

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

**City Council Regular Session
City Hall Council Chambers
October 10, 2022, 6:00 pm**

1. CALL TO ORDER AND FLAG SALUTE:

Mayor Molinaro called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. Pro Tem Wright announced Councilmember Gruner was absent.

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

ATTENDANCE:

Councilmembers Anthony Wright, Beau Chevassus, Thomas Sauvageau, Corrie Koopman Frazier, Bobby Martinez, and Chance La Fleur were present. Also present were Mayor Jan Molinaro, City Administrator Chris Searcy, City Attorney Brett Vinson, City Clerk Jessica Rose, Finance Director Chris Anderson, Police Commander Mike Graddon, Interim Public Works Director Scott Woodbury, Community Development Director Chris Pasinetti, Information Services Director Joe Nanavich and Technician Nick Fuller, and Media Services Technician Zoie Raum.

2. ADJUSTMENTS TO THE AGENDA:

Council consensus to approve agenda as published.

3. MOTION TO APPROVE MINUTES:

A. Council Minutes, 9-26-22

WRIGHT MOVED TO APPROVE THE SEPTEMBER 26, 2022, MINUTES AS PUBLISHED. LA FLEUR SECONDED. MOTION CARRIED 6-0.

4. ANNOUNCEMENTS AND PRESENTATIONS:

A. ANNOUNCEMENTS

1. Spirit of Enumclaw Award – Dennis DeAugustine

Mayor read and presented Award to DeAugustine.

B. PUBLIC HEARING AND MEETING ANNOUNCEMENTS

1. City Council Public Hearing, 2022 Comprehensive Plan Amendments, Ordinance No. 2743, November 14, 2022, 7:00 p.m. City Hall

Mayor noted the announcement.

C. COMMUNITY EVENTS

1. Enumclaw High School's *Homecoming Parade*, Friday, October 14, 4:00 p.m., Cole Street

Mayor noted the event.

5. COMMENTS FROM THE AUDIENCE:

None

6. PUBLIC HEARING:

None

7. TABLED BUSINESS:

None.

8. COUNCIL COMMITTEE REPORTS:

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

Wright stated the Committee has not met since the last meeting. The next meeting is scheduled for Monday, October 24, time to be determined, 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, November 21, at 5:00 p.m. at via Teams.

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, October 24, 4:30 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 is scheduled on Monday, November 21, at 6:00 p.m., at the Police Department.

E. PUBLIC WORKS – Councilmembers LaFleur, Chair; Wright, Gruner

La Fleur stated the Committee last met on October 10. They discussed the project acceptance and the Public Works Director Salary Grade on the consent agenda, Ordinances No. 2742, 2744, and 2745, new gas connections per the Climate Commitment Act (CCA), and general updates on various projects and work plan. The next meeting is scheduled Monday, October 24, time to be determined, in the Council conference room at City Hall.

F. CHAMBER OF COMMERCE – Councilmembers Sauvageau, Liaison; Chevassus, Alternate

Sauvageau stated the Chamber Board has not met since the last meeting. The next meeting is scheduled for Wednesday, October 12, 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, October 12, 7:00 p.m. via Zoom.

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

Chevassus stated that TAB last met on October 4. They discussed the Parks Director position, events calendar provided by the Game Vault, chainsaw competition, Christmas items, and an alternate is needed. The next meeting is scheduled for Tuesday, November 1, 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 meeting. The next meeting is scheduled for Monday, October 25, 6:00 p.m. at the Expo Center.

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

A. SET SPECIAL MEETINGS

- 1. Executive Session, Potential Litigation, RCW 42.30.110(1)(i), Monday, October 24, 2022, 5:00 p.m., City Hall – Estimated time 1 hour

B. APPOINTMENTS

- 1. Arts Commission, Position No. 6, Milda Hadaway – Term Expires 12/31/2025
- 2. Civil Service Commission, Position No. 2, Danielle Munroe – Term expires 12/31/2027
- 3. Library Advisory Board. Position No. 1, Cynthia Sable – Term expires 12/31/2026

C. PROJECT ACCEPTANCE

1. Miles Resources – City Parking Lot Improvements

D. POLICY APPROVAL

1. City Leave Policies; Vacation Leave; Sick Leave; Bereavement Leave

E. SALARY GRADE APPROVAL

1. Public Works Director – Grade 54

WRIGHT MOVED TO APPROVE THE CONSENT AGENDA. LA FLEUR 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 Second Reading

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 Ord. 2740 would remove the fencing requirements for outdoor swimming pools from the zoning code. This requirement will not be fully removed as it is still located in Title 16, International Swimming Pool and Spa Code, which gives an option for applicants to either install a barrier or a powered pool cover.

Council Committee Report:

Wright stated the Ordinance was reviewed by the Community and Economic Development Committee and they are in full approval. He did read a statement given by Councilmember Chris Gruner, who has concerns regarding safety by removing the fencing requirement in the EMC..

In a response to a question by Wright, Pasinetti stated that he is unable to quantify the accidental drownings involving pools with fencing and those with powered pool covers. The change to the International Swimming Pool and Spa Code made this option available in 2012.

Council Comments:

La Fleur stated that safety risks regarding pools with fencing are similar to safety risks with powered pool covers.

Council Action:

WRIGHT MOVED TO APPROVE ORDINANCE NO. 2740, EMC AMENDMENT REGARDING SWIMMING POOL REGULATIONS. CHEVASSUS SECONDED. MOTION CARRIES 6-0

2. Ordinance No. 2742 – Solid Waste Rate Increase

City Clerk Read by Title Only for the First Reading

ORDINANCE NO. 2742

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON AMENDING ENUMCLAW MUNICIPAL CODE, EMC SECTION 8.12.180 TO INCREASE SOLID WASTE COLLECTION RATES FOR GARBAGE, RECYCLING AND YARD WASTE.

Staff Report:

Searcy explained that the state law requires a city that provides solid waste services, must notify citizens 45 days prior to the effective date of a rate increase. King County Solid Waste Division will enact a 9.6% rate increase for funding capital projects and other initiatives required for operations. In addition, Waste Management Recycle and Cedar Grove Compost will enact a rate adjustment of 8% beginning December 2022 and 8% beginning January 2023.. The City is proposing a 9% rate increase in 2023, which will provide the funds needed for tipping fees and increased operating expenditures for equipment and services.

Council Committee Report:

La Fleur stated that the Public Works Safety Committee has reviewed and recommends approval.

Council Comments:

None

3. Ordinance No. 2744 – Waive Water Rate Increase

City Clerk Read by Title Only for the First Reading

ORDINANCE NO. 2744

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON WAIVING AN ANNUAL ADJUSTMENT FOR INFLATION BY THE CONSUMER PRICE INDEX FOR WATER RATES FOR THE YEAR 2023 AS SET FORTH IN ENUMCLAW MUNICIPAL CODE 14.04.190 B.

Staff Report:

Searcy stated that the City has set up an annual Consumer Price Index (CPI) rate increase each year. At this time, the additional revenue is not needed from both the water and sewer rate increases. There is also a debt service on the expense side for waste water utility that will be falling off over the next three years.

Council Committee Report:

None given

Council Comments:

In response to a question by Sauvageau, Searcy stated that the City is in a good position to not have to raise rates and potentially hurting any possible future capital projects due to inflation. The only critical project is the Boise Creek project, the remaining water line replacements can be postponed if needed.

4. Ordinance No. 2745 – Waive Sewer Rate Increase

City Clerk Read by Title Only for the First Reading

ORDINANCE NO. 2745

AN ORDINANCE OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON WAIVING AN ANNUAL ADJUSTMENT FOR INFLATION BY THE CONSUMER PRICE INDEX FOR SEWER RATES FOR THE YEAR 2023 AS SET FORTH IN ENUMCLAW MUNICIPAL CODE 14.08.030 E.

