

City Council
April 8, 2008

Mayor Johnson called the regularly scheduled meeting to order at 7:00 PM.

Upon roll call the following members were present: Boyle Barrett, McNally, Montgomery, Ramsey, Reed and Twardoski. Council member Weigelt was absent and excused. Also in attendance were City Administrator Dave Schmidt and City Attorney Sue Sampson.

Admin/Per/Fin:

Council member Ramsey stated they had a meeting on April 7, 2008. They discussed developing a comprehensive rewards program for City staff; we would like to have this implemented by 2009. She and Administrator Schmidt are trying to come up with something other than a monetary cash incentive. The Comcast Franchise Agreement is something they have been negotiating for four years and are hoping to come to an agreement by summer of 2008. They discussed the terms of the co-pay on the dental policy and they are going to prepare a letter that will come to Council on the 22nd. The last item discussed was the budget; she is looking for the funds to have a mural put up on the wall. The most that it will cost is \$650. She is going to ask the artist if she can bring in some of her work. Before we make a decision we will pass it by the entire committee. Their next meeting will be May 5, 2008 at 6:30 PM at City Hall.

Public Safety:

Council member Boyle Barrett stated they attempted to have a meeting but did not so they will be rescheduling. Council member Boyle Barrett reported on the Safe Routes to Schools grant. Working with the District and Pierce County, they were not able to come to terms on what project to put forth so they are not going to be applying this go round. The program won't open up again until 2010, which is unfortunate, but there is not much more we can do at this point.

Bldg/Zon/Env:

Council member Twardoski stated they had a meeting last night and talked extensively about the building on Highway 410 that Interwest is building; they really like the looks of the building. There is a potential traffic problem with this being located next to the Transportation Center, but Interwest is working with the School District to make this work. Council members Reed and McNally asked the applicants several questions; they are concerned about the square footage. Council member McNally was concerned about the looks of the side of the building so they are talking about putting a bump out on the side to break up the look. The applicants are trying to make this very attractive. The committee was in favor of the building with the addition of the bump out. Council member Reed stated they talked very extensively about why their building was pushed over the square foot limit. They want to add a tire changing bay and a truck washing bay. Those may not be built as soon as the main building. Council member Reed stated that Interwest was more than willing to address and work with the City on the concerns about the west wall. Our current regulations only allow for a 20,000 square foot building;

however, the committee is in the process of changing that right now. The committee has been reviewing new regulations but they have not been adopted as of yet. Council member McNally had a question about whether or not we can legally approve this tonight when they are 7,000+ square feet over what is currently allowed in the code, even though he knows this applicant has gone over and above to make this what the City would like. Attorney Sampson stated she would have to review the application. Mayor Johnson stated that the City can make exceptions, and has in the past, but what we have is a building that is acceptable to what we are looking for, and delaying these people further is beginning to cost them more and more money. We are reaching a point of are we delaying them unnecessarily. Administrator Schmidt stated the code allows the committee to make recommendation to the Board of Adjustments for a waiver for the square footage of the building. Administrator Schmidt asked Attorney Sampson that if the committee and the council were considering a change in the development rules and regulations and you know that it is going to be less restrictive, can the City allow the application to go through based on what the new proposed standard is? Attorney Sampson stated that you cannot allow the building now in anticipation of future change of the regulations; the regulations would have to be changed first. Council member Montgomery asked if the frontage of the façade is also over the written code. Council member McNally stated yes, the façade frontage is 100 feet and the code only allows 80 feet. Discussion ensued. Council member McNally asked if we overstepped our bounds last night. Mayor Johnson stated that the applicant left the meeting last night thinking they had the go ahead with this project. Administrator Schmidt stated the Board of Adjustments doesn't meet until May 21st so he is recommending that the committee come up with guidelines to be brought forward to Council ASAP. What can be done is the committee can just pass the specific issues that need to be dealt with immediately and then the other changes can be done at a later date as the committee has time. The Building/Zoning Committee has another meeting next Monday and they will meet at 6:00 PM instead of 7:00 PM here at the Multi-Purpose Center.

Utilities:

Council member McNally stated they had a meeting on April 1, 2008. There were citizens present that wanted to know with the new sewer plant going on line if the City would be running the sewer lines down Ryan Road and what the time limit would be. The Mayor and staff explained that the rest of the citizens in Buckley would not benefit from the added expense and there are just not enough people on Ryan, Sheets, and Klink roads to warrant that kind of expense. Staff believes that developers will run the line as development happens. The citizens felt that the lines should have been planned from the very beginning and addressed for the grant money paying for the new sewer plant. The citizens from the southeast end of town feel like they are forgotten from many of Buckley's services. Wayne McBroom stated that he talked to a land acquisitioner and that developer was frustrated working with the City. Staff said they have been nothing but honest with them and that Trinity just got frustrated and left town because of time lines. Mr. McBroom stated that he has heard that developers talk amongst themselves and none of them are interested in coming to Buckley anymore. Staff did say those citizens in that area could go out for a Local Improvement Development, but only those citizens would be required to pay the loan back.

