

# RECORD OF PROCEEDING OF CITY COUNCIL

## CITY OF BELLINGHAM, WASHINGTON

### COUNCIL CHAMBERS, CITY HALL

Monday, May 24, 2010, 07:00 PM

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### REGULAR MEETING

**Called To Order** The meeting was called to order by Council President Gene Knutson with the Pledge of Allegiance led by Steven Trinkaus.

#### Roll Call

##### ***Present:***

Jack Weiss, Council Member, First Ward  
Gene Knutson, Council Member, Second Ward  
Barry Buchanan, Council Member, Third Ward  
Stan Snapp, Council Member, Fourth Ward  
Terry Bornemann, Council Member, Fifth Ward  
Michael Lilliquist, Council Member, Sixth Ward  
Seth Fleetwood, Council Member, At Large

##### ***Excused:***

#### ANNOUNCEMENT(S)

- On Tuesday, May 25<sup>th</sup>, 12:00 – 1:30 p.m., in the Mayor's Boardroom, City Council's Committee of the Whole will attend a briefing regarding the process for the Comcast Franchise Renewal process.
- On June 7, at 7:00 p.m. in Council Chambers there will be a Public Hearing regarding a Neighborhood Plan Amendment to replace the existing Mt. Baker Neighborhood with two new neighborhoods: Irongate and Barkley.
- On June 21, at 7:00 p.m., in Council Chambers there will be a Public Hearing regarding a City initiated area-wide rezone of Area 17B, Guide Meridian/Cordata Neighborhood to allow all office uses as defined in Bellingham Municipal Code Section 20.08.020 O.(1) within this subarea.

Bellingham City Council meets all requirements of the State of Washington Open Meetings Act.

#### APPROVAL OF MINUTES

**SNAPP / LILLIQUIST** moved approval of the April 26, 2010 and May 10, 2010 minutes of the regular Council Meetings as submitted. **MOTION CARRIED 7-0.**

#### 15 - MINUTE PUBLIC COMMENT PERIOD

**Dick Conoboy** [AB 18687, Rental Unit Licensing] took issue with a rental licensing and inspection program, and self certification. He cited several cities around the country that have adopted a licensing, and inspection program that are

having serious problems and feels that self-certification would not be accurate. He is concerned about landlords having the technical expertise to do their own inspections and make appropriate repairs and asked if the city would be able to provide training and education for landlords.

**Dylan Thomson** [AB 18814, *Trans Mountain Pipeline*] asked the council to seriously consider tabling the renewal agreement indefinitely.

**Steven Trinkaus** [AB 18814, *Trans Mountain Pipeline*] asked the council to let the current franchise agreement expire.

**Anne Mackie** [AB 18687, *Rental Unit Licensing*] President, York Neighborhood Association, quoted from a letter [signed by 24 residents of the York Neighborhood Association] she had submitted to council in support of the creation of an ordinance which requires the periodic inspection of rental buildings in Bellingham as a condition of obtaining a license necessary to engage in the business of residential leasing. "We support the concept of such an ordinance, retaining the right to reject specific features which we might find unsuitable. Our concerns are for the health and safety of tenants as well as that of their neighbors; the preservation of buildings, some of historical significance, as rental stock for the future and the maintenance of the unique character of the neighborhoods of the City of Bellingham." Ms. Mackie said that while a majority of landlords may be doing a good job, they're still running a rental business and she believes those businesses should be licensed and held to regulations for that industry. She added that the Mayor's Neighborhood Advisory Committee recommended to the Mayor that a rental licensing and inspection ordinance should be drawn up for review and discussion in the public process. She said that successful licensing and inspection programs exist throughout the country and Bellingham would not be inventing something new.

**Cameron Murphy** [AB 18814, *Trans Mountain Pipeline*] reported on the community forum held May 20, 2010 that addressed the pipeline renewal agreement and concerns about the Alberta tar sands. He said they had addresses by Aaron Sanger, Jack Weiss and Paul Cienfuegos. Overall, he said there was general opposition towards the tar sands, support for resolutions [Council Member Weiss will be introducing on June 7<sup>th</sup>] and opposition to the franchise renewal.

**Aaron Sanger** [AB 18814, *Trans Mountain Pipeline*] spoke in support of two resolutions that are to be brought forwarding regarding fleet fuel objectives and non-fossil fuel transportation and asked that council support those resolutions.

**Paul Cienfuegos** shared information about dismantling corporate constitutional rights. He said over 100 rural Pennsylvania communities have passed ordinances that rein in constitutional rights and start to give local communities back some legal power. He noted that Mt. Shasta, California has put a version on its' upcoming ballot. He cited the Community Environmental Legal Defense Fund [www.celdf.org](http://www.celdf.org) for more information.

**Max Wilbert** discussed worldwide environmental issues over the past forty years and said that during that time every living system on earth has declined. He said we need: solutions that match the scale of the problems; to rethink tactics and strategies; to organize and challenge corporate rule and we need our government to be an ally and to refuse to make compromises.

**Kat Bula** [AB 18869, *regulating music and entertainment sound*], cofounder of Bellingham's Downtown Alliance for Music and Night-life (B'DAMN) reviewed how the organization has been involved over the last several years with the night-life community, downtown residents, Bellingham Police Department and city council to support a fair, objective noise ordinance to protect the vibrancy of the downtown. She referenced a list of preliminary changes they would like to see made to the city's noise ordinance along with a list of more than 300 supporters who signed to show their approval of their proposed changes. She urged the council to take action to begin shaping a new ordinance to include the community in the process. [Ms. Bula did not identify the proposed changes.]

**Ian Imhoff** [AB 18869, *regulating music and entertainment sound*] supports the drafting of a new noise ordinance that is objective (not subjective) and that it be passed very soon to secure and continue the growth of Bellingham's musically rich community.

**Samuel Parker**, [AB 18869, *regulating music and entertainment sound*] supports the review of the noise ordinance and encouraged crafting a new policy which is fair to downtown residents, artists and venues, and the people that make Bellingham so unique.

**Joan Sova** [AB 18687, *Rental Unit Licensing*] feels that rental owners should not be penalized for owning income producing property. She asked: how the city would determine who owns and who rents? How would the city staff keep up with the ever-changing world of rentals vs. home-owned property? Would inspections be performed on only multi-

family units with a minimum number of units required? What about landlords who own a single rental? She asked that council thoroughly research, and look at both sides, of this issue.

**Charles Law** [*AB 18814, Trans Mountain Pipeline*] strongly opposes the pipeline and tar oil from Alberta.

Public Comment continued after public hearing.

## **PUBLIC HEARING(S)**

### **AB18862 1. DRAFT 2011-2016 TRANSPORTATION IMPROVEMENT PROGRAM ALSO KNOWN AS THE 6-YEAR TIP**

Brent Baldwin, Development Manager gave a broad overview of the Revised 2011 - 2016 Six-Year Transportation Improvement Program (TIP), funding and process to date

Chris Comeau, Transportation Planner made the staff presentation and briefly reviewed each project:

- Project #1: Annual Arterial Pavement Resurfacing Program (Goal: 5%/year)
- Project #2: Meador-Kansas-Ellis Bicycle Lanes, Sidewalks, Bike-Ped Bridge (On-Street Portion of Whatcom Creek Trail) (Scheduled 2010 - 2011)
- Project #3: Northwest/McLeod Roundabout and Multimodal Improvements (Scheduled 2011)
- Project #4: McLeod Road Sidewalk (Scheduled 2011)
- Project #5: Eliza Avenue Multimodal Connector (Scheduled 2011)
- Project #6: James Street, Phase 1 Bridge Replacement (Expected 2012)
- Project #7: James Street, Phase 1 Multimodal Corridor Improvements (Woodstock to East Orchard) (Unfunded)
- Project #8 Waterfront District Multimodal Improvements (Unfunded)
  - 8a: Cornwall Avenue Bridge and Multimodal Improvements
  - 8b: Central Avenue Multimodal Improvements
  - 8c: Wharf Roundabout Multimodal Improvements
  - 8d: Railroad Relocation
  - 8e: C Street Phase 1 Multimodal Improvements (Roeder Avenue to Maple Avenue)
  - 8f: C Street Phase 2 Multimodal Improvements (Roeder Avenue to Bancroft Avenue)
- Project 9: Boulevard Park to Cornwall Avenue Overwater Pedestrian Walkway (Proposed 2013, additional funding required)
- Project #10: N. Samish Way Pedestrian Safety Improvements (N. Samish/Abbott and N. Samish/Consolidation) (Anticipate grant funding)
- Project #11: West Horton Road Phase 1 (Horton terminus to Aldrich Road) (Unfunded)
- Project #12: James Street Phase 2 (E. Orchard Drive to Telegraph Road) (Unfunded)
- Project #13: Barkley Boulevard Arterial Safety & Circulation Improvements (Howe Place to Woburn Street) (Unfunded)
- Project #14: Birchwood Avenue to James Street Multimodal Arterial Connector beneath I-5 (Unfunded)
- Project #15: Lincoln Creek Transportation Center (WWU / WTA) (City is not a funding partner; project must show on city's transportation plan in order for WWU & WTA to apply for grant funding)
- Project #16: Non-motorized Transportation Options (Unfunded)

