

City Council
August 23, 2011

Mayor Johnson called the regularly scheduled meeting to order at 7:08 PM.

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

Mayor Johnson stated that she has two additions to the Agenda this evening. There will be an Executive Session, and also we have Chloe Mitchell here to talk to the Council about doing a fund raising project on the trail. Mayor Johnson said, with Council's permission, she would like to add Chloe first on the agenda, before committee reports. City Administrator Schmidt stated that the Executive Session is on ongoing litigation and the attorney would like to do a conference call with the Council in the Building Department office. Council member Montgomery asked if there will be required action. City Administrator Schmidt said potentially. **Council member Montgomery moved to add two items to the agenda, citizen participation before committee reports and an Executive Session at the end. Council member Twardoski seconded the motion. Motion carried.**

Chloe Mitchell, 12027 258th Ave Ct. E, Buckley. Chloe said what she wants to do is a fund raiser for the Humane Society. It would be a walk sort of like Relay for Life, and she would like to have permission to use the Buckley Trail for the walk. All of the proceeds will go to the Pierce County Humane Society. Chloe said she wants to probably have it either the 3rd or 4th week of September, when the weather is still nice. Council members asked questions regarding the routing of the walk, which would be from the Veteran's Memorial to the river, how many people might be expected to participate, the time of the walk and a starting point for collecting donations. Mayor Johnson said what Chloe needs tonight is permission from the Council to use the trail for a fund raiser, and then the details can be worked out in committee. Council member Patson asked Chloe to leave her phone number and she will call her to let her know when the committee meeting will be. **Council member Montgomery moved to grant permission to use the trail to have a Humane Society fundraiser. Council member Patson seconded the motion.** Council member Twardoski said she is concerned about Main Street as it is very dangerous to cross there and wants to make sure Chloe makes provisions for somebody to stop traffic; I don't want anyone to get hurt. Council member Montgomery said it would be a good idea to have crossing guards there and at Park. **Motion carried.**

Finance & Public Safety: Mayor Johnson said there has not been a meeting.

Streets & Utilities: Council member Montgomery stated they had a meeting, and the report will be forth coming at a later date. The main item is on the agenda tonight, the Realignment Project Change Order #1.

Community Services & Recreation: Council member Patson stated they will be having a meeting real soon, and that will be announced.

Community & Economic Development: Council member Boyle Barrett stated they have not had a meeting.

Mayor's Report:

Mayor Johnson stated she was contacted by the Chamber. They had requested a street closure for the Beer & Wine Walk at the end of September from Cedar to Cottage, but they are now asking to extend that closure down to A Street. The reason for this extension is that the gift shop on the corner of A Street and Main would love to participate. **Council member Montgomery moved to extend the Main Street closure from Cedar to A Street for the Beer & Wine Walk. Council member Boyle Barrett seconded the motion. Motion carried.**

Mayor Johnson said that this Thursday she will be meeting with the other Mayors in Congressman Reichert's district at the Sammamish City Hall. This is a yearly event that Congressman Reichert has.

Staff Reports:

City Administrator Schmidt stated that the State Auditor has come early; he arrived today, so they have started on our audit. They will review everything that they can, court, Police Department, etc., and then they will start on finance next week when Sheila gets back from vacation.

City Administrator Schmidt said that he and the Mayor, City Engineer Miller and PW Supervisor Dansby met with TIB today and they are once again looking at Buckley for an LED light pilot project. Four years ago we were looked at for a pilot project, but technology had not advanced far enough at that time. Now, based on some pilot programs that Seattle has with Seattle City Light, the technology has advanced to where they believe they have a product we can use. TIB asked the Mayor if she would be willing to go down and lobby the legislature. They didn't provide any numbers, but at one point he said the entire City. So, he has a full inventory of all of the City's lights; there are 348 street lights, as well as parking lot lights. Mayor Johnson said we are looking at the potential of up to 50% savings on electricity, which could be \$25,000 per year. Mayor Johnson said she will be down in Olympia knocking on doors. City Administrator Schmidt stated we must also make sure that PSE is onboard as well; they

have to agree to give us the reduced rate for putting in LED lights. So, it is a 2-pronged issue.

City Administrator Schmidt stated if everything goes according to plan he will be on vacation for the next two weeks beginning this weekend, but he will be available by phone. Mayor Johnson said we have definitely been short handed at City Hall because this is Sheila's second week of vacation, Joanne took a couple days off, and Cindy was on vacation prior to that. City Administrator Schmidt said Joanne is going the same time he is, so City Hall hours may have to be adjusted accordingly.

MAIN AGENDA

Public Hearing – Interim Land Use Processing Procedure Amendment:

Mayor Johnson recessed the City Council Meeting and opened the Public Hearing at 7:23 PM.

City Administrator Schmidt stated as a brief summary, this was actually an interim ordinance that the Council adopted in May. Under our current land use administration policy there is no process for administering a plat alteration, except for State law. State law sends a plat alteration to the City Council, but the City Council has turned all of those duties for land use applications over to the Hearings Examiner. So, the interim ordinance actually made an interim change to the regulation allowing plat alterations to go to the Hearings Examiner. Based on the ordinance that the City Attorney drafted, within four months that interim ordinance was supposed to go to the Planning Commission and the Planning Commission was suppose to review it, make changes to it and send a formal recommendation to the City Council. And, within sixty days, a hearing was supposed to be held. None of those things happened, and because of those timelines we now have to readopt the same interim ordinance and give the Planning Commission an opportunity to finish up the work that they're doing and get a recommendation back to the City Council.

Marvin Sundstrom, 881 Sheets Road. Is anyone familiar with the concept of learning curves? By all appearances, the Buckley learning curve is pretty slow. Is this something developers do to rush the process to lay claim to lower fees, and then change their minds. I cannot believe after all the iterations White River Ridge, also known as Elk Heights, went through that no one caught this as it went through the initial approval process. Does that say something about how thoroughly things are read prior to approval?

Mayor Johnson closed the Public Hearing and reconvened the City Council meeting at 7:26 PM.

ORD No. 09-11: Re-Adopt Emergency Interim Land Use Processing Procedure Amendment:

Council member Montgomery moved to readopt Ordinance No. 09-11 Authorizing an Emergency Interim Amendment to Chapter 20.01 for Processing Plat Alterations. Council member Boyle Barrett seconded the motion. Motion carried.

Stormwater General Facility Charge Credit – Nanevicz Subdivision:

Council member Montgomery moved to approve a Stormwater General Facility Charge Credit for the Nanevicz Subdivision subject to the Developer's Construction and Completion of the Capital Stormwater Improvement Project identified in the Engineering Estimate #09258. Council member Patson seconded the motion. City Administrator Schmidt said staff is currently reviewing the subdivision for Nanevicz Trust, which is the twenty-two acre parcel just east of Copperwynd. Currently, the application has been modified to where it is sixty-five building lots. In going through the SEPA review on the Land Use Application we identified that a portion of Capital Improvement Project #12, which is in our Stormwater Comprehensive Plan, goes through the western boundary of that property; it borders on Copperwynd and Nanevicz land, and it's about a 1,450 foot project. It is not the total project in CIP #12, but it is a large portion of it, where the pipe is currently undersized. What they have offered is, they would consider doing this work as part of the construction of the plat if the City Council is willing to grant them a credit from their Stormwater General Facility Charge. Based on sixty-five lots at \$6,000 apiece, that is about \$390,000. We had the engineers estimate the project, and to do the entire project ourselves would be \$535,000. With the number of projects the City has lined up to do, it is very unlikely that this would be the high priority project that we would do next, especially with the emphasis on Spiketon culvert. Our concern is that this plat would go ahead and all the improvements would be put in and then the City would come back a few years later when we had the money and put that line in, and at that time it would cost us significantly more because we would have to tear out roads, curbs, gutters and sidewalks that the development just put in, and possibly fences and backyards too at that time. So, the opportune time to do this is when the development goes in. City Administrator Schmidt stated we reviewed their request and we are recommending to the Council that you authorize the credit and then we would put that into the staff recommendation and advisory report to the Hearings Examiner as a condition so that it's there as the plat develops if it is approved. Discussion ensued. **Motion carried.**

Realignment Project – Change Order #1:

Council member Boyle Barrett moved to approve Change Order #1 for the Realignment Project for a cost of \$8,370.21. Council member Twardoski seconded the motion. City Administrator Schmidt presented a brief review of the 3 items included in Change Order #1. **Motion carried.**

CONSENT AGENDA

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

Approve Minutes of August 9, 2011

City Council retreated into Executive Session at 7:48 PM for approx 20 minutes to discuss ongoing litigation, with potential action to follow.

City Council reconvened the City Council meeting at 8:13 PM.

Council member Montgomery moved to authorize the Mayor and City Administrator to participate in mediation to try to resolve the ongoing litigation regarding Spiketon ditch. Council member Boyle Barrett seconded the motion. Motion carried.

With nothing further the meeting was adjourned at 8:14 PM.



Mayor



City Administrator