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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
April 13, 2005 – 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, Councilmember Meamber, Splane, Storrs, Colgan, Galbraith, Lemley and Anderson. Staff: City Attorney Hayden, Clerk/Treasurer Nelson, Planner Lahr, Police Chief Wood and Asst. Fire Chief Olson.

Mayor Dillon announced the removal of consent calendar Item F – Purchase of Surplus ISI Air Packs and the addition of Item O – Waiver of Fees – Community Center – Cascade Job Corps –April 14, 2005.

Councilmember Anderson requested Item K – Resolution – Denying the Appeal of James Hawkings be removed from the consent calendar due to a conflict of interest and Item N – Sale of Trail Road Property be removed for further discussion. Both items will be added to Old Business.

Consent Calendar

- Minutes from the Previous Meeting
- Finance
  - Claim Vouchers #54070 to #54224 for \$356,914.09
  - Payroll Warrants #35370 to #35458 for \$176,955.51
- Waiver of Fees – Memorial Park – SWSH Alumni Assoc. – May 7, 2005

- Waiver of Fees – Riverfront Park – Skagit Widowed Support Svc – August 16, 2005
- Waiver of Fees – Community Center – Bacus Lane Road Maintenance Assoc.—June 4, 2005
- Purchase of Surplus ISI Air Packs – Monroe Fire Dept. (*Removed*)
- Appointment to the Sedro-Woolley Housing Authority – Kacy Johnson
- Surplus Computer – Food Bank
- Setting Public Hearing – Amendments to Ward Boundaries for New Annexation
- Contract – Emergency Service Consulting, Inc. – Police Comp. Plan
- Resolution – Denying the Appeal of James Hawkings (*Moved to Old Business*)
- Year 2005 Capital Purchase (Public Lands Division)
- Year 2005 Capital Expenditure (Public Lands – Cemetery)
- Sale of Trail Road Property (*Moved to Old Business*)
- Waiver of Fees – Community Center – Cascade Job Corps – April 14, 2005 (*Added*)

Councilmember Storrs moved to approve the consent calendar Items A through O, except items F, K and N. Seconded by Councilmember Anderson. Motion carried.

#### Public Comment

Larry Prentice – property owner at 306 Longtime Lane addressed the Council regarding the sewer impact fee. He noted his permit was caught in the increase by two days and had they known they would have proceeded prior to the increase. He requested the previous fee be honored.

A discussion was held with an amended ordinance to be brought back for Council approval at the next meeting.

Shalinda Prentice – 306 Longtime Lane, reviewed the timeline of submittal of the permit.

### **PUBLIC HEARINGS**

#### Design Standards and Guidelines Manual

Planner Lahr reviewed background information on the Design Standards and Guidelines Manual. Lahr noted the current interim Ordinance #1488-04 is due to expire April 25, 2005. Staff recommends renewal of the ordinance for another 6 months until it can be adopted permanently as part of the 2005 Comprehensive Plan updates.

Mayor Dillon opened the public hearing at 7:13 P.M.

Mayor Dillon closed the public hearing at 7:14 P.M.

Councilmember Anderson moved to adopt Ordinance #1502-05 An Ordinance of the City of Sedro-Woolley, Washington, Adopting Design Standards and Guidelines for Use with SWMC 15.44 Design Review, to be Effective for an Additional Period of Six Months, and Entering Findings of Fact. Seconded by Councilmember Galbraith.

Roll Call Vote: Councilmember Meamber – No, Splane – Yes, Storrs – Yes, Colgan – Yes, Galbraith – No, Lemley – Yes and Anderson – Yes. Motion carried 5-2 (Councilmembers Meamber and Galbraith opposed).

