

CITY OF MEDICAL LAKE
City Council Regular Meeting

6:30 PM
February 21, 2023

MINUTES

Council Chambers
124 S. Lefevre Street

NOTE: This is not a verbatim transcript. Minutes contain only a summary of the discussion. A recording of the meeting is on file and available from City Hall.

COUNCIL AND ADMINISTRATIVE PERSONNEL PRESENT

Councilmembers

Don Kennedy
Chad Pritchard
Art Kulibert (via Zoom)
Heather Starr
Tony Harbolt
Bob Maxwell

Administration/Staff

Terri Cooper, Mayor
Sonny Weathers, City Administrator
Roxanne Wright, Admin. Assistant
Sean King, City Attorney
Scott Duncan, Public Works Director
Elisa Rodriguez, City Planner
Steve Cooper, WWTP Director

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

- A. Mayor Cooper called the meeting to order at 6:34 pm, led the pledge of allegiance, and conducted roll call. Position #2 is vacant, councilmember Kulibert was present on Zoom, councilmembers Pritchard, Starr, Kennedy, Harbolt, and Maxwell were all present in person.

2. AGENDA APPROVAL

- A. Motion made by councilmember Kennedy, seconded by councilmember Harbolt, to strike agenda item 1A as it was inadvertently left on the agenda from the last council meeting and councilmember Kennedy is present. Motion carried 6-0.
- B. Motion to approve agenda as amended made by councilmember Starr, seconded by councilmember Kennedy, carried 6-0.

3. INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- A. Tammy Roberson 424 S Brooks – shared comments on the proposed Critical Areas Ordinance. See attached.
- B. Mike Bauman N Stanley – Shared concerns over increased speeding on Stanley Street. Suggested placing the mobile radar units in a more permanent placement.

4. ANNOUNCEMENTS / PROCLAMATIONS / SPECIAL PRESENTATIONS

- A. Councilmember Harbolt submitted a request for absence from the March 7, 2023, council meeting. Motion to approve made by councilmember Kennedy, seconded by councilmember Maxwell, carried 5-0 with councilmember Harbolt abstaining.

5. REPORTS

A. City Council & Council Committee Reports

- i. Finance Committee – Councilmember Starr shared that the committee reviewed claims and warrants. Other topics of conversation will be covered throughout the remainder of this meeting.
- ii. Public Safety Committee – Councilmember Maxwell was chosen as committee chair. Shared update from SCSO that seven vehicle thefts occurred in Medical Lake last year. Reminded citizens to lock cars and not leave valuables in them to deter theft.
- iii. General Government Committee – Mayor Cooper shared that the meeting time for this committee will change due to a conflict with another committee meeting. Councilmember Pritchard shared that they discussed voting in a committee chair, Public Works equipment procurement, and the upcoming complete streets workshop. Reported that the city wells are looking good. Congratulated Steve Cooper, WWTP director, on procuring the solar array grant.

B. Council Comments

- i. Councilmember Pritchard – Attended the Housing and Community Development Advisory Committee (HCDAC) meeting and reported that Medical Lake will be recommended for some funding. Shared that the next Medical Lake Geo walk will be Saturday, April 11, 2023, beginning at noon. Shared that the Medical Lake School District STEM night will be on May 3, 2023, 6-7:30 pm at Medical Lake Middle School.
- ii. Councilmember Starr – no report
- iii. Councilmember Kennedy – Reported on the Spokane Transit Authority (STA) meeting last week. Updated on City line bus stops. It will be the first rapid transit in eastern Washington. Ridership for STA was up 14% in 2022.
- iv. Councilmember Maxwell – no report
- v. Councilmember Kulibert – Reported that there are some advance tickets available through the Blue Waters website, for the Bluegrass Festival in August.
- vi. Councilmember Harbolt – Shared that he was glad to be back in person.
- vii. Mayor Cooper – Shared that Re*Imagine Medical Lake is rolling out a brand-new website with Founder's Day information. Shared that Ptera is rolling out fixed wireless. Citizens can go to the Ptera website, select services, and under "coming soon to Medical Lake" they can put in their address to check eligibility for connection. Shared that credit card payments are now accepted at the front counter of City Hall. Reported that there are four applicants for the Parks and Recreation Director position and there will be an interview next week for the Code Enforcement position.

