

TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING/CONTINUED PUBLIC HEARING
TUESDAY, JUNE 6, 2006, 7:00 PM

APPOINTMENT FOR COUNCIL VACANCY:

Councilor Dave Lykstad and Councilor Virginia Thompson discussed Council vacancies and appointed Anthony Caldwell to fill the vacancy for Council Position #2. Mayor Peggy Levesque swore in Anthony Caldwell to Council Position #2.

CALL TO ORDER:

Mayor Peggy Levesque called to order and presided over the Regular Council Meeting/Continued Public Hearing of Tuesday, June 6, 2006 at 7:00 PM.

ROLL CALL:

Council Members: Dave Lykstad, Virginia Thompson and Anthony Caldwell were present. Laura Heideman was absent. Mayor Peggy Levesque said Laura Heideman's absence is excused, because of medical reasons.

Also in attendance: Michael J. Reynolds, Town Attorney; Glen McKinney, Town Marshall; Luke Meyers and Diane Schurr, Pierce County Emergency Management; Brad Campbell, Big Toyz Pro Monster Trucks; Sibyl Thurston, Kim Shaw, Luzia Ballew, Lois Erath, Monica Tieu and Barb Wigton citizens; and Marla Nevill, Clerk/Treasurer

APPOINTMENT FOR COUNCIL VACANCY:

- ❖ Councilor Virginia Thompson moved to appoint Sibyl Thurston to Council Position #4. Councilor Dave Lykstad seconded the motion. Mayor Peggy Levesque called for discussion. No discussion. Mayor Peggy Levesque called for the vote. Motion carried unanimously. Mayor Peggy Levesque swore in Sibyl Thurston to Council Position #4.

FLAG SALUTE:

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

GLEN MCKINNEY – TOWN MARSHALL REPORT:

Glen McKinney, Town Marshall, presented the activity report to the Mayor and Council for the month of May. He requested the Town set an example and get rid of their junk vehicle, evaluate signage and clean up Town property. Councilor Dave Lykstad requested a list of items that we need to address. Discussion followed. Marshall McKinney said he would contact the Utility Operator about inspecting traffic signs for code compliance. Mayor Peggy Levesque thanked Marshall McKinney for his presentation.

REPRESENTATIVE JAN SHABRO: Rescheduled to July 5, 2006

LUKE MEYERS AND DIANE SCHURR, PIERCE COUNTY EMERGENCY MANAGEMENT – HAZARDOUS MITIGATION PLAN:

Diane Schurr, Pierce County Emergency Management, presented handouts to the Mayor and Council on the Local Mitigation Planning Requirements, Pre-Disaster Mitigation (PDM) Grant History and a list of participants in the planning process. (See Exhibits "A," "B" and "C" attached). She stated she was here to keep the town informed on the progress of the planning process. She said a total of 48 jurisdictions in Pierce County, are participating in the Hazardous Mitigation planning process. She said a jurisdiction being a city or town, a fire district, a school district, or a special purpose district such as water, sewer or power utilities. She said this is a 30-month process and would not be completed until early 2008. She said at the end of the program, we would have a completed and approved mitigation plan; approved by FEMA, the State and by each jurisdiction. She said mitigation is any sustained action that is taken to reduce or eliminate long-term risk hazards for people, property and environment from natural or man-made hazards. She explained the history of the project, which started in 2004, when FEMA announced they would be doing special grants for mitigation projects and would no longer be doing the standard funding through Emergency Management every year. She said now we have to request funding through a grant process. She said FEMA announced \$220,000,000 would be available for mitigation projects in 2005 for the United States. She said of that \$220,000,000, over seven hundred applicants applied for the money. She said Pierce County and Emergency Management looked at the impact and thought it would be very unlikely that a small town, city or school district, individually, would be able to compete against the likes of New York City or Los Angeles. She said Emergency

Management asked for a letter of agreement from those jurisdictions who wanted to do a mitigation plan but didn't feel as though they had the wherewithal to do it on their own, and they received over forty responses. So, they moved forward and put together a grant application to FEMA and were very fortunate to be awarded a grant in 2005 for \$657,500 (six hundred fifty-seven thousand five hundred dollars). She said that money would pay for the three people assigned to the project, documentation and everything needed to do a good job for the program. She said the FEMA grant award is seventy-five percent (75%) of the total grant and they would be required to come up with twenty-five percent (25%), for the matching funds. She said the standard grant award from FEMA is seventy-five percent (75%) and the grantee is required to come up with twenty-five percent (25%) matching funds. She said normally we would request that money from the jurisdictions participating in the project, but in this case, the County is not asking any of the jurisdictions to put in any money. She said they are asking for one person and a backup from each jurisdiction to work with them on this project for the thirty months, and that is quite a commitment. She said they are requesting that Peggy and Marla come and work with them. She said they come to a meeting once a month for about an hour to an hour and a half, and then throughout the month they provide information that is requested. She said the information is entered into that part of the plan specific to South Prairie, so it's your document when it's finished. She said their time is counted towards the twenty-five percent (25%) matching funds, and we do not have to come up with any more money. She said we have our grant money and have hired the people for the project. She said we came onto the project in November or December 2005. She said we have our team together and started meeting with the forty-eight jurisdictions in January 2006. Diane requested a copy of the Agenda and stated they document everything (i.e. public meetings, phone calls, emails, etc.) and it becomes part of the process for the entire project. She went on to explain aspects of the information gathering process. She said when the draft plan is completed the Town Council would have to adopt the plan before it is submitted to the State and FEMA for approval. Discussion followed. **Mayor Peggy Levesque** thanked Diane Schurr and Luke Meyers for their presentation.

OPEN CONTINUED PUBLIC HEARING – BRAD CAMPBELL, TEMPORARY USE PERMIT APPLICATION:

- ❖ **Councilor Dave Lykstad** moved to open the Continued Public Hearing for the Temporary Use Permit Application submitted by Brad Campbell. **Councilor Virginia Thompson** seconded the motion. **Motion carried unanimously.**

Mayor Peggy Levesque read a portion of the memo from Mart Kask, Town Planner. (See Exhibit "D" attached). **Monica Tieu** asked if the applicant was present? **Mayor Peggy Levesque** said yes, Brad Campbell is here. **Monica Tieu** said she would like to support the event, but wanted to know the benefit to the town. **Kim Shaw** asked Brad if she could respond to the question? **Brad Campbell** said to go ahead. **Kim Shaw** said we, as the committee for the festival, asked Brad to participate to help increase attendance at our festival. **Monica Tieu** said okay. **Kim Shaw** said as far as the town goes, it's going to help with tourism and financially through increased sales tax revenue. She said it would also increase the revenue for the businesses in town. **Monica Tieu** said that would be for the individual businesses, but how would it benefit South Prairie? She said it would benefit Arnold's, the espresso stands and different businesses, but how much sales tax revenue would South Prairie gain from this? She said it would be nice, but we're going to be put out for a whole day and she did not mind that, but it would be nice if they contributed something to the Town of South Prairie. **Kim Shaw** said they are. She said we asked them, as the festival committee, to participate to help increase our attendance for the festival. **Monica Tieu** said okay you're going to have people coming in, but I am talking about literally South Prairie. Is there anything they could at least donate to South Prairie? **Kim Shaw** said they are not charging us for bringing in people with their attraction. She said the band charges us for playing; they are not donating anything. We have to pay for that. **Monica Tieu** asked who was paying for it? **Kim Shaw** said the Town of South Prairie. **Monica Tieu** said the Town of South Prairie is paying for the band? **Kim Shaw** said yes, for the festival. She said the festival was set up last year in order to bring in monies for the Parks Department, to get new swing sets and play toys because they're hazardous. She said she would not even let her grandchildren play on them. Several people were speaking at the same time. **Mayor Peggy Levesque** said our insurance has approved the playground equipment, and the town maintains them. **Kim Shaw** said she would prefer they were the tough-toy plastic ones. She said anyway that is why it was started, and we are also gearing up for our centennial celebration. **Monica Tieu** said you're saying this is to get revenue in order to get better equipment for the playground? **Kim Shaw** said yes, we would get more vendors and charge more money for booths. She said building the festival is a slow process, and we would like to have a huge town event for the centennial in 2009. She said in order to get more people; we needed to have a big draw. She said last year was the first year, and we did very well for the first year. **Monica Tieu** asked how many vendors we had lined up? **Kim Shaw** said everybody is waiting to see what happens on the monster truck event. **Councilor Dave Lykstad** said he

