
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
December 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: Clerk/Treasurer Nelson, Attorney Berg, Engineer Blair, Planner Moore, Police Chief Wood and Fire Chief Klinger.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #58919 to #59086 for \$568,812.12
 - Payroll Warrants #39165 to #39256 for #221,008.64
- Waiver of Fees – Community Center – Santa Breakfast – December 9, 2006
- Waiver of Fees – Community Center – SWSD – January 23, 2007
- Employment Contracts – Attorney, Clerk-Treas., Eng./Pub. Wks. Dir 2007-2009
- SW Public Safety Guild Collective Bargaining Agreements 2007-2009
- Microsoft Volume Licensing Enterprise Agreement
- Contract – Humane Society of Skagit Valley – 2007
- Contract – R.S.V.P. (Retired Senior Volunteer Program)
- Interlocal Agreement – Skagit County District Court Probation Services – 2007
- Interlocal Agreement w/Skagit County – Skagit River Flood Feasibility Study
- Professional Services Agreement – Mill Creek Management Technologies, Inc.

- Resolution #731-06 – Acquisition of Asphalt Zipper

Councilmember Lemley moved to adopt the consent calendar Items A through M. Seconded by Councilmembers Meamber and Splane. Motion carried.

Special Presentation – Skagit County District #8 Fire Chief Jim Allen

Mayor Dillon presented Skagit County District #8 Fire Chief Jim Allen with a commemorative plaque upon his retirement.

Fire Chief Allen thanked the City and introduced the Board of Directors for Skagit County District #8. He also introduced the new Fire Chief, Rusty Feay.

Mayor Dillon presented Councilmember Tony Splane with a first place ribbon and Christmas wreath prize for the entry in the Annual Christmas Parade. Councilmember Splane decorated his vintage truck with lights which carried the Mayor and Councilmembers through the parade.

Councilmember Lemley presented a plaque to Mayor Sharon Dillon for her years of outstanding and exemplary service to the City of Sedro-Woolley as Mayor as she moves on to take the office of County Commissioner.

Public Comment

None

PUBLIC HEARINGS

Proposed Amendment to the Sauk Mountain Development Agreement Dated Jan. 29, 2004

Due to the anticipated late arrival of the developers, the topic will be moved to later in the meeting.

2006 Budget Amendment

Clerk/Treasurer Nelson reviewed proposed budget amendments and discussed the need for the proposed amendments.

The Mayor opened the public hearing at 7:14 P.M.

No public input.

The Mayor closed the public hearing at 7:14:30 P.M.

Councilmember Meamber moved to approve Ordinance No. 1562-06 An Ordinance Amending Ordinance No. 1532-05 An Ordinance Adopting the Annual Budget for the City of Sedro-Woolley, WA for the Fiscal Year Ending December 31, 2006. Councilmember Splane seconded.

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

Councilmember Meamber gave praise to the City staff for their work on all phases of the budget.

UNFINISHED BUSINESS

Ordinance – SWMC 2.40 – Adopting Revised Emergency Procedures

Mayor Dillon introduced the proposed ordinance for revised emergency procedures which establishes the order in which someone would take over in the Mayor's absence.

Council discussion ensued to include Mayor Pro-Tem or designee.

Councilmember Anderson moved to approve Ordinance No. 1563-06 An Ordinance Repealing SWMC 2.40 and Adopting Revised Emergency Procedures Excluding Section IV – B – 2 on page 4. Seconded by Councilmember Lemley.

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

Ordinance – Implementing a Code of Ethical Standards for City Officials

Mayor Dillon and Attorney Berg reviewed the proposed Ordinance which would adopt ethical standards for City Officials.

Councilmember Requa moved to adopt 1564-06 An Ordinance Implementing a Code of Ethics for all City Officials and Employees Setting Penalties for Violations of the Code of Ethics and Adding a New Chapter to Title 2 of the SWMC. Seconded by Councilmember Meamber.

Discussion ensued of the provision to provide a copy of their public disclosure report, if applicable, to the City Clerk.

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

S.R.I.P. Request for Reimbursement

Mayor Dillon reviewed a request for reimbursement to the Skagit River Impact Partnership for the City's contribution to cover an invoice from Pacific International Engineering for the Flood Frequency Analysis in the amount of \$2,000.00.

Engineer Blair reviewed the content of the analysis which established a model which will show if one measure adversely impacts another City.

Councilmember Anderson expressed concern of the billing not being spread out evenly among all the entities.

Councilmember Anderson moved to table the topic to the next Council meeting. Councilmember Lemley seconded. Motion carried.

Councilmember Requa questioned who authorized the billing to be spread over the 5 larger entities. It was noted that the City of Mount Vernon is the designated financial pass through. More information will be gathered to be discussed at the January 10th Council meeting.

Proposed Amendment to the Sauk Mountain Development Agreement Dated Jan. 29, 2004 (moved from Public Hearings)

Upon the arrival of the developers for the Sauk Mountain Development, Attorney Berg reviewed the proposed amendment to the January 29, 2004 agreement. The amendment would extend the timing to the year 2012 or the approval of future development activities and is a solution to the problem under the current sewer moratorium. Berg noted the agreement also releases the developers from deeds of trust the City currently holds. The agreement links the performance of the obligation to the next phase of development.

Mayor Dillon opened the public hearing at 7:36 P.M.

John Lange – 1427 231st St. SE, Bothell, addressed the Council regarding his property located in the City limits. Lange noted the sewer moratorium has been the issue in not allowing the property to be developed within the time frame of the agreement. Lange talked about his experience in developing land within a small city and thanked the Council for the opportunity. Lange stated he looked forward to the amendment being passed.

Rob Janicki – 103 N. Township St., representing Dukes Hill LLC, addressed the Council in agreement with Lange's comments. Janicki noted initially discussion was to tie the extension to the lifting of the moratorium. He addressed a possibility of another extension should the moratorium not be lifted within the time frame. Janicki spoke on the release of the deeds of trust and dedication of property by the developers.

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

Council discussion ensued to include sewer availability and development proposal.

Attorney Berg disclosed to the Council that the original agreement was recorded twice and the developers have requested that both auditors file numbers be referenced on the agreement. Upon signing of the original, both auditors numbers will be referenced.

Councilmember Colgan moved to enter into an amended agreement with the Sauk Mountain View Estates and Dukes Hill LLC. Councilmember Lemley seconded. Motion carried.

NEW BUSINESS

Resolution #732-06 RE: Timing Requirements Under the Annexation Agreement for Sauk Mountain as a result of Sewer Moratorium

Attorney Berg reviewed the proposed resolution which is intended to acknowledge a statement of good faith from the City that it is impossible for the developers/owners to fulfill the development requirements under the Annexation Agreement so long as the moratorium is in effect.

Councilmember Galbraith moved to adopt Resolution No. 732-06 A Resolution Tolling the Time for Performance Under the Annexation Agreement. Seconded by Councilmember Colgan. Motion carried.

Contract – City Prosecutor

Councilmember Anderson reviewed the interview process for the position of City Prosecutor. After interviewing the candidates it is recommended to enter into a contract with Jennifer Bowens. Anderson introduced Ms. Bowens to the Council.

Attorney Berg reviewed the contract for prosecutor services.

Councilmember Anderson moved to enter into an agreement for Legal Services with Jennifer Bowens. Seconded by Councilmembers Meamber and Splane. Motion carried.

Ordinance – 2007 Salaries & Wages

Mayor Dillon introduced the 2007 Salary Ordinance. She noted there had been no changes from what Council had previously discussed.

Councilmember Colgan moved to adopt Ordinance No. 1565-06 An Ordinance Establishing the Salaries and Wages for Elected Officials, Union (Guild) and Non-Union Employees of the City of Sedro-Woolley for the Fiscal Year Beginning January 1, 2007. Seconded by Councilmember Splane.

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

Councilmember Anderson – commented that Mayor Dillon has done a good job for the City and will be missed.

Councilmember Lemley – concurred with Anderson and thanked Mayor Dillon for her service.

Councilmember Galbraith – noted that he has been amazed by the amount of time put in by Mayor Dillon. Galbraith noted it was a part time position which ends up being a time and a half job with the hours. He thanked Dillon and applauded her for her dedication.

Councilmember Colgan – questioned the status of Township Street and when it would be completed.

Engineer Blair noted the base coat has been installed but it will most likely be spring before the final lift will be completed.

Colgan also questioned the railroad tracks. Blair noted that we do not have jurisdiction over the tracks; it is the responsibility of the railroad.

Councilmember Requa – expressed concern and comments he received from citizens on the lack of snow and ice removal during the recent snow.

Blair noted the time and hard work of the Public Works personnel and spoke regarding the snow policy.

Requa also thanked Mayor Dillon for her public service to the City of Sedro-Woolley.

Councilmember Meamber – wished everyone a Merry Christmas and noted that he and the Mayor have worked together for seven years and noted the main focus has always been the citizens of Sedro-Woolley. He stated he has enjoyed working with her.

Police Chief Wood – announced the graduation of Officer Musgrove from the police academy. He also noted that during his training he broke a bone in his wrist but should be ready for field training upon his graduation.

Engineer Blair – announced the issuance of the Phase II Stormwater permit effective January 19, 2007.

Planner Moore – addressed the Council at his first meeting and stated he looked forward to working with them.

Attorney Berg – addressed the Council regarding the intern that is working with him and noted he is almost completed with a draft form of an Employee Handbook which will then be reviewed by Council. He also addressed communications with Council on upcoming issues and a proposed timeline.

Mayor Dillon tearfully read her letter of resignation as Mayor of Sedro-Woolley effective December 31, 2006. She noted it has been a great pleasure to serve the citizens of Sedro-Woolley and she has been proud to represent them in all the venues. Mayor Dillon thanked the staff and Councilmembers for their support and wished Mayor Pro-Tem Anderson the best of luck.

EXECUTIVE SESSION

The meeting adjourned to Executive Session at 8:11 P.M. for approximately 45 minutes for the purpose of litigation, personnel and land acquisition with a possible decision. The meeting reconvened at 8:46 P.M.

Councilmember Requa moved to allow the Mayor to enter into a purchase and sale agreement on specified land for a specified price discussed. Councilmember Galbraith seconded. Motion carried.

The meeting again adjourned to Executive Session at 8:47 P.M. for the purpose of personnel, land acquisition and litigation for approximately 30 minutes with a decision anticipated with Councilmember Requa requesting himself and departing the building.

The meeting reconvened at 9:02 p.m.

Councilmember Galbraith moved to retain Mike Tierney to represent the City of Sedro-Woolley in matters. Seconded by Councilmember Lemley. Motion carried 6-0 (Councilmember Requa requested).

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

The meeting was adjourned at 9:03 P.M.

ATTEST:

APPROVED:
