
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
October 10, 2001 – 7:00 P.M. – Community Center

The Meeting was called to order at 7:00 P.M.

Pledge of Allegiance

ROLL CALL

Present: Mayor Dillon, Councilmembers Silves, Meamber, Miller (Late), Storrs, Lemley, Warner and Grandy (Late). Staff Members: City Attorney Hayden, Clerk/Treasurer Nelson, Planner Hallberg, Engineer Barnet, Police Chief Cooper and Fire Chief Klinger.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #43908 to #44016 for \$180,238.38
 - Payroll Warrants #27625 to #27715 for \$105,118.05
- Waiver of Fees – Memorial Park
- Waiver of Fees – Community Center

Councilmember Storrs moved to approve the consent calendar A thru D. Seconded by Councilmembers Silves and Warner. Motion carried.

Public Comment

None

PUBLIC HEARINGS

None

OLD BUSINESS

Design Options for SR-20 in the area of Skagit Steel Plant

Engineer Barnet presented design options for the access point to the Skagit Steel Industrial Site and the issues related to intersection improvements at the F & S Grade Road. Barnet stated both projects are on the current 6 Year TIP. Traffic counts have been done along SR-20, Sapp Road and F & S Grade Road. Barnet reviewed 9 different options for discussion and also reviewed the funding mechanisms that are available.

Discussion was held on relocation of homes, round-abouts, response of the Skagit Industrial Plant owner and the intent of the grants. Staff requested Council give the authority to proceed with a feasibility study for the three staff recommended options (Options 1B, 5/6 and 8).

Several Councilmembers indicated that the round-abouts were not the favored considerations.

Councilmember Warner moved to proceed forward with the feasibility study on the three options that the City Engineer has described. Seconded by Councilmembers Storrs and Silves. Motion carried.

Sewer Connection Requirement

Engineer Barnet introduced a proposed ordinance that would allow the City to charge people the monthly rates for those that by ordinance should hook up to the sewer but refuse to do so. Barnet stated the City is extending sewer to many portions of town and the ordinance requires buildings within 200 feet to hook up within 90-days. Staff has been in the process of notifying homeowners that they had 90 days to hook up. Barnet stated that quite a few people have hooked up while others refuse. He also noted that at this time there is no enforcement method. The proposed ordinance would require those persons to pay the monthly rate. Barnet presented a cost analysis of non hook ups.

Attorney Hayden spoke on the enforcement of the present ordinance and enforcement options. He also spoke on the bonds the City has taken for financing of the recent upgrades and the effect on the rate structure when people don't hook up. Hayden stated the decision before the Council is to look at the rate structure or to give staff tools to work with people on hook up and enforcement.

Mayor Dillon opened the topic for discussion and for audience comment but noted this is not a public hearing.

Mike Anderson – 2079 Highway 20, stated he was on the Council when the sewer bonds were sold and remembered at that time there was no anticipation of how much growth has gone on. With the amount of growth that has gone on Cook Road and in town, he believes that there is no need to force people to connect to sewer if sewer is extended past their house and noted the Council has a tough decision. Anderson cited past arrangements that if the property is sold, the use changes or in the case of a failing septic system the hook up was then required. Anderson addressed past sewer rate increases in 1998 and 1999 and the controversy that was behind it. He encouraged the Council consider the previous ordinance because people will hook up sooner or later.

Tony Splane – 714 Sapp Road, questioned the wording of the ordinance and the 200-foot requirement whether it be the property line or the house.

Mayor Dillon referred to the ordinance and pointed out that the 200-feet is to the building, not property line.

Councilmember Grandy questioned the taxing of the property owners on Trail Road.

Engineer Barnet explained the ULID covered the cost of the installation of the pump station and the main sewer line and that each property owner was still responsible for the connection fee and monthly sewer bill to their property.

Hayden stated there was no discount for the connection fee. He spoke that one part of town has an additional fee for the cost of the installation of the line. That fee is called a facility improvement charge and goes to pay for the capital cost a plant and infrastructure that the existing rate payers have paid for the last 20 years. When the monthly sewer bill is paid part of that goes towards capital depreciation.

Engineer Barnet addressed the growth that Anderson brought up and noted it has had the opposite effect in shortening the time that the demand for the new lines is anticipated. He gave an example of the Garden of Eden area in that several years ago there were no plans for a sewer pump station. Barnet spoke of the upcoming budgetary plans for extending lines and the impact of people not hooking up.

Hayden stated the current ordinance requires people to hook up within 200 feet. If Council chooses not to have staff enforce that, the ordinance needs to be changed and the economic consequences need to be taken into consideration. If the decision is to not make people hook up then the Council should look at hiring an economist to look at the Sewer Comp Plan and adjust the numbers and plans and make changes or to at least know what the City can afford to do.

Mayor Dillon stated she has been in the Council's shoes in the past and remembers the decisions that were made and that is why she feels strongly about not doing development without having sewer part of it. She stated we would not be in this situation today if we would have gone ahead and made people connect to sewer before they subdivide their property. She noted she knows it's not an easy decision to make.

Councilmember Silves spoke on the pitfalls of having the connection at time of sale because the information does not get passed on to the new owner at time of sale. Silves noted that everybody has to pay their fair share to live in this town.

Councilmember Warner indicated that he was not in favor of raising existing rates as he thinks they are already high. He stated that it is not fair to go back to the people who are paying their fair share. Warner also addressed the topic from the public health point of view and was surprised when he joined the Council to find so many homes that were not on City sewer.

