

## Brier City Council Minutes

September 26, 2000

Mayor Kaske called the regular meeting of the Brier City Council meeting to order at 7:30 PM and the flag salute was given.

### **Roll Call:**

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

### **Reports of Committees and City Officials:**

Councilmember Jordan reported that, at the monthly Police Department Meeting, they discussed annexation possibilities and he informed Council that one of the Police vehicles needs a new engine, as it can no longer be used. Councilmember Jordan reported an incident on 35<sup>th</sup> where a car struck an elementary school child and she has been in Harbor View Hospital. **Councilmember Jordan** moved and **Councilmember Moller** seconded to have Public Works move the process forward with fact-finding to address the issue to install a sidewalk as soon as possible on 35<sup>th</sup> from 228<sup>th</sup> to Alaska Road and investigate the costs associated with this. There was Council discussion. Motion Carried unanimously by Roll Call Vote.

Lisa Graham asked Council to approve funds for a project in Brierwood Park and informed Council that residents have collected \$1,997. Mrs. Graham informed Council that the residents have collected enough money to purchase the double-bay swing set structure and, on behalf of the Park Board, Mrs. Graham requested approval for up to \$1,200 for wood chips. **Councilmember Colinas** moved and **Councilmember Moller** seconded to approve up to \$1,200 to install wood chips at Brierwood Park. Motion Carried.

**Public Requests and Oral Communications:** None

### **Consent Agenda:**

Mayor Kaske opened for consideration the Consent Agenda. Mayor Kaske reported that Rita Irvine had resigned from the Planning Commission. Councilmember Moller asked to add the confirmation of Corey Friesen's appointment to the Planning Commission to the Consent Agenda. There was Council discussion. **Councilmember Colinas** moved and, **Councilmember Magnuson** seconded to approve the Consent Agenda, which included approval of the Brier City Council Minutes of September 12, 2000, to confirm the appointments of George Neilson for position 6 of the Planning Commission and reappointment of Mike Lavoie to position 7 of the Planning Commission and the appointment of Corey Friesen to Position 3 of the Planning Commission, and Ken Overstreet to Position 4 of the Park Board and Kent Walter to Position 3 of the Park Board; to authorize bond call in the amount of \$420,000 for ULID 89-01 and authorize the City Clerk/Treasurer's signature to bond call; to authorize the Mayor to transfer

hosting of the City web site and internet access to Verizon from Edmonds Community College per quotes from Verizon as presented on September 19, 2000; and to the setting of dates as follows: Tuesday November 7, 2000 for the public hearing on revenue for 2001; Tuesday, November 7, 2000 for the 2001 budget; Tuesday, November 14, 2000 for a public hearing on the Zoning Ordinance revision #20.W; and Tuesday November 21, 2000 for a Public Hearing on the draft Comprehensive Plan. Motion Carried

**Unfinished Business:**

Mayor Kaske opened for the continued consideration on the Brown/Smith Survivor Trust appeal for a sewer connection. **Councilmember Colinas** moved and **Councilmember Magnuson** seconded for a twenty minute Executive Session to discuss potential litigation. Motion Carried with Councilmembers Starks, Jordan, and Moller opposing. The meeting adjourned to Executive Session at 7:56 PM and resumed at 8:08 PM **Councilmember Magnuson** moved and **Councilmember Colinas** seconded to grant the appeal of the Brown/Smith Survivor Trust and instruct the City Attorney to draft Findings of Fact and Conclusions of Law to present at the next regular meeting. Motion Carried.

**Hearings:** None

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

Mayor Kaske opened discussion on the Administrative appeals by Joe Murphy/BMC 16.12.060 to perform drainage work with Plat Application No. 99-03 and No. 99-02. Councilmember Magnuson removed herself from being seated at the Council table to avoid any possible conflict and she remained in the audience. Joe Murphy stated the reason he is here is because the properties are currently pending subdivisions and the issue is unrestrained storm water drainage, which renders the property to be a huge mud-hole during the winter. Mr. Murphy displayed a map and explained the location of the problem on the properties. There was Council discussion with Mr. Murphy. Councilmember Magnuson left the meeting at 8:25 PM. **Councilmember Colinas** moved for a twenty minute Executive Session regarding potential litigation regarding the appeals. Council directed questions to Mr. Murphy regarding the projects. **Councilmember Colinas** moved and **Councilmember Jordan** seconded to adjourn for a fifteen minute Executive Session to discuss potential litigation with the City Attorney. Motion Carried with Councilmember Starks opposing. The meeting adjourned to Executive Session at 8:37 PM and the meeting resumed at 8:55 PM. Councilmember Moller asked if Mr. Murphy could get letters from any of the three professionals he had spoken with and Mr. Murphy stated he could but that, to date, they have just been verbal opinions. Council stated that they would like a wetland report. Councilmember Starks asked Mr. Murphy to produce a report that states the condition as it sits in its' current present state and what condition it is in and Mr. Murphy said that he could produce a letter from a soils professional. There was continued Council discussion with Mr. Murphy. **Councilmember Starks** moved and **Councilmember Doolittle** seconded to deny the appeal as the City Council has not been provided with information as to whether this property is a wetland and, therefore, cannot determine if it is a wetland and asked for

Findings of Fact to be drafted by the City Attorney regarding the issues. Motion Carried unanimously by Roll Call Vote, with Councilmember Magnuson absent.

**Consideration of Bids, L.I.D.'S and Related Matters:** None

**Ordinances, Resolutions and Orders :** None

**Miscellaneous Business by Call of Councilmember and City Officials:**

Councilmember Colinas reported that the Trail Project by David Faulds at Locust Creek Park is moving ahead and appreciates Public Work's assistance.

Councilmember Warner asked about Mark Johnson's resignation and informed Council that he did not vote for Shasha Doolittle because she was a woman but because she would do the best job for the City. Councilmember Starks discussed a Councilmember's discussion with Mr. Johnson and stated that he did not like the way the situation was handled.

**Adjournment:**

**Councilmember Moller** moved and **Councilmember Colinas** seconded to adjourn. Motion Carried and the meeting adjourned at 9:20 PM.