

**TOWN OF SOUTH PRAIRIE  
REGULAR COUNCIL MEETING/PUBLIC HEARING  
TUESDAY, SEPTEMBER 7, 2010, 7:00 PM  
South Prairie Town Hall  
121 NW Washington Street**

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

**CALL TO ORDER:**

Mayor Peggy Levesque called to order and presided over the Regular Council Meeting/Public Hearing of September 7, 2010, at 7:00 PM.

**ROLL CALL:**

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

**Also in attendance:** Dwight Partin, Mathew Van Vynck, Tom Inglin, James and Wendy Frank, and Jim and Patty Lamb, citizens; Mart Kask, Town Planner; Lynette Baisch, Town Attorney; Tony Caldwell, Utility Department Assistant; Judy Tremblay, Deputy Clerk Treasurer and Marla Nevill, Clerk/Treasurer

**FLAG SALUTE:**

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

**REVIEW AND APPROVAL OF AGENDA FOR SEPTEMBER 7, 2010:**

- ❖ Councilor Gerald Boures moved to approve the Agenda for September 7, 2010. Councilor Laura Heideman seconded the motion. Marla Nevill requested to add "amending the total for the July Bills to \$45,884.64." Councilor Gerald Boures moved to his amend his motion to approve the Agenda for September 7, 2010, as amended. Councilor Laura Heideman seconded the amended motion. Motion carried unanimously.

**OPEN PUBLIC HEARING – CREATE A VISION STATEMENT AND REVIEW AND COMMENT ON THE DRAFT GOALS AND POLICIES IN UPDATING THE SOUTH PRAIRIE SHORELINE MASTER PROGRAM:**

- ❖ At 7:04 PM, Councilor Karen Shell moved to open the Public Hearing to create a Vision Statement and Review and Comment on the Draft Goals and Policies in updating the South Prairie Shoreline Master Program. Councilor Laura Heideman seconded the motion. Motion carried unanimously.

Mart Kask requested everyone introduce themselves. Introductions followed: Dwight Partin, business owner; Matt Van Vynck, property owner; Jim and Patty Lamb, property owners; Jim and Wendy Frank, property owners; Tony Caldwell, citizen. Mart Kask stated we are in the process of updating our Shoreline Master Program (SMP). That is a requirement of the State, and our deadline is the end of 2012. We are trying to speed up the process. We hope to get it completed by June 30, 2011, because the funds after July 1, 2011 would have to be appropriated by the legislature. And, we all know what the status of the State budget. So, if we can get our work done by June 30, 2011, then we would not be bound by whether the State has any money to complete the project or have to be truncated or postponed. So, we have commitments from the Washington Department of Ecology (WDOE) to give us some money to do the work, but that ends on June 30, 2011. We are trying to get under the wire and would be finished and not have to worry about whether the legislature appropriates additional funds to get the project done. We are not the only one. All the jurisdictions that are on water that are considered of State significance are required to update in all of western Washington. WDOE is beginning to award contracts in eastern

