

REGULAR MEETING DES MOINES CITY COUNCIL

MINUTES

November 11, 2004

The regular meeting of the Des Moines City Council was called to order by Mayor Sheckler at 7:00 p.m. in the Council Chambers, 21630 11th Avenue South, Suite B.

PLEDGE OF ALLEGIANCE to the Flag was led by Mayor Sheckler.

ROLL CALL - Present: Mayor Bob Sheckler, Mayor Pro Tem Scott Thomasson, Councilmembers Richard Benjamin, Gary Petersen, Dan Sherman and Maggie Steenrod. Absent: Councilmember Susan White. Also in attendance were City Manager Tony Piasecki, City Attorney Linda Marousek, Assistant City Attorney Richard Brown, Community Development Director Judith Kilgore, Public Works Director Tim Heydon and City Clerk Denis Staab.

MOTION was made by Mayor Pro Tem Thomasson, seconded by Councilmember Sherman and passed unanimously, to excuse Councilmember White.

COMMENTS FROM THE PUBLIC

Jane Ipsen, 23660 Marine View Drive, CEO of Masonic Retirement Center

In regards to a proposed B & O Tax, Ms. Ipsen requested Council seriously consider the impacts on the business community. She questioned how does a B & O tax help with a strategic plan for the economic development of the City, and asked if it is a convenient reaction to the budget problem. She further questioned what is the City's strategic plan for the growth to come that will require additional services and funds.

Josh Oakley, 32416 12th Avenue SW, Highline Community College Student

Mr. Oakley addressed the Council regarding a proposed parking tax and questioned whether the tax would apply to Highline Community College. In regards to Section 4(2), of Draft Ordinance No. 04-229 "Payment", he noted that RCW 80, Section 30(5) "payment may be monthly, quarterly or annually". He advised that he would prefer annually in accordance with State law. He also expressed concern with Section 5, pointing out that RCW 80, Section 30(4) requires payment be based on gross proceeds or the number of vehicles for commercial parking uses. He informed Council that students, staff and faculty get charged for the use of all parking lots on the whole, not by specific space. Therefore he felt there is a great discrepancy between the number of people who have parking permits and the number of parking spaces available.

Brooks Fenton, 1014 S 226th Street

Mr. Fenton informed Council that he is a 20 year resident of the City. He spoke in opposition to increasing taxes to apartment complexes and requested the City look at promoting jobs and attracting money, similar to the City of Burien. He further suggested the City work with the Port to get a free trade zone. He informed Council that many of his apartment residents are on fixed incomes, and his insurance has gone up over 120%. He noted that vacancy rates have been high and he has been offering incentives to find new residents. He informed Council that the Rental Housing Association, of which he is a member, will take legal action should this program be adopted. He felt that those rental property owners that cannot manage their property and cause the problems for the Police department should be the ones paying for these problems through fines, and he would include single family homes as that is where most meth labs are found.

Wayne Bader, 21938 Marine View Drive

Mr. Bader noted that there is a \$500 filing fee to appeal any City department decision to the Des Moines Hearing Examiner. He felt this fee should be a violation of the Constitution as a right to a fair hearing should be for everybody. He stated that most citizens cannot afford to lose a days pay and also pay \$500 for a right to be heard. He noted that during his recent appeal to the Hearing Examiner there were also numerous highly paid employees in attendance and felt this is a waste of taxpayer money.

City Attorney Marousek advised that the City is currently in litigation on an issue with Mr. Bader as he has filed an appeal in Superior Court and that Mr. Bader is out of order.

Mayor Sheckler excused Mr. Bader from further discourse on the topic.

Mr. Bader concluded by stating that Des Moines is not a user friendly City.

Jennifer Hildebrand, 529 Warren Avenue, Seattle, Rental Housing Association

As the Associated Executive Director of the Rental Housing Association of Puget Sound, and representing the Washington Multi-Family Housing Association, Ms. Hildebrand addressed Council concerning the proposed Rental Property Crime Abatement program. She advised that the Rental Housing Association (RHA) has identified some significant concerns, both legally and in fairness, in the proposed ordinance, and wishes to be on record as opposing the legislation. She reported several meetings with law enforcement and other staff concerning the proposal. She stated the ordinance imposes a fee solely on the rental housing industry, despite the fact that other businesses utilize the Police services. She noted that after 2005 the fee becomes a variable amount based upon the discretion of the Police Chief not someone independent. She further noted that she has spoken with the Orange County Association in California who have stated that there is no such ordinance in place in California in conflict with what Chief Baker stated. She noted that RHA is willing to legally oppose this legislation if passed. She noted that letters from RHA and the Multi-Family Housing Association have been e-mailed to Councilmembers in opposition.

Lou Novak, 529 Warren Avenue, Seattle

Mr. Novak spoke in opposition to Draft Ordinance No. 04-185 to establish licensing requirements for rental housing owners. He noted that RHA represents about 3,500 apartment owners. He feels that the ordinance violates the equal protection clause, levying a tax or fee on apartment owners and does not levy the same tax or fee on other business or property owners. He further felt that the proposal violates the State constitution in terms of providing a business license tax on real estate or real property owners. He noted that under the State Constitution rental real estate is not considered a business. He informed Council that RHA has successfully prevailed in law suits based on these two issues.

Doug Neyhart, 529 Warren Avenue, Seattle

As a representative of RHA, Mr. Neyhart informed Council that RHA has prevailed in court three times on issues just like the proposed draft ordinance regarding rental property. He advised that RHA will go to court as they feel this proposal is illegal and places a tax unequally. He suggested Council hold a public hearing and perhaps establish a levy for fire and police protection.

Karyn Kuener, 9751 52nd Avenue South, Seattle

Ms. Kuener informed Council she owns rental property in Des Moines and is a member of RHA. She expressed opposition to draft Ordinance No. 04-185. She felt that fining apartment owners for Police activities will have a chilling effect on tenants and on reporting criminal activity. She noted that her units are mostly rented to low income residents, many on disability income. She noted that she had to call the Police three times over a resident that is bi-polar and does not feel that she should be penalized for being willing to rent to people with difficulties. She felt that fining someone for being willing to communicate with the Police Department will actually discourage that type of communications. She concluded that if these new fees are imposed that rent will have to go up, and many residents will not be able to afford to pay.

Gerie Ventura, 2400 South 240th

Ms. Ventura, speaking on behalf of the Classified Staff of Highline Community College, noted that many of the staff not only work in Des Moines, but purchased homes, raised families and enjoyed Des Moines recreational opportunities. She advised if the draft ordinance instituting a parking tax is approved it will add to the financial strain on the Classified Staff who have not had salary increases since 2001 and will seriously cut into already limited discretionary funds, which are spent in the Des Moines community where they live and work. She requested that Council not pass the draft ordinance.

Lisa Skari, Executive Director of Institutional Advances at Highline Community College

Ms. Skari spoke against the proposed Parking Tax as being unfair in that it does not spread the burden of the City's budget problem in an equitable fashion. She noted the primary concern is the effect the tax would have on many employees, staff and students who are impoverished. She noted that students are facing raising tuition costs. She concluded that the parking tax would be a new strain on limited resources and that staff and students already make their fair share of contributions to the City's revenues through fees and taxes on permits, surface water management and sales. She requested the Council find a more equitable method to solve the budget problems.

George Pettibone, 23653 Marine View Drive

It was noted that Mr. Pettibone's comments dealt with the Continued Public Hearing on tonight's agenda.

City Attorney Marousek noted that the time period for speaking on the public hearing issues has closed and therefore Mr. Pettibone would be out of order to address Council on any issue that involves the public hearing.

BOARD & COMMITTEE REPORTS

Prosperity Partnership

Councilmember Steenrod reported that on November 17th she will be attending a meeting regarding jobs for our region.

Council Agenda Items Regarding Taxes

Councilmember Steenrod noted that several items pertaining to taxes are coming before Council which have an impact on economic development. While these issues have been presented to the Public Safety & Transportation Committee, she questioned why these items are not coming before Council's Economic Development Committee to allow the Committee to meet with the public to determine what impact the proposed taxes may have on the business community.

Suburban Cities Association

Councilmember Sherman reported that he will be attending a meeting next week to review the new by-laws. He requested that if any Councilmembers wish to give him their thoughts regarding the by-laws to please do so.

Public Safety and Transportation Committee

In regards to Councilmember Steenrod's comments, Councilmember Sherman felt it would be unnecessary to send issues to more than one Committee. He noted that in the end the Council as a whole makes the final decision, not the Committee.

