

City Council
January 12, 2010

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

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

Mayor Johnson stated we will be adding a very brief Executive Session to discuss potential real estate acquisition.

Admin & Finance:

There was nothing to report.

Public Safety:

Council member Boyle Barrett stated they had a meeting on January 6, 2010. Chief Arsanto talked to the committee about ordering the replacement cars this year, which are in the budget. He is looking at replacing them with 4-wheel drive vehicles and trying to get that order in before March so we can get delivery by the middle of the year. We are replacing with 4-wheel drive vehicles because of contracts we carry and Elk Heights and the new property we are talking about acquiring down by the river. We have the annual renewal of the Pierce County 911 contract on the agenda tonight. Also listed in the minutes are some issues for the upcoming year, which include looking at adequate staffing levels in the Police Department, Loggers Rodeo, red light cameras or speed control vans, traffic school and discussion of animal control.

Chief Predmore talked to the committee about the bond measure to construct the new fire station. The committee had previously agreed that spring would be the best time. After further discussion they decided that April 27th would be the best time. It should be cheaper because there will be more issues on the ballot. Once the bond measure is passed we would need to identify the bond company that we will work with and do the preliminary work, have the bond rate issued and then issue the bonds. Right now we have the architect doing the conceptual design and Chief Predmore has more information that he will be giving the Council tonight. **Council member Boyle Barrett moved to have Administration/Staff prepare a resolution to place the bond measure to construct a new fire station on the April 27th ballot. Council member Montgomery seconded the motion.** Council member Montgomery asked if April 27th was the best date because of more issues on the ballot and cost savings. Council member Boyle Barrett stated it does provide cost savings and they did look at other dates but this is the best date in case the first levy fails. Council member McNally asked if April 27th gives everyone enough time to get out and talk to the public about this. Mayor Johnson stated there is already a committee that is formed to do this, and we need to ask the City Attorney how much the Council can actually do as far as campaigning for this.

Administrator Schmidt stated you cannot campaign at all in your official capacity. You can do it on your own time as long as you don't identify yourself as a Council member or use your position to help forward the issue. Chief Predmore then gave a brief overview to the Council as to how this election will work with both the Bond Levy for the Fire Station and the EMS Levy that will be coming in the fall. If the Bond Levy fails in April, he would be reluctant to come back and propose it again in the fall and would probably say that strategically we would need to look at postponing that until the spring of the following year. The EMS Levy is not a new levy it is just time to renew it. After we met with the Public Safety Committee we then met with the architects and have come up with some conceptual plans that changes have been looked at and done. There is a Political Action Committee that has already been doing work and have been getting information out and using some of the different medias to get information out about the upcoming bond measure, but they can't do too much because they don't have a date as of yet. One of the things that came out of the meeting with the architect is that the 20th of this month they will be meeting with the all the people from the Fire Department and provide one more opportunity for internal feedback. What the architects would like to do is schedule the first public visioning workshop on February 4th at 6:00 PM. Then there would be a department command staff meeting on February 11th to go over all the information that came out of the public visioning process. The architects would then take all that back and then on February 22nd at 6:00 PM they would like to have the second public visioning workshop to bring everything back and have it finalized and have the options narrowed down to a couple things to look at. From there we would have another department command staff meeting and the architects are telling us they would have the final product out to us, including all the detailed cost estimates, by March 5th. Our resolution needs to be filed with Pierce County on or before March 12th for the April 27th ballot. The resolution can be prepared now, short of the actual dollar value, and then we will have those on March 5th. By February 22nd the City needs to appoint "for" and "against" committees. So far we have already had a group contact us and ask to be appointed as the "for" committee. On March 12th the resolution on the "for" and "against" statements has to be filed, and March 16th is the deadline for the rebuttal statements. **The motion then carried.** Council member Boyle Barrett stated the committee also discussed the EMS Levy. They also talked about the EMS Billing Services Agreement. This is also on the agenda for tonight. Chief Predmore will also have the Pierce County Department of Emergency Management Agreement before Council tonight. The City had submitted an application to the State to be considered for Federal Funds. A couple weeks ago our grant application was selected by the State to be included in a request for Federal funds from FEMA to have 1.126 million dollars to relocate and replace about 2,700 feet of pipeline, that we have had previous disaster damage from, and take care of other vulnerable areas adjacent to that. The project still needs to be approved by FEMA. Having the Hazard Mitigation Plan completed made us grant eligible. Chief Predmore also talked with the committee regarding the MOU with the American Red Cross Mount Rainier Chapter and this is also on the agenda for tonight. This year we will be focusing on getting the new Fire Station built, getting the bond passed and working to maintain the

current level of service that we have within the tight budget constraints, and also try to finalize fire impact fees.

