
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
February 13, 2002 – 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 Meamber, Storrs, Lemley, Warner, Grandy and Anderson. 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 #44770 to #44926 for \$265,824.65
 - Payroll Warrants #28326 to #28410 for \$104,656.91
- Renewal of Interlocal Jail Agreement with City of Wapato
- Contract for Professional Services – Skagit Surveyors & Engineers
- Appointment of Hearing Examiner
- Settlement with Imogene Geiger

Councilmember Anderson questioned the Puget Sound Energy warrant with regards to the Riverfront Park billing.

Councilmember Anderson moved to approve the consent calendar A,B,C & D. Seconded by Councilmember Grandy. Motion carried.

Items E (Appointment of Hearing Examiner) and F (Settlement with Imogene Geiger) will be moved to Old Business.

Councilmember Anderson requested more “verbatim” detail in the minutes.

Public Comment

Julian Pavisi – 519 Sapp Road, discussed problems with speeding on Sapp Road and requested the intersection of Sapp, Reed and Longtime Lane become a 4-way stop. Pavisi also addressed noise coming from vehicles passing by.

OLD BUSINESS

Appointment of Hearing Examiner

Mayor Dillon noted this topic was brought before Council at the last meeting, Council approved the use of a hearing examiner for land use matters for a six-month trial period. Mayor Dillon proposed two hearing examiners, C. Thomas Moser as primary examiner and David Hough as back up.

Councilmember Anderson noted he wanted this item removed from the Consent Calendar because he wanted to vote against it.

Councilmember Storrs moved to appoint C. Thomas Moser as our Hearings Examiner and David Hough as our back up. Seconded by Councilmember Warner. Motion carried 4-2 (Councilmembers Anderson and Meamber opposed).

Councilmember Storrs moved to execute the contracts with C. Thomas Moser and David Hough. Seconded by Councilmember Warner. Motion carried 4-2 (Councilmembers Anderson and Meamber opposed).

Settlement with Imogene Geiger

Councilmember Grandy questioned the payment of a sewer hook up fee.

Mayor Dillon noted that years ago Ms. Geiger paid the applicable hook up fee and was under the impression that she was connected. She has been paying a monthly sewer bill and just recently found that she was not connected.

Councilmember Anderson expressed concern over setting a precedent and explained a similar personal situation.

Attorney Hayden reviewed the claim and noted it is governed by a three-year statute of limitations.

Councilmember Grandy questioned the method of settlement, refund versus credit.

Attorney Hayden noted that the City is requesting a release and therefore the refund is a better trail. Hayden recommended Council approve the payment.

Councilmember Grandy moved to approve the settlement with Imogene Geiger, in the amount of \$1,386.18. Seconded by Councilmember Anderson. Motion carried.

NEW BUSINESS

Appointments to Sedro-Woolley Planning Commission

Mayor Dillon stated there are four open positions on the Planning Commission. There were five applicants and through the interview process four were recommended for appointment with staggered terms that are stated by State law. Mayor Dillon recommended Kevin Loy – term to expire 12/31/03, Richard Quam – term to expire 12/31/05, James Johnson – term to expire 12/31/06 and Patrick Huggins – term to expire 12/31/07.

Councilmember Warner moved to appoint Kevin Loy, Richard Quam, Richard Johnson and Patrick Huggins to the Planning Commission. Councilmember Storrs seconded. Motion carried.

Mayor Dillon administered the Oath of Office to the newly appointed Planning Commission Members Loy, Quam, Johnson and Huggins.

Mayor Dillon requested any Planning Commission members in the audience leave at the time of the Appeal for the Cell Tower Conditional Use Permit.

Supplement Agreement for CH2M Hill

Engineer Barnet requested Council approve a Supplement Agreement No. 2 for CH2M Hill for engineering services for two sewer projects that had been previously discussed and are included in the 2002 budget to be completed. Project #1 is for the pieces of the force main that were intended to be completed as part of the Trail/Cook Road ULID. These were deleted for budgetary reasons. Project #2 is the first phase of the SR 20 project from Trail Road west to a location along the east property line of the new proposed commercial development. Barnet noted the commercial development will be installing a new pump station out by Rhodes Road and will be constructing improvements across their lot. Some street improvements will also be done and the Engineering Department wants to get this stretch of new sewer line installed prior to completion of the improvements.

