

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

**City Council Regular Session
City Hall Council Chambers
January 9, 2006, 7:30 P.M.**

CALL TO ORDER AND FLAG SALUTE:

Mayor Wise called the meeting to order at 7:32 p.m. and led the pledge of allegiance.

Jensen announced Council Member Coats requested to be excused from tonight's Council meeting.

JENSEN MOVED TO EXCUSE COUNCIL MEMBER COATS FROM THE JANUARY 9, 2006, COUNCIL MEETING. MAHELONA SECONDED. MOTION CARRIED 6-0.

ATTENDANCE:

Council Members Beckwith, Jensen, Reynolds, Ennis, Mahelona, and Hogan were present. Also present were Mayor Wise, City Administrator Bauer, City Attorney Reynolds, City Clerk Hopkins, Communications Coordinator Funfar, Parks/Cultural Services Director Fetter, Public Works Director Searcy, Community Development Director Thomas, Finance Director Smalling, Library/Community Services Director Baer, Fire Chief Kolisch, and Police Chief Zoll.

ADJUSTMENTS TO THE AGENDA:

Mayor Wise announced the following adjustments to tonight's agenda. To 11. C., General Items add 2. Judge Appointment Report.

Mayor Wise also added that Mahelona and Ennis will be sworn in tonight.

SWEARING IN CEREMONY AND RECEPTION FOR MAYOR AND NEW COUNCIL MEMBERS:

A. Mayor John G. Wise – Term 1/1/06-12/31/09

City Attorney Reynolds swore in Mayor John Wise.

B. Council Member Liz Reynolds – Term 1/1/06 – 12/31/09

C. Council Member Kevin Mahelona – Term 1/1/06-12/31/09

D. Council Member Mike Ennis – Term/1/01/06-12/31/09

E. Council Member Jeff Coats – Term 1/1/06 – 12/31/09

City Attorney Reynolds stated that Jeff Coats was sworn in last week since he is doing military service this week and is absent from the meeting

City Attorney Reynolds swore in Elizabeth Reynolds, Mahelona and Ennis.

MAYOR WISE RECESSED THE COUNCIL MEETING FOR A FIVE MINUTE RECEPTION AT 7:35 P.M.

MAYOR WISE RECONVENED THE COUNCIL MEETING AT 7:44 P.M.

EXECUTIVE SESSION:

A. Personnel RCW 42.30.110 - Estimated Time 10 Minutes

City Attorney Reynolds stated the purpose for Executive Session is for Council Members to select a Mayor Pro-Tem.

MAYOR WISE RECESSED THE COUNCIL MEETING AT 7:45 P.M. FOR THE EXECUTIVE MEETING.

City Attorney Reynolds announced another five minutes was needed for the Executive Session per Council's request.

MAYOR WISE RECONVENED THE COUNCIL MEETING AT 8:09 P.M.

ANNOUNCEMENTS AND PRESENTATIONS:

A. ANNOUNCEMENTS

1. New Mayor Pro Tem

Jensen, Chair of Committee on Committees, announced Kevin Mahelona will be Mayor Pro-Tem.

2. New Council Committee Assignments

Jensen, Chair of Committee on Committees, announced the Committee assignments as follows:

Committee on Committees: Jensen – Chair, Ennis, Mahelona
Community/Economic Development: Ennis – Chair, Coats, Hogan
Community Services: Beckwith – Chair, Jensen, Reynolds
Public Safety: Jensen – Chair, Ennis, Mahelona
Public Works: Hogan – Chair, Beckwith, Coats
Finance Committee: Mahelona – Chair, Jensen, Reynolds

Jensen stated that the Committee on Committees will meet the fourth Monday of every month. The next meeting will be on January 23, 2006, at 6:30 p.m. at City Hall. Jensen also wants to schedule a Workshop Retreat in February to discuss the budget, core services analysis, finance policies, and the 2006 program of work.

All Council agreed on February 4, 2006, 8:00 a.m. – 12:00 p.m. for the Workshop Retreat. Lunch will be included.

3. City Offices Will Be Closed Monday, January 16, 2006, to Observe Martin Luther King Jr. Day

Mayor Wise read the announcement.