Additions to Project 8 Waterfront District based on recommendations from the Transportation Commission and eligibility requirements for state and federal grant funding sources. These projects are all unfunded and have no affect on the overall numbers in the funding sheets.

Project 8 additions:

- 8g: Granary Avenue Multimodal Improvements (Roeder Avenue to Bloedel Avenue)
- 8h: Bloedel Avenue Multimodal Improvements (Chestnut Street to Commercial Street)
- 8i: Commercial Green Loop Multimodal Improvements (Bloedel Avenue to Bloedel Avenue)
- 8j: South Cornwall Avenue Multimodal Improvements (Wharf Street to Park Area)
- 8k: F Street Multimodal Improvements (Roeder Avenue to Maple Street)

Council President Knutson opened the public hearing.

**Dennis Curtis**, General Manager, Bellis Fair spoke in support of Project #5 (Eliza Avenue Connector).

**Jim McCabe** would support any efforts to move up the priority of Project #14 (Birchwood Avenue to James Street Multimodal Arterial Connector beneath I-5) as it would provide a safe crossing for those living east of Interstate 5.

**Yoshé Revelle** supports any pedestrian and bike trails.

There being no further comments, the public hearing was closed.

**BORNEMANN / BUCHANAN** moved to proceed with a worksession on June 7, 2010. **MOTION CARRIED 7-0**

#### **PUBLIC COMMENT - CONTINUED**

**Thoren Rogers**, [AB 18814, Trans Mountain Pipeline] voiced his support for a fleet fuel resolution and non-fossil fuel resolution. [Council Member Weiss will introduce on June 7<sup>th</sup>].

**McKenna Henrickson** [AB 18814, Trans Mountain Pipeline] expressed her concerns about the tar sands and said it is important to remember that we are connected to Canada by infrastructure and economies and also by our air and water. Any threat to those resources is a threat to healthy life and she urged the council to refuse to accept that these issues are beyond our influence. She voiced her support for resolutions regarding fleet fuels and non-fossil fuel transportation [Council Member Weiss will introduce on June 7<sup>th</sup>]. Finally, she invited the council to join the growing movement in Bellingham, and the nation, to revoke corporate person-hood.

**Scott Miles** [AB 18687, Rental Unit Licensing] said that we need to continue being very deliberate in considering the ramifications of our rental stock; we want it to grow. He feels this is a good direction but would consider adding an exemption for local ownership and possibly, number of properties. With regard to the noise ordinance [AB 18869, regulating music and entertainment sound] he suggested looking at the City of Bellevue's noise ordinance where they have adopted an intersecting uses matrix approach.

**Robert Cunningham** [AB 18687, Rental Unit Licensing] spoke in opposition to rental unit licensing citing that: the rule of three cannot be enforced due to privacy laws; the regulation of licensing landlords is a solution looking for a problem; this action will be inflationary and asked that the city council not burden one segment of the community with a license and regulation that are premature and unnecessary.

**Cat Sieh** [AB 18869, regulating music and entertainment sound] Director of Make.Shift, a nonprofit that supports musicians. She said that a revised noise ordinance is crucial if we expect a cultural and economic resurgence in downtown Bellingham and the lively and diverse new waterfront. She suggested that initial steps to mitigate the problem could be as simple as designating an arts and entertainment district that encompasses the Central Business District and nearby music venues that currently fall outside of the Central Business District.

**Cal Leenstra** [AB 18687, Rental Unit Licensing] feels that adopting a draconian new law is unwarranted, ill advised and an invasion of privacy. He said this ordinance won't fix the rule of three, partying, trash or parking problems. He said that Bellingham has a completely different demographic and cannot be compared to cities such as Sacramento, CA or Pasco, WA.

**Sam Top**, spoke in support of a revised noise ordinance.

**Amanda Kalkwarf** spoke in support of a revised noise ordinance.

**Marlene Jensen**, spoke in opposition to a landlord licensing program.

**Jordan Rain** spoke in support of a revised noise ordinance.

**Maggie Hanson** spoke in opposition to a landlord licensing and inspections.

**Amy Myers** spoke in opposition to landlord licensing and inspections.

**Mel Davidson** spoke in opposition to landlord licensing and inspections.

Johnny Grames discussed social issues.

## **REPORTS OF COMMITTEES**

### **COUNCIL STANDING COMMITTEE MEETINGS:**

#### **FINANCE & PERSONNEL**

MEMBERS: CHAIR, STAN SNAPP; BARRY BUCHANAN; MICHAEL LILLIQUIST

#### **AB18863 CB 13616**

##### **1. ORDINANCE APPROPRIATING FUNDS FOR A 24 MONTH, LIMITED-TERM ENVIRONMENTAL EDUCATOR POSITION**

“AN ORDINANCE RELATING TO THE 2010 BUDGET APPROPRIATING \$9,508.00 FROM ESTIMATED ENDING UNDESIGNATED RESERVE IN THE STORM AND SURFACE WATER UTILITY FUND AND ADDING ONE NEW LIMITED TERM POSITION IN THE PUBLIC WORKS DEPARTMENT MAINTENANCE OPERATIONS GROUP.”

**SNAPP / BUCHANAN** moved approval for first and second reading. **MOTION CARRIED 7-0.**

#### **AB18785 Resolution #2010-17**

##### **2. RESOLUTION ENDORSING FINANCIAL MANAGEMENT GUIDELINES FOR THE CITY OF BELLINGHAM**

“A RESOLUTION ENDORSING FINANCIAL MANAGEMENT GUIDELINES FOR THE CITY OF BELLINGHAM.”

**SNAPP / LILLIQUIST** moved final approval of Resolution #2010-17. **MOTION CARRIED 7-0.**

#### **PUBLIC WORKS / PUBLIC SAFETY**

MEMBERS: CHAIR, BARRY BUCHANAN; STAN SNAPP; JACK WEISS

#### **AB18864 1. BID AWARD FOR 2010 WATER MAIN REPLACEMENT, 12<sup>TH</sup> STREET RESURFACING AND WATER MAIN REPLACEMENT. EW-176, BID NO. 31B-2010**

**BUCHANAN / SNAPP** moved to award Bid No. 31B-2010 for 2010 Watermain Replacement, 12<sup>th</sup> Street Resurfacing & Watermain Replacement to Ram Construction of Bellingham, Washington as the lowest responsive, responsible bidder and to authorize the Mayor to enter into a contract with them for the amount of their bid, which is \$921,145.70. **MOTION CARRIED 7-0.**

#### **PARKS AND RECREATION**

MEMBERS: CHAIR, SETH FLEETWOOD; TERRY BORNEMANN; STAN SNAPP

#### **AB18865 1. CAPITAL PROJECT UPDATE: PROJECTS AT BOULEVARD PARK – PATTLE POINT TRESTLE, SHORELINE IMPROVEMENTS, OVER WATER WALKWAY**

Information only.

#### **AB18866 CB 13620**

##### **2. ORDINANCE APPROPRIATING FUNDS FROM THE GREENWAYS ENDOWMENT INTEREST INCOME**

“AN ORDINANCE RELATING TO THE 2010 BUDGET TRANSFERRING \$48,000.00 FROM THE ESTIMATED ENDING UNDESIGNATED RESERVE IN THE GREENWAYS MAINTENANCE ENDOWMENT FUND TO THE GENERAL FUND AND APPROPRIATING RELATED EXPENDITURES IN THE GENERAL FUND.”

