

City of Roy Council Meeting Minutes
Roy City Hall Study & Work Sessions and Council Meeting 07/08/2024
Monday, July 08, 2024, at 6:30PM and 7:00PM PST

Roy City Council Meetings are held in person at 216 McNaught Street South, Roy, WA 98580 and virtually on Microsoft Teams. Registration is required to attend virtually; please use the link below to log into the meeting digitally.

Teams Meeting :

Meeting ID: 284 956 506 40

Passcode: DeaKWi

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzJIMjVIZTItM2U2YS00YTdiLTliYmYtYzU3MjgyNTY4MGJl%40thead.v2/0?context=%7b%22id%22%3a%2212dac341-11ee-4688-b148-560db4fb0cbf%22%2c%22oid%22%3a%229cf58072-9533-4231-87f9-6c7fc325790d%22%7d

ROY CITY COUNCIL: STUDY & WORK SESSION
Roy City Hall – 07/08/2024 – 6:30PM

Notes from Roy City Code:

1-5-3 MEETING TYPES; TIMES AND PLACES; NONATTENDANCE:

C. Study Sessions: Immediately preceding each regular meeting at seven o'clock (6:30) P.M., the council may hold a study session for the purpose of providing the council with background information and briefing on items forthcoming on the meeting agenda or such other business that may arise before the council during the meeting. (Ord. 1014, 01/08/2024)

Discussion Topics:

1. **Water** -Proposal to relocate Well 1 withdrawal to Well 2 – Presented at the Special Meeting 6/24/24 (prepare questions for in the meeting.)

2. **Cannabis**- Jim Rotondo has mentioned at several meetings cannabis as a revenue option he would like to see: Data provided
3. **Affidavits**- requested for two public record requests to be submitted now. Forms provided.

Staff briefing: Public Records Requests were notified to the council on 6/6/2024. Affidavits were to be submitted no later than June 24th, 2024. None were received. Public Records Requests need to be closed promptly.

ROY CITY COUNCIL: REGULAR COUNCIL MEETING
Roy City Hall – 07/08/2024 - 7:00 PM

1) CALL TO ORDER AND ATTENDANCE/ABSENCE STATEMENT

[07:17:13 PM \(00:46:33\)](#) Meeting called to order by Mayor Kimber Ivy.

[Mayor - Kimber Ivy: Present](#)
[Council Member, Mayor pro tem - Yvonne Starks: Present](#)
[Council Member - Jim Rotondo: Present](#)
[Council Member - Harvey Gilchrist: Present](#)
[Council Member - Bill Starks: Present](#)
[Council Member - Edmund Dunn: Present Virtually](#)
[City Clerk-Treasurer – Beth King: Present](#)
[Chief of Police - Paul Antista: Present](#)
[Public Works Director - William Starks: Present](#)
[Legal Counsel - David Galazin: Present](#)

2) PLEDGE OF ALLEGIANCE

[07:17:35 PM \(00:46:55\)](#)

3) CITIZEN'S REQUEST TO BE HEARD: (Limit comments to 3 minutes per person, per Roy City Code (RCC) 1-5-6(D)). Please note: State law (RCW 42.17A.555) prohibits the use of facilities of a public office, including City Hall, to support or oppose a ballot measure or an election campaign for public office.

[07:18:42 PM \(00:48:02\)](#) City Clerk Treasurer Beth King read the Roy City Code 1-5-6 (D): Citizens' Request To Be Heard.

[07:19:46 PM \(00:49:06\)](#) William Orton

[07:23:02 PM \(00:52:22\)](#) Carol Dittbenner, requested and was granted an additional 3 minutes to speak.

[07:29:52 PM \(00:59:12\)](#) Patty Haver, requested and was granted an additional 3 minutes to speak.

[07:43:08 PM \(01:12:28\)](#) City Attorney David Galazin clarified the 3-minute time limit and referenced the Roy City Code.

