passed unanimously.

CONSENT/APPROVAL AGENDA:

VACANT COUNCIL

APPOINTMENTS: Motion by Councilor Haslett to appoint Larry Stafford and Mike Wood for the vacant positions, Councilor Hamilton move to interview the applicants as was done in the past to appoint, second by Councilor Haslett. Both applicants were interviewed by the Councilors. Larry Stafford, 235 E. View Street, lived here since 1990 and Mike Wood, 426 Stadium Court. Councilor Haslett move to appoint Mike Wood to Council Position #1, and Larry Stafford to Council Position #2 second by Councilor O'Neill, Councilor Hamilton called to question, motion passed unanimously.

City Attorney Erin Hillier administered the Oath of Office to Mike Wood, Council Position #1 and Larry Stafford to Council Position #2.

ITEMS FOR COUNCIL CONSIDERATION: Mayor stated he will allow Councilor to discuss items that was mentioned earlier.

APPOINTMENT MAYOR

PRO-TEM: Councilor Haslett move to nominate Councilor Hamilton, second by Councilor Wood, motion passed unanimously.

APPOINTMENT OF

CITY ATTORNEY: Councilor Haslett concerned with City Attorney on De Facto City Council for months and the confidence of the city attorney to allow the city to violate RCW. Erin Hillier will go back to Mark Scheibmeir to discuss council's concerns and ask for a meeting with Scheibmeir. Councilor Hamilton move to hold off on appointing a different city attorney for no more than six months, second by Councilor O'Neill. Mayor Sayers asked City Attorney Erin Hillier if council can act on anything tonight, per Hillier the city cannot make any FINAL decision on topics that is not listed on the agenda for the special meeting. Erin Hillier explained the contract process to the council. Discussion, council would like to review the contract terms with the City Attorney add to the March 21st Agenda,

ORDINANCE TO AMEND CITY CLERK &

CITY TREASURER: Councilor Haslett presented and read to the council an Ordinance to combine the offices of City Clerk and City Treasurer as follows:

CITY OF NAPAVINE, WASHINGTON ORDINANCE NO. _____

AN ORDINANCE OF THE NAPAVINE CITY COUNCIL, COMBINING THE OFFICES OF CITY CLERK AND CITY TREASURER; REPEALING CHAPTER 2.08 OF THE NAPAVINE MUNICIPAL CODE; AMENDING CHAPTER 2.09 OF THE NAPAVINE MUNICIPAL CODE: AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

RECITALS:

WHEREAS, the City of Napavine, Washington (the "City") is a Code City under the laws of the State of Washington; and

WHEREAS, pursuant to RCW 35A.11.020, the City Council has: (i) the power to organize and regulate the City's internal affairs; (ii) the power to define the functions, powers, and duties of the City officers and employees; (iii) the power to fix the compensation and working conditions of such officers and employees; and (iv) the power to adopt and enforce ordinances of all kinds relating to and regulating the City's municipal affairs.

WHEREAS, all references herein to "NMC" mean the "Napavine Municipal Code."

WHEREAS, the offices of City Clerk and City Treasurer are currently separate positions (see NMC 2.08 and NMC 2.09).

WHEREAS, the City Council desires to combine the two offices of City Clerk and City Treasurer.

WHEREAS, pursuant to RCW 35A.12.020, the office of the City Clerk may be merged into and with the office of the City Treasurer, with an appropriate title designation therefore.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF NAPAVINE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2.08 NMC, and all sections thereunder, are repealed.

Section 2. The heading title of Chapter 2.08 NMC is amended to state "Repealed."

Section 3. The heading title of Chapter 2.09 NMC is amended to state "City Treasurer Clerk."

Section 4. The title heading of Section 2.09.010 NMC is amended to state "City Treasurer Clerk."

Section 5. Section 2.09.010 NMC is amended to state:

The office of the City Clerk is combined with and into the Office of the City Treasurer under the authority of RCW 35A.12.020. The office of Treasurer Clerk is a just cause employment position. The Treasurer Clerk shall exercise all the powers and perform all the duties required by statute or ordinance to be performed by the City Clerk, and in the execution of any papers his or her designation as either "Treasurer" or "Clerk" or "Treasurer Clerk" shall be sufficient.

Section 6. The title heading of Section 2.09.020 NMC is amended to state "Duties of Treasurer Clerk."