Councilmember Meamber moved to approve signing of Supplement Agreement No. 2 between the City of Sedro-Woolley and CH2M Hill for additional engineering services not to exceed \$33,833.00. Seconded by Councilmember Warner. Motion carried.

Accept Ferry Street Paving Project

Engineer Barnet requested Council approve and accept the repaving completed on Ferry Street. The work was completed in the Fall of 2001. Barnet noted all the required paperwork has been received and the project is ready for acceptance.

Councilmember Warner moved to accept the Ferry Street Paving Project. Councilmember Grandy seconded. Motion carried.

Engineer Barnet noted that the Railroad is working on the Ferry Street crossing and hopes to be done by Thursday or Friday morning at the latest. A temporary paving may be done until “hotmix” is available.

Easement Amendment – First Street

Attorney Hayden addressed the Council with a request for an Easement Amendment. He noted several years ago the City vacated road right of way which allowed Sedro-Woolley High School to extend the track to the west. They also purchased additional property last month from the bankruptcy trustee who is handling the Lumber Company property. The School District wants to move a utility easement the City reserved through this property for sewer and utilities to the far western edge of the property acquired from the Lumber Company. A 25-foot easement is proposed to be shared by City and PUD. The City Engineer and PUD have confirmed that the 25-foot easement is adequate. Hayden stated at the current time there is no sewer in this area and the easement would be for possible future needs for sewer in this area. The Mayor has already signed the easement, however it recites that it is conditioned upon approval from the City Council.

Councilmember Anderson moved to approve the easement contract between the City of Sedro-Woolley and Sedro-Woolley School District and the Skagit County PUD #1. Seconded by Councilmember Meamber. Motion carried.

Hold Harmless Agreement for SeaLand Development Corp.

Attorney Hayden noted the Fire Department in the past has practiced in one of the older buildings on the Skagit site and would like to do so in the future. Sealand and Sea Real Corp. want the City to provide a hold harmless agreement so that if anyone is injured they will not be liable for injury.

Councilmember Grandy moved to execute the hold harmless agreement with Sealand Development Corp. Councilmember Warner seconded. Motion carried.

APPEALS

Cell Tower Conditional Use Permit

Mayor Dillon opened the public hearing for the appeal of John Lange from the decision of the Sedro-Woolley Planning Commission regarding the approval of a Conditional Use Permit by SBA Inc. and Cingular Wireless for a cell tower.

Mayor Dillon questioned Councilmembers regarding conflict of interest of the appealing parties, communication with applicant, proponent or other interested parties and site visits.

Councilmember Meamber stated he had visited the site. Councilmembers Grandy and Anderson disclosed that they had driven by the site.

Mayor Dillon noted the hearing is a closed record appeal and no new testimony can be entered into evidence, only the parties who participated at the Planning Commission are allowed to come forward and testify again and can only testify what was testified at that time.

Mayor Dillon also noted the three decision options available to the Council: 1) Upholding the decision of the Planning Commission, 2) Reversing the decision of the Planning Commission and 3) remanding the matter back to the Planning Commission to receive additional testimony and perfect their record.

Councilmember Grandy questioned the difference between option 2 and 3.

Attorney Hayden stated if the decision is reversed and the decision is dead and the applicant can appeal to Superior Court. If the decision is remanded to the record it would need to be because the record is not complete or more information is needed to make a decision, the matter is not dead and there will be activity at the Planning Commission level and it will come back to Council for a final decision on the appeal.

Jeroldine Hallberg clarified for the record that a site visit had been scheduled for last Friday to the site and Councilmembers Meamber and Miller were there and the applicant was also there to answer questions.

