

SPECIAL/REGULAR COUNCIL MEETING
MARCH 23, 2005

Mayor Kordonowy opened the special/regular City Council meeting at 6:00 PM with Council members Knobloch, Llewellyn, Scales, Rolfes, Tooloe, Vancil and Vann present as well as City Administrator Briggs, Directors Konkel and Witt, Planner Morse, Capital Program Engineer Eber and City Attorney Kaseguma. The regular meeting began at 8:15 PM. City Clerk Kasper monitored the tape of the meeting.

ITEMS DISCUSSED

1. PUBLIC HEARING: AB 0788 ORDINANCE NO. 2005-03, CRITICAL AREAS ORDINANCE
2. RECESS
3. ADDITIONS/DELETIONS TO THE AGENDA:
4. PUBLIC COMMENT: A. ITEMS NOT ON THE AGENDA
5. ORDINANCES: 3RD READING – AB 0854 ORDINANCE NO. 2005-09, 2005 AMENDING BUDGET ORDINANCE NO. 2004-22, FOR USES UNFORESEEN AT THE TIME OF APPROVAL (BUDGET RESERVE FOR HEALTH, HOUSING AND HUMAN SERVICES, HHHS)
6. ORDINANCES: 1ST READING – AB 0862 ORDINANCE NO. 2005-14, 2995 BUDGET AMENDMENT FOR MATTERS UNFORESEEN AT THE TIME OF APPROVAL (CITY CLERK MOVE FROM FINANCE TO EXECUTIVE DEPARTMENT)
7. CITY COUNCIL COMMITTEE REPORTS:
8. UNFINISHED BUSINESS: AB 0690 REVOCABLE LICENSE AGREEMENT FOR BAINBRIDGE ROWING CLUB IN WATERFRONT PARK
9. CITY COUNCIL COMMITTEE REPORTS (CONTINUED)
10. MEETING EXTENSION
11. CITY COUNCIL COMMITTEE REPORTS (CONTINUED)
12. MAYOR'S REPORT: A. PUBLIC PARTICIPATION/PUBLIC COMMENT PROCESS
B. PLANNING COMMISSION APPOINTMENT
C. CONSOLIDATION OF BREMERTON HOUSING AUTHORITY & KITSAP COUNTY CONSOLIDATED HOUSING AUTHORITY
13. CITY ADMINISTRATOR REPORT:
14. CONSENT AGENDA: A. VOUCHER & PAYROLL APPROVAL
B. MINUTES SPECIAL/REGULAR CITY COUNCIL MEETING MARCH 9, 2005
C. AB 0863 TERMINATION & RELEASE EASEMENT AGREEMENTS WITH SEABREEZE PROPERTIES, LLC & KUSHNER'S, WINDERMERE REAL ESTATE
D. AB 0866 2005 NATURAL RESOURCES EDUCATION PROGRAM, PROFESSIONAL SERVICES AGREEMENT, ECO SOLUTIONS - \$30,000
15. NEW BUSINESS: A. AB 0865 WYATT WAY (GROW AVENUE TO MADISON AVENUE) IMPROVEMENTS PROJECT, WYATT WAY & MADISON AVENUE INTERSECTION DESIGN CONCEPT & RIGHT-OF-WAY WIDTH
16. ADJOURNMENT

1. PUBLIC HEARING: AB 0788 ORDINANCE NO. 2005-03, CRITICAL AREAS ORDINANCE

Mayor Kordonowy opened the public hearing stating speakers will be given 5 minutes each to make comment. She explained Land Use Committee members will provide clarification and back and forth conversation to comments made and that at the March 30, workshop the City Council will deliberate on comments received this evening. She introduced Planner Morse, Critical Areas Ordinance Project Manager who explained this evening is the second, second reading of the ordinance that received its first public hearing on November 17, 2004. He stated cities are required by the Growth Management Act to use Best Available Science to review ordinances and that there are 5 areas contained in the Critical Areas Ordinance, they are: Geologically Hazardous Areas, Frequently Flooded Areas, Areas with Aquifer Recharge, Wetland and Fish & Wildlife Conservation Areas.

City Clerk Kasper entered letters to the record submitted by Rachel Smith dated March 21, 2005 and by Janet Herren dated March 22, 2005.

Gary Tripp, Bainbridge Citizens United, stated he has actively participated in the CAO development process from its beginning. He explained the City currently has regulations that have been in existence for 13 years and work well. He stated the proposed ordinance creates dramatic increases in buffers and new classifications for critical areas. He stated there are 3 reasons for increasing buffers: 1) the current buffers are not working and our wetlands are being destroyed, which is not true; 2) the GMA, CTED or DOE is forcing us to increase our buffers, that is not true, the decision is a local decision; 3) the staff, the City, found Best Available Science so compelling to require residents to increase buffers to protect them and critical areas against future possible damage.

Mayor Kordonowy reminded Mr. Tripp that he has one minute left to make comment at which Mr. Grant volunteered 2 of his 5 minutes to Mr. Tripp.

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Gary Tripp continued by referring to the Synthesis of Science manual created by DOE which he stated does not cover residential but agricultural issues and supports current or smaller buffers. He stated there should be some type of logical path in the science that would lead to the recommendation made by the Land Use Committee. He challenged the City to point out language supporting increased buffers in residential areas. He quoted McMillan and Rob Holm, both DOE employees, who stated at a Land Use Committee meeting that only a 25 ft. buffer is required to protect water quality in a residential setting like Bainbridge Island. He stated the state and the City have no authority to take private land to create wildlife habitat or open space.

Robert Grant, Spargur Loop, stated concern with several features of the proposed ordinance, which may make his home non-conforming. He stated the Geological Hazard component of the ordinance prevents people from using their land and that the same rule should not apply to everyone. He stated the ordinance requires much more public input, that Bainbridge Island is a wonderful, divergent community that should not be rife with unnecessary rules.

Annette Stollman, 7500 NE Dolphin, stated as a City Councilmember she was involved with the first draft of the Critical Areas Ordinance. She explained that knowledge has increased in the 13 years since the first draft of the ordinance. She complimented City staff and the City Council stating there are no perfect ordinances, that the ordinance is flexible and should be passed.

Gale Cool, Point White Drive, stated his property is located near the Shel Chelb estuary; that he has spent many years enhancing the environment. He referred to the Meigs Farm/ Meigs Park restoration, which includes a miraculous wetland system. He stated that he supported the first Critical Areas Ordinance, that the proposed ordinance is a clumsy attempt at a land grab and durable vesting is necessary to repair the environment.

Rob Arlen, Sunset Avenue, stated he is an advocate for science and supports the Critical Areas Ordinance because it complies with state requirements, complies with continuation of our life style and provides as much protection as possible. He stated support for adoption of the proposed ordinance.

Ted Ruys stated he has lived on Bainbridge Island for 43 years and referred to the full page advertisement in the *Review* opposing the Critical Areas Ordinance. He stated he owns 2 ½ acres of land and because he has a stream running through his land he cannot use it.

Councilmember Vann asked Mr. Ruys to contact the Department of Land Use and Community Development with questions concerning his property.

Mike Bonoff, 5711 Old Mill Road, stated he is currently a member of the Forestry Commission and questioned the reduction of buffers in the Ravine to 25 feet. He stated buffers should be 50 feet in the Ravine.

Janet Knox stated the City Council should make a decision based on current information to protect natural resources and species that could disappear. She stated groundwater and native species belong to all citizens.

Wayne Daley, 1646 Jeanette Place, read a letter that stated the ordinance allows property owners to use their property while protecting the environment. He stated the ordinance is balanced and works for all parties. He urged protection of water and wetlands with adequate buffers and adoption of the proposed ordinance.

Councilmember Vann explained that when comparing Critical Areas Ordinances the proposed ordinance is better.

Councilmember Rolfes requested that when received letters written by Moore and Hanna be included in the record.

Jon Quitslund stated support for the proposed ordinance because it contains land use requirements that should be considered as serving the common good and general welfare. He stated the Department of Ecology rating system provides a clear rationale and that the ordinance contains many problem solving measures that are needed as the population increases. He stated the proposed ordinance is more comprehensive and more consistent than the original ordinance and will be reviewed by the City Council annually.

Doug Smith, 9047 North Town drive, urged the City Council to adopt the ordinance to validate the 2 years spent in its development and to protect wetlands consistent with the Comprehensive Plan.

