

EDMONDS CITY COUNCIL APPROVED MINUTES

February 5, 2002

Following a Special Meeting at 6:30 p.m. for an Executive Session regarding labor negotiations, and to interview candidates for the Architectural Design Board at 6:45 p.m. , the Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Pro Tem Earling in the Council Chambers, 250 5th Avenue North , Edmonds . The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Dave Earling, Mayor Pro Tem
Dave Orvis, Council President Pro Tem
Jeff Wilson, Councilmember
Michael Plunkett, Councilmember
Lora Petso, Councilmember
Richard Marin, Councilmember
Deanna Dawson, Councilmember

ELECTED OFFICIALS ABSENT

Gary Haakenson, Mayor

ALSO PRESENT

STAFF PRESENT

Tom Tomberg, Fire Chief
David Stern, Chief of Police
Kevin Taylor, Assistant Fire Chief
Peggy Hetzler, Administrative Services Director
Noel Miller, Public Works Director
Jim Larson, Assistant Admin. Serv. Director
Stephen Koho, Treatment Plant Manager
Dave Gebert, City Engineer
Darrell Smith, Traffic Engineer
Don Fiene, Assistant City Engineer
Steve Bullock, Senior Planner
Scott Snyder, City Attorney
Sandy Chase, City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder
Jared Carl, Student Representative

Mayor Pro Tem Earling advised Mayor Haakenson was out of town at a hearing before a House Committee in Olympia regarding Brightwater legislation.

1. APPROVAL OF AGENDA

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCILMEMBER WILSON , FOR APPROVAL OF THE AGENDA. MOTION CARRIED UNANIMOUSLY.

2. CONSENT AGENDA ITEMS

Councilmember Petso requested Item M be removed from the Consent Agenda, Councilmember Marin requested Item J be removed, and Mayor Pro Tem Earling requested Item N be removed.

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCIL PRESIDENT PRO TEM ORVIS, FOR APPROVAL OF THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

- (A) ROLL CALL
- (B) APPROVAL OF CITY COUNCIL MEETING MINUTES OF JANUARY 22, 2002
- (C) APPROVAL OF CITY COUNCIL MEETING MINUTES OF JANUARY 29, 2002

- (D) **APPROVAL OF CLAIM CHECKS #53169 THROUGH #53351 FOR THE WEEK OF JANUARY 21, 2002 IN THE AMOUNT OF \$710,575.14. APPROVAL OF CLAIM CHECKS #53352 THROUGH #53480 FOR THE WEEK OF JANUARY 28, 2002 , IN THE AMOUNT OF \$270,350.81.**
- (E) **ACKNOWLEDGE RECEIPT OF CLAIMS FOR DAMAGES FROM ANDY SPEIER (AMOUNT UNDETERMINED) AND PHYLLIS CARLTON (\$201.47)**
- (F) **REPORT ON FINAL CONSTRUCTION COSTS FOR THE ADMIRAL WAY SANITARY SEWER REHABILITATION PROJECT AND COUNCIL ACCEPTANCE OF PROJECT**
- (G) **APPROVAL OF 2002 TAXI LICENSE FOR NORTH END TAXI**
- (H) **APPROVAL OF 2002 TAXI LICENSE FOR YELLOW CAB**
- (I) **AUTHORIZATION TO CALL FOR BIDS FOR THE ANDERSON CENTER WINDOW REPLACEMENT PROJECT**
- (K) **AUTHORIZATION FOR MAYOR TO SIGN INTERLOCAL AGREEMENT WITH SNOHOMISH COUNTY PUBLIC WORKS FOR COMMUTE TRIP REDUCTION (CTR) 2001-2003**
- (L) **AUTHORIZATION TO CONTRACT WITH JAMES MURPHY AUCTIONEERS TO SELL SURPLUS CITY VEHICLES AND EQUIPMENT**

Item J: Authorization for Mayor to Sign Interlocal Cooperative Purchasing Agreement with Island County
Public Works Director Noel Miller explained staff requested this item be removed from the Consent Agenda due to minor changes the Island County Prosecutor requested be made to the agreement.

City Attorney Scott Snyder explained Island County requested “Party” be used in the agreement rather than “Entity.” He advised this did not affect the meaning of the agreement.

COUNCILMEMBER MARIN MOVED, SECONDED BY COUNCILMEMBER WILSON , FOR APPROVAL OF ITEM J. MOTION CARRIED UNANIMOUSLY. The agenda item approved is as follows:

- (J) **AUTHORIZATION FOR MAYOR TO SIGN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT WITH ISLAND COUNTY**

Item M: Approval of Labor Agreement with Edmonds Police Officers Association

Councilmember Petso advised she would be voting against this item due to reasons discussed previously.

COUNCIL PRESIDENT PRO TEM ORVIS MOVED, SECONDED BY COUNCILMEMBER PLUNKETT, FOR APPROVAL OF ITEM M. MOTION CARRIED (6-1), COUNCILMEMBER PETSO OPPOSED. The agenda item approved is as follows:

- (M) **APPROVAL OF LABOR AGREEMENT WITH EDMONDS POLICE OFFICERS ASSOCIATION**

Item N: Proclamation in Honor of Arts Day, February 12, 2002

Mayor Pro Tem Earling advised he pulled this item due to the community’s rich cultural interest and to call attention to the Governor’s designation of February 12 as Arts Day in Washington .

MAYOR PRO TEM EARLING MOVED, SECONDED BY COUNCILMEMBER MARIN, FOR APPROVAL OF ITEM N. MOTION CARRIED UNANIMOUSLY. The agenda item approved is as follows:

- (N) **PROCLAMATION IN HONOR OF ARTS DAY, FEBRUARY 12, 2002**

3. CONFIRMATION OF MAYOR’S APPOINTMENT TO THE ARCHITECTURAL DESIGN BOARD OF MICKEY NIELSON AND MICHAEL LOWELL

Mayor Pro Tem Earling explained the Council had an opportunity to interview both candidates prior to the meeting and both were very fine candidates.

COUNCILMEMBER DAWSON MOVED, SECONDED BY COUNCILMEMBER WILSON , TO CONFIRM THE APPOINTMENTS OF MICHAEL LOWELL AND MICKEY NIELSON TO THE ARCHITECTURAL DESIGN BOARD. MOTION CARRIED UNANIMOUSLY.

4. AUDIENCE COMMENTS

Dr. Susan Connor, 21911 64th W, Mountlake Terrace , owner of a veterinary hospital and President of the Snohomish County Veterinary Medical Association, spoke in support of the proposed ordinance to require altering of animals prior to their adoption. She explained the veterinary community supports spaying and neutering of shelter animals prior to being adopted into the community as the best method of reducing the total number of animals placed into shelters either as strays or as owner surrenders. She quoted from an article in the *Journal of American Veterinary Medical Association* regarding the role of veterinary practitioners in counseling clients about pet behavior and continuing the emphasis on neutering as the most effective means for veterinarians to influence the number of dogs and cats surrendered to shelters. The article indicated that although puppies and kittens are no longer the primary age group euthanized in shelters, neutering must continue to be a priority to reduce the number of young animals surrendered and euthanized. The article indicated an increasing number of shelters are neutering all dogs and cats prior to adoption because traditional neutering contracts at adoption have low compliance. She verified this with her personal experience with shelter-adopted animals, who frequently reproduce prior to being neutered, thus adding to the animal over-population. She stated Snohomish County veterinarians would be willing to help the City of Edmonds decrease the long term number of shelter animals by spaying and neutering of all cats and dogs prior to these animals being adopted. This would provide 100% compliance and in the long run decrease the cost of animal control for the City.

Kay Joubert, PAWS Program Manager, PO Box 1037, Lynnwood, explained Councilmember Plunkett contacted PAWS a year ago to explore ways to have animals adopted from Adix altered prior to adoption. Statistics show a need for a proactive, community approach to preventing homeless animals. She explained their mutual goal was to develop a reasonable plan to have animals altered without any expense to Adix and to minimize the cost to the City. Over the past year, via discussions with citizens, Council and Adix, several options have been discussed, but a mutually agreed upon solution has not been reached. She noted many citizens who have written and telephoned the City, believe adoptable animals should not be euthanized, however, this practice will continue if the Council allows its shelter provider to dictate public policy and adopt out pregnant and unaltered animals. The request made to Adix via adoption of this ordinance would be to abide by the ordinance, noting as a contractor with the City, Adix already complied with numerous animal-related ordinances that they did not participate in developing. If Adix was concerned that potential adopters would question the need to alter animals, Adix could refer to the City's ordinance. She summarized the information and statistics that she provided over the last year regarding overpopulation and cost associated with homeless animals were facts and not opinions. She urged the Council to make a decision based on these facts.

