

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

**City Council Regular Session
City Hall Council Chambers
November 13, 2007, 7:30 P.M.**

CALL TO ORDER AND FLAG SALUTE:

Mayor Wise called the meeting to order at 7:31 p.m. City Council Member Beckwith led the Pledge of Allegiance.

MAHELONA MOVED TO EXCUSE COUNCIL MEMBER COATS FROM THE NOVEMBER 13, 2007, CITY COUNCIL MEETING. JENSEN SECONDED. MOTION CARRIED 6-0.

ATTENDANCE:

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

ADJUSTMENTS TO THE AGENDA:

Mayor Wise announced that they would be pulling 3.A.1., Relay For Life Presentation, from the agenda.

ANNOUNCEMENTS AND PRESENTATIONS:

A. PRESENTATIONS

1. Relay for Life Presentation by Jennifer Watts, Enumclaw Chair

PULLED

2. 30th Anniversary of Disabled Veteran Outreach Program Proclamation

Mayor Wise read proclamation and noted the new outreach service for Veterans in Auburn

B. PUBLIC HEARING AND MEETING ANNOUNCEMENTS

1. Public Hearings on the 2008 Property Tax Levy, Monday November 26, 2007, at 7:30 p.m.
2. Public Hearings on the 2008 Preliminary Budget, Monday, November 26, 2007, at 7:30 p.m. at City Hall
3. 2008 Budget Meetings, Thursday, November 29, 2007, at 7:00 p.m. at City Hall

Mayor read announcements.

C. CITY EVENTS

1. The City of Enumclaw's Gallery 2007 – Photographer Lisa Parsons' Show "Random Images of the Enumclaw Plateau" November 7 – December 4 at City Hall, 8:00 a.m. – 5:00 p.m.

Lauri Hilberg announced the new artist and gave details of her and her work.

2. City Offices Closed November 22 and 23, 2007, to observe the Thanksgiving Holiday

Mayor Wise read.

D. COMMUNITY EVENTS

1. Chamber of Commerce's Thanks for Giving Dinner Honoring Hometown Heroes, Thursday, November 15, 2007, 6:00 p.m. at the Enumclaw High School Commons
2. Annual Christmas Parade, "Candy Cane Lane" Saturday, December 1, 2007, 6:00 p.m. on Cole Street

Mayor Wise read.

COMMENTS FROM THE AUDIENCE:

None

PUBLIC HEARING:

- A. Setting 2008 Regular Property Tax Rate and Excess Tax Levy for the 1998 Library Refunding Bonds – Ordinance No. 2376 – Second of Three Public Hearings

Mayor Wise read the Public Hearing procedures.

Staff Report:

Finance Director Smalling noted that this is the second hearing. He then recapped his full staff report from the first public hearing. The City is seeking a 1% tax increase; the utility rates are favorable to comparable cities. He then noted the increased costs.

Council Comments:

Ennis asked what the increase in property tax is tied to. Smalling responded that it is tied to increasing costs of the City. Ennis then asked if the revenue was also increasing and Smalling responded yes, but not as much as the costs.

Public Comments:

None

- B. 2008 Preliminary Budget – First of Two Public Hearings

MAYOR WISE OPENED THE PUBLIC HEARING ON THE 2008 PRELIMINARY BUDGET AT 7:46 P.M.

Staff Report:

Finance Director Smalling stated that the City Council is required to adopt a new budget each calendar year according to RCW 25A33. The Preliminary Budget was approved by the Mayor and published on October 5th. At the conclusion of the budget workshops, Council-directed changes will be made to the Preliminary Budget and a final budget ordinance will be drafted for adoption. The first reading of this ordinance is scheduled for November 26th, the second and final

reading is on December 10, 2007. The budget for 2008 covers 34 funds and two project funds. The Preliminary Budget is available to the public on the City's website, at the City Library or in the Finance Department.

Council Comments:

None

Public Comments:

Shelly Pricco, KCSARC volunteer, gave information on KCSARC's services in Enumclaw and why she supports the organization. She encouraged Council to provide the same level of funding to KCSARC as last year.

Athena Dean, on behalf of Enumclaw Rotary, gave a presentation on the 2007 Street Fair and its success. She emphasized the broad advertising it provides Enumclaw through KMPS radio station. She then gave a report on the economic impact of small events to communities. She asked the City to consider the Street Fair as an investment rather than a request for funding to advertise the Street Fair. Renee Popke and Jaelyn Van Hoof, new coordinators of the Street Fair, gave details of the new ideas for the 2008 Street Fair.

