



CITY COUNCIL MINUTES

Regular Meeting
Monday – March 16, 2009
7:00 p.m.

CALL TO ORDER

Mayor Asay called the regularly-scheduled meeting to order at 7:02 p.m. and led the Pledge of Allegiance.

ROLL CALL

Councilmembers present were Beaudry, Drotz, Heddlesten, Neal, Sanderson, and Whalen.

STAFF PRESENT

Interim City Administrator Fessler, Police Chief Rhoads, Public Works Director Neal, Fire Chief Jaques, and Finance Director Pierce were present.

ADDITIONS / DELETIONS

Mayor Asay deleted the Executive Session.

CITIZEN PARTICIPATION

Robert MacDonald, 1308 15th Ave. – Mr. MacDonald informed Council that he is establishing a committee to sponsor the American Veterans Traveling Tribute (AVTT) and Traveling Wall. He explained the objective of the tribute; described the Traveling Wall, which is a replica of the Viet Nam Memorial Wall; listed the other memorials and tributes included in the AVTT; and mentioned possible sites for the Traveling Wall. His committee will be soliciting pledges to help with the cost, which he estimates at a total of \$12,000, and he intends to request a donation from the City at a later date. Mayor Asay asked Mr. MacDonald to give a presentation at a Council Study Session, once he has more details.

Jacquelyn Whalen, 1605 13th Ave. – After welcoming Interim City Administrator Fessler, Ms. Whalen identified topics that she would like the Council to address, and commented on the City Administrator position.

Steve Tomaso, 1701 Milton Way – Mr. Tomaso commented on the City Administrator position and suggested that it might be time to revisit the City Manager form of government.

PRESENTATION – MEDAL OF MERIT

For the purpose of these minutes, the presentation took place after the Consent Agenda.

Chief Rhoads presented Medal of Merit awards to Sergeant Nils Luckman and Officer Chris Kidwell for exceptional effort in identifying an individual encountered during a call for service and following appropriate protocol, which led to the arrest of a known terrorist on the FBI watch list. They were each presented with a copy of a letter from Leonard Boyle, Director of the FBI, and a Homeland Security coin.

CONSENT AGENDA

Approval of the minutes of February 9 and March 9, 2009; the March 5, 2009, payroll direct deposits, checks, and benefits in the amount of \$238,926.64; the March 16, 2009, checks/vouchers for 2009, numbers 17202 – 17284, in the amount of \$149,214.52; and voided checks numbers 17200-17201, 16833, 16767, and 16993.

Council discussed the vouchers, and noted difficulty in understanding what some of the charges are for. An easy-to-understand accounts payable report from the City of Woodinville was previously forwarded to certain Councilmembers, with a request that the Finance Committee consider adopting a similar format. City Manager Fessler requested that a copy of the Woodinville report be forwarded to her.

COUNCILMEMBER BEAUDRY MOVED to approve the Consent Agenda as presented. Councilmember Heddlesten seconded the motion. The motion was voted on and carried 6-0.

REGULAR AGENDA

AB09-013 – Consider Additional Funding for Friends of the Hylebos

Finance Director Pierce stated that the Friends of the Hylebos have requested an additional \$20,000 to continue work on the habitat restoration program they began in 2007. This amount is included in the City's 2009 budget for the Friends of the Hylebos.

COUNCILMEMBER DROTZ MOVED to approve \$20,000 for continued habitat restoration to be performed by the Friends of the Hylebos for the City of Milton. Councilmember Whalen seconded the motion.

Councilmembers discussed the good work done by the Friends of the Hylebos in restoration of the creek, but also had concerns about the amount of money requested.

Jacquelyn Whalen, 1605 13th Ave. – Ms. Whalen stated that she is a supporter of the Friends of the Hylebos, but suggested lowering the amount or using goats to get rid of the invasive weeds.

The motion was voted on and carried 4-2.

AB09-010c – Adoption of Resolution and ITPP Policies – Red Flags Rule

Finance Director Pierce informed the Council that the City needs to adopt policies and procedures for an Identity Theft Prevention Program (ITPP) by May 1, 2009, in order to comply with regulations issued by the Federal Trade Commission in the Fair and Accurate Credit Transactions (FACT) Act of 2003. Finance Director Pierce reviewed the City’s proposed ITPP, and responded to questions from the Council. She noted that costs associated with the program would be absorbed within the Finance Department operating budget. She also said periodic reviews to assess the effectiveness of the policies and procedures would be conducted at least annually, along with a report to the Council.

COUNCILMEMBER BEAUDRY MOVED to approve Resolution No. 09-1764. Councilmember Drotz seconded the motion.

Council expressed their appreciation for staff taking their comments into consideration, and suggested that every employee who has access to customer credit card information should be required to abide by confidentiality and nondisclosure policies.

The motion was voted on and carried 6-0.

AB09-011a – Adoption of an Ordinance Relating to Utility Billings Policies and Procedures

Finance Director Pierce informed the Council that the temporary change in the past due balance minimum, from \$50 to \$100 before accounts are subject to service interruption, will end on March 31, at which time the minimum would revert back to \$50. The Ordinance would extend the temporary change until September 30, 2009, during which time staff would continue to track the effect the change is having on the customers, City staff, and the utility revenue.

In response to a question from Council, Finance Director Pierce explained the order in which a utility payment is applied to a customer’s account. Council discussed the issue of the reconnection fee going only to the electric utility, and asked that this topic, along with a review of City Code and procedures related to utility payments and reconnection fees, be addressed in the future.

Jackie Slater, 1809 15th Ave. – Ms. Slater gave a landlord’s perspective on the issue of a landlord’s liability increasing when their renter’s liability increases.

