

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

**City Council Regular Session
City Hall Council Chambers
January 11, 2021, 7:00pm**

This meeting was held by videoconferencing (Microsoft Teams platform) to comply with the Governor's *Open Public Meetings Act and Public Records Act*, Proclamation 20-28, and extensions by the State Legislature. It was broadcast live on ECTV, Channel 21, and livestreamed at cityofenumclaw.net.

1. CALL TO ORDER AND FLAG SALUTE:

Mayor Molinaro called the meeting to order at 7:01 p.m. and led the Pledge of Allegiance. Mayor Pro Tem LaFleur announced that all Councilmembers were present, either in person or via videoconferencing.

ATTENDANCE:

In Council Chambers: Mayor Jan Molinaro, Councilmembers Tony Binion, Kyle Jacobson, and Chance LaFleur, City Attorney Mike Reynolds, and City Clerk Maureen Burwell.

At City Hall: Information Services Manager Joe Nanavich and Technician Nick Fuller.

Via Microsoft Teams videoconferencing: Councilmembers Kael Johnson, Anthony Wright, Hoke Overland, and Beau Chevassus; and City Administrator Chris Searcy, Public Works Director Jeff Lincoln, Community Development Director Chris Pasinetti, Senior Planner Dawn Moser, Building Official Don McCann, Parks Director Michelle Larson, Finance Director Stephanie McKenzie, Police Chief Bob Huebler, and Police Commanders Tim Floyd and Tony Ryan.

2. COUNCILMEMBER ANNOUNCEMENTS:

Councilmember Tony Binion announced that he is resigning his Council position effective immediately. He and his husband recently purchased a farm, which is just outside of Enumclaw city limits; he is planning to make that his primary residence and so he is no longer able to serve. He thanked the citizens of Enumclaw for giving him the privilege to serve. He stated that he appreciates the staff and his fellow Councilmembers, and many good things have been accomplished while working together.

Mayor thanked Binion for his service to the City and noted he appreciated his perspective on various topics that were brought before Council, and that will be missed. His Committee work was especially done well. He presented Binion with an Enumclaw tapestry blanket.

Councilmember Kyle Jacobson stated that he recently accepted a job in southeast Texas and he and his family will be moving there soon. He is resigning his position on Council, effective the end of January. He noted that it is difficult to leave the team here and feels this is the best version of politics he could have ever hoped to participate in. Having a younger group of Councilmembers brings creativity. He asserted that the area he is moving to has a cheaper cost of living in every way except for city utilities and city taxes, which speaks well of Enumclaw.

The Mayor also thanked Jacobson for his invaluable service to Council, especially during Covid-19 discussions held with the County and State. He presented Jacobson with an Enumclaw tapestry blanket.

3. RECEPTION

MAYOR RECESSED THE MEETING AT 7:08 P.M.

MAYOR RE-COVENED THE MEETING AT 7:16 P.M.

Binion left the meeting after the reception.

4. ADJUSTMENTS TO THE AGENDA:

None.

Council consensus to approve agenda as published.

5. MOTION TO APPROVE MINUTES:

A. Council Minutes, 12/14/2020

JACOBSON MOVED TO APPROVE THE DECEMBER 14, 2020, MINUTES AS PUBLISHED. LA FLEUR SECONDED. MOTION CARRIED 6-0.

6. ANNOUNCEMENTS AND PRESENTATIONS:

A. ANNOUNCEMENTS

1. Please join Enumclaw Mayor Jan Molinaro and St. Elizabeth Hospital's Chief Operating Officer, Renee Yanchura for a Town Hall meeting on Wednesday, January 13 from 6:30 – 7:30 PM. A link to join the Town Hall meeting will be posted on social media and the City's website.
2. City Offices will be closed on Monday, January 18, 2021, to commemorate the Martin Luther King Jr. Holiday.

Mayor noted the Town Hall and the office closure.

B. PUBLIC HEARING AND MEETING ANNOUNCEMENTS

1. Mount Rainier Christian Center Annexation, 2nd of 2 Public Hearings, January 25, 2021, 7:00 p.m., during regular City Council Meeting

Mayor noted the Public Hearing.

