

**SULTAN CITY COUNCIL  
AGENDA ITEM COVER SHEET**

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ITEM NO: Consent C 2  
DATE: June 26 2008  
SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

**SUMMARY:**

Attached are the minutes of the June 12, 2008 Public Hearing on the Stormwater Utility as on file in the office of the City Clerk.

**RECOMMENDED ACTION:**

Approve as submitted

**MOTION:**

Move to accept the consent agenda as presented.

## **CITY OF SULTAN COUNCIL MEETING – June 12, 2008**

### **PUBLIC HEARINGS:**

The Public hearing on the Stormwater Utility Formation was called to order by Mayor Eslick. Councilmembers present: Champeaux, Wiediger, Slawson, Davenport-Smith, Flower, Blair and Doornek.

### **Public Input**

Al Wirta: The stormwater utility started out 10 years ago and the more we study it and the more information we receive, it looks like a scam. The staff is not telling the truth. The City did not tell the participants that the LID costs were increasing from 2 million to 6 million but they were required to pay the costs. The Stormwater utility is the same, the cost started at \$500,000, the stakeholders put in \$100,000 and at the Council meeting the amount was changed to \$216,000. He is sick and tired of the Council and staff as they are here to serve the people not generate more government.

Dwaine Weideman: Provided pictures of the his flooded road and advised he was told by the City that it was his problem. He had to put in his own storm system to drain the road as the storm system is not available on Skywall Drive. If the service were available, he would pay for it as it was expensive to put in their own system.

Steve Wright: There is no mention of retention pond maintenance in the budget. The cost for homeowners is the same as for a business and this is not fair. The Stakeholders group members were business owner and it should have included Homeowners Associations. If grants are available, how does that effect the cost? What is the cost in Monroe for stormwater? He is not against the utility but the budget amounts are muddy and they need a clear picture of what they are getting for their money.

Frank Manoske: The stakeholders group was formed to review the costs and it included one HOA representative. They spent time researching cost for maintenance and repair and agreed to a \$100,000 budget. There were some Councilmembers that attended and made comments. The \$100,000 budget was presented to Council and then the budget was increased to \$216,000. They feel they were blindsided and burned by the Council. The budget went from \$500,000 to \$216,000 which tells them the staff was wrong and the City did not need that much money. It does not seem right to throw out numbers without backup.

Mary Carson Ford: Is a member of Skyharbor HOA, and the builders handed over the HOA to home owners and there was a concern at that time. Read a letter from Bill Washburn, retired from the City of Bellevue Stormwater utility. He expressed concern over the maintenance of the detention pond and dirt from city streets.

Rob Criswell: He was told the city planned on taking \$6,000 from the Stormwater utility to pay for the City Administrator wages – tells him this is means of padding the general fund. Some of the stakeholders requested a legal opinion and they were advised the City is not required to form the utility. The City staff says the utility is required. Staff has spent a lot of money on the utility and this is another example of the staff spending money before it is determined it is required. If the Council passes the ordinance, he would like to see the Mayor veto it.

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Nathan Porter, Spokesman for the Stakeholders committee: The group is still together and working well. They spent a lot of time on research and don't feel the two employees and vactor truck is needed. They contacted an attorney and found that the utility is not required. The budget was dropped to \$215,000 by staff. The Stakeholders put together a \$80,000 budget and it was increased to \$100,000 based on staff input. The budget they presented to the Council was ignored. The utility is not required but the Council should consider the \$100,000 budget and contract for the use of a vactor truck.

Kay George: The bylaws of the HOA say the homeowners are responsible for the retention pond maintenance and it is not fair for the City residents to take over the responsibility of the HOA's. Does not feel that a lot of people in town can afford more utility bills. This utility is not needed due to the pristine waters. The Council needs to win the confidence of the residents and show them that they can make good decisions. This is being forced on the City by other agencies and she asked what happens if we don't comply. Has submitted petitions to the Council signed by residents that are opposed to the utility. Everyone says "no" and the Council should say no. There has been a lot of money spent and the City should not spend anymore until the utility is required.

Jeffrey Beeler: The proposed fee is unfair to the homeowners as the business owners will be charged the same as the residents. The businesses said the fee was unfair because they were going to be charged a large fee. There was a splinter group at the Stakeholders meetings and not everyone was included in the decisions. Encouraged the Council not to go with the "Pinto" version of the utility instead of the "Cadillac". The utility does not have to be implemented until 2012 but the City needs to start working on it now so the system is in place when the fee is required.

Fred Seiner: As a homeowner he has a gravel driveway and not a lot of runoff. He was looking at budget and \$35 an hour for an employee would make them the highest paid in the city. Asked where the money will come from, and where is it going. The City has a vactor truck that needs to be repaired. The catch basin only need a "spoon" to clean out the sediment and it will cost less if they do it on a regular basis. The retention ponds were created to allow more development and the homeowners should take care of the private ponds. The charge is not fair to the business as most of the storm water goes into Wagley Creek.

Loretta Storm: The required threshold for a Stormwater utility system is 10,000 population. She knows the staff and consultants have worked hard to get to this point and they have spent a lot of money to get to this point and the City should move forward. Could start now at lower rate rather than to do nothing at all.

Bob McCarty: The stakeholders group should not be infighting as there are always unfunded mandates that are imposed. He did some research on the internet and found some grant funds that are available from different state and federal agencies. The City of Ellensburg received a grant from the State to develop a stormwater utility. There are five layers of government involved in the process and they all need to coordinate. There is also a combination of private, city and HOA retention systems.

Ray George: Times are tough right now so don't be too eager to start this utility.

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Wendall Smit: Had concerns about the NPDES phase 2 and he paid an attorney to get an opinion which was provided to the City and budget was reduced to \$216,000. Asked why citizens should have to pay for legal opinions. The idea that business people are wealthy is nonsense and that they have large parking lot is foolish.

Keith Ardnt: This is a very contentious issue. People may not agree with with the information and staff has been asked to sharpen the pencil on the salary budget. The support staff is needed and the consortium for a vactor truck is a good idea. The City has looked at contracting with an engineer to be available during peak building time and the City may be able to attract staff members if they structure the salary payments similar to a teacher. There is a serious opportunity to inflate the budget and the City is looking for ways to tax people to solve the budget problems.

CH Rowe: They did not exclude anyone at the stakeholders meeting on purpose. Most people don't know about the utility because they don't think it applies to them. They consider the cost to the businesses as it was unfair. They spent time and money to hire an attorney that contradicts what the staff is saying. The salmon issue went away. The water is pristine and their attorney says the City does not need to do anything now and may not in 2012.

Marian Hamilton East Teak was required to install a bio-retention pond with a detailed map for the permit and also had to attend classes and have a certified operator on site. They must monitor the system and present quarterly reports to the Department of Ecology. They pay for staffing and lab test for an on-site system and they don't feel they should have to pay the City for a stormwater utility.

Jeff Manoske: The last budget proposed was \$216,000 but this may not include insurance, gas and other operating costs, this is an issue with the City in that they don't consider all costs.

The Mayor closed the Public Hearing.

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Carolyn Eslick, Mayor

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Laura J. Koenig, City Clerk