

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

**City Council Regular Session
City Hall Council Chambers
January 28, 2008, 7:30 P.M.**

CALL TO ORDER AND FLAG SALUTE:

Mayor Pro-Tempore Mahelona called the meeting to order at 7:31 p.m.

Interim Finance Director McKenzie led the Pledge of Allegiance.

Mahelona excused Mayor Wise from the January 28, 2008, City Council Meeting.

M. Reynolds explained the role of Mayor Pro-Tempore.

Ennis announced all Council present.

ATTENDANCE:

Council Members Mahelona, Ennis, Elfers, L. Reynolds, Coats, Beckwith, and Hogan were present. Also present were City Clerk Hopkins, Public Works Director Searcy, Community Development Director Thomas, City Administrator Bauer, Media Services Director Funfar, Parks Director Fetter, City Attorney Reynolds, Community Services Director Baer, Police Chief Zoll, and Interim Finance Director McKenzie.

ADJUSTMENTS TO THE AGENDA:

Mayor Pro-Tempore Mahelona announced that they would be deleting the Tom Young as well as the Plateau Outreach Ministries Presentations, correcting the dates of the Rotary Foundation's Street Fair under Special Events, and also adding an Action Item and an Unfinished Business.

ANNOUNCEMENTS AND PRESENTATIONS:

A. PRESENTATIONS

1. Tom Young from Congressman Reichert Office

Could not attend due to snow.

2. Kimberly Fish, Plateau Outreach Ministries Director, 4th Quarter Report.

Could not attend due to snow.

3. Gary Hemminger, Enumclaw Youth and Family Resource Center Director, 4th Quarter Report

Hemminger apologized for not having the written report ready, he then stated he would hand it out later. He then gave attendance numbers for 4th quarter; these numbers are up 12% in December. On average most kids are there about two hours. He gave details of some of the programs and activities. He then introduced the Executive Director of Auburn Youth Resources (AYR) James Blanchard.

Blanchard spoke about the long term partnership between AYR and Enumclaw Youth and Family Services and the programs they support. He then spoke on the upcoming Auburn Youth

Resources Valentines Breakfast on Friday, February, 8, 2008, in Auburn that is a major funding event for the year. He lastly described the programs for 2008.

B. CITY EVENTS

1. Father/Daughter Valentine's Day Dance, February 2, 2008, three sessions: 2:00 – 4:00 p.m., 5:00 – 7:00 p.m., 8:00 – 10:00 p.m., Thunder Mountain Middle School. For tickets call 360-825-3594.

Fetter read.

2. Evenings on the Plateau, Bobby Medina's "Jazz With a Mexican Twist", February 26, 2008, 7:30 p.m. at the Enumclaw Expo Center's Fieldhouse. For tickets call 360-825-3594.

Fetter read.

COMMENTS FROM THE AUDIENCE:

Sean Martin, Project Manager for Investco, asked for support to retire the moratorium on development when it comes up again. He represents Suntop Farms and they look forward to continuing building homes there this year.

PUBLIC HEARING:

None

TABLED BUSINESS:

None

COUNCIL COMMITTEE REPORTS:

A. Finance - Coats, Chair

Coats stated he is watching the Council Meeting as it streams off the internet. He then stated that the Committee last met on January 28, 2008, and discussed Resolution Nos. 1262 and 1263; recommendations to be given at the appropriate time. They also discussed vouchers, the Kirby Property, Battersby 911/945, and the Sears Property.

M. Reynolds stated that the City had met with Tom George about the rental agreement today. This issue will be reviewed with the City Administrator tomorrow.

Coats stated that in regards to the Kirby property, there has been a short extension for the recording of the railroad property that was approved at the last Council Meeting.

B. Community/Economic Development – L. Reynolds, Chair

L. Reynolds stated that the Committee last met on January 22, 2008, and discussed Ordinance No. 2384; recommendation to be given at a future date. They discussed the professional services agreement on the agenda this evening and the 2006 Fire and Building Code updates, the Welcome Center, and the 2008 Community Development Work Program. The next meeting is on February 5, 2008, at 6:30 p.m. in the Stevenson/Yerxa building.

C. Community Services – Beckwith, Chair

Beckwith stated that the Committee last met on January 23, 2008, and discussed the pool improvements, a baseball summit, park board program of work update, and the library security project. They also discussed Resolution No. 1258; recommendation to be given at the appropriate time. The next meeting is on February 6, 2008, at 5:00 p.m. at the Expo Center.

D. Public Safety – Mahelona, Chair

Mahelona stated that the Committee met twice since the last City Council Meeting. They discussed the fire plan. The next meeting is February 18, 2008, at 6:30 at the Police Station.

E. Public Works – Hogan, Chair

Hogan stated that the Committee last met on January 28, 2008, and discussed the professional service contract on tonight’s consent agenda; recommend approval. They also discussed the Y Bar S water system and whether or not to buy the water system or provide water wholesale; the Committee did not reach a decision and asked that more information and options be brought to the Public Safety Committee and City Council. They received an Y Bar S rate structure and how to handle a future system replacement. Public Safety Committee now unanimously recommends taking over the water system. They also discussed the WWTP and Capital Projects. The next meeting will be on February 11, 2008, at 6:30 p.m. at City Hall.

F. Expo Center – Ennis, Chair

Ennis stated that the Committee has not met since the last Council meeting. The next meeting will be on February 4, 2008, at 6:00 p.m. at the Expo Center.

CONSENT AGENDA:.....Motion to Approve

A. MINUTES

- 1. City Council, 1/14/08
- 2. Industrial Development Corporation, 1/14/08

B. PROFESSIONAL SERVICE CONTRACT

- 1. Annexation Study Consultant Contract
- 2. Amendment to Contract with PACE Engineers

C. SPECIAL EVENTS

- 1. Mutual of Enumclaw Stage Race, May 31, 2008, 9:00 a.m. and June 1, 2008, 6:30 a.m., Railroad Street between Griffin and Washington Avenues.
- 2. Rotary Foundation’s Street Fair, July 25, 2008, 9:00 a.m. – 9:00 p.m., Cole and Railroad Streets, and Initial, Myrtle, and Marshall Avenues

Beckwith asked, in regards to the Annexation Study Consultant, the reason this contractor was chosen. Thomas responded that an RFP went out and only two of the companies had experience with this kind of work. The chosen contractor was one of those two.

Beckwith asked how the price in the proposal was determined. Thomas responded that the City

does not indicate the budgeted amount for the project in the RFP so the company came to the amount on their own calculations.

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

GENERAL BUSINESS:

A. ORDINANCES

1. Ordinance No. 2384 – Suntop Division II

L. REYNOLDS MOVED TO READ ORDINANCE NO. 2384 BY TITLE ONLY FOR THE FIRST READING. BECKWITH SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2384

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, APPROVING THE PRELIMINARY PLAT KNOWN AS SUNTOP FARMS DIVISION II, LOCATED ON THE NORTH SIDE OF WARNER AVENUE EAST, TO THE NORTHEAST OF THE INTERSECTION OF WATSON STREET AND WARNER AVENUE, APPROXIMATELY 800 FEET EAST OF WATSON STREET, OWNED BY SUNTOP 1 LLC. CONSISTING OF APPROXIMATELY 15.24 ACRES OF PROPOSED TO BE ULTIMATELY SUBDIVIDED INTO 72 LOTS.

Staff Report:

Community Development Director Thomas stated that Suntop Division II is located in the Holdener Farm PUD. The plat will provide for a variety of lot sizes and single family type dwellings including cottages. The review process included a SEPA review. The design guidelines should be thought of as unique zoning standards applicable solely to Suntop Division II. They set forth design standards that are applicable to the entire development as well as to the construction of all lots created therein. It addresses such things as facades, setbacks, heights, street standards, fencing, landscaping, ect. The Design Board reviewed and recommended approval of the phase II design guidelines. That recommendation was forwarded to the Hearing Examiner for their consideration. He then discussed some of the changes. A Public Hearing was held on December 17, 2007, and an opinion was issued by the Hearing Examiner on January 3, 2008. The Hearing Examiner found that the following plat approval should be granted subject to 16 conditions, these conditions can be found on pages 119 – 121 in the Agenda Packet. The Hearing Examiner makes a recommendation to the City Council and then the City Council reviews the recommendation and takes action as they deem appropriate.

Council Comments:

L. Reynolds asked, in regards to page 61, why number 8, environmental check list, was struck out. Thomas responded that it points out a discrepancy between what is required by code and what is on the submittal checklist. Pursuant to the code it is not necessary that the applicant

submit the environmental checklist at the time of preliminary plat submittal. He then stated that SEPA was done.

Beckwith asked, in regards to page 63, why no tree types were specified. He then asked if there was a more detailed plan that the Design Review Board has looked at and if the plan could be submitted to the Urban Forest Committee. Thomas responded that the street tree plan will be followed up by the developer that will be reviewed at a later date.

Coats stated, in regards to page 81, that it looks like the driveway width doubles in side by side properties and he is concerned with water run off. Thomas stated that he would defer to the developer on the plan, however it didn't appear to him that the driveways would double.

L. Reynolds asked if it is just implying where the property line would fall. Thomas stated that the dotted line is the property line. Coats stated that it seems to be excessive size for the driveways.

Mayor Pro-Tempore Mahelona asked Thomas to come back to the next Council meeting with an answer.

Elfers stated, in regards to page 81, that it looks like a single car garage with a smaller driveway. Thomas stated that all lots would have a double car garage.

Mayor Pro-Tempore Mahelona asked for an explanation on the frontage on small lots, on page 63. Thomas responded that lots #27-40 are smaller lots for cottage type homes. Their front yards face the open space.

L. Reynolds stated that the CED Committee discussed the proposed retention pond and would like to discuss another option for it with the builder.

B. RESOLUTIONS

1. Resolution No. 1258 – Regional Affordable Housing Program

City Clerk Read by Title Only

RESOLUTION NO. 1258

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH KING COUNTY ENTITLED "REGIONAL AFFORDABLE HOUSING PROGRAM INTERLOCAL COOPERATION AGREEMENT"

Staff Report:

Community Services Director Baer stated that this interlocal agreement will replace the original Interlocal Cooperation Agreement and Administrative Guidelines for Substitute Housing Bill (SHB) 2060 revenues approved by the Council in November 2003. The provisions of SHB 2060 became effective in Washington State on June 13, 2002. SHB 2060 created a \$10.00 surcharge on certain documents recorded with counties to be utilized for low-income housing.

Administration of the fund is shared between local governments and the State. The local portion of SHB 2060 funds are administered pursuant to a cooperative agreement between the County and the Cities and Towns within the County. This program has been named the Regional Affordable Housing Program (RAHP). Baer then summarized the guidelines for the program and the Interlocal Cooperative Agreement. The State initiated fund is the first local dedicated funding source established to assist with providing funding a variety of affordable housing projects. Capital funds are available up to a 50% limit of the total development cost of the project and can be used for not only new construction, but also for property acquisition and rehabilitation. Baer then reviewed changes between the first interlocal agreement and the proposed agreement. The RAHP guidelines and the interlocal agreement have been discussed with the Community Services Committee and the Human Services Advisory Board. Staff recommends approval.

Council Comments:

Beckwith asked if the Human Service Advisory Board recommended this Resolution. Baer responded yes.

Committee Report:

Beckwith stated that the Community Services Committee has discussed this Resolution and recommends approval.

BECKWITH MOVED TO APPROVE RESOLUTION NO. 1258. COATS SECONDED. MOTION CARRIED 7-0.

2. Resolution No. 1262 – Commercial Lease Agreement with Enumclaw Area Chamber of Commerce

City Clerk Read by Title Only

RESOLUTION NO. 1262

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO ENTER INTO A COMMERCIAL LEASE AGREEMENT WITH THE ENUMCLAW AREA CHAMBER OF COMMERCE FOR THE PERIOD OF JANUARY 1, 2008, TO DECEMBER 31, 2008.

Staff Report:

City Attorney M. Reynolds stated that this agreement extends the lease for another year under the same terms and conditions as 2007.

Council Comments:

None

Committee Report:

Coats stated that the Finance Committee has discussed this Resolution and recommends approval.

COATS MOVED TO APPROVE RESOLUTION NO. 1262. MAHELONA SECONDED. MOTION CARRIED 7-0.

3. Resolution No. 1263 – Quit Claim Deed Transmitting Property to Enumclaw Regional Hospital Association

City Clerk Read by Title Only

RESOLUTION NO. 1263

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TRANSMITTING PROPERTY THAT WAS VACATED UNDER A STREET VACATION, ORDINANCE NO. 2339 TO ENUMCLAW REGIONAL HOSPITAL ASSOCIATION.

Staff Report:

City Attorney M. Reynolds stated that normally the person receiving the property is satisfied with the Ordinance recorded for the street vacation. The hospital requested a backup to that with a Quit Claim Deed because they are ready to begin a construction process and they needed this for financing clarification. That transaction has already been done.