Section 7. Section 2.09.020 NMC is amended to state:

1. Duties. The duties of the Treasurer Clerk include the following:

- a. To comply with all duties required by statutes found in Title 35A RCW and other applicable laws, presently in effect or subsequently enacted, including those duties normally reserved for the office of the Clerk; and
 - b. To keep the records of the council and the accounts of the City in such books as may be prescribed by the City or as required by the State Auditor and State law; and
 - c. To make and certify to the council all assessments and assessment rolls as required; and
 - d. To render to the City Council a monthly report of the records in the form and manner requested by the City Council; and
 - e. May administer oaths or affirmations and certify to them; and
 - f. May countersign warrants signed by the Mayor for demands against the City; and
 - g. May accept service of all claims against the City; and
 - h. May make a monthly statement in writing showing the receipts and expenditures of the preceding month and the amount remaining in the treasury; and
 - i. At the end of every fiscal year, make a full and detailed statement of receipts and expenditures of the preceding year and assist the City Council in preparing a full statement of the financial condition of the City; and
 - j. File and certify all original resolutions or ordinances passed by the City Council; and
 - k. Perform the financial administration of grants received by the City by properly accounting for monies received and spent; and
 - l. Receive and safely keep by depositing in an account approved by the City Council, all money of the City; and
 - m. Execute duplicate receipts for the same, and maintaining one in his/her capacity as City Treasurer Clerk; and
 - n. Disburse money only on warrants/checks signed by the Mayor; and
 - o. With the approval of the City Council, invest excess or inactive LID funds in U.S. Government bonds, notes, bills, certificates of deposits or indebtedness, Local Government Investment Pool or interim financing warrant of a local improvement district which is within the protection of the local improvement guaranty fund law for the benefit of the general current expense fund; and
 - p. Pay all warrants in the order of their number and date of issue whenever there are sufficient funds in the treasury applicable to the payment in accordance with law; and
 - q. When so instructed by a majority vote of the City Council, to designate one or more banks as a depository; and
 - r. Collect all assessments for local improvements and keep them in an appropriately designated fund; and
 - s. Annually, on or before a date established by the City Council, certify the assessment in a manner according to law; and
 - t. Such further duties as may be required by law or the City Council.
2. Records to be Kept. The Treasurer Clerk shall:
- a. Keep a full and true account of all City public meetings, hearings and proceedings in an appropriate Minutes book or books; and
 - b. Keep accounting records of City accounts which include all revenues and expenses; and
 - c. Keep records of all licenses issued, including the date thereof, to whom issued, for what, the time they expire, and the amount paid; and
 - d. Keep and properly maintain the City files; and
 - e. In each of the foregoing records and files, maintain the records accurately and in order, to enable a person to readily ascertain matters contained therein; and
 - f. Keep records of all invoices and warrants with written documentation of the number, date, and disposition of the warrant; and
 - g. Keep a book marked "Ordinances," which may be duplicated by electronic means, which shall contain all original City Ordinances. The Treasurer Clerk shall in writing attest to the date and manner of publication of the ordinances, or a summary thereof as required by law,

which document shall be placed in the Ordinance book. True copies of all ordinances shall be forwarded for codification in the Napavine Municipal Code.

Section 8. The title heading of Section 2.09.030 NMC shall remain unchanged.

Section 9. Section 2.09.030 NMC is amended to state:

Qualifications for employment as Treasurer Clerk shall be pursuant to Chapter 35A.42 RCW and as determined by the City Council.

Section 10. The title heading of Section 2.09.040 NMC shall remain unchanged.

Section 11. Section 2.09.040 NMC is amended to state:

The Treasurer Clerk shall be appointed by the Mayor, and such appointment shall be subject to confirmation by the City Council. However, upon passage of this Ordinance, the Council may, by separate resolution, designate and appoint the existing City Treasurer to the Office of Treasurer Clerk.

Section 12. The title heading of Section 2.09.050 NMC shall remain unchanged.

Section 13. Section 2.09.050 is amended to state:

The office of the Treasurer Clerk shall be kept upon for the transaction of business from 8:00 a.m. to Noon, and 1 p.m. to 5 p.m., Monday through Friday of each week, except in the event of legal holidays or if budget/staffing constraints render such office hours unfeasible.

Section 14. The title heading of Section 2.09.060 NMC shall remain unchanged.

Section 15. Section 2.09.060 NMC is amended to state:

The compensation for the Treasurer Clerk shall be set for the remainder of the current year by separate resolution. Thereafter, the Compensation for the Treasurer Clerk shall be set by ordinance at the time of adoption of the annual budget or by resolution of the City Council.

Section 16. This Ordinance shall take effect five (5) days after the passage and publication of an approved summary thereof consisting of the title.

Councilor Hamilton acknowledged that an outside attorney prepared the ordinance and asked our City Attorney and fellow council to review the ordinance followed by discussion. Mayor Sayers provided the history of the two positions.

HIRING FREEZE: Mayor Sayers did put a hold on the City Clerk position on March 14, 2017.

INTERLOCAL AGREEMENT WITH

CITY OF WINLOCK: Councilor Hamilton asked what are the issues regarding inspections with City of Winlock and Napavine that has been reported in the paper. Lynnette Hoffman residing in Winlock informed council of what was addressed at the Winlock City Council meeting on March 13, 2017. The Winlock Council is concerned with the delay in time of the permit process and the contractor does not have any say directly to the permitting agency as Winlock does not allow them to contact Napavine. Winlock is also concerned with what is happening in Napavine and is going out to bid to other companies for permitting process. Attorney Hillier explained the Interlocal Agreement and it's usually the Mayor that addresses these issues. Mayor Sayers asked for a copy of the Agreement with Winlock.

CITIZENS

BUSINESS:

LaVerne Haslett, 222 Meadow Lane, Napavine, first acknowledge Matt Sayer's the Mayor's son had a heart attack and how is he doing? Mayor reported that he is coming around and is currently in ICU and hope that he will be moved to a regular room soon, LaVerne stated they have been praying for him. She asked the council to allow more citizen input and participation for open government and to adopt a resolution. She also asked council to adopt a policy for applicants to city official positions provide proof of US Citizenship and to record that and the last item those elected to council work for the citizens of Napavine and asked who is responsible and accountable for all actions regarding the LID on the water project down Rush Road.

Debbie Graham, 295 Kirkland Rd, prayers to you Mayor for your family and Matt. Congratulations to all the new council and Bobby Jackson and it's a pleasure to hear laughter in the audience. It's nice to be here without a complaint and hoping for better communication with the new council and look forward to the workshops to ask questions and get answers.

Jerry Graham, 295 Kirkland Rd and Representative Hamilton Walnut Shade, update on Taco Bell will be picking up their permit shortly and will be good to see them going in. They are deciding what to do with their hotel and is still on file with the city. The problem they had with Napavine's legal counsel and had to hire two attorneys to fight city hall and think some of the advice you've gotten is wrong. Jerry asked who to see to start the permit process, Mayor responded Cris Dodd. Mr. Hamilton asked what he has to worry about, she tried to nail me for harassment with our legal counsel and should not of happened. Mayor stated that's in the past and let's move forward. Mr. Graham stated he would like someone with him when he contacts Community Development for his permits, Mayor said we will make sure that happens.

Dr. Mike Hamilton, Hamilton Corner I, thanked the Mayor and new city council for his service and wished the best for his son Matt. He is encouraged tonight for the first time in ten years for all the discussion with the council and for Councilor Haslett to read the entire ordinance aloud in a meeting. Mr. Hamilton stated he work up one day and found the water rights for Hamilton Corner I was gone and the city has my water rights. He did not sell those rights to the city and was not paid for such rights and considers this to be theft. Steve Ashley and you Mr. Mayor were at the helm when my water rights disappeared. Haven't seen this much enthusiasm and look forward to future.

Lynnette Hoffman, Town Crier Winlock, wanted to let Napavine know they will be reporting on Napavine and contact the school for interns from the Napavine Principal, and support Napavine.

Councilor Mike Wood encourages to invite neighbors, high school students to get more input from citizen that can assist the council with the needs of the citizen. **Councilor Haslett** stated not liking the council sit above the audience and would like to see the council be at the same level as the citizens.

Mary Wood, City Treasurer addressed council regarding changes they want to make and suggested that city hall be open from 8 am to 4:30 pm and staff stagger their lunches to be available to the citizens. To close city hall at 4:30 would allow us to close out our receipts at the end of the day and deposits can be done in a timely fashion and daily as required by law. Discussion on the phone system and how we can make it more customer friendly as there are complaints on how difficult it is, we have a new phone system. Cris Dodd stated we discussed how the city can improve the phone system to make it easier and more customer friendly.

**GOOD OF THE
ORDER:**

Councilor Hamilton advises he will not be here next week and encourages council to move forward on the committee appointments based on the council member's interests and strengths.

Councilor Haslett would like to see that all ordinances are read out loud to the citizens or have copies available so citizens so they know what the council is passing and in favor of citizen input and we serve our citizens.

ADJOURNMENT:

Councilor Hamilton moved to adjourn, second by Councilor Stafford, passed unanimously at 7:40 p.m.

Respectfully submitted,

John Sayers, Mayor

Council Member

Mary Wood, Interim City Clerk