Washington. There is going to be a significant draw on the funds. If we can get it done without having to wait for an appropriation by the State legislature, which may or may not happen, we will be finished and move on to other business. We have done quite a bit of work. We have done what is called Inventory & Characterization Report. We turned in the draft and WDOE has given us a lot of comments. We are in the process of responding to these comments. Once we satisfactorily answer all the questions that were raised by WDOE, we will have that piece of work done. At that point, we would be about 50% (fifty percent) done. The inventory is more related to hydrology, ecology and geology and these earth sciences, including the fish and wildlife kinds of issues. That then becomes the undermining for the second part of this, which are the development regulations. These are the regulations that tell you how far you have to build your house from the shoreline; whether there would be a buffer and what you could do in the buffer and also how high you can build. And, if you are rebuilding something that is close to the water, what are the conditions of rebuilding. Now these are all the issues that come up in the development regulations process. We are just now beginning that phase of it. The first step in that process is to make a determination of what you want the community to look like, the Vision Statement. And, then develop some Goals and Policies that would achieve that Vision Statement. This is not new because we went through this process in the development of the Comprehensive Plan, and the best way to approach this thing is to just bring out what we did in the Comprehensive Plan and see if you still feel the same way as you did when we did the Comprehensive Plan. We have a Vision Statement, and we sent that out to all the property owners within the jurisdiction of the shoreline, together with the Goals and Policies. We asked if you agree with this or disagree, what would you like to change. So, this is the issue before you today. Then we will get into the Shoreline Designations, and I sent out the map that gives us a sort of beginning point of discussion and it's also shown on this map. The red is shown as Residential Development; the green is Public Conservancy and that is the park area, a piece that is Pierce County land and the trestle that is part of the Trail; the yellow is the Natural Environment, and development is restricted in that area. These are the Shoreline Designations once we get through the Goals and Policies. The Goals and Policies and the Vision Statement sets the tone for these kinds of designations. So, we have sent out the Vision Statement, and we come back to the question, are there any comments regarding either carrying forward that Vision Statement that was prepared in the process of the Comprehensive Plan or would you like to see some changes made. We would like to hear from the people that came out tonight. **Jim Frank** stated he was not exactly clear on the Vision Statement and perhaps he should study this more. He asked if everything was spelled out in the Vision Statement. He said he briefed it one night and... **Jim Lamb** stated we were having a hard time understanding exactly what it all encompasses, what it actually currently is, and what you plan on changing. We were just having a hard time understanding exactly what it all entails. **Mart Kask** said the Vision Statement or the overall program. **Jim Lamb** said the overall program. **Patty Lamb** said it just kind of goes on and on. **Mart Kask** said the State law regulates development along waterways. And, the waterways that are subject to development are measured on how much water passes a point in the stream, per second or per minute. And, South Prairie Creek falls into that category. **Jim Lamb** said everything inside that orange zone is what you are covering and what is regulated and you are saying cannot be developed or regulate what can be developed between the orange lines. **Mart Kask** said yes. The law says that the jurisdiction of the shoreline, where the Shoreline Management Act applies, is 200' (two hundred feet) from the high-water mark or, when there are associated wetlands. Then you go 200' (two hundred feet) beyond the wetlands or you can also draw the line at the end of the wetlands as long as they are more than 200' (two hundred feet) out from the high-water mark. **Tom Inglin** asked if that would depend on the wetlands classification. **Mart Kask** said yes. He said that would cover Class 1, 2 and 3. **Dwight Partin** asked if that was Mean High Water. **Mart Kask** said the Mean High Water is the saltwater. That refers to tide. On the creeks and lakes, it's called high-water mark. If you look at the shoreline, you can see where the vegetation begins and the bare rocks and bare soil begin. There is a distinct mark there, and that is defined as the high-water mark. Then it is measured from that point 200' (two hundred feet) out. **Jim Frank** said basically in a nutshell, even though I live right on the river you are telling me I cannot do a damn thing with my property. **Mart**

