



CITY COUNCIL MINUTES

Regular Meeting
Monday, March 5, 2012
7:00 p.m.

CALL TO ORDER

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

ROLL CALL

Council Members present were Jones, Manley, Morton, Ott, Taylor, Whalen, and Zaroudny.

STAFF PRESENT

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

Also in attendance: Chief Thorson, East Pierce Fire & Rescue

ADDITIONS/DELETIONS

City Administrator Mukerjee requested that an ordinance be added for an emergency moratorium on cannabis collective gardens. Mayor Perry added it to the agenda as item F.

CITIZEN PARTICIPATION

Speaking before Council:

Speaker	Address	Topic
Steve Tomaso	1709 Milton Way	Appeal hearing of light mitigation that occurred on March 3, 2012.; requested a fast track amendment to the municipal code to mirror Bainbridge Island's light mitigation regulations; Commended Police

		Department for enforcing fire land parking at the school
Robert MacDonald	1308 15 th Avenue	Sympathize with Tomasos; would like to request that Council check on using Murray's disposal to use totes rather than garbage cans that can lose their lids;
Jennifer Walker	Kanopy Kingdom, 7110 Pacific Hwy East, Milton	Issue regarding shoreline management program; own small business; requesting fast track reasonable use exemption
Tom Boyle	1109 9 th Avenue	Kudos to Police Department regarding a group of car prowlers; Requested that Council fill out ballot with slogan choices for Milton Days; Have full support of Events Committee regarding appointments.

PROCLAMATION

Mayor Perry read a proclamation proclaiming February 19th through April 13th as Pierce County READS and presented the proclamation to Linda Case, Pierce County Library. Ms. Case announced the name of the book, Hotel on the Corner of Bitter and Sweet by Jamie Ford, and invited everyone to attend the events surrounding the Pierce County READS program.

CONSENT AGENDA

Approval of:

- A. Minutes from February 21, 2012, regular meeting;
- B. February 17, 2012, payroll direct deposits, checks, and benefits, in the amount of \$135,945.85; and
- C. Checks/vouchers numbers 52291-52333 and ACH payments in the amount of \$375,016.84; and void checks 52112-52161.

COUNCILMEMBER WHALEN MOVED to approve the Consent Agenda as presented. Seconded by Mayor Pro Tem Taylor.

The motion was voted on and carried 7-0.

REGULAR AGENDA

- A. **AB12-027:** Appointment of Rori Lelli-Bates, Brandy Wade, and Debra Hooie to the Events Committee

MAYOR PRO TEM TAYLOR MOVED to approve the Mayor's appointment of Rori Lelli-Bates, Brandy Wade, and Debra Hooie to the Event Committee effective March 7, 2012. Seconded by Councilmember Whalen.

The motion was voted on and carried 7-0.

B. AB12-028: Appointment of Robert MacDonald and Mike Rutter to the Park Board of Commissioners

Mayor Perry requested that Mike Rutter not be included in the motion as she had not heard back from him regarding his intention to seek reappointment.

-Speaking before Council

Robert MacDonald	1308 15 th Avenue	See lots more to get done in the parks; look forward to serving on the board again.
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COUNCILMEMBER ZAROUDNY MOVED to approve the mayor's reappointment of Robert MacDonald to the Park Board of Commissioners with a term expiration date of December 31, 2016. Seconded by Councilmember Whalen.

The motion was voted on and carried 7-0.

C. AB12-029: Fee Schedule Changes – Housekeeping

Director Neal advised Council that there are housekeeping items to correct several minor errors and omissions in previous versions of the Fee Schedule. The changes are for clarity only and there are no changes to the actual fees.

MAYOR PRO TEM TAYLOR MOVED to adopt Resolution 12-1816 which corrects minor errors in the previously adopted fee resolution. Seconded by Councilmember Jones.

The motion was voted on and carried 7-0.

D. AB12-030: Jovita Project – Authorization for ROW purchase

Director Neal provided background information regarding the Jovita right of way acquisition and stated it is important to be able to expedite the execution of the legally binding documents. Council can give the signing authority to the mayor to decrease the potential for property owners to back out of a negotiated agreement and subsequent increases in City costs.

COUNCILMEMBER OTT MOVED to authorize the mayor to enter into agreements for payment of land as negotiated by the City's right of way consultant. Seconded by Councilmember Zaroudny.

The motion was voted on and carried 7-0.

E. AB12-031: Finance Committee Discussion

City Administrator Mukerjee outlined the history of the Council committees and the possibility of meeting the Open Public Meeting Act requirements. Council discussed the need of a Council Finance Committee. Councilmember Whalen said the policies and procedures state the Council WILL have a Finance Committee.

COUNCILMEMBER WHALEN MOVED to appoint Councilmembers Zaroudny, Morton and Mayor Pro Tem Taylor to the Finance Committee for a one (1) year term. Seconded by Councilmember Ott.

COUNCILMEMBER WHALEN MOVED to amend the motion to state from January 1 to December 31. Seconded by Councilmember Manley.

The amendment was voted on and carried 7-0.

The amended motion was voted on and carried 7-0.

Speaking before Council:

Robert MacDonald	1308 15 th Avenue	Kudos to council for taking this action.
Jim Heddlesten	1505 15 th Avenue	Urge that when you evaluate and select a time given, that citizens have the opportunity to attend.

There was discussion regarding when to hold the meeting. The suggested times are between 5:30 and 7:00 p.m. on regular council night or before 5:30 on study session night. Councilmember Whalen suggested that the meeting have the least impact without adding additional hours to accommodate committee and city staff.

Finance Director Tylor suggested the first meeting be held on March 19 at 5:30 p.m. to review the 2011 yearend financial report prior to presentation at the Council meeting that evening.

F. Ordinance 1787-12 Emergency Ordinance establishing a moratorium regarding Cannabis Collective Gardens

MAYOR PRO TEM TAYLOR MOVED to approve Ordinance 1787-12 relating to land use and zoning; adopting a moratorium on the establishment of medical cannabis collective gardens; establishing six months as the effective period; setting a public hearing date of April 16, 2012, in order to take public testimony regarding the interim zoning regulations; referring the matter to the planning commission for hearing and review; repealing ordinance 1775-11; declaring an emergency and establishing an immediate effective date. Seconded by Councilmember Whalen.

Speaking before Council:

Jacquelyn Whalen	1605 13 th Avenue	Clarification re: collective gardens and dispensaries
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The motion was voted on and carried 6-1 (Manley).

CITY ADMINISTRATOR REPORT

The City Administrator provided a reminder to Council that the study session the following week will have two exhaustive items on the calendar.

COUNCIL REPORTS

Councilmember Whalen reported on:

- The off-leash dog park proposal given to Council
- Requested that Council be made aware of increase in trash service rates; feels very "in the dark" about the issue
- Stated he is reviewing the Shoreline Master Program provided by Director Neal and would like the item brought to a study session
- Reminded Council about the income tax deadline and Public Disclosure Commission due April 15

Councilmember Jones reported on:

- Look at options regarding trash pick up
- Would like to add something to the reader board for Fife football
- Thanked former councilmember Leonard Sanderson for providing information regarding Rainer Communication Commission

Mayor Pro Tem Taylor reported on:

- Has had people approach him regarding establishing a dog park; interest is increasing and people are willing to put up monies

Councilmember Ott reported on:

- Attended the ceremony for Kelsey Parrett memorial signs; good spot for signs; sad time but well put together; Public Works installed signs and planted flowers and it was well done;
- Reported that it appears that the State of Washington will be taking the liquor tax normally given to the cities. Inquired how that will impact the City of Milton;
- May be unable to attend the first day of the Council retreat, March 30th;
- Compliments to the City Administrator for his contribution to AUSA;

Councilmember Morton reported on:

Councilmember Morton had no report.

Councilmember Manley reported on:

- Provided a breakdown of real estate movement in Milton
- Sympathizes with the Tomasos but they need to look at needs of community rather than that of an individual;

Councilmember Zaroudny reported on:

Councilmember Zaroudny had no report

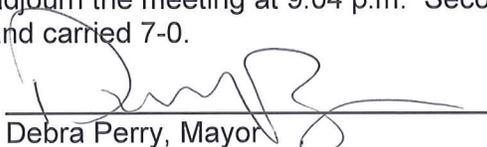
MAYOR'S REPORT

- Reminder of retreat on March 30 and 31. Council cannot know too much; will take a tour, dinner after tour
- Planning Short Course was held on February 22. Was pleased with the speakers and turnout;
- Jurassic Parliament will be held on May 14th and will invite the Park Board, Planning Commission, Council to explain parliamentary rule;

- Attended Kelsey Parrett's memorial; Very pleased with turnout; hope signs will have impact on drivers
- Proud of our Public Works crew; mother was very touched by the flowers that were planted
- Senior Board is requesting volunteers for the spaghetti dinner and pancake breakfast; let the Deputy City Clerk or Senior Board know.

ADJOURNMENT

COUNCILMEMBER WHALEN MOVED to adjourn the meeting at 9:04 p.m. Seconded by Mayor Pro Tem Taylor. The motion was voted on and carried 7-0.


Debra Perry, Mayor

ATTEST:


Amy Stevenson-Ness, Deputy City Clerk