

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

**City Council Regular Session  
City Hall Council Chambers  
September 12, 2022, 7:00 pm**

**1. CALL TO ORDER AND FLAG SALUTE:**

Mayor Molinaro called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Councilmember La Fleur announced Councilmember Wright was absent.

**LA FLEUR MOVED TO EXCUSE WRIGHT FROM THE MEETING. SAUVAGEAU SECONDED. MOTION CARRIED 6-0.**

**ATTENDANCE:**

Councilmembers Beau Chevassus, Thomas Sauvageau, Corrie Koopman Frazier, Bobby Martinez, Chance La Fleur, and Chris Gruner were present. Also present were Mayor Jan Molinaro, City Administrator Chris Searcy, City Attorney Brett Vinson, City Clerk Jessica Rose, Public Works Director Ed Hawthorne, Community Development Director Chris Pasinetti, Police Chief Tim Floyd, Information Services Technician Nick Fuller, and Media Services Technician Zoie Raum.

**2. ADJUSTMENTS TO THE AGENDA:**

Remove 13.A Executive Session.

Council consensus to approve agenda as adjusted.

**3. MOTION TO APPROVE MINUTES:**

A. Council Minutes, 8-22-22

**LA FLEUR MOVED TO APPROVE THE AUGUST 22, 2022, MINUTES AS PUBLISHED. MARTINEZ SECONDED. MOTION CARRIED 6-0.**

**4. ANNOUNCEMENTS AND PRESENTATIONS:**

A. ANNOUNCEMENTS

1. National Hispanic Heritage Month Proclamation

Mayor read the proclamation.

B. PRESENTATIONS

1. Green River College – Kevin Grossman, SBDC Advisor

Grossman gave a quick overview of the Small Business Development Center (SBDC) program, which assists business owners thrive. In Enumclaw, the SBDC have assisted 15 businesses with a gross annual revenue of \$8 million, in which 27% were new businesses. The program measure their outcomes by using a client activity database. An economic impact review shows that for every \$1 invested there is a return of \$3 in tax revenue.

In a response to question by Sauvageau, Grossman stated that some triggers to listen for from business owners who could use assistance include:

- Selling their business
- Working harder and earning less
- Marketing challenges

Chevassus complimented Grossman for the work SBDC does.

C. COMMUNITY EVENTS

1. *Gallery 2022 Presents Artist Tim Nix*, Tuesday, September 6 – Tuesday, October 4, City Hall Council Chambers, 9:00 a.m. – 5:00 p.m.

2. *Concerts in the Park Series*: CJQ, Friday, September 16; Paul Johnson Quartet, Friday, September 23, 7:00 p.m. Rotary Centennial Park
3. *Residential Neighborhood Clean-up*, Monday, September 19 through Friday, September 23, on normal garbage pick-up days
4. *First Responder Monument Dedication*, Tuesday, September 20, 7:30 p.m. City Hall front steps.

Mayor noted the events.

**5. COMMENTS FROM THE AUDIENCE:**

Robert Mondrzyk, In-City Resident, addressed Council in regard to a neighborhood problem. There is a concern for safety of improper parking that could potentially cause accidents for those that try to turn onto the road. There are also concerns of people driving too fast within the area.

**6. PUBLIC HEARING:**

- A. City Council Public Hearing, EMC Amendment regarding Outdoor Swimming Pool Regulations, Ordinance No. 2740

**MAYOR OPENED THE PUBLIC HEARING AT 7:26 P.M.**

Rose confirmed that the City Clerk's office received no communication from the public regarding the Pool Regulations Amendment.

City Clerk Read by Title Only

ORDINANCE NO. 2740

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING ORDINANCE NO. 1960 REGARDING FENCING FOR OUTDOOR SWIMMING POOLS EMC SECTION 19.32.070.

***Staff Report:***

Pasinetti stated that Ordinance No. 2740 would remove the fencing requirements for outdoor swimming pools within the zoning code, but will maintain the setback requirements. The amendment does not entirely remove required fencing as Title 16 already has adopted the International Swimming and Spa Code. The International Code requires fencing for outdoor pools, but also allows exemptions for certain types of powered safety covers for pools.

***Council Comments:***

In response to a question by Martinez, Pasinetti stated Title 16 allows the City to adopt the State Code.

In response to several questions by Gruner, Pasinetti stated that at the time he does not have the answer on whether or not the powered covers for pools have to be automatic or their failure rate. The City will do an inspection on pool covers after installation to ensure it meets the state requirements.

