1. CALL TO ORDER

Mayor Eidinger called the meeting to order at 7:01pm and led the attendees in the Pledge of Allegiance.

ROLL CALL

Present: Mayor Daryl Eidinger (Not voting), Councilmember Donna O'Ravez, Councilmember Mark Creley, Councilmember Luke Meyers, Deputy Mayor Tyron Christopherson, Councilmember Stephanie Shook, Councilmember Rosanne Tomyn, Councilmember Nate Lowry.
Staff Present: Assistant City Administrator Dave Gray, Assistant City Administrator Aaron Nix, City Clerk Rachel Pitzel, Zach Lell, City Attorney.

Additions/Deletions to the Agenda
There were no additions or deletions to the agenda.

2. AUDIENCE COMMENT

Greg Busch- regarding the AT&T Franchise Agreement, thanked staff for the time and help with getting it processed and on this evenings agenda

3. MAYOR’S REPORT

Mayor Eidinger spoke about the following:
- Special thanks to all for their hard work this year;
- City Attorney RFQ interviews and Police Chief interviews;
- Starbucks opening;
- Update on the Jovita Blvd. project;
- Discussed the Planning Dept. increase in plan reviews;
- Recapped the Holiday Tree Lighting ceremony and noted the movie night coming up on December 16th at 6:30 pm.

4. 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 Meeting Minutes of November 22, 2016
B. Study Session Meeting Minutes of November 29, 2016
C. Study Session Meeting Minutes of December 6, 2016
D. AB16-051, a motion approving December 2016 Budgeted Expenditures as follows: Nationwide Retirement Solutions Check Numbers 10584-10585 in the amount of $4,298.34; IRS 941 ACHs; AWC Employee Benefit Trust; Deferred Compensations Program; Dept. of Retirement Systems and Payroll Direct Deposit in the amount of $66,130.25; and Vendor Check Numbers 21693-21723 and 21727-21730 with EFT Payments in the amount of $645,769.18 (voided Check Numbers 21724-21726). Total distributions submitted for review & authorization in the amount of $716,197.77
E. AB16-052- 3 Square Blocks Third Addendum to Professional Services Agreement with the Task Order identified as Third Amendment, Exhibit A
Motion: As Read, Action: Approve, Moved by Councilmember Stephanie Shook, Seconded by Deputy Mayor Tyron Christopherson. Motion passed unanimously (7-0).

5. COUNCIL BUSINESS

A. AB 16-053, a motion to confirm the Mayoral appointment of Police Chief

Motion: As Read, Action: Approve, Moved by Councilmember Stephanie Shook, Seconded by Councilmember Mark Creley. Motion passed unanimously (7-0).

Councilmember Tomyn left the meeting at 7:14 p.m.

B. AB16-0486, a motion to approve Ordinance No. 16-0486, amending the Budget for the 2016 Fiscal Year (Amendment No. 2), providing updates to the General Fund, Capital Roads Fund, Street & Surface Water Funds; providing for severability; and establishing an effective date

Assistant City Administrator/Finance Director Gray briefed Council on this item.

Motion: As Read, Action: Approve, Moved by Councilmember Stephanie Shook, Seconded by Councilmember Luke Meyers. Motion passed unanimously (6-0).

Councilmember Tomyn returned at 7:16 p.m.

C. AB16-0350, a motion to adopt Resolution No. 16-0350, authorizing an interim Interfund Loan from Fund 001 General Fund to Fund 340 Capital Projects-Roads Fund, for a potential cash flow lag for grant reimbursement, setting forth an interest rate and repayment schedule for said loan

Assistant City Administrator/Finance Director Gray briefed Council on this item.

Motion: As Read, Action: Approve, Moved by Deputy Mayor Tyron Christopherson, Seconded by Councilmember Stephanie Shook. Motion passed unanimously (7-0).

D. AB16-0351, a motion to adopt Resolution No. 16-0351, authorizing the Mayor to execute a 60-month lease agreement through Wells Fargo Financing for a Kyocera TA 6551 ci copier together with a full maintenance and supplies agreement with Kyocera Document Solutions Northwest

Assistant City Administrator/Finance Director Gray briefed Council on this item.

Motion: As Read, Action: Approve, Moved by Councilmember Nate Lowry, Seconded by Councilmember Mark Creley. Motion passed unanimously (7-0).

E. AB16-0487, a motion to adopt Ordinance No. 16-0487, granting a Right of Way Use Agreement to New Cingular Wireless PCS, LLC, to operate and maintain a single private wireless communications facility, to be co-located on a Puget Sound Energy distribution pole within certain public rights of way in the City; setting forth terms and conditions; providing for severability; and establishing an effective date

Assistant City Administrator Nix briefed Council on this item.

