

**TOWN OF SOUTH PRAIRIE  
REGULAR COUNCIL MEETING  
TUESDAY, MAY 1, 2012, 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 May 1, 2012, at 7:02 PM.

**ROLL CALL:**

**Council Members:** Tony Caldwell, James Frank, Laura Heideman, Phillip Marshall and Stu Terry were present.

**Also in attendance:** Mart Kask, Town Planner; Jim Morgan, Town Engineer; Larry Harter, Utility Operator; and Marla Nevill, Clerk/Treasurer.

**FLAG SALUTE:**

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

**REVIEW AND APPROVAL OF AGENDA FOR MAY 1, 2012:**

- ❖ **Councilor Laura Heideman** moved to approve the Agenda for May 1, 2012. **Councilor Phillip Marshall** seconded the motion. **Marla Nevill** requested the following additions to the Agenda: 1) Authorize SMP documents and 60-Day Notice of Intent to Adopt be sent to Washington Department of Ecology (WDOE) and Washington Department of Commerce (WDOC) for review. 2) Authorize Mayor to sign Supplemental Agreement for the Emery Avenue-3<sup>rd</sup> Street-Tubbs Road Overlay Project. **Councilor Laura Heideman** moved to amend her motion to approve the Agenda for May 1, 2012, with the two additions. **Councilor Phillip Marshall** seconded the amended motion. **Motion carried unanimously.**

1) **Authorize SMP documents and 60-Day Notice of Intent to Adopt be sent to Washington Department of Ecology (WDOE) and Washington Department of Commerce (WDOC) for review:**

- ❖ **Councilor Tony Caldwell** moved to authorize SMP documents and 60-Day Notice of Intent to Adopt be sent to WDOE and WDOC for review after the SMP document has been reviewed and corrections made by Mart Kask. **Councilor James Frank** seconded the motion. **Motion carried unanimously.**
- 2) **Authorize Mayor to sign Supplemental Agreement for the Emery Avenue-3<sup>rd</sup> Street-Tubbs Road Overlay Project.**
- ❖ **Councilor Stu Terry** moved to authorize the Mayor to sign the Supplemental Agreement for the Emery Avenue-3<sup>rd</sup> Street-Tubbs Road Overlay Project. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

**APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF APRIL 3, 2012:**

- ❖ **Councilor James Frank** moved to approve the Regular Council Meeting Minutes of April 3, 2012. **Councilor Phillip Marshall** seconded the motion. **Motion carried unanimously.**

**APPROVAL OF BILLS FOR APRIL 2012, IN THE AMOUNT OF \$50,017.76:**

- ❖ **Councilor Tony Caldwell** moved to approve the bills for April 2012, in the amount of \$50,017.76 (fifty thousand seventeen dollars and seventy-six cents). **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

**UNFINISHED BUSINESS:**

- 1) **Mart Kask – Code Enforcement Issues:** **Mart Kask** gave an update regarding the Code Enforcement Issues. He stated there is one outstanding issue and he recommended we notify them that they are still in violation. He said he would send out a “Thank you” letter to the property owner on SW First Street that removed the piles of blackberry vines. He said he would give another update at the June 5th Council Meeting. The Council directed Mart to continue working on the one outstanding issue. Discussion followed.

**NEW BUSINESS:**

- 1) **Ordinance No. 527 – Amending Utility Billing Procedures:**
  - ❖ **Councilor Tony Caldwell** moved to approve Ordinance No. 527, amending the utility billing procedures. **Councilor James Frank** seconded the motion. **Motion carried unanimously.**
  
- 2) **Request to use Pasture south of the WWTP:**
  - ❖ **Councilor Tony Caldwell** moved to approve the request to use the pasture south of the Wastewater Treatment Plant (WWTP). **Councilor Laura Heideman** seconded the motion. **Marla Nevill** said she spoke with the insurance and they did not see any problem with allowing the request; but we would have to have a Hold Harmless Agreement. **Larry Harter** stated concerns about the horses damaging the fence of a neighboring property owner; and he raised the question of where would they get water for the horses. Council stated concerns about who would maintain and care for the animals; would there be an immediate termination clause; would there be signage posted; and who to contact in the event of an emergency? **Councilor Tony Caldwell** amended his motion to approve the request to use the Town’s pasture south of the WWTP as long as the requester could satisfactorily answer a questionnaire addressing the Council’s concerns. **Councilor Laura Heideman** seconded the amended motion. **Motion carried unanimously.** The Town Council authorized the Mayor to review the questionnaire and make the determination to either confirm or deny the request. The Council stated that if she approves the lease agreement, the Council authorized the Mayor to sign the lease agreement.

**CITIZENS’ COMMENTS:**

**Councilor Stu Terry** said there are quads racing up and down Carriage Road. He requested the Town post a “No Off-Road Vehicles” sign on Carriage Road. Discussion followed.

**MAYOR’S REPORT:**

**Mayor Peggy Levesque** said she went to the Hazard Mitigation Plan Update meeting; and we have to put this issue on the Agenda for the June Council Meeting. Council requested that Katie from Pierce County Department of Emergency Management attend the June meeting. She said we have had a few changes since the document was approved. Discussion followed.