Public Safety and Transportation Committee

Mayor Pro Tem Thomasson reported that the Committee met earlier this evening to discuss the rental housing ordinance that is on the agenda tonight, and the false alarm ordinance. He noted that the Committee is recommending passage of the rental housing ordinance, and that the license fee component be set at a lower rate than commercial business license fee for rental of single family homes. He noted that the other fees will be set by the City Manager based upon cost of service and appropriate costs of the program. The goal is that if the crime goes down and services goes down, then the fee will go down.

COUNCILMEMBER COMMENTS

Budget Issues

Councilmember Benjamin noted that the budget shortfall and new taxes to increase revenues has been a main topic of late. He felt that the budget problems developed over many years and perhaps if so much money had not been spent on fighting the 3rd runway, and the City had developed an economic development strategy with the Port, we would not be in this situation. He noted that the Port of Seattle has an offer on the table of \$2 million for the rights-of-way in the buy out area and wants to develop an economic relationship. He felt that administration should pursue this matter before the money is gone, and that pursuing other tax raising options would then not be necessary.

Draft Ordinance No. 04-185 Rental Property Crime Abatement

Councilmember Steenrod expressed concern that this ordinance that would establish the rental property crime abatement program would come back to Council as Old Business for further discussion and not the Consent Calendar. She felt that when fees or taxes impact the public, more time should be given for public comments.

Budget Issues

Councilmember Sherman advised that there is a budget crunch and a deal with the Port is not going to bail the City out. He noted that the City is in discussion with the Port but is not close to closing a deal. He stated that unlike the US government, we cannot print our own money, so we

have to have a balanced budget. He felt that it is Council's responsibility is to establish a budget that can be lived with and will be sustaining, while establishing a good, safe and secure community. He noted that some cuts have been made in staffing, but some taxes may need to be instituted.

Hearing Examiner

Mayor Pro Tem Thomasson noted that the role of the Hearing Examiner is expanding. He suggested that perhaps a range of fees should be established, rather than the \$500 no matter what the appeal may be. He felt there may be an access issue that needs to be affordable.

City Manager Piasecki advised that these fees are set by Executive Order, therefore he will review to see if this idea has merit. He noted that ideally the fee is set to cover the costs of the Hearing Examiner services.

Mayor Pro Tem Thomasson noted he would like a report on this early next year.

City Attorney Marousek advised that there is a draft ordinance being worked on that would streamline the Hearing Examiner process that may be ready sometime in January.

Budget Issues

Mayor Sheckler reiterated that there is no \$2 million offer on the table from the Port at this time. He advised that even if the funds were available, they are one time funds and it would not be prudent for Council to consider this for balancing the budget for this year.

ADMINISTRATION REPORTS

Port of Seattle - Buyout Area

City Attorney Marousek advised Council that she, the Attorney for the Port of Seattle, and the Community Development Director met with a Mediator recently and have developed, in concept, a process to discuss the buyout area development and compensation issues. She noted that she has an interlocal proposal from the Port of Seattle that should come before Council sometime in the next four weeks or so. She advised that the interlocal will describe the process, explain what the process is intended to be and recognize the authority of both the City and the Port to exercise their jurisdiction of the various areas under discussion. She further stated that we are no where near close to a payment should Council determine to vacate the streets. That discussion is expected to occur sometime in March or April of 2005.

Pacific Highway South Redevelopment Project

City Manager Piasecki reminded everyone that the ribbon cutting ceremony is scheduled for next Tuesday afternoon at 2 p.m. at the southwest corner of Pacific Highway South and South 216th. An appropriate ceremony is being planned and encouraged Councilmembers to attend.

Dollars for Scholars - Brian Snure

City Manager Piasecki introduced Brian Snure as a founding member of the Dollars for Scholars Program and after five years is turning the torch over to someone else. In honor of his service, City Manager Piasecki presented him with a certificate of appreciation as co-founder and first president of the Des Moines' Dollars for Scholars, noting that Mr. Snure was instrumental in launching 40 or more students into productive careers.

CONSENT CALENDAR was read by City Clerk Staab.

1. Motion is to approve the regular minutes of October 14, the special and regular minutes of October 21, 2004.

~~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 #96533 through #96732 & electronic fund transfers in the total amount of \$1,491,047.20~~

~~Payroll fund transfers in the total amount of \$358,222.05~~

[ED NOTE: Item removed by Councilmember Benjamin.]

~~3. Motion is to confirm Mayor Sheckler's reappointment to the Planning Agency of Mark Proulx, John Savage and Gene White to four year terms effective January 1, 2005.~~ [ED NOTE: Item removed by Councilmember Benjamin.]

~~4. Draft Resolution No. 04-216 Title: A Resolution of the City of Des Moines, Washington, amending annual dog and cat license fees effective at the beginning of the calendar year 2005 pursuant to Ordinance No. 1225 enacted December 10, 1998, and repealing Resolution No. 855 adopted December 10, 1998.~~

~~MOTION is to approve Draft Resolution No. 04-216.~~ [ED NOTE: Item removed by Councilmember Benjamin.]

~~5. Draft Ordinance No. 04-185 Title: An Ordinance of the City of Des Moines, Washington, relating to the licensing of rental housing in the City of Des Moines; re-establishing a general business license requirement for rental housing and establishing a separate crime-free housing endorsement requirement; establishing grounds for denial, suspension or revocation of the business license and crime-free housing endorsement; establishing a crime-free housing endorsement fee; dedicating the revenue from the endorsement fee to the administration of the City's crime-free Rental Housing Program; providing penalties and incentives to encourage crime-free housing; providing an appeal process; amending section 5.04.010, repealing section 5.04.015 and adding a new chapter to Title 5 of the Des Moines Municipal Code; establishing an effective date; and providing for a mandatory review after five (5) years.~~

~~MOTION is to approve Draft Ordinance No. 04-185 on second reading.~~ [ED NOTE: Item removed by Councilmember Benjamin.]

Councilmember Benjamin requested Items 2, 3, 4 and 5 be removed from the Consent Calendar.

MOTION was made by Councilmember Steenrod, seconded by Councilmember Sherman, and passed unanimously, to approve Consent Calendar Item 1.

REMOVED CONSENT CALENDAR ITEMS

Consent Item 2 - Approval of Vouchers

Councilmember Benjamin stated that he believes it is important for Councilmembers to scrutinize payment of the bills and since he did not receive a copy of the vouchers in a timely manner, he cannot approve the vouchers at this time.

MOTION was made by Mayor Pro Tem Thomasson, seconded by Mayor Sheckler, to approve Consent Item 2 as previously read into the record. Motion passed 5 to 1 with Councilmember Benjamin opposed.

Consent Item 3 - Planning Agency Appointments

MOTION was made by Councilmember Petersen, seconded by Mayor Pro Tem Thomasson, to confirm Mayor Sheckler's reappointments to the Planning Agency of Mark Proulx and John Savage to a four year term effective January 1, 2005.

Upon questioning by Council, City Manager Piasecki advised that typically when Agency members are eligible for reappointment, and are willing to serve, it is the Mayor's call to do that or advertise.

Councilmember Steenrod expressed the opinion that these types of openings should be posted on the City's web site for other interested individuals.

MOTION was made by Councilmember Sherman, seconded by Mayor Sheckler, to amend the motion to also reappoint Gene White.

Councilmember Steenrod advised that January 1st is a ways off. She would prefer to see the position advertised to see if other individuals may be interested. She noted that if no one comes forward, then proceed with the re-appointments.

Councilmember Benjamin felt that since Mr. White is related to Councilmember White, he feels there is a conflict of interest. He noted that Councilmember White has had to excuse herself from issues that have come before the Planning Agency in order to avoid any potential claims of conflict of interest.

VOTE ON AMENDMENT MOTION: Motion failed 4 to 2 with Councilmember Sherman and Mayor Sheckler voting yes.

VOTE ON MAIN MOTION: Motion passed 4 to 2 with Councilmembers Benjamin and Steenrod opposed.

Consent Item 4 - Draft Resolution No. 04-216 [ASSIGNED RESOLUTION NO. 980] - Dog & Cat License Fees

Upon questioning by Councilmember Benjamin regarding Section 3(2), Assistant City Attorney Brown explained the language was to clarify the Code which specifies certain periods of time for licensing a dog or cat. In other words, you have 30 days to license the pet from the day it is acquired. If not licensed within 30 days there is a penalty, and if it is more than 90 days, there is an additional penalty.

Upon comment by Mayor Pro Tem Thomasson, City Attorney Marousek noted language will be included to supersede the resolution Council past recently regarding this same subject.

MOTION was made by Councilmember Sherman, seconded by Mayor Pro Tem Thomasson, to adopt Draft Resolution No. 04-216 with additional verbiage added as suggested by the City Attorney. Motion passed 5 to 1 with Councilmember Benjamin opposed.

Consent Item 5 - Draft Ordinance 04-158 - Licensing of Rental Housing - 2nd Reading

Councilmember Benjamin voiced opposition to the draft ordinance as another questionable tax ordinance. He noted that the City needs to live within its means.

Upon a request from Councilmember Sherman to respond to Ms. Hildebrand's comments that there is no similar legislation in Orange County, California, Police Chief Baker noted that Orange County and the City of Anaheim, CA have adopted similar, but not exactly the same, legislation that is used to develop a revenue stream to help pay for police services. He advised that this ordinance is designed to help continue to offer police services to rental property at the level that is currently being offered.

Upon questioning, Police Chief Baker confirmed that the purpose of the ordinance is directly tied to police service calls involving gang, drug or vice related activities and serious and significant criminal activity.

In regards to earlier public comments that the fees have no objective standards, Councilmember Sherman advised that the ordinance specifically states that the amount charged is to be related specifically to providing services and administering the program.

In response to questioning by Councilmember Sherman regarding potential law suits, Assistant City Attorney Brown noted the ordinance was prepared to make sure that the fee is not a tax, but a fee for a service that is being provided. He advised that the ordinance is structured to establish that the costs for the program are paid for by the fees.

City Attorney Marousek informed Council that the cases that have been successful have been structured in such a way that it was clear that it was simply a revenue generating tax as opposed to the draft ordinance, which is a fee for service.

It was noted by Councilmember Sherman that a companion ordinance will come before Council to establish a lower business license fee for single family rental homes versus apartment complexes. He further noted that the preliminary 2005 budget is based on certain assumptions for revenues. He advised that if some of these revenues are not approved by Council then other deeper cuts must be made. He noted that the impact of this draft ordinance is \$280,000 and if Council does not adopt the ordinance then cuts in that amount must be made somewhere, and that is not in the best interests of the community.

MOTION was made by Councilmember Sherman, seconded by Mayor Pro Tem Thomasson, to adopt Draft Ordinance No. 04-185 on second reading.

Councilmember Sherman read the title of the ordinance into the record.

Councilmember Steenrod felt that Council has not allowed for sufficient public comment and perhaps a Public Hearing should have been held on the subject. She noted that she usually backs the Police Department for a crime free community. She noted that the proposed false alarm ordinance has a reasonable fee of \$25 and only impacts those that are causing problems. However, the rental ordinance applies to all rental properties, the good and the bad. She noted that driving out businesses is not good for long term economic development in the City. She noted that she has received correspondence from an apartment owner who objects to the proposal as it does not penalize those complexes who are the repeat offenders. She noted that he would

rather see stiff increasing penalties on those who create the problems, rather than an arbitrary fee on all apartment owners. She presented a view foil showing how the proposed new fee would impact the sales price of an apartment complex by forcing the current owner to lower the price. She further noted a decrease in population and felt that Council is driving citizens out of the community by these types of fees or taxes. In conclusion she requested the draft ordinance be sent back to the Public Safety and Transportation Committee to consider lowering the fee or change the ordinance to penalize repeat defenders.

City Manager Piasecki remarked that the fee is a fee for service. The service provided are classes to apartment owners and managers take to learn how to operate their properties better, inspections to help make rental properties less inviting to crime and an interaction with tenants to teach them their responsibilities as a resident. He also noted that the Code Enforcement Officer will be involved to make sure the apartments are clean and meet Code requirements to provide a healthy and safe living environment. He noted that the penalty aspect applies after July 1, 2005, so that when there is a call related to drugs, gangs or vice, the tenant and owner are jointly responsible for paying. Once the base line cost is established for the program then the fees will reflect that. If the cost is less then fees will go down, or if the cost is greater they may go up. He noted that a future consideration may be the amount of time and effort that has to be expended to work with various complexes and those that are getting a higher level of service may end up paying a higher fee.

Councilmember Benjamin advised that he supports reduction in crime and the Police Department in its efforts to reduce the crime rate. However, he noted he cannot support this draft ordinance at this time. He suggested the maker of the motion amend the motion to remand it to the Public Safety and Transportation Committee for further revisions.

Councilmember Sherman remarked that this ordinance is quite similar to the false alarm ordinance. However, he could not support exemptions for the first couple of calls as these are quite serious calls involving potential shootings, drugs, etc.

MOTION was made by Mayor Sheckler, seconded by Councilmember Sherman, to call for the question. Motion passed 4 to 2 with Councilmembers Benjamin and Steenrod opposed.

VOTE ON MAIN MOTION: Motion passed 4 to 2 with Councilmembers Benjamin and Steenrod opposed.

At 8:55 p.m. Mayor Sheckler called for a 10 minutes break and advised that Council will go into an Executive Session at the end of the break. City Attorney Marousek advised that Council will go into an Executive Session for approximately 20 minutes to discuss with legal counsel representing the City litigation or potential litigation to which the City is, or is likely, to become a party and about which public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the City.

At 9:28 p.m. City Manager Piasecki advised that the Council will continue in Executive Session until 9:40 p.m.

At 9:40 p.m. City Manager Piasecki announced that the Council will continue in Executive Session until 9:50 p.m.

At 9:50 p.m. the Executive Session ended with no formal action taken and Council reconvened into an open meeting.

CONTINUED PUBLIC HEARING

Draft Ordinance No. 04-134 Revision to DMMC 18.20 Neighborhood Commercial Textual Code Change - 1st Reading

Mayor Sheckler noted that the purpose of this item is to continue the public hearing that was begun on October 14, 2004, to review revisions of permitted uses to limit the intensity of commercial uses permitted in the NC zone. He advised that at this point the Public Comment period has been closed and Councilmembers were in the process of asking questions.

Nancy Rogers, Attorney with Cairncross and Hemplemann, requested to register a legal objection to the process.

City Attorney Marousek advised Ms. Rogers that at this point in the proceedings she is out of order. She informed Council that the comment Ms. Rogers wished to convey was that the Council, in Ms. Rogers' opinion, just spent 40 minutes discussing a legislative matter in Executive Session.

Upon questioning by City Attorney Marousek, Ms. Rogers confirmed that was the nature of her objection.

City Attorney Marousek noted for the record, that the City is in litigation on issues related to this pending legislation and that Council only discussed the potential litigation in the Executive Session.

Mayor questioned if there were any questions from Council. As there was no response, he CLOSED the Public Hearing.

MOTION was made by Councilmember Sherman, seconded by Councilmember Steenrod, to continue the discussion to a date to be set by the Mayor and City Manager. Motion passed 4 to 2 with Councilmember Benjamin and Mayor Pro Tem Thomasson opposed.

OLD BUSINESS

Preliminary 2005 Budget

Discussion continued where review of departmental budgets ended at the November 4th meeting.

Engineering/Public Works

Public Works Director Heydon continued review of cuts not included in City Manager's recommendations. He referenced working with the Port of Seattle through agreements. He advised that while working with the Port can be good, such as the Des Moines Creek Basin Agreement, he cautioned that they need to be monitored carefully and cited the SR 509 access process as an example of potential problems.

Upon questioning by Council, Public Works Director Heydon noted that reduction in road maintenance supplies would mean that less traveled streets would not be striped as often, but main arterials would be maintained to reduce increased liability.

Community Development

Community Development Director Kilgore reviewed cuts not included in the City Manager's recommendations contained in Council's packet and ranked them as in order of minimum, moderate and high impacts. The significant impact items that should would not recommend cutting included the following:

- \$5,000 for Small Business Center at Highline College: Important tool for attracting new business to City.
- \$33,281 for Code Enforcement Officer to .50: Half time would only provide emergency enforcement and would not be able to assist law enforcement.
- \$63,735 for Permit Coordinator: Reduction in customer and archive services, hurt ability to perform inspections and would increase time involvement by inspectors slowing process.

Community Development Director Kilgore advised Council that the CD Director position requires 5 main activities that would need to still be handled by a qualified individual as being Block Grant, Economic Development, long range planning, development services and building permit related functions.

Potential Special Meeting

Mayor Sheckler noted that the next regular meeting is scheduled for November 18th at 7:00 p.m. and questioned Councilmembers as to their availability to meet next Tuesday, November 16th to continue with the preliminary budget and the two items left on tonight's agenda, Draft Ordinance No. 04-229 - Parking Tax and Draft Ordinance No. 04-217 Establishing B & O Tax.

All members indicated they would be able to attend with the exception of Councilmember Steenrod.

Consensus was a special meeting will be held on November 16th at 7:30 p.m.

ADJOURNMENT

At 10:28 p.m. **MOTION** was made by Councilmember Benjamin, seconded by Mayor Pro Tem Thomasson and passed unanimously, to adjourn.

Respectfully submitted,

Denis Staab
City Clerk

ACTION ITEMS FROM 11/11/04 MEETING

- Administration to review establishing a range of fees for Hearing Examiner filling fees for different types of appeals.