

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

**City Council Regular Session
City Hall Council Chambers
May 14, 2007, 7:30 P.M.**

CALL TO ORDER AND FLAG SALUTE:

Mayor Wise called the meeting to order at 7:30 p.m. Parks Director Fetter led the Pledge of Allegiance.

Mahelona announced all council present.

ATTENDANCE:

Council Members Mahelona, L. Reynolds, Jensen, Coats, Ennis, Beckwith, 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, Parks Director Fetter, Finance Director Smalling, Community Development Director Thomas, and Police Chief Zoll.

ADJUSTMENTS TO THE AGENDA:

Mayor Wise announced that under 7F they would be adding Committee on Committee Report. He then stated that under 9B they would be pulling Resolution No. 1223 and adding Resolution No. 1222. Lastly, under 9C1 they will be adding an issue to be brought forward about the Fire Commissioners.

ANNOUNCEMENTS AND PRESENTATIONS:

A. ANNOUNCEMENTS

1. Wireless Internet Access for the public Now Available for Public Use at the Library During Normal Library Hours
2. City Offices Will Be Closed Monday, May 28, 2007, to Observe the Memorial Day Holiday

Mayor read.

B. PUBLIC HEARING AND MEETING ANNOUNCEMENTS

1. Council Retreat, Saturday, June 9, 2007, 8:00 a.m. – 12 noon, at City Hall
2. AWC Annual Conference, June 12-15, 2007, in Tacoma, WA
3. The Next City Council Meeting Will Be Held on Tuesday, May 29, 2007, Due to the Memorial Day Holiday, Monday, May 28, 2007

Mayor read.

C. CITY EVENTS

1. Evenings on the Plateau Presents Jr/Sr Showcase, May 20, 2007, at 7:30 p.m. at Enumclaw High School; Call 360-802-0233 for More Information and Tickets
2. Evenings on the Plateau Presents Reilly & Maloney, May 26, 2007, at 7:30 p.m. at Enumclaw High School; Call 360-802-0233 for More Information and Tickets

Fetter read.

D. COMMUNITY EVENTS

1. Mutual of Enumclaw/Avanti/TiCycle Stage Race, May 19-20, 2007
2. Green River Gallery at Green River community College at Enumclaw, New Artwork By Diana Breithaupt, Jon Funfar, Suzy Gordon, & Mike Corcoran
3. Enumclaw Chrysler Jeep Dodge Gallery New Artwork By Mike Dilbeck, Sharman Owings, Julie Taylor, John Wise, Gary LaTurner
4. Prospectus for July 2007 Base Camp Juried Art Exhibit at King County Fair Now Available, Contact Gary LaTurner, garylturner@ci.enumclaw.wa.us or 360-802-0233

Fetter read.

COMMENTS FROM THE AUDIENCE:

None

PUBLIC HEARING:

None

TABLED BUSINESS:

None

COUNCIL COMMITTEE REPORTS:

A. Finance - Mahelona, Chair

Mahelona stated that the Committee met on May 14, 2007, and discussed Ordinance Nos. 1245, 1246, and 1247. They reviewed Resolution 1222; recommendation to be given at the appropriate time. Lastly, they discussed the bid award in the consent agenda. The next meeting is June 11, 2007, at 6:30 p.m. at City Hall.

B. Community/Economic Development – Ennis, Chair

Ennis stated that the Committee has not met since the last Council Meeting due to lack of business. The next meeting is on May 22, 2007, at 6:30 p.m. in the Stevenson/Yerxa building.

C. Community Services – Beckwith, Chair

Beckwith stated that the Committee met on May 8, 2007, with the Flint Tip Archers organization that use and take care of Sportsman’s park to discuss the rent and lease of the park. They met with Sally Zoll, the Human Service Advisory Board chairperson regarding donation dollars. They discussed a potential resolution in regards to taking over the cemetery operation. Lastly, they discussed recognizing the City’s Board and Commission and local volunteers. The next meeting is May 22, 2007, at 4:00 p.m. at the Expo Center.

