



CITY COUNCIL MINUTES

Regular Meeting
Monday, January 5, 2015
7:00 p.m.

CALL TO ORDER

Mayor Perry called the meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL

Present: Mayor Pro Tem Taylor, Councilmembers Whalen, Jones, Ott, Morton, Manley, and Zaroudny

STAFF PRESENT

Finance Director Garrison, Police Chief Hernandez, Interim Public Works Director Perteet, Associate Planner Larson, City Attorney Park, and City Clerk Bolam

ADDITIONS / DELETIONS

Councilmember Ott requested to add "Recognition of the Men and Women in Blue". Councilmember Zaroudny requested to add discussion for "Permit Technician". Mayor Perry added these items to the end of the agenda.

CITIZEN PARTICIPATION

Speaker	Address	Comments
Tom Boyle	1109 9 th Ave	Said that all new personnel should be fully qualified. Requested a tally of city attorney fees be kept through 2015 for comparison with 2013. Requested that the city consider broadcasting meetings. Emphasized the need to fill the vacant planning commission position.
Susan Johnson	2307 8 th Ave	Expressed concern over the presence of drones and the possibility of an invasion of privacy.

CONSENT AGENDA

Approval of:

- A. Minutes
 - a. November 17, 2014 Regular Meeting
 - b. December 8, 2014 Special Meeting
 - c. December 11, 2014 Special Meeting
- B. Voucher and Payroll Approval
 - a. Checks/vouchers 56004-56134 in the amount of \$ 479,336.80.
 - b. Payroll of 12/5/14 and 12/20/14 in the amount of \$ 366,445.20.
- C. 2015 Engineering Consultant Agreement – Approval

Mayor Pro Tem Taylor requested clarification on two vouchers, #56050 and 56021, that appeared to be duplicates. Director Garrison will check into those.

COUNCILMEMBER MORTON MOVED, seconded by Mayor Pro Tem Taylor to approve the Consent Agenda minus the two potential duplicate vouchers. – **Passed 7/0.**

PUBLIC HEARING

A. Marijuana Moratorium Extension

Mayor Perry opened the public hearing at 7:15 pm.

Interim

Speaker	Address	Comments
Rose Reeves	619 7 th Ave	As a member of the Planning Commission, during those discussions, it was made clear that allowing marijuana businesses would bring a rise in petty thefts. Just because Milton voters approved legalization in the state doesn't mean they want it in Milton. Also concerned with Milton's standing federally, including related to power. And council can always return to this matter in the future if they choose to ban it now.
Jacquelyn Whalen	1605 13 th Ave	As a Planning Commissioner and a resident, asks for at least an extension of the moratorium, so that a special committee has time to create regulations to give the city protections. There are serious vulnerabilities to the city if the moratorium is allowed to expire.
Tom Boyle	1109 9 th Ave	Notice for the meeting tonight not on the city's website and not emailed to planning commissioners. It took 44 days for the draft of the November 17

		<p>minutes to be posted to the website, and they're still not approved.</p> <p>Just wants council to do research on this topic and discuss it. Not enough time spent at the planning commission.</p> <p>Council is on the right track for this moratorium and special committee, but it's 18 months behind – should have been discussing this over a year ago.</p> <p>Regarding councilmembers' reference to their oath of office to uphold the laws of the federal government – his priorities if he were a councilmember would be to serve the residents of Milton first, the state next, and the federal government last.</p> <p>Regarding the additional police workload, says that allowing legal marijuana is proactive.</p>
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Mayor Perry closed the public hearing at 7:23 pm.

REGULAR AGENDA

- Marijuana Moratorium Extension

Associate Planner Larson explained the two results of approving the proposed ordinance – to extend the current moratorium for 6 months, and to create a special committee to study this issue and present recommendations to Council in May.

City Attorney Park addressed the legal status of extending the moratorium, saying he is comfortable with it based on a risk analysis. He clarified the need for a super-majority in order for the passage of this ordinance to be declared an emergency.

Council discussion ensued, including:

- not attempting to staff the special committee with for-and-against members but with open-minded members
- acknowledgment of much research and discussion over the past year and a half
- adequate timing between a committee recommendation and required council action
- the status of marijuana regulations in the case the moratorium is not extended
- the possibility of banning outright for now while still developing a special committee to study the issue and reconsider the matter at a later date

COUNCILMEMBER MANLEY MOVED, seconded by Councilmember Morton, to adopt the attached ordinance providing for an emergency 6 month extension to the moratorium disallowing recreational marijuana producers, processors and retailers from locating within the City of Milton. **Failed to reach required super majority by a vote of 4 in favor and 3 against** (Ott, Taylor, Whalen against).

Councilmember Whalen asked to add an item to the end of the agenda to consider banning marijuana uses. Mayor Perry instead added it as the next discussion item.

- Banning Marijuana Related Uses

COUNCILMEMBER WHALEN MOVED, seconded by Mayor Pro Tem Taylor, to adopt the ordinance that was presented to council at the November 17, 2014 meeting which disallows recreational marijuana producers, processors, and retailers from locating in the City of Milton.

Council expressed a concern about the jurisdictions surrounding Milton that have all banned marijuana uses, leaving Milton vulnerable.

COUNCILMEMBER WHALEN MOVED, seconded by Mayor Pro Tem Taylor, to amend the motion to include the declaration of emergency clause.

City Clerk Bolam read the emergency clause into the record, with a replacement of the word "moratorium" with "ban".

The amendment to the motion was voted on and passed 7/0.

Discussion ensued.

