

TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING/PUBLIC HEARING
TUESDAY, JULY 10, 2007, 7:00 PM
Rescheduled from July 3, 2007

CALL TO ORDER:

Mayor Peggy Levesque called to order and presided over the Regular Council Meeting/Public Hearing of Tuesday, July 10, 2007 at 7:00 PM.

ROLL CALL:

Council Members: Dave Lykstad, Laura Heideman, Anthony Caldwell and Eric Satterthwaite were present. Virginia Thompson was absent.

Also in attendance: Mart Kask, Town Planner; Markus Dennis, John Downs and Russ Matthews, Rails to Trails Coalition; Mathieu Cameron and Karen Shell citizens; and Marla Nevill, Clerk/Treasurer

FLAG SALUTE:

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

*Amend Agenda – Mayor Peggy Levesque requested an amendment to the agenda for a brief presentation from the Rails to Trails Coalition.

RAILS TO TRAILS COALITION:

Markus Dennis gave a brief presentation about the Rails to Trails Coalition and handed out membership forms and copies of their newsletter. He stated their goal is to add 100 new members this year. He said he was recently appointed as the Rails to Trails Coalition President. Discussion followed. Markus Dennis said a lot of businesses are deciding to locate along the Trail; and he did not expect property values to decrease. He said South Prairie was the home base for the Rainier to Ruston Relay. He said there were two events on the Trail in 2006; nine events are planned in 2007 and seventeen events are already planned for 2008. He said they are hoping to support the South Prairie Salmon Run again this year; and plan on handing out flyers for the event at the fair. Discussion followed. Mayor Peggy Levesque said she had heard a rumor of a breakfast on the Trail in South Prairie. Markus Dennis said yes, this event might be planned for this Fall. Discussion followed. Councilor Anthony Caldwell said it would be nice if Pierce County could sweep the pine needles off the Trail before the Salmon Run. Markus Dennis said the Trail went eighteen months without being swept, but hoped that would improve with the new Parks person, Mitch Nelson. Discussion followed. Markus Dennis said the Salmon Bake, at the old dairy west of South Prairie, is scheduled for the same day as the Salmon Run but it is a private event. Discussion followed.

OPEN PUBLIC HEARING – 2007 COMP PLAN AND DEVELOPMENT REGULATIONS ORDINANCE AND CRITICAL AREAS CODE:

- ❖ At 7:30 PM, Councilor Laura Heideman moved to open the Public Hearing for the 2007 Comp Plan and Development Regulations Ordinance and Critical Areas Code. Councilor Anthony Caldwell seconded the motion. Motion carried unanimously.

Mart Kask, Town Planner, said the updated Comprehensive Plan (Comp Plan) and the amendment to the Development Regulations include the update of the Critical Areas Code (CAC). He said these are the two statutory requirements under State law. He said the process began in 2002. He said the State legislature ruled that the data be updated periodically. He said the municipalities complained there was not enough money to do these updates, so the legislature kept extending the deadline and increasing the amount of money to accomplish the updates. So, the date of the Comp Plan is 2002 – 2022, that is fixed in State law. He said Pierce County Council adopted the forecasted population targets for 2022. That

will remain the target date until they move that up some time in the future. He said there were two approaches to the Critical Areas Code. One is to adopt the State prepared prototype ordinance, which is about ninety pages of single-spaced material and that is very onerous to look at and adopt. He said it was not written for small communities but probably for a city the size of Tacoma, where they have experts in areas of fisheries, wildlife geologists, hydro-geologists and the list goes on and on. He said it was too much for small communities to deal with, so he wrote a short version. He said there were some questions early on whether the State would accept the short version, but he wrote that version for Wilkeson and it was accepted by the State. He said he brought three-ring binders for the document. He said a picture of the Great Blue Heron is on the cover. He said the Great Blue Heron is a protected species and the native bird for the State of Washington. He said we have been working on the Comp Plan for quite some time. He said we have had public hearings previously and discussed corrections to the Comp Plan and CAC, and those corrections are included. **Mart Kask** said the most notable is the expansion of the Urban Growth Area (UGA) to the west, which is the desire of the community at the moment. He said in order to become effective the Town Council and Pierce County Council would have to adopt the UGA, but it is too early to move that forward to Pierce County Council, so it is going to remain on your books as something the Town wishes to adopt sometime in the future. He said when you are ready to make it official, you have to file an application with Pierce County Council and they vote on it or negotiate an agreement. He said this Comprehensive Plan replaces the old document, and the ordinance repeals the old document and adopts these two documents. **Mart Kask** asked for citizen input on the Comp Plan and Critical Areas Code. **Karen Shell** said she had not had a chance to review the documents. **Mart Kask** said when all the corrections are made, he would transfer the information and graphics to CD and forward two copies to the Town. He said it is easier to duplicate and distribute to the public in this type of format. **Mayor Peggy Levesque** asked if the Council had any questions or comments. **Councilor Anthony Caldwell** said he had already given his input. **Mayor Peggy Levesque** said she would entertain a motion to close the Public Hearing.

