

**MINUTES OF A REGULAR MEETING OF THE
LACEY CITY COUNCIL HELD THURSDAY,
FEBRUARY 10, 2011, IN LACEY COUNCIL
CHAMBERS.**

CALL TO ORDER: Mayor Nelson called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Mayor Nelson led the pledge of allegiance.

COUNCIL PRESENT: T. Nelson, V. Clarkson, R. Lawson, C. Pratt, J. Hearn, A. Ryder

STAFF PRESENT: G. Cuoio, S. Spence, K. Ahlf, L. Flemm, T. Woo, D. Pierpoint, S. Egger, E. Keith, S. Beauregard, C. Litten, D. Burns, J. Sieler

OATH OF OFFICE FOR COUNCILMEMBERS: Ken Ahlf, City Attorney, administered the oath of office to newly appointed Councilmember Jeff Gadman.

Mayor Nelson adjourned the meeting 7:04 p.m. to allow time for congratulations from family and friends to Councilmember Gadman.

Mayor Nelson reconvened the meeting at 7:10 p.m.

APPROVAL OF AGENDA AND CONSENT AGENDA: Consent Agenda Items:
(a) Worksession Minutes of January 20, 2011
(b) Council Minutes of January 27, 2011

COUNCILMEMBER PRATT MOVED TO AMEND THE AGENDA TO ADD 3-A, RECOGNITION OF SGT EASTMAN, AND 12-B, PARK ACQUISITION UPDATE, AND APPROVE THE AMENDED AGENDA AND CONSENT AGENDA. COUNCILMEMBER RYDER SECONDED. MOTION CARRIED.

PUBLIC:

Dusty Pierpoint recognized Sgt. Scott Eastman for 20 years of service with the City of Lacey. His service has included serving as a field training officer, drug task force officer, relief supervisor, initiating the chaplaincy program, school resource officer, lead instructor on county-wide dive team, expert in criminal justice forensic training, expert in traffic investigation, initiating first explorer post in the state, participating on civil disobedience team, and saving a toddler by using CPR. Mayor Nelson thanked Sgt. Eastman for his exceptional service of 20 years with the City of Lacey.

Gene Dobry, Lacey Fire District Commissioner, announced he has been elected as the new Chair of the Commission. He congratulated Councilmember Gadman on his appointment to the City Council.

Carlos Dextre, President and Founder of Capital City Football Club, addressed the Council to advocate for the formation of a soccer franchise in the south sound area. He said he has a strong history in the soccer community and would like to provide opportunities for youth who want to participate in the game, but need financial assistance. He would like to partner with the business community to provide those opportunities.

RESOLUTIONS:

Resolution No. 970 approves the sole source purchase and installation of the tank, pump and accessories for a new/replacement STEP truck chassis.

Scott Egger, Public Works Director, stated a new replacement septic STEP pumper truck was approved for purchase in the 2011 budget. The cab/chassis will be purchased from the current State Procurement Contract. There is no contract available for the tank, pump and equipment to be manufactured and installed on the chassis. There is only one manufacturer/installer in Washington State, Erickson Tank and Pump in Quincy, WA. Two other

manufacturers have been located, one is in California and the other is in Arizona.

A resolution is required to allow the City to purchase from a local sole source. The cost to purchase and install the 2,300 gallon tank, pump, and accessories is \$39,490. The cost of the chassis purchased from the State Contract is \$84,848.

COUNCILMEMBER LAWSON MOVED TO ADOPT RESOLUTION NO. 970 TO APPROVE THE SOLE SOURCE PURCHASE AND INSTALLATION OF THE TANK, PUMP AND ACCESSORIES FOR A NEW/REPLACEMENT STEP TRUCK CHASSIS. COUNCILMEMBER GADMAN SECONDED. MOTION CARRIED.

ORDINANCES:

Ordinance No. 1362 amends LMC 1.20.020 to add the Boys and Girls Club as an organization eligible to receive a waiver of building and certain construction-related fees.

Greg Cuoio, City Manager, stated that Ordinance 1248, approved by the City Council in October 2005, authorizes the waiver of certain building permit and construction-related fees for Habitat for Humanity projects.

The Boys and Girls Club of Thurston County (BGC) have requested a waiver of \$1,961.35 in plan check and inspection fees already incurred and associated with the development of an outdoor play area adjacent to the Tracey Street Club.

