

1997 03 17

LAKWOOD CITY COUNCIL MINUTES

Monday, March 17, 1997

City of Lakewood

City Council Chambers

9315 Gravelly Lake Drive SW

Lakewood, WA 98499

CALL TO ORDER

Mayor Harrison called the meeting to order at 7:05 p.m.

ROLL CALL

Councilmembers Present: 7 - Mayor Bill Harrison; Deputy Mayor Claudia Thomas; Councilmembers Ann Kirk Davis; Colleen Henry; JosÃ© Palmas; Doug Richardson and Sherri Thomas.

Staff Present: City Manager D. Scott Rohlfs; Deputy City Manager Andy Neiditz; City Attorney Dan Heid; Finance and Systems Director Galen Kidd; Community Development Director David Bugher; Engineering Manager Bill Larkin; Police Chief Rob Masko; Human Resources Administrator Debi Young and Administrative Secretary Juli Neher.

Staff Present: City Manager D. Scott Rohlfs; Deputy City Manager Andy Neiditz; City Attorney Dan Heid; Finance and Systems Director Galen Kidd; Community Development Director David Bugher; Engineering Manager Bill Larkin; Police Chief Rob Masko; Human Resources Administrator Debi Young and Administrative Secretary Juli Neher.

FLAG SALUTE

The Pledge of Allegiance was led by Councilmember Henry by request of Mayor Harrison.

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Mayor Harrison reported on the National League of Cities Conference he attended in Washington, D.C. He noted four issues which received much discussion during the conference were 1) welfare reform, also referred to as "unfunded responsibilities;" 2) electric deregulation; 3) telecommunications and cell towers; and 4) ISTEA (Intermodal Surface Transportation Efficiency Act) which expires September 30, 1997, and which provides transportation monies to states and cities. He noted that the National League of Cities supports extending the ISTEA Act, and that the Administration is supporting NESTEA, a counterproposal to ISTEA. He indicated that the RTA, the Cross Base Highway and several other projects in the state are dependent on monies from ISTEA.

Mayor Harrison expressed concern over the continuing erosion of municipal authority at the Federal level affecting the ability of local lawmakers to determine what is best for their citizens and community.

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Councilmember Davis noted that part of the RTA proposal includes a projected \$750 million to be received from ISTEA. She indicated that without those funds, the light rail would probably not be built.

Mayor Harrison indicated that the State of Washington has announced that unless monies are found for transportation projects, the Department of Transportation can begin no new projects, including clean-ups.

REPORTS BY THE CITY MANAGER

Status of the contract with Lakewood Refuse.

City Manager Rohlfs reported that the City's contract with Lakewood Refuse provides for a four percent rate increase beginning April 1, 1997, and that next week there will be a special meeting to amend the ordinance to honor this contractual obligation. He noted that the increase amounts to approximately 50 cents on the average residential bill and that the commercial bills are variably affected by the percentage.

City Manager Rohlfs also reported that Pierce County will be adjusting the landfill fee in April by an unknown amount and that the contract with Lakewood Refuse allows for increasing rates based on a pass-through cost from another government agency. He noted that the rate of adjustment could be anywhere from 2.5 to 4 percent effective May 1, 1997.

City Manager Rohlfs indicated that Lakewood Refuse will be preparing a letter for staff's approval to be sent with the billing. The letter will explain the reasons for these rate increases. He noted that the ordinance to be amended at next week's special meeting may come back before the Council to be amended again to reflect the landfill rate pass-through increase.

Deputy Mayor Thomas asked if citizens could also get a surface water management fee increase from the County. She expressed concern about the number of increases that will be passed-through to the citizens. City Manager Rohlfs replied that Pierce County no longer has jurisdiction over surface water management fees. He noted that staff is reviewing the surface water management fees, but does not anticipate a change during this fiscal year.

City Manager Rohlfs noted that the rate increase defined in the Lakewood Refuse contract and the pass-through landfill adjustment from Pierce County should be the only increases the citizens will have. He noted, however that the Lakewood Refuse contract allows for a rate increase once every three years, with the first opportunity for that increase to come in December 1997. City Manager Rohlfs explained that Lakewood Refuse would need to demonstrate the need for that increase. He noted that there could possibly be three increases within this year, but that it would be three years before Lakewood Refuse could ask for an increase other than any pass-through adjustments from Pierce County.

