

City Council
November 27, 2012

Mayor Johnson called the regularly scheduled meeting to order at 7:03 PM.

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

Mayor Johnson asked if there are any additions, corrections or deletions to the agenda. City Administrator Schmidt stated he would like to request that we add at the end of the Executive Session a potential action item for a Settlement Agreement for the Spiketon Ditch litigation. **Council member Boyle Barrett stated so moved. Council member Tremblay seconded the motion. Motion carried.**

Finance & Public Safety: Council member Boyle Barrett stated they met last Monday to discuss budget issues again. They talked about the amount of reimbursement that we want to do for project management out of the bond proceeds, and she thinks they agreed to go with the maximum amount. They also talked about Yogi's retirement, which she said she would take back to committee. They had a long discussion about it and the bottom line is that Council member Irons graciously agreed to donate a one-time \$500 donation directly to Officer Garrett for food and medical for the dog. Police and Fire dispatch contracts with Fife are on the agenda tonight. I want to remind people that because the voters voted in South Sound 911 for Buckley, we are essentially signed on with them because we are dispatched by Fife, who is also part of South Sound 911. The gist of it is because Fife is with South Sound 911; if we approve the dispatch contract then we will also be a part of South Sound 911, which allows us access to equipment that we wouldn't otherwise have access to. I know this amounts to about \$50,000 worth of equipment to the Police Department, but she is not sure of the Fire Department. Their next meeting is Tuesday, December 4th at 8:30 AM at City Hall.

Streets & Utilities: Council member Tremblay stated they had a meeting and the Minutes are in the packet. They had a brief discussion on the Transportation Benefit District. We were looking for a lot of people to show up, but we didn't get the turnout we expected. We plan on having a little bit more of a work session on the Transportation Benefit District in the spring as we develop and put our policies and procedures together. We had a lot of discussion on the wells and supply, and we had a report from our consultants, and we have some items on the Agenda as a result of those discussions. They also had the first draft of the sale RFP for the natural gas utility, but they do want to take that to the Council because it is such an important thing, so we will have it in everyone's packet for a workshop where we can talk more about ideas and what is covered by that RFP, so we make sure we prioritize how we are going to evaluate it, and we will talk a little bit more about our strategy on that. City Administrator Schmidt stated that the committee has asked staff to create a ranking sheet based on the priority of items listed in

the RFP; why the Council wants us to sell the system and what your top priorities are in order to rank bids coming in. He will develop the ranking sheet and e-mail it out. When you get it, please fill it out and return it to me so I can bring the results to the full Council and have something for you as far as an RFP developed based on those priorities. Council member Tremblay said although we have a lot of priorities they are not all equal, so we want to make sure we get a sense from the Council of what is important.

Council member Tremblay said the only other thing they talked about was notifying the tenant on the farm land to vacate. Council member Montgomery said we feel like we've made a lot of efforts there.

Council member Boyle Barrett asked if wells 2 and 4 the ones that are side-by-side. City Administrator Schmidt said yes, but in two different aquifers. Council member Boyle Barrett said it says that they have reduced capacity and you are going to recommend potentially doing some work on them, but do we know what that capacity is right now, are we down 50%? City Administrator Schmidt stated we are down more than 50%. City Administrator Schmidt said we started having trouble with well 4 back after the 2000 Nisqually quake, and because well 4 is in a shallow perched bowl aquifer, we don't know what the problem is. The engineers seem to think that the casing going down actually has holes in two different places and we may be getting some air locks, but without actually pulling it and running a camera down there, we really don't know what the problem is, and it seems to me as the cost is fairly minimal in order to do some investigation. Discussion ensued regarding the condition of the wells.

Council member Boyle Barrett stated that she heard from Dave Baker, the Lessee of the DSHS property, and her suggestion to him was to talk to the City Administrator and possibly contact and talk to the committee. City Administrator Schmidt said he has had a couple meetings with Mr. Baker and he has talked to the committee and the committee has given him their recommendation, so he intends to draft him a letter sometime this week. At some point he may approach the Council as a whole. Council member Boyle Barrett said Mr. Baker wants a chance to tell his side. A short discussion ensued.

Community Services & Economic Development: Council member Montgomery stated they had a meeting and they had a brief discussion on the Taxes, Rates & Fees Schedule. The Recreation Services Director has a few contract discrepancies that she would like to clean up. City Administrator Schmidt said we actually have some other items on the Taxes, Rates & Fees Schedule, so I imagine there will be a resolution coming on the Agenda for the next Council meeting to adjust fees, rates, etc. for the end of the year. Council member Montgomery said there was a pretty good discussion about purchasing a utility pole to put adjacent to the trail, near the intersection of Main Street and Highway 410, to be able to hang banners on. The committee has requested more information, mostly from the utility shop; what size pole do we need and what do we have to do to meet the design guidelines, etc. City Administrator Schmidt said about a year or two ago the Council had asked us to research this and what the cost was, and Public Works Supervisor Dansby actually called PSE and got Intolight out here and Intolight will not set a pole anywhere; they had issues with it. So, we will have to subcontract it out,

purchase our own poles, and then set two of them, and actually do the design ourselves. So, the cost will probably be a lot more than just calling PSE. We're estimating approximately \$15,000 to \$20,000 to do that, and that is a real rough figure. City Administrator Schmidt said he has asked Public Works Supervisor Dansby to do more research on that but he hasn't gotten anything back, so he will follow up. Mayor Johnson said one thing we might do is contact the log show and ask them if we can have a portion of the poles that they put up every year, because they put new ones up every year. Those poles are much longer than we need, but there might be a possibility that they would donate. City Administrator Schmidt said I don't even know if it has been thrown out on the table that we consider locating poles in a different location. The reason I say that is because under the Master Plan, which the grad students are going to be working on next year, Jefferson Street was to be vacated. What would be the possibility of putting poles with a banner across where Jefferson Street is now; that has real good visibility to the highway. Council member Howard said one of the other things they talked about in committee was wanting to insure that it wasn't a violation of our own sign ordinance. A short discussion continued regarding our sign code.

COUNCIL MEMBER COMMENTS

Council member Irons thanked the Council and the City of Buckley for supporting their Turkey Run. It was very successful and they had over 70 people. They raised over \$3,000, and the money went to the Buckley and Enumclaw Food banks.

MAYOR'S REPORT

Mayor Johnson stated about a month ago she passed out to each Council member a letter to our legislators. She hasn't received any feedback so she is assuming that the letter is fine as it is. Mayor Johnson will print out the letter and try to get around to all of you for signature.

Mayor Johnson said there are two auctions coming up this weekend. Friday night is the Enumclaw Healthcare Foundation dinner auction, and Saturday night is the Buckley Chamber of Commerce annual Christmas tree auction, for which proceeds go to Buckley beautification.

STAFF REPORTS

There were no staff reports.

MAIN AGENDA

Public Hearing – Proposed 2013 Budget

Mayor Johnson recessed the Council meeting and opened the Public Hearing at 7:24 PM.

City Administrator Schmidt provided a brief summary of the 2013 proposed budget and read the dollar amounts. We are proposing revenues of \$19,538,207 and expenditures of \$15,148,528, with a projected ending fund balance of \$4,389,679. Since this information was published and the hearing notice was put out, the Admin & Finance Committee has met, reviewed the staff report from the Fire Station construction, and has made recommendations that have since been inserted into a new budget document. So, the final budget document that the Council will be considering on December 11th has minor changes from what you are seeing here.

Marvin Sundstrom, 881 Sheets Road, Buckley, WA. I won't go through the whole budget, but based on recent past history of budget to expenditure outcomes, the income projections appear a little optimistic. Again, the legislative budget is short. There have been no raises for Council members for several years, and there is no money in the budget for legitimate Council expenses. The Council should not have to beg for money to do anything. You as the Council are in charge of the allocation of resources, which in this case is the City's income. At the last Utility Committee meeting on 11/20, the City Administrator announced that with the fixing of the City and DSHS wells there is now sufficient potable water available to handle City needs even if the South Prairie Creek draw were off line. This leads to the obvious question, why is the City continuing with the Tacoma Water Intertie.

Mayor Johnson closed the Public Hearing and reopened the Council meeting at 7:28 PM.

ORD No. 14-12: Repealing BMC 3.80 (Small Works Roster)

Council member Boyle Barrett moved to approve Ordinance No. 14-12 Repealing BMC 3.80 Regarding Small Works Roster. Council member Montgomery seconded the motion. City Administrator Schmidt said MRSC has been offering this service for several years now, and it has been something the City has talked about. It is pretty labor intensive for us to actually maintain our small works roster and insure that we get the advertising out every year, and be able to keep it updated and go through that whole process. MRSC offers this service for minimal cost, and not only do they offer the small works roster, but they offer a consultant roster as well, which actually takes care of all the advertising so the City doesn't have to insure that we are constantly advertising for our consultants to meet the RCW for Federal or State projects. In order to enroll with MRSC we have to repeal our existing small works procedures, which is why you are seeing the ordinance first followed by the resolution adopting the new standards. Council member Tremblay said he thinks it is a good thing to consolidate and save our resources, but wants to make sure that we put out the effort to notify our local contractors and consultants that they need to go ahead and go through the MRSC procedures to get on the list. City Administrator Schmidt said the letter is being drafted now. Council member Tremblay said just let them know because I don't want to lose the local participation and support of our contractors that have been a part of our community. Discussion ensued.
Motion carried.

RES No. 12-14: Joining MRSC Consultant & Small Works Rosters

Council member Boyle Barrett moved to approve Resolution No. 12-14 authorizing staff to join MRSC Small Works and Consultant Rosters. Council member Tremblay seconded the motion. A short discussion ensued. Motion carried.

Interlocal Agreement – Dispatch Services with the City of Fife

Council member Boyle Barrett moved to approve the Interlocal Agreement (ILA) between Buckley and Fife for Police Dispatch Services. Council member Montgomery seconded the motion. Chief Arsanto answered questions from the Council, and a brief discussion ensued regarding South Sound 911, equipment and technology, staffing levels and when the cut over will happen. **Motion carried.**

Interlocal Agreement – Fire Dispatch Services with the City of Fife

Council member Boyle Barrett moved to approve the Interlocal Agreement (ILA) between Buckley and Fife for Fire and EMS Dispatch Services. Council member Montgomery seconded the motion. Chief Predmore presented this at a workshop and at committee, and walked everyone through an analysis and comparison. Chief Predmore answered questions from the Council. A short discussion ensued. **Motion carried.**

G & O – Trail Well Engineering Proposal

Council member Boyle Barrett moved to approve the Engineering Scope Tasks #1 and #2 related to design of the Trail Well Project for a cost not to exceed \$197,400. Council member Howard seconded the motion. City Administrator Schmidt said the Council has already authorized the design of the Booster Station, so this Trail Well design will roll into that, and at some point these projects will actually merge together. If the Council authorizes this, then both projects will go forward together on the design process. **Motion carried.**

G & O – Engineering Services Amendment: Hazard Mitigation Grant

Council member Boyle Barrett moved to approve Scope and Fee Proposal for additional construction management inspection service for the Hazard Mitigation Transmission Water Main Project for a cost of \$41,000. Council member Tremblay seconded the motion. City Administrator Schmidt said Council will be considering Change Order No. 3 tonight, so two prior change orders have been approved. The engineers have not asked for another dime on their proposal the entire time for these change orders, especially with the additional time. You can see from the change order how much extra time was spent on this project, and the only thing they're asking for is to pay their inspector for the time he actually had boots on the ground. The Council was apprised of the problems going on up there. **Motion carried.**

Hazard Mitigation Raw Water Transmission Main – Change Order No. 3

Council member Montgomery moved to approve Hazard Mitigation Raw Water Transmission Main Change Order No. 3. Council member Leggett seconded the motion. Motion carried.

CONSENT AGENDA

Council member Montgomery moved to approve the Consent Agenda. Council member Howard seconded the motion. Motion carried.

Approve Minutes of November 13, 2012

Claim check numbers 49357 through 49380, in the amount of \$107,621.00, for the period of November 14, 2012 through November 27, 2012 are hereby approved and ordered paid this 27th day of November 2012.

Council retreated into Executive Session at 7:53 PM for approximately 20 minutes to discuss Spiketon Ditch Litigation, with possible action to follow. At 8:27 another 10 minutes was requested. At 8:34 another 10 minutes was requested. At 8:47 an additional 10 minutes was requested. At 8:55 another 10 minutes was requested. At 9:15 another 10 minutes was requested.

Council returned from Executive Session at 9:22 PM.

Potential Settlement Agreement – Spiketon Ditch Litigation

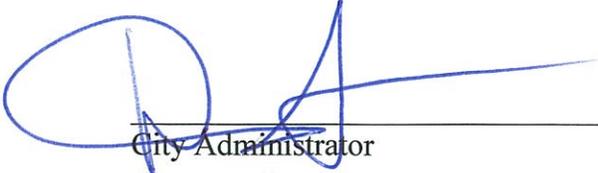
Council member Tremblay moved to accept the Agreement as presented in the Executive Session. Council member Leggett seconded the motion. Motion carried with a 5-1 vote.

Council member Boyle Barrett moved to adjourn the meeting. Council member Montgomery seconded the motion. Motion carried.

With nothing further the meeting was adjourned at 9:23 PM.



Mayor



City Administrator