

**City of Medical Lake**  
**Regular Council Meeting**  
S. 124 Lefevre Street, 6:30 P.M.  
April 20, 2010

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

**Council present:**      John Paikuli                      A. J. Burton                      Art Kulibert  
   Jeff King                              Shirley Maike                      Howard Jorgenson

**Executive Session**

Mayor Higgins called for an Executive Session at 6:32 p.m. to discuss: *Negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause the likelihood of increased costs and with legal counsel representing the City a matter of matters relating to an enforcement action or litigation or potential litigation involving the City, its officers or employees when public knowledge regarding the discussion is likely to result in adverse legal or financial consequences to the City.* It is anticipated the Executive Session will last approximately 10 minutes. After the Executive Session, the City Council will reconvene the regular session. Council was cleared. At 6:42 p.m. Mayor Higgins called the regular session back to order.

**Council Absent:**      Brenda Redell

Motion by Councilmember Maike, second by King to excuse Councilmember Redell from tonight's meeting. Council polled; all ayes.

**Staff present:**              Doug Ross                              Cindy McMullen                      Pam McBroom  
   Jeff Estes                              Ellen Fender

**Others present:**      Cheney Free Press Reporter Ryan Lancaster, 2 Sheriff Deputies, Marc Torre, President and Mark Ricky with Sunshine Disposal and 4 visitors.

**ADDITIONS/DELETIONS TO AGENDA:**

Councilmember Paikuli made a motion, seconded by Maike to add to the agenda; Severance Agreement, Covenant Not To Sue, and Release of All Claims. Council polled; all ayes.

Severance Agreement, Covenant Not to Sue, and Release of All Claims

Mayor Higgins and Administrator Ross explained. This severance agreement between the city and Jennifer Suniga represented by WSCCLE Local 270-M, AFSCME, AFL-CIO (Local 270-M) in the amount of \$50,000 forever releases and discharges and covenants not to sue the City, its past and present council persons, elected officials, managers, employees, attorneys, agents, affiliates, assigns and successors and any other person acting on its behalf from any and all claims arising out of Suniga's employment at the City or separation therefrom. Local 270-M also agrees to withdraw any pending grievance, and not to pursue in the future any other grievance, unfair labor practice, or other action against the City arising out of Suniga's employment with the City or separation therefrom. Councilmember Jorgenson made a motion, seconded by Paikuli to approve the Severance Agreement, Covenant Not to Sue, and Release of all Claims. Council polled; all ayes.

**MINUTES:**April 6, 2010 Regular Council Meeting

Motion was made by Councilmember King, second by Burton to approve the minutes of the April 6, 2010 Regular Council Meeting. Council polled; all ayes.

**INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS:**

None.

**MAYORS REPORT****PROCLAMATIONS, PRESENTATIONS & RECOGNITION:**

None.

**APPOINTMENTS:**

Katie Mason – Volunteer Firefighter

Fire Chief Jeff Estes introduced Katie Mason to council. He reported that she is completing her physical at this time and it was noted that she is also a volunteer for Fire District Three. Council and staff welcomed Ms. Mason.

Estes also updated council on the following:

- Attack Vehicle will be done in about 14 days
- Fisherman's Breakfast will be this Sunday, April 25<sup>th</sup> starting at midnight
- There is going to be a MOC crash demonstration at the High School
- The Ground Ambulance Contract is being updated and moving forward

Councilmember Jorgenson asked for a brief update on the grade school fire. Estes responded that it was a problem with a light ballast not faulty wiring. It was contained quickly.

**MEETINGS AND OTHER INFORMATION:**

Mayor Higgins informed council that he intends to be out of town for a few days. He'll be back next Monday. Any problems, Mayor Pro-Tem Paikuli is in town.

**STAFF REPORT:**Sunshine Disposal and Recycling, Inc. Contract Amendment

Administrator Ross explained to council that there are four amendments for council's approval. They are as follows:

- A contract title change because the original contract for service was with Waste Management of Spokane and that contract was assigned to Sunshine Disposal and Recycling, Inc.
- Term Amendment – the term needs to change with the new starting date as May 1, 2010. The length of the contract will be six years, with the potential of two additional three year terms.
- Section 29.3 – CPI Language changes and Other Adjustments language changes pertaining to fuel costs.
- Definition Amendment pertaining to Garbage Cart.

These proposed changes have been discussed at the last few council meetings and staff is asking for council's approval of this Solid Waste Contract Amendment. After council discussion Councilmember Jorgenson made a motion to approve the Sunshine Disposal and Recycling, Inc. Contract Amendment and authorize Mayor Higgins to sign it. Council polled; all ayes.

Council discussed recycling options and Sunshine will work with the city on some possible changes. It was noted that with Pinelodge closing the last day the City will have workers (from Pinelodge) at our recycling center will be May 16<sup>th</sup>.

City Administrator Ross also reported that ads for the Prentis Street Project are being prepared and will be sent to the papers to accept bids. The project will start right after schools close for the summer.

**FINANCE:**

Resolution 460: Fee Setting Resolution; Utility Fees and Charges

This fee setting resolution reflects the 2% garbage rate increase that is being approved within the new Sunshine Disposal & Recycling, Inc. Contract Amendment. The increase is due to inflation costs. Councilmember Maike made a motion, seconded by Jorgenson to approve Resolution 460: Fee Setting Resolution; Utility Fees and Charges. Council polled; all ayes.

2010 – 1<sup>st</sup> Quarter Financial Report was included in council packets for their information. There were no questions.

**PLANNING REPORT:**

None.

**PARKS AND RECREATION COMMITTEE REPORT:**

No report – the next committee meeting is the first Tuesday in May. Mayor Higgins did mention that the over 40 softball teams will not be playing in M.L. anymore – but there will be over 50 softball games. Administrator Ross also reported that new reconditioning material has been installed on the infields at WFP.

**PUBLIC WORKS:**

Councilmember Jorgenson stated that there is going to be a committee meeting tomorrow, April 21<sup>st</sup> to discuss recycling issues. Councilmember King suggested that the City Library be restained this year. It is an extremely nice building but is showing signs of fading, so restaining would help. It was noted by Administrator Ross that there is \$5,000 budgeted in Capital Outlay this year and this project could certainly qualify for use of those funds.

**PUBLIC SAFETY COMMITTEE REPORT:**

The next committee meeting is scheduled for the first Tuesday in May. Deputies from the Sheriff's Office reported that everything is going well. There have been a few issues with the Skate Park; kids are getting into the park after hours by going under the fence. Maintenance will be shoring that up. The new lights at Pioneer Park will help with the patrolling.

**MEMBERS REPORT:**

Councilmember Jorgenson commented on the fact that there were 20 schools here for a track meet at the High School as well as a double header baseball game and soccer. That is the largest activity turnout for some time.

**CONSENT AGENDA:**

Approval of Claims and Payroll

Claim Warrants 17940 through 18005 in the amount of \$160,736.89; Payroll Warrants 9208 through 9209 in the amount of \$14,400.00 were approved by motion from Councilmember Maike, seconded by Burton. Council polled; all ayes.

**OLD BUSINESS:**

None.

**DISCUSSION OF ADDITIONS TO THE AGENDA:**

None.

**EXECUTIVE SESSION:**

None.

**ADJOURNMENT:**

Mayor Higgins adjourned the meeting at 7:05 p.m.

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Mayor Higgins

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City Clerk / Finance Director