Fred Gouge, 9220 192nd Place SW, Edmonds, Port of Edmonds Commissioner, advised he and Commissioner Bruce Faires had been appointed as liaison representatives to the City of Edmonds . He looked forward to that relationship, commenting the Port wanted to work with the City Council and staff with regard to the waterfront.

Alvin Rutledge, 7101 Lake Ballinger Way, Edmonds, referred to his previous requests that the City adopt a Code of Conduct for Council, Boards and Commissions. He explained different appointment procedures were followed when he applied for a Council vacancy and when he applied for a vacancy on the Salary Commission.

Richard Huffman, PAWS Director of Advocacy and Outreach, 19206 32nd Ave NE, Lake Forest Park, pointed out the proposal to alter animals prior to adoption was not a new idea; PAWS has required animals be altered since 1967 and every municipal shelter from Lynnwood to Olympia requires animals be altered prior to adoption except for Edmonds and Mountlake Terrace. He referred to a survey PAWS conducted last summer that indicated 88% of the 600 Snohomish County residents surveyed supported the concept of animals in municipal shelters being altered prior to adoption. He referred to an article in

the *Seattle Times* regarding an individual who adopted a dog from Adix that soon delivered seven puppies. He cited the stress this placed on the individual who adopted the dog as well on other families who are helping care for the puppies. He encouraged the City Council to pass the ordinance and to work with Adix to develop a pro-active solution to implement the ordinance.

Roger Hertrich, 1020 Puget Drive, Edmonds, stated he has attended several meetings where this issue has been discussed, noting the information presented at those meetings indicated there were only 7-8 unaltered animals in the system over the past year, not hundreds. He said a big case was being made out of a small problem. He explained the majority of the 7-8 animals were likely hunting dogs that got loose unintentionally. He pointed out the possibility of a dog being altered against the owners' wishes. He said the City was risking, for those 7-8 unaltered animals, \$20,000 in extra costs if Adix discontinued providing the City's kennel services. He believed this was an effort to get Adix to discontinue providing the City's kennel provider so Councilmember Plunkett and PAWS could "have their animal trade back again." He was offended by groups outside the city stating the city had a problem when there really wasn't a problem.

Tamara Puckett, PAWS, PO Box 1037, Lynnwood, commented that PAWS was contacted by Councilmember Plunkett to assist with exploring this issue. She emphasized PAWS was not interested in assuming the City's shelter contract, their interest was because this was the right thing to do. She reminded that the cost for spay and neuter surgeries would be supported entirely by public donations and a \$1,000 donation from PAWS to the Animal Benefit Fund. She pointed out animals with owners would not be altered; permission would be required for spay/neuter services for such animals.

5. **PROPOSED ORDINANCE AMENDING CHAPTER 5.05 OF THE EDMONDS CITY CODE, PROVIDING THAT ALL OWNER-SURRENDERED OR STRAY DOMESTIC ANIMALS SHOULD BE ALTERED PRIOR TO BEING ADOPTED BACK INTO THE COMMUNITY, DESIGNATING VETERINARIAN(S) TO PROVIDE ALTERATION SERVICES, ESTABLISHING AN ANIMAL BENEFIT FUND TO PAY FOR SAID ALTERATION AND TO PROVIDE FINANCIAL ASSISTANCE TO DOMESTIC ANIMAL OWNERS IN PAYING FOR ALTERATION SERVICES**

COUNCILMEMBER PLUNKETT MOVED, SECONDED BY COUNCIL PRESIDENT PRO TEM ORVIS, FOR ADOPTION OF ORDINANCE NO. 3392.

Councilmember Plunkett explained the ordinance stated owner-surrendered and stray animals should be altered; there was no requirement that Adix alter these animals. He emphasized this applied to only owner-surrendered and stray animals and not a valued pet. Councilmember Plunkett referred to the concept that because Adix was a private business, the City could not encourage good public policy, explaining that although Adix was a private business, they had a public contract with the City. He said the Council had a responsibility, obligation and duty to discuss and/or encourage good public policy with regard to public contracts.

Councilmember Plunkett emphasized adoption of the ordinance would do nothing to the City's kennel provider; they would continue providing the same service. The ordinance only encouraged Adix to work with the City to reduce the number of unaltered animals that are adopted into the community. The Council has included funds in the budget for the Animal Budget Fund, PAWS has offered a donation, and the City has received and returned checks to citizens who have made donations. Councilmember Plunkett noted transportation from Adix to a veterinarian has been discussed. Mountlake Terrace has indicated they may adopt a similar policy if Edmonds adopts this ordinance. The Edmonds Police Department has stated they support an altering policy.

