
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
August 28, 2002 – Community Center – 7:00 P.M.

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

Pledge of Allegiance

Mayor Dillon thanked Councilmember Dean Warner for his service to the City, presented a gift and wished him luck in his future endeavors.

ROLL CALL

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

Consent Calendar

- Minutes from Previous Meeting
- Finance
Claim Vouchers #46435 to #46529 for \$91,724.56

Payroll Warrants #29503 to #29598 for \$145,901.08

- Street Closure – Intersection of Murdock & Woodworth (Founders Day)
- Union Cemetery Addition – Block 16
- Acceptance of Sewer and Road Construction on Curtis Street
- Acceptance of Sanitary Sewer Line Replacement on Township Street

Councilmember Storrs moved to approve the consent calendar items A through F. Seconded by Councilmember Warner. Motion carried.

Public Comment

Neenia Stevens – Farmers Market Manager addressed the Council on the progress of the Farmers Market. She noted it has been a positive influence on Sedro-Woolley and Sedro-Woolley is being cited as an example for other cities. She also shared some of the fruits of the market with the Council.

PUBLIC HEARINGS

None

OLD BUSINESS

Ferry Street Mid Block Cross Walk

Engineer Barnet addressed Council on their recent direction regarding the reinstallation of the mid-block crosswalk in front of Vern Sims Ford. Barnet requested Council consider the hiring of a consultant for the cross-walk design. Barnet noted the traffic speed and traffic count along Ferry Street as some of the necessary reasons for the request. He noted that once a consultant is chosen, the contract will be brought back for approval. Barnet reviewed sections from the U.S. DOT Manual on Uniform Traffic Control Devices.

Council discussion was held to include liability, reasons for not re-installing immediately after repaving, previous Council discussions of mid-block crosswalks, utilization of outside resources and the use of the consultant's roster.

Councilmember Lemley moved to authorize Engineer Barnet to go out for consultants to look at the mid-block crossing on Ferry Street and bring back a proposal for the Council. Councilmember Grandy seconded. Motion carried.

Dan Sims – Vern Sims Ford, addressed the Council and noted that the person being referred as being hit at this location was not in the cross-walk in question. He stated he was in a cross-walk that used to be just past the one the City put back in. He noted it was a dark night and a street light was out. Sims noted they had complied with all the requirements and it all disappeared when the City rebuilt the street. Sims listed the

locations of other mid-block crosswalks in town and believes they should all be addressed. He noted the one on the main street is more dangerous due to lack of visibility.

NEW BUSINESS

Additional City Council Meetings (*Discussion Only*)

Mayor Dillon proposed the Council consider holding weekly council meetings.

Councilmember Storrs moved to table the topic to the next worksession. Seconded by Councilmember Miller. Motion carried.

Janitorial Services Contract

Clerk/Treasurer Nelson reviewed three proposals for Janitorial Services in response to the scope of work. Nelson pointed out the per usage comparison for the Community Center and the reference check. She recommended to authorize the Mayor to sign a two year contract with Affordable Four Cleaning Service.

Council discussion was held to include number of employees, reference checks, past experience, quality of service, hours of availability, extra charges, service delays, blood borne pathogens, low bid basis and review of the publication.

Councilmember Storrs moved to reject all bids and revisit the process. Councilmember Member seconded.

Jeff Nims – addressed the Council on the bid process and additional services of the public restrooms due to the skateboard park. Nims also spoke on the qualifications of his company and his employees.

Bill Stendal – former Mayor of Sedro-Woolley and frequent user of the Community Center addressed the Council speaking on behalf of Jeff Nims and the quality service and extra effort he has contributed.

Call for Bids – SR 20 Sewer System Improvement

Engineer Barnet reviewed history and background on the request for the call for bids on the SR-20 Sewer System Improvements.

Councilmember Meamber moved to call for bids for the SR-20 Sewer System Improvements. Seconded by Councilmember Warner. Motion carried.

Janitorial Services Contract (continued)

Mayor Dillon noted she did not call for the vote on the Janitorial Services Contract. She restated the motion. Motion carried 5-1 (Councilmember Miller opposed).

Building Committee Report on Community Center Late Penalties

Councilmember Meamber noted the Building Committee is still in the information gathering stage. They have come up with a list of questions that need to be answered prior to proceeding.

