



MONROE CITY COUNCIL

Business Meeting
Tuesday, December 14, 2021, 7:00 P.M.
Zoom Online Meeting Platform

MINUTES

Mayor
Geoffrey Thomas

Councilmembers
Heather Fulcher, Mayor Pro Tem;
Patsy Cudaback; Kevin Hanford;
Jason Gamble, Jeff Rasmussen;
Ed Davis, & Kirk Scarboro

The City Council meeting was held virtually via Zoom. Due to the COVID-19 pandemic, and Proclamation 20-28 issued by Governor Jay Inslee, in-person meetings are not being held at this time.

Due to Mayor Thomas and Mayor Pro Tem Fulcher being absent, Council elected Councilmember Hanford to chair the meeting pursuant to Council Rules of Procedure.

1. CALL TO ORDER

Councilmember Hanford called the meeting to order at 7:05 p.m.

2. ROLL CALL

Councilmembers present: Hanford, Davis, Cudaback, and Scarboro.
Councilmembers Fulcher, Rasmussen, and Gamble were excused.

Staff present:

Knight, Hasart, Feilberg, Swanson, Jolley, Irving, Ryan, Peterson, Farrell, Lande, Criswell, Huebner, Christian, Haley, Judge Ness, Warthan, Wycoff, and City Attorney Lell

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Hanford.

4. ANNOUNCEMENTS/PRESENTATIONS

4.1 – Confirmation of Community Development Director Appointment

Deborah Knight, City Administrator, introduced Lance Bailey and shared Mr. Bailey's background as it relates to the Community Development Director position.

Motion: *Councilmember Cudaback moved* to approve the appointment of Mr. Lance Bailey as Community Development Director; appointment effective December 16, 2021. *Councilmember Scarboro seconded.*
Motion passed 4-0.

5. PUBLIC HEARING

5.1 - Public Hearing: Ordinance No. 001/2022, Adopting Pre-Annexation Zoning; First Hearing and First Reading

7:10 p.m. Councilmember Hanford opened the public hearing.

Ben Swanson, representing Community Development, explained that this is the first of two public hearings, as required by RCW 35A.14.340, related to the pre-annexation zoning for a parcel in the City's southwestern Urban Growth Area (UGA) and answered questions from Council.

There was no public testimony.

Motion: *Councilmember Cudaback moved* to close the public testimony portion of the public hearing. *Councilmember Davis seconded.* *Motion passed 4-0.*

Motion: *Councilmember Scarboro moved* to close the public hearing. *Councilmember Hanford seconded.* *Motion passed 4-0.*

7:15 p.m. Public Hearing closed.

Motion: *Councilmember Cudaback moved to accept as first reading Ordinance No. 001/2022, adopting pre-annexation zoning for a 0.85 acre parcel, Snohomish County Tax Assessor number 27061000102600, located in the vicinity of the Monroe High School, also known as the Conner property, pursuant to RCW 35A.14.330; adopting supportive findings; providing for severability; and establishing an effective date. Councilmember Davis seconded. The motion passed 4-0.*

6. FINAL ACTION

6.1 – Resolution - Ziplly Fiber request for a Right-of-Way Disturbance Permit Fee Variance

Scott Peterson, Deputy City Engineer, explained that it is being reviewed by Council using a quasi-judicial process. Zach Lell, City Attorney, reviewed the Appearance of Fairness Doctrine and asked Council a series of questions to determine if any Councilmembers had a conflict of interest related to this item. There were no Councilmembers who answered in the affirmative to any of the questions. Mr. Lell then offered the audience an opportunity to dispute Council’s responses. There were no disputes raised.

Mr. Peterson gave an overview of the Ziplly Fiber proposed project and fee variance request and the three resolutions proposed for Council consideration. The resolutions include action to deny the request, accept the request based on time spent processing the permits, as proposed by Ziplly Fiber, and to approve the request based on the number of structures included in the permit submittals, as proposed by staff.

Robert Larson, Vice President Network Fiber Planning and Expansion with Ziplly Fiber, provided oral testimony and reviewed the scope of their project and stated that the staff-proposed resolution could make some of the project uneconomical. Mr. Larson asked Council to provide a variance to effectively reflect the time and effort to process the permits. Mr. Larson also asked that like-for-like replacements of pedestals be waived from fees.

Motion: *Councilmember Cudaback moved to approve Resolution 011C/2021 approving a request by Ziplly Fiber to vary their Right-of-Way Disturbance Permit Fees from the fee schedule adopted by Resolution No. 023A/2020. Councilmember Scarboro seconded. The motion passed 4-0.*

7. PUBLIC COMMENTS

Mayor Thomas thanked Councilmember Cudaback for her years of service as a Councilmember and for her friendship, support, and leadership.

