1. CALL TO ORDER

Mayor Eidinger called the meeting to order at 7:00 PM.
Councilmember Crowley led attendees in the Pledge of Allegiance.

ROLL CALL.

Present: Mayor Daryl Eidinger, Deputy Mayor Steve Cope, Councilmember Donna O’Ravez, Councilmember Paul Crowley, Councilmember Luke Meyers, Councilmember Stephanie Shook, Councilmember Tyron Christopherson.
Staff Present: City Manager Mark Bauer, Interim Finance Director Becky Hasart, Assistant City Manager Eric Phillips, Acting City Clerk Jane Montgomery, Senior Planner Kevin Stender, Police Chief Ed Knutson, City Attorney Zach Lell.
Additions/Deletions
Council rule 3.3 allows a Councilmember or the City Manager to add an item to the agenda if the necessity is explained and receives a majority vote of the Council to suspend the Council Rules of Procedure and add an item.
There were no additions or deletions.

Mayor Eidinger recessed the meeting to executive session at 7:02 PM.
City Attorney Zach Lell stated that the purpose of the executive session was to discuss potential litigation, per RCW 42.30.110.1(j), and it would be for 10 minutes after which Council was expected to take action.

Mayor Eidinger called the meeting back to order at 7:12 PM.

2. CLOSED RECORD REVIEW PROCEEDING

A. The Arbors at Edgewood Planned Residential Development File 4772.
B. AB 15-0434, a motion to approve First and Second reading, and adoption of Ordinance No. 15-0434, approving the planned residential development for The Arbors at Edgewood, phase 2 (file no. 4772); entering findings and conclusions in support of said approval; providing for severability; and establishing an effective date.

Senior Planner Stender read agenda Item 2A and B.

Mayor Eidinger stated the following:
“I will now commence the closed-record review proceeding for The Arbors, Phase 2 Planned Residential Development designated as City of Edgewood File No. 4772. This is a closed-record matter for which the City’s procedural regulations do not permit additional testimony or evidence. The Council must therefore confine its review and consideration to the information contained within the Administrative Record, which all Council Members have had an opportunity to review. Because this matter is quasi-judicial, I would now ask the City Attorney to lead the City Council through the Appearance of Fairness disclosure process.”
Appearance of Fairness Disclosures
City Attorney Lell stated the following:
"Because the consideration of a PRD involves a public hearing and implicates the land use rights of a specific landowner/party, the proceeding is quasi-judicial in nature and is subject to the Appearance of Fairness Doctrine. The Appearance of Fairness Doctrine requires that such proceedings be fair not only in fact but also in appearance. The legal standard under this doctrine is "whether a disinterested person, being appraised of all relevant facts, would be reasonably justified in thinking a particular decision-maker's interest or involvement in the case may affect his/her judgment?"

City Attorney Lell stated that he was going to ask the Council a series of questions and when no answer was given that would be recorded as a no response, and if so, the substance of the communication must be formally disclosed, placed on the record, and an opportunity to rebut the substance of the communication must be provided to the parties of record.

Then City Attorney Lell asked The Council as a whole the following questions:

A. Interest
   Does any Council Member have a financial interest in the project or underlying property?
   No.
   Does any Council Member have a family member who is a party of record?
   No.
   Does any Council Member have a personal or familial employment or other business relationship with a party of record?
   No.
   Does any Council Member own property within the public notice mailing radius of the project site?
   No.
   Is any Council Member aware of any other personal interest or involvement with the project, the parties of record or the property that should fairly be disclosed?
   Yes
   Councilmember O'Ravez stated that she was a former owner of the property so she recused herself and then left the Council Chamber.
   Councilmember Cope asked if 24th street was in the public mailing radius.
   Senior Planner Stender indicated that Councilmember Cope's property was just outside the radius.

B. Impartiality
   Is any Council Member aware of any personal bias for/against any party or for/against the project?
   No.
   Has any Council Member pre-judged any of the issues?
   No.
   Has any Council Member not reviewed the record materials for the project?
   No.
   Is any Council Member aware of any reason why he/she would not be able to perform his/her duties in an objective, impartial and fair manner?
   No.
C. **Ex Parte Communications**

Has any Council Member had ex parte communications regarding this project while the proposal has been pending?

No.

At the conclusion of the disclosure process, Mayor Eidinger opened the floor for parties of record to formally challenge any Council Member. He stated that pursuant to RCW 42.36.080, appearance of fairness challenges are waived unless they are raised promptly when the reason for the alleged disqualification becomes known.

No one formally challenged/recused any of the Council members.

Mayor Eidinger opened the floor for Council discussion at 7:16 PM.

Councilmember Meyers asked staff to clarify some code issues and was subsequently informed by City Attorney Lell that City Code clarifications are not allowed to be made by staff.

There was no further discussion by Council.

Mayor Eidinger entertained a motion to approve AB 15-0434.

**Motion:** As Read, Action: Approve, Moved by Councilmember Christopherson, Seconded by Councilmember Crowley.

**Motion passed 6/0.**

**Vote:** Motion passed (summary: Yes = 6, No = 0, Abstain = 1).

Yes: Mayor Eidinger, Deputy Mayor Cope, Councilmember Crowley, Councilmember Meyers, Councilmember Shook, Councilmember Christopherson.

**Abstain:** Councilmember Donna O’Ravez.

Councilmember O’Ravez re-joined the meeting at 7:22 PM.

3. **CITY MANAGER’S REPORT**

City Manager Bauer briefed the Council on the following:

- City Manager Bauer spoke with Senator Roach regarding the top three transportation projects that were considered for potential state funding. The project chosen was the Jovita Slope Stabilization project.
- City Manager Bauer met with potential realtors in regard to property management services for City Hall rental space. He is reviewing proposals and will bring a recommendation to Council at their next meeting.

