

**TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 5, 2013, 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 Tuesday, February 5, 2013, at 7:02 PM.

ROLL CALL:

Council Members: Tony Caldwell, Jim Frank, Phillip Marshall and Stu Terry were present. Laura Heideman was absent.

Also in attendance: Rich Thompson, contractor for Van Halder project; Mart Kask, Town Planner; Mike Horton, Town Engineer; James 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 FEBRUARY 5, 2013:

***Request Tabling Items 2 – 9 under New Business; and Request adding Item 14 under New Business, which pertains to Animal Control and other contracts with Pierce County:**

❖ **Councilor Jim Frank** moved to approve the Agenda for February 5, 2013, with the requested amendments. **Councilor Stu Terry** seconded the motion. Discussion followed. **Motion carried unanimously.**

ENGINEERING REPORTS:

James Morgan – Town Engineer – On-Call Services – SPR1202

James Morgan presented the engineering report (see Exhibit "A" attached). He said Century Link easement has been recorded. He said they are expecting a bill from the Town. Discussion followed.

James Morgan – Town Engineer – Water Tank Project – SPR1205

James Morgan said there have been a few questions throughout the construction; and these were addressed by WH Pacific (see Exhibit "A" attached). Discussion followed.

James Morgan – Town Engineer – Water Storage Tank Construction:

James Morgan said there were questions about piping from the contractor for the water tank construction (see Exhibit "B" attached). He said the tank would have to be leak tested; and the contractor was advised that any leakage in the reservoir system caused by the piping system will be the responsibility of the contractor and it is advised to pressure test the pipe prior to pouring the foundation. Discussion followed.

James Morgan – Town Engineer – Senator Roach Request for Transportation Projects:

James Morgan said Senator Roach requested Transportation Projects for South Prairie and he prepared a memo to add the extension of South Prairie Carbon River Road to SR 162. He said he added a contingency just in case the project is chosen at a later date. Discussion followed.

Mike Horton – Town Engineer – Water Tank Replacement:

Mike Horton said the tank is starting to be erected (see attached memo, Exhibit “C”). He said the piping is in and the footings are in the floor. He said they are raising the tank. He said Tony has been doing a good job of documenting the process along the way. We are one-third of the way through the construction schedule. He said there a lot of steps from here to the end. He said the invoice is for about half of the cost but that includes the materials and work to date. He said the contractor is on schedule. We had to move the tank location and Pierce County agreed to that. The materials-testing is being done on site. The construction should be completed by the end of March. He said the documentation is working well for the State. **Councilor Jim Frank** said he appreciates Mike’s efforts on this project. Discussion followed. **Councilor Tony Caldwell** said he spoke with the contractor today and it would cost almost as much as a new tank to refurbish the old tank. Discussion followed.

PLANNER REPORT:

Mart Kask – Town Planner – Condemnation of Property for Trail:

Mart Kask said he was contacted by a property owner in the 600 block of Highway 162 E; and Pierce County Parks and Recreation is moving forward with the condemnation process for the Foothills Trail, unless an agreement is reached in the pre-condemnation process. He said the property owner had several questions regarding the process. **Mart Kask** said he told the property owner that a Site Plan Review would be required. The property owner asked him to prepare an outline and steps of the requirements. He said he also told the property owner he would be required to do a SEPA (State Environmental Policy Act) Review. He said he would prepare a cost estimate; and the property owner would be required to pay a deposit at the Town Hall before he starts working on this project. Discussion followed.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF JANUARY 8, 2013:

❖ **Councilor James Frank** moved to approve the Regular Council Meeting Minutes of January 8, 2013. **Councilor Tony Caldwell** seconded the motion. **Motion carried unanimously.**

APPROVAL OF BILLS FOR JANUARY 2013, IN THE AMOUNT OF \$284,143.79 (Including the previously approved partial bills in the amount of \$17,118.00):

❖ **Councilor Stu Terry** moved to approve the bills for January 2013, in the amount of \$284,143.79 (two hundred eighty-four thousand one hundred forty-three dollars and seventy-nine cents). **Councilor Tony Caldwell** seconded the motion. Several inquiries were made and answered regarding the bills. **Motion carried unanimously.**

UNFINISHED BUSINESS:

None

NEW BUSINESS:

1) Site Plan Review – Van Halder, LLC – Construct a 40’ x 60’ Metal Building on Tax Lot #0619182039 west of Emery Avenue South and north of Pierce County Bicycle and Pedestrian Trail, South Prairie:

Mart Kask said Van Halder, LLC proposes to erect a metal building. He read his Findings, Conclusions and Recommendations into the record (see attached memo, Exhibit “D”). Discussion followed.

❖ **Councilor Tony Caldwell** moved to approve the Van Halder, LLC Site Plan as recommended by Mart Kask, Town Planner. **Councilor Phil Marshall** seconded the motion. Council discussed enforcement of the recommendations by the Town Planner and placing a covenant on the title that would show up on a title search. **Councilor Tony Caldwell** moved to amend his motion to approve the Van Halder, LLC Site Plan with the conditions listed below. **Councilor Phil Marshall** seconded the motion.

- a. The metal building is to be used for storage of materials only.

- b. Building permit and building inspection will be done by Pierce County Planning and Land Services. The applicant will conform to all Pierce County identified building requirements.
- c. The applicant will identify on the building design plans the location and the plumbing detail for stubbing in water and sewer services and the location of the wastewater holding tank.
- d. The applicant will put a notation on the property title and have it recorded at Pierce County. The notation states that the property is without water and sewer service. The property cannot be sold until the owner installs water service and installs a toilet and a sink that is discharging into a wastewater holding tank that is subject to pumping out, at property owner's expense; or eventually connected to the wastewater sewer system provided additional sewer connections are available. **Motion carried unanimously.**

2) **Ordinance No. 530 – Adopting New General Provisions for the Town:**

Tabled until March 5, 2013

3) **Ordinance No. 531 – Adopting New Administrative and Personnel Provisions for the Town:**

Tabled until March 5, 2013

4) **Ordinance No. 532 – Adopting New Provisions for the Town Related to Animal Control:**

Tabled until March 5, 2013

5) **Ordinance No. 533 – Adopting New Provisions Related to Utility Connections, Rates and Charges:**

Tabled until March 5, 2013

6) **Ordinance No. 534 – Adopting New Provisions Related to Business Licenses and Regulations:**

Tabled until March 5, 2013

7) **Ordinance No. 535 – Adopting New Provisions Related to Nuisance Abatement:**

Tabled until March 5, 2013

8) **Ordinance No. 536 – Adopting New Provisions Relating to Revenue and Finance:**

Tabled until March 5, 2013

9) **Ordinance No. 537 – Adopting New Provisions Related to Vehicle and Traffic:**

Tabled until March 5, 2013

10) **Austin Leming – Request Town Inspect, Trim and/or Remove Trees from Right-of-Way on Emery Avenue North:**

Councilor Tony Caldwell requested that we get three bids. **Councilor Stu Terry** requested that we also check other trees in Town right-of-way that have to be trimmed. **Marla Nevill** requested a list of locations where trees need to be trimmed. **Larry Harter** said he would supply the list.

- ❖ **Councilor Tony Caldwell** moved to do more research and find out if there are other trees in the Town right-of-way that have to be inspected, trimmed and/or removed and obtain three bids. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

11) **Appoint New Mayor Pro-Tem for February – July 2013:**

- ❖ **Councilor Tony Caldwell** moved to nominate Stu Terry as Mayor Pro-Tem for February – July 2013. **Councilor Phil Marshall** seconded the motion. **Motion carried unanimously.**

12) Approve and Authorize Mayor to Sign the Bias Software Agreement for 2013:

- ❖ **Councilor James Frank** moved to approve the Bias Software Agreement for 2013 and authorize the Mayor to sign the agreement. **Councilor Phil Marshall** seconded the motion. **Motion carried unanimously.**

13) Approve and Authorize Mayor to Sign the Bias Back-Up Services Agreement:

- ❖ **Councilor Stu Terry** moved to approve the Bias Back-Up Services Agreement and authorize the Mayor to sign the agreement. **Councilor Phil Marshall** seconded the motion. **Motion carried unanimously.**

14) Council Discussion Regarding Animal Control and Other Contracts with Pierce County:

Mayor Peggy Levesque said we have been dealing with the Animal Control Contract since October. She said we went to a meeting with Pierce County and their attorney said they would be changing the language in every interlocal agreement, which puts all liability onto the Town of South Prairie. Our attorney and insurance pool both highly recommend that we do not sign that agreement. Discussion followed.

CITIZENS' COMMENTS:

None

MAYOR'S REPORT:

Mayor Peggy Levesque said a Sheriff's Department Deputy took a prisoner to the Pierce County Jail by mistake. He did not know we had a contract with the City of Enumclaw for Jail Services. Discussion followed.

Mayor Peggy Levesque said there is a Hazardous Mitigation Meeting on February 14, 2013 pertaining to utilities that she would not be able to attend; and she asked Larry Harter, Utility Operator, to attend the meeting. **Larry Harter** said he would attend. Discussion followed.

Mayor Peggy Levesque said she was contacted by Bryan Bowden with the National Parks Service about the Town entering into a Memorandum of Understanding to organize a non-binding partnership between stakeholders in developing and promoting a Carbon River Heritage Area utilizing public lands in the upper Carbon River watershed. The heritage area includes the towns of Buckley, South Prairie, Wilkeson and Carbonado and extends east along the river up to and including Mount Rainier National Park and the Clearwater Wilderness area. She asked that this item be placed on the March Council meeting agenda. Discussion followed.

PUBLIC WORKS' REPORT:

None

CLERK'S REPORT:

Marla Nevill said the Audit should be done next week; and we will not have another audit until 2015. Discussion followed.

COUNCIL MEMBERS REPORT:

Councilor Stu Terry said there is a tree on the power line at Veterans Park. **Councilor Tony Caldwell** said we should have the trees inspected at Veterans Park as well. **Mayor Peggy Levesque** said the Department of Fisheries would have to be contacted. Discussion followed. **Larry Harter** said he would get the list of trees to Marla.

ADJOURNMENT:

- ❖ At 9:19 PM, **Councilor James Frank** moved to adjourn the Regular Council Meeting of February 5, 2013. **Councilor Tony Caldwell** seconded the motion. **Motion carried unanimously.**

Date Approved: March 5, 2013