

Brier City Council Minutes

October 10, 2000

Mayor Kaske called the regular meeting of the Brier City Council to order at 7:32 PM and the flag salute was given.

Roll Call:

Present: Councilmembers Colinas, Jordan, Moller, Starks, Warner, Magnuson & Doolittle.

Reports of Committees and City Officials:

Councilmember Colinas welcomed members of Scout Troop 76 working on their Communication Merit Badge. Councilmember Colinas reported that he had contacted Snohomish County regarding a grant for an annexation study, which is on hold until enough cities buy into it, as it is a matching grant.

Councilmember Jordan reported that the Police Department asked him to inquire whether Council would support leasing cars rather than purchasing them and they asked that the octane level be increased for the next purchase of gas.

Public Requests and Oral Communications: None

Consent Agenda:

Mayor Kaske opened for consideration of the Consent Agenda. **Councilmember Moller** moved and **Councilmember Colinas** seconded to approve the Consent Agenda, which included approval of the Brier City Council Minutes of September 26, 2000; approval of the Sewer M & O foreclosure list for Acct #2740.0; approval of Ordinance 295.A Budget Revision for 2000; approval of the Police Chief's attendance at WASPC conference in Yakima in November and the expenditure of up to \$488 plus tax; approval to set the date of Tuesday, October 24, 2000 at 7:30 PM for a Public Hearing on the proposed Six-Year Street Plan; approval to revise the Public Hearing date for the proposed Comprehensive Plan to Tuesday, November 14, 2000 at 7:30 PM; approval to revise the Public Hearing date for the proposed revisions to the Brier Zoning Code to Tuesday, November 21, 2000 at 7:30 PM; and approval to authorize an expenditure of \$1,500 plus WSST to purchase Keystone block for a retaining wall in the Countryside Plat. Councilmember Starks stated that he would like to ask, before we approve this Consent Agenda, all of us except one were here until 11:30 PM last Council Meeting doing the workshop and, in the past when we have approved Consent Agendas and certain Councilmembers have not been here to discuss the issues and have not been immersed in them at all, I believe that it would be a good policy to have them abstain from voting as opposed to continuing to vote for something that they were not here to even discuss when the rest of us stayed until 11:30 at night. I would suggest that those Councilmembers that were not here to discuss, for whatever reasons, please abstain from voting on the issue of which they were not here with the rest of us until 11:30 at night to work out. Councilmember Moller asked the City Attorney if they required to abstain and Attorney Evans replied that he was not aware of

anything that would require an abstention. There was Council discussion. Motion carried with Councilmember Jordan abstaining, as he was not in attendance at the workshop meeting.

Unfinished Business:

Mayor Kaske opened for the approval of the Findings of Fact & Conclusions of Law for the Brown/Smith Survivor Trust Appeal for a sewer connection. Councilmember Colinas asked City Attorney to respond to comments from the legal representatives of the appellant. Duncan Foes stated that he had requested the added language for clarity. Mayor Kaske suggested that the verbiage not be added, as he was the one who raised the issue.

Councilmember Colinas moved and **Councilmember Moller** seconded to approve the Findings of Fact & Conclusions of Law for the Brown/Smith Survivor Trust Appeal for a sewer connection as written. Motion carried.

Mayor Kaske opened for the approval of the Findings of Fact & Conclusions of Law for the Administrative Appeal by Joe Murphy to perform drainage work with Plat Application No. 99-03. **Councilmember Colinas** moved and **Councilmember Jordan** seconded to approve the Findings of Fact & Conclusions of law for the Administrative Appeal by Joe Murphy to perform drainage work with Plat Application No. 99-03 and to perform drainage work with Plat Application No. 99-02. Motion carried with Councilmember Magnuson abstaining.

Hearings:

Mayor Kaske opened discussion on Business License Application No. BR20-076 by Julie Newnam at 21873 Oak Way for Cardinal Point Consulting. Julie Newnam stated that she is going to be a one-person human resources consultant and people would not be coming to the home. Mayor Kaske opened the Public Hearing for Business License Application #BR20-076 for Cardinal Point Consulting. **Councilmember Moller** moved and **Councilmember Jordan** seconded to close the Public Hearing for Business License Application #BR20-076 for Cardinal Point Consulting. **Councilmember Colinas** moved and **Councilmember Jordan** seconded to approve Business License No. BR20-076 for Cardinal Point Consulting for Julie Newnam. Motion Carried.

New Business, Petitions, Communications, Application Appeals, etc.:

Mayor Kaske opened for discussion the Administrative Appeal of Cindy and Rodney Clausen to allow residents on 32nd Ave. W., 243rd Street SW, and 31st Ave. W. to have natural gas installed into their homes. Cindy Clausen gave a background regarding the steps they had gone through to get natural gas installed up the street and into their homes and they had not been notified that the street was going to be paved and could not be opened for five years. Mrs. Clausen asked Council to allow them to open the street for gas installation. There was Council discussion. **Councilmember Colinas** moved and **Councilmember Moller** seconded to grant the appeal of Cindy and Rodney Clausen to allow residents on 32nd Ave. W., 243rd Street SW, and 31st Ave. W. to have natural gas installed into their homes. Mayor Kaske suggested stipulating what type of patches should be used. There was Council discussion. **Councilmember Colinas** moved and **Councilmember Moller** seconded to the amend the motion to include up to two-three by

five foot cuts in the pavement and that no overlay be required due to the circumstances. Motion carried. Constantine Kefalas, 24358 32nd Ave W. explained how his street was paved and informed Council that there were a couple of manholes that had been patched around them. Mr. Kefalas stated that, with close observation, it shows that there is no crown on the middle 1/3 of the street and he suggested that Dick Russell check on it.

Consideration of Bids, LID's, and Related Matters: None

Ordinances, Resolutions, and Orders: None

Miscellaneous Business by Call of Councilmember and City Officials:

Mayor Kaske opened for discussion the approval of the draft Newsletter. There was Council consensus to approve the draft Newsletter and send it to the printer.

Auditing of Accounts:

Councilmember Moller moved and **Councilmember Jordan** seconded to approve September 2000 Payroll Warrants No. 9668 through 9721 in the amount of \$75,171.06. Motion Carried.

Councilmember Moller moved and **Councilmember Jordan** seconded to approve September 2000 Claim Warrants No. 13683 through 13744 in the amount of \$166,995.92. Motion Carried.

Mayor Kaske asked for a twenty-minute Executive Session to speak about litigation regarding the Milo shortplat and about fire negotiations. **Councilmember Colinas** moved and **Councilmember Jordan** seconded to go into Executive Session for thirty minutes to discuss litigation around the Milo short plat and the upcoming fire negotiations. Motion Carried at the meeting adjourned to Executive Session at 8:19 PM. The meeting resumed at 8:45 PM.

Councilmember Jordan asked for a brief update on the sidewalk issue on 35th Ave. W. Mayor Kaske reported that Jorge Garcia is working on getting better numbers for the cost of the work and that he hopes to receive the information by workshop.

Adjournment:

Councilmember Moller moved to adjourn at 8:47 PM. Councilmember Starks discussed Council attendance and the absences of Councilmember Magnuson. Councilmember Colinas responded to Councilmember Starks and there was Council discussion. There was discussion regarding the Open Public Meeting Act and Attorney Evans responded to Council questions that, whenever two or more Councilmembers meet by phone or other means regarding potential City actions, it could potentially be considered action not considered at a regular meeting. **Councilmember Moller** moved and **Councilmember Colinas** seconded to adjourn. Motion Carried and the meeting adjourned at 8:57 PM.