Mayor Wise announced that this Public Hearing will continue to the next City Council Meeting.

C. 2008 Revenues

MAYOR WISE OPENED THE PUBLIC HEARING ON THE 2008 REVENUES AT 8:00 P.M.

Staff Report:

Finance Director Smalling stated that Washington State legislation requires public hearings on the proposed revenues of the City for 2008. Many of these revenues are restricted in their use, leaving the City with little discretion. The three key revenues that fund general services are taxes on sales, property and utilities. These taxes support police, fire, parks, library, senior services and other non-revenue services. Total revenues for the City in 2008 increase by \$1.8 million to \$52.9 million. Total General Fund tax revenues available to subsidize non-revenue operations are \$5.9 million. Smalling then reviewed the revenue dollars.

Council Comments:

None

Public Comments:

None

MAYOR WISE CLOSED THE PUBLIC HEARING ON THE 2008 REVENUES AT 8:03 P.M.

TABLED BUSINESS:

None

COUNCIL COMMITTEE REPORTS:

A. Finance - Mahelona, Chair

Mahelona stated that the Committee last met on November 13, 2007, and discussed Ordinance Nos. 2376 and 2377. They also reviewed Resolution No. 1249; recommendation to be given at the appropriate time. Lastly, they discussed the 2008 budget and reviewed claims. The next meeting is December 10, 2007, at 6:30 p.m. at City Hall.

B. Community/Economic Development – Ennis, Chair

Ennis stated that the Committee last met on November 6, 2007, and reviewed Ordinance Nos. 2356 and 2361. The next meeting is on November 20, 2007, at 6:30 p.m. in the Stevenson/Yerxa building.

C. Community Services – Beckwith, Chair

Beckwith stated that they last met on November 6, 2007, with Human Services Advisory Board and reviewed the recommendations to the budget. They also discussed the capital projects in the budget. The next meeting is November 20, 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 City Council meeting. The next meeting will be on November 26, 2007, at 6:30 p.m. at City Hall.

E. Public Works – Hogan, Chair

Hogan stated that the Committee last met on November 13, 2007, and discussed consent agenda items and recommends approval. They also discussed the water system plan and water system capital projects. The next meeting will be on November 26, 2007, at 6:30 p.m. at City Hall.

F. Expo Center – Jensen, Chair

Jensen stated that the Committee’s meeting that was scheduled for November 15, 2007, will be cancelled due to lack of agenda items. They will instead have a Committee in Committee Meeting on November 15, 2007, at 5:00 p.m. at City Hall.

CONSENT AGENDA:.....Motion to Approve

A. MINUTES

1. City Council, 10/22/07
2. 2008 Budget Workshop 10/24/07
3. Joint Fire District #28 Commissioner/Council Fire Master Plan Workshop, 10/17/07

B. VOUCHER CERTIFICATION

1. Announced during the Finance Committee Report.

C. SET SPECIAL MEETINGS

1. Extra Budget Meeting, If Needed, Monday, November 19, 2007, at 7:00 p.m. at City Hall

D. BID AWARD

1. Water Treatment Chemicals for 2008, Project 0713

E. PROJECT ACCEPTANCE

1. Golf Course Well Drilling, Project 0709

Mayor Wise noted the extra budget workshop on November 19, 2007.

Beckwith confirmed that the Council could cancel the November 29, 2007, budget workshop if it is not needed.

MAHELONA MOVED TO APPROVE CONSENT AGENDA. HOGAN SECONDED. MOTION CARRIED 6-0.

GENERAL BUSINESS:

A. ORDINANCES

1. Ordinance No. 2376 - Setting the 2008 Regular Property Tax Rate and Excess Tax Levy for the 1998 Library Refunding Bonds

MAHELONA MOVED TO READ ORDINANCE NO. 2376 BY TITLE ONLY. L. REYNOLDS SECONDED. MOTION CARRIED 6-0.

City Clerk Read by Title Only

ORDINANCE NO. 2376

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, LEVYING THE GENERAL TAXES FOR THE CITY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2008, ON ALL REAL AND PERSONAL PROPERTY WITHIN THE CITY, WHICH IS SUBJECT TO TAXATION FOR THE PURPOSE OF PROVIDING SUFFICIENT REVENUE TO CARRY ON THE NORMAL ACTIVITIES OF THE CITY FOR THE ENSUING YEAR AS REQUIRED BY LAW, AND ESTABLISHING THE EXCESS LEVY FOR 2008.

