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LAKWOOD CITY COUNCIL

MINUTES

December 11, 1995

Lakewood City Hall

9315 Gravelly Lake Dr. SW, Suite 203

CALL TO ORDER

Mayor Harrison called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Helen McGovern by request of Mayor Harrison.

ROLL CALL

Councilmembers Present: 6 - Mayor Bill Harrison; Deputy Mayor Claudia Thomas; Councilmembers Ann Kirk Davis, Jose Palmas, Doug Richardson and Sherri Thomas.

Councilmembers Absent: 1 - Councilmember Colleen Henry.

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Staff Present: City Manager D. Scott Rohlf; City Attorney Dan Heid; Finance Director Galen Kidd; and City Clerk Alice Bush.

APPROVAL OF THE AGENDA

COUNCILMEMBER DAVIS MOVED TO APPROVE THE MODIFIED AGENDA AS PRESENTED. SECONDED BY DEPUTY MAYOR THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES

DEPUTY MAYOR THOMAS MOVED TO APPROVE THE COUNCIL RETREAT MINUTES OF DECEMBER 1 AND 2, 1995; MINUTES OF DECEMBER 4, 1995; AND WORKSHOP MINUTES OF DECEMBER 4 AND 6, 1995. SECONDED BY COUNCILMEMBER PALMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

MESSAGES FROM CITY MANAGER/DEPARTMENTS/CITY ATTORNEY

None.

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GENERAL PUBLIC COMMENTS

Ken Brouillette, Lakewood resident, requested an opportunity to speak to the Council about providing fire marshal services for the City of Lakewood at a future Council workshop.

Bob Warfield, Lakewood resident, commented on painting the water tower project. He also expressed his support for the first and second half 1/4 percent real estate excise tax.

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Councilmember Davis left City Hall at 7:15 p.m.

John Hewitt, Lakewood resident, spoke against imposing a real estate excise tax.

Rita Happy, Lakewood resident, indicated that she trusted the Council's judgment; however, she suggested that the City look at using creative and different tax methods for funding City services.

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CONSENT AGENDA

A. Approval of payroll vouchers in the amount of \$17,588.96 for the period ending November 30, 1995.

COUNCILMEMBER THOMAS MOVED TO ADOPT THE CONSENT AGENDA. SECONDED BY DEPUTY MAYOR THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

RESOLUTIONS

Resolution No. 1995-25 designating the LAKEWOOD JOURNAL as the official newspaper for the City of Lakewood.

DEPUTY MAYOR THOMAS MOVED TO ADOPT RESOLUTION NO. 1995-25. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

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ORDINANCES

Ordinance No. 25 enacting civil and criminal penalties for violations of City ordinances and creating a criminal offense of failing to respond to notice of civil infraction.

COUNCILMEMBER RICHARDSON MOVED TO ADOPT ORDINANCE NO. 25. SECONDED BY DEPUTY MAYOR THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Ordinance No. 26 adopting the Washington Model Traffic Code relative to traffic regulations.

COUNCILMEMBER RICHARDSON MOVED TO ADOPT ORDINANCE NO. 26. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

Ordinance No. 24 establishing business licensing fees and regulations.

Speaking before the Council were:

Helen McGovern, 7502 68th Ave. W., spoke in support of a single flat fee for business licenses. She expressed her support of the Council to look at proactive ways to enhance economic development in Lakewood.

Gerry Auger, Lakewood resident, spoke in support of a business license fee as a way to identify the number of businesses in Lakewood.

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Grace Bennett, 10307 Cadillac Ave. SW, questioned how contract and part-time employees would be accounted for.

Harold Allen, Lakewood resident, suggested a one-tier fee that was set at the break even cost to administer the license.

Jack Avril, 11033 Dean Ct. SW, asked how would taxi cab business license fees be handled for taxi cabs servicing areas outside of Lakewood.

Fred Willis, Lakewood Resident, indicated that he did not agree with charging for a business license. If there should be a fee, he indicated it should be a flat fee.

Bob Warfield, Lakewood resident, suggested that the ordinance include a statement that there may be other specialty fees that may be involved and to define the types of businesses that would be affected by this fee.

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Ken Brouillette, Lakewood resident, commented on the need to provide regular fire inspections of known businesses.

Dale Dorman, Lakewood resident, questioned whether the fees were adequate to recover enforcement and penalties.

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Peter Slowaczek, Lakewood resident, spoke on the benefits and disadvantages of implementing a business license fee. He asked if the fee is mandatory is there a way to offset the cost for businesses. He commented that the fee will defeat economic development for Lakewood. He indicated that he will be writing the Council about his concerns.

Bill Imholt, Lakewood resident, suggested keeping the process simple; and if there should be a fee, that it be a flat fee.

DEPUTY MAYOR THOMAS MOVED TO ADOPT AN AMENDED ORDINANCE NO. 24 TO REFLECT A FLAT BUSINESS LICENSE FEE OF \$35. SECONDED BY COUNCIL MEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED WITH COUNCILMEMBER RICHARDSON VOTING IN OPPOSITION (AYES: 4 - COUNCILMEMBERS PALMAS, THOMAS, DEPUTY MAYOR THOMAS AND MAYOR HARRISON; NAYS: 1 - COUNCILMEMBER RICHARDSON; ABSENT: 2 - COUNCILMEMBERS DAVIS AND HENRY).

Mayor Harrison directed staff to provide the Council with a progress report one year from now on the business tracking system, the affects of the business licensing program and whether the fees generated are covering operating costs.

Council recessed at 8:55 p.m. and reconvened at 9:02 p.m.

Councilmember Davis returned at 9:02 p.m.

Ordinance No. 23 establishing a real estate excise tax.

Speaking before the Council were:

Dale Dorman, Lakewood resident, asked how long would the 1/4 percent real estate excise tax be in effect. He commented that the tax is not equitable for income producing properties.

Harold Allen, Lakewood resident, suggested exploring other options for funding road improvements rather than using real estate excise taxes.

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John Hewitt, Lakewood resident, complimented City Manager Rohlfs for his presentation. He commented that the tax revenue comparison chart is without merit.

, Lakewood resident, complimented City Manager Rohlfs for his presentation. He commented that the tax revenue comparison chart is without merit. *Jack McNall*, Lakewood resident, indicated that the tax was discriminatory against property owners selling properties and that these owners have to pay a tax for the benefit of the community. He expressed concern about imposing a tax in today=s selling market and the impact it would have on military property owners.

Bob Warfield, Lakewood resident, spoke in support of the ordinance.

Peter Slowaczek, Lakewood resident, called the tax an Aexit tax@ and that the policy behind this ordinance was more appealing than the business fee ordinance. He suggested that the tax be imposed later rather than now. He encouraged Council to continue to look at ways to provide more efficient services so that taxes won=t need to be implemented.

Grace Bennett, 10307 Cadillac, commented that a large percentage of property owners have moved to Thurston County.

, 10307 Cadillac, commented that a large percentage of property owners have moved to Thurston County. *Gerry Auger*, 8705 Zircon Drive, spoke on the deliberations that the Transition Team had on the issue of real estate excise taxes and the timing for implementation. Mr. Auger then read a letter by Bob Ardnt, clarifying the statement he made at last week=s Council meeting regarding the second 1/4 percent real estate excise tax. Mr. Ardnt clarified in his letter that the Transition Team did include a real estate excise tax for 1997 and 1998. *Andie Gernon*, Lakewood resident, indicated that last week=s LAKEWOOD JOURNAL=s article overstated that there would be no new taxes. She indicated that the campaign for cityhood focused on local control and empowerment of the people of Lakewood. She then read excerpts from several campaign brochures and publications to that effect.

Mayor Harrison indicated that the Council has three ordinances before them. He explained that Ordinance No. 23 imposes both the first and second half 1/4 percent real estate excise tax; Alternate No. 1 of Ordinance No. 23 imposes only the first half 1/4 percent real estate excise tax; and Alternate No. 2 of Ordinance No. 23 imposes only the second half 1/4 percent real estate excise tax.

COUNCILMEMBER PALMAS MOVED TO TABLE THIS ITEM INDEFINITELY. DUE TO THE LACK OF A SECONDED, THE MOTION DIED.

DEPUTY MAYOR THOMAS MOVED TO ADOPT ALTERNATE NO. 1 OF ORDINANCE 23 WHICH IMPOSES THE FIRST HALF 1/4 PERCENT REAL ESTATE EXCISE TAX. SECONDED BY COUNCIL MEMBER DAVIS. VOICE VOTE WAS TAKEN AND

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CARRIED. (AYES: 6 - COUNCILMEMBERS DAVIS, PALMAS, RICHARDSON, THOMAS; DEPUTY MAYOR THOMAS AND MAYOR HARRISON. ABSENT: 1 - COUNCILMEMBER HENRY).

COUNCILMEMBER PALMAS MOVED TO TABLE ALTERNATE NO. 2 OF ORDINANCE NO. 23 FOR A PERIOD OF ONE YEAR. DUE TO THE LACK OF A SECONDED, THE MOTION DIED.

DEPUTY MAYOR THOMAS MOVED TO AMEND ALTERNATE NO. 2 OF ORDINANCE NO. 23 TO BECOME EFFECTIVE JANUARY 1, 1997. DUE TO THE LACK OF A SECONDED, THE MOTION DIED.

COUNCILMEMBER DAVIS MOVED TO IMPOSE A SECOND HALF 1/4 PERCENT REAL ESTATE EXCISE TAX TO BECOME EFFECTIVE AT THE SAME TIME AS ALTERNATE NO. 1 OF ORDINANCE NO. 23 BECOMES EFFECTIVE. SECONDED BY DEPUTY MAYOR THOMAS.

COUNCILMEMBER RICHARDSON MOVED TO TABLE THE MOTION UNTIL THE COUNCIL MEETING OF JANUARY 3, 1996. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED WITH COUNCILMEMBER PALMAS VOTING IN OPPOSITION. (AYES: 5 - COUNCILMEMBERS DAVIS, RICHARDSON, THOMAS; DEPUTY MAYOR THOMAS AND MAYOR HARRISON. NAYS: 1 - COUNCILMEMBER PALMAS. ABSENT: 1 - COUNCILMEMBER HENRY).

OTHER BUSINESS

MAYOR HARRISON MOVED TO CANCEL THE DECEMBER 26, 1995 AND RESCHEDULE THE JANUARY 2, 1996 COUNCIL MEETING TO JANUARY 3, 1996. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

ANNOUNCEMENTS

None.

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ADJOURNMENT

DEPUTY MAYOR THOMAS MOVED TO ADJOURN. SECONDED BY COUNCILMEMBER PALMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

The meeting adjourned at 10:25 p.m.

BILL HARRISON, MAYOR

ATTEST:

ALICE M. BUSH, CITY CLERK

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