

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

**City Council Regular Session
City Hall Council Chambers
September 10, 2007, 7:30 P.M.**

CALL TO ORDER AND FLAG SALUTE:

Mayor Wise called the meeting to order at 7:33 p.m. Mayor Wise led the Pledge of Allegiance.

Mayor Wise asked for a moment of silence to honor former Congress woman Jennifer Dunn's passing.

Mahelona announced all council present.

ATTENDANCE:

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

ADJUSTMENTS TO THE AGENDA:

Mayor Wise announced that they would be pulling Resolution 1233.

ANNOUNCEMENTS AND PRESENTATIONS:

A. PRESENTATIONS

1. Introduction of New Parks and Recreation Facilities Supervisor, Patrick Eaton, by Larry Fetter, Parks/Rec/Cultural Services Director

Fetter introduced Eaton and explained his duties.

Eaton gave his background and stated he was pleased to be back in the Enumclaw area as a fourth generation resident.

2. "September is Senior Citizen Month" Proclamation Presented to Jobyna Nickum, Enumclaw Senior Center Manager

Mayor read proclamation.

3. "Day of Concern for the Hungry" Proclamation

Mayor read proclamation.

4. "National Alpaca Farm Day In America" Proclamation

Mayor noted WA State has the second largest alpaca population in the nation; Ohio having the largest. He then read and presented the proclamation to Jessica Colis a local breeder.

Colis thanked the city for its support.

B. CITY EVENTS

1. 3rd Annual “Walk and Roll Across Enumclaw” 3.2 Mile Walk to Promote Fitness and Community Involvement, Friday, September 21, 2007, Rotary Centennial Park, 12:00 noon

Hopkins read.

2. Mud Mountain Dam 5K Fun Run, Saturday, October 6, 2007, Registration 8:30 a.m., at Mud Mountain Dam

Fetter read.

3. The City of Enumclaw and Green River Community College, Enumclaw Campus Gallery, Present Paintings and Blown Glass by Local Artists, September 5, 2007 - January 7, 2008. The Show is Entitled “Expressions”

Fetter read.

4. The City of Enumclaw’s Gallery 2007 New Artist Gail Vaden’s Show “A Passion for Horses and Life” September 5 – October 2, 2007 at City Hall, 8:00 a.m.-5:00 p.m.

Lorrie Hilberg, Arts Commission Member, read.

5. City Wide Clean Up Event, September 24-28, 2007

Searcy read announcement and described the limitations to garbage amount allowed due to abuses from previous years. He then noted that the new automated recycle trucks need citizens to allow 3 feet around the containers in order for the automated arms to pick up the cans.

C. COMMUNITY EVENTS

1. Cascade Alpaca Breeders Presentation, “National Alpaca Farm Days”, September 29-30, 2007, 10:00-4:00 p.m., at 15 Local Alpaca Farms – Contact www.cascadealpacabreeders.com for More Information

Mayor read.

COMMENTS FROM THE AUDIENCE:

George Austin of Enumclaw stated that the Enumclaw Community Church, located across from the Chevrolet dealer on Hwy 410, is just out of the city limits. They would like for the church property to be annexed into the city, they need to expand the church due to growth and want to be able to work with the city; King County is harder to deal with and very expensive.

PUBLIC HEARING:

None

TABLED BUSINESS:

None

COUNCIL COMMITTEE REPORTS:

A. Finance - Mahelona, Chair

Mahelona stated that the Committee met on September 10, 2007, and discussed claims, budget amendments and implementing a 1% lodging tax.

Bauer explained that the hotel/motel tax has been discussed previously. The 4% capacity for hotel/motel tax is divided with 1% available to come back to the city, however the city would have to form an advisory committee to make a recommendation, then an advisory board would be formed as the 1% can only be used for tourism.

Mahelona stated that the next meeting is October 8, 2007, at 6:30 p.m. at City Hall.

B. Community/Economic Development – Ennis, Chair

Ennis stated that the Committee met on September 4, 2007, they discussed the rezone ordinances; recommendation to be given at the appropriate time. The next meeting is on September 18, 2007, at 6:30 p.m. in the Stevenson/Yerxa building.

C. Community Services – Beckwith, Chair

Beckwith stated that the Committee met on September 4, 2007. They discussed the Logger's Legacy, pool improvements update, public arts policy, boards and commission recognition plan; the board and commission members do not have an interest to attend a council meeting for recognition so he will make a motion to amend the plan.

