



## BUCKLEY CITY COUNCIL MEETING AGENDA

August 11, 2009

Multi-Purpose Center, 811 Main Street

City Council Meeting

Opening 7:00 P.M.

Call to Order  
Pledge of Allegiance  
Roll Call of Council Members

Next Ordinance #09-09  
Next Resolution #09-16  
Next Agenda Bill #AB09-72

### Committee Reports

1. Admin & Finance
2. Public Safety
3. Building & Zoning
4. Utilities
5. Streets, Sidewalks & Storm Drains
6. Parks & Rec & Cemetery
7. Community Services
8. Mayor's Report:
9. Staff Reports:
  - Clarification on Hearing Examiner Role

Ramsey  
Barrett  
Twardoski  
McNally  
Patson  
Montgomery  
Reed  
Johnson

### Citizen Participation

*Time Limit of Five Minutes* (Must sign up at City Hall by Wednesday prior to the Council Meeting)

10. Jason Schafer, Chamber of Commerce: Beer & Wine Walk

### Main Agenda

11. Mills Final Short Plat: Ratification
12. PSE/CWA Utility Easements
13. Water Trans Main Hazard Mitigation Grant – Presentation & Discussion
14. Lease Agreement: Congressman Reichert

### Consent Agenda

15. A. Approve Minutes of July28, 2009
- B. Claims
- C. Transfer Voucher
- D. Payroll

*Council may add and take action on other items not listed on this agenda*

**City Council**  
**August 11, 2009**

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

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

**Admin & Finance:**

Council member Ramsey stated they have not had a meeting; their next meeting will be August 31, 2009 at 5:00 PM.

**Public Safety:**

Mayor Johnson stated Council member Boyle Barrett sent a memo regarding the Beer and Wine Walk which is on the agenda for tonight.

**Building & Zoning:**

Council member Twardoski stated they had a meeting on August 3, 2009. There were a couple applications. One was for the quilt shop for a sign that was approved. The other was for Klips by Kim with their store frontage remodel. They did the remodel without any permits so they have come to the committee after the fact. They removed the windows and just boarded them up and painted them. The committee didn't care for the original windows but would like to have some kind of false decorative window to keep the flavor of the historic district. They will be coming back with new drawings. Their next meeting will be September 14, 2009 at 7:30 PM. Council member Reed stated that one of the big points was the historic retention of the buildings. Mayor Johnson stated that everyone received a memo from Associate Planner Rashid regarding the Hearings Examiner's role and clarification on that. She had a couple issues that she had concerns on. If the Hearings Examiner takes over for the Board of Adjustments there will be additional costs for anything heard, and the other issue is whether or not the Hearings Examiner would be making a recommendation or the actual decision. The biggest issue would be the additional cost of variances and conditional uses for the applicants.

Administrator Schmidt stated he could contact our Hearings Examiner to get an estimate as to the cost of simple variances and more complex variances to see what the costs may be. Mayor Johnson stated she has spoken to one of the board members and the issue he has is setting precedence. In a town our size they could be hearing issues with neighbors and they have a hard time making the decisions without setting precedence.

Administrator Schmidt stated what Associate Planner Rashid needs is a solid recommendation so that the Planning Commission doesn't put a lot of time on this and then have it come back to the Council and have things changed.

**Utilities:**

Mayor Johnson stated that Council member McNally submitted his Minutes.

**Streets, Sidewalks and Storm Drain:**

Council member Patson stated their next meeting will be August 18, 2009 at 7:00 PM.

**Parks& Rec & Cemetery:**

Council member Montgomery stated they had a meeting on the 6<sup>th</sup>. The majority of what they talked about was the need for an urban forestry policy because of several issues that have come up the last several months. The timing worked out pretty well because Associate Planner Rashid is taking a class and one of the requirements is that she develop an urban forestry policy. The National Night Out was a successful endeavor. Council member Reed has made contact with McLoughlin White Water Group who specializes in artificial kayaking and white water courses and they are interested in presenting us with some sort of proposal.