**Mayor Peggy Levesque** said the Governor signed the Bill, which allows the Town employees to remain in the LIUNA pension fund; and we have to find out when the documentation and funds have to be sent to the pension fund. Discussion followed.

**PUBLIC WORKS’ REPORT:**

**Larry Harter** said the north water tank is off-line and would probably be cut up tomorrow. Council instructed Marla to contact East Pierce Fire & Rescue and let them know that we would only have one

water tank in service for probably the next five to six months. **Jim Morgan** said we have adequate fire flow for commercial use. We are right about where we need to be; but one tank is not sufficient for future growth. Discussion followed.

**Larry Harter** said the garbage/recycle/waste containers should be out of sight except on pickup day. Discussion followed.

**Larry Harter** said yard waste is being dumped on Town right-of-way. Discussion followed. Council requested that a notation be added to the utility bills, "No dumping of yard waste on Town right-of-way."

**Larry Harter** said he posted "No Parking on Sidewalk" flyers on vehicles last week and they're parking on the sidewalk again. Discussion followed.

**Larry Harter** said they tore down the "dog house" over the spring on Carriage Road. He said they installed a steel box and covered it with gravel. Discussion followed. **Larry Harter** said a number of years ago Parametrix determined that the road right-of-way on Carriage Road is fifty (50') feet. Discussion followed.

**Councilor Tony Caldwell** said we had the Bid Opening for the Emery-3<sup>rd</sup>-Tubbs Road Overlay Project and the Bid was awarded to Looker & Associates. He said Looker & Associates have not given a start date. **Marla Nevill** said the Notice of Bid Award was sent out last week and she sent out an email notice today. Discussion followed.

**Councilor Tony Caldwell** requested Council rescind the motion to approve Item 2 under the Review and Approval of Agenda for May 1, 2012. He said the Supplemental Agreement was for the Water Tank Replacement Project not the Emery-3<sup>rd</sup> Street- Tubbs Road Overlay Project. Discussion followed.

- ❖ **Councilor Stu Terry** moved to rescind his motion to authorize the Mayor to sign the Supplemental Agreement with WH Pacific for the Emery-3<sup>rd</sup>-Tubbs Road Overlay Project. And, he authorized the Mayor to sign the Supplemental Agreement for the Water Tank Replacement Project with WH Pacific after further review and clarification. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

**Councilor Tony Caldwell** said we received three quotes for the removal of the old water tank. He said one bid was for \$27,000, one for \$20,500 and one at no cost to the Town. He said we went with the one for no cost and they signed a Volunteer Release form. He said they should be starting the tank removal tomorrow. Discussion followed.

#### **Jim Morgan - Engineering Report:**

**Jim Morgan** said he is working on two projects and waiting for documents from the Town Hall. See attached memo. Discussion followed.

#### **Water Tank Replacement Project:**

Council requested that Judy Tremblay check into the timeline and deadline for the Public Works Trust Fund (PWTF) loan to complete the Water Tank Replacement Project. **Jim Morgan** said he would check with the PWTF for the water tank replacement project. He also stated he would check with USDA for funding options. Discussion followed. **Jim Morgan** recommended the Town build two 120,000 gallon tanks using Town money allocated for the project first and borrow the remainder on a low-interest loan.

- ❖ **Council consensus was to follow the recommendation from Jim Morgan to build two 120,000 gallon tanks and use Town money that was allocated for the project and borrow remainder on a low-interest loan.**

**Jim Morgan** stated he should have funding information from PWTF or USDA by the next Council meeting. He suggested to tie into the Tacoma Water System and said he would find out the costs. Discussion followed.

**CLERK'S REPORT:**

**Marla Nevill** said she set up Town emails for the Council Members. Discussion followed.

**Marla Nevill** said she is still waiting for inspection forms from AWC. Discussion followed.

**COUNCIL MEMBERS REPORT:**

**Councilor Stu Terry** presented a Sign Report. See Exhibit "A" attached. **Larry Harter** said the Town does not own the signs that abut Highway 162. Discussion followed.

**Councilor Stu Terry** said he checked into the grant funding through ARC for a skateboard park. He said ARC wants your business and would kick in so much to fund the park. He spoke to the police and they have a lot of bad things to say; and advise against having one. He said we just do not have the public interest in a skateboard park; and ARC is not interested unless we could come up with \$50,000. Discussion followed.

**Councilor James Frank** said there are questions on whether to annex into East Pierce Fire and Rescue; and there are a lot of questions we need to answer: rent, insurance, etc. Discussion followed. **Councilor James Frank** said it seems like it would be a good thing to annex into Pierce County. The issue was tabled for further discussion at a future meeting.

**Mayor Peggy Levesque** said she met with the President of the Rails to Trails Coalition; and he said it would not be difficult to subdivide the fire station property. She said we would probably want to keep the park, helo-pad and triangle piece of property. She said several people from the Hazard Mitigation Planning meetings keep stating the fire station should be raised. Discussion followed.

**ADJOURNMENT:**

- ❖ At 9:20 PM, **Councilor Tony Caldwell** moved to adjourn the Regular Council Meeting of May 1, 2012. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

**Date Approved:            June 5, 2012**