

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

**City Council Regular Session  
City Hall Council Chambers  
December 11, 2006, 7:30 P.M.**

**CALL TO ORDER AND FLAG SALUTE:**

Mayor Wise called the meeting to order at 7:32 p.m. City Clerk Hopkins led the Pledge of Allegiance.

**MAHELONA MOVED TO EXCUSE COUNCIL MEMBER COATS FROM THE DECEMBER 11, 2006, COUNCIL MEETING. JENSEN SECONDED. MOTION CARRIED 6-0.**

**ATTENDANCE:**

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

**ADJUSTMENTS TO THE AGENDA:**

Mayor Wise announced that Adella King's reappointment should be moved from 8.D.1, Design Review Board to 8.D.5, Planning Commission. Resolutions #1190 and #1191 will be added as 9.B.2 and 9.B.3.

**ANNOUNCEMENTS AND PRESENTATIONS:**

**A. ANNOUNCEMENTS**

1. City Offices Closed Monday, December 25, 2006, to observe the Christmas Holiday

Mayor read the announcement.

2. Enumclaw Aquatic Center Closed December 25 – January 2 for Annual Maintenance

Mayor read the announcement.

3. Preview of Gallery 2007 Artist List

Park Director Fetter announced the list.

4. King County Grant Announcement by Mark Bauer, City Administrator

Bauer announced a King County budget amendment awarding the City a \$17,000 grant for Aquatic Center improvements. Other grants awarded to non-profit organizations were: \$20,000 for the Youth Club House roof replacement, \$8,500 for Veteran Memorial maintenance and funds for the Young Life Group house restoration project.

**COMMENTS FROM THE AUDIENCE:**

Dave Johnson stated that he has seen the new fee schedule for the pool and he is concerned that the disabled rate has been removed and would like to see it restored.

Mayor Wise stated that the Council will consider this issue under New Business.

Roger MacGregor stated that he would like to see the disabled rate reinstated.

Barbara Meyer stated that she is a regular swimmer at the pool and supports reinstating the disabled rate.

Trip Hart stated his support of funding KCSARC at their full request of \$8,000. He stated his dismay that the City is only funding half of the original request.

Shelly Pricco gave facts about KCSARC's services to the community and stated her support of fully funding KCSARC at the requested \$8,000.

Laura Lurry, who spoke previously on behalf of KCSARC, gave more details on services provided. She stated that the services start with a phone call, and continue with a report to the police, getting a legal advocate, medical, legal and other services, counseling works with all family members, education programs. She then stated her support for fully funding KCSARC with \$8,000.

Roger Sherwood spoke on the proposed parking code requiring 2 parking spaces for a 2 bedroom unit. He supports allowing a 1.35 parking space.

Jeff Dahlquist spoke on how providing 2 parking spaces for 2 bedroom homes will create a problem, possibly having to use the 1<sup>st</sup> level for parking rather than retail.

**PUBLIC HEARING:**

A. Sewer Re-Allocations – Ordinance No. 2329

Mayor Wise read the Public Hearing procedures.

**MAYOR WISE OPENED THE PUBLIC HEARING ON SEWER RE-ALLOCAIONS AT 8:10 P.M.**

***Staff Report:***

Community Development Director Thomas stated that Ordinance No. 2329 reallocates 89 unused sewer connections from commercial to residential use. This would allow, for the first time in approximately 8 years, planning for single family development. He then reviewed the "Bull's Eye Map" showing the reallocated connections.

Mahelona asked for an explanation of the bull's eye map and then asked if the units are already assigned.

Thomas stated that they used past allocations from the previous moratorium.

***Public Comments:***

Heidi Muehlbauer stated that they have property on Olympic and Kibbler that they would like to be considered for reallocation.

***Council Comments:***

None

**MAYOR WISE CLOSED THE PUBLIC HEARING ON SEWER RE-ALLOCATIONS –  
ORDINANCE NO. 2329 AT 8:15 P.M.**

**TABLED BUSINESS:**

None

**COUNCIL COMMITTEE REPORTS:**

**A. Finance - Mahelona, Chair**

Mahelona stated that the Committee did not formally meet due to lack of agenda items. However, they did sign off on claims. The next meeting is December 21, 2006, at 5:30 p.m. at City Hall.

**B. Community/Economic Development – Ennis, Chair**

Ennis stated that the CED Committee met on December 5, 2006, and discussed Ordinance No. 2326, 2327, 2329, 2330, 2331, 2332; recommendations will be made at the appropriate time. The next meeting is on January 16, 2007, at 6:30 p.m. in the Stevenson/Yerxa building.

**C. Community Services – Beckwith, Chair**

Beckwith stated the Committee met on December 5, 2006, and discussed repairs on the Golf Course, Trail Project acceptance, Pool fees, including dropping the disabled rate. He then stated that the City is committed to helping citizens with monetary needs and they will be discussing pool fees again in 2007. The next meeting is January 19, 2007, at 4:00 p.m. in the Parks Office.

**D. Public Safety – Jensen, Chair**

Jensen stated the Committee had not met since the last City Council Meeting. The next meeting will be on January 8, 2007, at 6:30 p.m. at City Hall.

**E. Public Works – Hogan, Chair**

Hogan stated that the Committee met on December 11, 2006, and discussed the Project Street Overlay, Resolution No. 1186 and 1191, and the Waste Water Treatment Plant. The next meeting will be January 8, 2007, at 7:00 p.m. at City Hall.

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

**A. MINUTES**

1. City Council, 11/27/06
2. Council 2007 Budget Workshop, 11/20/06

**B. CLAIMS**

1. Announced During the Finance Committee Report

**C. PAYROLL**

1. November 2006 Payroll Checks #8068 - #8281, 25502 in the amount of \$255,263.40 plus 215 Direct Deposits in the amount of \$285,108.84 plus Bank Wire ICMA and 941 Taxes in the amount of \$697,790.64 for a Grand Total Amount of \$697,790.64

**D. APPOINTMENTS**

1. Design Review Board Re-Appointments: John Blackburn, Position No. 3; Adella King, Position No. 4, Terms Expire 12/31/10
2. Human Service Advisory Board Re-Appointments: Allison Hasemen, Position No. 1; Linda Farr, Position No. 6, Terms Expire 12/31/10
3. Library Board Re-Appointment: Fred Fleischmann, Position No. 1, Term Expires 12/31/11
4. Park Board New Appointment: Alicia Alexander, Position No. 4, Term Expires, 12/31/10
5. Planning Commission Re-Appointment: Linda Kleppe-Olson, Position No. 3; Jeff Dahlquist, Position No. 7, Terms Expire 12/31/10

**E. PROJECT ACCEPTANCE**

1. Foothills Trail Project – Phase II Acceptance
2. Porter Street Overlay Project SW#0607

**F. CANCEL THE DECEMBER 25, 2006 CITY COUNCIL MEETING**

Mayor Wise noted canceling the December 25<sup>th</sup> meeting.

Beckwith noted the resume submitted with the application for Park Board Appointee Alicia Alexander, stated her objective was to obtain a full time position with the City of Enumclaw.

Mayor Wise stated that she has a full time job and is just seeking an appointment to the Planning Committee.

**L. REYNOLDS MOVED TO APPROVE CONSENT AGENDA. MAHELONA SECONDED. MOTION CARRIED 6-0.**

GENERAL BUSINESS:

A. ORDINANCES

1. Ordinance No. 2326 – Amending EMC for Certain Property at 2312 Jensen Street from Residential 4 Land Use to a Public/Semi-Public Use Land Use Designation

**HOGAN MOVED TO READ ORDINANCE NO. 2326 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 6-0.**

City Clerk Read by Title Only.

ORDINANCE NO. 2326

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING THE ENUMCLAW COMPREHENSIVE PLAN FOR CERTAIN PROPERTY LOCATED AT 2312 JENSEN STREET, ENUMCLAW, WASHINGTON FROM A DESIGNATION OF RESIDENTIAL 4 LAND USE TO A PUBLIC/SEMI-PUBLIC USE LAND USE DESIGNATION.

