

August 9, 2011 Special and Regular Meeting Minutes  
Approved: September 13, 2011

**City of Covington  
Special and Regular City Council Meeting Minutes  
Tuesday, August 9, 2011**

(This meeting was recorded and will be retained for a period of six years from the date of the meeting).

**INTERVIEWS – 6:30-7:00 P.M.:**

The Council conducted interviews for openings on the Planning Commission. Applicants interviewed included Sonia Foss and Paul Max.

The Regular Meeting of the City Council of the City of Covington was called to order in the City Council Chambers, 16720 SE 271<sup>st</sup> Street, Suite 100, Covington, Washington, Tuesday, August 9, 2011, at 7:10 p.m., with Mayor Harto presiding.

**COUNCILMEMBERS PRESENT:**

Margaret Harto, Mark Lanza, David Lucavish, Marlla Mhoon, Jim Scott, and Wayne Snoey.

**COUNCILMEMBERS ABSENT:**

Jeff Wagner.

**Council Action: Councilmember Scott moved and Councilmember Snoey seconded to excuse Councilmember Wagner: Vote: 6-0. Motion carried.**

**STAFF PRESENT:**

Derek Matheson, City Manager; Glenn Akramoff, Public Works Director; Noreen Beaufriere, Personnel Manager; Richard Hart, Community Development Director; Rob Hendrickson, Finance Director; Kevin Klason, Covington Police Chief; Karla Slate, Community Relations Coordinator; Scott Thomas, Parks & Recreation Director; Sara Springer, City Attorney; and Sharon Scott, City Clerk/Executive Assistant.

Mayor Margaret Harto opened the meeting with the Pledge of Allegiance.

**APPROVAL OF AGENDA:**

**Council Action: Councilmember Mhoon moved and Councilmember Lucavish seconded to approve the Agenda. Vote: 6-0. Motion carried.**

**EXECUTIVE SESSION:**

Pending Litigation. (RCW 42.30.110(1)(i)) from 7:12 to 7:17 p.m.

**PUBLIC COMMENT:**

Mayor Harto called for public comments.

**Don Kitsch, Newcastle resident, ProFormance Racing School,** requested Council support for operations at Pacific Raceways.

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**Jason Fiorito, Pacific Raceways President, 31001 144<sup>th</sup> Avenue SE, Kent,** expressed concerns about King County's recent interpretation of language affecting the Raceway's operations and asked for Council support at the Raceways and to inform King County of the impacts the County's interpretation will have on Covington.

**Elizabeth Stoner, Property Manager for Terramar,** requested an additional 15 minutes at a future Council meeting to explain why an elevated walkway on their property should not be required to be removed.

There being no further comments, Mayor Harto closed the public comment period.

**APPROVE CONSENT AGENDA:**

C-1. Approval of Minutes: July 12, 2011 City Council Special and Regular Meeting Minutes and July 26, 2011 City Council Regular Meeting Minutes.

C-2. Approval of Vouchers: Vouchers #25571-25648, in the Amount of \$373,028.13, Dated July 13, 2011; Vouchers #25649-25715, in the Amount of \$255,199.67, Dated July 25, 2011; Paylocity Payroll Checks #1000058641-1000058651, Inclusive, Plus Employee Direct Deposits in the Amount of \$141,835.63, Dated July 8, 2011; and Covington Check #1039, Paylocity Checks #1000073836-1000073858, Inclusive, Plus Employee Director Deposits, Nationwide Forfeiture Account in the Amount of \$142,467.52, dated July 22, 2011.

C-3. Approve Covington/Maple Valley Joint Street Sweeping Agreement.

RESOLUTION NO. 11-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, APPROVING THE FINAL PLAT OF CORNERSTONE LU06-0017/2098 FOR RECORDING.

C-4. Approve Resolution Approving Cornerstone Final Plat for Recording.

**Council Action: Councilmember Lanza moved and Councilmember Mhoon seconded to approve the Consent Agenda. Vote: 6-0. Motion carried.**

**PUBLIC HEARING:**

1. Receive Public Testimony on Proposed 2011 Comprehensive Plan Amendments.

Community Development Director Richard Hart gave the staff report on this item.

Mayor Harto called for public comments for the public hearing.

There being no comments, Mayor Harto closed the public comments for the public hearing.

**NEW BUSINESS:**

2. Consider Appointments to the Planning Commission.

**Council Action: Councilmember Lanza moved and Councilmember Mhoon seconded to appoint Sonia Foss to fill a position on the Planning Commission for an applicant residing inside or outside Covington city limits (within three-mile radius) with a term expiring August 31, 2015. Vote: 6-0. Motion carried.**

**Council Action: Councilmember Lanza moved and Councilmember Snoey seconded to appoint Paul Max to fill a position being vacated by Ed Pfeiffer on the Planning Commission for an applicant residing inside Covington city limits with a term expiring August 31, 2015. Vote: 6-0. Motion carried.**

3. Consider Ordinance and Planning Commission Recommendation on Medical Marijuana Dispensaries and Community Gardens.

City Attorney Sara Springer gave the staff report on this item.

Councilmember provided comments and asked questions, and responses were provided.

ORDINANCE NO. 08-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, DECLARING AN EMERGENCY AND ADOPTING A TWELVE MONTH MORATORIUM WITHIN THE CITY OF COVINGTON ON THE ESTABLISHMENT, LOCATION, OPERATION, LICENSING, MAINTENANCE, OR CONTINUATION OF MEDICAL MARIJUANA DISPENSARIES, PRODUCTION FACILITIES, PROCESSING FACILITIES, AND COLLECTIVE GARDENS; DEFINING TERMS; PROVIDING FOR A PUBLIC HEARING ON THE MORATORIUM; AUTHORIZING A WORK PLAN; AND PROVIDING FOR SEVERABILITY.

**Council Action: Councilmember Snoey moved and Councilmember Mhoon seconded to adopt Ordinance No. 08-11 declaring an emergency and adopting a twelve-month moratorium on the establishment, location, operation, licensing, maintenance, or continuation of medical marijuana dispensaries, production facilities, processing facilities, and collective gardens. Vote: 6-0. Motion carried.**

4. Introduction to CIP 1127 – SR 516: Jenkins Creek to 185<sup>th</sup> Avenue SE.

Public Works Director Glenn Akramoff introduced and City Engineer Don Vondran gave the staff report on this item.

Councilmembers provided comments and asked questions, and responses were provided.

5. Consider Sublease Agreement with King County.

City Manager Derek Matheson gave the staff report on this item.

**Council Action: Councilmember Snoey moved and Councilmember Scott seconded to authorize the city manager to enter into a sublease agreement with King County in substantially the form provided. Vote: 6-0. Motion carried.**

6. Discuss Multifamily Property Tax Exemption Incentive for Economic Development.

City Manager Derek Matheson gave the staff report on this item.

Councilmembers discussed this item and provided direction to staff to continue work on the program with a mixed use focus on the town center and an affordability focus in the other zones, work with Covington Economic Development Council to evaluate incentives, and bring information and options to Council at a future meeting.

**COUNCIL/STAFF COMMENTS:**

Councilmembers and staff discussed Future Agenda Topics and made comments.

City Attorney Sara Springer mentioned to Council that as a follow-up to the medical marijuana moratorium passed at this meeting, State law requires that the Council hold a public hearing within 60 days after the passage. That public hearing will therefore be appearing on an agenda within the next two months.

Mayor Harto asked Councilmembers if they would like to invite Pacific Raceways to give a presentation at a future meeting.

**Council Action: There was Council consensus to direct staff to make arrangements with Pacific Raceways to give a presentation at a future Council meeting, to inform the larger community as to the presentation date so the community could hear the presentation and provide public comments to the Council, and to gather information on the conditional use permit and the environmental issues for Council.**

Mayor Harto asked Councilmembers if they would like to invite Terramar to give further information on the elevated walkway. City Manager Derek Matheson provided an overview of this topic.

**Council Action: There was Council consensus that policy stands and requested staff to continue to process this matter administratively.**

**PUBLIC COMMENTS:**

Mayor Harto called for public comments.

**Randy Mollenberg, Commercial Construction Northwest**, informed Council he was the contractor that installed the elevated walkway with the intention of public safety in mind. Mr. Mollenberg mentioned it was never the intention or purpose of the walkway to be a speed bump or hump, but as a pedestrian crossing. Mr. Mollenberg also apologized for his oversight in not seeking a permit for this project.

**Sonia Foss**, thanked Council for her re-appointment to the Planning Commission and thanked Personnel Manager Noreen Beaufriere for the excellent Volunteer Appreciation Night.

There being no further comments, Mayor Harto closed the public comment period.

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 9:30 p.m.

Prepared by:

Submitted by:

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Joan Michaud  
Deputy City Clerk

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Sharon Scott  
City Clerk