

**TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING
TUESDAY, MAY 7, 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, May 7, 2013, at 7:00 PM.

ROLL CALL:

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

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

FLAG SALUTE:

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

REVIEW AND APPROVAL OF AGENDA FOR MAY 7, 2013:

❖ **Councilor Laura Heideman** moved to approve the Agenda for May 7, 2013. **Councilor Jim Frank** seconded the motion. No amendments to the Agenda were requested. **Motion carried unanimously.**

ENGINEERING REPORTS:

James Morgan – Town Engineer – On-Call Services:

James Morgan said Puget Sound Energy (PSE) requesting an easement by the Wastewater Treatment Plant (WWTP). The easement issues have been resolved and he recommended approval of the easement, (See attached Exhibit “A”). Discussion followed.

James Morgan said PSE requested a right-of-way permit to replace one pole and install an additional pole adjacent to SR 162. The permit was returned to the Town with a recommendation to approve. (See attached Exhibit “A”). Discussion followed.

James Morgan said the engineers for the South Prairie RV Park scheduled a meeting for the modifications of the site required by the extension of the Foothills Trail. A copy of the proposed letter response to issues discussed at the meeting is attached to this Status Report. (See Exhibit “B” attached). Discussion followed. **James Morgan** said we might have to have a vacuum test done on the sewer lines. **Larry Harter** said the STEP tanks are greatly undersized. **James Morgan** said that would not change at this time.

James Morgan said he reviewed the proposed fee schedule, (See attached Exhibit “A”); and he recommended the following changes:

- Item VI A – “Pavement Breaking” may overlap with VI C – “Right-of-Way Use Permit”. He suggested changing or eliminating item VI A “Break Pavement” line item.
- Items VII B 1 and 2 may need to be revised. He said it might not be enough time.

- Items VII B 3 and 4 may need to be revised to “Consultant Time and Materials”. He suggested removing those fees and adding “Consultant Time and Materials and 15% Administrative Fee.” He said it probably would be better to change the Administrative Fee to 15% across the board. Discussion followed.

Water Tank Project –SPR1205

James Morgan said the water tank leak has been resolved and the Department of Health (DOH) project report has been submitted. It is my understanding that the electrical contractor is completing installation of the controls. (See attached Exhibit “A”). Discussion followed.

Miscellaneous

James Morgan stated Valley Water District is still evaluating the project. The District has been in contact with Ecology regarding the wastewater system. (See attached Exhibit “A”). Discussion followed. **Mayor Peggy Levesque** requested to recess the Council meeting to May 28, 2013, for a meeting with representatives from Valley Water.

PLANNER REPORT:

Mart Kask – Town Planner Report:

Mart Kask said the RV Park issue needs to be addressed. He has reached an agreement with Pierce County Parks; and he is proceeding to make that happen. We met with Hedges, Dwight Partin and Joe Mills. It is zoned Residential with a Conditional Use Permit. It is required to hold a public hearing and notify all property owners within 300’ (three hundred feet) of the RV Park property. A notice has to be published in the local newspaper of record; and this project requires a State Environmental Policy Act (SEPA) Checklist be completed. We have to post “Public Notice” signs on the subject property. **Mart Kask** said in order to meet all deadlines, they would have to have submittal package to the Town on or before June 7, 2013. Per State requirements, it has to be in the review period for fourteen days.

Mart Kask said we should receive the package of materials from Hedges on June 7, 2013. He requested the Council set the Public Hearing today for the July 2, 2013 Council meeting. He said we have to make sure all of the information requested is received by June 7th in order to meet the deadlines. Discussion followed.

❖ **Councilor Laura Heideman** moved to set the Public Hearing for the South Prairie Creek RV Park issue for July 2, 2013, 7:00 PM or shortly thereafter. **Councilor Tony Caldwell** seconded the motion. **Councilor Jim Frank** asked why the Town has to post the signs. **Mart Kask** said we have done that in the past; and we can do that. Discussion followed. **Motion carried unanimously.**

Mart Kask said we have a checklist of what they have to do; and they have to pay the required fees before we proceed any further. **Councilor Tony Caldwell** asked about road access to the State Highway. **Mart Kask** said we would submit a proposal to Washington Department of Transportation (WDOT). **Councilor Jim Frank** asked if they would be paying the planning fees. **James Morgan** said the work stops until he is current on the fees. Discussion followed.

Mart Kask said the Town received a complaint from Washington Department of Ecology (WDOE) regarding Global Equipment Services. He and Larry Harter inspected the premises; and they were washing heavy equipment and it was draining into the storm drainage ditch. They said they were doing all washing at the approved washing rack; and they assured us that all washing was taking place there. The washing area was graveled over. We felt we did not have any authority to proceed further. But, the wetland contained silt. (See attached Exhibit “C”). He said there was a frame structure with a tarp roof. We asked to examine the structure. The complaint alleged that washing was taking place in the tarp structure. There was evidence that spray painting was taking place in that structure. He said there was nothing noted in the WDOE complaint about spray painting taking place in the tarp structure. He said

trees were not planted per the site plan. He said trees help to create a buffer between the Residential and Commercial Zones.