C. City Administrator & City Staff

- i. Public Safety Update (SCSO & FD3)
 1. Chief Rohrbach FD3 – Reported that the January call volume was 67 which is high normal. Overall response time is right around seven minutes for Medical Lake.

Shared that they received a grant for self-contained breathing apparatus and training on them is in progress.

2. Lt. Gladden SCSO – followed up on crime statistics and how they are delivered to the city. Responded to the previous citizen complaint of speeding. Shared that when reporting the speeding to them, it is helpful to have time of day, day of the week, etc. Citizens can call into Crime Check with that information.
- ii. Sonny Weathers, City Administrator
 1. Attended Commute Trip Reduction Champion Awards. Shared information about the program.
 - a. Mayor Cooper presented city staff member, Marilyn Eaker, with a Silver Employee Champion Award and the Bronze Jurisdiction Award from Commute Trip Reduction Program.
 - i. Ms. Eaker shared her desire to research the possibility of scooters for employee use.
 2. Shared about the solar array grant and the project that it will fund.

6. WORKSHOP DISCUSSION

A. Mnati Consulting Retainer Contract

- i. Mayor Cooper shared information regarding the grant writing consultant and the process used. Discussion held regarding compensation. Mayor Cooper asked the council to decide on a starting retainer fee to present to Ms. Mnati.
 1. Motion to set retainer fee at \$2500 made by councilmember Pritchard, seconded by councilmember Starr, then after further council discussion, councilmember Pritchard retracted his motion. Motion to increase the amount to \$5000 made by councilmember Maxwell, seconded by councilmember Pritchard, carried 6-0.
 2. Mayor Cooper stated that the contract will be brought forward at the next meeting.

B. City Council Appointment, Position 2 Candidate Interviews

- i. Mayor Cooper welcomed the three candidates and explained the process for the interviews and selection.
- ii. Candidate Lance Speirs – introduced himself and shared some personal information and reasons for desiring to serve on council.
 1. Councilmembers questions
- iii. Candidate Kelli Shaffer – introduced herself, shared some personal information and reasons for desiring to serve on council.
 1. Councilmember questions
- iv. Candidate Ted Olson – introduced himself, shared some personal information and his reasons for desiring to serve on council.
 1. Councilmember questions

7. EXECUTIVE SESSION – Scheduled per RCW 42.30.110(h) (City Council candidate(s) qualifications)

- A. Mayor Cooper excused council at 7:42 pm for a twenty-minute executive session to discuss candidates. Returned at 8 pm and meeting resumed.

8. ACTION ITEMS

- A. Nomination and Selection of City Council Appointment, Position 2

- i. Motion to nominate Kelli Shaffer made by councilmember Starr, seconded by councilmember Pritchard. Vote of 2-4 with councilmembers Kennedy, Maxwell, Kulibert, and Harbolt voting nay, motion failed.
 - ii. Motion to nominate Ted Olson made by councilmember Kennedy, seconded by councilmember Maxwell. Vote of 3-3, with councilmembers Pritchard, Starr, and Harbolt voting nay leaving Mayor Cooper as the tie-breaking vote. Motion carried 4-3 and Ted Olson will take council position 2.
 - iii. Mayor Cooper explained to other candidates how to register for council elections happening this year.
- B. Consent Agenda
- i. Approve **February 7, 2023**, minutes.
 - 1. Motion to approve made by councilmember Kennedy, seconded by councilmember Pritchard, carried 5-1, with councilmember Kulibert not voting (see below). Motion to approve as amended made by councilmember Kennedy, seconded by councilmember Maxwell, carried 6-0.
 - a. At this point, councilmember Kulibert suggested a correction to show that the answer to one of his questions at the previous meeting was no (section 10.C.i. in the minutes). Since it was noted in the minutes that research would be done and answers provided at the next meeting, no correction is needed and therefore, not made. Legal counsel addressed the questions and provided the answers later in this meeting in section 11.A.iii.
 - ii. Approve **February 21, 2023**, Claim Warrants **42167** through **42218** in the amount of **\$135,703.77**, Payroll Claim Warrants **42158** through **42166**, and Payroll Payable Warrants **20186** through **20190** in the amount of **\$139,360.07**.
 - 1. Finance Committee reviewed and approved. Motion to approve made by councilmember Starr, seconded by councilmember Kennedy, carried 6-0.

