

**CITY COUNCIL  
BUSINESS MEETING MINUTES  
March 1, 2011**

The Business Meeting of the Monroe City Council was held on March 1, 2011, in the Council Chambers at City Hall. Mayor Pro-Tempore Margie Rodriguez called the meeting to order at 7:00 p.m.

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

Mayor Zimmerman was absent.

Staff present: Brazel, Feilberg, Quenzer, Nelson, Lande, Wright, Swanson, Farrell, and Martinson.

City Attorney Zach Lell was also present.

The meeting was opened with the Pledge of Allegiance.

**PUBLIC HEARINGS**

**Farm Animals; A. Citizen Testimony; B. Ordinance Amending Animal Control Ordinance Related to Farm Animals**

Public Works Director Feilberg gave a brief overview, explaining that a citizen had expressed concerns about farm animals in his neighborhood at the November 16, 2010 Council meeting. After Council review and revisions, they are presenting the changes tonight. They will allow exotic animals and up to eight chickens and limit dogs and cats to four per dwelling unit. Existing large lots with farm animals would be granted an existing non-conforming use.

Mayor Pro-Tempore Rodriguez opened the citizen testimony portion of the public hearing.

Mike Flannery, 18007 157<sup>th</sup> Place SE, Monroe and Lester Gustafson, 18005 157<sup>th</sup> Place SE, Monroe, each submitted letters in support of limited farm-type livestock within the city limits of Monroe.

Marvin Versteeg, 17201 136<sup>th</sup> Place SE, Monroe, addressed Council about verbiage regarding dogs in the proposed ordinance. His business is based on people being trained to be responsible dog owners. He explained their training with remote collars and that they conduct their obedience classes off-leash. The ordinance would shut him down. He would like them to add e-collars to the ordinance, as their system teaches dogs to be under control off-leash.

Kerry Hut, 694 West Columbia Street, Monroe, stated that he hasn't heard if there is any limit on roosters within the City. Director Feilberg responded that zero roosters are allowed. Mr. Hut thanked Council for taking this issue on and resolving his problem.

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

Motion carried 7/0.

After discussion, it was suggested that the public hearing be continued to another week, due to the additional changes requested by Council. Council agreed to the continuance of the public hearing on this topic.

**Surplus Woods Creek Road Property (Sykes Farm) A. Public Testimony; B. Council Discussion and Direction to Staff**

Public Works Director Feilberg gave a brief overview, explaining that the City had bought the property some years ago for water supply. It wasn't known that the City still owned it until the Department of Natural Resources wanted to buy it. Since it was purchased out of Utilities, it needed to go through a public hearing before they could surplus the property.

Mayor Pro-Tempore Rodriguez opened the citizen testimony portion of the public hearing.

No citizens wished to address Council.

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

Motion carried 7/0.

Brad explained that they need to have a market price, in order to surplus the property.

The motion was made by Councilperson Stima and seconded by Councilperson Goering, to authorize the Mayor to direct staff to begin the process to obtain an appraisal of the property to continue with the surplus process.

After further discussion, the motion was on the floor to authorize continuing the surplus process.

On vote,

Motion carried 6/1.

Councilperson Balk was opposed.

The motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to close the public hearing. On vote,

Motion carried 7/0.

A statement from City Attorney Lell was read by Mayor Pro-tem Rodriguez that Council would not accept public comment on the Development Agreement, as it is a quasi-judicial matter. Citizens can submit letters or attend the public hearing to give comments.

## **COMMENTS FROM CITIZENS**

Stephen Jensen 17401 155th Street SE, Monroe, asked a question about the Sabey Purchase and Sale Agreement.

City Attorney Lell explained that the public hearing was for the development agreement, which would be available for review by citizens. Citizens are encouraged to attend the meeting or submit comments. He further explained that Council can't accept any additional comments from citizens prior to the public hearing.

After another comment by Mr. Jensen, City Attorney Lell explained that his comments would be included for the public hearing. Attorney Ellenhorn will be addressing the stated concerns at the public hearing.

Brad Waddell 14103 Springbrook Rd. SE, Monroe, WA, a state correctional Sergeant, addressed the safety at the Department of Corrections (DOC). They are going to picket tomorrow from 6:00 a.m. to 6:00 p.m., and would like others to help with picketing. The corrections officers have a set of keys, a radio, and handcuffs. They have all different security levels from medium to maximum at the prison. What goes on behind the walls stays behind the walls; but they want to let people know. He asked Council and citizens to support them in picketing.

Dianne Elliott, 15550 174<sup>th</sup> Ave. SE, Monroe, stated that she had sent an e-mail regarding the guards at the prison and what they do for the community. Respect is shown for police and fire personnel; but, no recognition is given to the guards. Police catch the bad guys, but the guards have to deal with them every day.

Darren Norton, 24214 Hathaway Rd., Sedro Woolley, stated that the staff members at the DOC feel unsafe. He asked for support that administration be held accountable for their safety. The whole movement is by staff, for staff. He stated that he had sent information to Council on this matter and asked for their support.

Mayor Pro-tem Rodriguez asked to set a date for the continued public hearing on the animal control ordinance; Council agreed to set it for April 5<sup>th</sup>.

