
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
August 24, 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 Sharon Dillon, Councilmembers: Ted Meamber, Tony Splane, Pat Colgan, Hugh Galbraith, Rick Lemley and Mike Anderson. Staff: City Attorney Hayden, Clerk/Treasurer Nelson, Engineer Blair, Police Chief Wood and Fire Chief Klinger.

Mayor Dillon announced an addition to the Consent Calendar for Metcalf Street Paving and Ferry Street Paving. At the request of several Councilmembers the contracts were placed under Old Business.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #55182 to #55287 for \$167,033.92
 - Payroll Warrants #36224 to #36243 for \$51,512.05 and #36244 to #36337 for \$130,671.06
- Waiver of Fees – City Park Facilities – SW School District – 2005-06 School Year
- Employment Agreement – City Planner – Allen Rozema
- Request for Out of State Travel – Legal
- Economic Development Grant – Interlocal Agreement with Skagit County for Polte Road Improvements
- Setting Public Hearing – Proposed Utility Tax on Cell Phones
- Interlocal Agreement with Skagit County – SR20/Fruitdale Signalization
- Bingham Park/Munro Street Project

Councilmember Lemley moved to accept the Consent Calendar Items A through I. Seconded by Councilmember Meamber. Motion carried.

Proclamation – United Way

Mayor Dillon reviewed a proclamation that proclaimed the months of September, October and November 2005 as United Way Campaign months in Sedro-Woolley.

Public Comment

Marvin Speer – 420 Sterling St., recapped information he had passed out to Council at their previous meeting regarding building and premises identification. Speer requested the City distribute information on the importance of having highly visible address signage.

Discussion of addressing, signage, and a lack of an ordinance took place. Fire Chief Klinger was to research and come up with an ordinance to address the issue.

Erin Douglas – 1289 Arrezo Drive, addressed the Council regarding speeding in the area of Arrezo and Portobello.

Rick Judd – 1310 Fruitdale Road, also addressed the Council regarding speeding within the same area. Judd discussed the signage for speed limits and discrepancies with what signage is posted.

Councilmember Lemley addressed the speed limit signage on Highway 20 in the newly annexed area of Carter Road be reviewed for consistency and compliance.

Mary Louise Kemp – 615 Ferry St., addressed the Council and expressed interest in setting up a block watch within the Ferry Street area. Kemp also addressed concern of speeding in the vicinity of Ferry and Central during the hours of 11:30 P.M. and 1:30 A.M. She also addressed other numerous issues of concern.

PUBLIC HEARINGS

2005 Comp Plan & Development Regulation Update

Zoning Map Amendment Ordinance

Attorney Hayden reviewed the proposed ordinance for the zoning map amendments. Hayden noted that the golf course rezone and the veterinary clinic rezone were both withdrawn by the owners. Hayden reviewed the remaining 6 rezone requests as listed:

1. Rezone of City Hammer Heritage Square (park) from Commercial to Public (Metcalf and Ferry);
2. Rezone of City FEMA property (across from Riverfront Park) from Residential R-7 to Public, for future park use;
3. Rezone of City Bingham Park from Residential R-7 to Public (to correct a mapping error);
4. Rezone of Skagit State Bank (at Carter and SR-20) from Residential R-7 to Mixed Commercial;
5. Rezone of Churchill Property (1422 Moore, SR-20 East of Carter) from Residential R-5 to Mixed Commercial;
6. Rezone of Koozer property from UR C/I to Mixed Commercial

Mayor Dillon opened the public hearing at 7:34 P.M.

Pat Churchill – 577 E. North Camano Dr., Camano Island, representing Taylor Brothers Inc. spoke in favor of the rezone request of property located at 1422 Moore from Residential R-5 to Mixed Commercial. She noted she has been trying for this requested rezone for 10 years and requested Council support the rezone request.

Mayor Dillon closed the public hearing at 7:35 P.M.

Attorney Hayden noted that the official ordinances are not being passed tonight however, the Council's vote is required for staff to have approval to send on to C-TED for their 60 day review period. Formal passage would take place in November.

Councilmember Anderson requested more detailed minutes from the Planning Commission so Council can determine the reasoning to their votes.

