

**CITY OF MEDICAL LAKE
City Council Regular Meeting**

6:30 PM
August 01, 2023

Council Chambers
124 S. Lefevre Street

MINUTES

NOTE: This is not a verbatim transcript. Minutes contain only a summary of the discussion. A recording of the meeting is on file and available from City Hall.

COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT

Councilmembers

Art Kulibert
Don Kennedy (Mayor Pro Tem)
Bob Maxwell
Ted Olson
Chad Pritchard
Tony Harbolt

Administration/Staff

Sonny Weathers, City Administrator
Koss Ronholt, Finance Director
Sean King, City Attorney

Scott Duncan, Public Works Director
Roxanne Wright, Administrative Asst.

WRITTEN PUBLIC COMMENTS

If you wish to provide written public comments for the council meeting, please email your comments to sweathers@medical-lake.org by 4:00 p.m. the day of the council meeting and include all the following information with your comments:

1. The Meeting Date
2. Your First and Last Name
3. If you are a Medical Lake resident
4. The Agenda Item(s) which you are speaking about

*Note – If providing written comments, the comments received will be acknowledged during the public meeting, but not read. All written comments received by 4:00 p.m. will be provided to the mayor and city council members in advance of the meeting.

Questions or Need Assistance? Please contact City Hall at 509-565-5000

REGULAR SESSION – 6:30 PM

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

- A. Mayor Pro Tem Kennedy called the meeting to order at 6:30 pm, led the Pledge of Allegiance, and conducted roll call. Mayor Cooper is absent from the meeting; therefore, councilmember Kennedy is acting Mayor Pro Tem. Council position #6, is still vacant. Councilmembers Pritchard, Kulibert, Maxwell, Olson, and Harbolt were present.
- B. Motion to approve councilmember Olson's requested absence for the August 15, 2023, council meeting made by councilmember Kulibert, seconded by councilmember Maxwell, carried 5-0. Councilmember Olson recused himself from the vote.

2. AGENDA APPROVAL

- A. Motion to approve agenda made by councilmember Kulibert, seconded by councilmember Olson, carried 6-0.

3. INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- A. Tammy Roberson, resident of Medical Lake – read from e-mail comments she sent to council members regarding decision on Martin St. wetland. See attached.

4. ANNOUNCEMENTS / PROCLAMATIONS / SPECIAL PRESENTATIONS – None.

5. REPORTS

- A. Council Comments
 - i. Councilmember Pritchard – Blue Waters Bluegrass Festival is coming up next weekend. Kids camp held Friday and Saturday. Geo walk scheduled for August 17, 2023, at Waterfront Park with Steve Cooper, WWTP Director.
 - ii. Councilmember Kulibert – At Blue Waters Bluegrass Festival, the musicians do workshops for kids at no cost.
 - iii. Councilmember Maxwell – no report.
 - iv. Councilmember Olson - no report.
 - v. Councilmember Harbolt - no report.
- B. Mayor Pro Tem – no report.
- C. City Administrator & City Staff
 - i. City Administrator, Sonny Weathers – today is primary election day, drop off ballots until 8 pm today. Box located at Medical Lake library. As of 4:45 pm today, Medical Lake had 22% voter turnout. Citizen Advisory Board – application on website, seeking applications for Salary Commission and Parks and Recreation Advisory Board. Will bring applicants forward for consideration at the Sept 5th council meeting. Washington City Insurance Authority (WCIA) audit done July 27, 2023, with the focus on special events. City will continue discussions in the coming months related to special events to ensure risks are mitigated as much as possible.
 - ii. Finance Director, Koss Ronholt – Q2 Budget update – see attached presentation.

6. WORKSHOP DISCUSSION – None.

7. ACTION ITEMS

- A. Consent Agenda
 - i. Approve **July 18, 2023**, minutes.

1. 7c vote should be annotated as 5-0, not 5-1. Councilmember Kennedy had recused himself from the vote. Motion to correct the minutes made by councilmember Kennedy, seconded by councilmember Kulibert, carried 6-0.
 2. Motion to approve minutes as corrected made by councilmember Olson, seconded by councilmember Kulibert, carried 6-0.
- ii. Approve **August 1, 2023**, Claim Warrants **50370** through **50401** in the amount of **\$100,524.10**.
1. Councilmember Kulibert reported that the Finance Committee met, reviewed, and recommended approval.
 2. Motion to approve made by councilmember Kulibert, seconded by councilmember Olson, carried 6-0.

8. RESOLUTIONS

- A. 23-612 Records Management Policy
- i. Motion to approve made by councilmember Olson, seconded by councilmember Maxwell, carried 6-0.
- B. 23-613 Transfer to Other Unit of Government Award for Broadband Infrastructure
- i. Mr. Weathers explained that this was what Ariane Schmidt with Broadlinc discussed last council meeting. The Resolution is to receive those funds discussed. Councilmember Kulibert asked if the money will go into the General Fund. Mr. Ronholt confirmed that is his understanding. Mr. Weathers confirmed that while the funds are unrestricted, it is the desire and intent of the city to use the funds for broadband.
 - ii. Motion to approve made by councilmember Kulibert, seconded by councilmember Pritchard, carried 6-0.
- C. 23-615 Area-Wide Groundwater Investigation Grant Agreement
- i. Mr. Weathers explained that council had previously approved the Letter of Intent for this grant. This resolution finalizes that acceptance of \$450,000. Discussion held. Confirmed that no match of dollars by the city is required.
 - ii. Motion to approve made by councilmember Olson, seconded by councilmember Kulibert, carried 6-0.
 1. Councilmember Pritchard asked if the vote should be redone so he could recuse himself since he could receive funding from the grant as well. Legal counsel concurred.
 - iii. Motion to withdraw approval vote made by councilmember Pritchard, seconded by councilmember Kulibert, carried 6-0. New motion to approve made by councilmember Olson, seconded by councilmember Maxwell, carried 5-0 with councilmember Prichard recused.
- D. 23-616 TIB Barker Street Supplemental Agreement
- i. Mr. Weathers explained that agreement is for additional engineering for the project. Covered through TIB, with 10% match from city. Projected 6-week timeline. Discussion held.
 - ii. Motion to approve made by councilmember Prichard, seconded by councilmember Kulibert, carried 6-0.

9. PUBLIC HEARING – None scheduled.

10. ORDINANCES – None scheduled.

11. EXECUTIVE SESSION – None scheduled.

12. EMERGENCY ORDINANCES – No items listed.

13. UPCOMING AGENDA ITEMS

- A. Councilmember Kulibert asked about abandoned buildings ordinance. Mr. Weathers – continuing to work with legal on the ordinance on window screening language. Mayor Cooper also wanted to be present for the first read. Will be brought forward at the September 5, 2023, council meeting.
- B. Councilmember Harbolt asked for code enforcement update. Mr. Weathers shared that Mr. Yuhas, Code Enforcement Officer is looking into providing a quarterly report. Will have an update soon.

14. INTERESTED CITIZENS

- A. Tammy Roberson – shared frustration that the e-mail she sent to all councilmembers regarding requested corrections to the July 18, 2023, minutes was not addressed, and her suggested corrections not made. See attached for the e-mail.

15. CONCLUSION

- A. Motion to conclude meeting made by councilmember Pritchard, seconded by councilmember Maxwell. Motion carried 6-0 and meeting concluded at 7:06 pm.



Terri Cooper, Mayor *Pro Tem*



Koss Ronholt, Finance Director/City Clerk

COMMENTS – City Council Meeting 1 Aug 2023 (1st Interested Citizens)

(As Of: 1 Aug 2023)

Dear Councilmembers and City Officials,

I am going to clarify what was said during the last meeting by asking “Did You Know” questions regarding more misinformation which was passed on by your City Planner and this is even based and validated from her slide presentation.

I do not expect any comments back either. So, strap on your seat belts and really hang on.

- 1) Did you know that the City Councilmembers really did have another option as presented on slide #19 which said, “Approve the Critical Area Review with any amendments to the above” which was also stated by a non-resident?
- 2) Did you know that this particular slide stayed up on the video until the meeting ended? Did you know this got me to thinking just a teeny bit more and BINGO it just hit me?
- 3) Did you know that the City Council could have added just one more amendment; whereby, the City would have been in compliance with the GMA, their own City Code, and Dept of Ecology and **more importantly still NOT deny the land use notice of application**? Did you know also Best Available Science would have been followed then?
- 4) Did you know that the one amendment to be added was to have the applicant who also is the wetland specialist (who by the way should have known better) just redo the wetland rating report by rating the entire wetland? Did you know this was your easy and simple fix?
- 5) Did you know that everyone has a duty and responsibility to protect our critical areas and by denying to add the Conditions of Construction Best Practices, the City failed at this?
- 6) Did you know by redoing the wetland rating summary report (which would have placed the whole wetland in at least a Category II), would also have driven the mitigation report to add more required protections for the entire wetland?
- 7) Did you know the total process has been bias and scientifically flawed from the very start with inaccurate information as clearly shown?
- 8) Another example and really quite enlightening is that, did you know those residences listed in the (final) decision report were built in 2007 and NOT in 1998 (according to SCOUT) and they were built by the same developer which was not disclosed by the City? Did you know by the way 2007 was when the developer had purchased his two wetland parcels and tried to build these at the same time as his other ones (which makes perfect sense) but the City had verbally turned him down?
- 9) Finally, did you know one should probably not make official decisions based on their dislikes or biases about someone versus becoming educated and following the facts plus the truth?

Thank you for your time.

Tammy Roberson

SMSgt USAF Retired/Disabled Veteran (100% service connected)



Budget Report

Quarter 2 – Expected Budget Use: 50%

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Budget Report Notes

- Current Period – April 1 to June 30, 2023
- Expected Budget Use (50%) – This is the City’s goal for each category’s “Percent Used” column.
- Salaries & Wages and Benefits for almost every fund is within 4% of expected budget use.
- Current Total Budget includes budget amendments 23.1 through 23.4, passed July 18, 2023
- The City continues to see significant interest revenues, roughly \$120,000 over the 2023 total interest estimations.

