
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
March 22, 2000 – 7:00 P.M. – Senior Center

The Meeting was called to order at 7:01 P.M.

Pledge of Allegiance

Roll Call

Present: Mayor Dillon, Councilmembers: Meamber, Miller, Tesarik, Lemley, Warner, Grandy (Late) and Silves. Staff Members: City Attorney Hayden, City Supervisor Stendal, City Engineer Barnet, City Planner Rivera, Fire Chief Klinger, Police Chief Cooper.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #39798 to #39914 for \$109,740.53
 - Payroll Warrants #24343 to #24426 for \$120,873.00

Councilmember Warner moved to approve the consent calendar. Seconded by Councilmember Miller. Motion carried.

NEW BUSINESS

Amendment to Public Works Construction Standards Ordinance

Engineer Barnet reviewed the proposed ordinance for construction standards for street and sidewalk cuts, sewer connections and restoration of public works after construction and providing determination of public street right-of-way locations in new developments.

Attorney Hayden reviewed specifics of the ordinance. Hayden stressed to the Planning Commission members in attendance that this ordinance does not take away the authority of the Planning Commission to make decisions regarding those things that normally come before the Planning Commission.

Councilmember Meamber expressed concern over wording in Section 2, B and discussion was held.

Councilmember Lemley questioned the roadway repair standards. Engineer Barnet explained the recommended standards and stated this is only recommended for new roads within the first 60 months.

Councilmember Miller moved to adopt Ordinance #1360-00 An Ordinance Delegating to the City Engineer the Authority to Establish Standards and Recommendations for Street

and Sidewalk Cuts and Restorations, and Utility Connections and Authority the City Engineer to Approve Design for New City Streets. Seconded by Councilmember Silves.

Roll Call Vote: Councilmember Meamber – No, Miller – Yes, Tesarik – Yes, Lemley – Yes, Warner – Yes, Grandy – Yes, Silves – Yes. Motion carried 6-1.

Proposed Tree Ordinance – City Rights-of-Way

City Planner Rivera presented background on the need for a tree ordinance for trees planted within City rights-of-way. Rivera reviewed recommended language for consideration by Council. Rivera stated she will bring a more detailed ordinance for review to the next meeting.

Rivera also reported of a grant recently applied for replanting of trees along Ferry Street as a presentation block and a maintenance brochure to show the types of trees suited for planting in rights-of-way.

One Day Training Session

Supervisor Stendal reported on a proposed all day in-service training session for all City employees and interested elected officials. Stendal requested Council close City offices on April 12, 2000 for all staff to be able to attend. Stendal stated the Police and Fire Chiefs have arranged coverage for their departments. All vital services will be covered.

Councilmember Meamber moved to close city offices on April 12, 2000 for the purpose of a training session. Seconded by Councilmember Miller. Motion carried.

Ordinances – Update of Municipal Code

Attorney Hayden presented the following Ordinances for housekeeping purposes:

- A. *An ordinance to repeal SWMC Section 2.76.080, containing an obsolete duty of the City library commission.*
- B. *An ordinance amending SWMC Section 2.80.010 to change a reference to an obsolete state statue concerning cemeteries.*
- C. *An ordinance repealing SWMC Ch. 3.08, regarding the collection of property tax, as this subject is covered by state law.*
- D. *An ordinance repealing SWMC Section 3.12.060, regarding a referendum on sales tax.*
- E. *An ordinance amending SWMC Section 3.28.040 to require council approval rather than a vote of the electors to use funds in the accumulative reserve fund, to conform to state law.*
- F. *An ordinance amending SWMC Chapter 3.55 to change the name of the Arterial Street Board to the Transportation Improvement Board.*

- G. *An ordinance amending SWMC Section 5.04.380 to correct an erroneous citation to the SWMC, respecting fees in lieu of business licenses for publications.*
- H. *An ordinance amending SWMC Section 5.12.110 to increase the penalty for violation of pawn broker regulations to be consistent with the penalties of state law.*
- I. *An ordinance amending SWMC Section 5.20.040 to eliminate an unconstitutionally vague prohibition against obscene dancing.*
- J. *An ordinance amending SWMC Section 5.54.020 providing for standard business licenses for taxicabs.*
- K. *An ordinance amending SWMC Section 5.32.010 regarding the definition of liquor, to conform to state law.*
- L. *An ordinance repealing SWMC Chapter 5.44, regarding the regulation of private security services.*
- M. *An ordinance repealing SWMC Chapter 8.20, regarding the regulation of explosives.*
- S. *An ordinance repealing SWMC Chapter 3.42, which has been superceded by SWMC Section 3.06.040.*

