

**MEDINA CITY COUNCIL  
REGULAR MEETING MINUTES**  
*Medina City Hall Council Chambers  
October 13, 2008; 6:00 pm*

**CALL TO ORDER**

The October 13, 2008, Regular Meeting of the Medina City Council was called to order by Mayor Nelson at 6:00 pm.

**ROLL CALL**

Council Members Present: Lucius Biglow, Drew Blazey, Bret Jordan, Jim Lawrence, Mark Nelson, Bob Rudolph, and Shawn Whitney

City Staff Present: Mike Caldwell, Interim City Manager; Wayne Tanaka, City Attorney, Ogden Murphy Wallace; Jeff Chen, Chief of Police; Joe Willis, Director of Public Works; and Rachel Baker, City Clerk

**EXECUTIVE SESSION**

The City Council recessed into Executive Session at 6:00 pm for an estimated time of thirty minutes for the purpose of labor negotiations, pursuant to RCW 42.30.110 (1)(g), and to evaluate the qualifications of an applicant for public employment, pursuant to 42.30.110(1)(g).

City Council Members Biglow, Blazey, Jordan, Lawrence, Nelson, Rudolph, and Whitney; and Interim City Manager; were present. Executive Session adjourned at 6:50 pm. No action was taken.

Following a recess, the Regular Meeting was called to order at 6:55 pm.

Mayor Nelson led Council, staff and audience members in the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor and Council added other business item to agenda to discuss matter concerning council member Biglow. Item added as first other business item and the council accepted the meeting agenda as modified at 7:00 pm.

**PUBLIC COMMENT**

Mayor opened floor to public comment at 7:00 pm. There were no comments from audience members and the Mayor closed floor to public comment at 7:00 pm.

## REMARKS AND ANNOUNCEMENTS

Mayor pointed out two SR-520 design review meetings have occurred and a third will be scheduled in December; questions can be directed to either the mayor or public works director.

Mayor announced resident Jack Reynolds, age 94, passed away today. Mr. Reynolds was acknowledged as an honorary police officer in 2002 and was an active member of the community.

Caldwell mentioned city hall experienced a power outage on October 10, and the emergency generator kicked in immediately. He added that the public works director will gather bids for construction of a fence around the generator.

## AWARDS AND PRESENTATIONS

Mayor recognized Vic Demetre for his service in position number five on the Medina Park Board from July 2007 to August 2008. Mr. Demetre was presented with a certificate of appreciation and a commemorative anniversary coin.

## CONSENT AGENDA

MOTION JORDAN AND SECOND BLAZEY TO APPROVE CONSENT AGENDA AND THE MOTION CARRIED 7-0, AT 7:07 PM.

- *September 8, 2008 City Council Regular Meeting Minutes*
- *September 24 2008 City Council Special Meeting Minutes*
- *October 2, 2008 City Council Special Meeting Minutes*
- *October 9, 2008 City Council Special Meeting Minutes*
- *October 10, 2008 City Council Special Meeting Minutes*
- *Interlocal Cooperation Agreement Regarding the Community Development Block Grant Program*
- *Medina Beach Park Shoreline Restoration Project Acceptance*

### Approval of September 2008 Checks/Finance Officer's Report (7:07 pm)

Whitney stated the finance committee met and reviewed voucher checks and recommended the checks and finance officer's report be approved as presented.

MOTION WHITNEY AND SECOND JORDAN TO APPROVE THE SEPTEMBER 2008 CHECKS/FINANCE OFFICER'S REPORT: (*Claim checks 74464 through 74543 in the amount of \$144,158.89 and payroll check numbers 24811 through 24880 in the amount of \$180,353.72* ). MOTION CARRIED 7-0 AT 7:08 PM.

## OTHER BUSINESS

### Matter Concerning Council Member Biglow (7:08 pm)

Mayor introduced item and council members sought advice of city attorney. Tanaka provided a summary of matter. Council member Biglow commented to the allegations made against him.

Mayor opened floor to public comment at 7:34 pm.

Resident Doug Dicharry requested the council summarize the nature of the complaints for the benefit of the public.

