

**TOWN OF SOUTH PRAIRIE
REGULAR COUNCIL MEETING
TUESDAY, DECEMBER 2, 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, December 2, 2014, at 7:00 PM.

ROLL CALL:

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

Also in attendance: Joe Mills and James and Allison Houston, 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 DECEMBER 2, 2014:

❖ **Councilor Stu Terry** moved to approve the Agenda for December 2, 2014. **Councilor Roy Hanson** seconded the motion. Discussion followed. **Motion carried unanimously.**

ENGINEERING REPORT:

None

PLANNER REPORT:

1) Shoreline Master Plan:

Mart Kask stated we are making revisions to the Comp Plan and Development Regulations and we have to address the issue of the Buffer Zone for the Shoreline Master Plan (SMP). We have to submit a response to Washington Department of Ecology that addresses their recommended and required changes to the SMP. He said WDOE could make arbitrary changes to the SMP if we cannot come to an agreement. He recommended we move forward and request a meeting with WDOE to show them our points and why we want a fifty-foot (50’) Buffer Zone. **Mayor Tony Caldwell** asked if we should notify the property owners that could be impacted by the Buffer Zone width. **Mart Kask** said a public hearing is probably the way to go; or WDOE could say we are not in touch with our citizens. **Mayor Tony Caldwell** suggested holding a Public Hearing at the January Council meeting. Discussion followed. It was the consensus of the Council to hold a Public Hearing at the January 2015 Council Meeting for the Shoreline Master Program Buffer Zone and notify those property owners that could be impacted. The Council requested setting up a meeting with WDOE prior to the Public Hearing and invite WDOE to attend the Public Hearing. Discussion followed. **Mart Kask** stated he and Marla would post the Public Hearing Notice and notify the property owners. He said we would send a letter to WDOE notifying them of the Public Hearing and set up a meeting with them prior to the Public Hearing.

2) Updates to the Comprehensive Plan, Development Regulations and Critical Areas Code:

Mart Kask said the updates for the Comp Plan, Development Regulations and Critical Areas Code has to be sent to Washington Department of Commerce (WDOC) for their sixty-day (60 day) review. He said we have not received any public comments. He said he decided to junk the old Development Regulations to “fix a bad wreck.” There have been significant changes. He asked for a model ordinance from WDOC

and got referred to Municipal Research Service Center (MRSC). As a result, we have a new draft put together. What we have is different pieces from different jurisdictions. He said he is quite comfortable with the draft and suggested an agenda item for the January Meeting that you “Intend to Adopt.” He said the deadline to adopt the updates for these documents is June 30, 2015. He asked the Council if they would like the comment period cut off on December 31, 2014. **Mayor Tony Caldwell** stated we are still waiting for a response from the Town attorney and the insurance attorney and cannot make the January Council Meeting. **Mart Kask** said we have to make it by the February Council Meeting. He said there are changes to zoning and asked that those property owners be notified to get their input. Discussion followed. **Mayor Tony Caldwell** requested that Mart notify the property owners of the changes. Discussion followed.

3) Shoreline Master Program Buffer Zone - Schedule Public Hearing:

- ❖ **Councilor Barb Wigton** moved to schedule the Public Hearing for the Shoreline Master Program Buffer Zone for the January Council Meeting; and notify the property owners that could be impacted by the Buffer Zone width. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

APPROVAL OF REGULAR COUNCIL MEETING/PUBLIC HEARING MINUTES OF NOVEMBER 4, 2014:

- ❖ **Councilor Stu Terry** moved to approve the Regular Council Meeting/Public Hearing Minutes of November 4, 2014. **Councilor Roy Hanson** seconded the motion. A correction was requested on page five, under Mayor’s Report to state “approximately \$500 on missed wages.” **Councilor Barb Wigton** requested some sort of documentation on the missed wages. **Judy Tremblay** stated we have another report to attach to the documentation. Discussion followed. **Councilor Stu Terry** moved to amend his motion to approve the Regular Council Meeting/Public Hearing Minutes of November 4, 2014, with the requested correction. **Councilor Roy Hanson** seconded the amended motion. **Motion carried unanimously.**

APPROVAL OF BILLS FOR NOVEMBER 2014 IN THE AMOUNT OF \$35,816.15:

- ❖ **Councilor Roy Hanson** moved to approve the Bills for November 2014 in the amount of \$35,816.15 (thirty-five thousand eight hundred sixteen dollars and fifteen cents). **Councilor Vicky Watkins** seconded the motion. Several questions were asked and answered regarding the bills. **Motion carried unanimously.**

APPROVAL OF MISSED WAGES THAT WAS APPROVED BY COUNCIL AT THE NOVEMBER 4, 2014 COUNCIL MEETING IN THE AMOUNT OF \$379.25:

- ❖ **Councilor Stu Terry** moved to approve the missed wages that was approved by Council at the November 4, 2014 Council Meeting in the amount of \$379.25. **Councilor Barb Wigton** seconded the motion. **Councilor Barb Wigton** asked why the amount was different than was stated. **Judy Tremblay** said taxes had to be taken out and that would show up in the December Bills which would be approved at the January Council Meeting. **Motion carried unanimously.**

CITIZENS’ COMMENTS:

James Houston, Site Plan Review - 210 SW Second Street:

James Houston stated he is in the process of building a 12’ x 12’ addition on the northwest side of his home. He said the issue is how close the sewer line could be to the new addition. He said the sewer line runs diagonally through the middle of his yard. He talked to Tony and we need to locate the sewer line. He needs to know who is paying for the locating service; and asked how the Council felt about that. The tank to the main line was installed by the Town. He cannot get a waiver; and the sewer tank and line have to be located. He wants to verify the location of the tank and line and requested that the Town pay for the locating service. Discussion followed. **Mayor Tony Caldwell** said you do not want to build within five

feet (5') of the sewer line. **Mart Kask** said the sewer line has no dimensions. (Reference Kask Memo attached as Exhibit "A"). Discussion followed. **Mayor Tony Caldwell** stated the sewer line runs diagonally through the property; and the Town is involved because the property owner is building an addition and needs to have the sewer lines located. **Councilor Barb Wigton** stated she just didn't know why it would be the Town's responsibility. Discussion followed. **Councilor Vicky Watkins** said if we are responsible from the tank to the Wastewater Treatment Plant, then it should be the Town's responsibility to pay for the locating service.

❖ **Councilor Stu Terry** moved to authorize the Town to pay a locating service to locate the sewer line and tank on James Houston's property at 210 SW Second Street. **Councilor Vicky Watkins** seconded the motion. **Motion carried unanimously.**

Joe Mills – Representative for Dwight Partin, Site Plan Review – 326 SE Third Street:

Joe Mills stated he requested a letter from the Town verifying that water and sewer is on site at 326 SE Third Street. He needs to know why the Town could not issue that letter. **Mayor Tony Caldwell** said he contacted Pierce County and they said when the Town Planner finishes the site plan review then the letter would be submitted to you. **Joe Mills** said the Town has no legal ability to do that. **Mart Kask** stated the process is subject to a site plan review. We are going through the steps to make sure water and sewer is on the site and make sure any structures are built to code and meets all the regulations. He stated he would complete his review within the three-day limit. Discussion followed. **Mayor Tony Caldwell** stated he hopes the Planning issues would be resolved within two to three months and have Pierce County take over our Planning applications.

UNFINISHED BUSINESS:

1) Update on Council Member, Position No. 3 Vacancy:

Marla Nevill stated the Council Member vacancy issue was turned over to Pierce County Council; and they would be working to try to find someone to fill the vacancy. 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:

Mayor Tony Caldwell said we have to table this issue until the January Council meeting. Discussion followed.

NEW BUSINESS:

1) Ordinance No. 545 – An Ordinance of the Town of South Prairie, Pierce County, Washington, amending the Budget for 2014:

Judy Tremblay said these were items we did not know about when the Budget was approved in 2013. We need to make an amendment before year end.

