



CITY COUNCIL MINUTES

Regular Meeting
Tuesday – September 21, 2009
7:00 p.m.

CALL TO ORDER

Mayor Asay called the regularly-scheduled meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

ROLL CALL

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

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

Council Member Sanderson asked that the Diners Choice Agreement be removed from the consent agenda and placed as item D on the regular agenda.

Citizen Recognition

Mayor Asay presented citizen recognition certificates to Erin O'Brien-Smith, Martha Morales, Kendra Dixon, and Tom T. Boyle for their contribution to the success of the 2009 Milton Days Parade & Picnic.

PRESENTATION

Steve Fuchs, Washington State Department of Transportation (WSDOT), provided a status update of the SR 167 extension. He stated WSDOT is focusing on right-of-way acquisition and has approximately 50 percent of the corridor purchased. Mr. Fuchs said there is no funding for the project and WSDOT is doing a feasibility study on tolling the use of the road to pay for construction of the project.

Speaking before the Council:

Speaker	Address	Topic
Milton Loflin	1801 11 th Avenue	Inclusion of a bike path SR-509 & SR-705 projects
Jacquelyn Whalen	1605 13 th Avenue	Wetland project Light Rail extension
Brian Ott	102 17 th Avenue Ct	Impact on rest area Stormwater retention

CITIZEN PARTICIPATION

Speaking before the Council:

Speaker	Address	Topic
Jackie Bertolino	1308 11 th Avenue	Questions regarding funding for the centennial mural

CONSENT AGENDA

Approval of:

- September 4, 2009, payroll direct deposits, checks, and benefits, in the amount of \$227,254.71; and
- Checks/vouchers, numbers 18324-18413, in the amount of \$156,147.10.

MAYOR PRO TEM HEDDLESTEN MOVED to approve the Consent Agenda as presented. Council Member Sanderson seconded the motion.

The motion was voted on and carried 7-0.

REGULAR AGENDA

AB 09-049 – Adoption of an ordinance amending Chapter 9.37 of the Milton Municipal Code to provide more consistency between City and State noise regulations and to provide an exemption to existing industrial uses to nighttime noise restrictions.

Chief Rhoads provided a history of the noise complaints made in December 2007, and the efforts Harland Clarke has made to abate the noise. He said while the noise situation with Harland Clarke may be resolved, staff feels that the regulations in the current city code do not provide adequate tools for enforcement of a variety of situations including temporary noise limits and variances to fairly enforce the noise regulations in future business operations.

Speaking before the Council:

Speaker	Address	Topic
Beth Schwartz, Director of Manufacturing, Harland Clarke	4516 N. 37 th Street, Tacoma	Reviewed Harland Clarke's history in the community and actions that have been taken to abate noise
Jacquelyn Whalen	1605 13 th Avenue	Asked why issue didn't go to the Planning Commission; Change of zoning regarding capital facilities district; Applicability of Section 3 of the ordinance
Pat Derouin; Chair, Economic Development Board for City of Milton	Edgewood	Spoke in support of the ordinance.
Chris Green	Economic Development Board for Tacoma/Pierce County	Ordinance beneficial to business community

Interim City Administrator Fessler clarified that, while the situation with Harland Clarke initiated the review of the noise ordinance and regulations, changes to the ordinance will provide better tools for the city to enforce the ordinance and will make regulations consistent with state regulations.

COUNCIL MEMBER SANDERSON MOVED to adopt ordinance 1743-09, amending Chapter 9.37 of the Milton Municipal Code in order to provide more consistency between city and state noise regulations. Seconded by Council Member Drotz.

After further discussion, Council Member Whalen suggested that the language of Section 1, Item C3: *from the commercial district which includes the districts defined as CF and M-1* be removed.

COUNCIL MEMBER BOREK called for the question.

Council continued discussing the proposed ordinance.

Mayor Pro Tem Heddlesten called for a point of order regarding Council Member Borek's call for the question.

Mayor Asay called for a vote on Council Member Borek's call for the question to discontinue discussion.

The motion passed 6-1. Discussion was discontinued.

Mayor Asay called for a vote on the motion to adopt the ordinance.

The motion passed 6 -1

Mayor Asay recessed the meeting at 8:34 p.m. and reconvened meeting at 8:39 p.m.

AB 09-043 – Water and Electric Utility Rate Increase

COUNCIL MEMBER NEAL MOVED to adopt the Financial Policy developed by the council and contained in Agenda Bill 09-043. Seconded by Council Member Sanderson.

The motion passed 7-0.

MAYOR PRO TEM HEDDLESTEN MOVED to approve Resolution 09-1771, amending the electric utility rates as set forth in Resolution No. 09-1768, Section IV, to allow for an increase in electric rates on January 1, 2010, and providing for an effective date. Seconded by Council Member Neal.

The motion passed 7-0

COUNCIL MEMBER NEAL MOVED to approve Resolution 09-1772, amending utility rates as set forth in Resolution No. 09-1768, Section IV, to allow for an increase in water rates on October 1, 2009 and January 1, 2010, and providing for an effective date. Seconded by Council Member Borek.

Roll-call vote was taken resulting as follows:

Ayes: 5 - Borek, Drotz, Neal, Sanderson, Whalen
Nays: 2 - Beaudry, Heddlesten

The motion passed.

Council members expressed that the decision to raise rates was very difficult but necessary for the fiscal health of the city.

C. Report on status of annexation to East Pierce Fire & Rescue

Interim City Administrator Fessler advised the council there have been additional conversations with the consultant hired by East Pierce Fire & Rescue regarding annexation to the district. She stated there is some leeway in the timeline to approve the ordinance on the intent to annex and it will not be brought forward on October 5 as previously planned. She said there is a short time period to address the tax equity issue prior to making a decision on annexation. She will keep the council apprised as the research continues.

Ms. Fessler reminded the council of the joint meeting with the East Pierce Fire & Rescue Board of Commissioners on September 22, 2009.

(Council Member Borek left here at 9:13 p.m.)

- D. Acceptance of a grant from Pierce County for the Diners Choice meal voucher program and authorizing the Mayor to enter into an agreement with Dave's Restaurant.

Finance Director Pierce provided information on the Diners Choice Nutrition Pilot Program. She advised council that Pierce County has been awarded federal money to start a nutrition pilot program for seniors. Pierce County contacted the city and inquired if the city's Activity Center would be interested in participating in the program for the remainder of 2009 through 2010.

Ms. Pierce stated the program is designed to give eligible seniors an opportunity to enjoy nutritious meals, socialize at a participating local restaurant, as well as freedom to choose preferred times and choices for meals. She said up to forty individuals living in Milton/Edgewood will receive coupons to redeem at a Diners' Choice-approved restaurant located in Milton.

MAYOR PRO TEM HEDDLESTEN moved to authorize the Mayor to sign the amended contract with Pierce County Human Services to provide the Diners' Choice Program, and to authorize the mayor to sign the agreement between Dave's Restaurant and the City of Milton regarding the Diners' Choice Program. Seconded by Council Member Sanderson.

Motion passed 6-0

CITY ADMINISTRATOR REPORT

Ms. Fessler reviewed notable dates on the council calendar, and changes to the budget calendar, and briefly discussed items in the written report.

COUNCIL REPORTS

Councilmember Sanderson reported on:

- Finance Committee meeting;
- the regional water meeting held at the Activity Center;
- Inquired why the Water Comprehensive Plan is no longer on the council calendar;
- Inquired if there were permits that expired due to the downturn in the economy and if so, whether these permits should be extended ;
- the candidate forum being held by the Chamber of Commerce for the Fife-Milton area.

Council Member Whalen reported on:

- Repair on Milton Way seems to have gone well as did the stormwater improvements;
- Raised the idea of extending the 7th Avenue improvements to the entire street.

Council Member Drotz reported on:

- Requested a financial analysis of what the impact would be to the General Fund if the utility tax was lowered to three or four percent.

Mayor Pro Tem Heddlesten reported on:

- Expressed concern regarding people that don't stop at crosswalks on Milton Way and requested enforcement measures;

Council Member Beaudry reported on:

- Suggested that the new council members need to be involved in the budget process.

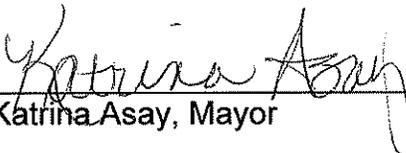
MAYOR'S REPORT

Mayor Asay thanked and commended Council for their work at the study session on September 14. She noted that Dick Cushing, Waldron & Company, will be attending the October 12 study session to facilitate a discussion regarding recruiting a new City Administrator. She also thanked Glen Baker, Water Supervisor, for hosting the water co-op meeting that was held at the Activity Center on September 16th.

ADJOURNMENT

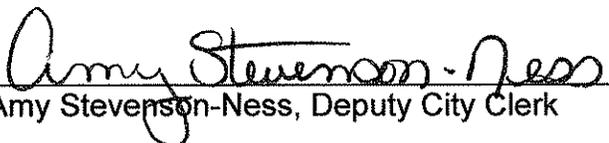
COUNCIL MEMBER BEAUDRY MOVED to adjourn the meeting at 9:52 p.m. Mayor Pro Tem Heddlesten seconded the motion.

The motion was voted on and carried 6-0.



Katrina Asay, Mayor

ATTEST:



Amy Stevenson-Ness, Deputy City Clerk