

**TOWN OF SOUTH PRAIRIE**  
**REGULAR COUNCIL MEETING**  
**TUESDAY, APRIL 4, 2006, 7:00 PM**

**CALL TO ORDER:**

**Mayor Peggy Levesque** called to order and presided over the Regular Council Meeting of Tuesday, April 4, 2006 at 7:03 PM.

**ROLL CALL:**

**Council Members:** Dave Lykstad, Laura Heideman and Virginia Thompson were present. Robert Stanbary and Chandra Hairston were absent.

**Also in attendance:** Dan Packer, Tri-District Fire Chief; Mart Kask, Town Planner; Barbara Hansen, Gazette Reporter; Brad Campbell, Big Toyz Pro Monster Trucks; Jeff Rogers, Christine Deputy, Tom Inglin and John Downs, citizens; and Marla Nevill, Clerk/Treasurer

**FLAG SALUTE:**

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

**COUNCIL MEMBER ABSENCES:**

- ❖ **Councilor Dave Lykstad** moved to discuss the absences of Council Members Robert Stanbary and Chandra Hairston. **Councilor Laura Heideman** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Mayor Peggy Levesque** said we received a Letter of Resignation from Council Member Robert Stanbary today, so the Council would not have to address that absence. **Councilor Dave Lykstad** asked if Council Member Chandra Hairston had informed the South Prairie Town Hall that she would not be attending the Council Meeting. **Marla Nevill** said Chandra Hairston had not contacted the Town Hall. **Councilor Virginia Thompson** asked for clarification on the procedure for posting Council vacancies. **Mayor Peggy Levesque** stated the Council vacancies would have to be posted in our paper of record for two weeks before Council Action could be taken to fill the vacancies. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**
- ❖ **Councilor Virginia Thompson** moved to record Chandra Hairston's absence from the Regular Council Meeting of April 4, 2006 as unexcused. **Councilor Dave Lykstad** seconded the motion. **Mayor Peggy Levesque** called for discussion. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

**DAN PACKER, TRI-DISTRICT FIRE CHIEF – TRI-DISTRICT MERGER:**

**Dan Packer, Tri-District Fire Chief**, gave a presentation regarding the merger between Pierce County Fire Districts #20, #12 and #22 and offered some history behind the Tri-District partnership. He said approximately three years ago a partnership was formed through Interlocal Agreements between the three Fire Districts in order to offer Fire Suppression and Emergency Medical Services more efficiently and effectively. He said they currently have firefighters and paramedics on twenty-four (24) hour staffing at Station 12-1 on 234<sup>th</sup> Avenue East and they also have residents living at the South Prairie Fire Station. He said with the group purchasing power, they have been able to purchase equipment and supplies at reduced rates. He said the Tri-District has their own oxygen tank filling station, which saves them approximately \$7.00 (seven dollars) to fill each tank. He said prior to the Tri-District partnership there was a considerable amount of duplication. **Chief Packer** said Jake Doty had been your Fire Chief for a long time, but with the partnership they needed someone to lead the entire organization and he (Chief Packer) was appointed as the Fire Chief for the Tri-District. He said Jake is now leading the Volunteer Program. He said for unification, the Fire Commissioners from all three Fire Districts decided to submit the merger to the voters to form one Fire District. He said the paperwork has been filed, and the merger is on the ballot for voter approval for May 16, 2006. He said the Citizens Advisory Committee was formed to obtain citizen input and encourage support for the Fire Districts' merger. He said the Mayor and Marla have participated in the Citizens Advisory Committee. He said the Town of South Prairie would not be able to vote on the issue, but he encouraged the Town to solicit support from friends and neighbors in the county. He said there is a different procedure for the Town of South Prairie to annex into the District. He said the City of Bonney Lake annexed into the Fire District in 1999, and the City of Sumner is considering annexing into the Fire District in the future. He said the Town of South Prairie and the Town of Wilkeson would still be served by the Tri-District through Interlocal Agreements. **Chief Packer** said the medical transport is now provided by the Fire Department. He said AMR (American Medical Response) is still in the area, and the Tri-District does contact them occasionally when there are several calls at the same time. He

