

**CITY COUNCIL
BUSINESS MEETING MINUTES
January 4, 2011**

The Business Meeting of the Monroe City Council was held on January 4, 2011, in the Council Chambers at City Hall. Mayor Robert Zimmerman called the meeting to order at 7:00 p.m.

Councilpersons present: Balk, Rodriguez, Cudaback, Tuttle, Williams, Stima, and Goering.

Staff present: Brazel, Feilberg, Quenzer, Nelson, Smith, Wright. and Martinson.

City Attorney Zach Lell was present.

The meeting was opened with the Pledge of Allegiance.

ANNOUNCEMENTS AND PRESENTATIONS

Confirm Mayor's Re-appointments: Park Board/Shawna Chamberlain & Karin Coppernoll; and Planning Commission/Paul Loots

Mayor Zimmerman explained that he had re-appointed two Park Board members and one Planning Commission member and asked for Council's support.

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to confirm the Mayor's re-appointment of Shawna Chamberlain and Karen Coppernoll to the Park Board and Paul Loots to the Planning Commission. On vote,

Motion Carried 7/0.

COMMENTS FROM CITIZENS

Mayor Zimmerman reported that, at this time, there has been no application, process, or movement towards a strip club in Monroe.

City Attorney Lell stated that he would like to request a five-minute recess, to discuss a procedural matter with the Mayor and City Administrator.

City Attorney Lell, Mayor Zimmerman, and City Administrator Brazel left Council Chambers.

RECESSED FOR A FIVE-MINUTE BREAK: 7:05 p.m.
RECONVENED INTO STUDY SESSION: 7:10 p.m.

City Attorney Lell, Mayor Zimmerman, and City Administrator Brazel returned to Council Chambers at 7:10 p.m.

Mayor Zimmerman explained that City Attorney Lell had wanted to ensure zoning was addressed and wanted to be sure it got out to the public with regards to the topic at hand. While there has been a business license application, there has been no other process or

movement towards the fulfillment or the arrival of such an establishment. And, Council has certainly not done anything promoted that.

City Attorney Lell explained that state law requires that all cities have some available land mass within its jurisdictional boundaries for an adult entertainment-oriented type of business to be sited. The City has provided for that through their zoning regulations and has relegated those particular uses to a specific area or category of land use within the city limits. If the City did not have restrictions on that type of business, those businesses could locate anywhere within the City.

Mayor Zimmerman explained that Council wasn't approving or supportive of an adult entertainment business.

Amy Spain, 909 SE Everett Mall Way, Everett, explained that the Steering Committee wants to meet with Council and give a presentation regarding the proposed Tourism Promotion Area (TPA). They had presented it to Council on July 7, 2009, to show that the lodging industry was in support. Establishing a TPA does not affect the City budget. Two out of three hotels in Monroe that qualify for the program support it; one hotel didn't respond. The next step is obtaining an Interlocal Agreement between each city and the County. She requested that the Council reconsider their previous decision. As a small community, Monroe has a lot to gain. She would like to see this topic on the next Council meeting for reconsideration.

Shawn Walker 18826 Crown Ridge Blvd., Arlington, was president of the Lodging Association in Snohomish County. He also requested that Council reconsider their decision. The TPA can help support sports and events through grants. It's important to represent everything within north and south and east and west County hotels. Lynnwood and Everett were concerned that funds that they raised would go to other cities. Supporting each city will help all other cities in the County. It helps gas stations, restaurants, and local business, and isn't a tax on local residents. The Evergreen Fairgrounds would be a big recipient.

Donnetta Walser, 692 Park Lane, Monroe, is a board member of Senior Services of Snohomish County, which has many areas in which they help vulnerable citizens. Many people are reaching out. Senior Services helps with housing, nutritional services (Meals on Wheels), food for senior centers, social services, and also offers a wide variety of services to meet needs, such as transportation. It's more and more of an issue, since baby boomers are crossing over.

Martha Poppones, 3506 221st Place SW, Brier, is the nutritional director of Senior Services. She explained that Senior Services is a private, non-profit agency, and has been around for 35 years. The nutrition program has been the recipient of Walmart's generosity over the years to help provide meals for senior citizens, including \$3,000 from the Marysville Walmart employees and another \$75,000 from Walmart for equipment for a new production kitchen. The nutrition program provides 15,000 meals through *Meals on Wheels*; 30% of the recipients are over 80 years of age. She thanked Walmart and their employees for giving back to their communities and for taking action to feed some of the most vulnerable citizens in Snohomish County.