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City Manager Rohlfs indicated that the contractual increase and the pass-through adjustment may amount to a maximum of approximately one dollar per month to the citizens.

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City Manager Rohlfs distributed copies of the final customer survey form which will be available on counters in City departments and may be sent to customers who do business with the City by telephone. He indicated that the results of the survey will be brought to the Council on a quarterly basis.

City Manager Rohlfs reported on the various Community Development Block Grant projects that are being recommended for funding in the amount of \$638,000. Mayor Harrison added that the City received approximately 47 percent of the total grant dollars requested. City Manager Rohlfs indicated that these funds were received for physical projects and that no funds were received from applications made for human services projects.

Mayor Harrison asked for an estimate of what would have been received if the City had not contracted with the Consortium. City Manager Rohlfs indicated that staff is researching this matter. He noted that based on our population and demographics, Lakewood would have received approximately \$1 million with approximately 15 percent for administration. City Manager Rohlfs also noted that because this is only one year, the City will have two more years in this process in which to evaluate the Consortium versus entitlement.

Mayor Harrison asked if there were other funding resources to pursue for human services. City Manager Rohlfs replied that other resources are being researched by staff. He noted that Tillicum Community Center did receive \$55,000 which was not part of the City's application.

City Manager Rohlfs noted that the Community Development Department has been working with an interpreter to provide customer service information for Korean-speaking citizens. He distributed a document which describes the permitting process in Korean.

City Manager Rohlfs provided legislative updates on: 1) Senate Bill 5690, sales tax equalization, is still in senate

committee; 2) Senate Bill 5598, revenue redistribution from military establishments, per Olympia is dead, but the computer shows it still in committee; 3) Senate Bill 5560, reducing gambling tax on card games from 20 percent to 10 percent, has passed committee and is having second reading in the Rules committee. He reported that passage would have a negative impact of approximately \$40,000 in City revenue; 4) the bill restricting Councilmembers and City staff from talking to their legislators during a session has died; 5) the bill regarding double taxation for construction of the new jail has died; 6) House Bill 1571, usurping local control regarding building codes, is in second reading in the Rules committee. He noted that the Mayor sent letters to 28th District legislators this week to intensify lobbying efforts; and 7) the

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school boundary bill, per John Davis of the Clover Park School Board, is in the Rules committee and is likely to die there on the Senate side. He noted that there is a house bill still alive on the same subject.

City Manager Rohlfs reported that a letter has been received from the Washington Municipal Treasurer's Association indicating that the investment policy adopted by the Council has been approved by three independent reviewer's and that certification is forthcoming.

City Manager Rohlfs reported that Finance Director Kidd has submitted the City of Lakewood's 1997 Budget to the Governmental Finance Officers' Association (GFOA) for recognition and award as a distinguished budget.

City Manager Rohlfs reported that the Keep Lakewood Beautiful Committee has asked to make the Bridgeport Way and South Tacoma Way intersection property their next project. He noted that there is \$8,000 in the budget for this type of project, but because this area is an entryway to the City, more review is needed before asking Council to approve the expenditure.

City Manager Rohlfs reported on the status of the Arrowhead/Partridge Glen annexation petition. He noted City Attorney Heid spoke with Mr. Dan Sevin who reports that there were approximately 220 signatures on the petition and that the petition will continue to circulate for more signatures before it is submitted to Pierce County for certification.

City Manager Rohlfs called on Deputy City Manager Neiditz who distributed a memo and matrix summary of seven area skateboard parks. He indicated that he has a 45-minute video available which reviews 20 skateboard sites across the country. He noted that Management Intern Andrea Hardy assisted in contacting the parks in the area and put together the matrix summary and the memo. Deputy City Manager Neiditz explained that the memo is a summary of the video which outlines reasons for communities to construct skateboard parks; defines liability issues; discusses common stereotypical fears people have about users of skateboard parks; and the feasibility of constructing a skateboard park. He discussed size, design, usage and cost estimates of various skateboard parks.

In response to Councilmember Palmas' request about a temporary facility during Summerfest, Deputy City Manager Neiditz indicated that a California firm provides temporary facilities. He indicated that cost is lower and the site would be smaller than a permanent site. He reported that Lakewood Mall management was contacted as a possible site for a temporary facility, but that Mall management stated that lease arrangements with various businesses prevented allowing a facility at the Mall.

