

**Town of Carbonado  
Regular Session of the Town Council  
Monday, March 13, 2023**

**CALL TO ORDER**

The meeting was opened at 6:30 p.m. by Mayor Vesey.

**ROLL CALL**

Councilmembers present: Clint Emry, JJ Sandin, Terry Carter, David Rodway and Tom Argo.

**OTHERS PRESENT:**

Attorney Mike Reynolds, Emily Terrell, Scott Hubbard, Connor Williams, Doug Argo, Travis Hickle, Jessie Sprouse, Marianna Jacobsen-Gruenwald, Marjoree Udulutch, Sue McBride, Strydar Argo, Joe Williamson and Wally Snover.

**PLEDGE OF ALLEGIANCE**

Mayor Vesey led those in attendance of the council meeting in the Pledge of Allegiance.

**AGENDA ADDITION REQUEST**

Clerk-Treasurer, Sandi Carlson, requested to add an item to the agenda. She would like council approval to up the credit limit for Tavis Argo's Mastercard.

**Council Action:** A motion was made by Councilmember Sandin to add the credit card limit for Tavis Argo, to the agenda. The motion was seconded by Councilmember Emry and carried 5-0.

**PUBLIC HEARING**

Mayor Vesey opened the Public Hearing at 6:31 p.m. regarding Ordinance No. 527, amending ordinance No. 517 to extend the moratorium on acceptance or processing of applications for water service connections, short plat applications, subdivisions and accessory dwelling units (ADUs) and adopting the exceptions set forth in Ordinance No. 490 for short plats where an existing well was sufficient capacity for two lots. Public Comments: Jessie Sprouse first thanked the council for the work they've put in on this subject already and for those that have put in the effort to do the homework and share information. She also stated that professionally, because of her position at the school, at every meeting she's been to, she thinks people probably think she's biased and trying to just save her job. She said there are plenty of jobs in the education field with better pay and less stress and that this decision will affect the school no matter who's there and the neighborhood. Personally, she has a vested interest because she lives here and has chosen to have her kids go to school here. She understands that Pierce County recommends five-acre parcels and that is what she supports because why would she support something other than what the professionals recommend. She reminded the council that the fire department is made up of community volunteers and stresses the word volunteer. The council's decision on how to grow us will impact the school, the fire department and this community. When she talks to people who have lived here for a while or have just moved to town, it's for the same two reasons, it's a small community and the school. She urged the council to responsibly grow us and to confidently say they took everything into account to serve the community and listen to their constituents. Connor Williams also thanked the council for picking what's best for the town, he thinks we're all on the same page with keeping the community small and that no one wants to see this become Bonney Lake. In the past, he's been advised to do 2 short plots with 3 lots each. There may have been some incorrect information provided or taken out of context, and that's why we're here regarding lot size. According to Pierce County Health Department and the County, if you have a lot with type 1 soil, a well and a septic system, you need 21,780 sq ft, not two acres. It's not 1 and 1. A Group B well, with a septic system can fit on one acre lots. He proposes one acre lots and feels like it's a great common ground and would be a mirror image of Black Carbon Estates, which won't grow the town too fast or too slow and will have a minimal impact on services, which tax dollars help provide for the fire department and things of that nature. He stated that he does not want huge growth here, but moderate growth, as adopted in the comprehensive plan which is what the town agreed to. Marjoree Udilitch said that they have 5 acres down by the cemetery and they already short-platted years ago. She gave her daughter one of the short plats and they have not been able to get a water hook up. She wanted to know how long it would be before they can get a water hook up.

Mayor Vesey stated that the town is currently in the process of gathering data from the water source and is confident that within the next two years, the town might be able to acquire additional hook ups. The engineers are working on gathering the data that we need to prove to the Health Department that we can provide that water. Since we are on surface water, it's very difficult. Marjoree then asked if they need to do anything to not get swept under the rug. She doesn't want to find out, after the fact, that there were water hook ups and they didn't get one. Mayor Vesey replied, no, but keep your ears open because there's a lot of red tape we are going through and has been that way for years.

