

**Transcription: Excerpt of June 4, 2003 Council Discussion
Re Cliff Morris Proposal**

Notes:

1. Re Quality of Transcription: *This was a tough transcription to do; there was a large crowd that talked among themselves almost constantly due to the emotional nature of this issue; the street windows and hallway doors were open, bringing in a good deal of ambient noise; the council members spoke simultaneously and also mumbled quite a bit; and Gary Bourne was not near the mic, but towards the back of the room.*

2. Re Morris' "Proposal" *to pay \$1 to \$2 million for sewer: Nowhere in Mr. Morris proposal does Morris or his attorney state the obvious, that he will pay for water and sewer hook-ups. The current water hook-up fee is \$4,400 per, plus \$1,000 per hook-up for inspection and a meter, plus another \$4,000 to sewer hook-up, totaling \$9,400 for a single house. If 200 homes are built, the total for water and sewer hook-ups alone would be \$1.9 million. For 300 homes it would be \$2.8 million, and 350 would be \$3.3 million. All this proposal would do is push the city over capacity.*

And his proposal does not include any impacts to roads/traffic, schools, parks, police, library and other city services.

3. Re Traffic Impacts: *The industry standard for estimating traffic impacts from residential development is simple. One car per household adds one "peak hour" trip (i.e., a car) to the commute pipeline. (This, I'll never understand, considering most households now have two people commuting in two separate cars.) Each single family home generates a total of 10 vehicular trips per day. If 350 homes are built, that means there will be another 350 cars added to our rush hour, and 3500 cars traveling every day south on Trout Farm Road, First Street (and/or other city streets) which will eventually have to use either 2nd, 3rd, 4th or 5th Streets by which to access Route 2. And since this development will be in the county and not the City, the city will not garner 100% of its current traffic impact fee of \$1,837, despite the fact that the majority of the road impacts will occur to city streets. What a brilliant idea.*

4. "I&I" *as referred to in this transcription means "Infill and Infiltration." That means unwanted water seeping into the sewer pipelines that adds to the sewer's processing capacity. The City has been well aware of this problem, at least, since August of 1990 when a study was done, identifying areas of most concern, yet they have done nothing to alleviate it. Primarily because it would result in money being spent rather than having new money coming in from development.*

Rowe Okay, action items. Number One, the Cliff Morris proposal. Who's got the lead on that? Rick?

Cisar Have some comments, Mr. Mayor, thank you. As a result of your last discussion at the previous meeting, I did have an opportunity to prepare a memorandum from myself to the council. And what I tried to do is somewhere I highlight some of the considerations [unintelligible] this proposal. You had a chance to look at my, uh, my memorandum, I did identify on the second sheet some of the benefits and liabilities, as [unintelligible] we discussed at the last meeting. At the same time, I asked Gary Bourne, the City Engineer, to prepare an additional correspondence, and asked Gary to address, for example, some of [unintelligible] issues [unintelligible] council, as well as some of the improvements [unintelligible] on First Street. What we tried to do, in combination again, with my memorandum and Gary's letter, is, is, uh, [unintelligible] address those questions that council had. I would make one correction. I did provide in, in the packet of information, a map indicated with the Cliff Morris property. In the lower right-hand corner of, of the property identified, I think there's one -- there's three parcel[s] that are not included in the proposal.

Rowe Okay. I'd entertain a motion on that for discussion purposes.

Boucher So moved.

Criswell Second.

Rowe Okay. It's open for discussion.

Graafstra What's the motion? To accept it or to reject it? Because the staff recommendation is either.

Boucher Make a motion for acceptance, for discussion purposes.

Male [unintelligible].

Rowe Okay. Open for discussion.

Everett Rick? On this, on Gary Bourne's, his letter, he's saying costs of \$3 to \$6 million. Can you kind of run down what, exactly -- is that going to be our share of it? Is that going to be the total cost of the project?

Cisar I'll let Gary answer. He is here.

Everett Oh, I didn't see him.

G. Bourne That's just a rough estimate of all infrastructure, not trying to cut it up between what's the City's responsibility and what, what, what would be the Morris development responsibility. Our estimate about the sewer costs, since that's been one of the focuses, is from \$1 to \$2 million. So the larger number would be all infrastructure. It would be from the city to the development without trying to say who's responsible.

Raney All the infrastructure from the city to the development.

G. Bourne Right.

Raney Such as?

G. Bourne Such as road improvements. Which -- it's real hard for the engineers to say what the costs are, because there's no proposal in front of us. There's a[n] idea. An idea is, there could be 200 homes, it could be 350 homes. A big difference in what the infrastructure would be between those proposals. So until we have an active proposal, the engineers can't say just how much the costs would be. But definitely infrastructure costs and [unintelligible] higher than \$1 million to do sewer and streets.

Raney and which of those *could* be the City's responsibility?

G. Bourne I'm not proposing that any of them are. Some of those are in the city. So obviously you're dealing with City's purveying control. And of course, if the City decided that it wanted to serve water and sewer to the part of the proposal in the county, then it would have to enter into an agreement with the county and the developer that the City would be able to control all of those developments of its [unintelligible; there was outside traffic and room noise, obliterating Gary's comments, which were mostly inaudible anyway.]

Raney This cost estimate that you did -- and granted, I know you're guessing -- does that include the improvements to the street down First, or not?

G. Bourne Yes, it does.

Raney So --

G. Bourne But I'm not proposing that that, that the project would need to do that.

Raney Right. But that's in that \$3 to \$6 million range?

G. Bourne Yes.

Raney How much of that \$3 to \$6 million range is taken up by the rest of the street improvements down First Avenue?