Liz Taylor, 8449 Ferncliff Avenue NE, stated concern that development has exceeded water capacity, that strong measures should be taken now; that the entire Island is a recharge area; that 30% of all contaminated water comes from the runoff created by automobiles and toxic pesticides; that adequate buffer widths protect the wetlands from toxins through use of best available science practices. She

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stated Bainbridge Island has a proportionately larger aging population that relies on the value of their homes who are concerned about water shortages and pollution challenges.

Janet Herren, 5857 Baker Hill Road, stated support for the proposed ordinance. She referred to the 1997 landslide that took the lives of 4 family members. She stated she is currently involved in a lawsuit regarding illegally cut trees on her property and urged protection and control of critical areas.

Neil Johanssen, Old Port Madison, stated he moved to Bainbridge Island because of the inherent environmental quality. He stated support for the Critical Areas Ordinance and urged its passage.

Connie Waddington, 9223 Sands Road, stated we are all so fortunate to live on Bainbridge Island where citizens voluntarily protect the environment through ordinances such as the Critical Areas Ordinance. She stated support for the ordinance and urged passage.

Mary Hallett stated support for the ordinance.

Louis Richard, 10250 Darden Lane, stated his support for the proposed ordinance, which he was privileged to work on. He expressed appreciation to Steve Morse and the Land Use Committee of which Councilmember Vann is Chair. He supported passage of the ordinance.

Rachel Smith, Seaborn Road, stated she was a member of the Habitat Group that worked on the proposed ordinance. She addressed the issue of native or equivalent plants stating there is no such thing as an "equivalent plant", however, she believes the native species referred to in the ordinance are very good and that the ordinance will protect such mistakes

Mayor Kordonowy announced the allotted time for public comment has elapsed and asked the City Council whether to continue with public comment. The City Council determined that public comment should continue.

Charles Schmid, 10677 Manitou Park Boulevard, provided a brief history of the environmental enhancements made since he became a resident of Bainbridge Island. He explained the state has made buffers a requirement. He urged passage of the proposed ordinance and asked the City Council to retain 50 ft. buffers in the ravine area.

Jim Brennan, Fort Ward, a Marine Biologist, stated the City Council should keep in mind that it is not beginning with a clean slate. He stated support for the scientific community. He urged the City Council to protect the public trust.

Lynn McIntyre, 14532 Wild Swan Lane, spoke for a process that will work. He urged the City Council to implement a time limit on Resolutions/Ordinances.

Mayor Kordonowy explained the City attempts to serve citizens in as timely a manner as possible because it has an obligation to move applications forward quickly using the rules and regulations of the City. She stated the City can do a better job than it did with Mr. McIntyre's application.

Art Radcliffe, 3859 Pleasant Beach, stated he would not like being told his property is non-conforming due to the action of the City Council. He stated the measures being suggested will be onerous and will make it difficult to legally modify or sell property, that it is undesirable and costly to comply with. He asked why residents should pay taxes on a buffer zone that cannot be used. He urged that the proposed ordinance not be approved.

Kathy Wolf stated a significant amount of science has been used to provide a quality environment. She stated support for passage of the proposed ordinance.

Bob Burkholder, 131 Madison Avenue N., stated he has spent 20 years studying wildlife issues, that he assisted in the development of the draft Comprehensive Plan, that the Growth Management Act and the Comprehensive Plan require protection of critical areas, that the proposed ordinance is a compromise. He urged passage of the ordinance.

Jessie Hey expressed support for the proposed ordinance.

P. F. Sandri stated support for the proposed ordinance.

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Bob Gaulding, 563 Stetson Place, explained he worked as an Environmental Protection Agency specialist and also cares about property values. He stated a healthy environment leads to a healthy economy and vice versa. He stated he does not want the environment diminished.

Nancy Lowory, North Madison, stated her 5 acre property is adjacent to Meigs Farm; has been preserved as it was when she acquired it, however, the property has become wetter recently due to the intrusion of beaver. She stated the buffer on her property will be 150ft due to the Critical Areas Ordinance and she is fearful that she will not be able to walk on or use her property.

Dennis Reynolds, representing LaVonne Enterprises, stated the La Vonne parking lot overflows along the Ravine and contains attributes including an 8 to 10 ft. berm. He explained City staff recommended a 25 ft. buffer and waiver of the 15 ft. setback; that when the project is completed there will be no impact to the Ravine and salmon habitat will be enhanced. He stated he will submit written comment addressing the Ravine. He thanked Councilmember Vann, Land Use Committee Chair, for a cordial process.