**Community Services:**

Council member Reed stated they had a meeting and discussed the Taylor property and what the options are for that. His proposal is to use that house as transitional housing for the next couple years until the property can be subdivided and sold. Since the last meeting he has had the opportunity to talk to Helping Hand House. They rent and lease property and are willing to work with the City. The other item they discussed briefly was the Census 2010. We will be inviting our friends and neighbors in on September 14<sup>th</sup> at 7:30 PM at City Hall.

**Mayor's Report:**

Mayor Johnson stated that Congressman Reichert will be having an informal open house tomorrow from 9:00-10:30 here.

**Staff Reports:**

Administrator Schmidt stated the sewer line project is continuing. There haven't been any problems other than neighborhood disputes and some noise issues. At the last Council meeting one of the things we asked for was authorization to replace a 6" AC water line. When the contractor was given the opportunity to give us a quote, the quote came back double the price at \$70,000, so we asked him to come back with another quote. They came back with a quote of \$55,000, which was still high. If the project was approved for what the engineering estimate was, and the match came out to the dollar, we would have \$54,000 left and they wanted \$55,000, so we said no. We are going to pave over the main. Right now it has held up okay, with all the work being done the main hasn't had a problem.

Administrator Schmidt stated he received a letter today from the Public Works Director of Bonney Lake asking us if we would like to participate in a feasibility study to take some of Bonney Lake's sewer. Right now they are taking all their sewer to Sumner, and Sumner is asking them for a lot of capital improvements, so they wanted to explore other

alternatives. Discussion ensued. After discussion the Council was all in agreement to see about the feasibility study with absolutely no cost to the City.

### **Citizen Participation**

Jason Schafer from the Chamber of Commerce is here tonight to get permission to hold the 2<sup>nd</sup> Annual Beer and Wine Walk on September 12, 2009 from 3-6 PM. All the money will go to the Chamber of Commerce to beautify the community. They have talked with Council member Boyle Barrett and Chief Arsanto to iron out some issues. The Liquor Control Board requires a letter from the Mayor in favor of this or there is a 45 day waiting period. **Council member Montgomery moved to authorize the Mayor to submit a letter to the Liquor Control Board allowing the Buckley Beer and Wine Walk on September 12, 2009. Council member Twardoski seconded the motion and the motion carried.**

### **MAIN AGENDA**

#### **Mills Final Short Plat: Ratification**

Administrator Schmidt stated that somehow this fell between the cracks because we can't find where the Mills Short Plat came before Council; however, the final short plat Mylar has been signed off by all the officials in the City and has been recorded with the County. Administrator Schmidt is asking to add onto the motion "based on the conditions of preliminary plat approval". **Council member Reed moved to approve the Mills Final Short Plat File #SP 2005-01 based on conditions of preliminary plat approval. Council member Twardoski seconded the motion.** Council member Montgomery stated he noticed some of the conditions were levying the impact fees and his question is, are the impact fees levied upon final plat approval or taking out a building permit? Administrator Schmidt stated that is something we just found out under the Van Sickle Subdivision. He had always been taught before that you need to list the fees under preliminary plat; however, Attorney Olbrechts said on a subdivision that you just list that the applicant will be required to pay the impact fee at the time of building permit. What that does is allow the fee to change so the applicant will have to pay the fee that is in place at the time. Because this was approved with the fees listed under preliminary plat, they are vested with these fees. **The motion then carried with Council member Patson abstaining.**

#### **PSE/CWA Utility Easements**

Administrator Schmidt stated that this is something that has been worked on for about three years and has been through extensive legal review, engineering review and surveyors. The City is not giving anything up, this is simply agreeing to the terms of the easements and the legal descriptions dealing with Puget Sound properties. This did get more confusing when Cascade Water Alliance got thrown into the mix. We now have a final document and this is the last thing that has to happen before their Boundary Line Adjustments are signed and recorded, and then quit claim deeds will be issued and the City will own that property down where we have been talking about for quite some time. **Council member Montgomery moved to authorize the Mayor and City**

**Administrator to execute the Easements and Memorandum of Understanding documents between Puget Sound Energy, Cascade Water Alliance and the City of Buckley. Council member Twardoski seconded the motion and the motion carried.**

