

**TUMWATER CITY COUNCIL
MINUTES OF MEETING
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CONVENE: 7:00 p.m.

PRESENT: Mayor Pete Kmet and Councilmembers Joan Cathey, Eileen Swarthout, Ed Hildreth, Nicole Hill, Tom Oliva, Debbie Sullivan, and Neil McClanahan.

Staff: City Administrator John Doan, Assistant City Administrator Heidi Behrends-Cerniwey, Community Development Director Michael Matlock, Public Works Director Jay Eaton, Police Chief John Stines, Project Planner Carlos Gemora, and Recording Secretary Valerie Gow.

ADDITIONS TO THE AGENDA: Item F on the Consent Calendar, Resolution No. R2015-005, was pulled and moved as the second item under Council Considerations.

SPECIAL ITEMS:

PROCLAMATION: Councilmember Swarthout read a proclamation declaring April 8, 2015 as
ARBOR DAY, APRIL 8, 2015 & SPECIAL Arbor Day in the City of Tumwater.

PRESENTATION BY TRENT Sheila Gray, Chair, Washington State Community Forestry Council, presented the City with an award recognizing the City as a Tree City USA for the last 20 years.
GRANTHAM, TREE BOARD CHAIR &

SHEILA GRAY, Tumwater Tree Board Chair Trent Grantham invited the Council and the
CHAIR OF THE community to attend the City's Arbor Day celebration on Saturday, April 11,
WASHINGTON 2015 at the Tumwater Timberland Library between 10 a.m. and 12:00 p.m.
STATE The event includes activities for children and free tree seedlings from five
COMMUNITY different tree species.
FORESTRY
COUNCIL:

CHESTNUT TREE Todd Shifflett, General Manager, Mills & Mills Funeral Home & Memorial
BOWL Park, reported on February 20, a dedication ceremony was held at the
PRESENTATION BY cemetery to dedicate a memorial to two historic American Chestnut trees
TODD SHIFFLETT, located in the cemetery. The two chestnuts are the largest and healthiest
GENERAL chestnut trees in the country and are over 90 feet in height. The trees have
MANAGER OF been featured in the *Discover* magazine. The trees survived the fungus that
MILLS & MILLS destroyed most chestnut trees across the country at the turn of the century.
FUNERAL HOME & Several years ago, a winter storm damaged one of the trees. Some of the
MEMORIAL PARK: wood from the tree was used to beautify the facility, as well as crafted into a
wooden bowl. The bowl was presented to Mayor Kmet during the February
20 ceremony as a token of appreciation to the City. Mr. Shifflett presented
the bowl to Mayor Kmet.

Mayor Kmet shared information on the blight that virtually wiped out American Chestnut trees in the eastern United States. A similar event occurred during his childhood with the Elm tree.

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PUBLIC COMMENT: There were no public comments.

CONSENT CALENDAR:

- a. Approval of Minutes: Regular Meeting, March 17, 2015; Worksession, March 10, 2015 & March 24, 2015.
- b. Payment of Vouchers
- c. Interlocal Agreement between the City of Olympia and the City of Tumwater for Fire Department Vehicle Repair and Maintenance Services
- d. Interlocal Agreement for Mutual Aid for Firefighting and Emergency Medical Services
- e. Reclaimed Water Service Agreements
- f. Resolution No. R2015-005, Opposition to Oil Trains (*Pulled*)

MOTION: **Councilmember Hill moved, seconded by Councilmember Hildreth, to approve the consent calendar as amended. Motion carried.**

Mayor Kmet reviewed the items approved on the consent calendar.

PUBLIC HEARINGS:

RESOLUTION NO. R2015-004, IN SUPPORT OF TUMWATER TRANSPORTATION BENEFIT DISTRICT PROPOSITION 1, SALES AND USE TAX FOR TRANSPORTATION IMPROVEMENTS: Director Eaton reported the public hearing is on proposed Resolution No. R2015-004, concerning a sales and use tax to fund transportation improvements within the City. The resolution expresses support of Tumwater Transportation Benefit District Proposition 1, which would implement sales and use tax for transportation improvements. The proposition is on the April 28, 2015 Special Election Ballot. Passage of Proposition 1 is estimated to generate approximately \$812,000 of revenue in the first year.

Mayor Kmet opened the public hearing at 7:21 p.m.

PUBLIC TESTIMONY: **Ralph Osgood, 800 C Street SW, Tumwater, Chair, Friends of Tumwater Streets Committee,** said the committee supports Proposition 1. He acknowledged the Council for taking action to include the proposition on the ballot as the Council had the alternative of assessing a \$20 vehicle tab fee. The vehicle tab fee would have raised some funds but not a sufficient amount to repair and maintain the City's roads. The hearing is also important for citizens to understand the feelings and opinions of the City's elected officials. He urged the Council to share their opinions with the public during its discussion on why the proposition is right for the City. Everyone is aware that the City's roads are in need of repair. Costs continue to escalate as maintenance is delayed. The proposition is the best approach as it taxes all users of roads and not just citizens. All individuals purchasing goods subject

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to sales tax would pay the additional 2/10ths of one cent. Although the state's sales tax is a regressive tax, the vehicle tab tax is worse. A household with one vehicle would pay \$20 for the vehicle tab tax whereas the additional sales tax of 2/10ths of one cent would require an individual to spend \$10,000 to equal the \$20 vehicle tab tax. Additionally, many households have more than one vehicle. A household with two vehicles would need to spend \$20,000 in purchases to match the \$40 in vehicle tab tax. The vehicle tab tax is much more regressive than sales tax. Households with a utility trailer or another vehicle would be paying up to \$60 a year in vehicle tab tax equating to \$30,000 in retail purchases. The City needs to have well-maintained streets. The proposition will help the community, residents, businesses, and visitors by having quality and well maintained streets. Well maintained streets result in less damage to vehicles and would aid in improving the response time of public safety responders. The proposition imposes a 10-year limit and cannot be extended without another public vote. The City's public safety levy included many promises, which the City has accomplished. Similar promises are included in this proposition as the funds can only be used to maintain existing roads and sidewalks. Mr. Osgood spoke in support of the map on the City's website depicting roads that will be repaired and maintained over the next several years. He encouraged the Council to support Resolution No. R2015-004.

Mayor Kmet reported on an email received from Jim Oberlander who expressed concerns about the conditions of sidewalks within the community. Mr. Oberlander is hopeful that the proposition will help address the condition of sidewalks.

Mayor Kmet closed the public hearing at 7:29 p.m.

MOTION:

Councilmember McClanahan moved, seconded by Councilmember Cathey, to approve Resolution No. R2015-004 in Support of Tumwater Transportation Benefit District (TBD) Proposition 1, Sales and Use Tax for Transportation Improvements that will appear before the voters on the April 28, 2015 Special Election Ballot.

Councilmember McClanahan spoke to the motion and described why the Tumwater Transportation Benefit District Board voted in support of pursuing a proposition for voters to consider. He is hopeful that all citizens will research the proposal and make the right decision.

Councilmember Cathey said the comments by former Mayor Osgood touched on all the issues the TBD Board discussed in terms of properly maintaining City roads. The Board also had the option of assessing an additional \$20 in vehicle tab fees, which would have been in addition to the vehicle license fee a person currently pays.

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Councilmember Hill supported the motion and was pleased with the editorial recently published in *The Olympian*.

Mayor Kmet said that although the proposition would result in an increase in sales tax, the amount is a modest amount in terms of the actual cost to the consumer. Tumwater has many visitors who shop in the City and they should also bear the cost of road maintenance.

Councilmember Oliva expressed support for the motion. Today, cities are allowed to only increase the tax base by 1% each year. In today's world, it's necessary for the City to ask voters to fund maintenance of roads. Doing nothing is not an option as the costs will only continue to increase.

MOTION: **Motion carried unanimously.**

**COUNCIL
CONSIDERATIONS:**

**ALLOCATION OF
COMMUNITY
DEVELOPMENT
BLOCK GRANT
FUNDS:**

Planner Gemora reported Community Development Block Grant (CDBG) funds are distributed by the Department of Housing and Urban Development (HUD) to communities to benefit low and moderate income individuals. Through a community sharing agreement with Thurston County, the City of Tumwater is eligible to allocate funds for 2015. In February, a request was issued for project proposals. The Council held a public hearing and discussed the merits of each application. The Budget and Finance Committee reviewed the applications and recommended a funding proposal to the Council. Following the Council's action, staff will work with Thurston County to process the funding allocations.

