

APPOINTMENTS:

Jeff Estes, Fire Captain
Please see Public Safety.

MEETINGS AND OTHER INFORMATION:

None.

STAFF REPORT:**Resolution 439; Endorsing STA Ballot Proposition for Reauthorization of Three Tenths of One Percent Sales and Use Tax**

Administrator Ross explained that this resolution was prepared as directed by council at the last council meeting. Motion was made by Councilmember Maike; seconded by Redell to approve Resolution 439; Endorsing STA Ballot Proposition for Reauthorization of Three Tenths of One Percent Sales and Use Tax. Council polled; 3 ayes (Redell, Maike and Kulibert), 1 nay (Paikuli). Resolution was approved.

PARKS AND RECREATION COMMITTEE REPORT:**Approval of Rules Regulating the Use of All City of Medical Lake Parks and Facilities**

Council and Staff discussed the proposed rules for the Medical Lake Parks and Facilities. The rules were prepared by staff after direction from the Park & Recreation Committee. They incorporate rules for all City facility use (parks and City Hall). After the annual WCIA audit/review, recommendation came forward to eliminate alcoholic beverage use unless a Special Event Permit Application and proof of Commercial General Liability and Liquor Liability insurance in the amount of \$1,000,000 has been provided and approved by the City Administrator. Due to legislative laws and a litigious society staff is compelled to incorporate this new rule. After discussion a motion was made by Councilmember Maike; seconded by Paikuli to approve the Rules of the Parks and Facilities as presented. Council polled; all voted aye.

FINANCE COMMITTEE REPORT:

None.

PLANNING REPORT:

None.

PUBLIC WORKS:**Resolution 438; Reschedule Public Hearing Vacating a Portion of Spence Street for May 6, 2008**

City Administrator Doug Ross explained that due to a posting error, staff is requesting that the previously scheduled public hearing be rescheduled for May 6, 2008. Motion by Councilmember Redell; seconded by Maike to approve Resolution 438; Reschedule Public Hearing Vacating a Portion of Spence Street for May 5 2008. Council polled; all voted aye.

Resolution 440; Adoption of the City of Medical Lake Comprehensive Water Plan Dated April 2008

City Administrator Doug Ross explained that the Washington State Health Department requires the City to update the Comprehensive Water Plan every six years. E & H Engineering has completed the update and the Health Department has reviewed and approved the plan. The final step is the adoption of this resolution which has to be forwarded to DOE. Councilmember Redell then made a motion; seconded by Paikuli to approve Resolution 440; Adoption of the City of Medical Lake Comprehensive Water Plan Dated April 2008. Council polled; all voted aye. Administrator Ross noted that the complete plan is available for review in his office.

PUBLIC SAFETY COMMITTEE REPORT:

Fire Chief Brian Musser introduced newly promoted Fire Captain Jeff Estes. Mayor, Council and Staff congratulated, welcomed and thanked Captain Estes for his service to Medical Lake Fire Department.

Fire Chief Musser announced the arrival of the new fire truck. Chief Musser noted that the department is in the process of getting prices for essential equipment that will be needed to get this truck ready for service.

MEMBER REPORTS:

None.

CONSENT AGENDA:

Approval of Claims and Payroll

Claim Warrants 15013 through 15052 in the amount of \$33,505.77 and Payroll Warrants 8354 through 8382 in the amount of \$122,694.62.

Conflict Public Defender Contracts:

David R. Hearrean

Lutgen and Kirkham, PLLC

Consent Agenda was approved by motion from Councilmember Maike, second by Paikuli. Council polled; all voted aye.

OLD BUSINESS:

City Attorney McMullen gave Mayor, Council and Staff an update on the A & K Development, Inc. lawsuit which was filed last month. The motion for dismissal of Land Use Petition and Compliant for Damages was granted on March 21, 2008 by Judge Ellen Kalama Clark for the following reasons:

1. Service of process has not been effectuated on the City of Medical Lake.
2. Due to the absence of service of process on the City of Medical Lake, the Court lacks personal jurisdiction over the City.
3. For the same reason, the Court lacks jurisdiction under the Land Use Petition Act, Ch.37.70C RCW.
4. Dismissal is proper under RCW 36.70C.040 and RCW 4.28.080(2).
5. The applicable statute of limitations periods for the causes of action contained in A&K's Land Use Petition and Complaint for Damages have lapsed.

City Attorney McMullen stated that a reconsideration of the decision has been submitted to the court by A&K Development and the City should know by next week if the dismissal will be upheld. If it is, the petitioner has the right to appeal and probably will. Council will be kept updated on this issue.

DISCUSSION OF ADDITIONS TO THE AGENDA:

None.

EXECUTIVE SESSION:

None.

ADJOURNMENT:

Mayor Higgins adjourned the meeting at 7:03 p.m.

Mayor John Higgins

City Clerk / Finance Director