The General Government Committee considered this request and determined the Boys and Girls Club should be eligible for a similar waiver based upon the services rendered parents and children in our community. In order for this waiver to proceed, an ordinance amendment authorizing such waiver is required.

Consistent with prior policy, this ordinance does not allow the waiver of sewer and water connections fees.

The outdoor play area proposed by the Boys and Girls Club is a project funded primarily by donations. This waiver will help offset construction expenses and assist the Club in expanding services to Lacey area children participating in its programs and activities.

COUNCILMEMBER RYDER MOVED TO ADOPT ORDINANCE NO. 1362 TO AMEND LMC 1.20.020 ADDING THE BOYS AND GIRLS CLUB AS AN ORGANIZATION ELIGIBLE TO RECEIVE A WAIVER OF BUILDING AND CERTAIN CONSTRUCTION-RELATED FEES. COUNCILMEMBER PRATT SECONDED. MOTION CARRIED.

CITY MANAGER'S
REPORT:

Scott Egger, Public Works Director, requested that Council award Lacey Contract Number PW 2010-17 to 3 Kings Environmental Incorporated in the amount of \$922,697.01 for the Waterline Replacement and Martin Way Looping Project. The Engineer's Estimate is \$1,084,803.83.

Mr. Egger stated the waterline replacement portion replaces a deteriorated and leaking watermain. The Martin Way portion provides water transmission. This contract provides for the installation of up to approximately 4,400 LF of 6", 8", 12" and 16" diameter water main in 35th Ave SE, 37th Ave SE, Ida Jane Way SE, Martin Way E, Shady Ln SE and Stanfield Dr SE. Work will include service lines, meters, fire hydrants, valves, connections to existing water system, watermain abandonments, pavement and lawn restoration, and other work.

The start date is anticipated to begin in March 2011 with 90 working days allotted.

COUNCILMEMBER RYDER MOVED TO AWARD LACEY CONTRACT NUMBER PW 2010-17 TO 3 KINGS ENVIRONMENTAL INCORPORATED FOR THE WATERLINE REPLACEMENT AND MARTIN WAY LOOPING PROJECT IN THE AMOUNT OF \$922,697.01. COUNCILMEMBER PRATT SECONDED. MOTION CARRIED.

Greg Cuoio, City Manager, provided an update on a proposal to Council to acquire 500 acres of pastoral and forest land adjacent to Pleasant Glade Park in the northeast area of Lacey. The *legacy acquisition* would preserve the watershed along Woodland Creek, and significantly increase the City's parks and open space acreage.

The land is owned by Sterling Savings Bank and the City had negotiated a purchase price of \$4.2 million. The purchase is subject to final Council approval, a clear title, and an appraisal.

Mr. Cuoio reported that the title search has been completed, and it appears the bank is not able to produce clear title to 85 acres in the southwest corner of the property. As a result, the City has renegotiated the price to \$3,445,471 million dollars for 407 acres.

Mr. Cuoio noted there is an obligation on the title of one parcel that the owner provide, in perpetuity, approximately 14 acre feet of annual water mitigation to Woodland Creek through an existing on-site well, for another parcel of property located on Carpenter Road. When that property develops, the City will need to meet that obligation. Fifty percent of the annual cost will be shared by the benefitting property. Mr. Cuoio noted that City staff has entered into discussions with the Department of Ecology about the propriety of this water mitigation encumbrance.

Mr. Cuoio advised that based upon Council's prior response and support, the City will move forward with a closing date of February 28, 2011. Mr. Cuoio acknowledged City Attorney Ken Ahlf for his exceptional efforts in moving this proposal forward.

COUNCIL UNANIMOUSLY AGREED TO MOVE FORWARD WITH THE PURCHASE OF 407 ACRES TO PRESERVE THE WATERSHED ALONG WOODLAND CREEK.

Councilmember Pratt remarked she is overwhelmed and impressed with the beauty of the property.

Councilmember Ryder praised the City for its sound fiscal practices that have ensured funding is available for this timely purchase.

Councilmember Hearn said he looks forward to enjoying the park with his family.

Councilmember Lawson stated this is an outstanding acquisition for the City and he is excited about the opportunities for community gardens.

Councilmember Gadman remarked he is familiar with the property and it is a jewel at a bargain price.

Mr. Cuoio stated funding for the property acquisition would come from reserve funds in the storm water and water utilities, and parks and open space, and conservation futures. General funds will not be used for the purchase, and City operations will not be impacted.

Greg Cuoio, City Manager, announced his retirement effective June 30, 2011. His retirement marks 38 years in public service, with 24 years in Lacey.

He expressed his incredible pride in what the City has accomplished for its citizens. He remarked that Lacey is a vibrant, economically healthy, family-oriented city. It has been demonstrated that government can be efficient, responsive, and accountable. The City has been a model for fiscal discipline and financial stewardship – it has lived within its means, and exercised good judgment with limited resources.

Mr. Cuoio expressed appreciation to City staff and the management team whose hard work and dedication have brought so many dreams, priorities and visions for the community to reality. Lacey's elected officials, boards and commissions, and volunteers deserve thanks and appreciation for their outstanding contributions and service to the community.

The City's accomplishments are the product of an organization whose culture is defined by its commitment to fiscal prudence, integrity, quality customer service, teamwork, innovative community partnerships, collaborative problem-solving, and leadership in local government.

Mr. Cuoio encouraged all to continue to embrace the values, principles and ideals that have worked so well over the years. These are the foundations of the City's success and a blueprint for a positive future.

Councilmember Pratt remarked that she is very appreciative of Mr. Cuoio's leadership and his innovative thinking.

Councilmember Ryder thanked the City Manager for his exceptional vision and leadership in accomplishing Council's goals and priorities.

Councilmember Hearn expressed his appreciation and looks forward to opportunities to celebrate this milestone.

Councilmember Lawson acknowledged that the City Manager is an indispensable member of the City management team and will be missed.

Councilmember Gadman noted the City is proud of the accomplishments during Mr. Cuoio's tenure and expressed his appreciation for his years of service.

STANDING GENERAL COMMITTEES:

General Government & Public Safety Committee:

Councilmember Lawson reported the Committee met on January 19, 2011, to discuss a request from the Boys & Girls Club for a waiver of inspection fees, the Spirit of Lacey Award, and the City's Connection Fee Payment Schedule.

Land Use Committee:

Councilmember Pratt reported the Committee met on January 24, 2011, to discuss the Planning Commission's 2011 Work Program, the Woodland District, and the City's Sign Abatement Ordinance.

BOARDS & COMMISSIONS:

Joint Animal Services Commission:

Councilmember Hearn reported the Board reviewed work plans for 2011 and discussed an increase in pet licensing.

LOTT:

Councilmember Pratt reported LOTT was presented with a certificate of achievement for Excellence in Comprehensive Financial Reporting in 2009. The Tumwater School District approved an intergovernmental agreement with LOTT to retrofit Black Hills High School with high efficiency plumbing fixtures.

Mayor Mah has proposed that the Martin Way Reclaimed Water Facility be used as a test rule for the new Department of Ecology manual.

Solid Waste Advisory Committee:

Councilmember Pratt reported that SWAC has launched a Face book software program.

The Board received a briefing on the Medicine Return Program legislation, and the Food to Flowers Program to reduce waste in schools by 75%.

Olympic Region Clean Air Agency:

Councilmember Pratt reported the County has placed a moratorium on biomass in response to concerns about health, air quality and forest health. A hearing was held on the outdoor burning rule which passed.

Staff is developing a policy for the use of social media.

The Board received the fine particulate standard which is 35.4 milligrams per cubic meter. On average, the City of Lacey is under the limit allowed.

Transportation Policy Board:

Councilmember Ryder reported the Board elected officers, and received TPB's 2010 Annual Report.

The Board also discussed regional transportation priorities with an emphasis on public education and outreach. In other business, they discussed what is required to pursue community rail in Thurston County and received an overview of WSDOT ramp metering at the Nisqually and Mounts Road exits, which begins in April.

Visitor & Convention Bureau:

Councilmember Ryder reported the VCB is sponsoring a *Sweet on Thurston County* event on February 14 at 4 p.m. in celebration of Valentine's Day. He invited everyone to participate.

ADJOURNMENT: Mayor Nelson adjourned the meeting at 8:40 p.m.

Council minutes approved and signed on March 10, 2011