

**CITY OF SHORELINE**  
**SHORELINE CITY COUNCIL**  
**SUMMARY MINUTES OF BUSINESS MEETING**

Monday, February 9, 2009 - 7:30 p.m.  
Shoreline Conference Center  
Mt. Rainier Room

**PRESENT:** Mayor Ryu, Deputy Mayor Scott, Councilmember Eggen, Councilmember Hansen, Councilmember McConnell, Councilmember McGlashan, and Councilmember Way.

**ABSENT:** None.

**1. CALL TO ORDER**

At 7:35 p.m., the meeting was called to order by Mayor Ryu, who presided.

**2. FLAG SALUTE/ROLL CALL**

Mayor Ryu led the flag salute. Upon roll call by the City Clerk, all Councilmembers were present.

**(a) Proclamation of Black History Month**

Deputy Mayor Scott read the proclamation recognizing the month of February as Black History Month in the City of Shoreline. Dr. Ernest Johnson, Professor of Multicultural Studies at Shoreline Community College, accepted the proclamation and thanked the City for the recognition. He affirmed the importance of black history on the development of the community, state, and nation.

Mary Reidy, Parks, Recreation and Cultural Services (PRCS) Teen Program Coordinator introduced the Pulse Step Team, which performed for the City Council.

**3. CITY MANAGER'S REPORT**

Bob Olander, City Manager, provided reports and updates on various City meetings, projects, and events. He noted that there will be I-5 improvements from Seattle to Shoreline from February and September 2009. He warned that these improvements will cause lane closures.

He announced that Captain Cameron Webster of the Police Department has been called to military service and Captain Ted Stenslent will be handling his duties.

**4. REPORTS OF BOARDS AND COMMISSIONS**

Mayor Ryu said she attended a SeaShore Transportation Forum meeting and announced that Councilmember Eggen was elected the co-chair.

5. GENERAL PUBLIC COMMENT

a) Laethan Wene, Shoreline, reported that Shoreline Community Church will not hold the Easter "Eggstravaganza" this year.

b) Dot Brenchley, Shoreline, stated that things are going well for Friends of Fircrest. She said people are aware that Fircrest can easily be closed, but she knows that's not going to happen at this time. She stated that autistic children now reside there.

c) Sigrid Strom, Shoreline, stated there have been some very unfortunate incidents regarding tree removal. She urged the City to move forward on expediting tree protection and to go beyond the staff recommendation. She recommended a comprehensive program adoption and a separate section for trees in the Development Code. She added that since she is a member of the committee, she has researched the neighboring communities and that there are three Commissioners that have extensive experience, so the framework is already in place.

d) Ken Howe, Shoreline, asked the City Manager's Office to locate a petition that asked for a local landmark designation for the Ronald Place red brick road. He stated that that section of the road is eligible for the National Historic Register but the City needs to designate it as a local landmark first.

e) George Mauer, Shoreline, noted that his comments are not directed at any one person. He stated that there is a billboard ad that states "four bucks is dumb." He said it is McDonald's calling attention to the price of a cup of coffee. He said that philosophy can be applied to the host of financial "fluff" and non-essential expenditures, locally, statewide, and nationally. He said it may become a symbol of City of Shoreline. He felt that the Aurora Project Phase 2 will have no significant improvement in the traffic flow on Aurora Avenue.

f) Les Nelson, Shoreline, said he attended the Planning Commission meeting on Thursday. He noted that defining areas, such as a town center, is a good goal, but the City hasn't gotten very far with it. He said the track record on planning has been haphazard. He stated that the City never did a CP amendment process. He felt that Midvale Avenue is a "mess" with the street vacation and the new alignment is dangerous.

6. APPROVAL OF THE AGENDA

**Councilmember Hansen moved approval of the agenda. Deputy Mayor Scott seconded the motion. Councilmember Way asked that item 7(c) be pulled and made item 8(c). A vote was taken to approve the agenda as amended, which carried 7-0.**

7. CONSENT CALENDAR

**Councilmember Hansen moved approval of the Consent Calendar. Deputy Mayor Scott seconded the motion, which carried 7-0 and the following items were approved:**

- (a) **Minutes of Special Meeting of November 17, 2008  
Minutes of Business Meeting of November 24, 2008**
- (b) **Approval of expenses and payroll as of January 30, 2009 in the amount of \$1,393,512.12**

**\*Payroll and Benefits:**

<b>Payroll</b>	<b>Period</b>	<b>Payment Date</b>	<b>EFT Numbers (EF)</b>	<b>Payroll Checks (PR)</b>	<b>Benefit Checks (AP)</b>	<b>Amount Paid</b>
12/28/08-01/10/09		1/16/2009	27444-27639	8441-8480	38984-38993	\$414,992.70
						<u>\$414,992.70</u>

**\*Accounts Payable Claims:**

<b>Expense Register Dated</b>	<b>Check Number (Begin)</b>	<b>Check Number (End)</b>	<b>Amount Paid</b>
1/15/2009	38880	38900	\$150,673.81
1/16/2009	38901	38903	\$17,985.58
1/16/2009	38904	38913	\$9,164.13
1/20/2009	38914	38925	\$121,793.76
1/21/2009	38926	38946	\$90,348.36
1/21/2009	38947		\$1,660.80
1/22/2009	38948	38974	\$66,743.61
1/22/2009	38975	38982	\$177,601.68
1/27/2009	38983		\$3,750.00
1/27/2009	38994	39002	\$5,094.31
1/28/2009	39003	39022	\$49,139.01
1/28/2009	39023	39047	\$63,079.23
1/28/2009	39048	39050	\$26,709.51
1/28/2009	39051		\$16,916.88
1/29/2009	39052	39056	\$11,020.09
1/29/2009	39057		\$22,738.66
1/30/2009	39058		\$144,100.00
			<u>\$978,519.42</u>

(c) **Resolution No. 284, fixing the time for a Public Hearing on Vacation of a portion of Ronald Place N., south of N. 175th Street**

(d) **Motion to Authorize the City Manager to Execute a Possession and Use Agreement and Provide Compensation for Property located at 17504 Aurora Avenue North**

**8. OTHER ACTION ITEMS: ORDINANCES, RESOLUTIONS, AND MOTIONS**

- (a) Ordinance No. 534, adopting Interim Regulations for Processing Quasi-judicial Items, waiving second reading per Council Rule 3.5(B)

Joe Tovar, Planning and Development Services (PADS) Director, provided background on this item and explained that the Council considered this last year. He noted that this includes the temporarily reassigning of some quasi-judicial items to the hearing examiner because the Planning Commission has way too much to do. He said the Commission unanimously recommended this and so does the City staff. Mr. Olander clarified that the Council is still the decision-making body for quasi-judicial items and the hearing examiner would just hear and make a recommendation on the record.

Mayor Ryu called for public comment. There was no one wishing to provide public comment.

**Councilmember Hansen moved adoption of Ordinance No. 534, adopting Interim Regulations for Processing Quasi-judicial Items and waiving the second reading per Council Rule 3.5(B). Councilmember Eggen seconded the motion.**

Councilmember Eggen commented that this is a very painful motion to address and stated that the Commission deliberations on quasi-judicial items are informative, while the hearing examiner process is more technical. He noted, however, that the Commission works hard and gets paid nothing and they need to use their expertise where it is most valuable.

Mayor Ryu referred to page 39 and inquired if the ordinance restricts this to preliminary formal subdivisions, site-specific rezones, and zoning map changes. Mr. Tovar replied that if there are any site-specific rezones not within these two neighborhoods it will be heard by the hearing examiner within the next year. He added that the only subarea planning on the work program is in these two neighborhoods.

Deputy Mayor Scott asked if the hearing examiner makes the final decision in a case where the Council remands a recommendation back to the examiner. Mr. Tovar clarified that the Council makes the final decision, even if Council remands a recommendation.

Responding to Mayor Ryu, Mr. Tovar clarified that zoning map change are only related to site-specific rezones.

Councilmember Way commented that she generated a paper about this and brought it up last year. She wanted to know about a pool of examiners and remembered that the Council thought it was an interesting idea. She hoped it could be incorporated into the process. She asked if the ideal could still be studied. Mr. Tovar commented that the issue tonight is whether to have the examiner do these. He said a Request for Proposal (RFP) for other examiners is a possibility.

Mayor Ryu commented that according to page 40 this ordinance expires unless it is renewed.

Councilmember Way said she would be pursuing her idea because she has been involved in various hearing examiner processes in the past and felt there is a perception problem and

possible bias. She asked what the steps would be to study this and implement it. Mayor Ryu suggested Councilmember Way get together with the City staff and work out the details.

Mr. Olander stated it comes down to the pros and cons since the hearing examiner is under contract. He said it could be brought back for a future study session. He noted that quasi-judicial is more of a judicial application of the City's rules where testimony and evidence is submitted. He said the differences are there for a reason.

