
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
March 27, 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, Councilmembers Meamber, Miller, Storrs, Lemley, Warner, Grandy (Late) and Anderson. Staff Members: City Attorney Hayden, Clerk/Treasurer Nelson, Planner Hallberg, Engineer Barnet and Police Chief Cooper.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #45158 to #45269 for \$109,003.66 (Voided Check #45161)
 - Payroll Warrants #28580 to #28666 for \$136,653.25
- Surplus Police Vehicle
- Waiver of Fees – Community Center

Councilmember Miller moved to approve the consent calendar A through D. Seconded by Councilmember Storrs. Motion carried.

Proclamation – March as Red Cross Month

Mayor Dillon reviewed a Proclamation proclaiming March as Red Cross Month in the City of Sedro-Woolley.

Councilmember Grandy arrived at this time.

Public Comment

Judy Carlson – 898 Carriage Court, congratulated the person who found the sewer grant for lower income persons on Curtis Street. Carlson also addressed the Park & Ride located on Hwy 20. She noted there is a storage van, a flood carpet repair van as well as a couple of other vehicles that are permanently parked there taking up space for those that need it for commuting purposes. She also noted the potholes at the location.

PUBLIC HEARINGS

None

OLD BUSINESS

Award of Bid – Curtis Street Sewer

Engineer Barnet reviewed the bid process and bid results for the Curtis Street Sanitary Sewer Project. Barnet requested Council award the bid to Harkness Contracting in the amount of \$192,128.71 and authorize the Mayor to sign the contracts. Barnet also requested Council approve a Construction Contingency in the amount of \$10,000.00 to be authorized by the City Engineer for the construction of the Curtis Street Sewers.

Councilmember Miller questioned whether the requested amount for the Contingency fund would be enough for this project. He also requested examples of a typical change order. Barnet stated he felt the amount was a reasonable amount. Any problems that arise that would need more would be brought back before Council for approval. Barnet also gave several examples of typical change orders on this type of project.

Councilmember Meamber questioned the status of Borseth Street in connection with this project and the 200 foot hook up requirement.

Engineer Barnet noted that the project is only for a main trunk line down Curtis Street and Thompson Lane. As development occurs, some parcels along Borseth may extend the sewer line and hook up.

Councilmember Anderson questioned the 200 foot requirement and how it is measured.

Engineer Barnet noted the interpretation of the 200 foot requirement has been from the sewer to the house, not the property line.

Attorney Hayden noted that approximately two years ago Staff requested Council clarify the measurement. Council was unwilling to make the clarification and as a result Staff has taken the position that it is to the building. Hayden noted the issue can be revisited at any time.

Planner Hallberg noted that the Comprehensive Plan states that if it is a development or plat it is measured to the property line.

Councilmember Storrs moved to award the bid of the Curtis Street Sanitary Sewer Project to Harkness Contracting of Bellingham, WA in the amount of \$192,128.71 and authorize a Contingency Fund of \$10,000 to be used on small change orders at the City Engineers discretion. Councilmember Miller seconded. Motion carried.

Northern State Funds

Attorney Hayden noted this item was on the agenda from the last meeting. It is a contract that permits the Northern State Recreational Area Task Force to incur expenses for the development of the Northern State Recreational Area to be paid by the City not to exceed \$32,000.00. Hayden noted this was a change from the contract in the last packet. The original contract allowed the

work to be done on State property or County property. At the request of the Task Force the state property allowance was deleted. Hayden also noted the other change is that it is a two year contract instead of a one year contract. He said all work must be pre-approved by the City Engineer, must be performed and after successful completion the City will either pay the bill or reimburse the non-profit association. Hayden stated more likely we will reimburse the Association due to prevailing wage requirements. This money was set aside several years ago.

Councilmember Anderson questioned where the funds were coming from. Anderson thought these funds were from the Public Safety Building bond.

