

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
AUGUST 7, 2000**

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| CALL TO ORDER/FLAG SALUTE | 7:07 p.m. |
| ROLL CALL | Brennick absent |
| MINUTES OF PREVIOUS MEETING 1. July 24, 2000 city council regular meeting 2. July 27, 2000 city council special meeting | Approved as corrected. Approved as presented. |
| AUDIENCE PARTICIPATION 1. Donna Wright presented petitions in opposition to using Comeford Park for skateboard park. 2. George Dukes spoke in opposition to using Comeford Park as skateboard park. 3. Frances Coverson regarding the difficulties they were experiencing from 528 construction and staff's lack of response | |
| PRESENTATIONS/PETITIONS/COMMUNICATIONS None. | |
| ACTION ITEMS | |
| REVIEW BIDS None. | |
| PUBLIC HEARING None. | |
| CURRENT BUSINESS 1. 116 th Street Master Plan 2. Fireworks | Scheduled workshop for 8-15-00 with consultants; no public comments. Directed Mayor to appoint a committee to make recommendations no later than January 2001. |
| NEW BUSINESS 1. Revision to city council agenda order | Consent Agenda moved to beginning of meeting with no public comment. |
| CONSENT AGENDA 1. Approve August 7, 2000 claims in the amount of \$1,571,956.96 paid by check Nos. 53489 through 53728, with check Nos. 52948, 53253, 53254, 53398, and 53518 void. 2. Authorize Mayor to sign final plat mylar for Jefferson Hill final plat, PA 9709037. 3. Utility variance, David S. Mills, 4605 100 th Street NE, Marysville, UV 2000-12. 4. Utility variance, Nathan & Sherri Kelley, 12412 54 th Drive NE, Marysville, UV 2000-14. 5. Approval of July, 2000 payroll in the amount of \$939,827.44 paid by check Nos. 38703 through 38889 with check Nos. 38887 and 38879 void. | Approved. Approved. Approved. Approved. Approved. |
| LEGAL MATTERS None. | |
| ORDINANCES AND RESOLUTIONS None. | |
| INFORMATION ITEMS 1. Mayor's business Moved to reorder council seating arrangement to coincide with council position numbers. 2. Staff's business 3. Call on councilmembers | Approved. |
| ADJOURN INTO EXECUTIVE SESSION | 11:05 p.m. |
| ADJOURN INTO REGULAR SESSION | |
| ADJOURN | 11:36 p.m. |

MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
August 7, 2000

CALL TO ORDER/FLAG SALUTE

The meeting was called to order by Mayor Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute. A voice roll call was conducted. Attendance was as follows:

Councilmembers Present:
 Dave Weiser, Mayor
 Mike Leighan, Mayor Pro Tem
 Shirley Bartholomew
 NormaJean Dierck
 Mike Leighan
 Donna Pedersen
 Suzanne Smith
 John Soriano

Administrative Staff present:
 Dave Zabell, City Administrator
 Robert Carden, Police Chief
 Gloria Hirashima, City Planner
 Grant Weed, City Attorney
 Larry Larson, Public Works Superintendent

Mayor Weiser advised that Councilmember Brennick was on vacation and would not be attending.

MINUTES OF PREVIOUS MEETING

1. City Council Meeting, July 24, 2000.

Councilmembers noted the following corrections:

- Page 3, last line, Wetner should be Werner.
- Page 6 first Motion, vote should be (6-0).
- Pages 5 and 6, "Mr. Buell" should be "Mr. Ballew."
- Page 6, Motion by Dierck was to develop cost estimates for developing a skateboard park at the two locations.
- Page 3, third line: "...the Planning Commission had recommended the 50% discount language be reviewed."