Hallberg reviewed appeal #252 Appeal of Decision to Grant a Conditional Use Permit to Construct a Cell Tower. The appellant is John Lange, owner of Sauk Mountain Golf. The request is to construct a 190-foot lattice wireless communication tower for 6 antennas and associated ground support facilities on a site of approximately 10,000 square feet. The commit attendant is Cingular Wireless with room to rent space for other carriers. In the basis for the appeal, the appellant gives four reasons 1). the size of the tower; 2) the residential zoning of the site and surrounding property; 3) the lack of local regulations governing wireless towers; and 4) objection to the applicant submitting a written response to information presented during public testimony, with such response submitted after the public testimony was closed.

Hallberg noted the SEPA document that was done was a Mitigated Determination of Non-Significance and there are other federal and state approvals required as well.

Background information was presented by Hallberg. She noted the zoning designation for the area is SF-2 Single family residential and the site is wooded. To the west along the access road are residences. To the east are transmission corridors and towers for Puget Sound Energy and Bonneville Power Agency and the Sauk Mountain Golf Course. The golf course and immediate surroundings are the site of a proposed planned residential development.

Hallberg reviewed the criteria used for evaluation. Hallberg noted that in her staff report to the Planning Commission she did not make a recommendation to either approve nor deny the application since she felt that the decision about compatibility is one of community values and was best made by the Planning Commission. Some additional setbacks were recommended to the easement area. Hallberg noted that the Planning Commission decided not to require any additional setbacks. She also reviewed screening of the facility which was proposed when approved by the Planning Commission and discussed co-location and BPA access requirements.

Hallberg reviewed recommendations to the Planning Commission which were setbacks, minimal visual impact, screening of ground support, geo-technical monitoring during construction and voluntary police mitigation contribution.

Hallberg noted the staff recommendation for the appeal is to reprimand this appeal to the Planning Commission to develop a condition or conditions that helps save one of the aesthetic characteristics that led to the selection of this site. Hallberg stated that part of the reason for the request to remand to the Planning Commission is inadequate consideration to the aesthetic characteristics during the Planning Commission review.

Attorney Hayden reviewed a memo describing the level of review and what decision may be made by the City Council on this appeal and a “closed record” appeal. Hayden stated that no new evidence may be introduced and reviewed the standards for review.

Hayden noted the primary standards and criteria for land use decisions should be supported by evidence that is substantial when viewed in light of the record as a whole. Second, whether the Planning commission clearly, erroneously applied the law to the facts in front of it. Those are the normal factual basis of which decisions are affirmed or reversed.

Hayden stated City staff is requesting the decision be remanded to the Planning Commission to do two things: 1) enter written findings of fact and a written decision. The Planning Commission in their minutes adopted the staff report as findings, but item two in staff report expected specific criteria regarding screening to be filled out. That criteria was not set forth in any written findings and were not announced in any motion. There are questions about whether or not there are facts regarding screening to support the three criteria upon which a Conditional Use Permit is judged. 2) the Planner is asking that this be remanded for further evidence by the Planning Commission on the screening issue.

Hayden noted a written resolution that incorporates the Planners recommendation if Council votes to grant the appeal. If Council votes to deny the appeal, a new resolution will be brought forth at the next meeting.

Mayor Dillon reviewed the process for the hearing.

Discussion on documentation and maps was held and whether it should be available for Council to review.

John Lange – 839 Fruitdale Road, appellant, noted he has requested that the decision be remanded back to the Planning Commission or rejected entirely because he believes that a step was missed and has not been sufficiently reviewed to make a decision that's consistent with the community and community values. Lange referred to the Comprehensive Plan and the zoning of the property for residential and noted that someday the entire property will be residential as mandated by the comprehensive plan. He noted the request is to put in a huge cellular tower in this residential area and we've accepted it as its been designed. Lange expressed concerns over the design and location of the tower. His concern is that it is a huge piece of equipment and questioned the size of the footprint or base of the tower. Lange expressed concern of the size of the pole and stated the reason it is so large is because it is located on the side of the hill, not on the top of the hill, or farther up on the hill. He spoke of other locations that would be better suited on existing easements with other utility companies that are BPA approved. He noted screening has been an issue the screening that is being addressed are trees located on his property, not on the property of where the tower would go. He also noted that eventually residences will be placed at that location and when that happens there will be no screening. Lange expressed concern over the size of the tower, not the pole. He believes there are many other alternatives that have not been explored and the applicant would be forced to explore other options if the Council denied the Conditional Use. Lange is requesting the applicant locate within the existing utility easements and is open to having utilities located within the existing easements. He stated this has not been fully explored and it has not been determined what's possible. Lange reiterated the reason for his appeal is that there is a better location that will work for the applicant and work for the community. Lange requested the decision be reprimanded back to the Planning Commission telling them to build a single tower not a massive triangular structure and to locate within existing easements.

