REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES April 10, 2003

The regular meeting of the Des Moines City Council was called to order by Mayor Steenrod at 7:36 p.m. in the Council Chambers, 21630 11th Avenue South, Suite B.

PLEDGE OF ALLEGIANCE was led by Councilmember Sheckler.

INVOCATION was led by Reverend Ed Starr of Des Moines United Methodist Church.

ROLL CALL - Present: Mayor Maggie Steenrod, Councilmembers Gary Petersen, Bob Sheckler, Scott Thomasson and Susan White. Absent: Mayor Pro Tem Richard Benjamin. Also present were City Manager Tony Piasecki, City Attorney Linda Marousek, Parks and Recreation Director Patrice Thorell and City Clerk Denis Staab.

> **MOTION** was made by Councilmember Petersen, seconded by Councilmember Thomasson and passed unanimously, to excuse Mayor Pro Tem Benjamin.

COMMENTS FROM THE PUBLIC

Shawn Robb, 19904 Des Moines Memorial Drive

> Mr. Robb advised that he is also speaking on behalf of, and in support of, Rick Edwards, regarding installation of a gate in the Redondo area. He questioned why they are not being allowed to install a gate on a private drive of residents, when other residents are allowed to do so. He informed Council that they have not received a satisfactory reason as to why they are not allowed to install such a gating system.

Lala Klinman, 24804 9th Place South

> Ms. Klinman expressed concerned over the Mayor's lack of response for a reason of why an item was removed from the Agenda at the last Council meeting. It is her opinion that the public has a right to know, and so do the other Councilmembers, as to such reasoning. She felt that by the Mayor refusing to give a reason shows a sign of arrogance and makes the Mayor an autocrat. She reminded Council that a few years a go there was a ballot measure to change the form of government in Des Moines to a strong Mayor and eliminate the City Manager. She stated that measure was voted down very strongly by citizens, therefore she felt the current system is a City Manager with a weak Mayor. She suggested that it is the citizens right to know the reasoning behind making such decisions as removing items from the agenda.

Steve Zielinski, Sound Vista Mobile Home Park, Des Moines, WA

> Mr. Zielinski strongly encouraged Council to take a vote on the mobile home park issue tonight. He stated that he has empty spaces that need to be filled with manufactured homes. He advised that he has been upgrading the property and his expenses are going up.

Rick Edwards, 909 South 278th Place

> Mr. Edwards stated that he has had several conversations with the City Manager and the City Attorney regarding an agreement that had been made between the former owner of his property and the City of Des Moines. He noted he has been denied a permit to put in a gate on the private road. He pointed out that several residents in the area, living on private roads, have installed

electric gates, or are in the process of installing gates. He advised that he is appealing the City's denial, and noted that the agreement over which he is appealing, provides that future owners could appeal. He stated the real problem is there are no existing City codes or policies governing such gates. Therefore, he feels that the Engineering Department has no basis to deny him the right to install a gate.

City Manager Piasecki advised that he will have the City Attorney address this under Administration Reports.

David Litowitz, 2715 64th Avenue NE, Landmark Homes

Mr. Litowitz addressed Council informing them he has been building houses in the City for over 15 years and he wishes to speak against the draft ordinance imposing traffic impact fees. He presented Council with written material to review that supports his opposition. He advised that he builds affordable single family homes. He stated that the increase fees will tend to drive out first time home buyers by additional increased costs that will prohibit students as well as retired citizens from being able to purchase homes. He also stated that King County only charges $200 per single family lot which is considerably less than what Des Moines is proposing. He requested Council to keep affordable housing in Des Moines and to vote against the draft ordinance.

Ed Pina, 24219 7th Avenue South

Mr. Pina recommended that Council adopt a policy that would require all existing Councilmembers to be present when a vote is taken on filling the vacant Council position. He urged passage of Draft Resolution No. 03-098.