D. Public Safety – Jensen, Chair

Jensen stated that the Committee has not met since the last Council meeting. The next meeting will be on May 29, 2007, at 6:30 p.m. at City Hall.

E. Public Works – Hogan, Chair

Hogan stated that the Committee last met on May 14, 2007, and discussed Resolution 1223, Ordinance No. 2342, received an update on the WWTP, discussed the status of various capital projects throughout the city and discussed the status of the Natural Gas purchases. The next meeting will be May 29, 2007, at 7:00 p.m. at City Hall.

F. Committee on Committee Report – Jensen, Chair

Jensen stated that the Committee last met on April 30, 2007, and discussed the membership of the Expo Committee; they decided that it will include Mahelona, Ennis and Jensen. The next meeting will be May 24, 2007, at 5:00 p.m. at the Expo Center.

JESEN MOVED TO ENTERTAIN A MOTION TO ELECT MAHELONA, ENNIS AND JENSEN TO THE EXPO CENTER COMMITTEE. BECKWITH SECONDED. MOTION CARRIED 7-0.

CONSENT AGENDA:.....Motion to Approve

A. MINUTES

- 1. City Council, 04/23/07

B. VOUCHER AND PAYROLL CERTIFICATION

- 1. Announced During the Finance Committee Report

C. SET PUBLIC HEARING

- 1. Utility Allocation, Ordinance No. 2342, Tuesday, May 29, 2007, 7:30 p.m., City Hall

D. BID AWARD

- 1. Fire Station Air Conditioning

L. REYNOLDS MOVED TO APPROVE CONSENT AGENDA. JENSEN SECONDED. MOTION CARRIED 7-0.

GENERAL BUSINESS:

A. ORDINANCES

1. Ordinance No. 2342 Draft #2 – Allocation of Utility Connections

BECKWITH MOVED TO READ ORDINANCE NO. 2342 BY TITLE ONLY. ENNIS SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2342

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON SETTING FORTH FACTS, CHANGING THE ALLOCATION OF UTILITY CONNECTIONS, AMENDING ORDINANCE NO. 2093.

Staff Report:

Public Works Director Searcy stated that in 1998, Ordinance No. 1987 allocated 500 single family equivalent (SFE) utility connections to various land use categories. In 2002 Ordinance No. 2093 allocated the remaining 256 SFEs of utility capacity to residential lots of record, development and other various uses. In 2006 Ordinance No. 2329 allocated an additional 89 SFEs for single family residential development. Approximately 154 SFEs of the 256 allocated remain unused. The application process set forth by Ordinance No. 2329 has resulted in 13 of the 89 SFEs remaining unused, 9 of the 15 SFEs set aside for septic system conversion remain unused therefore 176 SFEs are available for allocation. The city has granted preliminary plat approval to two residential developments without allocating the necessary utility capacity to serve all of the approved lots. Ordinance No. 1987 and 2093 have previously recognized that approved preliminary plats should have priority of available utility connections. Approved preliminary plats are able to pull utility connections to use more quickly than perspective developments that have not yet submitted a land use application. Staff recommends approval.

Council Comments:

Ennis asked if the CED Committee will be reviewing this.

Searcy stated yes.

Ennis asked when the second draft will be available.

Hogan stated that a redraft of the Ordinance has not been decided yet.

2. Ordinance No. 2345 – Adjusting 2007 Beginning & Ending Fund Balances

MAHELONA MOVED TO READ ORDINANCE NO. 2345 BY TITLE ONLY. L. REYNOLDS SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2345

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON DECLARING AN EMERGENCY EXISTS RELATING TO 2007 ANNUAL OPERATING BUDGET ORDINANCE NO. 2328 AND RECONCILING THE DIFFERENCES BETWEEN ESTIMATED BEGINNING FUND BALANCES AND ACTUAL BEGINNING FUND BALANCES MOVING THOSE AMOUNTS TO ESTIMATED ENDING FUND BALANCES.