Councilmember Way said she is willing to suspend judgment on that and asked how it would intersect with this decision. Mr. Olander commented that it doesn't. He said the hearing is to hear from the public on this and it can be adopted before holding a public hearing, similar to a moratorium. He reiterated that the Commission is too busy and has extra meetings with some of them going until 10:00 p.m.

Councilmember Way felt it was better for the Commission to do these because it is a friendlier environment than the hearing examiner.

Councilmember McConnell commented that the Council will have the final decision and is partially responsible for this workload. She said she has no concerns about the perception of bias and supported the ordinance.

Councilmember Hansen discussed the perception of bias and stated the City is currently using two professionally trained hearing examiners that know the rules. He supported the ordinance.

**A vote was taken on Ordinance No. 534, adopting Interim Regulations for Processing Quasi-judicial Items and waiving the second reading per Council Rule 3.5(B), which carried 7-0.**

(b) Resolution No. 284 fixing the time for a Public Hearing on the vacation of Ronald Place N. south of N. 175th Street

Mr. Olander stated that the City recommends changing the date of the public hearing to April 14, 2009.

Ian Sievers, City Attorney stated that this is unusual for the Council to set a hearing date and by state law it requires a resolution. He added that this is to simply set a date, not to discuss the merits. He said since the Council passed the interim regulations with Ordinance No. 534 this will be heard by the hearing examiner on April 14.

Mr. Olander stated that this is a quasi-judicial item, so public comment tonight shouldn't address the merits, just the date.

Mayor Ryu called for public comment.

a) Les Nelson, Shoreline, commented that this sounds like a fairly important issue and is concerned that people won't have time to become aware of this by April 14. He said he

hasn't heard anything about this issue, however, if the City makes an effort to inform the public it should be fine.

Mr. Olander commented that the date was changed from March 10 to April 14 and the City staff felt like extending it an additional month would provide good opportunity for people to become aware it.

Mr. Sievers commented that the state statute sets the window and April 9 is 60 days.

Councilmember Way commented that notice for this item was for tonight and the stakeholders need to know and haven't been informed. She said the date is uncertain and this seems improper.

Mayor Ryu commented that this usually gets three readings.

Mr. Olander explained that because this is ministerial in nature, it is very routine to set the hearing date.

**Councilmember Hansen moved to amend proposed Resolution No. 284 and revise the date of the hearing for April 10<sup>th</sup>. Councilmember Eggen seconded the motion.**

Councilmember Eggen commented that it is difficult to set dates arbitrarily with the hearing examiner. He suggested setting a date and confirming it.

Mr. Sievers said this is a very old quasi-judicial process listed in the Development Code under Type C, so all stakeholders will get the notice.

Councilmember Way questioned if property owners and people included in the petition would get the notice.

Mayor Ryu stated that there is a mandated list that the City must notice but asked if anyone who has requested notice be added so it also includes the petitioners.

Councilmember Way added that this pertains to the red brick road, Ronald Place, and urged everyone to find out about hearing examiner proceedings.

Councilmember Eggen said it appears this issue has been discussed in various contexts prior to this. He said the actual street vacation seems to be different than it was previously. He said it responds to the petition from property owners. He said if the vacation is granted the implication is that ownership of the property would revert back to the property owners.

Mr. Sievers noted that depending on the history of the dedication, the ownership would revert equally to each abutting owner.

Councilmember Hansen stated that the City has up to 60 days from passage of the resolution to hold the hearing. He noted that the Council still makes the final decision.

**There was consensus to amend the motion to revise the date of the hearing April 9, 2009.**

Councilmember Way expressed concern about the details and variations brought into discussion and asked if they would be included in hearing examiner hearing. Mr. Sievers commented that typically the City staff will recommend a number of conditions which will affect the price the City receives for compensation.

Councilmember Way asked if the easements would be added. Mr. Sievers replied that they might be recommended by the staff and the hearing examiner and then be passed to the Council for the final decision on the conditions of the vacation.

**A vote was taken on the motion to adopt Resolution No. 284, setting the hearing date for the Ronald Place street vacation for April 9, 2009, which carried 6-0, with Councilmember Way abstaining.**

9. NEW BUSINESS

- (a) Planning Commission 2009 Planning Work Program - Tree Preservation and Removal Code

Mr. Olander introduced Joe Tovar and Paul Cohen, Project Manager.

Mr. Tovar stated that Mr. Cohen is the project manager for this code amendment and that there are ten potential decision modules (DM). Mr. Cohen outlined the ten decision modules for potential tree regulations. DM-1, he stated, is establishing a City-wide urban forest canopy so there is something for the City staff to anchor their decisions to when it comes to whether or not a developer or resident wanting to remove trees. DM-2 is to separate the clearing and grading regulations as they relate to trees in the code. Under DM-3, there is a provision in the current code that allows for the removal of 6 significant trees within a thirty-six month period without a permit, which is potentially a huge loophole. He stated that the proposal is to address this under DM-3. DM-4, he continued, establishes a clearing criteria for hazardous trees in which residents can obtain a City arborist recommendation on whether or not a tree is hazardous or not.

Mr. Tovar noted that if the property which has trees on it lies in a critical area, different rules apply concerning significant trees. However, hazardous trees can be removed.

Mr. Cohen explained that DM-5 pertains to having reasonable tree replacement ratios and the possibility of, if there is no more room on that specific property, planting the trees on other public lands.

Mayor Ryu inquired if credits or trades are a possibility. Mr. Tovar replied that some jurisdictions do it, but it isn't widespread because people cannot replace trees off-site.

Mr. Cohen stated there is a code requirement that states 30% of significant trees on critical areas must be maintained on site. However, DM-6 would require that all trees on critical areas be preserved.

Councilmember Way added that this also includes trees in the buffer.

Mr. Cohen noted that DM-7 involves changing the general standard of protecting a 20% flat percentage of significant trees and looking at other ways to calculate the minimum amount of trees that need to be preserved for different parcels so that it is somewhat equitable. Continuing, he said DM-8 gives the Director flexibility on the criteria.

Councilmember Way inquired about skyline features and cottonwood trees. Mr. Cohen replied that skyline features are trees that are silhouetted on the skyline or are prominent in the landscape. He stated that cottonwood trees are good for water absorption. However, he clarified that if the City applies all the current conditions, then development would not likely happen.

Mr. Cohen stated that DM-9 clarifies the enforcement of the tree code. DM-10, he stated, would allow Innis Arden to have a vegetation management plan within environmental and critical areas.

Mr. Olander commented that depending on how all of this is scoped, it could be a very extensive process. He felt the Planning Commission work plan would have to be revisited.

Councilmember Eggen said it is very difficult to plan scoping unless the Council knows which items would take a lot of time. Mr. Tovar replied that items 1 through 9 would fit within the scope, but not item 10. However, he felt it could be a separate exercise. Additionally, instead of considering all of these as code amendments, they could be assigned to a subcommittee for study and recommendation.

Mayor Ryu felt the Council would need to plan for DM-1. Mr. Tovar added that the City staff would come back with the methodology and maybe budget implications.

Councilmember McConnell questioned what the City staff recommended for DM-10. Mr. Tovar replied that critical areas have a lot of implications because they are tied back into the statute that mandates protection of critical areas.

Councilmember Way suggested that the DM-1 methodology be modeled after the American Forest software.

Mayor Ryu called for public comment.

a) Nancy Rust, Shoreline, said she is the chair of the committee working on this issue and she has examined tree codes in other cities. She noted that the job is not finished and controlling stormwater involves increasing the tree canopy. She said they aren't recommending changes to the critical areas code, but want a more comprehensive code to include a separate chapter for trees. She felt there shouldn't be any net loss or changes in the definition of significant trees. She added that a 20-inch tree should be a landmark tree. She also said there should be a list of preferred trees for replacement which would be on a city forestry accounting.



b) John Hollinrake, Shoreline, communicated that the meeting last week became highly contentious. He stated that Deputy Mayor Scott suggested that a commission be established. He felt that the primary concern is that both he and Nancy Rust are subject to Innis Arden view covenants and they sued the Innis Arden Club and the Club prevailed. However, many of her provisions in her proposal will give her permanent exemption to view covenants. He said some of the decision modules are good and there is a safety issue involving hazardous trees in critical areas and Innis Arden trails. He added that the City staff has told them that they cannot remove them.

c) Linda Stein, Shoreline, commented that the presence of trees in Shoreline is striking, noting she has witnessed the removal and maiming of trees. She felt their survival depends on our ability to live with earth's natural system, and replacement trees aren't just decorative. She provided a list of tree functions and said they also absorb carbon dioxide, reducing global warming.

d) Bob Phelps, Shoreline, thanked Nancy Rust for committee recommendations concerning the definition of significant tree and landmark tree. He also highlighted and discussed the Planning Commission summary minutes from their March 17, 2005 meeting which focused on trees.

e) Judy Griesel, Shoreline, has great concerns for a healthy environment and read a New York Times article discussing the tree carbon calculator. She stated that it is very important to protect the canopy.

f) David Fosmire, Shoreline, informed Council that there are unintended consequences attributed to trees which include increased shade. He said that solar panels and shade don't mix. He asked if there will be legal protection for solar panel investors. He discussed the "sunshine theory" and said that muscular sclerosis (MS) is linked to a lack of vitamin D and that the Pacific Northwest has the highest incidences of MS.

g) Les Nelson, Shoreline, noted that people can get vitamin D in a pill. He discussed the Aurora Corridor and said the Comprehensive Plan talks about preserving views along the corridor. He noted that the removal of one tree could be critical because having one tree along the corridor softens the impact on residential neighborhoods. He said there should be a balance of development with trees, and he doesn't agree with removing a tree and putting it somewhere else.

h) Nancy Morris, Shoreline, noted that the recommendations of the tree committee should be included in a tree ordinance and adopted immediately. She said she has known several MS victims and there is no way to get enough sun exposure in the Northwest. Toxic exposure, she said, is the reason for MS. She said neighborhood covenants should be rewritten and some are against the law and racist. She noted that preserving trees is more important than preserving somebody's view.

i) Michael Oxman said views can't be preserved, but trees can be destroyed. He discussed size measurement for trees and stated that the setbacks in the code will include the

diameter of the tree drip line, etc. He noted that it is easy to sit in an office and look at a map, but he said people need to switch their attention from the height to the cubic volume of a tree. He said replacing a tree would result in the new tree having 1/200<sup>th</sup> of the canopy volume of the destroyed tree. He said it's about how you look at the measurements. SEPA, he added, gives deference to people who issue the determination of non-significance.

j) Richard Ellison, Seattle, expressed support for tree protections. He said the City should provide incentives for the community, such as "windowing." He preferred that developers tie their building permit to variances with tree protections. He urged the City to designate landmark trees and have better posturing concerning hazardous trees. He noted that a certified arborist is needed. He said Boeing Creek has been devastated by urban runoff and the City should hire a wildlife biologist. He discouraged tree banking off-site and called for more public education.

Councilmember Eggen discussed tree and view windowing and stated it would work with one house with a view, but wondered how it would work when an entire community has and wants views. Mr. Ellison replied that his impression of the process is that tree topping is not the way to go. He said the group needs to try to get some form of compromise, and windowing means thinning some branches from a tree to allow the wind and view to pass through. However, it takes getting all the parties to work together.

#### MEETING EXTENSION

**At 10:00 p.m., Councilmember Way moved to extend the meeting 30 minutes. Councilmember Eggen seconded the motion, which carried 7-0 and the meeting was extended to 10:30 p.m.**

k) Dwight Gibb, Shoreline, commented that he heard an interview with a bird author whose thesis involves a connection to birds because they are the only wilderness to look at. He said he lives in a view area and a big Douglas fir tree blocked his full view of Olympic range. He explained that he would like everyone to think of trees as a part of the view. He added that it is nice to have a foreground, and trees provide that.

l) Daniel Mann, Shoreline, commented that creating incentives is the key. He noted that trees take work and need to be maintained. He wondered if there should be a tax credit for homeowners with trees. For the aging population, he said trees are a disincentive and impose a burden on the property owner. He questioned if there should be a tax cut.

m) Richard Johnson, Shoreline, said he is still confused about what he is permitted to do concerning trees. He asked about the appropriate time to cut large trees. He questioned why he should have to pay for an arborist because he felt the City should bear the cost.

n) Boni Biery, Shoreline, said that habitat fragmentation and loss is a major cause of degradation. She said she helped the committee study the neighboring cities' codes. She stated that now is the time to address this and directed the Council to update the tree retention policies

because the City is failing to protect natural resources. She wanted the committee's proposal forwarded to the Planning Commission for review.

Councilmember Hansen departed the meeting at 10:08 p.m.

Councilmember Way said she left a copy of a proposal with the Council at the dinner meeting. She said she is moving to introduce this as legislation and has support from Councilmember Eggen. She said it is based on regulations from other cities and aligns with the City's Comprehensive Plan and Vision.