BECKWITH MOVED TO HAVE THE BOARD AND COMMITTEE RECOGNITION PLAN AMENDED FROM HAVING THE MEMBERS COME TO COUNCIL MEETINGS TO BE RECOGNIZED TO HAVING THE MAYOR/COUNCIL MEMBERS GO TO THEIR MEETING TO GIVE RECOGNITION. L. REYNOLDS SECONDED. MOTION CARRIED 7-0.

The next meeting is September 4, 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 September 24, 2007, at 6:30 p.m. at City Hall.

E. Public Works – Hogan, Chair

Hogan stated that the Committee last met on September 10, 2007, and discussed a bid award in the consent agenda, ongoing capital projects, the resolutions regarding the WWTP, the Ordinance on the Moratorium for utility connections; recommendation to be given at the appropriate time. The next meeting will be on September 24, 2007, at 6:30 p.m. at City Hall.

F. Expo Center – Jensen, Chair

Jensen stated that the Committee last met on September 10, 2007, and discussed Resolution No. 1234; recommendation to be given at the appropriate time. The next meeting will be on September 13, 2007, at 5:00 p.m. at City Hall.

CONSENT AGENDA:.....Motion to Approve

A. MINUTES

1. City Council, 08/27/07

B. VOUCHER CERTIFICATION

1. Announced During the Finance Committee Report

C. SET PUBLIC HEARING

1. 2008 Property Tax Levy, Mondays, October 22; November 13 and 26, 2007, at 7:30 p.m.
2. 2008 Preliminary Budget, Mondays, November 13, 26 and December 10, 2007, at 7:30 p.m.
3. Moratorium on Annexations and Utility Connections, Monday, September 24, 2007, at 7:30 p.m. at City Hall

D. SET SPECIAL MEETINGS

1. 2008 Budget Meetings, October 24 and November 1, 8, 15, and 29, 2007 at 7:00 p.m. at City Hall

E. BID AWARD

1. Watercress Improvement Project No. 0601

Mahelona noted on page 16 of the packet, page 4 of the minutes, he made a motion. He was not present at the meeting and the minutes need to be changed.

Beckwith stated that November 15 is the Thanks For Giving event which many people attend so he would like to change the date for the 2008 Budget Meeting.

Mayor Wise stated they may not need to meet 5 times and he would review that issue and let Council know.

BECKWITH MOVED TO APPROVE CONSENT AGENDA AS CORRECTED. COATS SECONDED. MOTION CARRIED 7-0.

GENERAL BUSINESS:

A. ORDINANCES

1. Ordinance No. 2354 – Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-07 Properties located at Enumclaw’s WWTP from Residential 4 to Public Land Use Designation

BECKWITH MOVED TO READ ORDINANCE NO. 2354 BY TITLE ONLY. JENSEN SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2354

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING THE ENUMCLAW COMPREHENSIVE PLAN FOR CERTAIN PROPERTIES LOCATED AT THE CITY OF ENUMCLAW WASTERWATER TREATMENT PLANT, 289 SEMANSKI STREET AND THE PROPERTIES JUST NORTHEAST OF THE SITE, ENUMCLAW, WASHINGTON FROM A DESIGNATION OF RESIDENTIAL (R4) LAND USE TO PUBLIC (P) LAND USE DESIGNATION.

Staff Report:

Community Development Director Thomas reminded council that the Ordinances are in pairs by properties as one Ordinance affected the Comp Plan and the other is for a rezone. He then reviewed the purpose of the two Ordinances.

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2354. COATS SECONDED. MOTION CARRIED 7-0.

2. Ordinance No. 2359 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-07 Properties located at WWTP From Residential 4 to Public Land Use Designation Declaring No Adverse Environmental Impact

BECKWITH MOVED TO READ ORDINANCE NO. 2359 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2359

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, REZONING CERTAIN PROPERTY LOCATED AT THE CITY OF ENUMCLAW WASTE WATER TREATMENT PLANT, 289 SEMANSKI STREET AND THE PROPERTIES JUST

NORTHEAST OF THE SITE FROM RESIDENTIAL 4 (R-4) TO PUBLIC (P) ZONING DISTRICT, DECLARING NO ADVERSE ENVIRONMENTAL IMPACT.

Staff Report:

Community Development Director Thomas stated he had no additional information.

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2359. COATS SECONDED. MOTION CARRIED 7-0.

3. Ordinance No. 2355 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-03 Properties located at 2917 Griffin Avenue from Residential 2 to Office Land Use Designation

BECKWITH MOVED TO READ ORDINANCE NO. 2355 BY TITLE ONLY. JENSEN SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2355

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING THE ENUMCLAW COMPREHENSIVE PLAN FOR CERTAIN PROPERTIES LOCATED AT 2917 GRIFFEN AVENUE, ENUMCLAW, WASHINGTON FROM A DESIGNATION OF RESIDENTIAL (R2) LAND USE TO A OFFICE (O) LAND USE DESIGNATION.