Deputy City Manager Neiditz recommended that the skateboard park issue be part of the Parks and Recreation Master Plan process. He indicated that a consultant is expected to be on board in about a month and that a Master Plan should be completed by September.

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Discussion ensued on the costs and designs of the various sites in the study; size requirements for a temporary facility; lease issues of the Lakewood Mall; possible locations for a temporary park; and target dates for the Parks and Recreation Master Plan.

Mayor Harrison asked Deputy City Manager Neiditz to look into the possibility of putting a temporary facility at a City park for the summer to study the response. Deputy City Manager Neiditz replied that some ramps from an upgrade of a Bellevue park may be available for a temporary facility. Mayor Harrison asked Deputy City Manager Neiditz to look into the situation and report back to the Council.

#### **PROCLAMATIONS AND PRESENTATIONS**

**Proclamation recognizing City Manager Scott Rohlfs for the accomplishments achieved during the first year of cityhood.**

**Mayor Harrison announced that a proclamation recognizing City Manager Rohlfs' accomplishments achieved during the first year of cityhood was presented at the City's first birthday celebration on February 28, 1997, at the Lakewood Mall, and that the reading was rescheduled for tonight's regular meeting.**

**Deputy Mayor Thomas read the proclamation and Mayor Harrison presented the proclamation to City Manager Rohlfs.**

**Briefing on the Washington Contemporary Ballet School.**

**Mr. Jim Verellen spoke about the success of the Washington Contemporary Ballet School program in providing quality activities for youth participation. He compared the level of participation; the level of success; the quality of instruction; the scope of the program; and level of personal qualities developed in the participants with elite or varsity athletic programs. (He introduced choreographer/instructor Kay Englert, and described her many awards and achievements.)**

**Mr. Verellen also reported on the at-risk youth program offered by the school as funding allows.**

**He stated that the school is looking for creative ways to continue to keep the program running. He stated that the school is looking for a facility by September.**

**He stated that the school is making three requests to the Council: 1) keep the program in mind in ways they can expand their contact and service to youth in the community; 2) allow the school to come back to the Council to work creatively and cooperatively to keep ballet in Lakewood; and 3) help promote the program.**

**Mr. Verellen distributed ticket order forms for the next performance of the ballet company on May 31, 1997, at the Rialto Theater.**

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**Discussion ensued regarding possible City events suitable for ballet performances; providing a variety of activities to youth; and using a web page on the internet to list events in Lakewood.**

**Youth Advisor Report.**

**Youth Advisor Iris Urban announced that she is looking at setting a date for the next youth forum which will deal with youth employment.**

**She reported that she recently attended a youth conference with Deputy Mayor Thomas. She stated that discussions and workshops focused on having community activities which involve all groups and ages rather than having segregated programs; focusing on the positive rather than the negative; celebrating the youth; and on statistics provided at the conference such as the percentages of youth after-school activities.**

**She expressed enthusiasm for the skateboard park proposal; encouraged Councilmembers to maintain a positive attitude toward tagging; and offered to help form a committee of youths to provide design input for the skateboard park.**

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**Council recessed at 8:45 p.m. and reconvened at 8:55 p.m.**

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## **PUBLIC COMMENTS**

**Speaking before the Council were:**

***Maury Peerenboom, 8709 58th Avenue SW, spoke about his recent visit to Missouri, conveyed greetings to Councilmembers, staff and Lakewood citizens; compared aspects of communities in Missouri to Lakewood; and***

*distributed newspapers and memorabilia to various Councilmembers, City staff and Lakewood Journal staff.*

*Richard Rabisa, #2 Thornewood Lane, spoke against the harboring of vicious animals and introduced his tenants, Jim and Sherry Adkins, who were attacked and injured by a pit bull.*

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*James Adkins, 8417 Berkeley SW, spoke about being attacked by the dog, the injuries he received and the lack of response when he called to report the incident to law enforcement. He stated that the Humane Society gave the owner the option of having the dog returned if he obtained liability insurance but that the dog has since been euthanized.*

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Discussion ensued between Councilmembers, staff and the victims regarding response by police and the Humane Society. City Manager Rohlf's stated that staff would investigate the response by police and the Humane Society.

Mr. Adkins also spoke in favor of using Community Development Block Grant funds to build bus shelters to protect youth from the weather.

*Jim Senko, 10919 101st Avenue SW, spoke in favor of having a centralized community center for youth, possibly in a park.*

*Forrest Thompson, 14716 Portland Avenue SW, spoke about a sign he observed at 112th and C Streets in Parkland which read "application City of Lakewood amend the Pierce County Comprehensive Plan to annex approximately 77,000 acres." He stated that the sign at Sprinker Stadium is gone and is now at 112th and C Streets. He also spoke about the large number of garage sale signs he observed in Tillicum and Woodbrook over the weekend and suggested the Code Enforcement officers work on weekends. He spoke in favor of locating the skateboard park at Harry Todd Park.*

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Councilmember Henry congratulated Forrest Thompson for having his son be an honorary Councilmember.

#### C O N S E N T A G E N D A

A. Approval of the minutes of the City Council meeting of March 3, 1997.

B. Approval of the minutes of the City Council Study Session of March 10, 1997.

C. Approval of payroll vouchers in the amount of \$112,175.78 for the period February 16-28, 1997.

D. Approval of claim vouchers in the amount of \$59,087.87 for the period ending March 12, 1997.

E. Items Filed in the Office of the City Clerk:

Planning Advisory Board meeting minutes of February 5, 1997.

F. Setting Monday, April 7, 1997, at approximately 7:00 p.m., as the date for a public hearing by the City Council on a proposed moratorium for accepting applications on permits for telecommunications facilities and short plats.

**COUNCILMEMBER RICHARDSON MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER DAVIS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.**

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## REGULAR AGENDA

### RESOLUTIONS

[Resolution No. 1997-7](#) amending the City of Lakewood Fee Schedule to add fees for swimming pool programs and for the purchase of City financial documents.

DEPUTY MAYOR THOMAS MOVED TO ADOPT RESOLUTION NO. 1997-7. SECONDED BY COUNCILMEMBER HENRY. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

### UNFINISHED BUSINESS

None.

### NEW BUSINESS

Motion No. 1997-6 authorizing the execution of an interlocal agreement with Pierce County relative to providing limited commissions for Code Enforcement Officers.

COUNCILMEMBER DAVIS MOVED TO AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH PIERCE COUNTY TO PROVIDE LIMITED COMMISSIONS FOR CODE ENFORCEMENT OFFICERS. SECONDED BY COUNCILMEMBER THOMAS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

### BRIEFING BY THE CITY MANAGER

City Manager Rohlfs reported that staff is working on a telecommunications agreement with the City of University Place. He noted that the issue should be before Council within next two meetings.

City Manager Rohlfs reported on the first meeting of the Ad Hoc Committee to study a permanent City Hall location. He noted that the next meeting is scheduled for March 27, 1997, at 7:30 a.m.

City Manager Rohlfs distributed copies of the floor plans of the new City Hall location. He invited Councilmembers to visit the building next week. He noted that there will be approximately 100 parking spaces available.

Deputy City Manager Neiditz distributed copies of a draft agreement between the State and Pierce County regarding Fort Steilacoom Park and the golf course. City Manager Rohlfs asked for Council's input on whether the City should be a signatory to the agreement. Councilmember Richardson asked whether the Bureau of Land Management should be involved in the negotiations or given a

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copy of the draft agreement. Deputy City Manager Neiditz stated he would provide a copy to the Bureau.

City Manager Rohlfs asked for an Executive Session by the Council.

### CITY COUNCIL COMMENTS

Councilmember Henry announced that Police Chief Masko would be the guest speaker at the Chamber breakfast meeting on March 20, 1997, at 7:00 a.m. at Happy Days Restaurant.

Councilmember Henry reported that the Events Ad Hoc Committee met for a critique of the City's first birthday celebration and decided that the incorporation will be celebrated every fifth anniversary. She noted that the committee will be working on Lakewold Gardens City Day, the Vietnam Memorial at Mountain View and Summerfest.

Councilmember Davis reported that on March 20, 1997, the executive directors of the Regional Transit Authority and Pierce Transit will meet with City staff to discuss transportation planning issues. She announced that during the Council Study Session on March 24, 1997, she will be making a presentation on the Regional Transit Authority. She also announced that in April she will be attending the Commuter Rail Conference in Dallas as the Council's Regional Transit Authority representative.

Councilmember Richardson asked about the Lakewood run on April 26, 1997. Deputy City Manager Neiditz replied that the "Run the Prairie" run will begin and end at Fort Steilacoom Park and will include 5K and 10K events.

Councilmember Richardson asked to review the contract with Lakewood Refuse. City Manager Rohlfs indicated that a copy of the contract will be in next week's agenda packet.

Councilmember Richardson asked if the Humane Society cites owners of unleashed animals. City Manager Rohlfs replied that the Humane Society has the ability to cite owners but that it is unknown if the owner was cited.

Discussion ensued about City staff being notified of serious or unusual incidents; assessing the contractual performance by the Humane Society; the Humane Society offering to return the dog to the owner; defining types of calls receiving response by law enforcement; the need to form a civilian commission to review appropriate responses by law enforcement; and the response by police and the Humane Society to this incident.

City Manager Rohlfs also expressed concern about the response by law enforcement and the Human Society and stated that City staff would be meeting with Police Chief Masko to investigate this incident. He also stated that protocols will be reviewed with the 9-1-1 center.

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Councilmember Thomas reported she recently attended the Clover Park High School Band spaghetti feed. She announced that the band will be participating in the Lakes High School spaghetti feed.

Councilmember Thomas expressed concern about the large number of open house signs appearing around the City on weekends and stated that the issue of Code Enforcement officers working weekends needs to be addressed. She stated that many of the signs are placed in the right-of-way and pedestrians must walk into traffic to avoid the signs. Councilmember Thomas also noted there were many signs advertising a gem show at the Community Center.

Councilmember Thomas questioned if the City was going to have a companion declaration to the State and Federal declarations for a Day of Prayer.

Councilmember Palmas asked everyone to report nonfunctioning street lights to the Engineering Department.

Councilmember Palmas requested that a committee be formed to develop telecommunications guiding principles and vision for the City of Lakewood. He stated that revenues could be made from the placement of telecommunications towers and compensation from the use of the right-of way. Councilmember Palmas also noted that the information highway could be accessed to link government with schools, libraries and citizens. He suggested participating in the Regional Media Center at the Clover Park School District to use public access to produce television programs at no cost. Councilmember Palmas suggested a possible make-up of the committee and hiring a professional facilitator to guide the process. Mayor Harrison appointed Councilmember Palmas to head the Council's telecommunications committee.

Deputy Mayor Thomas reported that she has observed numerous potholes in the City.

Mayor Harrison indicated that he has received many positive comments regarding the cleanup and thanked staff, Pierce County and Lakewood Refuse for their efforts.

Mayor Harrison reported on an article in the *Lakewood Journal* last week, stating it might be advantageous for Steilacoom to join the Lakewood Water District.

Mayor Harrison suggested that a representative be sent to the Annual Washington Municipal Treasurer's Association Conference in Lake Chelan on April 11, 1997, to receive the certification award for the City of Lakewood investment policy and possibly have someone present the award at a Council meeting.

Mayor Harrison asked for clarification on the second one-quarter percent real estate excise tax. City Manager Rohlfs commented that approximately two and a half months of revenue has been lost. He stated that about half is staff

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responsibility and the other half is due to delays in responses by the Pierce County Elections Office. City Manager Rohlfs indicated that City Attorney Heid is researching Pierce County's authority to determine the effective date once

they have received the required information from the City. Mayor Harrison asked about recourse. City Manager Rohlfis stated that the City will be able to determine lost revenues from any date once it has been determined if Pierce County acted expeditiously.

Mayor Harrison asked if Councilmembers were comfortable with sound attenuation studies which have been done on the proposed Cross Base Highway. Councilmember Thomas reported that the Ad Hoc Committee determined that that was not the only issue.

Mayor Harrison questioned whether a response was given to a letter from Thomas Suss regarding a four-plex in the McChord Gate area.

Mayor Harrison reported that he attended the first Puget Sound Regional Council meeting and that he cast the first vote for Lakewood during City roll call to approve the budget.

Mayor Harrison announced that Paul Miller, Pierce Transit Board Chair, visited City Hall today with a proposal which provides that, as of May 1998, Lakewood will have a full seat on the Pierce Transit Board.

Mayor Harrison announced that Council would recess into Executive Session for approximately 15 minutes to discuss potential litigation.

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Council recessed at 10:15 p.m. and reconvened at 10:30 p.m.

#### ADJOURNMENT

There being no further business, the meeting adjourned at 10:30 p.m.

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BILL HARRISON, MAYOR

ATTEST:

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ALICE M. BUSH, CMC

CITY CLERK