
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
June 13, 2007 – 7:00 P.M. – Community Center

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

Pledge of Allegiance

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

Consent Calendar

- Minutes from Previous Meeting (including June 5, 2007 Work Session)
- Finance
 - Claim Vouchers #60523 to #60655 for \$572,888.54
 - Payroll Warrants #40292 to #40391 for #235,486.93 (Voided #40291)
- Waiver of Fees – Riverfront Park – Burlington Head Start – June 1, 2007
- Waiver of Fees – Riverfront Park – School Retirees’ – September 10, 2007
- Waiver of Fees – Community Center – Thanksgiving Dinner – November 21 & 22, 2007
- Street Closure Requests – 2007 Loggerodeo – Misc. Dates
- Professional Services Agreement – Engineering Consultant – Richard J. Blair P.E.
- Highway 20 Sewer Improvements – Supplemental Agreement #8 – CH2M Hill, Inc.

Councilmember Splane moved to approve the consent calendar Items A through H. Seconded by Councilmember London. Motion carried (7-0).

Public Comment

Frank Martin – 929 Summer Meadows Ct., addressed the Councilmember’s on behalf of Loggerodeo regarding their request for street closures for the upcoming event.

Joe Caldwell – 426 Jameson St., addressed the Council regarding the proposed recycling facility and the 500 foot notification area stating he thinks notification should be sent to all parents with students attending the High School. He also addressed the need for new business and the need to go out and solicit the types of businesses that would be a good fit for the community.

Barbara Eades – 907 Alexander St., spoke of her concerns with the proposed Amphitheatre to be built at Riverfront Park. She noted the primary concern of her and

her neighbors are the potential increase in noise, increased foot and vehicle traffic and noise, emissions, garbage and disregard of property that usually comes with the type of venue as well as the timing and frequency of events. Eades requested that their concerns be incorporated into the event guidelines and recommended to ban electronically amplified music and PA systems, require mandatory security for all events and increased traffic control for all events.

Attorney Berg noted a planned special meeting scheduled in July to address Parks which would include discussion of amphitheatre use rules as well as Community Center use rules.

Councilmember Galbraith moved to hold a special Council worksession regarding Parks meeting on Tuesday, July 10, 2007 at 7:00 P.M. at the Sedro-Woolley Community Center. Seconded by Councilmember Requa. Motion carried (7-0).

Dean Berkley – 27809 Hwy 20, owner of American Pole Structures, addressed the Council regarding his business and noted that they are very interested in a chance to bid on any upcoming projects. He noted they do both decorative poles and traffic structures and are locally manufactured.

David Bricka – 9343 Claybrook Road, representing the Chamber of Commerce thanked the City of their support with the recent Blast from the Past event. Bricka noted a letter of thanks given to the Mayor. He also announced the upcoming Outdoor Movies schedule for the month of July being sponsored by the Downtown Revitalization Committee.

Mayor Anderson pointed out Bricka's letter that was included in Councilmember's packets. He noted that City employee Nathan Salsenia was specifically thanked within the letter for coming in off duty to help resolve a situation with the power for vendors at the event.

PUBLIC HEARINGS

Storm Water Utility (2nd Reading)

Attorney Berg handed out the proposed ordinance with two changes on it. Berg reviewed the changes within the ordinance and reviewed background information for the implementation of the Storm Water Utility and proposed fee. He noted this is a federal mandate to the state which then imposed the regulation to the City.

Mayor Anderson opened the public hearing at 7:24 P.M.

Mayor Anderson closed the public hearing at 7:25 P.M.

Councilmember discussion ensued as to anticipated rate increases, potential for grants, compliance date and capital improvements, impact on Senior Citizens, citizens within the Brickyard Creek Sub-Flood area and date of passage of first ordinance.

Councilmember Requa moved to adopt Ordinance No. 1576-07 An Ordinance Establishing Storm Drainage Fees, Revising SWMC 2.46 to Include a Utility Fee and Mechanism to Assess the Fee. Seconded by Councilmember Galbraith.

Discussion ensued on commercial zoned property, non-profit exemptions and multi-family units.