Pat Huggins – 1011 Alderwood Ln., member of the Planning Commission addressed Council regarding the decision of the Planning Commission of which he supports the group decision. His personnel opinion and reason for voting against was in the comp plan Highway 20 was not to be turned into a strip mall. The goal was to try to keep nodes of commercial activity and he felt it was being stripped out.

Rick Judd – 1310 Fruitdale Road, Planning Commission member addressed the Council regarding the importance of commercial property for the City and the logical rezone of the Churchill and Skagit State Bank requests.

Councilmember Meamber moved to accept the six listed zoning changes for the City Comp Plan and send it on to C-TED. Councilmember Splane seconded. Motion carried.

Amendment to SWMC Title 17 to add "Accessory Dwelling Unit" in place of "Dependent Relative Cottage".

Hayden reviewed the proposed ordinance which deletes the dependent relative cottage and adds a chapter on accessory dwelling units which allows two residences on a lot. The smaller residence has to be between 400-800 sq. feet, with the requirement that one of the two residences has to be occupied by the owner.

Mayor Dillon opened the public hearing at 7:43 P.M.

Fire Chief Klinger left the meeting due to an emergency call.

Sharon Shoop – 608 Ferry St., addressed the importance of guidelines of what is being placed to fit within the existing neighborhoods.

Councilmembers Meamber and Galbraith expressed concern of the requirement of owner occupancy.

Councilmember Anderson expressed concern the loss of single family lots and turning lots into duplex lots.

Mayor Dillon closed the public hearing at 7:48 P.M.

After some discussion of the proposed ordinance, no action was taken.

Amendment to SWMC Title 17: Housekeeping amendments regarding permitted uses, setbacks, and illuminated signs.

Attorney Hayden reviewed the proposed ordinance which are items of a housekeeping nature.

Mayor Dillon opened the public hearing at 7:54 P.M.

Mayor Dillon closed the public hearing at 7:54.30 P.M.

Discussion ensued to include grandfathering of signs and acceptable lighted signs.

Councilmember Anderson moved to adopt SWMC changes 17.20.020. Seconded by Councilmember Galbraith. Motion carried 5-1 (Councilmember Meamber opposed).

Total revision to SWMC Ch 17.50: Landscaping

Attorney Hayden stated the proposal is to replace the landscaping code with an entirely new ordinance which would compliment the existing design manual and is consistent with what other cities are doing. He noted that the current landscaping code works primarily as a suggestion and there has been some difficulty in enforcement of the current code.

Mayor Dillon opened the public hearing at 7:59 P.M.

Mayor Dillon closed the public hearing at 8:00 P.M.

Councilmember Colgan moved to accept the changes to the Landscaping code SWMC Ch. 17.50. Councilmember Anderson seconded. Motion carried 5-1 (Councilmember Meamber opposed).

Revision of SWMC 16.04.080 and SWMC 16.12.060 to allow short plats of clustered developments with a variance from the sanitary sewer requirement (for the Hanson property) and correcting SWMC 16.28.050(9).

Attorney Hayden reviewed the ordinance which addresses lot size of PRD's. He also noted the ordinance addresses the request of the Brian Hanson property on F & S Grade Road.

Mayor Dillon opened the public hearing at 8:04 P.M.

Mayor Dillon closed the public hearing at 8:04:30 P.M.

Discussion was held on "clustered developments".

Councilmember Lemley moved to accept the revisions for SWMC 16.04.080 and SWMC 16.12.060 and 16.28.050(9). Councilmember Colgan seconded. Motion carried 5-1 (Councilmember Splane opposed).

Critical Areas Ordinance, SWMC Ch. 17.65

Attorney Hayden stated that the City is required to update the Critical Areas Ordinance in order to comply with GMA requirements which is important for qualifying for certain public funding for capital improvements such as sewer. Hayden reviewed in detail the proposed ordinance.

Mayor Dillon opened the public hearing at 8:14 P.M.

Pat Huggins – 1011 Alderwood Ln., Planning Commission member addressed the Council and requested on behalf of the Planning Commission that the Council support the Brickyard Creek Sub-Area Plan as outlined in the proposed ordinance. Huggins noted that there are two Planning Commission members who have already volunteered to sit on the committee. He spoke on the trend of mitigation banking and noted that this ordinance would allow the use of Brickyard Creek as a mitigation point within the City. Huggins encouraged the Council to approve the plan.