B. PRESENTATIONS

1. Gallery 2006 New Artist John Rogers by Pat Fisk, Arts Commission Member

Pat Fisk, Arts Committee Member, introduced the work of Enumclaw artist, John Rogers, on display in Gallery 2006 from January 4 – January 31. John's work is exciting landscapes in oil with unusual color and shapes.

Fisk, President of the Enumclaw Garden Club, also announced their annual "Breakfast for the Birds" fundraiser on February 22, 2006, at 9:00 a.m. Tickets are \$12.00, with proceeds going towards conservation projects such as the Foothill Trials landscaping.

2. Enumclaw Aquatic Center Re-opens Monday, January 16, 2006; Grand Opening Event is Friday, January 20, at 1:00 p.m. by Larry Fetter, Parks/Rec/Cultural Programs Director

Parks/Rec/Cultural Programs Director Fetter gave a PowerPoint presentation on the Enumclaw Pool re-opening and repairs. Fetter reviewed the pool's new liner project, new tile, the bulkhead recoating, and painting projects. The pool will reopen on January 16, 2006, with an Open House on January 21, 2006, from 11:00 a.m. – 1:00 p.m. The Open House will be a carnival atmosphere with activities for families. Fetter also noted other upcoming events such as the teen float-in movie event, beach parties, splash night on Fridays, and a Super Bowl party.

C. PUBLIC HEARING AND MEETING ANNOUNCEMENTS

1. Draft Tourism and Marketing Plan, Monday, January 23, 2006, at 7:30 p.m. at City Hall (first of two Public Hearings).

Mayor Wise read the announcement.

D. CITY EVENTS

1. Evenings on the Plateau Presents Bobby Medina and the Red Hot Band, Saturday, January 28, 2006, 7:30 p.m. at Enumclaw High School Auditorium. Tickets Available at the Parks Department at City Hall – 360/802-0233

Parks/Rec/Cultural Programs Director Fetter stated the "Evenings on the Plateau" tickets sales are doing very well and tickets are available for Bobby Medina and the Red Hot Band.

Beckwith stated Council has received feed back from the horse community and Council would like to hear from the citizens on this plan.

COMMENTS FROM THE AUDIENCE:

None

PUBLIC HEARING:

None

TABLED BUSINESS:

None

COUNCIL COMMITTEE REPORTS:

A. Finance - Mahelona, Chair

Mahelona stated that the Committee met January 5, 2006, and audited 2005 claims #148208 - #148296 for the Grand Total of \$101,111.69, and 2006 claims #148297 - # 148327 for a Grand Total of \$67,582.62. They also discussed the two Ordinances on tonight's agenda. The next meeting will be January 24, 2006, at 5:30 p.m. at City Hall.

B. Community/Economic Development - Ennis, Chair

Ennis stated that the Committee has not met. The next meeting will be January 19, 2006, at 6:30 p.m. at Stevenson/Yerxa Building.

C. Community Services - Beckwith, Chair

Beckwith stated that the Committee has not met. The next meeting will be scheduled at a later date.

D. Public Safety - Jensen, Chair

Jensen stated that the Committee met January 9, 2006, and discussed the status of the Hwy 410 Grant, Semanski Street, Kibler St. parking and loading areas, NIMS, emergency equipment and maps, and a sandbag list for the Fire Department. The next meeting will be February 13, 2006, at 6:30 p.m. at City Hall.

E. Public Works – Hogan, Chair

Hogan stated that the Committee met January 9, 2006, and discussed Resolution No. 1117, automatic meter reading options, status of Capital projects, and WWTP. The next meeting will be January 23, 2006, at 7:00 p.m. at City Hall.

CONSENT AGENDA:.....Motion to Approve****

A. MINUTES

1. Regular City Council, 11/28/05 (page 3); 12/12/05 (page 19)
2. City Council Budget Workshop, 11/21/05 (page 31)

B.CLAIMS

1. Announced During the Finance Committee Report

C. PAYROLL

1. December 2005 Payroll Checks #7080-7160 in the amount of \$271,926.45 plus 180 Direct Deposits in the amount of \$260,490.43 plus Bank Wire ICMA and 941 Taxes in the amount of \$678,438.61 for a Grand Total Amount of \$678,438.61

HOGAN MOVED TO APPROVE THE CONSENT AGENDA AS PUBLISHED. BECKWITH SECONDED. MOTION CARRIED 6-0.