Kask said no that is not it. Jim Frank said he does flood elevations. I am up in Snoqualmie. I am raising houses out of the Floodplain, and we have to be at least one foot (1') above the hundred-year flood elevation. It is all FEMA money that is doing this job. So, what we are doing tonight, directly affects me. I would like to raise my house a couple of feet. Mart Kask said what is in the orange zone... The Shoreline Development Regulations part... We have currently the Shoreline Development Regulations spelled in the Shoreline Management Use Regulations of Pierce County that were adopted on April 4, 1975 and revised in April 1981. This is the operative document. So, if your property is within the Shoreline Environment, within the orange boundaries, and you want to do something with your house, these regulations apply. Jim Frank said it's doable, as long as you... Mart Kask said yes, as long as you follow these regulations. They are out of date, way out of date, and Ecology has said we need to bring them up to date. So, we are replacing this with what comes out of this process, and we will have new regulations. But today, if you want to do something with your house, you would have to look at these regulations. Jim Frank asked if he could download those regulations. Mart Kask said it is prior to digitizing. Jim Frank asked where he could get a copy. Mart Kask said there is a copy here and you could request the Clerk make you a copy and pay the appropriate fees. Jim Frank said there is a lot of research to be done. Mart Kask said the newer stuff is computerized. Jim Frank said he would like to get a grant, and he said everyone should get a grant to raise their houses. Mart Kask said we are rewriting the regulations as required by the State legislature, and it will replace this old stuff. So, the first step is to look at the soft sciences, the hydrology, theology, fish and wildlife and fauna. You do an inventory of that, which we have done, and we have some questions that were raised by Ecology. We will be answering those questions, and that piece will be done. The second part is the regulations, but before we can get into specific regulations, we have to agree with what the Town wants to be or the vision. Jim Frank stated he thought the whole town should be up about three feet, and we should all get FEMA grants to do it. Mart Kask said the Mission Statement in short says we want to retain a small-town atmosphere. Unless somebody disagrees, we want to hear it now; if not, we will continue with the same statement. Dwight Partin said it states we want to retain a small-town atmosphere. Mart Kask said yes. Dwight Partin stated and how long before the whole town goes bankrupt at that. He said how many small towns you see ever stay small towns before they become ghost towns. Mart Kask said South Prairie has survived for a long time and I will predict that they will be here for a long time after I am gone. You have managed things well and you're not overspending, you're not overreaching and you're living within your means. And, I don't see any reason why that can't continue. Several people were talking at the same time. Tom Inglin said you couldn't do anything unless Ecology says it's okay. They have the final say on everything. What is their Vision Statement for down here? That is what I want to know. Mart Kask said after we figure out what we want, we will invite the Ecology person to come in here and you tell them what you want. Tom Inglin asked what questions were being raised by Ecology. Mart Kask said they raised a whole bunch of questions; that we didn't count houses along the waters edge; and we didn't figure out how many square feet of impervious surface, rooftops and driveways. And, some of the questions are, "why is that important?" But, it is to them. Several people were speaking at the same time. Mart Kask said whether you count them or not, we are not going to tell you to change your surface water... And, the surface water still runs where it runs today. So, we did not figure that was very important thing to do, but they think it is. So, they told us and we will do it. So, we will count houses, and we will make a calculation of so many roofs and so many driveways; and we will give them the number and they would be very happy. And, we will go on. Discussion followed. Mart Kask said we would give them that information and check off that box and we would go on to another one. Whether that is really applicable or not we'll leave that for others to decide. At the first round we did not think that was significant, but they think otherwise so we have got to do it. Dwight Partin said let me ask one question. Can a Pierce County Trail go through that orange area? Mart Kask said yes. It is their choice and yours. It is your property and you work it out with them. Dwight Partin said yes, they are looking at going along this edge right here (he indicated the location on the map). Tom Inglin said they are going to run the Trail there instead of up by the highway. Are they thinking about doing

that? **Dwight Partin** said well, as of the last meeting we had with them a couple of weeks ago on Wednesday, they liked that route better because it's going to be by the back wildlife barrier or whatever. We are doing some tradeoffs. We are going to put it back there so we don't interrupt any commercial ventures out by the road. And, making it easier for them and they are making it easier for me. **Jim Frank** asked what was his business. Several people said the RV Park. **Jim Frank** said now I'm clear, you own the RV Park. **Dwight Partin** said he thought it owned him. **Mart Kask** asked that everyone sign in. **Jim Lamb** said kind of in a nutshell, what do you propose on changing. From the old to the new... I realize you have to include a lot of things for Ecology and things like that, but are there any public action proposed changes? **Mart Kask** said the real important thing in my mind is that we need to designate the shoreline. Whether that is for residential, conservancy, or type of shoreline it is going to be. He said he sketched it out as red being the residential; the yellow being the natural environment, as **Dwight** would speak to before we leave here, I assume; and the green is for public access, that is the park and also a piece of land here that is owned by Pierce County that we can talk to them about doing something that would allow people to go next to the waterline and see the river flow. Those are the recommendations to start, it is then up to the citizens like you to tell us whether you agree with that or whether you want to see changes. If you want changes, change it to what. Once we have done that, then we will begin to detail the regulations. About how far back from the water and are there going to be buffer areas, how wide are they going to be and what you can and cannot do in the buffer areas. And, if you have a building that I close to the water and if you want to rebuild are there prior rights in place or is it subject to the new regulations. That is really where the rubber hits the road, when we get into these kinds of regulations. If you are interested in building on a vacant lot, how close can you build to the water; that is called a setback. Second, are buffer areas required. Buffer areas means you have to keep it in natural vegetation. You could not put a lawn in or mow the brush or cut the trees. Are there going to be buffer areas, if so, where they are located and how wide are they going to be and what you cannot do in the buffer area. Third, the rebuilding of existing structures. A lot of discussions are going on about that issue at the State level. It is called grandfather rights. And, whether they go away or stay or what the situation is. These are the issues that I understand are geared toward the property owners and they want to know what their limitations are. We will put those in writing and eventually the Town Council will adopt this and it has to be signed off by the Department of Ecology. Once they are done, then this goes into archives and we would have a new set of rules. **Tom Inglin** said he thought we go by Pierce County Code or regulations. **Mart Kask** said these are Pierce County's, but we adopted in 1975 and 1981, we adopted these by reference, because we did not have the means of doing our own. **Tom Inglin** asked if Pierce County had completed their SMP update. **Mart Kask** said they are about 70% complete. **Jim Frank** asked when a vote would take place on this. **Mart Kask** said he would say that we would begin the adoption process toward the end of this year. **Jim Frank** said everybody in Town, everybody that lives here, would have a vote. **Mart Kask** said yes, in the sense that you would tell your position to the Town Council, and the Town Council would be the one that makes the decision in the end. **Jim Frank** said you would carry the majority, the word of the majority. **Mayor Peggy Levesque and Mart Kask** said yes. **Jim Frank** said really. **Councilor Karen Shell** said we would take into consideration and try to do it, but we cannot please all parties involved. **Jim Frank** said if everybody in town said we want to do it this way, you could still say no we are not going to listen to you we are going to do it this way. **Councilor Karen Shell** in effect, but we probably would not. **Jim Frank** that is not very good now is it. Isn't this America, isn't this a democracy. **Councilor Gerald Boures** said there is an empty Council seat. **Jim Frank** said sign me up. **Mayor Peggy Levesque** said the main thing is we have to operate within the parameters of the State and the Department of Ecology and we would try as best as we can to represent the Town's people if we can do it. She asked **Mart** if that was correct. **Mart Kask** said yes. And, there are some guidelines, and some places are quite wide and some places are quite narrow. We have to fit our regulations into it. The Council adopts an ordinance, but before it takes effect Ecology has to review and sign off on it. **Mathew VanVynck** asked what exactly goes on from the orange line in. **Mart Kask** said the orange line in is the area that is subject to the Shoreline Regulations. If your house

were outside the orange line, you would not have to worry about it. Discussion followed. **Dwight Partin** said the attorney called you and I think you indicated to him that you would not be doing anything on this until 2011. **Mart Kask** said adoption. **Dwight Partin** said now you're voting on it this year or this fall. **Mart Kask** said yes, we are going to narrow the field down and try to focus in on this by the end of the year. And, then when we have a package of materials then we take it to the Council as a draft ordinance and that would be 2011. **Dwight Partin** said that would be next year. **Mart Kask** said yes. **Dwight Partin** said first quarter, second quarter... **Mart Kask** said we would try to do it in the first quarter and get it done by June 30<sup>th</sup>. **Dwight Partin** stated concerns on how it would conflict with Pierce County coming through and doing what they need to do. **Mart Kask** said he would try to expedite that from your perspective. **Dwight Partin** said oh, tell the County to hurry up. Discussion followed. **Patty Lamb** said so, there is no more public access, just what is indicated in the blue. Is there any plans for public access? **Mart Kask** that is the area of the fire station right there. That is the area that is in public ownership. That is the Trail and that is the bridge. There is this piece of land that is owned by Pierce County. Discussion followed. **Mayor Peggy Levesque** asked that only one person talk at a time, since we have to record this because it is a public hearing. **Jim Frank** asked if there was access to that property at the moment. **Mart Kask** said no, but it could be developed. **Tom Inglin** said isn't that where the old road used to be, that is the public access across the river. **Mart Kask** said the old road used to come across right here. That is why it belongs to Pierce County because of the old right-of-way. If you know where the old bridge was, it is on the other side of the creek. **Dwight Partin** asked Tom if his house was in the county. **Tom Inglin** said yes, but we own about three acres in Town. **Patty Lamb** said a lot of this doesn't pertain to South Prairie though. If that is your only public access, they have got different things in here that doesn't even pertain to us; shipping etc. There is so much stuff that... Throw that stuff out that doesn't pertain to us. **Mart Kask** suggested that she mark it up and give me your markups. You don't have to do it today, but take it home mark it up and bring it to Marla and she will get it to me and I will work it into our... **Patty Lamb** said since it is already a salmon run or whatever, it's already protected. It probably has buffers. You can't fish in it. You have to be real careful. **Mart Kask** said the river is a habitat for endangered species. **Patty Lamb** said there is not a lot you could do in the shoreline because of that. **Mart Kask** said that is right. But, our property owners don't use the shoreline like people living on the lake. They put in a dock and a boat. We don't have that. **Patty Lamb** said with that stuff in there... **Mart Kask** said there was a lot of stuff put in there because it was something that satisfied a lot of other people, but if you want to take, make your mark and bring it to me. I would like nothing more than to cut this verbiage back to a more manageable size. **Tom Inglin** said it is kind of like what they like to hear though. **Mart Kask** said that is true. And, we might get a push back from Ecology saying... I was already criticized by Ecology, and they said that the report we submitted did not have enough words in it. **Tom Inglin** said it didn't have enough words. **Mart Kask** said yes. Discussion followed. **Mart Kask** said there is a trade off between... I think Benjamin Franklin said "sorry I wrote such a long letter because I didn't have enough time to write the short one." **Councilor Mathieu Cameron** asked if any of the buffer zones changed at all from the last one. **Mart Kask** said yes, Ecology is promoting buffers and your properties are buffered; because your lots go all the way to the creek. But at the time the Cross Creek subdivision was approved, Ecology said that they would not agree to the sewer hookups. You had three reservations, but Ecology had to approve them. They said they would not approve them unless you put in this buffer zone. You have this buffer zone that is between Cross Creek road and the water. That is in a natural state. **Mathew VanVynck** said he was told when they bought that place that we were allowed... just as long as we stayed back fifty feet for the buffer. **Mart Kask** said right now the buffer zone is all the way to the street. **Dwight Partin** asked why did they require a buffer zone on Cross Creek and not on Olympic Manor. **Mart Kask** said that is a good question. Because we are under a sewer moratorium as we all know. Any new sewer hookups would have to be specifically approved by Ecology. Ecology said they would release those three sewer hookups provided you put in this buffer zone. That is the condition of approval for that plat. What their logic or reasoning was I don't know, but that was their decision. **Tom Inglin** said wasn't it originally slated for six lots. **Mart Kask**

