

# 2015 09 08 Council Minutes

## LAKWOOD CITY COUNCIL MINUTES

Tuesday, September 8, 2015  
City of Lakewood  
City Council Chambers  
6000 Main Street SW  
Lakewood, WA 98499

### CALL TO ORDER

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

### ROLL CALL

Councilmembers Present: 7 – Mayor Don Anderson; Deputy Mayor Jason Whalen; Councilmembers Mary Moss, Mike Brandstetter, John Simpson, Marie Barth and Paul Bocchi.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by request of Mayor Anderson.

### PROCLAMATIONS AND PRESENTATIONS

#### Youth Council Report.

The Youth Council reported on their first official meeting for the 2015-2016 school year and discussed their duties, responsibilities and participation in upcoming events as a Youth Councilmember.

#### Proclamation declaring the month of September, 2015 as Prostate Cancer Awareness Month.

MAYOR ANDERSON PRESENTED A PROCLAMATION DECLARING THE MONTH OF SEPTEMBER, 2015 AS PROSTATE CANCER AWARENESS MONTH TO MR. KERRY KEELY, TACOMA PROSTATE CANCER SUPPORT GROUP.

#### Proclamation declaring the month of September, 2015 as National Literacy Month.

DEPUTY MAYOR WHALEN PRESENTED A PROCLAMATION DECLARING THE MONTH OF SEPTEMBER, 2015 AS NATIONAL LITERACY MONTH TO MS. BARBARA VEST, LAKEWOOD ARTS COMMISSION MEMBER.

#### Proclamation declaring September 18, 2015 as Lakewood Playhouse Theatre Day.

COUNCILMEMBER SIMPSON PRESENTED A PROCLAMATION DECLARING SEPTEMBER 18, 2015 AS LAKEWOOD PLAYHOUSE THEATRE DAY TO MR. JOHN MUNN, MANAGING ARTISTIC DIRECTOR, LAKEWOOD PLAYHOUSE.

#### Clover Park School District Report.

Clover Park School District (CPSD) Board Director Wagemann reported that school started on September 2, 2015 with 125 new teachers. The opening of Beachwood Elementary School starts September 22, 2015. Four Heroes Elementary School opening is on September 10, 2015. All day kindergarten is now being offered. He reported on the Title I funding the District has received. He reported that CPSD is conducting a phone community survey. He noted that Evergreen Elementary School has begun construction, Hope Academy will be adding nine classrooms and Southgate Elementary School's demolition has been completed.

### PUBLIC COMMENTS

Speaking before the Council were:

*Dennis Haugen, Lakewood resident*, showed a video on recruiting businesses.

*Jordan Michelson, Lakewood resident*, spoke about the Ponders Corner decrease in sales tax and how a marijuana retail store

could generate more tax revenue.

*Joan Lewis, Tacoma*, spoke about the Starlite swap meet and that people going to the swap meet do so for the people company. She asked the Council to reconsider the City's plans for the swap meet.

*Dale Lucia, Kent resident*, spoke against the changes to the swap meet business licenses and expressed concern that it is unfair.

*Dennis Eros, Tacoma*, commented that he has been selling at the swap meet for the last six years, and is on limited income. He expressed concern that this is the only job he has and that operating only 6 months out the year will be a financial burden on him.

*Steve Burnham, Puyallup*, expressed concern about the intent of the statute passed by the Council to disenfranchise swap meet businesses, and is a violation of their constitutional rights to make a living.

*Becky Huber, Lakewood resident*, spoke about Lakewood's heritage, arts and culture. She announced that on September 12, Mt. View Funeral Home will be celebrating their centennial, and on October 1 and 2, 2015 Allen Realty will be celebrating its 75th anniversary.

## **CONSENT AGENDA**

- A. Approval of the minutes of the City Council meeting of August 17, 2015.
- B. Approval of the minutes of the City Council Study Session of August 24, 2015.
- C. Approval of payroll checks, in the amount of \$2,135,848.04, for the period July 16, 2015 through August 15, 2015.
- D. Approval of claim vouchers, in the amount of \$2,942,353.17, for the period July 16, 2015 through August 31, 2015.
- E. Items Filed in the Office of the City Clerk:
  - 1. Planning Commission meeting minutes of July 15, 2015.
  - 2. Public Safety Advisory Committee meeting minutes of July 1, 2015
  - 3. Landmarks and Heritage Advisory Board meeting minutes of July 30, 2015.

