

City Council
August 26, 2008

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

Upon roll call the following members were present: McNally, Montgomery, Ramsey, Twardoski and Weigelt. Council members Boyle Barrett and Reed were absent and excused.

Admin/Per/Fin:

Council member Ramsey stated they did not have a meeting and their next scheduled meeting will be September 8, 2008 at 6:30 PM at City Hall.

Public Safety:

There were no meetings.

Bldg/Zon/Env:

Council member Twardoski stated they did not have a meeting and their next scheduled meeting will be September 8, 2008 at 6:00 PM at the Multi-Purpose Center.

Utilities:

Council member McNally stated they did not have a meeting and their next scheduled meeting will be September 2, 2008 at 6:00 PM at City Hall.

Strt/Sdwlk/Strm:

Council member Weigelt stated they had a meeting on the 21st and they talked about improvements to Hinkleman Road. Interwest Development had come to the City and suggested that they use Hinkleman Road as a back entrance. The committee felt that was a good idea and they made recommendations to add some reference to possible impacts to Mundy Loss and Highway 410 in terms of traffic and mitigation for the City should there be damage to those roads. The committee recommended that the School District be contacted if they want to do any improvements and have them done at the same time. They talked about the storm water plan. Marvin Sundstrom had a few suggestions about pulling up some historical data and pointed out some things that need to be corrected. They adjourned knowing the storm water plan will be coming up for more discussion.

Parks/Recreation/Cemetery:

Council member Montgomery stated they did not have a meeting and their next scheduled meeting will be September 3, 2008 at 6:30 PM at City Hall.

Community Services:

Council member Weigelt stated he had a comment about trying to get the Farmers Market going. There is a vendor that sells log furniture that is on the property across from the 410 Cafe on Saturdays. He feels we should let them know they cannot do this on the same day as the Farmers Market. Mayor Johnson stated we cannot do anything about them selling on that property if they have permission from the property owner, but we

can enforce making sure they have a business license. Council member Twardoski stated this Saturday will be the last weekend. Mayor Johnson stated this should be something discussed at the recap meeting to figure out how to handle this for next year.

Mayor's Report:

Mayor Johnson stated she has been contacted by the Lower Puyallup Watershed group. They are writing regulations for the Lower Puyallup that are going to affect us. They have decided that maybe we would like to be at the table. They have formed an advisory committee of all the cities upstream. They are going to be writing legislation that will affect us and they want an elected official to be on that ad-hoc committee. It will meet once a month for a few months. The next meeting will be September 8, 2008 and there is no way she can make it so if there is anyone on the Council that can sit in on that meeting she would greatly appreciate it.

The other issue she would like to talk to the Council about is she would like permission to enter into an agreement. This just came yesterday and Sue Sampson has not had a chance to look at this contract. As the Council is aware, we have been working with the cities of Sumner, Bonney Lake and Auburn on the Lake Tapps and water rights issue. Six months ago the City of Auburn hired a firm by the name of Thompson Smitch Consulting Group, Inc. (TSCG) which is a water rights group. For the past six months Auburn has been picking up the bill. They have been at all the meetings with the Cascade Water Alliance in Olympia. What Auburn is asking us to do is for the next three months we pay our share, which would be \$3,000 per month plus the expenses that are listed in the contract. There is a scope of work, and in addition to fees we will be charged expenses for photocopies, meals, mileage, cellular telephone charges and special mailing or courier services. Each city will now be paying an equal share. Most everything that is going to be dealt with on Lake Tapps doesn't affect us much, but the flume does go through Buckley and that is part of the Lake Tapps deal. They will also carry through with this for our issues as well, especially with the 1903 agreement. The Mayor would like the Council to give her permission that after Sue Sampson reviews this agreement and doesn't have a problem with it then go ahead and enter into this agreement. If the Council is uncomfortable about it, we can always do it at the September 9th meeting. Because Auburn has been so good up until this point, she would like to be able to pay them in a timely fashion. We have the option of having Auburn invoice us or having the firm do it. Council member McNally asked about the populations of all the other cities that are involved; their populations are a lot larger than Buckley's. Mayor Johnson stated that Sumner is pretty equal to us, but we stand to gain as much as the other communities as far as water rights. That is what they are basing paying an equal share on. Mayor Johnson states we stand to gain as much if not more than some of the other cities.

Council member Twardoski moved to enter into an agreement with Thompson Smitch Consulting Group, Inc. after the City Attorney has had a chance to review the contract. Council member McNally seconded the motion. Council member Ramsey stated so it is \$3,000 per month plus expenses and do we have anything in our possession that shows what they have done in the past six months. Mayor Johnson stated she doesn't have anything but could get that information. Council member Ramsey would like to see some type of monthly report for paying this money. Mayor Johnson

stated she would request an itemized billing. Council member Weigelt stated one thing he would like the attorney to check on is the meals as he is not used to seeing that for contract work. Mayor Johnson stated she thought that as well. Discussion ensued. Council member Weigelt stated the Mayor has been working with these people and she feels it is in our best interest to continue to do this and she thinks there is value in it so he would support it. Mayor Johnson stated it is one of those things where she really doesn't see where we have much choice. Council member Weigelt stated if the meals are left in then he wants this to come back to the Council, unless Sue says that is standard protocol. **The motion then carried.** Mayor Johnson stated she would let the Council know by memo what transpires.

Citizen Participation:

Joe Schamer lives at 220 Perkins Street. They have lived there 7-1/2 years. There are 18 dogs surrounding them in the immediate homes, some of which are taken care of by their owners and some that don't care. It has gotten to the point that in the summer they can't have the windows open because it is unbearable. They have contacted the police department several times and the police have told them that there is nothing they can do, that there are no teeth in the law nor do they have the man power to take care of these things. Mr. Schamer feels they should limit the amount of dogs per household. If there is anything that can be done it would be greatly appreciated.

MAIN AGENDA

Resolution No. 08-14: Surplus Vehicles:

Mayor Johnson stated this is for the surplus of two police vehicles. **Council member Montgomery moved to approve Resolution No. 08-14, Surplus Vehicles. Council member Twardoski seconded the motion and the motion carried.**

Moriarty: Boundary Line Adjustment, LBA 2008-04:

Council member Montgomery moved to approve the Moriarty Boundary Line Adjustment, LBA 2008-04. Council member Twardoski seconded the motion. Council member Ramsey asked if right now they have three pre-existing lots and they want to make it two. Associate Planning Director Rashid stated they have three legal lots of record and are making it into two, but the reason it has to come before the Council is because they are changing the orientation of the lots. **The motion then carried.**

Council Discussion: Title 19 (Zoning Code):

Council member McNally stated his ideas are all on paper and he would like to stick to those. He did get the Mayor's e-mail and he will be ready for the 9th meeting. Council member McNally wants to make sure on the matrix that Banks and Financial Institutions are listed as conditional under Light Industrial and under residential uses for Cottage Housing, Carriage Dwelling Units and Residential Cluster Housing. For cottage housing the committee had them removed from R-6000 and R-8000 and staff has it as permitted. Carriage Dwelling Units, under R-6000 and R-8000, the committee had those removed but staff has it as permitted, and Residential Cluster Housing, under the R-6,000, R-8000 and R-20,000, the committee wanted this as conditional use and staff has it as permitted. Council member Ramsey stated her version has all these struck out and is that because

we are going with PUDs. It was discovered that he was looking at the wrong version. Council member Montgomery stated on the 9th one of the amendments he is going to recommend is that the Residential Cluster be brought back with some minor tweaking. There is no down side to having both the Residential Cluster and the PUDs, but he feels the PUDs need more work. The PUD needs to be put on hold until it has been researched more. Council member McNally stated regarding Lisa Cramer's letter that came out about PUDs, that out of all the cities that she talked to none of them were in favor of PUDs. It takes a lot of work and he agrees we need to delve into it hard and heavy. It appears that a lot of cities just passed it and then ran into the problems. Council member Weigelt stated that is not necessarily accurate. What the attorney said was that he works with a lot of cities that have PUDs that give the cities flexibility to do the kind of development they want. We would need to see what cities have PUDs and what cities have put moratoriums on them and go from there. Mayor Johnson stated she can see for us with a limited staff that it is going to be a real burden but it is not one you can't work through. Council member Montgomery stated it is going to take a dedicated staff, a dedicated planning commission and a dedicated council that has their stuff together. Council member Montgomery briefly went over his list of amendments that he would like to see for Title 19. The issues were open space and how important it is that if we give it away now we will never get it back. In the design criteria there is a section in the Residential Cluster piece that really gets at what the people of the community wants to see, so he doesn't think this should be in a portion of the code that is optional, it should be in all the guidelines. Concerning incentives for the Residential Cluster Option, he thinks we have been put in a position where the only way to get more of what we want is to give up density. We need to make the code a little more prescriptive in places and then relax the standards somewhat in Residential Clustering. For lot coverage he will be asking for reductions in both lot area coverage and floor area ratio in all residential zones. Within the permitted uses table for all zones he would like to see townhouses, cottage housing and carriage housing prohibited unless the applicant opts to use residential clustering or PUDs when they are ready for adoption. He would also like to see the number of townhouses reduced from six to four. He would like to propose incentives other than a density bonus for green building, sustainable low impact development and the construction of ramblers. He would also like to see landscaping modifications adding requirements for canopy shading, planting strips and islands in parking lots. All totaled, he has around 27 amendments. Council member McNally stated for open space he thinks we should start at 20%. He also brought some pictures of three houses that burned in less than four minutes. They had five foot setbacks for a total separation of 10 feet. He would like to see a minimum of 20 feet total separation in all residential building. He would like to see 50-70% less for the second floor on two story homes. Mayor Johnson stated she doesn't know if many people have seen Chief Predmore's home but the second story is the same as the first story, but it has a covered wrap around porch so it doesn't look like a box. Would this be something that the Council might want to consider? Council member Ramsey stated last night on her way home from work she stopped in Sumner where there are 13 new town homes that are for sale, that have been for sale for a year. They now have the signs out there to lease to own. These are in groups of four and now that she has seen this she thinks four should be the limit. Each of these is less than 1,000 square feet each with a starting price of \$230,000. If this is supposed to be

pleasing, it looks like it could turn into Section 8 housing. She pulled her car into the driveway and she could not back out without the back of her car touching the back window of the next set of four. After she saw this, and experienced it, she agreed that this is not what we want in Buckley. Mayor Johnson stated it really helps driving around and looking at the different scenarios. Mayor Johnson asked if all the amendments that are being proposed could be made available to the Council by Friday so they can be put in the packets. Mayor Johnson stated what we would do is make a motion to adopt Title 19 and then there will be a whole bunch of other motions to add the amendments. If you have a motion that is the same as another Council member, you should talk to that member prior to the meeting to see who wants to scratch it.

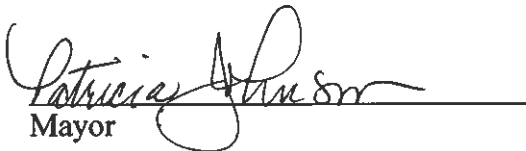
Council member Montgomery stated his concerns about the Park Plan not being adopted at the same time that the zoning code is adopted. We don't have any time to have the public hearing at the next meeting so it wouldn't be until the second meeting in September. He would like to know if we could refer to it in the zoning code even though it hasn't been adopted yet. Council member McNally stated he doesn't think so because the Council was not able to make a decision on Interwest until the code had actually been changed, according to the City Attorney.

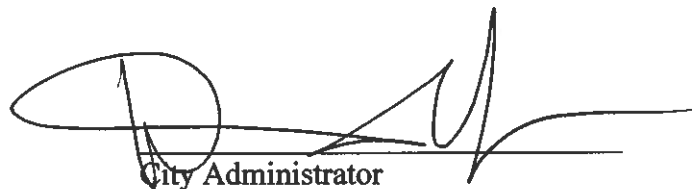
Council member Weigelt moved to approve the Consent Agenda. Council member McNally seconded the motion and the motion carried.

Approve the minutes of the July 22, 2008 Council meeting.

Claim check numbers 41804 through 41847, in the amount of \$ 351,230.95, for the period of August 13 through August 26, 2008, are hereby approved and ordered paid this 26th day of August, 2008.

With nothing further the meeting was adjourned at 8:12 PM.


Mayor


City Administrator