The State's water treatment plant has hired a new worker for the plant, so now Buckley has no say in placing one of our employees up there to learn the plant and Buckley possibly taking over the plant in the future. The float issue is still causing problems as some sensors are going bad and they need to be replaced. These sensors were purchased from a company over in Spokane many years ago and no one around here can work on the system. If we upgraded the entire system with new technology, the cost would be around \$80,000 to \$100,000 dollars. The quick fix is approximately \$3,500 + labor. This problem is also creating a problem for the police department dispatchers and we are hoping with new sensors to also fix that problem. The City will be responsible for water system telemetry on wells 2 and 4 and the Naches well, then the float at the reservoir would be shared by the state school and they would be required to pay only 27%. Staff states this is not a recommendation but a must fix.

Lorraine Taylor apparently has decided to work with the City and sell her property to the City. Staff is working with the City Attorney to draw up the paperwork.

Staff requested Heath Consultants to come out for their first inspection on the gas lines and they found several more minor leaks than what our gas department found. Staff is not sure how long it will take to repair all the leaks, which must be done before we can increase our pressure.

The 4x4 vehicle for the WWTP in conjunction with the food bank is still on hold as the food bank has not confirmed the price of \$10,000 that was quoted by staff 1-11-08.

The Public Works Department remodel has been postponed due to bids coming back too high. It will take place next year when more money can be budgeted.

The gas ordinance and professional services were tabled until the next meeting.

The next meeting will be May 6, 2008 at 6:00 PM.

Strt/Sdwlk/Strm:

Council member Weigelt was absent; however, Administrator Schmidt stated they have a meeting on April 15, 2008 at 6:30 PM at City Hall.

Parks/Recreation/Cemetery:

Council member Montgomery stated they had a meeting on April 1, 2008. There is a survey that he has included in everyone's packet. They desperately need community input. Mayor Johnson asked if the surveys that were sent in the utility bills have been compiled. Council member Montgomery stated Recreation Director Bacon is compiling that information now; approximately 150 surveys have been returned. Their next meeting will be April 16, 2008 at 6:30 PM at City Hall.

Community Services:

Council member Reed stated they discussed at length the Plateau Saturday Market; they have very strong participation and interest in this. The current plan is to run from May 10th through Labor Day and possibly into October, depending on the interest level. They do have a volunteer that is going to help manage it this year. They are planning on placing it on the Ryan Road side of the trail because there is parking, and sani-cans are already there. Council member Boyle Barrett asked if there will be any kind of signage. There was discussion about using a banner like what used to go across Main Street. Council member Reed stated they would be talking with the Chamber tomorrow.

The other item they briefly discussed was running electricity through the park for Christmas lights on the trees. It is very expensive to do this; the bid came back at \$18,000, and then there is the issue of laying conduit that would damage roots and kill the trees. They also know that those trees are reaching end of life and there hasn't been a plan put into place to replace them.

Council member Montgomery stated he received an e-mail from Intent Yoga Center in Enumclaw; she sent out an e-mail to all her members saying lets start a Farmers Market in Enumclaw. James attended the meeting and let them know we are starting one in Buckley. She had a good idea to have a mid-week market in Enumclaw to capitalize on Mutual of Enumclaw employees. The two markets could be very complimentary to each other. This could be a good thing.

Mayor's Report:

Mayor Johnson stated that there will be a dinner/auction on April 19, 2008 at the Buckley Eagles for the White River Senior Housing to raise money to purchase amenities that were cut from the original budget.

Staff Reports:

Administrator Schmidt stated he has nothing to report.

Chief Arsanto reported about his two new vehicles. He also reported that he has been meeting with Black Diamond, Bonney Lake and Sumner courts to discuss video arraignments in the jail.

MAIN AGENDA**White River High School: FFA Agricultural Issues Team Presentation:**

Amy Miller, the Ag Teacher at White River High School, introduced the five FFA members who did a presentation on Bio-Solids.

Mayor Johnson recessed the regular meeting at 8:20 PM to enter into the Public Hearing.

Mayor Johnson stated the purpose of tonight's public hearing is to solicit comments on the proposed Animal Control Ordinance. Mayor Johnson then opened the public hearing at 8:21 PM.

Marvin Sundstrom, 881 Sheets Road. He has read through the ordinance. He and his wife have been around animals all their life, and we would like to think we know what proper care for animals of all types is. We also owned and ran a boarding facility for cats, dogs and other critters for 20 years. Some comments: Item 7, page 2: dangerous dogs, pit bulls. Their experience is that it is not the breed of the dog but the irresponsibility and attitude of the owner. This is “profiling” to single out a breed of dogs. Section 9.10.060 (4), microchips – AKC – OFA requirement, this is something that should be written into the code. Section 9.10.070 – tags for other animals? We talk about tagging dogs, why not horses, cows, etc. Section 9.10.080 – License Fees – why only dogs? Why not other animals and fowl? What about reductions for those animals properly supervised; should be the same as those that spay and neuter. Section 9.10.110 – There is a WA State Supreme Court Decision with the City of Spokane regarding the right of dogs to bark in certain instances. He thinks that is only fair if they are acting as security dogs. Section 9.10.160 – While it is recognized these officers require authority, where is the prudent use clause? In our dealing with the City’s various officials, here is a laundry list of instances: claiming authority that did not exist, mouthing “urban myths” that had no basis in fact, marginal to non-existent people skills, failing to enforce existing codes when presented in complaint and just plain dishonesty. Would the expectations of a higher caliber individual than the citizens have experienced in past and present employees be an unreasonable expectation? With something as near and dear as our pets there needs to be a feeling of reassurance for the citizens that our rights will not be abused. Section 9.10.220 – What makes pot bellied pigs better than other swine? What about the 4-H or FFA member who would like to raise a pig for a project? He thinks this issue needs to be re-thought with certain zones of the city being “no livestock” zones. Section 9.10.250 – He would hope that everyone is aware of proper care for animals. Does this ordinance preclude the events that we hope you all saw unfold on Ryan & Sheets Road. Does this ordinance make sure all animals will have proper shelter, sufficient water and nutritious food not subject to the elements? Section 9.10.270 – We have an issue on Sheets Road; every time there is a new renter on the premises they let their dogs wander. Why shouldn’t the landlord bear responsibility for enforcement? Section 9.10.300 – Horses, cows, chickens, ducks – who picks up the enforcement tab for these if we don’t have license fees? In closing, we have an issue with individuals who don’t own animals of any type as part of their lifestyle deciding what is in the best interest of those of us who do.

Administrator Schmidt stated we did receive an e-mail from Jason Doty that will be part of the record. Each Council member received it tonight.

With no further comments, Mayor Johnson closed the public hearing at 8:33 PM.

Mayor Johnson reconvened the regular meeting at 8:33 PM.

Ordinance No. 10-08, Replacing Animal Control Regulations:

Administrator Schmidt stated this was only put on the agenda in case the Council wanted to move on it tonight with the comments. **Council member Boyle Barrett stated as**

chair of the Public Safety Committee she moved to postpone this and send it back to committee to have some of the questions answered before a decision is made on this. Council member Montgomery seconded the motion. Council member Reed asked if this ordinance addresses raising of pigeons. Administrator Schmidt stated yes it does. Council member McNally stated one of the problems he has is all the neighborhood cats that live in his barn. Administrator Schmidt stated there has been an ongoing problem with cats in the City for sometime. The Public Safety Committee worked very hard to put an ordinance together to address this problem. Council member Boyle Barrett stated if the Council has any comments on this please forward them to her so they can be discussed at their next committee meeting. **The motion then carried.**

Council member Reed moved to approve the Consent Agenda. Council member Twardoski seconded the motion and the motion carried.

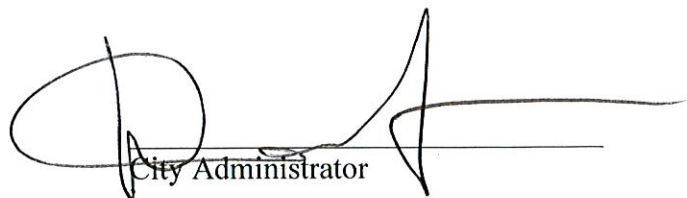
Approve the minutes of the March 25, 2008 Council meeting.

Approve Claim check numbers 41088 through 41175, in the amount of \$241,363.45, for the period of March 26 through April 8, 2008; Payroll check numbers 27812 through 27925, in the amount of \$296,774.48 for the month of March 2008; and Treasurer check numbers 10354 through 10377, in the amount of \$63,635.65 for the month of March 2008 are hereby approved and ordered paid. Approve Transfer Voucher for the month of March 2008 and Treasurer's Receipts for the month of March 2008.

With nothing further the meeting was adjourned at 8:40 PM.



Mayor



City Administrator