

**CITY COUNCIL  
BUSINESS MEETING MINUTES  
December 6, 2011**

The Business Meeting of the Monroe City Council was held on December 6, 2011, in the Council Chambers at City Hall. Mayor Robert Zimmerman called the meeting to order at 7:00 p.m.

**ANNOUNCEMENTS & PRESENTATIONS**

Mayor Zimmerman introduced the two newly elected Council members, Kevin Hanford and Jason Gamble, and administered the Oath of Office to them.

Councilpersons present: Balk, Cudaback, Hanford, Gamble, Stima, and Goering.

It was noted that Councilperson Williams would not be attending the meeting.

Staff present: Brazel, Feilberg, Warthan, Quenzer, Willis, Simonson, Sax, Popelka, and Martinson.

City Attorney Zach Lell was also present.

**COMMENTS FROM CITIZENS**

Fred Walser, PO Box 237, Monroe, gave the two new councilmembers a packet of information about the US2 Coalition. He updated Council regarding the US2 Bypass. There was a meeting with legislators, where they presented the importance of the bypass. The feedback has been positive and the legislators were impressed by the attendance of several Mayors. The proposal will need to be a public-private partnership to sell to legislators. He asked for \$3500 to contribute to the effort. They will also ask the Cities of Sultan and Gold Bar for money to pay for lobbyists.

Mayor Zimmerman stated that Chairman Walser has shown the benefits of the bypass, and asked for Council's support on this.

After a question about what fund it would come out of, City Attorney Lell stated that he could look into that with staff.

Joel Phillips, 505 Circle Drive, Monroe, congratulated Councilperson Gamble.

**EXECUTIVE SESSION**

Mayor Zimmerman explained that there was a need for an executive session pertaining to potential litigation for approximately 15 minutes, pursuant to RCW 42.30.110.1(i), as read into the record by City Attorney Lell. Any action will take place in open session.

MEETING RECESSED INTO EXECUTIVE SESSION: 7:17 p.m.

EXECUTIVE SESSION EXTENDED

MEETING RECONVENED INTO REGULAR SESSION: 7:40 p.m.

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to suspend the Council Rules of Procedures and waive the requirement for a second reading on the Ordinance to follow. On vote,

Motion carried 6/0.

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to adopt as first and final reading Ordinance #032/2011, an ordinance of the City of Monroe, Washington, imposing a six month moratorium on the establishment of medical cannabis collective gardens; adopting preliminary findings in support thereof; setting the date for a public hearing on the moratorium; providing for severability, declaring an emergency; and establishing an immediate effective date.

City Attorney Lell suggested that the motion formally adds this item to the agenda. The amendment was accepted by the maker of the motion. On vote,

Motion carried 6/0.

At Mayor Zimmerman's request, the executive session regarding pricing of property was moved up on the agenda.

**Executive Session: For Setting the Minimum Price for Which Property Will Be Sold**

City Attorney Lell explained that the executive session would be for approximately 30 minutes, and was to consider the minimum price at which real estate will be offered for sale or lease, pursuant to RCW 42.30.110 1(c). Action in open session is expected.

MEETING RECESSED INTO EXECUTIVE SESSION: 7:43 p.m.  
EXECUTIVE SESSION EXTENDED  
MEETING RECONVENED INTO REGULAR SESSION: 8:40 p.m.

There was no action taken after executive session.

**CONSENT AGENDA**

Consent Agenda #3 (Ordinance Amending 2011 Budget/2nd & Final Reading) was pulled by Councilperson Cudaback for discussion.

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to approve the Consent Agenda #2, #4, & #5. On vote,

Motion carried 6/0.

Items approved: **NOTE:** 1A) & 1B) (November 1, 2011 Business Meeting Minutes & November 29, 2011 Special Meeting Minutes) were not available for approval; 2A) Bills (Checks #81157 – 81284) in the amount of \$709,889.50; 4) Interlocal Agreement with Snohomish County Relating To Misdemeanor Warrant Data Entry and Verification Services; 5) Authorize Chief of Police to Sign Maintenance Contract with Cross Match Technologies for Police Live Scan Fingerprinting Machine.