Building & Zoning:

Council member Twardoski stated they did not have a meeting but there were a couple issues that needed to be checked on. The first was the Hitchin' Post sign which Administrator Schmidt stated was approved. The second issue was zoning code amendments for the property off of Highway #410. Administrator Schmidt stated he is going to contact the applicant again and tell him the likelihood of it is probably pretty slim. Administrator Schmidt updated the entire Council as to what the applicant was asking for. It was the committee's consensus to not have a zoning text amendment because it would then change all of NMU and they didn't feel that was a good idea.

Utilities:

Council member McNally stated they had a meeting on January 5, 2010. They had a customer come talk to the committee about voluntary shut off's and the fee that is charged. She felt that the fee should be included on the bill rather than having to pay it up front. The committee will check with the utility clerk to find out if a separate bill could be sent. The City has hired Scott Nickels to be our next gas lead and he will start on January 19, 2010. There was discussion on the Taylor house and property for insurance claim purposes. There was some misunderstanding about what the Council wanted to do. If the Council was planning on tearing down the house, the insurance would pay a certain amount. If the Council felt we were going to use the house and rebuild it, then the insurance company would pay a different amount. The committee was under the impression that the house was never meant to be torn down. Discussion ensued. **Council member Reed moved to restore the Taylor house to its former condition. Council member Montgomery seconded the motion and the motion carried.** Council member McNally would like to schedule their next meeting for February 3, 2010 at 3:00 PM.

Streets, Sidewalks and Storm Drain:

There was nothing to report.

Parks& Rec & Cemetery:

There was nothing to report.

Community Services:

There was nothing to report.

Mayor's Report:

Mayor Johnson stated this is the meeting where we have to elect a Mayor Pro-Tem. She has spoke with all Council members. Our current Mayor Pro-Tem is Council member Reed and she would like to nominate him again for another two-year term. **Council member Montgomery moved to nominate Council member Reed as Mayor Pro-**

Tem. Council member McNally seconded the motion and the motion carried.
Council member Boyle Barrett asked that agendas be prepared for Council workshops.

Mayor Johnson stated regarding two things on tonight's agenda. There is the position on the Zoo/Trek Authority and also a position on the Pierce County Regional Council (PCRC). Mayor Johnson stated she has been attending the PCRC as an alternate because Council member Ramsey was not able to attend. She would love to have a Council member take this on and she would then just fill in as the alternate. The meetings are held one day a month in Tacoma. **Council member Patson nominated Council member Boyle Barrett.** Council member Boyle Barrett declined the nomination because it is not safe for her to drive at this time. **Council member Boyle Barrett moved to nominate Council member Montgomery as the alternate for the Pierce County Regional Council. Council member Patson seconded the motion and the motion carried.**

Mayor Johnson stated that she and Council member Reed are signed up to attend the AWC Conference at the end of January. Council member Reed then explained to the Council what these conferences are for.

Mayor Johnson stated she will be in Olympia tomorrow to testify to the Ways and Means Committee regarding the closure of Rainier School, and on Thursday there are 10:00 AM, 1:00 PM and 3:30 PM hearings that she will be attending. There will also be a rally on next Wednesday with the developmentally disabled community, so the more people there are the better. We need to knock on a lot of doors in Olympia this year to make sure our message gets across.