Motion: As Read, Action: Approve, Moved by Councilmember Donna O'Ravez, Seconded by Councilmember Stephanie Shook. Motion passed unanimously (7-0).
F. **AB16-0485**, a motion to adopt Ordinance No. 16-0485, granting unto Mt. View-Edgewood Water Company, a nonprofit Corporation of the State of WA, its successors and assigns, the right, privilege, authority and nonexclusive franchise, to construct, maintain, operate, replace and repair water system infrastructure, in, across, over, along, under, through and below the public rights-of-way of the City of Edgewood, WA; providing for severability; and establishing an effective date

Councilmember Meyers recused himself from the meeting at 7:27pm:

“For the record, I am an official/employee of the Mt. View- Edgewood Water Co. as a Board Member. My compensation for this position is comprised exclusively of a fixed salary; I receive no bonus or any other contingent payment from this organization. I understand further that the total amount received by MTVE for the City under the franchise does not exceed $1,500/month or $18,000/year.

Based upon these facts, and my consultation with the City Attorney, I am recusing myself from any participation in the Council’s discussions and vote on this subject, and I will leave the Council Chamber for the duration of the Council’s deliberations. I would ask the City Clerk to note this disclosure in the minutes, as required by law. For the record, I have refrained - and will continue to refrain - from attempting to influence the votes of other Councilmembers.”

Assistant City Administrator Nix briefed Council on this item. Discussion took place regarding:

- Zoning Map change
- Essential Public Facility
- Blanket permit- code modifications
- Section 29 of the agreement
- Section 30 of the agreement

**Motion:** As read with the authority of the Mayor to make and negotiate any minor modification he deems appropriate, **Action:** Approve, **Moved by** Councilmember Stephanie Shook, **Seconded by** Councilmember Rosanne Tomyn.

**Roll Call Vote:**
Yes: Deputy Mayor Tyron Christopherson, Councilmember Stephanie Shook, Councilmember Rosanne Tomyn.
No: Councilmember Donna O’Ravez, Councilmember Mark Creley, Councilmember Nate Lowry.
Motion failed - Tie vote (summary: Yes = 3, No = 3, Abstain = 1)

**RCW 35a.12.100-Duties and authority of the mayor—Veto—Tie-breaking vote:** The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.

Councilmember Meyers returned at 8:03pm

G. **AB16-0352**, a motion to adopt Resolution No.16-0352, authorizing the Mayor to execute a contract with A Advanced Septic Design & Construction Services in constructing storm drainage improvements behind a section of sidewalk on the eastside of Meridian, not to exceed an amount of $25,356.73; contingent on final authorization to conduct this work on private property within an associated easement to install these storm improvements

Assistant City Administrator Nix briefed Council on this item.
Motion: As Read, Action: Approve, Moved by Deputy Mayor Tyron Christopherson, Seconded by Councilmember Nate Lowry. Motion passed unanimously (7-0).

H. AB16-0353, a motion to adopt Resolution No. 16-0353, delegating to the Mayor the authority to legally bind the City of Edgewood for the sole purpose of requesting federal reimbursement

Assistant City Administrator Nix briefed Council on this item.

Motion: As Read, Action: Approve, Moved by Councilmember Stephanie Shook, Seconded by Councilmember Luke Meyers. Motion passed unanimously (7-0).

6. COUNCIL COMMENTS

Mayor Eidinger discussed the date of the Council Retreat, noted it will be on January 29th from 9am-3pm with lunch provided; reminded folks of Movie Night at City Hall on Dec. 16th at 6:30 p.m.

Deputy Mayor Christopherson asked about the bullnose curb down meridian and who maintains them. He also complimented the work on Jovita and the roundabout, noted they looked great, and gave thanks.

Councilmember Meyers mentioned he saw a large semi on Edgewood Drive E. asked about getting a height marker on the bridge.

Deputy Mayor Christopherson mentioned that Hedden Elementary School was damaged again by copper thieves and noted that Northwood and Mt. View were also damaged. He also mentioned that it was a repeat offense for the schools; the students are without power in the portables, and are having to have classes inside the gym until it gets fixed.

Councilmember Lowry wanted to thank staff efforts to move money around to get Contractor paid, noted that staff is doing a great job by keeping things moving and relayed his thanks.

Assistant City Administrator Nix wanted to note regarding the trees on power lines that Councilmember Meyers noted at the last meeting. He stated the lines the trees are on are CenturyLink lines not Puget Sound Energy as originally thought. He noted the City does not have a Franchise Agreement with CenturyLink, as they refuse to have one; he noted that the City needs to work on that at a staff level and are getting that addressed, in the meantime, the trees will be removed on Friday.

7. EXECUTIVE SESSION

Mayor Eidinger asked City Attorney Zach Lell if there was an executive session. City Attorney Lell said that there would be an Executive Session and he stated the following: “Pursuant to RCW 42.30.110(1)(i), the City Council will now convene an executive session for the purpose of discussing potential litigation with legal counsel. The executive session will last approximately 5 minutes, after which the Council may take action in open session when it reconvenes.”

Mayor Eidinger recessed the meeting to Executive Session at 8:23pm
8:28pm - The Executive Session was extended for 5 minutes.
8:33pm - Mayor Eidinger called the meeting back to order.
8. ADJOURN

Mayor Eidinger adjourned the meeting at 8:33 pm.

Rachel Pitzel, City Clerk

Daryl Eidinger, Mayor