



BUCKLEY CITY COUNCIL MEETING AGENDA

May 26, 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 #06-09
Next Resolution #09-09
Next Agenda Bill #AB09-49

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:

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)

Main Agenda

10. ORD No. __-09: Rezone – Sullivan Property, 2261 Ryan Road
11. ORD No. __-09: 2009 Comprehensive Plan Amendment Docket
12. Scope of Work: G&O to Draft NPDE S QAPP Monitoring Plan

Consent Agenda

13. A. Approve Minutes of May 5, 2009
Approve Minutes of May 12, 2009
- B. Claims

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

City Council
May 26, 2009

Mayor Johnson called the regularly scheduled meeting to order at 7:01 PM.

Upon roll call the following members were present: Reed, Montgomery, Patson and Twardoski. Council member Boyle Barrett arrived at 7:07 PM. Council members Ramsey and McNally were absent and excused. Also in attendance were City Administrator Dave Schmidt and City Attorney Phil Olbrechts.

Admin & Finance: Mayor Johnson stated that she does not believe that Admin & Finance had a meeting.

Public Safety: Council member Twardoski stated that they have not had a meeting.

Building & Zoning: Council member Twardoski stated they have not had a meeting. Their next meeting will be Monday, June 8th, at 6 PM, at City Hall instead of the MPC.

Utilities: City Administrator Schmidt stated that Utilities did not have a meeting.

Streets, Sidewalks & Storm Drains: Council member Patson said they had a meeting. Their first agenda item was the quality assurance plan for the storm water. The Federal Clean Water Act requires cities to be in compliance with the Department of Ecology. This issue was going before the City Council but was tabled in order to look into grant funding as the monies are not in the current budget. Gray & Osborne will assist. The second agenda item was Spiketon Hill pavement decay. The decay has progressed to the point that the dirt beneath the pavement is now exposed. City Administrator Schmidt informed us that the hill is settling and the road needs to be rebuilt, complete with a pony wall. This was part of the Capital Improvement Plan a couple years ago, but there is no funding now. Council member Patson explained what the options are at this point. We may make inquiries to the County about this issue. The third agenda item was the Elk Meadows ditch, which the City Council sent back to Committee for further review. Council member McNally measured the distance at approximately 402 feet from Spiketon Ditch to the culvert, running under the road, which helps to drain Elk Meadows. They had a discussion on ditches versus culverts and associated costs. A decision was made to send the issue of Elk Meadows back to the City Council with the recommendation to revise Gray & Osborne's scope of work, which could include other options for remedy. Council member Patson stated that Council member Montgomery asked if we could move our meetings back by a half hour to 7 PM, and all agreed. Their next meeting is Tuesday, June 16.

Parks, Recreation & Cemetery: Council member Montgomery stated they had a meeting on the 7th at 7:30 PM. Scott de Carteret, our Cemetery Caretaker, has been doing a fantastic job in the weeks and months leading up to Memorial Day. The cemetery is looking great and there was a really nice ceremony there on Monday. The niche walls

are in and they look fantastic. Council member Montgomery said that Council member Twardoski reported on the Farmers Market and said it has been going very well. Council member Montgomery said they discussed the White River Activity Program and asked if this is something the Council wants to discuss. Mayor Johnson said that she and Director Bacon visited the Superintendent in January and discussed the CAP because we were concerned if Buckley decided to pull out what would happen to the CAP. He made it perfectly clear that the CAP is a stand-alone program and will survive without us. Mayor Johnson said our problem is that we are not getting the figures that we need. We are currently spending \$28,000 per year in the CAP, where we could be using that money in our own programs with the Senior Center and the Youth Center. Director Bacon and I came away from that meeting thinking we may be able to better serve the community by not participating in the CAP. Our contract is automatically renewed in August, and we need to let them know before the first of August that we are not going to participate. If that is what the Council chooses, I will draft that letter and have it sent immediately.

Council member Montgomery moved to have the Mayor draft a letter to the White River School District saying that we will no longer be participating financially in the Community Activity Program. Council member Twardoski seconded the motion. Motion carried.

Council member Montgomery said they discussed the 3-on-3 basketball tournament that has been proposed, and the date is July 18th. They also had a discussion on the Park Plan and it looks like that will be going to the Planning Commission after our next meeting.