## **OLD BUSINESS**

### Resolution – Denial of Amended Application No. 2764 – Cultus Mountain View Binding Site Plan

Planner Lahr stated the applicants for Application No. 2764 have submitted additional information for Council consideration which addresses some of the concerns noted at the last meeting. Lahr reviewed a list of the documents given to Council in their packets. Roger Korthuis – 1215 S. Walnut, Burlington, representing Landmark Building & Development highlighted several points of their request for an amendment to the binding site plan allowing for separate legal lots to be created under the 24 attached units in a 6-4-plex configuration. No changes are requested as to how the project would appear, with the exception of the improvements discussed in their letter dated April 4, 2005. Korthuis stated it is their belief that the amendment will enhance the project to the City of Sedro-Woolley because it allows the properties to be transferred with the dirt underneath it to the prospective homeowners which creates more pride in ownership. He also addressed three areas of concern expressed by Council at the last meeting which included adequate parking, adequate funding for maintenance and replacement of private roads and traffic volumes on Highway 9.

Korthuis and staff answered Council questions and concerns which included ingress/egress to Highway 9 using the Outpost Mall access as a shortcut, main access on the north side of the project, development of right of way being dedicated, modification of the Outpost parking area, practicalities of condominiumizing of the units, titles and type of barrier between multi-family and commercial uses.

Korthuis also noted that they are beginning discussions to work in conjunction with AM/PM to try to create additional internal traffic patterns.

John Ellis – 22397 Boulson Rd., Mt. Vernon, addressed traffic issues, dedication of right of way, sewer rate increases, parking and changes in rules and regulations (both federal and local).

Councilmember Storrs moved to adopt Resolution #714-05 A Resolution of the Sedro-Woolley City Council, on the Application of John Ellis/Landmark Building & Development, Inc., Approving the Cultus Mountain View Amended Binding Site Plan (BSP) #2746 Upon the Recommendation of the Sedro-Woolley Planning Commission,

Adopting the Recommendation of the Sedro-Woolley Planning Commission.  
Councilmember Colgan seconded.

Council discussion ensued with Councilmembers stating their reasoning behind their individual votes.

Mayor Dillon stated the motion. Motion carried 6-1 (Councilmember Anderson opposed).

#### Ordinance – Reduced Sanitary Sewer and Solid Waste Collection Charges

Mayor Dillon introduced the proposed ordinances for reduced charges in Sewer and Solid Waste collection charges. She noted there are two ordinances, one for Sewer and one for Solid Waste.

Councilmember Anderson moved to adopt Ordinance No. 1503-05 An Ordinance Amending SWMC Section 8.08.020, The Low-Income Senior Discount for the Monthly Fee for Solid Waste Collection. Councilmember Colgan seconded.

Roll Call Vote: Councilmember Meamber – Yes, Splane – Yes, Storrs – Yes, Colgan – Yes, Galbraith – Yes, Lemley – Yes and Anderson – Yes. Motion carried.

Attorney Hayden reviewed information placed in the packet on RCW 84.36.381 which are the rules the County must follow for how property is assessed for people who qualify the property tax reduction.

Councilmember Lemley moved to adopt Ordinance No. 1504-05 An Ordinance Amending Sedro-Woolley Municipal Code Chapter 13.30, Providing for a Low-Income Senior Discount for the Monthly Fee for Sanitary Sewer Service. Seconded by Councilmember Splane.

Roll Call Vote: Councilmember Anderson – Yes, Lemley – Yes, Galbraith – Yes, Colgan – Yes, Storrs – Yes, Splane – Yes and Meamber – Yes. Motion carried.

#### Resolution Denying Appeal of James Hawkings *(moved from Consent Calendar)*

Mayor Dillon announced that Councilmember Anderson would abstain from voting on this issue due to a conflict of interest.

Councilmember Storrs moved to pass Resolution No. 715-05 A Resolution of the City Council of the City of Sedro-Woolley, Washington, Denying the Appeal of James Hawkings and Affirming the Decision of the Planning Commission. Seconded by Councilmember Lemley. Motion carried 4-1 (Councilmember Colgan opposed, Councilmember Meamber abstained and Councilmember Anderson did not vote due to a conflict of interest).

Sale of Trail Road Property *(moved from Consent Calendar)*

Attorney Hayden reviewed the addendum/amendment to the purchase and sale agreement for the property located at 605 Trail Road. The agreement is between Starrett Land Co. and/or assigns and the City of Sedro-Woolley. Hayden noted the request is to extend the closing date to April 30, 2005.

Councilmember Galbraith moved to authorize the Mayor to execute the attached extension, deed, closing statement, and other documents necessary to complete the sale of the Trail Road property. Councilmember Meamber seconded. Motion carried.

**NEW BUSINESS**

Flood Control Funding Studies – Draft Interlocal Agreement with Skagit County

Attorney Hayden reviewed background information on the 2002 Council commitment to a contribution totaling \$75,000. At that time the Skagit County was working on the Avon Bypass feasibility study. Hayden noted that the Council agreed to the contribution with two conditions. Since that time Skagit County is no longer making the Avon Bypass their primary flood control measure. They are looking at different methods. Since the project has taken a different focus, Staff is looking for direction from Council whether they wish to continue with the County program.

Lorna Ellstead of Skagit County reviewed the priority of flood protection and answered questions from the Council. Ellstead encouraged Council to review the proposed scope of work within the proposed interlocal agreement and review what might work for multiple entities.

The topic will be discussed in a future worksession.

SKAT Trolley

Mayor Dillon reviewed a request of the Sedro-Woolley Museum Trolley Acquisition Committee for the City to obtain the SKAT trolley. Skagit Transit is considering decommissioning their trolley and could surplus it to a government agency such as the City on behalf of the Museum.

Council discussion ensued to include potential cost to the City, use of the trolley within the City and the trolley as a potential tourist attraction.

Councilmembers Meamber, Storrs, Galbraith and Lemley were in favor of continuing discussions and to gather more facts on this issue.

## **COMMITTEE REPORTS AND REPORTS FROM OFFICERS**

Attorney Hayden – reported that negotiations with the Tribe for garbage service have been completed. An interlocal agreement will be brought to Council at the next meeting.

Planner Lahr – updated the Council on the recent passage of the development regulations ordinance within the Urban Growth Area by the County Commissioners.

Police Chief Wood – reported on the clean up of the railroad right of way by the Skagit Plant. He also briefed Council on an event at the Community Center that presented difficulties for the officers that were providing the security. Wood noted it may be time for a reevaluation of the rules and uses for the Community Center as this is not the first instance.

Asst. Fire Chief Olson – reported on the recent testing for volunteer firefighters which will add two people to the roster.

Councilmember Splane – questioned the Sapp Road opening.

It was reported that Sapp Road was reopened temporarily because of the construction project within the Garden of Eden area. The road will again be closed upon the completion of the project.

Councilmember Storrs – questioned the new building being built on Puget Street.

It was reported that it was a new location for Vollans Automotive.

Councilmember Colgan – commended the Street Department for the good job on the alley between Talcott and Nelson St.

Councilmember Galbraith – reported on a musical debut “Babes of Broadway” being presented by the Sedro-Woolley Foundation for the purpose of fundraising to provide extras within the Sedro-Woolley School District classrooms.

Councilmember Lemley – reported on the recent Woodfest, he noted the reports have been favorable and the trolley tours were a huge success.

Mayor Dillon – noted a report received from the insurance company commending Interim Chief Wood and Detective/Sergeant Tucker’s work on department compliance. She also announced the upcoming parade to honor the High School Wrestling and Landscaping teams and will possibly include the Basketball team to be held on April 21, 2005.

Councilmember Meamber – encouraged Council to increase their efforts in attendance for special events such as retirements of City personnel.

**EXECUTIVE SESSION**

Mayor Dillon adjourned the meeting at 8:46 P.M. to executive session for approximately 20-30 minutes for the purpose of personnel and land acquisition, with no anticipated decision.

It was noted for the record that Councilmembers Anderson and Galbraith were not in attendance for Executive Session.

Mayor Dillon reconvened the meeting at 9:17 P.M.

Councilmember Splane moved to adjourn. Seconded by Councilmember Meamber. Motion carried.

The meeting adjourned at 9:18 P.M.

ATTEST:

APPROVED:

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