

**CITY COUNCIL
BUSINESS MEETING MINUTES
November 20, 2012**

The Business Meeting of the Monroe City Council was held on November 20, 2012, in the Council Chambers at City Hall. Mayor Robert Zimmerman called the meeting to order at 7:01 p.m.

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

Councilmember(s) absent: Cudaback

It was noted that Councilperson Gamble would be late.

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

Staff member(s) absent: Brazel

City Attorney Zach Lell was also present.

The meeting was opened with the Pledge of Allegiance.

COMMENTS FROM CITIZENS

Annique Bennett, 108 East Main Street, Monroe, thanked everyone for coming together and donating the tree and getting it decorated. They also appreciated the clean-up efforts. She invited everyone to attend the "Light-Up Monroe" lighting event starting at 11:00 a.m., on Friday.

CONSENT AGENDA

- 1. Minutes**
 - A. November 6, 2012 Business Meeting**
 - B. November 7, 2012 Special Meeting – Audit Entrance Conference**
 - C. November 13, 2012 Study Session**
- 2. Accounts Payable & Payroll**
 - A. Bills: Checks #83019 – 83055, in the amount of \$450,060.49**
 - B. Payroll: Checks #31978 – 32036, in the amount of \$890,578.18**
- 3. Appoint Lodging Tax Advisory Committee Members for 2012/2013**

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 Adopting 2013 Budget/1st Reading**

Finance Director Nelson gave a brief introduction explaining that two ordinances were being presented, at Council's request. The only decision left to make is whether or not to approve the funding for a City Clerk. This is the first of two readings of the ordinance.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Kamp, to accept as first reading the ordinance adopting the 2013 budget, including funding of a City Clerk position. On vote,

Motion carried 5/0.

EXECUTIVE SESSION

1. **Executive Session:** Pertaining to Pricing of Property
2. **Executive Session:** Pertaining to Potential Litigation

Mayor Zimmerman stated that there would be three executive sessions pursuant to RCW 42.30.110 (1)(i); RCW 42.30.110 (1)(b), and RCW 42.30.110 (1)(c). and,; to discuss litigation or potential litigation with legal counsel, to consider the selection of a site or the acquisition of real estate, and to consider the minimum price at which real estate will be offered for sale or lease; as read into the record by City Attorney Lell. The three executive sessions will last approximately 20 minutes. Council will take action in open session (see Final Action #1 & #2).

MEETING RECESSED INTO EXECUTIVE SESSION: 7:10 p.m.
EXECUTIVE SESSION WAS EXTENDED
MEETING RECONVENED INTO REGULAR SESSION: 8:14 p.m.

It was noted Councilperson Gamble entered Council Chambers at 7:30 p.m.

FINAL ACTION

1. **Council Direction on Right-of-Way Purchases/Fremont Project**

It was noted that there would be no action at this time.

2. **Council Direction on Development Agreement Referenced in Ordinance #015/2010 to Rezone Property on Chain Lake Road to MR6000**

Public Works Director gave an update explaining the history of the rezone.

After discussion, the motion was made by Councilperson Hanford and seconded by Councilperson Goering, to direct staff to prepare an ordinance repealing Ordinance #015/2010, and to proceed with a City-initiated rezone of the subject property to MR6000. On vote,

Motion carried 6/0.

Mayor Zimmerman noted that, as a result of the executive session, an agenda item needed to be added. City Attorney Lell suggested the Council make a motion to add an agenda item authorizing the mayor to execute the proposed declaration of covenants and easements.

The motion was made by Councilperson Goering and seconded by Councilperson Hanford, to add the agenda item as described by City Attorney Lell.

The motion was made by Councilperson Hanford and seconded by Councilperson Goering, to authorize the mayor to execute on the City's behalf the proposed *Declaration of Easements and Covenants* with Galaxy Cinemas Northwest LLC and Beta Kelsey Station LLC in substantially the form presented to Council, together with such minor revisions that the mayor may deem reasonably necessary or appropriate. On vote,

After comments from the mayor, the motion was on the floor. On vote,

Motion carried 6/0.

3. Resolution Approving Preliminary Subdivision/ Dennis Addition PL201201

Mayor Zimmerman addressed the appearance of fairness doctrine, since this item is subject to Public Hearing. He asked questions and established that Councilmembers had no connections to the parties involved in the subdivision and hadn't had any exparte' communications on this topic.

Public Works Director Feilberg gave a brief overview explaining that the hearing examiner held a hearing on this on the proposed subdivision. He explained that, at City's request, the hearing examine reviewed the decision and had approved it with a different set of conditions.

Mayor Zimmerman asked and City Attorney Lell affirmed that parties of record could be allowed to speak to Council at this time, if Council made a motion allowing them to do so.

The motion was made by Councilperson Williams and seconded by Councilperson Goering, to allow parties of record to address Council as long as they don't present any new testimony. On vote,

Motion carried 6/0.

No parties of record wished to address Council.

Councilperson Hanford disclosed that his children go to school near the subject property.

City Attorney Lell suggested that the audience be polled as to whether or not Hanford should recuse himself. No audience member protested Councilperson Hanford's participation.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Hanford, to approve Resolution #2012/031 adopting the Hearing Examiner's finds of fact, conclusions of law, recommendations, and conditions of approval and approving the preliminary subdivision of Dennis Addition (PL2012-01). On vote,

Motion carried 6/0.

COUNCILMEMBER REPORTS

Councilperson Goering wished everyone a Happy Thanksgiving and asked for prayers for Chaplain Hanford for his surgery and recovery.

Councilperson Kamp reported on the interview for the student representative position, which went very well.

Councilperson Hanford reported that surgery was scheduled for Wednesday for his dad (Chaplain Hanford).

Mayor Zimmerman reported on the Police & Fire appreciation luncheon, where he read the Proclamation for *Police and Fire Appreciation Week*.

MAYOR/ADMINISTRATIVE STAFF REPORTS

1. Draft Agenda/December 4, 2012

Mayor Zimmerman presented the draft agenda for December 4, 2012.

EXECUTIVE SESSION

3. Executive Session: Pertaining to Collective Bargaining

Mayor Zimmerman stated that there would be another executive session pursuant to RCW 42.30.140 (4) to discuss collective bargaining; as read into the record by City Attorney Lell. The executive session is expected to last approximately 45 minutes. Council is not expected to take action in open session.

MEETING RECESSED INTO EXECUTIVE SESSION: 8:31 p.m.

EXECUTIVE SESSION WAS EXTENDED

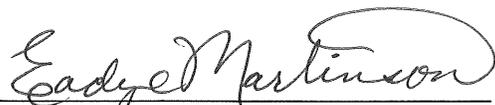
MEETING RECONVENED INTO REGULAR SESSION: 9:35 p.m.

ADJOURNMENT

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

Motion carried 6/0.

MEETING ADJOURNED: 9:36 p.m.



Eadye Martinson, Deputy City Clerk



Robert G. Zimmerman, Mayor