Staff Report:

Finance Director Smalling stated he had nothing to add to his previous staff report.

Council Comments:

Ennis asked if the Library Refunding Bond is in the budget every year. Smalling responded that in 1988 the City passed a levy to construct the Library. In 1998, the City refunded the bond for a better rate. It has been part of the budget since 1988 and the last payment is in December 2009.

2. Ordinance No. 2377 – Adjust Single Family residential Sewer Bills for Water Leak

BECKWITH MOVED TO READ ORDINANCE NO. 2377 BY TITLE ONLY. JENSEN SECONDED. MOTION CARRIED 6-0.

City Clerk Read by Title Only

ORDINANCE NO. 2377

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, WASHINGTON, AMENDING MUNICIPAL CODE CHAPTER 14.02, SECTION 020 TO ADD AN OPTION FOR ADJUSTMENT OF SEWER BILLS FOLLOWING A WATER LEAK.

Staff Report:

Mayor Wise stated the Public Works Director Searcy made a staff report at the last City Council Meeting. He noted that since Searcy is on vacation Finance Director Smalling would answer any questions.

Council Comments:

None

Committee Report:

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

HOGAN MOVED TO APPROVE ORDINANCE NO. 2377. BECKWITH SECONDED. MOTION CARRIED 6-0.

3. Ordinance No. 2378 - Adjusting the 2007 Budget

L. REYNOLDS MOVED TO READ ORDINANCE NO. 2378 BY TITLE ONLY. MAHELONA SECONDED. MOTION CARRIED 6-0.

City Clerk Read by Title Only

ORDINANCE NO. 2378

AN ORDINANCE OF THE CITY OF ENUMCLAW, 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 this ordinance is divided into three sections: Prior approval by Council, Administrative corrections of year end estimates, and Departmental project adjustments. Smalling then reviewed the adjustments.

Council Comments:

None

4. Ordinance No. 2356 – Amending Comprehensive Plan for Jensen/Chinook Estates Rezone

BECKWITH MOVED TO READ ORDINANCE NO. 2356 BY TITLE ONLY. L. REYNOLDS SECONDED. MOTION CARRIED 6-0.

City Clerk Read by Title Only

ORDINANCE NO. 2356

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AMENDING THE ENUMCLAW COMPREHENSIVE PLAN FOR CERTAIN PROPERTIES KNOWN AS JENSEN/CHINOOK ESTATES LOCATED NORTH AND EAST OF MOUNTAIN VIEW DRIVE, NEAR THE EASTERN EDGE OF THE CITY, ENUMCLAW, WASHINGTON FROM A DESIGNATION OF RESIDENTIAL (R3) LAND USE TO MIXED USE PLANNED DEVELOPMENT (MUPD) LAND USE DESIGNATION.

Staff Report:

Community Development Director Thomas stated this staff report is intended to summarize in part the information and analysis contained in the Community Development's staff report dated October 25, 2007. He then gave a PowerPoint presentation on the Comprehensive Rezone. He stated that the rezone request has been the subject of several meetings and public hearings as well as SEPA review. A number of individuals provided public testimony at one or both of the public hearings held on this matter. These comments centered on the notion of privacy. Thomas then reviewed some of the designs. He also went over the Planning Commission's findings of fact. During the course of its review of the applicant development proposal, the Planning Commission concluded that certain conditions were warranted in order to address issues of safety, functionality and separation of use. Thomas then reviewed the recommended conditions.

Council Comments:

Hogan asked if, because of the gates, the streets would be considered private. Thomas responded that the applicant requested private, however, the City could say if they are private or public.

Beckwith stated that the side set back should be in the Ordinance. Thomas responded that he would clarify the Ordinance for the side set back. Mahelona stated that the northern set back was a matter to discuss with the Planning Commission. Thomas stated that the application proposed

a set back of 10 feet from the Crystal Air Mobile Home property line. The input from the Crystal Air Mobile Home owners was a desire for a 25 feet set back and single story homes; the Planning Commission agreed with the 25 feet set back but either a one or two story home.

5. Ordinance No. 2361 – Jensen PUD Rezone

ENNIS MOVED TO READ ORDINANCE NO. 2361 BY TITLE ONLY. HOGAN SECONDED. MOTION CARRIED 6-0.