Councilmember Miller moved to approve Ordinance #1361-00, An Ordinance to Repeal the Sedro-Woolley Municipal Code Section 2.72.080, Regarding Conformity to the State Library Commission, Ordinance #1362-00 An Ordinance to Amend Sedro-Woolley Municipal Code Section 2.80.010, Regarding Conformity to RCW Chapter 68.52, Ordinance #1363-00, An Ordinance to Repeal Sedro-Woolley Municipal Code Chapter 3.08, Regarding the Collection of Property Tax, Ordinance #1364-00, An Ordinance to Repeal Sedro-Woolley Municipal Code Section 3.12.060, Regarding a Special Referendum Procedure, Ordinance #1365-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 3.28.040, To Conform to RCW 35.21.070, Ordinance #1366-00, An Ordinance to Amend Sedro-Woolley Municipal Code Chapter 3.55, Regarding Designation of the Urban Arterial Street Board, Ordinance #1367-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 5.04.380, Regarding the Payment in Lieu of Business License Fees for Publications, Ordinance #1368-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 5.12.110, Regarding the Penalty for Violation Therefore, Ordinance #1369-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 5.20.040, Regarding the Obscene Dances, Ordinance #1370-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 5.24.020, Regarding the License Fee for Taxi Cab Operators and Ordinance #1371-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 5.32.010, Regarding the Definition of "Liquor". Ordinance #1372-00, An Ordinance to Repeal Sedro-Woolley Municipal Code Chapter 5.44, Regarding the Regulation of Private Security Services, Ordinance #1373-

00, An Ordinance to Repeal Sedro-Woolley Municipal Code Chapter 8.20, Regarding the Regulation of Explosives and Ordinance #1374-00, An Ordinance to Repeal Sedro-Woolley Municipal Code Chapter 3.42, Which Has Been Superseded by Sedro-Woolley Municipal Code Section 3.06.040. Seconded by Councilmember Tesarik.

Roll Call Vote: Councilmember Meamber – Yes, Miller – Yes, Tesarik – Yes, Lemley – Yes, Warner – Yes, Grandy – Yes, Silves – Yes. Motion carried.

Attorney Hayden reviewed proposed Ordinance exhibits N,O,P,Q and R prior to individual action.

N. An ordinance amending SWMC Section 9.20.070, regarding the crime of telephone harassment, to conform to state law.

Councilmember Warner moved to adopt Ordinance #1375-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 9.20.070, Regarding the Crime of “Telephone Harassment”. Councilmember Silves seconded.

Roll Call Vote: Councilmember Silves – Yes, Grandy – Yes, Warner – Yes, Lemley – Yes, Tesarik – Yes, Miller – Yes, Meamber – Yes. Motion carried.

O. An ordinance amending SWMC Section 9.22.010 to correct a typographical error.

Councilmember Warner moved to adopt Ordinance #1376-00, An Ordinance to Amend Sedro-Woolley Municipal Code Section 9.22.010, to Correct a Typographical Error. Seconded by Councilmember Tesarik.

Roll Call Vote: Councilmember Meamber – Yes, Miller – Yes, Tesarik – Yes, Lemley – Yes, Warner – Yes, Grandy – Yes, Silves – Yes. Motion carried.

P. An ordinance amending SWMC Chapter 9.34 to conform to state law regarding the registration of beer kegs.

Councilmember Silves moved to adopt Ordinance #1377-00, An Ordinance to Amend Sedro-Woolley Municipal Code Chapter 9.34, to Conform to RCW 66.28.200 - 250, Concerning Malt Liquor Sales. Councilmember Lemley seconded.

Roll Call Vote: Councilmember Silves – Yes, Grandy – Yes, Warner – Yes, Lemley – Yes, Tesarik – Yes, Miller – Yes, Meamber – Yes. Motion carried.

