

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

**City Council Regular Session
City Hall Council Chambers
March 10, 2008, 7:30 P.M.**

CALL TO ORDER AND FLAG SALUTE:

Mayor Wise called the meeting to order at 7:35 p.m. Parks Director Fetter led the Pledge of Allegiance.

Mayor Wise announced that Council Member Coats is currently deployed in Florida and will be a part of the meeting via teleconferencing. He then verified his attendance. Mahelona announced all Council present.

ATTENDANCE:

Council Members Mahelona, Hogan, Ennis, Elfers, L. Reynolds, Coats, and Beckwith 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, City Attorney Reynolds, Community Services Director Baer, Police Chief Zoll, and Interim Finance Director McKenzie.

ADJUSTMENTS TO THE AGENDA:

Mayor Wise announced that after the first Announcement there would be a short break for a reception honoring the wrestling team.

ANNOUNCEMENTS AND PRESENTATIONS:

A. ANNOUNCEMENTS

1. Enumclaw High School Wrestling Team State Champion Recognition

Mayor Wise read a proclamation dedicated to the Enumclaw High School Wrestling team and their coaches Lee Reichert, Guy Hanson, and Adam Eidlers. He then spoke briefly on the team and their success. Coach Reichert gave praise to the wrestling team and the commitment the members have made to be the best.

MAYOR RECESSED THE MEETING AT 7:41 p.m.

MAYOR RECONVENED THE MEETING AT 7:44 p.m.

B. CITY EVENTS

1. The City of Enumclaw's Gallery 2008 – Trudy D'Armond and Perry D'Armond, "The Magic of Cats", March 5 – April 1, 2008, at City Hall, 8:00 a.m. – 5:00 p.m.

Fetter read.

2. Evenings on the Plateau – "The Three Generations" at Enumclaw Fieldhouse, March 22, 2008, at 7:30 p.m., for tickets call 825-3594.

Fetter read.

C. COMMUNITY EVENTS

1. Chamber of Commerce Annual Dinner Auction, Friday, March 29, 2008, 6:00 p.m., call 360-825-7666 for information and tickets.

Mayor Wise read.

COMMENTS FROM THE AUDIENCE:

Leo Blodgett, 25607 SE 394th St., Y Bar S resident and thanked the Council for the work the City has done to take over the water system in their neighborhood. He then thanked Chris Searcy for all of his hard work.

Lea Bishop, 25605 SE 372nd St., Y Bar S resident, thanked the Public Works Department for the work they have done on researching the acquisition of the YBarS water system.

Lois Huso, 25810 SE 392nd St., Y Bar S resident, thanked the City for the work the City has done to take over the water system in her neighborhood. She then stated that she is concerned with the water quality and all of the related health concerns.

Scott Thordason, 25615 SE 396th St., Y Bar S resident, thanked the City for working on acquiring their water system.

Mike Lebow, 25825 SE 398th St., Y Bar S resident, stated that Y Bar S needs the City's water and thanked the City for working on acquiring their water system.

PUBLIC HEARING:

A. Moratorium on Platting/Annexations - Ordinance No. 2386
Mayor Wise read the Public Hearing procedures.

MAYOR WISE OPENED THE PUBLIC HEARING ON THE MORATORIUM ON PLATTING/ANNEXATIONS, ORDINANCE NO. 2386 AT 7:51 P.M.

City Clerk and Council Members confirmed that they had not received any public input on this issue.

Staff Report:

Community Development Director Thomas stated that in 1998 the City Council adopted two ordinances placing a moratorium on platting and annexations. The moratorium was enacted due to limited capacity of the City's WWTP and water availability and has been extended every six months since first enacted. Although construction has begun on the WWTP project, completion of the expansion will not occur within the next six months which means the moratorium on platting is still necessary. Staff recommends approval of Ordinance No. 2386.

Council Comments:

None

Public Comments:

Investco representative Sean Martin, 1302 Puyallup St, Puyallup, 98390, introduced Investco Vice President, Kathy Fewins, 1302 Puyallup St, Puyallup, 98390. Kathy Fewins read a letter stating that Investco is the purchaser and developer of the Holdener Farm property. The Holdener Farm property presents a unique opportunity for a high quality residential and commercial development benefiting the current and future citizens of Enumclaw. Investco supports lifting of the moratorium and is requesting that City staff work cooperatively with Investco to plan for the future development of the Holdener Farm property. A Development Agreement provides both certainty and predictability regarding the future development process. Investco looks forward to a productive ongoing relationship with the City. She then thanked the City for its consideration of these comments.

Mayor Wise stated that the Public Hearing will remain open until the next City Council Meeting.