Rich Schmidt, Fletcher Bay, stated dislike that people living on properties are not good stewards of the land; that the ordinance must be reviewed; that Best Available Science must be provable and repeatable? He stated concern that City staff will be involved with removal of a dangerous tree. He asked the City Council to study the effects of runoff from City streets on critical areas.

John Greenway stated he is aggressively protecting and defending his property, which only property owners, not the proposed ordinance, can do. He stated an Island-wide sewerage system is needed; that water is an issue if growth increases and that infrastructure is needed.

Kjell Stoknes complimented those who drafted the Critical Areas Ordinance stating the wetland density bonus, if removed, works against the proposed 50% growth in downtown Winslow.

Douglas Benton, 9516 Helmsman Court, provided a history of his Father's plight with the Army Corps of Engineers following repair of water lines contained in a wetland on his property in the Midwest. He urged the City Council to defer to the rights of the individual.

Anna Oueste, 8997 Day Road, referred to water issues inherent on Akio Suyematsu's property stating the City Council must make a wise decision.

Jeffrey Sneller, 14661 Sivertsen Road, asked whether the Critical Areas Ordinance will effect property owners who have invested many hundreds of thousand dollars in their property.

Tim Wilkens, 10953 Madison Avenue, stated many properties have become worthless due to the passage of environmental ordinances and urged additional review of the proposed ordinance.

Sally Adams, 10250 Darden Lane, urged passage of the Critical Areas Ordinance to allow the City to address other pertinent issues. She stated there has been ample opportunity for citizens to be heard. She thanked City Staff and presented Planner Morse with a bouquet of flowers.

Sophie Foley, representing fellow High School students, expressed support for the proposed ordinance stating it is important to protect the environment.

Derrick Reinjen, 5656 Rose Loop, stated the City needs the Critical Areas Ordinance even though he does not agree with all its components. He stated the ordinance provides reasonableness, clarity and consistency of application and if passed, will develop a clear understanding of its definitions.

Ed Kushner stated property values are not in our control and increase and decrease in response to the economy but do not decrease to previous levels.

Mayor Kordonowy closed the public hearing.

Councilmember Rolfes explained the City Council will conduct a 3 hour workshop on March 30 to deliberate on comment received this evening. She stated the State has imposed a deadline of May 9, for passage of the Critical Areas Ordinance, which may necessitate and additional public hearing.

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Councilmember Llewellyn stated the City is exploring the May 9, deadline and its effect on Public Works Trust funding.

2. RECESS

The special/regular City Council meeting of March 23, 2005, was adjourned for a 10-minute recess. The regular meeting resumed immediately following the recess with the aforementioned Mayor and City Councilmembers present.

3. ADDITIONS/DELETIONS TO THE AGENDA:

Mayor Kordonowy announced the Tax and Justice Levy presentation has been postponed until at least the April 13, City Council meeting. There were no other additions or deletions to the agenda.

4. PUBLIC COMMENT: A. ITEMS NOT ON THE AGENDA

Connie Waddington, Open Space Commission, invited the Mayor, City Council and citizens to the Environmental Conference on April 2, 2005. She explained the conference will examine the past five conferences and will highlight a discussion with citizens to determine what the future focus of the conference should be. She stated in the afternoon of the conference, 3 field trips will be conducted.

David Ward, 317 Ward Avenue, Bainbridge Island Rowing Club, explained the Rowing Club will work informally with the City Council.

Anna Oeste, 8997 Day Road, welcomed Island residents to the Farmer's Market that will begin on April 9, from 9:00 AM to 1:00 PM, and will continue until the 3rd week in October. She explained Farmer's Market representatives are busily working on their website and that raffles will be held at the Farmer's Market.

Mike Surraci, 265 Shannon Drive, complimented the City on its website, specifically the link from the City Council agenda to the agenda packet.

5. ORDINANCES: 3RD READING – AB 0854 ORDINANCE NO. 2005-09, 2005 AMENDING BUDGET ORDINANCE NO. 2004-22, FOR USES UNFORESEEN AT THE TIME OF APPROVAL (BUDGET RESERVE FOR HEALTH, HOUSING AND HUMAN SERVICES, HHHS)

Director Konkel explained this is the 3rd reading of the proposed ordinance.

On motion by Councilmember Vann, second by Councilmember Rolfes, Ordinance No. 2005-09, amending the 2005 Budget of the City (Ordinance No. 2004-22) establishing a 5% Reserve level for Health, Housing and Human Services, was unanimously approved.

6. ORDINANCES: 1ST READING – AB 0862 ORDINANCE NO. 2005-14, 2005 BUDGET AMENDMENT FOR MATTERS UNFORESEEN AT THE TIME OF APPROVAL (CITY CLERK MOVE FROM FINANCE TO EXECUTIVE DEPARTMENT)

Director Konkel explained the proposed ordinance will allow funding for the City Clerk position transferred from the Finance and Administrative Services Department to the Executive Department.

Based on the recommendation of Director Konkel the proposed ordinance was referred to the Finance Committee for its 2nd reading.

7. CITY COUNCIL COMMITTEE REPORTS: Public Works/Transportation Committee

Councilmember Knobloch reported the City is to be commended for working with non-invasive, non-toxic materials. He moved that the City Council accept the 2005 Annual Pesticide Report. The motion was seconded by Council Chair Vancil and unanimously accepted.

8. UNFINISHED BUSINESS: AB 0690 REVOCABLE LICENSE AGREEMENT FOR BAINBRIDGE ROWING CLUB IN WATERFRONT PARK

Director Witt explained the Bainbridge Island Rowing Club (BIRC) is currently located in Waterfront Park; that the proposed agreement will formalize the relocation of BIRC to the westerly tennis courts also located in the park for a 2 year period while the club works to obtain a more suitable and permanent location. He stated BIRC will provide improvements, services and activities in lieu of a fee to relocate in Waterfront Park. He stated insurance and other disclaimers have been quantified and recommended approval.

Councilmember Knobloch moved that the City Council approve the Revocable License Agreement with Bainbridge Island Rowing Club regarding temporary use of a portion of Waterfront Park and authorize the Mayor to execute the agreement. The motion was seconded by Councilmember Rolfes.

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Councilmember Tooloee read paragraph 3, regarding relocation of BIRC in cooperation with the City and the Park District; paragraph 6, second sentence regarding the onus being shifted to BIRC to obtain a location rather than the City attempting to make sure this community group is well served with a location close to the club's current location; paragraph 7, addresses the term of the agreement (2 years) in opposition to the term mentioned in paragraph 3 and further complicated by the language which states the City may terminate the agreement in 90 days.

Director Witt stated the City has a cooperative relationship with BIRC, that the Strawberry Plant location may be a done deal, that the IAC may ask that the Rowing Club leave Waterfront Park and that the club should be taking the lead in its relocation.

David Ward, 317 Cave Avenue, stated the club has reviewed and signed the agreement, is operating in good faith and supports the existing document.

Mike Surraci, 265 Shannon Drive, referred to packet Pg. 100, agreement Pg. 3 of 7, No. 4, Consideration, which he read. He stated this is a very important paragraph and stated his support for Councilmember Tooloee's concerns.

There was discussion of BIRC being a private club, its willingness to serve the public, that the IAC will not see the language appearing in No. 4, Consideration, as binding language for interpreting their rules, the pledge from Administration that the City will see that the trust placed in it by BIRC will be satisfied, that signs should be positioned at the tennis court explaining why rowing equipment is being housed there.

Councilmember Vancil proposed the following friendly amendment to Pg. 1, No. 6, of the agreement: ...during the term of this agreement the City and BIRC shall diligently seek...

There was discussion regarding approving the agreement and making a second motion to add the language suggested by Councilmember Vancil to which City Attorney Kaseguma stated both parties can add language so long as BIRC initials the change.

Councilmember Rolfes seconded the amendment made by Councilmember Vancil, which was unanimously approved as was the original motion made by Councilmember Knobloch and seconded by Councilmember Rolfes.

9. CITY COUNCIL COMMITTEE REPORTS (CONTINUED)

Public Works Transportation Committee Continued

Councilmember Knobloch reported the Committee is proceeding carefully on the Miller Road speed limit issue and will report to the City Council.

10. MEETING EXTENSION

On motion by Councilmember Scales, second by Councilmember Tooloee, the special/regular City Council meeting of March 23, 2005, was unanimously extended to complete the remaining business on the agenda.

