

**City Council**  
**August 26, 2014**

Mayor Johnson called the regularly scheduled meeting to order at 7:02 PM.

Upon roll call the following members were present: Tremblay, Sundstrom, Rose, Howard, Montgomery, Boyle Barrett and Leggett. Also in attendance was City Administrator Schmidt.

Mayor Johnson asked if there were any additions, changes, corrections or deletions to the agenda tonight. There were none. **Council member Boyle Barrett moved to approve the agenda as presented. Council member Rose seconded the motion. Motion carried.**

**Administration & Finance:** Council member Boyle Barrett stated they met on the 19<sup>th</sup> and they discussed the Business License Service Agreement, which is item 11 on the agenda tonight. The change has to do with credit card fees. Since we've gone with the State, business licenses have more than doubled, going from \$12,000 a year to over \$25,000. The Committee is looking at new code to improve options in investing; we're looking at how we can maximize our returns. We're still working on closing out the gas fund, so that account is still active. We're also looking at what to do when an HOA is platted, but the HOA never forms, and all the issues that can result from that. There is a memo coming out soon regarding the Open Public Meetings and Public Disclosure Issues and how we must all comply. There will be a City-wide challenge in November called "No Shave November." Police Chief Arsanto explained that this is something that's been done for the last several years, and it is kind of like the current ice bucket challenge, with the funds going towards prostate cancer. Council member Boyle Barrett said we are mainly informing you about this in case you get any complaints that our guys are looking scruffy. Also, the Title 8 updates are on the agenda tonight. Their next meeting will be September 9<sup>th</sup>, at 9:30 AM, at City Hall. One last item, we've had a request again from staff that we move Public Safety back to Admin/Finance; this is easier for the department heads, and especially during budget time it is important that they have a meeting they can get to. **Council member Boyle Barrett made a motion that we move Public Safety back to Admin/Finance. Council member Tremblay seconded the motion.** A short discussion ensued. **Motion carried 4/3.**

**Transportation & Utilities:** Council member Tremblay stated he noticed in the packet that there is a short training course on local planning at the time of their next meeting, and we didn't have our last month's meeting because of the PSE celebration, so I propose, since this is our budget meeting, that we reschedule. After a short discussion it was decided that the Transportation & Utilities Committee meeting is rescheduled to Wednesday, September 17<sup>th</sup>, at 7 PM, at City Hall. Council member Tremblay said he is going to go hear what they have to talk about and he would recommend the short course

on local planning to all the members on our committee if they can make it on the 16<sup>th</sup>, from 6:30 to 9:30. City Administrator Schmidt said he would encourage all of the Council to attend even if you've been to it before because of changes in case law, updated RCWs; it's always good to have a new perspective on it. Council member Tremblay said the good thing about attending it as a group is that we hear the same thing.

**Community Services & Public Safety:** Council member Rose stated that for two meetings they have not met, and that is because they had nothing on the agenda from the department heads. Their next meeting is September 18<sup>th</sup>, at 7 PM, at City Hall.

### **Council Member Comment:**

Council member Sundstrom asked why is the Council being asked to participate in what is an administrative function, until such time as the City Administrator is ready to submit to the Council a budget message as outlined in RCW 35A.33.055? A lengthy discussion ensued regarding the City's budget preparation process.

### **Mayor's Report:**

Mayor Johnson stated that the soirée with Puget Sound Energy last week turned out very well; it was a great party with good food.

Mayor Johnson said she will be out of the town the next two weeks and Mayor Pro Tem Boyle Barrett will be doing the next Council meeting. She will be out of cell phone coverage.

### **Staff Reports:**

Chief Arsanto apologized to Council Member Sundstrom for any misunderstanding that took place at the July 22, 2014 Council meeting.

City Administrator Schmidt said he has three or four short things: (1) An update was provided on the construction project about to start in the north and south parking lots. This project will begin on Tuesday, September 2<sup>nd</sup>, and the Clerk will prepare a notice to business owners to let them know what's going on; (2) Right now he is still getting numbers back on the charging stations. When you put in a second charging station it more than doubles the breaker that has to go into the main panel, and we're not sure there is room in the main panel that is specked out for this project. Plus, we have to figure out how to charge for it; (3) Rodarte is going to start on the trail well project tomorrow, so you should see vehicles out along 165 or along the trail where the new well is going in; (4) In the common use areas of Elk Heights, Council member Montgomery identified some vandalism on the ponds, which lead us to further investigate, and it has not been maintained. The pond belongs to the HOA and the HOA never was formed, and now the property owners don't want an HOA, and we don't have any way of enforcing that because it is actually recorded under the CC&Rs. Because it is hurting the function of the pond, we bought a small boat, and the guys have been out there cutting out all the

trees and we are bringing it back to a standard to where it functions as it should. City Administrator Schmidt further explained the problem and how our City Attorney proposes we deal with it. A short discussion ensued; and (5) As an update on the gas account, and the reason nothing has come to the Council yet, is because we are finishing up paying the bills, and he is still waiting for clarification from the City Attorney whether we can do a surplus ordinance and close out the account and transfer funds over when we still have unpaid balances on gas accounts. We have to have a mechanism for receipting money in and going after customers who haven't paid. I believe there is over \$40,000 in unpaid accounts in the gas system. Once he has a determination on this, he will report to the Council.

### **CITIZEN PARTICIPATION**

**Doug West, 29297 Hwy. 410, Mr. Bills of Buckley.** Mr. West provided an update on his retail marijuana store. They are close to opening; looking at a target date to open their doors next week or the week after, and he will let the City know when it will be. Mr. West said he thinks it might also be important for Buckley to discuss the 5,000 foot distance between stores.

**Charlene Poggensee, 28308 112<sup>th</sup> St. E, Buckley.** Ms. Poggensee came to the Council to discuss roosters and request that language be included in our ordinance making them and other obnoxious fowl that make an annoying repetitive noise be considered a public nuisance. She went on to explain how noisy and obtrusive roosters can be, and provided information from other cities as to how they handle this problem. She wants language that states that any fowl that makes a repetitive crowing noise be addressed similar to that of a barking dog.

### **MAIN AGENDA**

#### **ORD No. 07-14: Amending Municipal Code Title 8 – Public Health & Sanitation**

**Council member Boyle Barrett moved to approve Ordinance No. 07-14 Amending BMC Title 8 – Public Health & Sanitation. Council member Montgomery seconded the motion.** City Administrator Schmidt provided an explanation and a brief discussion ensued. **Motion carried.**

#### **Scope of Work – Thermal Energy Recycling Pilot Project - WWTP**

**Council member Tremblay moved to approve the Scope of Work and fee proposal for the Thermal Energy Recycling Pilot Project at the Wastewater Treatment Plant for a cost not to exceed \$50,052.00 Council member Sundstrom seconded the motion.** A short discussion ensued regarding available grant funding for this project. **Motion carried.**

#### **Contract Renewal – BLS Partnership**

**Council member Boyle Barrett moved to approve the Amended Contract with BLS Renewing the Partnership Agreement. Council member Montgomery seconded the motion.** City Administrator Schmidt provided a brief explanation. **Motion carried.**

**CONSENT AGENDA**

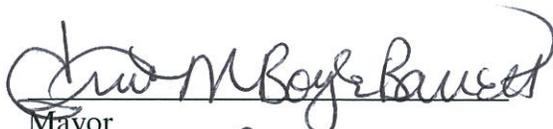
**Council member Boyle Barrett moved for approval of the Consent Agenda. Council member Tremblay seconded the motion. Motion carried.**

Approve Minutes of August 5, 2014 City Council Study Session  
Approve Minutes of August 12, 2014 City Council Meeting

Claim check numbers 51915 through 51952, in the amount of \$234,794.83, for the period of August 13, 2014 through August 26, 2014 are hereby approved and ordered paid this 26<sup>th</sup> day of August, 2014.

**Council member Montgomery moved to adjourn the meeting. Council member Boyle Barrett seconded the motion. Motion carried.**

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

  
Mayor  
Mayor Pro-TEM

  
City Administrator