

**City of Enumclaw
1339 Griffin Avenue
Enumclaw, WA 98022**

**City Council Regular Session
City Hall Council Chambers
August 22, 2005 7:30 P.M.**

CALL TO ORDER AND FLAG SALUTE:

Mayor Wise called the meeting to order at 7:32 p.m. Finance Director Gary Smalling led the Pledge of Allegiance.

S. Krebs announced Council Members Jensen and Ennis requested to be excused from tonight's Council meeting.

S. KREBS MOVED TO EXCUSE COUNCIL MEMBERS JENSEN AND ENNIS FROM THE AUGUST 22, 2005, COUNCIL MEETING. BECKWITH SECONDED. MOTION CARRIED 5-0.

ATTENDANCE:

Council Members Beckwith, S. Krebs, Hogan, Mahelona and J. Krebs were present. Also present were Mayor Wise, City Administrator Bauer, Community Development Secretary Burbank, Communications Coordinator Funfar, Parks/Cultural Services Director Fetter, Public Works Director Searcy, Interim Community Development Director Harris, Finance Director Smalling, Library/Community Services Director Baer, and Police Chief Zoll.

City Clerk Hopkins and City Attorney Reynolds were absent from the meeting.

ADJUSTMENTS TO THE AGENDA:

Mayor Wise announced the following adjustments to the agenda. To 3.B. Presentations, Pull 1. Kasey Kahne Proclamation and 3. Introduction of the Wastewater Operator. To 9. c. add 2.c. Recycle Informational Report.

ANNOUNCEMENTS AND PRESENTATIONS:

. ANNOUNCEMENTS

- 0. Labor Day Fun Run: The Kasey Kahne 9K and 5K Runs, by Larry Fetter, Parks/Rec/Cultural Services Director

Parks/Rec/Cultural Services Director Fetter announced the Labor Day Fun Run sponsored by Enumclaw Parks and Recreation and Enumclaw High School in conjunction with Kasey Kahne Day. On-sight registration will be at Enumclaw Dodge.

. PRESENTATIONS

- 0. Kasey Kahne Proclamation - PULLED
- 0. Introduction of Jason Thim, new Parks Maintenance Worker, by Larry Fetter, Parks/Rec/Cultural Services Director

Parks/Rec/Cultural Services Director Fetter introduced Jason Thim, Enumclaw's new Parks Maintenance employee.

Jason stated that he was eager to work for the Parks Department, especially to help maintain the six-plex facility and keep it as a first-class facility.

- 0. Introduction of Jeff Markley, Wastewater Operator, by Chris Searcy Public Works Director - PULLED
- 0. Logging Legacy Memorial Park, by Tom Poe

Tom Poe gave a brief update on the scope of the project stating that the bylaws were structured in 2003. Dan Snider, Artist, has signed a contract for the sculpture and the drawings have been turned in for review. A webpage was created in February to increase public awareness. Tom noted the foundations that are making donations and indicated that they have \$162,000.00 in funds at this time. The group is seeking a loan to finish the project, and if there are not enough funds by June 2006, the size of the project could be down-sized and the location changed.

S. Krebs asked if there is an exit strategy and an alternate location chosen.

Tom stated there is a possibility that a scaled down version could be completed with existing funds.

S. Krebs asked if they were asking for an extension tonight.

Tom stated yes. Tom also stated that they have worked hard and a lot of people would like to see this project go forward.

Mayor Wise asked if S. Krebs wanted to send this to a Committee for review.

S. Krebs stated yes.

J. Krebs commended the efforts of Tom and the Board. She stated that they are making progress and this type of project does take time.

Tom agreed that the progress has been great.

J. Krebs suggested that the Community Services Committee should review this.

Mahelona agreed.

Hogan agreed.

S. Krebs stated he believes the Community Economic Development Committee should review this because of the land-use issues.

Beckwith asked how long of an extension is needed.

Tom stated June 2006 for funding purposes.

Mayor Wise asked how much funding is needed to make the project go.

Tom stated that the foundry needs \$200,000.00 to create the bronze piece and that donations can be collected for three years.

S. KREBS MOVED TO REFER THE SCULTURE PROJECT TO THE COMMUNITY ECONOMIC DEVELOPMENT COMMITTEE FOR REVIEW. BECKWITH SECONDED. MOTION CARRIED 5-0.

. PUBLIC HEARING AND MEETING ANNOUNCEMENTS

- 0. Council/Fire Commissioners Meeting, Wednesday, August 24, 2005, at 7:00 p.m. at City Hall
- 0. Destination Development Workshop, Tuesday, September 6, 2005, 7:30 p.m. at City Hall

Mayor Wise announced the Public Hearing and Meetings.