***Public Input:***

None

**MAYOR CLOSED THE PUBLIC HEARING AT 7:33 P.M.**

**7. TABLED BUSINESS:**

None.

**8. COUNCIL COMMITTEE REPORTS:**

A. COMMUNITY AND ECONOMIC DEVELOPMENT – Councilmembers Wright, Chair; La Fleur, Chevassus

La Fleur stated the Committee last met via Teams on September 12. They discussed Ordinance No. 2740 and Resolution No. 1764. The next meeting is scheduled for Monday, September 26, 4:30 p.m. at City Hall.

B. COMMUNITY SERVICES – Councilmembers Sauvageau, Chair; Koopman Frazier, Gruner  
Sauvageau stated the Committee has not met since the last meeting. The next meeting is scheduled for Monday, September 19, at 5:00 p.m. at City Hall.

C. FINANCE – Councilmembers Koopman Frazier, Chair; Martinez, Gruner  
Koopman Frazier stated the Committee has not met since the last meeting. The next meeting is scheduled for Monday, September 26, 6:30 p.m. in the Finance Department.

D. PUBLIC SAFETY – Councilmembers Chevassus, Chair; Sauvageau, Martinez  
Chevassus stated the Committee has not met since the last meeting. The next meeting will be on Monday, October 17, 6:00 p.m. at the Police Department.

E. PUBLIC WORKS – Councilmembers LaFleur, Chair; Wright, Gruner  
La Fleur stated the Committee last met on September 12. They discussed the Department of Commerce grant, Ordinance No. 2471, and the assigning of Public Works projects. La Fleur thanked Hawthorne for all the work he has done for the City. The next meeting is scheduled for Monday, September 26, 5:30 p.m. in the Council conference room at City Hall.

F. CHAMBER OF COMMERCE – Councilmembers Sauvageau, Liaison; Chevassus, Alternate  
Chevassus stated the Chamber Board has not met since the last meeting. The next meeting is scheduled for Wednesday, September 14, 8:00 a.m. at Key Bank.

G. SOUND CITIES ASSOCIATION (SCA) - Councilmembers La Fleur, Liaison; Koopman Frazier, Alternate  
La Fleur stated that SCA has not met since the last meeting. The next meeting is scheduled for Wednesday, September 14, 7:00 p.m. via Zoom.

H. TOURISM ADVISORY BOARD (TAB) - Councilmember Chevassus, Liaison  
Chevassus stated that TAB last met on September 2. They discussed the events held within the City, the Mount Rainier sign, and Crystal Mountain scheduled to use the Expo parking lot on December 24<sup>th</sup> to shuttle visitors to the park. The next meeting is scheduled for Tuesday, October 4, 9:00 a.m. at the Local.

I. ENUMCLAW EXPO AND EVENTS ASSOCIATION (EEEE) BOARD - Councilmember Wright, Liaison  
No report given.

**9. CONSENT AGENDA.....Motion to Approve**

**A. SET PUBLIC HEARINGS**

1. 2023 Property Tax Levy Public Hearings, Mondays, November 14 and 28, 7:00 p.m., City Hall Council Chambers
2. 2023 Preliminary Budget Public Hearings, Mondays, November 14 and 28, 7:00 p.m., City Hall Council Chambers

**B. APPOINTMENTS**

1. Library Advisory Board, Position No. 2, Danni Hamilton – Term Expires 12/31/27

C. PROFESSIONAL SERVICE AGREEMENT

1. Department of Commerce – City Hall Phase II Grant

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

**10. GENERAL BUSINESS:**

A. ORDINANCES

1. Ordinance No. 2740 – EMC Amendment Regarding Swimming Pool Regulations

City Clerk Read by Title Only for the First Reading

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***Staff Report:***

Pasinetti stated that he has nothing further to add to his report that was given during the Public Hearing.

***Council Committee Report:***

None given.

***Council Comments:***

None

2. Ordinance No. 2741 – Gas Rate and Charges

City Clerk Read by Title Only for the First Reading

ORDINANCE NO. 2741

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING ENUMCLAW MUNICIPAL CODE SECTION 14.12.15, TO ESTABLISH A METHOD FOR ADJUSTING THE NATURAL GAS UTILITY BILL FOR TAXES AND GOVERNMENTAL IMPOSITIONS ASSESSED ON THE CITY.

***Staff Report:***

Hawthorne stated that the Ordinance 2741 will amend the current EMC to give the City authority to charge customers accounts with those costs associated with the Climate Control Act (CCA). It will be known by the end of this month if the City is a covered entity, if so, then beginning of January 1, 2023, the City of Enumclaw must participate in the Ecology's auctions to purchase the Allowances required to cover 2023-2026 emission obligations. The EMC currently does not have a section that allows for the cost of emissions to be charged to a customer account. Staff recommends approval.

***Council Committee Report:***

None given.

***Council Comments:***

In response to a question by Sauvageau, Hawthorne stated the fees will be broken out on the bill as a separate charge.

In response to a question by Martinez, Hawthorne stated he would check with staff on how the fees will be labeled.

B. RESOLUTIONS

1. Resolution No. 1764 – Chad Griffin Annexation

City Clerk Read by Title Only

RESOLUTION NO. 1764

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON ACKNOWLEDGING THE RECEIPT OF A NOTICE OF INTENT TO ANNEX CERTAIN REAL PROPERTY KNOWN AS THE MR. CHAD GRIFFIN ANNEXATION, AND REJECTING SAID ANNEXATION.

**Staff Report:**

Pasinetti stated that a petition signed by property owners representing a minimum of 10% of the assessed value of the subject area has been submitted by Mr. Chad Griffin located at 44521 244<sup>th</sup> Avenue SE. The 10% petition is the first substantive step in the 60% petition annexation method. The City Council shall decide to either accept, reject, or modify the proposed annexation area. Approval of Resolution No. 1764 would reject the annexation as proposed.

**Council Committee Report:**

La Fleur stated the Community and Economic Development Committee reviewed and recommend approval of Resolution No. 1764 to reject the annexation.

**Council Comments:**

A quick Council discussion included:

- Another property owner within the area has inquired annexation about a few years back.
- The decision to reject the annexation was not so much based of lack of staff time or the budget to hire a consultant, but the area will eventually be built as a residential area and eventually annexed in as a whole.
- Taking a pause from annexations and digest what is already within City limits.
- If a property is annexed into the City and meets the requirements to become a subdivision, the City is unable to stop it. Approving and rejecting annexations is a way Council can control the growth of the City.
- Traffic concerns

Property Owner Chad Griffin was present and stated that he agrees that it should be a bigger area for annexation and was under the impression that the City wanted to grow.

**Council Action:**

**LA FLEUR MOVED TO APPROVE RESOLUTION NO. 1764, CHAD GRIFFIN ANNEXATION. GRUNER SECONDED. MOTION CARRIES 5-1. SAUVAGEAU OPPOSED.**

2. Resolution No. 1765 – MOU Opioid Settlement

City Clerk Reads Resolution by Title Only

RESOLUTION NO. 1765

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO SIGN THE ONE WASHINGTON MEMORANDUM OF UNDERSTANDING BETWEEN WASHINGTON MUNICIPALITIES RELATING TO THE ALLOCATION AND USE OF OPIOID SETTLEMENT PROCEEDS.

**Staff Report:**

Searcy stated that this was addressed in April to indicate likelihood of signing onto the opioid litigation settlement. This Resolution is for Council's approval to give the Mayor authority to execute the Memorandum of Understanding with One Washington. This would release the pharmaceutical companies from any future claims from the City and to take part in the settlement proceeds to be used for opioid abatement strategies that are set forth in the exhibit. The settlement amount and estimated

allocation for Enumclaw is \$115,000. The MOU must be executed by September 23, 2022 in order to participate.

***Council Committee Report:***

None

***Council Comments:***

In response to a question by Sauvageau, Searcy and Vinson stated that it is not clear on whether the settlement will be paid in one full payment or over time.

***Council Action:***

**LA FLEUR MOVED TO APPROVE RESOLUTION NO. 1765, MOU OPIOID SETTLEMENT. SAUVAGEAU SECONDED.**

**MOTION CARRIES 6-0**

**11. UNFINISHED BUSINESS:**

**12. NEW BUSINESS:**

**13. EXECUTIVE SESSION:**

REMOVED A. Real Estate Per RCW 42.30.110 (1.b) – Estimated Time 25 Minutes

**14. ADJOURNMENT:**

Mayor and Council thanked Hawthorne for all the work he has done for the City and wishes him well in his new adventure.

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

Meeting adjourned 8:11 p.m.

Respectfully Submitted,

Jessica Rose  
City Clerk

Date Minutes Approved: \_\_\_\_\_

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***Council Comments:***

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Jessica Rose  
City Clerk

Date Minutes Approved: 9-26-22