Mayor Dillon noted that the funds were not from the bond, the money came from the General Fund in 1997 and 1998.

Councilmember Lemley questioned the length of the contract.

Mayor Dillon noted it would be \$32,000 over a two year period of time.

Councilmember Meamber moved to authorize the Mayor to sign a contract with the Northern State Task Force to expend \$32,000.00. Seconded by Councilmembers Miller and Lemley. Motion carried.

NEW BUSINESS

Development & Annexations in UGA/Discussion

Attorney Hayden noted that this topic is set for a worksession on April 2, 2002 and it would be pointless to discuss at this meeting. Hayden did note a Supreme Court decision which invalidates the petition method of annexation. He will have a copy of the court case available for the worksession.

Waiver of Fees – Northwest Hardwoods

Engineer Barnet presented background on Northwest Hardwoods request for a waiver of fees in exchange for the Curtis Street Sanitary Sewer design plans. Barnet stated originally Northwest Hardwoods began the project and had contracted with Leonard, Boudinot and Skodje, Inc. for the drawings. At that time they incurred a cost of \$7,000.00. Northwest Hardwoods abandoned their plans to do the construction and the City then decided to undertake the project. The plans are the property of Northwest Hardwoods and an agreement needed to be reached between the City and Northwest Hardwoods for the plans. Barnet requested Council authorize a waiver of sanitary sewer hook up fees for the Northwest Hardwoods in an amount not to exceed \$7,000.00.

Discussion ensued regarding calculation of fixture units, purchasing plans and setting a precedence banking of credits and time limits. Councilmember Anderson noted an example of a friend extending a sewer line across Rhodes Road and questioned if he would be entitled to a credit.

Engineer Barnet noted that this type of situation would fall under a latecomer's agreement and is different from the request being presented which is for an exchange of plans.

Councilmember Anderson expressed concern of setting a precedence and being fair to everyone.

Councilmember Warner moved to waive the sanitary sewer hook up fees for Northwest Hardwoods not to exceed the amount of \$7,000.00 and not to exceed 7 years. Seconded by Councilmember Anderson. Motion carried.

Agency Contracts

Clerk/Treasurer Nelson stated within the 2002 budget there are funds allocated to local social service agencies as well as non-profit agencies spending hotel/motel tax. Nelson noted contracts are needed to formalize the funding for the following agencies:

Loggerodeo, Inc., Sedro-Woolley Chamber of Commerce, Skagit Valley Tulip Festival, Sedro-Woolley Riding Club, Inc., Skagit County Community Action Agency, Skagit Rape Relief and Battered Women's Services and Volunteers of America, Western Washington

Nelson stated the contracts are identical to past years with changes to the dates to reflect the current year as well as the dollar amounts changed to reflect this years budget.

Councilmember Anderson noted that Skagit Rape Relief and Battered Women's Services is now known as Skagit Domestic Violence. Nelson noted the change.

Councilmember Grandy questioned EDASC funding. Nelson noted that they sent a contract to us earlier in the year and Council had authorized the Mayor to sign for 2002.

Councilmember Storrs moved to sign contracts for the year 2002 to expend money to Loggerodeo, Inc., Sedro-Woolley Chamber of Commerce, Skagit Valley Tulip Festival, Sedro-Woolley Riding Club, Inc., Skagit County Community Action Agency, Skagit Domestic Violence and Volunteers of America, Western Washington. Seconded by Councilmember Miller. Motion carried.

Plan Review Contract

Attorney Hayden stated that Ardell McCombs, the City's Building Official is certified for conducting plan reviews for residential structures but not commercial structures. The City routinely sends out commercial plans for review. Plans are expected soon for a large commercial development and the City will be in need for someone to review the plans and return to us in a timely basis. Staff is proposing the City enter into an agreement with CWA Consultants for plan review services. Hayden reviewed the fee structure which would be based on the 1994 Uniform Building Code. He stated the City would retain a portion of the fee as the fee is paid for by the developer. Staff requests Council authorize the Mayor to execute a contract with CWA

Consultants for plan checking services. Hayden noted this contract would be non exclusive and has a limit of \$10,000.00.

Councilmember Anderson questioned whether a public hearing should be held and questioned the fee structure.

Hayden stated that a public hearing isn't necessary. The City uses outside consultants for commercial plan reviews all the time, currently they are picked at random. Hayden also noted that the fees are set by the Uniform Building Code which the Council adopted. Hayden stated the fee schedule isn't changing, what is changing is how much of the fee will go to the plan check consultant.

Councilmember Meamber questioned the hourly rate noted in section F. of the contract. Discussion was held on the process of plan reviews.

Councilmember Miller questioned if there were local firms able to provide this same service.

Attorney Hayden noted that the contract is a non exclusive contract, which means there could be multiple firms that have the same contract to provide services at the same time.

Councilmember Warner moved to enter into a contract with CWA Consultants to do plan check review on commercial buildings not to exceed \$10,000.00. Councilmembers Lemley and Grandy seconded. Motion carried.

Louis Requa – 310 W. Bennett, thanked the City for their generous donation toward the Northern State Recreation Task Force. Requa questioned if there will be a side sewer down West Bennett, because he is within 200 feet but does not front Curtis Street. Requa also noted that his neighbor across the street is also in the same predicament. They requested an economically prudent decision from the Council.

Engineer Barnet requested direction from Council noting that these types of issues will arise on every sewer project the City takes on. Barnet stated there is no easy answer.

Councilmember Anderson stated it was his belief that sewer should be run contiguous to the sewer line. It should only be required if it fronts your property.

Further discussion was held to include latecomer's fees, ULID and primary lines.

Requa also questioned the upcoming worksession.

Tony Splane – applauded the responsible person for fixing the PA system.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Councilmember Miller – commented on a letter received in his packet which he has passed on to the appropriate committee.

Councilmember Storrs – noted another pothole on Talcott.

Engineer Barnet noted he has the Street Department Foreman putting together a list of street repairs for the year which will be brought to Council for review when completed.

Councilmember Lemley – noted the upcoming Woodfest taking place April 6 & 7. Lemley encouraged everyone to attend and take part in observing the local woodcrafters.

Councilmember Anderson – reported that he received a report of chemicals being dumped in the RV dump at the ball park and requested the thought of moving the RV dump to the Sewer Plant be looked into. He also noted a complaint of the speeding traffic in the vicinity of Garden of Eden and Jones Road and requested a four-way stop be researched for that area. Anderson also reported a catch basin in the parking lot in front of the Senior Center needing attention.

Councilmember Meamber – thanked Chief Cooper for taking care of the Spring Meadows van situation. Meamber noted it had been cleaned up and the problem resolved.

Engineer Barnet – noted the alleyway north of Metcalf Park as it currently exists is 30 feet to far south into the ball fields. The plans for the new Vet Clinic that is going in will require them to pave the alley in its correct location. The Street Department is in the process of relocating the alleyway to the north where it should be and about 30 feet of gravel will be picked up on the South side. A decision needs to be made regarding the sanitary dumps. Barnet stated that Staff has had numerous discussions on what action to take on the dump site. It was referred to the Parks and Utility Committees to come up with a recommendation.

Police Chief Cooper – announced the hiring of Bob Park as the new Code Enforcement Officer. Cooper stated that Park has been a reserve officer and has previously worked the Code Enforcement Officer position on a temporary basis. He will be coming on board full-time beginning April 1, 2002.

Councilmember Miller questioned if the County Animal Enforcement Officer will be coming into the City.

Chief Cooper stated that the County will not be doing animal control within the City limits. The City Code Enforcement Officer doubles as animal control.

EXECUTIVE SESSION

None

Councilmember Miller moved to adjourn. Seconded by all.

The Meeting adjourned at 8:08 P.M.