Jim Johnson – 587 Carter Rd., Planning Commission member also addressed the Council on the importance maintaining Brickyard Creek and the implementation of a Brickyard Creek Sub-Area Plan. Johnson requested the Council support the inclusion of the plan within the proposed ordinance.

Rick Judd – 1310 Fruitdale Rd., Planning Commission member encouraged the Council to pass and think about the opportunity provided to develop the Brickyard Creek Sub-Area Plan.

Mayor Dillon closed the public hearing at 8:19 P.M.

Attorney Hayden noted that the Council is not adopting the stormwater plan at this time. The ordinance simply states that one will be formed, it will go back through the planning process and come back to the Council.

Discussion was held to include some scenarios that might happen with the implementation of the plan, hi-lights of a plan, support of the Department of Ecology, preservation of open space in the area of Brickyard Creek, the area in vicinity of the mill, replacement of homes in the case of destruction by fire within the Brickyard Creek area, effect of the ordinance on the Bucko property, use of Brickyard Creek for stormwater and National Pollution Discharge Elimination System (NPDES) requirements.

Councilmember Galbraith moved to accept SWMC Ch. 17.65 and send on to the State. Councilmember Colgan seconded. Motion carried 5-1 (Councilmember Splane opposed, Councilmember Meamber voted yes with reservations).

Attorney Hayden stressed that approval does not adopt a plan.

Amendments to SWMC Ch. 13.36 and 13.40, Stormwater Management and Stormwater Maintenance, and adoption of the 2001 Stormwater Manual.

Engineer Blair addressed the Council and noted this is the first step to coming into compliance with the NPDES Phase II permit. He stated what is being presented to Council for approval does not completely cover all that is required.

Attorney Hayden noted that the Ordinance will raise the standards for developments for cleaner water and better facilities that need less maintenance over time. He also stated the City is currently operating under the 1992 Stormwater Management Maintenance Manual and this would bring the City current to the 2001 Manual.

Mayor Dillon opened the public hearing at 8:38 P.M.

Councilmember Meamber questioned the financial impact to citizens. Attorney Hayden and Engineer Blair noted that the manual tells what standards are necessary to treat stormwater for new developments and new growth.

Mayor Dillon closed the public hearing at 8:40 P.M.

Councilmember Anderson moved to adopt the amendments to SWMC Ch. 13.36 and SWMC Ch. 13.40 Stormwater Management and Stormwater Maintenance and adopting the 2001 Stormwater Manual. Seconded by Councilmember Splane. Motion carried.

Sedro-Woolley Design Manual Ordinance

Attorney Hayden spoke to the Council on changes that have been made in the Planning Department and the community. He touched on three significant changes. 1) Measuring

the cost of development; 2) Making developers pay for the costs; 3) Implementation of a design manual.

Mayor Dillon opened the public hearing at 8:49 P.M.

Mayor Dillon closed the public hearing at 8:49:30 P.M.

Councilmember Anderson moved to accept the Design Manual and amend SWMC 15.44.025 and adopting design standards and guidelines for the use with SWMC 15.44 Design Review. Councilmember Lemley seconded. Motion carried.

Comprehensive Plan Amendments

Attorney Hayden noted that the Traffic Comprehensive Plan and the Police Capital Facilities Plan are still in the process of being completed. Both plans are being done by outside consultants and will be brought to Council as an interim ordinance in November and be included in the 2006 amendments.

Attorney Hayden reviewed the remaining amendments as follows:

1. Vision Statement
2. Transportation Element (moving to 2006)
3. Housing Element
4. Economic Development
5. Land Use Element
6. Utilities
7. Land Use Map Amendments
8. Parks Element

Hayden reviewed minor change requests from the Planning Commission in the Vision Statement which notes support of the Library and a change of the parks impact fees within the Parks Element. The fee was recommended changed from \$250 to \$1,200.

Mayor Dillon opened the public hearing at 8:56 P.M.

Pat Huggins – 1011 Alderwood Ln., Planning Commission member addressed the Council regarding the Commissions recommendation for an increase in Park Impact fees.

Jim Johnson – 587 Carter Rd., Planning Commission member also addressed the Council to speak in favor of the increase in Park Impact fees. Johnson spoke on the importance of having a range of parks within the City, including neighborhood pocket parks. Johnson also spoke in support of the language change for the Library within the Vision Statement.

