

City Council
September 23, 2008

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

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

Administrator Schmidt would like to add to two items to the agenda. One is an Ordinance for the Rocklin Redding LLC donation, and the other is a clarification on Title 19 that was recently adopted.

Admin/Per/Fin:

Council member Ramsey stated they have not had a meeting since the last Council meeting, but they have one scheduled for tomorrow night at 6:30 PM.

Public Safety:

Council member Boyle Barrett stated they had a meeting last week and discussed the budget.

Bldg/Zon/Env:

Council member Twardoski stated they had a meeting on Monday and discussed the budget. She would also like to know if we are having a workshop on the 30th. Mayor Johnson stated yes we are, here at the Multi-Purpose Center at 7:00 PM.

Utilities:

There were no meetings. The next meeting is scheduled for October 7, 2008 to discuss the budget.

Strt/Sdwlk/Strm:

Council member Weigelt stated they had a meeting on September 16th to discuss the budget.

Parks/Recreation/Cemetery:

Council member Montgomery stated they have not had a meeting, but have one scheduled for October 8, 2008 at 6:30 PM.

Community Services:

Council member Reed stated they had a meeting on September 15th to discuss the budget.

Mayor's Report:

Mayor Johnson stated the only thing she has to report is that she attended a meeting with the County Executive and other Mayors considering water rights that the County has for the Chambers Creek properties. She brought the County Executive on board to what our water needs are. The other group at the table was Tacoma City Water. They feel that

they have 2.6 million gallons per day in excess that they were going to put on the market. They didn't want to sell it; they wanted to lease it. Mayor Johnson stated she informed them that if we were going to get water from Tacoma it would have to be a permanent deal.

Mayor Johnson stated that we had talked about having an adhoc committee to come up with PUD regulations. Council member Boyle Barrett stated she would like to be on it, as did Council members Montgomery and McNally. Mayor Johnson stated this will be the adhoc committee and she would like to have the regulations done in the next six months. The sooner the better, but no later than six months.

Mayor Johnson stated that Bob Olson has approached her again about the Commission of Arts position. The City will be writing an ordinance for this and creating that position for him. He was in the Mayor's office this week and has a neat idea for a Veterans' Memorial, and he is excited about getting this going.

Administrator Schmidt stated that City Attorney Sue Sampson submitted a letter of resignation to Mayor Johnson. She doesn't want to resign, she would like to stay on as the personnel attorney, but as far as being a City Attorney and attending Council meetings, she can't drive at night. What the City has discussed and would like the Council do is to retain Ogden, Murphy and Wallace as our City Attorney as well. We have talked about bringing Phil Olbrechts on as a land use attorney to transition Ogden, Murphy and Wallace in once Sue Sampson retired. That is where we are now. Staff has asked Phil Olbrechts to prepare an amendment to the contract agreement we have with them for land use services, to be our City Attorney. After talking to Phil about it, the way the contract is written right now it is okay in the interim for him to be our City Attorney and operate under the same agreement. What the Mayor talked about was maybe having Phil be the City Attorney until the end of the year and then advertise and look at other firms as well, or stay with Ogden, Murphy and Wallace. Mayor Johnson stated we have talked about wanting a firm that specializes in different areas of City government. Maybe after the first of the year, if the Council wants to, we can put out a request for proposal like we did with the Engineering firms. Administrator Schmidt stated that Ogden, Murphy and Wallace represent more cities than any other firm, or at least are a close tie with another firm. Mayor Johnson stated this is something the Council can think about but it doesn't have to be decided right now.

Administrator Schmidt stated that supposedly we are done with the FEMA Transmission Main project. As he reported to the Council at the last meeting, the contractor hit the water main so there was a change order as a result of that. Supposedly, the cost of the project including the change order still came in \$800 under the contract price. Because there was a change, FEMA has to look at the change order to see if it is eligible for funding or not. That is where we are now. As soon as Chief Predmore gets back we will be able to complete the paperwork and move forward with project close out.

Mayor Johnson stated for those that don't know, Chief Predmore is in Texas and he wasn't sure if they would be dismissed today or Friday. He has been participating in all

the FEMA stuff after the hurricane. Administrator Schmidt stated we also have three firefighters down there as well.

Administrator Schmidt stated regarding the water rights issue, we have had a series of meetings; Mayor Johnson as the elected official and himself on the technical staff on the water rights issue with Cascade Water Alliance. During the last meeting, Cascade said they need to work this problem out regionally together, so they are beginning to be a little more receptive. Mayor Johnson stated she has a meeting next week with PSE and the surface water management people for Pierce County. This is regarding the land along the river that borders our city limits. Cascade Land Conservancy is prepared to step in and help us with the financing. Administrator Schmidt stated that he and Dominic have a meeting with PSE on Thursday to go over the final boundary line adjustment.

MAIN AGENDA

Mayor Johnson suspended the regular meeting at 7:20 PM to hold the public hearing on the Parks and Recreation Plan 2008 Update.

Mayor Johnson opened the public hearing at 7:20 PM.