C. COMMUNITY EVENTS

1. Fire Pits Downtown, Every Weekend in January, Friday 2:00 p.m. – Sunday 9:00 p.m., Downtown Cole Street
2. Friday Night Market, January 15, 22, 29, 4:00 p.m. – 8:00 p.m., building formally known as Kelly's Mercantile

Mayor noted the events.

7. COMMENTS FROM THE AUDIENCE:

None.

8. PUBLIC HEARING:

A. Vacation of a Portion of Right-of-Way, County Road 168

MAYOR OPENED THE PUBLIC HEARING AT 7:20 P.M.

Burwell stated the City Clerk's office was forwarded an e-mail received from Colleen Harris of Apex Engineering requesting that this Public Hearing be continued. She and four other individuals requested the Microsoft Teams link to speak at tonight's hearing.

Staff Report:

Lincoln gave a PowerPoint presentation on the request to vacate a portion of Tritchack Road (old County Road 168). It has been unused and unmaintained since SR 410 opened in 1940. A developer is working to assemble multiple parcels of land for a future mobile home park. There is no future use identified for the land or the right-of way. He showed maps of the area explaining the vacation. He asserted that this is a complex action and probably should have been dealt with much earlier; it is a clean-up action. Staff is supportive of continuing the Hearing if Council so desires.

Reynolds noted for the public's information that Councilmember Binion's resignation was effective immediately and he will not be deliberating on this matter and any other matters, however Councilmember Jacobson is continuing on as a Councilmember until the end of the month.

Council Comments:

None.

Public Comments:

Colleen Harris, out-of-City resident from Apex Engineering, is representing the Corliss family in this matter. She gave a brief history of the vacation petition noting it was received on November 19, 2020 and was for a portion of the right-of-way. City staff has supported vacating the entire the right-of-way including the portion that runs through Corliss property as well as the abutting Lozier property. The Corliss family received formal notice of today's Public Hearing on December 28, 2020; they are not currently a signatory to current vacation petition on file. They own more than 50% of the abutting property proposing to be vacated. The Corliss family filed with the City Clerk a request to continue the Public Hearing to allow them to have time to review the implications and discuss with the staff.

Sloan Clack, out-of-City resident from Corliss Resources, stated that they work closely with Colleen Harris and Apex, and she has summarized their position well so no need to take any more of Council's time.

Eric Clarke, out-of-City resident, stated he works with Paras Shah and Jake Bond who are the proponents for this vacation.

Jake Bond, out-of-City resident, stated he is a proponent and believes that Lincoln and Colleen Harris summed up the request well. He thanked Council for considering action on this.

Burwell stated that Paras Shah had sent her Microsoft Teams messages at 7:33 p.m. and 7:37 p.m. that she was having trouble connecting, and that she did not have any comments.

There was Council consensus to keep the Public Hearing open until the next regular City Council meeting.

MAYOR CONTINUED THE PUBLIC HEARING UNTIL THE JANUARY 25, 2021, CITY COUNCIL MEETING.

B. Adoption of the 2018 State Building Code, Ordinance No. 2689

MAYOR OPENED THE PUBLIC HEARING AT 7:39 P.M.

Burwell stated that the City Clerk's office received no communication from the public regarding adopting the 2018 State Building Code.

City Clerk Read by Title Only

ORDINANCE NO. 2689

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING EMC CHAPTERS 16.02, 16.04, 16.06, 16.10, 16.14, 16.22, 16.26, 16.28 AND 16.30 TO UPDATE REFERENCES AND REQUIREMENTS TO REFLECT THE MOST CURRENT STATE BUILDING CODE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Staff Report:

McCann gave a PowerPoint presentation summarizing the State Building Code:

- The State Building Code Council amends the International Building and Fire Codes for Washington State.
- Normally on a three-year cycle (the 2015 amendments were adopted in July 2016), however with Covid-19 restrictions, the 2018 amendment implementation was delayed until February 2021.

Council Comments:

LaFleur inquired whether the State will continue to be lagging for three years when the 2021 Code updates come out. McCann stated that, while these amendments are the 2018 recommendations, the plan will still be to adopt the 2021 changes in 2022, after only one year.

Public Comments:

None.

MAYOR CLOSED THE PUBLIC HEARING AT 7:44 P.M.

C. Closed Record Public Hearing: Rosenbauer Lane Preliminary Plat, Ordinance No. 2700

MAYOR OPENED THE PUBLIC HEARING AT 7:46 P.M.