Mayor Johnson stated that over the holidays she reviewed the committees and came up with new committees and members. She felt there were committees that could be combined. The committees she came up with are: Finance & Public Safety – Randy Reed, Chair with Cristi Boyle Barrett and Doug Harple; Streets & Utilities – James Montgomery, Chair with Jan Twardoski and Melissa Patson; Community Services & Recreation – Melissa Patson, Chair with Mark McNally and Doug Harple; Community & Economic Development – Mark McNally, Chair with Cristi Boyle Barrett and Jan Twardoski; and Fire Station Construction Committee (Ad Hoc) – Cristi Boyle Barrett, Chair with additional members to be added at a later date. She is recommending to having one scheduled workshop per month, and if we don't having anything to discuss we will cancel it. Her recommendation is to schedule the first Tuesday of every month for the workshops. She is requesting that committee chairs discuss with staff what the best time for committee meetings is and then we will put them on the calendar. She would like to see the minutes put on the website from all committee meetings. If there is nothing to discuss you don't need to have a committee meeting. Council member Reed stated he thinks this is something that can work. His only concern is the number of nights may be less but the length of the meetings will be much longer. Mayor Johnson stated maybe you just want to schedule one committee meeting a week.

Staff Reports

Administrator Schmidt stated he and Council member Montgomery attended a meeting in Puyallup regarding a potential EPA Grant to do different rain garden projects, and they looked at low impact development standards throughout the Puyallup Watershed Basin. It is a joint agency project; they are intending to apply for one million dollars, and we have identified 6-8 potential locations for rain gardens. The City of Puyallup is getting ready to submit the grant application. There is no cost to our City. They would like us to provide a letter of support for the grant.

Administrator Schmidt stated about one year ago we submitted a water right change application to the Department of Ecology, and we were hoping to get multiple withdrawal points for our current ground water wells. Right now Ecology has approved our report examinations and they posted on Department of Ecology's website for public comment. Once they go through that, if there is no opposition, it looks like we are moving down the path to approval on this.

Administrator Schmidt stated that the sewer project is still being worked on. The Engineer has submitted the final punch list to Johanson Excavating. They have met with Johanson and they are aware of the things that need to be repaired. Right now the weather is a contributing factor. It is ongoing and we haven't accepted the project as final. We are still holding retainage and are still moving forward with that project.

Administrator Schmidt stated one of the things the Council is aware of that was talked about last year is the NPDES Stormwater Program Phase II. There are certain milestones we have to achieve with that program. By February of this year we have to adopt the 2005 Ecology Stormwater Manual and those regulations, and we also have to update our stormwater requirements to address discharge and other factors. We have those updates ready to go but the committee will have to review them so we can make a recommendation to Council to get that adopted in February. This will be something the committee will have to discuss. Council member Montgomery stated that their next meeting will be next Tuesday January 19th at 9:35 AM.

MAIN AGENDA

Resolution No. 10-01: 2010 Exempt Salary Table

Council member Boyle Barrett moved to approve Resolution No. 10-01 adopting the 2010 Exempt Salary Grid. Council member Reed seconded the motion. Council member Montgomery asked why the City Administrator is not on this grid. Council member Boyle Barrett stated because he is not an exempt employee. The motion then carried.

Pierce County DEM Agreement

Chief Predmore stated this is a renewal that comes before the Council every five years. The attachment lists the ten different items provided to us under this plan. This did go

before the Public Safety Committee with a recommendation of approval. This agreement will expire at the end of 2014. **Council member Reed moved to authorize the Mayor to execute the renewal agreement for Emergency Management with the Pierce County Department of Emergency Management. Council member Boyle Barrett seconded the motion and the motion carried.**

EMS Billing Services Agreement

Chief Predmore stated for the past year the City has explored the option of contracting for EMS Billing Services when we use our aid car for transports. Doing the billings is a very complicated thing and the City lacks the staff and resources to perform its own medical billings. There is no cost to implement this agreement; E & F Recovery is taking on new clients and is therefore not charging to taking on new clients. They are not a new company but are new to the EMS billing services so he feels they are very reputable for us to attain. We will have to develop ordinances for Council to consider that will establish fees and set policies regarding billing practices. **Council member Reed moved to authorize the Mayor to execute the EMS Billing Services Agreement between the City of Buckley and E & F Recovery, LLC. Council member McNally seconded the motion.** Council member Boyle Barrett stated one thing that will be looked at is the charges for residents versus non residents because residents will already be paying for the EMS Levy. **The motion then carried.**

American Red Cross MOU

Chief Predmore stated that the American Red Cross Mount Rainier Chapter has asked to update and renew the long-standing Memorandum of Understanding between the City of Buckley and the American Red Cross regarding the American Red Cross staging and stockpiling disaster relief supplies at Buckley Hall. Updates include updating the contact information and confirming the inventory of disaster relief supplies. **Council member Montgomery moved to authorize the Mayor to execute the Memorandum of Understanding with the American Red Cross Mount Rainier Chapter pertaining to disaster relief supplies. Council member Patson seconded the motion and the motion carried.**

Pierce County 911 Contract

Chief Arsanto stated this is the annual renewal of the City and Pierce County 911 Agreement. **Council member Reed moved to approve the Annual Pierce County 911 Services Agreement. Council member Boyle Barrett seconded the motion and the motion carried.** Chief Arsanto also handed out the year end report. He then went over the points of interest with the Council.

Department of Licensing – Master Business License Agreement

Council member Boyle Barrett moved to approve the Master Business License agreement between the City and Washington State Department of Licensing. Council member Patson seconded the motion. Mayor Johnson stated this has been presented to the Chamber and they are in favor of it. This will save the City a lot of time

and the businesses will have to pay all their fees before their license is issued. Administrator Schmidt stated this will be a transition process. **The motion then carried.**

Resource Conservation Manager Interlocal Agreement

Council member Montgomery moved to approve the Interlocal Agreement between Buckley, Bonney Lake, Sumner and the Sumner School District and authorize City staff to submit an application for a RCM Grant through the State Department of Commerce and WSU Extension Program. Council member Patson seconded the motion. Administrator Schmidt stated that the Resource Conservation Manager Program is one that has been supported by the Department of Commerce under the energy efficiency money that we got under the stimulus bill. They have turned it over to WSU who operates an energy program there. Administrator Schmidt explained what the RCM Program is and how it works. We have teamed up with Bonney Lake, Sumner and the Sumner School District. Buckley's utility cost annually was a little over \$300,000 and as a share of the overall contribution is 8%. We are looking at a cost savings over three years of approximately \$45,000, so he feels it is well worth the effort for the City to move forward. **The motion then carried.**

Lighting Retrofit Bid for City Facilities

Council member Montgomery moved to approve the estimate for Light Tech to retrofit the lighting systems in City facilities for a not to exceed out of pocket cost of \$10,234. Council member McNally seconded the motion. Council member McNally stated they are doing some retrofitting at their stations and when he found out how much it cost for disposal he wanted to make sure the disposal costs were included in the bid. Administrator Schmidt found out that it is. **The motion then carried.**

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

The Council decided to postpone this until the next meeting.

Project Acceptance: Water Transmission Main Debris Removal

Council member McNally moved to approve final acceptance of the Water Transmission Main Access Road Debris Removal Project. Council member Patson seconded the motion. Council member McNally stated it is his understanding that all the work has been done. Administrator Schmidt stated yes it has. **The motion then carried.**

City Council Schedule Workshop to Discuss Rules of Procedure

Mayor Johnson stated if we are going to schedule workshops for the Council every month, the next workshop will be February 2, 2010 at 7:00 PM.

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

Approve the minutes of the December 8, 2009 City Council meetings.

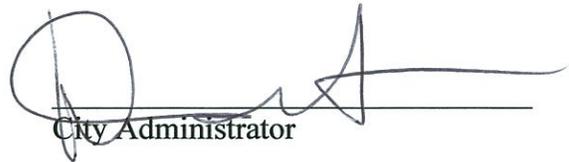
Claim check numbers 44540 through 44585, in the amount of \$78,474.36 for the period of December 9th through December 22, 2009, Claim check numbers 44586 through 44681, in the amount of \$367,531.74, for the period of December 23, 2009 through January 12, 2010; Payroll check numbers 30367 through 30435, in the amount of \$349,392.14 for the month of December 2009; and Treasurer check numbers 10750 through 10775, in the amount of \$40,398.88 for the month of December 2009.

The Council convened into Executive Session at 9:03 PM for approximately 5 minutes to discuss a possible real estate acquisition with no announcements.

With nothing further the meeting was adjourned at 9:15 PM.



Mayor



City Administrator