Attorney Mike Reynolds explained to everyone that there are two separate public hearings, and that all comments made so far are geared towards the second public hearing, regarding the allowance of wells and property sizes, which is not opened yet. He then explained the difference between the two hearings. The moratorium ordinance was mandated by Pierce County Health, who took the position that there are no more water hook ups available for the town. The town is obliged to comply with the ordinance of Pierce County Health. Under Washington State law, when a municipality puts on a moratorium, they are required to renew it every 6 months. This is merely the renewal of the order of Pierce County Health. That is the public hearing that is open right now for comment. He then explained that the second public hearing is a follow up on what was discussed at the workshop on February 16<sup>th</sup>, in which the possibility of an individual drilling a well and the town allowing that to occur. During the discussion, the council had many ideas, which he tried to absorb. He stated that councilman Rodway had put together a series of touchstones that might be good for an ordinance. Therefore, he put together a draft of the ordinance and it was suggested by mayor and council that council would review, at this meeting, that draft of the ordinance he did and to get public input so he can refine the draft ordinance and carry out the mandate of the council, which is again, the second public hearing.

Emily Terrell, the town's Land Use Administrator, stated that there is a clarification added to the water moratorium

ordinance that includes the actual date of passage of Ordinance 490. This way, you know, as of that date, if you didn't have a well already in place, you can't create a new one.

Travis Hickle asked how the town can continue to extend the moratorium if we never get water. How can the town keep pushing it off and extending it, legally, how can the town do it. From his perspective, it just keeps getting procrastinated. He stated that he respects everyone on the council and loves all the diversity. He just doesn't understand how the moratorium keeps getting pushed and pushed. Emily Terrell stated that we aren't allowed to subdivide under the growth management act in city law unless we can prove there are utilities available, and we can't prove that at this point because the department of health said you cannot create any new. Travis replied to Emily asking again that the department of health said you cannot create any new, in which Emily clarified, we cannot create any new water hook ups and without water, we cannot subdivide. The town has been working diligently to try and improve the water system to try and squeeze in more connections but it requires a long multiyear hydrologic study. Travis then stated that he understands the town side of it but how can the town just say this is the lot size for you to drill a well? It's already zoned for a certain size, if we can get the water for it, how can the town stop us? Emily replied that this is what is being discussed. State law requires that if you grow, you have to hook into the water system if you're within a water system and within a certain distance of that system. Just about everything within the town limits falls within that distance. It is the discretion of the water service provider to allow new connections or not and is in the best interest to keep you part of the system. She also reminded them that water and sewer go hand in hand. If we have the water capacity and not the sewer capacity, we now have to think about septic systems in the area as well.

Doug Argo said that on the well side of things, typically, if you're in a municipality and you don't have water, the town signs a letter that they don't have water. If you have the property, you should be able to build. He's working with Connor, and basically, there are 8 acres there and they're looking at adding 6 houses. Many, if not most of the people in this room, were blessed with the opportunity on their family's land or other people's land to go to a much smaller density for all the people who wanted to do that and take water from a town who hasn't ever had much water. We aren't even asking to use the town's water and we don't need to use the town's sewer. If you lock into one acre lots, you're never going to have tight density. Now he's hearing that there might be water. If you have twenty hook ups, two years from now, everyone gets a hook up, so the only ones to suffer here are the Williams'? If waters coming, and his property is already taken up with one-acre sites, it's not going to be twenty houses but the longer it sits and things can change, and you get water and sewer capacity, then you're looking at 16 homes instead of 8. Is the issue water capacity or density or is it that people just don't want more houses buttoned up to where they live? He feels it's hard to get to the root of the issue or true motivation. For all the people on the council, you really need to think about whether that was your 8 acres. Would you do something different if it was yours or your families?

Scott Hubbard stated that he supports continuing the moratorium so the town could get the revenue from future hook ups. Mayor Vesey closed the Public Hearing regarding Ordinance No. 527 at 6:51 p.m.

### **PUBLIC HEARING**

Mayor Vesey opened the Public Hearing at 6:51 p.m. regarding Ordinance No. 528, providing the Town's consent for the drilling of one water well for residential use of one single family dwelling on a property of a minimum size of 2 acres or greater, provided the property owner will provide and record a document against the property which will contain certain terms and conditions. Public Comments: Attorney Mike Reynolds explained that this ordinance is a result of the different ideas that the council advocated, and he tried to put it together. You can have a well with a series of IF's. It's a very conditional ordinance.