Staff Report:

Searcy stated the capital projects for sewer are different than the water projects. The projects are a combination in reducing overflows during heavy rain events, which would make the regulators critical that should not be deferred. The lift station construction can be deferred, but the force main replacement project on Lorraine would help capacity wise and reduce overflow events. The project at the Wastewater Treatment Plant was given several years to get the infrastructure in place for the additional treatment level that would be required at certain times of the year. Even with this information, it is still

recommended to waive the sewer rate increase for 2023.

Council Committee Report:

None given

Council Comments:

None

B. RESOLUTIONS

1. Resolution No. 1767 – Terminating Emergency Declaration for COVID-19

City Clerk Read by Title Only

RESOLUTION NO. 1767

A RESOLUTION OF THE CITY OF ENUMCLAW, KING COUNTY, WASHINGTON TERMINATING THE EMERGENCY DECLARATION FOR THE COVID-19 CORONAVIRUS OUTBREAK AS WAS SET FORTH IN RESOLUTION NO. 1678.

Staff Report:

Searcy stated the City has not used very many provisions under the emergency declaration that took place on March 16, 2020. Since it was set forth by Resolution No. 1678, it was thought best to officially end the emergency declaration with another Resolution.

Council Comments:

None

Council Action:

WRIGHT MOVED TO APPROVE RESOLUTION NO. 1767, TERMINATING EMERGENCY DECLARATION FOR COVID-19. MARTINEZ SECONDED. MOTION CARRIES 6-0.

C. GENERAL ITEMS

1. Routine Reports
 - a. Police

11. UNFINISHED BUSINESS:

12. NEW BUSINESS:

A. New Natural Gas Service Connections under Climate Commitment Act

Searcy stated that as the City was determining whether or not the Department of Ecology was going to include the City's gas utility in the Climate Commitment Act (CCA), they started to look at ways to not increase the per metric ton usage of natural gas. One way is to put moratoriums on service connections. All new residential homes are ordered to meet the new energy code which is electric type heat rather than gas. There will not be any growth with new developments, but there are mains out in the system that people may use. The City is looking for a consensus from Council on which direction to take.

La Fleur stated that they have held off on new connections outside City limits until the CCA determination. The Public Works Committee's opinion was to continue business as usual. The question to Council is to whether to continue as normal in allowing people to connect that are outside the City limits.

Wright stated any connections made after July 25, 2021, does not qualify for any credit from the CCA. The City is looking into possible deferred programs that will give some funds back to the consumer just not by volumetric rate. A disclaimer will be provided to new customers so they know they will be treated differently.

13. EXECUTIVE SESSION:

A. Potential Litigation Per RCW 42.30.110(1)(i) – Estimated Time 10 Minutes

Mayor recessed the meeting at 6:45 p.m.

Mayor reconvened the meeting at 6:55 p.m.

14. BUDGET DISCUSSION:

A. OPENING REMARKS AND FOLLOW-UP FROM 10/3/22 WORKSHOP

Searcy stated the staff presentation was concluded at the last meeting. Nothing additional needs to be addressed. He did want to remind Council that several of the capital projects are dependent on either a Transportation Improvement Board (TIB) grant or a low interest loan through either the Public Works Trust Fund or the Department of Ecology Water Quality Loan Programs. It will be known prior to budget adoption on the success of the TIB grant and the Public Works Trust Fund loans, but it won't be known for the Department of Ecology's loans until after the budget has been adopted.

B. PRESENTATIONS

1. Enumclaw Expo Center – Rene' Popke, Manager and Visit Rainier – Meilee Anderson, Marketing Consultant

Anderson announced that her and Popke will present a joint presentation for both the Enumclaw Expo Center and Visit Rainier. Both organizations have worked well together and decided to do a partnership for 2023. The Expo Center and Visit Rainier will continue to bring tourists to town through their marketing campaign and events. Both organizations scope of work would have a minimum of 10,600 room/camping nights combined with an estimated lodging revenue of \$1,112,000.