GENERAL BUSINESS:

A. ORDINANCES

1. Ordinance No. 2292 Draft 5-Amend EMC 14.02.010 and 020 Concerning Adjustment of Water Bills Due to Leaks
 - a. City Clerk Read Ordinance by Title Only for First Reading

JENSEN MOVED TO READ ORDINANCE NO. 2292 FOR FIRST READING BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 6-0.

City Clerk Read by Title Only

ORDINANCE NO. 2292

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, WASHINGTON, AMENDING MUNICIPAL CODE CHAPTER 14.02, SECTIONS 010 AND 020 TO AMEND OPTIONS AVAILABLE FOR ADJUSTMENT OF WATER BILLS FOLLOWING A WATER LEAK.

Staff Report:

Public Works Director Searcy stated that when the City changed its meter reading schedule for residences to an every other month schedule, the Municipal Code was amended to allow billing adjustments for water leaks. Prior to this amendment, the only leak adjustment option was a six month extended payment plan. The bi-monthly schedule placed undue responsibility on the customer. In 1997, the code was amended to apply to all customers, not just bi-monthly. From this point, the extended payment plan was not needed or used. Since the City chooses to read residences on a bi-monthly schedule, it increases the potential liability to share the increased cost for leaks. The City does not have this responsibility to customers on a monthly read schedule. Searcy went over the options for commercial and multi-residential customers and stated that this will also be re-evaluated when the City changes over to monthly reads for all customers.

Council Comments:

None

2. Ordinance No. 2300 - Warner Street LID #01-01

a. City Clerk Read Ordinance by Title Only for First Reading

JENSEN MOVED TO READ ORDINANCE NO. 2300 FOR FIRST READING BY TITLE ONLY. ENNIS SECONDED. MOTION CARRIED 6-0.

City Clerk Read by Title Only

ORDINANCE NO. 2300

AN ORDINANCE OF THE CITY OF ENUMCLAW, WASHINGTON AUTHORIZING THE ISSUANCE AND SALE OF THE CITY'S LOCAL IMPROVEMENT DISTRICT NO. 01-01 BOND, 2006, IN THE PRINCIPAL SUM OF \$305,492.24, ESTABLISHING THE TERMS OF SUCH BOND, AND FIXING THE INTEREST RATE ON ASSESSMENTS IN LID NO. 01-01.

Staff Report:

Public Works Director Searcy stated that the project was for the Warner Avenue Improvement District in 2004. Ordinance No. 2300 is to finance the unpaid balance of the assessment roll. Bids are still out to get the best finance rate and will be brought back at the second reading.

Council Comments:

None

B. RESOLUTIONS

1. Resolution No. 1116 – Support of Enumclaw School District Maintenance and Operation Levy
 - a. City Clerk Read Resolution by Title Only

City Clerk Read by Title Only

RESOLUTION NO. 1116

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON SUPPORTING ENUMCLAW SCHOOL DISTRICT PROPOSITION NO. 1, REPLACEMENT MAINTENANCE AND OPERATION LEVY.

Staff Report:

Mayor Wise stated that Art Jarvis, Enumclaw School District Superintendent, talked to him in regards to supporting the school maintenance and operation levy. Mayor Wise read the entire Resolution and stated that this is a four-year levy from 2007 to 2010.

Council Comments:

Ennis asked City Attorney Reynolds on the legality of the City supporting the Resolution.

City Attorney Reynolds stated that it is legal because we are just supporting it, not passing it.

Ennis asked if this has gone to Committee.

Mayor Wise stated it has not because this is a time sensitive issue and they wanted to get it out to citizens before the absentee ballots were sent out.

Mahelona asked City Attorney Reynolds if Council has done a Resolution like this before.

City Attorney Reynolds stated he cannot recall one.

Beckwith stated that he supports the Resolution and the levy.

BECKWITH MOVED TO APPROVE RESOLUTION NO. 1116. HOGAN SECONDED.