G. Bourne If I remember right, that, that estimate was for like \$2 million for sewer and water and [unintelligible].

Raney So now we're back down to \$2 to \$4 million?

G. Bourne Right. But, again, traffic impacts would significantly impact those costs.

Rowe When you're talking sewer street improvements, Gary, now just so I'm clear on this, does that include, like the new water line that needs to be put in and the stormwater drain line [unintelligible]?

G. Bourne We, we, we, we, we would, we would, as the city engineer, we would put, recommend to the city that you [several unintelligible words; sounds as if he's saying they would recommend putting the sewer line in separately, but this is unclear]. The line is not performing - - It's one of the oldest, if not the oldest, sewer line in the city. And it's in disrepair [unintelligible] and too high in elevation. So there would be a major project for First Avenue to put in a sewer line. And the City's policy's also been to, in recent years, to replace [unintelligible] water lines in street corridor where that, where you put in new sewer lines and new storm drainage, and if

the would do that, the street's torn up. There is some money available for sidewalks, under the [unintelligible] Trust Fund loan program. And so there's already been some talk of some sidewalks, of sidewalks on First. So we would recommend the full reconstruction of First Avenue. We would not make any recommendation of where the money would come from. That would have to be a negotiation between the City and the developer.

Porter I see a couple of scenarios to this, Gary. Maybe you can help me a little bit [unintelligible]. But if it's left as it is with the county, how many homes will be out there? And if they do go out there in the county, does the city have any control? That would be my question. Now, if we enter into a contract, you just stated awhile ago that the City is in control of how the, the infrastructure and the development, the whole thing is done. Right? Is that what I'm understanding?

G. Bourne My experience with these kinds of projects -- I've had some experience in the past -- where the developer had built in the county and the city provided utilities, that the parties enter into a tri-party agreement, because it all [unintelligible] down into [unintelligible] city utilities. That is a true negotiation, because you've got city code requirements, city utility requirements and county code requirements. I cannot answer the question of what the density would be in the county because, I think, Rick is more qualified to answer than I am, because there's sensitive areas involved and there's, it's up to the county planning.

Porter So, basically, though, there is a negotiating time where the city has input.

G. Bourne The city definitely has interlocal agreements with the county and that could be part of [unintelligible].

Cisar We would most likely do a joint project. The question now is, in terms of density [unintelligible] in my memorandum and looking at, say, at 4 units per acre, it's your GMA urban, I did give out some [unintelligible]. I looked at 20% for [unintelligible; something about 20% for wetlands and 20% for dedicated roads and drainage], so I gave you kind of a net density. But the real question is what does the county require as far as a wastewater system? Do they allow septic, for example? [unintelligible] affect your density.

Boucher Do you have an estimate, Rick, of what that would be? What the county would come back and say here is what we can develop in this area.

Cisar Well, the county may come back and say no development unless you've got, you know, you've got urban facilities [unintelligible]. So that could be a possibility.

Boucher Well, what if they don't stipulate that and just say yeah, we'll --

Cisar Then you get into a septic [unintelligible] the lots based on the soil and based on, you know, definitely a bigger lot size.

Boucher Worst case scenario, tough, how many houses could go out there if he just [unintelligible]?

Cisar It would depend on what they want for sewer. If they're going to say you're looking at a one-acre lot, well, the map is there. If you can get down to -- public water supply, say you got a well and septic, [unintelligible] a well [unintelligible] water. If you could get a well and septic, you might get by with maybe a half acre. I'm not that familiar with county regulations. But that will give you some idea as far as density.

Boucher So we could have 100 homes go out there [unintelligible] through the county and the city gets nothing.

Cisar Again, if, if the county allows a septic system out there. That's and unknown [unintelligible].

Raney There still would be some mitigation there, wouldn't there, [unintelligible] interlocal. 'Cause they'd have to access the city --

Boucher [interrupting] [unintelligible] nothing, i.e., we get no improvements down First Street.

Cisar There would be traffic fees associated with [unintelligible], county fees and the impact on the city system and the impact Highway 2 [unintelligible].

Champeaux Gary? Did I hear you right? You said \$2 million for sewer and water? Is that correct, in your estimate?

G. Bourne I think what I was saying was that the project on First Avenue is probably a \$2 million project, and then the rest of that *[unintelligible]* \$3 to \$4 million would be sewer and road improvements between there and the development. I hate to say, you know, I'd like to emphasize again. I've not had an opportunity to sit with Mr. Morris or anybody and understand what their proposals are.

Boucher Yeah, They're very rough.

G. Bourne Very, very *[unintelligible]*.

Rowe Gary? You saying \$2 million just from High Street down First --

G. Bourne For everything.

Rowe *[unintelligible]* one part of it.

Boucher Is that Morris property down?

G. Bourne No.

Boucher Or just ...

G. Bourne First to High.

Boucher From First to High, okay.

Criswell And what about from High to Trout Farm Road? I mean, that's inside the city limits. We're going to have to deal with that, too.

G. Bourne I'm not saying that's the City's responsible.

Criswell That's what I want to know -- *[simultaneous comments by all, including assembly; mayor bangs his gavel.]*

Criswell It's part of the project, is what I'm getting at here.

Boucher You mentioned the failing line, sewer line. I know that you done a study to *[unintelligible]* something along those lines, any idea of the estimate of failure of that line, when basically the city will have no choice but to replace it?

G. Bourne *[unintelligible]*

Boucher Any estimate on total failure --

G. Bourne *[unintelligible]* -- want to last. It's -- one of the lines is high on the priority to be replaced now. In fact, there, there has been -- it's on the, in fact, it's in the City's --

Male The line on Third Street?