said there were four. Marla Nevill said there were six or seven. Tony Caldwell said they had demo... Marla Nevill said the foundations were put in and they had to take them out. Mart Kask said that's right. The foundations were in here, this side of the road (he indicated the creek side of Cross Creek Court), and Ecology said you could not build there. So, they were cut to four and three houses are in place and the fourth lot, I believe, was sold to the county. He asked Marla if that was correct. Tony Caldwell said the way they have it set up they have the lot closest to Cross Creek and the Town has the lot next to the railroad bridge. It should have been the other way around. That fourth lot is supposed to be Town property, but for some reason when Pierce County did all of the Trail easements through there they reversed the ownership on those properties. Discussion followed. Tom Inglin asked if it was a 200' setback in 1975. Mart Kask said yes. Tom Inglin said they changed the high-water mark. Mart Kask said it has always been the high-water mark. Tom Inglin said but they moved the high-water mark back further. Mart Kask said the high-water mark is set by nature and has been there and would be the same. I think what you are talking about is FEMA is redoing the Floodplain Maps. They have given us a draft of the revised maps. We have looked at it and I talked to Marla about it and we don't really see much different from what they were before. So, I don't see any significant change. In other areas there are significant changes, and these people are really upset about FEMA revising the flood maps. Particularly along the Puyallup River, FEMA is saying that they cannot guarantee the integrity of the levees and the levees might fail. Therefore, the land behind the levees are judged to be floodplain, and that is very upsetting to the people that live behind the levees. That is an issue that is not going to be troublesome to us. However, we do have an issue I need to talk to Tony about out. We have this berm that we put up by the fire house and we have a drain that backflows. Tony Caldwell said he would know more after tomorrow, since he has a meeting with FEMA tomorrow. Mart Kask said that is an issue we need to work out, because if we don't have a backflow gate on that the flood waters would still flow behind that berm and flood the fire station area and so forth and so on. So, that is something we need to figure out and you seem to be on top of it. Dwight Partin said the engineer was telling me that none of the towns are adopting this because FEMA hasn't really drawn the line in the sand yet. So, the towns are just waiting until FEMA makes their decision. Mart Kask said we are using the old FEMA maps and Ecology has already chastised us that we should be using the new one. Dwight Partin said why would we adopt this until... Mart Kask said we are not adopting the new FEMA maps until they have been formally adopted. Dwight Partin said but this right here we would have to change it again. Mart Kask said as I said we don't really see much change in the FEMA maps. The revised maps are not that much different. It is not going to affect us significantly. It will have an impact on parts of Puyallup, particularly those areas that are behind the levees. The County is talking about creating a Flood Zone District and the objective is to try to beef up those levees along the Puyallup River to protect the land behind... Dwight Partin said they would beef them up but they would not help us out up here. Mart Kask said it is not going to affect us much other than you get a tax bill. Discussion followed. Mart Kask asked the Town Attorney, Lynette Baisch to sign in. Mart Kask asked if there were any other questions or concerns. He asked those present to look at the Vision Statement and rewrite it if you are so inclined or change it. Put a pencil to the Goals and Policies and strikeout what you feel is unnecessary and if you find something that you would like to substitute, we would like to hear from you. But, we have to start from some place. And, a good place to start was what had already been adopted as our Comprehensive Plan. If you have some suggested changes, I would like to hear from you. Jim Frank said do you have a date when you would like to have... Mart Kask said I would say within the next two or three weeks. Tom Inglin asked if there were no natural environment within the corporate boundaries at this time. Mart Kask said that was correct when we wrote this piece. Ecology is saying that Dwight's property is subject to flooding and is now a natural environment; and is subject to natural designation. Tom Inglin said it states there is no natural at this time. If it is natural now, it is never going to be natural. Mart Kask said our definition is in this document. Ecology has overruled us and said there is and now we put that yellow line on the map. We ask you if you agree. Obviously, Dwight has already spoken to it and has a letter to us from his attorney. Tom Inglin asked if that was there they were talking

about revamping the fish habitat. They are going to come in and how the river channels itself, and they were going to come in there and build levees out of logs and stuff. Is that where they are talking about that? Dwight Partin said not me that is Pierce Conservation... Tom Inglin said yes, is that on your place? Where is that on the river where they were talking about that fish estuary thing they want to revamp? Councilor Karen Shell said she thought that was above your property. Tom Inglin said outside of the Town limits? Councilor Karen Shell said she thought that was what they were saying but she was not sure. Discussion followed. Dwight Partin said they are looking into doing some planting and doing some... They are waiting one more year and then they are going to go with... What is his name, it evades me at the moment. He is the biologist for the Fisheries. He said he could not think of his name right now. Russ something. He is going to be working with the Pierce Conservation group on doing the salmon enhancement in that whole area. Discussion followed. Dwight Partin said it has become very braided here now. They are going to be doing whatever they do back in there. I don't know, it changes. But, they are going to be pushing this little stream right here back into the main creek. I think his name is Russ Ladley. We've got a lot of rock all came in here from up by Wilkeson. When it eroded the trail or the river grade, according to Russ it brought all that rock down there. He thinks that is where all that rock came from. It destroyed that grassy area. So, they are going to be doing all that. It would be wildlife preserve salmon enhancement area; and that is where they are looking to run the trail alongside it. So, there would be educational trails going out there for kids and there will be a wildlife area where there would be some kiosks and trails going out into there to show kids the woodpecker trees and how the salmon enhancement and how our tax dollars are helping the salmon. There would be a rest area for the bicycles. That is what is in the works there. Discussion followed. Tony Caldwell said you have got all of these different departments. I went through that just to clean out an outfall for the Town. Ecology says it is okay in one department, but another department over here... Ecology puts there stamp of approval, but then you get the Fisheries then the National Fisheries involved in this and it is more than just the Department of Ecology. Mart Kask said and the Corp of Engineers. Tony Caldwell said and the Corp of Engineers, correct. We went through that and we had quite a headache getting through that. Tom Inglin said all you're trying to do is improve something that needs to be fixed. Tony Caldwell said they could not agree. They do not talk to each other. We finally had to go back to Washington D.C. to get approval to go in there for one week to clean out the outfall. Mayor Peggy Levesque said it is hard for individuals and it is hard for the Town too. Councilor Gerald Boures said the water had to be a certain temperature and it comes off a glacier. Dwight Partin said it does not come off a glacier. Discussion followed. Dwight Partin said this is part of the problem with the river being braided back there. When it is shallow, the sun heats up the water more. This is why they would like to re-channel it back into the main creek; so the water is deeper... So, that is why they want to do their thing out there. Tom Inglin said but that is natural. Discussion followed. Mart Kask said he thought he had spoke enough, and I am ready to have you close it if you so choose.