said about two years ago it was put in place to provide service with no out-of-pocket expense to taxpayers from the Tri-District. He said they bill the insurance, and the co-pay or deductible is waived. He said this also provides continuity because the paramedic stays with the patient all the way to the hospital. He said any funds that are collected are put back into the program. He said he personally had to use the service twice last year for his family. Discussion followed. **Chief Packer** said Fire District #12 has not kept pace with the levy rate. He said if the voters approve the merger, the levy rate for District #12 would increase, but the levy rate for the Town of South Prairie would not change. **Councilor Dave Lykstad** asked if the contract between Pierce County Fire District #20 and the Town of South Prairie would change? **Chief Packer** said the Town of South Prairie would continue to be covered under the Interlocal Agreement and the Town would still hold title to their building and equipment. He said the Tri-District has to meet their contractual obligations with South Prairie. Discussion followed. **Chief Packer** said he and the Mayor discussed using the siren for disaster warning or civil defense. He said the problem is that this is also used to monitor inside the building, and it would cost approximately \$3,000 to change that to a private monitoring party. Discussion followed. **Chief Packer** said the South Prairie Fire Station is the only one in the Tri-District that uses the siren to tone personnel for EMS and Fire Calls. He said siren use is steadily going away. He said he didn't know if it would be possible to program that siren for a Lahar Warning, but he would check into this further. He said there are plans to install another Lahar Warning System south of Orting at a cost of approximately \$40,000 (forty thousand dollars). Discussion followed. **Chief Packer** distributed flyers explaining the Fire Districts' merger and asked the Mayor and Town Council to post the flyers. The Mayor and Town Council thanked **Chief Packer** for his presentation.

#### **MART KASK, TOWN PLANNER – STATUS OF GROWTH MANAGEMENT PLAN UPDATE:**

**Mart Kask, Town Planner**, stated the Town Council adopted the Comprehensive Land Use Plan (Comp Plan) on January 12, 2005. He said the South Prairie Creek RV Park litigation has been settled and no changes have been made to the Comp Plan. He said he and the Mayor discussed the possibility of changing classification for the old Hillstrom building from Industrial to Commercial. He said this is the only Industrial property you have in Town, and he would need direction from the Town Council whether to pursue this issue. **Mayor Peggy Levesque** said the Town Attorney advised them to contact the owner for approval before changing the zoning classification. **Mart Kask** stated the property has been zoned Industrial, and if the Town changed the zoning classification, the property owner could file a lawsuit for damages. He said the Town of South Prairie could re-visit this issue at a later date. **Mayor Peggy Levesque** said she would not want to go against the advice of the Town Attorney, and we would need approval from the property owner. The Town Council agreed with the Mayor and requested that no changes be made to the Industrial Zone at this time. Discussion followed. **Mart Kask** distributed copies of the Comprehensive Land Use Plan to the Mayor and Town Council. He said the books were not complete, but he would finish the sections on Land Use and the Transportation Element. He said he would forward a copy of the Comp Plan to the Puget Sound Regional Council (PSRC) and Community, Trade and Economic Development (CTED). He said he would request an expedited review from PSRC. He said he would attend the PSRC meeting on Monday and speak on behalf of the Town of South Prairie. Discussion followed. **Mayor Peggy Levesque** said it is good news that the Town of South Prairie would qualify for the PSRC Transportation Projects grant funding.

#### **APPROVAL OF REGULAR COUNCIL MEETING MINUTES FOR MARCH 7, 2006:**

- ❖ **Councilor Laura Heideman** moved to approve the Regular Council Meeting Minutes for March 7, 2006. **Councilor Virginia Thompson** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Virginia Thompson** asked what happened with the issue of the lawn mower. **Mayor Peggy Levesque** said that issue would be discussed tonight. No further discussion. **Mayor Peggy Levesque** called for the vote. Motion carried unanimously.

#### **APPROVAL OF RECESSED COUNCIL MEETING MINUTES FOR MARCH 14, 2006:**

- ❖ **Councilor Laura Heideman** moved to approve the Recessed Council Meeting Minutes for March 14, 2006. **Councilor Dave Lykstad** seconded the motion. **Mayor Peggy Levesque** called for discussion. No discussion. **Mayor Peggy Levesque** called for the vote. Motion carried unanimously.

#### **APPROVAL OF BILLS FOR MARCH 2006, IN THE AMOUNT OF \$36,029.46:**

- ❖ **Councilor Dave Lykstad** moved to approve the bills for March 2006, in the amount of \$36,029.46 (thirty-six thousand twenty-nine dollars and forty-six cents). **Councilor Virginia Thompson** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Dave Lykstad** asked about the pagers and the cost. **Marla Nevill** said the service provider was Cook Paging and the cost listed on the bill was for three pagers. She asked **Councilor Lykstad** if he needed his pager? **Councilor Dave Lykstad** stated

that he did not need the pager. **Marla Nevill** said she would return two pagers since he and the Mayor did not need the pagers. No further discussion. **Mayor Peggy Levesque** called for the vote on the Approval of the Bills. **Motion carried unanimously.**

**NEW BUSINESS:**

**1) Motion to Direct Town Attorney to Draft an Ordinance Authorizing the Town to Accept Donations for South Prairie Events:**

- ❖ **Councilor Dave Lykstad** moved to direct the Town Attorney to draft an ordinance authorizing the Town to accept donations for South Prairie events. **Councilor Laura Heideman** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Marla Nevill** said she spoke to Municipal Research and they recommended establishing an ordinance to authorize the Town of South Prairie to accept donations for events. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

**2) Motion to Direct Town Attorney to Draft an Ordinance to Impose a Charge for False Alarms:**

- ❖ **Councilor Virginia Thompson** moved to direct the Town Attorney to draft an ordinance to impose a charge for false alarms. **Councilor Dave Lykstad** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Dave Lykstad** said in reviewing the example ordinance from the Town of Wilkeson, the fines are pretty stiff. **Mayor Peggy Levesque** said she had a meeting with the new Town Marshall, and he would like to have similar ordinances for both the Town of South Prairie and the Town of Wilkeson. She said our attorney just drafted the "False Alarm" ordinance for the Town of Wilkeson. Discussion followed. **Mayor Peggy Levesque** stated just recently we've had five separate callouts to the same building for false alarms. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

**3) Motion to Direct Town Attorney to Draft an Ordinance Accepting the SEPA on the General Permit for Biosolids Management and Directing the Town to Forward the Document to WDOE for Approval:**

- ❖ **Councilor Laura Heideman** moved to direct the Town Attorney to draft an ordinance accepting the SEPA on the General Permit for Biosolids Management and directing the Town of South Prairie to forward the document to WDOE (Washington Department of Ecology) for approval. **Councilor Dave Lykstad** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Laura Heideman** said we have to get this completed. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

**4) Motion to Direct Town Attorney to Draft an Ordinance to Increase the Utility Tax Rate for Electrical Energy, Natural Gas and Telephone Businesses to the Maximum Rate of Six Percent:**

- ❖ **Councilor Virginia Thompson** moved to direct the Town Attorney to draft an ordinance to increase the Utility Tax Rate for Electrical Energy, Natural Gas and Telephone Businesses to the maximum rate of six percent. **Councilor Laura Heideman** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Dave Lykstad** asked who would pay the increase? **Marla Nevill** the power, gas and telephone companies pass the increase on to their customers. No further discussion. **Mayor Peggy Levesque** called for the vote. **Two ayes and one nay. Motion carries.** (Councilor Lykstad opposed).