9. RESOLUTIONS

- A. 23-573 Consortium Agreement with Spokane Testing Solutions
 - i. Public Works Director, Scott Duncan, explained the need for the agreement. Motion to approve made by councilmember Pritchard, seconded by councilmember Kennedy, carried 6-0.
- B. 23-574 EFT Policy
 - i. Mr. Weathers explained the basics of the policy. Motion to approve made by councilmember Kennedy, seconded by councilmember Maxwell, carried 6-0.
- C. 23-575 Lake Street ADA Upgrades Prospectus and Local Agency Agreement
 - i. Mr. Duncan explained the agreement. Motion to approve made by councilmember Pritchard, seconded by councilmember Maxwell, carried 6-0.
- D. 23-576 E & H Engineering Consultant Agreement for Lefevre Street Lane Restriping and Sidewalks
 - i. Mr. Duncan explained the agreement. Motion to approve made by councilmember Kennedy, seconded by councilmember Pritchard, carried 6-0.

10. PUBLIC HEARING / APPEALS – No items listed.

11. ORDINANCES

A. First Read - 1108 Critical Areas Ordinance

- i. Legal Counsel, Sean King, read the ordinance.
- ii. Mr. Weathers shared information regarding critical areas and Medical Lake's current ordinance and required update.
- iii. Mr. King addressed some of the concerns that had been brought up at previous meetings. Answered councilmember Kulibert's questions from the previous meeting. Specifically, "If the city denies building due to critical areas, is the city then required to purchase the land? The answer to this question is no. Question two was "can the High School continue using the soccer field if it is designated wetland? The answer to this question is yes. Mr. King gave further explanation on both answers and additional discussion continued. Councilmember Pritchard asked about enforcement of the ordinance and Mr. King discussed options of a third-party enforcement entity versus in-house enforcement. Explained that if the council believes there are items that need further review, they can send the CAO back to the Planning Commission as this is only the First Read of the ordinance. Councilmember Kennedy confirmed with Mr. King that this CAO is being done to bring us into compliance with Washington State law and suggested that Washington State likely has some of the more stringent environmental laws in the country. Mr. King concurred.
- iv. Elisa Rodriguez, City Planner – shared information regarding the approval process of the current CAO versus the proposed CAO.
 1. Suggested an amendment to section 17.10.040 Approval Process (see attached).
 - a. Motion to add the suggested change made by councilmember Kennedy, seconded by councilmember Harbolt, carried 6-0.
- v. Mayor Cooper addressed council and shared thoughts on CAO. Provided the following suggested grammatical corrections:
 1. 17.10.020(B)(5) - add a period at end of first sentence.
 2. 17.10.040(A)(16) – change first "of" to "to" and the second "of" to "in".
 3. 17.10.040(A)(17)- delete "the" in the second sentence where it states, "for the recording".
 4. 17.10.040(F) – should be Section E not F. Also correct to reflect "appeals is in subsection 16" not 15 as it currently reads.
 5. 17.10.050(F)(1)(f) - change the word "irrelevant" to "not applicable".
 6. 17.10.070(B)(2)(c) - references 17.10.030(C)(3)(c), however, there is no such section. Strike (c), so that subsection (d) will become (c).
 7. 17.10.100(B)(6) – include a semi-colon after "feasible".
 8. 17.10.110 after (6), add a period.
 9. 17.10.120(A) - strike "wetland" and replace with "critical area".
 10. 17.10.120(C) - strike the number "1", and the double period, and correct indention.
 11. 17.10.120 – in the second to last sentence, strike reference to "subsection A" and replace with "this section". Sentence would then read "subject to enforcement under this section."
 12. 17.10.110 (B)(6) add "and" after the semi-colon.
 13. 17.10.020 (H) - add "as defined by 17.10.100" to the last sentence.
 14. Councilmember Pritchard shared his desire to see wording added in section 17.10.020(A) regarding groundwater recharge, critical area aquifer recharge, and erosion control. Mayor Cooper asked that a vote be taken on the minor grammatical corrections first since Mr. Pritchard's request is substantive and requires changes to the wording of the document.
 - a. Motion to accept the above minor corrections made by councilmember Kennedy, seconded by councilmember Maxwell, carried 6-0.