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General Fund

Account Type	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$2,241,796	\$185,690	\$1,193,118	53%
Expense	\$3,567,419	\$826,849	\$2,236,702	63%

Activity Analysis – Expected Budget Use: 50%

- Revenues are above expected budget use by **3%**.
- Expenditures are over expected budget use by **13%**. The primary causes are significant internal funds transfers and the payment of all WCIA insurance premiums at the beginning of the year.

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General Fund Departments

Department	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Non-Departmental	\$2,376,278	\$728,527	\$1,681,090	71%
Legislative	\$45,017	\$2,290	\$18,045	40%
Court	\$60,000	\$289	\$30,257	50%
Executive	\$211,963	\$15,229	\$108,132	51%
Legal	\$117,750	\$10,721	\$51,438	44%
Admin. Svcs.	\$455,423	\$50,842	\$217,817	48%
Code Enforce.	\$204,495	\$12,802	\$82,443	40%
Planning	\$96,492	\$6,148	\$43,985	46%

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Special Revenue Funds

Streets 101	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$244,480	\$160,683	\$196,775	80%
Expense	\$264,131	\$24,187	\$115,585	44%
ARPA 107	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$858,422	\$1,809	\$872,968.49	102%
Expense	\$750,000	\$36,767	\$305,406	41%
Public Safety 110	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$1,201,136	\$509,531	\$594,501	49%
Expense	\$1,155,673	\$6,622	\$25,887	2%

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Special Revenue Funds (cont.)

Parks & Rec. 112	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$362,250	\$89,978.12	\$193,802	47%
Dept.: Parks & Rec.	\$221,926	\$14,333	\$44,199	20%
Dept.: Parks Facilities	\$180,858	\$14,315	\$82,304	46%
City Beautification 125	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$6,500	\$780	\$4,045	62%
Expense	\$4,000	\$0	\$0	0%

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Proprietary Funds

Water 401	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$843,050	\$59,632	\$331,900	39%
Expense	\$1,689,161	\$53,502	\$1,169,693	70%
Solid Waste 407	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$667,010	\$60,625	\$345,193	52%
Expense	\$685,424	\$72,003	\$334,213	49%
Wastewater 408	Current Total Budget	Period Activity	Fiscal Activity	Percent Used
Revenue	\$1,380,500	\$105,645	\$816,539	59%
Dept.: WWC	\$391,283	\$29,562	\$186,273	47%
Dept.: WWT	\$924,039	\$88,579	\$516,566	56%

Note: The Water Fund (401) made large transfers to the new Water/Wastewater Managerial funds to manage the transition and separation of the two funds. Without these transfers, the operating budget is at 38% expected use.

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Thanks!

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COMMENTS – City Council Meeting 1 Aug 2023 (2nd Interested Citizens)

(As Of: 1 Aug 2023)

Dear Council members and City officials,

I had sent in an email (dated 31 Jul 2023 12:18PM) to the City indicating that the draft minutes were not totally correct. Since this was not brought up before the Council voted to approve the minutes, I will bring it up now so this way it will be in the official records and at least be attached to these minutes.

- 1) Under the 1st interested citizens (para #3 A): **There is no mention of my request for an ADA accommodation.** Please add the following, "I had sent an email request to be granted an additional 5 minutes (if needed) early in the day via email to the City. Received no response back from the City. I was finally granted one additional minute by the Mayor only after the timer went off even though I had already explained this ADA accommodation in my earlier written request." There was no explanation given by the Mayor on why the additional five minutes were not given. **Please note the written request was included with the draft minutes which explains it all but again no mention of this in the draft minutes. In times past, this has always been mentioned...**
- 2) Under the 2nd interested citizens (para #14 A): Change to read, "Robynn Sleep, not a resident of Medical Lake was speaking **on behalf of Tammy Roberson, a resident of Medical Lake**, stated, "... really sorry that you didn't realize another option existed and that is you could have denied the application tonight and ask the applicant to comply with your ordinance and reapply for it. The whole point of this and my involvement is not to stop development but as it is the manual has not been followed, you have not followed Best Available Science. You do not have a valid wetland rating. The issue being category versus mitigation. Mitigation is based on category..."

"You were not given correct valid information, you are in violation of your own Code, in your haste and in your single-minded apparent focus of the property rights of the applicant, you have completely trampled on the property rights of the co-owner of this wetland. It would be, if the rating was done correctly, it would be a higher value, more mitigation could be required at practically no expense to the applicant..."

"Instead of paying a little bit more attention now, you are asking the co-owner of this wetland whose rights have been completely ignored, I have even just simply asked as a Certified Erosion and Sediment Control Lead and a Water Scientist, I merely asked for you to consider some protective measures of construction, that is too much to ask..."

BTW - I am very fortunate I am not sitting on either the Planning Commission any more or City Council and voted the way you all did -- knowing full well that the City was breaking their own Codes not to mention a few others with absolutely no concern about the personal property rights of one of their own residents.

I am able to be at peace and have a clear conscience. I have done my homework, which I cannot say the same for others in the City. Yes, I am a broken record.

Thank you for your time.

Tammy Roberson