Councilmember Galbraith moved to amend the motion Class 1 customers would be single-family residence, Class 2 would include all multi-family units duplex and tri-plex and Condominium with two or more units. Councilmember Colgan seconded. Motion carried (7-0).

Continued discussion ensued with Councilmember Meamber stating for the record that he would like the rate to start at \$2.00 instead of \$3.50. Councilmember Splane concurred with a \$3.00 fee. Discussion continued to include mandate, timeline, fees being charged by other cities and grant opportunities. All Councilmember's expressed opinions of not being in favor of the mandate but know they have no choice in the implementation.

Councilmember Galbraith called for the question. Motion carried (7-0).

UNFINISHED BUSINESS

City Hall Update

Attorney Berg presented a review of the City Hall construction noting the project is progressing as anticipated to this point. It is planned for the pouring of the slab to take place weather permitting on Friday. Berg also reviewed a request for an addendum to the Carletti Architect contract to cover seven task items that were not in the scope of work in the original contract. The items include Architectural USDA Coordination, Owner revision to the Planning Area, Mechanical and Electrical Engineering to the Planning Area, Architectural and Civil Engineering for additional parking areas and furniture, fixture and equipment selection. The proposed addendum would have a maximum amount of \$30,000. He also reviewed options and requested direction from Council regarding a Puget Sound Energy pole and pursuing under ground placement of the lines.

Councilmember Meamber moved to approve the proposed addendum to the Carletti Architect contract. Seconded by Councilmember Lemley. Motion carried (7-0).

Councilmember Requa noted that the City requires developers to place lines underground and thinks that the City should pursue the same requirement.

Proposed Sign Ordinance (3rd Reading)

Planner Moore reviewed some of the previous Council concerns with the proposed Sign Ordinance and the changes as a result of meeting with the Council committee which consisted of Councilmembers Meamber, London and Galbraith. Councilmember Meamber indicated the committee believes they came up with a good compromise of signs within the Ordinance.

Councilmember London moved to approve Ordinance No. 1577-07 An Ordinance Amending SWMC 17.40 Regarding Signs. Councilmember Meamber seconded. Motion carried (7-0).

Attorney Berg noted because of the passage of the Sign Ordinance the Joint Planning Commission/City Council Worksession scheduled for June 21, 2007 will be cancelled.

Six-Year Transportation Improvement Plan (TIP) 2007 – 2012

Attorney Berg noted a Council committee reviewed the proposed Six-Year TIP and decided to proceed with the format presented with the intent for a closer review for the 2008 TIP.

Councilmember Galbraith moved to approve Resolution No. 745-07 A Resolution Adopting the Six-Year Transportation Improvement Program for the City of Sedro-Woolley, Washington, 2008 – 2013. Seconded by Councilmember Meamber. Motion carried (7-0).

Biodiesel

Attorney Berg handed out additional paperwork to include an additional bid for placement of a tank.

Joshua Clemens of Whole Energy Fuels answered Council questions regarding tank location, capacity, fire guard wall requirements, delivery of pre-blended product, fullness of tank, storage time, maintenance checklist and seasonal vehicles.

Councilmember Splane expressed concern of the switch to bio-diesel stating he believes the additional cost would be better spent on sewers and streets. He noted it is still in an experimental stage and thinks that we should wait until the concept is better proven.

Clemens spoke of the upcoming state mandate for all state agency vehicles to run on bio-diesel by 2009.

Tom Dales – 411 Jameson St., questioned the net savings to the City for the use of bio-diesel.

Attorney Berg and Councilmember Splane noted that there is a higher net cost. Berg pointed out the staff perspective addresses quality and comfort within the workplace and the environmental benefits of the use of bio-diesel.

Dales encouraged Council not to proceed with the bio-diesel.

Councilmember Splane moved to table the bio-diesel study. Councilmember Meamber seconded.

Discussion ensued with Councilmember Splane requesting more information from large truck companies as to their results in the use of bio-diesel. Other discussion ensued cost of bio-diesel, effect of supply and demand, staff results within the test period, lack of negative results and Northwest Clean Air grant requirements.

