



## BUCKLEY CITY COUNCIL MEETING AGENDA

January 26, 2010

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 #00-10  
Next Resolution #10-02  
Next Agenda Bill #AB10-11

### Committee Reports

1. Finance & Public Safety
2. Streets & Utilities
3. Community Services & Recreation
4. Community & Economic Development
5. Mayor's Report:  
    Daffodil Classic
6. Staff Reports:

Reed  
Montgomery  
Patson  
McNally  
Johnson

### Citizen Participation

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

7. Penny Frame – Relay for Life

### Main Agenda

8. ORD No. \_\_\_\_-10: Amending Natural Gas Service Line Installation
9. RES No. 10-\_\_\_\_: Designating the City's Official Newspaper
10. Pierce County Regional Council – Vote for Position Two of Zoo/Trek Authority
11. White River School District Community Training Agreement
12. Executive Session: Potential Litigation
13. Four Cities – CWA Water Supply Agreement

### Consent Agenda

14. A. Approve Minutes of January 12, 2010
- B. Claims
- C. Quarterly Reports

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

**City Council**  
**January 26, 2010**

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

Upon roll call the following members were present: Reed, Montgomery, McNally, Harple, Patson and Twardoski. Council member Boyle Barrett arrived at 7:05 PM.

Mayor Johnson asked if there are any additions, deletions or corrections to the agenda. There were none.

**Finance & Public Safety:** Council member Reed stated they have not had a meeting since the last Council meeting. It has been requested that we move the Fiance/Admin meeting off of Mondays and he asked if Wednesdays work for the other Council members on the committee and everyone agreed. Council member Reed said they will meet the first Wednesday of the month at 7 PM. So, the Fiance/Admin Committee will meet on February 3<sup>rd</sup> at 7 PM.

**Streets & Utilities:** Council member Montgomery stated they did have a meeting and everyone has received a copy of the Minutes. There is nothing to add at this point. Their next meeting will be February 2nd at 9:35 AM.

**Community Services & Recreation:** Council member Patson stated that they have not yet met as a committee. Their first meeting will be February 10th at 10:15 AM, at City Hall, and they will be talking about the census.

**Community & Economic Development:** Council member McNally stated that their first meeting is scheduled for February 3rd at 6 PM.

**Mayor's Report:**

Mayor Johnson stated that we had a call from the Daffodil Classic people this week. Their event is generally about the 3<sup>rd</sup> Sunday in April, and once again they would like permission to use Thunderbird Park as a rest stop. If the weather is good we can expect anywhere from 1,000 to 1,500 bicycle riders through town. On a bad year, if it's pouring rain, we'd be lucky to get 500. They are requesting all the same conditions that they've had in the past. They're looking for Council approval so they can get their literature out.

**Council member Montgomery moved to allow the use of Thunderbird Park for the Daffodil Classic by the Tacoma Wheelmen. Council member Reed seconded the motion. Motion carried.**

Mayor Johnson said she has spent a great deal of time in Olympia the last couple of weeks, and Council member Reed and I are headed back tomorrow. Council member Patson went with me one day and testified before two house committees. This is not a done deal that we're going to save Rainier School. The Governor's revised budget is to

have Rainier School closed in 2011. We've done a preliminary hit to our budget for 2012 and we're estimating about two million dollars that we would have to cut out of our existing budget, and over nine hundred thousand dollars of that is natural gas sales. So, I urge you, if you can't go to Olympia and knock on a few doors to at least write letters to or call the legislators on the Ways and Means Committee for both the House and the Senate. We are in a struggle for Rainier School's life and I'm not sure where we would cut two million dollars out of our budget.

Mayor Johnson stated that last Thursday night she and Council member Montgomery attended the Pierce County Regional Council Meeting in Tacoma. They talked about some stimulus money that might be coming. Most of the money will probably be going to the larger cities, as usual, but we're still going to be screaming and hollering.

### **Staff Reports:**

Chad McCorkle, 211 Naches St., Buckley: Chad is here to give a Planning Commission report. Since his last report on November 24, 2009 the Planning Commission has had two meetings. During our final meeting on December 14<sup>th</sup> the Commission took time to review what we had completed that year and to also get an idea of what we were going to be working on in the new year. Our first meeting of the year was January 11<sup>th</sup>. During this meeting the Commission began talking about the future street maps. We met with the City Engineer and City Administrator to see how we could start to devise a plan of attack on this project. The City Engineer took time to explain to the Commission what the thinking was for the current map and where the town is thinking about going in the future, so we have an idea of where we want to go and how we want to get there. He also explained to us some of the limitations the City has come across since the last map, so we know what we need to work around in the new map. He's going to be providing us with a nice big map so everyone can see everything, and some smaller maps that we can take home and look at. We'll drive around town and take a look at the layout and plan where we want to go. Our next meeting is scheduled for February 1<sup>st</sup> and during this meeting the Commission is planning to begin work on the future streets map, and they are going to try to achieve the whole map by splitting it up into four or five smaller maps. We would like to do one or two smaller sections each time we meet until it's all done, and then do an overall to make sure that we have all of the places marked down. I think this is going to take us awhile, probably 3, 4 or 5 meetings, and then we're planning to meet with the City Engineer every now and again to get questions answered, or in case we have something we don't know how to proceed on. Because the map is going to take up a lot of our time, I think the first meeting in February is going to be devoted strictly to the future street map. I think at the 2<sup>nd</sup> meeting in February or the first meeting in March we're going to present the revised Park Plan and start going through the Plan so we can take a vote and present it to the Council. Also, in the future, we plan to be working on the Shoreline Update, the WSU property Master Plan, once the scope of work has been sent to us, and also the fire impact fee once it's been submitted as well. Council member Boyle Barrett asked what is the timeline for the fire impact fee. City Administrator Schmidt said he spoke with the Fire Chief and he thought he'd gotten the attorney's comments back and is making corrections, but he doesn't know where he's at with that.

Council member McNally asked if the Planning Commission has a timeline for when they're going to start looking at PUDs. City Administrator Schmidt said this wasn't even brought up to them; it depends on what the Council is going to do. We have no idea what the status of that committee is or where that draft is; that's why they've never discussed it. If the Council wants to pass that down to the Planning Commission and then prioritize it for them as far as the schedule goes, they can. Council member Montgomery said he would like to ask Council member Reed to put that on the agenda as a discussion item for our workshop next Tuesday. We can talk about that in general and bring everybody up to speed on where we are and where we'd like to be. Council member Reed asked specifically in relationship to PUDs or just generally? Council member Montgomery said just where the PUD Committee ended up and what is left to accomplish before forwarding it on to the Planning Commission.

City Administrator Schmidt said he believes the Council at the last meeting approved the Resource Conservation Management Program, or the grant application with the Interlocal Agreement between the four agencies, Buckley, Bonney Lake, Sumner and the Sumner School District. That week all the agencies took a vote at their respective boards, but the Sumner School District, who was the largest participant, didn't pass it. In order to have all of the applicants as part of that Interlocal we needed to have one hundred percent participation. There is a threshold, a dollar amount, for the total utilities that you have to have in order to be eligible for the program. Now everyone is backing up and regrouping, and Bonney Lake's Mayor has actually indicated that he may go to the next school board meeting to talk to them personally and find out why there was an issue with it. If he cannot get them to change their mind, then there are some alternatives. There are a couple other partners that may consider coming in that would be similar as far as equitable value, but we understand if the partnership changes then also our contribution level may change based on what that percentage is, so everyone knows that would require coming back for Council approval again. The application date has been extended to the first of March so we have a little bit of time now. As that develops I will keep the Council informed. Mayor Johnson asked if there was some reason why the White River School District didn't want to participate. City Administrator Schmidt said because we weren't the lead agency on it I don't know if Bonney Lake approached the White River School District.

City Administrator Schmidt said that Bonney Lake has approved the Interlocal Agreement between us for Planning Services. The Associate Planner who has been assigned to the City is Kathy James. We have talked about her starting one morning a week, staffing the office here, so she'll be here on Thursday mornings from 8:30 AM to 12:30 PM. We are going to have a meeting with her tomorrow morning and eventually we will bring her to the Community Development Committee to meet the committee members and bring her to the Planning Commission, and then determine what those roles and what those hours will be as we go along, and as budget allows. Council member Montgomery asked if when she's staffing the office her primary duty will be to process permits. City Administrator Schmidt said yes. What we talked about is if there is a special project assigned, like a Master Plan, that they're going to work on for the City, that they will actually submit a scope of work to us so Council can review and approve

prior to them starting that work. They are going to submit a scope of work for the Shorelines Update, for their participation in that. Council will be apprised throughout the process as far as what projects they're working on. Mayor Johnson asked didn't we garner a little more money for the Shorelines? City Administrator Schmidt said yes. He asked for an additional \$20,000 and it was just approved on Thursday.

### **Citizen Participation:**

**Penny Frame – Relay for Life:** Penny Frame started out by giving gifts to the Mayor, Chief Arsanto and Council members as thank you for their past support. She also presented the Mayor with a Certificate of Appreciation because the City of Buckley was one of their Gold Sponsors because they get the venue and they get to use the Youth Center. Relay for Life continues to grow and Penny is going to pass the torch to a couple people who she will introduce in a little bit. Penny is taking a lesser role by just working with teams. They achieved something huge last year which is called Pacesetter Status, and that is awarded to a Relay that sets the lead. They say this is a Relay that is the leader. The City of Buckley was the only Relay out of the Pierce County office that achieved Pacesetter Status. Last year we had 43 teams and 80 survivors and raised over \$85,000. We were also in the top 10% nationwide per capita. We just keep setting the standard and we're trying for Pacesetter again this year. We're here again this year asking for support and this is what we need from you: Our relay 2010 is May 14 and 15, so they will need a motion to have the venue by the Skate Park and to close River Avenue from Jefferson to the Post Office just before the truck entrance, and then to have the Youth Center for the survivor dinner and our accounting staff. And this year they are asking for one other site, but we don't know if it's possible. We had a problem with food last year, primarily the Pierce County Health Department. They've made it really hard to sell food, even for businesses that bring food onto the site. So, we have to get a permit for our Relay and have all our food in one spot, and the idea came up that we put all of our trailers that sell food in the gravel area between the liquor store and the Post Office. Is that possible? Mayor Johnson said the City owns it; we would just have to notify the people who park their trucks there that this area is going to be closed. Chief Arsanto said there are two businesses that could be impacted because they use that area as a parking lot, and I really think that the two business owners should be contacted, but I personally have no problem with it. Penny said we're asking for it, but we might be told no by the Health Department, so I don't know; it's just in the preliminary stages. If you say we can use it and that changes, we would definitely come back and say we're not going to be able to use it. **Council member Montgomery moved to accommodate the needs of Relay for Life for May 14th and 15th. Council member Twardoski seconded the motion.** Council member Boyle Barrett said everything should be coordinated with the Police Chief. **Motion carried.** Penny said the last thing she wanted to share is that they have an outside agency that works with a huge group of police officers that have volunteer time and do that, and they are going to take care of that. They will contact Police Chief Arsanto and say this is who we are, and they will even say if there is anybody in your police force that wants to. Chief Arsanto said yes, be sure they see me first. If they are actually coming in as police officers in our City, then my suggestion to you and to Council would be that my guys have the first opportunity to come in and work

it as overtime. We can definitely handle Relay for Life. Penny said it was a money issue last year; we had no money, but we so appreciate how you have helped us the last couple years. We had our kickoff in December and our theme for this year is celebrating more birthdays, so May 14 and 15 we are having a huge birthday party. We're trying to support our survivors just as long as we can to just keep celebrating more birthdays. The one other idea I want to leave you with is we would like to do something this year called "paint the town purple". I'll leave you with that, but we'll be back with more details. It will probably be the week before. Penny introduced Alisa Garette and Tammy Ferris. Alisa will be the event chair and Tammy the co-chair.

**Marvin Sundstrom, 881 Sheets Road:** A couple weeks ago we had quite a wind early on garbage pickup day. Our neighbors can blew over and scattered stuff all around. When I asked that it be picked up I was told "I don't do Styrofoam so it's not mine." I don't observe our neighbors garbage, so I couldn't answer that. So, we cleaned it up. When I inquired of the City I was told that there is no code for litter other than parks and trails. Apparently there is a need because when I made the inquiry they have a problem too. Which brings up another little sore spot; we've had a motor home illegally parked for over a year by a rental house on Sheets Road. The property is badly in need of a cleanup, which is not happening, other than the wind scattering debris all over Wayne's property. I don't enjoy looking at that and I don't think anyone does. Does "out of sight, out of mind" have anything to do with the lack of enforcement of City code? Those people shouldn't be there, but they've been there over a year. We have City employees driving by on that street regularly; they should notice that. We shouldn't have to stand here and complain about it. Mayor Johnson asked is there someone living in the motor home? Mr. Sundstrom said yes; there is garbage all around it; it's pretty bad. Mayor Johnson said this is an issue for the Community and Economic Development Committee. Council member McNally said his committee will take it. Chief Arsanto said he would look into the motor home.

## **MAIN AGENDA**

**Ordinance No. 01-10: Amending Natural Gas Service Line Installation**  
**Council member McNally moved to approve Ordinance No. 01-10 Amending Chapter 15.08 relating to natural gas service charges. Council member Boyle Barrett seconded the motion.** City Administrator Schmidt said this ordinance changes the regulation back to what the City used to give, which is 125' of service and a hookup for no cost for new natural gas customers. That is what the City had in place prior to 2006. We made the revision because revenues were down, but we think right now it's a deterrent because of the high gas prices to new customers, or encouraging new customers to connect. So, we are all recommending that we go back to that previous policy. It also allows the turn on charge for voluntary discontinuance to be billed to their monthly statement instead of requiring that it be a cash payment up front prior to them getting their gas turned back on. Those are the two major changes in this ordinance. A discussion ensued. **Motion carried.**

**RES No. 10-02: Designating the City's Official Newspaper**

**Council member Boyle Barrett moved to approve Resolution No. 10-02 establishing the Enumclaw Courier Herald as the City's official newspaper. Council member McNally seconded the motion.** Mayor Johnson said this is just something that we regularly have to do. **Motion carried.**

**Pierce County Regional Council – Vote for Position Two of Zoo/Trek Authority:**

Mayor Johnson said this was before us at the last City Council Meeting and we were not the only City that called and said we'd like to know who we're voting for. So, you all have a brief little outline that each one of the candidates wrote. **Council member Boyle Barrett moved to cast Buckley's vote for Mayor Jeffrey Hogan of Edgewood for Position Two to serve as a member of the Zoo/Trek Authority Board to fulfill a three year term. Council member McNally seconded the motion. Motion carried.**

**White River School District Community Training Agreement:**

**Council member Boyle Barrett moved to approve the Agreement and Contract with White River School District for the Community Training Agreement. Council member McNally seconded the motion.** Jennifer Bacon, Senior Center and Youth Coordinator, stated that this is an extended version of the contract we signed when the kids have to do their high school projects and they do 20 hours of community service. The kids in this program are the kids from the old Collins WRAP Program. These are the kids that are not doing the traditional school work in the classroom. They are actually going out to get job skills and some mentoring in the community. With this program, the reason this contract is a little bit more in depth is because some of these are kids who don't always follow the rules all the time. They provide a lot more staff assistance. So, it's just a little more in depth than the ones we do for the high school kids for the graduation requirements. City Administrator Schmidt said if you approve the contract format, Jen has the flexibility to go ahead and enter into that as the kids come along. Jen stated that they actually have two kids who are ready to start as soon as this is approved and we can get the paperwork done. City Administrator Schmidt said if the contract changes with the school district, then we would have to bring a new contract back to the Council for approval if the language was modified at all. So, as long as there are using this as their agreement, then it should be okay. **Motion carried.**

**The City Council took a 5 minute recess at 8:03 PM.**

**The City Council retreated into Executive Session at 8:08 PM for approximately 15 minutes to discuss potential litigation, with action following. An additional 25 minutes was taken for Executive Session.**

**The City Council returned from Executive Session and reconvened the City Council Meeting at 8:48 PM.**

**Four Cities – CWA Water Supply Agreement:**

**Cathy Callison, representing the City of Buckley for water right issues.** I think that the language is very close and in fact the language as is may be satisfactory. I don't want

to say that if the language doesn't change we will not sign the bigger agreement. I think this letter may be satisfactory as is. City Administrator Schmidt said what we're asking the Council to do is to attempt to get a couple of word changes in the letter, but if not we accept it like it is. Ms. Callison said that the Council's acceptance or agreement to sign this larger Lake Tapps Agreement would be conditioned upon the City Administrator and the attorney's approval of a letter protecting the City's interests with respect to future water right applications. **Council member Boyle Barrett moved to approve the Agreement between Cascade Water Alliance and the 4 cities allowing the Attorney and the City Administrator to continue to refine language in the Letter of Intent between Cascade and the City of Buckley. Council member Twardoski seconded the motion.** Ms. Callison said, and to finalize the Letter. Boyle Barrett said, and to authorize the Mayor to enter into the Agreement. A lengthy discussion ensued. **Motion carried.**

Council member Reed said he currently has two items for discussion on the Council Workshop Agenda next week: (1) Council Rules & Procedures; and (2) Reviewing the Planned Urban Development (PUD) ad hoc Committee's current status and their recommendations being forwarded to the Planning Commission. Council member Boyle Barrett requested that City Administrator Schmidt provide versions from different cities, which she would like to have prior to the Workshop. A short discussion ensued regarding exactly what they wanted. Council member Reed asked if there are any other items for the agenda. City Administrator Schmidt asked if Council wants to set a date for a retreat this year. Council member Montgomery asked what about setting up a joint meeting with the Planning Commission. Mayor Johnson asked if we want this meeting on one of our workshop nights or on a Planning Commission night. Council member Boyle Barrett requested a short discussion about the Committees and when they're going to be meeting, so we make sure we're not overlapping meeting times. Mayor Johnson asked if the Council wants to remove committee reports from the Council Meeting and put them in the workshop. Council member McNally said he would like to find out who is available during the day for meetings. Mayor Johnson said that the more meetings we can hold during business hours keeps the staff costs down, and it's all about keeping costs down.

### **CONSENT AGENDA**

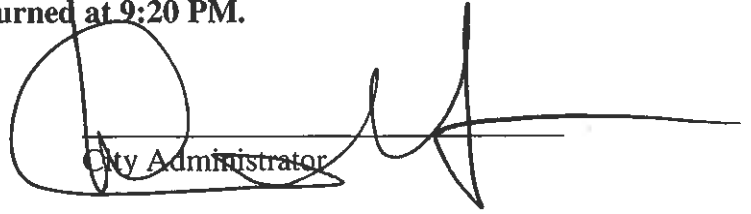
**Council member Reed moved to approve the Consent Agenda. Council member Patson seconded the motion. Motion carried.**

Approve Minutes of January 12, 2010

Claim check numbers 44682 through 44713, in the amount of \$1,036.26, for the period of January 13 through January 26, 2010 are hereby approved and ordered paid this 26<sup>th</sup> day of January, 2010.

**With nothing further the meeting was adjourned at 9:20 PM.**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Administrator