11. CITY COUNCIL COMMITTEE REPORTS (CONTINUED)

Council Chair Vancil reported the City Council is changing its standing committee process and will meet as a Committee of the Whole once a month beginning with its meeting on April 1, from 10:00 AM to 3:00 PM. She explained the Committee of the Whole welcomes public comment and that the current standing committees will remain active after receiving input from the Committee of the Whole. She explained the reason for forming the Committee of the Whole is to coordinate committee workplans with the workplans created by the Executive Department. She stated future Committee of the Whole meetings will be held on Mondays and that topics, especially emerging issues, should be submitted to City Administrator Briggs.

The rumor that the Hildebrand/Ericksen opening issue will appear on the Committee of the Whole April 1, meeting was addressed and citizens were assured it is not an agenda item.

Finance & Personnel Committee

Councilmember Tooloee reported the committee continues to make progress on the Core Business Matters relating to the budget and will prepare a statement to discuss at the April 1, Committee of the Whole meeting. He stated the committee also addressed concerns raised by a citizen to the School Impact Fee. He explained the School District has sought the opinion of a prominent expert in this field which it forwarded to the State Auditor along with information obtained by counsel retained by a concerned citizen. He stated that if the State Auditor does not provide an opinion or the opinion does not resolve the issue the City may, at that time, seek independent legal opinion on any legal exposure the City may have with those impact fees to which Mayor Kordonowy stated that if further explanation or research is necessary that she or City Administrator Briggs be contacted.

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Johnson Farm Ad Hoc Committee

Councilmember Scales reported 10 months ago the Trust for Working Landscapes (TWL) informed the City that it would be unable to exercise its option to purchase Johnson Farm and in response the City Council approved a motion retaining ownership of the farm for the purposes of open space, agriculture and affordable housing. He explained an ad hoc committee was formed with he and Councilmembers Rolfes and Tooloe to work with TWL on a management and lease agreement. He stated a proposal has been drafted that has received positive feedback from TWL, which is being worked out by the Mayor and City Administrator Briggs for Council review. He stated the proposal requests that the City take a more active role in obtaining information needed for a geotechnical survey for subdivision for affordable housing lots, a survey of the agricultural potential of the property to ascertain a reasonable use for the property, to determine how many affordable housing units can be located on the property and that the City provide financial resources to TWL to allow it to purchase 2 or more affordable housing lots. He explained the City Council will receive that information at its next meeting.

12. MAYOR'S REPORT: A. PLANNING COMMISSION APPOINTMENT

Mayor Kordonowy nominated Thomas Fischer and presented the City Council with his credentials.

On motion by Councilmember Tooloe, second by Councilmember Rolfes, the Mayor's nomination of Thomas Fischer to the Planning Commission was unanimously confirmed.

Councilmember Vann asked that in the future the City Council have resumes of nominees prior to the meeting at which they are being nominated.

B. CONSOLIDATION OF BREMERTON HOUSING AUTHORITY & KITSAP COUNTY CONSOLIDATED HOUSING AUTHORITY

Mayor Kordonowy reported she emailed the City Council to inform them of the proposed merger of the Bremerton and Kitsap County Housing Authorities. She explained this evening she has distributed a letter from Mayor Terry Bozeman who initiated the effort.

13. CITY ADMINISTRATOR REPORT:

City Administrator Briggs reported she and the Intergovernmental Workgroup Facilities Sub-committee inspected each agency's facilities to determine ways to strengthen partnerships and eliminate duplication of services. She stated fleet maintenance facilities and building maintenance facilities were inspected and many ideas were explored.

13. CONSENT AGENDA: A. VOUCHER & PAYROLL APPROVAL

B. MINUTES SPECIAL/REGULAR CITY COUNCIL MEETING MARCH 9, 2005

C. AB 0863 TERMINATION & RELEASE EASEMENT AGREEMENTS WITH SEABREEZE PROPERTIES, LLC & KUSHNER'S, WINDERMERE REAL ESTATE

D. AB 0866 2005 NATURAL RESOURCES EDUCATION PROGRAM, PROFESSIONAL SERVICES AGREEMENT, ECO SOLUTIONS - \$30,000

Items A & B were removed for additional discussion. On motion by Council Chair Vancil, second by Councilmember Vann, the consent agenda consisting of items C & D, was unanimously approved.

Voucher & Payroll Approval

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing that has been made available to the Council.

As of this date March 23, 2005, the Council, by unanimous vote does approve for payment those vouchers included in the above list and further described as follows: Prepaid check numbers 304914 through 304917 in the amount of \$10,000, regular run check numbers 304075 through 304252 and prepaid check numbers 304918 through 305082 in the amount of \$377,324.00 for a total amount of \$387,413.10 and Payroll check numbers consisting of Direct Deposit check numbers 0002271 through 0002394 in the amount of \$203,333.07; regular run check numbers 100823 through 100846 in the amount of \$36,824.60; vendor check numbers 100847 through 100857 in the amount of \$36,452.52; and, Federal Tax Electronic Transfers in the amount of \$87,584.49 for a total amount of \$364,194.68.

Item A, Voucher and Payroll Check Approval

Councilmember Vann questioned the payment being made to the Miller/Hull Partnership in the amount of \$3,558.77 and was informed by Director Konkel that the payment is to cover services rendered via a consultant agreement for assistance with the improvements being made to Council Chambers.

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On motion by Councilmember Vann, second by Councilmember Knobloch the payment to Miller/Hull Partnership in the amount of \$3,558.77, for services rendered to improve Council Chambers, was unanimously approved.

Item B, Minutes Special/Regular Council Meeting of March 9, 2005

On motion by Councilmember Rolfes, second by Council Chair Vancil, the minutes of the Special/Regular City Council meeting of March 9, 2005, were unanimously approved with the following amendments: Pg. 5, Paragraph 3, last sentence, should read: The original motion made by Councilmember Llewellyn Knobloch; Pg. 6, B, Paragraph 3, sentence 2, should read: He explained the Operations Coordinating Committee should be able...

...
14. NEW BUSINESS: A. AB 0865 WYATT WAY (GROW AVENUE TO MADISON AVENUE) IMPROVEMENTS PROJECT, WYATT WAY & MADISON AVENUE INTERSECTION DESIGN CONCEPT & RIGHT-OF-WAY WIDTH
Capital Program Engineer Eber described the proposal to obtain 60-ft. of right-of-way on Wyatt Way and to construct a roundabout the size and design of the roundabout located on High School Road at the intersection of Madison Avenue and Wyatt Way. He asked for approval from the City Council to move forward with design. He listed the reasons staff recommends the roundabout and explained the Fire District is uneasy about construction of a second roundabout unless it can be activated by remote control.

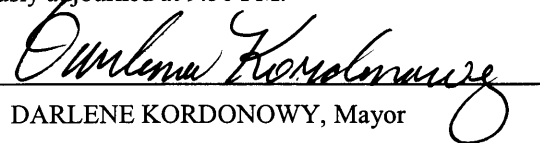
There was discussion regarding acquisition of the 60-ft. right-of-way, whether the proposed roundabout can be constructed to a smaller scale, the fact that a smaller scale may prevent larger vehicle access, that the 60 ft. right-of-way has nothing to do with the roundabout, how the trees growing on the corner of Wyatt Way near the gazebo will be affected, that trees worth saving will be saved, installation of gravel walkways rather than concrete sidewalks to maintain character and the cost of the current proposal.

Councilmember Knobloch moved that the City Council accept, for final design, the concept of a Roundabout, emphasizing the word "concept" of a roundabout, at the intersection of Wyatt Way and Madison Avenue and use a 60-foot right-of-way on Wyatt Way from Grow Avenue to Madison Avenue. Councilmember Vann seconded the motion, which was unanimously approved.

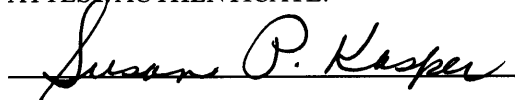
Councilmember Tooloee stated he does not believe from feedback heard from Council that it should be presumed that Council would like Public Works to negotiate with property owners on those corners based on a roundabout this size. The 60-foot right-of-way is independent of the size of the roundabout and at least 2 of the Council have expressed a pretty strong sentiment in favor of a smaller roundabout rather than a big one the size of the roundabout located at High School Road.

16. ADJOURNMENT

The special/regular City Council meeting of March 23, 2005, was unanimously adjourned at 9:50 PM.


DARLENE KORDONOWY, Mayor

ATTEST/AUTHENTICATE:


SUSAN P. KASPER, City Clerk