

**TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING
TUESDAY, JANUARY 4, 2011, 7:00 PM
South Prairie Town Hall
121 NW Washington Street**

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

CALL TO ORDER:

Mayor Peggy Levesque called to order and presided over the Regular Council Meeting of January 4, 2011, at 7:05 PM.

ROLL CALL:

Council Members: Gerald Boures, Mathieu Cameron, Karen Shell and Tony Caldwell were present. Laura Heideman was absent.

Also in attendance: Tom Inglin and Barb and Lyle Wigton, citizens; and Marla Nevill, Clerk/Treasurer

FLAG SALUTE:

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

REVIEW AND APPROVAL OF AGENDA FOR JANUARY 4, 2011:

- ❖ **Councilor Karen Shell** moved to approve the Agenda for January 4, 2011. **Councilor Mathieu Cameron** seconded the motion. **Councilor Tony Caldwell** requested adding Shoreline Master Program (SMP) discussion under Old Business. **Councilor Karen Shell** moved to amend the motion to approve the Agenda of January 4, 2011 with the addition of SMP Discussion under Old Business. **Councilor Mathieu Cameron** seconded the amended motion. **Motion carried unanimously.**

APPROVAL OF COUNCIL MEETING MINUTES OF DECEMBER 7, 2010:

- ❖ **Councilor Karen Shell** moved to approve the Regular Council Meeting Minutes of December 7, 2010. **Councilor Mathieu Cameron** seconded the motion. **Councilor Tony Caldwell** requested amending Larry Harter's statement under the Public Works Report as follows: "He said the roll-top would be purchased from one company and the installation and painting would be from SC Autocraft." **Councilor Karen Shell** moved to approve the amended motion as requested. **Councilor Mathieu Cameron** seconded the amended motion. **Motion carried unanimously.**

APPROVAL OF BILLS FOR DECEMBER 2010, IN THE AMOUNT OF \$62,936.01:

- ❖ **Councilor Tony Caldwell** moved to approve the bills for December 2010, in the amount of \$62,936.01 (sixty-two thousand nine hundred thirty-six dollars and one cent). **Councilor Karen Shell** seconded the motion. Discussion followed. Council requested holding the payment to LIUNA for the pension. **Councilor Tony Caldwell** moved to amend his motion to approve the bills for December 2010 in the amount of \$62,291.00 (sixty-two thousand two hundred ninety-one dollars and zero cents), and hold the payment to LIUNA for the pension. **Councilor Karen Shell** seconded the amended motion. No further discussion. **Motion carried unanimously.**

UNFINISHED BUSINESS:

- 1) **Councilor Tony Caldwell** stated we hired Mart Kask to prepare the Shoreline Master Program (SMP) Update. He submitted the first phase materials and Washington Department of Ecology (WDOE) paid for that submittal. When he submitted the second phase materials; WDOE requested amendments. But, when the amendments were submitted, WDOE refused to review these documents. We were then requested by WDOE to replace Mart Kask as the consultant for the SMP Update. We contacted the Town Attorney to determine whether WDOE could dictate whom we hired as the consultant. She reviewed the materials submitted by Mart Kask and stated they were about 50% complete; and stated WDOE could dictate who we hired as the consultant because they administered the funds. When we met with Mart Kask, he requested that he be given an opportunity to meet with his legal counsel before terminating him as the consultant for the SMP Update. He said Mart met with his legal counsel and advised against pursuing a legal challenge against WDOE. **Councilor Tony Caldwell** said even though Mart Kask would not be the consultant for the SMP Update; he would still be as our on-call Town Planner. He said Marla Nevill contacted WDOE today to determine what was required and the timeline. Discussion followed. **Barb Wigton** stated Mart has been our Planner for a long time; and she suggested we make the State give a written statement on why they wanted Mart terminated. **Mayor Peggy Levesque** said Mart said he was done. She said we would see if we could get another consultant and see what happens. **Councilor Mathieu Cameron** asked if they had a list of consultants. **Marla Nevill** said we received a list from WDOE. **Councilor Karen Shell** suggested we contact our Representative. Discussion followed.