Mart Kask said they are parking on the NW Washington Street lot; and that did not get reviewed by the Town. He said the parking lot is graveled; and it's zoned Residential. Discussion followed. **James Morgan** said they must meet the water quality standards. **Mart Kask** said the parking lot is approximately 7,000 square feet. He said he would do an assessment report back to the Council. He said the Code states the Council has the authority to approve what is built on properties within the Town. Discussion followed. **Mayor Peggy Levesque** asked Mart to bring his findings to the June Council meeting.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF APRIL 2, 2013:

❖ **Councilor Tony Caldwell** moved to approve the Regular Council Meeting Minutes of April 2, 2013. **Councilor Phil Marshall** seconded the motion. **Motion carried unanimously.**

APPROVAL OF BILLS FOR APRIL 2013, IN THE AMOUNT OF \$41,659.59:

❖ **Councilor Laura Heideman** moved to approve the bills for April 2013, in the amount of \$41,659.59 (forty-one thousand six hundred fifty-nine dollars and fifty-nine cents). **Councilor Jim Frank** seconded the motion. Several inquiries were made and answered regarding the bills. **Motion carried unanimously.**

UNFINISHED BUSINESS:

None

NEW BUSINESS:

- 1) **Ordinance No. 530 – Adopting New General Provisions for the Town:**
- 2) **Ordinance No. 531 – Adopting New Administrative and Personnel Provisions for the Town:**
- 3) **Ordinance No. 532 – Adopting New Provisions for the Town Related to Animal Control:**
- 4) **Ordinance No. 533 – Adopting New Provisions Related to Utility Connections, Rates and Charges:**
- 5) **Ordinance No. 534 – Adopting New Provisions Related to Business Licenses and Regulations:**
- 6) **Ordinance No. 535 – Adopting New Provisions Related to Nuisance Abatement:**
- 7) **Ordinance No. 536 – Adopting New Provisions Relating to Revenue and Finance:**
- 8) **Ordinance No. 537 – Adopting New Provisions Related to Vehicle and Traffic:**
- 9) **Resolution No. 324 – Setting Fees for Various Services and Permits and Repealing Resolutions 184, 185 and 201 and Prior Fees:**
 - ❖ **Councilor Tony Caldwell** moved to table Items 1 – 9 under New Business for corrections and attorney review. **Councilor Laura Heideman** seconded the motion. Council reviewed the above items and recommended numerous corrections. **Motion carried unanimously.**
- 10) **FCS Group – Proposal Engagement Letter – Water and Sewer Utility Possible Change in Ownership:**
 - ❖ **Councilor Stu Terry** moved to reject the Proposal Engagement Letter from FCS Group. **Councilor Jim Frank** seconded the motion. **Motion carried unanimously.**
- 11) **Council Discussion Regarding Animal Control and Other Contracts:**
 - ❖ **Councilor Stu Terry** moved to pursue Animal Control services through Pierce County and bring the contract back to the Council for approval. **Councilor Laura Heideman** seconded the motion. Discussion followed. **Motion carried unanimously.**

CITIZENS' COMMENTS:

None

MAYOR'S REPORT:

Mayor Peggy Levesque said we are talking with Valley Water about bringing someone from Valley Water to carry the pager and train with Larry. Discussion followed.

Mayor Peggy Levesque said the Hazard Mitigation Plan has come to a standstill. Discussion followed.

PUBLIC WORKS' REPORT:

Larry Harter said he talked with the Union Rep; and he would lose 31% of his pension if the Town were to disincorporate. He said his pension would revert to the default schedule; which he would be short \$68,000 if he were to live to age 85. Discussion followed.

Larry Harter said we got the new water tank going and it is online. **Councilor Tony Caldwell** said we cannot release the retainage until the electrical is completed. **James Morgan** said other things have to happen first. Discussion followed.

Councilor Tony Caldwell said we had a problem with someone driving out into the Third Street Park; and they got stuck and had to be towed out. He said according to the Police Report, the perpetrator would be responsible for all of the damages. **Councilor Tony Caldwell** said we received an estimate from Colorscapes for approximately \$1,200 to repair the damages. Discussion followed.

Councilor Tony Caldwell said the vault toilet at Third Street Park is repaired. **Marla Nevill** requested Council approval to pay the invoice from Noel Construction and Home Maintenance, LLC for the vault toilet repair.

❖ **Councilor Tony Caldwell** moved to authorize payment to Noel Construction and Home Maintenance, LLC, in the amount of \$1,114.66 (one thousand one hundred fourteen dollars and sixty-six cents). **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

CLERK'S REPORT:

None

COUNCIL MEMBERS REPORT:

Councilor Stu Terry said there are people dumping yard waste into the storm drainage ditch at Emery Avenue East and Carriage Road. Discussion followed. Council requested that another note be put on the utility bills to not dump yard waste into the storm drainage ditch.

Councilor Stu Terry said there are off-road vehicles running up and down Carriage Road. He requested signs be posted prohibiting off-road vehicles on Town streets. Discussion followed.

Councilor Stu Terry said if the sheet metal business is going to construct a 40' x 60' metal building, where are the employees going to park? **Councilor Laura Heideman** said it was noted on the Site Plan that the parking would be moved to the vacant lot east of Trailside Connection. Discussion followed.

Councilor Jim Frank said we make policy. We do not enforce policy. We do not execute the policy. Discussion followed.

Mayor Peggy Levesque reminded the Council that there is a Sign Dedication ceremony at the Fire Station this Saturday, May 11, 2013 at 10:30 AM. Discussion followed.

RECESS:

- ❖ At 9:30 PM, **Councilor Tony Caldwell** moved to recess the Council Meeting to May 28, 2013, 7:00 PM at the South Prairie Town Hall. **Councilor Laura Heideman** seconded the motion. **Motion carried unanimously.**

Date Approved: June 4, 2013