

Brier City Council Minutes

January 23, 2001

Mayor Kaske called the regular meeting of the Brier City Council to order at 7:35 PM and the flag salute was given.

Roll Call:

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

Absent: Councilmember Moller and Warner.

Reports of Committees and City Officials:

Congressman Jay Inslee gave a Legislative Update and reported on the Puget Sound Initiative that he had backed regarding salmon issues that had authorized \$30,000,000 for small communities for planning for salmon habitat due to the Federal mandates. Congressman Inslee stated that the initiative would lend the City the expertise needed through the Army Corp of Engineers. Congressman Inslee spoke about the energy crisis and stated that two short term issues are: a regional price cap in the west for energy, and that either California ought to raise it's residential rates or guarantee the repayment. There was Council discussion regarding revenue sources. Mayor Kaske asked if the joint congress could open up a source of revenue from the telecommunications industry such as a utility tax. Congressman Inslee stated that he was aware of the problems regarding I-695 and that it would be unlikely that there would be additional revenue capacity extended to the City by the Congress, but he will get back to the City regarding the fiber optic issue. Grants for roads and sidewalks were discussed and Congressman Inslee stated that Kennie Endelman of his office would work with the City to help find grants. Mayor Kaske asked about the shut down of nuclear plants in the name of concern over the safety of nuclear power and asked if the Federal Energy Commission or the Federal Government have any means of having them reopened. Congressman Inslee responded that they are looking for a long-term capacity storage solution for the nuclear waste and that they are looking at a site in Nevada.

Councilmember Doolittle discussed the Public Works wish list for the next year and Mayor Kaske responded he would be meeting with Dick Russell to determine how these goals and wishes could be reached.

Councilmember Jordan reported that a couple of police officers are near leaving the department and that there is a morale issue at the present time and stated that he hoped the car issue being resolved would help. There was discussion regarding possibly putting this on a workshop in the future.

Public Requests and Oral Communications:

Howard McVay, 3204 Russet Road, spoke regarding the driveway at 3109 Russet Road and two houses from Chandler Park that were to have a common driveway, and he submitted photos showing residents using the second driveway. Mr. McVay asked if the resident had a variance for the second driveway and asked if this could be resolved. There was Council discussion regarding possible solutions such as green barriers and fences.

Daryl Lynn Frader, 3612 233 Place SW, distributed a photo of her daughter with her deceased cat that had been killed because of the speed of drivers down her street and a wish list of requests. Ms. Frader stated that there are neither posted speed limit signs nor a line down the road. Also it is a blind corner in front of her house and very dark there. She stated that opening 236th would help with the problem and informed Council that she also had previously requested that the Police place the speed meter in that area.

Consent Agenda:

Mayor Kaske opened for consideration of the Consent Agenda. **Councilmember Magnuson** moved and **Councilmember Doolittle** seconded to approve the Consent Agenda, which included approval of the Brier City Council Minutes of January 9, 2001; approve forwarding the 2000 Comprehensive Sanitary Sewer Plan to the Dept. of Ecology and other required agencies for review and comment; approve up to an \$800 expenditure for City Clerk to attend the WMCA conference and up to \$375 for the Police Clerk to attend the LEIRA conference. Motion Carried with Councilmember Starks abstaining. **Councilmember Colinas** moved and **Councilmember Jordan** seconded to adopt Resolution No. 454 as to form, which approves Larry Hinrich's Short Plat No. SP20-01. Motion Carried with Councilmembers Magnuson and Starks abstaining. **Councilmember Magnuson** moved to approve Councilman Colinas as Mayor Pro-Tem for the calendar year 2001. There was Council discussion regarding rotating the position of Mayor Protem. Councilmember Starks nominated Councilmember Jordan as Mayor Protem. **Councilmember Jordan** moved and **Councilmember Starks** seconded to close nominations. Motion carried to close nominations. Roll Call Vote: Councilmembers Starks, Jordan, Doolittle, and Magnuson cast their votes for Councilmember Jordan. Councilmember Colinas abstained. Councilmember Jordan was selected Mayor Protem.

Hearings

Mayor Kaske opened for input from Mr. Brown. Mr. Brown gave input on the past history regarding sanitary sewer in the area and asked for the terms of the easement to be honored. Mayor Kaske opened the Public Hearing on the Michael Brown Appeal of sewer connection fees. There was no public input. **Councilmember Colinas** moved and **Councilmember Jordan** seconded to close the Public Hearing on the Appeal of Michael Brown for sewer connection fees. Motion Carried. There was Council discussion with Mr. Brown and the City Attorney. **Councilmember Magnuson** moved and **Councilmember Doolittle** seconded to deny the Appeal of Michael Brown regarding sewer connection fees based on supporting the administrative decision that was already made and supporting the Findings of Fact and Conclusions of law that the City Council had adopted, and in support of the recommendation from the City Attorney and upholding the City's Ordinance that is currently in place, including a directive to the staff to draft the appropriate Findings of Fact and Conclusions of Law. A woman in the audience informed Council that Brier had the benefit of homes served by that sewer and asked them to make a reasonable decision. There was continued Council discussion. **Councilmember Colinas** moved and **Councilmember Jordan** seconded for an Executive Session for twenty minutes at 9:20 PM to discuss possible litigation. Motion Carried to go into Executive Session. The meeting resumed at 9:35 PM. Motion Carried to end debate. Motion Carried

to deny the appeal and have the City Attorney draft Findings of Fact and Conclusions of Law. Motion Carried.

Miscellaneous Business by Call of Councilmember and City Officials:

Councilmember Magnuson asked about doing a certificate of appreciation for the Eagle Scout who did the gravel trail and Council requested a certificate for all of them to sign.

Mayor Kaske asked if anyone will be attending the Legislative Conference in Olympia in February and there was no response.

Mayor Kaske asked for approval to print the Final Sewer Comp Plan including the maps and informed Council of the potential \$1,700 cost that would be funded out of the Sewer Fund. **Councilmember Magnuson** moved and **Councilmember Starks** seconded to approve up to \$1700.00 out of the Sewer Fund. Motion Carried.

Councilmember Starks requested that the 2001 Budget be posted on the Web Page. There was Council discussion regarding posting it by fund. It will be decided at a later time.

Mayor Kaske gave information to Mayor ProTem Jordan regarding Snohomish County Tomorrow and asked Council to consider whether or not they want to belong.

Adjournment:

Mayor Kaske declared the meeting adjourned at 9:48PM.