

City of Cle Elum  
City Council Study Session Notes  
December 6, 2021

**Call to Order – Roll Call of Membership**

The Study Session of the Cle Elum City Council was called to order by Mayor McGowan at 6:00 p.m. The Pledge of Allegiance was recited. The Roll was called. Members present were Mayor McGowan, Matthew Lundh, John Glondo, Steven Harper, Beth Williams and Ken Ratliff. Mickey Holz and Ruston Weaver were absent. Other members present were City Administrator Rob Omans and City Clerk Kathi Swanson.

**New Business**

**Discussion of the Councilmember Handbook:**

Gary Berndt, Chair of the Councilmember Handbook Committee;

- Read the Introduction to the handbook
- Reported he, Ken Ratliff, Beth Williams, Matthew Lundh and Kathi Swanson were appointed to the committee.
- Reported the Council currently uses a handbook, which was the basis used to get the process started to create a new, updated handbook
- Chapter 14 of the CEMC will have to be added once that Chapter has been codified.

**Councilmember Lundh:**

- Thanked Gary Berndt for assisting in the preparation of this handbook.
- Commented MRSC has a lot of information that helps understand how government works.
- Wanted to develop a document that all citizens, commissions and local governments can use and refer to.

**Councilmember Ratliff:**

- Commented it is a good representation of what the committee worked on.

**Councilmember Williams:**

- Reported the committee reviewed handbooks from Walla Walla and New Castle.
- Commented she wanted to develop something that all new and existing councilmembers could read and that it should outline how to behave and how meetings should be conducted.

**Discussion:**

**Chapter 2 – Powers and Responsibilities of Council:**

- Chapter 2.01: The first sentence should be changed to specify six 4-year terms and one 2-year term (unless seven 6-year terms are put into place). The 2<sup>nd</sup> sentence “terms are staggered, with positions ending for three members at one time and four members the next” is incorrect as there are always 4 members on the ballot during each election, because of the 2-year term. Suggestion: change the 2-year term (Position 7) to a 4-year term or go back to districts.
- Chapter 2.03 Financial Disclosure can be struck from the document for the time being, as the threshold has been changed from 1,000 registered voters to 2,000 registered voters.
- Chapter 2.04 - Oath of Office: There does not appear to be any place in this document that elaborates what makes a person qualified to be a member of the council. Suggestion: The document can be amended to reflect the requirements which include being a registered voter, live in the City limits of Cle Elum, be 18 years old, etc. This can also be outlined for commission members. The Auditor’s Office also checks candidates for eligibility.

- Chapter 2.05 – Orientation: the last sentence “Councilmember orientation shall include a tour of the City’s physical facilities” was added. This should be planned, as a group, at the beginning of every term.
- Chapter 2.11 – B-Significant Requests: Citizens are able to approach department heads about any issue. This could be abused by department heads who do not want to include policy makers. The current language is too restrictive and does not allow interaction between staff, department heads and councilmembers.

### **Chapter 3 – Other Officials and Adjudicators:**

- Add “Full Time Fire Chief” to the list of Officials and Adjudicators. It is listed in Title 14 but needs to be transferred to this document.

### **Chapter 4 – Council Committees and Advisory Boards:**

- 4.01(A) - Finance Committee – (see CEMC 3.04.010 and 3.04.020): This verbiage should be added in Chapter 4.01(A) in place of (strike) the verbiage in the current draft of the Councilmember Handbook.
- 4.01 – Council and Regional Committees: Change the last sentence in the first paragraph to: “Council standing committees should be reviewed and membership should be reconsidered on a bi-annual basis at minimum”. (This replaces “rotated” with “reconsidered”).

Harper: 4.01 – Change the first sentence in the second paragraph to: “Each council committee shall consist of up to 3 council members and any staff and/or citizenry necessary for efficient functioning”.

Chapter 4.09 : Add Civil Service Commission

Chapter 5.06: City Hall should be accessible to councilmembers to allow councilmembers to meet with constituents and pick up mail, though access should be limited, to a degree.  
Recommendation: Move councilmember mailboxes to the conference room and lock the door to the main offices of City Hall. Councilmembers can share a City calendar so staff is aware of when councilmembers will be using the council chambers. (Review Verbiage of 5.06)

### **Chapter 6 – Ethics and Standards of Conduct**

Councilmember discussion:

- Recommendation for 6.01-1: “City leaders listen to the community and act in a way that best represents the community’s interests and goals”. (Important that city councilmembers act in the best interest of the public; this should be stated in the document in some way).
- Add a statement about transparency, such as “City leaders value transparency and will endeavor to share with the public to the level legal obligations allow”. (Chapter 6.02 addresses transparency to a degree).
- *Table for now and review at the next study session.*

Chapter 6.03 Breach of Ethics:

- Define the process to handle a breach of ethics. (Open, public forum)
- Add what the consequences will be for an ethics breach.
- This code holds the council to a higher moral standard.
- Accusations of known breach of ethics (or breach of expectations) issues must be backed up by documentation or proof.
- Suggestion: Remove Chapter 6.03 (Breach of Ethics) from the document entirely.

- Need a process to bring breach of ethics issues to public light if a councilmember or other public official has done something improper. This process could be the tool used to censure an individual and also allow the individual to speak about the accusation.
- A councilmember handbook is not the place to establish these rules (and new laws) and Chapter 6.03 should be eliminated entirely.
- A separate document could be used to address this matter.

Recommendation: *Table 6.03 for further discussion and consult the City Attorney for advice to include what RCW 42.23 states about the code of ethics for city officials and what enforcement mechanism can and should be added. Chapter 6.02 should be reviewed by the attorney. Council would like the response in writing.*

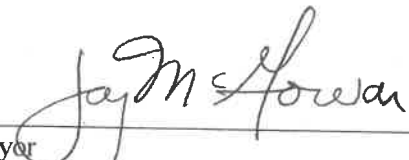
**Chapter 6.04 – Conflicts of Interest and Appearance of Fairness:**

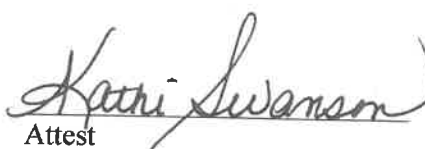
- There are already documents in place that address these points; the handbook should refer to those books and avoid duplicating them in this separate document.
- The goal of this handbook is to provide executive summaries for people so they can understand the basics. Links to the other documents can be provided; however, the fear is that people will not read the document referred to if the verbiage is not included in this handbook.
- AWC and MRSC have definitive documents that already outline what is in Chapter 6.04.
- *Refer this Chapter to the Attorney.*

*A red-lined version will be provided to all councilmembers, including the newly elected councilmembers, and a study session will be set at a council meeting for a later time.*

**Adjournment by Motion**

The meeting was adjourned at 8:11 pm. *The next Regular Cle Elum City Council meeting will be held on Monday December 13, 2021, 6:00 pm.*

  
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 Mayor

  
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 Attest