G. Bourne On Third.

Rowe Water *[unintelligible]*.

Boucher Tony, the sewer line, if you were to give your opinion on when this thing is going to fail, when you have no choice and say, "Well, we're going to try to do it two years, four years, five years, what's the timeline --

T. Beedle Yesterday.

Boucher So it is failing. It is currently a problem that needs to be --

T. Beedle Yeah, it's -- so many things vary. You know. Like you can go an awful long time with no problem, all of a sudden maybe a line will cave in and you have to go and fix it because it *[unintelligible]* or something. And the concrete is so rotten anymore that it won't *[unintelligible]* it. The bottoms of some of the manholes are gone.

G. Bourne It's one of the top priorities of CIP projects I the Comprehensive Sewer Plan, and has been for some time.

Criswell What about the water line *[unintelligible]*? Out to Trout Farm?

Male 6-inch A.C.

Criswell *[unintelligible]*.

T. Beedle For fire flow, if nothing else.

Champeaux We had asked you guys the last time to take a look at easements and how wide the road we actually have between High Street and out Trout Farm. We have any information on that?

Cisar That was done back in 1886 by action of the County Commissioner. That's as far back as it goes. He indicated to me that there was a, they looked at a 40-foot right-of-way at that time, yeah.

Criswell Does it, is that designated for utilities as well as *[unintelligible]*?

Cisar It's just center of the roadway. The roadway purposes at that time, plus we have a water line in it now, so.

Rowe Is it in the right-of-way?

Cisar Yeah.

[long pause]

Boucher So we do have room for utilities. How about --

Cisar Up to 40 feet, we do, yeah, but as long as we stay in 40 feet, but as you get development occurring, say, from High up to Trout Farm, you'll see that right-of-way expand to *[unintelligible]* 60 feet.

Raney I want to raise the issue of sewer capacity. Where we are now, really, and where this would put us.

Rowe I believe we're at one-third capacity, now, is that correct? Anybody here know?

Cisar *[unintelligible]* Gary?

G. Bourne Pardon?

Cisar Our sewer capacity?

[unintelligible comments]

Rowe I got that from Randy. He said he's running at about a third of capacity right now. Since we did the I&I awhile back on one line, it's helped tremendously, with that. It went to *[unintelligible]* in the line?

G. Bourne Yeah, I *[unintelligible]* some numbers about where it should be. Based no population method, it should be about a third, a third capacity in these kind of weather days in the summer. The problem right now is I&I. And you know, there is I&I in that, in the system in the winter. It reduces the capacity available for *[unintelligible]*. We don't know what that impact is yet, and we're planning to do some flow monitoring this fall when the rains begin to help identify that, and the comprehensive plan will identify the work, necessary work, to help identify the treatment system capacity. In the City of Sultan the treatment system capacity includes the capacity of the pump station and a line from the pump station to the treatment plant and all the components of the treatment and the outflow. There's a, it's a large difference in the number of homes that, new homes that *[unintelligible]* between what the treatment plant could do on a dry day or a wet day. *[unintelligible]*. We don't know if -- We don't know where all the I&I problems are.

Criswell Some of them are down on First Street.

G. Bourne So that work needs to be done before we can say what the connection capacity of the treatment plant -- one thing we need to understand about the treatment plant, is it's dynamic. You don't build a treatment plant and one day it's *[unintelligible]* and start building a new treatment plant. You have to plan ahead. And there are rules, the RCWs require to start planning ahead when we reach about 85% of capacity of the treatment plant. Because -- capacity is a flat line and growth is a growth line. And so we're nearing that point anyway, where the city needs to start anticipating what growth is going to use the treatment plant. And the trick for planners is to identify what the scope of the growth line is. Is it flat? Or is it steep? At the beginning of the 90s, it was steep and then flattened out. And so we thought our projections were low, but now our projections look pretty good. Because all projections are a steady line and growth is, there's a series of peaks.

Porter Gary, one thing on this I&I, now First Street definitely presents itself as, with a lot of I&I, right? First Street? So that eliminates that problem.

G. Bourne Tony'd probably know better than I do, probably

T. Beedle You probably know better than I do, probably. We have worse. We still have some street with *[unintelligible]* drains that ran into the sewer in places. We got rid of a couple of them this last year, but we had a couple more of those that are probably worse. First Street is a bad one also.

Porter You said the *[unintelligible]* to the manholes have deteriorated?

T. Beedle Yes.

Porter So that would present a problem with I&I?

T. Beedle Very much.

Male Those are all wet-type manholes, aren't they?

T. Beedle Yes.

McPherson Well, it's the same problem with one of the Willow Run streets, like 3rd and 4th and -- it's not just First Street by itself that's got that type of problem, because most of them, they're brick-lined. Am I correct on that?

T. Beedle Yes.

McPherson So it's not just a one-area problem.

Raney Gary, what's -- or Tony -- what is the highest capacity that our sewer plant has run at in the last two year.

T. Beedle Probably *[unintelligible]*.

G. Bourne Why do you ask?

[laughter, then simultaneous comments]

T. Beedle I agree with *[unintelligible]*. It's pretty high.

Raney Pretty high?

G. Bourne There's two kinds of capacity in *[unintelligible]*. Forgive me for being technical for a minute.

Raney That's okay. I like that.

G. Bourne There's two kinds of *[unintelligible]*, basically and two ways. Hydraulic capacity, how much water will flow through. And what we define as the treatment of systems where you're talking about the *[unintelligible]* of all the pipes, right? And there are pumps at the treatment plant also that help move it through. And then there's the biological component. The biological capacity is the capacity of the components, like the clarifiers, and the oxidation ditch that treat wastewater. That far exceeds the present hydraulic capacity of the pumps in the treatment plant, and the pump station No. 1. So by increasing capacity of the pump station and a few of the pumps in the treatment plant, it could be increasing capacity some 50% with *[unintelligible]* and pumps and new concrete and steel.

Raney Those are free?

G. Bourne Pardon?

Raney Those are free?

G. Bourne Those are not free. Those are not free.

Raney It's a major -- it's not a small upgrade, it's a major upgrade.

G. Bourne Well...it is an *expected upgrade*, okay? We expect - that treatment plant has never been upgraded since it was being (six - "been"?) built. And you can expect a number of upgrades in a treatment plant before they have to reconstruct, meaning new treatment components, which require new concrete and steel.

Raney Okay. Do you have any idea what the highest biological use we've gotten to is? Where the least amount of remaining biologic capacity has gotten to?

G. Bourne The biological capacity, additional capacity, is probably 1500 homes, additional. But the hydraulic capacity is probably a third of that, because of I&I.

Raney So 1500 homes? Do businesses use the facilities at the same rate that homes do? And where this question is going is, and if you use that capacity up for additional residences, are we going to be cutting off any potential business development in the next three to five years until this sewer plant is upgraded?

G. Bourne Typically, residential development per acre uses more of the treatment plant than a business does, per acre.

Raney You get more businesses per acre than you get homes, then?

G. Bourne But they also don't use much --

Raney Okay. That's what I wanted to know.

G. Bourne But you don't wash your cars or wash your clothes when you go to the grocery store.

Criswell *[unintelligible]* of business with just a rest room in it, for the employees.

Raney Any idea of how much, ballpark land, that we have ready to go for business right now, and how much of that capacity that will use?

[long pause, then inaudible comment, then laughter]

G. Bourne These are questions that will be answered when the sewer comprehensive plan is complete.

Raney I guess my point is, those are questions it seems like we need to have the answers to before we decide something.

[several voices, agreeing with Raney's statement, and applause from assembly members]

male Knock it off, or he'll keep doing this all night.

[laughter]

Raney No, I'm done.

Criswell Thank you, fellas.

Rowe Okay. Further discussion?

[long pause]

Boucher If we tear up the road to put in the sewer, we have to put in the water. I would be apt to go back to Mr. Morris and ask if he'd be willing to put in a sewer and a water line.

[unintelligible] that he go back and crunch some numbers up and see if that's something that would be feasible for him. 'Cause in the end what we're doing, is we're offsetting the immediate costs for the public by putting in the sewer line. It's going to have to be replaced. Everybody would have to pay for it. Now, long-term, obviously, we'll have a development which some would say *[unintelligible]* fees would cover that cost. Perhaps if we go with sewer line and water line, then we're saving nearly, in the millions, and perhaps we could rationalize we're offsetting potential long-term impacts of this kind of development. But that's things we have to ask Mr. Morris to decide if he'd be willing to consider *[unintelligible]*.

Porter And we finish the stormwater here on the pavements when we finish the street *[unintelligible]*.

McPherson *[unintelligible]* That would be -- pick up the rest of that tab *[unintelligible]* would be the taxpayers.

Rowe The traffic impact fee, how much of the street -- I mean, redoing the streets and the sidewalks -- how much of that would be covered by the traffic impact fee, Gary? Do you have a number on that?

Cisar Well, assuming it's on our capital facilities plan, they would get credit for the improvement. So in other words, let's say the development was going to spend, or allocated to spend a \$300,000 impact fee, they'd put that into the street improvements on the streets and get a credit for it.

Graafstra Let's be careful here. This is a development in the county. You don't have any ability to impose a traffic impact fee on this developer except by negotiation.

Cisar I'm talking About First Street here.

Graafstra Even if it's inside the city, *[unintelligible]* except by negotiation or through interlocal that you have.

Porter We do have an interlocal in place.

Graafstra You have an interlocal with the county. Whether that means an impact fee would be required for in-city development, you still have to look at that.

Porter Well, that's all on the table, too, Thom.

Everett That just comes back to what Thom's constantly brought up, and that is we need to establish a cost for extending city utilities outside the city limits and if we could even do that. We need to set a policy. I've heard Thom say that time and time and time again.

Graafstra It's in my memo that's in the council packet.

Everett It's just -- we need to do it. We need to knuckle down and do it.

Raney It seems like that's the only thing that's fair. Not only for the citizens, but any proponents that bring proposals to us. And with Cliff and his family, the carrot keeps getting moved. And that's not fair to him, either.

Criswell Would somebody remove that carrot? *[He's referring the carrot that was placed earlier on the podium by John Dick to "entice" the council to listen to his continuing pleas for action on the Doubek situation near his home.]*

[laughter]

Boucher Well, we could go back and say, well, we're going to know look at our policy, 'cause you're going to be on standby. I don't know if right now he wants that. I think he -- I'm speaking for you, Cliff, and I don't know what *[unintelligible]* on it, but I will get back to the idea that sewer, water -- what's the point of Talking Turkey here -- which is what I think he wanted us to be at. And that's where I'm at. Perhaps as far as policy, maybe this is helping in developing that policy because we're making it up as we go along *[unintelligible]* policy. I certainly understand the concerns of those who are looking at potential development. I also understand the concerns of you have a sewer line that's critical. It's going to be replaced. If you have the government do it through the bid process, the cost to the taxpayers is going to be considerably more than if you have the developer do it *[unintelligible]*. That's simple governmental math. And so I'm weighing both here, and that's why I'm coming back with the water line issue and saying that's what I'd like to see at this point. And I'd welcome to put it to the vote. And say -- not a vote, but just a recommendation from council to staff, let's put the water line on the table as well and see what we come up with.