**Councilmember Way moved to directed the City staff to present this proposal to the Planning Commission for review and refinement. Councilmember Eggen seconded the motion.**

Councilmember Eggen thanked the tree committee members and felt DM-10 will be addressed eventually.

Mr. Olander commented that if this goes straight to the Planning Commission, then there wouldn't be a need for additional staff work. However, he stated there will be some budgetary impacts.

Councilmember Eggen felt it should be forwarded to the Commission, but not without comment from staff.

Councilmember McGlashan commented that the motion seems to direct this proposal to the Commission. He said that the nine DMs should go through too, but he is concerned that the process is being changed.

Mr. Olander added that this committee was a voluntary citizen group, and the process concerns him also. He noted that this is moving before the Commission even takes testimony and any consideration from the City staff. He said it almost seems like the Council is creating an end product based on one draft rather than anything Innis Arden may propose or any other community and giving it precedence. Usually, he pointed out, the Council starts with the guidance from the Commission. He said this draft can serve as information to the Commission and they can look at it and consider it, but how directive the Council wants this to be is unclear.

Mayor Ryu commented that she sees this as nothing new. She said these are current laws that other cities have on the books. She felt the proposal should simply be taken as advisory.

Councilmember McConnell expressed concern about the public process. She said this isn't citizen-driven and doesn't believe this is a public process. She said it is being driven by one group and she can't vote for this. She said this is an issue of process and it makes her feel very uncomfortable.

Mayor Ryu said she talked to Councilmember McGlashan about DM 1-9 being addressed and asked if any of the Council wants DM-10 addressed.

Councilmember McGlashan commented that DM-10 is something the Council needs to work on eventually. However, he said this seems backwards and that this is being written by a special interest group, which represents a conflict of interest. He summarized that the process isn't clean or legitimate.

Mr. Olander discussed the wording of the motion and offered to refer this as informational input to the Commission to take into consideration in their deliberations.

Councilmember Way said she is offering it as legislation to review and amend as part of the process. She said it is her job to listen to residents and present their ideas. She felt it is a holistic proposal, but nobody has said it's perfect.

Councilmember Eggen said he has mixed feelings about this because he did not intend it as direct that this be a final basis for a permanent tree ordinance. He intended it to be put into the mix for serious consideration.

Mr. Olander commented that there is a significant difference in the proposals. He noted that it should be referred to the Commission and the City staff for consideration, rather than saying it is legislation, which presumes it is an ordinance.

Councilmember Way said she respects the Commission and wants their input. She said she is willing to go along with Mr. Olander's recommendation.

#### MEETING EXTENSION

**At 10:30 p.m., upon motion by Councilmember Way, seconded by Councilmember Eggen and carried 6-0, the meeting was extended to 10:35 p.m.**

Councilmember McGlashan said the special interest group can present the information to the Commission.

Deputy Mayor Scott clarified that as Councilmembers they can offer up legislation, and this could be used as a basis for the legislation. He noted that the Council is used to having the City staff come with recommendations; but he does not object to this going to the Commission. Mayor Ryu said she sees it as a springboard, and the Commission can still do their process with it.

Councilmember McConnell asked if the meeting last Thursday was a public meeting because it wasn't advertised as such. She said there were two Councilmembers who were invited to participate in a community group. Mr. Olander responded that it wasn't advertised as a public Council meeting. Councilmember McConnell said it was an e-mail notice discussion and wanted the citizens to know how everyone was invited. Deputy Mayor Scott clarified that it was a notice from the City staff to all the Councilmembers and the Commission to hear a presentation by a community group. Councilmember McConnell stated that it was not a public notice but a notice done through e-mail.

Mr. Tovar explained that it wasn't a publicly noticed meeting and the Council and Planning Commission were notified. He said he isn't aware what notice was given to the citizens that were at the meeting, but the City didn't send it out.

Mr. Olander stated that there is a courtesy norm with the Council to notify each other well in advance of a meeting of any proposed legislation. He stated that some didn't have a chance to review this and give intelligent input.

**MEETING EXTENSION**

**At 10:35 p.m., upon motion by Councilmember Way, seconded by Councilmember Eggen and carried 6-0, the meeting was extended to 10:40 p.m.**

**After brief discussion, there was Council consensus to refer DM 1-9 to the City staff and Planning Commission for input and consideration and to postpone work on DM-10.**

**10. ADJOURNMENT**

**At 10:38 p.m., Mayor Ryu declared the meeting adjourned.**

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Scott Passey, City Clerk

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