Engineer Barnet recalled that when he first received the go ahead from Council he indicated that the Cook and Trail road areas was the beginning of a process. The map shown tonight that is about 90% complete is a continuation of that process. The next step has not yet been taken by determining the number of parcels that should be serviced that are not. Barnet addressed the expansions that are planned for the next year and the amount of money to be spent, is there any point of putting sewer in those areas if no one is going to hook up. Perhaps the City needs to relook at their plans.

Councilmember Meamber questioned whether the Trail/Cook Road area is the biggest problem. Meamber noted that those within the ULID are paying an annual assessment and then are being asked to pay for pipe that is not in the ground. If they don't pay a lien will be placed on their property and possibly down the road the City would take their property, even when they have paid to put sewer in the west side of town which benefits the hospital and the retirement centers. Meamber stated he personally thinks its unfair to make a person pay for a sewer that's not hooked up and to pay a fee for something that they aren't enjoying. Meamber expressed concern for the financial welfare of the people in that area and possible costs for lawsuits. Tax payers would be paying a lot of money like the lawsuit that we had during 1994-2. Those are some of the things that are bothering me and I don't feel good about this. Meamber noted it's unfair to the people of Sedro-Woolley to force them to pay and isn't the way he would choose to run the City.

Mayor Dillon noted this did not start with Cook and Trail Road. It just happens to be where we're focusing. It started when the council decided to go down Curtis Street and Garden of Eden, if we put the money and invest it into the infrastructure the precedence has been set that we don't have them hook up.

Hayden addressed the Council noting that people on both sides will feel the decision is unfair. The problem is that it is inappropriate to have an ordinance and not provide the means to enforce it. The well being of the whole city needs to be considered, there will be individual situations that arise and Council needs to have faith in Staff to deal with those situations. If the decision is not to change it then some additional time and funding needs to be given to look at the costs and decisions for extending sewer.

Councilmember Storrs moved to adopt ordinance #1412-01 An Ordinance of the City of Sedro-Woolley Amending SWMC Section 13.08.040, to Provide for Connection to the city Sewer Within 90 Days of Availability, and to Provide for Collection of Costs and Fees Therefore. Seconded by Councilmember Warner.

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

Skagit Literacy Group Agreement

Mayor Dillon introduced the proposed agreement for Skagit Literacy and requested Council action.

Councilmember Silves moved to accept the contract as written and approve the Mayor to sign the Memorandum of Agreement between the City of Sedro-Woolley and Skagit Literacy. Seconded by Councilmember Miller. Motion carried.

NEW BUSINESS

Setting Council Meeting Schedule for the Rest of 2001

Mayor Dillon presented a schedule for Council meeting for the remainder of the year 2001.

Councilmember Miller moved to approve the remainder of the 2001 meeting schedule. Seconded by Councilmember Silves. Motion carried.

Six Year Transportation Improvement Program (6 YR TIP)

Engineer Barnet requested Council set a public hearing for the Six Year Transportation Improvement Program (TIP). Barnet presented a draft of the TIP for Council to review prior to the Public Hearing.

Councilmember Warner moved to set October 24, 2001 for the public hearing for the Six Year Transportation Improvement Program. Seconded by Councilmember Miller. Motion carried.

Agreement with EDASC

Mayor Dillon introduced the topic of the Agreement with EDASC which is an annual agreement.

Councilmember Miller moved to allow the Mayor to sign the Agreement with EDASC. Seconded by Councilmember Silves. Motion carried.

Contract with County for Senior Services

Mayor Dillon presented the contract for Senior Services for the year 2002 with Skagit County Senior Services. Approval of this contract will continue our present senior services.

Attorney Hayden noted one change from the previous contract with the addition of a clause to prevent the rental of the building to third parties without City consent.

Councilmember Silves moved to allow the Mayor to sign the contract with Skagit County Senior Services with the changes noted by the City Attorney. Seconded by Councilmember Member. Motion carried.

EXECUTIVE SESSION

None

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Chief Klinger -- stated the City has been reviewing the emergency plan. A Staff meeting was held for review of the plan on Tuesday with another meeting scheduled for November 4, to

finalize the plan in preparation of a table top exercise to take place on December 4. Chief Klinger presented each Councilmember with a copy for their review.

Engineer Barnet – requested a short meeting after Council adjourns with the Street Committee, Chief Cooper, Attorney Hayden and Mayor to discuss an issue at the High School.

Planner Hallberg – noted a handout on alternatives for Highway 20 that includes Sedro-Woolley. Hallberg noted that she will be making comment to SCOG for the City and the process is a long term process. She also announced a change in the December Planning Commission meeting to December 18, as the regular meeting date falls on Christmas Day. Hallberg also pointed out that the city is required by law to coordinate the Transportation Element and the capital planning for roads and update it annually with the budget. We have been doing this independently and will make efforts to bring those closer together next year and coordinating those with Land Use decisions.

Clerk/Treasurer Nelson – thanked the Councilmembers for their work at the budget worksession and reminded them of the next budget worksession scheduled for October 16.

Mayor Dillon – brought attention to a letter from the Planning Commission and requested Council to respond with their input. She also noted the upcoming AWC Roundtable on October 25 as a great chance to meet with legislatures.

Councilmember Silves – questioned if there had been any studies on costs on City Hall. She stated she believes that Council needs to make a serious decision as to what actions to take.

Councilmember Meamber – questioned the status of the Museum Building.

Councilmember Miller – complimented the work done on Ferry Street and Evans Drive.

Councilmember Warner – requested a short meeting with the utility committee following adjournment.

Councilmember Grandy – noted he had spoke to people with concerns of junk cars, unlicensed and non-running cars. Also bus parking on third street in front of the high school. He also discussed the Community Center alarm.

Councilmember Miller moved to adjourn. Seconded by Councilmember Grandy. Motion carried.

The Meeting adjourned at 8:53 P.M.