

**TOWN OF SOUTH PRAIRIE  
REGULAR COUNCIL MEETING  
TUESDAY, NOVEMBER 3, 2009, 7:00 PM  
South Prairie Town Hall  
121 NW Washington Street**

*The following is a condensation of the proceedings and is not a verbatim transcript.*

**CALL TO ORDER:**

**Mayor Peggy Levesque** called to order and presided over the Regular Council Meeting of Tuesday, November 3, 2009, at 7:11 PM.

**ROLL CALL:**

**Council Members:** Dave Lykstad, Gerald Boures, Mathieu Cameron and Karen Shell were present. Laura Heideman was absent.

**Also in attendance:** Representative Christopher Hurst and wife April; Cole Elliott, Parametrix; Tom Inglin, citizen; Tony Caldwell, Flood Damage Project Manager; Larry Harter, Utility Operator; Judy Tremblay, Deputy Clerk/Treasurer; and Marla Nevill, Clerk/Treasurer

**FLAG SALUTE:**

**Mayor Peggy Levesque** requested everyone stand for the "Pledge of Allegiance."

**REVIEW AND APPROVAL OF AGENDA FOR NOVEMBER 3, 2009:**

- ❖ **Councilor Dave Lykstad** moved to approve the Agenda for November 3, 2009. **Councilor Karen Shell** seconded the motion. **Mayor Peggy Levesque** requested adding "Excuse Council Member Absences" after the presentation by Representative Christopher Hurst. **Councilor Dave Lykstad** moved to amend his motion for approval of the November 3, 2009 Council Agenda with the addition of "Excuse Council Member Absences" after the presentation by Representative Christopher Hurst. **Councilor Karen Shell** seconded the amended motion. **Motion carried unanimously.**

**REPRESENTATIVE CHRISTOPHER HURST:**

**Representative Christopher Hurst** discussed with the Mayor and Council the problems with the budget shortfalls and stated this is the worst economic downturn we would probably see in our lifetime. He stated the recovery is very slow. He stated he has heard from a lot of Mayors and Council Members regarding unfunded mandates, and a lot of cities have asked their legislators to review the laws and repeal unfunded mandates. He addressed the concerns many of the jurisdictions are having with the Growth Management Act (GMA). **Mayor Peggy Levesque** stated that perhaps smaller cities and towns should fall under a different set of standards for a lot of mandatory plans we have to develop or update. She said most of the plans just set on the shelf. She gave the Shoreline Master Plan (SMP) as an example. She said when she asked a Department of Ecology (DOE) representative "What is the outcome for updating our SMP?" and she was told "We would be in compliance." **Mayor Peggy Levesque** stated we live by Interlocal agreements and it is a concern to hear that another jurisdiction has performed a study on the shoreline, for example, and stop at the town's border. She stated it would be helpful if we were at least given the opportunity to participate in these studies through Interlocal agreements instead of duplicating efforts and wasting taxpayer dollars. Mayor and Council also discussed the conflicting requirements between different agencies. **Mayor Peggy Levesque** gave the example of trying to clean out the Town's sewer outfall. **Representative Christopher Hurst** suggested contacting his staff for assistance in dealing with problems of this nature in the future. Discussion followed. **Representative Christopher Hurst** also addressed State budget allocations, Rainier School, expanding Community Colleges to four-year colleges, the Howard

Hanson Dam and potential flooding concerns. Mayor and Council Members thanked Representative Hurst for meeting with them and addressing various issues and concerns.

**EXCUSE COUNCIL MEMBER ABSENCES:**

- ❖ **Councilor Karen Shell** moved to excuse Council Member absences for October 6 and November 3, 2009 Council Meetings. **Councilor Dave Lykstad** seconded the motion. **Motion carried unanimously.**

**APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF OCTOBER 6, 2009:**

- ❖ **Councilor Dave Lykstad** moved to approve the Regular Council Meeting Minutes of October 6, 2009, as written. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously.**

**APPROVAL OF BILLS FOR OCTOBER 2009, IN THE AMOUNT OF \$40,269.72:**

- ❖ **Councilor Karen Shell** moved to approve the bills for October 2009, in the amount of \$40,269.72 (forty thousand two hundred sixty-nine dollars and seventy-two cents). **Councilor Dave Lykstad** seconded the motion. Council requested clarification on several bills, and these inquiries were answered. **Motion carried unanimously.**