Loren Combs – 1102 Broadway, Tacoma WA, representing the applicants SBA, noted SBA is a national company that owns thousands of cell towers. SBA is a large company that spends a lot of time, energy and money selecting sites that will provide seamless cell service for the users and does a lot of site acquisition work to determine where the best location is for a tower to meet the needs of the community in which the tower is going to be located. He noted these are not inexpensive towers and equipment so they do a lot of work to determine where towers need to go.

Combs reviewed the closed record appeal under the City ordinances. He noted the decision is based on the record and no new information can be given. Combs read the code section SWMC Section 2.90.080 (c) (2) (c) that says the appellant shall bear the burden in proving that the decision was wrong. The appellant has to show that the Planning Commission was wrong, not

that there was a better way it could have been done. Combs stated that he believes the decision to be a right decision but it's up to Lange to prove that it's a wrong decision and noted the entire record is to be considered in whole, not just part. The appeal is based on the size of the tower, he noted the records shows professional experts indicating that the size is what is needed. There is no evidence in the record that contradicts that fact. Combs noted that a cell tower is permitted in a residential area under the City's zoning code. The fact that its zoned residential is not grounds for reversing the decision of the Planning Commission. He noted in the future it can be changed, but his client's application was vested at the time the complete application was submitted. Combs also pointed out the City has no zoning code that effectively plans for wireless towers and the Planning Commission is required by law to use the code that was before it when it made its decision. Combs state the rules that were set, his client played by them. Combs addressed the final item of additional information being introduced after the public hearing was closed in November. Combs pointed out that from the minutes of the November meeting the Planning Commission requested five specific items. He noted Mr. Lange was there and did not object. The items were provided to the Planning Commission at the next meeting on December 18, and Lange was present at that meeting. The items were introduced by the Planning Commission staff because the Planning Commission requested them. Combs noted that at that time Lange did not object. Combs stated the applicants position is that Lange had the opportunity to testify and the opportunity to object and did not and now comes before you for reversal. He believes it is not a legitimate grounds for reversal. Lange waived any objection he had by not objecting at the time the evidence was put into evidence. Combs addressed the staff issue that the Planning Commission did not enter findings. He noted there is no requirement in codes that they have to have something called findings. The Planning Commission did what they had to do as required by code and referred to SWMC 2.90.060 SCS5A-B. Combs noted the Planning Commission adopted the planning staff report which cites the sections of the comp plan, the code says what the application included and said what was included in the SEPA approval. The Planning Commission adopted that by reference.

Combs pointed out that Lange originally wanted the tower located on his property for a \$30,000 signing bonus and \$30,000 per year for each year the tower was located on his property. He encouraged Council keep in mind the vested interest and pointed out the economic interest of all parties.

Combs addressed the fact that SBA has volunteered space on the tower to fill a gap in coverage for emergency responders for both fire and police. Giving up income for a co-location site so that the community can be better served by this facility making sure there's adequate fire and police protection. He noted that staff indicated that both Fire and Police support this application.

Combs stated the Councils decision is to first decide that the decision of the Planning Commission is wrong. If that is the decision then the decision is to grant the appeal in whole or part, deny the appeal or remand for further proceedings. He noted the condition of screening is not in error, it's a condition that has to be complied with in the building permit process, a valid condition and a condition that client has to comply with, but not grounds for reversing.

John Lange – noted that a letter in a 6 page document that was submitted to the Planning Commission and copies left at the table of which he was not aware is what he is objecting to. He

said he did not have the opportunity to respond to the comments about negotiations with a lease that are not accurate.