### **F. Motion No. 2015-42**

Setting Monday, September 21, 2015, at approximately 7:00 p.m., as the date for a public hearing by the City Council on the City of Tacoma's Proposition 3, 1.5% utility company earning tax for Tacoma street improvements.

### **G. Motion No. 2015-43**

Appointing Alan Billingsley, Susan Dellinger and Vito Iacobazzi to the Parks and Recreation Advisory Board through September 19, 2018.

### **H. Motion No. 2015-44**

Authorizing the execution of an amendment to the agreement with Elway Research, Inc., in the amount of \$10,275 for a total of \$69,275, to conduct a business and community survey for the South Sound Military & Community Partnership.

### **I. Motion No. 2015-45**

Awarding a bid to Elcon Corporation, in the amount of \$384,262, relative to the Traffic Signal Upgrade Phase 5 fiber optic interconnect and video system project.

COUNCILMEMBER BOCCHI MOVED TO ADOPT THE CONSENT AGENDA AS PRESENTED. SECONDED BY COUNCILMEMBER SIMPSON. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

## **REGULAR AGENDA**

## ORDINANCES

**Ordinance No. 617 granting a franchise to Comcast Cable Communication Management, LLC to construct, operate, maintain, reconstruct, repair and upgrade a system for providing cable services within the city of Lakewood.**

DEPUTY MAYOR WHALEN MOVED TO ADOPT ORDINANCE NO. 617. SECONDED BY COUNCILMEMBER BARTH. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**Ordinance No. 618 repealing Sections 5.06.030 and 5.06.040 of the Lakewood Municipal Code relative to rental housing.**

COUNCILMEMBER SIMPSON MOVED TO ADOPT ORDINANCE NO. 618. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

## UNFINISHED BUSINESS

None.

## NEW BUSINESS

**Motion No. 2015-46 authorizing the execution of an agreement with Lakeview Light & Power, in the amount of \$127,800, relative to the LED streetlighting project.**

DEPUTY MAYOR WHALEN MOVED TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH LAKEVIEW LIGHT & POWER, IN THE AMOUNT OF \$127,800, RELATIVE TO THE LED STREETLIGHTING PROJECT. SECONDED BY COUNCILMEMBER MOSS. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

**Motion No. 2015-47 authorizing the execution of an interlocal agreement with West Pierce Fire & Rescue, in the amount of \$202,400 for 2015 plus a Consumer Price Index increase annually thereafter, for Fire Marshal services.**

COUNCILMEMBER MOSS MOVED TO AUTHORIZE THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH WEST PIERCE FIRE & RESCUE, IN THE AMOUNT OF \$202,400 FOR 2015, PLUS A CONSUMER PRICE INDEX INCREASE ANNUALLY THEREAFTER, FOR FIRE MARSHAL SERVICES. SECONDED BY COUNCILMEMBER SIMPSON. VOICE VOTE WAS TAKEN AND CARRIED UNANIMOUSLY.

## REPORTS BY THE CITY MANAGER

### **Review of lodging tax funding methodology.**

City Manager Caulfield called on Assistant City Manager for Administrative Services Kraus who reviewed the ending fund balance for hotel/motel taxes and reserve funding for capital projects. She reviewed the proposed changes to the lodging tax funding guidelines as it related to the 25% reserves.

Discussion ensued on further clarifying the 4% and 3% guidelines for capital projects; what is the state's requirement (3% can only be used for capital); and include "restricted capital funds" to the 3% allocation guideline. It was the consensus of the Council that the lodging tax funding guidelines be revised to provide for 4% guidelines for capital projects and 3% guidelines for restricted capital funds and remove the references for a 25% reserve. The revised guidelines will be scheduled for the Council's September 21, 2015 Consent Agenda.

### **Review of public defender and backup public defender contracts.**

Management Analyst Lincoln reviewed the proposed public defender services with Horwath Law, LLC and backup public defender services with J&S Law Group, LLC.

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City Manager Caulfield announced that the new Community Connections magazine has been distributed.

City Manager Caulfield provided a briefing on the recent storm outages and challenges the City faced with the loss of phone services at City Hall and how the City's first responders were able to adapt. He complimented City staff who came together and worked on the storm outages. He noted that the Council will be briefed on snow and ice readiness in October.

City Manager Caulfield announced that on September 11, 2015, the City of Lakewood and West Pierce Fire & Rescue will be

holding a 911 ceremony in front of City Hall. He then provided an update on several road construction projects.

He then asked if the Council desired to hold a public hearing on the Comprehensive Plan. It was the consensus of the Council to consider holding a public hearing after the Planning Commission's hearing on September 16, 2015.

With regard to the Pt. Defiance Bypass, City Manager Caulfield explained that WSDOT-Rail was funded to design and make AMTRAK improvements through Lakewood and DuPont which is to be managed by Sound Transit. The work is to begin in September/October and continue through early 2017. He noted that the City's code does not allow for construction noise during the hours of 10 pm – 7 am and Sound Transit has acknowledged this sensitivity and is working with the construction contractors on a communications outreach strategy.

He noted that two of Lakewood's Sound Transit 3 requests are still on the board. BRT Pierce Transit is looking to prepare a large master plan. A meeting is scheduled with CEO Sound Transit to discuss security maintenance at the Lakewood Station. A letter is being prepared by Mayors in the South Sound region about the Sound Transit 3 package.

He then reported that postcards on the City of Tacoma's Proposition 3, utility tax for Tacoma street improvements have been sent out to Lakewood residents.

He then provided an updated on the Golden Lion Inn as it relates to accumulated fines and is being scheduled before the Municipal Court Judge on October 7, 2015.

He reported that business licensing will be done on-line for 2016 licenses.

He announced that three Transportation Improvement Board (TIB) grant applications totaling \$6.7 million have been filed for the Lakewood Drive street improvement project from Steilacoom Boulevard to 74th Street, the South Tacoma Way street improvement project from 88th St. to South 80th Street and the Gravelly Lake Drive sidewalk improvement project from 59th Avenue to Steilacoom Boulevard. Public Works staff is of the opinion that the South Tacoma Way project would rank highest according to the TIB scoring criteria.

He reported that the City had been working with MJR, adjacent property owner to City Hall, about the ownership of the property around the City Hall fountain area and a deed for City ownership of this property is forthcoming.

He indicated that the Joint Land Use Study is almost complete and is scheduled to be presented to the Pierce County Regional Council on September 17, 2015, the SSMCP Elected Officials on October 29, 2015 and the SSMCP Annual Forum on November 12, 2015.

He announced that a Council Tour of the Traffic Management Center is scheduled at 6:30 PM on Monday, September 14, 2015 prior to the Council Study Session. The tour will be held on the second floor of City Hall.

After the September 14, 2015 Council Study Session, Council ipads will be collected for maintenance.

He announced that the Four Heroes Elementary School grand opening is scheduled for September 10, 2015 at 6:00 p.m.

## **CITY COUNCIL COMMENTS**

Councilmember Moss thanked Mayor Anderson for testifying before the Sound Transit Board regarding the Sound Transit 3 package. She announced that the search for a Sound Transit CEO has begun and 200 applications have been received so far. She also noted that Sound Transit will not be providing transportation to the Puyallup Fair this year.

Councilmember Brandstetter asked if the Lakewood's Promise agreement that was continued to the September 21, 2015 meeting be sent to the Council.

Councilmember Barth commented on the Public Safety Advisory Committee meeting and the Lakewood Chamber of Commerce luncheon she attended. She noted that Jim Taylor is home from the hospital and suggested that a card be sent to him.

Councilmember Simpson indicated that he will not be attending the September 14, 2015 Council Study Session and noted that the Landmarks & Heritage Advisory Board will be holding a joint meeting with the Council that evening. He reported on the September 1, 2015 WSDOT meeting that was held in Tillicum and the comments made about the Berkley over change, the width of the interconnector road with bicycle lanes and the impacts of that potential take. He then commented on the Lakewood Chamber of Commerce annual event.

Mayor Anderson reported on Pierce Transit fares. He commented on the testimony he provided before the Sound Transit Board. He spoke about the Coffee with the Mayor discussion on homelessness. He commented on the Chamber of Commerce

annual meeting he attended.

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Mayor Anderson announced that Council will recess into Executive Session for approximately 15 minutes to discuss real estate acquisition.

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Council recessed into Executive Session at 9:15 p.m. and reconvened at 9:30 p.m.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:30 p.m.

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DON ANDERSON, MAYOR

ATTEST:

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ALICE M. BUSH, MMC  
CITY CLERK

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