Their new co-op marketing campaign for 2023 will evolve around a fall event, Brews & BBQ. Visit Rainier will spend \$5,000 on designing expenses, while the Expo Center will spend \$5,000 on printing expenses. By working together on this event, they will eliminate competition, redundancy, and streamline the process.

Wright thanked Rene' and Meilee for their hard work.

In a response to a comment made by La Fleur, Anderson stated that they have a good template to do more co-op campaigns in the future if the stakeholders are happy with the fall event results.

C. BUDGET REVIEW AND COUNCIL DISCUSSION

In response to a question by Sauvageau regarding debt servicing, the annual debt payments for two new waste water loans is less than \$400,000 per year and pales in comparison to the sewer loan that is retiring in 2023.

LA FLEUR MOVED TO REAPPROPRIATE THE REMAINING ARPA FUNDS OF \$15,000 TO RAINIER FOOTHILLS WELLNESS FOUNDATION FOR MENTAL HEALTH COUNSELING, \$405,000 TO THE CONTINGENCY FUND, AND \$121,928 TO THE GENERAL FUND. WRIGHT SECONDED.

In response to a question by Sauvageau, La Fleur stated that he is proposing to put \$405,000 into the contingency fund rather than the \$355,000 that he had previously proposed was because the contingency fund has a cap of \$990,000 instead of \$900,000.

Anderson stated that there was also a request by Parks Director Larson in the amount of \$10,000 for an arts maintenance project for the statutes and totems currently owned by the City. After a quick discussion, it was decided that it would be a budget amendment for the 2022 budget.

Wright stated that the Mental Health Counselors provided through the Rainier Foothills Wellness

Foundation have a mandatory parent communication until the age 13. After that, parent communication is no longer mandatory, but strongly encouraged by the Counselors.

MOTION CARRIES 6-0.

Wright clarified that the Parks Department has around \$29,000 to go toward the art maintenance project, however, the bid they received was \$39,000, which is why they are asking for an additional \$10,000.

La Fleur stated an item that was not included in the budget was a contractor would like to volunteer time and equipment to re-grade along the SR 410, south of Warner, to level out the area so it can be maintained like a park. Since it is close to Boise Creek, special shoreline permitting is required and a placeholder will be needed to eventually hire a consultant.

LA FLEUR MOVED TO AUTHORIZE \$20,000 OUT OF FUND 180 TO HIRE A CONSULTANT FOR SR 410 FRONTAGE IMPROVEMENT. WRIGHT SECONDED. MOTION CARRIES 6-0.

Quick council discussion regarding final decision on remaining Outside Agency funding took place:

- \$15,000 each to Visit Rainier and the Expo Center for LTAC
- \$5,000 to Junior Live Stock
- \$10,000 to Green River College
- \$3,000 Marketing for Farmers' Market
- Chamber would like to ask for additional funding. Amounts will be presented at the next meeting.
- Rent waivers for Chamber, Arts Alive, and the Enumclaw Food Bank
- \$15,000 to Rainier Foothills Wellness Foundation for Senior Hot Meals, and \$60,000 for Mental Health Counselors.
- \$25,000 to Plateau Outreach Ministries for Utility Vouchers, and \$35,000 for rent assistance.
- \$8,000 for Farmers' Market

WRIGHT MOVED TO APPROVE THE OUTSIDE AGENCIES FUNDING REQUEST AS DISCUSSED. MARTINEZ SECONDED. MOTION CARRIES 6-0.

Searcy stated that going forward the City's support to the Youth Center will show the actual dollar amount in providing the building, utilities, insurance, and custodial services, which is about \$60,000.

Wright stated that with how far they have come in discussing the budget, he proposes to cancel the budget workshop that is scheduled for October 17th.

Council consensus to cancel the October 17th budget workshop.

15. ADJOURNMENT:

WRIGHT MOVED TO ADJOURN THE MEETING. MARTINEZ SECONDED. MOTION CARRIED 6-0.

Meeting adjourned 7:36 p.m.

Respectfully Submitted,

Jessica Rose
City Clerk

Date Minutes Approved: _____

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City Clerk

Date Minutes Approved: 10-24-22