**UNFINISHED BUSINESS:**

**1) General Sewer Plan Proposals – Update from Tony Caldwell:**

**Tony Caldwell** stated we received proposals from Parametrix and Pertect for preparing a General Sewer Plan. These proposals were not in-depth and just covered the existing system. He had Marla contact Department of Ecology (DOE) and they said the Town has a Facility Plan, which contains the aspects of a General Sewer Plan. He stated all of our plans have to be consistent. He said Larry has stated the NPDES Permit comes up for renewal in January 2010. He stated Parametrix did an engineering report that addressed the BOD & TSS but did not address the flow. He suggested we address the flow issue now and the Facility/General Sewer Plan Update after the first of the year. He said one issue of concern is the third-party lawsuit. **Mayor Peggy Levesque** asked when the NPDES permit renewal was due? **Larry Harter** said January 1, 2010. He said he prepared the last two permit applications. Discussion followed. **Larry Harter** said we have had single months of violations. **Cole Elliott** explained the WWTP functions. **Tony Caldwell** stated we have to justify a request to change our permit limits. **Councilor Dave Lykstad** asked about the engineering cost for the Hydraulic Report and updating the Facilities/General Sewer Plan. **Tony Caldwell** said we could not request a price for these services until an engineering firm was chosen. Discussion followed.

**EXECUTIVE SESSION:      Approximately Twenty (20) Minutes**

**Discuss Sewer Plan Proposals and Appointment of Engineering Firm:**

- ❖ At 8:50 PM, **Councilor Dave Lykstad** moved to recess to Executive Session for approximately twenty (20) minutes to discuss the Sewer Plan Proposals and appointment of an engineering firm. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously.**

**CLOSE EXECUTIVE SESSION:**

- ❖ At 9:08 PM, **Councilor Dave Lykstad** moved to close the Executive Session. **Councilor Gerald Boures** seconded the motion. **Motion carried unanimously.**

**NEW BUSINESS:**

- 1) a) **Appointment of Engineering Firm to Prepare Re-rating Hydraulic Report for Submittal to Department of Ecology by January 2010 and b) Update Town of South Prairie Facilities/General Sewer Plan in 2010:**

❖ **Councilor Karen Shell** moved to discuss the appointment of the engineering firm to prepare Re-rating Hydraulic Report for submittal to Department of Ecology (DOE) by January 2010, excluding part b. **Councilor Dave Lykstad** seconded the motion. Discussion followed. **Councilor Karen Shell** amended her motion and named Perteet as the engineering firm to prepare the Re-Rating Hydraulic Report for submittal to DOE by January 2010, excluding part b. **Councilor Dave Lykstad** seconded the amended motion. **Motion carried unanimously.**

❖ **Councilor Dave Lykstad** moved to table discussion of updating the Facilities/General Sewer Plan to the Recessed Council Meeting on November 17, 2009. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously.**

- 2) **Nominations for Zoo/Trek Authority Board:**

Council discussed the issue of Nominations for the Zoo/Trek Authority Board, and it was the consensus of the Council not to pursue this issue further.

- 3) **Resolution No. 305 – Expressing Support for Modernizing Sediment Management Policies for Critical Portions of the Puyallup, Carbon and White Rivers in Order to Protect Adjacent Communities, Facilities, Water Quality, Fish, Wildlife and their Ecosystems:**

❖ **Councilor Karen Shell** moved to discuss Resolution No. 305. **Councilor Dave Lykstad** seconded the motion. Discussion followed. **Mayor Peggy Levesque** stated she would like to see regulations pertaining to the rivers simplified, but stated concerns about creating another level of bureaucracy. **Councilor Karen Shell** stated concerns about this piece of legislation being a waste of paperwork and moved to amend her motion to reject Resolution No. 305. **Councilor Dave Lykstad** seconded the amended motion. **Motion carried unanimously to reject Resolution No. 305.**

- 4) **Request Town Attorney draft an ordinance which implements the Cross-Connection Control Policy per the 2007 Water System Plan and repeal Ordinance No. 338 pertaining to Backflow Prevention Devices:**