**OLD BUSINESS:**

**Mayor Peggy Levesque** requested that the Town Council revisit the issue of purchasing a new mower. **Councilor Laura Heideman** asked if the purchase of the mower could only be taken out of one fund? **Mayor Peggy Levesque** said **Marla** and **Judy** were still researching this. She said the **Kubota** is currently in the shop being repaired. She said if the Town purchases the **Z-Tek Mower** the delivery charges for the **Kubota** would be waived. **Councilor Laura Heideman** stated it sounds like we need to purchase a new mower, and she stated concerns about the fourteen year old **Kubota**. **Councilor Dave Lykstad** said **Larry** had stated that the new mower would be used for secondary use. **Councilor Laura Heideman** said it sounds like it would be the primary mower. **Councilor Virginia Thompson** asked if the mower was appropriated in the budget? **Mayor Peggy Levesque** said yes. **Councilor Virginia Thompson** said to just do it. She said it's better than buying a new mower every two years. **Councilor Dave Lykstad** stated he didn't know if the mower could be used for long-term use. He said a concerned citizen brought up the issue about how the mower was being handled. He said he would prefer to see a \$2,000 (two thousand dollar) mower being beat up. **Councilor Laura Heideman** stated she wants the town to look nice. **Mayor Peggy Levesque** said we would have to make sure that whomever is hired is trained. Discussion followed.

**Councilor Dave Lykstad** said the Z-Tek is for use on nice manicured lawns. **Mayor Peggy Levesque** said we have already budgeted for the purchase of a lawnmower. She asked the Council if they felt they had enough information to make a decision on this issue?

- ❖ **Councilor Laura Heideman** moved to authorize the purchase of the Z-Tek Mower. **Councilor Virginia Thompson** seconded the motion. **Mayor Peggy Levesque** called for discussion. No further discussion. **Mayor Peggy Levesque** called for the vote. Two ayes and one nay. **Motion carries.** (Councilor Dave Lykstad opposed).

#### **CITIZENS' COMMENTS:**

##### **Proposed Motor Sport Event:**

**Mayor Peggy Levesque** asked Brad Campbell to contact Marla Nevill about the paperwork for his proposed event. **Councilor Dave Lykstad** stated concerns about drainage, wetlands and environmental issues. **Brad Campbell** stated Mart Kask is familiar with the event. He said he would like to do a community event. He said he would like to bring in the top ten Monster Trucks and described his plans for the event. He said he has connections to put together this type of show. Discussion followed.

##### **Feds Easing Ruling on Arsenic Levels:**

**Tom Inglin** said according to this newspaper article, the Feds are easing their ruling on arsenic levels, and he gave the article to the Mayor. Discussion followed regarding the arsenic levels. **Tom Inglin** suggested that the Town drill another well and install a pump instead of paying for a study to address the arsenic levels. He said Sierra has two wells thirty feet apart and they are in two separate aquifers. Discussion followed.

##### **Council Action Requests:**

###### **1) Tom Haneline/Karen Leming – Propose “Outdoor Beer Garden” Ban:**

Council discussed the request from Tom Haneline and Karen Leming and asked that the Town Clerk forward the Action Request to the Town Planner for review.

###### **2) Cheryl England – Request Removal of Vehicles Parked on South side of Highway 162, West of Trailside Connection (Violation of Nuisance Ordinance):**

Council discussed the request from Cheryl England and requested that the Town Clerk forward the Action Request to the Town Attorney and the Town Marshall for enforcement.

###### **3) Lydia Blas – Request Removal of Vehicles Parked on South side of Highway 162, West of Trailside Connection (Violation of Nuisance Ordinance):**

Council discussed the request from Lydia Blas and requested that the Town Clerk forward the Action Request to the Town Attorney and the Town Marshall for enforcement.

###### **4) Jennifer Walker – Request Removal of Vehicles Parked on South side of Highway 162, West of Trailside Connection (Violation of Nuisance Ordinance):**

Council discussed the request from Jennifer Walker and requested that the Town Clerk forward the Action Request to the Town Attorney and the Town Marshall for enforcement.