Unidentified Audience Member – spoke about BC Transit’s use of bio-diesel for the past two years should the City wish to speak with someone regarding their use.

Dan Berg – noted the transportation authority has done a study which has been favorable.

A call for the question to table the bio-diesel study was requested by Mayor Anderson. Motion denied (2-5) (Councilmember’s Requa, Colgan, Galbraith, Lemley and London opposed).

Councilmembers Splane and Meamber expressed concern of the potential problems and the responsibility for payment for repairs on vehicles due to the use of bio-diesel.

Councilmember Requa moved to authorize the Mayor to approve the use of bio-diesel in all public works vehicles under the direction of the City Supervisor and to allow the Mayor to sign the letter from Northwest Clean Air Agency to accept the grant in the amount of \$6,000. Seconded by Councilmember Lemley.

Further discussion took place on the responsibility and payment of problems and cost of implementation upon mandate.

Motion carried (4-3) (Councilmembers London, Meamber and Splane opposed).

NEW BUSINESS

Rhodes Road Design

Attorney Berg reviewed the five alternative designs for the Rhodes Road (aka Hodgin Street) which have been provided by the engineering firm the City has hired to complete the design. Berg noted the adjoining property owners have also been invited to the meeting in order to provide input. Berg pointed out that the School District has expressed opposition to Options 4 and 5.

Discussion on the cost of round-a-bouts and design speed versus road speed was held.

Howard Koozer – adjoining property owner, questioned the timeline that the City is looking at.

Attorney Berg noted that the project will be a developer driven construction with the City providing the design. The design is anticipated to be completed in 2007 and the construction would depend on what development occurs.

Koozer expressed preference with the straight road and use of sky bridges for the school student's access.

Councilmember Meamber noted that the project has been discussed extensively and it was believed the expense of a sky bridge would be prohibitive.

Mike Janicki – reviewed the history of Janicki Fields, the proposed road and agreements with the School District.

Pete Papadopoulos – noted his involvement with the road and design from the onset. He questioned his ability for comment in the future if he did not make comment tonight. He noted his question was the 45 M.P.H. design speed and spoke of original access at the North end of the property.

Discussion ensued regarding the design speed built in for safety versus posted speed limit, development of the Koozer property and 90° corner.

Council consensus is to look at alternatives 1 and 2 with a cost benefit analysis between signalization vs. a round-a-bout. Koozer concurred that alternatives 1 and 2 would be less intrusive to his property.

Roger Koozer – questioned the possibility of a boundary line adjustment between their two parcels of property. He also questioned the cost share analysis.

F & S Grade

Attorney Berg handed out additional information in the form of an e-mail received from Sea-Land property owner Mark Nysether indicating that he will not be participating in any further discussions regarding the road alignment or intersection. He then reviewed the history of the project noting that the City has received grant funds for this project and will be required to repay the funds should the project not be built this year.

Bill Rimmer – 18870 Sulpher Springs Rd., Big Lake addressed the Council on his preference for alignment. Rimmer reviewed the original design compared to his preferred proposed alignment.

Council discussion took place regarding the movement of alignment closer to the curve, time line for completion, WSDOT approval, participation of Sea-Land property owner and grant funding.

Berg reviewed the project based on the PS&E package that is near completion which improves the SR-20/F&S Grade Road intersection, accommodates a new access to the Skagit Site at F&S Grade Road, provides a new right in/right out entry on the North side of the Skagit site and constructs a stormwater detention and water quality facility to accommodate both stages of construction. He noted it does not include the traffic signal at F&S Grade Road or the widening of SR-20 with a flatter horizontal curve around the “Bendix” corner.

Council instructed Attorney Berg to make an inquiry to WSDOT regarding the Rimmer request with an answer to be obtained by the next Council meeting.

Swedelius Property

Attorney Berg reviewed the purchase of the Swedelius property which closed on Friday, June 8, 2007. He noted that portions of the property are currently occupied by renters and a portion is ready to be surplused.