heard we lost a \$1,000 (one thousand dollars) last year? He said you said we did well last year. **Kim Shaw** said we did for a first year. **Councilor Dave Lykstad** said okay, but we lost about \$1,000 (one thousand dollars). **Monica Tieu** said she did not consider that doing well. She said South Prairie is forking out \$1,000 (one thousand dollars), but the whole idea is to try to bring in money. **Kim Shaw** said as a business, does a business usually make money the first year? **Monica Tieu** said no, you're right it takes money to make money. She said that's why she was hoping they would contribute a little bit to this financially. **Mayor Peggy Levesque** said she thought we had already been through all of this. She said we've had them jump through the hoops they needed to jump through and we were not going to ask them to contribute any more money. She said what we have coming in would probably be additional customers for the businesses and, like Kim said, maybe some additional sales tax revenue. She said it looks like more of a community-building event, and hopefully the community could get together and get to know one another and it would be a once-a-year event. She said at this point, the events are separate. The monster truck show is on the same day, but they are two separate events, with cooperative efforts between the two events. She said there would be a charge to attend the monster truck event and no charge for the festival. She said the monster truck event would bring more spectators to our festival. Discussion followed. **Kim Shaw** said at the last festival meeting, we decided to have the band at our festival and extend the time, which would eliminate the band at the monster truck event. She said we are trying to combine a lot of the issues. Discussion followed regarding the memo dated May 25, 2006 from the Town Planner, Mart Kask, and the responses from the applicant. **Kim Shaw** said the public hearing was continued to address issues that were not addressed at the first public hearing. **Michael J. Reynolds, Town Attorney**, said he replied to the Town Planner's initial memorandum of May 2, 2006 and sent his comments to the Mayor and Town Council. He said that was transmitted to him on May 4, 2006, which pre-dates this memo by quite a bit. He said he had stated concerns about traffic control, parking, sanitation, facilities' cleanup and noise control. He said it appears those issues are addressed in this transmittal, and there is a methodology to solve them. He said Mart recommended approval with certain conditions. He said provided all these recommendations are okay with the applicant. But, they all touch on very major elements that are involved. He said one thing he touched on in his memorandum was the noise control issue, and Mart has also addressed this issue. He said the applicant would be required to stay under the noise limits on the level and duration. **Mayor Peggy Levesque and Councilor Dave Lykstad** both stated he could request a variance. **Michael J. Reynolds** said the noise issue is a funny phenomenon, because everybody follows the WAC (Washington Administrative Code) provisions, which is decibel reading, and that is hard to enforce. He said one of the things he finds is the biggest nuisance in the world is the base unit on big speakers at concerts, but that doesn't violate the noise control ordinance. He said the DB level on the monster trucks would depend on the type of muffling system they have installed. He said Mart tried to address the issue in his memo. He said for the purposes of this event you're going to have noise control violations anyway. He said your band would probably be a noise control violation, so you'd have to make that variance. He said on a festival like this, by virtue of the fact that it is a festival, means there is a lot of people and you undertake the hazard when you have a lot of people. He said it involves law enforcement, traffic control, sanitation and noise problems. **Mayor Peggy Levesque** asked if it would be possible to waive the noise control ordinance requirements for the one-day event for the festival and the monster truck show? **Michael J. Reynolds** said this is an unknown and you really don't know what an inconvenience this is going to be, but they're only asking for a one-day permit. He said the town could approve it and use this as a test for any future permits. He said you don't know what the reaction is going to be. You could very well have violations of the noise ordinance, but how would you gauge it? **Mayor Peggy Levesque** said the memo states, "The applicant shall make provisions for parking 1500 (one thousand five hundred) automobiles." She said she believed Brad was thinking it would be more like 800 (eight hundred). **Brad Campbell** said yes... **Mayor Peggy Levesque** asked Brad if he thought he could come up with 1500 (one thousand five hundred) parking spaces or if he thought he would need that many? **Brad Campbell** said if we do, it's there. **Mayor Peggy Levesque** said you've got that many? **Brad Campbell** said yes. **Kim Shaw** said she mapped it out, and between town property and private property we have over 900 (nine hundred) parking spaces. She said that was per specifications under the town's ordinance for parking spaces. **Councilor Anthony Caldwell** asked if we could use town property? **Michael J. Reynolds** said yes, with the right-of-way use permit. **Kim Shaw** said we have the area on the corner of Emery and Highway 162; the strip between Highway 162 and First Street; the right-of-way along First Street; the area on the corner of Rainier and Highway 162; the helo-pad; the area in front of the sewer plant; and 250 (two hundred fifty) parking spaces on Brad's property alone. **Mayor Peggy Levesque** said you would probably park vehicles on Brad's property first and then use the other areas. **Kim Shaw** said the town could make some money off of this. She said there's no reason why we could not have a Boy Scout club, Girl Scout club or FFA park vehicles on the town's property, and pay them a percentage of the profits. **Michael J. Reynolds** said he would discourage charging for these permits, but the analysis is the application and this should not be from an economic basis. He said you're really doing this to promote community spirit. **Kim Shaw** said people are addressing the economics of this. **Michael J. Reynolds** said

that should not be a political consideration. He said for the Temporary Use Permit, you make accommodations for the various things that he and Mart Kask touched on, which is your parking, traffic control and various other issues. He said if you do that, then your permit is not based on how much money you should make. He said to close this; the only concern was the noise issue and compliance with the WAC standard. He said one event everyone gets a kick out of is Sea Fair, and as impressive as a monster truck is on the noise, it doesn't surpass an F18 on full afterburner, as the Blue Angels go overhead at 200 (two hundred) feet. So, if you want a violation of a noise ordinance, you have got it there. **Mayor Peggy Levesque** said the recommendations Mart Kask made on the last memo states, "1. He recommends that the Town of South Prairie preliminarily approve the Temporary Use Permit application with conditions. 2. The conditions shall be enumerated and detailed in a legally binding agreement entered into by the applicant, Brad Campbell, and the Town of South Prairie. 3. That the applicant post a cash bond of \$50,000 (fifty thousand dollar) to cover the cost that the town may incur in the event the applicant fails to fulfill the conditions of the above named agreement such as cleanup of debris left on public right-of-ways and adjoining private properties by the participants and attendees of the racing event. 4. The final approval or occupancy permit of the Temporary Use Permit be issued in about ten to fourteen (10 - 14) days before the racing event based on a satisfactory five-point review of the agreement and a walk through of the venue by the Town of South Prairie building official to assure that all agreed upon measures have been complied with and the necessary infrastructure is in place." **Mayor Peggy Levesque** gave a copy of the Mart Kask memo dated May 25, 2006 to Brad Campbell when he indicated that he had not seen the memo. **Kim Shaw** said we discussed the trash issue at the last festival meeting, and since we invited them to participate in the festival, we would also be responsible for cleanup. She said this is our festival too. **Councilor Dave Lykstad** said Mart Kask addressed that situation too. He said they would still need the bond in case the festival committee fails to do the cleanup. **Kim Shaw** said she didn't understand why this is such an issue now, when we had the festival last year and none of this was brought up. She said absolutely none of it, and... **Councilor Dave Lykstad** said they are two different events. The festival and... **Kim Shaw** said yes and no. **Councilor Dave Lykstad** said yes, there are definite differences. He said people who are going to the truck show would be taking different routes than most people. He said you have the festival that is in the festival area... **Kim Shaw** said they have to walk through our festival area to get to the monster truck show. She said that is how we have it set up. **Councilor Virginia Thompson** asked how many trucks are involved in this, and did they set the time when they would end the event? **Kim Shaw** said it would end at 9:00 PM. Discussion followed. **Brad Campbell** said the event would end at 9:00 PM. **Virginia Thompson** asked if they would be having a party afterwards? **Kim Shaw** said no. She said that was all the conditions. She said if people would come to our festival meeting they would know what is going on. She said we combined some things so all this stuff was not his and ours; it's a combined effort. She said they're going to help with the band, but the band is our responsibility. She said it would be at the festival area, but all of Brad's stuff would be shut down at 9:00 PM. She said everybody would be off his property, and our festival would still be going until 11:00 PM. **Councilor Anthony Caldwell** asked where this was in writing. He said we have a lot of verbal stuff here. He said we need it in writing. **Michael J. Reynolds** said the memo includes a contractual agreement to put together between the applicant and the town. Discussion followed. **Lois Erath** said the memo mentions something about a walk through and inspection. She said she is still concerned about whether or not that pavilion has ever been bought off. She said that is such a liability to the town. She said if somebody gets out there and gets hurt. **Brad Campbell** asked what building she was referring to? **Mayor Peggy Levesque** said the arena. **Brad Campbell** said the one that has gone through the earthquake and all that stuff. **Lois Erath** said the inspector never bought off the arena, and the town is liable. **Brad Campbell** said it is to. **Lois Erath** said it is bought off? **Kim Shaw** said yes. **Brad Campbell** asked if she meant the arena on his property? **Mayor Peggy Levesque** said yes. **Brad Campbell** asked why the town would be liable for something that is on his property? He said that would be great, if the town was liable for something... He said he had never heard of that. **Kim Shaw** asked Brad if he had the final inspection on the arena? **Brad Campbell** said it's not finalized, but Pierce County approved the permit. **Mayor Peggy Levesque** asked Brad if that was just recently? **Brad Campbell** said yes. **Mayor Peggy Levesque** said she knew he was talking to Pierce County about that. **Brad Campbell** said yes, they are real easy to work with over there. **Michael J. Reynolds** said to satisfy Lois' question on that, we have the \$50,000 bond coverage, which could be difficult to collect, but he suggested keeping that in the agreement. He said he was sure Brad probably had insurance. He said you request, for example, he have \$1,000,000 (one million dollars) on insurance, and for the event, the town be named as a co-insurer on the policy. So, if you get a claim, that carrier would defend the town. He said generally it would not cost any more money. **Kim Shaw** that is required for most of the vendors. Discussion followed regarding insurance coverage. **Mayor Peggy Levesque** asked the Town Attorney if felt this is doable and could an agreement be written? **Michael J. Reynolds** said yes, if the Council instructs him to do that, he would write the agreement. He said it is the Council's decision on all the recommendations that Mart has addressed. He said the only addition he would recommend would be to add an insurance provision under the bonding provision. He said again he was sure the

