



CITY COUNCIL

Special Meeting
October 18, 2006
Wednesday, 5:00 P.M.

CALL TO ORDER: Mayor Asay called the special meeting to order at 5:00 P.M. and led the Pledge of Allegiance.

ROLL CALL Present were Councilmember's Beaudry, Borek, Drotz, Heddlesten, Neal, Sirack and Whalen.

STAFF PRESENT: Interim City Administrator Carter, Planning and Community Development Director Terrell and Deputy City Clerk Daker. City Attorney Phil Olbrechts was also present.

Council assembled to consider the emergency ordinance regarding zero lot lines in mobile home parks.

Mayor Asay requested that City Attorney Olbrechts clear up the question of should Councilmember Drotz recuse herself or if there is any legal reason for her to do so. City Attorney Olbrechts stated that there would be no violation of the Appearance of Fairness doctrine and, from a legal standpoint, it would be okay for her to participate in the vote.

Attorney Olbrechts touched on the issue of reconsideration and clarified the rules. He reminded council that this ordinance is an emergency ordinance so it takes 5 votes to pass. Attorney Olbrechts also stated that this ordinance would be coming back to council for public comment within a 60 day timeframe; in the meantime, it will be going back to the Planning Commission to create a permanent ordinance with a permanent recommendation.

Mayor Asay mentioned that there were a few changes to the ordinance and briefly went over them. She explained that this ordinance is only an interim ordinance that will need to be replaced in six months by a permanent ordinance.

Councilmember Borek moved to approve Ordinance 1678-06, amending Milton Municipal Code section 17.60.100 in order to eliminate a five-foot sideyard setback requirement for mobile home parks and declaring an emergency in order to provide for an immediate effective date. Councilmember Beaudry seconded. Mayor Asay called for further discussion.

Councilmember Whalen thanked the City for correcting the ordinance and making the information more accurate. He asked what the average lot size in Heather Hills is. Gary Dunham, owner of Heather Hills, informed Councilmember Whalen that the average lot size in Heather Hills is approximately 60 feet by 85 feet.

Councilmember Whalen asked if a moratorium could be put in place until the code is updated correctly. He was concerned that unforeseen circumstances might take place.

Councilmember Heddlesten thinks a moratorium is a good idea.

Councilmember Beaudry commented that the ordinance brought before the council is the one that they will be voting on. He asked if the ordinance could legally be changed during this meeting to reflect a moratorium.

Phil Olbrechts stated that adding a moratorium would be a significant change but could be done.

Director Terrell shared some clarifying information in regards to the fire code. She encouraged a friendly amendment could be added to the ordinance stating that no structures are closer than 10 feet together. Mayor Asay said that Chief Jaques had said that the fire code was not an issue and was in support of the ordinance as written.

Attorney Olbrechts informed Mayor and Council that, given a few moments, he could include the language for a moratorium.

Mary Richards, Heather Hills – Lot 16, is building a shed and wanted to know how this ordinance would affect her lot. Mayor Asay instructed her to speak with Director Terrell.

Chris Beckman, Heather Hills – Lot 4, served on the Planning Commission in 1999. To his recollection, the language of the code was left up to a consultant at that time.

The City Attorney announced the changes he made to the ordinance, including a moratorium.

Councilmember Heddlesten moved to approve the amendments. Councilmember Whalen seconded. Mayor Asay asked for further discussion.

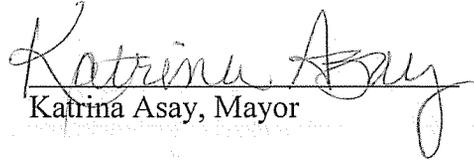
Councilmembers shared comments and their views on a moratorium.

Hearing no further discussion, Mayor Asay called for the vote, amending the ordinance, adding Section 2 – establishing a moratorium. Motion carried 7-0.

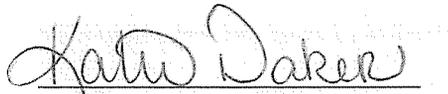
Mayor Asay then called for the vote on the Emergency Zero Lot Line Ordinance 1678-06 as amended. Motion carried 7-0.

ADJOURNMENT:

Councilmember Beaudry moved to adjourn. Councilmember Neal seconded. The meeting was adjourned at 5:40 P.M.


Katrina Asay, Mayor

ATTEST:


Katie Daker, Deputy City Clerk