



CITY COUNCIL MINUTES

Regular Meeting
Tuesday – September 8, 2009
7:00 p.m.

CALL TO ORDER

Mayor Asay called the regularly-scheduled meeting to order at 7:03 p.m. and led the Pledge of Allegiance.

ROLL CALL

Council Members present were Beaudry, Borek, Drotz, Heddlesten, Sanderson, and Whalen.

Council Member Beaudry moved to excuse Council Member Neal. Council Member Whalen seconded the motion.

The motion passed 6-0.

STAFF PRESENT

Interim City Administrator Fessler, Public Works Director Neal, Finance Director Pierce, Police Chief Rhoads, and Deputy City Clerk Stevenson-Ness were present.

ADDITIONS / DELETIONS

Mayor Asay postponed the citizen recognition until September 21, 2009.

PROCLAMATION: National Payroll Week

Mayor Asay proclaimed the week of September 7 – 11, 2009, as Payroll Week and urged the citizens to join her in this observance.

CITIZEN PARTICIPATION

Speaking before the Council:

Speaker	Address	Topic
Tim Adams	1207 Juniper	Storm drainage issues
Brian Ott	102 17 th Avenue Court	Fire Dept. Annexation Options

CONSENT AGENDA

Approval of:

- Minutes of July 6, 2009; regular meeting;
- Minutes of the July 13, 2009, special study session;
- August 20, 2009, Payroll direct deposits, checks, and benefits, in the amount of \$154,514.03;
- Checks/vouchers, numbers 18263-18323 in the amount of \$153,816.60; and
- Resolution 09-1770 Authorizing King County to perform street construction, repair, and maintenance of City of Milton streets.

COUNCIL MEMBER BEAUDRY MOVED to approve the Consent Agenda as presented. Mayor Pro Tem Heddlesten seconded the motion.

The motion was voted on and carried 6-0.

PUBLIC HEARINGS

Condemnation of right-of-way needed for Milton Way Improvement Project

Mayor Asay opened the public hearing at 7:11 p.m.

Public Works Director Neal provided information regarding the condemnation action. She stated the city needs to purchase various sized pieces of seven parcels along Milton Way as part of the improvement project. The purchases of these properties are in various stages and the condemnation action is intended to set a date certain so the project can proceed. Director Neal said that at any point, parcels and owners of record can be removed from the list filed with the court if a settlement with the city is finalized. She stated there will be additional costs above what was originally budgeted associated with pursuing condemnation on these properties but the total amount is unknown.

There was no public testimony.

Mayor Asay closed the public hearing at 7:15 p.m.

MAYOR PRO TEM HEDDLESTEN MOVED to adopt Ordinance 1742-09 providing for the acquisition, condemnation, appropriation, and taking of fee title to certain portions of parcel numbers 042004-801-5, 042004-105-3, 042004-413-4, 042004-412-6, 042004-801-7 & 042004-880-1, and 042004-121-6 for the purpose of the Milton Way Improvement Project; providing that the entire cost thereof shall be paid from available funds; and directing attorneys retained by the City of Milton to prosecute the appropriate legal proceedings provided for said condemnation. Seconded by Council Member Borek.

The motion passed 6-0.

Easement exchange with the City of Edgewood

Mayor Asay opened the public hearing at 7:25 p.m.

Director Neal described the exchange of easement. She stated the agreement proposes an exchange of easements to accommodate both cities' project needs. She said Edgewood will need an additional 1,430 feet of easement within the city's Interurban Trail/Puget Sound Energy (PSE) corridor and 110 feet of easement where their sewer line will cross Military Road.

In addition to the exchange of easements within the jurisdictions, the City of Edgewood has agreed to provide construction of a ramp/access way from Military Road to the Interurban Trail right of way and to repave approximately 400 feet of Military Road as additional compensation in consideration of the easement. Because Puget Sound Energy retained some rights regarding placement of their utilities within the corridor that could conflict with existing or future placement of their utility facilities, they have agreed to Edgewood's pipeline placement and would grant Milton the authority to grant Edgewood the easement for building their sewer line.

Mayor Asay recognized the following citizens to speak:

Speaker	Address	Topic
Milton Loflin	1810 11 th Avenue	Support exchange of easements; suggests merger with Edgewood
Jacquelyn Whalen	1605 13 th Avenue	ROW jurisdiction issues; Water main upgrade; Parity of costs involved in easements; Loss of developable land

Mayor Asay closed the public hearing at 7:38 p.m.

COUNCIL MEMBER BEAUDRY MOVED to authorize the mayor to enter into an Interlocal Agreement with the City of Edgewood for the purpose of granting specified easements to both parties, authorize the mayor to sign the consent for use of Puget

Sound Energy transmission line right of way document, and further authorize the mayor to sign all documents related to finalizing and recording said easements. Seconded by Council Member Whalen.

The motion passed 6-0.

REGULAR AGENDA

AB 09-046 – Adoption of an ordinance condemning right-of-way property needed for Milton Way Improvement Project

This ordinance was adopted following the public hearing

AB 09-047 – Approval of an interlocal agreement with the City of Edgewood for property easements

This ordinance was adopted following the public hearing.

AB 09-048 – Amendment to BPA contract

COUNCIL MEMBER DROTZ MOVED to approve Amendment No. 1 to the City of Milton's Power Sales Agreement with BPA and authorize the mayor to sign the amendment. Seconded by Mayor Pro Tem Heddlesten.

The motion passed 6-0.

Preview of Updated Website

Finance Director Pierce provided an update on the development of the city's new website and provided examples to the council. She urged council and citizens to look at the website and contact her if there are things that need to be changed.

CITY ADMINISTRATOR REPORT

Interim City Administrator Fessler reviewed notable dates on the council calendar and briefly discussed items in the report.

COUNCIL REPORTS

Councilmember Sanderson reported on:

- Search for new city administrator
- Funding for After Hours youth program
- Stimulus funds
- Future projects/shoreline management grant
- Look into buying bottled water locally from Water-to-Go

- Looking for direction from council regarding Rainier Communications Commission (RCC). Should the RCC use money from accumulated funds to reduce the city's yearly dues for 2010?

Council Member Sanderson moved that RCC use funds available in the 2009 ending fund balance to reduce dues for 2010. Seconded by Council Member Drotz.

The motion fails 2-4.

MAYOR'S REPORT

Mayor Asay reported that she received a settlement agreement from the Department of Justice regarding an ADA complaint received in late 2005. She stated the settlement agreement was sent on to WCIA as well as to the city attorney for review.

EXECUTIVE SESSION

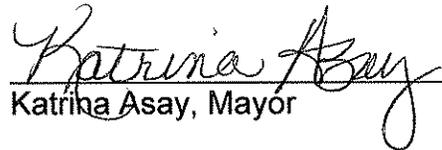
Mayor Asay announced that Council would convene into executive session at 8:54 p.m. for labor negotiations pursuant to RCW 42.30.110(1) for 15 minutes.

At 9:10 p.m., Mayor Asay extended the executive session for 15 minutes.

Mayor Asay reconvened the regular meeting at 9:25 p.m..

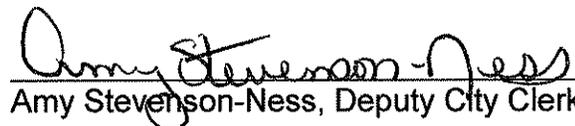
ADJOURNMENT

COUNCIL MEMBER BEAUDRY MOVED to adjourn the meeting at 9:25 p.m. Council Member Drotz seconded the motion. The motion was voted on and carried 6-0.



Katrina Asay, Mayor

ATTEST:



Amy Stevenson-Ness, Deputy City Clerk