CLOSE PUBLIC HEARING:

- ❖ At 7:40 PM, **Councilor Anthony Caldwell** moved to close the Public Hearing. **Councilor Eric Satterthwaite** seconded the motion. **Mayor Peggy Levesque** called for discussion; seeing none, she called for the vote. **Motion carried unanimously.** **Mayor Peggy Levesque** thanked **Mart Kask** for his hard work on completing the Comp Plan and CAC. **Councilor Anthony Caldwell** asked **Mart** if he would correct the maps to show that a bridge does not exist on Emery Avenue North for the final document? **Mart Kask** said yes.

NEW BUSINESS:

- 1) **Ordinance No. 492 – Adopting the Comp Plan 2002-2022, dated 10 July 2007 and Repealing the Comp Plan dated June 1995 and revising its Unified Development Ordinance by inserting Chapter 15.16, Critical Areas Code:**
 - ❖ **Councilor Laura Heideman** moved to approve Ordinance No. 492 adopting the Comp Plan 2002-2022, dated 10 July 2007 and repealing the Comp Plan dated June 1995 and revising its Unified Development Ordinance by inserting Chapter 15.16, Critical Areas Code, as corrected. **Councilor Dave Lykstad** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Anthony Caldwell** asked about the date corrections on the ordinance. **Marla Nevill** said the dates would be corrected on the ordinance. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**
- 2) **Ordinance No. 494 – Repealing Ordinances 51 and 463 and setting a new salary for the Mayor and Member of the Town Council:**
 - ❖ **Councilor Anthony Caldwell** moved to approve Ordinance No. 494 – Repealing Ordinance 51 and 463 and setting a new salary for the Mayor and Members of the Town

Council. Councilor Dave Lykstad seconded the motion. Mayor Peggy Levesque called for discussion. Marla Nevill said if approved by the Town Council, the ordinance could be amended to increase the Mayor's salary effective upon approval and publication. Councilor Anthony Caldwell requested that a new section be added as follows: "The Mayor's salary increase becomes effective upon passage, approval and publication as required by law." Councilor Anthony Caldwell moved to amend his motion to approve Ordinance No. 494, as corrected. Councilor Dave Lykstad seconded the amended motion. No further discussion. Mayor Peggy Levesque called for the vote. **Motion carried unanimously.**

OLD BUSINESS:

None.

EXCUSE COUNCIL MEMBER ABSENCE FROM REGULAR COUNCIL MEETING ON JULY 10, 2007:

- ❖ Councilor Dave Lykstad moved to approve Virginia Thompson's absence from the Regular Council Meeting/Public Hearing on July 10, 2007. Councilor Laura Heideman seconded the motion. Mayor Peggy Levesque called for discussion; seeing none, she called for the vote. **Motion carried unanimously.**

APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF JUNE 5, 2007:

- ❖ Councilor Dave Lykstad moved to approve the Regular Council Meeting Minutes of June 5, 2007. Councilor Laura Heideman seconded the motion. Mayor Peggy Levesque called for discussion. Council discussed the water leak at the Community Center. Mayor Peggy Levesque said the cost to repair the water leak at the Community Center is under \$3,000. No further discussion. Mayor Peggy Levesque called for the vote. **Motion carried unanimously.**

APPROVAL OF BILLS FOR JUNE 2007 IN THE AMOUNT OF \$61,944.13:

- ❖ Councilor Dave Lykstad moved to approve the bills for June 2007 in the amount of \$61,944.13 (sixty-one thousand nine hundred forty-four dollars and thirteen cents). Councilor Anthony Caldwell seconded the motion. Mayor Peggy Levesque called for discussion. Councilor Anthony Caldwell asked about the bill from Campbell. Marla Nevill said this was for work on a STEP tank on a property on SE Second Street. Discussion followed. No further discussion. Mayor Peggy Levesque called for the vote. **Motion carried unanimously.**

CITIZENS COMMENTS:

Enforcement Issues:

Council discussed enforcement issues for swimming pool enclosures and obtaining proper permits for filling and grading on private property. Mayor Peggy Levesque said the Fill and Grade permit is under the Town's jurisdiction and she would contact the Town Attorney regarding enforcement action. Councilor Anthony Caldwell asked about enforcement of abandoned and "junk" vehicles. Mayor Peggy Levesque said she was working on an agreement with Pierce County Responds, but the prosecuting attorney for Pierce County pulled the rug out from under us. She said Pierce County Responds help citizens with cleaning up their property and would pay up to \$100 towards the clean up. Discussion followed. Marla Nevill said she spoke to Deputy Galloway and he offered to respond to "junk" or abandoned vehicle complaints. Mayor Peggy Levesque said she would meet with the prosecuting attorney to discuss this interlocal agreement. Councilor Anthony Caldwell asked about the Road Maintenance Agreement. Marla Nevill said the agreement was corrected, as recommended by AWC, and it would be signed and mailed back to Pierce County. Discussion followed regarding animal

control. **Karen Shell** asked if the animal control contract included required licensing of cats. **Mayor Peggy Levesque** said cats have to be licensed. Discussion followed.

MAYOR'S REPORT:

Meeting with Congressman Dave Reichert:

Mayor Peggy Levesque said she and Mayor Pat Johnson, City of Buckley, met with Congressman Dave Reichert. She said there is grant funding available for sewer systems and improvements. Discussion followed.

National Night Out:

Mayor Peggy Levesque said National Night Out is scheduled for August 7, 2007, which conflicts with the Regular Council Meeting. She said there would be a potluck at the Community Center or neighborhoods could organize their own block parties. Discussion followed. **Marla Nevill** suggested changing the Regular Council Meeting to Wednesday, August 1, 2007.

- ❖ **Councilor Dave Lykstad** moved to change the Regular Council Meeting to Wednesday, August 1, 2007, 7:00 PM. **Councilor Anthony Caldwell** seconded the motion. **Mayor Peggy Levesque** called for discussion; seeing none, she called for the vote. **Motion carried unanimously.** Council requested a notice be posted in the newspaper.

Pierce County Neighborhood Emergency Teams (PCNET):

Mayor Peggy Levesque gave an update on the PCNET classes and requested authorization to purchase six (6) walkie-talkies for emergency purposes. **Councilor Laura Heideman** asked about the use of HAM radios? **Mayor Peggy Levesque** said in an emergency, it is important to communicate with our emergency responders; and with all the different types of HAM radios, communications might be compromised. **Councilor Eric Satterthwaite** said you need a permit to operate a HAM radio and they only have a twenty-mile range. **Councilor Anthony Caldwell** asked about the siren? **Mayor Peggy Levesque** said the work on the siren is completed and it would be used for civil defense emergencies only. Discussion followed. **Karen Shell** asked how the citizens would be notified that the siren is for civil defense only? **Mayor Peggy Levesque** said the citizens would be notified via the newsletter and a poster.

- ❖ **Councilor Anthony Caldwell** moved to approve the purchase of six (6) walkie-talkies for emergency purposes. **Councilor Dave Lykstad** seconded the motion. **Mayor Peggy Levesque** called for discussion; seeing none, she called for the vote. **Motion carried unanimously.**

Howard Cooper Fire Engine:

Mayor Peggy Levesque said East Pierce Fire and Rescue have volunteers that would restore the Howard Cooper Fire Engine, but they would like to obtain title to the vehicle. She said the Town of South Prairie could have provisions written into the agreement. She said she spoke to some of the volunteer firefighters and they would like to see the fire truck restored. **Councilor Anthony Caldwell** said he is opposed to the idea. He said giving away the Howard Cooper would be like giving away part of the Town's heritage. **Councilor Dave Lykstad** said that would be like giving away the schoolyard, and he said to keep the fire truck here. **Councilor Anthony Caldwell** said we should keep the title and it should remain as part of the Town. **Mayor Peggy Levesque** said the Town could borrow the fire truck for events. Discussion followed. **Mayor Peggy Levesque** said she would let Chief Packer know that the Council wants the Howard Cooper Fire Engine to remain with the Town of South Prairie.

AWC Loss Control Grant:

Mayor Peggy Levesque said we received the grant from AWC for wood chips. **Councilor Anthony Caldwell** suggested putting the chips at the Third Street Park. He said the depth of the wood chips is not adequate. Discussion followed.

PUBLIC WORKS' REPORT:

Grant Funding:

Councilor Anthony Caldwell said he spoke with Ron Cardwell, Perteet engineering, about applying for grant funding for roads and water tanks. He said he would be meeting with Ron next week to discuss grant funding. Discussion followed.

Modification to Sewer Ordinance:

Councilor Anthony Caldwell said Larry Harter, Utility Operator, has requested a modification to the sewer ordinance. He said there was a problem concerning Larry moving someone's property in order for him to access the STEP tank. Discussion followed. **Councilor Anthony Caldwell** said Larry requested corrections as follows: 1) Nothing can be placed on the STEP tank lid, and 2) STEP tank needs to be accessible 24-hours a day. He said these corrections should be incorporated into the handout and the ordinance. Discussion followed.

