

City Council
September 23, 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 Leggett. Council members Howard, Boyle Barrett and Montgomery were absent. **Council member Rose moved to excuse the absent Council members. Council member Tremblay seconded the motion. Motion carried.** Also in attendance was City Administrator Schmidt.

Council member Montgomery arrived at 7:02 PM.

Mayor Johnson asked if there are any changes, corrections or deletions to the agenda tonight. City Administrator Schmidt stated that our City Attorney made a recommendation that we change the topic of the Executive Session to Potential Real Estate Acquisition versus Potential Litigation. **Council member Tremblay moved to approve the agenda as amended. Council member Montgomery seconded the motion. Motion carried.**

Administration/Finance & Public Safety: Council member Rose stated you have the notes before you. The Finance Director reported on a subject that we are going to discuss later on this evening. We reviewed the Municipal Court and Fire Department budgets, and we discussed a levy lid lift for public safety. We spoke briefly about a medical insurance issue and we received a handout regarding a possible investment policy.

Community Services: Council member Rose stated they did not meet the 18th, and she would like to request that they reschedule for Sept. 30th at 9:30 AM, at City Hall. Mayor Johnson stated that Council member Montgomery will be working at that time. Council member Leggett stated that he would sit in for Council member Montgomery.

Transportation & Utilities: Council member Tremblay stated they met last week and a couple of items are on the agenda this week. They looked at the bid proposals for asphalt sections, and they approved the purchase of a water truck that was budgeted last year. They also reviewed the variance that is being brought to the Council tonight on the lighting for Clearwater Estates. We looked at a draft of a proposed design or redesign of property at WSU, as far as a plan for starting to activate that site, parking, utilities, etc. We were given the budget but we didn't get into it in depth, we will do that at our next meeting. They talked about storm drains in general and also about Clearwater Estates and its ability to really take care of all the rain fall that we might get, and to make sure that the design is appropriate. Their next meeting is on the 21st at City Hall.

Council member Tremblay said he attended the Buckley Thunder Motorcycle Show this weekend, and he was asked to step in for the Mayor and choose the Mayor's Choice. For a first time event, the Downtown Business Association did a great job.

Council member Boyle Barrett arrived at 7:10 PM.

Council Member Comment:

Council member Sundstrom made statements about the mosquito comment made at the last meeting, the Elk Heights retention pond, and the Mayor's recent statements in City Vision.

Mayor's Report:

Mayor Johnson stated that she has nothing to report having just returned from vacation.

Staff Reports:

City Planner Thompson thanked everyone for attending the Short Course on Planning last week.

Finance Director Bazzar passed out a memo that was discussed today at the Administration/Finance & Public Safety Meeting and asked if anyone has any questions. It is regarding an audit by the Administrator of the Courts and this issue is being taken care of. City Administration Schmidt provided a brief explanation. A short discussion ensued.

City Administrator Schmidt said Mr. Bills of Buckley opened today and the Mayor went to the ribbon cutting ceremony. There were about a dozen people waiting to go in. Doug West will be at the next Council meeting to provide an update.

City Administrator Schmidt asked all those Council members who attended the Short Course on Planning to please turn in your certificates for the Open Government Training portion of the program. The Clerk is required to keep track of who receives this training.

City Administrator Schmidt stated that the NIMS requirement is coming up, so those Council members who still have NIMS classes to take, please take the classes and turn in your certificates.

City Administrator Schmidt stated that staff is taking up collections for a 12th Man Flag at City Hall. Some Council members mentioned that they'd like to donate. Give your donation to Deputy City Clerk Memovich at City Hall.

City Administrator Schmidt stated that there is no official study session for next Tuesday night; it is tentative, and asked is it scheduled or is it cancelled. After a brief discussion it was decided to cancel the tentative Study Session on September 30th.

City Administrator Schmidt stated that the developer of Clearwater Estates intends to get Ryan Road paved this fall, but the hold up right now is PSE and Petelco because all of those poles along there have to be relocated.

City Administrator Schmidt briefed the Council on a problem brewing regarding two City Event Applications the City has received, one from the Buckley Downtown Business Association and one from the Buckley Chamber of Commerce, for almost identical Christmas Lighting events just one day apart. One was submitted for Saturday, November 29th, and one was submitted for Sunday, November 30th. We have spent a good amount of time talking to both parties to try to get them to resolve their issues and work together, and in the final throes we asked the Downtown group to withdraw their application because the Chamber normally sponsors this event, but they refused. The Chamber has come into City Hall and threatened the City that if we don't approve their application by Thursday that they are going to go pull all their lights and everything they've installed out of the park. So, they've put us in the middle and we are trying to get out of the middle. City Administrator Schmidt said by the Special Event Permit regulations, it says what authority he has to deny a permit, but none of those are satisfied on either application, so we are approving both permits and we are charging both groups the full fee, and we are also providing them with a copy of a press release that basically says that the City is not responsible for this; it is a result of these two groups not working together, and that we are going to issue that Press Release along with those event applications. A lengthy discussion ensued. Council felt that these two groups should be given adequate time to resolve their differences before the Press Release is published. It was agreed they would have until the 6th of November.

City Administrator Schmidt said that Rodarte is now staged at the trail well site. They're getting ready to run the water main down along the trail. Also, today we had a weekly construction meeting with Prime Electric on the north parking lot. They are on schedule and I think they are going to set poles next week. Everything should be lit up and ready to go by the 3rd week of October, and temporarily patched to get us through the winter until we can move forward with the construction project. We've got a grant cycle coming up with the Department of Ecology. You will remember we got a grant from Ecology to do the design portion of the flow control over in the parking lot. Now the construction cycle will be coming up so we will be getting a grant into Ecology to pay for the stormwater portion of that reconstruction. I think that's due sometime in November.

City Administrator Schmidt stated that regarding the item on the agenda tonight about the rooster thing, the ordinance actually does an amendment to the current animal regulations that prohibits roosters in the City. What the ordinance does not do is grandfather all those in that are already preexisting. So, if the Council adopts the ordinance as presented, then anyone who has a rooster today will be in violation tomorrow. Council member Sundstrom said he will have an amendment to that one. City Administrator Schmidt said if the Council wants to grandfather in someone preexisting, then it needs to be amended to include that.

MAIN AGENDA

ORD No. 09-14: Amending Mobile Home Park Regulations

Council member Rose moved to approve Ordinance No. 09-14 Amending Mobile Home & Manufactured Home Regulations. Council member Boyle Barrett seconded the motion. City Planner Thompson provided an explanation, and a discussion ensued. Council member Sundstrom moved to amend Page 4, 16.40.050 Inspections, item (1), that all parts stricken from item (1) remain within the ordinance. Council member Boyle Barrett seconded the amended motion. Discussion continued. Amended motion failed 4/2. Main motion carried 5/1.

ORD No. 10-14: Amending BMC Chapter 9.10 – Animal Control Regulations

Council member Rose moved to approve Ordinance No. 10-14 Amending BMC Chapter 9.10 – Animal Control Regulations. Council member Leggett seconded the motion. Discussion ensued. Council member Sundstrom moved to amend 9.10.225 (2) to add “in all zones where residential housing is greater than fifty percent (50%) of allowed density.” Council member Montgomery seconded the amendment. Discussion continued. Amended motion failed 6/0. Council member Montgomery moved to refer ordinance No. 10-14 to committee. Council member Rose seconded the motion. Motion to refer back to committee carried. Main motion was now moot.

Variance From PW Standards – Clearwater Estates Street Light Separation

Council member Sundstrom moved to approve the granting of a variance from the Public Works Standards on uniformity ratio as long as the illumination level maintains a 0.6 foot-candle average throughout the plat. Council member Tremblay seconded the motion. Discussion ensued. Council member Boyle Barrett moved to amend the motion to add “on arterials the lighting level must be 0.9.” Council member Rose seconded the motion. Discussion continued. Amended motion carried. Main motion carried.

Loan Repayment Date Amendment: Public Works Trust Fund Contracts

Council member Montgomery moved to approve the proposed Amendments to all six (6) of the City’s Public Works Trust Fund Loan Contracts. Council member Boyle Barrett seconded the motion. A short discussion ensued. Motion carried.

Bid Award: Small Works Citywide Utility Pavement Patch Project

Council member Tremblay moved that we award the Small Works Citywide Utility Pavement Patch Project to Asphalt Patch & Repair for the sum of \$13,074.24. Council member Montgomery seconded the motion. A short discussion ensued. Motion carried.

Agreement: ILA Between Pierce County Fire District No. 21 and the City of Buckley

Chief Predmore provided an explanation. Council member Boyle Barrett moved to authorize the Mayor to sign the Interlocal Joint Purchasing Agreement between the City of Buckley and Pierce County Fire District 21. Council member Montgomery seconded the motion. Chief Predmore answered questions from the Council. Motion carried.

CONSENT AGENDA

Council member Montgomery moved for approval of the Consent Agenda. Council member Boyle Barrett seconded the motion. Motion carried 5/1.

Approve Minutes of September 9, 2014 City Council Study Session

Claim check numbers 52034 through 52049, in the amount of \$21,524.14, for the period of September 10, 2014 through September 23, 2014 are hereby approved and ordered paid this 23rd day of September 2014.

Executive Session:

Council retreated into Executive Session at 9:00 PM, for approximately 10 minutes, to discuss a Potential Real Estate Acquisition for Drainage Easement, with no action to follow.

Council returned from Executive Session and reconvened the meeting at 9:09 PM.

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 9:10 PM.



Mayor



City Administrator