

**MEDINA CITY COUNCIL  
SPECIAL MEETING MINUTES**  
*Medina City Hall Council Chambers  
March 26, 2008; 6:00 pm*

**CALL TO ORDER**

The March 26, 2008 Special Meeting of the Medina City Council was called to order by Mayor Nelson at 6:04 pm.

**ROLL CALL**

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

Council Members Absent: Lucius Biglow (*excused*) and Jim Lawrence (*excused*)

City Staff Present: Mike Caldwell, Interim City Manager; Wayne Tanaka, City Attorney, Ogden Murphy Wallace; and Rachel Baker, City Clerk

Mayor Nelson led those in attendance in the Pledge of Allegiance.

**EXECUTIVE SESSION**

Council recessed into Executive Session at 6:05 pm for an estimated time of twenty minutes to discuss with legal counsel pending litigation to which the City is a party, pursuant to RCW 42.30.110(1)(i).

Council Members Blazey, Jordan, Nelson, Rudolph and Whitney; Interim City Manager; City Attorney; and City Clerk were present. Stephanie Croll, attorney with Keating Bucklin & McCormack, was also in attendance. Executive Session adjourned and the Special Meeting was called back to order at 6:40 pm. No action was taken.

**PUBLIC COMMENT**

Mayor Nelson opened the floor to public participation at 6:43 pm for items not on the meeting agenda. No comment was presented and the comment period was subsequently closed.

**OTHER BUSINESS**

Medina Green Store; Historical Use Permit No. 2007-01 (6:43 pm)

Tanaka described order of remand. Mayor opened floor to public comment at 6:46 pm.

Charlie Klinge, attorney representing Ms. Lee, expressed that his client's main interest in the matter would be to expedite the case and to have a fair decision made quickly. Mr. Klinge hoped the Council would become familiar with the record by and consider the matter at its April 14 meeting. Mr. Klinge conveyed his belief that undue delays would result if the matter went before the Hearing Examiner or if the Council held an open-record hearing.

Resident Henry Paulman remarked the Green Store has been in and out of litigation countless times and suggested this as an ideal time to pass matter to the Hearing Examiner to ensure balance on all sides and that the law is followed.

Resident Heija Nunn asked Council to take most expeditious route in order to make a decision quickly and added that it would not be a fair burden to the applicant if matter were to be sent to the Hearing Examiner. She stressed the Council would be the right body to make the decision.

Resident Charles Pember stated he would like to see the Hearing Examiner hear the matter to remove the political issues and to issue a positive and acceptable result.

Resident Terry Drayton encouraged the Council to address and vote on the matter on April 14 and to not push it to the Hearing Examiner. He commented that the City should stop spending legal fees on the Green Store, as significant legal fees have been incurred over the years.

Resident Chuck Curran asked the Council to take the issue and to make the decision; not remand to it the Hearing Examiner.

Resident Brian Bolin stated his preference for the Council to issue the decision and to not send the matter to the Hearing Examiner.

Mayor closed floor to public comment at 6:56 pm and Council discussion followed.

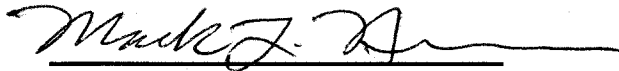
MOTION RUDOLPH AND SECOND WHITNEY FOR MATTER TO BE TAKEN UP FOR CONSIDERATION BY THE CITY COUNCIL ON APRIL 14, 2008 AND TO BE HELD WITHOUT NEW EVIDENCE AND WITHOUT NEW ARGUMENT. MOTION CARRIED 4-1 (BLAZEY OPPOSED) AT 7:10 PM.

## **ADJOURNMENT**


THE MARCH 26, 2008 CITY COUNCIL SPECIAL MEETING ADJOURNED BY UNANIMOUS CONSENT AT 7:10 PM.

The March 26, 2008, Special Meeting of the Medina City Council adjourned at 7:10 pm.

The next Regular Meeting of the Medina City Council is scheduled to be held Monday, April 14, 2008 at 6:30 pm.

  
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Mark L. Nelson, Mayor

Attest:

  
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Rachel Baker, City Clerk