#### **MAYOR'S REPORT:**

##### **Hazardous Mitigation Planning:**

**Mayor Peggy Levesque** said she and Marla attended the Hazardous Mitigation Planning meeting (multi-jurisdiction emergency plan). She said the Town of South Prairie is required to operate under the National Incident Management System (NIMS). Discussion followed. **Mayor Peggy Levesque** said we have to itemize the Town's properties and infrastructure. She said there is quite a bit of piping for the Wastewater Treatment Plant and the water system. She said if we have a Hazardous Mitigation Plan, we could apply to FEMA for assistance in the event of a disaster.

##### **South Prairie Salmon Run:**

**Mayor Peggy Levesque** said she spoke to Markus Dennis, the Race Director for the Rainier to Ruston Relay, and he offered to help the Town with the South Prairie Salmon Run. She said he would try to attend the next South Prairie Cares Committee meeting. Discussion followed.

##### **Puget Sound Regional Council Transportation Grant:**

**Mayor Peggy Levesque** said the Town has met the eligibility requirements to apply for the Puget Sound Regional Council Transportation Grant funding, which is good news. Discussion followed.

**Loss Control Grant:**

Mayor Peggy Levesque said the Town could apply for the Loss Control Grant through the Association of Washington Cities. She said we might not qualify because of all the water leaks at the Community Center. She said in the past, we received Loss Control Grant funding to fence the Tot Lot and also backstop fencing at the Third Street Park. She said we could submit a grant application for additional chips for the playground areas or sidewalk inspections. Discussion followed. Council consensus was to apply for chips for the playground areas.

**Rodent Problem Complaints:**

Mayor Peggy Levesque said we have had complaints about a rodent problem, and the Health Department has a checklist we could utilize to help reduce the problem. Discussion followed.

**Water Cleanup Plan Meeting:**

Mayor Peggy Levesque said she attended a meeting for the South Prairie Creek Bacteria and Temperature Total Maximum Daily Load (TMDL) Water Cleanup Plan. She said we do have a few copies of the Water Cleanup Plan, if anyone would like to review it. Discussion followed. Barbara Hansen, Gazette Reporter, said about ten years ago South Prairie Creek gained national attention because of the salmon run. She said about a year ago the Pierce County Conservation District received a grant to monitor South Prairie Creek and propose ways of cleaning the creek to enhance the salmon run. Discussion followed.

**Police and Municipal Court Services:**

Mayor Peggy Levesque said she met with the new Town Marshall, Glen McKinney. She said Mayor Kepka, Town of Wilkeson, would like to start re-negotiating the Police and Municipal Court Contract. Discussion followed.

**PUBLIC WORKS' REPORT:**

Mayor Peggy Levesque said Robert Stanbary was our Public Works contact person, and we will have to appoint a new contact person since Robert has resigned. Discussion followed. Mayor Peggy Levesque asked the Council Members and members of the audience to talk to their neighbors about filling the vacant Council positions.

**CLERK'S REPORT:**

**1) Complaint about the Smoking Area Behind the Wagon Wheel Restaurant:**

Marla Nevill said she received a complaint about the smoking area behind the Wagon Wheel Restaurant and Lounge. She said she would forward the complaint to the Town Attorney. Discussion followed.

**2) Citizen Request to Repaint the Crosswalk Bars:**

Marla Nevill said a citizen requested that the Town have the crosswalk bars on Emery Avenue and Highway 162 repainted. Discussion followed. Mayor Peggy Levesque said she would forward the request to the Utility Operator.

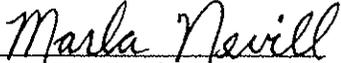
**COUNCIL MEMBERS' REPORT:**

None.

**RECESS TO APRIL 18, 2006:**

- ❖ Councilor Laura Heideman moved to recess the Council Meeting of April 4, 2006 to April 18, 2006, 7:00PM. Councilor Virginia Thompson seconded the motion. Motion carried unanimously.

  
Peggy Levesque, Mayor

  
Marla Nevill, Clerk/Treasurer