Councilmember Miller moved to table the committee report regarding the late penalties for the Community Center use until the next meeting, September 11, 2002. Seconded by Councilmembers Meamber and Lemley. Motion carried.

Interlocal Agreement – City of Sedro-Woolley & Skagit County for Sewer Grant/Curtis Street

Engineer Barnet presented the request for authorization of the Mayor to sign the interlocal agreement for the Sewer Grant funds for the Curtis Street Sewer Project. Barnet stated once the agreement is signed the City can bill the County for the grant funds to be applied to this project.

Councilmember Miller moved to execute the Interlocal Agreement between Skagit County and the City of Sedro-Woolley. Seconded by Councilmember Lemley. Motion carried.

Ordinance – Authorizing Line of Credit & Sale of Bonds for Fire Truck Purchase

Clerk/Treasurer Nelson reviewed background information for the financing arrangements for a new Fire Truck. Nelson reviewed a lease arrangement through LaSalle Bank as well as a line of credit through Bank of America. She noted staff recommends the City Council pass the ordinance authorizing a line of credit and sale of bonds to Bank of America for purchase of the fire truck.

Councilmember Storrs moved to pass Ordinance #1433-02 An Ordinance of the City of Sedro-Woolley, Washington, Establishing a Line of Credit and Providing for the Issuance and Sale of a Limited Tax General Obligation Bond of the City in the Aggregate Principal Amount of Not to Exceed \$324,471 to Evidence the Line of Credit; and Providing the Form and Terms of the Bond. Seconded by Councilmember Miller.

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

Avon Bypass Project (To Be Moved to Workshop)

Mayor Dillon stated this is a lengthy and intense topic and requested it be moved to a future workshop in order to give it the consideration the topic needs.

Councilmember Meamber moved to move the Avon Bypass Project Control Project to the next available workshop. Councilmember Miller seconded. Motion carried.

Agreement – City/County for McGargile Road Improvements

Engineer Barnet requested Council authorize the Mayor to sign a letter to Skagit County agreeing to partner with Skagit County in a joint City/County road project to improve McGargile Road between Fruitdale Road and SR-9. Barnet noted that Skagit County would be the lead agency for this project and this would begin the relationship with the County for the project.

Councilmember Miller moved to sign the letter and sent to the County authorizing a joint City/County project for the improvement of McGargile Road between Fruitdale Road and SR-9. Seconded by Councilmember Lemley. Motion carried.

Mayor Dillon announced that she would be stepping down and turning over the remainder of the meeting to Councilmember Dean Miller, Mayor Pro-Tem to preside over the Fidalgo Commons Appeal. This is due to a conflict of interest. She also announced that Councilmember Grandy will be stepping down as well due to a conflict of interest.

Mayor Dillon reminded everyone of the upcoming 9-11 Memorial to be held at the Gazebo in town.

Councilmember Lemley moved to move the September 11, 2002 meeting starting time to 7:30 P.M. Councilmember Storrs seconded. Motion carried.

Mayor Dillon adjourned her portion of the meeting at 8:20 P.M. Council took a five minute break prior to Councilmember Miller stepping in as Mayor Pro-Tem.

APPEALS

Fidalgo Commons

Councilmember Miller, Mayor Pro-Tem reconvened the meeting at 8:30 P.M.

Miller read a prepared statement indicating he is acting as Mayor Pro-Tem and chairing the appeal hearing. He stated he will be voting in the final decision but will not comment on the case while it is being presented. Mr. and Mrs. Brown are the appellants and Mr. Gentry, the City and other participants in the hearing are the respondents. Those parties

who participated in the hearing but did not appeal have a limited role and may comment on the issue raised in the appeal but may not raise any new issues not raised in the appeal.

Miller requested a show of hands of those who participated in the decision and who wish to address the City Council on the appeal. He requested they sign in at the podium.

Miller presented the order and rules of the hearing.

Planner Hallberg reviewed the rules of which the decision was made and under which the application was reviewed. Hallberg noted the zoning and land use for the subject property is SF2. The Comprehensive Plan of the City encourages cluster developments and planned residential developments (H3.6 & H3.7). Hallberg noted the differences of the two types of developments and the rules that apply to them. She stated Gentry's original proposal was under the cluster residential provisions and at the request of the staff the applicant modified the proposal using the planned residential development (PRD) requirements. She noted the code for the planned residential development does not allow for a density bonus. It does allow for a reduction in lot sizes in order to provide useable open space or to protect sensitive areas. The application was for a PRD for 25 lots built around a common open space. A variance was requested to reduce the open space from the required 20% to 18%. A second variance was requested to a buffer to the agriculture land to the south from 50 feet to 25 feet.