- b. Mayor Cooper addressed to councilmember Pritchard that she would entertain a motion now to add the language he was requesting, or if he doesn't have it available now, he could bring it at the second reading if the first reading is approved tonight. Councilmember Pritchard stated that he would write the language and e-mail it prior to the next meeting.
- vi. Motion to approve first read as amended made by councilmember Kennedy, seconded by councilmember Maxwell, carried 6-0.

12. EMERGENCY ORDINANCES – No items listed.

13. UPCOMING AGENDA ITEMS

- A. Asset Management workshop

14. INTERESTED CITIZENS: AUDIENCE REQUESTS AND COMMENTS

- A. Tammy Roberson 424 W Brooks – shared final comments on CAO. See attached.
- B. Nora Vralsted-Thomas 1006 N Stanley – expressed support for Ms. Roberson's proposed amendments.

15. CONCLUSION

- A. Motion to conclude meeting made by councilmember Pritchard, seconded by councilmember Maxwell. Motion carried 6-0 and meeting concluded at 8:58 pm.



Terri Cooper, Mayor



Koss Ronholt, Finance Director/City Clerk

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February 17, 2023

*Admitted in Washington and Idaho

www.spokelaw.com

RE: SECOND SET OF PROPOSED AMENDMENTS TO THE 2023 CRITICAL
AREAS ORDINANCE SUBMITTED BY TAMMY M. ROBERSON

February 2, 2023

Dear Members of the City Council:

My name is Trevor Matthews, and I represent Tammy M. Roberson, a citizen of Medical Lake. I am, once again, writing on her behalf about the City's proposal to update the Medical Lake Critical Areas Ordinance ("CAO"). As you may recall, I sent comments on February 2, 2023 making suggestions for amendments to the proposal. Because the Council has wisely elected to devote extra time and consideration to the CAO before putting it to vote, Ms. Roberson has asked me to submit several more proposed amendments on her behalf.

Ms. Roberson's goal in submitting these amendments is to strengthen and clarify portions of the CAO that deal with wetland delineation and enforcement. These amendments attempt to make it clear that the City has direct power to enforce the CAO and that wetland delineation is a scientific process that should defer to experts. The other proposed amendments attempt to address small weaknesses and ambiguities in the draft CAO without making sweeping changes to its meaning and effect.

Amendment # 5: Ensure that the City Has Sufficient Enforcement Authority.

Delete Section 17.10.120(D) and replace Section 17.10.120(A) with the following text:

- "1. General. No activity requiring a critical area permit shall be conducted without full compliance with this Chapter. Those activities not specifically authorized are prohibited. When a wetland or its buffer has been altered in violation of this Chapter, all ongoing development work shall stop and the critical area shall be restored.

The City shall have the authority to issue a "stop-work" order to cease all ongoing development work and order restoration, rehabilitation, or replacement measures at the owner's or other responsible party's expense to compensate for violation of this Chapter.

2. Inspections. The City or its authorized representative is authorized to make such inspections and take such actions as may be required to enforce the provisions of this Chapter.
3. Right of Entry.
 - a. Whenever necessary to make an inspection to enforce any of the provisions of this Chapter, or whenever the City or its authorized representative has reasonable cause to believe that there exists upon any premises any condition which violated the provisions of this Chapter, the City or its authorized representative may enter such premises at all reasonable times to inspect the same or perform any duty imposed upon him/her by this Chapter, provided that:
 - i. If such premises are occupied, he/she shall first present proper credentials and demand entry; and
 - ii. If such premises are unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having charge or control of the premises and demand entry. If such entry is refused, the City or its authorized representative shall have recourse to every remedy provided by law to secure entry.
 - b. No owner or occupant or any other person having charge, care or control of any premises shall fail or neglect, after proper demand is made as herein provided, to promptly permit entry herein by the City or its authorized representative for the purpose of inspection and examination pursuant to this Chapter. Any person violating this Subsection is guilty of a misdemeanor.
4. Violation.
 - a. Penalties for violations of this Section may be imposed administratively and appealed pursuant to Section 2.80.060(2) of this code.

- b. Notice of penalties – If the City or its authorized representative finds that a violation of this Chapter exists, he/she shall cause to be served, either personally or by certified mail, with return receipt requested, upon all persons having any interest in the property where the violative condition exists, as shown upon the records of the Spokane County Auditor's Office, and shall post in a conspicuous place on such property, a complaint stating the specifics of the violation. If the whereabouts of such persons are unknown and the same cannot be ascertained by the City or its representative in the exercise of reasonable diligence, and the City makes an affidavit to that effect, then the serving of such notice or order upon such persons may be made by publishing the same once each week for two consecutive weeks in a legal newspaper of general circulation in the City. Such complaint shall contain a notice that the violator may request a hearing before the hearing examiner within 21 days of mailing, service or publication of the notice. All parties in interest shall be given the right to file an answer to the notice, and to appear in person, or otherwise, and to give testimony at the time of a hearing before the hearing examiner. Penalties shall become final if the time for appeal expires without action by the violator. All costs, fees and expenses in connection with enforcement of such actions may be recovered as damages against the violator.
5. Remedies Available. In the event of violation, the City or its hearing examiner shall have the authority to levy fines, order restoration, rehabilitation or creation of measures to compensate for the destroyed or degraded critical area. If work is not completed in a reasonable time following the order, the City may, to the extent of monies available through bonds and/or fines, implement a process to restore the affected site or create new wetlands to offset loss as a result of violation in accordance with this code. The violator shall be liable for the cost of such action.
6. Violation—Misdemeanor. Any person, firm or corporation who violates any provisions of this Chapter or who fails, refuses or neglects to comply with the terms of a final order issued under this

Section within the time provided in such final order, is guilty of a misdemeanor.”

Comment:

A law is only as strong as its enforcement provisions. Without enforcement powers, there is no law because there is no deterrent to violation. The presently effective version of the City Code, contains relatively robust, if flawed, enforcement provisions. It allows the City to stop work, levy fines and order restoration of critical areas. By contrast, the proposed CAO is short on detail and gives the City less enforcement authority. This proposed amendment attempts to adapt those provisions to make clear that the City has direct authority to enforce the CAO against violators. The previous enforcement provisions were somewhat cumbersome, always requiring a public hearing before any enforcement could be implemented. This revision of those provisions allows the City to act more quickly by imposing penalties administratively but protects the rights of landowners by allowing immediate appeal of administrative enforcement to the hearing examiner.

Amendment # 6: Ensure Experts Determine Wetland Boundaries.

Amend Section 17.10.020(G) to read:

“Interpretation of Critical Area Boundaries. Determining the exact location of the boundary occurs only through a delineation process performed during the site investigation associated with the development. The planning official shall be authorized to reject, but not replace, a qualified professional’s proposed location of the mapped critical area boundary. Final designations must be based on the best available science, site conditions and other available data or information.”

Comment:

City officials should have oversight duties, but not final authority to declare the extent of a wetland boundary. Because City officials are not experts, they are not qualified to interpose their judgment for that of a qualified professional submitting a report.

Amendment # 7: Make it Clear that Buffer Averaging Must Improve Wetland Protection.”

Amend 17.10.020(F)(2)(h) to include clause v. which reads:

“v. buffer averaging will result in an improvement to overall wetland protection.”

Comment:

This recommendation comes directly from guidance published by the Department of Ecology. It is contained in WETLAND GUIDANCE FOR CAO UPDATES, EASTERN WASHINGTON VERSION, 2016 at page 31. Including this provision is valuable because buffer averaging is not intended to be a

loophole to make projects easier. It is designed to allow development while increasing wetland functions for the benefit of the City and its citizens.

Amendment # 8: Allow Front Yard Size to Decrease to Facilitate Buffer Size.

Amend 17.10.090(F)(2) to include a new subparagraph "j." which reads:

"j. In order to accommodate for the required buffer zone, the City may reduce the front yard setback requirements on individual lots on a case-by-case basis. The front or rear yard shall not be reduced by more than fifty percent."

Comment:

This provision is in the original code but has been excluded from the new draft. The provision is good because it allows buildings to be located closer to the front of a property to allow for a larger buffer. This provision makes it easier to protect wetlands while still allowing for development. This provision is likely to reduce the risk of takings lawsuits from landowners.

Comment Regarding Other Types of Critical Areas:

According to the Medical Lake 2019 Comprehensive Plan: "The Washington State Growth Management Act requires that all towns, cities, and counties adopt development regulations to protect critical areas and resource lands." (Page 93). The City has a variety of protectable critical areas and natural resource lands in its boundaries, but the present CAO only deals with a fraction of them.

In the presently effective code, Sections 17.10.070, .080, .090, .100 are all marked, "[Section reserved/No applicability.]" The draft CAO does nothing new to address these other important environmental resources in Medical Lake. For example, Page 104 of the Comprehensive Plan indicates that Medical Lake has an "aquifer recharge area" within its boundaries, but the CAO does nothing to address protection of that critical area. In addition, Ms. Roberson has recently determined that Medical Lake has protectable Forestland within its boundaries.

The Comprehensive Plan states that the Growth Management Act requires the City to protect these other sensitive areas (e.g. geologically hazardous areas, aquifer recharge area, forestland land, etc.). The City Council should work diligently to ensure that the Draft CAO is just the beginning of Medical Lake's efforts to protect the environment. Once the CAO is properly amended and approved, the City will need to pass amendments to make sure that it fulfills its remaining environmental duties.

CONCLUSION

As I told you before, Ms. Roberson believes that the proposed CAO is largely acceptable and reasonable, even if it is not her ideal law. Even so, there are still ways the draft can be approved. Ultimately, Ms. Roberson's goal, which I believe you share, is to make sure that the CAO balances the interests of developers with the need to protect Medical Lake's environment. The City cannot achieve this goal unless it has clear power to enforce the law and deter violation. The proposed amendment to the enforcement section of the draft CAO is long, but it is largely drawn

from the present code. I encourage the council to review Ms. Roberson's proposed amendments carefully and adopt them.

Thank you for your time and attention in this important process. If council members or their representatives have questions or would like to discuss this proposal, I am happy to speak by phone or to attend a council meeting to assist the City in improving the CAO.

Sincerely,

A handwritten signature in black ink, appearing to read "Trevor Matthews". The signature is fluid and cursive, with a prominent loop at the end.

Trevor Matthews
Phillabaum, Ledlin, Matthews & Sheldon, PLLC
Attorneys for Tammy M. Roberson

Comments – February 21, 2023 City Council Meeting (1st Interested Citizens)
(As Of: 21 Feb 2023)

Good evening, Mayor, City Council members and City Officials.

My goal in submitting these four additional amendments is to strengthen and clarify portions of the Critical Areas Ordinance (CAO) that deal with wetland delineation and enforcement. These amendments attempt to make it clear that the City has direct power to enforce the CAO, that wetland delineation is a scientific process that should be deferred to experts and to address ambiguities. Three examples include:

Amendment #5: Ensure that the City has sufficient enforcement authority.

- 1) Without enforcement powers, there is no law because there is no deterrent to violation.
- 2) The current effective version of the City Code, contains relatively robust, if flawed, enforcement provisions. It allows the City to stop work, levy fines and order restoration of critical areas.
- 3) By contrast, the proposed CAO is short on detail and gives the City less enforcement authority.
- 4) This proposed amendment attempts to adapt those provisions to make clear that the City has direct authority to enforce the CAO against violators.
- 5) This revision allows the City to act more quickly by imposing penalties administratively, but protects the rights of landowners by allowing immediate appeal of administrative enforcement to the hearing examiner

Amendment #6: Ensure experts determine wetland boundaries.

- 1) City officials should have oversight duties, but not final authority to declare the extent of a wetland boundary
- 2) City officials are not experts, they are not qualified to interpose their judgement for that of a qualified professional submitting a report.

Amendment #7: Make it clear that buffer averaging must improve wetland protection.

- 1) Comes directly from guidance published by DOE.
- 2) This is valuable because buffer averaging is not intended to be a loophole to make projects easier.
- 3) It is designed to allow development while increasing wetland functions for the benefit of the City and its citizens.

My goal, which I believe you share, is to make sure that the CAO balances the interests of developers with the need to protect Medical Lake's environment. The City cannot achieve this goal unless it has clear power to enforce the law and deter violation.

Since one of Medical Lake's community issues (per the 2019 Comprehensive Plan) is "the community's wetlands, lakes, and shorelines which are vulnerable to encroachment and misuse, this requires dedicated enforcement of conservation polices and regulations." which equates to a well written and enforced CAO.

Please review my proposed eight amendments carefully and adopt them.

May the force be with our wetlands and the future of Medical Lake.

As always, thank you so much for your attention and ensuring our City wetlands have extra protections at the local level.

Tammy M. Roberson, 424 W Brooks

Comments – February 21, 2023 City Council Meeting (2nd Interested Citizens)
(As Of: 21 Feb 2023)

Good evening, Mayor, City Council members and City Officials.

On a side note from wetlands: There are other types of critical areas found in Medical Lake which are in the City's 2019 Comprehensive Plan but missing from the Critical Areas Ordinance (CAO).

The proposed CAO only deals with a fraction of them from the Comp Plan.

1st example from the Comprehensive Plan, "The city's critical areas ordinance addresses development occurring over the aquifer and within the aquifer recharge area" (page 103) but the CAO does not address protection of this critical area.

2nd example, "the City has some wind erosion of exposed soils" (page 105) but the CAO does not mention Geologically Hazardous Areas.

3rd example, according to the Dept of Natural Resources, Medical Lake has forestlands but again this is not mentioned in the CAO nor for that matter in the Comprehensive Plan.

The City Council should work diligently to ensure that the draft CAO is just the beginning of Medical Lake's efforts to protect the environment.

Once the CAO is properly amended and approved, the City will need to pass amendments to make sure that it fulfills its remaining environmental duties.

Not sure why you all did not go over the proposed eight amendments and let us know why these were not added (communicating with us verbally or in writing). These eight amendments were not even discussed among the members. Instead, you all went over the small grammatical errors which will not help the wetlands out. BTW – these small errors should have been caught by the Planning Commission... The City Council's job is to review the "meat" of the CAO...

May the force be with our wetlands and the future of Medical Lake.

Thank you for your attention and time.

Tammy M. Roberson, 424 W Brooks