#### **CLOSE PUBLIC HEARING:**

- ❖ At 7:55 PM, Councilor Gerald Boures moved to close the Public Hearing. Councilor Karen Shell seconded the motion. Motion carried unanimously.

Mayor Peggy Levesque asked that citizens submit comments to the Town Hall. Mart Kask said he would try to get aerial maps to the citizens.

#### **APPROVAL OF COUNCIL MEETING MINUTES OF AUGUST 4, 2010:**

- ❖ Councilor Laura Heideman moved to approve the Regular Council Meeting Minutes of August 4, 2010, as written. Councilor Karen Shell seconded the motion. Motion carried unanimously.

**APPROVAL OF BILLS FOR AUGUST 2010, IN THE AMOUNT OF \$22,596.03:**

- ❖ **Councilor Karen Shell** moved to approve the bills for August 2010, in the amount of \$22,596.03 (twenty-two thousand five hundred ninety-six dollars and three cents). **Councilor Gerald Boures** seconded the motion. **Councilor Laura Heideman** requested that the payment for the pension fund be held until a pending issue gets resolved. **Councilor Karen Shell** moved to amend her motion to approve the bills for August 2010, and hold the payment to the pension fund until **Motion carried unanimously.**

**AMEND JULY BILLS TO \$45,884.64:**

- ❖ **Councilor Karen Shell** moved to approve amending the July bills total to \$45,884.64 (forty-five thousand eight hundred eighty-four dollars and sixty-four cents). **Councilor Gerald Boures** seconded the motion. **Motion carried unanimously.**

**UNFINISHED BUSINESS:**

**1) Amending and Updating Water and Sewer Regulations:**

There is nothing new to report at this time.

**2) Website Content:**

STEP (Septic Tank Effluent Pumping) System Brochure updated and posted to the website.

**3) General Facilities/Comprehensive Sewer Plan:**

There is nothing new to report at this time.

**4) Codifying Ordinances:**

There is nothing new to report at this time.

**5) Citizen Request to post "No Jake Brakes" sign at the eastern Town limits:**

WDOT was contacted and they will move the sign to the eastern Town limits; but they recommended we contact Pierce County to find out if they have a similar ordinance so the sign could be posted further east at the top of the hill, which would be in the County. We left a message with the Pierce County Traffic Engineer, but they have not returned our call.

**Mayor Peggy Levesque** requested the Town Clerk call Pierce County again. **Dwight Partin** suggested attaching it to the speed limit sign. Discussion followed.