Hallberg stated the hearing examiner approved the variance to the agriculture buffer and denied the variance to the open space, which was accomplished by reducing the number of lots from 25 to 24. She said there are four issues brought before Council as part of the appeal of which will be addressed by the appellant.

Doug Brown – Fidalgo Street, appellant of the decision of the hearing examiner reviewed the areas he based his appeal on.

1. Agriculture Buffer Variance. He noted the applicant and city staff proposed a fence with one row of trees on 20 foot centers. They suggest this is adequate, citing British Columbia Land Reserve Commission publication titled "Landscape Buffer Specification Type A-2". This specification requires 6 meters, or 19.6 feet with three rows of shrubs, one row of trees and a fence. Which states it provided minimum protection. Brown pointed out that SWMC 17.65.080C states the buffer shall be at least 50 feet and planted with appropriate vegetation. He believes the variance should be denied rather than to add to the greater profit and to add to the density of the PRD. He stated there are no special circumstances stated in either report or unusual hardships shown in this request which would warrant a variance. Brown indicated the decision should be rewritten to require a buffer of 50 feet with a fence and rows of trees and shrubs.

2. Second Access Road. Brown stated the findings of fact in the PRD (Pg. 1, Ph. 2), was to redesign, to eliminate the cul-de-sac and increase accessibility and to disburse traffic to other streets using the PRD standards. He stated according to the staff report (Page 6) 16.16.090 Access, the access to Jameson is a private drive, which is in violation of

15.40.03 (B1), and does not meet the standards spelled out in SWMC 15.40.060. Brown requested the road be constructed to the municipal code or the need for the road be eliminated by reducing the size of the development. He also pointed out the findings of fact of PRD (Paragraphs 3 & 4) conflict. These refer to Summit Engineers & Surveyors Traffic Impact Analysis report (pg 12, sec 5) Impact A. Brown quoted from the report regarding additional average daily trips at the intersection at 11th Place and Fidalgo which states conflicts of vehicular and pedestrian traffic may increase due to this project, he noted these conflicts have not been addressed in the decision of the hearing examiner and requested a four-way stop at the intersection of 11th Place and Fidalgo, and also a street light placed on the northeast corner of this intersection.

3. Number of lots, Lot size and Frontage. Brown stated the City has recommended (pg 6), 16.16.00 Frontage of staff report, submitted to the hearing examiner that will require a minimum of 30 feet of road frontage on a public street or private road. He stated there are four lots that do not comply with the 30 feet and referenced SWMC 16.16.030 Zoning Ordinance, which sets standards for SF2 Lot sizes at 8400 sq. feet, lot width at 80 feet and density minimums at 3 units per acre and a maximum of 5 units per acre with an encouraged density of 4 units per acre. Using these figures, Brown stated 20 homes would be the encouraged size of this development and noted the desired outcome would be to set this development at the encouraged size, citing it would be a better fit for the surrounding neighborhood.

Paul Taylor, Attorney representing Kendall Gentry, spoke on the process of property development being a co-operative effort and the Growth Management Act.

An unidentified audience member questioned the topic of the GMA being brought up as new evidence and Mr. Taylor being able to speak.

Attorney Hayden noted that the GMA was part of the decision and is not considered new evidence. He also stated the applicant has a right to be represented by his attorney and noted that Mr. Taylor's time would be deducted from Mr. Gentry's time.

Taylor noted that Mr. Gentry had met with the neighborhood on two occasions to discuss his plan. The access road was noted from that meeting, as well as the request for no duplexes. Impact fees, process, negotiations fit within the parameters of the City code. Taylor noted his client needed two variances, one approved by hearing examiner and one denied. He addressed the issues brought up by the appellant and reminded Council that the burden of proof is on the appellant. Taylor also stressed a lack of evidence to support the appeal and reviewed the areas of the appeal.

1. Agricultural Buffer. Taylor stated the adjacent property owner is O.K. with the buffer variance. There is no evidence to support that a 50 foot buffer is better than a 25 foot buffer.

2. Access Road Standards. He pointed out that staff looked at safety, convenience, parking, pedestrian traffic, minimal conflict with parking and pedestrian traffic and

elements of vehicle traffic. The access road was negotiated between the land owner and staff and was analyzed by the engineer and staff, and again no evidence has been submitted stating otherwise. Taylor stated the bottom line is the secondary access allows for greater emergency access without impinging on neighboring properties. The developers proposal for a narrower roadway was a compromise between the developer, the property owners on Jameson St. and the City. He noted the private street standards meets the City code and the Uniform Fire Code for emergency access.

Taylor state the request for a 4 way stop and street light is a non-issue because it is beyond the scope of this hearing. He noted the staff report addresses that issue and in specific the design is outside the scope of the hearing examiner and not part of this land use action. Taylor requested this request be denied due to lack of evidence.

3. Numbers of Lots, lot sizes and Lot frontage. Taylor pointed out that a PRD does not have to meet specific lot size standards and noted that the request for the variance of open space had been denied by the hearing examiner. The hearing examiner found that the overall plat design was consistent with the PRD ordinance. There was no evidence to support otherwise.

Taylor stated the bottom line was staff has recommended this be approved and the hearing examiner has also recommended approval. He addressed the statement in the written materials “the developers should not be allowed to make the most money and obtain greater profit”. Taylor pointed out that development is a cooperative effort and addressed the comp plan and zoning codes that allow growth in a way that meets city standards. He stated the argument is improper because it goes against what America stands for, pointing out that the public benefits from planned growth. This case is no different than any other development that has come before the city, it is consistent with the code and asked Council that they approve the hearing examiner decision.

Planner Hallberg, speaking on behalf of the City, addressed comments about the agriculture buffer and clarified (exhibit D) regulations for separating development from existing farm does not require a fence. Hallberg noted in research she found if there were a fence provided the distance of the buffer was consistently reduced. She noted that we are the only City in the County that has a regulation implementing this policy in the County Comprehensive Plan and pointed out this is not a buffer from a sensitive area, it’s a buffer from a farm. The purpose is to separate two potentially conflicting uses.

Addressing streets, she addressed the comment of being in violation of our own street standards. She noted the ordinance in a PRD allows those standards to be modified as long as there are certain standards that are met in terms of public safety and convenience, parking, pedestrian traffic and minimal conflict between parking, pedestrian traffic as long as drainage is accommodated and street width is adequate for anticipated capacity and on-street parking if allowed. Hallberg noted because of the location of the property with a drop off down to the floodplain, there is not a lot of potential for growth immediately to the east of this property, so there was no need for a wide street right of way to be expanded in the future.

Hallberg noted those are the reasons staff believes the appellant has not satisfied their burden of proof and the hearing examiner decision should be upheld. Hallberg addressed the width of the lots and stated the PRD ordinance allows for modification as long as adequate privacy light and air are provided.

Terry Scott – 1418 Badger Lane, noted he has sold his property to Gentry and his concern is land use. He believes that it should be developed and noted that Gentry has tried to work with the people trying to get a common ground on their issues. He addressed the agriculture buffer and stated he has spoken with the farmer involved who feels the fence will be adequate.

Connie Grandy – 1317 Jameson St., expressed disappointment in the City and their process. She believes the appeal process is biased and addressed the inconsistency of the rules and conflicting codes. She noted the facts are unclear.

Thersa Stoakes – 1210 Jameson St., stated she was discouraged of the process.

Neenia Stevens – 1202 Jameson St., requesting that the appeal be granted in whole or in part on the issue of the additional 6 feet on Jameson. She believes it should not be decided on tonight and should not be part of this development. She noted the paving of Jameson Street is an effort to correct a mistake that needs to be brought before the Council on where the sidewalk on Jameson is placed. Stevens requested a delay in the decision because the paving is for the old development not the new. She also addressed improvements on 11th and Jameson that have not been completed.

Michelle Scott – 1418 Badger Lane, addressed the fence noting that it was to be chain link and the Chandler's requested a wood fence. She noted that Mr. Gentry has tried to work with the people and believes this to be a legal decision, not a personal decision. She stated they have a right to develop the land.

Shane Stoaks – addressed the development of Jameson Street and the sidewalk issue on Jameson.