Police Chief Knutson briefed the Council, citizens, and staff, on recent crime events/cases in the City. He also discussed the impact of having only one Officer on duty at a time particularly when an incident may require an officer to be off the road for a significant period of time.

Assistant City Manager Phillips briefed the Council on the following:

- The recent movie night on February 5th at City Hall which was sponsored by the Parks and Recreation Board.
- Community Gardens and the process to apply.
- Updates on the Meridian project.
4. AUDIENCE COMMENTS

There were no audience comments.

5. CONSENT AGENDA

The consent agenda includes items that are routine in nature and are adopted by one motion. Should Council wish to discuss a consent agenda item, the item would be removed from the consent agenda and discussed under Council Business.

The following items are presented for Council approval:


B. AB 15-0005, a motion approving: 2/05/2015 Payroll check numbers 10365 through 10368, including Direct Deposits and Electronic Transfers in the amount of $23,087.70.

C. AB 15-0006, a motion of the City Council of the City of Edgewood, Washington authorizing the City Manager to execute Addendum No. 2 to the City of Fife Interlocal Agreement regarding IT Support Services for the purpose of extending the term of the agreement.

D. AB 15-0432, a motion to accept for second reading and approval, Ordinance No. 15-0432 changing the payment dates of the City’s Local Improvement District No. 1 Bond, 2014A, Local Improvement District No. 1 Bond, 2014B, and the Limited Tax General Obligation Bond, 2014.

Motion: As Read, Action: Approve, Moved by Mayor Eidinger, Seconded by Councilmember Shook. Motion passed unanimously.

6. COUNCIL BUSINESS

A. AB 15-0323, a motion to approve Resolution No. 15-0323, a resolution of the City Council of the City of Edgewood, Washington, approving proposed operational changes to 25th Street East, consistent with the conditions of approval for the Westridge preliminary Plat, subject to final plan approvals and, reserving all rights of the City Council regarding future actions and approvals related to 25th Street East and the City’s rights-of-way.

City Manager Bauer briefed the Council on this agenda item. He discussed the open house which was well attended by those interested in the proposed changes. There was additional discussion between staff and Council.

Assistant City Manager Phillips stated that there were no proposed changes to public access and that the costs are incurred by the developer.

Rose Hill- 8824 33rd Street East. Ms. Hill spoke to Council and expressed that while she understands that the changes are necessary she will miss the beautiful drive on that road which she travels on frequently.
Motion: As Read, Action: Approve, Moved by Deputy Mayor Cope, Seconded by Councilmember Crowley.
Motion passed unanimously.
Vote: Motion passed (summary: Yes = 6, No = 0, Abstain = 1).
Yes: Deputy Mayor Cope, Councilmember O'Ravez, Councilmember Crowley,
Councilmember Meyers, Councilmember Shook, Councilmember Christopherson.
Abstain: Mayor Eidinger.

B. AB 15-0433, Accept for first reading Ordinance No. 15-0433, amending chapter 2.10 EMC City Council; re-titling said chapter; setting the initial monthly compensation rate for the Mayor upon the effective date of the City’s pending plan of government reorganization; increasing the monthly compensation rate for Council members; providing for severability; and establishing an effective date.

Assistant City Manager Hasart briefed the Council on this agenda item: The ordinance was based on discussions from the Council’s last study session and this ordinance is on the agenda to accept for first reading. Current incumbents would not be eligible for this increase until they run for election therefore there would be no fiscal impact for 2015. The new Mayor’s compensation is tied to the election in August. Assistant City Manager Hasart recommended accepting on first reading, and that they make any amendments they wished at this time. She informed Council that the current salary will be posted and used to determine the filing fee for the upcoming election should the ordinance not pass at this meeting.

Mayor Eidinger recommended that Council do a second reading of this ordinance. There was additional discussion between staff and Council about the filing fee, the compensation range, the service oriented nature of the Mayor position, and the pros/cons of passing on first reading versus a second reading.

Mayor Eidinger asked the City Attorney if he had to recuse himself since he may run for Mayor. City Attorney Lell told the Mayor that he did not have to recuse himself.

Councilmember Cope made a motion to approve AB 15-0433 as read. Councilmember Crowley seconded the motion.

Assistant City Manager Hasart asked for clarification that the motion was to accept “the” first reading. Councilmember Crowley stated, “Yes” as read.

Mayor Eidinger then said “It has been moved and seconded to accept “at” first reading the new salary schedule”.

Motion: As read, Action: Approve, Moved by Deputy Mayor Cope, Seconded by Councilmember Crowley.
Motion passed unanimously.
Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).
Yes: Councilmember O'Ravez, Councilmember Meyers, Councilmember Crowley,
Councilmember Shook, Councilmember Christopherson, Deputy Mayor Cope, Mayor Eidinger.
7. COUNCIL COMMENTS
Mayor Eidinger reminded Council that the PCRC General Assembly meeting is next week on February 19, 2015. Councilmember Christopherson stated that he is the Treasurer of the Milton Police Foundation and he spoke of his attendance at the annual banquet where the City of Milton presented the Mayor of Edgewood with a plaque for providing aid to a citizen.

City Manager Bauer commended Assistant City Manager Phillip’s work on the Community Movie Night which took place on Thursday February 5th.

8. ADJOURN

Mayor Eidinger adjourned the meeting at 8:08 PM.

Jane Montgomery, Acting City Clerk

Daryl Eidinger, Mayor