Councilmember London moved to adopt Resolution 746-07 A Resolution Declaring Certain Property Surplus and Identifying A Process for the Sale of That Property. Seconded by Councilmember Splane. Motion carried (7-0).

Councilmember Meamber moved to adopt Resolution 747-07 A Resolution Authorizing the Mayor to Negotiate and Execute Rental Agreements for Certain City Property. Councilmember Splane seconded.

Councilmember Colgan expressed concern of the City getting into the rental business. Attorney Berg noted the rental agreements were on interim situation and is not intended to be a long term arrangement. The current tenant of the apartment is aware of the proposed sale of the property. The other rental agreements would be for persons who currently have crops growing on the property. As the City begins to use the property, the occupants will no longer be able to remain on site. Discussion ensued regarding the proposed rental agreement arrangements. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Report from Council Special Committee (City Engineer Position)

Attorney Berg reported on the special Council committee regarding the City Engineer/Public Works position. He noted the committee has been discussing replacing the vacant position with a Public Works Director who holds a P.E. The job description and salary range is currently under discussion for a future recommendation to the Council. Discussion has also been held to simultaneously create a new position that

would be a Plans Examiner/Inspector to do the Engineering plans and inspection work. Berg noted the goal is to take one of the items that were previously the responsibility of the City Engineer and shift it into a department that would help make planning more functional and more responsive to developers and people trying to work with the City and building a better job description for the Public Works Director.

Councilmember Requa noted that the committee consists of himself, Councilmembers London and Meamber, Attorney Berg and Mayor Anderson and anyone has any questions regarding the position to contact anyone of these people. He noted Committee discussion has also been held regarding the residency requirement which is believed to limit the applicant pool. Council discussion ensued regarding the residency requirement.

Center Roof Attorney Berg – Requested Council action regarding an amendment to the Community Project.

Councilmember Lemley moved to approve Amendment No. 1 authorizing the Mayor to sign a public works agreement between the City of Sedro-Woolley and Esary Roofing in the amount of \$4,888.00 plus tax. Seconded by Councilmember Colgan. Motion carried (7-0).

Berg also reviewed a late item of a request from Craig Greenough of 9465 Prospect St. to connect to the City's sewer system because of a failed septic system. Berg reviewed the process which includes Council approval.

Councilmember Galbraith moved to allow the City to hook up with Mr. Greenough at 9465 Prospect St. with permission of the City Supervisor and Sewer Supervisor. Seconded by Councilmember Colgan. Motion carried. (7-0).

Police Chief Wood – updated the Council on some recent action regarding 1108 Borseth. Wood commended the action of Planner Moore and other city staff members and noted that they have been working with Adult Family Services with the situation and commended their involvement. He reported that the process for the replacement police officer position is progressing with oral boards being held yesterday. The top candidate is a current Fire Department employee, Mike Ellis. His academy date will be sometime in December. The Code Enforcement Officer position is moving somewhat slower.

Planner Moore – reported on the recent condemnation of 1108 Borseth and stated he has been working with the property owner as to what corrections need to be made in order to reoccupy the premises.

Clerk/Treasurer Nelson – noted the great amount of time spent by Christine Salseina putting together the Council copies of the Public Works Standards Manual which were placed at each Council seat.

Councilmember London – expressed thanks to all involved with the recent activity within his neighborhood.

Councilmember Galbraith and Requa both spoke of the recent actions of the buildings being condemned and thanked staff for their efforts.

Councilmember Requa also spoke of a possible improper sewer hook-up on Longtime Lane and requested the situation be investigated. He also noted the Sedro-Woolley Rotary Club is putting on a new front on the Senior Center and addressed the condition of the roof.

Councilmember Splane – questioned the reasoning of certain city vehicles being exempt from using bio-diesel.

Attorney Berg – noted it was his understanding that the bio-diesel is not conducive to emergency vehicles.

Councilmember Meamber – spoke of a new sign for the Helping Hands Food Bank.

Councilmember Splane moved to adjourn. Seconded by Councilmember Lemley. Motion carried (7-0).

The meeting adjourned at 10.35 P.M.