. CITY EVENTS

- 0. Kasey Kahne Day, Monday, September 5, 2005, 10:00 a.m.- 3:00 p.m. Downtown Enumclaw

. COMMUNITY EVENTS

- 0. Marine Corp Memorial Service, Saturday, August 27, 2005, at 12:00 Noon at the Veterans Memorial Park

Mayor Wise announced the upcoming events.

COMMENTS FROM THE AUDIENCE:

None

PUBLIC HEARING:

None

TABLED BUSINESS:

None

COUNCIL COMMITTEE REPORTS:

- A. Finance - Mahelona, Chair

Mahelona stated that the Committee met August 9, 2005, and audited claims #146644 - # 146780 for the Grand Total of \$ 271,417.51. The next meeting will be August 24, 2005, at 5:30 p.m. at City Hall.

B. Community/Economic Development - Ennis, Chair

S. Krebs stated that the Committee met August 10, 2005, where they were introduced to Interim Community Development Direct Harris. The next meeting will be September 8, 2005, at 5:00 p.m. at the Stevenson/Yerxa Building.

C. Community Services - Beckwith, Chair

Beckwith stated that the Committee met August 9, 2005, and discussed Resolution No. 1102 and met with Jobyna Nickum, Senior Center Manager, to discuss their paving project. The next meeting will be September 6, 2005, at 6:30 p.m. at City Hall.

D. Legislative Action Committee – S. Krebs, Chair

S. Krebs stated that the Committee has not met. The next meeting has not been set.

E. Public Safety - Jensen, Chair

Mahelona stated that the Committee has not met. The next meeting will be September 12, 2005, at 6:30 p.m.

F. Public Works – Hogan, Chair

Hogan stated that the Committee met August 22, 2005, and discussed Resolution No. 1103, the Natural Gas increase, the Wastewater Treatment Plant, and the recycle containers. The next meeting will be September 12, 2005, at 7:00 p.m. at City Hall.

CONSENT AGENDA:.....Motion to Approve

A. MINUTES

1. City Council, 8/8/05
2. City Council Special Meeting, 8/1/05
3. City Council Workshop on Council Goals, 8/15/05
4. Fire Commissioners Meeting, 7/2/05; 7/7/05

A. CLAIMS

1. Announced During the Finance Committee Report

C. SET PUBLIC HEARING

1. Extending the Moratorium on Platting and Annexation, Monday, September 12, 2005, 7:30 p.m. at City Hall
2. Extending Moratorium on Utility Connections, Monday, September 12, 2005, 7:30 p.m. at City Hall

C. APPOINTMENT

1. Arts Commission – Filling Position No. 4 Rita San-Voss Term Expires

12/31/05

C. SPECIAL EVENTS

1. Haz/Mat Training & Employee BBQ, Enumclaw Community Hospital, Tuesday, August 30, 2005

S. Krebs stated he was glad to see the Fire Commissioner's meeting minutes in the packet. He referred to the June 2, 2005 minutes (on page 22 of the agenda packet) where it stated that Chief Kolisch would talk to Administrator Bauer about setting up a meeting with the City and the Fire Commissioners. He asked if that had happened.

Bauer said that he does not believe that meeting was scheduled.

S. Krebs asked if the Public Works committee was contacted to schedule a meeting with the Fire Commissioners.

Mahelona said he does not recall the Public Safety Committee being asked to meet with them. He also commented that in the Fire Commissioners meeting minutes (on agenda packet page 23) a statement was made that the Public Safety committee turned down a request to meet with the Commissioners and that he did not know where that statement came from.

S. Krebs expressed his shock at the contents of the Fire Commissioner's meeting minutes and does not want the Fire Commissioners to believe that the City administration or Council is unwilling to meet with them. He looks forward to more open communication with the Commissioners by talking to them in person in the future.

G. Jensen requested the 8/8/05 City Council Minutes be changed to correct the date of the next Public Safety meeting listed under Council Committee Reports.

S. KREBS MOVED TO APPROVE CONSENT AGENDA WITH CORRECTION OF AUGUST 8, 2005, CITY COUNCIL MINUTES, COUNCIL COMMITTEE REPORTS, PUBLIC SAFETY MEETING DATE TO SEPTEMBER 12, 2005. BECKWITH SECONDED. MOTION CARRIED 5-0.