B. Moratorium on Utility Connections – Ordinance No. 2387

MAYOR WISE OPENED THE PUBLIC HEARING ON THE MORATORIUM ON UTILITY CONNECTIONS, ORDINANCE NO. 2387 AT 7:57 P.M.

Staff Report:

Public Works Director Searcy stated that Ordinance No. 2369 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 April 8, 2008. The limited capacity of the 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 to be complete by November 2008. Staff recommends approval.

City Clerk and Council Members confirmed that they had not received any public input on this issue.

Council Comments:

None

Public Comments:

None

Mayor Wise stated that the Public Hearing will remain open until the next City Council Meeting.

TABLED BUSINESS:

None

COUNCIL COMMITTEE REPORTS:

A. Finance - Coats, Chair

Coats stated that the Committee last met on March 10, 2008, and discussed vouchers and the Public Defender Contract; recommendation to be given at the appropriate time. He then asked M. Reynolds to discuss the sale of 911 and 945 Battersby.

M. Reynolds stated that the City owns the 911 and 945 Battersby property and has offered both for sale through the Request for Proposal (RFP) process. The City had received an offer for both properties. Clearly Dynamics, tenant of 945 Battersby, then exercised their right of first refusal to purchase the properties. After a few months, they rescinded the right of first refusal and the purchase agreement. Now Dan Hatch, Clearly Dynamics owner, would like to buy only the 945 Battersby property. Council has already decided to sell the properties together, so they will have to make a determination if they want to sell the property separately. The next decision would then be to whether or not to list the property.

Coats stated that the Finance Committee does not have a recommendation on selling the properties together or separate. He then stated that he was leaving the decision to the full Council.

Hogan asked if the first party's offer is still out there, purchasing both properties. M. Reynolds responded he believed it still was.

L. Reynolds asked how the 945 Battersby property compares to the Sears property. M. Reynolds responded that the 945 Battersby property has already been surplus. The City is not required to go for an RFP although it has been the City's protocol.

Coats stated that the City Council needs to decide if they want to sell the properties together separately. Beckwith stated that the City Council voted to sell the properties together and he sees no reason to change. The City would not need to go out for an RFP until the other potential buyer is contacted.

Mayor Wise stated that administration has not changed their recommendation.

Hogan asked if the City could approach the other buyer. M. Reynolds replied yes, the City could go back to the commercial real estate broker to approach their client.

Mahelona, Ennis, and L. Reynolds agreed with Hogan and Beckwith. Elfers stated that he would go along with Council's decision.

M. Reynolds stated he could re-list with the listing agent, the commercial real estate broker, if Council directed.

BECKWITH MOVED TO RE-LIST THE 911 AND 945 BATTERSBY PROPERTIES WITH THE COMMERCIAL REALTOR. L. REYNOLDS SECONDED. MOTION CARRIED 7-0.

Coats then stated that the Finance Committee also discussed Accounts Receivable issues in regards to gas customers outside the City limits, the Sears property appraisal, utility billing due dates, and Resolution Nos. 1272 and 1273; recommendation to be given at the appropriate time. The next meeting will be held on April 14, 2008, at 6:30 p.m. at City Hall.

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

L. Reynolds stated that the Committee last met on March 4, 2008, and discussed the moratorium; recommendation to be given at the appropriate time. They also discussed impact fees structure but did not have time to discuss the mission statement. The next meeting is on March 18, 2008, at 6:30 p.m. at the Stevenson/Yerxa building.

C. Community Services – Beckwith, Chair

Beckwith stated that the Committee has not met since the last Council Meeting. The next meeting is on March 19, 2008, at 5:00 p.m. at the Expo Center.

D. Public Safety – Mahelona, Chair

Mahelona stated that the Committee met on March 10, 2008, and discussed the contract for the Interim Fire Chief which will be discussed under New Business. The next meeting is March 17, 2008, at 6:30 at City Hall.

E. Public Works – Hogan, Chair

Hogan stated that the Committee last met on March 10, 2008, and discussed Resolution Nos. 1272, 1273, and 1274. They also discussed the Contract Extension on the Consent Agenda and Ordinance No. 2387. The next meeting will be on March 24, 2008, at 6:30 p.m. at City Hall.

F. Expo Center – Ennis, Chair

Ennis stated that the Committee last met on March 3, 2008, and discussed the new reporting system on revenues from events. The next meeting will be on April 7, 2008, at 6:00 p.m. at the Expo Center.