Marvin Sundstrom 881 Sheets Road would like to comment on a couple items. He feels that we have established that Spiketon Ditch is a ditch and not a creek so we can strike the slash creek in the document. He would like to see a more aggressive trail system away from busy roads. He appreciates the fact that the trail system goes around the City, and he thinks that is a wonderful idea, but he believes there are more options if we do things tied in with the storm water, and talk to some of the property owners; he believes we can create some trails that are away from the public roads. It is not healthy to walk next to a highway because of the fumes. The wildlife center sounds nice but he has a couple problems. He didn't read anything that plans for establishing some wildlife corridors. We have property within the City that is unbuildable because of critical areas such as the steep hillsides. If we continue on the path we are going the only wildlife you will have is raccoons. Beyond that you will have wall to wall houses and look like any other dumpy little town you go into. You just cannot have enough parks.

The public hearing was closed at 7:25 PM.

Mayor Johnson resumed the regular meeting at 7:25 PM.

Ordinance No. 23-08; Amending BMC 16.40 Fees:

Administrator Schmidt said if you do make a motion to approve this it will be the amended version that was handed out tonight. There were some corrections that were made referencing the International Building Code rather than the Uniform Building Code. **Council member Boyle Barrett moved to adopt Ordinance No. 23-08, amending Manufactured Housing Setting Fees in BMC 16.40.040 as amended. Council member Weigelt seconded the motion and the motion carried.**

Resolution No. 08-17; Amending Taxes, Rates and Fees Schedule (Gas, SW GFC, Sign, Design):

Council member Ramsey moved to approve Resolution No. 08-17 amending the City Taxes, Rates and Fees Schedule adjusting Natural Gas Rates and Stormwater General Facility Charge and adding fees for Sign Recovery, Design Review and Pre-application meetings. Council member Twardoski seconded the motion. Council member Boyle Barrett asked about the figures under 12.08.050, are they for intake and deposit fees. Administrator Schmidt stated yes they are and he can fix that in the resolution because it doesn't change anything. **The motion then carried.**

Equipment Purchase: WWTP Truck and Parks Tractor Attachment:

Council member Montgomery moved to approve purchase of a new truck for the WWTP and new Air Blower Attachment for the Parks/Cemetery for the cost identified in the staff memorandum. Council member Twardoski seconded the motion. Council member Reed asked didn't we already approve the truck purchase. Administrator Schmidt stated no, the committee looked at it but Kiwanis had to come back to let us how much they were going to kick in, which she did but it never came back formally before the Council. **The motion then carried.**

Ordinance No. 24-08: Rocklin Redding LLC Donation:

Council member Weigelt moved to approve Ordinance No. 24-08. Council member Reed seconded the motion. Administrator Schmidt stated that Friday afternoon we had a gentleman and lady come into City Hall and ask who they needed to talk to about making a donation. City Administrator Schmidt and Finance Officer Bazzar met with them and asked what they had and what they wanted. The gentleman handed them a check for \$40,000. There was a family that lived in California that originally lived in the Graham area. The father was very wealthy and passed away recently and left the children a significant amount of money, and they all made a pact that they would take \$100,000 and donate it to local communities in their home area. He said he always loved Buckley and wanted to make a difference. They told us to put it in the general fund to help with services such as planning. Mayor Johnson stated the only discrepancy is how to spend the money. Her personal feeling is if we put it in the general fund we have nothing to show for it, and this is money that we should put to even a small project that we may have had to scratch. She would like to be able to physically see something that we have spent the money on. Mr. Sundstrom had the great idea that we need a sign on the Youth Center that can be read from the highway. The City has a nice certificate of appreciation for the family that we will send to them, and then once the Council decides how to spend the money we will notify them where it went and what it was used for. Mayor Johnson stated we really need to think about what to use this money for. **The motion then carried.**

Clarification on Title 19:

Administrator Schmidt stated that when the Council made the motion to adopt Title 19 to take the PUD out and add the residential cluster back in, we went to the version prior to the hearing. That is the version we went by so we have been putting everything into the Ordinance to send off to Code Publishing and for publication. The problem is, between

the first hearing and the second hearing we had a workshop and there were two versions of the zoning code and there were changes made, and those changes were in the same version that the PUD got put into and they are represented by the pages where items are marked in red. All we need to know is if the version with items marked in red is the version that the Council did intend for Title 19 to be. There were some items put in there by Attorney Olbrechts, one of them being a definition of affordable housing. They talked about zero setbacks for attached units because we didn't have a provision in there. These are the types of things in there. This is the version that went to the second hearing, that PUDs were in. He just needs a consensus that this is the understanding and intent of the Council. The Council all agreed that is what they wanted.

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

Approve the minutes of the September 9, 2008 Council meeting.

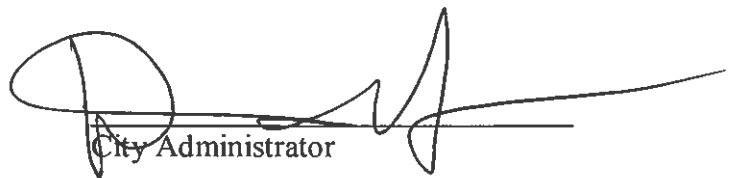
Claim check numbers 41970 through 42039, in the amount of \$ 378,733.22, for the period of September 10 through September 23, 2008 are hereby approved and paid. Claim check numbers 41974 through 41999 have been voided – old bank account numbers no longer valid – check # 42000 was voided and sent to the printing company for new check order.

Mayor Johnson stated that the lower Burnett Bridge is on its way up from Oregon and Pierce County hopes to drop it in by crane on Thursday.

With nothing further the meeting was adjourned at 7:41 PM.



Mayor



City Administrator