The amended motion was voted on and passed 7/0.

COUNCILMEMBER ZAROUDNY MOVED, seconded by Councilmember Jones, to create an advisory committee in accordance with Section 3 of the ordinance proposed at this meeting, revised to complete its recommendation to Council by December 31, 2015. **Passed 7/0.**

Mayor Perry called a recess at 8:55 pm; meeting called back to order at 9:15 pm.

Associate Planner Larson and Attorney Park exited the meeting.

- ADA Bathrooms – Award Bid

Interim Director Perteet reported on the bid results, the process to come, and the funding status.

COUNCILMEMBER ZAROUDNY MOVED, seconded by Councilmember Jones, to authorize the award of the construction contract for the Triangle Park ADA Improvements to EHS-International of Bellevue, WA for a bid amount of \$83,643.13, including sales tax, and authorize the Mayor to sign the related contract documents. **Passed 7/0.**

- Community & Economic Development Director – Reinstate Position

Mayor Perry reviewed the history of this position, the status of the planning contract with the City of Fife, and the needs of the department and City in the areas of community development and economic development. Director Garrison reported on financials of the planning contract and the consultant work done by KPG and Grey & Osborne.

Discussion included the source of funding and the indirect benefits of this proposed position. Chief Hernandez spoke on the nuisance code issues and annexations that this position would strategically address.

Council expressed the importance of seeing the vision work through and bringing forward needed code changes. Concern was stated over the funding, and that there will be a high expectation of production from this position.

MAYOR PRO TEM TAYLOR MOVED, seconded by Councilmember Manley, to approve the reestablishment of the Community Development Director position for the City of Milton and add to the 2015 Budget. **Passed 5/2.** (Ott, Jones)

- Operations Superintendent – Approve Position

Mayor Perry referred to council retreat minutes from last year (Clerk handed out) and the commitment to look for the voids in efficiency, which this position will address. Director Perteet explained that this is an outgrowth of the Bob Jean report, and it will add someone to help with the maintenance and administrative tasks of running the public works department.

Discussion ensued. Public Works Supervisor Glen Baker was invited from the audience and spoke to this proposed position, saying there's room for this position to benefit the department and the city, and there's room for increase in crews, too.

COUNCILMEMBER WHALEN MOVED, seconded by Councilmember Morton, to approve the establishment of the Operations Superintendent position for the City of Milton and add to the 2015 budget. **Passed 4/3** (Manley, Ott, Jones).

- Appoint 2015 Mayor Pro Tempore

Councilmember Whalen nominated Councilmember Taylor to continue to serve as Mayor Pro Tem for 2015. Mayor Pro Tem Taylor accepted the nomination.

Council expressed strong appreciation for the work of Mayor Pro Tem Taylor.

COUNCILMEMBER WHALEN MOVED, seconded by Councilmember Morton, to elect Bart Taylor as Mayor Pro Tem for a term ending on the first regular meeting of the City Council in 2016. **Passed 7/0.**

Mayor Perry expressed her appreciation to Mayor Pro Tem Taylor for his service.

- Appoint Councilmembers to Interjurisdictional Boards and Commissions

Discussion of commitment levels ensued.

COUNCILMEMBER JONES MOVED, seconded by Councilmember Whalen, to approve the appointments of Mayor Perry to PCRC with Councilmember Manley as alternate, and Mayor Perry to SCA with no alternate named. **Passed 7/0.**

- Appointments of Parks Board Members

COUNCILMEMBER JONES MOVED, seconded by Councilmember Whalen, to approve the Mayor's reappointment of Kent Ross, Linda Goddard, and Beverly Webber to the Park Board for terms to expire December 31, 2018.

Council expressed appreciation to the Park Board in general and these three volunteers specifically.

The motion was voted on and passed 7/0.

- Setting Council Retreat Date

Mayor Perry postponed this discussion for a future date.

- Honoring the Men and Women in Blue

Councilmember Ott requested a proclamation; council agreed. This will be presented at the February 2 meeting.

- Permit Technician Position

Councilmember Zaroudny requested that this discussion be on a future agenda. Councilmember Jones seconded the request. The discussion will be scheduled.

COUNCIL REPORTS

Councilmember Whalen

- Roads look great on Taylor and Milton Way

Councilmember Jones

- Likes the idea of broadcasting our meetings; possibility of Comcast Xfinity doing this for free

Councilmember Zaroudny

- Expresses appreciation and respect to Milton Police Department

Councilmember Manley

- Went on a ride-with with Sergeant Luckman – great thing to do
- Suggests the city pursues the annexation of the Christie's golf area

Councilmember Morton

- Requested a report on the damaged police cars; Chief Hernandez gave a brief report before adjournment
- Noticed smell in household water recently

Councilmember Ott

- Noticed big fireworks on New Year's Eve
- Street lights out on Alder near 17th Ave
- Kudos to Chief Hernandez for strong leadership
- Requests information on SS911
- Suggests police look into the hotel target ordinance done in Fife

Mayor Pro Tem Taylor

- Expressed enjoyment in serving as Mayor Pro Tem and thanks for the election for 2015

MAYOR'S REPORT

- Pierce Transit CEO meeting was productive.
- Kudos to current city management team members for hard work and transparency.
- State auditors will present results of the 2012-2013 audit to the finance committee next week – a report will be presented to the full council by staff during the study session.
- Pierce County does want cities to annex all the small pockets in the urban growth areas

ADJOURNMENT

Adjourned at 11:15 p.m.



Debra Perry, Mayor

ATTEST:

Katie Bolam, City Clerk