Staff Report:

Finance Director Smalling stated that Ordinance Nos. 2345, 2346 and 2347 are all 2007 budget related. Ordinance No. 2345 adjusts the beginning fund balance for 2007, Ordinance No. 2346 re-appropriates money that was scheduled to be spent in 2006 and wasn't, and Ordinance No. 2347 adjusts the 2007 budget based upon items that have come before Council and have been approved for action, items that have been discussed with Council or committees, or adjustments based upon actual performance. He then stated that a worksheet had been distributed to the Finance Committee. When the 2007 budget was prepared the City was not only coming up with figures for 2007, but they were estimating the performance of revenues and expenditures in 2006 and these estimates were used when coming up with beginning fund balances. Now that the City has completed the Year End closing process for its 2006 year, the City knows what the actual ending balances are and therefore can adjust the beginning fund balances in 2007 to actual. The net result this year is a citywide increase of about 1.5 million dollars in the beginning and therefore the ending balances for 2007. Ordinance No. 2345 increase the overall beginning and ending fund balances by 1.5 million dollars, the general fund balance is increased by \$260,000 before the re-appropriation in Ordinance No. 2346 of \$109,000 and adjustments for unanticipated revenues and Welcome Center constructions, net increase is about \$80,000. There are four funds in the recommended reserve policies, the overall ending fund is positive; the available ending fund is negative. The City knew this was going on with the gas fund, the equipment rental fund is not a problem, the data processing and facilities fund were under funded and under the course of the past couple of years the city has been increasing the funds to those, and they are in much better shape.

Council Comments:

Ennis asked if there was intent to suspend the rules tonight due to the emergency declaration language in the ordinance.

Smalling stated that this is the first reading and that emergency language is written when there is any adjustment to the budget.

3. Ordinance No. 2346 – Reappropriating 2006 Unused Budget to the 2007 Budget

MAHELONA MOVED TO READ ORDINANCE NO. 2346 BY TITLE ONLY. JENSEN SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2346

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON DECLARING AN EMERGENCY EXISTS RELATING TO 2007 ANNUAL OPERATING BUDGET ORDINANCE NO. 2328 AND APPROPRIATING ADDITIONAL RESOURCES TO PAY FOR GOODS AND SERVICES THAT WERE AUTHORIZED BUT NOT ACQUIRED IN 2006 FROM ESTIMATED ENDING RESERVES.

Staff Report:

Finance Director Smalling stated he had no additional information.

Council Comments:

None

4. Ordinance No. 2347 – Adjusting the 2007 Budget

L. REYNOLDS MOVED TO READ ORDINANCE NO. 2347 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2347

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON DECLARING AN EMERGENCY EXISTS RELATING TO 2007 ANNUAL OPERATING BUDGET ORDINANCE NO. 2328 AND AUTHORIZING ADJUSTMENTS TO THE BUDGET.

Staff Report:

Finance Director Smalling stated that the Ordinance is divided into 3 segments; items that have prior approval by Council, items that have been reviewed or announced to Council, and items that are recommended by either the Finance or Operating departments based on actual performance.

Council Comments:

None

B. RESOLUTIONS

1. Resolution No. 1223 – Fee Amendment

PULLED

2. Resolution No. 1222

City Clerk Read by Title Only

RESOLUTION NO. 1222

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING RESOLUTION NO. 1211 TO ADJUST THE LEVEL OF AUTHORIZATION FOR CERTAIN CASH CHANGE AND PETTY CASH FUNDS WITHIN CITY DEPARTMENTS.

Staff Report:

Finance Director Smalling stated that this is just an adjustment to the petty cash resolution that City Council passed a couple months ago; it has been reviewed by both the Finance and Public Safety Committee.

Council Comments:

None

Committee Report:

Mahelona stated that the Finance Committee has reviewed Resolution No. 1222 and recommends approval.

MAHELONA MOVED TO APPROVE RESOLUTION NO. 1222. L. REYNOLDS SECONDED. MOTION CARRIED 7-0.

