

City Council
August 24, 2010

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

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

Mayor Johnson asked if there were any additions or changes to the agenda. Administrator Schmidt stated they would like to add two additional items to the Executive Session. Both are potential litigation, on Spiketon Ditch and the railroad right-of-way property.

Finance and Public Safety:

Council member Reed stated they have not had a meeting. Their next meeting will be September 13, 2010 at 6:30 PM at City Hall.

Streets and Utilities:

Council member Montgomery stated they had a meeting on August 17, 2010. A highlighted item is the PSE land acquisition, which he would like to have a full Council discussion on at the next Council workshop. Another item he would like to highlight is regarding the stormwater issue for Gunderson/Olsen and the ditch that is going across their properties. Administrator Schmidt stated that the City Engineer put together three different options with cost estimates. All the property owners want it relocated and don't want it going across their property, but that option is \$300,000 to \$400,000 dollars which isn't really viable at this point. The committee took the City Engineer's estimates and did a take off from those and realized that our crew could go out and haul in pit run and put the channel back into a trapezoidal shape, the way it is supposed to be into a defined channel, and then armor the sides to reinforce it to stop further erosion. We could do this for under \$25,000, and under the Stormwater Fund we have a small project line item of \$25,000. He believes the committee is looking at making that recommendation and staff supports it, to go out and do the low cost fix to alleviate the problem and help minimize any possibility down the road, but attach a condition to it saying if we go out and expend that money that the property owners give the City a legal easement for the right of that utility. Council member Reed asked if a French drain concept from Collins Road north would work to resolve the problem. Administrator Schmidt stated under normal conditions it could work but when we have heavy rains it wouldn't. Council member Montgomery stated they are not asking for the expenditure of funds at this time, they are just trying to get a sense of whether the majority of the Council is supportive of entertaining this as a solution.

Administrator Schmidt asked what was decided about the sidewalk project. Council member Montgomery stated he believes the committee was in favor of trying to find a local contractor that could do the work and get as much work done with the window we have. Administrator Schmidt stated at the last meeting Council authorized staff to hire a seasonal staff to lead a concrete crew to do a lot of the sidewalk repair around town with the remaining money that we had. Neither one of the individuals worked out without the City taking on an extreme amount of liability. The second option never panned out as well, so the option we are left with is for us to go out on the small works roster and put it out for bid and have a contractor come in and do as much of the sidewalk repair as can be done with what money we have remaining under that line item. If Council supports that we can prepare the bid requests. Their only concern is that we have a lot of severe rated sidewalks in town and we are not going to be able to get them all done for that price, especially if we have to pay prevailing wage on the small works roster. So we need to figure out the priority. Do we want to focus on the north parking lot, or do we want to focus on more areas around town that actually have more exposure. That is what he is looking for direction from the Council on. Discussion ensued. Council member Montgomery stated another alternative is we could decide to leave that money in the budget and try to find somebody who is willing to fill that position that we talked about at the last Council meeting next year, and be able to use that labor and get more bang for our buck.

Council member Boyle Barrett asked about the railroad right-of-way property title search, what is that in reference to. Council member Montgomery stated there are two pieces of property that the City thought it owned that are right in the middle of the Ryan Road re-alignment project, but we since discovered that the City does not own them. Administrator Schmidt stated this will be discussed in Executive Session.

Community Services and Recreation:

Council member Patson stated they met a couple weeks ago. One item discussed was the leash free dog park. Chief Arsanto came and voiced his concerns, such as safety, sanitation, animal control, leash law, enforcement of the rules, location and who will be in charge. They discussed possible locations. The committee came to the conclusion that right now this may not be the right time to initiate the park, but it is a right time to research what other cities are doing. They discussed memorial placement requests; this was postponed to be discussed again on August 18, 2010. Guests for this meeting were Buzz Grant and Chuck Morrison representing the Foothills Trail Coalition. They spoke to the committee regarding a tribute to Doctor Tait. They would like something larger than the plaque that is currently in place. They have a wig wag and they are proposing to place it in the vicinity of Del's Feed Store at Main and River. They would like to start their project within a month. The committee is recommending that the Council approve Phase I of the Tait Memorial with the installation of the wig wag. This project was originally approved by the Council in 2007. They will have a bronze cast of Dr. Tait's bag that will sit next to a bench, and they also have an antique baggage cart that a Boy Scout restored as part of his Eagle Scout project. Administrator Schmidt stated that the

motion should include any permitting and engineering requirements. **Council member Patson moved to approve Phase I of the Douglas Tait Memorial provided all permits are in place with the installation of a wig wag. Council member Montgomery seconded the motion and the motion carried.** They briefly discussed the maps and brochure kiosk, which she had been asked if her committee would address. Council member McNally recommended that this item be given back to his committee, Community and Economic Development. There was a discussion as to what committee should handle this. The next item is the Elk Heights LLC which is on the agenda tonight. Recreation Director Bacon reported on National Night Out. After the BBQ, Recreation Director Bacon expressed how nice it would be if the Youth Center had their own BBQ to use. She also stated that the Youth Center needs a storage shed, so she is going to talk with the high school shop class. Bacon will also be attending a meeting with Pierce County Parks to discuss the Metro Parks System. They discussed event applications. The committee will review examples and will share recommendations during the next committee meeting on September 22, 2010.

Community and Economic Development:

Nothing to report.

Mayor's Report:

Mayor Johnson stated that the LDS Church will be having a Community Services Day on September 11th and they have approximately 100 volunteers signed up to work. The projects they have scheduled are: weeding all the flower beds along the highway from the Post Office to Wally's, the City will provide bark and they will spread it; they are going to do the remaining concrete work at the Museum; put a new roof on the gazebo next to the museum and if time allows they are going to replace and repaint the top railing at Buckley Hall. If anyone would like to come out and volunteer with them you are welcome.

Staff Reports

Bob Olson reported to the Council that they have the wall up at the Veterans' Memorial and it should be finished Saturday. He will then call the engraver and the bricks will be engraved. So, it is coming along really well. He stressed that this is a monument and not a memorial. He wants it to be a happy place where events can take place. Bob was thanked for all his hard work and dedication.

Administrator Schmidt stated that on the Transmission Main, Hoffman installed the last items this week and his understanding is that they did a final walk through. He is not sure if the State people have come out to do their walk through yet. If they have, it will be coming to Council at the next meeting for final completion.

Administrator Schmidt stated we just submitted four different grants. One is for the Department of Ecology Stormwater grant for retro-fit as long as it meets low impact development standards, so we're incorporating some low impact stormwater measures on

the realignment project and have submitted for a grant of \$220,000. We also submitted for a TIB grant to help with \$600,000 of the realignment project, and we think we will score well. We submitted for grants to overlay or chip seal Naches and River Ave. Those are the two top streets on our Six-Year Plan that meet their criteria for award.

Administrator Schmidt stated that in the packets there are two different calendars; go with the budget calendar because that is when all the budget meetings will be held.

MAIN AGENDA

Scope of Work – Booster Station Design (Task #1)

Council member Montgomery moved to approve Scope of Work for Gray & Osborne to complete Task #1 of the Booster Station Design. Council member Boyle Barrett seconded the motion. Administrator Schmidt stated we are trying to get some preliminary information so the Council can make some further decisions. **The motion then carried.**

Elk Heights Park – Final Acceptance

Council member Boyle Barrett moved to approve final acceptance of Elk Heights Park. Council member Patson seconded the motion. Council member Montgomery stated when he chaired the Park/Cemetery Committee he recalls that there were some issues regarding this park. He remembers root barriers had to be installed around the trees, the playground equipment had to be lowered and the wood chips under the playground equipment were not engineered and needed to be replaced. His main concerns are the playground equipment and the playing surface. If the City takes ownership of that, are we assuming liability if a child falls off and gets hurt? Administrator Schmidt stated that the City already owns this park. We are not accepting dedication of the park; we are accepting the project of the park itself as complete. The developer met the conditions that were required of him through the final plat process. A lot of those things were additional items that the City added on that we wanted to see and we had no enforcement ability to make him put that stuff in. The developer wrote the City a letter asking if the City would be willing to accept it as is. The Engineer was satisfied that the developer finished all the things on the punch list. Discussion ensued. Council member Reed asked that providing final acceptance can we stipulate with the exception of items. Attorney Olbrechts stated that park property and improvements have already been dedicated to the City, so the City already owns it, correct? Administrator Schmidt stated that the park was dedicated to the City as final plat process, but it had not been constructed so it was bonded as part of their performance bond. Attorney Olbrechts stated yes it can be accepted subject to staff addressing the wood chip issue and using performance bonds monies if necessary. Administrator Schmidt stated if it costs us as much in legal fees to demand the bond and get that taken care of then it would seem prudent to just address the wood chip problem. **Council member Boyle Barrett moved to rescind her motion. Council member Patson rescinded her second. Council member Reed moved to approve final acceptance of Elk Heights Park with the exceptions of resolving the distance from the ground of installed playground**

equipment and benches and resolving the wood chip safety cover. Council member Twardoski seconded the motion and the motion carried.

IGI Agreement – Amendment #1

Council member Montgomery moved to approve Addendum #1 to the IGI Resources Asset Management Agreement. Council member Boyle Barrett seconded the motion. Administrator Schmidt stated that this extends the contract out to 2015 and allows us that large customer designation and allows us to lock up. **The motion then carried.**

DSHS Natural Gas Contract – Extension

Council member Boyle Barrett moved to approve Addendum #4 of the DSHS Natural Gas contract. Council member Twardoski seconded the motion. Administrator Schmidt stated there is a correction on this. DSHS sent the new contract today and said they made a mistake; this is actually Addendum #5. **Council member Boyle Barrett moved to amend the motion to reflect Addendum #5 in place of Addendum #4. Council member Twardoski seconded the motion. The amended motion carried. The original motion then carried.**

Scope of Work – Fire Station Buffer Impact Analysis

Council member Boyle Barrett moved to approve the scope of work for ENCO to complete a wetland buffer impact analysis for construction of the New Fire Station. Council member Patson seconded the motion and the motion carried.

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

Approve the minutes of the August 10, 2010 City Council meeting.

Claim numbers 45668 through 45689, in the amount of \$100,481.36, for the period of August 11, 2010 through August 24, 2010 are hereby approved and ordered paid this 24th day of August 2010.

Council convened into Executive Session at 8:05 PM for approximately 30 minutes to discuss real estate acquisition of the White River Property, and potential litigation on Spiketon Ditch and the railroad right-of-way property, with no action.

With nothing further the meeting was adjourned at 8:50 PM.



Mayor



City Administrator