**FLEETWOOD / SNAPP** moved approval for first and second reading. **MOTION CARRIED 7-0.**

**PLANNING & COMMUNITY DEVELOPMENT**

MEMBERS: CHAIR, TERRY BORNEMANN; SETH FLEETWOOD; MICHAEL LILLIQUIST; JACK WEISS

**AB18867 CB 13621**

**1. ORDINANCE ADOPTING THE 2009 WASHINGTON STATE BUILDING CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE ELECTRICAL CODE**

“AN ORDINANCE AMENDING BELLINGHAM MUNICIPAL CODE SECTION 17.05.010 REPEALING BELLINGHAM MUNICIPAL CODE CHAPTERS 17.10, 17.16, 17.30, 17.40 AND 17.50 AND ADOPTING A NEW CHAPTER 17.10 TO ADOPT BY REFERENCE THE 2009 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, NATIONAL FUEL GAS CODE, LIQUEFIED PETROLEUM GAS CODE, UNIFORM PLUMBING CODE, WASHINGTON STATE ENERGY CODE AND WASHINGTON CITIES ELECTRIC CODE, AS AMENDED, AS SET FORTH HEREIN.”

**BORNEMANN / WEISS** moved approval for first and second reading. **MOTION CARRIED 7-0.**

**AB18868 2. REVIEW OF AN INTERLOCAL AGREEMENT WITH WHATCOM COUNTY FOR THE BENNETT / BAKERVIEW / AIRPORT DRIVE ANNEXATION AREA**

**BORNEMANN / WEISS** moved to authorize the Mayor to enter into an Interlocal Agreement with Whatcom County concerning the Bennett / Bakerview / Airport Drive Annexation. **MOTION CARRIED 7-0.**

**AB18687 3. PRESENTATION OF FINDINGS OF ADDITIONAL RESEARCH ON RENTAL UNIT LICENSING AND INSPECTION PROGRAMS AND DISCUSSION OF OPTIONS FOR A POSSIBLE BELLINGHAM ORDINANCE**

Council Member Snapp left council chambers.

**FLEETWOOD / BORNEMANN** moved to direct staff to schedule a committee worksession at a date to be determined. **MOTION CARRIED 6-0, SNAPP out of chambers.**

Council Member Snapp returned to council chambers.

**AB18869 4. PRESENTATION OF FINDINGS OF RESEARCH INTO POLICY OPTIONS OR REGULATING MUSIC AND ENTERTAINMENT SOUND IN THE CITY OF BELLINGHAM**

**BORNEMANN / LILLIQUIST** moved to direct staff to draft an ordinance regulating music and entertainment sound levels based on the Austin, Texas model; and including an entertainment district or boundary, for council consideration and in conjunction with a public hearing. **MOTION CARRIED 7-0.**

**COMMITTEE OF THE WHOLE**

CHAIR, GENE KNUTSON

**1. APPROVAL OF CITY COUNCIL COMMITTEE AND/OR SPECIAL MEETING MINUTES**

None submitted at evening meeting.

**2. OLD/NEW BUSINESS**

Council Member Weiss will bring forward two resolutions on June 7<sup>th</sup> with regard to Fleet Fuel Sourcing and Alternatives to Fossil Fuels.

Council Member Lilliquist will bring forward two ordinances proposed by the Lake Whatcom Watershed and Natural Resources Committee, regarding Lake Whatcom protection.

**EXECUTIVE SESSION - Report only**

**1. LITIGATION: *Skeers v. City of Bellingham*:** Staff provided an update on this litigation matter. Information only. No action taken.

**2. LABOR NEGOTIATIONS:** Staff provided an update on labor negotiations. Information only. No action taken.

**MAYOR'S REPORT**

1. Standing time for briefings, updates and reports to Council by the Mayor, if needed. Information only.

**AB18870 2. MAYOR'S APPOINTMENTS FOR THE MAYOR'S NEIGHBORHOOD ADVISORY COMMISSION: STEVE LECOCQ FOR THE KING MOUNTAIN NEIGHBORHOOD AND JULIA MCLEAN FOR THE SEHOME NEIGHBORHOOD**

Information only.

**CONSENT AGENDA**

All matters listed on the Consent Agenda are considered routine and/or non-controversial items and may be approved in a single motion. Committee review has taken place during the afternoon session on most of these items. A member of the Council may ask that an item be removed from the Consent Agenda and considered separately.