Porter Well, I have -- if we accept this proposal as it is, we will need a lot of *[unintelligible]* negotiation on some of these issues, most definitely. We wouldn't want to see anything etched in stone. But I think we'd be doing the city a real disservice if we turned this down.

Boucher And I think that what I'm getting at in here, is, yes -- getting back to the water line, it's well to say yes, I can do that, and then we get down to the nitty-gritty of the negotiations and go from there. If he says No, then we have no negotiations and the issue is moot.

Raney And I would like to argue that we are doing a disservice to the citizens by agreeing to do something without adequate data to assess where our sewer plant is -- *[simultaneous outburst, then applause]*.

Boucher Wait a minute. You said we were done. *[laughter]*
[simultaneous comments, laughter]

Voice *[unintelligible]* take your time. Think about it.

Male from Assembly *[unintelligible]* and understand the proposal. I don't understand the proposal. I think we're spending a lot of time talking about it -- *[mayor bangs gavel]*.

Criswell I would go with a proposal to --

Champeaux *[simultaneously, as the assembly talks loudly among themselves]* You got a ballpark figure, but that's not going to hold up. *[unintelligible; mayor finally taps his gavel]*.

Porter Our city engineer has stated awhile ago he does not have a proposal in front of him. He has nothing to work with. All he can do is guess out of thin air as to what it's going to cost and so forth --

Criswell That's kind of what I said before. Just saying, "We could do that," or "We can do this," it doesn't mean much until you've got it in black-and-white. But you've got to have set *[sit]-* down time between the two parties to negotiate, and we're not doing that.

Porter And if we don't act on the proposal, we'll never have that. It'll never be done.

G. Bourne That's right. You can't negotiate, though, unless you know what the real costs are. And the real costs involved are -- *[simultaneous comments]* -- how can we negotiate if we don't know what we got and what it's going to cost us? *[throughout the last three comments, members of the assembly have been talking amongst themselves continuously]* And we don't. We could just end up going back to our taxpayers with another bill and saying, "Oh, well, you gotta help us with this that we committed to because we needed a sewer and water line." Right now that water line, that sewer line is "failing" --quote-unquote -- but it's repairable. It's still functioning. And is it the worst one in town? Is it the only one in town that we need to address? Or are we only addressing that because we have this proposal on the table?

Criswell But it presents an opportunity --

Raney It is an opportunity. You're right. There is. And I'd be very happy to consider the opportunity if I had enough data to say that's not going to impact what's going to happen out on the east end of town by taking away capacity.

Criswell And there again, Gary said that this is the time we need to start thinking about another sewage treatment plant on the other end of town, too. And I've said that for five years, when we built this one out here, we should start thinking about one out there.

Porter I would like to say something to Mark's comment there. Mark, I don't think it's the cost. We don't need to know how much it's going to cost Mr. Morris to do that job. What we want to know is, are we going to have a job well done? And it's gotta be done, according to our city engineer.

[simultaneous comments]

Raney I'm not concerned about his cost. I'm concerned about my cost.

Porter Right. And that's what would be hammered out at the negotiating table, is who's going to do what.

Criswell But you gotta do something to get to that point --

Raney How do we know what those costs are going to be until we know what the real impact on the sewer, on the sewage treatment plant is? We don't.

Criswell Then we need to make it possible to go to the negotiating table with him and find out -- we don't have to say we're going to do it, or not do it. But we need to get to that table.

Raney I think we come up with a policy of the city that says that anybody inside the UGA that proposes something like this has to come to with all the data that we need. That's their cost.

Criswell It should be there cost. Yes, I agree with that.

Raney That has to be done first. But they have -- they should be given a list before so they know exactly what they come in with so the carrot doesn't move.

Porter It's pretty hard to spend \$300,000 or \$400,000, though, not knowing if you've even got a --

Raney You're right. It is. But the potential upside is \$3 million or \$15 million is there. I mean, this is a capitalistic system, and people that have money to make on something like that, if the rules are there in place, the policy's there in place, then we're on the hook because we violated a policy. We said we would do this and this and this. But we have to have adequate data to make a decision and we don't have that.

Criswell Yeah, we need to know where *[unintelligible]* at. We need to know.

Porter I do, too. But I think we should enter into this agreement, and get those numbers. If those numbers don't pan out, why, then we -- *[simultaneous comments]*

McPherson If those numbers are going to be *[unintelligible]* by Morris, or who?

Criswell They should -- I think they should be. I mean -- *[simultaneous comments]*

McPherson -- it's going to be a cost to someone.

Porter That'll be one of the things we need to hammer out, Perry.

Rowe Gary? Would your estimate be to come up with the numbers that we would need?

[everyone is talking in the assembly]

G. Bourne I, I -- it's hard to hear.

[CH bangs his gavel.]

Rowe Let's hold it down a little bit so we can hear.

G. Bourne What was the question, C. H.?

Rowe Well, an estimate of what it would -- if you were contracted to do a study on this to give us the costs of what it would cost to do, like street, the sewer, the storm, the sidewalk --

Criswell Water.

Rowe -- water. I mean, the whole works.

Male *[unintelligible]* have no basis for this.

Criswell And we suggest from Trout Farm Road --

G. Bourne What you would need to --

Rowe Well, it'd be from there to Cliff's property down, I* would think.

Criswell So why are we concerned what he pays for outside the city limits? That's his cost. We're concerned about what it costs *[unintelligible]*. That's our cost.

Rowe Well, now, that's true, too. Yeah, up to the city limits.

G. Bourne *[unintelligible]* engineers to understand what the proposal is, so we can understand the traffic impact. If we understand the traffic impacts, we would know then better what the improvements would look like. But it's *[unintelligible]* letter he said that a study would cost as much as \$20,000 to \$30,000, but that's more than what you're -- you're just asking for a cost estimate, which would cost perhaps \$4,000 or \$5,000.

Rowe \$4,000 or \$5,000? Your cost estimate on it from here to the city limits?

G. Bourne Right, Okay. Yeah, yeah. If you want to do it. Well, let me back down. We already have some numbers developed, but I don't know if those numbers...the cost estimates we that we have are for the improvements that would be necessary. You don't know what the proposal is. It's almost -- I don't know if I can really answer the question. But a few thousand -- we can, we could make a presentation to the council and have very reasonable numbers if we can get some input from Mr. Morris' engineers that they're concurrent with what we're thinking and get me some parameters of minimums and maximums of what the improvements would cost *[unintelligible]*. For \$2,000.

Everett Gary? You mentioned in this memo, the cost of the utility service study would range between \$30,000 and \$50,000.

G. Bourne The utility -- you're reading from the -- ?

Everett I'm reading from your letter.

G. Bourne That, that is -- and just supposing on a somewhat contracted assistance with the city helping them deal with the county, negotiate with the county, if you will, and Morris' development representatives. That's commissioning two, four, five, maybe three months worth of work.

Male And it's different than --

G. Bourne Which is different than just a cost --

Everett Would the cost estimate be -- that would obviously be --

G. Bourne That would obviously include the cost estimate.

Everett Okay. Exactly -- what I want to know is exactly what the \$30,000 to \$50,000, what would it be paying for? What kind of information would we get for our money?

Criswell *[unintelligible]*.

G. Bourne At the end of that, I would be envisioning an agreement with the county that would, it would, it would, it would, it would include the interlocal negotiations and it would involve -- we'd do most of this ourselves -- it would involve, obviously, coming back to the council a number of times. It would involve the planning department. It would involve the city attorney to

get through that. It would involve Cliff Morris' proposal and his engineers working with the county and with the city, understanding what the proposal is, and writing a report for public, council or whatever, purview on what the proposal is and what its impacts are to the city. And with recommendations of how the city should deal with these impacts.

Porter Well, in backing up here *[unintelligible]*, basically, Cliff Morris does not have from the council the knowledge that we are willing to work with him on this. How are we ever going to get to this point of sitting down with his engineers and him and working with, working things out. Now, that's what my point is. If we don't accept the proposal, uh, and, and with the understanding that we're going to negotiate and hammer out the things in it, it's a dead duck. I don't know if we should do that.

Boucher So table it until we continue discussion, clarification, information-gathering. Is there a second?

Rowe The question I have is -- just throw this out -- if Mr. Morris was in agreement to pay the cost for Gary to talk with his, or to deal with his engineers so he knows what's going on, and [have] Gary come back with this -- he said \$5,000 for a cost estimate on it. Bring us back some figures what some of the costs would be? Would that be something we might want to think about, or -- ?

Porter Yeah. If we're willing to give him a confidence vote, yeah. Otherwise, I wouldn't *[unintelligible]*. If the city's not going to enter into an agreement, why should he go any farther? *[simultaneous and inaudible comments; C. H. is speaking, but he cannot be heard; Porter is talking about getting some numbers, at least and let him pay the cost.]*

Rowe So what's your proposal, then, Jim?

Porter Well --

Rowe I don't understand --

Porter We need to give him the vote of confidence that we're willing to sit down and at least give him a look or at least have an engineer look at the proposal. *[simultaneous comments]*

Porter Yeah, but they've never seen it. The engineers don't have a thing to work with.

Criswell We're willing to look at it, or we wouldn't be talking about right now.

Porter Right. I mean, there's gotta be some common ground here whereby we can come to a *[unintelligible]*, some way, shape or form on this situation. I hate to have him go ahead and do it in the county and the sewer not have anything to do with it. At least the impact on the streets and so forth, we -- as Thom said awhile ago, we need to sit down and negotiate these impacts. So I think we need to accept this proposal.

Deveraux Wait. I'm confused totally. I don't understand how we went from - we don't have any of the right information. We need the right information. We need him to get the right information, we could help him with ideas, so we should accept this proposal? I don't - *[unintelligible]* that at all.

[enthusiastic applause from the assembly, then simultaneously comments; C. H. bangs his gavel; everyone keeps talking.]

Raney Well, there's a motion on the table right now to accept it.

Boucher I say table it.

[simultaneous comments]

Boucher Yep. I'll amend my motion to table it. Who *[unintelligible]* second?

Deveraux Don't we have to vote the other one down first?

Boucher Who's the second?

Male I seconded.

Boucher Okay --

Rowe So we're going to table it until --

Boucher [unintelligible] That's kind of an unknown, so depending on how soon we can get the information, what they're willing to work with, talk with, etc. so that we can have a more concrete proposal before us [unintelligible].

Raney So we get to do this again?

Boucher Yeah. I'm saying certainly new -- [simultaneous comments].

McPherson We could be six months down the road and Morris would be sitting there holding the bag. I'm sure he's not wanting to do that.

Boucher I'm sure it's better than the alternative, which we know.

Deveraux And that's their motivation for him to get the info faster.

Male There ya go.

Deveraux So let's just table it until we got the info.

Male Tell him what you want to do.

Criswell But we need to know what we want also. And this is something that we need to figure out what we want. He gives us a proposal of what he's willing to give, and that's what's called negotiation, when somebody [unintelligible].

Raney I want somebody to be able to give me information on the potential impact that this would have on the sewer plant, current capacity and [unintelligible] capacity and [unintelligible] capacity.

Criswell I understand what you're saying. But you gotta weigh the benefits versus capacity. That's what....yeah.

Deveraux I want to see a price range where our people don't have to say, "Rough" five times. I want to know how much this is going to cost, and I'm going to hope it's not gonna [unintelligible] in the whole preparation, planning that --

Criswell That's [unintelligible] on the table.

Deveraux I still don't understand the whole process.

Rowe So as it stands, we - the motion is to table it until we have the information we need?

Criswell Will you second that, Gary?

G. Bourne [unintelligible].

Boucher He did!

Porter Yeah, but I've got some questions of how we, how are we ever gonna get this to the table?

McPherson It's already [unintelligible].

Porter I mean, 'cause we keep rejecting everything. If we don't give him a vote of confidence that we're willing to work with him [unintelligible].

Criswell Well, my feeling on this -- [simultaneous comments] --

Male Whoa! Whoa! Whoa! Time! One at a time!

Criswell Well, normally when a contract comes in with a project, things are usually -- for a proposal. Well, so far we haven't got anything like that. And that's what I said all along. Until you got something on paper is the only way you're going to know how much the water line and what size it is and how much it's gonna cost and what impact it's gonna have. We don't have any of that. That's what we're [unintelligible].

Porter So are we willing, as the city pay our city engineer to look at this?

Criswell I don't think our engineer should be drawn into in -- do this for him, no.

[voices agreeing]

Porter [unintelligible] going to pay for his time that he [unintelligible].

Criswell This is, this is his project and [unintelligible] the other side. [assembly agreeing] His cost would be [unintelligible].

Porter That's what I say. Who's going to pay for that?

Rowe Bruce? You have a comment?

Champeaux No....no.

Rowe Okay. So we table it until we get the information that we need, is that right?

Criswell *[unintelligible]* try to develop that with this information *[unintelligible]*.

Deveraux It's not ours.

Rowe How much would be Cliff's cost?

Criswell Well, I want that clarified before we do anything, because down the road, you'll *[unintelligible]* I didn't pay for that. Are you willing to pay for this? *[question directed to Cliff Morris]* That's what I'm -- that's what I'm asking.

Morris Well, you're not -- you're not allowing me to come to the table and even negotiate *[unintelligible]*. We can do it right now. How do I know what you're gonna need, if I can't talk to your people? You're telling me I gotta pay for all your people's funds, is that what you're telling me?

Criswell If you have to pay -- we're not paying for no studies *[assembly reaction in agreement is loud and boisterous]* for development, *[unintelligible]* development. We don't ever do that. If we do anything, study on a development, the developer is paying for that.

Morris We can't even get the development phased until you tell us if we have, need to have sewer or not. We can't go off and lay out how many lots there are, because we don't know how many lots there are until we go through the county. So how do you expect us to be able to come up with a solution to a problem without saying, Gee, can we give Mr. Morris 250 units? If I know that you can give me 250 units, then I can go to the -- I can find out what the county says, then I know where I'm at. But as it's going right now, you're holding the *[unintelligible]*.

Criswell Well, I, my suggestion -- it's not my place to say how you go about getting this information or whatever, but my suggestion is go on the assumption that, Yeah, you're going to do something with 250 units and give us the numbers on that. If you're doing *[unintelligible]* units, go on that number.

Female *[unintelligible]*.

Criswell It's the only thing I can tell ya. It's not the, it's not the council's problem to tell you what you need. You have to figure that out yourself. We're not paying for that. *[smattering applause]*

Rowe We need to know where we're going to be when the project starts, and from what Gary says, for about \$5,000 we could get *[unintelligible]* engineers and give us a cost on that. That right, Gary? Somewhere in that ballpark?

G. Bourne *[unintelligible]* more information than we have now.
[simultaneous comments]

McPherson *[unintelligible]* on the letter that I've got *[unintelligible]*, is from -- it tells right here what he would do for the thirty-three --

Rowe \$30,000.

McPherson And he is not going to get away with another \$5,000. You gotta be kidding. You don't do anything on \$5,000.

Rowe *[unintelligible]* cost estimate.

McPherson Yeah. But you still gotta know exactly what you're saying in this letter, am I correct?

G. Bourne Yes sir.

McPherson Okay and I want to --

G. Bourne And my response to \$5,000 was very minimal.

McPherson So you're not going to do it for \$5,000.

Rowe Let him talk, Perry. Gary?

G. Bourne Upon a -- *[unintelligible]* I said \$5,000 was in response to a very narrow question was, How much would it cost for a cost estimate to improve the utilities on First Avenue? Until we can see what is the capacity of the wastewater treatment plant, that's an impossible question to answer without significant work, flow studies, etc. that will take some time and months to accomplish.

Rowe And that's where the \$30,000 or \$50,000 -- ?

G. Bourne Yes. We'll be doing a comprehensive plan for the water/sewer portion and a lot of the answers that we're struggling with tonight will be answered when those plans are complete. [\[See endnote #1\]](#)

Rowe Okay.

Porter According to the *[unintelligible]*, according to what we were told, Gary, when that was built out there, we shouldn't have any problems with capacity for this. [\[See endnote #2\]](#) As long as we address our I&I -- as long as that I&I is addressed, we shouldn't have any problem with the capacity of that sewer treatment plant.

G. Bourne Is that a question to me, sir?

Porter Well, you know, but I say the sewer system really shouldn't be a problem, according to what we've been told before.

McPherson Not until it gets to be in the rainy season and you see it overflowing down here in the park. Then you've got a problem.

Porter Well, the problem I see there is the pump. You said the pump had to be upgraded *[unintelligible]*.

Criswell I think that's why he was saying there's a *[unintelligible]* problem.
[simultaneous comments]

G. Bourne But what he's saying is, given enough time, the engineers can solve those problems. That's -- it's a matter of planning for growth. But if we accelerate growth, then you could tax the treatment plant, if you accelerate growth. All the east end was developed the same time the 350-unit development was to happen, then you be taxing the treatment plant.

Porter But there again, that's going to happen progressively, so --

G. Bourne It happens progressively.

Porter So many years, so many units a year.

G. Bourne Yes. So many units a year. We should have time to plan -- we would have time to plan, but we, but like I said, the comprehensive plan has found a way -- will address some of those issues. The UGA, the Morris Family proposal is inside the planning area for the wastewater treatment facility, system. So those *[banging going on in the hallway; missed 3-4 words]* addressed, but on an incremental development basis, we need, we need some units per year.

Porter You know, I guess my problem, this, to me, we're just kind of....cutting our own throat, I guess. *[very strong, very loud assembly reaction -- disbelieving, disapproving groans]* I don't see how *[unintelligible; mumbles, trails off]*. Do we have any *[unintelligible]* to work with? Female in the assembly I'm sorry. I may be talking out of line but -- *[Rowe taps his gavel]* - -- I can't see how *[unintelligible]*.

Rowe We had the comments *[unintelligible]*. Okay. So what do we do?

Champeaux Mark? Are you talking about putting a moratorium on all this development?

Raney No. I think--

Champeaux Well, I guess, again, I mean, if we're talking 250, 350 developed units out there, and that's two to three years, that could be the same what we're going to get just growing at a reasonable rate here, so we, so...

Raney We have some housing in the pipeline already.

Champeaux Okay.

Raney And when you account for that and its impacts on what we have, the Comprehensive Plan will give us that information so we can make good decisions about what we've got, what we're going to have in a few years, and what we're going to have 10 and 20 years down the road. *[some applause]* No, I don't want to stop development or put a moratorium on them, what I want to do is do it right. And so we don't end up with a problem where we had to -- like we did a couple years ago -- no more water permits. No -- everything stopped. People who had money invested in development had to just stop and wait. We fixed that. We've got a

waterline, interlocal now with PUD and we're going to have plenty of water. That doesn't happen overnight. And we could get -- we could get the cart ahead of the horse here with projects, big projects like this -- 350 or 250 or 200 homes on top of other projects that are in the pipeline or soon to be in the pipeline, and our industrial development, which is the crucial part. We all know that residential costs money. It *never* pays for itself. It costs city services. We need the tax base first before we need more residences.

Porter I agree with that. But without the residents to support the business, you --
[simultaneous comments; C. H. taps his gavel several times]

Porter You know, I've never been *[unintelligible]* myself on that. I'm going to let someone else second that.

Male I'll second.

Male Okay, great.

Rowe Can we do it that way, Thom?

Porter Can I withdraw my second?

Graafstra Well, either that, or somebody can make the motion again and we can make a new *[unintelligible]*.

[simultaneous comments]

Rowe Okay, so you would be the second. You made the second?

Criswell Well, I'll second it.

Rowe Okay. So the motion's been made and seconded to table this until we have the information we need, is that correct? [\[see endnote #3\]](#) Okay. Jim? You want to vote first?

Porter I'll vote no.

Rowe Jeff?

Everett Aye.

Rowe Mark?

Raney Aye.

Rowe Brennan?

Deveraux Aye.

Rowe Bruce?

Champeaux Aye.

Rowe Rob?

Criswell Aye.

Rowe Dusty?

Boucher Aye.

Rowe Perry?

McPherson Aye.

Rowe And table it until we get the -- *[unintelligible]*. Okay, moving along... *[the assemblage pretty well clears out]*

NOTES:

1: Sultan is currently nearing the end of its comprehensive plan, which has been ongoing since January, 2002. In all scenarios -- even with the no-growth alternative (leaving the Urban Growth Area boundaries as they currently are) scenario, the total build out (new houses + commercial businesses that will come into existence) will exceed the current wastewater treatment plant capacity and will require improvement/enlargement.

2. When Ray and I attended an election fundraiser (invited by Porter) for Rowe in the fall of 1999, Porter's take on sewer capacity was quite different. We remember this clearly, because we were upset with the amount of the sewer/water bills Ray's 75-year-old mother was paying, which took a huge hike due to improvements to the plant. We had done some rough figuring and couldn't understand why the rates should have shot up so high and were looking for

answers from Porter. We pushed him for answers. But the only thing we could get out of him was the following statement, which he repeated not once, but several times: "That plant was obsolete before it was even built." He could never give us any specifics or particulars about the capacity, costs, or other basic details. We thought at the time it was a big strange that a councilman would not know such "Sewer 101" information and though, since he continually side-stepped questions that he was probably hiding something (or just plain stupid). Now, of course, we understand.

3. Residents be forewarned: Rowe's clarification of the motion (which he never does unless it's truly important to his private agenda) is to table it until more information can be secured by which to make a considered decision. Please ask yourselves: Who will pay for obtaining that information? The City Engineer, B&H? The City Staff? Morris? And even if Morris pays for securing ALL the needed information, how many city staff hours (perhaps hundreds) will be used assisting in this endeavor? In other words, how will "the information we need" be secured without the city spending a significant amount of taxpayer-funded staff resources? Citizens should demand, and the city needs to provide, an accounting of staff hours and engineer's time (if any), in securing this information.