

City Council
November 13, 2012

Mayor Johnson called the regularly scheduled meeting to order at 7:02 P.M.

Upon roll call the following members were present: Boyle Barrett, Howard, Irons, Leggett, and Tremblay. Mayor Johnson stated Council member Montgomery sent an e-mail that due to work he may not be able to make it. Also in attendance was City Administrator David Schmidt.

Council member Tremblay moved to excuse Council member Montgomery. Council member Boyle Barrett seconded the motion and the motion carried.

Mayor Johnson asked if there were any additions, deletions or corrections to the agenda. Council member Howard stated on the calendar, the Community Services and Economic Development meeting on November 15, 2012 is actually at 7:30 PM. **Council member Boyle Barrett moved to accept the agenda as presented. Council member Irons seconded the motion and the motion carried.**

Finance and Public Safety:

Council member Boyle Barrett stated they have been discussing the budget and how to close the short fall for October, which is on the agenda for tonight.

Streets and Utilities:

Council member Tremblay stated they have not had a meeting; their next meeting will be November 20, 2012 at 7:00 PM at City Hall.

Community Services and Economic Development:

Council member Howard stated they had a meeting and discussed the budget.

Mayor's Report:

Mayor Johnson stated that the DUI Victims' Panel Service is being held Friday in Fife, and she will be attending as will Council member Tremblay. They will be honoring Officer Goss, who is on track to do 100 DUIs this year.

Council member Irons stated there will be a fundraiser this Saturday for the Food Bank sponsored by Arrow Lumber. The information is available at City Hall and at Arrow Lumber.

Staff Reports:

There was nothing to report.

CITIZEN PARTICIPATION

Mel Garland, 101 So Sergeant St., is here tonight to address the Council regarding the Nielson Meadows retention pond. They want to thank the Council in advance of the vote, no matter how the vote goes, for the open and honest consideration of their proposal; they really appreciate it.

MAIN AGENDA

Mayor Johnson recessed the regular Council meeting at 7:12 PM to hold a Public Hearing on 2013 Property Tax and EMS Levy and the Establishment of a Transportation Benefit District.

Public Hearing – 2013 Property Tax & EMS Levy

The Public Hearing was opened at 7:12 PM for 2013 Property Tax and EMS Levy.

City Administrator Schmidt gave a brief summary of the 2013 Property Tax Levy and EMS Levy.

There were no comments from the Public.

The Public Hearing was closed at 7:13 PM.

Public Hearing – Establishment of a Transportation Benefit District

The Public Hearing was opened at 7:14 PM for the Establishment of a Transportation Benefit District.

Mayor Johnson stated that we received a letter from William Rumpza in opposition to the TBD.

Marvin Sundstrom, 881 Sheets Road. He stated that hopefully everyone who benefits from the use of the better maintained roads also has the opportunity to contribute to that improved maintenance.

Chuck Helmer, 513 Mountain Circle. He does not support the Transportation Benefit District for several reasons. He feels Buckley has good quality streets, especially when you compare ours to other communities such as Enumclaw and Tacoma. He does acknowledge that gas tax revenue is going down; this is a State wide problem and they are looking at a way to generate a revenue stream based on mileage rather than gas use. Let them do their job rather than thinking we can do it for them. The other reason he doesn't support it is the recent Buckley City Jail experiment failure does not leave him with any confidence that the City can accomplish another new idea. He is recommending letting the jail closure dust settle and determine how that affects the General Fund Budget for 2013 and 2014, and then look again at the need for an additional funding source for

specific street or trail improvement projects. He also had a couple comments about the flyer that was sent out to the public.

Tim Tieken, 1817 E Mason Ave. He agrees with the person that spoke right before him. He doesn't think we need to expand our government and this looks to him as an expansion of our government. Where he thinks we should put our emphasis is on developing our business community.

Art Burrington, 458 Boyle St. He is opposed to the committee. He understands the reason. It seems from the local government to the Federal Government, when tax revenues aren't coming in the answer is to form another committee to raise more taxes. We don't have it to spend. He went from a household income of about \$150,000 per year to \$20,000 per year so he knows about cutbacks and he knows what it takes to get by on nothing. Just because you can doesn't mean you should, and it doesn't make it right.

Paul Goldsberry, 457 Mountain Circle. He is also opposed the TBD for all the reasons that have been stated here tonight, but he feels that last gentleman hit the nail on the head; he wishes he could supplement his shortcomings by just raising another tax. He has to live within his budget, and there are a lot of retired people in this town that all the extra taxes really hurt them. He feels this is the legal way to get around what the voters of this State have already stated they don't want, more taxes on their vehicles.

John Lozier, 510 Mountain Circle. When politicians try to get into his wallet he gets upset. He is very opposed to establishing this for the same reasons. It has been his experience that when income is plentiful, he tries to save some, and he doesn't understand why government can't do the same thing. Why aren't there funds set aside to get us through the lean times? He has a hard time trusting politicians when they want to get into his wallet.

The Public Hearing was closed at 7:28 PM.

Mayor Johnson reconvened the regular Council meeting at 7:29 PM.

Ordinance No. 11-12: 2013 Property Tax Levy Certification

Council member Boyle Barrett moved to Adopt Ordinance No. 11-12 adopting the 2013 Property Tax Levy. Council member Tremblay seconded the motion and the motion carried.

Ordinance No. 12-12: 2013 EMS Levy Certification

Council member Boyle Barrett moved to Adopt Ordinance No. 12-12 setting the 2013 EMS Tax Levy. Council member Howard seconded the motion and the motion carried.

Ordinance No. 13-12: Establishing a Transportation Benefit District (TBD)

Council member Tremblay moved to approve Ordinance No. 13-12 establishing a Citywide Transportation Benefit District and New Municipal Code Chapter 13.18. Council member Howard seconded the motion. Council member Tremblay asked City Administrator Schmidt if he would address the issues that have been brought up here tonight during the Public Hearing. He would also like him to explain to the audience how, if we do not do this, it could go to Pierce County and not stay in our own community. City Administrator Schmidt then provided a brief explanation for the audience. One of the biggest issues is that the County is already looking at imposing this fee, and if we impose the fee, all residents in Buckley would be exempt from the County fee. If we don't impose the fee, the County will collect all the money and it will be spent on a County level as they see fit. Council member Tremblay stated by establishing this district it gets us ahead of the County, so if they decide to impose these fees then we would be ahead of them so they can't impose and collect the fees; we would be able to collect them so they will stay in Buckley. It doesn't necessarily mean we would be imposing the fee right now. There was a discussion period between the audience and Council. **The motion then carried.**

Resolution No. 12-13: Retiring & Declaring Surplus the City's Drug Dog

Council member Boyle Barrett moved to approve Resolution #12-13 retiring and declaring surplus the City's Drug Dog. Council member Howard seconded the motion. City Administrator Schmidt stated that the agreement is attached to the resolution. There was discussion about supplying food and medical treatment for the dog. Mayor Johnson allowed two audience members to speak regarding this. Mr. Sundstrom, 881 Sheets Road, and Tim Tieken, 1817 E Mason Ave, both spoke in favor of providing food and medical treatment for the remainder of the dog's life. **Council member Howard amended the motion to include \$500.00 per year for care of the City's retired Drug Dog. Council member Leggett seconded the motion.** Discussion ensued. **The amendment to the motion failed. The original motion passed.** The Admin/Finance/Public Safety Committee will be discussing the long term care of the dog at their next meeting.

Authorization & Approval of New Support Services Officer Position

Council member Boyle Barrett moved to approve the New Job Description and Authorize Adding a New Support Services Officer Position. Council member Leggett seconded the motion. City Administrator Schmidt stated part of the plan to close the jail and dispatch center was to create a new Support Services Officer position to handle prisoner transport, animal control and code enforcement. That is what is being presented for consideration. The job description and salary survey and details of the job are included. Council member Howard asked City Administrator Schmidt if he had the net savings between the reduction of an officer and the adding of this position, as well as the changing of the records clerk from part time to full time. City Administrator Schmidt stated he did not but he thinks there is still a savings. **The motion then carried.**

Neilson Meadows Stormwater Pond

Council member Boyle Barrett moved to accept the Dedication of the Nielson Meadows Stormwater Detention Pond to the City subject to Conditions listed in the Summary. Council member Tremblay seconded the motion. City Administrator Schmidt addressed the conditions. Council member Irons asked if we will be setting precedence for all the other retention ponds in town by doing this. City Administrator Schmidt stated yes we are. Council member Howard stated it has already been set; we have already done it for other neighborhoods. **The motion carried with Council member Howard abstaining.**

Funds Transfer Authorization

Council member Boyle Barrett moved to authorize the Fund Transfers from Fund 007 (Police Reserve) and Fund 030 (Fire Reserve) to balance Fund 001 (General) for October 2012. Council member Tremblay seconded the motion and the motion carried.

Fire Station Landscape – Final Acceptance

Council member Boyle Barrett moved to accept the Fire Station landscape Small Works Public Works Project as complete. Council member Howard seconded the motion. Council member Howard thanked Chief Predmore for being willing to withdraw the original landscape costs from the original project and seek to do this for a lot less; there was a substantial savings. **The motion then carried.**

Cancel Second City Council Meeting in December (December 25)

Council member Boyle Barrett moved to cancel the December 25, 2012 City Council meeting. Council member Howard seconded the motion and the motion carried.

Council member Boyle Barrett moved to approve the consent agenda. Council member Tremblay seconded the motion and the motion carried.

Approve the minutes of the October 23, 2012 City Council meeting and October 30, 2012 and November 6, 2012 City Council Workshops.

Claim check numbers 49233 through 49356, in the amount of \$556,596.48, for the period of October 24, 2012 through November 11, 2012; Payroll check numbers 32765 through 32824, in the amount of \$318,051.77, for the month of October 2012; and Treasurer check numbers 11345 through 11362, in the amount of \$92,825.07 for the month of October 2012 are hereby approved and ordered paid this 13th day of November 2012.

City Council retreated into Executive Session at 8:20 PM for approximately 20 minutes to discuss Spiketown Ditch Litigation with no action. At 8:45 PM another 10 minutes was requested. At 9:00 PM another 10 minutes was requested.

City Council returned from Executive Session at 9:12 PM.

Council member Tremblay moved to adjourn the meeting. Council member Boyle Barrett seconded the motion and the motion carried.

With nothing further the meeting was adjourned at 9:12 PM.



Mayor



City Administrator