

**EATONVILLE TOWN COUNCIL  
MINUTES OF REGULAR COUNCIL MEETING**

**TIME:** 7:00 PM

**DATE:** February 23, 2015

**PLACE:** Eatonville Community Center

**CALL TO ORDER**

Mayor Schaub called the meeting of the Eatonville Town Council to order at 7:00 p.m.

**ROLL CALL**

Town Clerk Kathy Linnemeyer called the roll. The following were:

Present: Council members James Schrimpsheer, Abby Gribi, Bob Walter, Brenden Pierce, and Andy Powell.

Also Present: Town Clerk Kathy Linnemeyer, Town Administrator Doug Beagle, Fire Chief Bob Vellias and Police Chief Jim Heishman.

**OPENING CEREMONIES**

Mayor Schaub led the assembly in reciting the Pledge of Allegiance to the American Flag.

The Town Clerk read the Mission Statement for the Town of Eatonville:

“The Town’s mission is to create, provide and administer municipal services while protecting the present and future health, safety, and general welfare of the community.”

**APPROVAL OF AGENDA/SET TIME RESTRICTIONS**

Council member **Pierce** moved approval with a three minute time restriction and was seconded by Council member **Powell**. All were in favor.

Council member **Pierce** made a motion to hold an Executive Session after Department Head/Council Committee/Board/Commission Report and was seconded by Council member **Gribi**. All were in favor.

**COMMENTS FROM CITIZENS**

Barb Williams stated that she has lived in the Graham community her entire life and has been a realtor for over 24 years. She is concerned about the success of the community, stated the houses built would be good quality, and that safety comes with a security gate.

Colin Stephens spoke regarding a comment from the previous meeting, where a Council member was against black cyclone fencing, and asked if the Town has a code against that type of fencing.

Dan Simon reserved comment until the Aviator Heights discussion.

Sean Comfort reserved comment until the Aviator Heights discussion.

Lisa Klein reserved comment until the Aviator Heights discussion.

Alison Moss reserved comment until the Aviator Heights discussion.

Jim Cross stated that he is the owner of Bruno's Restaurant and feels that Aviator Heights is a great idea. He sees the appeal of a gated community and thinks Council should approve the amendments.

### CONSENT AGENDA

A. Minutes from February 9, 2015 Council Meeting		
B. Claims	34226 to 34273	\$ 200,376.02
C. Payroll	25421 to 25438	\$ 72,892.46

Council member **Gribi** moved approval and was seconded by Council member **Pierce**. All were in favor.

### DEPARTMENT HEAD/COUNCIL COMMITTEE/BOARD/COMMISSION REPORT

- a. **Police Report-** Chief Heishman stated that he had nothing substantial to report.
- b. **Fire Report-** Chief Vellias did not have anything to report.
- c. **Public Works Report-** Administrator Beagle reported that the Community Center doors are operational and have been completed. He also informed Council that there has been horse use on the trail, we are getting information out to the public, and have ordered signs.
- d. **Finance Committee-** Council member **Gribi** reported that the Finance Committee met and reviewed cost allocation, discussed the treasurer position, and talked about purchasing tablets for Council members.
- e. **Animal Control Committee-** The Animal Control committee met on February 12<sup>th</sup> and reviewed recommendations from the committee last year, to bring the code in line with the County code.
- f. **Public Utilities Committee-** Council member Powell announced that the Public Utilities committee met on February 17<sup>th</sup> and discussed electric rates, not having door hangers, and the Lemay contract.
- g. **Mayor Report-** Mayor Schaub reported that he attended the Pierce County Regional Council General Assembly meeting with Council members Gribi and Walter. There was discussion about the younger generation moving into the cities while families and older generation are moving more to the country. He felt that it was interesting to see how the current trends are and that there was good networking. He also reported that there have been issues with horses on the trail. The Park/Cemetery committee will meet to discuss trail uses. The fan is now installed at the Visitor Center with lighting that will help with the evening meetings being held there.

## **EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION ON AVIATOR HEIGHTS**

Mayor Schaub adjourned the meeting at 7:17 to go into Executive Session for approximately 15 minutes to discuss potential litigation on Aviator Heights.

Mayor Schaub announced that the executive session would be an additional 10 minutes.

Mayor Schaub called the meeting to order at 7:43

### **AVIATOR HEIGHTS REQUEST FOR PLAT MODIFICATION**

#### **COMMENTS FROM CITIZENS**

Dan Simon, the applicant for the Aviator Heights request for plat modification, passed out the packet from the original application. He gave a summary of the process he has gone through regarding the land purchase, homes, and hangers. He sees a subdivision that has been built and approved with items to be finished. He stated that a 24 foot wide road was not built to accommodate aircraft and the word taxiway should be removed from the plat. He said that they have gone through all records that they could and have not found any documentation that stated it was a taxiway. He also feels that, with \$300,000 homes, people expect a gate.

Sean Comfort with AHBL stated that what they have seen is a preliminary plat map that shows a taxi way. The final engineering drawings do not show a taxiway and show the plat as it is currently built. Mr. Comfort wanted to discuss the first pages of the packet that was handed out by Dan Simon. The first item is correspondence sent to Dan Shoemaker with FAA, summarizing conversations they had during a phone conference about the proposed hanger/multi-purpose units, and the second item is Mr. Shoemaker's response. The discussions were centered on the area in front of the proposed hangers. The area west of the hangers would be a taxiway that would accommodate automobiles, emergency response vehicles, and air planes. He wanted to make sure that it was part of the record today. He also stated that AHBL has been diligent collecting records from the Town of Eatonville and others the best they can, feels it is unfortunate if there are documents missing, and that AHBL was not part of the original project when it was approved in 2007. Council member Schrimpsker asked if, in Mr. Comfort's professional opinion, the plat as it is currently built matches the plans obtained from the Town. Mr. Comfort responded "yes". He stated that they have completed survey information and they have surveyed the catch basin rims, sanitary sewer and storm hole rims. They have also completed topography work to verify that the facilities are very close and within tolerances to the plans. As part of the final review and plat process, they will be videoing to make sure there are no deflections in the pipes and to ensure that everything meets the Town codes.

Lisa Klein with AHBL informed Council that the original Ordinance approving the plat referred to a map, exhibit DD, that lists lot sizes for each lot. If the road was built differently than the map the lot sizes would have changed. A Survey has been completed and the lot sizes match exhibit DD. Addressing concerns from the previous meeting about gates, she stated that, when there is a private street, Council has the authority to approve a private gate. The intent of the private gate and fences was to enclose the neighborhood. Without the gate, it changes the intent of the project.

Allison Moss informed Council that she participated in the phone conference with Dan Shoemaker from FAA and can verify that the contents of Mr. Comfort's email to him are correct and accurately capture the conversation. She announced that the Mayor described the executive session as potential litigation regarding this project, and that she is unaware of any potential litigation and her client has threatened litigation.

### COUNCIL DISCUSSION

Council member Pierce responded to the reference of Exhibit DD by Lisa Klein, stated that the lot size was to the center of the street, and that the street was owned by the property owners. He said that the street was built for cars but wasn't approved that way.

Mayor Schaub addressed the items that Council had requested clarification or additional information on.

**Item #2 Weyerhaeuser Road improvements-** Administrator Beagle stated that the clarification Council was looking for, was the road improvement on the west side of Weyerhaeuser road, past the private designation. Improvements were originally approved to lot 21. No further discussion

**Item #3 Private road as a taxiway requesting removing the taxiway designation-** Council member **Schrimpsheer** asked if the street was built as a taxiway. Council member **Pierce** replied that it was not built as a taxiway, and feels that if Council approves a plat that isn't done correctly, we should go by what was originally approved not what was done. Council member **Schrimpsheer** asked Doug Beagle if it was built as approved and Beagle responded that we don't have that information. Council member Gribi asked if it is built to code and Beagle responded, yes.

**Item #9 Fencing changed from 6 foot wood to black vinyl fencing with slats-** Council member **Pierce** stated that he was concerned about the change, but is ok with it, as long as the applicant places slats in the fencing.

**Item #15 Notification of airport use-** A statement will be recorded with each lot and is required in the Eatonville Municipal Code. The new language gives owners notice that they are moving into an airport community. Council members **Gribi** and **Schrimpsheer** stated that they don't have a problem with the new language.

**#17 Taxiway paving & construction in front of hangers on tract C-** Attorney Gregory Jacoby provided clarification that the Eatonville Municipal Code already provides for multi use. The proposed change adds text that specifically references multi use. Council member **Pierce** is concerned that we don't have anything in the code that addresses parking for use of buildings in the aviation district. Administrator Beagle explained that parking is addressed during the building permit process, a parking lay-out plan is required, and that the Business License approval process goes through all Town departments. Attorney Gregory Jacoby informed Council that, with each new use, the Town is required to address parking and follow the Eatonville Municipal Code. He also explained that parking is part of the Building Permit process and not the plat process. The applicant is trying to show Council how it may work. Council

member **Pierce** feels that we are allowing storage units. Town Attorney Gregory Jacoby said that there is nothing in the original plat that said they must be used for hangers and that is the same today.

**#19- Tracts A, B, C Permitted Uses-** no further discussion.

**#21 Private road signage, removal of taxiway from private road sign-** no further discussion.

**#22 Gate for private road-** Council members **Gribi** and **Schrimpsheer** do not like the gate.

Mayor Schaub asked staff to bring facts of finding to the next Council meeting.

Attorney Gregory Jacoby recommended that staff be given the direction to draft a decision for review and vote on it at the second meeting in March.

Council member **Pierce** asked if the applicant is willing to accept part of the changes.

Dan Simon stated that a purchase agreement is in place, he has made a request for plat amendment, and is asking for it to be approved as it is. Mr. Simon would like to see Council vote on each item.

### **MOTION**

Council member **Pierce** made a motion that any changes to this plat do not mitigate the fact that this plat was improperly built as approved, and was seconded by Council member **Walter**. The motion failed with Council members **Schrimpsheer**, **Gribi** and **Powell** voting against.

### **VOTE ON EACH ITEM**

**#2 Weyerhaeuser Road improvements-** All were in favor.

**#3 Removing taxiway from private road-** Passed with Council members **Walter** and **Pierce** voting against.

**#9 Changing the fence from wood to black vinyl with slats-** All were in favor.

**#15 Notification of airport use language with title-** All were in favor.

**#17 Taxiway paving and construction, adding the term multi use-** Passed with Council members **Walter** and **Pierce** voting against.

**#19 Tracts A, B, C not limited to use as hangers-** Passed with Council members **Walter** and **Pierce** voting against.

**#21 Private road signage-** Passed with Council members **Walter** and **Pierce** voting against.

**#22 Gate for Private Road-** Failed with all Council members voting against.

**Recreational use for open space-** All were in favor.

Town Attorney Gregory Jacoby will prepare the documents for review and final vote at the March 23, 2014 Council meeting.

**RESOLUTION 2015-D**

A Resolution of the Eatonville Town Council to confirm the Mayor's appointment of citizen Richard Bertoia to the Animal Control Committee.

Town Clerk Kathy Linnemeyer read the Resolution by title into the record.

Council member **Gribi** made a motion to approve Resolution 2015-D and was seconded by Council member **Walter**. All were in favor.

**RESOLUTION 2015-E**

A Resolution of the Eatonville Town Council approving permanent committee policies for the Town of Eatonville.

Town Clerk Kathy Linnemeyer read the Resolution by title into the record.

Council member **Gribi** made a motion to add the word "regular" in the second sentence, under the Meeting Frequency section, to read "The Chair will submit a yearly schedule of regular meeting dates, times, and location to Town staff by January 31<sup>st</sup> each year," and was seconded by Council member **Walter**. All were in favor.

Council discussion to add Ad Hoc committees to the policy and how many Council members serve on Ad Hoc Committees.

Council member **Gribi** made a motion to approve Resolution 2015-E and was seconded by Council member **Schrimpsheer**.

Council member **Schrimpsheer** made a motion to table Resolution 2015-E to the March 9, 2015 meeting and was seconded by Council member **Gribi**. All were in Favor.

**Ordinance 2015-1 First Reading**

An Ordinance of the Town of Eatonville, Washington, amending Eatonville Municipal Code Section 2.04.014 regarding council members' compensation.

Town Clerk Kathy Linnemeyer read the Ordinance by title into the record.

Council member **Gribi** informed Council that this was discussed at the Finance Committee meeting in February and the Committee is in favor of Ordinance 2015-1.

Council member **Gribi** made a motion to approve the first reading of Ordinance 2015-1 and was seconded by Council member **Powell**. The motion passed with Council members **Pierce** and **Walter** voting no.

### COUNCIL MEMBER COMMENTS

Council member **Schrimpsheer** informed Council that he attended the AWC City Action days, it was good training and networking.

Council member **Gribi** announced that Dollars for Scholars will be holding their Casino Night on March 14, 2015 and she has tickets available.

Council member **Walter** feels that the Park/Cemetery Committee should meet in February and has a meeting planned for Thursday, February 26<sup>th</sup> at 5:30. The meeting will be held at the Visitor Center. Beginning in March, monthly meetings will be held the 4<sup>th</sup> Tuesday of each month at 6:30, at the Visitor Center.

### ADJOURNMENT

Council member **Gribi** moved to adjourn and was seconded by Council member **Schrimpsheer**. All were in favor. Mayor Schaub adjourned the meeting at 9:21 PM.

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Mike Schaub, Mayor

ATTEST:

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Kathy Linnemeyer, Town Clerk