Tanaka explained general nature of the accusations. He remarked that email communications sent by council member Biglow were received as insensitive and disrespectful, and conduct and verbal statements made by council member Biglow were received as offensive, demeaning and unwelcomed. Tanaka said the allegations do not amount to criminal activity.

Resident Katie Phelps said actions, whether statements were written, electronic, or verbal, could culminate into two potential lawsuits. She said that in addition to the time, money and effort that have gone into resolving the issue, it remains a liability factor for the city. She asked each council member directly if she/he asked council member Biglow to resign.

Council members Jordan, Whitney, Nelson and Rudolph stated they asked for his resignation. Council member Blazey said he did not ask for his resignation and council member Lawrence declined to state his position.

Ms. Phelps asked council member Biglow to resign.

Resident Dennis Gerlitz addressed council member Biglow and said he overstepped his bounds as the creator of inappropriate emails and urged for his resignation. Mr. Gerlitz said the racial bigotry expressed in his email was unbelievable.

Biglow confirmed the emails were from him.

Resident Henry Paulman stated he finds the whole matter to be incredible. He said he has known Mr. Biglow for many years and finds him to be a gentle soul, a good person, and supported him for remaining on the council. He suggested residents attempt a recall and bring the facts and details out into the public.

Resident Heija Nunn said there is not mother in the community who would take lightly words like rape, predator, and imprisonment, or the racially insensitive emails from council member Biglow. She claimed that when she read the "United Predators of Medina" email to the council, she was looking for an explanation of how a public official could write and sign such an email. Ms. Nunn said that the "Harry Potter" email was an unbelievable piece of writing from a public official. Ms. Nunn questioned what a formal complaint is and how to conduct a recall election. She stated that there must be more to the situation than the

two emails she has brought up. Ms. Nunn requested copies of the memorandum of understanding and the resolution.

No further comments from the audience were presented.

Council members continued to discuss the matter. Biglow showed a draft letter addressed to the council from Harry Schneider. Tanaka distributed to council members a draft memorandum of understanding and a draft resolution.

Mayor said discussion and potential action on the matter would continue at a special meeting on Thursday, October 16, at 5:30 pm.

#### 2009 Preliminary Budget (8:03 pm)

Caldwell introduced item and answered questions from council members. Council discussed preliminary budget, property tax levy and levy options.

Council scheduled a study session for Monday, October 27, at 6:30 pm, to discuss the 2009 budget.

#### Interlocal Agreement for Mutual Assistance Concerning the Services of a Building Official and a Building Inspector (9:27 pm)

Council discussed agreement.

MOTION JORDAN AND SECOND BIGLOW TO APPROVE INTERLOCAL AGREEMENT FOR MUTUAL ASSISTANCE CONCERNING THE SERVICES OF A BUILDING OFFICIAL AND A BUILDING INSPECTOR. MOTION CARRIED 7-0 AT 9:36 PM.

### **COUNCIL INITIATIVE**

#### 2008 Study Session Calendar (9:36 pm)

Council scheduled a study session for November 24 to discuss the city hall project. Council scheduled a budget work session for October 27.

### **OTHER BUSINESS**

#### City Manager's Monthly Activity Report (9:38 pm)

Caldwell summarized city manager report and council briefly discussed city hall item. Council decided to add city hall topic to November study session and December regular meeting agendas.

Caldwell thanked everyone that has worked with him during his interim position with the city. He stated he enjoyed working with the council and staff. He said Medina has a good staff and hopes the citizens know how much work city councils do to ensure tax dollars are spent with due diligence and create the best product.

## ADJOURNMENT


The October 13, 2008, Regular Meeting of the Medina City Council adjourned at 9:47 pm.

The City Council will hold special meetings on Thursday, October 16, at 5:30 pm, and Monday, October 27 at 6:30 pm.

The next Regular Meeting of the Medina City Council will be held Monday, November 10, 2008, at 6:30 pm.

  
Mark L. Nelson, Mayor

Attest:

  
Rachel Baker, City Clerk