Larry King 2715 64th Avenue NE, Tacoma, Landmark Homes

Mr. King stated he has been developing land in Des Moines for 15 years and has enjoyed a good working relationship with City staff. He advised that he is currently working on developing property at 268th and Pacific Highway South into 34 affordable single family homes. He requested Councilmembers review the material distributed to them regarding traffic impact fees. He felt the traffic impact fees are unnecessary and discriminatory, as they target new home buyers, and that increasing the price of new homes is unfair. He felt that traffic and transportation problems should be shared by all residents through a general tax increase. He requested Council study the issue further before making a final decision.

Alex White, 22030 7th Avenue South, #204

Mr. White noted that he is involved in a real estate managing company for single family residential houses and residential developments. He stated that developers have been able to overcome aircraft noise problems because homes in Des Moines are more affordable. He advised that by adding additional costs, such as traffic impact fees, will make it difficult to continue doing business in Des Moines.

Gary Ohrt, Owner of Property 1855 South 216th

Mr. Ohrt informed Council that he hopes to develop this property for business use. He stated that he has done some study on his own in regards to traffic impact fees. He briefed Council on impact fees in the cities of Federal Way, Tukwila, Kent, Auburn and Renton. In conclusion, he requested that Council consider the long term effect the passage of the draft ordinance with the proposed fees could have on Des Moines and send it back to the committee for further review to come up with a fair and more justified impact fee.

BOARD & COMMITTEE REPORTS

Human Services Advisory Committee - New Senior Activity Center

Councilmember White advised that the Committee met last week at the new Senior Activity Center. She commended staff and volunteers for what they have accomplished with the Activity Center on an extremely tight budget. However, she noted there are some items that Council may wish to examine for funding such as asphalt the whole driveway, outdoor lighting, burglar alarm among other safety items.

Senior Activity Center Opening

At the request of Mayor Steenrod, Parks and Recreation Director Thorell announced that on Thursday, April 17th, an opening ceremony will be held at the Activity Center beginning at 11:30 a.m., lunch will be served at noon, with tours of the building at 12:30 and everyone is welcome. Mayor Steenrod will be presiding at the ceremony.

Finance and Economic Development Committee

Mayor Steenrod reported that the Committee is focusing on how to improve economic development. The Committee will be reviewing potential code changes to help. She advised that the Community Development Director will be before the Council in the near future to talk about some of the plans to elicit citizen participation in helping to determine what are the most critical issues.

PRESIDING OFFICER'S REPORT

Mayor Authority to Remove Agenda Items

Mayor Steenrod noted that some of Council Rules are difficult to interpret, but one item that is clear is that the Presiding Officer has the option of removing items from the Agenda. She advised that one of things that is not clear is how to determine whether Council can get through all the items on the Agenda in 3 hours. She stated that it is a judgment call to decide which items to remove and which items should be acted on, along with allowing ample time for public comments.

ADMINISTRATION REPORTS

Senior Activity Center

City Manager Piasecki advised that he has been discussing with the Parks & Recreation Director and the Finance Director to see if we can find a way to fund some of the items that Councilmember White noted still needs to be done at the Activity Center. He noted that one potential source of funding is the Real Estate Excise Tax for 2002 as they actually came in over budget. In regards to the parking lot paving, he noted that the problem with asphalting the very large parking lot is that it would kick-in some of the City's surface water management regulations which could be very, very costly. He stated that Engineering is reviewing some harder, yet porous surfaces that might be used, that would give more stability to the area while not causing the surface water management regulations to kick-in. He felt that staff may be able to report back to Council in a month or so on potential solutions.

Neighborhood Meeting

City Manager Piasecki reported that the first neighborhood meeting of the year is scheduled for Tuesday, April 15th in the parking lot of the Saltwater Unitarian Church at 25701 14th Place South in Woodmont.

Zenith View Point - Unclassified Use Permit

City Manager Piasecki informed Council that Mr. White, who spoke during comments from the public, has a project called "Zenith View Point" that is set for a Public Hearing in front of the Planning Agency on May 12th. The item will come before Council on June 26th. He reminded Council that this is a Quasi-Judicial matter therefore ex-parte communications should be avoided.

ACORN Group - Midway Park - Pacific Ridge Neighborhood

City Manager Piasecki reported that that lights on one of the sides of Midway Park have been installed by Puget Sound Energy. He advised that he has been in contact with the Government Affairs Director with PSE about the possibility of some other methods of funding street lights along 28th and 29th Avenues South.

Mr. Mike Dannels - Request to Remove Gate Across Driveway

City Manager Piasecki informed Council that the City's engineering analysis is not yet completed.

Legislative "Fill" Bill - Sponsored by Port of Seattle

City Manager Piasecki advised that the bill has passed the Senate and has been sent to the House, and passed out of the Natural Resources Sub-Committee last week. It is now scheduled for floor debate and a vote early next week. The bill was amended by the House Committee so it could potentially affect a great deal more projects, and the fill that the Port would use, than just the 3rd runway. This may mean more people will take a hard look at the Bill and possibly vote against it.

Request to Install Gate on Private Road by Rick Edwards

City Attorney Marousek informed Council that she has been working with the City's Community Development and Building Departments, and has talked to Dr. Edwards several times about the issue. She advised Council that Dr. Edwards applied for a building permit to install structural supports for a gate across a private street. Upon investigation through a title search, it was found that the Williams owned 3 of the 4 parcels located on the private street. It was learned that there was a legal binding settlement agreement dated July of 2000, signed by the Williams in which there was an agreement not to put a gate across that private street. After review of that agreement with the Building Official, a letter was sent to Dr. Edwards rejecting the application for his building permit. She advised that Dr. Edwards has been advised that he has the right to appeal to the Hearing Examiner. If the Hearing Examiner rules against Dr. Edwards he has the right to appeal that decision to the Superior Court. She advised Councilmembers and staff that this a matter that is under litigation and would be appropriate for further discussion only under Executive Session. She noted that Council is free to discuss the general question of gates on streets as a policy or code matter, but this particular case is in litigation.

KIRO TV Ad

Mayor Steenrod stated that several citizens had called her stating that KIRO was running an ad about crime running rampant with a banner that said Des Moines running in the background. She reported that she called KIRO requesting that the banner of Des Moines be removed. KIRO called her back this morning and reported that they would have this message removed by Monday.

Council Rules Regarding the Term "Full" Council

Mayor Steenrod noted that Council Rule 9, references "when the full Council shall vote . . ." She requested the City Attorney define what is a "full Council".

City Attorney Marousek defined her interpretation of the term used in this context as "It means the full Council is not the 7 out of 7, it is a quorum of the Council acting as a Council as opposed to the Council meeting as a committee. The phrase full Council is a term used in contrast to a committee of the Council. Therefore, she advised that even though one Councilmember is absent tonight, the fact that there is a quorum of the Council and we are in a regular open public meeting, does authorize this Council to act under Council Rule 9 to place items on a future agenda.

Mayor Steenrod requested that the term be better defined in the Council Rules in the future.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the regular and special minutes of March 27, 2003.
2. Findings: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the City Council.

   Motion: As of this date the Des Moines City Council, by unanimous vote, does approve for payment those vouchers and payroll transfers included in the above list and further described as follows:

      Claim checks #84688 through #84858 & electronic fund transfers in the total amount of $542,929.94

      Payroll fund transfers in the total amount of $342,356.07
3. Motion is to approve the surplus and disposal of a 1992 Chevrolet Corvette, VIN #1G1YY23P6N5119187 and authorize disposing of by auction or sale.
4. TWO MOTIONS regarding the 10th Avenue South Culvert Project:

   Motion is to award the construction contract for the 10th Avenue Culvert Replacement and Intersection Improvement Project to Interwest Development, Inc. in the amount of $515,092.51 and further to authorize the City Manager to sign the contract substantially in the form as submitted, plus authorize the City Manager or his designee to approve change orders up to an amount of 10% of the contract amount.

   Motion is to award the professional services contract for construction management services to Reid Middleton, Inc. in the amount of $101,133.85 and to authorize the City Manager to sign said contract substantially in the form as submitted, plus authorize the City Manager or his designee to approve change orders up to an amount of 10% of the contract amount.

Consent Item #3

At the request of Mayor Steenrod, City Manager Piasecki explained that the Corvette was seized during a narcotics arrest and eventually the car was forfeited to the City. It was decided to use the car as the City's D.A.R.E. program vehicle so it was listed as a City asset and was under the City's insurance. Therefore, as a City asset, it can only be disposed of with Council permission. He reported that the funds derived from the sale will be deposited into the Police Department's Drug Asset Seizure Fund.

MOTION was made by Councilmember White, seconded by Councilmember Thomasson and passed unanimously, to approve the Consent Calendar as read.

OLD BUSINESS

Draft Ordinance No. 02-177 Mobile Home Park Regulations - 2nd Reading

City Manager Piasecki introduced the topic and noted that the changes as requested by Council have been included in the revised draft ordinance.

Councilmember Thomasson expressed reservations regarding the draft ordinance. He noted the City's current regulations goal was to allow mobile home parks as an interim use of the land within the Pacific Ridge area. He felt that the sooner that use stops, the sooner the land will develop in accordance with the Pacific Ridge plan.

Councilmember Thomasson noted that this issue feels like a quasi judicial proceeding and questioned whether there may be a Appearance of Fairness issue as Councilmember Petersen owns the property directly across the street from a mobile home park and that he may have a beneficial conflict of interest.

Upon questioning by City Attorney Marousek, Councilmember Petersen announced that his grandmother had lived in the mobile home park until she passed away. He also stated that he knows Mr. Gray who owns the Pine Terrace Mobile Home Park. He noted that in the last 5 years he has moved one of the mobile homes, through his business, Pete's Towing. He stated that he has not had any financial dealings since he has been on the City Council and has no monetary beneficial interest.

Councilmember Petersen spoke in support of the draft ordinance noting that these mobile home parks are in business and are paying their property taxes.

MOTION was made by Councilmember Petersen, seconded by Mayor Steenrod, to approve Draft Ordinance No. 02-177. Motion failed 2 to 3 with the following votes: YES - Councilmember Petersen and Mayor Steenrod. NO - Councilmembers Sheckler, Thomasson and White.

8:35 p.m. Mayor Steenrod called for a 10 minute break.

Mayor's Statement - Agenda Revision

Mayor Steenrod noted that she had been questioned earlier as to why she might pull an item from the Agenda. She stated that what just happened is a classic example of why someone with a little more experience as a Mayor, might have pulled that item from the Agenda. She noted that a citizen who had requested the draft ordinance has been attending meetings for months. She stated that she had been under the impression that with certain adjustments, it would be approved. She noted that the ordinance was voted down 3 to 2 with no real explanation as to why. She asserted that the draft ordinance was voted down because Councilmembers are being held hostage because of an ACC funding issue.

Mayor Steenrod announced for those reasons just mentioned, she is removing Draft Ordinance No. 02-264 Traffic Impact Fees from the Agenda because if she does not pull it off, it will pass without any concern of the impacts. This item will be voted on at the next meeting to decide which Agenda it will be placed on. She suggested that any citizens would want to give feed back to Councilmembers who are arbitrarily castings votes to bind this Council hands should do so.

Councilmember Sheckler noted he is personally appalled at some of the actions that four of the Councilmembers have taken over the last year and a quarter. However, being angry is no reason to pull things off the Agenda. He noted that the accusation that the last vote was because of the ACC funding is wrong. Councilmembers voting on this issue look at every single item for what it is and on its own merits. He stated that it was very wrong for the Mayor to make such a statement concerning the ACC issues.

Mayor Steenrod stated that if Council was going to not pass the draft ordinance on mobile home parks, then it should have been turned down several months ago.

Councilmember White stated that she felt it is wrong to remove the draft ordinance regarding traffic impact fees as this issue has been going on too long. She requested the Mayor reinstate the item.

Mayor Steenrod advised that she has not heard any citizen comments in favor of traffic impact fees. She noted that while there is a need for revenue in the City, it should not be on the back of City businesses and tax payers.

Councilmember Sheckler noted that the draft ordinance came out of the Council Committee with a recommendation for approval.

Mayor Steenrod advised that the Committee had recommended the impact fee ordinance should be passed, but had not been informed of the amount of fee that would be charged. She feels there needs to be more Council discussion on this item and she would prefer that all six members be present for further discussion and voting.

NEW BUSINESS

Park & Recreation Master Plan

Parks and Recreation Director Thorell informed Council that the purpose of this item is for the City Council and the Ad Hoc Parks, Recreation and Sr. Services Master Plan Citizens Committee to continue their discussions of the Draft Master Plan policies, projects, funding options and implementation strategies. She noted that this will allow the City Council the opportunity to provide comments and direction for changes, additions or deletions to the Plan so that it can be finalized and brought back to the Council for adoption. She acknowledged the Committee members seated in the audience and introduced Shelly Parker.

Ms. Parker outlined three priorities of the Committee as follows:

1. Maintenance of existing parks and facilities.
2. Complete projects currently underway.
3. Provide for City-wide distribution of recreational resources into the future.

She questioned whether Council supports the priorities as established or if there are any projects that may have been over looked, or sectors of the community where the Committee may have fallen short on.

Ms. Parker addressed the Master Plan funding options, noting the Committee hopes to accomplish things both in maintenance and future development. She requested feedback from the Council on whether they can support any of the funding options listed in the packet material. In particular she noted the real estate excise tax and that a portion of that had been previously dedicated to parks and has been rededicated elsewhere. She requested that amount be put back into parks and questioned whether Council will support this. Secondly, she noted the Levy Lid Lift and Bond issues, which are community voted measures, as ways of funding additional projects in the Woodmont area and in Pacific Ridge. She advised that if Council does not support those funding options then the Committee needs to go back and redo the Plan. She called Council's attention to the individual projects and asked if there were any questions.

Councilmember Thomasson stated that he felt there should have been much more interaction between the Council and the Committee. He noted that the plan is being presented as a complete package and he would rather take it apart to see how the Committee arrived at its conclusions or see what alternative ideas might have been chosen. He questioned what policy decisions should be made first as there are a lot of budgetary issues involved.

Parks and Recreation Director Thorell noted that a lot of the planning process was in two parts 1. what is the vision that we want for the community and, 2. how do we fund that. She advised that the vision does not go away just because the funds are not there. She noted that the last Master Plan did not include funding.

Councilmember Thomasson expressed the opinion that it was easier to adopt the last Master Plan because it did not have the funding issue.

Parks and Recreation Director Thorell noted that while the costs of the projects is noted in the draft Plan, the funding issues of a Levy Lid Lift or a bond issue to achieve a lot of the projects, would have to be determined by Council.

Councilmember Thomasson questioned how does this document dove-tail with the City's Comprehensive Plan. He felt there are issues that are policy questions that need to be formulated in such a way that Council can address questions and arrive at an answer. He stated that he is not sure how to deal with the document presented, without dealing with all the questions that the Committee has dealt with over the months of their work.

City Manager Piasecki noted that in regards to the issue as to whether schools count or not, no objection was raised by the Council, therefore his direction to the Parks & Recreation Director was to put schools in and count them. He advised that if Council wishes to pull parts of the draft Plan out for more detailed discussion, this can be done. He further advised that staff will be bringing the Comprehensive Plan amendments before Council and he suggested that if the draft Park and Recreation Master Plan is adopted, then have the Parks Director work with the Community Development Director work out what parts of the Comp Plan may need to be amended to make it consistent. In regards to funding, he noted that this was not included in the last Master Plan. The last Master Plan was a "wish list" and he noted that a lot of it has been accomplished. Staff was directed that as we got to the projects, they needed to be worked into the CIP, find grants for them, and if we need to, suggest other ways to fund them. He cited the Community Center as a good example of being one that needed a voter approved bond, we did that, and that failed. He stated that what the Committee has put together is a very aggressive plan. Council could give direction to proceed as we did with the last plan and not address funding in the Plan. As we go through the budgeting process, this fall, we would try to find ways to fit as much of the top priorities as possible into the CIP, charge the Parks and Recreation Director to go find as many grant dollars as she can, and hopefully the City will be able to fund a great deal of the Plan.

Councilmember Sheckler agreed that this is an aggressive Plan, but it excites him. He felt that the Committee has done a stellar job in looking at the community as to what to do for the long term, rather than the short term. He felt needs of all age groups have been addressed. However, he noted, that because it is aggressive it will take a few years. He congratulated the Committee for their work.

Councilmember White commended the Committee for their vision and hard work. She felt this is an important element to help draw people to the Des Moines area.

Ms. Parker asked for Council direction on the issues of using a Levy Lid Lift or a Bond issue. She also questioned whether there were needs that the Committee had not addressed.

Councilmember Sheckler remarked that he felt Council had cautioned the Committee on entertaining the idea of a Levy Lid Lift as being very difficult at this time. He questioned whether this was something that the Committee wants to continue to pursue.

Ms. Parker advised that if they wanted to try to accomplish all the facets of the Plan, a Levy Lid Lift would be an integral part of that. She noted, as Councilmember Thomasson said, it could not all be accomplished with out that piece. She advised that if Council is against a Levy Lid Lift, then the Committee needs to pull out all of the projects the Committee thought could be funded in that manner, and reshuffle them.

Councilmember Thomasson stated that there are policy questions that need to be addressed such as the Activity Center. Is it interim or long term? The Steven J. Underwood Park plan calls for a soccer field to be located there. In regards to the Beach Park, he noted there are policy questions on whether the buildings should be salvaged or removed. However, he stated that he feels there is clear direction that a community center will not be located at the Beach Park.

Parks and Recreation Director noted that the Beach Park study would have to be conducted to have engineers evaluate the structures.

Councilmember Thomasson noted that he would prefer the plans for different parks be grouped by location or neighborhood, instead of being listed alphabetically.

Mayor Steenrod remarked in reference to Grandview Park that she would have a problem removing existing soccer fields to make way for a dog park.

Committee member Joan Allen advised that this plan is through the year 2014 with a vision to work towards. She requested that as part of the implementation of this Plan, Council consider appointing a Parks, Recreation and Senior Programs and Services Commission for the purpose of advising the City Council on long range planning, policy and budgetary subjects related to the Plan. She noted that Draft Ordinance No. 03-108 is contained within Council's packet that would create such a Commission.

Councilmember Sheckler announced that he needs more time to absorb the scope of the Plan. He would prefer individual meetings with the Parks and Recreation Director and a couple of the Committee members to have some questions answered.

City Manager Piasecki advised that he will work with the Parks and Recreation Director to bring portions of the plan back to Council on future agendas. In the meantime, he noted that individual Councilmembers can arrange a meeting with the Parks and Recreation Director and a few Committee members to review specific items in more detail.

Councilmember Thomasson stated that he would have to think long and hard about a long term Parks Commission. He suggested that research be done to check with other cities to see what difficulties may have been encountered. He expressed concern that such a commission could start driving the agenda of the city as opposed to other business. He noted that once the Plan is adopted, then it is up to Administration to figure out how to fund and balance the issues. He cautioned that should Council adopt the draft ordinance, it is important to be careful as to what the commission's mission would be to avoid any misunderstanding.

9:54 p.m. Mayor called for a 5 minute break.

ACC Funding

MOTION was made by Councilmember Sheckler, seconded by Councilmember White, to place this item on the Agenda of April 24, 2003.

Councilmember Thomasson clarified that the Agenda Item would be to approve a membership agreement with ACC and include funding for the year. He requested Administration be sure to have a draft agreement available with the dollar amount blank. He noted that the amount to be considered will most likely be between $150,000 to $200,000. This was accepted as a FRIENDLY AMENDMENT.

VOTE ON MOTION: Motion passed unanimously.

Draft Ordinance No. 03-075 Right-of-way and Park Use Permits

Councilmember Thomasson felt this item should be delayed until a full (7 member) Council is seated. However, he noted that staff needs direction on a Waterland Resolution that may be coming before Council soon.

City Manager Piasecki advised that a request was made by Council to the Chamber of Commerce to review their resolution for the Festival 90 days in advance of the event. He noted the 90 days would be approximately April 24th. He informed Council that he has received a letter from the Chamber talking about the Festival, but they did not request that a resolution be placed in front of Council for consideration to use City property.

Councilmember Thomasson noted that he is not clear whether the draft ordinance would even deal with the Marina or whether it should be dealt with through the Marina Rules.

City Manager Piasecki advised that the bottom line is that the Marina is City property and the Council controls how City property is used. He noted that specifically dealing with Waterland can be handled independently of this draft ordinance.

City Manager Piasecki informed Council that he will formally request, by letter tomorrow, that the Chamber submit a formal request to hold the Waterland Festival for the April 24th Agenda.

MOTION was made by Councilmember Thomasson, seconded by Councilmember Sheckler and passed unanimously, to place Draft Ordinance 03-075 on the Agenda of May 22, 2003.

Utility Tax Rate

Mayor Steenrod requested this item be placed out in the future after a full Council (7 members) is seated, preferably June 12th.

Upon questioning by Councilmember Thomasson, Mayor Steenrod explained that the issue is whether to continue using a utility tax to fund ACC. She acknowledged that this may be moot for this year if Council decides to renew an agreement with ACC.

Councilmember Thomasson noted that this is pure revenue to the City unrelated to ACC. He advised that with a $1.8 million dollar shortfall in this years budget, he cannot contemplate getting rid of any revenue source under those circumstances. He stated that this has nothing to do with funding ACC, but funding City services, and having a conversation about reducing revenues would make no sense at this time.

Mayor Steenrod noted with taxpayers suffering and some out of work, there is a point that Council should give them some relief.

Council's consensus was to address this as a policy issue during fall budget discussions.

Draft Resolution No. 03-098 Requiring Full Council Participation In Final Appointment to Vacant Council Position

City Attorney Marousek advised Council that the intent of the language contained in the resolution was to permit all 6 members of the Council to participate. She noted that the actual language contained in the resolutions states: "all Councilmembers eligible to participate".

MOTION was made by Councilmember Sheckler, seconded by Councilmember Thomasson and passed unanimously, to place Draft Resolution No. 03-098 on the Agenda of April 24th.

NEXT MEETING DATE - Regular Meeting April 24, 2003

ADJOURNMENT

At 10:23 p.m. **MOTION** was made by Councilmember Thomasson, seconded by Councilmember Sheckler and passed unanimously, to adjourn.

Respectfully submitted,

Denis Staab
City Clerk

ACTION ITEMS FROM 4/10/03 COUNCIL MEETING

Council Rules of Procedure

- Legal staff to develop better definition of term “full Council”.

Draft Ordinance No. 03-108 Parks, Recreation and Senior Programs and Services Commission

- Staff to research with other cities to see what difficulties may have been encountered in establishing such a commission - i.e. driving Council agendas, budget issues