

**CITY COUNCIL  
BUSINESS MEETING MINUTES  
June 7, 2011**

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

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

It was noted that Councilperson Balk would be late.

Councilperson absent: Williams.

Staff present: Brazel, Feilberg, Quenzer, Willis, Harris, Farrell, Nelson, Roberts, and Martinson.

City Attorney Zach Lell was also present.

The meeting was opened with the Pledge of Allegiance.

**ANNOUNCEMENTS & PRESENTATIONS**

**Proclamation/Amateur Radio Week**

The Mayor read the Proclamation announcing June 20-26, 2011 as *Amateur Radio Week*.

Public Works Director Feilberg invited everyone to the field day on June 25 and June 26 at Sky River Park.

**CONSENT AGENDA**

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

Motion carried 4/0.

Items approved: 1A) March 15, 2011 Business Meeting Minutes; 1B) March 22, 2011 Study Session Minutes; 2) Bills (Vouchers #079602 – 079726, in the amount of \$417,819.15; 3) Award Bid and Authorize Mayor to Sign Construction Contract for the Hill Street Reconstruction Project; 4) Authorize Mayor to Sign Uniform Services Supplier Contract – Aramark Uniform Services Co.; 5) Authorize the Mayor to Sign the Construction Management Agreement with WHPacific for the Kelsey/Main Street Signal Project; 6) Resolution Authorizing Surplus of City Property – Streetlight Poles & Parks & Recreation Vehicle; 7) Authorize Mayor to Sign Public Services Defense Contract with Aimee Lou Trua.

**PUBLIC HEARING**

**Six-Year Transportation Improvement Program 2012 – 2017**

Managing Engineer, Maggie Inahara, gave a brief overview, explaining that the public hearing would be for the Transportation Improvement Program for 2012-2017, including two added projects would start this year, but continue into next year.

Mayor Zimmerman opened the public testimony portion of the public hearing.

No citizens signed up to address Council.

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

Motion carried 4/0.

The next step in the process is a resolution to be presented to Council at the June 21<sup>st</sup> meeting.

After discussion, the motion was made by Councilperson Stima and seconded by Councilperson Goering to close the public hearing. On vote,

Motion carried 4/0.

#### **COMMENTS FROM CITIZENS**

No citizens wished to address Council

#### **EXECUTIVE SESSION**

##### **Executive Session Related to Pricing of Property**

City Attorney Lell explained that the purpose of the executive session was for discussing pricing of property, pursuant to RCW 42.30.110(1)(c), for approximately 15 minutes. Council may take action in open session when Council reconvenes.

MEETING RECESSED INTO EXECUTIVE SESSION: 7:14 p.m.

EXECUTIVE SESSION WAS EXTENDED

MEETING RECONVENED INTO REGULAR SESSION: 7:45 p.m.

No action was taken on the executive session topic.

#### **FINAL ACTION**

##### **Ordinance Approving Revenue Bonds for Utility Capital Improvements/1st Reading**

Finance Director Dianne Nelson gave a brief summary of the capital improvements planned that would be financed through the proposed bonds. She then introduced Nancy Maris and Dave Tregeser.

Nancy Marris of Foster Pepper explained about the bond and the various documents that are included. They are combining the storm and sewer for financing and paying off outstanding debt. The ordinance will be finalized next Tuesday, based on rates at that time.

Dave Tregeser of DA Davidson explained the timing of bond and the documents that are sent to investors. He explained schedule for the wire transfer of funds. He also gave details on the bond index, allowed uses of the funds, and the cost of issuance of the bonds. The rating report was noted; the City has an outstanding rating at "AA" long-term rating. He will report to Council next week regarding pricing.

After discussion, the motion was made by Councilperson Goering and seconded by Councilperson Cudaback, to accept as first reading Ordinance 015/2011 authorizing the issuance and sale of Water and Sewer Revenue Bonds of the City in the aggregate principal amount of \$[15,560,000] to provide funds to make improvements to the water, sewer and storm drainage system of the City; providing the terms and covenants of the bonds; and combining the City's water and sewer system and the storm drainage system for financing purposes, as read into the record by City Attorney Lell. On vote,

Motion carried 4/0.

### **NEW BUSINESS**

#### **Functions of Government - #1: Health and Safety of People and Property**

City Administrator Brazel explained that this was originally called "Priorities of Government"; but, was changed to "Functions of Government". Staff also reformatted the document for the meeting. He explained changes and asked for Council's feedback.

After this initial discussion, it was determined that staff would make additional changes and bring this item back for further review.

#### **Discussion: Amend Council Rules of Procedures**

City Administrator Brazel gave a brief overview of the proposed changes, including not reading citizen letters into record and practices in preparing council packets. City Attorney Lell will work with staff on appropriate changes. This item will be brought back in the form of a resolution.

After a question came up about using the Herald instead of or in conjunction with the Monroe Monitor for publishing agendas and legal notices, it was determined that it would be put on a future agenda for further discussion.

It was also determined that the Council Rules and Procedures would come back in two weeks for final approval.

#### **Discussion: Ordinance Regulating Door-to-Door Solicitation**

City Attorney Lell explained that our current ordinance dates back to the 1963 "Green River Ordinance". Few sales people go door-to-door anymore. The constitutional case law has taken a shift. Appeals cases invalidated an ordinance that matches this one. After research, he developed the proposed draft. There are other approaches the City could take and even decide not to regulate it at all. The City can't ban door-to-door sales, but can impose restrictions and time constraints. The City can also require that they register with the City. Case law is clear that they can enforce "no trespassing" signs. There is also a distinction between commercial and non-commercial.

Councilperson Balk entered Council Chambers at 9:23 p.m.

After Councilperson Stima made a motion to repeal Ordinance #400, City Attorney Lell stated that Council would need to set aside procedures to vote at this time.

Councilperson Stima withdrew his motion. This item was put on the agenda for June 14<sup>th</sup>.

**COUNCILMEMBER REPORTS**

Councilperson Cudaback asked for an update on the Hill Street building. City Administrator Brazel stated that they would discuss this topic next week.

Councilperson Cudaback also asked about the certification process for the red light camera initiative. Mayor Zimmerman responded that they have been doorbelling seeking signatures, and need 40 more signatures.

**MAYOR/ADMINISTRATIVE STAFF REPORTS**

**Draft Agenda/June 14, 2011/Council Study Session**

City Administrator Brazel presented the draft agenda for June 14, 2011. He brought Council's attention to the interviews for the Council vacancy. The City received three applications for the Council opening and would use the same process that was used before.

**EXECUTIVE SESSION**

**Executive Session Related to Potential Litigation**

City Attorney Lell explained that the purpose of the executive session was for discussing a legal risk and potential litigation with legal Counsel, pursuant to RCW 42.30.110(1)(i), for approximately 15 minutes. No action in open session is anticipated when Council reconvenes.

MEETING RECESSED INTO EXECUTIVE SESSION: 9:35 p.m.

EXECUTIVE SESSION WAS EXTENDED

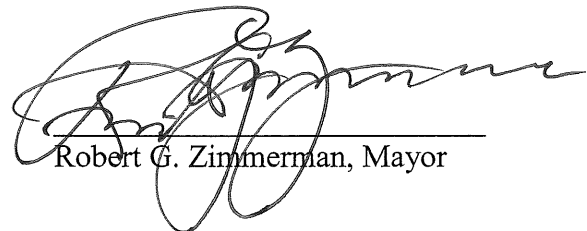
MEETING RECONVENED INTO REGULAR SESSION: 9:57 p.m.

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

Motion carried 5/0.

MEETING ADJOURNED: 9:58 p.m.

  
Eadye Martinson, Deputy City Clerk

  
Robert G. Zimmerman, Mayor