## **CONSENT AGENDA**

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

Motion carried 7/0.

Items approved: 1A) January 4, 2011 Business Meeting Minutes; 1B) January 18, 2011 Special Meeting Minutes; 1C) January 18, 2011 Business Meeting Minutes; 2) Bills (Vouchers #078856 – 078969 in the amount of \$290,787.85; 3) Authorize Mayor to Sign Agreement for Services between Triple Crown Sports, Inc. and the City of Monroe for the 2011 Memorial Day Youth Baseball Tournament; 4) Ordinance Amending Utility Reimbursement Period and Process; 5) Approve Donation of Dog Waste Bags for the Parks & Recreation Department by *Wet Noses*; 6) Authorization to Solicit Bids for the Waste Water Treatment Plant Phase III Improvements; 7) Authorize Mayor to Sign 2011 Skyhawks Sports Camps Agreement; 8) Authorize Mayor to Sign Agreement for Services with National Softball Association for Five 2011 Youth Fastpitch Softball Tournaments; 9) Authorize Mayor to Sign Agreement for Services between Triple Crown Sports, Inc. and the City of Monroe for Two 2011 Girls Fastpitch Tournaments.

City Attorney Lell explained that the purpose of the executive session was for discussing pricing of property, pursuant to RCW 42.30.110(1)(b) and(c), for approximately 15 minutes. No action in open session is anticipated when Council reconvenes.

MEETING RECESSED INTO EXECUTIVE SESSION: 8:00 p.m.  
EXECUTIVE SESSION WAS EXTENDED  
MEETING RECONVENED INTO REGULAR SESSION: 8:25 p.m.

### **NEW BUSINESS**

#### **Resolution Amending Comprehensive Plan Process**

Associate Planner Wright gave a brief overview stating that the Comprehensive Plan process is for setting the docket and criteria. It was agreed that an application rejected for docketing couldn't be submitted for three years if it was the same or substantially similar. He explained the definitions of "same" and "substantially similar". There would be exceptions if the applicant could show significant changes. He also explained the selection criteria.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Williams to adopt Resolution #2011/007 by the Monroe City Council adopting Comprehensive Plan Amendment procedures and revising Resolution #2005/006, with changes as commented on by Councilperson Cudaback. On vote,

Motion carried 7/0.

### **FINAL ACTION**

#### **Ordinance/Permit Timelines Extension/1st & Final Reading**

Assistant Planner Swanson gave a brief overview explaining that the interim ordinance was in place because it hadn't gone to the Planning Commission and Department of Commerce.

The motion was made by Councilperson Cudaback and seconded by Councilperson Balk, to approve Ordinance #008/2011 of the City of Monroe, Washington, extending the time for submitting final plats to seven years and extending the vesting period for approved final plats from five years to seven years. Allowing for the administrative extension of final short plats for three years and the administrative extension of permits governed by the zoning code for two years. On vote,

Motion carried 7/0.

#### **Appoint City Representatives to Various Boards, Committees, and Forums**

City Administrator Brazel gave a brief overview explaining that some points of order hadn't been taken care of in January. Tonight they would appoint Mayor Pro-Tempore, a representative for the Snohomish Basin Salmon Recovery Forum, and two Councilmembers to review and sign bills.

The motion was made by Councilperson Balk and seconded by Councilperson Cudaback, to re-appoint Councilperson Rodriguez as Mayor Pro-Tempore.

Mayor Pro-Tempore Rodriguez declined the nomination and nominated Councilperson Goering, which was seconded by Councilperson Stima.

Councilpersons Balk and Cudaback withdrew their motion and second.

The motion was on floor to appoint Councilperson Goering as Mayor Pro-Tempore. On vote,

Motion carried 7/0.

It was explained that the representative for the Snohomish Basin Salmon Recovery Forum doesn't need to be a Councilperson.

The motion was made by Councilperson Williams and seconded by Councilperson Goering, to appoint Russ Wright as the representative for the Snohomish Basin Salmon Recovery Forum. On vote,

Motion carried 7/0.

The motion was made by Councilperson Cudaback appoint Councilpersons Balk and Williams to review and sign bills. Councilpersons Balk and Williams both declined.

The motion was made by Councilperson Goering seconded by Councilperson Stima, to appoint Councilpersons Cudaback and Tuttle and to review and sign bills. On vote,

Motion carried 7/0.

The motion was made by Councilperson Cudaback and seconded by Councilperson Goering, to appoint Councilperson Stima as alternate to review and sign bills. On vote,

Motion carried 7/0.

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

#### **Draft Agenda/March 8, 2011 Study Session**

City Administrator Brazel presented the draft agenda for March 8, 2011.

Councilperson Stima commented that an article he read had stated the commission for the North Kelsey sale was \$900,000, and he wanted the correct amount of commission stated for the record. Chief Quenzer stated that the commission is \$281,250.

Councilperson Balk stated that the Planning & Transportation Committee meeting would be held on March 8<sup>th</sup>, in the Public Works building.

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

Motion carried 7/0.

MEETING ADJOURNED: 8:52 p.m.

  
Eadye Martinson, Deputy City Clerk

  
Margie Rodriguez, Mayor Pro-Tem