Stashka Lepera, 13001 Ingraham Road, Monroe, had heard that Walmart was coming to town, and doesn't feel that the area has the infrastructure to support such a large store. She doesn't want Monroe to be known as a pass-through gateway. There will be an increase in traffic, and Walmart could cause more local businesses to close. She asked that Council use the site plan to restrict what goes in the store and restrict their size, and also have them help with traffic congestion. She would like Council and citizens to work together.

(Name not clear), 12218 Ingraham Road, owns an antiques store in Monroe, and feels that parking is a problem because the time is too short. She has customers who got \$50 parking tickets and won't shop in Monroe again. She feels it's unfair that the entire street has a two-hour limit. She is also concerned about the "Lovers Package" shop in Monroe, as it's an adult store. She is also concerned and against Walmart, stating that they kill Main Street businesses. As a citizen who works on Main Street, she wants to know what Council will do about Main Street.

Mayor Zimmerman explained that they plan to have the Monroe Chamber of Commerce and DREAM meet with Council for discussions regarding the downtown area.

Teresa Willard, 27115 Old Owen Road, Monroe, is not looking forward to Walmart coming to Monroe, and asked if a realtor was involved. Mayor Zimmerman explained that the City entered into negotiations with Sabey Corporation directly and utilized a land use attorney and consulted with Grubb and Ellis. Ms. Willard felt that a realtor could have helped. Monroe is the gateway to the Cascades and a sportsman's haven. She feels that Monroe could have kid-friendly programs and an indoor shooting center. She suggested that the City could opt out through the site plan. She stated that Walmart hurts Main Streets. Walmart coming in should support a manager for DREAM.

Adrian Taylor, 12621 Wagner Road, Monroe, is concerned that the flavor of the town will change with Walmart. The Ben Franklin store will be able to survive, as they have people from all areas come to their store. Ben Franklin and its employees have also contributed to the community between \$500,000 to \$1,000,000 in cash and donations in the 34 years they have been in Monroe. He encouraged Council to go onto the anti-Walmart web site to check out facts about Wal-Mart and what they cost the state and cities. He has fought Walmart for over 30 years and asked Council to make sure Monroe is getting the best.

James Karr 18433 126th St. SE, Snohomish, goes through Monroe everyday to go to work for the Postal Service, which is now smaller than Walmart. He explained about another small town, Electric City, and what happened when Walmart moved in. Now the only store in town is Walmart and many vacant homes.

Mark Ainsworth, 17723 Tester Road, Snohomish, has lived here 20 years and raised kids here. He tells people he lives in Monroe; but may have to tell people he lives in a "Walmart town". He feels that it will be poor, rough, nasty, dirty, vacant, and dying and that Walmart brings the poverty level and crime rate up and property values down. He tries to shop in Monroe; but it takes as long to get to Fred Meyer and other stores, as it does to get to Woodinville or Snohomish. He asked Council to consider carefully, before bringing in Walmart.

Shirley Smith, 15218 182nd Avenue SE, Monroe, stated that she tries to support community. She was devastated to learn that Walmart was coming to Monroe and that they hid themselves in order to get the deal. She feels that people will move on; they don't want to live near a Walmart. She expressed concerns over the low wages and low hours for employees and asked Council to stay true to their vision statement.

Councilperson Williams stated that he wanted to respond to questions. There was an e-mail about the City being duped by the buyer. He said that knew who the buyer was and other Councilmembers did, too. The City would bend over backwards for a bowling alley or fun center. The City's broker has been instructed to reach out to all retailers; but many retailers are not expanding at this time. The City would lose \$8.5M trying to keep Walmart out and might have to cut more services and employees. The market is reduced for raw land. This Council wants to preserve Monroe.

CONSENT AGENDA

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

Motion carried 7/0.

Items approved: 1A) ~~November 9, 2010 Study Session Minutes~~ (not available); 2) Bills (Vouchers #078286 – 078503, in the amount of \$717,217.67.

Executive Session Related to the Sale of Property/ North Kelsey

Mayor Zimmerman explained that there was a need to go into another executive session for approximately 15 minutes regarding the sale of property in North Kelsey. There is possible action afterwards.

MEETING RECESSED INTO EXECUTIVE SESSION: 8:19 p.m.
EXECUTIVE SESSION WAS EXTENDED
MEETING RECONVENED INTO REGULAR SESSION: 9:08 p.m.

No action was necessary after the executive session.

NEW BUSINESS

Introduction to West Main Street Comprehensive Plan Amendment (CPA2008B) and Rezone (RZ2010-04)

Associate Planner Wright gave a presentation introducing the West Main Street Corridor project, which was docketed in 2008. The Planning Commission has worked through the Comprehensive Plan portion and has proposed a new land use designation of "Mixed Use". The criteria agreed on for this designation would allow a mix of residential, commercial, and office. He explained the Planning Commission's recommended mixed use commercial and mixed use neighborhood center, which would blend into the professional office uses and would be expanded into different uses. He gave further details and examples of Mixed Use Commercial and Mixed Use Neighborhood Center.