Lange addressed a part of the public record is testimony that any area within about 600 feet of this tower was an acceptable location and the locations that he had been talking about are all within 600 feet. In their own design they have stated that the tower could be anywhere within 600 feet of that tower.

Lange reiterated the right and obligation the Council has to review to take action necessary.

Councilmember Grandy questioned Mr. Lange's understanding of the action Council can take.

Attorney Hayden stated that if Council finds that the record does not support the decision based on the criteria in the statute, which is a high standard then Council has an obligation to grant the appeal with regard to the facts, the criteria is, 1) the land use decision is not supported by evidence that is substantial when viewed in light of the whole record you may grant the appeal; 2) if the land use decision is clearly erroneous application of the law, the law being the criteria in our code to the facts you may grant the appeal. Hayden stated the factual basis on which Council may grant the appeal. It isn't that you have the right to, you have to make a decision based on the facts and law you have in front of you.

Councilmember Anderson questioned the screening issue being addressed at time of building permit and controlling trees that are on someone else's property.

Combs noted the application never addressed trees not on the subject property, in reference to Langes comment that the trees up the hill were on his property and his property extends up the hill. He noted the applicant is alleging that we are screening from his property and are not alleging that were going to preserve the trees not on our property. We can only control the area that before us in the application.

Councilmember Grandy questioned if the trees that are on the subject property are enough to not change the view that is shown in the picture or is part of the buffer on others property that will change.

Combs noted the panoramic photo sims taken from a mile and a half away. The idea is to show you what the panoramic looks like.

Councilmember Warner questioned if on the 4.5 acres of subject property if all the trees will be cut when the tower goes up.

Kristina Park –Zoning Specialist for SBA, 14900 Interurban Avenue #202, Seattle, WA, addressed Councilmember Warner's questions. She stated that would be something that would need to be worked out at time of building permit. There are several different proposals they are looking at and it needs to be acceptable to the Planning Department at time of approval. They are proposing a 20 foot landscape easement where more trees will be introduced into the area.

Park noted the photo sims shown do show the subject property as well as other property in its existing state.

Planner Hallberg questioned if on the subject site if any existing trees would remain after construction.

Park noted yes, the initial construction will only encumber 10,000 sq. feet of ground space. They won't be removing any other trees, if for some reason the property owner decides to do that in the future besides an additional buffer that we would like to propose that would be up to her.

Hallberg again questioned on the leased space if any existing trees would remain after construction.

Parks stated in their 10,000 feet there would not be any and she indicated the trees to be eliminated are noted in their site plan.

Combs noted the 10,000 square feet is the size of an in City residential lot for comparison. They are talking about clearing an area the size of a City lot and then replanting part of it with a 20 foot easement all the way around it.

Councilmember Meamber – questioned what size trees would be in the 20 foot buffer. Meamber also questioned if the area would be fenced.

Parks noted the compound itself would be fenced with a 6 foot fence to prohibit people getting in and for safety purposes. She stated any existing vegetation that is there will be kept as far as mature trees and they will add additional plantings. She noted not being a landscape architect, she was unsure of what height the plantings would be initially but the plan would be for them to grow and be mature firs and evergreens.

Councilmember Meamber also questioned lighting and barb wire on the fence to keep children out of the area.

Combs noted if the Planning Department wanted to impose that as a condition they would comply with that. Some jurisdictions don't like it some like it dark and some like it light.

Councilmember Meamber questioned if there would be ladders.

Parks explained the ladders are usually located beyond 8 feet so you would have to physically put your own ladder up to reach the next. The ladders are designed to be climbed by professionals who climb with professional climbing gear.

Councilmember Meamber questioned if the towers had telephone dishes with no wires.

Combs stated the power is undergrounded but there could be dishes or the rectangular antennas that you see in some towers. There may be some microwave dishes, your police and fire may

have a dish but there may also be the cell phone rectangular towers that are 4 – 5 feet tall and 10” wide.

Councilmember Meamber questioned arms for additional dishes.

Combs noted when we found that the police and fire needed a location to fill a gap in their network, they agreed to give them space which goes into the design parameters. These have to hold wind load and so you have to figure out how many you can stack to determine your wind loads and build the tower.

Councilmember Meamber questioned height requirements as well as proposed developments within the area.

Combs explained the height requirements and Planner Hallberg noted that there are no active applications for developments but the City is aware of two midrange plans for development in the area but no noted time frame.

Councilmember Warner questioned any specific language in any ordinances that covers cell towers in residential areas.

Planner Hallberg noted that the Planning Commission has had a worksession on a proposed ordinance but has not had the time to move forward with finalizing and consideration of whether to adopt.

Councilmember Anderson questioned the screening requirement and questioned how it was possible to make SBA keep trees on someone else property.

Hallberg noted that an effective way is through an easement. Easements are used for access, utilities and can be used for tree preservation as well.

Councilmember Warner questioned since there is no specific ordinance covering cell towers how it was determined that this was an acceptable use within a residential area.

Hallberg noted it was covered under the general topic of utilities and probably telecommunications as well. There is a category of conditional use that also allows for utility type of facilities.

Councilmember Storrs expressed concern of the Planning Commission failed to reach proper conclusions and do written finding which could leave the City in a situation of liability. Councilmember Storrs then moved to approve Resolution #659-02 A Resolution of the Sedro-Woolley City Council on the Appeal of John Lange from the Decision of the Sedro-Woolley Planning Commission in CUP Application No. 72 of SBA, Inc. and Cingular Wireless, Remanding the Matter to the Planning Commission for Additional Testimony and Entry of a Written Decision with Findings of Fact. Seconded by Councilmember Anderson. Motion carried.

The meeting recessed at 8:58 P.M. for a short break.

The meeting reconvened at 9:04 P.M.

PUBLIC HEARINGS

Land Purchase for City Hall (USFS Building)

Mayor Dillon recommended Council make a decision to place on the ballot to purchase land and do upgrades to the old US Forest Service building. Mayor Dillon noted that she believes in open procedures and noted the Council has been open and above board on this topic. She stated there have been several meetings and a committee was formed to review topic.

Mayor Dillon opened the public hearing for testimony for proceeding with the purchase and remodel of the building on Highway 20 which is 5 acres with the building, several out buildings and a lot of useable land.

The public hearing was opened at 9:06 P.M.

John Hunter – 5043 Wildlife Acres, spoke in support of doing something to find a new home for City Hall. Hunter stated he does not recommend putting any more money into the existing City Hall. He spoke against the Forest Service building as a long term solution. He noted he would support leasing for a short term basis until something more permanent could be done. He believes the cost being asked for the property is exorbitant as well as the cost of remodeling. He noted the loss of sales tax revenue for the building. Hunter encouraged readdressing the issue of building a City Hall at the old ball park and centralizing city services. Hunter noted the original arguments to save the ball park no longer exist and believes it not to be in the best interest of the City to continue with that stance. He encouraged Council to strongly consider the ball park location.

Roger Anderson – 1020 Sterling St., recommended the City not purchase the Forest Service building. Anderson noted that several sites are under consideration and the most logical site is the property adjacent to the existing police station and fire hall. Anderson noted the property is already owned by the City and would not be removing property from the tax rolls or eliminating the possibility of future tax dollars generated from these properties now zoned commercial and industrial. Anderson noted the most urgent need is for a new municipal court room and associated offices and believes the work of the municipal court and police department requires they be in close proximity. Anderson addressed the commitment to maintaining the integrity of the Central Business District and the need for City municipal services within the CBD.

Vern Sims – 23245 Bassett Road, spoke on logic and the need to use logic in government decisions. He stated he believes that purchasing a used building is not using logic. Sims advocated use of the City owned lot for the location of a new Municipal Building. Sims provided history on the process of the Public Safety Building and encouraged Council to do the right thing and purchase a brand new building, on the park, close to the fire and police department exactly where they belong in small cities.

Councilmember Anderson requested that it be known that the public hearing is for purchasing land on Highway 20 and nothing else.

Ken Cornet – 838 Talcott St., addressed the importance and urgency of City Hall moving from the present location due to the condition of the building. Cornet expressed support for the Forest Service building because it is available now.

