

**City Council**  
**July 13, 2010**

Mayor Johnson called the regularly scheduled meeting to order at 7:05 P.M.

Upon roll call the following members were present: Harple, McNally, Patson, Montgomery, Reed and Twardoski. Council member Boyle Barrett arrived late. Also in attendance was City Administrator David Schmidt.

**Finance and Public Safety:**

Council member Reed stated they had a meeting on July 12, 2010. Chief Predmore presented that the new International Building and Fire Codes are to be adopted. The new fire code requires adding a sprinkler system to all new residential construction. Because of the of costs, Chief Predmore is recommending that we adopt the new code with the amendment that sprinkler systems are only required on homes over 5,000 sq. ft. Chief Predmore also updated the Council on the EMS Levy which will be placed on the November ballot pending Council approval. Chief Arsanto presented the committee with the revised Jail Manual. The committee will review this and discuss it at the next committee meeting. There was also discussion regarding the cost for the Police Department during Log Show weekend. Chief Arsanto informed the committee that it cost approximately \$3,800, so there was discussion about possibly instituting event fees. The committee also discussed contracts for department heads and also the drawbacks of having administrative time accumulate versus paying for it as a part of the contract. Their next meeting will be Monday, July 26, 2010 at 6:00 PM.

**Streets and Utilities:**

Council member Montgomery stated they had a meeting on the 7<sup>th</sup>. The minutes were handed out tonight and he did e-mail them to everyone. Unless anyone has questions, that is the end of his report.

**Community Services and Recreation:**

Council member Patson stated their regularly scheduled meeting will be tomorrow, July 14, 2010 at 9:35 AM at City Hall.

**Community and Economic Development:**

Council member McNally stated they had a meeting on July 8, 2010. He apologized for not having his minutes ready. They talked about redevelopment credits for accessory uses. This will probably be going back to staff. Their next meeting will be August 4, 2010 at 9:00 AM. Administrator Schmidt stated that he, the City Attorney and the City Planner got together and looked at the zoning code regarding accessory uses, and they see where they could interpret the code to allow the hot dog stand to go in without changing the code. Dave's Deals on Wheels has not hooked up to the City sewer, there is no bathroom, there is no septic system and there is not a water connection, so the hot dog truck really isn't subordinate to the car dealership because it isn't dependant on it. The

hot dog truck can stand on its own just like the car dealership can. Because it is not subordinate to it then it is not accessory to it, and our code allows two principle uses to be on one site, so we were able to make that determination. We have issued a business license with the condition that they have to comply with the Health Department. This code provision still needs to be addressed. Administrator Schmidt stated we will run it through the Planning Commission and bring it back to Council.

### **Mayor's Report:**

Mayor Johnson stated she met with Congressman Reichert last week and discussed the problems we are facing. We are actually doing better than most cities because we are not spending more than we are bringing in. One other issue they talked about was connection of trails. She will be meeting with their office concerning the active transportation bill that is before Congress, the complete streets and continuation of the ISTEA and safety route. The Mayor of Auburn is hearing us in Pierce County regarding the transit problem. He has put together a letter saying why do we have three different transit agencies with over 5,000 employees and over a billion dollars in budget, and why are we as cities taking on something that is not mandated to us.

### **Staff Reports**

Administrator Schmidt stated to follow up on the budget issue, we closed out at the middle of the year and we have continued to maintain the 7% spread between expenditures and revenue, so if we continue to maintain throughout the year we should be in pretty good shape by the end of the year.

Regarding the transmission line repair, they are finished with the south side. They did inspections on it yesterday so they will be starting on the other side soon.

Regarding property enforcement, there were some citizens at the last meeting that came to the City regarding yards that have not been kept up. Chief Arsanto is working on this to get voluntary compliance, and if that doesn't work Chief Predmore has found a fire code provision that we may be able to enforce if we can't get voluntary compliance.

We are getting a lot of political advertising on the highway. Why Buckley is getting more than others is because we are not enforcing it; we were hoping WSDOT would be. WSDOT is putting a lot of pressure on the cities to enforce this. We have removed all the small signs but there are some large ones that have not been removed so we have contacted those candidates to hopefully get them to voluntarily remove them.

We had our pre-application meeting with McKenzie Group on the Fire Station. It turns out that their proposal did not include the survey of the property and their civil engineer cannot start work on the design, so that we can follow the timeline, until we go out and have a formal survey and elevation shots and utilities developed for them. He, Chief Predmore and Engineer Miller talked about it and he just got an e-mail late this afternoon with a price quote from Gray & Osborne. Gray & Osborne state the price range will run

between \$2,500 and \$3,600. If the Council is okay with this we will go ahead and authorize the work and then bring a scope of work back to the next Council meeting. He has asked Engineer Miller to do an amended scope of work for the survey. Council member McNally asked why we need another survey. Administrator Schmidt stated it is for Division Street, for utilities which weren't done during the boundary line adjustment. **Council member Reed moved to authorize the Mayor to enter into an agreement with Gray & Osborne for additional survey work on the Fire Station property for an amount not to exceed \$4,000. Council member Twardoski seconded the motion. The motion then carried.**

### **CITIZEN PARTICIPATION**

Mayor Johnson stated Mr. Ghislandi had a complaint regarding the length of time fireworks went on during the 4<sup>th</sup> of July. A small discussion ensued. Mayor Johnson stated this will go forward to the Public Safety Committee or we can possibly have an adhoc committee look at it. We will get to this before the Fourth of July next year.

### **MAIN AGENDA**

#### **MOU: City & Local #286 (Probation Extension)**

**Move to Approve the Memorandum of Understanding between Local #286 and the City extending the probationary period for the gas utility lead. Council member Reed seconded the motion.** City Administrator Schmidt stated that this gives the incoming person the opportunity to get all their certifications and for administration to be able to assess their supervisory performance. The Union contract says the probation is only six months and we would like to have a six month extension to December 31, 2010. **The motion then carried.**

#### **MOU: City & Local #286 (Use of Inmate Labor)**

**Council member Reed moved to approve the Memorandum of Understanding between Local #286 and the City governing the use of inmate labor. Council member Montgomery seconded the motion.** Administrator Schmidt stated this has been an ongoing issue and in order to try and preserve funding in the general fund, he and Chief Arsanto talked about possibly using inmate labor to help with park maintenance and not fill the Building/Parks Maintenance position until we have sufficient revenue and funding to support it. Chief Arsanto sent one of his corrections officers to a supervisory training and talked about getting a work crew together to do this. When we began the discussion of this, the union came in and opposed it and talked about grieving it and taking it to arbitration. As part of the settlement agreement with them, in lieu of a grievance, we have come to this Memorandum of Understanding. One of the big things is that the public works employees did not want to be responsible for supervision of the inmates. Mayor Johnson stated one of their big concerns was they thought these people would take over the Building/Parks position and that is not what we are doing. We are leaving that position open so that when things do turn around we can put someone in that position. Council member McNally stated does this mean the corrections officer is going to have to be with these inmates while they are working, where it used to be supervised

by the parks people now are we going to have to have a corrections officer right there the entire time. Chief Arsanto stated supervision doesn't necessarily mean right there, but yes there will be a corrections officer to supervise them, checking up on them. Council member McNally asked if we are going to have to pay a corrections officer to be out there watching inmates do parks service. City Administrator Schmidt stated we are already paying a corrections officer. Council member Montgomery stated is the union not concerned that when things do get good that we are going to start paying the corrections officer out of the park budget for supervising inmates. Council member Patson was curious of the nature of offenses of the inmates. Chief Arsanto stated it would be misdemeanor and gross misdemeanor; driving while license suspended, DUI, malicious mischief, those type of offenses where they have no other holds on them. Mayor Johnson stated we have been doing this for a long time and one of the things that came out of this is the City works crew saying they didn't want to supervise; however, they themselves use quite a few inmates and so it was going to come back to them that if they don't want to supervise them they don't get to use them. Administrator Schmidt stated this does not lock the City in to the use of inmate labor, at any point the Council can choose to fill the parks position. It is just flexibility for us to be able to use that in order to get through these times. Council member Harple asked if there is job security language in the contract. Administrator Schmidt stated there is a management rights provision. **The motion then carried.**

**MOU: City and Police Guild (Step 2 Grievance Settlement)**

**Council member Reed moved to approve the Step 2 Grievance Settlement between the City and the Police Guild.** Council member Harple had his discussion earlier, but he did suggest to City Administrator Schmidt that maybe there could be a little paragraph that explains the situation. Mayor Johnson stated we will also be making a slight adjustment to clearer language in our employee manual so it makes sure it is definitely clear who is responsible. Finance Officer Bazzar already reminds everyone at the end of the year to check your dependents, and now the burden will be placed solely on the employee. Council member Reed asked if the insurance company gives a confirmation of coverage for the employees. Mayor Johnson stated she can't speak for the medical insurance but she does know that Washington Dental does, and you can go online to Washington Dental at anytime and check who your dependents are and how much has been spent, etc. City Administrator Schmidt stated the medical insurance sends out cards for each dependent that is signed up. Mayor Johnson stated with dental you probably don't use it until the child is between 3 and 5 years old and it is easy to forget to sign this person up; it is not automatic at birth. **The motion then carried**

**Council member Reed moved to approve the Consent Agenda. Council member Twardoski seconded the motion and the motion carried.**

Approve the minutes of the June 29, 2010 City Council meeting and July 6, 2010 City Council Workshop.

Claim check numbers 45419 through 45555, in the amount of \$303,307.85, for the period of June 23, 2010 through July 13, 2010; Payroll check numbers 30786 through 30846, in the amount of \$314,665.79 for the month of June 2010; and Treasurer check numbers 10858 through 10880, in the amount of \$113,347.33 for the month of June 2010 are hereby approved and ordered paid this 13<sup>th</sup> day of July 2010.

Council member Boyle Barrett would like to remind everyone of National Night Out on August 3, 2010 at the Youth Center.

With nothing further the meeting was adjourned at 7:52 PM.

  
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Mayor

  
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City Administrator