GENERAL BUSINESS:

A. ORDINANCES

B. RESOLUTIONS

1. Resolution No. 1102 - Expressing Opposition to Senate Bill 1504 Broadband Investment and Consumer Choice Act
 - a. City Clerk Read Resolution by Title Only

Burbank Read by Title Only.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, EXPRESSING OPPOSITION TO SENATE BILL 1504 KNOWN AS THE "BROADBAND INVESTMENT AND CONSUMER CHOICE ACT" (S. 1504), URGING CONGRESSIONAL REPRESENTATIVES TO REFRAIN FROM ANY FORM OF SUPPORT OR CO-SPONSORSHIP OF S. 1504 AND TO VOTE IN OPPOSITION TO S. 1504 AND DIRECTING THAT THIS RESOLUTION BE FORWARDED TO THE WASHINGTON CONGRESSIONAL DELEGATION, OTHER MEMBERS OF CONGRESS AS DEEMED APPROPRIATE, AND THE PRESIDENT OF THE UNITED STATES; AND PROVIDING AN EFFECTIVE DATE.

Staff Report:

Communication Coordinator Funfar stated that while this bill sounds positive, if enacted, it would mean the end of cable franchising as we know it and would result in significant revenue loss for the City. Along with other aspects of the bill, he also noted that this Bill would abolish all zoning of cellular towers, allowing towers to be located anywhere in the Community without regard to property values. Funfar stated Staff recommends approval of Resolution No. 1102.

Council Comments:

Hogan asked if AWC has taken a position on this.

Communication Coordinator Funfar stated not officially, but there are very concerned.

Beckwith asked if this would make the current lease null and void.

Communication Coordinator Funfar stated yes.

Beckwith asked if funding for ECTV comes from the cable company.

Communication Coordinator Funfar answered part of it does.

J. Krebs stated she is in favor of the Resolution and thanked Funfar for his work on this issue.

Committee Report:

Beckwith stated the Community Services Committee reviewed this Resolution and unanimously supports it.

J. KREBS MOVED TO APPROVE RESOLUTION NO. 1102. BECKWITH SECONDED. MOTION CARRIED 5-0.

S. Krebs asked if Funfar had talked to the School District.

Communication Coordinator Funfar stated not yet, but it is on his agenda.

Communication Coordinator Funfar also noted that there is a letter that will need the Mayor's

signature to be presented with the Resolution.

- 2. Resolution No. 1103 - Trail Right-of-Way Lease Agreement
 - a. City Clerk Read Resolution by Title Only

Burbank Read by Title Only

RESOLUTION NO. 1103

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A TRAIL LEASE AGREEMENT WITH WASHINGTON STATE DEPARTMENT OF TRANSPORTATION FOR THE USE OF EXCESS STATE ROUTE 410 RIGHT- OF – WAY.

Staff Report:

Public Works Director Searcy stated that Phase 2 of the Enumclaw Trail extends the completed Phase 1 easterly from the Veterans Memorial Park to the Garrett Street signal. Construction is planned for 2005 using IAC Grant funding. The DOT has submitted a lease agreement and IAC has approved it. Staff recommends approval of Resolution No. 1103.

Council Comments:

None

Council Committee Report:

Hogan stated that the Pubic Works Committee recommends approval of Resolution No. 1103.

HOGAN MOVED TO APPROVE RESOLUTION NO. 1103. S. KREBS SECONDED. MOTION CARRIED 5-0.

GENERAL ITEMS

- 1. Action Items.....Motion to Approve
 - . Recycle Carts by Chris Searcy, Public Works Director; to be distributed

Staff Report:

Public Works Director Searcy stated that the 2005 budget provided \$65,000.00 for new containers, the majority of which is for the co-mingled wheeled carts. The program was first implemented in The Meadows and Mt. Peak developments with great success. The City has asked if the program can be fully implemented to all residential customers this year and at what cost. Searcy went over the financial aspects stating that the cost is greater than the cash reserves. Because of the heavier than normal yard waste in July and August, this creates limitations for cart delivery. As yard waste decreases this situation will improve, enabling the work force to deliver about 200 carts per week. It will take about 12 weeks for all customers to receive the new carts, with all residential customers receiving the new carts by the end of 2005. Staff does not recommend any changes to the department’s current plan. The only alternative would be to

take an interfund loan from either the water or sewer utility to purchase the additional carts needed and repay the loan within 3 years at a reasonable interest rate.

Council Comments:

Hogan stated that he has heard this is very popular. He asked about the existing bins and if they have any resale value.

Public Works Director Searcy stated that he will check to see if there is a market for them.

Mahelona asked if there had been any inter-fund loans with utilities before.

Public Works Director Searcy stated that it was done in 2001 with the Natural Gas fund.

Mahelona responded that while it's the norm to receive only negative feed-back, this project has created many positive responses. He would be in favor of looking at other options to ensure the project was completed as soon as possible.

Hogan asked about inter-fund loans and asked if there was a test of benefit.

