

**City Council**  
**May 14, 2013**

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

Upon roll call the following members were present: Howard, Irons, Leggett, Montgomery, Rose and Tremblay. Council member Boyle Barrett called and will not be able to make it tonight. **Council member Montgomery moved to excuse Council member Boyle Barrett from tonight's meeting. Council member Rose seconded the motion and the motion carried.** Also in attendance was City Administrator David Schmidt.

Mayor Johnson stated there is one item added to the agenda by Chief Predmore this evening. **Council member Montgomery moved to add the 2-year agreement with Rainier School for Fire Protection and Emergency Medical services to the agenda. Council member Leggett seconded the motion and the motion carried.**

**Finance and Public Safety:**

Council member Boyle Barrett will report from the last meeting at a later date.

**Streets & Utilities:**

Council member Tremblay stated they have not had a meeting since the last Council meeting. They do have a meeting scheduled for next Tuesday, May 21, 2013 at 7:00 PM, at City Hall.

**Community Services and Economic Development:**

Council member Montgomery stated they had a meeting May 2, 2013, and the minutes are included in the packet. If anyone has any questions he would be happy to field those. Also in the packet are minutes from the Urban Forestry Ad Hoc Committee from May 1, 2013.

**Mayors Reports:**

Mayor Johnson presented Devon Boyle with her 25 years of service plaque.

Mayor Johnson reminded the Council that if anyone is still interested in going to the AWC Conference at the end of June, we need to sign up by the end of May to get the discounted price.

Mayor Johnson stated they had a meeting this week with the organizers for Relay for Life; it will be held this weekend. It starts at 6:00 PM on Friday and ends at noon on Saturday.

Mayor Johnson stated, because of the conference, we generally cancel the second Council meeting in June because we don't know how many Council members will be here.

Council member Rose moved to cancel the June 25, 2013 City Council meeting. Council member Tremblay seconded the motion and the motion carried.

## **MAIN AGENDA**

### **Ordinance No. 4-13: Amending Shoreline Master Program**

Council member Montgomery moved to Approve Ordinance No. 4-13 adopting the revised Shoreline Master Program to comply with the Director of the Department of Ecology's Review. Council member Howard seconded the motion. Council member Montgomery commended the City Planner and Planning Commission for getting this through with very few corrections. **The motion then carried.**

### **Resolution No 13-02: City Commitment to Fund the Realignment Project**

Council member Montgomery moved to approve Resolution No. 13-02 stating the City's intent to dedicate funds and complete Phase 2 of the Realignment Project. Council member Tremblay seconded the motion. City Administrator Schmidt explained to the Council how this will work. We need to modify the scope of work so that we bring the costs down enough for Pierce County to approve this, which would entail removing the SR-165/Ryan Road traffic signal and remove proposed sidewalks. Discussion ensued. **The motion then carried.**

### **Bid Award: Tacoma Emergency Intertie Booster Station**

Council member Tremblay moved to award the Tacoma Emergency Intertie Booster Station Project to Rodarte Construction, Inc. for the bid price of \$483,130.34. Council member Howard seconded the motion. Council member Montgomery asked wasn't it Rodarte Construction that did Main Street and didn't we have a long list of problems that we had trouble getting them to take care of, and we documented the issues so that if they were low bidder on another project we could bypass them as low bidder? City Administrator Schmidt stated we would have to get legal advice on how to go about this. Discussion ensued. Council member Howard asked if we are on a time crunch on this. City Administrator Schmidt stated no we are not. Council member Tremblay stated it may cost us more with litigation and paying the next highest bidder more money, so is it really worth it. He feels we need to make sure during the pre-construction meeting that we are adamant about getting the job done correctly and document. City Administrator Schmidt stated the last project was completely different than this project; they will be in one place all the time instead of trying to do two projects at once with one Project Manager. **The motion then carried.**

### **Lab Testing Agreement with King County**

Council member Rose moved to approve renewal of the Agreement with King County for Lab Testing Services. Council member Howard seconded the motion and the motion carried.

**Agreement: Trail Well Pilot Testing**

Council member Montgomery moved to approve the scope of work to have ATEC Systems complete pilot testing of the new Trail Well for a cost of \$3,000. Council member Tremblay seconded the motion. Council member Irons asked for clarification of this. City Administrator Schmidt explained to the Council what this entails. **The motion then carried.**

**Agreement: TIB – LED Light Fixtures**

Council member Montgomery moved to approve the TIB Solid State Streetlight Demonstration Project Agreement. Council member Leggett seconded the motion. This will be done throughout the entire City. We need to do a public notification explaining to the community what this is for. **The motion then carried.**

**Agreement: Addendum #1 Extending Lease for the Logger's Rodeo Arena**

Council member Montgomery moved to approve the Agreement Addendum between the City and Buckley Log Show extending the current agreement by 90 days. Council member Howard seconded the motion. City Administrator Schmidt stated the current agreement actually expired yesterday. This just buys us some time to get a new lease signed, and the Log Show Committee has been working very well with the City to get this done. Discussion ensued. **The motion then carried.**

**Final Acceptance: Water Treatment Plant Master Meter Replacement**

Council member Montgomery moved to approve Final Acceptance of the Water Treatment Plant Master Meter Replacement Project. Council member Rose seconded the motion and the motion carried.

**Agreement: License to Use and Access Public Property**

City Administrator Schmidt stated negotiations under this contract have been ongoing between the film company attorney and our attorney. The original that is in here tonight has been modified, and the changes have been accepted by our attorney. If there is a motion, it should be subject as revised and accepted by the City Attorney. City Administrator Schmidt explained the changes. Council member Tremblay moved to approve the agreement to allow Screaming Flea Productions, Inc. Access and use of the Buckley Jail for documentary filming as revised and accepted by the City Attorney. Council member Leggett seconded the motion and the motion carried.

**Agreement: Fire Protection and Emergency Medical Services Rainier School 2-year Agreement Extension**

Council member Montgomery moved to authorize the Mayor to sign the Contract Amendment for Fire Protection Services for Rainier School, extending the contract for a two year period. Council member Rose seconded the motion and the motion carried.

Council member Montgomery stated he would like the minutes from the April 23, 2013 meeting pulled from the consent agenda. **Council member Montgomery moved to approve the consent agenda as amended. Council member Howard seconded the motion. Motion carried.**

Council member Montgomery stated regarding the minutes, under Finance & Public Safety, SoZo Crossfit is actually Doxa Crossfit. It was stated that is what was stated, and that is what should be reflected in the minutes. City Administrator Schmidt stated the lease agreement is with SoZo Crossfit, so if they have a name change they need to notify the City. Council member Howard stated it sounds like the minutes are correct then. **Council member Montgomery moved to approve the minutes of the April 23, 2013 Council meeting. Council member Howard seconded the motion and the motion carried.**

Approve the minutes of the April 23, 2013 City Council meeting and May 7, 2013 City Council/Planning Commission Joint Workshop.

Claim check numbers 50010 through 50058, in the amount of \$321,988.50, for the period of April 24, 2013 through May 14, 2013; Payroll check numbers 33254 through 33310, in the amount of \$271,496.57 for the month of April 2013; and Treasurer check numbers 11426 through 11434, in the amount of \$25,808.60 for the month of April 2013 are hereby approved and ordered paid this 14<sup>th</sup> day of May 2013.

**Mayor Johnson recessed the regular meeting at 7:55 to hold an Executive Session to discuss Elk Height Surety for approximately 15 minutes with possible action.**

**Mayor Johnson reconvened the regular Council meeting at 8:14 PM.**

**Council member Montgomery moved to authorize the City to bring legal action to enforce Bond #2221675. Council member Tremblay seconded the motion and the motion carried.**

**Council member Tremblay moved to adjourn the meeting. Council member Rose seconded the motion and the motion carried.**

With nothing further the meeting was adjourned at 8:13 PM.

  
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Mayor

  
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City Administrator