

CITY OF SHELTON, WASHINGTON – CITY COMMISSION
Study Session Meeting Minutes – November 30, 2009
Shelton Civic Center – 2:00 P.M.

Presiding: Mayor Tarrant, Commissioner Byrne and Commissioner Pannell

Staff Present: Dave O’Leary, Vicki Look, Cathy Beierle, Steve Goins, Terry Davenport, Shelby Conklin, Mike Michael, Dennis McDonald, Mark Ziegler, Ken Stodden, Teri Schnitzer and Lesleann Kangas

Mayor Tarrant opened the meeting at 2:00 p.m.

Commission Reports

Mayor Tarrant requested a moment of silence for the fallen police officers in Lakewood Washington which included former City of Shelton Police Officer Tina Griswold.

- **Employee Recognition** – The Commission read and presented awards to Teri Schnitzer, Safety Coordinator Certification, Craig Gregory and Todd Rhodes, Traffic Signalization Technician Level I and Brent Armstrong, Group II Sewer Treatment Plant Operator.
- **2008 and 2009 FEMA Storm Events Update** – Account Analyst Teri Schnitzer reported that the City of Shelton was reimbursed \$196,915.37 for last winter’s storms. The City declared emergencies for the December 2008 snow storm and the January 2009 flooding. The process for compiling all the information to present to FEMA was very challenging but rewarding and worthwhile to the City. Ms. Schnitzer thanked Public Works Superintendent, Ken Stodden, for his help in gathering needed information and for escorting FEMA project officers to see the city-claimed damage due to the storms. The monies received were distributed as follows: General and Street Fund received \$29,971.12, Water Fund \$73,992.31, Sewer Fund \$61,433.08 and the Storm Fund \$31,518.86.

The Commission thanked Ms. Schnitzer for her report and everyone who was involved in recouping monies incurred in both of these storms.

One or more Commissioners will attend the following activities this week:

- Association of Washington Cities – Mayor’s Exchange
- Christmas Parade
- First Friday Events
- Cascade Land Conservancy
- Peninsula Regional Transportation Legislative Outreach Luncheon

Public Comment

Mayor Tarrant recognized Mr. Ryan Troy who read and submitted cost savings ideas that could help with the City Budget.

Old Business

1. **Mason County Disc Golf** – Parks and Recreations Supervisor Ziegler presented this agreement with Mason County Disc Golf in detail at the meeting of October 26, 2009. At that meeting it was requested to have the Finance Department review the agreement to determine if a leaseholder excise tax would apply. The Finance Department reviewed the agreement and determined will not apply to the course, but language was added to the agreement that the Mason County Disc Golf is responsible for the tax in the event that it is necessary to pay. With approval the agreement is renewable annually for a fee of \$1.00. Mr. Ziegler requested the Commission authorize the City Administrator to sign the agreement after a signed copy has been submitted by Mason County Disc Golf Association.

Commissioner Byrne moved to authorize the City Administrator to sign the lease agreement with Mason County Disc Golf Association after a signed copy is received from them, Commissioner Pannell seconded the motion. A vote was taken and the motion carried.

2. Shelton Municipal Court Judge Appointment – George Steele – Management Assistant Look reported that the Mayor, with confirmation from the Commission, appointed Mr. George Steele to serve as Shelton Municipal Court Judge to complete a four-year term which was vacated by Judge Amber Finlay at the end of December 2008. This appointment ends on December 31, 2009. At the meeting of October 26, 2009, staff requested Commission direction in selection of a candidate to fill a four-year term beginning January 1, 2010. Mr. Steele has agreed to the terms and to provide Municipal Court Judge services as written in the provided employment contract. MA Look requested that per Shelton Municipal Code the Mayor move to appoint George Steele for a term beginning January 1, 2010 and lasting through December 31, 2013 with at least one Commissioner confirming the appointment. If appointed, Mr. Steele will take the Oath of Office at the Commission meeting of December 28, 2009 which will begin at 1:30 p.m.

Mayor Tarrant moved to appoint Mr. George Steele as the Municipal Court Judge for the term of January 2010 through December 2013, Commissioner Pannell seconded the motion. A vote was taken and the motion carried.

New Business

1. Interlocal Correction/Detention Agreement between the City of Shelton and the City of Wapato – Municipal Court Administrator Conklin reported that the City of Shelton contracted with the City of Wapato in 2009 for the incarceration of Shelton inmates in their jail facility at the rate of \$50 per day. Wapato has contacted us with a couple of different proposals for the contract year of 2010. Under the first option, the daily incarceration rate increases from \$50 to \$55 per day. The second option maintains the \$50 daily rate, but requires that we guarantee one person per day for the year. Ms. Conklin presented a spreadsheet with both options using 2008 and 2009 inmate statistics and recommended the option of guaranteeing one person per day at the lower rate of \$50. She further recommended that the Interlocal Agreement be placed on the Consent Agenda once received from Wapato.

The Commission agreed with the recommendation of the guaranteeing one inmate per day at the rate of \$50 and placing the Interlocal Agreement with Wapato under Old Business when received back from them.

2. Resolution #990-1109 – A Resolution of the City of Shelton, Washington Establishing a Non-Discrimination in Community Athletic Programs Policy for the City of Shelton and Third Party Organizations Using City of Shelton Parks and Recreation Facilities – Parks and Recreation Supervisor Ziegler said that during the 2009 legislative session, the Washington State legislature passed ESSB 5967, which prohibits discrimination against any person in a community athletics program on the basis of sex. This bill requires the city to prepare and adopt a policy addressing the issue by January 1, 2010. In order to comply with the legislation staff has prepared a Non-Discrimination in Community Athletic Programs Policy. The policy includes procedures to conduct community athletic programs, allocate sport facilities, disseminate the policy information, and report potential violations. Mr. Ziegler recommended the Commission approve Resolution #990-1109 establishing the Non-Discrimination in Community Athletic Programs Policy and place on the consent agenda for December 7, 2009.

The Commission directed staff to bring this back under Old Business for the December 7, 2009 meeting do further discuss whether this should be managed by Administration or the Commission.

3. Ordinance No.1759-1109 – An Ordinance of the City of Shelton, Washington Repealing Section 20.53.100 of the Shelton Municipal Code, Relating to Comprehensive Plan Amendments, and Directing Staff to Propose Amendments to the Concurrency Ordinance – Senior Planner Dose reported as staff proceeds with the 2009 cycle of Comprehensive Plan Amendments there is a complication relative to Chapter 20.53 of the Shelton Municipal Code. Section 20.53.100 requires that the City perform a concurrency review for Comprehensive Plan Amendments that is a requirement stemming from the Growth Management Act that requires local jurisdictions to adopt ordinances for concurrency that prohibits Cities from approving developments that fail to make adequate provision for public facilities. The common practice is to issue a concurrency determination at the time of development permit approval. Concurrency at this stage of a development is premature. Staff forwarded the proposed ordinance change to the Washington State Department of

Commerce on October 30, 2009 for review and comment. No comments were received from State Agencies and the Department of Commerce granted the City expedited review pursuant to the request. Staff is recommending a First and Final Reading of Ordinance No. 1759-1109.

The Commission requested a First and Final Reading of Ordinance No. 1759-1109 - An Ordinance of the City of Shelton, Washington Repealing Section 20.53.100 of the Shelton Municipal Code, Relating to Comprehensive Plan Amendments, and Directing Staff to Propose Amendments to the Concurrency Ordinance.

Commissioner Pannell moved to approve Ordinance No. 1759-1109, Commissioner Byrne seconded the motion. A vote was taken and the motion carried.

4. Interlocal Agreement between the City of Shelton and Mason County Regarding Urban Growth Area Zoning and Development Standards – Director of Public Works and Community and Economic Development Goins has previously briefed in detail this draft Interlocal Agreement. The changes coming from these briefings and public input are to clarify what is this agreement and what it should contain. The goal is to encourage development and growth. A copy is available at the City of Shelton Community and Economic Development Department. DH Goins will send this draft to the County for review.

Mayor Tarrant recognized Port Commissioner Jay Hupp who thanked staff for the hard work and positive changes to this agreement. Mr. Hupp requested more work be done on Section #4, Binding Site Plan, and get concurrency from the committee that has been reviewing this agreement.

The Commission directed staff to bring this back under Old Business for the Commission meeting of December 21, 2009 for further discussion.

5. Wastewater Treatment System Rehabilitation Project - Parcel Combination of Simpson/Green Diamond Property DCP #05-09 – Regional Projects Manager McDonald and City Engineer Michael reported that to facilitate the construction of the Wastewater Treatment Plant the City has started a process to combine two parcels and boundary line adjustments. The first step was the completion of the vacation of a portion of Fairmount Avenue. The vacated right-of-way became part of parcels owned by the City. The next step is combining of the two recently purchased parcels from Simpson Timber Company and Green Diamond by submitting a Parcel Combination Application and Declaration of Parcel Combination to the City. The final step will be to establish a boundary line adjustment and easement to define the Wastewater Treatment Plant expanded area. This final step will be addressed with the Commission at a later date. Staff recommends that the Commission authorize the Mayor to sign the Parcel Combination Application and Declaration of Parcel Combination by placing on the consent agenda for December 7, 2009.

The Commission concurred to authorize the Mayor to sign the Parcel Combination Application and Declaration of Parcel Combination and place on the consent agenda for December 7, 2009.

6. FY 2009 Community Development Block Grant (CDBG) General Purpose Grants Program – Public Hearing request- Regional Projects Manager McDonald said that staff is preparing a CDBG application for less than \$500,000 to assist with Franklin Street Improvements Project construction costs. This is a project of mutual interest to the Mason Transit Authority and the City. The City is eligible for a “General Purpose Grant” that includes public facilities and the application is due January 21, 2010. Included in eligibility the City must show that the project will benefit Low to Moderate Income residences. Based on the past Residence Survey the City meets these criteria. The City is requesting an additional \$475,627 from the CDBG to combine with the remaining Surface Transportation Program (STP) funds of \$408,052 for this project. The minimum of 10 percent match will be met with contributions from Mason Transit Authority and City Stormwater. Staff requested the Commission set a required public hearing for January 4, 2010 to receive public input on the City’s application.

The Commission concurred to schedule a public hearing for January 4, 2010 for public input on the CDBG application.

Administration Reports

City Administrator O’Leary said he would be meeting with the Parks Advisory Board later this week.

Public Comment

Mayor Tarrant recognized Ryan Troy who asked to have his ideas taken seriously and asked for a staff member to step up and take the title of “City Fund Conservation Manager.”

Administrative Touches

- CA O’Leary – 2010 Work Plan
- CA O’Leary – 2010 Strategic Plan
- DH Goins – Change Fats, Oils, Grease Ordinance Public Hearing to 12/21/09
- DH Goins – Check out the slab for new fire station
- DH Goins – 2010 Comp Plan Amendments
- RPM – McDonald – Wastewater Treatment Plant Sediment Sampling Contract
- RPM – McDonald – Satellite Water Reclamation Plant Forest Management Plan
- RPM – McDonald – Inter-Governmental Agreement (IGA) #17 Wastewater Treatment Plant Construction Costs

Announcement of Next Meeting

Mayor Tarrant announced that the next regular Commission meeting will be Monday, December 7, 2009, 6:00 p.m.

Adjournment

As there was no further business the meeting was adjourned at 4:00 p.m.



Mayor Tarrant



City Clerk Look