Staff Report:

Community Development Director Thomas explained the purpose of the two ordinances.

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2355. COATS SECONDED. MOTION CARRIED 7-0.

4. Ordinance No. 2360 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-03 Properties located at 2917 Griffin Avenue from Residential 2 to General Office Zoning District Declaring No Adverse Environmental Impact

MAHELONA MOVED TO READ ORDINANCE NO. 2360 BY TITLE ONLY. COATS SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2360

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, REZONING CERTAIN PROPERTY LOCATED AT 2917 GRIFFIN AVENUE FROM RESIDENTIAL 2 (R-2) TO GENERAL OFFICE (GO) ZONING DISTRICT, DECLARING NO ADVERSE ENVIRONMENTAL IMPACT.

Staff Report:

Community Development Director Thomas stated he had no additional information.

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2360. COATS SECONDED. MOTION CARRIED 7-0.

5. Ordinance No. 2357 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-06 Properties Known as BMX Track from Public to Industrial land Use Designation

COATS MOVED TO READ ORDINANCE NO. 2357 BY TITLE ONLY. BECKWITH SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2357

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING THE ENUMCLAW COMPREHENSIVE PLAN FOR CERTAIN PROPERTIES KNOWN AS THE BMX TRACK LOCATED AT THE SOUTHWEST CORNER OF

BATTERSBY AVENUE AND GARETT STREET, ENUMCLAW, WASHINGTON FROM A DESIGNATION OF PUBLIC (P) LAND USE TO INDUSTRIAL (IND) LAND USE DESIGNATION.

Staff Report:

Community Development Director Thomas reviewed the purpose of the two ordinances.

Council Comments:

Jensen asked where the BMX Track is being relocated.

Fetter explained that the Park Board is reviewing alternative sites and will have a recommendation soon.

Coats inquired about the time line for both the purchase and sale agreement along with the agreement to relocate the BMX Track.

Bauer stated that the City Attorney has drafted an agreement but he does not recall the time line for the BMX Track Relocation; he will get back to council on that issue.

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2357. COATS SECONDED. MOTION CARRIED 7-0.

6. Ordinance No. 2365 - Comprehensive Plan Amendment/Rezone (CP/Z) #07-06 Properties located at Battersby Avenue and Garrett Street from Public to Light Industrial Zoning District Declaring No Adverse Environmental Impact

L. REYNOLDS MOVED TO READ ORDINANCE NO. 2365 BY TITLE ONLY. COATS SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2365

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, REZONING CERTAIN PROPERTY LOCATED AT SOUTHWEST CORNER OF BATTERSBY AVENUE AND GARRETT STREET FROM PUBLIC (P) TO LIGHT INDUSTRIAL (LI) ZONING DISTRICT, DECLARING NO ADVERSE ENVIRONMENTAL IMPACT.

Staff Report:

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

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2365. COATS SECONDED. MOTION CARRIED 7-0.

7. Ordinance No. 2358 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-08 Properties located at 911 & 945 Battersby Avenue from Public to Industrial Land Use Designation

COATS MOVED TO READ ORDINANCE NO. 2358 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2358

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING THE ENUMCLAW COMPREHENSIVE PLAN FOR CERTAIN PROPERTIES LOCATED AT 911-945 BATTERSBY AVENUE, ENUMCLAW, WASHINGTON FROM A DESIGNATION OF PUBLIC (P) LAND USE TO INDUSTRIAL (IND) LAND USE DESIGNATION.

Staff Report:

Community Development Director Thomas reviewed the purpose of two ordinances.

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2358. COATS SECONDED. MOTION CARRIED 7-0.

8. Ordinance No. 2366 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-08 Properties located at 911 and 945

Battersby Avenue from Public to Light Industrial Zoning District
Declaring No Adverse Environmental Impact

**COATS MOVED TO READ ORDINANCE NO. 2366 BY TITLE ONLY. BECKWITH
SECONDED. MOTION CARRIED 7-0.**

City Clerk Read by Title Only

ORDINANCE NO. 2366

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON,
REZONING CERTAIN PROPERTY LOCATED AT 911-945 BATTERSBY AVENUE FROM
PUBLIC (P) TO LIGHT INDUSTRIAL (LI) ZONING DISTRICT, DECLARING NO
ADVERSE ENVIRONMENTAL IMPACT.

