CITY OF EDGEWOOD
REGULAR COUNCIL MEETING SUMMARY
Tues., June 9, 2015 – 7:00 p.m. ♦ City Hall – 2224 104th Avenue East ♦ Edgewood, WA

1. CALL TO ORDER
Mayor Eidinger called the meeting to order at 7:00 p.m.
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: Acting City Manager Eric Phillips, Senior Planner Stender, Associate Planner Kirk Rappe, Acting City Clerk Jane Montgomery, Police Chief Ed Knutson, City Attorney Zach Lell.
Additions/Deletions to the agenda.
None.

2. PUBLIC HEARING
Continued from May 26, 2015
b. Parks, Recreation and Open Space Plan- Proposed Ordinances 15-0441 - Adopting the City of Edgewood Parks Recreation and Open space Plan
c. Zoning Map amendments - Ordinance No. 15-0442 – Adopting amendments to the City’s Official Zoning Map.

Mayor Eidinger stated the following:
“Good evening, tonight we are continuing our combined Public Hearing from May 26, 2015, to receive comments on the Comprehensive Plan Update-Edgewood 2035, the Parks Recreation and Open Space Plan, and Zoning Map amendments. All persons in attendance are invited to address the Council regarding any or all of these proposed ordinances and the amendments set forth in each. At the beginning of each speaker’s testimony, please clarify which of these ordinances you are speaking in reference to so that the City can accurately document and consider your specific comments. I will first open the Hearing. When all comments have been received on each of the proposed ordinances, I will make a final call for testimony regarding any of these proposals. The first ordinance covered is the Comprehensive Plan Update-Edgewood 2035- Proposed Ordinance No. 15-0440, adopting the 2015 Comprehensive Plan Periodic Update. The second ordinance covered is the Parks, Recreation and Open Space Plan- Proposed Ordinance No. 15-0441, adopting the City of Edgewood Parks Recreation and Open space Plan, and the third and final ordinance covered is the Zoning Map amendments- Proposed Ordinance No. 15-0442, adopting amendments to the City’s Official Zoning Map. I would now ask our City Attorney to make a few comments concerning the procedure for tonight’s hearing.”

City Attorney Lell stated “At the commencement of this hearing on May 26, 2015 I clarified that this hearing was legislative and not a quasi-judicial hearing, and therefore the appearance of fairness doctrine did not apply in this context, but out of an abundance of caution the Council was asked a series of questions regarding their ability to address the zoning map changes contained in the third ordinance impartially and without any pre-judgment or bias. I would simply ask if any Council members would like to change their original responses to those questions or if they have any information or sentiment that would bring their ability to address this issue impartially into question?”

No Council member answered in the affirmative.

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact City Hall at (253) 952.3299, 24 hours in advance.
City Attorney Lell continued with the following question: “Has any Councilmember had Ex-Parte contacts regarding the zoning map changes since Council last met on this issue?” No Council member answered in the affirmative.

City Attorney Lell informed the audience “It is appropriate during the public comment and public testimony portion of the public hearing for any member of the audience if they wanted too, to raise any type of appearance of fairness challenge to any sitting City Council member at that time, failure to raise it when the basis for the challenge becomes know is a conclusive waiver going forward”

Mayor Eidinger continued stating: “A public hearing is intended to be a one-way communication providing citizens the opportunity to provide testimony on the public hearing topic for the City Council to use in their decision making process. Please frame your testimony in the form of a statement of fact or opinion not in the form of a question. Before we take comments, Staff had previously provided a Staff Report for the three ordinances under consideration at this hearing. Are there any updates or clarifications that Staff would like to present?”

Acting City Manager Phillips informed the Council that there were no additional updates but he pointed out that the previously referenced minor corrections were in the Council packet attached to the agenda bill as a matrix for those specific changes.

Mayor Eidinger stated the following: “I now open the combined Hearing at 7:05 p.m. on proposed Ordinance Nos. 15-0440, 15-0441 and 15-0442. In accordance with the laws governing these actions, the City Council will not discuss the proposal but will accept comment from the public in the matter. When you are called to speak please come to the podium and state your name and address clearly for the record. In fairness to all in attendance, you will be given an opportunity to speak for a period not to exceed three minutes. If you are representing a recognized organization, you will be given an opportunity to speak for a period not to exceed five minutes. Staff will call 30 seconds remaining to give you the opportunity to conclude your comments. The timer will sound when your allotted time has elapsed and you should then take a seat.

Public Comments
Mr. Uchida-Edgewood
Mr. Uchida addressed Council regarding Ordinance No. 15-0440, specifically the comp plan update land use portion and the land and the use study overlay portion. He would like Council to consider a change of zoning in this region. It is currently zoned R3 and he would like it changed to commercial. He would like the City to start planning this now rather than let it “Drift along”.

Mayor Eidinger closed the Public Hearing to comments at 7:09 p.m.

No audience comment

3. AUDIENCE COMMENT

4. EXECUTIVE SESSION
Mayor Eidinger asked City Attorney Lell to announce the Executive Session. City Attorney Lell stated: “Pursuant to RCW 42.30.110 1. (i) The Council will now convene in Executive Session for the purpose of discussing pending litigation with legal counsel; it is anticipated to last 10 minutes, after which Council is expected to take action in open session when they reconvene.
7:15 p.m. Mayor Eidinger recessed the meeting to Executive Session.
7:25 p.m. The Executive Session was extended for 2 minutes.
7:27 p.m. Mayor Eidinger reconvened the meeting.