Garbage in Sewer Outfall:

Councilor Anthony Caldwell said garbage and yard waste has been dumped into the sewer outfall. He said there are chemicals in the yard waste. **Mayor Peggy Levesque** suggested posting a "No Dumping" sign by the sewer outfall. **Councilor Anthony Caldwell** said we have to prevent chemicals from being dumped into the sewer outfall, and suggested notifying citizens not to dump yard waste by sewer outfall. Discussion followed.

CLERK'S REPORT:

Levy Lid Lift:

Marla Nevill said in order to meet the terms of our agreement with PCFD #22 (a/k/a East Pierce Fire and Rescue) we have to endeavor to match the levy rates approved by their voters in May 2007. She requested submitting a proposition to South Prairie voters to reinstate the regular levy rate of \$2.7568 and the EMS levy rate of \$0.50, which was approved by voters in 2005. She said the increase would help cover the costs of public safety. **Mayor Peggy Levesque** said at the meeting with Congressman Dave Reichert, money concerns was the biggest complaint. She said there are changes in legislature to enact multi-year Levy Lid Lifts. **Councilor Anthony Caldwell** asked about an all mail-in ballot for election. **Mayor Peggy Levesque** said it still would cost \$900 - \$1500 for an election. Discussion followed.

- ❖ **Councilor Dave Lykstad** moved to direct the Town Attorney to draft an ordinance to place propositions on the November ballot for multi-year levy lid lifts as follows: Regular Levy Rate of \$2.7568 and EMS Levy Rate of \$0.50 per \$1,000 of assessed property value. **Councilor Laura Heideman** seconded the motion. **Mayor Peggy Levesque** called for discussion. **Councilor Anthony Caldwell** asked if Judy Tremblay had checked the numbers. **Marla Nevill** said Judy had researched the numbers for the levy lid lift in 2005, and this was the amount needed to cover public safety costs, i.e. fire protection, EMS, police, municipal courts, animal control, etc. No further discussion. **Mayor Peggy Levesque** called for the vote. **Motion carried unanimously.**

COUNCIL MEMBERS' REPORT:

Utility Rates and Rate Study:

Councilor Anthony Caldwell said we have to review the utility rates for water and sewer and suggested having a rate study done. He said the minimum increase should be 5% (five percent). He said for citizens' safety, Well #1 is not being used. **Mayor Peggy Levesque** said the Federal government changed the legal limit for arsenic, and Well #1 no longer meets the requirement. Discussion followed. **Mayor Peggy Levesque** asked about the recommendations in the Water Comp Plan. Discussion followed. **Councilor Anthony Caldwell** said repairs would be very expensive. **Mayor Peggy Levesque** said Pierce County Emergency Management representatives would be here on August 23, 2007 for a Disaster Mitigation meeting; and she would find out if we could put the water tanks under the Mitigation

Plan to qualify for grant funding. Discussion followed. **Councilor Anthony Caldwell** said painting the tanks would be like throwing good money after bad. He said the walls of the tanks are really thin. **Mayor Peggy Levesque** said we could check into grant funding to replace the water tanks. Discussion followed.

Wagon Wheel Restaurant and Lounge:

Councilor Anthony Caldwell asked about the liquor license for the Wagon Wheel Restaurant and Lounge and complaints from citizens. **Mayor Peggy Levesque** said she would set up a meeting with the owner to discuss the complaints and the Good Neighbor Agreement. Discussion followed.

Pierce County Foothills Trail:

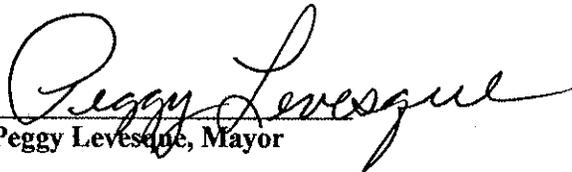
Councilor Anthony Caldwell said Pierce County is working closely with him to maintain the Foothills Trail and mowing behind the fire station. Discussion followed.

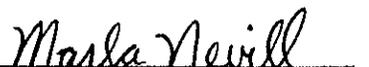
4th of July:

Councilor Anthony Caldwell said we had a quiet 4th of July with less than five people at the Third Street Park. He said he set out garbage cans, and everybody was really good about picking up trash. Discussion followed.

RECESS TO PCNET WORKSHOP ON JULY 18, 2007:

- ❖ At 9:25 PM, **Councilor Dave Lykstad** moved to adjourn the Regular Council Meeting of July 10, 2007, then amended his motion to recess to the PCNET Workshop on July 18, 2007, 7:00 PM at the South Prairie Community Center. **Councilor Anthony Caldwell** seconded the amended motion. **Mayor Peggy Levesque** called for discussion; seeing none, she called for the vote. **Motion carried unanimously.**


Peggy Levesque, Mayor


Marla Nevill, Clerk/Treasurer