
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
April 11, 2007 – 7:00 P.M. – Community Center

The Meeting was called to order at 7:00 P.M.

Pledge of Allegiance

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Ted Meamber, Tony Splane, Louis Requa, Pat Colgan, Rick Lemley and Dennis London. Staff: Clerk/Treasurer Nelson, Attorney Berg, Planner Moore, Police Chief Wood and Fire Chief Klinger.

Consent Calendar

- Minutes from Previous Meeting (including March 29 & April 3, 2007 Work Sessions).
- Finance
 - Claim Vouchers #60004 to #60122 for \$180,394.84 (Voided Warrant #60006)
 - Payroll Warrants #39903 to #39997 for \$210,331.02
- Waiver of Fees – Riverfront Park – Cascade Middle School – June 15, 2007
- Waiver of Fees – Memorial Park – SW Alumni Association – May 5, 2007
- Waiver of Fees – SW Community Center – WA Old Time Fiddlers – December 1, 2007
- Waiver of Fees – Bingham Park – Kris Davis/The 3Day.org – June 1 & 2, 2007

- Resolution – #737-07 Supporting Funding for PL84-99 Levee and Inspection Program

Councilmember Meamber moved to approve the consent calendar. Seconded by Councilmember Colgan. Motion carried (6-0).

Proclamation – Native Plant Appreciation Week – April 29 – May 5, 2007

Mayor Anderson read a proclamation which proclaimed the week of April 29 – May 5, 2007 as Native Plant Appreciation Week in the City of Sedro-Woolley.

Public Comment

Bryon Mercer – 404 Moore Street, addressed the Council and provided a brief personal history and spoke regarding the recent noise ordinance changes. He noted that he has been ticketed for violation of this ordinance. He stated he has a recording studio and a neighbor that he believes has a personnel vendetta against him. Mercer played a tape of noise from his home on Highway 20 comparing it with noise from his recording studio with a band playing to point out that the road noise is louder than the bands playing. Mercer was directed to make an appointment with Mayor Anderson to discuss the situation.

David Bricka – 9343 Claybrook Road, representing the Chamber of Commerce, invited the Council to upcoming events sponsored by the Chamber of Commerce and reported on the community Easter Egg Hunt which was co-sponsored by the Wildcat Steelhead Club and the Chamber of Commerce.

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

City Hall Update

Attorney Berg noted that comments were reserved to the topic later on the agenda. He did announce that providing the agenda items are passed, there will be a groundbreaking ceremony for the New City Hall Addition on Tuesday, April 17, 2007 at 8:30 A.M. with the public invited to attend.

Polte Road (Report from Council Committee & Staff RE: Status)

Attorney Berg provided a factual review of what has transpired with the investigation of the Polte Road project since being put on hold. He noted that a SEPA was conducted and a SEPA determination completed which was mailed to everyone within 500 feet of the project. Berg noted that a number of the comments received were beyond the scope of

the environmental review. Those comments that were within the scope were addressed in the MDNS. He also addressed a meeting with the railroad and railroad officials and reported on a meeting with property owners of the access area regarding a potential change in the access point from Polte Road to Highway 20.

Councilmember Requa moved to abandon any more work to be done on Polte Road. Seconded by Councilmembers Splane and Meamber. Motion carried (6-0).

Councilmember Requa commended the property owner's willingness to negotiate the problem to what is believed to be a good solution.

Councilmember Requa moved to relocate the access point to Highway 20 and request the County to extend the funds from Polte to that project. Seconded by Councilmember Meamber. Motion carried (6-0).

Mayor Anderson commended the Councilmembers on their team effort with being involved in the solution to the concerns of the property owners.

Ordinance – Adopting Public Records Act Rules of the City (2nd Reading)

Attorney Berg reviewed the proposed Public Records ordinance and some changes to the first draft which were a result from a public disclosure class attended since the review of the first draft.

Councilmember London moved to adopt Ordinance No. 1570-07 An Ordinance Adopting Public Records Act Rules For the City of Sedro-Woolley. Councilmember Meamber seconded. Motion carried (6-0).

Low Impact Development (Clarification of Street Requirements)

Cory Zymluski – 16695 Peterson Road, Burlington, prefaced that his discussion is not site specific but is general information regarding Low Impact Development. He spoke of a recent misunderstanding or necessary clarification of road width in respect to low impact development. Zymluski referred to a packet given to Councilmembers addressing road width. The packet included information on narrow and curvy streets which indicate that they are safer. He stated wider streets cost homeowners more money. There is lower maintenance costs of skinny streets, air and water quality and permeability by reducing the impervious surface, quality of life, open space and rural character, encouraging better land use and sense of neighborhood and community as well as copies of Skagit County's urban area road design standards for local access and collector streets, excerpts of Sedro-Woolley Municipal Code Ch. 17.50.080 Low Impact Development Option and information on SEA street landscape and development in Seattle. Zymluski stated that low impact development is the new paradigm in development and requested Council come to a consensus on low impact development so that staff can continue to review low impact development projects accurately. He also showed layouts of both conventional and low impact development plans for comparison.

Council discussion ensued to include the requested road width by the City Engineer, retention ponds, emergency access, concept of low impact development, Skagit County's urban standards, other issues besides road width, direction to the City Engineer, timeline for decision, low impact as set in the manual, preference for speed calming streets and parking issues. The consensus of the Council as repeated by Attorney Berg was that Council was receptive to low impact development as identified in the manual.

NEW BUSINESS

Adoption of the "Optional Municipal Code", RCW 35A (1st Reading)

Attorney Berg reviewed the proposed adoption of the "Optional Municipal Code" and questioned whether Council would like to review the topic further for possible adoption. Berg compared differences between a code city and a second class city. Berg noted that the City of Burlington, last year became a code city and recommended to get the Burlington City Attorney to provide some direct information about their experience. He noted the process is not hard to make the shift but would want to identify questions the Council may have prior to a decision. Berg suggested this become a topic of a future worksession.

Discussion ensued to include requirements for a Planning Commission, Hearing Examiner and capacity to build your own mechanism.

Councilmember London moved to move the "Optional Municipal Code" discussion to the next work session. Councilmember Requa seconded. Motion carried (6-0).

City Supervisor Position, Ordinance and Contract Amendment

Mayor Anderson reviewed the recommendation for a City Supervisor/City Attorney position for the City. Anderson reviewed his reasons for believing the position to be in the best interest of the City's operation.

Council discussion ensued to include funding for the position,

Councilmember Splane moved to create a City Supervisor/City Attorney position. Councilmember Requa seconded.

Discussion ensued as to the personal level of the City Supervisor with dealing with employees.

Mayor Anderson called for the question of all those in favor the draft ordinance creating a City Supervisor/City Attorney position. Motion carried (6-0).

Councilmember Meamber moved to adopt the draft ordinance setting the salary for the City Supervisor/City Attorney position Ordinance No. 1571.07. Seconded by Councilmember Splane. Motion carried (6-0).

Councilmember London moved to authorize the Mayor to sign the attached amendment to the Employment Agreement with Eron Berg, making him the City Supervisor/Attorney. Councilmember Splane seconded. Motion carried (6-0).

City Hall Award of Bid, Budget Amendment & Interim Financing

Attorney Berg reviewed background information which included low bidder information, delay in award of bid, review of documents within the packets, delegation of change order authorization, interim financing proposals with Peoples Bank and the engagement letter from K&L Gates.

City Hall: Contract with USDA (*late materials*)

Attorney Berg reviewed the late materials passed out to Councilmembers which included a description of project, copy of the floor plan and advantages of the new building which will be ADA accessible as well as the required USDA forms and certifications.

Packet 2 – Item 1

Councilmember Meamber moved to approve and ratify the Mayor's signature on the USDA loan documents. Seconded by Councilmember Splane. Motion carried (6-0).

Packet 2 – Item 2

Councilmember Splane moved to adopt the draft Loan Resolution #738-07. Seconded by Councilmember Requa. Motion carried (6-0).

Packet 1 – Item 1

Councilmember Requa moved to adopt the draft resolution awarding #739-07 awarding the bid and authorizing the construction of the addition to the City's Municipal Building. Seconded by Councilmember Meamber. Motion carried (6-0).

Packet 1 – Item 2

Councilmember Colgan moved to adopt the draft ordinance 1572-07 amending the 2007 budget. Seconded by Councilmember Requa. Motion carried (6-0).

Packet 1 – Item 3

Councilmember Lemley moved to award the bid and authorize the Mayor to sign the contract with Peoples Bank for interim financing. Seconded by Councilmember Splane. Motion carried (6-0).

Packet 1 – Item 4

Councilmember London moved to authorize the Mayor to sign the engagement letter with K&L Gates to provide bond counsel representation to the City. Seconded by Councilmember Colgan. Motion carried (6-0).

Mayor Anderson thanked all staff for their team effort in working on completion of the paperwork process. Mayor Anderson also commended Darla O'Conner from USDA for her extra effort in getting the approvals in record time.

Consultant Agreement – KPFF – Rhodes Road Arterial Loop Extension between SR-20 and Cook Road

Attorney Berg reviewed background information regarding a grant received which includes extending part of the City's arterial between SR-20 and Cook Road, beginning at what is now the Hodgkin Street traffic signal. The City is at the end of the grants life span and need to move forward in order not to lose the grant. Berg stated initially the City by way of interlocal agreement was to have the County complete the design but now recommends hiring KPFF Consulting Engineers to complete design work.

Discussion ensued to include original amount of grant, time line of grant, timeline for completion of project and repayment clause.

Councilmember Requa moved to authorize the Mayor to sign and execute the attached agreement with KPFF for professional services in the amount not to exceed \$297,100.00 conditioned upon the review of the grant agreement that it does not require construction of said design. Councilmember Colgan seconded. Motion carried (6-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Councilmember Lemley – expressed excitement about the New City Hall and the progress on the Township Street paving.

Councilmember Colgan – questioned how the golf course was doing.

Councilmember Requa – expressed concern on the grant funding for the Skagit Plant ingress/egress and the potential of repayment if not used.

Mayor Anderson provided an update of the project and ongoing meetings with the property owners.

Requa also questioned progress on the Township Sewer project from Polte Road to McGargile Rd. and whether there has been any progress on the locate through Highway 20.

Attorney Berg noted staff is working on the railroad piece. Berg also reported on a recent meeting with Railroad personnel and spoke on a conversation with representatives from USDA regarding various programs they have.

Councilmember Meamber – commented that he wanted to see some flowers in the downtown area.

Councilmember Lemley commented the Chamber of Commerce is working on getting sponsors for the barrels along the street but the Public Lands department is responsible for the traditional hanging baskets.

Attorney Berg – reminded Councilmembers of the upcoming groundbreaking ceremony scheduled for Tuesday, April 17th at 8:30 A.M. and Thursday, April 19th a field trip to Ferndale for a site visit to a recycling site that is interested in coming to Sedro-Woolley.

Police Chief Wood – reported on recent changes at Cascade Middle School with morning access. He also noted increased traffic enforcement on Fruitdale and McGargile Roads as well as progress being made on Greenstreet and State Street with abandoned cars and clean up of the property.

Councilmember Splane moved to adjourn. Seconded by all Councilmembers. Motion carried.

The meeting adjourned at 9:25 P.M.

ATTEST:

APPROVED:
