

**CITY COUNCIL  
BUSINESS MEETING MINUTES  
June 19, 2012**

The Business Meeting of the Monroe City Council was held on June 19, 2012, in the Council Chambers at City Hall. Mayor Robert Zimmerman called the meeting to order at 7:00 p.m.

Councilpersons present: Goering, Williams, Kamp, Gamble, and Hanford.

Councilpersons absent: Cudaback and Davis.

Staff present: Brazel, Feilberg, Warthan, Nelson, Quenzer, Farrell, Sax, Popelka, and Martinson.

Board of Ethics Members present: Williams and Vick.

City Attorney Zach Lell was also present.

The meeting was opened with the Pledge of Allegiance.

**ANNOUNCEMENTS/PRESENTATIONS**

**1. Proclamation/Speed Week**

Mayor Zimmerman read the Proclamation declaring June 25<sup>th</sup> – 30<sup>th</sup> as *Speed Week*. He presented the Proclamation to Traci and Doug Hobbs, Evergreen Speedway promoters.

**PUBLIC HEARINGS**

**1. 2012 Comprehensive Plan Amendments/Proposed Land Use Element Text for:**

**A. FirstAir Field**

**B. North Kelsey Development Plan/Downtown Master Plan**

**C. East Monroe**

Planning & Permit Manager Popelka gave an overview and presentation explaining the proposed Comprehensive Plan Amendments. He also explained that the public hearing is being held, since there were some changes to the amendments since the Planning Commission held their public hearing.

Mayor Zimmerman opened the public hearing.

Steve Schilling, 32221 124<sup>th</sup> Street SE, Sultan, representing St. Mary's Catholic Church. Thanked Council for excluding the Hill Street extension. He read a letter into the record from St. Mary's suggesting changes to the Downtown Master Plan.

Lowell Anderson, 129 E. Rivmont Drive, Monroe, noted his letter dated 6/14/12, stating that Council should wait for the EIS appeal on the East Monroe

Comp Plan Amendment.

Jeff Rogers, 127 E. Rivmont Drive, Monroe, spoke against the East Monroe Comp Plan Amendment.

Clyde Eller, 21804 Calhoun Road, Monroe, spoke against the East Monroe Comp Plan Amendment.

Chad McCammon, 21624 Calhoun Road, Monroe, spoke against the text changes on the East Monroe Comp Plan amendments and the gateway concept.

Darleen Wolfsitzer, spoke against the East Monroe Comp Plan amendment.

The motion was made by Councilperson Goering and seconded by Councilperson Williams, to close the public testimony portion of the public hearing .On vote,

Motion carried 5/0.

Planning & Permit Manager Popelka explained that Planning Commission recommends that the Comp Plan Amendment be delayed until after the EIS appeal

City Attorney Lell explained that Council is not prohibited from voting on the amendments prior to the appeal. All Comp Plan Amendments must be voted on simultaneously and before the end of the year, according to state law.

After Council discussion, the motion was made by Councilperson Gamble and seconded by Councilperson Williams, to close the public hearing .On vote,

Motion carried 5/0.

#### **COMMENTS FROM CITIZENS**

No citizens wished to address Council.

#### **CONSENT AGENDA**

Mayor Zimmerman noted that one item had been added to the Consent Agenda (CA #5 *Authorize Mayor/Sign 2012 Evergreen State Fair Traffic Control Services Agreement*).

1. **Minutes**
  - A. **June 5, 2012 Business Meeting**
  - B. **June 12, 2012 Study Session**
2. **Accounts Payable & Payroll**
  - A. **Bills: Checks #82529 - #82584, in the amount of \$1,073,775.24**
  - B. **Payroll: Checks #31616 - #31694, in the amount of \$936,680.43**
3. **Ordinance Amending Chapter 10.10, Parking Regulations pertaining to Impounding of Vehicles/2nd & Final Reading**
4. **Authorize Mayor to Sign Agreement with Department of Corrections for Offender Work Crew Projects**

**5. Authorize Mayor/Sign 2012 Evergreen State Fair Traffic Control Services Agreement**

The motion was made by Councilperson Williams and seconded by Councilperson Hanford, to approve the Consent Agenda. On vote,

Motion carried 5/0.

**NEW BUSINESS**

**1. Ordinance to Issue 2012 GO Refunding Bonds/1st Reading**

Finance Director Nelson gave a brief overview explaining that the bond for the North Kelsey property is due November 1, 2012. Because the lawsuit and appeal by FONK is delaying the closing of the sale of the property, the City must refund the principal amount of the bonds due by issuing new bonds. This is the first reading of the bond ordinance. It will be a three-year bond, instead of a long-term bond.

She introduced Dave Trageser from DA Davidson and Nancy Neraas from the Bond Council.

After discussion, the motion was made by Councilperson Gamble and seconded by Councilperson Hanford, to accept as first reading the ordinance to issue 2012 GO Refunding Bonds.

Mr. Trageser explained the process and timeline and stated that there shouldn't be a change in the City's credit rating.

After further questions and responses, the motion was on the floor to accept as first reading the proposed bond ordinance. On vote,

Motion carried 5/0.

**2. Discussion with Ethics Board:**

**A. Ethics Code Amendment Pertaining to Keeping Confidential Information Confidential During Complaint Hearings**

**B. Correcting Administrative Error in 2.52.040 (F)**

Board of Ethics Chair Williams gave the background for the proposed changes to the Ethics Code, which would protect confidential information during a complaint hearing.

After discussion, it was determined that City Attorney Lell would review the current Code of Ethics and make some recommendations to clarify the code and eliminate some of the ambiguities. He will submit his recommendations to the Board of Ethics for their review.

Board of Ethics Chair Williams explained that the incorrect paragraph had been

deleted during one of the amendment processes. She suggested that Council add the original Paragraph E back in and repeal paragraph G, as it conflicts with the citizens' initiative.

Council consensus was to table this discussion until further review by City Attorney Lell.

Board Chair Williams also expressed a wish to change the code to reflect that some information on a complaint form is exempt from disclosure (Section 2.52.080B.13). City Attorney Lell will review that, as well.

### **3. Discussion: Ice Arena Proposal**

City Administrator Brazel gave a brief overview of the proposal to build an ice arena in the area where the masonry factory is located on the west end of Monroe. He introduced Clayton Stewart, 14722 61<sup>st</sup> Street Lake Stevens, who addressed Council about the benefits and acknowledged that there are some challenges with the airport overlay.

Planning and Permit Manager Popelka explained that there may need to be some revisions to the Comp Plan as part of the West Monroe Study. The issue with zoning has to do with use and density. He explained the airport overlay and the permitted use and density currently allowed in the zones. One way to overcome the issue would be through a Conditional Use Permit.

Economic Development Manager Sax reported that he had spoken to Darrel Hobitch (from the airport), who indicated that he doesn't see any conflict with the airport and a hockey arena and would like to sit with staff to discuss further.

### **4. Woods Creek Road Multi-purpose Trail**

Public Works Director Feilberg gave a brief overview explaining that, since the grant award does not cover the full cost of the project, the City needs to fund the balance of \$600,000. The only source of funds at this point is from the sale of the Galaxy Theatre property.

After discussion, the motion was made by Councilperson Hanford and seconded by Councilperson Goering to direct staff to decline the grant.

After further discussion, the motion was on the floor to decline grant. On vote,

Motion carried 5/0.

## **FINAL ACTION**

### **1. Resolution Amending Fees**

Chief Quenzer gave a brief overview explaining that the cost increase in kenneling fees for dogs is \$2.00 per day.

After discussion, the motion was made by Councilperson Hanford and seconded by Councilperson Kamp, to adopt Resolution 2012/017, establishing fees, fines, penalties, interest, and charges for 2012. On vote,

Motion carried 5/0.

**2. Authorize Mayor to Sign Extension of Purchase & Sale Agreement with Sabey Corporation (North Kelsey LLC)**

Economic Development Manager Sax explained that, due to continued litigation by the Friends of North Kelsey (FONK), the City of Monroe and North Kelsey LLC cannot close the Purchase and Sale agreement before the June 30, 2012 contractual deadline. North Kelsey, LLC and the City of Monroe agree to a one-year extension and grant four additional three (3) month extensions for a total of two years. In a good faith effort, Walmart will pay the bond interest the City would have to pay due to the delay.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Gamble, to authorize the Mayor to execute the Second Amendment to the Purchase Agreement with North Kelsey, LLC in substantially the form presented to Council, together with such minor revisions as the Mayor may deem necessary or appropriate. On vote,

Motion carried 5/0.

**COUNCILMEMBER REPORTS**

Councilmember Williams suggested putting press releases on the City's Website on the positive happenings in Monroe. City Administrator Brazel and Economic Development Manager Sax will work together on that project.

City Administrator Brazel reported that a lot of interest and excitement for all of the proposed projects in Monroe was noted at the Snohomish County City Managers/ Administrators meeting he had attended.

Councilperson Gamble suggested that there be a Web site to link to "Things in the News".

**MAYOR/ADMINISTRATIVE STAFF REPORTS**

Economic Development Manager Sax complimented City staff for the work they do that enables him to do his job.

Mike Farrell reported on the press release for the "World Harmony Run", a global torch relay that hopes to create good will among nations. The relay team will be coming through Monroe and stopping at City Hall on Monday, June 25<sup>th</sup>.

The NW Wake Riders competition is next weekend and the Pro Tour is the following weekend after that.

Chief Quenzer reported on the arrests that the School Resource officer made on nine youths, who had vandalized a church, schools, and the Galaxy Theatre. A couple of the parents also stepped forward and had their children arrested.

Public Works Director Feilberg reported that the letter went to Post Office requesting address changes, as previously discussed. He also reported that Amateur Radio Day was this weekend.

Mayor Zimmerman reported that the company that closed on the Tonkin building is getting ready to move to Monroe and will bring 350-400 jobs. They appreciated the staff support in the permit process.

1. **Draft Agenda/July 10, 2012 Study Session**  
City Administrator Brazel presented the draft agenda for July 10, 2012.
2. **FYI only: Park Board Minutes from March & April** (no discussion required.)

**EXECUTIVE SESSION**

1. **Executive Session:** Pertaining to Pricing of Real Estate

Mayor Zimmerman explained that there was a need to go into an executive session for approximately five (5) minutes, for purposes of discussing potential litigation with legal counsel, pursuant to RCW 42.30.110 1(i), as read into the record by City Attorney Lell. Council does not anticipate taking action in open session after they reconvene.

MEETING RECESSED INTO EXECUTIVE SESSION: 9:56 p.m.  
MEETING RECONVENED INTO REGULAR SESSION: 10:09 p.m.

There was no action after reconvening into regular session.

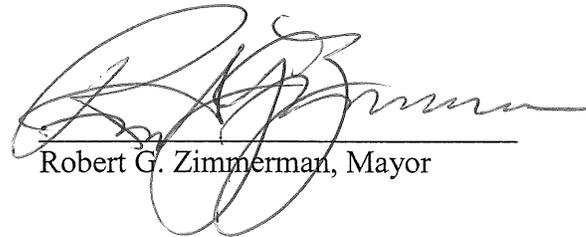
**ADJOURNMENT**

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

Motion carried 5/0.

MEETING ADJOURNED: 10:10 p.m.

  
Eadye Martinson, Deputy City Clerk

  
Robert G. Zimmerman, Mayor