CONSENT AGENDA:

A. MINUTES

1. City Council, 2/25/08

B. VOUCHER AND PAYROLL CERTIFICATION

1. Accounts Payable Vouchers #155708-155963- \$1,803,577.31
2. February 2008 Payroll Vouchers #9586-9656 - \$275,939.76; Payroll Direct Deposits - \$308,919.92 ;Payroll Tax and Benefits - \$167,456.01

C. CONTRACT

1. WWTP Contract Time Extension, Prospect Construction

D. PROFESSIONAL SERVICE CONTRACT

1. Public Defender Contract, Gail Crawford.

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

GENERAL BUSINESS:

A. ORDINANCES

1. Ordinance No. 2386 – Annexation and Platting Moratorium

HOGAN MOVED TO READ ORDINANCE NO. 2386 BY TITLE ONLY FOR THE FIRST READING. BECKWITH SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2386

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. 2370, FOR AN ADDITIONAL SIX (6) MONTHS AND SETTING FORTH FACTS.

Staff Report:

Community Development Director Thomas stated that he had nothing to add to his prior report.

Council Comments:

Beckwith asked if the annexations and platting can be separated. Thomas responded yes.

Beckwith asked when Council would be receiving the report on the financial impact of the annexations. Thomas replied that Council should see a report in about 5 months with completion by Council in about 6 to 8 months.

Mahelona asked if Council needs to request splitting up the annexation and platting. Bauer stated that Administration would bring the Ordinance forward with the annexation moratorium with the platting removed, if Council wanted to drop the platting from the moratorium. If Council desired this action, administration would that direction.

Beckwith asked if this could be ready by the next Council meeting. Bauer stated that the information could be prepared. It would need legal review and may not be done by the next Council meeting. The moratorium could be approved at the next Council Meeting and then amended at a later Council Meeting.

Beckwith stated that he is in favor of ending the moratorium on platting. He then asked if administration needed any direction to this end. Bauer stated that the C.E.D. Committee indicated to the City that they had an interest in this issue and, therefore, the City is strategizing how to meet the request and preparing a Developer Agreement. He anticipates the Platting Moratorium would be put in place again. At the next Council meeting the City could bring back options.

2. Ordinance No. 2387 – Moratorium on Utility Connections

ELFERS MOVED TO READ ORDINANCE NO. 2387 BY TITLE ONLY FOR THE FIRST READING. L. REYNOLDS SECONDED. MOTION CARRIED 7-0.

City Clerk Read by Title Only

ORDINANCE NO. 2387

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING ORDINANCE NO. 2369, 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 he had no additional information.

Council Comments:

Coats asked if this Ordinance would prohibit the City from moving forward with the YBarS water connection. Searcy responded that the moratorium is for sewer connections, not water connections.

B. RESOLUTIONS

1. Resolution No. 1272 – Purchasing and Contracting Policy

City Clerk Read by Title Only

RESOLUTION NO. 1272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENUMCLAW, WASHINGTON REVISING CITY POLICY AND PROCEDURE REGARDING PURCHASING AND CONTRACTING.

Staff Report:

Public Works Director Searcy stated that in February 2007, City Council passed Resolution No. 1196 updating the City's procedures and policies for public works projects, professional services, and purchasing. Beginning in 2008 a new service was made available by the Municipal Research Services Center (MRSC) for agencies to participate in a state wide electronic database for small public works roster and consulting services. The City's policies and procedures for public works projects, professional services, and purchasing must be updated. Resolution No. 1272 replaces Resolution No. 1196. Resolution 1273 separately addresses the small works and professional services policies and procedures that were originally part of Resolution No. 1196 and authorizes staff to contract with MRSC to participate in the statewide roster database. Approval of Resolution Nos. 1272 and 1273 will update the City's procedures and policies for public works projects, professional services, and purchasing to conform to State law. Contracting with MRSC for roster services will save considerable staff time in maintaining and updating separate rosters and provide a larger potential pool consultants and contractors. Staff recommends approval of both Resolution No. 1272 and 1273.

Council Comments:

None

Committee Report:

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

**HOGAN MOVED TO APPROVE RESOLUTION NO. 1272. L. REYNOLDS
SECONDED. MOTION CARRIED 7-0.**

2. Resolution No. 1273 – Small Public Works Roster Process

City Clerk Read by Title Only

RESOLUTION NO. 1273

A RESOLUTION OF THE COUNCIL OF THE CITY OF ENUMCLAW, WASHINGTON, ON THE SUBJECTS OF ESTABLISHING A SMALL PUBLIC WORKS ROSTER PROCESS TO AWARD PUBLIC WORKS CONTRACTS AND A CONSULTING SERVICES ROSTER FOR ARCHITECTURAL, ENGINEERING AND OTHER PROFESSIONAL SERVICES.

Staff Report:

Public Works Director Searcy stated that he had no additional information.

Council Comments:

None

Committee Report:

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

**HOGAN MOVED TO APPROVE RESOLUTION NO. 1273. L. REYNOLDS
SECONDED. MOTION CARRIED 7-0.**

**3. Resolution No. 1274 – Setting Public Hearing for Y Bar S
Water System**

City Clerk Read by Title Only

RESOLUTION NO. 1274

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON, PROVIDING FOR A PUBLIC HEARING ON THE FORMATION OF A LOCAL IMPROVEMENT DISTRICT “L.I.D.” FOR THE ACQUISITION OF, AND IMPROVEMENTS TO, THE Y BAR S WATER SYSTEM IN THE CITY OF ENUMCLAW WATER SERVICE AREA, UNINCORPORATED KING COUNTY, WASHINGTON.

Staff Report:

Public Works Director Searcy stated that one of the actions set forth in Resolution No. 1261 is the formation of a Local Improvement District (LID) to fund the acquisition and improvement costs not covered by the state grant. RCW Chapter 35.43 sets forth the requirements for forming a LID. Staff has received approximately 74 favorable petitions from the 112 property owners within the proposed LID. The next procedural step is to set, by resolution, a date, time and place for a Public Hearing in the formation of the LID. A hearing date of April 14, 2008, at the Council's regular meeting is proposed in order to provide enough time to meet the publication requirements of RCW 35.43.140. Staff recommends approval.

Council Comments:

Beckwith thanked staff for working on not impacting the other water rate payers.

Mahelona asked what the next step is. Searcy replied that the next step is to create an Ordinance to form a LID. He then explained how the LID process works.

Mahelona asked when Y Bar S would have clean water. Searcy replied that he estimates it to be by late summer or early fall of 2008, however, they may have an intermediate connection in place in July.

Committee Report:

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

HOGAN MOVED TO APPROVE RESOLUTION NO. 1274. BECKWITH SECONDED. MOTION CARRIED 7-0.

Searcy stated that the water systems engineer Scott Woodbury has done most of the work on this project.

C. GENERAL ITEMS

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

Thomas stated that the City is still in the permitting process.

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

Searcy stated that the WWTP construction is moving along well. He then described some of the work currently being done.

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

Bauer stated that the scheduled unveiling date is June 14, 2008.

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

Bauer stated that there is no additional information.

3. Routine Reports
 - a. Court
 - b. Police
 - c. King County Sexual Assault Resource Center Client Services Report
4. Board and Commission Minutes

Bauer noted the monthly reports.

COMMENTS FROM THE AUDIENCE:

None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

Bauer stated that he had prepared a packet on hiring the Interim Fire Chief.

Staff Report:

City Administrator Bauer stated that Fire Chief Kolisch retired in March of 2007, and Chief Zoll was selected to be acting Fire Chief until the Fire Master Plan was completed. The Fire Master Plan is now complete and was recently adopted by Council. One of the recommendations of the plan was to investigate a cooperative relationship including the City of Enumclaw, King County Fire District 28 and Fire District 44. The process will take several months to complete and Chief Zoll is to the point where he needs some relief from providing supervision to both departments. In addition, it would be beneficial to both the City and District 28 to have a neutral third party professional providing assistance to the drafting of an interlocal agreement that would implement the creation of a large regional fire and emergency service agency. The City contacted Prothman Company, a local employee resource firm that specializes in new employee searches and providing interim services. The Mayor, Fire Commission Chairman David Hannity, Chief Zoll, and City Administrator Bauer interviewed Doug Dawson, a retired Fire Chief, who served at several cities in California. The interview team was unanimous in its agreement that Dawson was the right person for the job. The cost of Dawson's service would be \$70.00 per hour with an additional \$1,025 per month for living expenses and a one time fee of \$1,100 for moving expenses. The current Fire and EMS budget would provide 8.5 months of Dawson's services. It is anticipated that the City would need Dawson to serve from 3 to 6 months. Staff recommends approval.

Council Comments:

Elfers inquired about the finder's fee. Bauer stated that the City would only pay a finder's fee if that person is hired by the City of Enumclaw. The cost for the Prothman Company's service is included in the \$70 per hour.

Hogan thanked Zoll for running the Fire and Police Department during this time.

Committee Report:

Mahelona stated that the Public Safety Committee has reviewed this issue and recommends approval.

MAHELONA MOVED TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH PROTHMAN FOR AN INTERIM FIRE CHIEF. ENNIS SECONDED. MOTION CARRIED 7-0.

EXECUTIVE SESSION:

None

ADJOURNMENT:

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

Meeting adjourned at 8:46 p.m.

Respectfully Submitted,

Marcia Hopkins
City Clerk