***Staff Report:***

Community Development Director Thomas stated that Ordinance No. 2326 and No. 2327 are companion Ordinances and would rezone property at 2312 Jensen Street for public use. This adds another parcel to the property that has been assessed by the hospital for a possible site for a new hospital. Ordinance No. 2326 makes the necessary changes to the comprehensive plan and Ordinance No. 2327 makes the necessary changes to the zoning map.

***Council Comments:***

None

***Council Committee:***

Ennis stated that the CED committee has met and discussed this item. They recommend approval.

**ENNIS MOVED TO APPROVE ORDINANCE NO. 2326. HOGAN SECONDED. MOTION CARRIED 6-0.**

2. Ordinance No. 2327 – Rezoning Certain Property at 2312 Jensen Street from Residential 4 to Public Zoning District

**ENNIS MOVED TO READ ORDINANCE NO. 2327 BY TITLE ONLY. HOGAN SECONDED. MOTION CARRIED 6-0.**

City Clerk Read by Title Only.

ORDINANCE NO. 2327

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, REZONING CERTAIN PROPERTY LOCATED AT 2312 JENSEN STREET FROM RESIDENTIAL 4 (R-4) TO PUBLIC (P) ZONING DISTRICT, DECLARING NO ADVERSE ENVIRONMENTAL IMPACT.

***Staff Report:***

Community Development Director Thomas stated that his previous report for Ordinance No. 2326 was a companion to Ordinance No. 2327 and he has no new information.

***Council Comments:***

None

***Council Committee:***

Ennis stated that the CED committee has met and discussed this item. They recommend approval.

**ENNIS MOVED TO APPROVE ORDINANCE NO. 2327. JENSEN SECONDED. MOTION CARRIED 6-0.**

3. Ordinance No. 2328 – 2007 Budget Ordinance

**MAHELONA MOVED TO READ ORDINANCE NO. 2328 BY TITLE ONLY. JENSEN SECONDED. MOTION CARRIED 6-0.**

City Clerk Read by Title Only.

ORDINANCE NO. 2328

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, WASHINGTON, ADOPTING THE ANNUAL OPERATING BUDGET FOR THE YEAR 2007, SETTING FORTH ESTIMATED REVENUES AND APPROPRIATIONS.

***Staff Report:***

Finance Director Smalling addressed changes in this Ordinance. The changes include adding \$20,000 to the Street fund for paving; \$4,000 for a Library Wi-Fi network that will be matched by a contribution; \$460,000 for new garbage trucks; \$24,000 for the Parks Department's move to the Expo Fund; \$18,750 for technology needs for the Expo Center; \$25,000 to the General Fund for the City Hall reorganization; and a \$50,000 reduction from the Payroll budget.

***Council Comments:***

L. Reynolds stated that there was an ending reserve of \$20,359 in the Human Services Fund. She asked if the City Council would increase KCSARC's funding to \$8,000.

Beckwith agreed and also wanted to raise the support to \$8,000.

**BECKWITH MOVED TO INCREASE FUNDING FROM \$4,000 TO \$8,000 PER KCSARC REQUEST FOR 2007. L. REYNOLDS SECONDED.**

Mahelona asked what the primary source of revenue was for Fund 185, and if it was all General Fund allocation.

Smalling responded that out of \$384,000, \$360,000 of it is General Fund.

Beckwith reminded the Council that the City does receive significant income revenue from the Battersby property which is to be used for human services.

Jensen asked what the Human Services Advisory Board (HSAB) recommendation was.

Bauer stated that HSAB recommended funding at \$8,000 unless the budget would not allow that amount.

**MAHELONA MOVED TO APPROVE ORDINANCE NO. 2328 AS AMENDED. JENSEN SECONDED. MOTION CARRIED 5-1, ENNIS OPPOSED.**

4. Ordinance No. 2329 – Reallocation of Sewer Connection

**ENNIS MOVED TO READ ORDINANCE NO. 2329 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 6-0.**

City Clerk Read by Title Only.

ORDINANCE NO. 2329

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. 1991 TO ALLOW FOR THE REALLOCATION OF UTILITY CONNECTIONS FOR SINGLE FAMILY DEVELOPMENT.

***Staff Report:***

Community Development Director Thomas stated that he had no further information.

***Council Comments:***

Beckwith inquired if the City could allocate these connections by previous applications.

M. Reynolds gave a background on the Bull's Eye Map to fairly and legally handle sewer reallocation.

***Council Committee:***

Ennis stated that the CED committee has met and discussed this item. They recommend approval.

**ENNIS MOVED TO APPROVE ORDINANCE NO. 2329. HOGAN SECONDED. MOTION CARRIED 6-0.**

5. Ordinance No. 2330 - GMA Development Code Update

**MAHELONA MOVED TO READ ORDINANCE NO. 2330 BY TITLE ONLY. JENSEN SECONDED. MOTION CARRIED 6-0.**

City Clerk Read by Title Only.

ORDINANCE NO. 2330

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING CERTAIN TITLES OF AND ADDING NEW TITLES TO THE ENUMCLAW MUNIPIAL CODE TO ACHIEVE CONSISTENCY WITH THE ENUMCLAW COMPREHENSIVE PLAN AND STATE GROWTH MANAGEMENT MANDATES.

***Staff Report:***

Community Development Director Thomas said the Traffic Impact Analysis and Concurrency Test will be paid for by the Project Proponent as well as being prepared by a licensed professional engineer. There was a change regarding exempt development. This sets up some exceptions to determine who needs to do a Traffic Impact. There was some language changed in regards to site selection methodology.

***Council Comments:***

None

***Council Committee:***

Ennis stated that the CED committee has met and discussed this item. The CED committee did not think it was fair that the public facility received exemption from doing the traffic analysis. They eliminated the exemption. Approval is recommended.

**ENNIS MOVED TO APPROVE ORDINANCE NO. 2330. HOGAN SECONDED. MOTION CARRIED 6-0.**

6. Ordinance No. 2331 – Mixed Use Development and Design Standards

**ENNIS MOVED TO READ ORDINANCE NO. 2331 BY TITLE ONLY. JENSEN SECONDED. MOTION CARRIED 6-0.**

City Clerk Read by Title Only.

ORDINANCE NO. 2331

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, ADOPTING A NEW CHAPTER 19.38, MIXED-USE DEVELOPMENT AND DESIGN STANDARDS INTO TITLE 19 OTHER DEVELOPMENT REGULATIONS OF THE ENUMCLAW MUNICIPAL CODE CONTAINING PROVISIONS TO GUIDE THE DEVELOPMENT OF MIXED-USE DEVELOPMENTS IN CERTAIN ZONES AND ESTABLISHING AN EFFECTIVE DATE.

***Staff Report:***

Community Development Director Thomas stated that Ordinance No. 2331 and Ordinance No. 2332 are companioning Ordinances. He stated that there had been a lot of discussion in the CED committee meeting in regards to what an appropriate standard would be. Public comments were given tonight in regards to this issue.

***Council Comments:***

Ennis stated that the CED Committee discussed and recommended one parking space per bedroom with a 2 parking space cap. With more research done they recommend pulling the recommendation and amending the ordinance to what it originally was and to address it at the next meeting.

Hogan agreed with Ennis. He stated that information was not available to know if this proposed parking requirement would make developments economically un-feasible. He then asked what the implication would be if they ordinance was not passed tonight.

Thomas stated that there are 3 property owners that are trying to improve their properties.

Jensen asked what the Seattle's parking requirements were in order to create more green space.

Thomas stated that he was not familiar with their proposal.

Beckwith asked what the original number of parking spaces was.

Thomas stated that it was one space per unit.

Beckwith asked why it is different in downtown than in the mixed used development.

Thomas stated that the difference is the GO zone. The residential is based off of the R4 zone.

Jensen asked what the requirements were on a penthouse.

Thomas stated that if the penthouse is for living, then it would be one or two spaces, depending on how the Ordinance is finalized. If the Penthouse is commercial there would not be a standard because it would be seen as commercial use.

L. Reynolds stated concern for the downtown parking if residents would be taking up merchant parking.

Ennis stated the parking issue has troubled the Committee the most. More time is needed to look at this issue and that they should pass the Ordinance and then spend more time looking at it next year.

Thomas stated that if the Ordinance was passed tonight, the property owners who submit their development application under this Ordinance would be vested to this standard.

**MAYOR WISE RECESSED THE COUNCIL MEETING AT 8:54 P.M.**

**MAYOR WISE RECONVENED THE COUNCIL MEETING AT 9:03 P.M.**

Hogan stated that the CED committee has discussed this at length and want to see more development in downtown. He agrees that they should revert back to the original proposal by the Planning Commission.

**HOGAN MOVED TO AMEND TO DRAFT ONE PARKING SPACE PER DWELLING UNIT. ENNIS SECONDED. MOTION CARRIED 6-0.**

Beckwith asked if this applies just for the downtown.

Hogan stated yes.

**ENNIS MOVED TO APPROVE ORDINANCE NO. 2331 AS AMENDED. HOGAN SECONDED. MOTION CARRIED 6-0.**

7. Ordinance No. 2332 – Highway and Community Business Mixed Use Overlay District

**ENNIS MOVED TO READ ORDINANCE NO. 2332 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 6-0.**

City Clerk Read by Title Only.

ORDINANCE NO. 2332

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, ESTABLISHING A MIXED USE DEVELOPMNET OVERLAY DISTRICT IN THE HIGHWAY AND COMMUNITY BUSINESS ZONE AND ADDING A NEW CHAPTER TO THE ENUMCLAW MUNICIPAL CODE TITLE 18.

***Staff Report:***

Community Development Director Thomas stated that Ordinance No. 2332 establishes a new Chapter 18.44 to Title 18 of the Enumclaw Municipal Code titled "Highway and Community Business Mixed Use Overlay District." The new chapter establishes a geographic specific location for mixed use development provisions set forth in new Chapter 19.38. In order to restrict mixed use development in the area bounded by First Street and Third Street and between Stevenson Avenue and Mill Avenue, an overlay district needs to be applied. Passage of this ordinance is predicated on the passage of Ordinance No. 2231. Administration recommends approval.

***Council Comments:***

None

***Council Committee:***

Ennis stated that the CED Committee had met and discussed this ordinance. Approval is recommended.

**ENNIS MOVED TO APPROVE ORDINANCE NO. 2332. HOGAN SECONDED. MOTION CARRIED 6-0.**

**B. RESOLUTIONS**

1. Resolution No. 1186 – Latecomer Agreement

City Clerk Read by Title Only.

**RESOLUTION NO. 1186**

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF ENUMCLAW AND KNUDSEN & REILLY HOLDINGS, LLC FOR THE RECOVERY OF LATECOMER FEES.

***Staff Report:***

Public Works Director Searcy stated that Knudsen & Reilly Holdings, LLC (Developer) installed a water main on Farman Street as part of their required improvements to their manufacturing site at Farman & SR 410. Two parcels on the opposite side of Farman Street will benefit from this construction. Pursuant to EMC 14.20, the developer is eligible to place a latecomer agreement in

force to recover a portion of their expenses should the parcels benefiting from the construction connect to the water main. A latecomer agreement has been drafted. The total cost of the improvements eligible for reimbursement is \$43,374.63. Staff recommends approval.

***Council Comments:***

None

***Council Committee Report:***

Hogan stated that the Public Works Committee has reviewed this Resolution and recommends approval.

**HOGAN MOVED TO APPROVE RESOLUTION NO. 1186. BECKWITH SECONDED. MOTION CARRIED 6-0.**

2. Resolution No. 1190

City Clerk Read by Title Only

RESOLUTION NO. 1190

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO ENTER INTO A COMMERCIAL MONTH TO MONTH TENANCY AGREEMENT BETWEEN THE CITY AND ARTS ALIVE INC., FOR 1429 COLE STREET, ENUMCLAW, WASHINGTON.

***Staff Report:***

City Attorney Reynolds stated staff had reviewed the lease a recommends a month to month lease agreement of \$625/month plus state lease hold tax The City ultimately wants to demolish this building to allow for a new building on this site at a later date. There will be a new building on this site at a later date. The \$625 for the building is under the market rate, but Reynolds explained the Arts Alive program and how their presence on Cole Street would benefit the City. At the same time the City was approached by Arts Alive, two other parties expressed their willingness to pay \$850 or more a month for this building. Reynolds stated Administration is recommending Arts Alive.

***Council Comments:***

Ennis asked why they shouldn't rent to the highest offer.

M. Reynolds stated that there are community benefits from Arts Alive's programs that would come from them being in that building.

Ennis asked what type of business the other two offers came from.

M. Reynolds responded that one was an antique shop and the other business had not been determined yet.

Ennis stated that the market should define which business provides the value to the public rather than the government.

L. Reynolds stated that Arts Alive is a non profit organization that has been in the community for over 20 years. During the 20 years, they have put \$250,000 into the community that would otherwise have come out of the taxpayer's pockets. She then listed some of the services that Arts Alive offers.

Jensen stated that the he had been approached by a friend of the antique shop; they are willing to go up to \$1,000 a month, plus excise tax.

Hogan asked if Arts Alive has a permanent space now.

L. Reynolds stated their current location does not allow for a gallery or larger classes.

Beckwith asked what the time period is for this property to be demolished.

Bauer stated that it is a high priority and planning will begin next year.

Mayor Wise stated that it would be easier to move Arts Alive than a regular business.

Mahelona asked if the administration had talked to the other businesses.

Mayor Wise stated the other proposals came in after the decision to lease to Arts Alive had been made.

Jensen stated that the antique shop had sent a letter to the City.

Hogan asked for the terms of the prior lease with Elk Hills Gallery.

Bauer stated that it was \$1,100 and it was month to month.

Beckwith stated that this agreement is not the best if you look at this from a strict business sense. However, if you factor the benefits from leasing to Arts Alive and that it will be a short term lease due to redevelopment, it is a good decision.

Ennis stated that Arts Alive does provide a benefit to the community; however government shouldn't decide which businesses are better for the community, this should be left up to the free market.

Jensen stated that he does not see stability with the Arts Alive moving there. They will have to move again in a year or two.

Hogan stated that renting this building to Arts Alive shows the City's support of the Arts Community, but the difference between market rent and the proposed rent to Arts Alive would more than fund the difference in the budget shortfall for KCSARC.

Mahelona expressed his concern for the discounted rent amount.

Beckwith stated that the City supports the Chamber of Commerce with subsidized rent. It's a decision the City makes to use its government property for the benefit of the citizens.

Mahelona asked what the subsidy that is given to the Chamber of Commerce.

Smalling stated that it's about \$1,000 a month.

Hogan asked if the plans of redevelopment are to sell the property or keep it for ground lease.

Bauer stated a clear decision has not been made at this time.

**BECKWITH MOVED TO APPROVE RESOLUTION 1190 AS AMMENDED. L. REYNOLDS SECONDED. MOTION CARRIED 4-2, ENNIS AND JENSEN OPPOSED.**

3. Resolution No. 1191

City Clerk Read by Title Only.

RESOLUTION NO. 1191

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF THE VILLA VISTA APARTMENTS LOCATED AT 219 SEMANSKI STREET, ENUMCLAW, WASHINGTON TO KARI ANDERSON AND/OR ASSIGNS FOR 2.4 MILLION DOLLARS, CASH AT CLOSING.

***Staff Report:***

City Attorney Reynolds stated the Villa Vista Apartments were purchased to allow for the WWTP expansion. They have made request for proposals which have been published. Some of the proposals were rejected due to the discount that was requested off the purchase price because it was going to be affordable housing. Because this property was acquired by the Wastewater Treatment Fund, an enterprise fund, they are required to obtain the best monetary amount. Another offer was rejected because they wanted the City to finance part of the transaction and this can not be done. Reynolds then listed things that had to happen before this transaction could take place. The cost to the City is another issue that is unresolved. The potential buyer has

submitted a standard form of agreement which provides that their Realtor submitting the agreement is their agent, however, it provides in there that the City pays their agent 5% commission. The City has never listed this property. If this Resolution is passed it gives the Mayor the authority to start signing agreements if it is ultimately closed.

***Council Comments:***

Ennis asked for the appraisal of this property.

Searcy stated that it was approximately \$2.2 to \$2.3 million.

Mahelona asked if the final contract will be brought back to Council so they would know if it is lower than \$2.4 million offer.

M. Reynolds stated that if there are problems with financing and real estate commission or a change in the offer, the Resolution will come back to Council.