Community Services: Council member Reed stated they have not had a meeting since the last Council meeting. While the Mayor was on vacation, he attended the Pierce County Executive's Pierce County Cities meeting and the main topic of discussion was the PCRC's passage of a document requesting that various municipalities take a certain amount of what they call affordable housing. I think that was basically, after talking for an hour or so, intended to mean low income housing. Council member Reed said he sees some problems with the document that they finally passed because they have no real enforcement mechanism in it; it is a recommendation document. They basically tried to take King County's document and modify it for Pierce County, and in doing so, as far as he is personally concerned, they took out all the tools and references. A short discussion ensued.

Mayor's Report:

Mayor Johnson stated that she spent two days of her vacation in Washington DC lobbying on the hill; Pierce County gave her access to one of their lobbyists. He set up four meetings with Congressman Dicks' office, Reichert and Smith, and with Maria Cantwell's office. She also attended a luncheon put on by Adam Smith where he brought in five different speakers to talk about issues. She was lobbying for active transportation, which is safe routes to schools, trails funding, bicycle lanes, sidewalks, basically everything that is attached with transportation, because the House of Representatives, in their infinite wisdom, decided to remove that from the transportation funding package. This means that trails becomes part of parks. So, we were lobbying for active

transportation to be put back into the transportation bill. We have a lot of work left to do on this. The Senate will not take it up until January so she may possibly be going back in January for a couple of days to do it all again. It is something that we need to be very aware of because that is where funding for our trail plans and getting the trail connected to South Prairie and to Enumclaw comes from. It is much better that it be in the transportation budget because literally safe routes to schools and those types of programs will probably go away without the funding.

Council member Boyle Barrett apologized for her late arrival and said that she does need to give a committee report.

Public Safety: Council member Boyle Barrett said they didn't actually have a meeting, but she has an item from Chief Predmore. We had talked about having a bonding company come out and give a workshop on the bonding process, and she has two dates that Jim Nelson with Martin Nelson Company has available. We talked about trying to do an off-Tuesday, and the two dates are Tuesday, June 30th or Tuesday, July 21st. He is holding those two dates for us so we need to try to make a decision. Mayor Johnson said that Tuesday, June 30th is the fifth Tuesday and we already have a workshop set up so we could put that on the agenda. Council member Boyle Barrett said they said they have suggested a two hour workshop to allow for a question and answer period afterwards. Council member Boyle Barrett said this is a very important issue because she thinks when we get ready to build the fire station we all need to understand how the bonding process works, because without passage of a bond there will not be a fire station. Mayor Johnson said my recommendation to the Council would be to use that Tuesday, June 30th. Everyone agreed and Council member Boyle Barrett said she would let the bonding company know.

Council member Boyle Barrett said there have been some signs along the highway about Sheets Field. There is a contest that the President of the PTSA of the high school entered to have the field redone. We are in the top 100 so they are asking for votes, and you can do that on-line. She will send an e-mail out to the Council and feel free to pass it forward to anyone and everyone you know. The contest is through Kellogg. Mayor Johnson said they are going to do 35 fields.

Council member Boyle Barrett said that the Eagles gave a \$1,000 donation to help with continuing CPR classes.

Council member Boyle Barrett said we talked previously about mobile home parks and the fact that we have one and wanting to put something in place to allow ample notice to be given if that land were to be redeveloped. Just because there has been an item in the news about some mobile home park being replaced with something else and the citizens not being given much notice, I was wondering what we did with that. City Administrator Schmidt said we haven't done anything yet. Council member Boyle Barrett asked if this is something we can send to committee to have them look at, confer with the attorney, and see if there are any protections that we can provide. I know it was an issue when we did the rezoning. Mayor Johnson asked City Attorney Olbrechts if there was something

on the State level. City Attorney Olbrechts said he thinks there is something about advanced notice; there is a relocation act that addresses that and provides some notice. Council member Boyle Barrett asked that we send this back to committee. Building & Zoning will look into this.

Council member Reed said that tomorrow there is a Job Fair at the Youth Center and a Food Handlers class here at the Senior Center. I understand that the Job Fair, while emphasizing jobs for teenagers, will possibly have other jobs available, or at least sources that other people can utilize. The fee for the Food Handlers class is \$10.