❖ **Councilor Dave Lykstad** moved to direct the Town Attorney to draft an ordinance, which implements the Cross-Connection Control Policy per the 2007 Water System Plan and repeal Ordinance No. 338 pertaining to Backflow Prevention Devices. **Councilor Karen Shell** seconded the motion. **Larry Harter** stated we have to implement this policy. **Councilor Dave Lykstad** asked for clarification on cross-connection control. **Larry Harter** stated a cross-connection control device protects the Town's water system from potential contamination. He stated the WAC requirements have been tightened on how to run a cross-connection control policy and we need to update our policy due to the liability and safety issues. **Motion carried unanimously.**

**CITIZENS' COMMENTS:**

**Tom Inglin** stated Representative Hurst seems like a nice guy. Discussion followed.

**MAYOR'S REPORT:**

**Mayor Peggy Levesque** stated she did not have a lot to report this time; but we did receive an award from Pierce County Emergency Management in appreciation of our commitment to support each other in disaster recovery. Discussion followed.

**Mayor Peggy Levesque** stated we had a meeting with a gentleman from the United States Geological Survey (USGS) regarding flood mapping. **Tony Caldwell** stated the USGS did a hydraulic study and he thought it would be okay to install a Berm by the Fire Station, but other agencies thought it would cause adverse impacts on neighboring properties. Discussion followed.

**PUBLIC WORKS' REPORT:**

**Larry Harter** said getting back to the Water System Plan, we are required to mail out flyers, perform an annual efficiency report and account for the 27½ % missing water. He stated we would probably have to obtain an updated cost for leak detection. He stated we have meters to account for what is being pumped out of the ground and meters on what we sell. It could be a big leak or lots of small leaks. **Tony Caldwell** said Larry is finding that a lot of the pipes are deteriorating. **Larry Harter** stated the Council adopted the Water System Plan in 2007 and asked that they take time to re- read the plan. Discussion followed.

**PROJECT MANAGER REPORT – FLOOD DAMAGE:**

**Tony Caldwell** gave the Flood Damage report to the Council. Discussion followed. **Tony Caldwell** stated the picnic table would be built and installed by the WorkForce people. He said we received \$1,000 from FEMA for the hydraulic study to build the Berm, but the actual cost for the study could be \$1,000s of dollars. He said we are trying to make sure the Fire Department has wrenches for the shut-off valves. He said Pierce County cleaned out their ditch because it was not draining; and we got permission to clean out the ditch on Ballew's property. He said he hopes to speak with the neighboring property owner to the west of Ballew's property. Discussion followed. **Mayor Peggy Levesque** said she would like to see Pierce County install pipe and close the ditch.

**Tony Caldwell** stated he spoke with Eric Edwards from Pierce County and he said he would talk to their attorney about increasing our contract amount. He said the increased budget amount would allow us to crack seal Emery Avenue and Third Street. Discussion followed. **Tony Caldwell** requested the Council authorize adjusting the Road Maintenance Agreement amount with Pierce County to \$20,000 (twenty thousand dollars) per year.

- ❖ **Councilor Dave Lykstad** moved to amend the Road Maintenance Agreement amount to \$20,000 (twenty thousand dollars) per year, if Pierce County allows the amendment to the agreement. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously.**

**Tony Caldwell** stated the well house roof is completed; and the fence by the sewer outfall is installed. He said Larry has to post the signs on the fence. He said Larry had a drain installed behind the fire station. Discussion followed. **Tony Caldwell** stated the USGS has a website that monitors the water levels for South Prairie Creek. Discussion followed.

**CLERK'S REPORT:**

**Marla Nevill** stated she attended the Fall Academy and it was very interesting. Discussion followed.

**COUNCIL MEMBERS REPORT:**

None.

**RECESS TO NOVEMBER 17, 2009 FOR RECESSED COUNCIL MEETING AND PUBLIC HEARING FOR FY2010 BUDGET:**

- ❖ At 10:00 PM, **Councilor Karen Shell** moved to recess the Council Meeting to November 17, 2009, 7:00 PM, for Recessed Council Meeting and Public Hearing for FY2010 Budget. **Councilor Dave Lykstad** seconded the motion. **Motion carried unanimously.**

**Date Approved: December 1, 2009**