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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
October 9, 2002 – Community Center – 7:00 P.M.

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

Pledge of Allegiance

**ROLL CALL**

Present: Mayor Dillon, Councilmember Meamber, Storrs, Pearson, Miller and Lemley.  
Staff Members: City Attorney Hayden, Planner Hallberg, Police Chief Cooper and Fire Chief Klinger.

**EXECUTIVE SESSION**

Councilmember Storrs requested to go to Executive Session for the purpose of Personnel. The meeting adjourned to Executive Session at 7:02 P.M.

The meeting reconvened at 7: 32 P.M.

**Consent Calendar**

- Minutes from Previous Meeting
- Finance
- -- Claim Vouchers #46786 to #46887 for \$134,646.67 (Voided Warrant #46788)
- -- Payroll Warrants #29782 to #29870 for \$111,384.36
- Waiver of Fees – Community Center
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- Setting Public Hearing – Property Tax Levy 2003
- Janitorial Service Contract

Councilmember Miller moved to approve the consent calendar A through E. Seconded by Councilmember Storrs. Motion carried. (Item F referred to OLD BUSINESS).

**Public Comment**

Peggy Ronk – 923 Polte Rd., questioned the City contract for Jeff's Janitorial Services and the reason for the change of companies. Ronk expressed concern of going outside the City for services.

Bill Stendal – Former Mayor of Sedro-Woolley and resident of Burlington, addressed the Council of the quality of service provided by Jeff's Janitorial Services. Stendal encouraged the Council to maintain his services for cleaning.

Jeff Nims – Sedro-Woolley resident spoke to the Council and thanked the current and past administration for allowing him to service the community for the past 20 years.

Don Van Etten – 517 Fidalgo St., spoke on behalf of Jeff Nims and Jeff’s Janitorial Services. Van Etten encouraged hiring local.

Cheri Good – 824 Northern Ave., employee of Jeff’s Janitorial, spoke on behalf of Jeff and the need to hire local to employ local people.

## **PUBLIC HEARINGS**

None

## **NEW BUSINESS**

### Contract for Transportation Element – David Evans & Associates

Planner Hallberg introduced Victor Salemann of David Evans & Associates who has been recommended by a consultant interview team to update the city’s Transportation Element and to provide other assistance with the comprehensive plan update. Hallberg presented background information on the Transportation Element.

Salemann reviewed the scope of the project and presented a brief resume of his qualifications.

Councilmember Storrs moved to accept the contract with David Evans & Associates to update the comprehensive plan in the amount not to exceed \$31,480.91. Seconded by Councilmember Miller. Motion carried.

## **OLD BUSINESS**

### Janitorial Service Contract

Councilmember Miller questioned the Building Committee if the term “Prevailing Wage” was discussed and met by all the companies. Councilmember Meamber noted that all but one submitted bids based on Prevailing Wage. He noted that the other was a family company and prevailing wage was believed not to apply.

Councilmember Miller questioned the legal aspects of prevailing wage. Attorney Hayden noted the liability to the City should prevailing wage not be paid by the contract and explained prevailing wage requirements.

Audience Member Jeff Nims, presented Council with prevailing wage rates for Skagit County he obtained through Labor and Industries.

Bonnie Abernathy – 500 Fidalgo St., noted she had in the past worked as a janitor spoke on the hard work that janitorial work is. Abernathy encouraged keeping janitorial services local.

Councilmember Miller questioned if there were representatives from Super Clean was in attendance.

Mayor Dillon responded at the last meeting the vote by Council was to negotiate a contract with Super Clean. She stated the item before them is the contract based on their vote. They were not expecting Council to reconsider their previous action and therefore had not been requested to be in attendance.

Councilmember Lemley recommended the topic be tabled to the end of the meeting. All Councilmembers concurred.

#### Out of State Travel Request

Fire Chief Klinger – requested permission from Council for Out of State Travel. He noted he will be going to Oregon to do the preconstruction review on the Fire Truck. Klinger stated the cost will be for one nights lodging at \$69.00.