Scott Hubbard stated his support for the two-acre lot size for wells. He understands that there will always be families moving into and out of town and he's read what people have been writing and understands that there are people wanting to buy homes here. The school can hold up to 200 kids. We will never get another school. If we go over 200 students, the state is not going to give us a blank check for a new school. They had a hard enough time to get the remodel for the school with 4.5 million dollars and that only allowed them to be handicap accessible. Mayor Vesey stated that the council has considered impact for school, fire department, traffic, infrastructure, what the impact is going to be ten years down the road as a citizen and to the community. Scott replied stating that the council could say two acres today and five years down the road, look at it again and if there was minimal impact, they could change it to one-acre parcels.

Doug Argo stated that if they do two-acre parcels, put in a well, and water comes in twenty years, that the town would make them go on municipal water and those that have been waiting for a hook up for twenty years would be put behind them, who would already have a well that's working. It would only make sense if the people with wells would be last on the list to have to switch over. Mayor Vesey replied that it would be the council's decision to determine who gets connections first and in what order. Doug Argo then stated that it just doesn't make sense that if someone has been waiting 15 years for a water hook up that didn't have land for a well, would be put behind someone with a well just because they had to hook into the municipal system when water became available. Councilmember Rodway stated that there is an ordinance stating who gets water first and he thought it was people with existing wells that had dibs. The attorney restated that this is why it's a draft, to refine it. Emily Terrell said that is in the lottery ordinance and Mayor Vesey concurred and stated that the council would probably have to find new language on that once they get to that point, which is a ways down the road from now. The attorney again reminded everyone this is why it's a draft, just to get ideas from everyone and make changes. Emily Terrell commented on the previous comment made that you can change from two acre parcels to smaller and smaller but once they start developing those patterns they usually stay the same unless it becomes very lucrative to change it to something else.

Travis Hickle stated that he will not subdivide if it's going to be two acres. He would prefer one-acre parcels and be done. The longer it takes, the more it will cost the new homeowner and be unaffordable to most people in town. The lot is zoned properly, can support a well and septic so why can't he do it? He then stated his support for the school but reminded people that growth comes no matter what and that he doesn't consider himself a developer. He should be able to write up a proposal and have the town either approve it or not. He stated that he thinks making them two acres is not right.

Sue McBride stated that she has a problem with houses being so close. She thinks her own house is too close to her neighbors, so she agrees with the two acres as well.

Connor Williams said he would like to keep a lot for his brother or sister if they were to come back. It would be just like Farm St (9<sup>th</sup> Ave NW), one acre lots, nothing is touching. He understands that the town has to plan for the worst and guesses that every lot in town will get built on. He agreed with Travis regarding a proposal to the town stating this is what they are going

to do, we'll do no more and as Emily said, once you do your short plot, and you don't phase it, you can't add to it later. Once you do a Group B well with septic, it's done. He's had his property engineered and has been shown that everything fits on an acre lot with a Group B well. He asked the council if they wanted to see what he is proposing and stated that they want 6 homes with a Group B well and it may be that they only build one home per year. Scott Hubbard then stated that you have to think of all the other lots in town with acreage and think of the impact of their building as well. Mayor Vesey stated that's what they look at. What is the potential number of homes that can be built if we allow one verses two acre parcels, what is the impact.

Doug Argo asked if you could go from one to two just as easy as it is to go from two to one? He informed everyone that these things don't go quick. People assume that once you allow people to build, that they'll be built all at once and that isn't the case. It's done over time. Emily Terrell again stated that it could be done but usually once you set the rules, they stay.

Councilmember Rodway said that in four years, if there's a whole new council, they could come in and change it.

Joe Williamson asked what the lot minimum is. Doug Argo said 8,000 square feet. Joe wanted to know if 50 water meters became available, what's stopping them from going from 6 houses to now 40 houses. Councilmember Rodway doesn't see that many meters becoming available and Mayor Vesey stated that it's something they have to consider. How many potential homes can be built if they are on town water and sewer. Councilmember Argo stated that there are an estimated 77 acres available. 20 that the town owns, 8 is owned by the Madill Trust on the hill that can't be built, and DOT owns 4.2, which leaves 44 acres that could possibly be built on. He stated that some of these belong to families who've been here for hundreds of years. Scott and Jessie are on land that was owned by our grandparents and uncle Tom, and nobody stopped you from building in 2013 and the school didn't get hurt by it. Jessie said that she could've built more on her lot but she didn't so it's different. Councilmember Argo told her no, she couldn't have built more on it because there is no water. She said you could if she wanted to wait for it. Councilmember Argo then stated to Jessie that she is living comfortably in a new house. He then stated that Casey Brendal wants to split his land into 3, one acre parcels so he can build for him and his two kids. He then asked Jessie what the difference is between what they did. Why are we stopping families who've been here forever from building? They supported your school and the town, the whole time. He then said his other facts were to look at the demographics and what's happening. Family sizes are getting smaller, they can't afford the children, they can't have six children anymore. He's looked at the Census, it's gone down, the population of going to your school is going down, not up. He then asked people if they were going to leave this town when their kids were not in this school anymore. Councilmember Rodway stated that he didn't know. Councilmember Argo asked how many were going to stay. Now you have a household with only two members that is still supporting your school at 40% of our taxable dollars. We pay good money to support your school and he's all for it, always has been. Many of his family and children went through the school here. Why are we trying to stop other families from building? The Williams have been here forever but yet we're trying to stop it because the schools? Where he went to school, in Seattle, is no longer. There are 272 acres in the town of Carbonado. It's not going to get that big. Sue McBride then asked if he was proposing to do all 44 acres with one acre lots. Councilmember Argo replied that he was proposing the one acre lots and Sue replied that would be 44 new homes. Councilmember Argo argued that it wouldn't be 44 new homes because not everyone wants to build a new home on their property. Discussion followed. Councilmember Argo then stated that a one-acre lot is huge and two acres is a mini farm. Mayor Vesey then reminded the council that this is a public hearing where they hear from the public and he didn't remember hearing any of this at the workshop. He then asked if anyone from the public had anything else to say. Scott Hubbard stated that since he was attacked by Councilmember Argo, he'd like to respond. He stated that they did what they did with the land and played by the rules. All we're doing is to try and set rules here and again, he thinks the Williams developed two beautiful developments when they were young, and it worked great for the school. He told councilmember Argo that when he first started working at the school, there were at least 90 choice students to keep it alive. We are down to 16 today. Doug Argo said that it will go the other way again as the students in town get older. Mr. Hubbard stated that it's always flexible like that and he understands that but when it goes up, you have to be prepared for that. Doug Argo then stated that some places are still growing and they're shutting down schools everywhere. Mr. Hubbard then reminded everyone that they all stated that Burnett was going to be developed like crazy. He then asked how many houses can be placed there and it's one per ten acres. Connor Williams said that that's in the county, they are talking about the town. Mr. Hubbard then asked Connor if he was in the county, what would he be able to do in Carbonado, it would be one per five acres. Connor said he and everyone else is in Carbonado, not in county limits so it doesn't matter. Mr. Hubbard closed by stating that he would wait for the water to become available so the town could get that revenue. Mayor Vesey then stated that no one knows what will actually happen in the future and that we need to project and plan for everything. Councilmember Emry stated that it's tough because if the town did have water service connections available right now, we wouldn't be sitting here and there would be a lot more houses being built right now. Mayor Vesey again asked if anyone from the public had any last words, to which Mr. Williams said he would just love to know if, specifically the council, if they had built two acre lots, for a specific councilmember, that councilmember would not be living there. He would like to know if it's really in the best interest of the town. If they had built the houses on two acres, there would be a lot of people not living in this town. Mayor Vesey then stated Last Chance!

Mayor Vesey closed the Public Hearing regarding Ordinance No. 528 at 7:14 p.m.

## **CONSENT AGENDA**

Approval of the March 13<sup>th</sup>, 2023, Agenda.

Approval of the minutes from the February 13, 2023, Council meeting.

Approval of the minutes from the February 16, 2023, Workshop.

Approval of Claim Warrants 17883 THRU 17905, Columbia Bank February 2023 and February 2023 DOR in the amount of \$289,916.89.

Approval of Payroll Warrants 17869 THRU 17882, Direct Deposit Run 2/16/2023 and Direct Deposit Run 3/2/2023 in the

amount of \$22,683.91.

**Council Action:** A motion was made by Councilmember Emry to approve the consent agenda. The motion was seconded by Councilmember Sandin and carried 5-0.

## **RESOLUTIONS, ORDINANCES, CONTRACTS AND AGREEMENTS**

### **ORDINANCE NO. 527 – AMENDING ORDINANCE NO. 517 TO EXTEND THE WATER MORATORIUM**

Mayor Vesey asked for a motion to approve Ordinance No. 527, moratorium on acceptance or processing of applications for water service connections, short plat applications, subdivisions and accessory dwelling units (ADUs) and adopting the exceptions set forth in Ordinance No. 490 for short plats where an existing well was sufficient capacity for two lots.

**Council Action:** A motion was made by Councilmember Rodway to approve Ordinance No. 527, moratorium on acceptance or processing of applications for water service connections, short plat applications, subdivisions and accessory dwelling units (ADUs) and adopting the exceptions set forth in Ordinance No. 490 for short plats where an existing well was sufficient capacity for two lots. The motion was seconded by Councilmember Carter and carried 3-0.

### **ORDINANCE NO. 528, TOWN'S CONSENT FOR DRILLING OF RESIDENTIAL WATER WELL**

Attorney Mike Reynolds explained to the council that this is a draft ordinance and he put together this ordinance after listening to what was discussed at the February workshop. He asked the council to go through the ordinance and let him know what changes they would like to see for the next draft ordinance.

Council discussed changes to the ordinance and would like to change the two-acre minimum lot size to one acre and they would also like to change Section 1 from “, that the property owner will connect to the towns municipal water system within one year of the availability” to allow them 20 years on the well before they have to connect to the towns municipal water system. Mr. Reynolds stated that he would make the changes to the ordinance and present draft #2 at the next council meeting.

### **RESOLUTION NO. 378 – PERSONAL SERVICES CONTRACT FOR DAILLENE ARGO**

Mayor Vesey asked for a motion to approve Resolution No. 378, authorizing the mayor to sign a personal services contract for the Town with Daillene Argo.

**Council Action:** A motion was made by Councilmember Emry to approve Resolution No. 378, authorizing the mayor to sign a personal services contract for the Town with Daillene Argo. The motion was seconded by Councilmember Argo and carried 5-0.

### **AERATOR REPLACEMENT PROJECT PROGRESS ESTIMATE 3**

Mayor Vesey asked for a motion to approve the Aerator Replacement Project Progress Estimate 3, in the amount of \$124,250.08.

**Council Action:** A motion was made by Councilmember Sandin to approve the Aerator Replacement Project Progress Estimate 3, in the amount of \$124,250.08. The motion was seconded by Councilmember Emry and carried 5-0.

### **AERATOR REPLACEMENT PROJECT PROGRESS ESTIMATE 4**

Mayor Vesey asked for a motion to approve the Aerator Replacement Project Progress Estimate 4, in the amount of \$37,563.10.

**Council Action:** A motion was made by Councilmember Sandin to approve the Aerator Replacement Project Progress Estimate 3, in the amount of \$37,563.10. The motion was seconded by Councilmember Emry and carried 5-0.

### **WATER TREATMENT PLANT GENERATOR PROJECT PROGRESS ESTIMATE 2**

Mayor Vesey asked for a motion to approve the Water Treatment Plant Generator Project Progress Estimate 2, in the amount of \$74,820.02.

**Council Action:** A motion was made by Councilmember Emry to approve the Water Treatment Plant Generator Project Progress Estimate 2, in the amount of \$74,820.02. The motion was seconded by Councilmember Argo and carried 5-0.

## **NEW TOWN BUSINESS:**

### **MASTERCARD CREDIT LIMIT FOR TAVIS ARGO**

Mayor Vesey asked for a motion to approve a \$5000.00 Mastercard credit limit for Tavis Argo because he is the new Public Works Lead.

**Council Action:** A motion was made by Councilmember Sandin to approve the \$5000.00 Mastercard limit for Tavis Argo. The motion was seconded by Councilmember Emry and carried 5-0.

## **OLD BUSINESS:**

None.

## **REPORTS:**

### **MAYOR**

Mayor Vesey stated that the town is working on a grant for a new sewer plant for the town and should have some news by the next council meeting.

### **PUBLIC WORKS**

None.

**CLERK-TREASURER**

Sandi Carlson stated that the town was awarded the \$5000 MRSC grant, and it will be spent on woodchips for the park and breakaway signposts.

**COUNCIL**

None.

**PUBLIC COMMENTS**


Scott Hubbard addressed Councilman Argo, stating that he is always personally attacking his family's good fortune and he doesn't appreciate it and would like it on record.

**NEXT COUNCIL MEETING**

The next regular scheduled council meeting will be on Monday, April 10<sup>th</sup>, 2023, at 6:30 p.m.

**ADJOURNMENT**

**Council Action:** Councilmember Argo made a motion to adjourn the council meeting at 7:58 p.m. The motion was seconded by Councilmember Carter and carried 5-0.



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Sandi Carlson, Clerk-Treasurer



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Kevin Vesey, Mayor