

**City Council**  
**October 9, 2012**

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

Upon roll call the following members were present: Irons, Tremblay, Howard, Leggett and Boyle Barrett. Council member Montgomery was absent. Also in attendance was City Administrator Schmidt.

Council member Boyle Barrett stated that Council member Montgomery had called her and asked to be excused because he wasn't feeling well. **Council member Boyle Barrett moved to excuse Council member Montgomery. Council member Tremblay seconded the motion. Motion carried.**

Mayor Johnson asked if there are any additions, deletions or corrections to the agenda. There were none. **Council member Boyle Barrett moved to accept the agenda as is. Council member Irons seconded the motion. Motion carried.**

**Finance & Public Safety:** Council member Boyle Barrett said Admin/Finance/Public Safety met and basically went over budget, and we have the Police Chief here to bring forth jail service contracts for Fife, Puyallup and Enumclaw, which are on the agenda. There is also the Fire Department Landscaping Change Order #1, which the Committee is aware of and approves. Their next meeting is Oct. 23<sup>rd</sup> at 9:30 AM.

**Streets & Utilities:** Council member Tremblay stated they haven't had a meeting since their last one. He questions the October 10<sup>th</sup> meeting; he can't make that one. The October 10<sup>th</sup> meeting was cancelled and their next meeting will be October 16<sup>th</sup>, and that will be a budget discussion.

**Community Services & Economic Development:** Council member Howard said I don't think we've met since our last report.

**Mayor's Report:**

Mayor Johnson said under the Mayor's Report this evening we have a Proclamation. This is for National Community Planning Month for October. Kathy James our Planner brought this forth and it is to honor planning in the community. We have a group of citizen volunteers who are our Planning Commission, and several of our Council members started out on the Planning Commission. Mayor Johnson then recognized current Planning Commission member, Laverne Harris, who was in the audience. Mayor Johnson read the Proclamation into the record.

## **Staff Reports:**

Chief Arsanto said he only has the jail service contracts on the agenda tonight.

City Administrator Schmidt stated that the contractor on the water transmission main made the tie-in on either Thursday or Friday and it is actually back in operation now, so we have water going through the sand filter. Also, the sidewalk project is progressing. I believe everyone will note that the guys have done a good job. They're now getting ready to work on the area on Cottage Street over by the Museum, and hopefully they'll get it done before the rains move in this weekend.

## **CITIZEN PARTICIPATION**

Mayor Johnson said we have three people signed up for Citizen Participation this evening, and they are all from Neilson Meadows.

**Nicole Slominski, 117 Sargeant Street S., Buckley.** I am here to talk to you tonight a little bit about the street lights that we have in our homeowners association in our development which I think should have been the City's responsibility once the development was turned over from the developers. We have seven street lights currently. There is a letter in your packets and there is one little paragraph concerning the street lights and then the majority of it concerns the pond. The street lights benefit not only the homeowners association but also the rest of the community, so we think that the City should take control of those, and it is very easy to transfer the responsibility through PSE from the Neilson Meadows homeowners group to the City. City Administrator Schmidt said this is a normal procedure that usually happens. Once a plat has been dedicated to the City with all the streets and right-of-ways and everything, the street lights normally come to the City. In this case there was a mix up because the plat hadn't been built out, and then the plat was lost to the bank, and so there were additional lots that weren't developed yet, and the plat conditions weren't 100% complete, and so it was just one of those things that fell through the cracks. So, if the Council and the Mayor are supportive of it, it is just a matter of transferring the bill from the homeowners association to the City. Nicole said the bill is approximately \$140 per month, so about \$16 per light. **Council member Tremblay moved that the City take over responsibility for the street lights in the Neilson Meadows Development as part of the responsibility for the City now that the plat is completed and because of its location within the City limits. Council member Irons seconded the motion. Motion carried with Council member Howard abstaining.** City Administrator Schmidt asked Nicole to get in touch with him at City Hall about the transfer.

**Mel Garland, 101 Sargeant St. S., Buckley.** He is the Vice President of Neilson Meadows Homeowners Association, and he is here to talk about the pond. I know you all got a letter that explains some of the situation, at least from our side of it. The main thing he wants to touch on is the Contributing Analysis of the pond. Neilson Meadows is kind of unique as far as subdivisions go in the City in that it fronts on three public streets. The pond was sized to accommodate not only the cul-de-sac, but also the adjacent streets that

existed prior to the project. Mr. Garland went on to discuss the original drainage report for the project and the current stormwater runoff. Mr. Garland said we don't have the expertise to make sure that the pond is managed as it should be, so we ask that the City consider accepting a dedication of the pond. City Administrator Schmidt said there is a provision on the face of the recorded Mylar of the final plat that actually says that I believe tract A, the stormwater detention facility, is to be deeded to the homeowners association. Mr. Garland said the preliminary plat said it should have been dedicated to the City, and I understand from the engineers that it was the City that demanded it be placed with the homeowners association and not dedicated to the City. City Administrator Schmidt said that is correct. A short discussion ensued. Council member Tremblay said he would like to put this on as a topic of discussion at the next Utilities Committee meeting, and we can talk about the cost of maintaining it and how we feel about what we have going into it and what we should propose in the future. Rather than just doing something on the cuff here, we will talk about it in committee. City Administrator Schmidt said there are some unique attributes to this; it is not like a standard pond where water runs into it and it sits for a little while, infiltrates, evaporates and runs out. They've got a dual cell wet pond in this situation so it's a little bit more complicated to maintain. City Administrator Schmidt said the other issue that the members of the homeowners association brought up that has caused some concerns, and we might want to check with legal counsel, is that in a normal plat where they actually have to provide stormwater detention for all the impervious surface, it is normal that there are public roads within a plat that they have to drain too, so there is a liability issue to be a potential conflict there as well. But, in this case there was existing impervious surface there that is now draining to that facility. Mayor Johnson said the next Committee meeting will be on October 16<sup>th</sup>, at 7 PM, at City Hall, and they will bring a recommendation back to the Council.

**Kay Skogen, 1571 Collins Road, Neilson Meadows Homeowners Association.** I just want to go on record supporting everything that has been said tonight and thank you for taking this into consideration.

**Kyle Stroh, 116<sup>th</sup> St. E, Bonney Lake.** He is here to talk about his Eagle Scout Project tonight, and he provided a handout to the Council. He is looking to make a 32' long concrete walkway, so it is handicap accessible, to the back of the Veteran's Monument. He had PSE come out and mark where the power lines are. It is going to be 8' wide and taper out to 10' wide, and our plans have it 3 or 4 feet away from the power lines. I will dig down about six inches to lay down two inches of gravel and then four inches of concrete, and I'm planning on using DOT grade sidewalk, which they are hoping to get donated. Council member Tremblay said the only thing he would add is that we have Public Works coordinate and make sure we are meeting all the standards that we need to meet. Council member Howard asked if we are contributing some assistance with the excavator or anything. City Administrator Schmidt asked Kyle if he was planning to dig out all the sod, or is the City crew going to do that for you. Kyle said they were hoping Scott could come over with his excavator/backhoe because he works on Fridays. City Administrator Schmidt stated that Bob has talked to the shop and they have agreed that they will do it if the Council would authorize it. **Council member Howard moved that**

**the City lend whatever assistance that is necessary in the form of excavation and other tools and equipment to support this Eagle Scout project. Council member Boyle Barrett seconded the motion.** City Administrator Schmidt asked Kyle to go over the plans with the Public Works Department so we can make sure there is visibility and clear zones for parking and travel lanes, etc. Kyle said I was also wondering if the City would be able to donate about three yards of gravel to put down beneath the concrete. Chief Arsanto said yes, he will speak to the Police Department and they will take care of it. City Administrator Schmidt said the Veteran's Monument still has some money, so there is some money there to do something like that. City Administrator Schmidt asked Kyle if he has a schedule yet. He said he doesn't have that yet; he wanted to make sure it was approved by the Council first. Kyle said they are also looking to Corliss for donations too. **Council member Tremblay amended the motion to include the gravel. Council member Boyle Barrett seconded the amended motion. Amended motion carried. Main motion carried.**

## **MAIN AGENDA**

### **RES No. 12-11: Indigent Defense Standards**

**Council member Boyle Barrett moved to approve Resolution No. 12-11 Adopting Indigent Defense Standards. Council member Howard seconded the motion.** City Administrator Schmidt said this is basically driven by the State and the Supreme Court. We have to follow this up with developing a set of standards that we can use, and quarterly the public defender has to certify that he is meeting the caseload requirement that complies with the law. We are in the process of working with the attorney to develop those now, so this just adopts the State standards until we can get something in place for the reporting requirement. **Motion carried.**

### **RES No. 12-12: Setting a Public Hearing Regarding Establishment of a TBD**

**Council member Boyle Barrett moved to approve Resolution No. 12-12 Setting a Public Hearing for Establishing a Transportation Benefit District. Council member Tremblay seconded the motion.** City Administrator Schmidt said we are doing a one page, condensed flyer of information to go out with the next utility bill in mid-Oct. Council member Tremblay asked that it also be put on website. City Administrator Schmidt stated that this resolution sets the hearing in November, but there is no scheduled agenda to look at the ordinance until after the hearing, so it will not be on the same night. **Motion carried.**

### **White River Senior Services – Land Transfer**

**Council member Tremblay moved to accept the land transfer presented. Council member Irons seconded the motion.** A lengthy discussion ensued regarding the dirt pile on the property, maintenance of the property and costs to the City to take the property. Council member Boyle Barrett asked where is the money coming from to pay for this land transfer. Discussion ensued. Council member Boyle Barrett said to keep in

mind that we are already \$50K or more short in the general fund for this year, so anything else that we take out of it, we've got to come up with this money somewhere. **Motion carried.** City Administrator Schmidt said we will get the City Attorney and Engineer started drawing up the paperwork.

#### **Fire Station Landscape – Change Order No. 1**

**Council member Boyle Barrett moved to approve Change Order No. 1 for the Fire Station landscape construction Small Works Project in the amount of \$800 plus tax. Council member Howard seconded the motion. Motion carried with Council member Tremblay abstaining.**

#### **Jail Service Contract – City of Fife**

Mayor Johnson said we have three jail contracts tonight. City Administrator Schmidt said the only one of the three contracts with a direct cost is the Fife contract, for guaranteed bed space. Chief Arsanto explained the pricing and particulars of the contract. **Council member Boyle Barrett moved to approve the Jail Services Contract with the City of Fife. Council member Tremblay seconded the motion.** Discussion ensued. **Motion carried.**

#### **Jail Service Contract – City of Puyallup**

**Council member Boyle Barrett moved to approve the Jail Services Contract with the City of Puyallup. Council member Howard seconded the motion.** Chief Arsanto said this contract is a first come first served contract at \$65 a day; we only pay if we use them, with no booking fee. **Motion carried.**

#### **Jail Service Contract – City of Enumclaw**

**Council member Boyle Barrett moved to approve the Jail Services Contract with the City of Enumclaw. Council member Leggett seconded the motion.** Chief Arsanto said this contract is for \$60 per day, they take females and males, and it is first come first served. **Motion carried.**

#### **CONSENT AGENDA**

**Council member Boyle Barrett moved to approve the Consent Agenda. Council member Howard seconded the motion. Motion carried.**

Approve Minutes of September 25, 2012 City Council Meeting  
Approve Minutes of October 2, 2012 City Council Workshop

Claim check numbers 49078 through 49215, in the amount of \$437,838.94, for the period of September 26, 2012 through October 9, 2012; Payroll check numbers 32692 through 32764, in the amount of

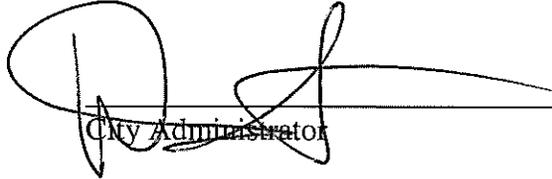
\$312,202.33 for the month of September, 2012; and Treasurer check numbers 11330 through 11344, in the amount of \$28,016.02 are hereby approved and ordered paid this 9<sup>th</sup> day of October 2012.

Council member Tremblay requested release from the City Council meetings on the 23<sup>rd</sup> and the 30<sup>th</sup> of October; he will be out of town.

**Council member Howard moved to adjourn. Council member Boyle Barrett seconded the motion. Motion carried.**

**With nothing further the meeting was adjourned at 8:04 PM.**

  
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Mayor

  
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City Administrator