Jacquelyn Whalen, 1605 13th Ave. – Ms. Whelan stated that she does not agree with extending the temporary change to the past due balance minimum because she feels it will cause people unable to pay their utility bill to get deeper in debt. She suggested giving those people

who are better off a way to contribute to a fund to help people who are struggling to pay their utility bills, or compromise with an amount of \$75 rather than \$100.

COUNCILMEMBER DROTZ MOVED to approve Ordinance No. 1739-09, temporarily amending Section 13.36.010(e)(5) of Milton Municipal Code pertaining to utility past due balance; providing for severability; and establishing an effective date and an expiration date. Councilmember Sanderson seconded the motion.

The Council held further discussion, and asked for the number of disconnects from 2007; how many people use the averaging payment plan set forth in the City's Code, or if that plan is in place; and more information on how the Code adopted in September of 2007 is actually working.

Councilmember Whalen offered a friendly motion to extend the temporary change to the past due balance minimum for two months. The motion died due to lack of a second.

Interim City Administrator Fessler said she had noted Council's request for prior information on disconnects, but thought that the information would be part of the evaluation process prior to the September expiration date. She said that extending the expiration date to September will give the staff and Council better information for assessing its impact, and asked for direction from the Council if they wish to broaden the assessment.

The ability of the City's computer system to generate requested reports was also discussed, along with a suggestion that the issue be studied by the ad hoc committee charged with studying the utilities.

The motion was voted on and carried 5-1.

CITY ADMINISTRATOR REPORT

Interim City Administrator Fessler informed Council that, in the future, she intends to make a written report that will be part of the Council packet. She said that as a result of discussions she has had with the department directors and the Mayor, a couple of procedural changes will be made: (1) The information Council currently receives in a monthly report from directors will be incorporated in her written report at the Council meetings held on the first and third Mondays of the month. (2) The new Deputy City Clerk will provide coordination between the Mayor, Interim City Manager, and Council, and will keep a log of Council requests to ensure they are responded to appropriately and in a timely manner. In the future, requests for information that occur outside of Council meetings should be brought to the attention of the Interim City Administrator or Deputy City Clerk.

Ms. Fessler also notified Council that due to a commitment made prior to accepting the position of Interim City Administrator, she would be out of the office beginning Thursday, March 19, and would return to the office on Monday, April 6. In response to a question from Council, Ms. Fessler stated that, due to her absence, the change to the way Councilmembers request information would be implemented in April.

COUNCIL REPORTS

Councilmember Sanderson reported/commented on: The Finance Committee meeting, where they looked at the City's travel policy and reviewed finance reports for January and February. He suggested that once the Committee gets the March report, it would be a good time for Council to see if the report contains the information they want, in a format acceptable to them. At that time, they could also look at different formats for the accounts payable report.

Councilmember Neal reported/commented on: 1) His need for someone to fill in at the SCATBRD (South County Area Transportation Board) meeting tomorrow. Councilmember Drotz agreed to attend.

Councilmember Whalen reported/commented on: 1) The Stormwater Annual Report, which has been on the agenda calendar for quite a while; 2) the proposed rate increase for D&M Disposal, which requires public notification; 3) a recent power outage; and 4) a recent PSRC (Puget Sound Regional Council) meeting, where stimulus funds were distributed.

Councilmember Heddleston reported/commented on: 1) Welcomed the new Interim City Administrator; 2) the quick response time to the few power outages Milton has experienced; 3) thanked Public Works and staff for the water fountain; 4) requested that the property at 27th and Milton Way be looked at in regard to zoning and need for a business license, since there is now a tractor and five trailers parked there and, if not in compliance, he asked that the owner be cited.

Councilmember Beaudry reported/commented on: 1) The Public Works/Community Development/Public Safety Committee meeting where they talked about a grant for the Police Department, the costs of computers and their repair, bomb threats received at schools and how they were handled, and Red Cross training; 2) the Fire Department bill that passed both the House and Senate; 3) an ordinance for an interlocal agreement that Orting backed out of. He also suggested that Councilmember Neal get together with him to further discuss his idea for incentives for property owners who do things correctly.

Councilmember Drotz reported/commented on: 1) How members of the community can get involved in Red Cross training. Chief Rhoads said they should call or send an e-mail to him, and if he gets enough people interested, he'll submit the names to the Red Cross.

MAYOR'S REPORT

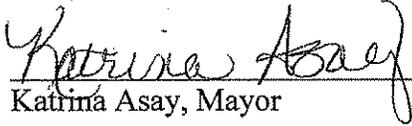
Mayor Asay reported on a recent PSRC meeting, where Pierce County cities and towns voted to allocate \$18 million in stimulus funds to the Port of Tacoma, and \$2 million to the City of Puyallup. Eatonville and Orting also received funds. She said that more cities than ever showed up at the meeting, where four counties needed to approve all of the stimulus money allocated. She also updated the Council on the status of the bill allowing annexation into Fire District 8 by separating the King County portion from the Pierce County portion. Passage of the bill will allow the City the opportunity to bring the issue to the Council and citizens for a vote.

In response to a question from Finance Director Pierce, Council responded that the green chairs in the Council Chambers are acceptable, but perhaps new chairs for the audience could be purchased. The idea of providing round tables for audience members was also suggested

The Mayor also informed the Council that she will be out of the office on Monday, April 6, and that Councilman Heddlesten will lead the Council meeting that evening.

ADJOURNMENT

COUNCILMEMBER BEAUDRY MOVED to adjourn the meeting at 8:41 p.m. Councilmember Heddlesten seconded the motion. The motion was voted on and carried 6-0



Katrina Asay, Mayor

ATTEST:



Maria Pierce, City Clerk