Introduction to Zoning Regulations (ZCA200903) & Mixed Use Code Amendments (ZCA 2010-02)

Associate Planner Wright presented the next phase of the project (Phase III), as well as reviewing zoning regulations. They are proposing elimination of redundant sections. They have gone out to other communities to see best planning practices and what is best

for Monroe. Council had directed staff to develop design standards and they have gone back to the Comprehensive Plan to review goals.

He explained their review of housing options, such as single family, standard single-family and duplexes; infill single-family, small multiplexes, shared/garden court, townhouses, courtyard housing, and low-rise apartments and condominiums. He explained the new matrix, and the changes, including the new Planned Residential Development (PRD) column.

He continued on to explain the Mixed Use chart and the changes in Commercial/Industrial, including setbacks and buffers, parking, and landscape codes. The Planning Commission wants guidelines on in-fill development. Staff recommends that the guidelines not be mandatory. Sign code recommendations are included, since they are new zones.

Mayor Zimmerman explained that he was moving New Business #4 (Blackrock Cable Franchise) up on the agenda, due to people from out of town were attending the meeting to provide information this item.

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

Motion carried 7/0.

Blackrock Cable Franchise Agreement

Director Feilberg explained the purpose of the Blackrock Cable Franchise Agreement and that state law requires two readings for the ordinance. The Agreement includes a five percent (5%) franchise fee and they must follow all City regulations. He introduced Mr. Horshauer, who explained that Blackrock Cable provides dark fiber to government, hospitals, schools, and many private businesses to connect with very high-speed dedicated, private fiber optic lines. They wouldn't compete with Comcast at this time. They currently have 790 miles of fiber in Whatcom, Skagit, and Snohomish County and are looking to expand in Monroe. They have a grant through the broadband stimulus package to go to the Library and the Fairgrounds and will hook up other organizations while here. They will use their fiber to link the Police Department to SnoPac for the "new world" system.

After discussion, the motion was made by Councilperson Balk and seconded by Councilperson Williams, to adopt as first reading an ordinance of the City of Monroe, Washington, granting a nonexclusive cable franchise to Black Rock Cable, Inc. for a period of ten (10) years; setting forth the terms and conditions of said franchise; providing for severability; and establishing an effective date. On vote,

Motion carried 7/0.

Discussion: City Administrator Contract

Mayor Zimmerman reviewed the information in the packet that was provided for Council's review.

After discussion, Councilperson Williams reviewed the proposed changes to the city administrator contract. Council agreed by consensus on all points as outlined.

Council consensus was to leave 3.0 as stated. The majority of Council objected to spending \$6,000 for a position profile. Council consensus was to not open it up to search for other candidates. City Attorney Lell explained that the ordinance states that the city administrator oversees all departments. Council consensus was to provide expectations and to do a review in six months.

It was agreed that a revised contract would be brought back to Council on January 11th.

After comments and questions about whether the city administrator should be involved in union negotiations, HR Manager Smith explained that the city administrator wouldn't be at the table, but would share information with Council. In union negotiations, there needs to be a "responsible" person, which should be the city administrator.

Council agreed to City Attorney Lell's suggestion for verbiage to address that in the contract.

MAYOR/COUNCIL/ADMINISTRATIVE STAFF REPORTS

Balk requested that a discussion of the Tourism Promotion Area be placed on the schedule, with the appropriate people invited to present information to Council.

Draft Agenda/January 11, 2011 Council Study Session

City Administrator Brazel presented the draft agenda for January 11, 2011.

Councilperson Stima asked that the Lovers Boutique issues be looked into by staff, to ensure that zoning and other codes allow such a business in downtown.

Mayor Zimmerman suggested that DREAM and the Monroe Chamber of Commerce meet with Council on either February 15th, or March 1st.

Mayor Zimmerman explained that there had been discussions to have Council priorities on January 25th; information will be brought back.

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

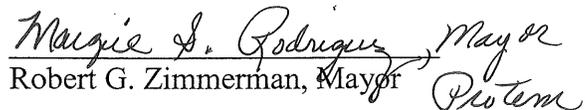
Motion carried 6/1.

Councilperson Cudaback was opposed.

MEETING ADJOURNED: 11:51 p.m.



Eadye Martinson, Deputy City Clerk



Margie S. Rodriguez, Mayor
Robert G. Zimmerman, Mayor Pro Tem