After discussion, the motion was made by Councilperson Cudaback and seconded by Councilperson Stima motion to move the 2011 Budget amendment to next week (12/13/11).

After discussion, the motion was on the floor to move this item to next week. On vote,

Motion carried 6/0.

### **NEW BUSINESS**

#### **Ordinance Adopting 2012 Budget/1st Reading**

No staff presentation was made, as Finance Director Nelson was absent, due to a family emergency.

The motion was made by Councilperson Stima and seconded by Councilperson Hanford, to accept as first reading Ordinance #029/2011, adopting the 2012 Budget. On vote,

Motion carried 6/0.

#### **Ordinance Adopting Term Limits/1st Reading**

Councilperson Goering stated that voters had approved term limits 3-1.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Stima, to accept as first reading Ordinance #030/2011, adopting term limits for elected officials.

The motion was made by Councilperson Balk and seconded by Councilperson Cudaback to amend the ordinance to change the time out of office from eight years to two years before a former official could seek election again.

After discussion, the motion was on the floor to amend the ordinance from eight years to two years out of office before seeking election again. On vote,

Motion failed 4/3.

Councilpersons Balk, Gamble, and Cudaback voted in the affirmative.

Councilpersons Goering, Hanford, and Stima were opposed; Mayor Zimmerman broke the tie.

The original motion was on the floor to adopt ordinance as written. On vote,

Motion carried 6/0.

#### **Ordinance Extending Downtown Benefit District Fee Waiver/1st Reading**

Permit & Planning Manager Popelka gave a brief introduction.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to accept as first reading Ordinance #031/2011, extending the Downtown Benefit District fee waiver.

It was confirmed that amending the time to two years could happen at the second reading.  
On vote,

Motion carried 6/0.

### **FINAL ACTION**

#### **Presentation: Non-represented Employees Medical Insurance Plan**

Human Resources Manager Warthan gave a brief overview explaining that this item was about moving from AWC to the Clearpoint HSA high deductible health plan and noted the cost comparison sheet. This would bring parity in the offering of benefits to the non-represented employees.

The motion was made by Councilperson Stima and seconded by Councilperson Goering, to extend the meeting past 10:00 p.m. On vote,

Motion carried 6/0.

### **EXECUTIVE SESSION**

Mayor Zimmerman stated there was a need for another executive session. City Attorney Lell explained that the executive session was for purposes of discussing collective bargaining, pursuant to RCW 42.30.140, and would be for approximately 25 minutes. Any action will be taken in open session.

Councilperson Hanford stated that he is in the Machinist Union and asked if he should recuse himself. City Attorney Lell stated that he could stay in meeting, since it was not the same union; however, all executive session discussions were to be kept confidential.

MEETING RECESSED INTO EXECUTIVE SESSION: 9:25 p.m.

MEETING RECONVENED INTO REGULAR SESSION: 9:59 p.m.

### **COUNCILMEMBER REPORTS**

Councilperson Stima reported that the Community Transit Board would be appointing new board members in January.

Mayor Zimmerman thanked Councilperson Stima for his participation and reports on the Community Transit Board meetings.

### **MAYOR/COUNCIL/ADMINISTRATIVE STAFF REPORTS**

#### **Draft Agenda/December 13, 2011 Business Meeting**

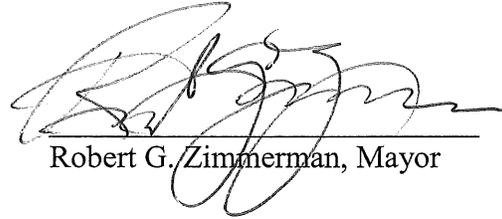
City Administrator Brazel presented the draft agenda for December 13, 2011. The 2011 Budget Amendment item was added to the 12/13/11 agenda.

The cannabis collective gardens public hearing was scheduled for January 17, 2012.

There being no further business, the motion was made by Councilperson Gamble and seconded by Councilperson Cudaback, to adjourn the meeting. On vote,

Motion carried 6/0.

MEETING ADJOURNED: 10:03 p.m.



Robert G. Zimmerman, Mayor



Eadye Martinson, Deputy City Clerk