Staff Report:

Community Development Director Thomas stated he had no additional information.

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee recommends approval.

**ENNIS MOVED TO APPROVE ORDINANCE NO. 2366. COATS SECONDED.
MOTION CARRIED 7-0.**

9. Ordinance No. 2362 - Comprehensive Plan Amendment/Rezone
Request (CP/Z) #07-01 Properties located at Blake Street and
Warner Avenue from Residential 1 to Residential 2 Zoning District
Declaring No Adverse Environmental Impact

**BECKWITH MOVED TO READ ORDINANCE NO. 2362 BY TITLE ONLY. COATS
SECONDED. MOTION CARRIED 7-0.**

City Clerk Read by Title Only

ORDINANCE NO. 2362

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON,
REZONING CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF
BLAKE STREET AND WARNER AVENUE FROM RESIDENTIAL 1 (R-1) TO
RESIDENTIAL 2 (R-2) ZONING DISTRICT, DECLARING NO ADVERSE
ENVIRONMENTAL IMPACT.

Staff Report:

Community Development Director Thomas reviewed the purpose of two ordinances.

Council Comments:

L. Reynolds stated that she would be voting no due to the drainage issues in this area.

Mahelona also stated he would be voting no on this ordinance and the next two.

Beckwith stated that he had received two emails and wanted to read them into the record.

Bauer said that the correspondence was received after the public hearing was closed on this topic and could not be read; it would be kept in the records.

Coats stated that he believes that the property owners should be able to develop their property according to city regulations. He then stated that he believes that the developers would have an obligation to take care of drainage issues on their property. He has not yet received confirmation from staff that the city is working with the surrounding responsible parties for the drainage. He then stated he would like to see some action by the council and/or the city. He spoke on the small development within the city and the fear that what has already been developed already is going to be the standard design.

L. Reynolds believes the city codes are vague on what developers can do. She will be voting in opposition to development until city codes are more defined.

Jensen asked what the property PUD is on Warner.

Thomas stated that there is nothing that approaches an R1.

Beckwith stated he believes the property drainage issues can be worked out. He then asked what the density is.

Thomas stated that 15,000 square foot lots are regulation.

Beckwith stated that the drainage on the development will have to be handled, however the existing drainage issues that need to be worked out are not related to these ordinances.

Hogan stated that he respects the work that the Planning Commission does on these issues. There is a demand for affordable housing in the city. He believes a residential 1 zoning is a good buffer between AG zone and residential 2 zone.

Coats stated that he believes council has to think of the economic growth for the community. He then stated his concern on restricting property use.

L. Reynolds stated that the council has an obligation to the citizens to keep Enumclaw a community that people want to live in.

Beckwith stated that increasing density in urban centers is a way to preserve rural areas.

Coats stated that while he was campaigning he heard from citizens that Enumclaw needs more business in town; the citizens do not want urban sprawl.

Maheleona stated that the Holdner Farm will be developed with several hundred homes; council has done there duty.

Committee Report:

Ennis stated that the CED Committee met however only himself and Beckwith attended, Hogan was excused. The Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2362. COATS SECONDED. MOTION FAILED 3-4. JENSEN, HOGAN, MAHELONA, AND L. REYNOLDS OPPOSED.

10. Ordinance No. 2363 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-02 Properties located at Warner Avenue and Watson Street from Residential 1 to Residential 2 Zoning District Declaring No Adverse Environmental Impact

MAHELONA MOVED TO READ ORDINANCE NO. 2363 BY TITLE ONLY. BECKWITH SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2363

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, REZONING CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF WARNER AVENUE AND WATSON STREET FROM RESIDENTIAL 1 (R-1) TO RESIDENTIAL 2 (R-2) ZONING DISTRICT, DECLARING NO ADVERSE ENVIRONMENTAL IMPACT.

Staff Report:

Community Development Director Thomas noted the zoning map change.

Council Comments:

Coats asked if the property is not developed, will it help the drainage issues in that area.

Searcy stated that if the impervious surface is 40% for R2 it would be 30% for an R1, the more impervious surface, the more water runoff. The property could be designed to handle it.

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2363. COATS SECONDED. MOTION FAILED 3-4. L. REYNOLDS, JENSEN, HOGAN, AND MAHELONA OPPOSED.

