
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
September 24, 2008 – 7:00 P.M. – City Hall Council Chambers

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

Pledge of Allegiance

ROLL CALL: Mayor Mike Anderson, Councilmembers: Ted Meamber, Tony Splane, Louie Requa, Pat Colgan, Hugh Galbraith and Dennis London. Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Planner Moore, Police Chief Wood and Fire Chief Klinger.

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #64466 to #64598 in the amount of \$357,922.33
 - Payroll Warrants #43428 to #43531 in the amount of \$177,333.44
- Possible Contract Award – Jameson Street Arterial Extension to SR-9 – H.W. Lochner
- Possible Contract Award – 2008 Sanitary Sewer CIPP Project – Reichhardt & Ebe
- Master Agreement – Ikon Office Solutions, Inc.
- Resolution – Declaring certain property as surplus and authorizing its disposition (Resolution #774-08)

Councilmember Meamber moved to approve the consent calendar Items A through F. Seconded by Councilmember London. Motion carried (6-0).

Public Comment

Al Doorn – 1215 Railroad Ave., addressed the Council regarding the proposed annexation request by Fire Ridge LLC. Doorn was directed to speak on the issue under New Business.

Mayor Anderson addressed the audience regarding Public Comment etiquette and procedure. He noted that he will not let the meeting get out of hand like it had at the previous meeting.

Roger Welborn – 23584 Cove Road, addressed the Council regarding issues at Janicki Cove. He requested clean up of the area and spoke of vandalism and damage experienced in the area.

Mayor Anderson noted that City Staff has already begun some clean up of City owned property in the area and a request for street lights to be placed on County property has been made. He also noted that there will be an emphasis on additional police patrol.

Steve Anderson – 12551 Mill Street, Clear Lake, addressed the Council regarding the Golf Course. He questioned the status of the course, citing rumors that the course will not be in operation next year due to development. He spoke of an increase in golf traffic over the past three years and addressed maintenance of the course, the honor box system, age of golfers and comments made by City Staff.

Mayor Anderson invited Anderson to come into his office to discuss his concerns in more detail, noting that the City does lease the land but they are trying to keep it as open space and maintain it as a golf course.

City Supervisor/Attorney Berg noted there has been some communication with the property owner and the topic will be on the October 8th agenda.

Michelle Anderson – 700 N. Reed #51, addressed the Council requesting Metcalf Street from Woodworth to Ferry be closed on Sunday, September 28th from Noon – 6:00 P.M. She noted the Oyster Run will be held in Anacortes and many bikers will be passing through town and it would be helpful for parking.

Discussion ensued with Council consensus being to allow the street closure.

Douglas Wilson – 802 A Rita St., spoke of the upcoming Judges decision on October 2nd, and read multiple quotes from the paper.

Donna Truiljo – 939 Wicker Road, addressed the Council regarding the Deluxe battle and pleaded with Council to think of the children and the message this brings. She closed her comments by reading a poem on the importance of the life of a child.

Kevin Osborne – 1509 11th Pl. – addressed the Council noting the Council and the Mayor need to get out to the public to get opinions and concerns first hand. He spoke of the 500 foot notification process and also questioned the process to eliminate the odors. He addressed the passage of Resolution #743-07 Supporting the concept presented by Deluxe and requested the resolution be rescinded.

Mayor Anderson noted for the record that anyone could comment during the SEPA process not just those within the required notification area of 500 feet. He noted Sedro-Woolley's land use law requires a 500 feet notification while the majority of Skagit county cities require 300 feet; a notice was also published in the paper.

NEW BUSINESS

Resolution – Adjustment of city limits near Thresher Avenue (annexation)

Planner Moore requested Council strike the third “whereas” from the proposed resolution. He then reviewed the background information regarding the request from Beverly Ringhouse to correct an error in her property line in conjunction with the City Limit and County lines. Moore noted that her home is half in the City limits and half in the County. He reviewed the state law and criteria that need to be met. The requested has to be ratified by both City and County. Upon the City Council passing a resolution the County will subsequently pass a resolution which will correct the error. Moore noted that the Staff recommendation is to pass the resolution.

Councilmember Galbraith moved to adopt Resolution No. 775-08 A Resolution of the City of Sedro-Woolley, Washington, Resolving to Annex Real Property (Parcels 117231, 69996, 69995, 69992, 117229, 69986 and 69985, Known as 400, 407, 411, 415, 417, 423 Thresher Avenue and 1124 Wicker Road) and Adopting a Proposed Land Use Zoning Regulation for the Real Property. Seconded by Councilmember Requa. Motion carried (6-0).

Proposed Annexation of UGA Properties – Fire Ridge LLC property west of S. Third St.

Planner Moore presented a request for annexation of four parcels on the South end of the City Limits. He noted that State law requires the request to be brought to Council within 45 days for guidance. Moore referred to a map of the area and noted 9+ acres is being requested to be brought into the City Limits by Fire Ridge LLC. He reviewed the procedure and noted the Council can either accept, reject or modify the request.

Al Doorn – 1215 Railroad Ave., expressed his anger over the proposed annexation request believing it to be an act promoted by Deluxe and the property owner. He noted they should understand they are not wanted by the citizens of Sedro-Woolley and expressed opposition to the annexation at this time. He spoke of other issues pending that would have a direct effect on the property and asked that the request to be denied.

Councilmember Meamber noted he concurred with Mr. Doorn. Councilmember Splane also concurred and questioned the status of the pond on the property.

Steve Seegar – managing member of Fire Ridge LLC, spoke to the Council and the audience and stated he and his partners have nothing to do with Deluxe. He stated Deluxe is a tenant who has a month to month lease. The requested annexation is being proposed because it would be easier to do any necessary mitigation should all the property be within the City Limits. He stated he is simply here as landowner. Seeger also noted recent vandalism to his property and buildings.

Council discussion was held regarding Fire Ridge LLC land ownership in Washington and clean up on the property.

Kevin Osborne – 1509 11th Pl. noted he concurred with Mr. Doorn’s statement.

Councilmember Colgan moved to table. Seconded by Splane.

Robert Carlson – 338 Bennett St. , addressed the property being in the floodplain and expressed concerns of annexing more property within the floodplain.

Phil Fusselman – 712 Sterling St – stated he enjoyed the area and wants it to be maintained. He encouraged to reject the proposed annexation rather than tabling the issue.

Councilmember Colgan withdrew his motion. Councilmember Splane withdrew his second. Motion withdrawn.

Councilmember Colgan moved to reject the annexation request by Fire Ridge LLC. Seconded by Councilmember Splane.

Councilmember Requa expressed concern of people jumping to conclusions. He noted the comments of Fire Ridge LLC stating they have no connection to Deluxe. He also spoke of the urban growth area and expressed concern that Sedro-Woolley is being branded as not being welcome to business. He noted if there is no mix of lands the City will not be able to provide the necessary services. He also discussed the property owner’s rights to develop property.

Motion carried (4-2, Councilmember London and Requa opposed)

Resolution – Amending the Hearing Examiner Fees for Appeals

City Supervisor/Attorney Berg reviewed the proposed resolution for reducing the hearing examiner fee for hearing appeals.

Councilmember Meamber moved to approve Resolution No. 776-08 A Resolution Amending the Hearing Examiner Fee for Hearing Appeals. Seconded by Councilmember Galbraith.

Discussion ensued regarding the change to a flat fee rather than 100% of costs.

Motion carried (5-1, Councilmember Requa opposed).

Resolution – Adopting a Revised Comprehensive Solid Waste Management Plan

City Supervisor/Attorney Berg reviewed background information regarding the Comprehensive Solid Waste Management Plan. He noted the County proposed amendments to the 2005 CSWMP which were approved by the Solid Waste Governance Board (SWGB) and forwarded to Department of Ecology (DOE). The amendments were reviewed and approved by DOE by letter dated June 25, 2008. Berg noted the City is required to approve according to SWGB agreement.

Discussion ensued on the actual approval date.