5. CITY MANAGER’S REPORT

Acting City Manager Phillips briefed the Council on the following:
- June 2nd WSDOT walkthrough;
- Update-Legislative request for transportation program funds for Jovita Slope Stabilization Project;
- Audit in August for project exceeding $500,000;
- Meeting with Peter Phillips-Communications;
- Update-Washington Traffic Safety Commission request;
- Nelson Farm- Water leak;
- Update-Roadwork/Brush & vegetation control schedule.

Chief Knutson gave a report to Council regarding the following:
- Crime Incidents;
- Update- Office Assistant will be in the Edgewood office on June 12th;
- Update- Investigator will start July 6th

Chief Knutson passed out the Sheriff’s Log to Council.

6. 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:
A. Regular Council Meeting Summary of April 28, 2015.
B. Special Joint City Council and Planning Commission Meeting Summary of May 5, 2015.
E. Planning Commission Meeting Summary of March 2, 2015.
F. AB 15-0019, motion approving 2015 Claim check numbers 20765 through 20786, Wires and Transfers in the amount of $ 34,238.10 and Payroll check numbers 10425 through 10431 including Direct Deposits and Electronic Transfers in the amount of $45,622.61.

Motion: As Read, Action: Approve, Moved by Councilmember O’Ravez, Seconded by Councilmember Meyers.
Motion passed unanimously.

7. COUNCIL BUSINESS

Motion: Read the reduced version of the Ordinance titles, Action: Approve, Moved by Mayor Eidinger, Seconded by Councilmember Crowley. Motion passed unanimously.

A. AB 15-0440, A motion to approve second reading and adoption of AB 15-0440, An Ordinance of the City Council of the City of Edgewood, Washington, amending the City of Edgewood Comprehensive Plan in accordance with the – 2015 Periodic Update – (Edgewood 2035); providing for a Comprehensive update of the City’s Comprehensive Plan.
Acting City Manager Phillips reminded the Council that a check sheet is attached to the agenda bill noting minor text corrections to the current exhibit. Councilmember Christopherson asked Mr. Uchida if he would repeat the comments he made during the hearing. Mr. Uchida responded. Discussion ensued between Council and Staff about future changes to the code. Acting City Manager Phillips clarified that changes may be made, subject to the provisions of the code for the annual review.

**Motion:** as read, **Action:** Approve, **Moved by** Councilmember Christopherson, **Seconded by** Councilmember O’Ravez. **Motion passed unanimously.**

**A.** **AB 15-0441,** a motion to approve second reading and adoption of AB 15-0441, An Ordinance of the City Council of the City of Edgewood, Washington, adopting the City of Edgewood Parks Recreation and Open Space (PROS) Plan; providing for a separate, stand-alone Parks plan consistent with the City’s 2015 Comprehensive Plan. Acting City Manager Phillips indicated that he had previously briefed the Council on this agenda item and he had no further comments but welcomed any questions from Council or the audience. Councilmember Meyers commented on Figure 8 regarding the walkable distances. He would like to see future planning include parks for the south side of the City.

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

**B.** **AB 15-0442,** a motion to approve second reading and adoption of AB 15-0442, an Ordinance of the City Council of the City of Edgewood, Washington, amending the City of Edgewood Official Zoning Map consistent with the 2015 Comprehensive Plan update - Edgewood 2035; providing for an area-wide rezone in accordance with Edgewood Municipal Code Section 18.40.120. Acting City Manager Phillips indicated that he has previously briefed the Council on this agenda item and there have been no changes to the proposal and no additional comments have been received from the public.

**Motion:** As Read, **Action:** Approve, **Moved by** Councilmember Shook, **Seconded by** Councilmember Crowley. **Motion passed unanimously.**

**C. Project / Staffing Updates**
- Acting City Manager Phillips briefed on the following:
  - Update- Finance Director position- Dave Gray starting on June 15th;
  - Budget Amendment;
  - New position descriptions- Building Inspector and Storm water Project Manager/Senior Engineer;
  - Parks movie night;
  - 36th and Meridian;
  - Mortenson Farm Trail plan;
  - Farmhouse painting;
  - Update upcoming agendas- June 16th-(Change of government ordinance, establish city administrator position, review budget amendments) June 23rd- (1st reading of budget amendment ordinance, communications, projects) - June 30th (Peter Phillips/communication tools).
8. COUNCIL COMMENTS (made prior to agenda item D.)
Councilmember Crowley responded to Mr. Uchida’s comments during the hearing and would like the City to address his requests.
Mayor Eidinger expressed agreement with Councilmember Crowley.
Mayor Eidinger asked Council if they would like a visit from Representative Stokesbary. Council responded in the affirmative and asked the City Clerk to place him on an upcoming agenda.

9. ADJOURN

Mayor Eidinger adjourned the meeting at p.m.

Jane Montgomery, Acting City Clerk, CMC  Daryl Eidinger, Mayor