11. Ordinance No. 2364 - Comprehensive Plan Amendment/Rezone Request (CP/Z) #07-04 Properties located at 703 Warner Avenue from Residential 1 to Residential 2 Zoning District Declaring No Adverse Environmental Impact

BECKWITH MOVED TO READ ORDINANCE NO. 2364 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2364

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, REZONING CERTAIN PROPERTY LOCATED AT 703 WARNER AVENUE FROM RESIDENTIAL 1 (R-1) TO RESIDENTIAL 2 (R-2) ZONING DISTRICT, DECLARING NO ADVERSE ENVIRONMENTAL IMPACT.

Staff Report:

Community Development Director Thomas reviewed the proposed ordinance.

Council Comments:

Coats reminded the council of the economic impact of these decisions in regards to the Expo Center and the long term viability.

Committee Report:

Ennis stated that the CED Committee recommends approval.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2364. COATS SECONDED. MOTION FAILED 3-4. L. REYNOLDS, JENSEN, HOGAN, AND MAHELONA OPPOSED.

12. Ordinance No. 2367 Draft #2– Eliminating EMC Chapter 2.28 Board of Adjustment, Amending Chapter 2.30 Planning

Commission, and Certain Chapters of Title 15, Administration of Development Regulations (Hearing Examiner)

MAHELONA MOVED TO READ ORDINANCE NO. 2367 BY TITLE ONLY. ENNIS SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2367

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, ADDING CHAPTER 2.26 HEARING EXAMINER, ELIMINATING CHAPTER 2.28, BOARD OF ADJUSTMENT, ADMENDING CHAPTER 2.30, PLANNING COMMISSION, AND ADMENDING CERTAIN CHAPTERS OF TITLE 15, ADMINISTRATION OF DEVELOPMENT REGUALTIONS, AND ESTABLISHING AN EFFECTIVE DATE.

Staff Report:

Community Development Director Thomas explained the changes to the ordinance.

Council Comments:

Mahelona stated that he is favor of this ordinance.

Beckwith thanked the staff for the additional information on where this goal came from.

Committee Report:

Ennis stated that the CED Committee recommends approval.

Jensen asked if the preliminary plats need to be added to page 149, section F, number 2.

Thomas stated that it is in C, Recommendations to the Hearing Examiner.

Jensen asked why it is not listed under type 4 permits.

Thomas stated that it is listed by subject.

ENNIS MOVED TO APPROVE ORDINANCE NO. 2367. COATS SECONDED. MOTION CARRIED 6-1. JENSEN OPPOSED.

13. Ordinance No. 2368 – Add Churches and Private Schools to Definition of “Business Development” Under the Current Utility Moratorium

L. REYNOLDS MOVED TO READ ORDINANCE NO. 2368 BY TITLE ONLY. BECKWITH SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2368

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING ORDINANCE NO. 1987, SECTION 3 AND SECTION 7 TO ADD TO THE DEFINITION OF BUSINESS DEVELOPMENT, CHURCHES AND PRIVATE SCHOOLS.

Staff Report:

Public Works Director Searcy stated that Ordinance No. 1987 set forth a methodology for allocation of equivalent residential units of water and sewer capacity and in establishing the allocation, Ordinance No. 1987 set forth specific definitions to define classifications for the purposes of allocation per classification. The Business Development classification set forth in Ordinance No. 1987 allocated 130 ERU's of water and sewer to that classification. There has been interest in churches and private schools developing within the city limits. As written, the current moratorium ordinances do not provide any available sewer utility connections for the development of churches or private schools other than one ERU for vacant residential parcels. Expanding the definition of "Business Development" to include churches and private schools would eliminate the inconsistency. Staff recommends approval.

Council Comments:

Beckwith asked if this will do anything else to zoning and land use.

Thomas stated that it just allows for utility connections.

Jensen asked what definition is the city using in regards to churches and private school.

Thomas stated that per the definitions in the Enumclaw building codes.

Bauer stated that private schools have a state definition.

L. Reynolds asked if the school definition has an attendance requirement.

Beckwith stated that he does not recall an attendance requirement however there is a curriculum requirement.

Mahelona read the definition of school.

14. Ordinance No. 2369 – Moratorium on Utility Connections

BECKWITH MOVED TO READ ORDINANCE NO. 2369 BY TITLE ONLY. L. REYNOLDS SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2369

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING ORDINANCE NO. 2337, WHICH ORDINANCE EXTENDED A MORATORIUM ON THE ISSUANCE OF UTILITY CONNECTIONS, TO PROVIDE AN ADDITIONAL EXTENSION ON THAT MORATORIUM FOR NEW UNRESERVED UTILITY CONNECTIONS FOR RESIDENTIAL USE.