applicant already had the insurance, but state a minimum amount and have the town as a co-insured, which would not be an additional cost to the applicant. **Mayor Peggy Levesque** said because of that we wouldn't have to do the bond. **Michael J. Reynolds** said he would still recommend you require the bond, because it is an additional protection. He said it answers some of the concerns that Lois raised. **Mayor Peggy Levesque** said that seems like a lot of money for picking up trash. Several people were speaking at the same time. **Michael J. Reynolds** said the Town Planner is asking for a \$50,000 (fifty thousand dollars) bond. **Brad Campbell** said that is not usually how a bond works. He said you could be bonded for \$50,000 (fifty thousand dollars), but... **Michael J. Reynolds** said he really thought the way the Town Planner phrased that is that he really means the total bond amount is \$50,000 (fifty thousand dollars). He said your premium might be \$5,000 (five thousand dollars). **Brad Campbell** said a bond company would have to pick me up for whatever... **Councilor Anthony Caldwell** said his only concern he had was the police coverage, and nobody had actually addressed that. He asked where we would be getting the police officers? **Councilor Dave Lykstad** said it does address it... **Michael J. Reynolds** said this is addressed in the third paragraph under Traffic Control. **Councilor Anthony Caldwell** asked where are these police officers coming from? **Michael J. Reynolds** said in the agreement that "the number, placement and duration shall be determined by the Town Marshall," so, Glen would make the decision. **Councilor Anthony Caldwell** said okay. **Michael J. Reynolds** said there are some issues that are... He said it's a cost element over the applicant. He said he also noticed the recommendation that the applicant have a tow-truck standing by. He said he would imagine that, unless you happen to own your own tow-truck, a private company would probably charge you for standing by. **Brad Campbell** said yes. **Glen McKinney, Town Marshall**, asked if there would be an operational center somewhere for staff? **Kim Shaw** said last year we had a town booth and Bob Carsey and his officers came in and patrolled. **Mayor Peggy Levesque** said they volunteered their time for the day. **Kim Shaw** said yes, they came in and patrolled and enjoyed the festival. She said Bob was one of our judges for the barbeque cook-off. She said we had a specific safety area designated, and Luzia Ballew had a safety tent and represented the fire department. **Marshall McKinney** asked what weekend is the event? **Kim Shaw** said it's the 5th of August it's one day. **Mayor Peggy Levesque** said it's August 5, 2006. **Marshall McKinney** said he knew it was one day, but he didn't know what day. He asked what would be done for barricades or blocking the streets? He said since the monster trucks would draw more traffic, he asked if we had traffic cones and where were they? **Kim Shaw** said the town had approximately fifteen to twenty (15 - 20) cones. **Marshall McKinney** said you are going to use fifteen to twenty (15 - 20) cones to block off the streets. **Kim Shaw** said the only street that would be blocked off is Third Street between Emery Avenue and Eleanor Avenue. **Marshall McKinney** said people are going to be driving in here and somebody comes out... He said you have very narrow streets. He asked if we were going to make one-way... **Kim Shaw** said no, there would be regular parking spots, and there would not be parking on the street. She said we would have things marked off... **Marshall McKinney** said people come in and some people want to leave. You have very narrow streets, so why are you going to... **Kim Shaw** said because they would not be on downtown streets. She said we are trying to get as much access as we can strictly on First Street, Emery Avenue and Highway 162. **Marshall McKinney** said wait a minute, people don't want vehicles parking in front of their homes, so they can get in and out of their own driveways. He said now you're going to increase the traffic by seven hundred (700) vehicles. **Kim Shaw** said we would have people directing traffic for parking. **Marshall McKinney** asked whom? **Kim Shaw** said we have volunteers that are going to be here, and we're also working for the... **Marshall McKinney** whistled and said stop it for a minute. He said anybody could direct traffic in an emergency. He said this is not an emergency. So, you're going to have to have certified flaggers. **Kim Shaw** said we are trying to get the Explorers. **Marshall McKinney** asked if they were certified flaggers? **Kim Shaw** said the Explorers are with the law enforcement. **Marshall McKinney** asked where? **Kim Shaw** said they are the... **Marshall McKinney** asked where are they from? **Kim Shaw** said we are trying to get the ones out of Puyallup. **Marshall McKinney** said he thought they were getting some of this... He said he had been doing this for a lot of years, and he asked if they had got permits from the Department of Transportation? **Kim Shaw** said it would not be on the highway. **Marshall McKinney** said you have to get the traffic in and out of here. He said think about this, if you have 700 (seven hundred) extra cars coming in here and you get a guy coming down Highway 162 and South Prairie Road; they have to get here somehow. He asked if we had notified the Pierce County road district that we were going to have a certain amount of people? Maybe notify... **Kim Shaw** asked why would we have to do that? **Marshall McKinney** said because it is their road. **Brad Campbell** said the taxpayers paid for it though. **Kim Shaw** said she didn't understand why we would have to file for permits. **Marshall McKinney** said if you've got this extra large amount of traffic coming through an area that is not normal; you have quite a bit of traffic that comes through here every Saturday and Sunday anyway, and when you add more traffic to it you could possibly get this traffic backed up all the way up to Highway 410 on South Prairie Road. **Councilor Dave Lykstad** said Mart's memo addresses this issue under Traffic Control; it states "the applicant shall obtain a permit from the Washington State Patrol to place a patrol approved police officer or officers on Highway 162 at Emery Avenue to regulate traffic access to and

from Highway 162 and maintain through traffic flow on Highway 162. The cost of the traffic control shall be born by the applicant." He said Mart has addressed that issue. **Marshall McKinney** said you're also going to need somebody at South Prairie Road or otherwise you're going to have no way of getting on South Prairie Road or on Highway 162, either making a left or right turn, which would stack traffic all the way back up the hill. He said these are the things that he is asking now, because you are going to have to address it. He said you need to notify the Department of Transportation, which is for Highway 162 and you need to... **Kim Shaw** said she spoke to people who put on the Orting and... **Marshall McKinney** said he is just telling you what he knows, and you need to know, because half that road belongs to Pierce County. It doesn't belong to the Town of South Prairie. They only have about six blocks of it. And, you're going to affect traffic and you have emergency traffic coming through there and it's all plugged up where are you going to put them. **Kim Shaw** said that was never discussed. That was something that... **Marshall McKinney** said that is why he was bringing it up, because he didn't know either. He asked who would be directing traffic on Highway 162 and South Prairie Road and at Emery Avenue? **Kim Shaw** said we would have to get some certified flaggers then. **Marshall McKinney** said okay. **Kim Shaw** said she was sure they could dig some up. She said there are enough people that we know and we could get a certified flagger. **Marshall McKinney** said what about law enforcement? He said with this many people, what are you going to do about law enforcement? **Kim Shaw** said that was with the Explorers that we were going to ask... **Marshall McKinney** said he was talking about law enforcement. He said he wasn't talking about the Explorers. He said what are you going to do about law enforcement? He said people who could write citations and make a physical arrest. **Kim Shaw** said we were going to be looking to our own police force for that. **Marshall McKinney** said he gets 100 (one hundred) hours a month for his time down here. **Kim Shaw** said that is why we were going to look to you for suggestions. She said we were waiting to get approval on this before we could even proceed. **Marshall McKinney** said that is why he was asking about all of these operational problems. He said he didn't know where you are in the system, because he has been left in the dark and he is trying to catch up. He said there are some real law enforcement and safety issues. He said you could not put flaggers or Explorer scouts out flagging traffic, unless they have a flagger certification, which he strongly doubted that they had. **Marshall McKinney** said you're going to need more than fifteen cones. He said you're going to need some barricades. He said he would suggest that you start looking at the fact that you might have to do one-way streets on a cycle, in and out. He said on Tacoma Avenue and Second Street or something, because you're going to have First Street broke down and then Second Street does not go all the way through. He said you have stops at... **Councilor Anthony Caldwell** said it stops at Eleanor Avenue. **Marshall McKinney** said you have problems in there, so you have Second Street, First Street and Tacoma Avenue. He said you are going to have these people parking in private yards over there between the street and your trail. He said he didn't think property owners would want that, and you're going to have to barricade that. **Kim Shaw** said by the street is town property. She said that is town right-of-way between the trail and the road. **Marshall McKinney** asked if she was sure? **Michael J. Reynolds** asked Mayor Levesque if he could interject? **Mayor Peggy Levesque** said yes. **Michael J. Reynolds** said he thought Glen's inquiries are excellent, however the recommendations in the Town Planner's memo pretty well cover that. He said we're going to enter into a contractual arrangement, and pursuant to that arrangement it says in part, "the applicant shall obtain a permit from the Washington State Patrol to place a patrol approved police officer or officers on SR 162, etc." He said in other words what it contemplates is that you enter into a contract that would say you have to get the okay from WSP, and WSP would make those inquiries that Glen is making right now when they dispatch their people. He said it probably could not be answered at this stage, but in order for the applicant to proceed they would have to get the permit from the State Patrol. He said the State Patrol is going to ask Glen's questions. **Councilor Sibyl Thurston** asked Brad if it would still be feasible to do the event with everything that is being requested? She said this is going to be expensive and the other things he has to go through. She said wasn't there some guy here last time that was representing you? **Brad Campbell** said Ron works for him. **Councilor Sibyl Thurston** said he was throwing different things out, but at the end of the day you still have to make money to do this. **Brad Campbell** said he doesn't have to; he could lose all the money. He said he is putting up all the money for the event. **Councilor Sibyl Thurston** said if the Council said okay and we get down to August 3rd and you couldn't get the police or decide that you couldn't afford the police, then the whole thing is null and void. **Brad Campbell** said he has the money to afford it. **Marshall McKinney** said he figured out... He said he didn't know the hours of operation. **Councilor Sibyl Thurston** said the festival goes until 11:00 PM but... **Marshall McKinney** said what time does it start in the morning? **Kim Shaw** said the opening ceremony for the festival is 10:30 AM. **Marshall McKinney** said you have to have everything ready ahead of time. **Kim Shaw** said that would be the vendors. **Marshall McKinney** said he was talking about traffic control. **Kim Shaw** said the monster truck event does not start until 11:00... **Marshall McKinney** said you're going to start moving traffic around you're going to have to start ahead of 10:00 AM. Several people were speaking at the same time. **Marshall McKinney** said you're going to have to start with barricades and traffic cones ahead of time. He said the conservative estimate for law enforcement is about \$13,000 (thirteen thousand dollars). **Kim Shaw** said for