Don Van Etten – 517 Fidalgo St., encouraged building on City owned property.

Spud Walley – 810 Warner St., spoke against the Forest Service site for a City Hall. He supports the need for a new City Hall and noted several other options that could be considered for a better location. Walley stressed having a game plan on the disposition of the current City Hall to present to the public.

Mike Crawford – 20675 Rocky Ridge Ln., noted he was an alternate on the committee exploring the Forest Service Building. Crawford expressed concern of the current lack of taxable base for the community and concern for removing a prime location from the tax rolls that could be a viable tax source. Crawford stated he would be hardpressed to give a recommendation in favor of the building for a long term solution for the City. He agreed on the need of a new City Hall but does not favor the Forest Service site.

John Abenroth – 9685 Green Road, Burlington, noted that he has grown up in Sedro-Woolley and is a downtown business owner. Abenroth spoke against the Forest Service building for City Hall. He noted that City services should all be in one place and cited the County buildings as an example. He expressed concern over locating in a central place to those who are going to be using the services.

Terry Karper – 190 N. Murdock St., appealed to the City Council to keep in mind the need for green space with in a town and believes a ball field in town to be a good thing. Karper stated with some work the ball field could again become the majestic field it once was and encouraged Council not to take away the precious green we do have within the City.

Tony Splane – 714 Sapp Rd., noted that he has toured the buildings and questioned the purchase price of the building and listed the need of necessary repairs, utility need use of the out buildings, sprinkler system and a fire proof vault. Splane questioned if the price being requested was enough to be able to do all that is needed.

Mayor Dillon stated that if the Council is willing to go out for Bond, a more in-depth study would be done to determine costs.

Splane then spoke against the proposed site due to traffic concerns and questioned if the Skagit Building had been considered.

Mayor Dillon stated that if this option is not something that Council wants to go for then other options will be considered.

Darrin Leber – 715 N. Reed, President of the Sedro-Woolley Youth Football League, clarified that the field does get used and reminded that the reason that the bond passed by 80% for the Public Safety Building was that the integrity of the ball field was guaranteed. He addressed growth and the effects of the growth and expressed the need to look to the future for the kids. Leber stated if City owned property is used up, pretty soon you won't have any. The property being proposed is a nice piece and should be considered.

Mark Christ – local resident and Architect in the area. stated that having all services on the same site is necessarily a good thing. He stated he realized growth is necessary but doesn't mean being on the same site as City Hall. Christ spoke on the tremendous opportunity costs in moving into the building and missing out on the opportunity to make a nice building for our city should be investigated.

Robert Woolsey – 933 Alexander St., cited inaccessibility of the Forest Service building. He noted the ball field next to the police station would be a good site for a City Hall and noted the extensive renovation necessary for the Forest Service building. He supports building a new building on the ball park site.

Spencer Geary – 916 Talcott St., President of Sedro-Woolley Little League, representing 573 kids in the system last year, addressed the fact that in every park in the town has had the grass area diminished or reduced to build new buildings. Geary stated that along with the non-profit organization of which he represents, the City has a moral obligation to the kids that live in this town to provide a place for the children to play. He addressed the proposed Northern State fields being in the future and the cost to play on Janicki Fields. He encouraged Council look long and hard at other sites, including the Forest Service building but not to consider the Ball field as a future site for City Hall.

Ron Forshier – 1315 Railroad Ave., believes the Forestry site to be a poor location. Forshier addressed the quality of the building, traffic concerns, and fire suppression. He encouraged the Council to take a hard look at the alternatives, long term costs and the impact on the kids. Forshier noted several alternatives including tearing down the existing City Hall and rebuilding. He also noted that green space taken away will never come back.

Fay Huggins – 928 Alderwood Ln., was on the advisory committee to explore alternatives to the present City Hall. Huggins noted that it was not her recommendation to purchase the Forest Service building and thinks that the City should be able to use property it already owns as they see fit.