Recorder's Note: Upon review of audio tapes, the correction on Page 3, third line should read, "Ms. Stiffarm responded, 'I believe that's in there, because, before the Planning Commission considered this, there was still the thought that would be a 50% discount. Even though the School District has been asking for no discount. I think that it becomes a policy decision for this Council to determine what, if any, discount would be appropriate to be in there.'" Dierck asked if, to get rid of them, they would have to get rid of these two sentences. Ms. Stiffarm agreed stating, "It would be more generic if there was no discount or a discount of lesser value."

Mayor Weiser advised that Councilmember Brennick had requested the following correction to page 5, 5th paragraph, 4th sentence. Change to read "He felt the park should be close to a telephone, restroom at site (not sanican), close to community transit route, drinking fountain, and close to a fast food restaurant. A professional should be hired to design the park but he youth should be involved in the design. The park should not be located in a single family zone - there should be no neighborhood opposition." Councilmember Leighan suggested that because the changes were substantial the tapes should be checked and the correction made when Councilmember Brennick was in attendance. The balance of the council agreed.

Recorder's Note: Per Council instruction, audio tapes were reviewed and Councilmember Brennick's testimony was as follows: "...I feel, we need, going through this list here. We do need restrooms; we need phone service; we need transportation, and I think, if you talk to property owners in any residential area, they are going to want it in a more downtown, busline, food chain, lighted, in an area where police can monitor it on hours and that type of thing. I would, in any type of neighborhood, not feel comfortable placing a skateboard facility and then having many neighbors upset because sometimes early morning or out there at midnight doing their skateboarding."

MOTION by Bartholomew, second by Dierck, to approve the minutes of the July 24, 2000 city council meeting as corrected. Motion carried (6-0).

2. City Council Special Meeting, July 27, 2000

MOTION by Bartholomew, second by Smith, to approve the minutes of the July 27, 2000 Special Meeting as presented. Motion carried unanimously (6-0).

AUDIENCE PARTICIPATION

Donna Wright, 5533 Parkside Drive, presented council with a petition containing 384 signatures on petitions entitled "Say no to destroying Comeford Park." She asked that the park not be considered as a site for the skateboard park because of safety issues, it would displace special events, and would necessitate removal of the trees.

Joe
George Dukes 7212 78th Street NE, agreed Comeford Park should not be considered for the skateboard park based on the city's demographics: there were 5,036 people in 98270 and 3,096 in 98271 who were 65 and older. The majority of the city's elders frequented the Baxter Center and having the skateboard park nearby would infringe on their quality of life and impact their safety. He suggested council follow the Park Board's recommendations in siting the park.

Frances Coverson, 6724 63rd PL NE, mentioned the letters she and her husband had written to the city dated June 21 and July 26 regarding the work being done on 528. She enumerated the damages which was being done to their property and noted that the city had not responded to their communications in writing or by phone. She thanked councilmembers Brennick, Dierck and Smith for calling after receiving copies of her letter. Mayor Weiser responded that he had seen a draft of staff's response so the letter should be sent within the next two days.

PRESENTATIONS/PETITIONS/COMMUNICATIONS

None.

ACTION ITEMS**Review Bids**

None.

Public Hearing

None.

Current Business

The agenda was reordered to discuss fireworks first.

2. Fireworks.

Mayor Weiser reported he had discussed a possible fireworks ban with the Police Committee. Also, the city attorney had confirmed that any ban could not take effect for 365 days, so any ban voted on now would not take effect until July 4, 2002. The Police Committee's recommendation was to form a committee to include George Wilcox and representatives from the non-profit groups, the Police Department, Fire Department and some additional citizens to bring a recommendation back to the council. There would be ample time to hold public hearings if council wanted to do that.

Chief Carden noted he had spoken with Jim Scharf, Everett's Police Chief, and Sheriff Rick Bart. The concern was that the law be consistent and that it be enforceable either with the Department's existing resources or that sufficient resources be made available to do the enforcement. The sheriff was planning to move towards a ban, but until that was in place it would be difficult to enforce a city ban because there were several areas where one side of the street was in the city and the other in the county. He thought the city could do more in public education, police education and making a serious effort to curb the illegal fireworks. If council instituted a ban and the Department issued citations and made arrests, he wondered if the court would enforce them. Police coverage generally consisted of one supervisor and three officers; council would have to supply additional personnel before the holiday. A suitable plan for disposing of confiscated fireworks also needed to be established. He emphasized that consistency among jurisdictions was important.

