

**City Council
June 24, 2014**

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

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

Mayor Johnson said we have one item to add to this evening's agenda, and that will be item #9, which is Cascade Water Alliance Use of the Foothills Trail Bridge for the Flume Replacement Project. Mayor Johnson asked if there are any other additions or deletions to the Agenda. There were none. **Council member Howard moved to approve the amended agenda. Council member Rose seconded the motion. Motion carried.**

Administration & Finance: City Administrator Schmidt said the Admin & Finance meeting was cancelled.

Council member Boyle Barrett arrived at 7:03 PM.

Transportation & Utilities: Council member Tremblay stated they did not have a meeting, but they did have a meeting of the Ad Hoc Marijuana Committee last night with a lot of discussion about what we should be doing, and about the difference between medical marijuana, which is what we have the moratorium on, and recreational marijuana; they are two separate entities governed by two different laws. The Committee has decided to make a recommendation that we consider as a Council extending the moratorium on medical marijuana and collective gardens. The reason for that is because the State still hasn't figured out how to handle it, and as it is right now there is no licensing of those outlets, and we are concerned about how that is being handled. So, we want to wait a little longer and hopefully, with one more extension, the State in the next session will come up with some regulations. We did however decide that as far as the recreational marijuana (I-502) that we do have a license application and our recommendation would be for the Council to allow that to proceed and work with the applicant to make it as safe and secure as possible. Council member Tremblay said when he went to the AWC Conference, he went with the specific intent of listening to both sides of this story. Attending were the woman who wrote I-502 and the head of the Liquor Control Board, as well as a gentleman from Colorado talking about their experiences. The statement that really rang true with him was that if you think your children do not have access to marijuana right now, you are kidding yourself. This is an opportunity to take it out of the hands of the criminals, and to regulate it and make sure those under 21 can't have access to it, and that those who by law have access to it, get access that is appropriate and safe. It is his opinion that as soon as we get regulations in place, and these vendors who are able to monitor and do it right in place, then we can start enforcing. Hopefully, the legislature will address medical marijuana and collective

gardens, and we can do our bit by doing this the right way as far as distributors and licenses. I think it is important for the Council to remember that if we don't do this right within our city limits, the county will probably issue one just outside our city limits and it will make it even more difficult for us to control that. The City of Kirkland put together a brochure, and he thought it was very informative, so he brought it to the Committee and said perhaps we should start developing something, so we are working with the City Administrator. What it does is explain what the rules are and what the laws are, and how we are approaching this. I think a lot of people will object and may not be as informed as they should be about what we are doing and what we are trying to do, and how we are trying to get this done safely, and what the law is. So, we felt that this brochure, which is still in draft form, would be a good way of doing that. We will continue to work on the wording and then bring it to Council for review before we send it out. City Administrator Schmidt said the Police Chief is trying to arrange with the the new store owner to allow the Committee to take a tour of the facility so that the Committee has a better understanding of what the security is and what the process is there; I think that would be a really good benefit to the Council. Also, Council must be aware that on July 7th the Liquor Control Board will begin issuing final licenses, so it is entirely possible that this store may be in the first round, and it could technically be open for business before the next Council meeting. I think it would behoove us to get something in final form, and make it available to the public so the community has some information. Council member Howard added that the Committee is going to meet regularly and continue to draft what they think model policy should look like for the regulation of medical marijuana and collective gardens in the event that the legislature doesn't do their job in the upcoming session, so we will have something ready to go. We would much rather wait for them and be consistent and in line with their language, but if they don't do it, I think it is important for us to be prepared to step up. City Administrator Schmidt said that the Committee actually has a model ordinance that MRSC put together that they are going to use as a foundation to start from, so there is information out there. Mayor Johnson said we will have to renew our moratorium at our second meeting in July. A brief discussion ensued regarding licensing and inspection requirements. Council member Tremblay stated that there will be a meeting in Carbonado tomorrow night that he will be attending. The Mayor of Carbonado is hosting the meeting and it will be attended by the Mayor of Wilkeson and there will be representatives from South Prairie, and I believe they are getting a representative of the Liquor Control Board. We will talk about this topic and how they will be addressing it.

City Administrator Schmidt said he is asking Council for authorization to go ahead and distribute that brochure once the Committee is satisfied with the information that's in there, because we are going to be bumping up against a deadline before the Council has a chance to look at it. Council member Howard said this brochure is just a summary of existing laws and City zoning. **Council member Tremblay moved that we authorize the City Manager, after we get this amended, to put out an informational pamphlet on the regulations concerning both recreational marijuana, medical marijuana and collective gardens, so at least our citizenry will be informed on the differences and what the laws are. Council member Boyle Barrett seconded the motion. Motion carried.**

Community Services & Public Safety: Council member Rose stated that you have her notes before you. Chief Arsanto is here this evening and we will be discussing the resolution regarding firearms surplus.

Council member Boyle Barrett said their committee meeting was cancelled, so they will meet the first Tuesday in July.

Mayor's Report:

Mayor Johnson stated that she also attended the AWC Conference. She was re-elected to the Board of Directors of AWC for another two years. She attended the Small City Advisory Board, which is open to cities of 5,000 populations or less. Also, she attended the Mayor's forum, and she attended a meeting on sewers and the new regulations that are coming out. They talked a lot about a fish consumption law that is going to be changing the standards as to what we can discharge into the rivers.

Mayor Johnson stated that today she signed 28 easements to take to Tacoma tomorrow to get recorded, and hopefully on Thursday she will get to sign (PSE).

Staff Reports:

City Administrator Schmidt said that Hoffman Construction has finished repair of the water transmission main, and there will probably be a final acceptance coming to the Council at the next meeting. They were actually able to come in under budget. It ended up costing us about \$165,000, where we were thinking it would be upwards closer to \$200,000. That includes repairing the band on the suspension bridge.

City Administrator Schmidt stated that right now we're down to basically the easements that are in front of the Council tonight for consideration. We're still dealing with DSHS on a blanket easement just for the campus. The City has always operated the natural gas lines and service lines on the Rainier School campus without a formal easement. However, PSE won't come in and take that over without having an easement. It is before DSHS legal review right now, and they were supposed to have an answer back to us this afternoon, but they didn't, so I anticipate that tomorrow we will have that. We are down to two service lines in the City that we need, both of which I believe are coming. PSE seems to be satisfied with everything. We have affidavits that the Mayor has to sign tomorrow, and the closing documents are supposed to be at City Hall no later than 9 AM on Thursday morning, and they are signing the documents on their side tomorrow. Once the Mayor signs those documents Thursday morning, we will make a phone call to PSE and they will start the wire transfer to our bank account with the proceeds from the sale. Right now I believe the final figure will be about \$5,155,000. They want us to just cash the bid deposit that they gave us, which is \$270,000, and they are only taking a \$20,000 deduction. At 11 AM Friday morning, the Mayor and Brian Burbank, who is the lead for the gas system, will have a photo op; however, we're not sure yet where that will occur. They have a 20 inch, gold plated pipe wrench that will pass from the Mayor and Brian to PSE, and there will be a big meter behind them.

City Administrator Schmidt said on either Saturday night or Sunday night the Public Works shop was broken into. We are still getting estimates on what was taken; a lot of metal fittings and brass fittings, and they broke into some of the doors. Once we have a full valuation on what the loss was, we will turn it into the insurance company; we have a \$1,000 deductible. A brief discussion ensued regarding security cameras.

CITIZEN PARTICIPATION

Chuck Helmer, 513 Mtn. Circle, Buckley, WA. He has a concern that the Ad Hoc Committee on Marijuana scheduled their meeting last night at the same time as the Planning Commission meeting. Now I just heard that you're thinking about your next meeting on either the 7th or 23rd, and those are both Planning Commission meetings as well. He would like it if the meetings could be on a different night than Planning Commission because there is some interest in attending. Council member Tremblay said he appreciates you saying this and they will look at other nights.

MAIN AGENDA

RES No. 14-08: Surplus Property – Police Department

Council member Boyle Barrett moved to authorize Resolution No. 14-08 Declaring Property as Surplus and Authorizing its Sale and/or Disposal. Council member Rose seconded the motion. Police Chief Arsanto provided an explanation and answered questions. A brief discussion ensued. **Motion carried.**

Utility Easement and/or Franchise Amendment

City Administrator Schmidt stated what the motion would be if the Council chooses to move on this, and explained what it is. This document was not in the packets last Thursday night because it was still under review. The attorneys have decided and agree that a utility easement is the best way to accomplish this. **Council member Tremblay moved to approve the Utility Easement between the City of Buckley and Puget Sound Energy for the Natural Gas Gate Station. Council member Sundstrom seconded the motion. Motion carried.**

CWA Use of the Foothills Trail Bridge for the Flume Replacement Project

City Administrator Schmidt apologized to the Council that this is coming to you quicker than what we anticipated. We didn't anticipate coming to the Council and asking for the authorization to use that bridge until we had actually gone through the full formal review and had the conditions in place so we could come forward with the staff report. The problem is we still need a 200 foot easement from Cascade Water Alliance. There is a gas line that is located next to the flume, and when PSE did the BLA that created all the land transfers, that easement was missed. Now that Cascade Water Alliance has ownership of that flume property, they say they have to have value before they'll give up

the easement. So, the City has to either purchase the easement from them, or we agree to allow them to use the bridge for this flume replacement project, under the permit conditions that are established for the three areas that we're talking about. A brief discussion ensued. **Council member Sundstrom moved to approve authorizing Cascade Water Alliance Use of the Foothills Trail Bridge for the Flume Replacement Project Subject to Compliance with Permit Conditions Being Developed by City Staff that Addresses all Issues Outlined in the Cascade Water Alliance E-mail. Council member Rose seconded the motion.** Discussion continued. **Motion carried.**

CONSENT AGENDA

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

Approve Minutes of June 10, 2014 City Council Meeting

Claim check numbers 51680 through 51699, for the period of June 11, 2014 through June 24, 2014, in the amount of \$14,060.70, are hereby approved and ordered paid this 24th day of June, 2014.

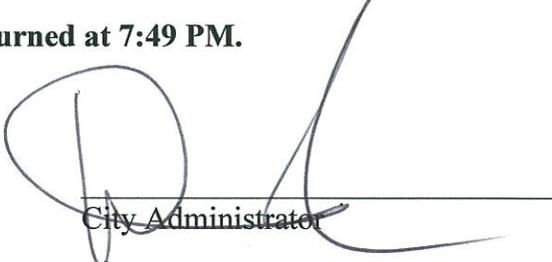
Council member Howard moved to excuse Council member Montgomery's absence. Council member Tremblay seconded the motion. Motion carried.

Council member Tremblay moved to adjourn the meeting. Council member Howard seconded the motion. Motion carried.

With nothing further the meeting was adjourned at 7:49 PM.



Mayor



City Administrator