

CALL TO ORDER, ROLL CALL AND PLEDGE

The October 20, 2015, Regular Business Meeting of the Monroe City Council was called to order by Mayor Thomas at 7:02 p.m.; Council Chambers, City Hall.

Councilmembers present: Cudaback, Davis, Gamble¹, Goering, Hanford, Kamp², and Rasmussen.

Staff members present: Farrell, Feilberg, Lande, Nelson, Osaki, Peterson, Roberts, Quenzer, Smoot, and Warthan; City Attorney Lell.

The Pledge of Allegiance was led by Councilmember Goering.

PUBLIC HEARING

1. AB15-170: 2016 Revenue Sources/Consideration of Possible Property Tax Increases

Ms. Dianne Nelson, Finance Director, provided background information on AB15-170, and presented information on the 2016 Revenue Sources (including sales, property, and utility taxes) and consideration of possible increases in property tax revenues. Ms. Nelson responded to Council inquiry regarding the Police Restricted Fund.

Mayor Thomas opened the public hearing. There were no persons present wishing to speak at the public hearing.

Councilmember Hanford moved to close the citizen testimony portion of the public hearing; the motion was seconded by Councilmember Cudaback. On vote,

Motion carried (5-0).

Councilmember Goering moved to close the public hearing; the motion was seconded by Councilmember Cudaback. On vote,

Motion carried (5-0).

COMMENTS FROM CITIZENS

The following persons spoke regarding support of the East County Senior Center: Mr. Marc Avni.

The following person spoke regarding AB15-172 and the Cable Wakeboard Park project at Lake Tye Park: Mr. Greg Dick.

¹ CLERK'S NOTE: Councilmember Gamble arrived at approximately 7:23 p.m. just prior to the Executive Sessions.

² CLERK'S NOTE: Councilmember Kamp arrived at approximately 7:28 p.m. during the Executive Sessions.

CONSENT AGENDA

1. Approval of the Minutes; October 13, 2015, Regular Business Meeting
2. Approval of AP Checks and ACH Payments (*Check Nos. 86290 through 86338, and ACH Payments, in a total amount of \$1,140,323.26*)

Councilmember Hanford moved to approve the Consent Agenda; the motion was seconded by Councilmember Rasmussen. On vote,
Motion carried (5-0).

EXECUTIVE SESSION

1. Potential Litigation [RCW 42.30.110(1)(i)(ii)] (10 minutes)
2. Potential Litigation [RCW 42.30.110(1)(i)(ii)] (5 minutes)

Mayor Thomas stated that the Council would recess into Executive Session to discuss two items of Potential Litigation [RCW 42.30.110(1)(i)(ii)] for a total of approximately fifteen minutes and read the appropriate citations into the record.

The meeting recessed into executive session at 7:23 p.m., the session was extended for an additional 17 minutes, and the meeting reconvened at 7:56 p.m.

UNFINISHED BUSINESS

1. AB15-172: Discussion: Second Addendum to Concessionaire and Property Use Agreement with H3O for Cable Wakeboard Park Facilities at Lake Tye Park

Mr. Brad Feilberg, Public Works Director, provided background information on AB15-172, the proposed Second Addendum to Concessionaire and Property Use Agreement with H3O for Cable Wakeboard Park Facilities at Lake Tye Park, comments received from H3O thereto, and items in need of a policy discussion and direction.

General discussion ensued regarding the following items, and Council direction was provided/action was taken, as noted:

- 1) Rent Deferral -- Is the Council open to receive day passes as an alternative to cash for said past due rent? NO.
- 2) Postponement of Rent consideration – Is Council supportive of this day pass proposal? YES; and

Councilmember Goering moved to do the day pass as proposed with a requirement that in the event that the facility doesn't open that there be a monetary payment to the City for the rent that would have been paid during that time; the motion was seconded by Councilmember Gamble. On vote,

Motion carried (6-1);
Councilmember Rasmussen opposed.

- 3) Phase 1 and 2 facilities – Does the Council support this discretionary language regarding covered viewing areas? YES.

Phase 1 and 2 facilities – Connection to sewer in Phase 1 – Phase 1 sewer connection is required.