Mahelona stated he supports the levy but does not feel it is appropriate for Council to pass this Resolution and will abstain from voting.

Jensen also supports the school and the levy, but agrees with Kevin and does not feel the Resolution is appropriate and will abstain from voting.

Ennis asked for clarification on the abstaining rules.

City Attorney Reynolds said the abstentions side with the majority. He suggested Council could rephrase the Resolution and not take a position on the issue and just stating Council encourages the citizens to vote.

Hogan stated that he supports the schools and does not have a problem showing his support with the Resolution.

Ennis asked Reynolds if there would be the required quorum to vote if three people abstained.

City Attorney Reynolds stated there would not be a quorum with three abstentions.

Ennis stated he is in agreement with Mahelona and Jensen and does not approve supporting the Resolution; he will abstain.

BECKWITH WITHDREW THE MOTION.

Beckwith stated that the appropriateness of the Resolution is in question, not the school or school levy.

Ennis stated this should have gone to Committee and then the Resolution appropriateness issue would have been avoided.

Mahelona stated that he would support a Resolution that encourages the voters to go out to vote.

- 2. Resolution No. 1117 – Fee Resolution Amendment
 - a. City Clerk Read Resolution by Title Only

City Clerk Read by Title Only

RESOLUTION NO. 1117

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING RESOLUTION NO. 1115 AS TO INCREASES IN COMMUNITY DEVELOPMENT PLANNING FEES AND PARKS AND ADMINISTRATION FEES.

Staff Report:

Public Works Director Searcy stated the adoption of Ordinances No. 2294 and 2295 included new Capital Facilities Charges for water and sewer replacement charges for new development which became effective December 12, 2005. Resolution No. 1117 amends Resolution No. 1115 to remove the old sewer and water connection charges. Staff recommends approval of adoption of Resolution No. 1117.

Council Comments:

None

Council Committee Report:

Hogan stated that the Public Works Committee reviewed and recommends approval of Resolution No. 1117.

HOGAN MOVED TO APPROVE RESOLUTION NO. 1117. JENSEN SECONDED. MOTION CARRIED 6-0.

GENERAL ITEMS

- 1. Action Items.....Motion to Approve
- 2. Informational Reports
 - a. Judge Appointment

Staff Report:

City Administrator Bauer stated the City has received 23 applications for the Municipal Judge position. They have narrowed it down to seven candidates with interviews to be concluded at the end of the week. A candidate will be brought forward at the next Council meeting on January 23, 2006.

Council Comments:

None

3. Monthly Staff Reports
 - a. Parks/Rec/Cultural Services Department
 - b. Fire

City Administrator Bauer noted the monthly routine staff reports.

COMMENTS FROM THE AUDIENCE:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Ennis stated he would like to add two new permanent agenda items; a verbal report on the draft tourism and marketing plan and one on the WWTP.

Hogan stated that there is a standing WWTP report during the Public Work Committee meetings.

Beckwith stated he agrees in having a report at each Council meeting.

Ennis stated that he is asking for a verbal report at each meeting, not a Staff report.

All Council agrees on the draft tourism and marketing plan and WWTP verbal reports.

Ennis also requests status updates on the following items:

Council policy direction on Fund 180.

Equipment Rental Fund.

Financial policies during budget process and setting a cap on outside agency requests.

Setting a date on when budget is presented to Council.

What is the core service analysis plan timeline.

Hwy 410 Corridor Study.

Solid Waste Utility options.

Options on Cemetery Fund.

City Administrator Bauer stated at next meeting Council will receive the programs of work for each department that will provide the timeline information requested.

ADJOURNMENT:

**MAHELONA MOVED TO ADJOURN THE MEETING. BECKWITH SECONDED.
MOTION CARRIED 6-0.**

Meeting adjourned at 8:54 p.m.

**NOTE: THE ANNUAL INDUSTRIAL DEVELOPMENT CORPORATION MEETING
WILL IMMEDIATELY FOLLOW THE JANUARY 9, 2006,
REGULAR CITY COUNCIL MEETING.**

Respectfully Submitted,

Marcia Hopkins
City Clerk