**AB18871 1. AUTHORIZATION OF CHECK ISSUE FOR ACCOUNTS PAYABLE FROM APRIL 30, 2010 TO MAY 7, 2010.**

**AB18872 2. AUTHORIZATION OF CHECK ISSUE FOR ACCOUNTS PAYABLE FROM MAY 7, 2010 TO MAY 14, 2010.**

**AB18873 3. AUTHORIZATION OF CHECK ISSUE FOR PAYROLL FROM APRIL 16, 2010 TO APRIL 30, 2010.**

**BORNEMANN / BUCHANAN** moved to approve the Consent Agenda in its entirety. **MOTION CARRIED 7-0.**

**FINAL CONSIDERATION OF ORDINANCES**

**AB18808 1. CB 13608**

**AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING BMC 13.70 MULTIMODAL TRANSPORTATION CONCURRENCY**

**BORNEMANN / WEISS** moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, BUCHANAN, FLEETWOOD, KNUTSON, LILLIQUIST, SNAPP, WEISS

NAYS:

ABSTENTIONS:

**MOTION CARRIED 7-0** and was thereafter named Ordinance #2010-05-029

**AB18850 2. CB 13615**

**AN ORDINANCE RELATING TO THE 2010 GENERAL FUND BUDGET RECOGNIZING RECEIPT OF A \$500,000.00 GRANT FROM THE WASHINGTON STATE DEPARTMENT OF COMMERCE FOR THE ENERGY EFFICIENCY CREDIT ENHANCEMENT PROGRAM, APPROPRIATING \$487,500.00 AND PLACING THE REMAINING \$12,500.00 IN ESTIMATED ENDING UNDESIGNATED RESERVE.**

**WEISS / SNAPP** moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, BUCHANAN, FLEETWOOD, KNUTSON, LILLIQUIST, SNAPP, WEISS

NAYS:

ABSTENTIONS:

**MOTION CARRIED 7-0** and was thereafter named Ordinance #2010-05-030

**AB18852 3. CB 13617**

**AN ORDINANCE RELATING TO THE 2010 BUDGET APPROPRIATING \$75,000.00 FROM ESTIMATED ENDING UNDESIGNATED RESERVES IN THE TOURISM FUND FOR CAPITAL IMPROVEMENTS TO THE PICKFORD FILM CENTER**

**WEISS / SNAPP** moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, BUCHANAN, FLEETWOOD, KNUTSON, LILLIQUIST, SNAPP, WEISS

NAYS:

ABSTENTIONS:

**MOTION CARRIED 7-0** and was thereafter named Ordinance #2010-05-031

**AB18814 4. CB 13618**

**AN ORDINANCE GRANTING, TRANS MOUNTAIN PIPELINE (PUGET SOUND) LLC, A WASHINGTON LIMITED LIABILITY COMPANY, ITS SUCCESSORS, GRANTEEES AND ASSIGNS, THE NONEXCLUSIVE RIGHT, PRIVILEGE, AUTHORITY AND FRANCHISE TO CONSTRUCT, OPERATE, MAINTAIN, REMOVE, REPLACE, AND REPAIR EXISTING PIPELINE FACILITIES, TOGETHER WITH EQUIPMENT AND APPURTENANCES THERETO, FOR THE TRANSPORTATION OF PETROLEUM PRODUCTS AND BY-PRODUCTS WITHIN AND THROUGH THE CITY OF BELLINGHAM**

**BORNEMANN / SNAPP** moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, BUCHANAN, FLEETWOOD, KNUTSON, LILLIQUIST, SNAPP

NAYS: WEISS

ABSTENTIONS:

**MOTION CARRIED 6-1** and was thereafter named Ordinance #2010-05-032

**AB18857 5. CB 13619**

**AN ORDINANCE RELATING TO THE 2010 BUDGET APPROPRIATING \$216,965.00 FROM ESTIMATED ENDING DESIGNATED RESERVES IN THE GENERAL FUND FOR THE PURPOSE OF SETTLING A LEGAL DISPUTE REGARDING THE BUSINESS ACTIVITIES OF ENCOGEN NORTHWEST, L.P.**

**SNAPP / BORNEMANN** moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, BUCHANAN, FLEETWOOD, KNUTSON, LILLIQUIST, SNAPP, WEISS

NAYS:

ABSTENTIONS:

**MOTION CARRIED 7-0** and was thereafter named Ordinance #2010-05-033

**ADJOURNMENT**

There being no further business, the meeting adjourned at 9:19 p.m.

**Gene Knutson, Council President**

**ATTEST: Linda D. Anderson City Clerk Representative**

**APPROVED: 06/07/2010**

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