

1995 11 06

LAKESWOOD CITY COUNCIL
REGULAR COUNCIL MEETING
MINUTES

MONDAY, NOVEMBER 6, 1995

7:00 P.M.

CLOVER PARK SCHOOL DISTRICT BOARD ROOM

STUDENT SERVICE CENTER

10903 GRAVELLY LAKE DRIVE SW, LAKESWOOD, WA 98499

CALL TO ORDER

The regular meeting of the Lakewood City Council was called to order at 7:00 p.m. by Mayor Bill Harrison.

FLAG SALUTE

Councilmember S. Thomas led the Council, public and staff in the Pledge of Allegiance to the Flag.

ROLL CALL

The Clerk called the roll with Mayor Bill Harrison, Deputy Mayor Claudia Thomas, Councilmembers Ann Kirk Davis, Colleen Henry, Jose Palmas, Doug Richardson, and Sherri Thomas in attendance.

Staff present included Scott Rohlfs, City Manager; Galen Kidd, Financial Assistance Director; Dan Heid, City Attorney; and Nacelle Heuslein, Acting City Clerk.

APPROVAL OF THE AGENDA

MOVED BY RICHARDSON, SECONDED BY S. THOMAS TO ACCEPT THE AGENDA AS PRESENTED. MOTION CARRIED.

PRESENTATION BY WENDELL BROWN, Pierce County Councilmember

Pierce County Councilmember Wendell Brown thanked the Mayor and City Council for the invitation to come before the Council and expressed his willingness to work with the Council on the many issues that face both the citizens of the City and his constituents.

APPROVAL OF THE MINUTES

Mayor Harrison presented the minutes of the Special Council Meeting held October 30, 1995, and asked if there were any additions, deletions or corrections. Councilmember S. Thomas stated that on page 5 of 8, paragraph 3, line 2 it should read C. Thomas rather than Thomas. MOVED BY C. THOMAS, SECONDED BY RICHARDSON TO ACCEPT THE MINUTES AS CORRECTED. MOTION CARRIED.

PROCLAMATION FOR THE LAKESWOOD MALL

Mayor Harrison read a proclamation expressing the Council's appreciation to Bazil Vyzis of the Vyzis Corporation for the use of the Lakewood Mall premises, for their donation of equipment and their tireless effort in assisting the transition team and

Council toward its incorporation effort.

MESSAGES FROM THE CITY MANAGER / DEPARTMENTS / CITY ATTORNEY

City Manager Rohlfs introduced Nacelle Heuslein who would be Acting City Clerk for the next two weeks. He stated a contract for temporary City Clerk Services would be presented later in the meeting.

GENERAL PUBLIC COMMENTS

Mayor Harrison asked for public comments. When there was no audience participation, the public comment portion of the meeting was closed.

ORDINANCES

[AN ORDINANCE](#) imposing a sales tax and use tax as authorized by RCW 82.14.030 (1).

[AN ORDINANCE](#) imposing a sales tax and use tax as authorized by RCW 82.14.030 (2).

City Manager Rohlfs stated RCW 82.14.030 authorizes cities to impose a retail sales tax in the amount not to exceed 1%. That 1% is comprised of two .5% options. Currently, Pierce County has imposed a sales tax on transactions within Pierce County equal to the 1% referenced in the two options. Adoption of the two Ordinances would not have any impact on the net sales tax being paid by businesses within the City, but would reallocate the collection of those sales tax dollars to the City from Pierce County for use in providing direct and contracted services. He further stated by adopting both Ordinances, the City will begin receiving sales tax collected within the City subsequent to the February 28th incorporation date. He concluded by stating due to the lag time between collection and disbursement to the City, revenues will be received for eight months, or two-thirds, of the fiscal year 1996. Thereafter full year allocations of sales tax and sales tax equalization will accrue to the City. Discussion ensued regarding proper tracking and auditing of businesses versus Department of Revenue reporting.

MOVED BY C. THOMAS, SECONDED BY HENRY TO ADOPT ORDINANCE 95-5 IMPOSING A SALES AND USE TAX AS AUTHORIZED BY RCW 82.14.030(1) AND ORDINANCE 95-6 IMPOSING A SALES AND USE TAX AS AUTHORIZED BY RCW 82.14.030(2). MOTION CARRIED.

[AN ORDINANCE](#) establishing city funds.

Financial Assistance Director Kidd defined a fund as a fiscal and accounting entity with a self-balancing set of accounts in which cash; other resources; and all related liabilities and residual equities are recorded and segregated to carry on specific activities or attain certain objectives in accordance with special regulations, restrictions or other limitations. He recommended the following funds be established: General Fund, Street Fund, Arterial Street Fund, Contingency Fund, Municipal Capital Improvements Fund, Equipment Rental Fund, Surface Water Management Fund, Street Capital Improvements Fund, and Storm Water Management Capital Improvements Fund.

MOVED BY S. THOMAS, SECONDED BY DAVIS TO ADOPT ORDINANCE 95-7 ESTABLISHING CITY FUNDS. MOTION CARRIED.

[AN ORDINANCE](#) establishing claims and other obligations payments by check.

Financial Assistance Director Kidd explained a warrant is an order drawn by the legislative body or an officer of a government upon its treasurer, directing the latter to pay a specified amount, often payable on demand, or payable only out of specific revenues when and if received. A check is a bill of exchange drawn on a bank and payable on demand. A check differs from a warrant in that it may not be payable on demand and it may not be negotiable. It also differs from a voucher in that it is not an order to pay. He recommended the check system, as they were easier to account for and when doing book to bank and bank to book reconciliations, the accounts were cleaner with no payables due that needed to be balanced.

MOVED BY DAVIS, SECONDED BY S. THOMAS TO ADOPT ORDINANCE 95-8 AUTHORIZING THE PAYMENT OF CLAIMS OR OTHER OBLIGATIONS BY CHECK PURSUANT TO RCW 35A.40.020. MOTION CARRIED.

[AN ORDINANCE](#) establishing hours of operation for City Hall.

City Manager Rohlfs stated RCW 35.21.175 provides that hours of operation for City Hall facilities be established by Ordinance. This ordinance would establish the regular hours of operation for Lakewood City Hall as Monday through Friday, from 9:00 a.m. to 5:30 p.m. The intent of establishing those particular time periods of regular operation is to allow an opportunity at the end of a normal work day for citizens to access their city government prior to closure. Council expressed a desire to maintain an other-than-skeleton staff during lunch hours when citizens were often running errands. City Manager Rohlfs assured the Council that there would be adequate staffing during lunch hours.

MOVED BY HENRY, SECONDED BY C. THOMAS TO ADOPT ORDINANCE 95-9 ESTABLISHING HOURS OF OPERATION FOR CITY HALL. MOTION CARRIED.

RESOLUTIONS

[A RESOLUTION](#) authorizing the City Manager to enter into a contract with the Washington State Department of Revenue for a loan from the Municipal Sales and Use Tax Equalization Account and to obtain other loans and assistance on behalf of the City.

City Manager Rohlfs stated in 1991, after the incorporation of several new cities, the Legislature enacted RCW 35.02.135, authorizing newly incorporated cities to borrow from the municipal sales and use tax equalization account, in dollar amounts equal to up to \$5 per capita not to exceed \$100,000. He further stated that even though the interest rate may not be that much different than the interest rate provided for in the City's Tax Anticipation Note, because the payback is over a three-year period, it would be advantageous for the City to be in a position to utilize those moneys, should that become necessary.

MOVED BY C. THOMAS, SECONDED BY HENRY TO ADOPT RESOLUTION R95-11 AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE WASHINGTON STATE DEPARTMENT OF REVENUE FOR A LOAN FROM THE MUNICIPAL SALES AND USE TAX EQUALIZATION ACCOUNT AND TO OBTAIN OTHER LOANS AND ASSISTANCE ON BEHALF OF THE CITY. MOTION CARRIED.

A [RESOLUTION](#) providing for the official date, and location of City Council regular meetings on an interim schedule, and amending Resolution No. R95-2.

City Manager Rohlfs stated on October 16, 1995, the Council adopted Resolution 95-2 providing for regular Council meeting dates on the first and third Monday of each calendar month. This proposed action would amend that resolution to provide additional regular Council meetings on each Monday of each calendar month during the pre-incorporation time period. Subsequent to the incorporation of the City, this resolution would also provide that the regular meeting dates return to the first and third Monday of each calendar month. He further stated with Christmas and New Years both falling on a Monday that the scheduling of those meetings would occur later in the year.

MOVED BY RICHARDSON, SECONDED BY C. THOMAS TO ADOPT RESOLUTION R95-12 PROVIDING FOR THE OFFICIAL DATE, AND LOCATION OF CITY COUNCIL REGULAR MEETINGS ON AN INTERIM SCHEDULE, AND AMENDING RESOLUTION NO. R95-2. MOVED BY DAVIS, SECONDED BY S. THOMAS TO AMEND THE MOTION TO STATE THAT THE FIRST, THIRD, FOURTH, AND FIFTH MONDAY'S MEETINGS WILL BE HELD AT THE CLOVER PARK SCHOOL DISTRICT BOARD ROOM AND THE SECOND MONDAY'S MEETING WILL BE HELD AT 10121 GRAVELLY LAKE DRIVE. AMENDMENT CARRIED. ORIGINAL MOTION AS AMENDED CARRIED.

A [RESOLUTION](#) providing for a process for accounts payable and certification review.

Financial Assistance Director Kidd stated the City would be striving for a "finding free audit" and recommended the Council develop an accounting system that is tied to a high level of internal control. He discussed some of the contents of Exhibit "A" which included a purchase requisition/order; a purchasing sequence check-off; a request for cancellation of a purchase requisition/order; a request for a manual check; a manual check control log; a fixed asset inventory control; a monthly fixed asset control log; a no receipt certification form; an accounts payable sequence check-off; a claims run; an accounts payable control log; an accounts payable flow chart; a claims voucher; a lost check affidavit council certification form; sample policies and procedure forms for the Finance Department; and month-end and year-end closing cycle forms.

MOVED BY C. THOMAS, SECONDED BY PALMAS TO ADOPT RESOLUTION R95-13 PROVIDING FOR A PROCESS FOR ACCOUNTS PAYABLE AND CERTIFICATION REVIEW. MOTION CARRIED.

Councilmember Davis left the meeting at 8:30 p.m.

RECESS

Mayor Harrison recessed the Council meeting at 8:45 p.m.

RECONVENE

Mayor Harrison reconvened the Council meeting at 8:50 p.m.

RESOLUTIONS CONTINUED

A [RESOLUTION](#) relating to special service districts, including fire districts and a library district.

City Attorney Heid stated Pierce County has requested it be advised to the City's intentions regarding fire and library districts so that it could plan for necessary levy rates.

RCW 35.02.180 indicate that upon incorporation of a new city, the territory within the city shall be removed from the fire and library districts unless that territory is annexed into the fire and library districts. He further stated that RCW 52.04.161 provides that the territory within a new city is deemed to be annexed into such fire district(s) upon the date of official incorporation of the city for the remainder of the first year of incorporation, unless the city council passes a resolution during the interim period precluding annexation. The most convenient options for fire and library services are for the City to allow the statutory deemed annexation into the fire district(s) of territory in the City to occur. This annexation is for the period of the remainder of the first calendar year following the official incorporation date. That allows the City time to consider its options for next year. Similarly, the City's entry into library contracts would allow the City time to consider its library service options for next year as well. The City has already been in contact with area fire district representatives and representatives from the library district.

MOVED BY C. THOMAS, SECONDED BY S. THOMAS TO ADOPT RESOLUTION 95-14 RELATING TO SPECIAL SERVICE DISTRICTS, INCLUDING FIRE PROTECTION DISTRICTS AND LIBRARY DISTRICTS.

ORDINANCES CONTINUED

[ORDINANCE 95-8](#) authorizing the payment of claims or other obligations by check pursuant to RCW 35A.40.020.

MOVED BY S. THOMAS, SECONDED BY PALMAS TO AMEND SECTION 1, LINE 4 TO READ WITH THE CITY OFFICERS AUTHORIZED TO SIGN CHECKS BEING THE CITY MANAGER, THE DIRECTOR OF FINANCE, THE MAYOR AND THE DEPUTY MAYOR, WITH CHECKS BEING SIGNED BY ANY TWO OF THE FOREGOING AUTHORIZED SIGNATORIES. MOTION CARRIED.

OTHER BUSINESS

A MOTION authorizing the City Manager to enter into a contract for temporary City Clerk services.

City Manager Rohlfs stated Gerri Rainwater, Clerk for the Pierce County Council, has volunteered her services to the City of Lakewood over the past few weeks. However, due to the time constraints on her position at Pierce County, resulting partly from additional meetings associated with completing the Pierce County budget, Gerri has requested that the City obtain alternative services prior to the arrival of Alice Bush, the new City Clerk. The proposed contract would provide necessary City Clerk services for the meetings of November 6th and 13th to include development of minutes and other related City Clerk duties during this short period of time. The contract would allow the City to bring in Nacelle Heuslein to provide services during this approximate two-week period. Nacelle has had considerable experience as a City Clerk for several cities including assisting in the start-up operations for at least two cities. Currently she is employed by the City of Edgewood under a contract to provide City Clerk services, but due to the meeting dates being on Thursdays, she would be able to provide limited services to the City of Lakewood on an immediate basis. She is in attendance tonight with the understanding that should the Council decide not to authorize the contract, her efforts will be of a volunteer nature. However, should the Council authorize execution of the contract, she will be compensated at the rate provided in the contract for the number of hours not to exceed 15 per week during the two-week period. It was pointed out she would not be receiving mileage reimbursement.

MOVED BY HENRY, SECONDED BY C. THOMAS TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT FOR TEMPORARY CITY CLERK SERVICES.

ANNOUNCEMENTS

Councilmember Henry reminded the Council they had been invited to participate in the Lakewood Mall Santa Parade on the 18th of November.

Councilmember Richardson expressed his concern that some citizens were not recognized during the comment period prior to the Council voting on the lease for office space for City Hall. He recently spoke with some of those citizens at the jail meeting assuring them that Council was interested in their comments and listens to the public very carefully. Mayor Harrison said he too has spoken with some citizens whom he also assured were being listened to.

Councilmember S. Thomas stated she and Councilmember Henry had the privilege of attending the first presentation of technical degrees given out by the Clover Park Technical College. She stated it was an honor for her to participate in this ceremony.

Mayor Harrison stated the Council had copies of letters of appreciation that had been sent to Robert Backstein, Acting City Attorney; Gerri Rainwater, Acting City Clerk; and Nancy Neraas of Preston, Gates & Ellis who helped in securing a line of

credit for the City. He also stated there was a letter of support addressed to the Washington Commission on the Humanities for an event called "A Place of Firsts" being developed by Pierce College and the Pierce College Foundation.

Mayor Harrison stated City Manager Rohlfs has attached tentative Transition Team meeting schedules to allow for presentations by the various Transition Team members. On Thursday morning, Dan Heid attended the hearing scheduled for the Lipstix venture. The Hearing Examiner granted a continuance of the hearing until December 7, 1995. AWC has offered the City of Lakewood membership without charge for its first period of incorporation through the end of 1996. He stated that City Manager Rohlfs briefly met with representatives from the Intel Corporation on Thursday afternoon, and invited them to attend a Council meeting at their earliest convenience to provide the Council with an update as to the project being developed in Dupont. Staff is continuing to work on establishing the necessary elements for the Council retreat on December 1st and 2nd. He concluded by stating staff has obtained information regarding a proposed 40-unit single-family housing development in the Tillicum area which is being referred to as American Lake Estates.

Mayor Harrison read a proclamation of the City of Lakewood proclaiming "1995 As the Year of the Veteran" and encouraged all citizens to join him in observing this year of honor for our service men and women recognizing that when we help a veteran secure employment, we help the family, communities and ourselves. He stated that he and the Deputy Mayor met with the Washington Employment Agency earlier in the day, signed the proclamation and presented it to them.

Councilmember Richardson reminded the Council that on Saturday, November 11th, there would be a ceremony honoring veterans at the Lakewood Community Center with the American Legion at 11:00 a.m.

Mayor Harrison asked for a moment of silence in recognition of the recent tragic assassination of Israel's Prime Minister.

Mayor Harrison stated he had discussed with the City Manager the concerns that the citizens had regarding several issues within the community such as youth programs, social services, water quality, the jail status to mention only a few. Keeping in mind the very busy schedule the Council had prior to incorporation, City Manager Rohlfs suggested that at a future time staff could develop a newsletter or the Council could hold a Town Hall meeting where the citizens would have an opportunity to share their concerns with the Council. He asked that this Town Hall concept be placed on their Study Session agenda as a topic for Wednesday evening.

He concluded by stating the next meeting of the City Council will be held on Wednesday, November 8, 1995 at 6:00 p.m. in the City Hall at Lakewood Mall.

ADJOURNMENT

MOVED BY C. THOMAS, SECONDED BY PALMAS TO ADJOURN THE REGULAR CITY COUNCIL MEETING AT 9:30 P.M. AND TO RECONVENE AS A WORKSHOP TO CONSIDER THE COUNCIL'S SECOND INTERIM BUDGET. MOTION CARRIED.

Nacelle Heuslein, Interim City Clerk Bill Harrison, Mayor

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