Councilmember Smith voiced support for a committee to put the recommendations together, along with a proposed budget for enforcement, the cost to put on a city fireworks display, and suggestions about where the funds for a display would come from.

Councilmember Bartholomew suggested the Mayor accompany Sheriff Bart and meet with the County Executive to encourage a county-wide ban.

Councilmember Dierck offered to serve on the committee if one was formed.

The Mayor called for public comments.

George Wilcox, 1522 3rd Street, mentioned the newspaper articles about the youth who was killed last year by fireworks and the Marysville boy who was injured this year. He cited a Red Cross bulletin that strongly advised leaving fireworks to the professionals. He noted he had contacted several cities about their fireworks shows. Arlington's cost \$5,000 and was funded by Dwayne Lane's and Crown Distributing. Anacortes spent \$15,000, \$3,000 of which came from the city's tourist fund and the balance from business contributions. He distributed a letter from Everett Animal Control which described how hard the fireworks were on the animals. Both Mill Creek and Mukilteo had had success with their bans. He mentioned several things which had been done by the Snohomish KlahaYa Days festival, including "bright sticks," which were a well-received replacement for sparklers. He recommended a ban be enforced not only in the city but also the city's urban growth area.

Linda Lynch, Snohomish, stated it was her son who had been killed last year by fireworks. She described the accident, the injuries he had sustained, his emergency brain surgery and his 13 days in Harborview Hospital. She noted the incident was still an open investigation. She strongly supported a total ban on fireworks. Councilmember Bartholomew asked if the fireworks involved were the safe and sane ones or the more powerful illegal fireworks. Mr. Wilcox responded that he did not know, but it sounded like they had been the more powerful version. Mrs. Lynch donated a bag of stuffed animals for use by the Fire Department for children who were burned.

Barbara Lyman, 5409 73rd Street NE, spoke in support of banning fireworks. She stated she trained dogs to be companions for people with disabilities and had one of the dogs with her. She told of the efforts she had to go through to protect and comfort the dogs during the 4th of July festivities, adding that fireworks caused lasting psychological and sometimes physical harm to the animals. She stated she would serve on any committee regarding a ban.

MOTION by Bartholomew, second by Dierck, to direct the Mayor to form a committee to meet in the near future and report back no later than January 2001, with a recommended action including information on the costs of enforcement; the cost to put on a city-sponsored display, how the funds might be raised for that, and a possible location; the cost to the city from fires and injuries sustained from fireworks; and the impact on non-profit groups which have safe and sane fireworks stands. She recommended Mr. Wilcox and Ms. Lyman be asked to serve on the committee.

Councilmember Leighan noted that most of the problems from fireworks were the result of the illegal fireworks sold on the Reservation over which the city had no control. He emphasized the importance of supporting a county-wide effort.

VOTE ON MOTION. Motion carried (6-0).

1. 116th Street Master Plan

Ms. Hirashima introduced the topic. Councilmember Dierck asked if anything had been received from the Tribes or from WSDOT regarding the light at 36th. Mr. Dohrn responded that nothing had been received from the Tribes, nor was it expected; he did have further information regarding WSDOT.

Gregg Dohrn, a consultant from the Bucher, Willis, Ratliff firm, introduced Mike Pollick from the Engineering Division of their firm. Mr. Dohrn gave an extensive presentation on the alternatives which had been studied since the last council review. He emphasized that the function of 116th was to move traffic in and out of the area; limited access was important because the focus was on the flow. It would operate as a minor arterial, carrying between 20,000 and 30,000 vehicles per day. Whenever redevelopment occurred, the city should seek to eliminate existing driveways, should manage turning movements onto the arterial and maximize through-flow. The ultimate

design would be five lanes: two in each direction with a center lane to accommodate turning movements. There should be a minimum of 500' between signalized intersections. Ms. Hirashima added that the 88th Street traffic study projected build out volumes for 116th at 25,000 to 26,000 vehicles per day, which was what 4th Street carried now.