Phil Fusselman – 712 Sterling St., reported he recently attended the Governance Board meeting and believes it to still be in an organizational mode and not solidly established. He suggested the Council decision be tabled until a formal vote. He also noted the Governance Board has budgeted 10 million to improve the Ovenell Transfer Station.

Berg reviewed dates of adoption and noted Council is required to vote within 30 days.

Mayor Anderson read into the record a statement from Brett Sandstrom urging the Council to vote no until after the Deluxe decision is final.

Steve O’Neil – owner of The Roost, questioned whether Deluxe has a County permit.

Discussion ensued to include general policy language regarding how the system should be managed, clarification of the voting status, Council being the lone City to stand up to the County and ramifications of voting against it.

Councilmember London moved to table SWCMP. Seconded by Councilmember Meamber.

Council discussion was held.

Motion carried (6-0).

AFSCME – Contract

City Supervisor/Attorney Berg presented a four year contract with the AFSCME Local 176. He noted it is a four year contract and was ratified by the members on Monday.

Councilmember Requa moved to authorize signing the bargaining agreement with AFSCME Local 176. Seconded by Councilmember Colgan. Motion carried (6-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Councilmember London – addressed the tennis courts at high school noting there are boom boxes being played in the wee hours of the morning.

Councilmember Galbraith – stated the traffic on Highway 9 is moving better than expected with all the construction in the area.

Councilmember Requa – questioned the status of the PRD Ordinance.

Finance Director Nelson – noted the 2009 budget calendar in the back of the Council's packet. She stated she was available for questions. She also addressed the copies of the Audit report and Accountability report. She indicated one outstanding issue from the audit was from a citizen concern regarding the Hearing Examiner process in conjunction with the Open Meetings Act. This item was referred to the Attorney General's office in Olympia for an opinion to the State Auditors office. She noted she has received a verbal report that it does in deed meet the open public meetings act. Nelson then provided an explanation of the Open Meetings Act.

City Supervisor/Attorney Berg – on behalf of Engineer Mark Freiburger noted his updated report in the packet. He highlighted the Design Phase Fruitdale/McGargile project scope change and the upcoming SR20/F&S Grade Road Open House to be held October 7th prior to the Council worksession.

Berg reviewed background information regarding Amendment #2 DOE/SW Solid Waste grant for additional \$84,000 for food waste recycling program.

Councilmember Colgan moved to allow the Mayor to sign Amendment #2 with the DOE. Seconded by Councilmember Splane. Motion carried (6-0).

City Supervisor/Attorney Berg also reviewed a proposed easement between John and Christine Maddox and the City for relocation of sidewalk as part of a safety enhancement with the SR9/Towship Trenchless Sanitary Sewer Improvement project.

Councilmember Galbraith moved to approve the easement agreement between the City of Sedro-Woolley and John and Christine Maddox. Seconded by Councilmember Meamber. Motion carried (6-0).

Berg also reported Municipal Court has recently changed their court days to Thursday and the Courier Times is also changing their publication deadlines to Thursday. Discussion was held for consideration of changing the City Council meetings to Tuesday to avoid conflicts with the Court set up. This would also put all Council and Planning

Commission meetings on Tuesdays and be more uniform for the Public to remember. Discussion was held with Councilmembers to give more thought to the change.

Fire Chief Klinger – announced the upcoming Boot to Burn dance for the Volunteer Association. Klinger noted that the Association has been able to donate \$138,000 to the Burn Foundation over the past 18 years. He also showed an architect's drawing of Station 2.

Mayor Anderson – noted the Parks crew has installed new windows in the Community Center.

Wes Drake – owner of Boondocks addressed Council regarding the Metcalf Sewer project. He noted he was told a couple of weeks ago that the project would be completed within a few days and it is still not done. He spoke of the lack of parking spaces for business and addressed the liquidated damages clause within the contract. Discussion ensued regarding liquidated damages with Drake noting it has been hard for the downtown businesses during this time. He requested some sort of compensation be given to the businesses.

Councilmember Galbraith moved to adjourn at 9:03 P.M. Seconded by Councilmember Colgan. Motion carried.

The meeting adjourned at 9:03 P.M.

ATTEST:

APPROVED:
