

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

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

Staff: City Administrator John Doan, City Attorney Karen Kirkpatrick, Finance Director Ursula Euler, Administrative Services Director Eric Trimble, Community Development Director Michael Matlock, Assistant City Administrator Heidi Behrends-Cerniwey, Public Works Director Jay Eaton, Police Chief John Stines, Fire Chief Scott LaVielle, Parks and Recreation Director Chuck Denney, IS Manager Brian Scharber, Parks and Recreation Supervisor Todd Anderson, and Recording Secretary Valerie Gow.

ADDITIONS TO THE AGENDA: Consent Calendar item, “Memorandum of Agreement with the Olympia-Lacey-Tumwater Visitor and Convention Bureau (VCB) for the Tumwater Artesian Brewfest” (item f) was moved to Council Considerations.

SPECIAL ITEMS:

**PROCLAMATION:
PARKS &
RECREATION
MONTH, JULY 2015:** Councilmember Oliva read a proclamation encouraging citizens to recognize the benefits derived from the City’s parks and recreation programs. Citizens were encouraged to visit the City’s website to learn more about parks and recreation program and volunteer opportunities.

Supervisor Anderson commented on the City’s recent 4th of July events and the efforts undertaken by City staff to coordinate and produce the 4th of July parade, festival, and fireworks show.

Mayor Kmet presented the proclamation to Manager Anderson.

**INTRODUCTION
/SWEARING IN OF
POLICE OFFICER
CHARLES LETT:** The item was deferred to a future meeting.

PUBLIC COMMENT: **Pamela Hanson** demonstrated the ease in which a person can conceal drugs or other items during a drug test. She encouraged the Council to support the Police and Fire Departments to the extent possible, as a drug test doesn’t create a drug-free workplace, drug-free roads, or drug-free schools.

Sue Langhans, Olympia, spoke against oil trains traveling through Thurston County to export oil to Asia. The highest duty for any

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governmental body is the public interest of which the highest aspect is public safety. The U.S. is faced with a colossal disregard of public safety by greedy corporate interests, namely the rail and oil interests. This corporate disregard is similar to the Ford Motor Company's Pinto automobile in the 1970s. The Pinto had a manifestly unsafe gas tank and instead of repairing the defect, Ford made a callous calculation that it would be cheaper to incinerate a certain number of people rather than fix the problem responsibly. Today, bomb-like oil trains moving through Thurston County represent a callous calculation. It is readily known that a fleet of tank cars is unsafe at any speed, but what is even more egregious is the conscious decision not to mitigate the volatility hazard of crude oil. The oil is three to five times more volatile than Texas crude, yet the North Dakota producers will not pay to reduce its explosiveness because of sheer greed. Even Texas requires the treatment. She urged the Council to take every possible step to restrict oil trains from passing through vulnerable communities in Thurston County. She cited a quote of, "If we wash our hands of the conflict between the powerful and the powerless, we side with the powerful, and we don't remain neutral." Oil producers generate huge profits and should spend some on safety. Up to 22, mile-long trains are traveling through the region, which increases the opportunity for the trains to derail or explode. All citizens and elected officials should pursue efforts to protect the safety of all people.

Mayor Kmet reported the Council passed a resolution expressing concerns about the oil trains traveling to Grays Harbor County.

Mary Hath Spokane, 303 1st Street South #44, Yelm, dressed as 'Mother Goddess Liberty' proclaimed her desire to unite everyone to come together to save the planet. Scientists have indicated that the sixth extinction has been initiated with 50% of big fish already extinct and 50% of all songbirds extinct. This is the most critical time in the history of the entire world. Today, the state doesn't have a governor that is willing to stop the trains with a moratorium or a state legislature that has stopped the trains. Elected officials at the local level must stop the trains. Efforts have been expended with the Thurston County Commissioners to draft an ordinance and all cities are encouraged to support the Commission. The effort is substantial and if it's possible to stop the fossil fuel trains from traveling through the state, it might be possible to stop the fracking that is occurring in North Dakota, which is contributing so much to the climate change problem. The number of trains is expected to increase by 400%. There have been 15 explosions of the Bakken oil trains. Some of the explosions included the new oil trains. They are not safe. The eventual moratorium hopefully will not occur after there has been a horrific explosion causing the death of many people. The fossil fuel companies have bought patents to prevent clean

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energy. The car industry knows how to produce water cars and refuses to do so. As long as the old technology is employed, the companies are preventing natural evolution for the planet. Ms. Langhans cited information from the City of Bellingham surrounding community rights and a website of 180 nationwide communities in opposition of fracking and fossil fuels. It is possible for the region to be successful. She cited the City of Bellingham's resolution as an example. It's important to stand up to corporations that are sacrificing human life to obtain profits. She advocated for getting rid of greed, war, and suffering, and bringing in peace, health, happiness, and abundance for all people in the world.

Councilmember Cathey reported the Council adopted resolutions in opposition to coal and oil trains traveling through Thurston County. The Council has engaged in numerous discussions regarding the issue. She represents the City on Safe Energy Leadership Alliance, an organization with members representing seven states. The organization advocates for train safety along the West Coast and British Columbia.

**CONSENT
CALENDAR:**

- a. Approval of Minutes: Regular Meeting, June 2, 2015; Worksession, May 26, 2015, June 9, 2015, 2015 & June 23, 2015
- b. Payment of Vouchers
- c. Resolution No. R2015-010, Surplus Property
- d. Capitol Boulevard Corridor Consultant Agreement: Phase 2
- e. Tumwater Boulevard Southbound I-5 Ramp: Design Revisions
- f. Memorandum of Agreement with the Olympia-Lacey-Tumwater Visitor and Convention Bureau (VCB) for the Tumwater Artesian Brewfest - *Pulled*
- g. Forest Land Response Agreement & Federal Grant Agreement with the Washington State Department of Natural Resources (DNR)
- h. Addendum to the ICMA-RC Plan 303079 (Deferred Compensation)

MOTION:

Councilmember McClanahan moved, seconded by Councilmember Oliva, to approve the consent calendar as amended. Motion carried unanimously.

Mayor Kmet reviewed the items approved on the consent calendar.

PUBLIC HEARINGS:

ORDINANCE NO. 0215-005, ASTOUND BROADBAND MASTER PERMIT:

Manager Scharber said the master permit enables Astound Broadband LLC to access City right-of-way to provide telecommunications, internet access, and private point-to-point access to businesses, schools, government agencies, and healthcare facilities. Initial services include point-to-point fiber connection for the Tumwater School District to connect all school facilities. Construction within the City will also provide a pathway to North Thurston Public Schools.

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Manager Scharber described construction details for installation of the fiber. The company submitted an application for the permit and paid the application fee. The master permit requires a renewal process every five years.

The Public Works Committee reviewed the request and recommended scheduling a public hearing. The Council cannot grant approval or disapproval of the master permit until the next regularly scheduled meeting on July 21.

Manager Scharber responded to questions from the Council. A new business is requesting access to right-of-way. Other existing businesses currently provide similar services. The request adds more competition and services to the community. Right-of-way capacity could likely accommodate three more companies. The permit agreement includes provisions to either remove facilities or relinquish facilities to the City should the company no longer wish to provide services. Infrastructure located above ground involves a separate contract with Puget Sound Energy.

Mayor Kmet opened the public hearing at 7:33 p.m.

Vic Peterson, Vice President Major Project Implementation, Astound Broadband, responded to questions from the Mayor on the extent of services the company plans to offer. The company's immediate focus is on small and large businesses in addition to contracts with North Thurston Public Schools and Tumwater School District to provide services immediately. The company is also providing fiber services to cellular backhaul providers to enable the companies to increase bandwidth capabilities on existing cell towers. The company is actively soliciting new businesses. Fiber installation could also help attract new businesses to the City, such as call center and high tech data centers, which have interest in the type of fiber to be installed.

Mayor Kmet closed the public hearing 7:35 p.m.

MOTION:

Councilmember McClanahan moved, seconded by Councilmember Oliva, to move Ordinance No. O2015-005 for consideration to the July 21 City Council meeting. Motion carried unanimously.

**COUNCIL
CONSIDERATIONS:**

**MEMORANDUM OF
AGREEMENT WITH**

City Administrator Doan reported the VCB has changed its business direction and the City doesn't anticipate a future partnership between

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**THE OLYMPIA-
LACEY-TUMWATER
VISITOR AND
CONVENTION
BUREAU (VCB) FOR
THE TUMWATER
ARTESIAN
BREWFEEST:**

the City and the VCB for coordinating the annual Tumwater Artesian Brewfest. This year's event is scheduled on August 22. The terms of the proposed agreement are consistent with previous agreements with the VCB. However, this agreement reflects the new direction of the VCB's long-term strategy.

Because the agreement contains two conflicting provisions, the Council is asked to retain Section 5.4 and eliminate Section 3.1.4.

City Administrator Doan responded to questions about the agreement. The agreement is different from previous agreements. Both the City and VCB contributed staff resources with joint ownership of any profit from the event. The agreement has been revised to reflect that any profits gained from the event would remain with the City for funding the 2016 event.

MOTION:

Councilmember Hill moved, seconded by Councilmember Cathey, to authorize the Mayor to sign the Memorandum of Agreement with the Olympia-Lacey-Tumwater Visitor and Convention Bureau for certain services related to the Tumwater Artesian Brewfest for 2015 as amended with the removal of Section 3.1.4.

Councilmember Oliva asked staff to consider the appropriateness of the VCB's signatory authority because the individual is also a contractor with the City.

MOTION:

Motion carried unanimously.

**COMMITTEE
REPORTS:**

**PUBLIC SAFETY:
*Ed Hildreth***

There was no report. The next meeting scheduled on September 14 will include a discussion on the outcome of calls for service during the 4th of July holiday.

**GENERAL
GOVERNMENT:
*Joan Cathey***

The committee reviewed the update of the Hazard Mitigation Plan. Some changes and additions apply directly to the City involving the newly defined floodplain, as well as the new annexation area. The committee reviewed the proposed amendment to the Neighborhood Commercial zone district. Some of the previous recommendations by the Mayor and the committee were reviewed and supported by the Planning Commission. Because of the number of changes, the Planning Commission conducted another public hearing. The Council is scheduled to review the amendment at the August 18 Council meeting under Council Considerations.

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Mayor Kmet encouraged the Council to review the Hazard Mitigation Plan to ensure the plan covers all potential hazards that could occur within the City.

**PUBLIC WORKS:
*Neil McClanahan***

The next meeting on July 9 includes briefings on:

- Solicitation of bids and award contract for Tumwater Historical Park Trail
- Interlocal Purchasing Agreement for Houston-Galveston Area Council
- Professional Services Agreement for Water Rights Acquisition
- Pavement Management Priorities

**BUDGET AND
FINANCE:
*Pete Kmet***

The committee reviewed an application for a Community Neighborhood Grant and concluded the application did not meet the criteria established for the program. The committee directed staff to work with local neighborhoods to assist them to ensure the projects meet the intent of the program. The committee reviewed the budget status for the first three months of 2015. Revenues are on track and expenditures are within budget.

**MAYOR/CITY
ADMINISTRATOR'S
REPORT:**

Mayor Kmet reminded the Council of the July 12 Stream Team 25th anniversary picnic from 4 p.m. to 6 p.m. at Lacey Wonderwood Park. The Council on Aging invited the Council to attend an event at the Olympia Senior Center on July 13 to discuss senior citizen concerns.

City Administrator Doan reported the emergency call volume was less for this July 4th holiday than last year. There were fewer fireworks this year likely because many citizens recognized the hazard with the region's extremely dry season. No major incidents or structural fires occurred. The City implemented several police and fire patrols during the holiday. The results will be shared with the Council later. Unfortunately, the 4th of July holiday began with several traffic deaths caused by accidents on I-5.

City Administrator Doan shared some notes of thanks and acknowledgements from the community.

**COUNCILMEMBER
REPORTS:**

Neil McClanahan:

The next meeting of the Association of United State Army is on July 24. The Thurston County Housing Task Force is meeting on July 20. The Alliance for Healthy South Sound is meeting on Thursday, July 15. The Home Consortium is initiating a community-wide discussion on consolidation or collaboration of agencies funding the region's various

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human services needs.

Tom Oliva:

LOTT Clean Water Alliance completed an exit conference with the State Auditor's Office. There were no audit findings during 2014 for the agency.

The next meeting of the Thurston Regional Planning Council is on Friday, July 10. The meeting is scheduled as an all-day retreat. The agenda includes developing a work plan for the next several years.

Councilmember Oliva attended an open house for the Washington National Guard Readiness Center slated for construction next year. The site is located between Kimmie Street and I-5 and is south of Bush Middle School. The new 90,000 square-foot building will be the training facility for Washington National Guard personnel stationed in Puyallup and Olympia. The new facility replaces the armories in downtown Olympia and Puyallup. Approximately 16 citizens attended the open house and asked a variety of questions.

Debbie Sullivan:

The Intercity Transit Authority approved the security camera system at the Olympia Transit Center and the expansion of Route 42 to serve the ARC facility and Family Court effective in mid-August. The Authority has scheduled a strategic planning session in mid-August.

The Community Action Council of Mason, Lewis, and Thurston Counties met and reviewed the budget. Several of the programs funded by the state were scheduled to end on June 30. With the passage of the budget, the programs will continue.

Councilmember Sullivan recently attended the Army's 240th Birthday Ball in Tacoma. The keynote speaker was former Defense Secretary Robert Gates. His comments were very insightful in terms of his interaction personally with military personnel during his tenure as Secretary of Defense during two administrations.

Councilmember Cathey spoke to Mr. Gate's positive promotion of including gay scout masters in the Boy Scouts organization.

Nicole Hill:

The Joint Animal Services Commission has been working on the replacement of Suzanne Beauregard, who retired at the end of June. The executive director position has been posted and generated 60 applications. The City of Lacey, as the judiciary for Animal Services, is managing the hiring process and narrowed the candidates to 12. The Commission is scheduled to meet and narrow the pool to five candidates. The Council is invited to attend the meet and greet with the candidates on July 27 at Lacey City Hall. The annual fundraiser for the

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Commission and the animal services shelter is the Bow Wow Boogie event scheduled on September 25 at the Jacobs Schmidt House in Lacey.

The Thurston Economic Development Council is not meeting in July or August.

The Lodging Tax Advisory Committee is scheduled to meet in September to consider funding applications for events and activities in Tumwater.

Pete Kmet:

The Transportation Policy Board received an excellent briefing on transportation technology from a representative from Washington State Department of Transportation on the future of self-guided vehicles and the changes it will have on how vehicles are driven in the future. The new technology will require changes to infrastructure to accommodate new technology.

Ed Hildreth:

T-COMM 911 recently held a two-day retreat on strategic positioning for the agency. At its next meeting, members are scheduled to review the results of the retreat. The Commission's Budget Committee is scheduled to meet to review the budget for FY 2016. T-COMM General Manager Jim Quackenbush announced his retirement effective January 2, 2016. A committee was convened to begin the process for his replacement.

The VCB meeting included adoption of the budget and convening of a committee to begin the process of hiring a new director for the VCB. Fifty applications were submitted in response to the recruitment announcement. The City of Tumwater is assisting in reviewing the applicants to narrow the list of candidates. A meet and greet with the community will be scheduled to meet the top three candidates. The intent is to hire a new director by mid-September.

Eileen Swarthout:

The Emergency Medical Services (EMS) Council continued its review of the Thurston Regional Planning Council Study (TRPC). The Council contracted with TRPC to implement the first phase of the study to establish a database of trends for basic level service response to advanced life service response. The Council is also working on its strategic plan for EMS. Members reviewed the budget and the recommendation by TRPC to establish a reserve in the budget. EMS data for 2014 were reviewed and accepted by the Council.

Joan Cathey:

The next meeting of the Thurston County Solid Waste Advisory Committee is on Thursday, July 9. The agenda includes a chapter-by-chapter review of the new solid waste plan.

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Members of Community Investment Partnership plan to attend the HOME Consortium's discussion on combining human services funding efforts.

Councilmember Cathey encouraged the Council to read the latest issue of the Association of Washington City's (AWC) *Cityvision* magazine featuring a letter on the state of policing in America authored by Olympia Police Chief Ronnie Roberts.

On June 24, Councilmember Cathey attended a bee-pollinating garden celebration. The garden is located at Panorama City and features plants attracting bees, as well as celebrating the pledge by Thurston County, local cities, and LOTT Clean Water Alliance to avoid the use of neonicotinoids to create a pollinator-friendly community. The event was very well attended.

Director Denney briefed the Council on recent efforts with the cities of Olympia and Lacey to create a golf tournament for city staff. Supervisor Anderson is the lead for the City of Tumwater for developing the first annual Tri-City Golf Tournament at the Tumwater Valley Golf Course. The tournament is a scramble format at a fee of \$55 per person. Teams must have at least two current or retired city employees. The Council is invited to participate. The tournament is on August 1 at 8 a.m.

ADJOURNMENT: With there being no further business, Mayor Kmet adjourned the meeting at 8:32 p.m.

Prepared by Valerie L. Gow, Recording Secretary/President
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