Jim Allen – 433 Talcott St., who represents Babe Ruth Baseball and is the current scheduler for Janicki Fields addressed the Council on the shortage of 90 foot fields. Allen stated there are only two 90 foot fields presently in Sedro-Woolley. He noted the need for these fields will not go away and will only increase and it would be irresponsible to take the field away. He encouraged exploring other options including the Forest Service building and encouraged looking at what's best for the citizens of Sedro-Woolley, including the youth.

Dennis Ross – Sedro-Woolley resident, addressed the costs of running programs and stated the Council needs to find a different place or relocate and help non-profit organizations to provide for the youth.

Mike Riddle – 504 Central St., stated that he believes the Forest Service location for a City Hall to be as accessible as any other. Riddle addressed the retail value of the building. He noted a greater concern for meeting the needs of a public building for the community and City Hall and encouraged retaining an engineer to do a value study to determine the value per square foot and the potential. He stated giving up green space would be a loss to the community and should be looked at enhancing green spaces.

Mayor Dillon closed the Public Hearing at 10:02 P.M.

Mayor Dillon reopened the Public Hearing at 10:03 P.M. to include into the record letters received from Sherry Rayment and a second from Louis Requa citing their preference for using the Metcalf street ballfield location for a City Hall. Mayor Dillon also read an E-Mail received from Joe Fuchs from Concrete citing that City Hall and other city activities should be located in the core of the present city.

Mayor Dillon closed the Public Hearing at 10:04 P.M.

Mayor Dillon then noted that the decision before the Council is whether to move forward with looking into the purchase of the Forest Service building and going out for bond.

Attorney Hayden noted this decision is a legislative decision and if Council wishes to discuss price and acquisition of real estate in detail it should be done in Executive Session, if the policy issues are discussed of whether to move City Hall to the Forest Service building or to explore other options, that should be done in public. Hayden encouraged Council hold a debate in public and to hold executive session for discussion of price.

Councilmember Grandy noted the amount of money already spent exploring options for City Hall and the cost for putting the topic out to vote he expressed interest in looking at other options based on public opinion from tonight's hearing.

Councilmember Anderson noted the urgency of the decision because of the potential of the property being sold to other interested parties. Anderson concurred with Councilmember Grandy that a bond would not pass and Council would be wasting taxpayers money by putting it to a vote. Anderson noted that time needs to be taken in making a better decision.

Councilmember Warner noted that hearing public comment has lead him to believe that the Forest Service site is not the correct location. Warner noted that he hasn't heard a lot of support for a bond to move City Hall to the proposed location. Warner noted that Council needs to deal with the situation to make sure to find an appropriate location and come up with an option that fits everyone's needs.

Councilmember Lemley concurred with the statements of the other Councilmembers.

Councilmember Storrs noted reasons for the Forest Service moving from the proposed location was not because the building was used up, but their lease ran out. Storrs noted the Forest Service site has 5.7 acres and has a great deal of possibility for the future. Storrs did note the drawback of the traffic in that area but pointed out that other City Halls are relocating outside the center of their City's.

Councilmember Meamber noted the urgency of moving staff out of the present location. Meamber noted the attraction of the Forest Service building and consolidation of departments. Meamber believes the building will be centrally located within time as the growth of the City occurs and noted that the Council needs to expand their thinking in terms of growth.

Attorney Hayden noted that the property owners have been very patient, courteous and appropriate with the length of time the process has taken. He noted that a decision needs to be made in order for them to proceed with their plans and requested Council consider a short Executive Session.

Councilmember Storrs moved to adjourn to Executive Session for the purpose of discussing land acquisition with a decision reached when finished. Seconded by Councilmember Meamber.

EXECUTIVE SESSION

The meeting adjourned to Executive Session at 10.20 P.M.

The meeting reconvened at 10:39 P.M.

Councilmember Storrs moved to offer 1.6 million dollars for property that used to house the U.S. Forest Service and bring back an ordinance including the full bond price that we can go out to bond in April. Seconded by Councilmember Meamber. Motion carried 4-2 (Councilmembers Anderson and Warner opposed).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Councilmember Meamber – requested the minutes to be more “verbatim”.

Councilmember Storrs – noted the parts of the Christmas tree is still behind Estaban's.

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

The meeting adjourned at 10:49 P.M.

ATTEST:

APPROVED:
