

**TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING/PUBLIC HEARING
TUESDAY, NOVEMBER 4, 2014, 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 Tony Caldwell called to order and presided over the Regular Council Meeting of Tuesday, November 4, 2014, at 7:00 PM.

ROLL CALL:

Council Members: Stu Terry, Roy Hanson, Vicky Watkins and Barb Wigton were present.

Also in attendance: T. Lynn Leasia-Nevill, Karen Leming, Doug and Toni Hinkle, citizens; Mart Kask, Town Planner; James Morgan, Town Engineer; Judy Tremblay, Deputy Clerk-Treasurer; and Marla Nevill, Clerk-Treasurer.

FLAG SALUTE:

Mayor Tony Caldwell requested everyone stand for the "Pledge of Allegiance."

REVIEW AND APPROVAL OF AGENDA FOR NOVEMBER 4, 2014:

❖ **Councilor Stu Terry** moved to approve the Agenda for November 4, 2014. **Councilor Vicky Watkins** seconded the motion. **Motion carried unanimously.**

OPEN PUBLIC HEARING – FY2015 BUDGET AND SETTING TAX LEVY RATES FOR 2015:

❖ At 7:02 PM, **Councilor Barb Wigton** moved to open the Public Hearing for the FY2015 Budget and setting the Tax Levy Rates for 2015. **Councilor Roy Hanson** seconded the motion. **Motion carried unanimously.**

Judy Tremblay gave a presentation regarding the Budget and Setting the Tax Levy Rates for FY2015. She stated money is tight. She stated the Budget is a working tool and could be adjusted during the year if need be. She stated the budget totals for all funds is \$1,076,274.76. **Doug Hinkle** asked where the revenues came from. **Judy Tremblay** said the revenues come from property taxes, sales tax revenues, fees and the Water and Sewer Departments. She said the Washington State Auditors' Office recommends that the Budget be passed by Fund. **Councilor Stu Terry** asked about the line item for Safety. **Judy Tremblay** said she added the line item, but it does not show up on the printout until there is a dollar amount allocated to that line item. No further discussion.

CLOSE PUBLIC HEARING:

❖ At 7:07 PM, **Councilor Roy Hanson** moved to close the Public Hearing. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

ENGINEERING REPORT:

James Morgan, Town Engineer, said we received plans from the RV Park for relocating RVs; but he is reluctant to move forward without finding out if they have submitted an application and paid the fees. **Mayor Tony Caldwell** said there are questions that have to be answered. **James Morgan** said they are putting in a large on-site septic system and have to meet Department of Health standards. **Mayor Tony Caldwell** asked James to report back to the Council when he has more information. Discussion followed.

PLANNER REPORT:

Mart Kask distributed handouts and gave a presentation regarding the response to the report from Washington Department of Ecology (WDOE) on the Shoreline Master Program (SMP). (See Exhibit “A” attached). Discussion followed.

APPROVAL OF REGULAR COUNCIL MEETING MINUTES OF OCTOBER 7, 2014:

❖ **Councilor Barb Wigton** moved to approve the Regular Council Meeting Minutes of October 7, 2014. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

APPROVAL OF RECESSED COUNCIL MEETING/WORK SESSION MINUTES OF OCTOBER 14, 2014:

❖ **Councilor Barb Wigton** moved to approve the Recessed Council Meeting/Work Session Minutes of October 14, 2014. **Councilor Vicky Watkins** seconded the motion. **Motion carried unanimously.**

APPROVAL OF RECESSED COUNCIL MEETING/WORKSHOP MINUTES OF OCTOBER 21, 2014:

❖ **Councilor Barb Wigton** moved to approve the Recessed Council Meeting/Workshop Minutes of October 21, 2014. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

APPROVAL OF BILLS FOR OCTOBER 2014 IN THE AMOUNT OF \$36,904.62:

❖ **Councilor Stu Terry** moved to approve the Bills for October 2014 in the amount of \$36,904.62 (thirty-six thousand nine hundred four dollars and sixty-two cents). **Councilor Roy Hanson** seconded the motion. Several questions were asked and answered regarding the bills. **Motion carried unanimously.**

CITIZENS' COMMENTS:

Karen Leming asked about the negotiations with East Pierce Fire and Rescue. **Mayor Tony Caldwell** stated we are still in the negotiation stage. He said tonight is very important since we are awaiting the outcome of the Maintenance and Operation (M & O) Levy for East Pierce Fire and Rescue. **Doug Hinkle** said as a small entity with a \$1,000,000 budget, what steps could be taken to relieve the stress and strain. **Mayor Tony Caldwell** said there has been talk of disincorporation. He said \$1,000,000 seems like a large amount; but there are a lot of expenses that go into operating a Town. He said it is no fun running a Town without citizens getting involved. **Doug Hinkle** said that culture has gone away. He stated he has not attended Town Council meetings for quite some time. He said if anything unexpected comes up, it could hurt the Town. **Mayor Tony Caldwell** said it is up to the citizens to bring forward a petition to disincorporate. **Councilor Stu Terry** said if the Town were to disincorporate, we would lose garbage pickup and shoreline control. He said to think back to the time when the sewer was running down the street. He said we struggled with the possibility of having Valley Water District taking over the utilities. He said \$1,000,000 does not go very far in a Town. He suggested that citizens talk to their legislators about loosening controls on the regulations. **Doug Hinkle** said we have to try to work within the budget. He said people don't understand that people outside of the corporate boundaries of South Prairie are paying much higher taxes. **Mayor Tony Caldwell** said the Council does not have any control over the taxes. He said we only get a portion of the taxes that are paid. **Councilor Barb Wigton** said we get a portion of the taxes; but it hurts the Town when people do not pay their taxes. Discussion followed.

UNFINISHED BUSINESS:

1) Interview Candidates for Council Member, Position No. 3 Vacancy:

Mayor Tony Caldwell said the Council interviewed Lynn Leasia-Nevill at the Regular Council Meeting in October. **Councilor Barb Wigton** said if we don't have a one-year residency requirement, she does not have a problem with Lynn. She said we need to find out if the one-year residency requirement is still on the books. **Mayor Tony Caldwell** said it could be considered a conflict of interest and Lynn would be

required to leave the room during certain discussions. He said it is up to the Council how they want to move forward. Discussion followed. **Councilor Stu Terry** said from the AWC meeting we attended, a big part is the Open Public Meetings Act and Conflict of Interest issues. He said we should have an ordinance made up. **Councilor Roy Hanson** said he thought it was a conflict of interest. **Councilor Vicky Watkins** said it is better if we don't have a related person on the Council, because issues that could be considered a conflict of interest come up at almost every meeting. **Mayor Tony Caldwell** said it is up to the Council. Discussion followed.

2) Appoint Council Member to Position No. 3 Vacancy:

❖ **Councilor Stu Terry** moved to reject the appointment of T. Lynn Leasia-Nevill to the South Prairie Town Council due to a possible conflict of interest. **Councilor Vicky Watkins** seconded the motion. Councilors Terry, Watkins and Hanson voted to approve the motion; and Councilor Wigton recused herself from the vote stating "how many people have stepped up." **Marla Nevill** asked if this needed to be turned over to Pierce County Council since this position has been vacant for more than ninety days. It was the consensus of the Town Council to turn it over to Pierce County Council. Discussion followed.