City Administrator Bauer the benefit is in the interest rate charged.

Finance Director Smalling stated that the funds can loan to each other charging an appropriate interest rate short term, otherwise there are no restrictions.

Hogan asked if this would raise any concerns in an audit.

Finance Director Smalling stated not as long as it was approved.

Beckwith asked if it was feasible to furnish half the City with carts and half with bins.

Public Works Director Searcy stated the customers with the bins need to be notified that there is no need to separate the recycling items.

Beckwith agrees with Mahelona to move this along faster.

Hogan asked about the winter months and could the yard waste containers be used for recycling.

Public Works Director Searcy stated that could run into difficulties.

Mahelona stated that yard waste bins are used in January and implementing the use of the wheeled lidded carts will reduce litter in the City.

MAHELONA MOVED TO TAKE ACTION ON MOVING THE RECYCLING PROGRAM FORWARD AT A FASTER PACE. BECKWITH SECONDED.

S. Krebs stated that the best place for this discussion would be the Finance Committee.

Mahelona stated he would like Staff to move forward with the recycling program. He is looking for a proposal so Council can take action this year.

S. Krebs asked if Staff is asking for an action plan.

Hogan asked if he is asking for an additional proposal to be brought forward on how to make this work.

Mahelona stated he would like to see something that says how it can be done this year.

MOTION CARRIED 5-0.

Beckwith stated that he also thinks that this should go through the Finance Committee.

Mayor Wise stated that it will go through the Finance Committee.

1. Informational Reports
 - a. Natural Gas Supply Update by Chris Searcy, Public Works Director

Staff Report:

Public Works Director Searcy stated that the City's contract with IGI Resources expired October 31, 2005. The City's rate at this time is \$0.57 per therm. The current rate is \$0.89 per therm. Searcy noted the table in his report showing the fluctuation of natural gas futures since October 2004. Searcy stated that the current drilling efforts for new supply have resulted in less productive wells. Production is declining while demand is increasing. Recommendation for any rate adjustment will be presented with the preliminary 2006 budget after the supply cost has been fixed. Staff will be working closely with our supplier to monitor and identify hedging opportunities.

Council Comments:

Hogan reported the discussion of the Public Works Committee earlier this evening. He stated that the gas contract will run out at the end of October. The Committee would like to propose authorizing a purchase price up to \$8.50 a decatherm, with the understanding that the prices will drop down and the goal would be to shoot for \$8.00 a decatherm. They also propose to leave years 2 and 3 purchase figures where they are.

HOGAN MADE A MOTION TO SET A PRICE FOR NATURAL GAS FROM NOVEMBER 2005 TO OCTOBER 2006 AT \$8.50 A DECATHERM. J. KREBS SECONDED MOTION.

S. Krebs asked if committee was unanimous.

Hogan and Beckwith stated yes.

Hogan stated that even though it is a substantial increase, they have seen it considerably higher.

MOTION CARRIED 5-0.

S. Krebs stated this is looking more and more like day trading and would like to look at alternatives.

- . Wastewater Treatment Plant – Capital Project Manager

Staff Report:

City Administrator Bauer noted the report in the packet.

Council Comments:

S. Krebs stated there was no rate in the report.

Public Works Director Searcy stated that it is \$79.00/hour.

S. Krebs asked what the final cost would be.

Public Works Director Searcy stated it depends on how long he is kept on board.

S. Krebs asked if it was the City's intent to have Les Johnson, former Community Development Director, do this task, or were we always looking to a consultant.

Public Works Director Searcy stated that Les Johnson wasn't part of the plan, but he was familiar with the consultant and the permit process. He offered to take on the workload, but then he accepted a new job. Searcy stated that he does not have the time to work on this properly.

S. Krebs is interested in what the estimated costs are going to be.

Public Works Director Searcy stated that he will work on that and added that the City is on the recommended loan list for the Public Work Trust Fund loan for 2006.

1. Monthly Staff Reports

- . Administration: ECTV; Community Events Calendar
- . Community Development: Building Permits; City Planning
- . Court:
- . Police

City Administrator Bauer noted the routine monthly staff reports.

COMMENTS FROM THE AUDIENCE:

None

UNFINISHED BUSINESS:

S. Krebs noted Resolution No. 1103 and the Trail right-of-way. He talked about special uses for motorized use and noted in the contract it states no motorized use. He would like this looked into.

NEW BUSINESS:

None

EXECUTIVE BUSINESS:

None

ADJOURNMENT:

**BECKWITH MOVED TO ADJOURN THE MEETING. MAHELONA SECONDED.
MOTION CARRIED 5-0.**

Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Marcia Hopkins
City Clerk