CITY OF SHELTON, WASHINGTON - CITY COMMISSION
Business Meeting Minutes – June 2, 2014
Shelton Civic Center - 6:00 p.m.

Presiding: Mayor Cronce, Commissioner Olsen and Commissioner Moore
Staff Present: Dave O’Leary, Kathleen Haggard, Vicki Look, Steve Goins, Greg Clark, Cathy Beierle, Shelby Conklin, Les Watson, Mike Michael, Tracy Wilson and Lesleann Kangas

Mayor Cronce called the meeting to order at 6:00 p.m.

Commission Reports
One or more Commissioners will attend the following activities this week:
- League of Women Voters
- Peninsula Regional Transportation Planning Organization (PRTPO) Meeting
- Economic Development Council/ Executive Director Lynn Longan
- Career and Technical Education (CTE) Showcase at Shelton High School
- Law Enforcement Officers and Firefighters (LEOFF) Meeting

Public Comment
Mayor Cronce recognized Ms. Kelly Fredson Olsen who extended her gratitude to City Public Works employees Mike Albaugh and Matt Deemer who assisted her with at water leak. Ms. Olson also thanked Commissioner Olsen for his help with this matter.

Mayor Cronce recessed the regular meeting and opened the Public Hearing at 6:09 p.m.

Public Hearing - Ordinance No. 1852-0614 - An Ordinance of the City of Shelton, Washington, Amending Chapter 15.28 of the Shelton Municipal Code Relating to Water Rates – City Engineer Michael said this was presented in detail previously. In this current rate ordinance the increases are low and incrementally raised. The five year plan is in August it will raise three percent, three percent in 2015 and 2016, four percent in 2017 and 2018. The fire lines have been corrected to allow collecting on the private fire lines with the 2011 rates as originally introduced with the Comprehensive Plan that is in place. In working with City Attorney Haggard, the repealed language was removed and the fire lines would not be retroactively charged. CE Michael requested a First Reading of Ordinance No. 1852-0614 and to place it on the consent agenda for June 9, 2014 for a Second Reading.

Public Testimony
Mayor Cronce recognized Ms. Marilyn Vogler who said she supports the increases but would like to see something referencing beyond 2018 rates not increasing what was originally promised.

Commissioner Moore asked if the 2011 rates for the fire lines are adequate. CE Michael said that he does not see any issues with the funding level.

Commissioner Olsen asked if this applies to charged only fire lines or does it include dry lines. CE Michael said this is for charged lines only.

Mayor Cronce said if we are going to raise rates he favors the incremental steps.

Public Works Director Clark said this rate increase will amount to about 75 cents to the average residential customer.

Mayor Cronce closed the Public Hearing at 6:17 p.m. and returned to the regular meeting.

Mayor Cronce requested a First Reading of Ordinance No. 1852-0614 as follows:
Mayor Cronce recessed the regular meeting and opened the Public Hearing at 6:18 p.m.


Community and Economic Development Director Goins said that he is presenting three ordinances for consideration. The first one is related to the process of applying and approving an appeal of a Planned Use Development application. In reviewing the code staff identified a number of elements that could be improved upon in terms of process for the applicant and staff as follows:

1. Remove limitations that presently exist regarding the locations for PUDs, and the types of land uses allowed;
2. Remove the second step in the PUD process, to clarify and streamline the approval process;
3. To better facilitate creative project design by confirming projects may incorporate land uses which vary from those permitted in the underlying zone, and;
4. To clarify the roles and authority of the Hearings Examiner and City Commission.

Staff provided a briefing on this draft Ordinance at the May 12, 2014 meeting and submitted a draft to the state for 60-day review; no comments have been submitted. DH Goins said the second ordinance, Wireless Communication Facilities, amendments are intended to:

1. Ensure that the SMC does not include provisions which would discriminate among service providers;
2. Address recent updates to the State Environmental Policy Act (SEPA), the Revised Code of Washington (RCW), and the Nationwide Programmatic Agreement for the Collocation of Wireless Antennas;
3. Address the FCC’s 2009 Declaratory Ruling, recent Supreme Court decisions regarding wireless communication facilities, and the Middle Class Tax Relief and Job Creation Act of 2012.

This ordinance was also briefed on May 12, 2014. Once the 60-day review is complete, staff will address the comments in a final draft ordinance for consideration. DH Goins reported the following items are being proposed in the third ordinance, Site Plan Review:

1. More clearly state the intent and purpose for Site Plan Review;
2. More clearly state when Site Plan Review is required;
3. Refine and update the application submittal requirements and processing;
4. More clearly state the effect of Site Plan Review approval;
5. Remove impractical revocation procedures, and;
6. Clarify the appeal process.

He said that Site Plan Reviews are a process that facilitates early review of development projects to assist developers and designers as plans are prepared. Site Plan approval ensures the project design contemplates all land development criteria and provides the developer with certainty to move forward. This ordinance was briefed at the May 12, 2014 meeting. Once the 60-day review is complete, staff will return with this item addressing any submitted comments. DH Goins requested a First Reading of all three ordinances this evening and placing Ordinance No. 1848-0614 on the consent agenda for a Second Reading on June 9, 2014. He said he would bring the other two back at a future meeting after considering public comments and written comments.

Public Testimony

Mayor Cronce recognized Ms. Marilyn Vogler who expressed her concerns with the revisions in the Planned Unit Development (PUD) and the Site Plan Review (SPR) Ordinances. Ms. Vogler said taken together, the PUD and SPR are troubling; place of environmental review and opportunity for public input is unclear and the general effect seems to be to strengthen the role and position of the developer and decrease opportunity for public participation.