3) Ordinance No. 543 – An Ordinance of the Town of South Prairie, Pierce County, Washington, Repealing, Superseding and Replacing Ordinance No. 542 Related to Utility Connections, Regulations, Rates and Charges:

❖ **Councilor Vicky Watkins** moved to approve Ordinance No. 543, an Ordinance of the Town of South Prairie, Pierce County, Washington repealing, superseding and replacing Ordinance No. 542 related to Utility connections, regulations, rates and charges. **Councilor Stu Terry** seconded the motion. **Marla Nevill** stated the Town attorney had some issues with this ordinance that needed to be addressed prior to approval by the Town Council. **Judy Tremblay** said when we were negotiating with Valley Water District (VWD) to take over our Water and Sewer Utilities, the annual rate increase was reduced from 10% to 5% to coincide with VWD rate increases. She said since VWD walked away from negotiation, is the Council planning on making any changes to the annual rate increase. She said the Rate Study from National Rural Water recommended a 200% increase in our rates. **Mayor Tony Caldwell** stated we have had a lot of problems with the Wastewater Treatment Plant; and there is a lot of work that has to be done. **Councilor Barb Wigton** said she thought the new operator was taking care of that. **Mayor Tony Caldwell** said he cannot take care of some of these issues. It has to be done by a licensed contractor. He said we could possibly get loans or grants for some of these projects. **James Morgan** said we could try to obtain grant funding through the Community Development Block Grant (CDBG), which comes up in November. He said we might be able to make a case that these are safety issues. Discussion followed. **Mayor Tony Caldwell** said the alarm system needs updating; and the operator cannot touch any electrical issues. He said we have to take care of these issues and they are considered priorities. **Doug Hinkle** said as a citizen, he is concerned about the 10% increase. He said there should be a limit or end date. He suggested that the Council establish goals and what repairs are required. **Mayor Tony Caldwell** said the Council needs to decide what to do with Ordinance No. 543. **Councilor Barb Wigton** suggested putting the 10% increase back in but have an end date. **James Morgan** said generally annual increases are 2.5-3% and re-evaluated every five years. He said you have to have the rates high enough for the enterprise funds to stand alone or be self-sufficient. Discussion followed. **Mayor Tony Caldwell** said if we did not have the 10% annual increases, we would not have been able to install the new water tank. Discussion followed. **Councilor Vicky Watkins** moved to amend her motion to approve Ordinance No. 543. She moved to table Ordinance No. 543 until the December Council Meeting; and send it back to the Town attorney to come up with language pertaining to the RV Park. **Councilor Stu Terry** seconded the amended motion. **Motion carried unanimously.**

NEW BUSINESS:

1) Ordinance No. 544 – An Ordinance of the Town of South Prairie, Pierce County, Washington, adopting a Budget for Fiscal Year Ending December 31, 2015:

- ❖ **Councilor Barb Wigton** moved to approve Ordinance No. 544, an Ordinance of the Town of South Prairie, Pierce County, Washington, adopting a Budget for Fiscal Year ending December 31, 2015. **Councilor Roy Hanson** seconded the motion. **Motion carried unanimously.**

2) Resolution No. 330 – A Resolution of the Town of South Prairie, Pierce County, Washington, adopting the Regular Property Tax Levy for Collection in 2015:

- ❖ **Councilor Stu Terry** moved to approve Resolution No. 330, a Resolution of the Town of South Prairie, Pierce County, Washington, adopting the Regular Property Tax Levy for collection in 2015. **Councilor Barb Wigton** seconded the motion. **Motion carried unanimously.**

3) Resolution No. 331 – A Resolution of the Town of South Prairie, Pierce County, Washington, adopting the Regular Property Tax Levy for Collection in 2015 for South Prairie EMS (Emergency Medical Services):

- ❖ **Councilor Barb Wigton** moved to approve Resolution No. 331, a Resolution of the Town of South Prairie, Pierce County, Washington, adopting the Regular Property Tax Levy for collection in 2015 for South Prairie EMS (Emergency Medical Services). **Councilor Vicky Watkins** seconded the motion. **Motion carried unanimously.**

4) Resolution No. 332 – A Resolution of the Town of South Prairie, Pierce County, Washington authorizing the Mayor to enter into a contract with Bias Software for computer and information technology support services:

- ❖ **Councilor Barb Wigton** moved to approve Resolution No. 332, a Resolution of the Town of South Prairie, Pierce County, Washington authorizing the Mayor to enter into a contract with Bias Software for computer and information technology support services. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

5) Resolution No. 333 – A Resolution of the Town of South Prairie, Pierce County, Washington authorizing the Mayor to apply for, sign and enter into a nonexclusive Franchise Agreement with Pierce County to construct, operate and maintain a Water System in, along, and under certain Pierce County Rights-of-Way:

- ❖ **Councilor Barb Wigton** moved to approve Resolution No. 333, a Resolution of the Town of South Prairie, Pierce County Washington authorizing the Mayor to apply for, sign and enter into a nonexclusive Franchise Agreement with Pierce County to construct, operate and maintain a Water System in, along and under certain Pierce County Rights-of-Way. **Councilor Roy Hanson** seconded the motion. **Motion carried unanimously.**

MAYOR'S REPORT:

1) Mayor Tony Caldwell said everything is running smoothly for the Utility Department. Discussion followed.

2) Mayor Tony Caldwell said someone is living in their car that is parked at Emery Avenue South and SW Third Street. He said it is parked on the Town right-of-way; and he will follow up on this issue. **Karen Leming** said we have Safe Streets for South Prairie and nothing has been reported. She said we have heard reports of whip cream on the Trail; but we have not seen anything. Discussion followed.

3) Mayor Tony Caldwell stated mistakes were made on the Union Agreements dating back to 2008. He said the Base Rates of Pay were incorrect; and he wanted to correct these errors so the correct wages are stated in the contract. **Judy Tremblay** stated the Base Rate does not include any longevity pay; but it

should have included COLA and any raises. She said the Union would send an Addendum with the correct Base Rate amounts. She said a copy of the Addendum should be attached to all of the old contracts dating back to 2008. Discussion followed. **Judy Tremblay** said while we were auditing payroll, we discovered that there were missed wages. **Councilor Barb Wigton** said there is a statute of limitations and it is the employee's responsibility to check their paychecks. **Judy Tremblay** said we would normally follow that statute of limitations; but the mistakes were made when we first started the new computer system. She said the total missed wages is less than \$500. **Councilor Wigton** said if it is okay with the Town attorney, then the employees should be paid the missed wages. **Mayor Tony Caldwell** said it is up to the Council whether to pay the missed wages.

- ❖ **Councilor Stu Terry** moved to pay the missed wages to Judy Tremblay and Marla Nevill for approximately \$500, (actual amounts are as follows: Judy Tremblay in the amount of \$290.52 and Marla Nevill in the amount of \$120.14) in the November 2014 Bills. **Councilor Barb Wigton** seconded the motion. **Motion carried unanimously.**

Mayor Tony Caldwell stated he was the one that brought up this issue. Discussion followed.

PUBLIC WORKS' REPORT:

None

CLERK'S REPORT:

None

COUNCIL MEMBERS REPORT:

1) **Councilor Stu Terry** stated the Council should get paid by gathering instead of by Council Meeting. **Mayor Tony Caldwell** said increases to the Council stipend would not become effective until after the next election. Discussion followed.

2) **Councilor Barb Wigton** said she would like to address some of the questions that were brought up at the Budget Workshop; and she asked about the house that was torn down on SE Third Street. **Mayor Tony Caldwell** said yes, the house was torn down on SE Third Street. He said in regards to the questions you had at the Budget Workshop, he is obtaining estimates from Pierce County Road Maintenance for these projects. He said the Council would have to prioritize the projects. Discussion followed.

3) **Councilor Vicky Watkins** asked if the Town does anything to welcome new people to town. **Mayor Tony Caldwell** said the Town is not even allowed to pay for flowers. **Judy Tremblay** said we let them know to contact the Town Hall if they have any questions; but we cannot buy anything. Discussion followed.

ADJOURNMENT:

- ❖ At 9:10 PM, **Councilor Vicky Watkins** moved to adjourn the Regular Council Meeting of November 4, 2014. **Councilor Barb Wigton** seconded the motion. **Motion carried unanimously.**

Date Approved: December 2, 2014