one day? **Marshall McKinney** said yes, for one day. He said you're looking at ten officers on traffic control points and walking around in there. He said you have ten officers. He said you might not have the same ten officers all day, but it has to be ten officers at one time or another. **Brad Campbell** asked where that came from? **Marshall McKinney** said that is what he was asking. **Brad Campbell** asked where the ten officers came from? **Marshall McKinney** said figure out the traffic control points. He said you would have to have three officers at South Prairie Road and Highway 162... **Kim Shaw** said that would be State. **Marshall McKinney** said that would not be State. He said where are you going to get a State Trooper? **Kim Shaw** said that would be part of the... **Marshall McKinney** said he was asking where you are physically going to get police officers? **Kim Shaw** said wouldn't that be with the permitting of the WSP... **Marshall McKinney** said no. He said they just give you an access to use the road. He said you're not buying a police officer from State Patrol. Several people were speaking at the same time. **Councilor Dave Lykstad** said the recommendations are that you contract with them per Mart's memo. **Brad Campbell** said he would just skip the show and just patrol it. Several people were speaking at the same time. **Michael J. Reynolds** said it could be a State Trooper or they could designate it to you Glen. **Marshall McKinney** said he was just telling you... He said then if you're going to be doing traffic control at Emery and Highway 162 that is going to take three more police officers. He said not all at one time, but you're going to have to use those three police officers. **Councilor Dave Lykstad** asked if there was some kind of formula? He said that seems like quite a few police officers. **Mayor Peggy Levesque** said at \$13,000 (thirteen thousand dollars) that is over a \$1,000 (one thousand dollars) per officer per day. **Marshall McKinney** said you're averaging \$40 (forty dollars) an hour. **Councilor Virginia Thompson** asked if it had to be police officers? **Councilor Dave Lykstad** asked **Marshall McKinney** to give them some kind of formula... **Marshall McKinney** said he's worked enough of these to know that is what is going to happen. He said you could call an expert if you want, do what you want. He said it would take ten officers to do it right and have people on the ground walking through your crowd. **Councilor Dave Lykstad** said he has attended the Loggers Rodeo many times and he didn't know... **Marshall McKinney** asked where at? **Councilor Dave Lykstad** said in Buckley. **Marshall McKinney** said where do they stack the traffic? **Kim Shaw** said they don't. She said there are no officers... **Councilor Anthony Caldwell** said yes they do. Several people were speaking at the same time. **Marshall McKinney** said they do not have to direct traffic there, do they? He said they have traffic lights on Highway 410. He said you don't have anybody moving traffic around on an arterial highway. He said you could ask State Patrol if you want to, he didn't care. He said he was just telling you about what you're going to have to do. **Councilor Anthony Caldwell** said we don't have to go through you? **Marshall McKinney** said it's in your town, and if he's on a contract to you, yes. He said maybe you don't want to contract with us. He said he didn't know. He said he was just telling you that to do it right, without anybody getting hurt, that's what you are going to need. He said if you find some police officers that would work off-duty for less than \$40 (forty dollars) an hour, good luck. He said especially when you're playing traffic. He said you just don't go out and get somebody and stick them out in that intersection. He said you're going to get them killed. **Councilor Sibyl Thurston** said that was one of her major concerns about the whole thing was a big huge influx of people coming into this little town. She said it is so tiny. She said we need a stoplight here now. **Marshall McKinney** said you get a lot of traffic through here on a Saturday and Sunday. He said he didn't know where they go, but there's traffic through here all the time. He said it's hard to work it because you can't get out and chase the car because there's too much traffic. He said people making a left hand turn onto South Prairie Road could back up the traffic clear to Emery. Discussion followed. **Marshall McKinney** said if you have gridlock in here you're going to have a real problem. **Michael J. Reynolds** said again the permit requirement from WSP is the how to solve that. He said they are going to make those decisions. He said this is not like it's anything unusual for the area. He said in our basic area alone we have the Highland Games in Enumclaw, the King County Fair, the Buckley Rodeo, the Puyallup Fair, etc. He said all of which require tremendous traffic control. He said WSP is in the business of handling those issues. **Councilor Sibyl Thurston** said just as long as they are aware that it's going to be an expensive proposition. **Marshall McKinney** said he was not trying to put a wet blanket on it... **Councilor Sibyl Thurston** said no, you're just giving them the facts. She said she didn't think the town would want to be signing any agreement that... She said if he thinks two officers would handle it; we couldn't set ourselves up for that kind of liability. **Michael J. Reynolds** said we are not even trying to guess that, we are referring it to another agency and telling him that, "yes, you could make a go of it, but get the okay from this other agency." He said they are the ones that are primo traffic control officials. **Councilor Anthony Caldwell** said Mike, were only talking about Washington State Patrol for Highway 162. He said he's hearing Glen say for the town itself, we have to have police officers also. He said there are two different subjects he has heard being brought up. He said he could be wrong. **Michael J. Reynolds** said the memo addresses the WSP issue to control traffic on and off of Highway 162, but in the next paragraph it states, "the applicant shall provide public law enforcement officers to direct and traffic control on South Prairie streets to and from the event site." He said that covers what Glen said. **Councilor Anthony Caldwell** said Glen said we needed ten officers... **Marshall McKinney** said plus we have to respond to any other

calls besides this event. **Michael J. Reynolds** said that segment would be worked out between the Marshall and the applicant on what is needed for that group of people. **Mayor Peggy Levesque** said within the town itself. **Michael J. Reynolds** said yes, within the town. **Mayor Peggy Levesque** said Mart Kask has been pretty thorough on this. She said personally she did not think it was anything that couldn't be worked out. **Barbara Wigton** apologized for not being able to attend some of the meetings and asked for the timeframe of the event. She said it was her understanding it would run simultaneously, which would be fine, but she understood there would be a beer garden and it would run until 2:00 AM. She asked if that was still in the plan? **Brad Campbell** said he still has not been told yes or no on anything. He said he decided to cut it out. **Barbara Wigton** said the event would stop at 9:00 PM, and the festival would end at 11:00 PM. Discussion followed regarding the beer garden. **Mayor Peggy Levesque** said the festival would start at 10:30 AM and end at 11:00 PM. She said it sounds like Brad is not going to pursue the beer garden at this point. **Barbara Wigton** said with the dance or... She said there is supposedly a dance. She said there are a lot of people that don't like the late-hour noise, like with a band. She asked how late the band would be playing? **Mayor Peggy Levesque** said they would be done at 11:00 PM. **Kim Shaw** said we didn't have any complaints as far as she knew from last year. **Councilor Dave Lykstad** said he thought it ended about 6:00 PM last year. **Kim Shaw** said the band didn't end at 6:00 PM. She said everybody tore down their booths, but the band stayed until about 9:00 or 9:30 PM. Discussion followed. **Kim Shaw** said we were going to give the vendors the option of tearing down their booth when Brad's main event started. **Barbara Wigton** asked when Brad's event would take place. **Brad Campbell** said it would end at 9:00 PM. **Barbara Wigton** asked when the event started? **Kim Shaw** said it started at 12:00 PM. She said there are other events besides the monster trucks. **Michael J. Reynolds** said the whole thing is this is a non-alcoholic event. **Barbara Wigton** said isn't this geared to families? **Brad Campbell** said yes. Discussion followed regarding the beer garden. **Mayor Peggy Levesque** said alcohol would not be served at the town's festival either. **Michael J. Reynolds** asked if spectators be allowed to bring in ice chests with beer in them. **Brad Campbell** said no. **Michael J. Reynolds** said so there is no alcohol. **Brad Campbell** said no. **Kim Shaw** said you're planning on having security on your property? **Brad Campbell** said yes. **Barbara Wigton** said in this, it sounds like he's providing security for... **Kim Shaw** said he should not have to provide security as far as the festival is concerned. **Barbara Wigton** said no that would be the town. She said he would have to provide the security for the traffic control. She said he would have to make some arrangement to pay for those officers. **Kim Shaw** said that cost should be split, because it's not only his event it is our event as well. Discussion followed. **Councilor Anthony Caldwell** said all the issues would be spelled out in the agreement, if the Council decides to approve this. **Michael J. Reynolds** said yes. **Marshall McKinney** said just remember all those other places have traffic signals, and we don't have any traffic signals here. **Kim Shaw** asked if there was some reason why we couldn't contact DOT (Department of Transportation)... **Marshall McKinney** said he wanted you to contact DOT. **Kim Shaw** said she meant to find out if we could use their signs for congested area. **Marshall McKinney** said she would have to ask them. **Michael J. Reynolds** said that would be one of the issues to discuss with the WSP. **Mayor Peggy Levesque** said they might be willing to help us out. **Barbara Wigton** asked for an explanation of what is involved in a monster truck show. **Kim Shaw** said there is a lot of noise. **Marshall McKinney** said those trucks only run for just seconds. He asked how many trucks he planned on running in the event? **Brad Campbell** said it would be his two trucks. **Councilor Anthony Caldwell** said that is it. **Brad Campbell** said yes. **Marshall McKinney** said they run for about fifteen seconds at a time. He said your noise is about twenty seconds a shot, and then it's about forty-five minutes before you run them again. **Brad Campbell** said they would probably only run the trucks once or twice. **Councilor Anthony Caldwell** said you're not inviting any other trucks into the event? **Brad Campbell** said no. **Barbara Wigton** asked if the people just come in and look at the trucks? **Kim Shaw** said he has some events scheduled for rock climbing, for us grunts that think we're good a four-wheeling could go into. **Brad Campbell** said that is what nobody understands. He said this is not an event he is putting on for himself. He said the monster trucks are just something that is exciting for people to come and watch. He said that would be at the end of the day. **Councilor Sibyl Thurston** asked if people would be bringing their own quads. **Brad Campbell** said that is what the show is. **Councilor Sibyl Thurston** said if we had quads, we just bring them down and go over your obstacle courses or something? **Brad Campbell** said yes, there would be quads, tough-trucks, mud bog and rock crawling. **Councilor Sibyl Thurston** said there's going to be vehicles and trucks hauling their equipment? **Brad Campbell** said yes. **Kim Shaw** said or driving them. **Councilor Sibyl Thurston** asked if that would be part of the final agreement? **Michael J. Reynolds** said he was glad he mentioned it, because he totally misunderstood. **Councilor Sibyl Thurston** said she didn't know that either. **Michael J. Reynolds** said he was relating the experience he had seen at the San Diego Fair, which was... **Brad Campbell** asked when he went to that event? **Michael J. Reynolds** said that was last year. **Brad Campbell** asked if that was on the 4th of July? **Michael J. Reynolds** said yes. He said they had these huge powerful rigs and they would have one go right after another, but they only ran for a brief period of time. He said they were jumping stuff and doing wheelies, but it was one right after another. He said they were really powerful machines. He said he thought this

event would be that way, but if you only have two trucks they would only run... **Kim Shaw** said she couldn't understand why this is such a big issue... Several people were speaking at the same time. **Barbara Wigton** said she didn't think anybody knew what to expect. **Councilor Sibyl Thurston** said yes, we certainly didn't know what to expect. Several people were speaking at the same time. **Lois Erath** asked Brad Campbell to give them a run down on his program. **Marshall McKinney** said some of these people would be carrying trailers behind their vehicles, so that means you're going to have twenty feet per vehicle plus another twenty feet for the trailer. He said that is going to eat up quite a bit of your parking spaces. **Councilor Sibyl Thurston** asked if they had that figured out? She asked how many people were on the festival committee? **Kim Shaw** said the Council. **Councilor Sibyl Thurston** said really. **Kim Shaw** said people do not care whether we have something for the community or not. **Councilor Sibyl Thurston** said that is just like the Cares Committee. **Kim Shaw** said it was a wonderful thing last year and we had a blast. **Councilor Anthony Caldwell** said what if it fails? **Kim Shaw** said what if what fails? **Councilor Anthony Caldwell** said what if the festival doesn't go off? **Kim Shaw** asked if he meant the festival or the monster trucks? **Councilor Anthony Caldwell** said then who is coming in? He asked what happens then? He said is this show dead then? He said you're piggy backing it together, but what happens if it fails? He said is it all on Brad's shoulders now? He said you're festival might not go off. **Kim Shaw** said she did not understand. **Councilor Sibyl Thurston** said she did not understand either. **Councilor Anthony Caldwell** said you might not have vendors that come forward. **Kim Shaw** said we have vendors. We have people that are waiting to find out if the town is going to approve Brad's event or not. **Marshall McKinney** said where do you set them up at? **Kim Shaw** said on Third Street. **Marshall McKinney** said no he meant... He asked if the vendors were set up in the park or along Third Street? **Kim Shaw** said they are set up along Third Street. **Marshall McKinney** said you don't use the park at all? **Kim Shaw** said yes, we use the park. She said we would have a monster truck air jumper; last year we had pony rides, but they haven't confirmed; we have a couple of food vendors that want to come in; we have the band and they will be set up in the park; we have a motorcycle show that would be in park... **Marshall McKinney** asked if that would be aesthetic display. **Marla Nevill** said they would just be parked. **Marshall McKinney** said that is aesthetic. **Kim Shaw** said we would also have antique cars that would be coming in that would be parked in the park. She said we have things happening. **Michael J. Reynolds** asked if we could go back to the monster truck issue, and said he was confused about what he thought it was. He said he thought it was from an audience standpoint. **Councilor Sibyl Thurston** said that is what she thought. **Michael J. Reynolds** said he thought it was a passive activity, and people were going to observe these trucks perform. He said now he is hearing is that is only a small segment, and it's an active deal where he could take an ATV (all-terrain vehicle) or dirt bike and participate in the event. He asked if that was correct? **Brad Campbell** said yes. **Councilor Sibyl Thurston** asked if he would build jumps and ramps and that kind of stuff? **Michael J. Reynolds** said that is a whole different control problem, because, like Glen mentioned, you have to bring these things in... He said number one it is a liability issue. He said you're bringing them in on... He said most people are bringing them in on some form of a trailer. So, you have to bring them in on a trailer, and you have to unload them. So, you have to stop someplace, because you could not unload them over here. **Kim Shaw** said that would take place on his property. **Michael J. Reynolds** said you have it arranged where you would come into a staging area; you off-load your vehicle and park the truck and trailer somewhere else. He said the individuals then, be it dirt bikes, ATVs or what have you, then start running an obstacle course? **Brad Campbell** said yes. **Councilor Sibyl Thurston** asked Brad how many acres he had on his property? **Brad Campbell** said you said you were down there. He said he was down there; his two trucks were down there. **Michael J. Reynolds** said but he was there to stand and observe the monster trucks. He said he didn't drive them. He said he didn't have a vehicle out there; he just observed them. **Brad Campbell** said right. **Michael J. Reynolds** said this is different to where the people are going to be the participants. **Brad Campbell** said no, not everybody that is standing around there is going to jump on a four-wheeler and participate. **Michael J. Reynolds** said anybody that wanted to participate could bring their four-wheeler in and participate? **Kim Shaw** said if they want to participate, they would pay the fee to be a participant. **Michael J. Reynolds** said if he paid a fee to participate he could come in and run a course... **Kim Shaw** said she had a jeep 4x4, and if she wanted to mud-bog and get all dirty and gross she could pay a fee to participate in that event. **Michael J. Reynolds** said from a spectator standpoint, we would get a kick out of watching people like you participate. **Councilor Sibyl Thurston** asked Brad how many acres he had on the property. **Brad Campbell** said he had ten acres. **Councilor Sibyl Thurston** asked approximately how much property does the arena consume of that ten acres? **Brad Campbell** said maybe an acre. He said nothing would be going on in the arena. **Councilor Sibyl Thurston** asked how many acres he would be allowing for parking? **Brad Campbell** said two to three acres. **Councilor Sibyl Thurston** said she was just thinking that she had a wedding at their place for our daughter many years ago, and just knowing the cars without trailers... She said they had a big field and they parked in that field and there was about 300 (three hundred) guests. She said it was a mob. She said she was trying to figure out your acreage versus your acre for your building, that you said would not be a part of this thing. She asked how much area would he be allowing for

the jumps and ramps and mud bogs or whatever? **Brad Campbell** said 340 (three hundred forty) x 150 (one hundred fifty)... Several people were speaking at the same time. **Barbara Wigton** asked if he had a viewing area for the spectators? **Councilor Anthony Caldwell** asked if he had a plan he could show us of what the whole event? He said we just hearing about this verbally. He asked how is this event being set up? He asked where the jumps would be and where are the monster trucks and where are you going to have the mud-bog and all that stuff? He said we have a lot of verbal stuff come in front of us and we don't know what we have. **Councilor Sibyl Thurston** asked if he was waiting for them to okay it and then would you come back with this kind of information? **Brad Campbell** said Pierce County has it... **Councilor Sibyl Thurston** said okay. **Mayor Peggy Levesque** asked if that was all the questions? **Barbara Wigton** asked why he contacted Pierce County? **Brad Campbell** said they wanted his money too. He said they contacted him. **Councilor Sibyl Thurston** said oh, did they? She said all of our building stuff goes through Pierce County now Barb. **Mayor Peggy Levesque** asked Brad if that was because of the building inspector or was that... **Brad Campbell** said they made it sound like it was for the... **Councilor Sibyl Thurston** said that's horrible, that's insane, it's like self-inflicted flu. She said every time you turn around we have to throw something else at you. **Barbara Wigton** said she thought it would be nice to have an idea of what the event was... **Councilor Sibyl Thurston** said yes, that would be good. **Michael J. Reynolds** said this is just a one-time event... Several people were speaking at the same time. **Michael J. Reynolds** said that is going to play havoc on your real estate. Several people were speaking at the same time. **Marshall McKinney** said if you run out of parking, where are you going to park them? **Kim Shaw** said she was trying to contact Bert Inglin to find out if we could acquire the use of his field. **Michael J. Reynolds** said you are going to have quite a challenge on some of the unlicensed vehicles keeping them off the street. **Kim Shaw** said that is what he's going to have security for. **Mayor Peggy Levesque** said she wondered if Castle Heating would let you use their property, since they are not open on Saturday. **Kim Shaw** said there is not enough room over there. Several people were speaking at the same time. **Marshall McKinney** said he's not throwing rocks, but what kind of security are you going to have? **Brad Campbell** said on my place? **Marshall McKinney** said yes. He said do you have a security company or friends or what? **Brad Campbell** said he had friends. **Marshall McKinney** said okay. **Michael J. Reynolds** said with what he understood now, he could see Mart's code. He said would medical services be standing by? **Mayor Peggy Levesque** said that is Lucy. She said she was there last year. **Luzia Ballew** said it would be more than just her. She said they would have an EMT station and aid car and medic...**Marshall McKinney** asked how many friends, roughly, for security people? He said do you have an estimate? **Brad Campbell** said no. **Kim Shaw** said she thought Ron Leach said there would be 20 (twenty) people for security. She said when you have only one way in and one way out it kind of limits the access. **Mayor Peggy Levesque** asked if there were any other questions? When no other questions were addressed, she said she would entertain a motion to adjourn the Public Hearing.

CLOSE PUBLIC HEARING:

- ❖ **Councilor Anthony Caldwell** moved to close the Public Hearing. **Councilor Sibyl Thurston** seconded the motion. **Motion carried unanimously.**

NEW BUSINESS:

1) **Brad Campbell – Temporary Use Permit Application:**

Mayor Peggy Levesque said the Council would need to decide what you want to have done and, if the Council chooses to go forward, have Mike write up an agreement. She said it sounds as if there is not going to be a beer garden and their event runs from 12:00 PM to 9:00 PM. She said she is of the opinion that it is a one-day event, and he has gone forward in good faith and has tried to get everything arranged. She said it would have some impact upon the Town of South Prairie, but she did not think it would be anything that is insurmountable. She said she believed that it is something that we could work together as a community, and it would be good to work together as a community to make this happen. She said she knew it would be difficult, and there is a lot of planning involved. She said if Brad Campbell is still willing, we should go forward. She apologized to Brad for being unable to hold the meeting last week. **Brad Campbell** said that worked out okay for him. **Mayor Peggy Levesque** asked if there was any discussion? No further discussion. **Mayor Peggy Levesque** said she would entertain a motion to approve the Temporary Use Permit application for Brad Campbell.

- ❖ **Councilor Dave Lykstad** moved to approve the Temporary Use Permit application for Brad Campbell taking into consideration the latest recommendations from Mart Kask (dated May 25, 2006). **Mayor Peggy Levesque** said using his guidelines? **Councilor Dave Lykstad** said yes. **Mayor Peggy Levesque** said your motion is to approve the Temporary Use Permit based upon the latest recommendations from our Town Planner? **Councilor Dave Lykstad** said yes. **Michael J. Reynolds** asked if he could add a suggestion to modify that? He said in addition to the recommendations by the Town Planner, he recommended we a provision that there would be no

alcohol or non-prescriptive drugs; no unlicensed vehicles would be allowed on city streets; the applicant would indemnify and hold the city harmless from any claims whatsoever, because of the possibility of accidents that might occur; he would have insurance and the Town of South Prairie would be named as a co-insured; and that the operations specifically would start at 12:00 PM and end at 9:00 PM. He said those are his recommendations. **Councilor Dave Lykstad** moved to amend his motion to include the recommendations from Michael J. Reynolds, Town Attorney. **Councilor Anthony Caldwell** asked how that would work if somebody gets hurt at the festival? **Michael J. Reynolds** said this would only involve his activities. **Mayor Peggy Levesque** said there is a motion on the table. She asked if there was a second to that motion. **Councilor Virginia Thompson** seconded the motion. **Mayor Peggy Levesque** asked if there was any further discussion? **Councilor Anthony Caldwell** moved to amend the motion further that we instruct Michael J. Reynolds, Town Attorney, to draft the agreement, because that is not stated. He said all you are stating is we are going to follow the recommendations by Mart Kask, Town Planner. He said it should be added to the motion that we instruct the attorney to write the agreement. **Mayor Peggy Levesque** said she believed that was in the recommendations from Mart Kask already. She asked if there was any further discussion? No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

2) Resolution No. 274 – Interlocal Agreement for Police, Municipal Court and Prosecution Services:

“A Resolution of the Town of South Prairie, Pierce County, Washington authorizing the Mayor to enter into an Interlocal Agreement between the Town of Wilkeson and the Town of South Prairie for Police, Municipal Court and Prosecution Services.”

- ❖ **Councilor Dave Lykstad** moved to approve Resolution No. 274, authorizing the Mayor to enter into an Interlocal Agreement with the Town of Wilkeson for Police, Municipal Court and Prosecution Services. **Councilor Sibyl Thurston** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Dave Lykstad** asked for the amount of the increase on the agreement. **Councilor Anthony Caldwell** said it increased \$10,500 (ten thousand five hundred dollars). He said the contract amount went from \$22,000 (twenty-two thousand dollars) to \$32,500 (thirty-two thousand five hundred dollars). **Mayor Peggy Levesque** explained the changes to the agreement. Discussion followed. **Mayor Peggy Levesque** said the agreement would be effective until December 31, 2006 and we would have to renegotiate the agreement. She asked if there was any further discussion. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

3) Request for Ban on Outdoor Beer Gardens Tabled Pending Further Review:

Mayor Peggy Levesque said the ban on outdoor beer gardens had been tabled pending further review. **Michael J. Reynolds** said the applicant would have to apply for a Conditional Use Permit in order to have a beer garden. **Mayor Peggy Levesque** said some cities have a ban on outdoor beer gardens. **Michael J. Reynolds** said the Council would have to review every application on its face, and it would be treated on a case-by-case basis. **Councilor Anthony Caldwell** said the smoking is an issue of concern. **Michael J. Reynolds** said under the State regulations smoking would not be allowed in an outdoor beer garden. Discussion followed.

- ❖ **Councilor Dave Lykstad** moved to remove the issue of the Ban on Outdoor Beer Gardens from the table. **Councilor Anthony Caldwell** seconded the motion. **Mayor Peggy Levesque** called for discussion. No further discussion. **Motion carried unanimously.**

APPROVAL OF REGULAR COUNCIL MEETING MINUTES FOR MAY 2, 2006:

- ❖ **Councilor Dave Lykstad** moved to approve the Council Meeting Minutes for May 2, 2006. **Councilor Virginia Thompson** seconded the motion. **Mayor Peggy Levesque** called for discussion. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

APPROVAL OF BILLS FOR MAY 2006, IN THE AMOUNT OF \$44,380.56:

- ❖ **Councilor Virginia Thompson** moved to approve the bills for May 2006 in the amount of \$44,380.56 (forty-four thousand three hundred eighty dollars and fifty-six cents). **Councilor Sibyl Thurston** seconded the motion. **Mayor Peggy Levesque** called for discussion. Council

requested clarification on the bill from the Tacoma News Tribune and fuel costs. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

OLD BUSINESS:

None.