Doug Brown in rebuttal to Taylor's statements provided a definition of the word "erroneous" to emphasize his following statements. Brown noted that the developer and staff have failed to submit proper density calculations to the hearings examiner citing 17.43.130 and 16.16.220. He stated deductions should have been made for the tract accommodating the stormwater facility required for compliance with DOE stormwater management. The code makes no distinction for above or below ground stormwater. He also stated not submitting the ag buffer should have been considered environmentally a critical area, per code and must be considered. The staff findings and fact submitted to the hearings examiner, 16.16.080 frontage, stated the project complies with a 30 foot frontage on all roads both public and private and this seems to be a grey area in the code. The hearing examiner based his decision on this information. Brown stated both issues show, based on the information submitted to the hearings examiner, his decision was clearly in error and should be reconsidered. He disagrees that the 4-way stop has nothing

to do with this development as the traffic study addresses increased vehicular and pedestrian traffic and conflicts that may increase due to this project. The study recommendations and mitigation during construction that the contractor should coordinate with the City and provide adequate construction signage and/or flagging. He pointed out that no provisions have been shown and by not considering the information and provisions in the TIP, he contends the hearing examiner decision is clearly in error. The City has required improvements to 11th and Jameson Street, widening and repaving. It has also agreed to a street light, for illumination, not a traffic signal. It is only common sense to require a 4-way stop at this intersection and the developer has stated that he is not opposed to placement of a stop sign. Brown stated that everything presented is based on City code. The code is full of grey areas. He is asking for a common sense, down the middle approach and asked that the development fit into the City and be a part of the community.

Taylor objected to two items in Brown's discussion. He stated the discussion on drainage not meeting code was not an issue that was brought up at the hearing examiner's hearing and the other issue he noted was the statement of 6 people who have lived there for 40 years and are upset should be considered new evidence.

Brown refuted that the stormwater impact was a submittal to the hearing examiner.

Tena Brown stated that the stormwater that was mentioned was in reference in calculations for density and in every code it states the stormwater needs to be subtracted from the overall density when calculation is done. She believes it to be double dipping, fulfilling the obligation for the stormwater and fulfilling the obligation for the open space. It's supposed to be subtracted when figuring the amount of homes. She referred to the Ag buffer stating it would undermine the intent of a buffer as it is to protect from smell, sight, sound, dust and spray. The buffer is there to guarantee the farmer's right to farm to his property line.

Doug Brown read SWMC Section 17.50.080 Screening requirements. He stated the developer proposed trees on 20 foot centers, the code requires evergreen trees at a maximum of 15 foot centers, deciduous trees, ground cover plants at a density of 85% within 2 years and by approving this variance the hearing examiner has clearly erred. Brown also said the City staff interpretation of the fences role in the buffer was erroneous. The buffer is not only to limit trespass but is meant to shield for non-compatible uses. Rebutting some of Taylor's statements, Brown noted every time Gentry resubmitted plans, lots were added and he has not addressed the concerns of the residents of Fidalgo St. who are most impacted with the traffic. Council discussion was held questioning the stormwater calculations.

Connie Grandy questioned if the drainage system has to be dug up and repaired where is the open space.

Hallberg noted the City has many managed facilities including pumps and this is relatively small as developments go. The City required the developer give a set of

homeowners rules and regulations that are a recorded document. If repairs are necessary it would be anticipated that it would be unavailable only for a temporary time.

Taylor stated it was his understanding that hearing was closed and no more comment can be made or questioned by the public except for the respondent or appellant answering questions for the Council. He requested that the correct procedure be followed.

Discussion was held on the gated area and if the decision will take care of the sidewalk issue on Jameson St.

Hayden stated the sidewalk is a separate matter involving a separate sub-division.

Hallberg stated it was agreed to delay the sidewalk decision until after the appeal was heard.

Councilmember Meamber questioned why the sidewalk issue was considered a different matter.

Neenia Stevens – 1202 Jameson, explained why the sidewalk issue was brought up. She indicated she was told by staff to bring it up. She also noted that a letter she submitted dated May 17, 2002 addresses the sidewalk.

Attorney Hayden reminded Mayor Pro-Tem Miller of the procedure and the importance of keeping order to the hearing.

Member questioned Brown on the status of the sidewalk issue.

Brown noted that technically it is not part of the decision tonight but is part of the philosophical decision of the area.

Gentry gave a description of the sidewalk issue. He presented background information and explained the decision on the sidewalk.

Further discussion and clarification of the sidewalk and how it pertains was held. It was noted it was not in the jurisdiction of the hearing examiner to rule on.

Discussion on the buffer and street frontage was held.

Brown noted the erroneous findings stating it was submitted to hearings examiner that the lots conform and have a 30 foot minimum frontage. The decision was made that the lots conform to code.

Hallberg read from the staff report concerning the 30 foot frontage. She noted the staff report is considered in total.

Warner questioned placement of a 4-way stop and whether Gentry was a part of those discussions.

Gentry responded it was not his decision but he has no problem purchasing 2 more stop signs if that is the Engineer's decision. There is no protocol or traffic study that warrants a 4-way stop.

Brown noted the TIA traffic analysis states the contractor shall deal with the City on proper signage and flagging for the development. That would be temporary and would also be a good trial point.

Connie Grandy spoke regarding the sidewalk, that they were told couldn't bring up south side because it was a separate issue. The north side is part of this development and was brought up to the hearing examiner. The don't want it approved and don't want to give up the 15 feet. She said we want the sidewalk moved over.

Councilmember Storrs noted Council is aware there is a problem with that sidewalk and this appeal put any decisions on that sidewalk on hold. He stated until we solve this, we can't even visit the site to observe because we have to remain neutral.

Connie Grandy stated the north side is being developed 6 feet over and that's how they relate. They give to one and take from the other and if you agree to that in this approval, to moving the sidewalk over.

Councilmember Warner questioned Hallberg regarding construction of the streets within Fidalgo Commons if they would be constructed to city standards and accessible to emergency vehicles.

Hallberg stated private streets standards are called out in the code. The fire department requires a minimum 20 foot access.

Tena Brown stated statements they made they got from codes. The 1999 modifications on the density calculations is what were looked at. It states the entire site shall be included in the minimum density, except environmentally, critical areas and their associated buffers, areas located in the 100 year flood plain, and tracts accommodating stormwater facilities. It doesn't say above or below ground. Brown encouraged Council to read the code before making a decision.

Lemley questioned why is the stormwater is not being pursued as a reduction in their area.

Hallberg noted because it serves two purposes, one is drainage and the other is the active recreation it provides.

Hayden noted that zoning code must be interpreted and will not address 100% of all the issues that come before you. The planner is charged with the duty to interpret the code. He stated he supports Hallberg in her interpretation as being reasonable and permissible.

Neenia Stevens – 1202 Jameson, requested the issue of road width be looked at. The road width within the development is serving 24 houses, which is allowed to be 26 feet. The road width on Jameson is going to be extended 40 feet to 50 feet. That road services 15 houses. She said she is looking for a fair situation. She believes 26 feet with cars parked on it will not be sufficient for emergency vehicles.

Attorney Hayden explained in length what options the council can consider.

Councilmember Warner moved to take a five minute break. Seconded by Councilmember Meamber. Motion carried. Break at 10:31 P.M.

The meeting reconvened at 10.36 P.M.

Councilmember Storrs moved to deny the appeal in whole or in part. Seconded by Councilmember Warner.

Councilmember Storrs amended the motion to deny the appeal in whole and accept the findings of the hearings examiner by Resolution #667-02. Seconded by Councilmember Warner.

Roll Call Vote

Councilmember Warner – yes, Storrs – yes, Lemley – No, Meamber – No, Miller – No, Motion denied 2-3.

Discussion was held on the action to proceed with Attorney Hayden again reviewing Council options. The discussion centered around concern for lot width and the stormwater area.

Councilmember Storrs moved to deny the appeal and accept the findings of hearings examiner by resolution. Seconded by Councilmember Warner.

Roll Call Vote

Councilmember Meamber – No, Lemley – No, Storrs – Yes, Warner – Yes, Miller – Yes. Motion carried.

Attorney Hayden noted that staff will prepare a resolution to be attested by the clerk and signed by the Mayor Pro-Tem bearing the date of this meeting for further appeal purposes.

Councilmember Storrs moved to allow the Mayor to contract with Jeff's Janitorial or another contractor, if he declined, on a month to month basis until contract issues are resolved. Seconded by Councilmember Warner. Motion carried.

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

The meeting adjourned at 11:05 P.M.

ATTEST:

APPROVED:

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