
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
September 13, 2006 – 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, Louis Requa, Pat Colgan, Hugh Galbraith, Rick Lemley and Mike Anderson. Staff: City Clerk/Treasurer Nelson, Planner Rozema, Attorney Berg, Engineer Blair, Fire Chief Klinger and Police Chief Wood.

Mayor Dillon requested Item C – Gary Hansen – Duplex Building Permits on Hyatt Place be moved to Old Business. She then requested the topic be moved to Executive Session.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #58194 to #58353 for \$969,892.87 (Voided Warrants #58215 through #58223)
 - Payroll Warrants #38579 to #38678 for \$204,481.00
- Gary Hansen – Duplex Building Permits on Hyatt Place (*moved to Old Business at the request of Mayor Dillon*)
- Street Closure/Riverfront Park Request – Founders Day – September 9th & 10th, 2006
- Waiver of Fees – Community Center – Girl Scout Troop 548 – Misc. Dates
- Waiver of Fees – Community Center – SW Youth Football Cheer Teams – Misc. Dates
- Contract – Tree Removal at Fire Training Facility
- Interlocal Agreement with City of Burlington – Court Clerks

Councilmember Galbraith moved to accept the consent calendar Items A through H, excluding Item C which is moved to Old Business. Seconded by Councilmember Lemley. Motion carried.

Presentation – Skagit Valley Tulip Festival

Cindy Verge, Executive Director of the Skagit Valley Tulip Festival addressed the Council on an upcoming World Tulip Summit to be held in Australia. Verge noted she is part of a delegation of 3 that will be attending the Summit and explained about the Summit. She noted the goal will be to bring the World Tulip Summit to Skagit County in 2010 and spoke of the steps being taken to promote the festival and Skagit County.

Public Comment

Susie Williams – 1058 Wedmore Pl., announced the donation of 2 – 5 gallon buckets of golf balls to the driving range by George Miller.

Sally Carlson – 335 Bennett St., addressed the Council regarding the emergency turn around on Hyatt Place. She noted the road has been blocked off and believes it to be a safety concern for her tenants that live on the street.

PUBLIC HEARINGS

None

OLD BUSINESS

Gary Hansen – Duplex Building Permits on Hyatt Place (*moved from consent calendar*)

Attorney Berg noted that Tom Moser, Attorney for Gary Hansen requested a moment to address the Council. Berg noted there would be no discussion following his presentation. Discussion would be held in Executive Session.

Tom Moser – addressed the Council representing Gary Hansen. Moser reviewed the issue of fundamental fairness and presented background information regarding Hansen's permits and fees. Moser addressed representations made by City Officials and being able to rely on such statements and stated the issue is defined legally as "detrimental reliance". Moser requested Council consider authorizing a refund of the fees incurred.

NEW BUSINESS

Nevitt Plat – Preliminary Approval

Planner Rozema reviewed the request for preliminary plat approval from Richard Nevitt of American Investment, LLC. The project is to divide 0.95 acres zoned Residential -7 (R-7) into 7-residential lots located in the vicinity of W. Jones Road. The Planning Commission held an open record hearing on August 15, 2006 and recommended approval of the plat subject to the conditions by staff and the SEPA/ MDNS. Rozema noted that staff recommends approval of the preliminary plat subject to the conditions in the Planning Commission's finding of fact, conclusions and recommendation.

John Semrau, Civil Engineer representing Richard Nevitt reviewed the design features of the proposed plat and answered questions from the Council.

Councilmember Meamber moved to adopt Resolution No. 729-06 A Resolution Approving the Preliminary Nevitt Plat, A 6-Lot Subdivision. Seconded by Councilmember Splane.

Councilmember Requa made a point of clarification that tonight's hearing was a closed record hearing. He questioned that if anyone who testified at the original hearing can testify again, providing no new information was given.

Mayor Dillon noted that was correct.

Mayor Dillon restated the motion. Motion carried.

Ordinance – Amending SWMC 8.04.075 Regarding Garbage Services

Attorney Berg reviewed the proposed amendment to SWMC 8.04.075 with regard to garbage billing practices for condominium developments. He noted the ordinance is designed to clear up any confusion in the existing ordinance.

Discussion ensued to include options for dumpster versus individual cans, payment responsibility and review of options at a future worksession.

Councilmember Anderson moved to adopt Ordinance No. 1552-06 An Ordinance Amending SWMC 8.04.075 Regarding Garbage Service. Councilmember Splane seconded.

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

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Mayor Dillon – reminded Council that the October worksession will be strictly on the budget and the November worksession will be finalizing of the budget.

Fire Chief Klinger – announced the upcoming Boots to Burn Dance October 28th. Tickets are on sale now.

Engineer Blair – reported on the Township sewer project. He noted Sterling Street will be paved at the end of the month and the Township paving will depend on weather. A first lift will be placed on Township but the final paving may not occur until spring due to some stormwater issues that have occurred.

Attorney Berg – noted a copy of the letter regarding cigarette butts sent to tavern owners in the Council packets. He also noted a letter received in response to the letter sent.

Planner Rozema – updated the Council on the Medical Office progress in regards to the Building Department and stated the Associate Planner position is progressing with the hopes of making a decision sometime next week.

Councilmember Meamber: addressed the great Farmer’s Market held on Wednesdays.

Councilmember Requa – questioned the yellow curb paint along the alley by the Post Office. He noted the painting removed a parking space and dumpsters have been red tagged for removal. Requa requested the situation be looked into.

Engineer Blair noted some proposed changes in the works for reconfiguration for better use of the Post Office loading dock which warranted some of the changes. He also noted the parking space was removed because it was to close to the intersection.

Councilmember Lemley – gave a report on the great Founder’s Day events held. He also addressed the need for port-a-pottes for special events at Riverfront Park.

EXECUTIVE SESSION

The meeting adjourned to Executive Session at 7:52 P.M. for the purpose of litigation, personnel and/or land acquisition. It is anticipated to last approximately 1 hour with a possible decision.

The meeting reconvened at 9:04 P.M.

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

The meeting adjourned at 9:05 P.M.

Note: Councilmember Requa attended Executive Session for the first 15 minutes of the session and then was recused for the remainder of the session due to a possible conflict of interest.