C. GENERAL ITEMS

1. Action Item
2. Informational Reports

Fire Commission Update – **ADDED**

M. Reynolds stated that the Fire Commissioner is dissatisfied with the Joint Operating Agreement and wants to review it now. The City wants to complete the Fire Facilities Plan and then review the Joint Operating Agreement.

Mahelona asked when the study would be done.

Bauer stated that it would be completed by the end of June.

Coats asked if the Fire Commissioner's Attorney agreed with waiting for the Fire Operation Plan to be done first.

M. Reynolds stated that they have not received a communication from the attorney yet.

Ennis asked who requested the negotiation.

Coats stated that the Commissioners have indicated that they are dissatisfied and wanted to revisit the interlocal agreement which led the City to the negotiation.

Hogan asked if the current Joint Operation Agreement has an expiration date.

M. Reynolds stated that it is continuous.

Mahelona asked if they want to resolve the Joint Agreement before the June deadline they gave earlier, and is this what is driving the discussion that the City is having with the commissioners at this time.

M. Reynolds replied that, because they had indicated this concern, the City began the process because they had a June deadline on it.

Ennis stated that because the City agreed to do the Facilities Plan, they decided that we would wait until the Facilities Plan was completed before the City started negotiating the contract.

M. Reynolds stated they have not received an official response yet however the attorney has been on vacation.

Jensen stated that he has been attending the Fire Commissioner Meeting and it seems that the lead agency is the main point of contention.

a. Welcome Center by Mike Thomas, Community Dev. Director

Bauer stated that he had indicated that there was an issue with the current consultant working on the Welcome Center.

Thomas stated that it has become evident to staff that the consultant is having problems performing to the City's standards. After discussions with administration and the consultant a termination contract has been issued. Since then he has contacted **Ottac**, who was the next firm on the list, and met with them in regards to contract requirements and a site visit. **Ottac** is currently working on the contract and hopes to have it to the City in one week.

Coats asked what the contractual arrangements were regarding failure to perform.

Thomas stated that the prior consultant has been paid for the work that was performed.

Coats asked what, if anything, the delay cost the City in regards to staying on track.

Thomas stated nothing; the City is still on track to have the design and construction done by early 2009.

b. Waste Water Treatment Plant by Chris Searcy, Public Works Director

Searcy stated that the contract amendment has been executed with the Cosmopolitan Engineering Group and the design team that has been working on the final design revisions. There was some concerns regarding impacts to the design related to the seismic criteria that was related to the change in code and this issue is being resolved with a June 8, 2007, completion date at which time the project can go out to bid. The Villa Vista closing is set for next week; there is a possibility of a delay due to the lender raising a concern with one of the setbacks on the building related to the plat line adjustment.

Ennis asked when the earthworks is scheduled to begin.

Searcy stated that he would bring a schedule to the next meeting.

c. 1st Quarter Program of Work

Bauer stated that this is information for the June 9, 2007, retreat.

3. Monthly Reports

a. Fire Run Count

b. Parks: Aquatics; Cultural Programs; Cemetery; Parks; Recreation; Golf Course

Bauer noted the Monthly Reports.

Coats asked, in regards to the revenue on Page 117, whether the City is showing steady growth.

Fetter stated that it has been steadily improving; there is a major promotion planned for fall after more renovations.

COMMENTS FROM THE AUDIENCE:

None

UNFINISHED BUSINESS:

Mahelona asked where the City was in finding a replacement Planner for the Community Development Department.

Thomas stated that an Assistant Planner started a week ago and another planner is starting in a week; both positions are filled.

NEW BUSINESS:

None

EXECUTIVE SESSION:

None

ADJOURNMENT:

**BECKWITH MOVED TO ADJOURN THE MEETING. JENSEN SECONDED.
MOTION CARRIED 7-0.**

Meeting adjourned at 8:17 p.m.

Respectfully Submitted,

Marcia Hopkins
City Clerk

THIS MEETING IS BROADCAST LIVE ON ECTV CHANNEL 21

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PLEASE CONTACT THE CITY CLERK FOR ASSISTANCE***