

**City of Puyallup
Regular City Council Meeting
March 4, 2014**

(These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of six years from the date of the meeting and are available upon request.)

COUNCILMEMBERS PRESENT: Mayor Knutsen, Deputy Mayor Hopkins, Councilmember Door, Councilmember Shadko, Councilmember Swanson, Councilmember Vermillion

COUNCILMEMBER ABSENT: Councilmember Palmer

Mayor Knutsen noted that Councilmember's Palmer absence was excused.

APPROVAL OF THE AGENDA

Council Action: A motion was made by Deputy Mayor Hopkins, second by Councilmember Door, to approve the agenda as amended to add the Council-requested item titled "Rules for Committee Appointments and Operations." The motion passed 6-0.

APPROVAL OF THE MINUTES

Minutes of February 11, 2014

Council Action: A motion was made by Councilmember Vermillion, second by Deputy Mayor Hopkins, to approve the minutes of February 11, 2014 as submitted. The motion passed 6-0.

PRESENTATIONS AND/OR PROCLAMATIONS

Presentation from Puget Sound Energy regarding its 230 transmission line project

Janet Olsen, Puget Sound Energy (PSE) project manager, provided an overview of PSE's "230 kV project" which will install a transmission line to add capacity to the region's electric system and improve the reliability of service for many of its customers in east Pierce County. Following multiple public and landowner meetings and the completion of studies to identify environmentally sensitive areas, selection of the final route alignment was announced last year. The proposed route, eight miles in length, will require easements from five properties in Puyallup. The current 115kV transmission line along the Foothills Trail will be replaced with a new 230kV line.

Ms. Olsen explained that the proposed transmission line route was identified based on several factors including existing utilities, environmental impacts, permitting, public input, and the types of property involved. She noted the large discrepancy in cost between overhead and underground transmission lines and emphasized that any trenching must be accomplished in a road or easement area and cannot affect wetlands. Saying that PSE began extending easement offers to property

owners in February, she expected permits to be submitted this summer and construction to begin next year to accommodate a scheduled completion date of 2016.

Deputy Mayor Hopkins asked about the possible sharing of right-of-way with trails, and specifically regarding the opportunity for linking the Foothills and Riverwalk trails. Ms. Olsen confirmed this idea had been discussed and added that PSE welcomes opportunities to co-locate with compatible uses.

Responding to questions, Ms. Olsen referred to a list of uses which are compatible with PSE easements (biking or hiking trails, parking lots, greenbelt areas, parks, etc.) and those which are not (buildings and other structures, septic tanks and drain fields, swimming pools, wells). She added that the World Health Organization has concluded that a connection between electro-magnetic fields and health risks has not been established.

CITIZEN COMMENTS

Mayor Knutsen reported that at council's retreat last month, councilmembers had addressed the subject of improving the decorum at council meetings. He drew a distinction between citizens speaking about councilmembers and city staff versus speaking about fellow citizens and citizen volunteers. Referring to the last regular council meeting when he instructed a citizen against negatively speaking of a citizen volunteer by name, he said although he did not receive a large amount of critical feedback, citizens will be allowed to speak as they wish unless and until a councilmember calls for a point of order. He emphasized that he has never supported preventing people from speaking and concluded by remarking on expressed calls for a softer, gentler environment.

Mr. Marty Kiilsgaard spoke in support of the 23rd Avenue SE improvement project, saying it will greatly improve public safety and will be very much appreciated by all who utilize this street.

Mr. Gene Landry urged councilmembers to not forget the voters who elected them, spoke to the superiority of in-person rather than electronic communication, and encouraged the investigation of both sides of an issue before voting. He asked that when council votes on the budget, it keep in mind the effect of rate, fee and tax increases on constituents such as himself who have fixed incomes. He noted the disagreement of some citizens in District 1 with the positions taken by the deputy mayor on the Shaw-Pioneer development moratorium and utility rates.

Mr. Bill Hilton encouraged Council to accept the \$30,000 donation from the American Legion for construction of a picnic shelter at Veterans Park, saying the addition of a covered picnic area will be an amenity for the park.

Mr. Bud Metzger spoke regarding PSE's plans to install a 230kV line. He believed this proposal should have been the subject of a more extensive public discussion and said Council should have addressed it in an open forum along with potential options. Referring to a recent radio interview of the mayor, he felt the mayor had improperly questioned a citizen's character. He concluded that the mayor should treat the public with respect.

Ms. Nicole Martineau believed the mayor had unilaterally attempted to enact a new policy, although Council's rules of procedures require that any changes of this type be approved by a majority of the Council. She further believed that the mayor's contact of individual councilmembers constituted a "rolling meeting" in violation of the Open Public Meetings Act. She said citizens expect transparency from the mayor just as he had expected from former councils, and asked that he take responsibility for his actions and issue an apology to Council and the community.

Ms. Dixie Gatchel lamented the lost dream of a beautiful gateway to Puyallup. Although she believed that development was inevitable, she felt it should be measured. She was concerned that PSE may have an easement along the Riverwalk Trail and said the absence of good development in the Shaw/Pioneer area would lead to increased truck and train traffic. She indicated the need for bike lanes and safe crossings and hoped that development would be accomplished in an appropriate way.

CONSENT AGENDA

Accepting the work by Johansen Excavating, Inc. for the 39th Avenue SE Extension, Phase "C" project as complete

Accepting a donation of \$30,000 from the American Legion for the construction of a picnic shelter at Veteran's Park

At the request of Deputy Mayor Hopkins, item #5 was removed for separate consideration.

Council Action: A motion was made by Councilmember Swanson, second by Councilmember Vermillion, to approve the remaining items on the consent agenda. The motion passed 6-0.

Approving a contract in an amount not to exceed \$36,330.63 with Universal Field Services, Inc. to attain necessary right-of-way for the 23rd Avenue SE improvement project

Deputy Mayor Hopkins objected that the total cost of this project cannot yet be known as the expense of design, construction and attaining the necessary right-of-way has not been determined.

Council Action: A motion was made by Councilmember Swanson, second by Councilmember Vermillion, to approve the contract with Universal Field Services for acquisition of right-of-way for the 23rd Avenue SE improvement project. The motion passed 5-1 (Hopkins).

CONSIDERATIONS AND REQUESTS

Reclassification of the Municipal Court Administrator position

Human Resources Director Debi Christensen explained how the city manages and classifies staff positions, saying that supervisors and employees are encouraged to periodically review classifications and job descriptions to ensure accuracy. She described the process undertaken for any requested change, noting this involves completion of a questionnaire and then review and approval by the supervisor, director/manager, Human Resources division and City Manager. She

concluded that if a reclassification is objectively supported, the City Manager can approve changes to existing classifications and pay grades within the allocated budget, or by adjusting the existing budget as authorized by state law. Reclassifications will come before Council for its review and action when they entail a new classification, a classification which has been significantly revised, and/or a new pay grade.

Councilmember Swanson reiterated his preference that reclassification requests be bundled together and come before Council as part of the annual budget process. City Manager Bill McDonald said to the extent this can be done, it will; however, he requested that Council allow him the privilege of bringing forth reclassifications outside of the annual budget process as needed.

Responding to Councilmember Swanson, Ms. Christensen confirmed that Judge Beall has indicated she can accommodate the cost of the change in the court's 2014 budget and for future years as well. Councilmember Swanson was comfortable in deferring to the judge's decision that the reclassification is warranted.

In response to Councilmember Vermillion, Ms. Christensen said the duties of this position have changed as follows: it prepares rather than assists in the preparation of the department's budget; it oversees professional development for staff; it makes independent judgment decisions related to the court's security access system; it is responsible for sending monthly reports to finance; and the administrator attends meetings on the judge's behalf.

Deputy Mayor Hopkins was concerned that "budget creep" not erode Tier 2 funds and thus negatively impact funding for projects such as street maintenance. He agreed that it would be best for reclasses to be presented to Council in a package at budget time as this would give a much clearer picture of the total budget impacts.

Concurring that the city should have a strategic plan for addressing reclasses, Councilmember Door suggested that departments as a whole rather than individual positions be evaluated as doing so would help with staff morale and also with determining total financial impacts. Ms. Christensen replied this is done to some extent during HR's review of each proposed reclass.

Councilmember Shadko was concerned with the matter of morale and believed the process could be improved.

Councilmember Vermillion noted that as the city has only one court administrator, this is a specialized position. He emphasized that the judge will not return seeking additional funding due to this change.

Mayor Knutsen objected that this was the third reclass brought to Council on its own recently, and "compression issues" in the police department remain to be addressed. He questioned why this position's duties and job description have changed and asked if the supervision of staff is consistent or different in the cities used as comparables. He pointed out that Council had asked that reclasses be brought forward together to allow it to assess the total impact on the budget and was concerned with morale effects and the trend towards large pay raises.

Responding to a question from the mayor, Deputy City Attorney Steve Kirkelie confirmed that under the interlocal agreement the city has with Milton for municipal court services, Puyallup's court administrator performs similar functions for Milton as she does for Puyallup. She does not receive separate compensation from Milton.

Council Action: A motion was made by Deputy Mayor Hopkins, second by Councilmember Swanson, to approve the reclassification as recommended. The motion passed 6-0.

Authorize an application for a Puget Sound Regional Council (PSRC) grant for \$4,700,000 for the 30% design and right-of-way acquisition for Shaw Road from 12th Ave SE to 23rd Ave SE

Public Works Director Rob Andreotti explained that the amount of the grant application has changed from \$4.7 to \$5.5 million. The required City match would be \$742,500.

Deputy Mayor Hopkins was concerned that the City's required match would decrease the amount of funding available for neighborhood street rebuilding. He noted other large matches for significant projects such as the Milwaukee Bridge and emphasized the importance of planning for and funding street maintenance. City Manager McDonald said staff will provide a list of priorities for residential street repair and maintenance that will serve as the basis for a discussion of Tier 2 funding.

Councilmember Vermillion said these type of grants are customarily extended to large-capacity projects such as Shaw Road. He noted the safety implications of this project and encouraged staff to continue to seek grants of this nature.

Councilmember Swanson echoed Mr. Vermillion, saying this project would be the final link in the critical endeavor of maximizing Shaw Road's capacity.

Councilmember Door agreed this project was necessary and shared her concerns regarding the impacts of future development to Shaw Road. She further concurred with the need to address neighborhood streets, particularly in District I.

Mayor Knutsen believed the grant to be a wise use of matching funds, noting the alternative would be the City paying for the entire project itself.

Council Action: A motion was made by Councilmember Door, second by Councilmember Vermillion, to approve the application for grant funding. The motion passed 6-0.

OTHER BUSINESS

Puget Sound Energy's "Green Power Initiative"

Property and Facilities Manager Deke Jones explained Puget Sound Energy's "Green Power Initiative" program whereby PSE customers can voluntarily purchase green power energy. PSE has offered the City the opportunity to support its promotion of this program by coordinating with and furthering PSE's marketing and community outreach efforts; this support might be in the form of staff announcements or the posting of information on the City's website or public bulletin boards.

Mr. Jones described PSE's participation goals for this program and said if the City agrees to partner with PSE in these promotion efforts and 200 additional customers sign up, PSE will provide the City with a \$20,000 solar installation grant. Another \$20,000 solar installation grant could be awarded dependent on the participation of other local jurisdictions and the number of new Puyallup customers gained, relative to those in other cities.

Councilmember Vermillion commented that the Puyallup Historical Fish Hatchery is interested to set up a solar power display or demonstration at its educational center and possibly even power the center with solar energy.

Mayor Knutsen noted Council consensus to support this program as described.

Rules for Board and Commission Appointments and Operation

Councilmember Swanson explained the proposal from Council's Ad Hoc Appointments Committee that Council consider whether term limits should be standardized to the extent possible for all of the City's boards and commissions. He explained another potential subject of discussion regarding boards and commissions involves the application process for positions having incumbent members who are eligible for and desire reappointment.

Deputy Mayor Hopkins noted another item for discussion pertaining to the sharing of guidelines on how to effectively chair meetings.

Mayor Knutsen noted Council consensus to direct the city manager to place these subjects on the March 18th agenda for additional discussion.

CITY MANAGER'S REPORT

City Manager McDonald reported that he and Development Services Director Tom Utterback made a presentation to the Chamber of Commerce last week. He additionally attended the Economic Development Board's luncheon where a potential state transportation package was discussed.

COUNCIL REPORTS

Councilmember Vermillion announced that Pierce Transit will again operate a Fair shuttle from South Hill Mall this year. He expected final approval next Monday for the circulator route that will start in June. He reported on a dinner with the Daffodil princesses; a two-person leadership team meeting with the CEO of Pierce Transit where several changes to processes and procedures were made; and a volunteer recognition ceremony at Joint Base Lewis-McChord. Saying that the City may receive \$400,000 from the state to finish the Meeker Creek project this year, he encouraged staff to seek non-motorized grants from the TIB for projects such as a pedestrian bridge or trail system enhancements.

Councilmember Shadko reported on author J.A. Jance's recent appearance at the Puyallup Library and the forthcoming pancake breakfast this Saturday at the Activity Center. Referring to last week's

council meeting, she expressed her belief that she should have spoken up when the mayor instructed a citizen against naming a citizen volunteer during public comments, and she apologized to the citizen speaker for not having done so.

Councilmember Swanson also commented on the gaveling down of a citizen which occurred last week, saying he was glad the mayor changed course regarding that policy as it would place the mayor in a difficult, unfair position. He noted that rules relating to comments cannot be evenly or fairly enforced, yet everyone can hold themselves to a high standard. He was not comfortable with members of the public having their names brought up in public, believed it would be better to refer to others using titles or positions, and encouraged respect for one's neighbors. Noting the upcoming Daffodil Parade on April 5th, he said this venue gives young people credit for serving as good examples for others. He announced a presentation on March 28th at Puyallup High School to help empower communities to combat human trafficking.

Councilmember Door expressed her belief in having civility on the council and in leading by example. She apologized for neglecting to stand up for the citizen who was gaveled and said while she wanted to encourage the public to speak in a respectful manner, in this case she did not believe the remarks made were disrespectful.

Deputy Mayor Hopkins felt last week's incident to be an anomaly. He commented on the difficulty of serving as a presiding officer, spoke to *Robert's Rules of Order* which council has adopted in its own rules of procedure, and appreciated that the mayor withdrew the policy of not allowing citizens to be referred to by name. He hoped that the position of public affairs officer would come back to council for its reconsideration. He stated that according to *Robert's Rules*, the chair is to remain impartial while presiding and should pass the gavel before commenting. He concluded that nothing disruptive, insulting or irrelevant was said during last week's citizen comments, that it had been appropriate for the speaker to bring up the appointment to the Planning Commission, and that he believed he too should have objected to the manner in which this was handled.

MAYOR'S REPORT

Mayor Knutsen noted that last week, the citizen was permitted to finish providing her comments to the council. Although he offered no apology, he said he would not again handle the matter in the same way. He spoke to the obvious desire of Council to try to curb provoking comments in some manner and agreed that his action had been against his instincts. Saying that Council has tried to work together, he was concerned that if citizens create venom, it will spread to council and then to the audience. He noted his direction to his supporters to not attack a certain person who has regularly spoken against Councilmember Vermillion in recent months. He concluded his report by noting his attendance at the awards ceremony at JBLM, the coronation of the Daffodil princesses, and the Valley Cities Mayor's luncheon.

ADJOURNMENT – 8:47 p.m.