Mr. Dohrn addressed jurisdiction, noting the intersection of 36th Drive NE and 116th Street was currently under the jurisdiction of WSDOT. WSDOT was in the process of transferring jurisdiction to the city but had advised that if the city were considering a 4th traffic light there, that would jeopardize that transfer agreement. He noted that whether the city or WSDOT had actual control, WDOT would remain involved throughout the process because this would affect them.

Councilmember questions and comments included the following.

Regarding the refined Master Plan option:

- *There would be displacement on either the north or south side in order to accommodate the central boulevard.* Yes, there was no point where vacant land faced vacant land.
- *The three properties which bordered the hammerhead on the north were not included in the comp plan amendment proposal; the owners needed to be contacted.*
- *On the northern boundary was there a buffer between neighborhoods?* Mr. Dohrn said the city's development regulations might have buffer requirements but he was not aware of a stipulation for an enhanced buffer in that area. Ms. Hirashima said the zoning code called for 20' of Type A buffer.
- *How many properties would be displaced?* Mr. Dohrn said that would depend on the alignment that was chosen. There were 26 to 30 mobile homes in the park on the north side.
- *Would the city need to get an easement from property owners?* Any new roads would have to be built to the city's standards. If they were public roads, the city would acquire rights-of-way. The assumption had been that the costs of acquiring the necessary properties and developing roadways would be borne by the benefiting property owners. They would also have to work out who would provide the land for stormwater storage.
- *Would the first property to develop bear the total cost?* Mr. Dohrn said those questions needed to be addressed during the implementation phase: who pays, how much, when and under what circumstances.
- *What percentage of landowners want to develop?* Mr. Dohrn responded that he did not have that information. Ms. Hirashima added that during the property owner interviews, most said they supported redevelopment but were unsure of their timing. The two properties that did not anticipate immediate redevelopment were the two mobile home parks because they were already intensely developed and were operating at their highest and best use.
- *How does this compare to 88th?* Ms. Hirashima noted that the interchange at 88th was implemented in the county before the property was annexed. WSDOT was opposed to the light but their right-of-way did not extend to 36th so the county installed it anyway because they did not require WSDOT approval.

Mr. Dohrn listed the pros and cons of the 4th light option.

- *Who owned the property that would be paying for the light?* Ms. Hirashima responded that the light would only be implemented upon redevelopment to a commercial use; the cost of a light would not be imposed on single-family users.
- *What kind of stack-up off the off-ramp could be expected with this option?* Mr. Pollick noted that there was stacking now from the northbound lanes during peak hours. Much would depend on how the signals were coordinated. They could prepare a traffic model based on the proposed zoning.
- *Because I-5 goes from 60 mph to 70 in this area, if stacking were a problem and a modification was required, who would pay for that?* Mr. Dohrn thought WSDOT would look to the city but would oppose any roadway changes that would yield such a result.
- *What was the stacking situation now?* Mr. Pollick responded that they had observed two backups in the past week of eastbound cars backed up at State, as far back as the location of the proposed central boulevard. Also there was stacking down the I-5 offramp.
- *Had the backup from the 4:45 p.m. freight train been studied?* No.
- *At the Planning Commission, citizens had expressed their concerns over traffic clogging.* Mr. Dohrn noted all planning had been based on the land use designations for the area that were already in the Comprehensive Plan.
- *Would it be possible to get an additional freeway ramp up 136th?* That would be a long and difficult process because a new freeway ramp was very costly.
- *Commercial development in the area would bring in more revenue to the city, but who will pay for the costs associated with that growth?* That was an important issue; the city had said the properties should be developed to a higher use but only when a master plan had been created.

- *If the mobile home park on the north remained, how would access to the northern parcels be achieved?* The onus would be on the property owners; if they intended to develop as commercial they would need to secure the central boulevard. If that was not possible, development would have to be delayed. That would be the challenge for property owners, where some were ready to proceed but one or more had no desire to convert to a higher use at this time.
- *How did the lights on 4th compare with the proposed placements on 116th?* The signals on 4th were closer together than 500'.
- *If the central boulevard was delayed, could some properties on State have right-in/right-out access?* Ms. Hirashima responded that the timing of development might vary so in the interim some temporary uses would be able to exist with right-in/right-out access. Mr. Dohrn added that most master planning areas usually had one or two property owners so coordination was easier; with over 50, there were real challenges.

Regarding the third option, western realignment:

- *Would using 38th Street to the north impact the mobile home park?* Mr. Dohrn said it would not, but a curve or offset would have to be used to bypass the park and the houses to the east of it.
- *What was the opinion of the Tribes on this?* They do not have a specific plan for development now. The farther the roadway comes to the west, the more it adversely impacts their property.

In closing, he pointed out that in some areas there were a number of private property owners who would be advocating for their properties; the policy decision had to focus on what was best option for the overall community. The Planning Commission had said that if it was feasible, the 4th light option would be their first choice. After review, the consultants' recommendation was the refined master plan option. This would put all the freeway properties in the same situation when they were ready to develop, which was to rely on a central boulevard.

The Mayor called for a five-minute recess and upon reconvening called for public comments.

Dorothy Kalma, 13314 6th DR NE, said the refined master plan option essentially took away their freeway services zoning and their access to I-5. It would be very costly to acquire the properties for a boulevard because these were homes and the property owners would want full value. She felt it was not necessary to have two lights on 116th. A 5-lane roadway would give all property owners a fair chance to develop without devaluing other properties. She emphasized their main concern was to retain the freeway services zoning and if the master plan took away their full access, they would expect full monetary compensation.

Richard Kalma questioned the map markings. Mr. Dohrn responded that the parcels that were marked were conditional uses, conditioned upon approval of the master plan. His property was not marked because it was already zoned for freeway services; that would not be a conditional use for his property. Mr. Kalma stated he did not prefer any of the three options discussed this evening. He did not support a new road (the boulevard) running through expensive properties in order for traffic to get to his property for freeway services. He favored the 5-lane road and allowing all property owners to access it and develop when they wished.

Jeff Seibert, 5004 80th, noted the property in the northeast corner was shown as the location for the retention pond. He felt it would be unfair for that property owner to have the retention pond and no access to the boulevard. He supported the 4th light option. He noted that Evergreen Way did fine with 7 lanes and a 30 mph speed limit. He commented that the request for a comp plan amendment was out of sync with comp plan changes and had not gone through the proper steps.

Mike Pappas, 8127 54th NE, questioned the request for a comp plan amendment, noting it was outside the regular schedule for plan amendments. He suggested traffic would be a problem in this area under any of the scenarios.

Tom Britz, 21 Cascade Key, Bellevue, stated he owned 7 acres in the planning area. He agreed the plan should be what was best for the entire community, not just for one or two individual owners. He supported 116th going to 5 lanes, which would help resolve backups from I-5. He opposed signals that were too close together, especially in relation to the railroad tracks. He did not favor the boulevard concept because it cut through property. He mentioned an area on Factoria Boulevard in King County which had commercial development on both sides, no lights, and driveways into commercial areas from a center left-turn lane. He noted this arrangement worked well, even during busy peak times. He emphasized that the most important thing was for the city to settle on a plan so he, as a property owner, would know what could be developed there. Other

property owners were also ready to develop and this would bring revenue into the city. He felt only two accesses were needed to the north because the area would not develop at the same time.

Carol Barklay, 3718 116th, stated she owned Barklay Manor. She objected to a road being veered through their property. She agreed with Mr. Britz that the north side should stand alone and not be force-fit to the south's access onto 116th. She supported the 5-lane suggestion with a light for access from the south.

Fotis Koutlas, 2916 79th AVE NE, Everett, stated he owned 2.8 acres running back to another 40 acres and had access to the property through the Tribal land via a permanent easement for the benefit of both parcels. He had a letter from the railroad stating they were not denying a crossing there, but did not want to see it. Because of the council's earlier decision of not allowing development west of Quilceda, he had already lost a great deal of development potential. He said the major impediment to development was not having a set plan that spelled out what kind of development was allowed. He agreed with the 5-lane suggestion, noting he'd had a traffic study done which recommended 5 lanes narrowing to 4. He thought a light would be needed for access from the north for safety in crossing two lanes of westbound traffic to head east. He noted that a hundred-house development had already been approved for the area and the Navy was also building up, so the traffic would be there anyway.

There being no one else wishing to comment, the Mayor closed the topic to public comments.

Ms. Hirashima advised that this was a sub-area planning effort. It was not formally considered an amendment. The Growth Management Act allowed sub area plans to be adopted outside the regular cycle and council had directed that the planning be consolidated to include 36th Avenue as part of the sub area plan. There was no conflict with state law or city ordinance. She added that in January of 2000 council approved a contract for a team to work on the sub area plan. Council's direction had been to encourage an extraordinary level of public involvement, especially at key decision-making points. That's why it had been discussed before the Planning Commission and at workshops.

Councilmember Pedersen suggested it was important to bring the planning to a conclusion so the property owners would have certainty; sewers were needed and a traffic plan. She supported the suggestions by Kalmas and Britz regarding no boulevard to the north. Favored no more than 5 lanes.

Councilmember Dierck stated she wanted to see the WSDOT/Kalma letter, the letter from WSDOT to the city, and a letter from the Tribes, and information from the consultants regarding the percentage of land owners who wanted to develop. Mr. Dohrn stated that in their discussions with the Tribes they were advised that judgment would be reserved until there was a preferred alternative. Mr. Hirashima added that staff had several meetings with representatives from the Tribes and they had received all notices of the meetings. She had offered to meet give an update for their planning staff.

Councilmember Leighan cautioned against getting too specific regarding the roads. He mentioned the shared access-parking lot-driveway at Fred Meyer. He asked if the Access Management Plan had been given consideration. He supported the 5-lane configuration and suggested only two access points might be needed on the north. A light might not be needed on the north. He asked to see where the Koutlas easements ran and wondered if that made the most sense for an alignment. He suggested an informal workshop to mull over the information, including a comparison of the Factoria arrangement versus the city's Access Management Plan.

Councilmember Smith stated she favored the Kalma/Britz suggestions with 5 lanes, no central boulevard on the north, a central boulevard on the south with a signaled access.

Councilmember Soriano agreed a workshop would give an opportunity to expand and refine the information discussed at this meeting.

MOTION by Bartholomew, second by Leighan, to hold a workshop on the 116th Master Plan on Tuesday August 15th at 7:00 p.m. for the purpose of discussing the options further with the consultants.

Councilmember Dierck offered a friendly amendment to allow public input; the maker of the motion declined.

VOTE ON MOTION. Motion carried (6-0).

MOTION by Dierck, second by Smith, to allow public comment at the workshop. The vote was 3-3; the Mayor voted nay; motion failed (4-3).

CONSENT AGENDA

1. Approve August 7, 2000 claims in the amount of \$1,571,956.96 paid by check Nos. 53489 through 53728, with check Nos. 52948, 53253, 53254, 53398, and 53518 void.
2. Authorize Mayor to sign final plat mylar for Jefferson Hill final plat, PA 9709037.
3. Utility variance, David S. Mills, 4605 100th Street NE, Marysville, UV 2000-12.
4. Utility variance, Nathan & Sherri Kelley, 12412 54th Drive NE, Marysville, UV 2000-14.
5. Approval of July, 2000 payroll in the amount of \$939,827.44 paid by check Nos. 38703 through 38889 with check Nos. 38887 and 38879 void.

MOTION by Bartholomew, second by Dierck, to approve items 1 and 5.
Motion carried (6-0)

Councilmembers Smith and Leighan stated they had conflicts of interest with item 2.

MOTION by Bartholomew, second by Pedersen, to approve item 2. Motion carried (3-1-2) with Dierck voted nay and Smith and Leighan abstaining.

Councilmember Smith noted that items 3 and 4 were outside the city limits and she would oppose approval until an interlocal agreement with Snohomish County was in place that increased impact fees in the Marysville School District.

MOTION by Bartholomew, second by Leighan, to approve items 3 and 4.
Dierck and Smith voted nay, all others voted aye, motion carried (4-2).

New Business

1. Revision to city council agenda order

Mayor Weiser suggested the Consent Agenda be at the beginning of the agenda to eliminate situations like this evening's meeting where people had waited until nearly 11 p.m. for council to act on these items.

Councilmember Dierck suggested allowing public comment on consent items. Mayor Weiser responded that these items were of a routine nature and were not in controversy. The purpose of the consent agenda was to speed up the process. If public comments were allowed, then the items should be put under New Business. Councilmember Pedersen added that items such as the utility variances had been through the Utility Committee and had been studied in depth. The Committee had reached a conclusion and there was no reason for council to spend time second guessing them. The consent agenda should continue to be quick and easy.

MOTION by Bartholomew, second by Pedersen, to move the Consent Agenda to the top of the agenda order and not allow public comments. Motion carried (6-0).

Ordinances & Resolutions

None.

LEGAL MATTERS

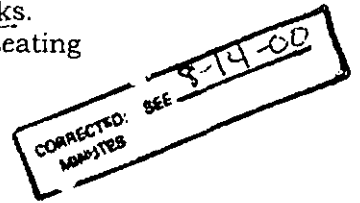
None.

DISCUSSION ITEMS

None.

INFORMATION ITEMS

1. Mayor's business
 - Wanted to hold August 21st open for a workshop on skateboard parks.
 - Had been approached by three councilmembers to revise council's seating arrangement and have it be by council position, which would be:
 - 1 Dierck
 - 2 Bartholomew
 - 3 Brennick
 - 4 Pedersen
 - 5 Soriano
 - 6 Smith
 - 7 Leighan



MOTION by Bartholomew, second by Dierck, to re-order council seating to be in the order they appear on the ballot. Dierck and Smith voted nay, all others voted aye, motion carried (4-2).

2. Staff's business

3. Call on councilmembers

Councilmember Soriano

- Reviewed the graffiti process card. He asked Chief Carden to review it for the council at a future meeting.

Councilmember Dierck

- Asked about the status of using public buildings for candidate forums. Mayor Weiser advised the legal opinion was being work on and would probably be available for the next meeting.

ADJOURN TO EXECUTIVE SESSION

Council adjourned into Executive Session at 11:05 to consider potential litigation.

Council reconvened into regular session at 11:25 p.m.

MOTION by Bartholomew, second by Smith, to extend the meeting five minutes. Leighan voted nay, all others voted aye, motion carried (5-1).

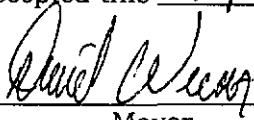
Council adjourned into Executive Session and reconvened into regular session at 11:30 p.m.

MOTION by Dierck, second by Smith, to extend the meeting five minutes. Leighan voted nay, all others voted aye, motion carried (5-1).

RECONVENE AND ADJOURN

Council reconvened into regular session, took no further action, and adjourned at 11:36 p.m.

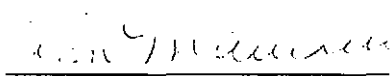
Accepted this 14th day of August, 2000.



Mayor



City Clerk



Recording Secretary