Staff Report:

Public Works Director Searcy stated that Ordinance No. 2337 established a moratorium for new and unreserved residential utility connections within the City for a period of six months. This six month moratorium is set to expire on October 9, 2007. The limited capacity of the City's WWTP has not been resolved in the last six months. Completion of the capacity expansion that will enable this moratorium to be lifted is expected 12 months after construction commences. This moratorium cannot be lifted until the expanded treatment capacity is constructed and operational. This will require at least 12 months. Staff recommends approval.

Council Comments:

None

15. Ordinance No. 2370 – Moratorium on Annexations

**BECKWITH MOVED TO READ ORDINANCE NO. 2370 BY TITLE ONLY.
MAHELONA SECONDED. MOTION CARRIED 7-0.**

City Clerk Read by Title Only

ORDINANCE NO. 2370

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, ESTABLISHING AND CONTINUING A MORATORIUM ON ANNEXATIONS, EXCEPT FOR MUNICIPAL PURPOSES, AND PLATS, WITHOUT UTILITY CONNECTION, ADMENDING ORDINANCE NO. 2338, FOR AN ADDITIONAL SIX (6) MONTHS AND SETTING FORTH FACTS.

Staff Report:

Community Development Director Thomas stated that this ordinance goes along with Ordinance No. 2369 and for all the reason that Searcy stated it is not time to lift the moratorium. Staff recommends approval.

Council Comments:

None

MAYOR WISE RECESSED MEETING FOR 5 MINUTES AT 9:06 P.M.

MAYOR WISE RECONVENED MEETING AT 9:15 P.M.

B. RESOLUTIONS

1. Resolution No. 1233 – Repaint Police Cars To Black and White

PULLED

2. Resolution No. 1234 – Contract for Enumclaw Expo Center Business Plan

City Clerk Read by Title Only

RESOLUTION NO. 1234

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH MARKIN CONSULTING, INC. FOR THE DEVELOPMENT OF THE EXPO BUSINESS PLAN

Staff Report:

Community Development Director Thomas stated that the Expo Center Business Plan is the next step in a progression of city lead efforts to define the future of the Expo Property. In 2005, the City hired the consulting firm of Destination Development to lead a community process and to develop a written document summarizing possible future alternatives. That effort resulted in a document titled “City of Enumclaw, Washington, Tourism Development, Branding & Marketing Plan.” The “Plan” assesses the City’s strengths, weaknesses, and opportunities. Redevelopment of the Expo Center could play a central role in the branding and tourism effort. The Equestrian Center Feasibility Report does not contain sufficient information upon which to make major redevelopment decisions. Thus it was decided that the city should develop a detailed business plan for the Expo Center property. The business plan in general will provide the following information: detailed market demand analysis and financial feasibility and economic impact analysis. The consultant estimates that it will take approximately 18 weeks to complete the work. The cost of the work is estimated at approximately \$58,000. Included in the 2007 budget is \$65,000 for the business plan. Administration recommends approval.

Council Comments:

Beckwith asked if it includes the football field or Pete’s Pool field house.

Thomas stated that it does not include those facilities.

Committee Report:

Jensen stated that the Expo Committee has reviewed this resolution and recommends approval.

**JENSEN MOVED TO APPROVE RESOLUTION NO. 1234. ENNIS SECONDED.
MOTION CARRIED 7-0.**

3. Resolution No. 1235 – Award Construction Contract for Wastewater Treatment Plant Upgrade & Expansion Project.

City Clerk Read by Title Only

RESOLUTION NO. 1235

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, ACCEPTING THE BID FROM PROSPECT CONSTRUCTION, INC. AND AWARDING A CONTRACT FOR THE CONSTRUCTION OF THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that on September 6, 2007, a total of two bids were received for the WWTP project. The bids were within 1% of each other, however, both bids exceeded the Engineer's estimate by about 8%. Draft #2 refers to the updated Engineer's Estimate amount and the recommended contingency. An additional \$4,550,000 of revenue is necessary to complete the project. This will result in additional annual debt service payments of approximately \$400,000 if revenue bonds are used. The monthly impact for the approximately 5,000 single family equivalent connections would be an increase of approximately \$7. This would be an additional and unexpected increase of 14% beyond the series of three 27% increases during 2006-2008. Staff recommends adopting Resolution No. 1235, Draft #2, awarding the bid to Prospect Construction, Inc.

Council Comments:

Beckwith stated that he sat in on the contract bid opening. He was disappointed by the high cost of the project and he wants to know why so many projects are coming in over the engineer's estimates. He sees no reason to go out for bids again.

Committee Report:

Hogan stated that the Public Works Committee has spent many hours reviewing this resolution. The need is still there to build the WWTP and he does not believe re-bidding will be effective.

**HOGAN MOVED TO APPROVE RESOLUTION NO. 1235. COATS SECONDED.
MOTION CARRIED 7-0.**

4. Resolution No. 1236 – Professional Services Agreement with Jacobs Engineering Group for Construction Management of the WWTP Project

City Clerk Read by Title Only

RESOLUTION NO. 1236

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that the city used its roster of consulting engineers to request proposals for construction management services in January 2007. Three firms' submitted proposals and a review team of three staff and two members of the Public Works Committee unanimously agreed that Jacobs Engineering Group is best qualified to manage the construction of a WWTP. The staff and Jacobs have negotiated a scope of work and fee estimate for construction management services to cover the first twelve months of construction.

Council Comments:

Coats stated his concern that the city has to pay for one group of professionals to watch over another group of professionals. He asked for more time for analyzing this.

Beckwith disagreed with the comment that the City wanted to limit this contract to a 12 month 1.1 million contract instead of the 20 month. The intent was not to reduce the shock of the dollar amount. The intent is that when you give a contractor a number they have a tendency to hit that number but if the city gives them a smaller number with the option of reevaluating it at a later date the city would be better off.

Mahelona stated that he felt that number was high and has some concerns regarding it.

Jensen stated that the company would be responsible for materials and making sure things are not taken from the property.

Coats stated that whenever the City complains about the cost of things, there is no change. He would like to see the company that is going to do the construction management, if there is one, give the City some kind of consideration for the fact that the City has to approve the amount of money that they are looking for.

Committee Report:

Hogan stated that the Public Works Committee has spent many hours reviewing this resolution. Another option the city has is to have the designer do the construction management.

HOGAN MOVED TO APPROVE RESOLUTION NO. 1236. BECKWITH SECONDED. MOTION CARRIED 4-3. MAHELONA, L. REYNOLDS, AND COATS OPPOSED.

5. Resolution No. 1237 – Professional Services Agreement with H.R. Esvelt Engineering for Construction Engineering Support for the WWTP Project.

City Clerk Read by Title Only

RESOLUTION NO. 1237

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH H.R. ESVELT ENGINEERING FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that the WWTP upgrade and expansion project will be commencing the construction phase soon and the design consultants have a professional responsibility to ensure the intent of the design is properly carried out through the construction phase. Staff requested a scope of work and fee estimate for each design consultant to cover the entire construction and post-construction phases. Draft #1 of Resolution Nos. 1237-1242 are based upon said scope and fee estimates. The low bid received for construction exceeded the engineer's estimate.

Council Comments:

L. Reynolds asked what percentage difference between the engineer's estimate and the low bid.

Searcy stated that it is 8.3% higher.

L. Reynolds asked why the city is always exceeding the engineer's estimate.

Searcy stated that supplier's costs are higher and the estimates were based on PVC pipes and PVC pipe costs have risen.

Committee Report:

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

Searcy stated that the same design team designed Buckley and came in at the engineers estimate; the city expected the same and was surprised when it did not.

HOGAN MOVED TO APPROVE RESOLUTION NO. 1237. COATS SECONDED. MOTION CARRIED 7-0.

6. Resolution No. 1238 – Professional Services Agreement with Esvelt Environmental Engineering for Construction Engineering Support for the WWTP Project

City Clerk Read by Title Only

RESOLUTION NO. 1238

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ESVELT ENVIRONMENTAL ENGINEERING FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that this is for Larry Esvelt Treatment Process Engineer.

Council Comments:

None

Committee Report:

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

HOGAN MOVED TO APPROVE RESOLUTION NO. 1238. COATS SECONDED. MOTION CARRIED 7-0.

7. Resolution No. 1239 – Professional Services Agreement with Cosmopolitan Engineering Group for Construction Engineering Support for the WWTP Project

City Clerk Read by Title Only

RESOLUTION NO. 1239

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THE COSMOPLITAN ENGINEERING GROUP FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that the Cosmopolitan Engineering Group is responsible for the civil engineering site work design, outfall pipe design.

Council Comments:

Coats reminded Council that this is the company that lost out on the Construction Management contract although they could do it for less than what the City is paying Jacobs to do it for; they are going to work together with Jacobs.

Committee Report:

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

HOGAN MOVED TO APPROVE RESOLUTION NO. 1239. BECKWITH SECONDED. MOTION CARRIED 7-0.