- 4) Rent Commencement – Does Council support the rent proposal? YES.
- 5) Construction Deadlines – Does Council support the proposed dates for Phase 1? NO; and

Councilmember Goering moved to approve of an open date deadline of July 1, 2016; the motion was seconded by Councilmember Kamp. On vote,

Motion carried (5-2);
Councilmembers Cudaback and Rasmussen opposed.

Councilmember Goering moved to approve the suggested construction start date deadline of January 31, 2016; the motion was seconded by Councilmember Hanford. On vote,

Motion carried (5-2);
Councilmembers Cudaback and Rasmussen opposed.

- 6) Construction Deadlines - Does Council wish to change “commenced by March 18, 2018” to “completed by March 18, 2018” as the current permit requires construction be complete by March 18, 2018 (if permit extension is granted)? YES; and

Councilmember Gamble moved to change the language to “be completed by March 18, 2018;” the motion was seconded by Councilmember Cudaback. On vote,

Motion carried (7-0).

- 7) Construction Deadlines - Does Council support: Having H30 stay on premise for three years rather than immediate termination should Phase 2 not be complete; or Replacing the Phase 2 improvements with an increase in monthly rent? NO; and

Councilmember Gamble moved to allow H30 to stay on the premises for six months, an addendum to the three year recommendation, and then immediate termination after that if the building is not constructed by the March 18, 2018, deadline; the motion was seconded by Councilmember Goering.

General discussion ensued regarding the relation of termination and bonds.

On vote, Motion carried (5-2);
Councilmembers Cudaback and Rasmussen opposed.

- 8) Security - Rather than requiring a bond to provide for the construction of the permanent building, is the Council supportive of an increase in rent to offset the value of the permanent building if the permanent building is not complete by March 18, 2018? NO; and

Councilmember Cudaback moved to require both bonds as proposed in the second addendum³; the motion was seconded by Councilmember Rasmussen.

General discussion ensued regarding the bonds.

On vote, Motion failed (2-5);
Councilmembers Cudaback and Rasmussen in favor.

Councilmember Goering moved to keep in the agreement the building removal bond for one hundred thousand dollars; the motion was seconded by Councilmember Gamble. On vote,

Motion carried (5-2);
Councilmembers Cudaback and Rasmussen opposed.

Naming rights – OK.

Regulatory Authority – OK.

General discussion ensued regarding next steps in the process, transmittance of the counterproposal information to H3O, and providing a deadline for response.

Councilmember Hanford moved to authorize staff to convey to H3O the Council's counterproposal as expressed in the Council's consensus and votes at the October 20, 2015, Meeting, and to request a formal, written response from H3O accepting the City's terms no later than December 1, 2015; the motion was seconded by Councilmember Goering.

Discussion ensued regarding the proposed timeline.

On vote, Motion carried (5-2);
Councilmembers Cudaback and Rasmussen opposed.

2. AB15-183: Presentation of 2016 Utility and CIP Funds Budget

Ms. Dianne Nelson, Finance Director, presented the 2016 Utility and Capital Improvement Project (CIP) Funds Budget; reviewing the following funds: Water, Water CIP, Sewer, Sewer CIP, Stormwater, Stormwater CIP, Solid Waste, Revenue Bond Reserve, Street Maintenance, Streets CIP, TBD Sales Tax, General CIP, Parks and

³ CLERK'S NOTE: The second addendum proposed a bond for the construction of the building, and a bond for the removal of a partially constructed building.

Recreation CIP, North Kelsey Development, North Kelsey Debt Service, and Special Revenue Funds (donations, tourism lodging tax, and narcotic/drug buy, and REET).

1. AB15-184: Discussion: 2015 Comprehensive Plan Update

Mr. Dave Osaki, Community Development Director, provided an update on the 2015 Comprehensive Plan process and timeline; and noted: the Planning Commission has adopted facts and findings and will be passing along the recommended Comprehensive Plan to City Council for their consideration. Council will be presented with the recommendation at the October 27, 2015, Meeting; and the proposed adopting ordinance will be up for first reading and subsequent adoption at the November 10, and November 17, 2015, Council Meetings, respectively.

NEW BUSINESS

1. AB15-175: Resolution No. 017/2015, Declaring the City's Intent to Absorb the Monroe Transportation Benefit District (TBD) and Setting a Public Hearing Date

Mr. Brad Feilberg, Public Works Director, provided background information on AB15-175, and the proposed resolution declaring the City's intent to absorb the Monroe TBD, and setting a public hearing date thereto.

General discussion ensued regarding other jurisdictions, cost of the TBD annual audit, TBD meetings, and revisiting this proposal in six to eight months. Mayor Thomas stated the item would be brought back to Council for discussion in April 2016.

2. AB15-185: Authorize Mayor to Sign Lake Tye Park Veterans Memorial Donation and License Agreement

Mr. Mike Farrell, Parks and Recreation Director, provided background information on AB15-185, and the proposed donation and license agreement for a Veterans Memorial at Lake Tye Park with American Legion Arthur Kincaid Post No. 58, Monroe.

Councilmember Gamble moved to authorize the Mayor to sign the Veterans Memorial Donation and License Agreement; and expressly authorize any further revisions as deemed necessary or appropriate; the motion was seconded by Councilmember Kamp.

General discussion ensued regarding the project timeline, and including Monroe School District students who have contributed to the project at the groundbreaking event/opening ceremony.

On vote,

Motion carried (7-0).

4. AB15-186: Ordinance No. 014/2015, Setting Property Tax Levy; First Reading

Ms. Nelson provided background information on AB15-186 and the proposed ordinance setting the 2016 property tax levy.

Councilmember Hanford moved to accept as first reading Ordinance No. 014/2015, fixing the amount of taxes to be levied by the City for calendar year 2016; the motion was seconded by Councilmember Cudaback. On vote,

Motion carried (7-0).

FINAL ACTION

1. AB15-187: Resolution 021/2015, Declaring Emergency re Biosolids Contract

Mr. Feilberg provided background information on the proposed resolution regarding the disposal of biosolids and the associated contract thereto; and noted a proposed substitution ordinance from the one provided in the agenda packet with a few amendments suggested by the City Attorney.

Councilmember Gamble moved to approve Resolution No. 021/2015(SUB), declaring the existence of an emergency relating to the disposal of biosolids and waiving the formal request for proposal requirements the City of Monroe Procurement Policy; the motion was seconded by Councilmember Hanford. On vote,

Motion carried (7-0).

COUNCILMEMBER REPORTS

Councilmember Goering commented on his recent trip to Haiti.

Councilmember Gamble commented on Monroe Youth, College, and Professional Football.

Councilmember Rasmussen commented on his recent trip to Denver and participation in a half marathon.

STAFF/DEPARTMENT REPORTS

1. Public Works Update

Mr. Scott Peterson, Public Works Design and Construction Division Manager, provided an update on current projects, including the Tjerne Place Extension.

Mr. Farrell reported on the following topics: July 2016 Pro Wakeboard Tour event, the enhancement of downtown flower pots by the Downtown Monroe Association, and water trails.

Mr. Feilberg reported on the following topics: Chamber of Commerce wayfinding signs, and a proposal from the Snohomish County Health District to amend code regarding the use, sale, and availability of vapor products in Snohomish County.

MAYOR/ADMINISTRATIVE REPORTS

1. Monroe This Week (*October 16, 2015, Edition No. 18*)

Mayor Thomas reported on meetings held and events attended the previous week, noted upcoming events, and reported on the alleyway naming request.


2. Draft Agenda for October 27, 2015, Regular Business Meeting

Mr. Feilberg reviewed the draft agenda for the October 27, 2015, Regular Business Meeting, the extended agenda, and additions thereto. General discussion ensued regarding the upcoming East Monroe Project agenda items, and upcoming Councilmember absences.

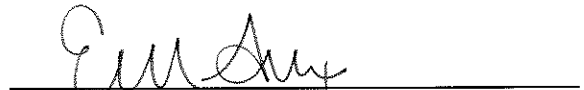
ADJOURNMENT

There being no further business, the motion was made by Councilmember Cudaback and seconded by Councilmember Kamp to adjourn the meeting. On vote,
Motion carried (7-0).

MEETING ADJOURNED: 9:41 p.m.



Geoffrey Thomas, Mayor



Elizabeth M. Smoot, MMC, City Clerk

Minutes approved at the Regular Business Meeting of October 27, 2015.