Beckwith asked if anyone had spoke with the author of the email Council received today.

Bauer stated that he had spoke with the local businessman; he felt that this was a good offer based on its condition. He was then told that if the offer fell through they would be back to a RFP process.

***Council Committee Report:***

Hogan stated that the Public Works Committee has reviewed this Resolution and recommends approval.

**HOGAN MOVED TO APPROVE RESOLUTION NO. 1191. BECKWITH SECONDED. MOTION CARRIED 6-0.**

**C. GENERAL ITEMS**

**1. Informational Reports**

**a. Tourism/Marketing Plan by Mike Thomas, Community Dev. Director**

Thomas stated there is a meeting this week with the consultants to look at the preliminary report.

**b. Welcome Center by Mike Thomas, Community Dev. Director**

Thomas stated that they are continuing to work on the contract and they should have a draft by the end of December.

Ennis asked if the draft could be sent to Council.

Thomas stated yes.

c. Waste Water Treatment Plant by Chris Searcy, Public Works Director  
Searcy stated that most of the activity was on the review of the proposal for the purchase of the apartments. The work by the staff biologist is complete with their edits, the letter that they are expecting from the US Fish and Wildlife Services got to the desk of the individual that will ultimately sign it. They expect the letter to arrive this week.

Ennis asked at what point the construction schedule would be affected.

Searcy stated that schedule indicates that by February 2, 2007, they would receive the permit from the Army Corp of Engineers. They have indicated that it will take between 30 and 45 days to process it once they receive the letter concurrence from the US Fish and Wildlife Services.

2. Monthly Reports
  - a. Community Development: Building Permits; City Planning
  - b. Court
  - c. Fire Run Count
  - d. Parks: Aquatics; Cultural Programs; Cemetery; Parks; Recreation; Golf Course
  - e. Police
3. Board and Commission Minutes
  - a. Planning Commission Minutes, 10/26/2006

Bauer noted Monthly, Board and Commission Reports.

**COMMENTS FROM THE AUDIENCE:**

Dave Johnson stated that the pool needs improvements to showers and lockers to attract people to the pool.

Fetter responded that there is \$44,000 in the 2007 Budget for pool improvements.

Mayor Wise stated that they have made huge improvements and the Council is committed to making sure the pool is in excellent operation.

L. Reynolds inquired on the increase in infractions.

Zoll responded that it is partly due to the DUI proactive enforcement.

Kathy Olson reported that the area of Loraine Street that she resides on has sewage on the street after storms. She then showed pictures of the area after the last storm. The sewer backs up into the ditches and floods yards.

Bauer stated that the City is currently working on this issue.

Kathy Olson asked when they will have a solution.

Bauer stated that engineering is looking into exactly where the problem is coming from; once that is determined they can find a solution.

Searcy stated that engineering is reviewing whether to do in-house work or if they need a consultant. It will take several months to figure out what the most cost effective and best approach is.

Laurie West stated that 3 years ago her basement flooded with sewer and the water and sewer service was interrupted for several days during problem times. At that time, they were told something would be done about it.

**UNFINISHED BUSINESS:**

Beckwith stated that the Public Works Committee will be discussing the Lorraine Street problems. He then stated that he wants to direct staff into looking at the pool fees.

Fetter thanked citizens for their involvement in the pool. The Parks Department supports helping people with financial needs. The pool is the only department that addresses disabled rates.

Ennis stated that one reason for removing the disabled rates was due to lack of definition and he suggested it should be defined.

Mahelona stated he would agree if the Community Services Committee wanted to revisit this topic.

Hogan, L. Reynolds, and Jensen agreed to send it back to the Community Services Committee.

Mayor Wise recommended sending this issue to the Community Services Committee.

Mahelona asked for an update on 911 Battersby.

Bauer stated that the RFP process has closed and that no proposals were received within the time allotted by the RFP. The City is now working with another potential buyer and has received a modified lease proposal from an existing tenant that is being evaluated.

**NEW BUSINESS:**

None

**EXECUTIVE SESSION:**

None

**ADJOURNMENT:**

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

Meeting adjourned at 10:06 p.m.

Respectfully Submitted,

Marcia Hopkins  
City Clerk