8. Resolution No. 1240 – Professional Services Agreement with Tetra Tech/KCM for Construction Engineering Support for the WWTP Project

City Clerk Read by Title Only

RESOLUTION NO. 1240

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TETRA TECH/ECS ENGINEERING FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that Tetra Tech is the Electrical Engineer, also included in their scope is the integration of the control systems.

Council Comments:

None

Committee Report:

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

HOGAN MOVED TO APPROVE RESOLUTION NO. 1240. COATS SECONDED. MOTION CARRIED 7-0.

9. Resolution No. 1241 – Professional Services Agreement with Structural Research Co. for Construction Engineering Support for the WWTP Project

City Clerk Read by Title Only

RESOLUTION NO. 1241

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH STRUCTURAL RESEARCH CO. FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that they are the structural engineer of the project.

Council Comments:

None

Committee Report:

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

HOGAN MOVED TO APPROVE RESOLUTION NO. 1241. COATS SECONDED. MOTION CARRIED 7-0.

10. Resolution No. 1242 – Professional Services Agreement with HWA Geosciences for Construction Engineering Support for the WWTP Project

City Clerk Read by Title Only

RESOLUTION NO. 1242

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HWA GEOSCIENCES, INC. FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE WASTEWATER TREATMENT PLANT UPGRADE AND EXPANSION.

Staff Report:

Public Works Director Searcy stated that they are the geotechnical engineer for the WWTP.

Council Comments:

None

Committee Report:

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

**HOGAN MOVED TO APPROVE RESOLUTION NO. 1242. COATS SECONDED.
MOTION CARRIED 7-0.**

C. GENERAL ITEMS

1. Action Item
2. Informational Reports

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

Thomas stated that the city met with OTAK and they are on schedule. OTAK presented staff with 5 conceptual building designs; they will be refining the five different concepts into one. Staff was pleased with the work from the consultant.

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

Searcy stated that the earth work will start as early as next week.

c. Logger's Legacy by Larry Fetter, Parks/Rec/Cultural Services Director

Bauer stated that the stone pathway is being laid and the second ox is being finished. He then stated that he felt the city would be receiving quality work.

Coats stated that the log design has not been started; does the council have a concern with this time line.

L. Reynolds stated that the project was to be completed within one year of the City's contribution of \$20,000 and she would like to see this completed within one year.

Beckwith stated that the committee members were willing to sign promissory notes to get the project done on time. He then asked what the informational signs will say.

Coats stated that he would like the committee members to come to the next council meeting to give an update.

Mayor Wise would take care of contacting them.

d. Fire Capital Facilities Plan by Jim Zoll, Police Chief, Interim Fire Chief

Bauer stated that the City should have the plan at the end of the week.

3. Monthly Reports
 - a. Community Development: Building Permits; City Planning
 - b. Fire Run Count
 - c. Police
4. Board and Commission Minutes

a. Planning Commission, 7/19/07

Bauer noted the routine staff reports.

COMMENTS FROM THE AUDIENCE:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Hogan stated that the SPAM on the city email is becoming a problem.

Coats stated that he has it switched to his personal email and his SPAM filter takes care of the problem.

L. Reynolds stated that she attended a CED meeting and asked Thomas if the development codes could be updated. She then suggested having a public meeting with council to upgrade the code and creating an Enumclaw that pleases everyone.

Thomas agreed and stated his desire to have a meeting to discuss the design standards.

Jensen agreed with L. Reynolds.

Coats noted that in a previous meeting it had been mentioned that the new development in the city were cookie cutter houses; he did not notice this, just small lots.

Bauer stated that a workshop would be the first step.

Beckwith stated that a workshop should be set soon, before the budget meetings begin.

L. Reynolds asked if Thomas thinks the City's code needs reviewing.

Thomas spoke on the Elk Meadow development and how it is just one type of design guideline. He stated that he could ask the Planning Commission if they think the code should be reviewed.

Bauer suggested that council is surveyed for point of issues within the current code so the committee can focus on what needs to be addressed.

Coats stated that people are paying a lot of money for their homes and many people like the smaller lots.

EXECUTIVE SESSION:

None

ADJOURNMENT:

**MAHELONA MOVED TO ADJOURN THE MEETING. COATS SECONDED.
MOTION CARRIED 7-0.**

Meeting adjourned at 10:16 p.m.

Respectfully Submitted,

Marcia Hopkins
City Clerk

THIS MEETING IS BROADCAST LIVE ON ECTV CHANNEL 21

***AUDIO EQUIPMENT IS AVAILABLE FOR THE HEARING IMPAIRED
PLEASE CONTACT THE CITY CLERK FOR ASSISTANCE***