4) CONSENT AGENDA:

[07:45:58 PM \(01:15:18\)](#)

a) Minutes: Regular Meeting June 10th and Special Meeting June 24th, 2024

b) Vouchers: #36926 - #36958

Payroll and Claims Check

Payroll Total = \$91,225.06

Claim/EFT/Draft/Excise Tax Totals = \$32,426.53

Total Vouchers Paid = \$123,651.59

c) Current Treasurers Report

Proposed Motion: "Motion to approve the Consent Agendas as prepared."

*** Please sign the attached June 2024 Consent Agenda document. It was approved at the meeting, but the document was not enclosed for signatures. ***

[07:46:42 PM \(01:16:02\)](#) Motion made by Harvey Gilchrist, seconded by Edmond Dunn. A vote was taken, 2 Yay's were Edmund Dunn and Harvey Gilchrist and 3 Nay's were Jim Rotondo, Yvonne Starks, and Bill Starks. Legal Counsel was asked how to proceed. Suggested to go line by line. Jim Rotondo had a concern regarding payroll. Request was made for a motion to approve the Consent Agenda without the payroll. Harvey Gilchrist made a motion to approve the Consent Agenda without the payroll. Seconded by Edmond Dunn. No vote was taken. If no vote is taken, all payments made on the Consent Agenda must be pulled back. Attorney Suggested that the Consent Agenda be moved to the end of the meeting for further discussion. Motion made by Harvey Gilchrist to move the Consent Agenda to the end of the meeting. Seconded by Jim Rotondo. The vote was 3 Yay's were Edmund Dunn, Jim Rotondo, and Harvey Gilchrist. Yvonne Starks and Bill Starks Abstained.

5) PROCLAMATIONS AND PRESENTATIONS:

[07:50:02 PM \(01:19:22\)](#)

1) Matthew Gerlach- Floodplain Development Management (Ord. 1018)

[08:04:34 PM \(01:33:54\)](#)

2) Skillings Engineers- Present Phase 1 - Any follow-up questions on the Water Plan discussed at the Special Meeting on June 24, 2024.

[08:19:15 PM \(01:48:35\)](#)

- 3) **Public Works Director, William Starks addressed the Council regarding the emergency water situation with the reservoir monitoring system and the steps taken to solve the issues.**

6) **PUBLIC HEARING: None**

7) **RESOLUTIONS:**

[08:25:12 PM \(01:54:32\)](#)

RESOLUTION NO. 967

A RESOLUTION OF THE CITY OF ROY, WASHINGTON, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE STATE DEPARTMENT OF COMMERCE IN THE AMOUNT OF \$242,500.00 AND AN ALLOCATION OF UP TO \$300,000.00 IN WATER INFRASTRUCTURE FUNDS FROM THE STATE LEGISLATURE, FOR CONSTRUCTION OF THE CITY'S "WELL 1" AND "WELL 2" PROJECTS, AND RELATED WORK

1. Staff Briefing – Presented at Special Meeting 06-24-24

2. **Proposed Motion: I PURPOSE A MOTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS FROM THE STATE DEPARTMENT OF COMMERCE IN THE AMOUNT OF \$242,500.00 AND AN ALLOCATION OF UP TO \$300,000.00 IN WATER INFRASTRUCTURE FUNDS FROM THE STATE LEGISLATURE, FOR CONSTRUCTION OF THE CITY'S "WELL 1" AND "WELL 2" PROJECTS, AND RELATED WORK**

3. Council Deliberation

[08:36:46 PM \(02:06:06\)](#) Harvey Gilchrist made a motion to approve the Resolution. Seconded by Yvonne Starks. No vote was taken at that time. Yvonne Starks made a motion to amend the Resolution. Seconded by Harvey Gilchrist. The vote was 5 Yay's. No Nay's. A vote was taken to approve the Resolution as amended. 5 Yay's. No Nay's. Motion passes to approve Resolution 967 as amended.

