

**CITY OF NEWCASTLE
CITY COUNCIL REGULAR MEETING**



**Council Chambers – City Hall
May 16, 2006 - 7:00 p.m.**

MINUTES

CALL TO ORDER

Jean Garber, Mayor, called the meeting to order at 7:00 p.m.

ROLL CALL

Carol McNeilly, Deputy City Clerk, called the roll of Council. Mayor Garber, Deputy Mayor Lee and Councilors Varon, Hubbell, Putter, Erxleben and Dulcich were present.

FLAG SALUTE

Councilor Putter led the Pledge of Allegiance.

PRESENTATION -None.

PUBLIC COMMENT

Russ Segner, Planning Commission Chair, noted that the Commission will be holding their regularly scheduled meeting on May 17, 2006 even though it was previously cancelled. They will have an update from the sign code sub-committee and the non-motorized plan sub-committee.

John Jensen thanked the Council for changing the language and taking a kinder approach in the memo of understanding that was sent to the Denton's.

COUNCIL COMMENTS

Councilor Putter reported that last Friday he attended a meeting of the Eastside Transportation Partnership. They discussed Executive Sims' "Transit Now" proposal which would raise sales tax .1 percent for transit service. This proposal has not been presented to the King County Council yet.

They also discussed the WSDOT Interstate 90 Traffic Study. This study looks at travel times for transit and general traffic lanes across Interstate 90 in 2030. The conclusion was even with proposed improvements, there will be highly increased congestion on general purpose lanes. If the center lane was dedicated for transit, there would be no improvement in transit travel times versus current day travel times.

Councilor Putter noted that the Finance Committee met prior to the Council Meeting and discussed the state auditors report. There were no audit findings or management letter items in the auditors report. They did provide the following recommendations for the City;

1. For City Councilors to file their F1 financial forms on a timely basis.
2. Outstanding (i.e. "stale") checks to be reversed in the City's accounting books. Staff indicated to the committee that they will do that.
3. List names of staff members and Councilors present at meetings, and the purpose of the meeting on small disbursements including refreshments. There was an emphasis on ensuring no family member's are being compensated.
4. There were some questions about differenced in classification (i.e. account coding). Our staff and the auditor had some discussion about these classifications, but they didn't in any way change the financial statements.
5. Reimbursement requests for the City's TIB Grant were not being submitted in a timely basis. A monthly reimbursement request was suggested.

The Finance Committee recommended having Councilors voluntarily deposit a copy of their F1 with the City Clerks office after it has been filed with the State.

MAYOR-COMMISSION-CITY MANAGER'S REPORT

a. Mayor

1. Parks Commissioner Recommendations

Mayor Garber reported that she and Natalie Parker, The City's Special Events Producer, interviewed candidates for the Parks Commission vacancies. The Mayor's recommendations were presented to the Council for approval. She recommended appointing the following individuals to serve on the Parks Commission:

Christopher Hills to a position expiring September 1, 2009.
Koleen Morris to a position expiring September 1, 2007.
Kathleen Rogers to a position expiring September 1, 2006.

HUBBELL MOVED; VARON SECONDED; APPOINTMENT OF CHRISTOPHER HILLS, KOLEEN MORRIS AND KATHLEEN ROGERS TO THE PARKS COMMISSION.

The motion carried 7 - 0.

b. [Parks Commission](#)

No representative from the Parks Commission was present to supplement the written report presented as part of the agenda packet for this meeting.

c. City Manager

Mr. Starbard noted that the Parks Commission held an open house regarding the Windtree Park development and received a lot of public input. The Windtree residents also held a neighborhood meeting and provided the City with survey results to aid in the park development.

He reported that the staff has been working with a new monument company to complete the Herzog Memorial. He hopes to have a recommendation to present to the Herzog Memorial Committee in a few weeks.

Mr. Starbard stated that staff would like to add three locations to the 2006 Pavement Overlay Program. The locations are:

1. 116th Ave. SE from SE 70th Street to Newcastle Way
2. 116th Ave. SE from 76th Street to SE 80th Street.
3. Newcastle Golf Club Road (133rd Ave. SE) from Newcastle Way to Coal Creek Parkway.

City Council consensus was to add the three locations to the 2006 Pavement Overlay Program.

[APPROVAL OF FINAL AGENDA](#)

VARON MOVED; HUBBELL SECONDED; APPROVAL OF FINAL AGENDA

The motion carried 7 - 0.

[CONSENT AGENDA](#)

- a. Approval of Minutes - May 2, 2006 Regular Meeting
- b. Approval of Audit of Bills
 1. Accounts Payable March 24, 2006
 2. Accounts Payable March 31, 2006

3. Accounts Payable April 07, 2006
4. Accounts Payable April 14, 2006
5. Accounts Payable April 20, 2006
6. Accounts Payable April 28, 2006
7. Accounts Payable May 05, 2006
8. Payroll April 05, 2006
9. Merit Payroll April 17, 2006
10. Payroll April 20, 2006
11. Payroll May 05, 2006

HUBBELL MOVED; PUTTER SECONDED; APPROVAL OF THE CONSENT AGENDA, AS PRESENTED.

The motion carried 7 - 0.

PUBLIC HEARINGS -None.

GENERAL BUSINESS

- a. [Discussion/Council direction re: 118th Ave. SE Improvements](#)

Ms. Andrews, Public Works Director, stated that staff was before Council to discuss this project and receive direction to aid in their development of a scope of work. She noted that the exact location for the improvements is along 118th Avenue, between 84th and 88th. as opposed to what was reported in the agenda packet.

Boyd Benson, City Engineer, presented some background on the issue. There is a history of flooding near 118th and 88th street. The current drainage system is not adequate to serve the

needs of the area. City staff contacted the neighborhood property owners, and discussed the flooding issue with them. Of those contacted, only a low number experienced flooding issues.

Mr. Benson reviewed three improvement options for the site:

Option A - Complete road improvements as planned with the addition of storm water detention and flow control.

Option B - Complete road improvements to current Public Works Standards for a local access road.

Option C - The least expensive option. Improve the drainage issues without road improvements.

Mr. Benson stated that staff recommends option C.

Councilor Erxleben does not feel that staff has gathered enough information to understand the drainage issues on this site. He feels a few more weeks of information gathering are in order.

Councilor Putter stated that \$160,000 was originally budgeted for this project. He asked staff to estimate the cost to improve the drainage issues without making improvements to the road.

Ms. Andrews estimated between \$50,000 and \$100,000.

Councilor Dulcich asked if any future developments depend on this road being improved. Staff reported in the negative.

Councilor Varon asked what the timeframe for each option would be.

Mr. Benson responded that options A & B would go out to bid in 2007, they also require obtaining property rights. Option C could be completed this summer.

PUTTER MOVED; DEPUTY MAYOR LEE SECONDED; TO DIRECT STAFF TO EVALUATE OPTION C FOR DRAINAGE ISSUES ALONG 118TH, COST AND SCOPE AND RETURN TO COUNCIL ON JUNE 6, 2006.

The motion carried 7 - 0.

b. Proposed Resolution - Preliminary Plat Approval - Newcastle Vista

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWCASTLE, WASHINGTON, APPROVING THE PRELIMINARY PLAT OF NEWCASTLE VISTA II SUBDIVISION (FILE NO. 888), AND ADOPTING THE HEARING EXAMINER'S FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS.

Associate Planner Shannon Dorr gave a brief presentation on the Newcastle Vista project. The development is located on SE 81st Street between 114th Place S.E. and 141st Avenue S.E. It is 17.55 acres with 13 lots proposed.

Councilor Putter asked if the storm water would be directed into the City's system on S.E. 79th Street or will it go into China Creek.

Arn Coombs, City Engineer from Gray and Osborne, stated studies were conducted and the

storm water will be routed to the City's existing system on S.E. 79th Street and discharged into the pond.

Councilor Putter inquired about the setbacks for this project.

Ms. Dorr stated this project was vested prior to recent, related Municipal Code amendments regarding setbacks.

Councilor Erxleben asked if there were liability or maintenance issues associated with Tract C of this development which is dedicated to the City.

Ms. Dorr stated that after the engineering phase is complete the City will evaluate the land and if there are trees that are not healthy, they will be removed.

DEPUTY MAYOR LEE MOVED; VARON SECONDED; APPROVAL OF THE PROPOSED RESOLUTION APPROVING THE PRELIMINARY PLAT OF NEWCASTLE VISTA II SUBDIVISION (FILE NO. 888), AND ADOPTING THE HEARING EXAMINER'S FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS AS PRESENTED.

The motion carried 7 - 0.

c. Proposed Ordinance - Extending Franchise Agreement with Comcast

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWCASTLE, WASHINGTON, AMENDING ORDINANCE 96-105, GRANTING A CABLE TELEVISION FRANCHISE TO COMCAST TO WASHINGTON, IV, INC., TO PROVIDE FOR A SIX-MONTH EXTENSION TO THE TERM OF THE FRANCHISE, PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE

Jeff Johnson, Assistant City Manager, presented some background information on the issue. The City is in the process of negotiating a new Franchise Agreement with Comcast Cable and need additional time to complete the negotiations. The proposed ordinance being presented would extend the City's existing franchise agreement with Comcast Cable for six months.

Councilor Varon asked Mr. Johnson to elaborate on the "COPE Bill" that is mentioned in the Councils agenda material.

Mr. Johnson stated that the COPE Bill is an effort to nationalize franchising authority for cable services. Cable television providers are trying to get telecom companies who provide video transmissions to operate under the same regulations.

Mayor Garber asked if Comcast Cable would allow the City to add new services as a part of this cable extension.

Mr. Johnson stated he did not foresee new services being part of the extension, rather they would be part of the new Franchise Agreement.

VARON MOVED; HUBBELL SECONDED; TO APPROVE OF THE PROPOSED ORDINANCE AMENDING ORDINANCE 96-105 GRANTING A CABLE TELEVISION FRANCHISE TO COMCAST OF WASHINGTON IV, INC., TO PROVIDE FOR A SIX MONTH EXTENSION TO THE TERM OF THE FRANCHISE.

Mayor Garber called for public comment on the proposed Ordinance. There was no public comment.

The motion carried 7 - 0.

d. [Proposed Contract - Doubleday Government Relations](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWCASTLE, WASHINGTON, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DOUBLEDAY GOVERNMENT RELATIONS FOR FEDERAL AND STATE LOBBYING ON BEHALF OF THE CITY

Mr. Starbard stated that the current contract with Doubleday has secured funding for the Coal Creek Parkway project. The resolution relates to an agreement to continue working with the lobbyist through June 2007, in an effort to secure additional funding for the City's own zip code, and other priorities identified in the agenda material.

Councilor Putter asked if Mr. Doubleday were required to travel to Washington D.C. on behalf of the City, if additional charges for service would be incurred.

Mr. Starbard stated there would be additional expenses for travel, however there would not be additional charges for service.

Councilor Erxleben stated that he favors the contract extension however; he feels Mr. Doubleday's scope of work should be specific to Newcastle.

PUTTER MOVED; DEPUTY MAYOR LEE SECONDED; APPROVAL OF THE PROPOSED RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH DOUBLEDAY GOVERNMENT RELATIONS FOR FEDERAL AND STATE LOBBYING.

Councilor Putter spoke to his motion. He feels this is well spent money and Mr. Doubleday's services have proven to be financially beneficial to the City.

Councilor Dulcich supports the extension of the contract and hopes that Newcastle priorities will remain the focus of this work.

The motion carried 7 - 0.

- e. Proposed Resolution - Repealing Resolution Number 345; approving new City Council Rules of Procedure

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWCASTLE, WASHINGTON, REPEALING RESOLUTION NUMBER 345, AND APPROVING NEWLY CREATED CITY COUNCIL RULES OF PROCEDURE

Bob Baker, City Clerk, presented the proposed resolution. He noted that this item had been before the City Council on March 14, 2006, April 18, 2006, and May 2, 2006 for discussion and amendments and was back this evening for approval.

The Council discussed the function and role of the Council Committees. The Mayor directed staff to bring that item back for further discussion at the next Council meeting.

HUBBELL MOVED; DEPUTY MAYOR LEE SECONDED; TO APPROVE OF THE PROPOSED RESOLUTION, REPEALING RESOLUTION NUMBER 345 AND APPROVING A NEW SET OF CITY COUNCIL RULES OF PROCEDURE.

The motion carried 7 - 0.

PLANNING CALENDAR REVIEW

The next meeting is scheduled for May 23, 2006. It will be a Study Session focusing on Housing Strategy, Art Sullivan from ARCH will be attending to aid in discussion.

Councilor Erxleben made a suggestion for the Council Retreat. He suggested expanding the timeline for the major goals discussion beyond two years.

ADJOURNMENT

Mayor Garber adjourned the meeting at 8:40pm.

Jean Garber, Mayor

Carol McNeilly, CMC
Deputy City Clerk

Date approved by Council: June 6, 2006