
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
September 27, 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.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #58355 to #58469 for \$191,177.61 (Voided Warrant #58354)
 - Payroll Warrants #38679 to #38777 for \$145,765.90
- Waiver of Fees – Sedro-Woolley School District – 2006/2007 School Year
- Waiver of Fees – Community Center – ERCI – October 4, 2006
- Existing Sewer Replacement with RAM Construction
- Employment Contract Amendment – City Attorney
- Contract – The Unity Group for Insurance Services

Councilmember Galbraith moved to approve the consent calendar Items A through G.
Seconded by Councilmember Colgan.

Councilmember Requa questioned the funding for Item E Existing Sewer Replacement with RAM Construction and questioned the time with regards to Item F – Employment Contract Amendment – City Attorney.

Engineer Blair noted the funding for Item E would be from annual maintenance funds and not the Public Works Trust Fund monies. Attorney Berg noted the additional hours for Item F would be approximately 6.7 hours.

Mayor Dillon restated the motion. Motion carried.

Public Comment

Frank Martin – 929 Summer Meadows Ct., requested permission to block off a section of Metcalf Street from the south side of Eastern to Ferry Street. He noted there is a Women’s Motorcycle benefit for battered women and they want to park motorcycles in that area.

Ginny Good – 24250 Alexander St., thanked the City and Councilmembers on behalf of the Farmers Market. She noted the park has been a wonderful setting for the market and announced the upcoming Harvest Dinner being sponsored by the Farmers Market.

Mayor Dillon thanked the Farmers Market for their responsible use of the park.

Councilmember Anderson commented on the market and noted it is a good asset to the town.

Gary Frizzell – 9392 Thresher Ave., addressed the Council regarding an incident where his wife fell on a city sidewalk. He presented some information to the Council in hopes to resolve the issue without having to file a lawsuit. Frizzell also questioned the possibility of resurfacing Thresher Ave and requested the City address the Alaway's car situation.

Bob Ruby – 310 Cascade Pl., Burlington, property owner in Sedro-Woolley passed out a letter to the Council and reviewed the contents. He addressed the progress of the sanitary sewer lines throughout the City and requested clarification be made as to a estimated time line of completion of projects in order to help property owners and developers.

PUBLIC HEARINGS

None

NEW BUSINESS

Street Closure Request

Councilmember Lemley moved to allow the closure of Metcalf Street from Eastern to Ferry on Sunday October 1, 2006. Seconded by Councilmember Splane. Motion carried.

Cascade Palms Condominiums Request

Attorney Berg reviewed the request of Bill Stiles, Jr. regarding issues related to Cascade Palms Condominiums. Berg referred to the Council memo which addressed two issues of the request. Berg noted that the issue appears to present potential litigation against the City and recommended any discussion be held in executive session.

Bill Stiles III – representing his father, Bill Stiles, Jr., reviewed background information for their project called Cascade Palms on Trail Road. Stiles addressed a phased approval for building permits as outlined in the International Building Code (IBC). He also addressed difficulties working with the appropriate departments.

Attorney Berg reviewed the IBC rules on phased approval and stated his opinion is that the building official has the discretion to make the determination of phased permits and it

is consistent with other building departments throughout Skagit County. Our building official has stated he would approve phased approval but the way the code is currently set up, if phased approval is granted, the fees will be paid at time of the initial request. Berg reviewed typical applications for phased approval.

Council discussion ensued between Council and Stiles regarding taking a chance on fees, and the phasing process.

Attorney Berg noted that discussion should be held on whether present policy should be kept or whether changes within the policy should be made, not on what has happened in the past.

Planner Rozema noted that phasing and deferred submittals are addressed separately. He explained the need for complete information regarding the building to know what type of building will be set on the foundation. Rozema also explained the process of the recent phased approval used on the Pavilion building.

Lengthy discussion ensued to include concerns of staff time, permit tracking on phased projects, timing of fees, ordinance wording, modification of ordinance, interpretation of ordinance, expectations and conditions of phasing permits. Councilmember Requa requested an amendment to the impact fee ordinance be brought back along with whatever conditions should be considered. Other Councilmembers agreed but wanted the request to include a time limit.

Stiles also addressed numerous difficulties on the project. He noted that he sent a list of the problems that had occurred to the Council in April and had not received a response to his inquiry. Stiles also addressed customer service received in the Building Department and requested mediation to the issues. He noted there are still numerous unresolved issues and requested a resolve to be able to move forward.

Citizen Request for Off Road Vehicle Ordinance Amendment

Attorney Berg reviewed background information on a citizen request for a change to the off road vehicle ordinance.

Jim Robinson – 313 N. Reed St., addressed the Council regarding use of off road vehicles on private property inside the City limits. He noted that he would like to be able to allow his grandchildren to ride and provided a list of recommended provisions to be included in an ordinance. Robinson requested Council consider his request.

Councilmember Requa requested comments from Police Chief Wood regarding enforcement on the proposal.

Wood stated they enforce whatever laws the Council enacts but cautioned that this type of ordinance will invite a lot of public input. He noted within the City there are very few

parcels that it would not be offensive to others and strongly recommended having a public hearing before a final decision is made.

Discussion ensued whether to hold a public hearing on the off road vehicle topic.

Councilmember Splane moved to prepare an ordinance for the City Council to consider at a future meeting and schedule a public hearing on the proposed ordinance for October 11, 2006. Seconded by Councilmember Meamber. Motion carried.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Clerk/Treasurer Nelson – reminded Council about the upcoming budget worksessions on October 3,4,& 5.

Engineer Blair – stated Sterling Street is scheduled to be paved beginning October 16, 2006. Sterling will be completely paved and Township will be paved with one lift until spring.

Fire Chief Klinger – reminded everyone of the Fire Associations fundraiser to benefit the Burn Children Recovery Foundation to be held on October 28, 2006. Klinger noted tickets are available from any fireman.

Police Chief Wood – updated the Council on Officer Musgrove who is currently attending the police academy. He noted Musgrove has been elected to serve as President of his class.

Councilmember Requa moved to direct the City of Sedro-Woolley City engineer to prepare a monthly report containing the following items:

1. Inventory of the sanitary sewer line requiring upgrades causing the need for the current moratorium.
2. A time table for replacing those lines to include a schedule for design completion and installation.
3. An accounting of the amount of monies currently available and a plan for acquiring additional monies if necessary.
4. The monthly report to be made available at the first City Council meeting of each month commencing November 8, 2006.

Council Discussion ensued to include probability of the report and worksession discussion versus monthly reporting. Motion died for lack of a second.

Mayor Dillon noted that staff will prepare some type of report to address some of the items requested.

Councilmember Requa requested the report be given during a time where the media is in attendance.

Councilmember Anderson – passed on a citizen comment regarding the fast pace of the sewer project.

Councilmember Requa requested the timing of the report. It was noted that all October worksessions were dedicated to budgeting and therefore November would be the first available time.

Mayor Dillon – reminded Council of the second meeting in November will be on Tuesday instead of Wednesday due to the Thanksgiving Holiday and only one meeting will be held in December.

EXECUTIVE SESSION

The meeting was adjourned at 8:23 P.M. to executive session for the purpose of personnel, litigation or land acquisition for approximately 30 minutes with a possible decision to be made.

The meeting reconvened at 9:36 P.M.

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

The meeting adjourned at 9:37 P.M.