CALL TO ORDER

Mayor Eidinger called the meeting to order at 7:00 PM. Councilmember Meyers 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 Byron Christopherson.

Staff Present: City Manager Mark Bauer, Acting City Clerk Jane Montgomery, Assistant City Manager Eric Phillips, Interim Finance Director Becky Hasart, Police Chief Ed Knutson, and City Attorney Zach Lell.

B. PRESENTATION

Josh Brown, Executive Director of the Puget Sound Regional Council briefed the City Council. He passed out a pamphlet titled Building the Future, and an additional sheet highlighting the PSRC basics. Executive Brown takes back the concerns of each jurisdiction to the PSRC. The mission of the PSRC is to plan for regional transportation, growth management and economic development.

City Council members addressed Mr. Brown with their concerns and questions.

C. PUBLIC HEARING

1. Permanent zoning Regulations EMC 18.100- Marijuana related uses.

Mayor Eidinger called the public hearing on permanent zoning regulations EMC 18.100- Marijuana related uses to order at 7:29 PM.

Assistant City Manager Phillips briefed the Council and the public on the hearing agenda item on the proposed permanent zoning regulations in regard to Marijuana related uses. Assistant City Manager Phillips informed Council that the Planning Commission had addressed marijuana related uses in June, July and August of 2014. They made a recommendation on August 18, 2014. The City Council was briefed on their recommendation on August 26, 2014. Their recommendation to the City Council was to adopt permanent zoning regulations to prohibit marijuana related uses in the City. The first reading of the proposed ordinance to establish permanent zoning regulations was on October 14, 2014. This proposed ordinance would repeal Ordinance No. 14-0418 which established interim zoning regulations.

Mayor Eidinger invited the public to address the Council with their comments.

Public Comments:

Kim Schrondon, 612 Hunt Avenue, Sumner, WA 98390

Ms. Schrondon stated that she was a representative from the law firm of Jay Berneburg on behalf of their client who is a business owner in the City of Edgewood. Ms. Schrondon discussed Initiative 502 and stated that the voters in the City of Edgewood voted to approve legal marijuana uses by 51.7%. She
presented arguments and concerns on behalf of her client and opposing passage of the proposed ordinance.

Jean Wood, 3204 Meridian Avenue East, Edgewood, WA 98372
Ms. Wood is not in favor of the proposed zoning ordinance. Ms. Wood has a business that she wants to open and this ordinance would prevent her from doing that. She would like the City Council to disapprove the proposed zoning ordinance which would prohibit the establishment of legal marijuana related businesses in the City of Edgewood.

Larry Wood, 3204 Meridian Avenue East, Edgewood, WA 98372. Mr. Wood expressed that he is in favor of Marijuana uses being legal. He wants to establish a marijuana related business in the City of Edgewood. He stated that the B & O tax would help the City’s budget.

Mary Hall, 29513 39th Auburn, WA
Ms. Hall is opposed to the proposed ordinance and in favor of allowing for legal marijuana uses in the City of Edgewood. She asked that the City Council reconsider any decision to pass this zoning regulation in regard to permanent zoning of marijuana related uses in the City of Edgewood.

Mayor Eidinger closed the public hearing at 7:45 PM.

2. Health Services within the commercial and business park zones, EMC 18.80.080.
Mayor Eidinger called the public hearing to order at 7:45 PM.
Assistant City Manager Phillips addressed the public on the agenda item. This is the second reading of Ordinance No. 14-0426. This ordinance updates and clarifies allowed uses for health services within the commercial and business park zones of the City. The changes proposed are consistent with the City’s Comprehensive Plan and portions of the Development Code. The Planning Commission recommended that these minor changes to the code be advanced to help clarify the code before there are any formal requests for development of a health services facility.

Mayor Eidinger invited the public to address the City Council with their comments.
There were no public comments.
Mayor Eidinger closed the hearing at 7:49 PM.