Ad Hoc Committee: Council member Montgomery stated that they met on the 20th specifically to discuss items in Title 19 that the Committee feels need to be changed in order to make a PUD work. Associate Planner Rashid said that the Planning Commission is going to be looking at the performance matrix within 19.20 to discuss RV campgrounds and it might be a good opportunity to have them discuss some of these other items as well. Council member Montgomery asked if the Council is amenable to that. Council member Boyle Barrett asked why the Committee is recommending removing town homes from all zones. Council member Montgomery said that Associate Planner Rashid thinks it would be cleaner if they were removed, so the Committee is recommending removing those from Title 19, Section 20 and putting them in whatever section the PUD ends up being; she thinks it would be less confusing. A lengthy discussion ensued. Council member Boyle Barrett stated that the Ad Hoc Committee was formed to make changes necessary to have PUDs and have the incentive be there, it is not to rewrite Title 19 at this point. Council member Reed said you can't do one without the other. Council member Montgomery said a month ago we had the conversation about what should this process be, and it was pretty clear to me that it needed to go back to the Planning Commission, and this is the opportunity to make that happen. City Attorney Olbrechts said a lot of communities are concerned about duplexes and townhomes being aggregated in one place so they adopt something similar to cluster zone separation requirements so that you can't have more than one duplex per block, or something like that. Also, regarding the PUD process, it is not unlimited discretion. You could not deny a PUD simply because the townhome configuration didn't look nice to you; you have to have pretty specific standards. It sounds like what you really need are design standards to guide that and make that work. Council member Reed stated if we are going to implement a PUD then we need to be sure that there is an incentive plan available that makes sense to a developer, and currently the additional planning required to meet some of these other options, from a developer standpoint I don't think makes it cost effective for them to go out and do this. Mayor Johnson said this is a lengthy process and it will take a lot of staff time, and there is cost involved. Council member Boyle Barrett said she wants to see changes brought forth that allow a PUD to be completed that encourages developers to use the PUD, but I don't want to see wholesale changes made to Title 19 or 20 that are not necessary outside of a PUD. I know that it wasn't a unanimous decision when we passed those items, and I don't think we have a perfect document yet, but I don't want to see the Ad Hoc Committee use the PUD to get some of these changes made to 19 and 20, that should be done through an update process. **Council member Reed moved to recommend forwarding the Ad Hoc Committee's recommendations to the**

Planning Commission for them to review various sections of Title 19 in an effort to implement the Planned Urban Development agreements. Council member Montgomery seconded the motion. More discussion ensued. **Motion carried.**

Staff Reports:

City Administrator Schmidt said he has nothing to report.

MAIN AGENDA

ORD No. 06-09: Rezone – Sullivan Property, 2261 Ryan Road:

City Attorney Olbrechts stated that this ordinance provides that the applicant has to get a Development Agreement approved by the Council. That would require another public hearing, and the Development Agreement would be structured to prohibit cluster zoning on the property. It was my understanding that the Council wanted something like that, but I'm certainly not recommending it. If you don't think that restriction is necessary, then you can approve the ordinance without requiring that Development Agreement.

Council member Reed moved to approve an ordinance approving the 2009 site specific rezone of identified parcel of real property. Council member Twardoski seconded the motion. Council member Montgomery stated that the Planning Commission recommended against this. A short discussion ensued regarding the Future Land Use Map, zoning and sensitive areas. **Motion carried.**

ORD No. 07-09: 2009 Comprehensive Plan Amendment Docket:

Council member Montgomery moved to approve Ordinance No. 07-09 adopting the 2009 Comprehensive Plan Amendment Docket. Council member Boyle Barrett seconded the motion. City Attorney Olbrechts said you are not actually adopting the amendments here, this is just for the Planning Commission to consider them this year, and then it will come up to you for final approval. **Motion carried.**

Scope of Work: G&O to Draft NPDES QAPP Monitoring Plan:

Council member Montgomery moved to approve the scope of work for preparation of a Quality Assurance Project Plan to G&O for \$5,543. Council member Patson seconded the motion. City Administrator Schmidt stated that this is part of our NPDES sampling and monitoring reporting program. Discussion ensued regarding who does this testing and why. **Motion carried.**

CONSENT AGENDA

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

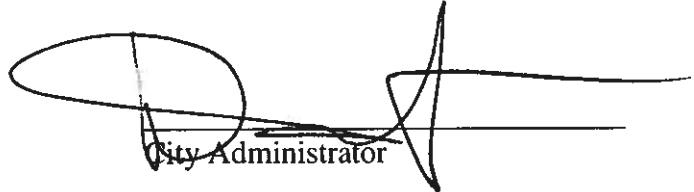
Approve the Minutes of the May 5, 2009 Special City Council Meeting.
Approve the Minutes of the May 12, 2009 City Council Meeting.

Claim check numbers 43552 through 43554, in the amount of \$22,652.01, for the period of May 13 to May 26, 2009 are hereby approved and ordered paid this 26th day of May, 2009.

With nothing further the meeting was adjourned at 8:15 PM.



Mayor



City Administrator