NEW BUSINESS:

- 1) **Labor Agreement Negotiations:**
Mayor Peggy Levesque said we might be close to a resolution on the pension fund. Discussion followed.
 - ❖ **Councilor Tony Caldwell** moved to table this issue until Council could review the information from the Town Attorney. **Councilor Karen Shell** seconded the motion. **Motion carried unanimously.**
- 2) **Update Comprehensive Land Use Plan as requested by the Puget Sound Regional Council (PSRC):**
 - ❖ **Councilor Karen Shell** moved to approve Mart Kask updating the Comprehensive Land Use Plan. **Councilor Tony Caldwell** seconded the motion. **Mayor Peggy Levesque** stated we have to correct the Comp Plan before we could apply for any grant funding through PSRC. Discussion followed. **Motion carried unanimously.**
- 3) **Kask Consulting, Inc. – Professional Services Agreement:**
 - ❖ **Councilor Tony Caldwell** moved to approve the Kask Consulting, Inc. Professional Services Agreement. **Councilor Gerald Boures** seconded the motion. **Councilor Karen Shell** stated she was leaning towards the fixed rate or Option 1. Discussion followed. **Councilor Tony Caldwell** moved to amend his motion to approve the Kask Consulting, Inc. Professional Services Agreement, fixed rate or Option 1. **Councilor Gerald Boures** seconded the amended motion. **Motion carried unanimously.**

CITIZENS' COMMENTS:

Barb Wigton suggested that the Town annex the Inglin property into the Town. Discussion followed.

Barb Wigton stated she has an issue with the Town's failure to maintain SE Second Street at approximately the 300-block, also known as Union Hill. She said the road has been frozen over for about

30 days. She requested that the ditch be cleaned and get the water off the road; and said Dave Lykstad donated pipe to the Town. She stated every year it is a problem; and the road is deteriorating and becoming a safety hazard. She said she was well aware of the litigation threat from a neighboring property owner if the Town were to fix the hillside. Discussion followed. **Councilor Tony Caldwell** said the Town spent \$10,000 and had drawings prepared. He said we had the bank dug back and it has a tendency to slough off. **Councilor Mathieu Cameron** said the hillside gets no sunlight. **Barb Wigton** said this is a priority; and the Council needs to understand this is a problem. She asked if they wanted a death on their hands. Discussion followed. **Councilor Tony Caldwell** said he would contact Pierce County and have them dump a load of sand on the hill. **Mayor Peggy Levesque** said she would love to see a retaining wall installed and this get fixed. She stated she would talk to Larry about installing the pipe. Discussion followed.

Barb Wigton said there is a tree hanging over the roadway and into the power lines on Tubbs Road and needs to come down. Discussion followed. **Marla Nevill** said she would contact Puget Sound Energy (PSE) again. It was requested that East Pierce Fire & Rescue also be contacted. Discussion followed.

Barb Wigton requested that the pothole be filled at Emery Avenue North and Highway 162. Discussion followed.

MAYOR'S REPORT:

Mayor Peggy Levesque stated we received reports of vandalism on Christmas Day. Discussion followed.

Mayor Peggy Levesque said we have been working on resolving the SMP and pension fund issues. She stated she would email the information from the Town Attorney regarding the pension fund; and asked the Council Members to get back to her. Discussion followed.

PUBLIC WORKS' REPORT:

Councilor Tony Caldwell said we failed to get the grant funding for the overlay of Tubbs Road, SE Third Street and Emery Avenue South. He said when we patch potholes it takes away points when we apply for grant funding. He said if we receive complaints; let them know we are aware of these issues. Discussion followed.

Councilor Tony Caldwell said we have had several incidents of vandalism; Sani-can and Veterans Memorial Sign were knocked over and the wreath was taken down and thrown off by the hedges at the Community Center. He said two storm grates were stolen and he put up cones. **Mayor Peggy Levesque** said she contacted someone regarding the storm drains and they reappeared. Discussion followed.

Councilor Tony Caldwell said he understood the frustration and citizen complaints regarding Union Hill on SE Second Street. **Mayor Peggy Levesque** asked Tony to deal with those issues. Discussion followed. **Councilor Tony Caldwell** requested and received Council approval to clean out the ditch and put in the pipe. Discussion followed.

CLERK'S REPORT:

Marla Nevill wished everyone a Happy New Year!

COUNCIL MEMBERS REPORT:

Councilor Karen Shell stated concerns about the growing feral cat population on Union Hill. Discussion followed.

RECESS:

- ❖ At 8:10 PM, **Councilor Tony Caldwell** moved to recess the Regular Council Meeting to January 18, 2011, 7:00 PM. **Councilor Gerald Boures** seconded the motion. **Motion carried unanimously.**

February 1, 2011

Date Approved