D. AUDIENCE COMMENT
(The audience comment time was inadvertently skipped so was moved after the City Managers Report)

E. CITY MANAGER’S REPORT
City Manager Bauer, briefed the Council on the following:
• The Budget
• Development Demand
• Increased need in Parks, Stormwater and Streets for temporary support personnel
• An office assistant position for the Police Department
• Road projects
• The State Auditor and the new allocation formula
• The Jovita Slope Stabilization Project
• Emergency planning and training
• General Fund Reserve account

Interim Finance Director Becky Hasart briefed the Council on the following:
• Budget timeline
• Budget ordinances
• The property tax rate
• The third quarter status report

Police Chief Knutson briefed Council on recent police activity. He passed out a report detailing information that Council had asked him to provide to them at the study session on July 15, 2014. The report detailed the cost for the City of Edgewood to have its own Police Department. He also reminded Council that after the City makes a request for an officer that it takes approximately 14 months to get that officer on board.

City Manager Bauer reminded Council that Director Hasart had handed out the third quarter report. He discussed the report highlighting the fact that revenues were ahead of expenditures.

D. AUDIENCE COMMENTS

There were no audience comments.

F. CONSENT AGENDA

3. AB 14-0043, authorizing the City Manager to renew the business licensing services agreement with Washington State Department of Revenue.
4. AB 14-0044, authorizing the City Manager to enter into a loan repayment date amendment to Loan Agreement/Contract PR08-951-083 with the Washington State Public Works Board, modifying the annual repayment date from July 1 to June 1.
5. AB 14-0045, a motion approving 2014 Claim check numbers 20328 through 20362, Wires and Transfers in the amount of $429,685.27, and Payroll check numbers 10329 through 10334 including Direct Deposits and Electronic Transfers in the amount of $29,334.28.

Councilmember O’Ravez had a question about the amount of days covered by the claim check for services for the Finance Director. Director Hasart stated the dates reflected should be accurate but that she would check into the days and amounts and get that information back to Councilmember O’Ravez.

Mayor Eidinger asked if there was a motion to approve the consent agenda.
Motion: As Read, Action: Approve, Moved by Councilmember Crowley, Seconded by Deputy Mayor Cope.
Motion passed unanimously.
G. COUNCIL BUSINESS

1. AB 14-0425, Second reading and adoption of an Ordinance of the City Council of the City of Edgewood, Washington, Amending Chapter 18.100 EMC Development Standards – Use Specific; adopting permanent Zoning Regulations governing collective gardens, marijuana-related businesses and illegal marijuana uses; prohibiting the establishment of such uses within all zoning districts of the City; repealing interim Ordinance No. 14-0418; setting forth Legislative Findings; providing for severability; and establishing an effective date.

Assistant City Manager Phillips stated that he had already provided a staff report for Council during the public hearing portion of the meeting and had no additional comments but would entertain any questions from Council.

Councilmember Crowley responded to comments made earlier by citizens during the public hearing portion of the agenda. Councilmember Crowley commented that he did not believe there was a moral issue in regard to passage of the ordinance. He stated that the importance hinged on the fact that municipalities can maintain their own regulations. He stated that at this time he believes passage of this ordinance is the right thing to do. He stated that he regretted any negative impact on business owners.

Councilmember Cope said that he wanted to respond to a comment made earlier by a citizen during the public hearing. He stated that his intent is to protect citizens and not just potential gain of money. He stated that Council should not respond to threats of recall if they chose to pass the proposed ordinance.

Councilmember O’Ravez spoke about the fact that the law has not been settled in the Federal Courts yet and feels that cities have an obligation to do what they feel is right for their citizens.

Mayor Eidinger stated that intent of the Council is not trying to eradicate Marijuana use in the City. He said that they are concerned about the Federal Government and future rulings, and the potential for citizens to lose property.

Motion: As read, Action: Approve, Moved by Councilmember Crowley, Seconded by Deputy Mayor Cope.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7)

Motion passed unanimously.

AUDIENCE COMMENTS

Mary Hall- 29513 39th Auburn WA
Ms. Hall stated that she had not been allowed to comment. The Mayor stated that she had made comments during the public hearing. Ms. Hall stated that she had not been allowed to comment on Initiative 502. The Mayor stated Ms. Hall could have three minutes. Ms. Hall stated that the Council had already voted on the proposed ordinance. The Mayor stated that they could vote again after she spoke.

Ms. Hall addressed Council with her concerns and she reported that 51.7% of the Citizens of Edgewood had voted for legalization of marijuana and she did not understand the Council’s position.
City Attorney Lell stated that since Council had re-opened the floor for public comment it was his recommendation that the floor be formally re-opened for anyone else who may want to speak.