Burwell stated that the City Clerk's office received no communication from the public regarding the Rosenbauer Lane Preliminary Plat. She noted that correspondence sent to Community Development staff from citizens begins on page 147 of the agenda packet. Two individuals requested the link to speak at tonight's hearing.

Councilmembers confirmed that they received no communication from the public prior to the Public Hearing.

LA FLEUR RECUSED HIMSELF FROM THE DISCUSSION DUE TO A PERCEIVED CONFLICT OF INTEREST.

City Clerk Read by Title Only

ORDINANCE NO. 2700

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON APPROVING THE ROSENBAUER LANE PRELIMINARY PLAT PROPOSED BY ENTITLED FUND II, LLC LOCATED ON THE NORTH SIDE OF ROOSEVELT AVENUE, BETWEEN BOYLE STREET AND 248TH AVENUE SE, CONSISTING OF APPROXIMATELY 6.49 ACRES, PROPOSED TO BE SUBDIVIDED INTO TWENTY- THREE (23) SINGLE- FAMILY RESIDENTIAL LOTS, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Staff Report:

Moser gave a PowerPoint presentation highlighting the preliminary plat request including vicinity maps focusing on the area of the plat:

- The applicant, Entitle II, LLC, submitted the preliminary plat application in August 2020.
- Preliminary plat includes two parcels proposed to be subdivided into 23 single-family residential lots at an average lot size just under 8,700 square feet.
- Moderate Density Single-Family Residential (R-2) zoning district.
- Proposal includes a stormwater detention pond, half-street improvements of Roosevelt Avenue and associated City utility improvements.
- Access off Roosevelt Avenue, with a new public road to serve the lots.
- SEPA environmental review resulted in a Mitigated Determination Non-Significance (MDNS)
- The mitigation measures addressed transportation, infrastructure, stormwater management, construction noise, cultural resource protection and demolition of existing structures.

The Hearing Examiner held a Public Hearing on December 2, 2020 where two citizens provided written comments questioning stormwater management, park space and proposed easements. The Puget Sound Clean Air Agency provided a standard comment regarding demolition of the existing structures.

She detailed some of the features of the site:

- Flat area with various grasses and some trees that are larger than six inches in width.
- Alderwood gravelly sandy loam and Buckley gravelly silt loam.
- One dilapidated structure on site that will be demolished.

She noted that the project is subject to the development standards of R-2 zoning including design principles and standards. The transportation analysis provided by the applicant was reviewed by the Public Works engineering staff. The subdivision will be a mild generator of new traffic. The traffic study identified a failing level of service at the intersection of Roosevelt and 244th; this has already been identified in the Transportation Improvement Plan and improvements are scheduled for 2022.

Some other considerations:

- An in-lieu fee will be paid for Parks & Recreation space. Also, a Park Impact Fee will be paid per dwelling unit at the time of the Building Permit issuance.
- Flensted Park and Rainier Trails Park are within one mile of the proposed subdivision.
- Public services such as Fire Protection and Schools may be impacted, and mitigation fees are required for each.
- Water and sewer certificates have been issued. Other utilities are required to be underground.
- An Inadvertent Discovery Plan will be implemented in the event that any cultural resources or artifacts are discovered.
- There are no hazardous geologic conditions.
- A tree cutting plan will be submitted.

Council Comments:

None.

Public Comments:

Geoff Sherwin, out-of-City resident from JK Monarch, stated he is the proponent for the project. He commended the staff for the very thorough and careful job they have done through this process.

MAYOR CLOSED THE PUBLIC HEARING AT 8:06 P.M.

9. TABLED BUSINESS:

None.

10. COUNCIL COMMITTEE REPORTS:

- A. COMMUNITY AND ECONOMIC DEVELOPMENT – Councilmembers Johnson, Chair; _____, Chevassus

Johnson stated the Committee last met on January 11, 2021. They discussed Ordinance No. 2689. The next meeting is scheduled for Monday, January 25, 5:00 p.m. either via Microsoft Teams or at City Hall.

- B. COMMUNITY SERVICES – Councilmembers _____, Chair; Wright, Jacobson

Wright stated the Committee has not met since the last Council meeting. With the departure of Councilmember Binion and the soon-departure of Councilmember Jacobson, the next meeting is yet to be scheduled.

C. FINANCE – Jacobson, Chair; Overland, Johnson

Jacobson stated the Committee has not met since the last Council meeting. The next meeting is scheduled for Monday, January 25, 6:30 p.m. via Microsoft Teams.

D. PUBLIC SAFETY – Councilmembers LaFleur, Chair; Jacobson, Chevassus

LaFleur stated the Committee has not met since the last Council meeting. The next meeting is scheduled for Tuesday, January 19, 6:00 p.m. at the Police Department.

E. PUBLIC WORKS – Councilmember Wright, Chair; LaFleur, Overland

Wright stated the Committee last met on January 11. They discussed the vacation of a portion of County Road 168 as presented during the Public Hearing; the Consent Agenda items; going out for bid for the Battersby Culvert, waterlines relocation and the Watson overlay; the City Hall brickwork; Shops expansion; and Stevenson-Yerxa remodel. The next meeting is scheduled for Monday, January 25, 5:30 p.m. via Microsoft Teams.

F. CHAMBER OF COMMERCE – Councilmember _____, Liaison; Johnson, Alternate

Johnson stated the Chamber Board has not met since the last Council meeting. The next meeting is scheduled for Wednesday, January 13, 8:30 a.m. via Zoom.

G. SOUND CITIES ASSOCIATION (SCA) - Councilmember LaFleur, Liaison

LaFleur stated that SCA has not met since the last Council meeting. The next meeting is scheduled for Wednesday, January 13, at 7:00 p.m. via Zoom.

H. TOURISM ADVISORY BOARD (TAB) - Councilmember Johnson, Liaison; Chevassus, Alternate

Chevassus stated that TAB last met January 4. They discussed the transition to the new Executive Director of the Chamber, nominating Shannon as their chair. They reviewed their purpose, the successful past events, and potential future events. The next meeting is scheduled for Tuesday, February 2, 9:00 a.m. at The Local.

I. ENUMCLAW EXPO AND EVENTS ASSOCIATION (EEEE) BOARD - Councilmember Wright, Liaison

Wright stated that EEEA has not met since the last Council meeting. He noted that a grant of approximately \$10,000 - \$12,000 has been awarded to the Expo Center. The next meeting is scheduled for Tuesday, January 19, 2 p.m. at the Expo Center.

11. CONSENT AGENDA:

A. VOUCHER AND PAYROLL CERTIFICATION

1. Accounts Payable Vouchers #19637-191842 - \$714,759.68; Void Check #s 191703, 191682 – (\$35.42)
2. November 2020 Payroll Voucher #28975 - \$2,240.00; Payroll Direct Deposits -

\$547,768.43; Payroll Tax and Benefits - \$525,317.34

3. ACH & Wire Transactions - \$291,387.69

B. APPOINTMENTS

1. Planning Commission Position No. 3, Carlie Hendrickson; Term Expires 12/31/2022

C. BID AWARD

1. RW Scott Construction, Semanski-Warner Roundabout Project

D. PROFESSIONAL SERVICE CONTRACT

1. WA State Transportation Improvement Board (TIB), Fuel Tax Grant

JACOBSON MOVED TO APPROVE THE CONSENT AGENDA. LA FLEUR SECONDED. MOTION CARRIED 6-0.

12. GENERAL BUSINESS:

A. ORDINANCE

1. Ordinance No. 2689 – Adoption of the 2018 State Building Code

City Clerk Read by Title Only for the First Reading

ORDINANCE NO. 2689

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING EMC CHAPTERS 16.02, 16.04, 16.06, 16.10, 16.14, 16.22, 16.26, 16.28 AND 16.30 TO UPDATE REFERENCES AND REQUIREMENTS TO REFLECT THE MOST CURRENT STATE BUILDING CODE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Staff Report:

Pasinetti stated there was nothing further to add to the staff report given during the Public Hearing portion of the meeting.

Council Comments:

None.

2. Ordinance No. 2700 – Rosenbauer Lane Preliminary Plat

City Clerk Read by Title Only for the First Reading

ORDINANCE NO. 2700

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON APPROVING THE ROSENBAUER LANE PRELIMINARY PLAT PROPOSED BY ENTITLE FUND II, LLC LOCATED ON THE NORTH SIDE OF ROOSEVELT AVENUE, BETWEEN BOYLE STREET AND 248TH AVENUE SE, CONSISTING OF APPROXIMATELY 6.49 ACRES, PROPOSED TO BE SUBDIVIDED INTO TWENTY- THREE (23) SINGLE- FAMILY RESIDENTIAL LOTS, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

Staff Report:

Moser stated there was nothing further to add to the staff report given during the Public Hearing portion of the meeting.

Council Comments:

LA FLEUR RECUSED HIMSELF FROM THE DISCUSSION DUE TO A PERCEIVED CONFLICT OF INTEREST.

No other Council comments.

B. GENERAL ITEMS

1. Routine Reports

- a. Court
- b. Community Development: Building Permits, City Planning

13. UNFINISHED BUSINESS:

A. Parking Lot Agreement

Reynolds stated the lease and parking lot agreements with the owner of the Thunderdome Car Museum have not yet been fully executed. While there are no substantial problems with the agreements, there needs to be clarification regarding the party who will take construction of the parking lot itself, specifying that the construction can be completed by another entity.

14. NEW BUSINESS:

A. Council Business

LaFleur proposed that the process for filling the open Council position, as well as the soon-to-be open position, be similar to prior vacant positions being filled.:

- Advertise in the Courier Herald and on the City’s website and Facebook page.
- Applications sent to the City Clerk with a due date of February 15.
- Interviews via Microsoft Teams at Council meeting of February 22.
- Either deliberate on February 22 or March 8 to choose two candidates.
- MRSC suggests that one be appointed and have that newly appointed member vote on the second candidate; however, that is not required by Code and LaFleur would prefer to have existing Councilmembers vote and then swear-in both new Councilmembers together.

Council concurred with the process as proposed by LaFleur.

B. Potential Lease – Anderson Riverview Park

Reynolds stated that he has been approached by a faith based non-profit to renovate the property and use the home for a substance abuse rehabilitation center. The residents would develop a trail system for the public to enjoy in conformance with the Shoreline Management Act.

He gave some background on the property:

- Donated to the City of Enumclaw many years ago by Annis Maxey allowing her to build a structure on the property and residing there until her death at which time the property became the City’s, provided they named it “Anderson Riverview Park” after her parents.
- It is a beautiful piece of property located near Mt. Peak and crosses the White River into Pierce County.
- There is a conservation easement on the property to protect the habitat.

- The City does not currently have the resources to develop it as a park.

He noted that he has sent a preliminary agreement to the non-profit organization. After their review, he will present it to Council and the public for comments and discussion.

Discussion ensued by Council with Reynolds and the Mayor answering various questions:

- The house will be renovated by the non-profit. It is necessary to take action on this structure soon or it will be a teardown.
- There has been no RFP (Request for Proposal) to find out if there are other entities interested in a different use for the property.
- Public input will be taken.
- The specific desire of Miss Maxey was to preserve the ecology and the wilderness for future generations.
- Substance abuse is a major problem in society at this time. This is a positive way to help those who are committed to recovering.
- The organization will present at Council at a future date.

There was Council consensus for Reynolds to proceed with the negotiations.

15. EXECUTIVE SESSION:

A. Litigation Per RCW 42.30.110 (i) – Estimated Time 5 Minutes

MAYOR RECESSED THE MEETING AT 8:34 P.M.

MAYOR RE-CONVENED THE MEETING AT 8:37 P.M.

16. ADJOURNMENT:

JACOBSON MOVED TO ADJOURN THE MEETING. LA FLEUR SECONDED. MOTION CARRIED 6-0.

Meeting adjourned at 8:38 p.m.

Respectfully Submitted,

Maureen Burwell
City Clerk

Date Minutes Approved: _____

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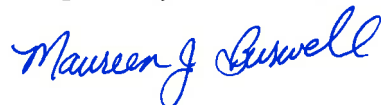
MAYOR RE-CONVENED THE MEETING AT 8:37 P.M.

16. ADJOURNMENT:

JACOBSON MOVED TO ADJOURN THE MEETING. LA FLEUR SECONDED. MOTION CARRIED 6-0.

Meeting adjourned at 8:38 p.m.

Respectfully Submitted,



Maureen Burwell
City Clerk

Date Minutes Approved: 1/25/21