

**City of DuPont
Regular City Council Meeting
October 28, 2008
7:00 p.m.**

- Call To Order:** Mayor Jenkins called the Regular City Council meeting to order at 7:01 p.m.
- Roll Call:** Those present were Mayor Jenkins and Councilmembers Bailey, Coffey, Ehrenreich, Trotter, Westman, and Wilcox. Councilmember Marin was excused.
- Staff Present:** Those present were, Assistant City Administrator/Finance Director Masko, City Administrator McDonald, City Attorney Kerslake, City Clerk Larsen, Interim Fire Chief Merritt, Interim Police Chief Goodpaster, and Public Works Director Zahn.
- Pledge:** Councilmember Trotter led the flag salute. The flag salute was followed by a moment of silence to honor our Military.
- Appointments:** Mayor Jenkins appointed Councilmember Westman and Wilcox to the Lodging Tax Advisory Committee.
- Approval of Agenda:** Mayor Jenkins moved item 17c, approval of a mitigation agreement for Williamson Place lots 4 and 5 to New Business. A motion was made and seconded to approve the agenda as amended. Coffey/Wilcox 6/0 motion carried.

Public Comment:

Allen McArthur (1873 Miller Drive) deferred his time to Jason Pierce.

Jason Pierce (1848 Miller Drive) stated that he spoke with American Medical Response (AMR) and they said that whether the Fire Levy passes or fails that they are willing to support the DuPont Community. AMR also stated that a 40 minute response time or \$500,000 fee has not been quoted to DuPont. AMR is interested in having an Advanced Life Support (ALS) ambulance unit dedicated to DuPont and Steilacoom and to share the cost. He recommended that the Council consider other options and work together for a better proposal to support ALS in DuPont.

Jay Bollman (1501 Palisade Blvd) commented on the Fire Levy.

City Attorney Kerslake advised that we are prohibited from using public facilities to support or oppose a ballot measure. She recommended keeping comments to questions or concerns.

Jay Bollman (1501 Palisade Blvd) stated that he moved to the DuPont Community with his wife because he liked the community and expected that there would be new things to do and pay for in a new community. He considers the Fire Levy one of the things citizens need to pay for in a new community.

Hazel Printz (2176 McDonald Ave) commented on the Fire Levy.

Mayor Jenkins stated that comments on the Fire Levy must be generic.

City Attorney Kerslake advised her to talk about her concerns.

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Hazel Printz (2176 McDonald Ave) expressed concern for losing EMS services and that an ambulance service may be a 20 to 30 minute wait. She stated that for the older residents this is not acceptable.

Jim Skinner (1463 Thompson Circle) he commented on the concern that citizens have for the Fire Levy expense. He stated that he would pay approximately \$222 per year on his condominium valued at \$230,000 and that he pays 20 times that amount on his car and home insurance. He stated that he would like think that his wife could rely on the services provided in DuPont while he is at work.

Mayor Jenkins stated that factual information only will be provided on the Fire Levy under the Mayor's Report.

Approval of Consent Agenda Items:

- Claim Vouchers List – October 28, 2008;
- Resolution Cancelling Outstanding Check Warrants.

A motion was made and seconded to approve the consent agenda items as amended. Wilcox/Trotter 6/0 motion carried.

Discussion Items:

Civic Center Update

Project Manager Ross Swanson stated that the Civic Center Project is progressing on schedule and under budget. March is the estimated move in time frame. He stated that the City budgeted 5% for changes and that even with the approval of the change order this evening the City is under 1% for change orders.

Park Agency Quarterly Report

Public Works Director Zahn stated that the report will be deferred to a future meeting.

Train Canopy Project

City Administrator McDonald stated that the Train Canopy Project is in the Capital Projects Fund and that the City has received grant funding from the State. The Request for Proposal (RFP) for construction of just the canopy structure cannot be released until an additional \$50,000 is appropriated to complete the financing plan. He added that the grant money must be used by June 2009. He recommended either reallocating the appropriation within the Capital Projects Fund or utilizing Lodging Tax dollars.

Councilmember Westman inquired about the balance in the capital projects fund and if separate action would be required by the Lodging Tax Committee to allocate those dollars.

Finance Director Masko stated that there is a \$2,000,000 ending fund balance for Capital Projects, or the money can be taken out of the parks or lodging tax funds. She also stated that Council could consider a combination of funding and that the appropriation would be brought forward in the third quarter budget adjustment.

Mayor Jenkins asked for a recommendation.

City Administrator McDonald stated that the simplest way would be to take it out of the ending fund balance.

Councilmember Bailey stated that since the Park Agency did not give their quarterly report she is not comfortable taking the money from that fund.

Councilmember Trotter expressed some concern taking the money from the lodging tax fund because it also funds the Visitor Readiness Task Force.

Council concurred to use the ending fund balance.

Mayor's Report:

Interim Fire Chief Bob Merritt provided an overview of the DuPont Fire Department, where our service levels have been, and how and why the Fire Service Task Force was formed. He further clarified the tasks the FSTF performed and materials they reviewed over a 6 month period to make their recommendation to the City Council. The recommendation was that it is not feasible to stand up our own Fire Department or cobble together a Department that would not provide us with a stable level of service. Because of the demand for services and DuPont's location it was also recommended that we need a 24 hour EMS unit, Paramedic Service, and Fire Engine for first response until help arrived. He stated that the recommendation was forwarded to the City Council and after their review the Levy process began. He stated that our current service level model cannot continue to be funded fully out of the general fund. It is only because Lakewood Fire District 2 has been gracious to provide services to our community basically at no extra cost, that we have this service level model now. Lakewood cannot sell or provide a service less than what they provide to their own community. This service model comes at a cost if it is to be continued on a long term basis. Mr. Merritt also stated that the City of DuPont bid to AMR, Rural Metro, Madigan, Ft. Lewis, and Lakewood Fire Department for ambulance and paramedic services. All agencies had declined stating that they were not willing to bid. AMR did state that they were willing to consider something if we subsidize them at \$500,000. It is not the agency's willingness but their availability on a consistent basis. Despite Lakewood having three ambulances at various times from outside agencies stationed in their City, DuPont responded 46 times this year for BLS transport.

Councilmember Coffey stated that on April 16, 2008, a meeting was held with General Baxter at Madigan to re-establish working relationships. The immediate issue was Madigan responding to EMS calls in DuPont. General Baxter told us that DuPont's responsibility was to solve their own EMS problem and that they would be third or fourth on the run card. Their mission is to take care of their base.

City Administrator's Report:

- Comprehensive Plan Amendments are still being worked on due to State Agency Comments;
- Sound Transit will be performing maintenance work on the Park and Ride;
- Tacoma Pierce County Tourism Guide has a promotional piece on the cover from Cara Mitchell and we will have an advertisement in the guide.
- Lodging Tax Committee Meeting October 29th at 3pm at City Hall.

Mayor Jenkins recognized Cara Mitchell for phenomenal work on the Tourism Guide advertisement.

Councilmember Westman inquired about a staff report release date on the Glacier Mining Extension Application.

Mayor Jenkins stated that administrative staff has seen a draft report and sent it back for additional work. It is estimated to take approximately 6 more weeks due back in December. Administrative staff will then review the report and possibly release the report in January and hold a Public Hearing in February.

Council Reports:

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Councilmember Coffey reported that she and Councilmembers Wilcox and Westman attended the exit interview with the State Auditor and announced that there were no findings or exceptions. The closing documents were also signed for various historical properties last week.

Councilmember Wilcox reported that the Planning Agency continues to work on the Comprehensive Plan and Capital Facilities Plan. He requested that Council forward any ideas for the Planning Agency to work on to either the Mayor or him. He also provided information on an upcoming meeting with the Economic Regional Committee on affordable housing.

New Business:

Ordinance Establishing a Tree Advisory Board- Second Reading

City Administrator McDonald stated that the proposed Ordinance establishes an advisory board to provide advice to staff and Council on issues related to trees and urban forestry. The board will not have police powers and will be an advisory board. They will also help the City in efforts to become a Tree City USA. He thanked Community Assistance Forester Stacey Ray from Department of Natural Resources (DNR) for guidance and support.

A motion was made and seconded to adopt an Ordinance creating a new Chapter 14.08 to the Dupont Municipal Code for purposes of forming a Tree Advisory Board, establishing duties, and setting requirements for board members. Bailey/Coffey 6/0 motion carried Ordinance No. 08-866

Ordinance Amending DMC 25.115 Sign Code – 2nd Reading

City Administrator McDonald stated that additional changes have been made to the sign code. He recommended that Council review the changes and bring the Ordinance back for adoption on November 12th.

Councilmembers Coffey, Westman, and Wilcox expressed concern that they still had questions on the sign code.

Councilmember Wilcox stated that he had concerns on section 25.115.110(l) signs in front of houses and 25.115.110 penalties for violation being too harsh.

Councilmember Coffey stated that she wanted to see consistency in the size of signs allowed for development, construction and commercial/real estate.

Mayor Jenkins recommended that they send their questions and concern to City Clerk Larsen.

Councilmember Wilcox complimented the Planning Agency for all their hard work on the sign code as it is not an easy job.

Civic Center Change Order No. 7

Project Manager Ross Swanson presented tenant improvement changes recommended to the Public Safety building on behalf of the Fire Department. He stated that the Police Department would be presenting changes in the future.

Interim Fire Chief Merritt highlighted the changes stating that the majority of change is for additional storage and standardization of the space.

A motion was made and seconded to approve change order No. 7. Ehrenreich/Wilcox

Councilmember Ehrenreich expressed concern for serially approving change orders and not being able to compare the changes if we run out of funding. He stated that he is concerned that we may inch over the budget line without looking at the entire perspective.

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Councilmember Westman expressed concern for what the exact changes are.
Finance Director Masko stated that an itemized list is included in the Council packet.

Mayor Jenkins called for the vote 6/0 motion carried.

Ordinances Adopting DMC Title 3 – First Reading

Finance Director Masko stated that the impact fees will remain in Chapter 25 and not be included in this Ordinance. She stated that there have not been any other changes since the last meeting.

Mayor Jenkins requested Public Comments.

Bill Mays (2300 Hoffman Hill Blvd) stated that he is Past President of the Washington State Golf Association and board member, committee member of the United States Golf Association, and President of the board of the directors for the Home Course. He expressed concern for imposing an admissions tax of 5% that will deter golfers and only apply to the Home Course. He also stated that it could possibly delay future development.

Councilmember Coffey inquired about an admissions tax on Chamber's Bay Golf Course.

Finance Director Masko stated that Lacey, Olympia, Puyallup, Tacoma, University Place, Tumwater, and most other surrounding jurisdictions have an admissions tax. She stated that the admissions tax was implemented in University Place in 1999 and is applicable to Chamber's Bay Golf Course.

Councilmember Coffey requested that staff share the information with the Home Course, Mayor and Council.

Approval of Mitigation Agreement for Williamson Lots 4 & 5

City Administrator McDonald provided background information on the agreement stating that it is for fire impact fees.

Mayor Jenkins inquired as to what items we can spend this money on.

City Administrator McDonald stated that we can utilize the Fire impact portion money for equipment, facilities, and Fire alone. Public Safety Mitigation funding for the operation side can be used for Fire and Police personnel. He confirmed that it is dedicated funding.

A motion was made and seconded to approve the mitigation agreement for Williamson Place lots 4 and 5. Coffey/Trotter

Councilmember Coffey clarified that the City collects fees from the developers to help pay for the impact on the community. She stated that this is funding from the developer and not tax payer's money paying for equipment in the Police and Fire Departments..

Mayor Jenkins called for the vote 6/0 motion carried.

Public/Council Comment:

Jean Wilcox (2766 McNeil St) stated that she attended many of the FSTF meetings and Town Hall meetings on Fire Services as they were all open to the public. There were numerous meetings, the information and recommendations were presented very precisely and it would be a shame to start over. She stated that it is time to move forward. If there is a reduction in service then the insurance rates will rise. She stated that she would rather pay for Fire and Medic Service than to pay more money to an insurance company.

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Jason Pierce (1848 Miller Drive) stated that he attended a number of meetings but not all of them. He requested clarification on a plan B if the Fire Levy fails. He stated that his understanding is the only option considered is the contract with Lakewood. He suggested re-instituting a new FSTF and volunteered to serve if the levy fails.

Mayor Jenkins thanked Mr. Pierce for being involved and wanting to learn more about the process. She stated that a plan B has been considered and Council adopted a plan by Resolution. She stated that we will move forward and define this even more through the budget process.

Councilmember Wilcox stated that hopefully all the erroneous information in the community is finished. The program is needed to continue the level of service. He urged everyone to make a wise decision on the medic program.

Councilmember Trotter stated that she has heard discussions about how untrustworthy the City Council is. She stated that we are your neighbors and we are not untrustworthy, we mow our lawns, and keep our houses nice and try to be good citizens. She stated that sometimes the issue seems clouded and people want you to vote on whether your City Council is trustworthy. She stated that this proposition is not about trusting your City Council. That election is next year when 5 seats are open. This proposition is about the level of service citizens want for their Fire Department. She urged citizens to vote accordingly.

Executive Session:

Mayor Jenkins recessed the meeting for 10 minutes at 8:29pm for an executive session to discuss a real estate transaction. The executive session was extended for an additional 5 minutes. The meeting was reconvened at 8:42pm and no action was taken.

Adjournment:

Mayor Jenkins adjourned the meeting at 8:42 p.m.

City of DuPont:

Tamara L. Jenkins, Mayor

Attest:

Erin Larsen CMC, City Clerk