Planner Gemora addressed questions on the status of the City's funding proposal of \$30,000. The project is to extend sewer and water utilities to eligible households along Pioneer Street. At this time, only one household qualifies to receive CDBG funds. If other households are determined eligible to receive CDBG funds, the excess amount will draw from the Community Action Council's allocation of \$500,000. If the actual connection charges on Pioneer Street are less than \$30,000, the excess will be allocated to Homes First! Applicants will be notified of their funding award in the next several weeks.

Councilmember Cathey said the receipt of CDBG funds is a reminder of what this community does for one another. There has been much work and time devoted by staff. This community does an excellent job of working together for the needs of the less fortunate. She thanked all the applicants for applying.

MOTION: **Councilmember Cathey moved, seconded by Councilmember Hill, to approve the Budget and Finance Committee Recommended Funding**

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Plan allocating Community Development Block Grant funds to the following organizations:

- **Homes First! - \$117,000**
- **Community Action Council - \$500,000**
- **SafePlace - \$40,000**
- **Rebuilding Together Thurston County - \$49,612**
- **Boys and Girls Clubs of Thurston County - \$22,684**
- **Enterprise for Equity - \$40,100**
- **Catholic Community Services SW – Drexel House Emergency Shelter - \$22,000**
- **Catholic Community Services SW – The Community Kitchen - \$17,000**
- **City of Tumwater - \$30,000**
- **Barnes Lake Park Owners Association - \$0**
- **Housing Authority of Thurston County - \$0**

MOTION:

Motion carried. Councilmember Oliva abstained from voting.

Mayor Kmet commented on the extensive and fair process undertaken by the Council to determine the funding awards. He thanked Planner Gemora for his extensive efforts in coordinating the program.

**PUBLIC
COMMENT:**

John Walsh, Executive Director, Community Action Council, expressed appreciation to the Council for its deliberations and support to the organization.

Mary Pontarolo, Executive Director, SafePlace, thanked the Council for the award of funds. She invited the Council and community to attend the grand opening of the new SafePlace Service Center on July 24 beginning at 5 p.m. The event will share information on the expansion of services offered by the organization.

Beth Oppliger, Training Director, Enterprise for Equity, said it's an honor to serve the community through the organization's programs. She looks forward to working with the City to extend the organization's work to the Tumwater community. She thanked the Council for its deliberations and for awarding funds to the organization.

**RESOLUTION NO.
R2015-005,
OPPOSITION TO
OIL TRAINS:**

Planner Gemora reported that since 2008, rail transportation of oil has increased substantially. While safety statistics for rail transportation has increased, the number of incidents and the risks to communities and environments have drastically increased. The resolution does not include any authority or powers. During its earlier meeting, the General Government Committee reviewed and recommended approval of the resolution with an

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additional amendment.

Councilmember Cathey said the recommendation was unanimous from the committee. Councilmember Sullivan recommended one word change within the resolution. The resolution supports Governor Inslee's environmental efforts in the state. Rail lines run along the eastside of Thurston County. There are more homes, businesses, and agricultural land on this route through Pierce and Thurston Counties. The resolution speaks to joint efforts by the county, cities, and the state to ensure safe transport of oil trains.

The proposed change is within Section 7, revising the sentence to reflect, "The City of Tumwater urges the Port of Grays Harbor Commission..." The original version stated, "The City of Tumwater asks that the Port of Grays Harbor Commission..."

Councilmember Sullivan explained that she prefers not imposing the City's processes and thoughts on other communities and that the proposed revision speaks to her concerns. The actions other jurisdictions enact are up to each respective community.

Councilmember Hildreth cited similar concerns with respect to Section 7. He cited a letter from the Executive Committee of the Washington Public Ports Association (WPPA) admonishing the Port of Olympia Commission for sending a letter to the Port of Grays Harbor Commission asking the Port of Grays Harbor Commission not to permit oil terminals. The letter states how inappropriate it is for any port commission to presume to tell another port Commission what lawful operations that it can or cannot engage in.

Councilmember McClanahan referred to recent news coverage of Senator Maria Cantwell speaking about the safety aspect of vessels transporting oil across the state. He believed that the resolution was intended to address that aspect of oil transportation in the state and agreed the Council should emphasize the importance of safely transporting oil and the scheduling of trains rather than conveying messages to ports and other elected officials about what they should or should not do.

Councilmember Cathey emphasized the resolution doesn't convey any direction to any other jurisdiction or organization; however, it conveys a request for the jurisdiction to consider impacts to both communities and the environment when considering the transport of oil.

Councilmember Oliva agreed the resolution is well written and conveys an appropriate message. He supports the adoption of the resolution.

Councilmember Hildreth cautioned the Council of traveling down a slippery slope as it speaks to a previous resolution by the Council opposing coal trains.

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At that time, he expressed concerns that the Council might also oppose the shipment of hazardous material to Hanford in the future. The adoption of resolutions urging particular positions must stop at some point.

MOTION: **Councilmember Cathey moved, seconded by Councilmember Oliva, to approve resolution No. 2015-005, Opposition to Oil Trains, as amended by Councilmember Sullivan.**

Councilmember Cathey emphasized that the resolution is not in opposition but does express concerns about the increased transportation of oil by train.

Councilmember Hildreth said he's supportive of the resolution with the exception of Section 7.

MOTION: **Councilmember Hildreth moved, seconded by Councilmember Sullivan, to remove Section 7 from Resolution No. R2015-004.**

Councilmember Hildreth reiterated his previous concerns.

Councilmember Sullivan said Section 7 speaks more abrasively than other sections within the resolution and creates an atmosphere of a debate rather than speaking to the issue. She would prefer the resolution cite the Council's concerns without sections that might be out of context or subject to misinterpretation by other agencies.

MOTION: **Motion failed. Councilmembers Hill, Oliva, Swarthout, and Cathey opposed.**

MOTION: **Motion carried on the main motion. Councilmember Hildreth opposed.**

**COMMITTEE
REPORTS:**

PUBLIC SAFETY: There was no report. The next meeting is scheduled on May 5 rather than
Ed Hildreth May 12.

GENERAL GOVERNMENT: The committee recommended approval of the completion of T Street Park. The committee referred amendments on the Neighborhood Commercial Zone District to staff for additional revisions. The next meeting is scheduled on
Joan Cathey May 12 rather than May 5.

PUBLIC WORKS: Next meeting is on April 9 at 8 a.m.
Neil McClanahan

BUDGET AND FINANCE: The committee forwarded a funding recommendation for the allocation of CDBG funds and discussed how to approach the conversion of septic to sewer

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Pete Kmet on a community-wide basis. A follow up discussion will be held during a future worksession.

MAYOR/CITY ADMINISTRATOR'S REPORT: Mayor Kmet shared information on his attendance to several community events on behalf of the City.

In addition to the April 11 Arbor Day celebration at Tumwater Timberland Library from 10 a.m. to noon, the City is hosting a volunteer work crew in celebration of Earth Day on Saturday, April 18 from 10 a.m. to 1 p. m.

COUNCILMEMBER REPORTS:

Neil McClanahan : More information is forthcoming on activities from the Association for Healthy South Puget Sound.

City Administrator Doan is reviewing the HOME Consortiums applications on behalf of Councilmember McClanahan.

Tom Olivia: The Thurston Regional Planning Council received a presentation from the Ruckelshaus Center on its study of the Tri-Cities for functional consolidation on a number of joint projects. The center's website includes analysis on the study results for the Tri-Cities. Staff presented information on the hub junction, the first roundabout on a bike trail in the state. The roundabout is located south of the bridge over Pacific Avenue where the Chehalis Western Trail intersects with Woodland Trail.

LOTT Clean Water Alliance Board of Directors is scheduled to review planning efforts for the Septic Summit scheduled on Wednesday, April 29 at 6 p.m.

The ballots for Tumwater's Transportation Benefit District Proposition 1 will be mailed on April 8. Councilmember Oliva encouraged all voters to vote.

Debbie Sullivan: The Intercity Transit Authority recently approved the agency's three-year collective bargaining agreement with the Amalgamated Transit Union Local 1765 for bus drivers and dispatchers. The Authority received an update on the Rock n Roll Program. Tumwater is an active participant in the program. The program promotes student walking and biking to school, learning about traffic safety, and walking to school in groups. The program offers bike traffic safety and information on maintaining a bike. Intercity Transit offers another program to help students refurbish and receive a bike. The agency's vanpool program has increased to 210 active vanpools. A recent promotional program attracted 80 additional vanpool riders.

Councilmember Sullivan attended the Housing Summit on March 25.

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Positive collaboration, outcomes, and activities are beginning to emerge between government and businesses. Councilmember Sullivan recommended extending an invitation to local planning commissioners for the next housing summit.

Nicole Hill:

Councilmember Hill participated in March 28 tour of other communities to review other community design standards. Several Planning Commissioners and Mayor Kmet also participated.

Councilmember Hill attended a Smart Justice meeting in conjunction with Mayor Kmet on April 1. Smart Justice is a collaboration of the cities of Lacey, Olympia, Tumwater, and Thurston County to review and examine ways to improve the justice system in Thurston County. A consultant is examining existing tools and ways to improve those tools. Members discussed outpatient treatments, mental health assistance, life skills training, anger management, and other programming to assist individuals within the justice system to reduce recidivism.

The executive director of the Joint Animal Services Commission has announced her retirement effective in June. Councilmember Hill reported she is managing the Bow Wow Boogie event. Ceremonies honoring the executive director's service will be announced. The Commission has been revisiting the handling of animals outside of the county. Because of the successful programs at Animal Services, the shelter is often contacted by other counties seeking assistance.

Ed Hildreth:

Councilmember Hildreth reported on the volunteer program offered at the Animal Services Shelter. His grandson volunteers at the shelter each Saturday to help care for animals.

The T-COMM 9-1-1 Administration Board approved the draft annual report. T-COMM received 911,620 phone calls last year, representing a 10% increase from the prior year. The Tumwater Police Department dispatched responses to 30,408 calls for a monthly average of 2,534 or an average daily of 84 calls. The Tumwater Fire Department dispatched responses 3,812 times last year equating to a monthly dispatch rate of 318 a month. The Board approved a strategic positioning project for T-COMM for a powerful and flexible approach to the creation of relevant and practical strategies designed to prepare Thurston 911 Communications for the future. Councilmember Hildreth is attending the three-day program.

Assistant City Administrator Heidi Behrends-Cerniwey is scheduled to attend the Public Works Trust Fund Board's Local Government Infrastructure Academy on April 22 from 8:30 a.m. to 4 p.m. The academy offers information on rate setting, municipal finance, energy efficiency, sustainable funding, and project affordability. Councilmember Hildreth is moderating the

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academy. He encouraged the Council to attend.

Eileen Swarthout:

During the last Thurston County Emergency Medical Services Council meeting, members received information on the CPR Study. The study led to changes in how CPR is administered to heart attack victims. Since the changes were implemented, the save rate has increased substantially. The number of CPR classes has increased to include mini-CPR classes for direct compressions. More classes are being offered at high schools.

Councilmember Swarthout attended a Tumwater United for Families meeting. Recent efforts include raising funds for the Boys and Girls Club through an open house. She also attended the Easter Egg Dash. She commended staff and all volunteers involved in coordinating the event.

Joan Cathey:

Councilmember Cathey reported the Community Investment Partnership (CIP) held two meetings to train panels on how to review funding proposals. Tumwater's representative is Planning Commissioner Leatta Dahlhoff, who is a member of one of the panels.

The Solid Waste Advisory Committee discussed the quantity of food in the waste stream. Approximately 17% in the waste stream is comprised of food and 23% of that food waste is from single family homes. Community members are encouraged to compost food to reduce food in the waste stream. Approximately 40% to 50% of the food waste stream is edible food. A Restaurant Rescue program has been implemented by the Thurston County Food Bank to pick up food donated by local restaurants saving 26,000 tons of food last year. Local school districts also participate in the program. Local grocery stores donate tons of food to the food bank each year.

Potential legislation is pending on recycling latex paint. The U.S. Paint Council is pursuing bills in different states to provide venues for the community to recycle latex paint.

Members received an update on the status of the plastic bag ban in Thurston County. Tumwater was the first city to pass the plastic bag ban. During the first month of the bag ban, plastic bags in the waste stream were reduced by 53%. Some of the early results of the plastic bag ban are posted on the county's website.

Mayor Kmet said the committee would likely review the final report to determine if any suggestions should be considered. There is some opposition to the bag ban and more work is necessary to remind people to take their recycled bags to the grocery store as many people forget and have to pay 5 cents for a paper bag.

Councilmember Hill encouraged the committee to review and finalize the

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report. She recommended having the Council receive an update on the results of the report. Councilmember Cathey noted that the committee has tentatively delayed the report to enable completion of the trash inventory.

ADJOURNMENT: With there being no further business, Mayor Kmet adjourned the meeting at 8:56 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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