Councilmember Miller moved to approve the out of state travel for Chief Klinger to go to Oregon to inspect the fire truck. Councilmember Meamber seconded. Motion carried.

#### **APPEALS**

##### Chuck Dralle

Mayor Dillon questioned the Councilmembers on conflict of interest statements and whether they had done site visits.

Councilmembers Lemley, Pearson, Meamber and Miller all disclosed they had done site visits or drove by the subject property.

Mayor Dillon reviewed the appeal procedure and order for the appeal. She noted the applicant has the burden of proof and the decision must be made upon the evidence presented at the public hearing with no new evidence to be presented. Mayor Dillon also presented the options of the Council in their decision.

Mayor Dillon opened the closed record hearing at 8:15 P.M.

Planner Hallberg noted that Lacy Lahr Planning Technician has been in charge of this project and will present the staff report on behalf of the City.

Lahr presented the staff report which included background of the variance application, summary of the appeal and the staff recommendation that the appellant has not satisfied

the burden of proof that the hearing examiner regarding the lot size variance is clearly erroneous or not supported by substantial evidence and the decision of the hearing examiner should be upheld. She noted the applicant was not present at the hearing and did not present any evidence in support of the variance.

Chuck Dralle, appellant addressed the Council and spoke of the original staff report for the variance, which he believed supported what he was doing and pointed out seven other properties that were of non-conforming lot size. Dralle reviewed the project and noted opposition from neighboring property owners. He noted that he has taken steps to address those concerns and reiterated his plans for construction. Dralle noted he is willing to work with the neighborhood.

Joe Nelson – 423 Puget Ave, neighbor to the subject property noted he would like to see the house completed before discussing any variances.

Tanya Shields-Hall – 412 Puget Ave, stated she purchased her property in 1996 and the property has always looked as is. She noted that she does not believe that Dralle has met the requirements for an appeal. She states lack of evidence and that he does not state what outcome he is after. She expressed her disappointment in the property and would like to see the project finished and the property cleaned up.

No rebuttal statement was provided by staff.

Dralle noted he wanted to address the concerns of the neighbors. He noted that he had only been on the project for 10 months and a factor in getting the project complete is the variance so he can proceed with financing, stating it was a matter of economics. He stated his intent is to leave the neighborhood with everybody happy.

Council deliberated questioning lot sizes, plans for the additional lot should the variance be granted, access and lot frontage, measurements on the drawing presented, and the possible imposition of conditions to a variance if they grant the appeal.

Attorney Hayden reviewed the Council options for their decision.

Councilmember Lemley moved to deny the appeal and affirm the decision of the hearing examiner. Seconded by Councilmember Miller. Motion carried 4-1 (Councilmember Pearson opposed).

A brief recess was taken at 9:47 P.M.

The meeting reconvened at 9:50 P.M.

**OLD BUSINESS** (continued)

Janitorial Service Contract

Mayor Dillon stated the issue of the Janitorial Services Contract was moved to the end of the meeting. She noted the issue is to either accept or reject the Super Clean contract as indicated on the agenda. If rejected it needs to be remanded back to the Building Committee.

Councilmember Miller moved to refer the contract back to the Building Committee. Seconded by Councilmember Meamber. Motion carried.

**COMMITTEE REPORTS AND REPORTS FROM OFFICERS**

Councilmember Meamber – requested Code Enforcement to visit the muffler shop on State Street for clean up.

Councilmember Pearson – thanked the Street Department for the recent overlay between Talcott and Nelson on 5<sup>th</sup> Street.

Councilmember Miller – reported on vertical stanchions being placed for traffic transition in Mount Vernon in place of the islands. Miller recommended staff look at this option.

Councilmember Lemley – commented on the recent pothole repair on Talcott Street.

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

The meeting adjourned at 10:05 P.M.