Council Comments:

None

Committee Report:

Coats stated that the Finance Committee has discussed this Resolution and recommends approval.

COATS MOVED TO APPROVE RESOLUTION NO. 1263. L. REYNOLDS SECONDED. MOTION CARRIED 7-0.

C. GENERAL ITEMS

1. Action Item

Bauer asked M. Reynolds to go over the property purchase contract for the Kirby Property and the 911/945 Battersby Property.

M. Reynolds stated that the City has entered into a Purchase and Sale agreement with the Kirbys, the closing date on that property is February 1, 2008. The City has already done the platting however it still needs to be recorded by King County. This cannot be closed until it is recorded so the City has put the closing out till February 29, 2008, although it can close earlier once King County has recorded the plat.

Coats stated that the Finance Committee approves this addendum.

COATS MOVED FOR MAYOR WISE TO EXECUTE THE KIRBY SALE ADDENDUM. MAHELONA SECONDED. MOTION CARRIED 7-0.

M. Reynolds stated that the City met with the proposed purchasers of 911/945 Battersby last week. The City will receive confirmation by this Friday on if they will purchase the property for sure.

2. Informational Reports

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

Thomas stated that the design drawings are done and going through King County Permits.

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

Searcy stated that the cement pours are making progress. They are also working to compress the construction schedule down to the contract limits.

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

Bauer stated that the log is under construction.

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

Bauer stated that they are on schedule.

3. Routine Reports

- a. Parks: Aquatics; Cultural Programs; Cemetery; Parks; Recreation; Golf Course; Expo Center

Ennis commented to Fetter that the revenues for the Aquatic Center between 2004 and 2007 have shown an increase each year since the City has taken it over. He then applauded Fetter and his staff in their efforts.

4. Board and Commission Minutes

COMMENTS FROM THE AUDIENCE:

None

UNFINISHED BUSINESS:

Mayor Pro-Tempore asked the City Clerk to read Resolution No. 1261 by Title Only.

RESOLUTION NO. 1261

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO PROCEED TOWARD THE ACQUISITION OF THE Y BAR S WATER SYSTEM.

Staff Report:

Public Works Director Searcy stated that the Public Works Committee discussed the possible system replacement. The grant application and proposal included money that would replace all the service lines from the main out in the street up to the new meter being installed. The mains in the street are not addressed in the grant. The City would create a rate surcharge to Y Bar S residents and monitor system for performance and operating costs. The surcharge would exist as

long as it would take to fund the system. The City will inform Y Bar S residents of the rate system. A Y Bar S resident brought in a poll showing 77% agreement from residents to pay a surcharge in order to have the City take over the water system.

Council Comments:

Ennis asked what the rate surcharge is. Searcy responded that the proposed rate surcharge is on top of the normal outside City limit rates plus any rate surcharge that was necessary to recover the cost of acquiring the system. Anything on top of those items would be considered a rate surcharge to be placed into an account specifically for the replacement of the distribution mains. This was set at \$30.00.

Ennis asked if there was an estimate on how long it would take before that surcharge account had enough dollars in it to replace the system. Searcy stated that the City does not know the specific amount of the additional revenue, nor is it known how long before the money for replacement will be needed. He then gave an overview of the process of acquiring the system. The City can back out of the LID before it is formed.

Ennis stated his concern about the low surcharge dollar amount. Hogan stated that if something catastrophic happens and needs to be replaced there are several options that could be taken. This is the primary action. The Public Works Committee thinks that the risk of supplying water wholesale is greater than acquiring the system.

Coats stated his support of the acquisition.

Mayor Pro-Tempore asked if the City could back out at any time.

M. Reynolds replied yes. He then stated that under the wholesale option if a person doesn't pay their water bill the City could not put a lien on the property. However the City could be assigned the rights from the entity that is buying the connection to the proceeds of the homeowner.

HOGAN MOVED TO APPROVE RESOLUTION NO. 1261. L. REYNOLDS SECONDED.

Elfers asked if the Public Works Committee was unanimous on this recommendation. Hogan responded yes.

Ennis stated that he will vote yes but wants methodology on the rate system that would cover the cost of the system replacement.

MOTION CARRIED 7-0.

NEW BUSINESS:

None

EXECUTIVE SESSION:

None

ADJOURNMENT:

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

Meeting adjourned at 8:53 p.m.

Respectfully Submitted,

Marcia Hopkins
City Clerk