**NEW BUSINESS:**

**1) Approval of Vision Statement and Goals and Policies in updating the South Prairie Shoreline Master Program:**

- ❖ **Councilor Laura Heideman** moved to table the approval of the Vision Statement and Goals and Policies in updating the South Prairie Shoreline Master Program. **Councilor Gerald Boures** seconded the motion. **Mart Kask** recommended that the Council not take action at this time; and he would inform the Council when it would be appropriate to take action on this matter. Discussion followed. **Councilor Laura Heideman** moved to amend her motion to "table indefinitely." **Councilor Gerald Boures** seconded the amended motion. **Motion carried unanimously.**

**CITIZENS' COMMENTS:**

**Dwight Partin** said he is working on finalizing the Trail and stated he hoped the Town would work with the Pierce Conservation District and Pierce County Parks to expedite the process. He said people would be able to access the area to see a salmon habitat. **Mayor Peggy Levesque** said it sounds like you are getting closer to reaching an agreement with Pierce County. Discussion followed.

**MAYOR'S REPORT:**

**Mayor Peggy Levesque** said she attended a meeting at the Pierce County Executive's Office and was able to tell them our concerns. She said these meetings would be scheduled regularly to communicate

with the Mayors. She state we have tried for at least two years to get help with abandoned vehicles; and within a week after this meeting, we had an Interlocal agreement from Pierce County Responds. Discussion followed.

Mayor Peggy Levesque stated we had the National Night Out right before the last meeting and it turned out really well. Discussion followed.

#### **PUBLIC WORKS' REPORT:**

Tony Caldwell said we have had some problems with the equipment. Discussion followed.

Tony Caldwell suggested that the Council look into placing a telephone pole on the north side of Highway 162 by the post office, so we could put a banner over the highway for Town events. Discussion followed. Mayor Peggy Levesque asked Tony if he could follow up on this issue.

Tony Caldwell said two people would be covering for Larry Harter while he is on vacation. Discussion followed. Tony Caldwell stated two hydraulic hoses blew on the side mower and it took five hours to get the mower back up and running; but everything else is running smoothly. Councilor Gerald Boures stated no calls were received while he was packing the pager; and Marla Nevill did a fine job too. Discussion followed regarding vacation coverage. Discussion followed.

Tony Caldwell said he changed locks at the Community Center. He said we ha to lock up the cleaning supplies and the emergency equipment room is also locked up. Discussion followed.

#### **CLERK'S REPORT:**

Judy Tremblay gave an update on the new computer program. She said one report had more detail and requested the Council choose the type of report they would prefer. The Council chose the shorter report. Mayor Peggy Levesque requested that one copy of the elongated report be printed in case there are any questions. Discussion followed. Judy Tremblay stated she thought eventually she might be able to cut her hours.

Judy Tremblay requested Council separate the Water and Sewer into two separate funds. Mayor Peggy Levesque suggested setting up the Garbage Fund at the same time. Judy Tremblay stated she should have the garbage on the bills for October. Mayor Peggy Levesque requested a note be added to September bills that garbage would be added to the bills for October. Discussion followed.

- ❖ Councilor Karen Shell moved to direct the Town Attorney to draft an ordinance establishing separate Funds for Water, Sewer and Garbage. Councilor Laura Heideman seconded the motion. **Motion carried unanimously.**

Judy Tremblay asked the Mayor and Council to start thinking about the budget. She stated she would look at how much we would collect from property taxes. Discussion followed. Judy Tremblay asked that the Mayor and Council submit budget requests to her before the next Council meeting.

Judy Tremblay stated the carpet by Marla's desk needs replaced and she also requested approval to replace the office chairs. Discussion followed.

#### **COUNCIL MEMBERS REPORT:**

Councilor Laura Heideman said the committee for the "Salmon Run" met last Thursday and everything is on track. Discussion followed.

**EXECUTIVE SESSION: Potential Litigation, Approximate Time 30 Minutes**

- ❖ At 8:40 PM, **Councilor Laura Heideman** moved to recess to Executive Session to discuss potential litigation for approximately thirty (30) minutes. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously.** At 9:10 PM, the Executive Session was extended another ten (10) minutes, and this information was relayed to the people waiting outside.

**CLOSE EXECUTIVE SESSION:**

- ❖ At 9:12 PM, **Councilor Gerald Boures** moved to close the Executive Session. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

**ADJOURNMENT:**

- ❖ At 9:18 PM, **Councilor Karen Shell** moved to adjourn the Regular Council Meeting of September 7, 2010. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

**October 4, 2010**

**Date Approved**