8. CONSENT AGENDA

- 8.1 ACH/AP Approvals through 12/14/2021
- 8.2 November 2021 Payroll approval
- 8.3 Approve City Council Minutes for 12/07/2021
- 8.4 Cancel January 4, 2022 Study Session
- 8.5 Adopt Ordinance 016/2021 - Public Services Utilities and Public Works Design, Construction Code, and Standards Revisions
- 8.6 Adopt Ordinance 014/2021 - MMC Chapter 9 Amendments (related to Blake decision)
- 8.7 Approve Resolution – extension of Res 014-2020 Interfund Loan
- 8.8 Approval of Backup/Conflict Public Defense Counsel Contracts
- 8.9 Approve 2022 Legislative Priorities
- 8.10 Approve Imagine Monroe Vision Statement

Motion: *Councilmember Davis moved to approve the consent agenda. Councilmember Scarboro seconded. Motion passed 4-0.*

9. NEW BUSINESS

9.1 – Board, Commission, and Committee appointments, re-appointments, position numbers, and term corrections

Jodi Wycoff, City Clerk, explained that, in an effort to track terms and vacancies with more accuracy, staff is requesting Council ratify adding position numbers to all board, commission, and committee seats.

Motion: *Councilmember Hanford moved to ratify an update to all City of Monroe Board, Commission, and Committee rosters to add position numbers. Councilmember Cudaback seconded. The motion passed 4-0.*

Ms. Wycoff reported that there are a number of vacancies on Monroe's various board, commissions and committees. Individuals were interviewed and the Mayor is requesting confirmation of the appointments and re-appointments.

Motion: *Councilmember Cudaback moved to confirm the Mayor's appointments as provided in the Council agenda packet. Councilmember Davis seconded. The motion passed 4-0.*

Appointments are as follows:

Jacob Walker to Planning Commission, Position 1, a term expiring 12/31/2025; Brandi Blair to Planning Commission, Position 4, a term expiring 12/31/2024; Melanie Lockhart to Planning Commission, Position 6, a term expiring 12/31/2023; Jeremy Blake to Economic Development Advisory Board (EDAB), Position 3, a term expiring 12/31/2025; Junelle Lewis to Community Human Services Advisory Board (CHSAB), Position 1, a term expiring 12/31/2025; Megan Wirshing to Community Human Services Advisory Board (CHSAB), Position 2, a term expiring 12/31/2025; Marci Scott-Weis to Community Human Services Advisory Board (CHSAB), Position 9, a term expiring 12/31/2023; Amy Martin to Park Board, Position 1, a term expiring 12/31/2025; Junelle Lewis to Salary Commission, Position 3, a term expiring 12/31/2023.

Motion: *Councilmember Cudaback moved to confirm the Mayor's re-appointments as provided in the Council agenda packet. Councilmember Scarboro seconded. The motion passed 4-0.*

Re-Appointments are as follows:

Bridgette Tuttle to Economic Development Advisory Board (EDAB), Position 4, a term expiring 12/31/2025; Sarah Lunstrum to Community Human Services Advisory Board (CHSAB), Position 4, a term expiring 12/31/2025.

Ms. Wycoff explained that after conducting an audit of board, commission and committee rosters, it was discovered that in 2020 three members from the Economic Development Advisory Board (EDAB) were appointed/re-appointed to terms with incorrect expiration dates and asked Council to ratify a correction to the term dates.

Motion: *Councilmember Davis moved to ratify a correction to the EDAB term expiration date for John Whims, Position 1 and Jacob Walker, Position 2, to December 31, 2024; and Elizabeth Nugent, Position 6, to December 31, 2022. Councilmember Cudaback seconded. The motion passed 4-0.*

9.2 – Confirmation of Contract with and Appointment of Municipal Court Judge

Ben Warthan, Human Resources Director, introduced this item and explained that the action of approving the Judge's contract and confirming the appointment requires multiple motions including waiving Council Rules of Procedure to adopt the ordinance after one reading because the ordinance sets the salary and must be adopted before approval of a contract.