8) **ORDINANCES:**

[08:39:05 PM \(02:08:25\)](#)

ORDINANCE NO. 1018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROY, PIERCE COUNTY, WASHINGTON, AMENDING THE ROY CITY CODE TITLE 13, *FLOOD CONTROL*, CHAPTER 1, *FLOODPLAIN DEVELOPMENT MANAGEMENT*, TO UPDATE FLOODPLAIN MANAGEMENT REQUIREMENTS IN ACCORDANCE WITH FEMA FLOOD INSURANCE STUDY AND RATE MAP EFFECTIVE JULY 17TH, 2024. (1ST READ)

1. Staff Briefing – Presented at the Regular June 10th Council Meeting -The council is receiving this ordinance to review only at this time. The council received a presentation from Matthew Gerlach(07082024)
2. Council Propose Action – Action suggested to be taken at the September or October meeting.
3. Council Deliberation

9) OLD BUSINESS:

[08:39:41 PM \(02:09:01\)](#)

- 1) **Fourth Read – Updated Personnel Policy Manual**
– Request Written or Digital Comments to the Mayor for review and updates by July 15th, 2024. Adoption anticipated for 9/9/2024 meeting.

[08:41:08 PM \(02:10:28\)](#)

- 2) **Second Call to interview Historical Commission**
Applicants Matt Ivy, Angela Rexroad, Shannon Faria, and Jeri Carrano-Setzer.
(First presented to Council at June 10, 2024 meeting. Due to technical difficulties, candidates were unable to be present for interviews.)

Jeri Carrano-Setzer was present and spoke to the council. Matt Ivy and Angela Rexroad were present virtually and spoke. Shannon Faria had a previous meeting and City Clerk Treasurer, Beth King spoke on her behalf.

Proposed Motion: - Move to **Appoint** Matt Ivy, Angela Rexroad, Shannon Faria, and Jeri Carrano-Setzer to Roy City Historical Committee.

[08:50:57 PM \(02:20:17\)](#) Jim Rotondo made a motion to approve the appointment of the Historical Commission members. Seconded by Harvey Gilchrist. The vote was 5 Yay's and No Nays. Motion Passed.

[08:52:02 PM \(02:21:22\)](#)

- 3) **Auditors Request:** June Council Meeting Council members requested scheduled 2024 audit be moved up. Information is provided in the packet.

Proposed Motion: I move the Mayor request audits be **Keep the same** a) annually, b) every 2 years, c) Keep the schedule as it is currently set, by State Auditors Office for \$25,000.00 plus the cost of travel per audit.

[08:55:31 PM \(02:24:51\)](#) Yvonne Starks made a motion to keep the schedule as it is currently set until after the upcoming audit is completed, then decide based on the findings. Seconded by Harvey Gilchrist. The vote was 5 Yay's and no Nays. Motion passed.

[08:56:00 PM \(02:25:20\)](#)

4) Ken Sansone - SL Environmental Law Group PC - PFAS Issues and Litigation.

1. Staff briefing: Presented at the Previous meeting. (June) No motion was taken to direct the administrative team.
2. Council Propose Action – Action suggested to be taken at 7/08/2024 meeting.
3. Council Deliberation

Proposed Motion: I propose a motion to _____ the Mayor to accept the proposal from SL Environmental Law Group PC- PFAS Issues and Litigation.

[08:57:08 PM \(02:26:28\)](#) Yvonne Starks made a motion to have our legal counsel review the contract before any decisions are made. Seconded by Bill Starks. The vote was 5 Yay's and no Nay's. The motion passed.

10) NEW BUSINESS:

[08:57:26 PM \(02:26:46\)](#)

1. Acting Clerk-Treasurer

Proposed Motion: - Move to confirm the acting City Clerk-Treasurer Beth King to the position of Roy City Clerk-Treasurer at the recommendation of Mayor Kimber Ivy. For the time being until a permanent Clerk-Treasurer is confirmed. Allowing all necessary accesses to the position of City Clerk-Treasurer.

[08:58:00 PM \(02:27:20\)](#) Harvey Gilchrist made a motion to approve the acting City Clerk Treasurer until a permanent person is appointed. Seconded by Edmond Dunn. Vote was 3 Yay's from Edmond Dunn, Jim Rotondo, and Harvey Gilchrist. Yvonne Starks and Bill Starks Abstained.

[08:58:54 PM \(02:28:14\)](#)

2. Tara Dunford CPA-

Proposed Motion: Motion to _____ the Mayor to enter into an agreement not to exceed \$9,250.00 for assistance in preparing the 2025 budget documents with Tara Dunford CPA.

[08:59:56 PM \(02:29:16\)](#) Harvey Gilchrist made a motion to approve the agreement with Tara Dunford CPA. Seconded by Edmund Dunn. The vote was 5 Yay's and no Nay's. Motion passed.

[09:00:34 PM \(02:29:54\)](#)

3. **Fireworks**- Authorized fireworks time and dates:
Roy Code: 4-8-9 USE OF FIREWORKS; HOURS LIMITED:
No person shall use or explode any fireworks within the city except from twelve o'clock (12:00) noon on June 28 to eleven o'clock (11:00) P.M. on July 5 of any year. No fireworks shall be discharged between the hours of eleven o'clock (11:00) P.M. and nine o'clock (9:00) A.M., except that fireworks may be discharged from eleven o'clock (11:00) P.M. on December 31 until one o'clock (1:00) A.M. January 1 of the subsequent year; provided, that this prohibition shall not apply to duly authorized public displays where the same are authorized pursuant to the laws of the state. (Ord. 590, 12-13-1999; amd. 2006 Code)

*Pierce County: "Lighting fireworks in **unincorporated Pierce County** is allowed from **10:00 a.m. to 11:59 p.m. on July 4**, and between **6:00 p.m. on December 31 and 1:00 a.m. on January 1**.

*Options: Request the time and dates stay the same for Roy.
Move to have a resolution drafted stating new dates and times.

Date(s): _____ Time(s): _____

[09:01:52 PM \(02:31:12\)](#) Yvonne Starks made a motion to leave the permitted fireworks hours the same. Seconded by Harvey Gilchrist. The vote was 5 Yay's and no Nay's. The motion passed.

11) MAYOR REPORTS:

[09:02:15 PM \(02:31:35\)](#)

12) COUNCIL REPORTS:

[09:07:45 PM \(02:37:05\)](#) Bill Starks asked about the National Night Out. Chief Antista had to leave the meeting prior, so there were no Police updates available.

[09:08:35 PM \(02:37:55\)](#) Edmund Dunn reported that he had spoken with Mayor Ivy and the delay in getting the July 4th Parade Special Event permit approved by council was due to the Insurance Company for Lacamas Community Center not submitting the required paperwork to Chief Antista until just before the June 24, 2024 Special Meeting.

13) BUILDING PERMITS: None

14) ADDITIONAL MATTERS:

[09:10:24 PM \(02:39:44\)](#) STP, the Seattle to Portland Bike ride is coming through Roy on 7/13/2024.

[09:11:54 PM \(02:41:14\)](#) Harvey Gilchrist made a motion to approve the Consent Agenda. Seconded by Edmund Dunn. A comment was made by Patty Haver that Jim Rotondo had already left. There was still a quorum present. The vote was 2 Yay's, Edmund Dunn and Harvey Gilchrist and 2 Nay's from Yvonne Starks and Bill Starks. The tie breaker was Mayor Ivy. She approved it. She voiced her concerns for better understanding of communicating why the council wants to know specific information regarding payroll. On the advice of the Counsel, this conversation should be done in an Executive Session.

[09:16:49 PM \(02:46:09\)](#) A 5-minute break was taken to allow the return of Jim Rotondo.

[09:22:25 PM \(02:51:45\)](#) A motion to enter Executive Session to discuss the Consent Agenda details was made by Harvey Gilchrist. Seconded by Yvonne Starks. The vote was 5 Yay's and no Nay's.

15) EXECUTIVE SESSION:

[09:23:11 PM \(02:52:31\)](#) A 20-minute Executive Session was taken.

Per RCW 42.30.110(1)(ii) Litigation that the agency reasonably believes may be commenced by or against the agency, the governing body, or a member acting in an official capacity.

16) ADJOURNMENT

[09:43:24 PM \(03:12:44\)](#) Yvonne Starks made a motion to adjourn the meeting. Seconded by Harvey Gilchrist. The vote was 5 Yay's and no Nay's. the meeting was adjourned.