Mayor Eidinger stated that he would do that. Mayor Eidinger then re-opened the floor for public comments.

Jean Wood-3204 Meridian Avenue East, Edgewood, WA 98372
Ms. Wood made additional comments and expressed her concerns to Council. She stated that at the first meeting it was about the money. She is concerned about the Council’s decision.

Kim Schrndon - 612 Hunt Avenue, Sumner, WA 98390
Ms. Schrndon apologized if the statements she had made on behalf of her clients and the people she met with at the City were taken as a threat.

Councilmember Christopherson asked Ms. Schrndon who she was. Ms. Schrndon responded that her name was Kim. Councilmember Christopherson asked Ms. Schrndon what her affiliation was with the group this evening. Ms. Schrndon responded “I represent”. Councilmember Christopherson then asked her what she did for a living. Ms. Schrndon responded that she worked at the law office. Councilmember Christopherson asked her in what capacity. Ms. Schrndon stated that she was a Director and asked him why he asked that. Councilmember Christopherson said that he was trying to find a basis for her previous comments. Ms. Schrndon stated again that she was not trying to be threatening. Ms. Schrndon stated she appreciated being able to speak again but not the questions posed to her.

Larry Wood- 3204 Meridian Avenue East, Edgewood, WA 98372
Mr. Wood addressed Council again and in general did not understand Council worrying about Federal Law. He feels that the City needs money and legalizing marijuana related business would bring in revenue to the City.

At the conclusion of the additional comments Mayor Eidinger stated that Council would vote again on the agenda item and he asked for a roll call vote on Ordinance No. 14-0425.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 7).

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

2. AB 14-0426, Second reading and adoption of an Ordinance of the City Council of the City of Edgewood, Washington, amending EMC 18.80.080 – Town Center, Commercial, Mixed Use Residential and Business Park Zoning Districts; updating and clarifying allowed uses for Health Services within the Commercial and Business Park Zones; setting forth supportive findings, providing for severability; and establishing an effective date.

Assistant City Manager Phillips stated that he had covered this agenda item during the public hearing but would answer any questions or concerns by Council.
There were no questions or comments.
Mayor Eidinger asked if there was a motion. After the motion and second were made discussion continued between Council and Staff. Councilmember Meyers asked that Staff look at what additional responsibilities the City may have in regard to residents at these types of facilities. Mayor Eidinger asked if there were any public comments. There were no public comments.

**Motion:** As Read, Action: Approve, Moved by, Councilmember Shook, Seconded by, Councilmember O’Ravez.

**Vote:** Motion carried by unanimous roll call vote (summary: Yes = 7).
**Motion passed unanimously.**

---

**H. COUNCIL COMMENTS**

Councilmember Crowley stated that he believed that Kim Schrondon was upset by the manner of questions directed to her. He believed the questions were directed to her due to the fact that she had not stated her title and had failed to identify herself as a non-attorney representing the firm of Jay Berneburg. Councilmember Christopherson stated that his questions were directed to ascertain her role in the organization. He apologized if she felt offended and stated that had not been his intent.

Mayor Eidinger made additional comments about Council’s intent to be respectful. Mayor Eidinger asked if there would be an executive session this evening.

City Manager Bauer stated that there would be a short executive session for ten minutes and he said that he had the answer to Councilmember O’Ravez previous question about the claim check for payment of services for the interim Finance Director. He stated the time period was for ten days.

Mayor Eidinger said that the meeting would be recessed for a period of ten minutes and that the Council may or may not take any action when they returned. City Attorney Lell stated that the purpose of the executive session was to discuss potential litigation per RCW 42.30.110 (1) (i), and he stated as said earlier by the Mayor, that Council may take action when they return.

---

**I. EXECUTIVE SESSION**

8:47 PM - Recessed to Executive Session for ten minutes.
8:57 PM - The Executive Session was extended for five minutes.
9:02 PM - Council came back into the Council Chamber.
9:05 PM - Mayor Eidinger called the meeting back to order.

No action was taken by Council.

---

**J. ADJOURN**

Mayor Eidinger adjourned the meeting at 9:06 PM.

Jane Montgomery, Acting City Clerk

Daryl Eidinger, Mayor