Erin Douglas – 1289 Arrezo, requested clarification of the golf course.

Attorney Hayden reviewed the zoning of the golf course area and possible development with the property. Hayden noted there have been three proposals from developers for developing the land with a possible donation of the golf course to the City. Hayden also noted that the Planning Commission did not specify that the land would be a golf course but specified that open space would be acquired in that area for park use.

Mayor Dillon closed the public hearing at 9:04 P.M.

Council discussion ensued to include the present impact fee, availability of stand alone lots within the city, the need for parks, impact of developments, and vision statement wording change to delete accessory dwelling units.

Councilmember Anderson moved to adopt the amendment to the Comprehensive Plan and Land Use Map for the City of Sedro-Woolley for the 2005 GMA Comprehensive Plan and Development Regs Update as written. Councilmember Lemley seconded. Motion denied (tie vote 3-3). (Councilmembers Meamber, Splane and Galbraith opposed).

Mayor Dillon and Councilmember Anderson both addressed the Council on the importance of green space within the City and the need to plan for the future.

Council questioned the possibility of delaying the decision until the next Council meeting. Engineer Blair cautioned the Council that if the City falls behind on the timeline and becomes non-compliant, the Public Works Trust Fund Loan will not be offered to the City.

Councilmember Galbraith moved to accept the amended Comp Plan and Land Use Map of the City of Sedro-Woolley for the 2005 GMA Comprehensive Plan Development Regulations update with the striking of \$1200 to \$500 for the park impact fees. Seconded by Councilmember Splane. Motion carried 5-1 (Councilmember Anderson opposed).

OLD BUSINESS

Rinker Materials Contract

Councilmember Lemley questioned the need for a full repaving of Ferry Street. Engineer Blair noted that the street had gone too long without maintenance and the road is deteriorating and will become a problem. Blair noted the importance of routine road maintenance.

Ferry Street Paving Contract

Councilmember Galbraith moved to accept the contract with Rinker Materials for the Ferry Street Paving project in the amount of \$225,239.00 plus tax, and authorize the City Engineer to approve contract changes in an amount not to exceed 10% of the total bid

amount without further City Council approval. Seconded by Councilmember Meamber. Motion carried.

Metcalf Street Paving

Councilmember Galbraith moved to accept the contract with Rinker Materials for the Metcalf Street Paving project in the amount of \$119,204.20 plus tax, and authorize the City Engineer to approve contract changes in an amount not to exceed 10% of the total bid amount without further City Council approval. Councilmember Splane seconded. Motion carried.

NEW BUSINESS

None

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Mayor Dillon – announced the partnership with Skagit County and the Washington State Department of Transportation and Janicki Industries in obtaining a federal grant for the intersection of Fruitdale, the Fruitdale Road and McGargile Road. She also announced her and Councilmember Meamber’s attendance at the ground breaking of the new medical facility being built at United General Hospital. She welcomed Councilmember Meamber back after a short absence.

Councilmember Meamber – reported on the ground breaking ceremonies.

Councilmember Colgan – questioned if there had been any recent complaints on the water since the upgrades of some of the lines.

Engineer Blair – announced that the Public Works Trust Fund board had decided to cap the Public Works Trust Fund Loans at 7 million instead of the original 12 million.

Attorney Hayden – discussed lifting of the moratorium in the Garden of Eden area as soon as the pump station comes on line. Hayden expressed concern of the line system in the Metcalf Street area not having the capacity to handle any annexations. He said there have been numerous inquiries on annexations and staff has been reporting that we will not be accepting annexations until the Metcalf Street line is upgraded so we are able to provide sewer service. Hayden also noted that he will be meeting with the County regarding some possible development in that area and that is the stance that he will take unless otherwise directed.

Clerk/Treasurer Nelson – announced a donation from the Sedro-Woolley Soroptimist for the interior upgrades to the Sedro-Woolley Community Center. Nelson also announced the state auditor’s will be arriving for the annual audit on August 29, 2005. Councilmembers will be invited to the entrance interview.

Councilmember Meamber – questioned the completeness of Hammer Heritage Square.

Mayor Dillon noted there are two outstanding items left to compete. The anti graffiti coating on the mural and the placement of the security camera.

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

The meeting adjourned at 9:33 P.M.