❖ **Councilor Stu Terry** moved to approve Ordinance No. 545, an Ordinance of the Town of South Prairie, Pierce County, Washington, amending the Budget for 2014. **Councilor Barb Wigton** seconded the motion. **Motion carried unanimously.**

2) Resolution No. 334 – A Resolution of the Town of South Prairie, Pierce County, Washington authorizing the Mayor to enter into an Agreement with Pierce County for Road Maintenance:

Mayor Tony Caldwell said he would like to table this issue until the January Council Meeting. He said we would like to discuss the comments we received from the old attorney with the new attorney when we meet with them later this month. Discussion followed.

3) Council Authorization to change the January Council Meeting from January 6, 2015 to January 13, 2015, 7:00 PM:

❖ **Councilor Barb Wigton** moved to authorize changing the January Council Meeting from January 6, 2015 to January 13, 2015, 7:00 PM. **Councilor Vicky Watkins** seconded the motion. Discussion followed. **Motion carried unanimously.**

4) Council Authorization to issue December payroll on or before January 6, 2015:

❖ **Councilor Barb Wigton** moved to authorize issuing December payroll on or before January 6, 2015. **Councilor Stu Terry** seconded the motion. Discussion followed. **Motion carried unanimously.**

MAYOR'S REPORT:

1) **Mayor Tony Caldwell** said the fire agreement was put together and we came to an agreement on the rent at \$17,000 a year and they will pay 90% of the utilities. He said the fire engines will remain housed in our fire station. He said he met with the Fire Chief and went through the run sheets and showed him our boundaries. He said East Pierce Fire and Rescue is working on resolving the issue of some of the calls from the county being incorrectly charged to South Prairie. Discussion followed.

2) **Mayor Tony Caldwell** said we received a request to purchase a new U.S. flag for the Veterans Memorial. He said he would like to have our staff handle these purchases and requested Council approval to purchase a new U.S. flag for the Veterans Memorial. Discussion followed.

❖ **Councilor Stu Terry** moved to authorize the Town staff to purchase a new U.S. flag for the Veterans Memorial. **Councilor Roy Hanson** seconded the motion. **Motion carried unanimously.**

3) **Mayor Tony Caldwell** stated the property on SE Third Street has not been cleaned up. He asked the Council how they would like to handle this. **Councilor Barb Wigton** said to send this issue to the Town Attorney for enforcement. Discussion followed. It was the consensus of the Town Council to have the Town Code Enforcement Officer send letter #2 to the property owner.

❖ **Councilor Barb Wigton** said the Cares Committee has to be under a 503(C). **Councilor Vicky Watkins** said we just got the Cares Committee up and running four days ago. Discussion followed. **Mayor Tony Caldwell** said he would be happy to meet with the Cares Committee.

4) Site Plan Review:

Mayor Tony Caldwell said the site plan issue was already addressed.

5) Estimates from Pierce County Public Works:

Mayor Tony Caldwell said we received the following estimates from Pierce County Public Works:

- 1) Shoulder Restoration - \$6,634.80
- 2) Cutting Shoulder Vegetation - \$200.44
- 3) Street Sweeping - \$524.68
- 4) Repairs to SE Second Street, Eleanor and Rainier - \$2,393.16
- 5) Install Pipe - SW First Street & Carbon River Road and Ditch Cleaning - SW Third Street - \$4,018.53

Mayor Tony Caldwell said it would be up to the Council to prioritize the list of repairs and determine which projects they would like completed. Discussion following.

5) Speed Limit Sign on Emery Avenue North:

Council received a request to install a speed limit sign on Emery Avenue North.

❖ **Councilor Barb Wigton** moved to have a speed limit sign installed on Emery Avenue North. **Councilor Stu Terry** seconded the motion. **Motion carried unanimously.**

6) Town Attorney:

Mayor Tony Caldwell said starting the 12th of December our current attorney is moving on and we will have our previous attorney handling Town issues. Discussion followed.

PUBLIC WORKS' REPORT:

Mayor Tony Caldwell said he met with Kirk Elliott and everything is running smoothly.

CLERK'S REPORT:

1) Website:

Judy Tremblay said the web master came out and trained her to post items to our website. She said we have several options:

- 1) Drop the website
- 2) Purchase a new website
- 3) Authorize additional training
- 4) Send documents to the web master to post on the website

Judy Tremblay said she wants input from the Council on what they would like us to do. **Councilor Barb Wigton** said she does not want a website. Discussion followed. **Mayor Tony Caldwell** asked the Council to look over the website and think about this for the January Council meeting. **Judy Tremblay** asked the Council if they would like to have the webmaster update our website. It was the consensus of the Council not to have the webmaster update the website.

2) Property Liens:

Judy Tremblay said we have a property in town that is in foreclosure and we have a lien on the property for an outstanding utility bill; and another property that is coming up for auction and we have a lien on the property for an outstanding utility bill. She asked if the Council would approve writing off some of the late fees. Discussion followed. It was the consensus of the Council to ride it out and they were not willing to write off any late fees.

COUNCIL MEMBERS REPORT:

1) Councilor Roy Hanson he hopes the crime rate goes down in town. Discussion followed.

2) Councilor Stu Terry said he thought we were going to get estimates for landscaping work. **Mayor Tony Caldwell** said he met with Ted from Colorscapes and he will be done at the end of the month. He said they were giving the Town a break; and if the Council chose not to accept the 6% increase, he could not afford to continue services for the Town. Discussion followed. **Councilor Stu Terry** said we already addressed the WDOE issues. He said there is a light out at the Community Center and the Town Hall. Discussion followed. **Councilor Stu Terry** said he was looking back through the minutes to see if there was only supposed to be one connection per parcel. **Mayor Tony Caldwell** said he is researching this issue also. **Councilor Stu Terry** said there is an RV parked in front of a house on SE Third Street; and he was wondering about the location of where it's parked in relation to our sewer lines. **Mayor Tony Caldwell** said the property was rented out and they are possibly getting ready to move in there. He said he would have to look into this further. **Judy Tremblay** said this property has two separate addresses but they are on one parcel. Discussion followed.

3) Councilor Barb Wigton asked about the landscaping services and asked if we are willing to give up the landscaping services. Discussion followed. **Mayor Tony Caldwell** said he has been using community service workers out of Bonney Lake. He said he would continue to work on that. It was the consensus of the Council to get estimates for landscaping services. **Councilor Vicky Watkins** said she would get estimates for landscaping services and report back to the Council in January. Discussion followed. **Councilor Barb Wigton** said during the Budget talks, we talked about the savings from the Utility Department. We need a workshop and earmark where that money could be spent. Discussion

followed. **Councilor Barb Wigton** said we need an ordinance drafted that would require a one-year residency in order to be on Council. **Mayor Tony Caldwell** asked the Council if they wanted the attorney to draft an ordinance for the one-year residency requirement to be on Council. Discussion followed. **Councilor Barb Wigton** said the taped public hearing should be destroyed, since it was not announced that it was being taped. **Mayor Tony Caldwell** said the only violation is it was not announced. Discussion followed.

4) **Councilor Vicky Watkins** said the school tried to call here and the staff would not take a message; and she wanted to know why. **Judy Tremblay** said she took the call and she told them you were not here and asked if they had your number and was told they did have the number. She asked them to contact you directly. Discussion followed. **Councilor Vicky Watkins** said she did not receive the Agenda packet. **Marla Nevill** said the Agenda packets were sent out via email. She asked the Council to contact her if they have not received the Agenda packet by Monday morning. Discussion followed.

ADJOURNMENT:

❖ At 9:50 PM, **Councilor Stu Terry** moved to adjourn the Regular Council Meeting of December 2, 2014. **Councilor Roy Hanson** seconded the motion. **Motion carried unanimously.**

Date Approved: January 13, 2014