Councilmember Plunkett indicated the public has supported this policy over the past year and the Council supported it by including it in the budget. He noted Jim and Lynn Adix in public testimony indicated they would support such a policy if cost, transportation and veterinarians could be found. Councilmember Plunkett pointed out all Adix's concerns have been addressed.

Councilmember Plunkett explained the fundamental principle of altering dogs and cats for public safety was, in his opinion, not debatable as it was for the public benefit of the community as well as for the animals. He pointed out 75% of all dog bites and cat fights were due to unaltered animals and 100% of

additional unwanted animals were the result of unaltered animals. He noted the proposed ordinance would create an opportunity/possibility to reduce the number of unaltered animals in Edmonds .

Councilmember Plunkett referred to the public hearing regarding this issue held on September 17, 2001 , where Mr. Adix indicated they adopted out approximately 150 animals each year, 65 of whom were unaltered. Councilmember Plunkett pointed out the possibility of those 65 animals having litters with the net result of hundreds of unaltered animals in the community. Councilmember Plunkett referred to the Assistant Police Chief's comments on September 17 regarding wild cats in north Edmonds , so many that there was nothing Animal Control could do. He summarized the Council was responsible for these hundreds of unaltered animals.

Councilmember Plunkett stated public testimony at the public hearing indicated the majority of the public favored an altering policy. He cited numerous shelters in surrounding communities where animals could not be adopted unless they were altered. King County , who has an altering policy, used to euthanize 10,000 animals; last year they euthanized less than 10.

Councilmember Plunkett suggested if the Council denied this simple program, they would be saying no to the last, best hope for a positive, cooperative approach. He explained all other solutions required more regulation, were more intrusive and more expensive. This proposal would give the community an opportunity to find a solution with the kennel provider to reduce the number of unaltered animals.

Councilmember Plunkett referred to Mr. Adix's comment on September 17 that he believed in spaying and neutering but was concerned about the cost. Mr. Adix also indicated he did not have a problem with the program if the City paid for it. Councilmember Plunkett referred to an article in the *Enterprise* where Ms. Adix said if the City passed an ordinance and transported animals to and from the veterinarian, Adix would carry out the policy. Councilmember Plunkett suggested an alternate solution for transportation be identified as Adix apparently did not agree with the solution developed for transportation.

Councilmember Plunkett concluded the Council only needed to adopt the ordinance and allow time, trust and confidence to build between the kennel provider and the City with regard to transporting animals. By doing so, the number of unaltered animals in Edmonds could be reduced.

Council President Pro Tem Orvis indicated he would support the motion as it was good policy to encourage the alteration of stray animals before they are adopted into the community. He explained it was good for the animals because fewer would be euthanized and it was better for the health of the community as well as the environment. He did not see any problem with asking the kennel service provider to cooperate with volunteers to promote a good policy.

Councilmember Petso explained the issue for her was not what constituted responsible pet ownership or whether people should be encouraged to alter animals, but rather whether the City could afford to jeopardize its contract with its shelter provider. She concluded the City could not afford to jeopardize its contract as the benefits of contract with the shelter provider were well documented and of considerable value to the citizens of Edmonds . Until an agreement could be reached with the provider, she was unable to support the ordinance.

Councilmember Wilson indicated he was unable to support the ordinance in its present form because although it had a strong policy basis, the inclusion of "should" made it a voluntary ordinance that was unenforceable. He pointed out the ordinance could be adopted and the Animal Benefit Fund implemented, but there was no mechanism to transport the animals, or ensure it was done properly and safely. He stated that until the parties were willing to participate in the program, the ordinance would not be effective. He preferred to delay until an agreement could be reached that all parties agreed to.

Councilmember Plunkett referred to Councilmember Wilson's comments regarding the voluntary nature of the ordinance, indicating the reason the language was changed from "required" to "should" was at the demand of Mr. Adix who indicated they would not participate in altering. The proposed ordinance was an attempt to develop an opportunity that would result in some success. He emphasized the intent was not to make it more difficult for the kennel provider or the City. Councilmember Plunkett said if the

Council did not want to proceed in a cooperative manner, and preferred enforcement, perhaps an enforceable ordinance would be preferable.

MOTION FAILED (3-4), MAYOR PRO TEM EARLING, COUNCIL PRESIDENT PRO TEM ORVIS AND COUNCILMEMBER PLUNKETT IN FAVOR, AND COUNCILMEMBERS MARIN, DAWSON , WILSON AND PETSO OPPOSED.

6. CITY OF EDMONDS COMBINED UTILITY FUND STATUS REPORT

Public Works Director Noel Miller explained the Combined Utility Fund was comprised of water, sewer, and storm drainage services provided by the City. The costs for the services were required to be covered by utility rates set by the City Council. Mr. Miller indicated he would address the financial status of the fund, explain demands drawing down the fund balances, and provide staff's thoughts on strategies to keep the Utility Fund financially healthy.

Mr. Miller explained as part of the annual budgeting process, the Administrative Services Department provides a 5-year projection of the Utility Fund. He displayed a graph illustrating the decreasing ending cash balance of the Utility Fund. The graph reflected the City's current "pay as you go" practice of funding capital projects. Mr. Miller displayed a bar graph illustrating the ending cash balance for each utility component, indicating there was a positive cash balance in the water and sewer funds in 2002 but a negative cash balance in the storm drainage fund. The graph illustrated the ending cash balance for the water fund was depleted in 2004 and there was no ending cash balance for water, sewer or storm drainage by 2005.

Mr. Miller reviewed expenditure pressures on the Utility Fund in recent years including the wholesale cost of water to the City. Edmonds has two sources of water, the Alderwood Water District who purchases water from the Everett Water Utility, and the Seattle Public Utility. He noted the last time City water rates were increased was 1994. He displayed a graph illustrating significant increases in wholesale water rates; noting the increase in Seattle's summer as well as winter rates have exceeded the cost of water purchased from the Alderwood Water District. This was not factored into the 1994 water rate increase. He explained since 2000, the City has purchased nearly all its water from Alderwood in an effort to reduce costs to customers.

Mr. Miller displayed a chart illustrating 2002 cost components of the water fund, noting approximately 1/3 is expended on wholesale water purchases. He noted the significant increase in wholesale water rates in the 1990's was much of the reason for the decreasing ending cash balance.

Mr. Miller displayed a chart illustrating the 2002 cost components for the sewer/treatment fund, noting approximately 33% was expended for capital expenditures, 13% on debt service for the treatment plant bonds, and 53% for sewer and treatment plant operations and maintenance. He displayed a chart illustrating the storm drainage cost component, pointing out approximately 30% was used for capital projects and 70% for operations and maintenance. He highlighted that the storm drainage fund was the most seriously under-funded and urgently needed to be addressed.

Mr. Miller reviewed other expenditure increases including inflation and unanticipated capital projects that were not factored into the current rates. These projects included improvements required in the Meadowdale area following the significant snowfall/rain event in winter 1996/1997 that created landslides in the Meadowdale area. Inadequacies in the drainage systems were identified at that time that required installation of additional pipelines and catch basins. He pointed out replacement of aging infrastructure was another unanticipated capital projects. Further reasons for expenditure increases are Endangered Species Act (ESA) and Clean Water Act compliance, Safe Drinking Water Act compliance; Advances in Technology such as upgrading computerized information/controls, GIS and Maintenance Management System; General Accounting Standards Board (GASB) 34, (a requirement by the State Auditor for all municipalities in Washington) and associated costs for conducting a complete inventory of capital assets and doing condition assessments on those assets.

Mr. Miller displayed a comparison of Edmonds' utility rates compared to a State average, indicating Edmonds utility rates are significantly below the statewide averages. He pointed out that based on the expenditure factors previously addressed, the City will need to increase all utility rates in 2002 to cover projected costs.

Mr. Miller explained staff's recommendation was to immediately develop a 5-year financial plan to address the expenditure needs for each component of the utility. This plan would evaluate operations and maintenance costs, future capital costs, options for project financing, and bond covenant requirements. Staff is seeking Council input regarding this approach to developing a 5-year financial plan and direction for staff to begin working with the Council Finance Committee at their next scheduled meeting.

Council President Pro Tem Orvis requested staff develop a comparison of how rates have changed in recent years. Mr. Miller indicated this information could be prepared for the February 12 Finance Committee meeting.

Council President Pro Tem Orvis asked how a rate increase would impact citizens' bills. Mr. Miller advised a financial analysis would be required to develop rate increase scenarios.

Councilmember Plunkett recalled storm water utility rates were increased substantially a few years ago. He asked why rates were increased at that time but needed to be raised again. Mr. Miller explained when the stormwater rate was developed in 1997, the costs for ESA were not factored into the rates. He explained as a result of ESA, there has been a dramatic increase in operations and maintenance costs. Further, a number of unanticipated capital projects have drawn down the cash balance of the storm component of the Utility Fund. Regarding sewer rates, Mr. Miller explained the rate analysis indicated sewer rates needed to be increased over a five-year period (2001-2005); Council chose to increase rates for 2001 and 2002 and re-evaluate whether further increases were justified. He explained the sewer rate increase recommended by the rate analysis for 2003 – 2005 were not reflected in the ending cash balance projection. He reiterated water rates had not been increased since 1994. Councilmember Plunkett recommended future presentations include a description of that history.

Council President Pro Tem Orvis clarified water rates had not been increased since 1994 and the rate increases in recent years were for sewer and storm. Mr. Miller explained the rate increase two years ago was sewer and four years ago was sewer and storm.

Councilmember Wilson asked whether the City was currently out of compliance with ESA and the Clean Water Act. Mr. Miller answered a consultant has been assessing the City's exposure with regard to its programs. Currently, the City is in fairly good compliance, however, the ESA regulations are still being refined. He explained Tri-County applied for a 4(d) exemption for roadway maintenance management practices. The consultant reviewed the City's practices and found they were fairly good but in order to comply with the 4(d) ruling, more may be necessary. Mr. Miller noted it would likely be another year before the result of Tri-County's 4(d) exemption was determined. Regarding the Clean Water Act, Engineering plans to hire a consultant to review the City's stormwater program to ensure it complies with the Clean Water Act.

Councilmember Wilson suggested explaining to the public what changes were anticipated. Regarding unanticipated capital projects, he asked if any were the result of infrastructure acquired as a result of annexation that the City did not have a history on or were they already in the City's inventory and monitoring for necessary infrastructure improvements could have kept costs down. Mr. Miller answered Engineering was in the process of preparing a Water Comprehensive Plan update to address those concerns. He said one of the proposals was to increase capital spending to keep the condition of the system at a better level than it is currently. He noted when the City annexed Perrinville, the area needed sewers which were financed via an Local Improvement District (LID) and did not impact the Utility Fund. However, the water pipes were in poor condition and a decision was made to replace them before the roadway was resurfaced.

Councilmember Wilson hoped advances in technology did not cost more than doing it the old fashioned way. He suggested consideration be given to how that was stated as a reason for expenditure increases.

Councilmember Petso requested staff indicate what portion of the rate increase was driven by policy changes (i.e. maintain the system at a higher level or change the City's capital commitment) and what portion was driven by other cost factors such as inflation, increase in wholesale water rates, etc.

7. **EXECUTIVE SESSION REGARDING LABOR NEGOTIATIONS**

Mayor Pro Tem Earling recessed the Council to Executive Session at 8:17 p.m. regarding labor negotiations. The meeting was reconvened at 8:26 p.m.

COUNCILMEMBER MARIN MOVED, SECONDED BY COUNCILMEMBER DAWSON , TO DIRECT THE MAYOR TO SIGN THE LETTERS OF AGREEMENTS WITH UNION LOCAL 1828, FOR FIREFIGHTER PARAMEDIC AND MEDIC 7 PARAMEDIC AND BATTALION CHIEF POSITIONS.

Councilmember Petso indicated she would abstain from the vote due to concerns she wanted addressed by the City Attorney regarding whether it was appropriate for the Council to act on this at this time.

MOTION CARRIED (6-0-1), COUNCILMEMBER PETSO ABSTAINED.

8. **MAYOR'S COMMENTS**

Mayor Pro Tem Earling had no report.

9. **COUNCIL COMMENTS**

Councilmember Marin advised Fire Marshall John Westfall, a reservist called to active duty, who was serving as an underwater diver stationed in Oak Harbor , would be speaking on homeland defense at the American Legion Hall at 7:45 p.m. on February 18.

Councilmember Plunkett thanked the Council for their consideration of the animal ordinance. He referenced comments made during Audience Comments, expressing concern with remarks that presumed to know a Councilmember's intent and motive. He appreciated the Council's effort to address this issue in a professional and forthright manner and to address information on the record rather than presume motives.

With no further business, the Council meeting was adjourned at 8:30 p.m.