City Clerk Read by Title Only

ORDINANCE NO. 2361

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, REZONING CERTAIN PROPERTY KNOWN AS JENSEN/CHINOOK ESTATES LOCATED NORTH AND EAST OF MOUNTAIN VIEW DRIVE, NEAR THE EASTERN EDGE OF THE CITY FROM RESIDENTIAL MOBILE HOME PARK (RMHP) TO PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT, DECLARING NO ADVERSE ENVIRONMENTAL IMPACT.

Staff Report:

Community Development Director Thomas stated he had no additional information.

Council Comments:

None

B. RESOLUTIONS

1. Resolution No. 1249 – Garrett Street Property Sale

City Clerk Read by Title Only

RESOLUTION NO. 1249

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE AND SALE AGREEMENT BETWEEN GATOR NORTHWEST LLC AND DOUGLAS AND SHANON KIRBY AND THE CITY FOR THE GARRETT STREET PROPERTY.

Staff Report:

City Attorney M. Reynolds stated that Resolution No. 1249 authorizes the Mayor to enter into the Purchase and Sale Agreement for the Garrett Street Property. This had gone out for a request for proposals. The City is interested in more than just a monetary consideration for the sale of property. Essential elements become the aesthetics of the project and the taxation and

employment opportunities that would result from a specific project. Based upon all these criteria, the Kirby project was selected. The Purchase and Sale Agreement goes beyond the simple transfer of real estate. Provisions require a specific project, specific design and maintenance. The agreement contains a provision that it may be recorded, which will put the covenants, conditions and restrictions in perpetuity on the property. M. Reynolds suggested that the City elects this option and record. Administration recommends the passage of this resolution.

Council Comments:

Jensen stated that he would like the sidewalks and loop trail issues to be addressed. Fetter stated that the engineers have looked at widening the trail for a loop portion and then going back to the usual width of the trail after the loop area.

Beckwith asked what the other proposal for this property was and what were the differences. M. Reynolds responded that the other proposal was by the facility adjacent to it, it was to expand the motor vehicle transport facility onto the subject property.

Beckwith asked if one of the reasons that was given to Council to go with this proposal was for the potential for retail sales. M. Reynolds stated that it is a possibility whereas the motor vehicle trucking company would not ever have retail sales. Beckwith asked for clarification on if there was anything in the agreement that requires retail sales. M. Reynolds replied no. Beckwith asked for examples of businesses in the City in the light industrial zone which has retail sales. M. Reynolds responded, Plateau Trading Company.

Committee Report:

Mahelona stated that the Finance Committee has reviewed the Resolution and recommends approval.

MAHELONA MOVED TO APPROVE RESOLUTION NO. 1249. L. REYNOLDS SECONDED. MOTION CARRIED 5-1. BECKWITH OPPOSED.

2. Resolution No. 1250- Shoreline Master Plan Consultant Contract

City Clerk Read by Title Only

RESOLUTION NO. 1250

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH LANDAU & ASSOCIATES, INC. FOR THE PURPOSE OF DEVELOPING FOR THE CITY A SHORELINE MASTER PLAN.

Staff Report:

Community Development Director Thomas stated that the state Shoreline Management Act (SMA) requires the City to have in place a Shoreline Master Program (SMP) to protect and

regulate the reach of Boise Creek shoreline that bisects the City's eastern corporate boundary. The Department of Ecology (DOE) recently awarded the City \$60,000 in grant funds to complete its SMP. The grant funds will cover the entire cost of developing the SMP. The DOE expects the City to have in place a SMP by 2009. The proposed project consists of development and adoption of a SMP that is consistent with the procedural and substantive requirements of the SMA and its implementing rules. The SMP project entails the development of a shoreline inventory and analysis of shoreline ecological conditions and land use; a review of community visions for shoreline areas; the development of shoreline policies and regulations; and coordination with DOE and other affected parties such as the Muckleshoot Tribe. Landau & Associates will be responsible for completing each of the tasks identified in the DOE; the City will have a SMP that governs the land use and activities in and proximate to Boise Creek. Landau & Associates will be responsible for completing each of the tasks identified in the DOE grant agreement. City staff will provide overall project management. Staff recommends approval.

Council Comments:

None

Committee Report:

Ennis stated that the CED Committee has reviewed this Resolution and recommends approval.

ENNIS MOVED TO APPROVE RESOLUTION NO. 1250. HOGAN SECONDED. MOTION CARRIED 6-0.