Q. An ordinance amending SWMC Chapter 9.52, to eliminate a felony crime respecting malicious mischief.

Councilmember Warner moved to adopt Ordinance #1378-00, An Ordinance to Amend Sedro-Woolley Municipal Code Chapter 9.52, To Eliminate Inclusion of a Felony in the City Criminal Code. Seconded by Councilmember Silves.

Roll Call Vote: Councilmember Meamber – Yes, Miller – Yes, Tesarik – Yes, Lemley – Yes, Warner – Yes, Grandy – Yes, Silves – Yes. Motion carried.

R. An ordinance to amend SWMC Section 9.74, to eliminate a crime regarding public intoxication of minors in excess of the authority of the City.

Councilmember Silves moved to adopt Ordinance #1379-00, An Ordinance to Amend Sedro-Woolley Municipal Code Chapter 9.74, to Eliminate Inclusion of a Crime in Excess of the Authority of the City as Authorized by RCW 70.96A.190(3). Councilmember Tesarik seconded.

Roll Call Vote: Councilmember Silves – Yes, Grandy – Yes, Warner – Yes, Lemley – Yes, Tesarik – Yes, Miller – Yes, Meamber – Yes. Motion carried.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Councilmember Meamber – thanked the City Engineer for his pro-active letter addressing the need for stop signs on private drives on the City/County boarder along E. State Street.

Meamber also reported on a meeting with Jamie Lanning regarding the lights at the State Street School and the follow-up on Councilmembers Silves' concern of parking in front of "Grapevine Boutique".

Councilmember Miller – commented on the good job the Street Department has done filling potholes on John Liner Road.

Councilmember Lemley – stated his pothole has returned.

Councilmember Warner – stated he had been contacted regarding the condition of the railroad crossing at the end of Ferry Street & Highway 20. Warner questioned what pressure, if any can be placed on Burlington Northern to fix the problem.

Warner reported on recent Utility Committee meetings regarding the Sanitation department and moved to hold a public hearing on April 12, 2000 to discuss setting new policies for the Sanitation department. Seconded by Councilmember Silves. Motion carried.

Councilmember Silves – commented that Whidbey Island Bank is becoming a great skateboard area and requested police be aware of the activity.

Chief Cooper stated he would contact the Branch Manager and discuss the problem with him.

Silves also requested Code Enforcement to look into the condition of the muffler shop located on the corner of State and Puget, she commented that the surroundings are becoming unsightly.

Councilmember Silves moved to hold a public hearing on May 10, 2000 regarding keeping the downtown in a retail friendly atmosphere. Councilmember Warner seconded. Motion carried.

Councilmember Warner – commented on the muffler and auto barn parking spaces conflicting with the sidewalk in that area. Warner suggested parking curbs be placed in the future.

Chief Cooper – reported on the use of a motorcycle from the Skagit County Sheriff's office to be used on a trial basis at no cost to the City through December 31, 2000. The officer will be attending schooling in April and will be put into service after training. Cooper stated this will be used as a PR patrol and should help in aiding in traffic during the Cook Road construction.

Chief Klinger – reported on the removal of the fire bell from the old station. The bell will be refurbished and placed in front of the new station. Klinger stated Snelson Companies, Inc. has played a significant roll in removing the bell from the tower as well as taking a roll in refurbishing.

Engineer Barnet – updated the Council on the signalization taking place for the Cook Road construction at Collins Road, F & S Grade and SR 9.

Supervisor Stendal – requested the Park Committee to meet with him for a short period after the close of the meeting.

Mayor Dillon – requested a meeting of the Building Committee be scheduled in the near future. Mayor Dillon also stated she would like to schedule an all day workshop to go over various topics and requested Councilmembers inform her of their schedules and what would be their best time frame.

Mayor Dillon also requested Council consider extending the contract with Fire District 8 for another month.

Councilmember Meamber moved to extend the contract with District 8 to April 30, 2000. Seconded by Councilmember Silves. Motion carried.

Councilmember Lemley moved to adjourn. Seconded by Councilmember Warner. Motion carried.

Meeting adjourned at 8:29 P.M.