### **Water Trans Main Hazard Mitigation Grant – Presentation and Discussion**

City Engineer Dominic Miller stated that the Federal Emergency Management Agency runs a program called the Hazard Mitigation Grant Program, and it is separate from the actual disaster relief program that we have become familiar with. This doesn't address actual repair and damage, it is looking at hazardous situations the City has that may have sustained damage and has to repair. This is a separate grant application; it is actually a competitive process where you are scored and you give presentations. FEMA does pick up 75% and the City would have to pick up the remaining 25%. In past years, the State has picked up ½ of the 25% leaving the City with 12.5% to pick up. The City is required to hold two public meetings. Engineer Miller gave the Council a rundown of the projects that we will be applying for. The intent here is to present what the projects are, to solicit any public comments and to get any comments from the Council. There is a second hearing scheduled two weeks from now, and then the application is due September 15, 2009. Chief Predmore spoke to the Council and gave them an overview regarding this grant. Because he was able to sit in with the reviewers of the grant, that actually score them, gives him a little insight as to how those might be scored. Engineer Miller now has the opportunity to look at eight winning grant applications for the last go round. Council member Reed stated basically you are recommending that we submit a grant application for project #2 or both projects. Administrator Schmidt stated for project #2. Chief Predmore stated with this project he feels we will be competitive with this application in being considered for funding. Council member Montgomery asked if there was going to be any sort of conceptual plan that goes with the grant application; does it have to be completely engineered before you turn the grant application in. Engineer Miller stated it doesn't have to be completely engineered, but it has to be described in enough detail. Chief Predmore stated in terms for us it is really having enough design cost information to be able to provide good data in the grant application so we don't get awarded funding for something and then find out the project is not even doable for what we would receive in grants and what we would have to match. Administrator Schmidt wanted to remind everyone that we will be doing this one more time at the next Council meeting to satisfy the grant requirements.

### **Lease Agreement: Congressman Reichert**

Administrator Schmidt stated there is one section of the Agreement that needs to be modified. Under Section 4 – Compensation, where we have that they need to pay the bill to City Hall, under the government accounting standards they don't pay us, we have to send a monthly invoice to Washington DC and they will pay us. He will get that information and plug it into the Lease Agreement so the motion would need to be modified based on this information. Mayor Johnson stated this comes about on recommendation of the City Attorney that we have a formal lease. We came up with the dollar amount for utilities by looking at the square footage and asking the cleaning person


how long it would take her to clean this office. For the number of hours that this office would be open, we have come up with this figure. Administrator Schmidt stated there is an RCW that talks about between government agencies giving fair market value for services and that is the only statute that needs to be satisfied. The value for this office space is about \$358, so they talked about what the value of having a congressional person here for the City would be, which is at least \$100 per hour, so we figured four hours per month dedicated to Buckley citizens would be a fair market comparison. We have checked with the auditors, and as long as we are complying with the RCW we are fine. There is also a cost benefit to the City that they will be paying for utilities that we were not getting before. **Council member Ramsey moved to authorize the Mayor to execute the Lease Agreement between Congressman Reichert's office and the City based on modifying Section 4. Council member Twardoski seconded the motion and the motion carried.**

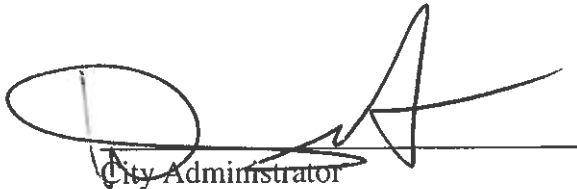
**Council member Reed moved to approve the Consent Agenda. Council member Twardoski seconded the motion and the motion carried.**

Approve the minutes of the July 28, 2009 City Council meeting.

Claim check numbers 43876 through 43945, in the amount of \$540,918.36 for the period of July 29 through August 11, 2009; Payroll check numbers 29934 through 30056, in the amount of \$309,016.50 for the month of July; and Treasurer check numbers 10667 through 10686 in the amount of \$65,180.24 for the month of July are hereby approved and paid this 11<sup>th</sup> day of August, 2009.

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

  
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Mayor

  
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City Administrator