Motion: *Councilmember Cudaback moved to waive Section 7.4 of the Council Rule of Procedures and allow for adoption of an ordinance after first reading. Councilmember Davis seconded. The motion passed 4-0.*

Motion: *Councilmember Hanford moved to adopt Ordinance 017/2021, establishing the salary for the Monroe Municipal Judge; providing for severability; and establishing an effective date. Councilmember Scarboro seconded. The motion passed 4-0.*

Motion: *Councilmember Scarboro moved to authorize the Mayor to sign the contract employment agreement with Judge Jessica K. Ness for re-appointment as the Monroe Municipal Court Judge. Councilmember Davis seconded. The motion passed 4-0.*

Motion: *Councilmember Davis moved to approve the appointment of The Honorable Jessica K. Ness as Municipal Court Judge; appointment effective January 1, 2022. Councilmember Cudaback seconded. The motion passed 4-0.*

9.3 – Ordinance No. 015/2021; Interlocal Agency Agreement with Snohomish County for the Mutual Provision of Road and Street Services

John Lande, Water and Sewer Operations Manager, introduced this item and reviewed the type of work that is covered in the Interlocal Agreement.

Motion: *Councilmember Davis moved to accept first reading of Ordinance No. 015/2021; Authorize Mayor Pro-Tem to execute Interlocal Agency Agreement with Snohomish County allowing the City of Monroe to receive Road and Street Services within the Monroe City Limits, and to provide Road and Street Services within Snohomish County. Councilmember Scarboro seconded. Motion passed 4-0.*

9.4 – Approval of Prosecuting Attorney Services Contract

Rich Huebner, Management Analyst, explained that the City currently has a contract with Zachor and Thomas, Inc. for prosecuting attorney services. The sole shareholder is retiring and remaining firm attorneys have formed a successor firm, Zachor, Stock, and Krepps, Inc. Mr. Huebner reviewed highlights of the proposed contract.

Motion: *Councilmember Davis moved to authorize the Mayor to execute a contract with Zachor, Stock, and Krepps, PS, for Prosecuting Attorney Services, and expressly authorize further minor revisions as deemed necessary or appropriate. Councilmember Hanford seconded. Motion passed 4-0.*

9.5 – Specialized Services Agreement with PST Investigations Inc.

Jeff Jolley, Police Chief, introduced this item and explained that this contract will provide for more efficient and timely background checks for potential Police employees and that a speedier process could help with recruitment efforts.

Motion: *Councilmember Davis moved to authorize the Mayor or designee to sign a Specialized Services Agreement with PST Investigations Inc. Councilmember Scarboro seconded. Motion passed 4-0.*

9.6 – Resolution 010/2021 Amending the Master Fee Schedule for 2022

Becky Hasart, Finance Director, reviewed the fee schedules that are being proposed for amendments and explained that the amendments will be effective January 1, 2022.

Motion: *Councilmember Davis moved to approve Resolution 010/2021 amending the City of Monroe Master Fee Schedule, and Fees, Fines, Penalties, Interest and Charges for 2022. Councilmember Cudaback seconded. Motion passed 4-0.*

10. COUNCILMEMBER REPORTS

Councilmember Davis wished everyone a Merry Christmas and a Happy New Year and thanked staff for all their work during a difficult year.

Councilmember Scarboro thanked staff for all of their help and what they do for Council and the City.

Councilmember Hanford thanked Brad Feilberg for his years of service working for the City and wished him the best in his future. Councilmember Hanford also thanked Councilmember Rasmussen for all he has done for the City. Lastly, Councilmember Hanford said he agrees with what Councilmember Gamble said at the last meeting about what the community is facing and his appreciation working with this council and staff.

10. STAFF/DEPARTMENT REPORTS

There were no oral staff/department reports.

12. ADMINISTRATIVE REPORTS

12.1 – Extended Agenda

Deborah Knight, City Administrator, reviewed the extended agenda as presented in the meeting packet.

12.2 – City Administrator Report

On behalf of staff, Ms. Knight thanked Council for their kind words and thanked them for their work for the City.

13. SPECIAL ORDER OF THE DAY

13.1 – Outgoing Councilmember Recognition

Council and staff recognized and thanked Councilmember Patsy Cudaback for her years of service as a Councilmember. Staff showed a slide show highlighting various events and programs Councilmember Cudaback was involved in during her tenure. Councilmember Cudaback reflected on her 12 years serving as Councilmember and said it has been an honor. Councilmember Cudaback said she is most proud of how this Council has worked together and expressed her hopes for the future. Lastly, Councilmember Cudaback thanked her family, staff, and community members for their support.

ADJOURNMENT

Motion: *Councilmember Scarborough moved to adjourn the meeting. Councilmember Davis seconded. Motion passed 4-0.*

MEETING ADJOURNED: 8:51 p.m.



Kevin Hanford (Feb 8, 2022 16:30 PST)

Councilmember Kevin Hanford, Chair



Jodi Wycoff (Feb 8, 2022 16:59 PST)

Jodi Wycoff, City Clerk

MCC Minutes 12-14-2021

Final Audit Report

2022-02-09

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