The Commissioners had concerns ranging from parking, protecting historic districts, ability to revoke, sidewalks, streets, abandonment, and the need to protect existing neighborhoods.
City Attorney Haggard said that the City did a sizable new ordinance adopting SEPA rules under state law. The City has no latitude to deviate from these rules. The reason for not mentioning SEPA and other provisions is because they are mentioned elsewhere. The City has also adopted new critical area regulations and other environmental protections.

Mayor Cronce closed the Public Hearing at 6:51 p.m. and returned to the regular meeting.

Mayor Cronce requested a First Reading of Ordinance No. 1848-0614, 1850-0614 and 1851-0614 as follows:
Ordinance No. 1848-0614 – First Reading - An Ordinance of the City of Shelton, Washington, Amending Chapters 2.36 and 20.32 of the Shelton Municipal Code and Ordinances 1750-0709 and 1713-1207 Relating to Powers of the Hearings Examiner and Planned Unit Development


The Commission concurred to have Ordinance No. 1848-0614, 1850-0614 and 1851-0614 brought back under Old Business at a later date.

Consent Agenda
1. Vouchers numbered 83463 through 83536 in the amount of $225,209.74
2. Commission Meeting Minutes from:
   • Business Meeting May 19, 2014
   • Study Session of May 27, 2014
3. Northcliff Road - Canyon Creek Culvert Replacement – Award the Project to Kamin Excavation by signing the “Award Form” and authorize the Mayor to sign the contract when returned from contractor
4. Target Zero & Personal Services Contract - Authorize the Mayor to sign Amendment #1 for the Target Zero Interagency Agreement and the Mason County Target Zero Manager Duties Agreement for the period of July 1, 2014 to June 30, 2015
5. Placement of Eight Signs Designating Two Local Historic Districts - Approve the signs in the two City approved Historic Districts and installation by Public Works

Commissioner Olsen moved to approve the consent agenda as read; Commissioner Moore seconded the motion. A vote was taken and the motion passed.

Old Business – None

New Business
1. Nisqually Jail Service Agreement – Municipal Court Administrator Conklin reported that the City of Shelton currently has Interlocal Agreements with Mason County and City of Forks for Jail Services. Mason County Jail has had to reduce the number of inmates they hold in jail due to reduction in their staffing levels. At the same time Forks Jail has temporarily had to reduce the number of inmates they are able to hold due to needed renovations to one of their inmate units. We have therefore been looking for additional bed space in other facilities to address both the reductions in population in the Mason County Jail and the Forks Jail. The City is currently paying Mason County $81.06 per day to house an inmate in the Mason County Jail. Mason County Jail does not charge a booking fee if the inmate is housed overnight. The Interlocal Agreement with Forks is at the rate of $45 per day with no booking fee. The Agreement with Nisqually is $65 per day for 2014, plus an additional $20 booking fee for each inmate booked with an annual escalation clause for the next 5 years up to $75 per day. Due to the fairly close proximity, the Court intends to order the defendants to report directly to the Nisqually Jail thereby eliminating the need for transportation. Clearly the most cost effective option is housing inmates in the
Forks facility. Unfortunately, our ability to do so is temporarily diminished. They have indicated they expect to have their facility available again in August, until then, they are unable to house any additional inmates. Mason County Jail is our least cost effective option and will be at capacity more often than not. Nisqually then, is our best option to all of the current issues. MCA Conklin requested given our limited options and need for incarceration the Mayor be authorized to sign the Agreement with Nisqually for services by placing on the consent agenda for June 9, 2014.

The Commission concurred to authorize the Mayor to sign the Interlocal Agreement with Nisqually for Jail Services by placing on the consent agenda for June 9, 2014.

2. WestNET – Acting Police Chief Watson said the Commission previously approved the continuing agreement with WestNET providing a detective to that organization. This is related to that agreement in that the State requires each year that WestNET, which is the grant receiver, and any sub-recipient, City of Shelton, provide verification that they are in compliance with the requirements. AC Watson requested the Commission place this on the consent agenda for June 9, 2014 authorizing the Mayor and City Administrator to sign.

The Commission concurred to authorize the Mayor and City Administrator to sign the Washington State Department of Commerce Justice Assistance Grant Sub-Recipient Compliance Verification by placing on the consent agenda for June 9, 2014.

Administration Reports
City Administrator O’Leary turned to City Engineer Michael who reported that the funding agreement with Department of Health, Department of Commerce and Public Works Board contract needed to be resigned due to the omission of a standard provision that says we agree to have control of all the property we need prior to awarding the construction contracts. CE Michael provided the new contract for the Mayor to sign.

CA O’Leary said that with the internship recruitment is that our needs are ½ time employment for first three months and full time for the second three months. Recognizing that, he said, he looked for another organization to offer a half-time internship for the first three months. He said Friday, Association of Washington Cities has committed to hire that person as an intern in their organization, making the offer full-time for the first three months also.

Public Works Director Clark said he has been researching the ability for senior and low-income discounted rates. He has spoken with City Attorney Haggard and MRSC and has information on what other jurisdictions have done. He will bring information forward at a future meeting that will be independent of the rate increases presented.

General Public Comment - None

Administrative Final Touches - None

Announcement of Next Meeting
Mayor Crone announced the next regular Commission meeting of Monday, June 9, 2014 at 2:00 p.m.

Adjournment
Mayor Crone adjourned the meeting at 7:05 p.m.

Mayor Crone
City Clerk Look