CITIZENS' COMMENTS:

Council Action Requests:

Barbara Wigton submitted Council Action Requests concerning an aggressive dog on SE Second Street running-at-large, the "No Parking" sign removed from Highway 162, at the old Hillstrom warehouse and numerous junk vehicles on properties throughout the town. Discussion followed regarding safety issues and streets. Councilor **Anthony Caldwell** volunteered to handle issues pertaining to the streets.

MAYOR'S REPORT:

Hazardous Mitigation Planning:

Mayor Peggy Levesque said she attended the Hazardous Mitigation Planning Meeting on May 25, 2006. Discussion followed.

PUBLIC WORKS' REPORT:

Vault Toilet Repair:

Councilor Anthony Caldwell said he is working with **Doug Britschgi** on repairing the vault toilet at Third Street Park, and they expect to have it back on line by July 4, 2006. He said the bid for the repair work was \$4,000 (four thousand dollars), but he thought he could negotiate the price down to \$1,000 (one thousand dollars). Discussion followed. **Mayor Peggy Levesque** said she would entertain a motion to authorize the expenditure of \$1,000 (one thousand dollars) to repair the vault toilet at Third Street Park. **Councilor Anthony Caldwell** requested that the amount be amended to \$1,500 (one thousand five hundred dollars).

- ❖ **Councilor Dave Lykstad** moved to approve the expenditure of \$1,500 (one thousand five hundred dollars) for repairing the vault toilet. **Councilor Sibyl Thurston** seconded the motion. **Mayor Peggy Levesque** called for discussion. No further discussion. **Motion carried unanimously.**

Councilor Anthony Caldwell said he would not be available for the July Council Meeting.

Marshall McKinney requested Council committee and emergency contacts. He also requested emergency contact for the monster truck show. Discussion followed. **Mayor Peggy Levesque** said she would get him a contact list. Discussion followed regarding the logistics of the festival and motor sport event. **Marshall McKinney** requested a Comprehensive Event Plan for the festival and the motor sport event.

CLERK'S REPORT:

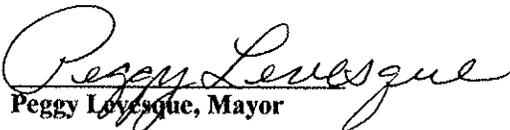
None.

COUNCIL MEMBERS' REPORT:

Councilor Dave Lykstad asked about the Council Action Request from **Lois Erath** about the barking dogs in the 100 block of NW Washington Street. **Mayor Peggy Levesque** said a letter would be sent to the residents.

ADJOURNMENT:

- ❖ At 9:58 PM, **Councilor Dave Lykstad** moved to adjourn the Regular Council Meeting of June 6, 2006. **Councilor Sibyl Thurston** seconded the motion. **Motion carried unanimously.**


Peggy Levesque, Mayor


Maria Nevill, Clerk/Treasurer

- (3) A mitigation strategy that provides the jurisdiction's blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs and resources, and its ability to expand on and improve these existing tools. This section **shall** include:
- (i) A description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.
 - (ii) A section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure.
 - (iii) An action plan describing how the actions identified in paragraph (c)(2)(ii) of this section will be prioritized, implemented, and administered by the local jurisdiction. Prioritization **shall** include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.
 - (iv) For multi-jurisdictional plans, there **must** be identifiable action items specific to the jurisdiction requesting FEMA approval or credit of the plan.
- (4) A plan maintenance process that includes:
- (i) A section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.
 - (ii) A process by which local governments incorporate the requirements of the mitigation plan into other planning mechanisms such as comprehensive or capital improvement plans, when appropriate.

- (iii) Discussion on how the community will continue public participation in the plan maintenance process.
- (5) Documentation that the plan has been formally adopted by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council, County Commissioner, Tribal Council). For multi-jurisdictional plans, each jurisdiction requesting approval of the plan **must** document that it has been formally adopted.

(d) Plan review.

- (1) Plans **must** be submitted to the State Hazard Mitigation Officer for initial review and coordination. The State will then send the plan to the appropriate FEMA Regional Office for formal review and approval.
- (2) The Regional review will be completed within 45 days after receipt from the State, whenever possible.
- (3) Plans **must** be reviewed, revised if appropriate, and resubmitted for approval within five years in order to continue to be eligible for HMGP project grant funding.

Successful HMGP applicants, as well as communities desiring to apply for mitigation grant funds in the future, will be required to develop an All Hazard Mitigation Plan utilizing these criteria.

For additional information please contact the HMGP Section at (253) 512-7073

*Jurisdictions with HMGP project or planning funds will have specific due dates for submittal of their plans. To receive Pre-Disaster Mitigation project grants, their mitigation plan must be submitted and approved prior to November 1, 2003.



State of Washington
**Emergency Management
 Division**



**Local Mitigation
 Planning
 Requirements
 Of the Disaster
 Mitigation Act of
 2000**

§201.6 of the Interim Final Regulations

November 2002

EXHIBIT "A"

4/6/06

Local Mitigation Plan is the hazard mitigation plan required of a local or Indian tribal government acting as a subgrantee under the HMGP as outlined in 44 CFR 201.6.

Subgrantee means the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided. Subgrantees can be a State agency, local government, private non-profit organizations, or Indian tribal government as outlined in Sec. 206.433. Indian tribal governments acting as a subgrantee are accountable to the State grantee.

Plan requirement. (1) For all disasters declared on or after November 1, 2004*, local and tribal government applicants for subgrants, must have an approved local mitigation plan in accordance with 44 CFR 201.6 prior to receipt of HMGP subgrant funding. Until November 1, 2004*, local mitigation plans may be developed concurrent with the implementation of subgrants

Sec. 201.6 Local Mitigation Plans

The local mitigation plan is the representation of the jurisdiction's commitment to reduce risks from natural hazards, serving as a guide for decision makers as they commit resources to reducing the effects of natural hazards. Local plans will also serve as the basis for the State to provide technical assistance and to prioritize project funding.

(a) Plan requirement.

- (1) For disasters declared after November 1, 2004, a local government must have a mitigation plan approved pursuant to this section in order to receive HMGP project grants. Until November 1, 2004, local mitigation plans may be developed concurrent with the implementation of the project grant.
- (2) Regional Directors may grant an exception to the plan requirement in extraordinary

circumstances, such as in a small and impoverished community, when justification is provided. In these cases, a plan will be completed within 12 months of the award of the project grant. If a plan is not provided within this timeframe, the project grant will be terminated, and any costs incurred after notice of grant's termination will not be reimbursed by FEMA.

(3) Multi-jurisdictional plans (e.g. watershed plans) may be accepted, as appropriate, as long as each jurisdiction participates in the process, answers all the questions and has officially adopted the plan. State-wide plans will not be accepted as multi-jurisdictional plans.

(b) Planning process. An open public involvement process is essential to the development of an effective plan. In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process shall include:

- (1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;
- (2) An opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia and other private and non-profit interests to be involved in the planning process; and
- (3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.

(c) Plan content. The plan shall include the following:

- (1) Documentation of the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.

(2) A risk assessment that provides the factual basis for activities proposed in the strategy to reduce losses from identified hazards. Local risk assessments must provide sufficient information to enable the jurisdiction to identify and prioritize appropriate mitigation actions to reduce losses from identified hazards. The risk assessment shall include:

- (i) A description of the type, location, and extent of all natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.
- (ii) A description of the jurisdiction's vulnerability to the hazards described in paragraph (c)(2)(i) of this section. This description shall include an overall summary of each hazard and its impact on the community. The plan should describe vulnerability in terms of:
 - (A) The types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas;
 - (B) An estimate of the potential dollar losses to vulnerable structures identified in paragraph (c)(2)(i)(A) of this section and a description of the methodology used to prepare the estimate;
 - (C) Providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.
- (iii) For multi-jurisdictional plans, the risk assessment section must assess each jurisdiction's risks where they vary from the risks facing the entire planning area.

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PDM Planning Grant History

- In 11/2004, FEMA published their guidance for the Pre-Disaster Mitigation (PDM) Grant Program for fiscal year 2005. This grant program allows jurisdictions across the Country to apply for mitigation project and plan grants on a nationally competitive basis.
- In 12/2004, Pierce County Department of Emergency Management (DEM) consulted with jurisdictions across the County who were interested in submitting individual planning applications.
- In 01/2005, Pierce County Department of Emergency Management (DEM) decided to complete an application to develop a County-Wide Hazard Mitigation Plan based on the consultation with different jurisdictions. The goal is to develop approved plans for every jurisdiction and to have those plans be consistent with one another.
- At the end of 02/2005, Pierce County DEM submitted an application on behalf of 40 plus jurisdictions to FEMA.
- In 06/2005, FEMA received and reviewed close to 700 applications from around the nation for the approx \$220 million in potential grant funds.
- In 08/2005, FEMA and Washington State notified us that our County-Wide Hazard Mitigation Plan would be funded, but we had to wait for the official award letter. Draft work schedule and participating jurisdiction list emailed to jurisdictions.
- In late 11/2005, the official award letter, totaling \$657,500, was signed by FEMA, Washington State, and Pierce County. This process was delayed due to Hurricane Katrina Relief Efforts.
- In late 12/2005, Pierce County DEM held interviews to build the internal planning team to coordinate and develop the Plan.
- In 01/2006, Pierce County DEM hired members for the internal team.

Mitigation Website is now up at: www.co.pierce.wa.us/mitigation

EXHIBIT "B"

6/6/06

Region 5 Hazard Mitigation Planning Effort
Forty Eight Letters of Agreement

a. 13 Cities and Towns

- i. City of Buckley
- ii. City of Dupont
- iii. City of Edgewood
- iv. City of Fife
- v. City of Fircrest
- vi. City of Gig Harbor
- vii. City of Lakewood
- viii. City of Milton
- ix. City of Orting
- x. City of Tacoma
- xi. Town of Eatonville
- xii. Town of South Prairie
- xiii. Town of Wilkeson

b. 12 Fire Districts

- i. American Red Cross, Mount Rainier Chapter
- ii. Gig Harbor Fire & Medic One (PCFD #5)
- iii. Central Pierce Fire & Rescue (PCFD #6)
- iv. Lakewood Fire District (PCFD #2)
- v. Pierce County Fire District #8
- vi. Pierce County Fire District #12
- vii. South Pierce Fire & Rescue (PCFD #15)
- viii. Pierce County Fire District #18
- ix. Pierce County Fire District #20
- x. Graham Fire and Rescue (PCFD #21)
- xi. Pierce County Fire District #23
- xii. Pierce County Fire Protection District #27

c. 13 School Districts

- i. Carbonado School District
- ii. Dieringer School District
- iii. Eatonville School District
- iv. Fife School District
- v. Franklin Pierce School District
- vi. Orting School District
- vii. Pacific Lutheran University
- viii. Peninsula School District
- ix. Puyallup School District
- x. Steilacoom Historical School District No. 1
- xi. Tacoma School District
- xii. University Place School District
- xiii. White River School District

d. 10 Others Jurisdictions

- i. Clear Lake Water District
- ii. Fruitland Mutual Water Company
- iii. Lakeview Light and Power
- iv. Lakewood Water District
- v. Mt. View-Edgewood Water Company
- vi. Ohop Mutual Light Company
- vii. Port of Tacoma
- viii. Spanaway Water Company
- ix. Summit Water and Supply Company
- x. Valley Water District

Memorandum

TO: Mayor and Town Council
Town of South Prairie

FROM: Mart Kask, AICP, PE
Town Planner

SUBJECT: Review Comments, Supplemental Information
Temporary Use Permit Application
Monster Truck Racing Event

DATE: 25 May 2006

At Issue

On 2 May 2006, the Town Council of South Prairie held a public hearing on Brad Campbell's Monster Truck Racing Event Temporary Use Permit Application. The Town Council continued the public hearing to 30 May 2006 and asked the applicant to provide supplemental information. This memo is a review of the supplemental information provided by Ron Leach for Brad Campbell, followed by conclusions and recommendations. A copy of the supplemental information is attached to this memo.

Review

I have reviewed the Temporary Use Permit Application submitted by Brad Campbell on 20 April 2006, the questions and answers stated at the 2 May 2006 public hearing, and the supplemental information provided by Ron Leach for Brad Campbell. Further, I have reviewed the written communications submitted to the Town, addressing the Temporary Use Permit Application.

EXHIBIT "D"

Conclusion

I believe that the proposed Monster Truck Racing Event in the Town of South Prairie, scheduled for 5 August 2006, has a probable significant adverse environmental, social and fiscal impact on the Town of South Prairie, unless appropriate mitigation measures are put in place and enforced.

Recommendations

1. That the Town of South Prairie preliminarily approve the Temporary Use Permit Application with conditions.
2. The conditions shall be enumerated and detailed in a legally binding agreement entered into by the applicant, Brad Campbell and the Town of South Prairie.
3. That the applicant posts a cash bond of \$50,000 to cover the cost that the Town may incur, in the event the applicant failed to fulfill the conditions of the above named agreement, such as cleanup of debris left on public right-of-ways and adjoining private properties by the participants and attendees of the racing event.
4. That the final approval (occupancy permit) of the Temporary Use Permit be issued in about ten (10) to fourteen (14) days before the racing event, based on a satisfactory point by point review of the agreement and a walk-through of the venue by the Town of South Prairie Building Official to assure that all agreed upon measures have been complied with and the necessary infrastructure is in place.

Content of the Agreement

Parking. The applicant shall make provisions for parking 1,500 automobiles on the applicant's property or any other property with written permission from the property owner. Both sides of Emery Street and S.W. Third Should be posted with "No Parking" signs. At

EXHIBIT "D"

least one side of all other streets in the vicinity of the event shall be posted with "No Parking" signs to permit passage of emergency vehicles, ten feet width for a fire truck. The applicant shall provide the Town with "No Parking" signs of sufficient number to be posted according to the instructions from the Town Marshall. The "No Parking" signs shall be installed at least one week in advance of the event to assure that the no parking areas are clear of parked vehicles at the event day.

Fire Safety. Although, no events are planned in the barn, the barn doors should be closed and locked to prevent spectators from entering the barn which may happen in an event of a rainstorm.

The applicant shall contract with the Fire District to have a fire truck with crew, equipped with gasoline fire suppression capability, standing by to respond quickly in the event of an accident or mishap. The cost of this stand-by fire suppression service is to be paid by the applicant.

Sanitation. The number of portable toilets shall be specified in the agreement and their presence shall be verified prior to the issuance of the occupancy permit.

Garbage and Litter Management. The applicant shall take full responsibility for clean-up of garbage and litter on the event property and all affected private and public properties in 24 hours after the conclusion of the raicing event. The applicant shall specify how they are going to accomplish this. In the event, the applicant proposes to use the Town's people (volunteers) to accomplish the task, the applicant is required to post a fifty thousand (50,000) dollar bond, in the event the Town's volunteer people fail to show up and accomplish the task. If that happens, the Town will contract with a cleaning company to accomplish the clean-up task and pay the cost out of the \$50,000 bond. Any unused funds will be refunded to the applicant.

Portable Water Availability. The agreement shall specify how and where potable water is to be provided as specified by the Pierce County Health Department.

Police Protection. The agreement shall identify any extraordinary police protection requirements of the event and payment of these

EXHIBIT "D"

extraordinary services to the Town, to the satisfaction of the Town Marshall.

Traffic Control. Traffic control and direction on public right-of-way shall be conducted by public law enforcement officers. Traffic control on private property may be conducted by employees of the applicant. Anyone that is not a public law enforcement officer or employee of the applicant assumes the legal responsibility for his or her actions that may result in property damage or bodily injury accidents.

The applicant shall obtain a permit from the Washington State Patrol to place a Patrol approved police officer or officers on SR-162 (Emery Street) to regulate traffic access to and from SR-162 and maintain the through traffic flow on SR-162. The cost of this traffic control shall be borne by the applicant.

The applicant shall provide public law enforcement officers to direct and control traffic flow on South Prairie streets to and from the event site. The number, placement, and duration of these officers shall be determined by the Town Marshall. A tow-truck shall be standing by to expeditiously remove any disabled vehicles that may block orderly flow of traffic to and from the event site. The cost of this traffic control shall be born by the applicant.

Emergency Medical Services. The applicant shall contract with the Fire District to have an emergency medical services vehicle with paramedics standing by during the event. The cost of this service is to be paid by the applicant.

Signage. The design and placement of directional signage to and from the event site shall be approved by the Town Marshall. The preparation and cost of the signs shall be born by the applicant.

Noise Control. The Town's Unified Development Ordinance limits the intensity and duration of sound to specified limits. The applicant is obligated to stay within these limits. If these limits are violated the Town Marshall has the right to stop or shut down the sound generating activity. The agreement shall specify how, by whom, and where the sound level measurements are to be taken.

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If the applicant intends to conduct activities that reasonable are expected to exceed the Town adopted sound limits, the applicant needs to apply for a variance by filing a variance application with the Town. Only the Town Council, after a formal public hearing, can approve a variance to provisions contained in the Unified Development Ordinance.

Ground Alteration. The applicant has proposed to import to the site fill material to create mounds in the race-track. The Town has a ground alteration provision in its Unified Development Ordinance that allows up to fifty (50) cubic yards of material to be brought to the site without a permit. Fifty cubic yards amount to about four to five dump truck loads. If it is the intent of the applicant to bring to the site more than fifty (50) cubic yards, the applicant must file a land alteration permit application and pay the application fee. All fill material brought to the site must be removed within two weeks after the conclusion of the racing event.

Stormwater Management. Any fill material, in excess of fifty (50) cubic yards must be protected by silt fencing as specified in the Pierce County Stormwater Management and Design Manual. Considering the duration of the event and the time of the year, a straw bail silt fence will be satisfactory. The straw bail silt fence shall be installed around the fill area from the point of bringing the material to the site and until the material is removed. The straw bails can be removed prior to the race event and replace immediately after the conclusion of the race. Any silting material collected behind the silt fence shall be removed at the time the straw bailed are permanently removed.

Liability Insurance. The applicant shall maintain general liability insurance for the event and name the Town of South Prairie as co-insured to an amount and conditions as deemed satisfactory to the Town Attorney.

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