C. GENERAL ITEMS

1. Action Item
2. Informational Reports
 - a. Welcome Center by Mike Thomas, Community Dev. Director

Thomas stated that staff met with the OTAK Consultant and presented the final design and cost estimates. He then stated that he would review these with the Council at the next meeting. Staff focus is on examining the cost numbers to ensure the project can be completed with the dollars budgeted.

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

Mayor Wise stated that Searcy was on vacation.

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

Fetter stated that the sandstone pavers are nearly complete and he hopes the Logger's Legacy Board will be bringing a report to a Council meeting soon. Beckwith asked if the City's \$20,000 contribution was based on a signed promissory note. Fetter responded that a letter was delivered. It was a one-way communication and really functioned as a notice to them; there was no objection from the board. The timing, the funding commitment, and the schedule are all to be completed. Mahelona agreed with Beckwith that the City's commitment to supply a \$20,000 funding was based on a signed promissory note. Fetter stated that the board had to make sure that the project was secure; that was the Logger's Legacy Board's commitment to the funding and they have completed that. A promissory note was one option.

- d. Enumclaw Expo Center Marketing and Branding Plan by Larry Fetter, Parks/Rec/Cultural Services Director

Fetter stated that the business plan was proceeding. At the December 10, 2007, City Council Meeting the consultant will be giving a presentation and they will have held a public meeting by then. The branding plan work begins November 26, 2007, and Council will be getting a schedule of work. Ennis asked if the Council could an update on all meetings with the Consultant. Fetter responded yes.

3. Routine Reports
 - a. Fire Run Count
 - b. Parks: Aquatics; Cultural Programs; Cemetery; Parks; Recreation; Golf Course; Expo Center
 - c. Police
 - d. Quarterly King County Sexual Assault Resource Center
 - e. Quarterly YWCA Domestic Violence Victim Services Report
4. Board and Commission Minutes
 - a. Planning Commission, 8/23/07
 - b. Design Review Board, 10/4/07

Ennis asked Chief Zoll if at the next Public Safety Meeting they could receive an update on the fire inspections.

COMMENTS FROM THE AUDIENCE:

None

UNFINISHED BUSINESS:

Mahelona brought up Coats request for telephone conference equipment to enable him to attend meetings while he is in Florida. He then asked what Council wanted to do. Ennis asked what the cost would be. Mahelona stated it would be about \$700 for equipment. Beckwith stated that there would also be a per minute charge. Smalling stated it would be about \$1,000.

Mahelona stated that Council needs to set up rules to allow this process and then set up guidelines. L. Reynolds stated that for cost savings, time should be limited on what he is involved in to save on charges. Ennis suggested that he just be involved with Ordinances and Resolutions. Mahelona stated that other cities limit involvement to one item chosen by the absent Council Member.

Beckwith stated that he is not concerned about the cost however the potential disruption to the meetings by using the telecom could become an issue when the absent Council Member has something to say, he could not just raise his hand. Hogan agreed that he is not concerned with the cost; he believes going on military deployment is a justified absence. He is also concerned about disruption to the meeting and that handouts are given at the meetings which the absent Council Member would not have. He then stated that he thought maybe the telephone conference could be held only for important topics, not all routine issues.

Beckwith stated that if this does not move forward he would still encourage Coats to keep getting the packets and sending email so his opinion could be read at the Council Meeting. He then asked the Council Members to give their opinion. Ennis stated that he is in favor of letting it happen. Jensen stated that he would not be a Council Member when Coats is gone so he would let other Council decide. L. Reynolds agreed with Hogan and Beckwith. Mahelona stated that he would not want to do a whole meeting with the telephone conference, just certain items. Mayor Wise stated that they will postpone this discussion.

Beckwith asked if Fetter would be at the November 19th budget meeting. Fetter responded no. Beckwith stated that the public art at the sewer plant was voted down. He then stated that he would like to see some examples of design elements that could be incorporated into the building before it is completely voted out of the budget. Fetter stated that the walls are already part of the contract and art would have to be added on later. He then spoke of other options.

Jensen asked what art is part of the landscape. Fetter responded that there would be some free standing artwork as part of the landscape. Fetter then stated that he would bring some of those ideas to a future meeting.

NEW BUSINESS:

None

EXECUTIVE SESSION:

None

ADJOURNMENT:

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

Meeting adjourned at 9:13 p.m.

Respectfully Submitted,

Marcia Hopkins
City Clerk