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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
January 28, 2009 – 7:00 P.M. – City Hall Council Chambers

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

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Ted Meamber, Tony Splane, Pat Colgan, Hugh Galbraith, Rick Lemley and Dennis London. Staff: Recorder Brue, Finance Director Nelson, Engineer Freiburger, Planner Moore, Fire Chief Klinger and Police Chief Wood.

Consent Calendar

- Minutes from Previous Meeting
- Finance
  - Claim Vouchers #65456 to #65522 in the amount of \$500,473.61
  - Claim Vouchers #65523 to #65631 in the amount of \$935,663.28
  - Payroll Warrants #44275 to #44380 in the amount of \$183,407.43
- Riverfront Park Caretaker Agreement
- Interlocal Agreement – Mutual Police Aid & Cooperation
- Professional Services Agreement – Skagit Surveyors

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

Public Comment

Rick Judd – 1310 Fruitdale Rd., Planning Commission member, addressed the Council regarding recent vandalism and the bar closing hours. He noted that one business has had windows broken several times and is having difficulty with his insurance due to the events. Judd stated he had been requested by business owners to address the City and try to come up with a plan.

Discussion ensued regarding awareness of the situation and the probable cause.

Steve O'Neil – 408 B Metcalf, owner of The Roost, noted the City has too many bars in the downtown area within a close proximity. He also addressed people from the bars outside smoking and loitering on the streets.

Robert Mason – 704 Orth Way, addressed the Council regarding the Cook Road ULID. He reviewed the past opposition of the ULID and its history. Mason stated at the time of the ULID he had a new septic system and was told that he did not have to connect until such time as he would sell the property. He noted he is now interested in hooking up to the sewer. He addressed notifications sent to his rental property rather than to his personal residence regarding a 90 day hook up notice and requested Council approve that

he be able to pay interest from the date of the letter that was sent to his personal residence rather than the date that was sent to his rental address.

Council discussion ensued regarding notification date, plans for hook up, clarification of fees, background of process, possible remedies within the code, misleading statements at time of ULID, monthly sewer billing without being hooked up to sewer and responsibility of error.

Councilmember Galbraith moved to adjourn to executive session. Councilmember Colgan seconded. Motion and second withdrawn.

Velma Walker – 726 Northern Street, requested placement of speed limit signs along Northern. She discussed the speed of travel along the street and believes the signs might help slowing traffic.

## **NEW BUSINESS**

### Ward 3 Council Vacancy

City Supervisor/Attorney Berg reviewed the process selected by Council at the last meeting on the call for interested candidates. Berg noted there was one letter of interest received from Thomas Storrs. Storrs is a former Councilmember. He is unable to be in attendance due to a previously scheduled medical procedure.

Councilmember Meamber moved to appoint Thomas Storrs to the vacant seat of Ward 3 for the year 2009. Seconded by Councilmember Splane. Motion carried (6-0).

## **COMMITTEE REPORTS AND REPORTS FROM OFFICERS**

Fire Chief Klinger – reported on a meeting with the Police and Fire committee regarding the purchase of a man lift. Klinger presented information on the need and benefit to the City and requested Council approval.

Councilmember Meamber noted the Police and Fire committee recommended the purchase.

Councilmember Meamber moved to authorized the Fire Chief to purchase a used man lift not to exceed \$5000 including tax and delivery. Councilmember Splane seconded. Motion carried (6-0).

Police Chief Wood – reported on the graduation of Matt Vollans from the Police Academy and noted he will begin his field training on Saturday. Wood also addressed the downtown situation stating they are keenly aware of the problems. He noted a big part of the problem is the State smoking law which placed the people outside and discussed the presence of officer's downtown on the weekends. They also continue to work with the bar owners for solutions.

Discussion ensued regarding restitution, enforcement of smoking ban, overriding the State law, Council enforcement and voluntary compliance.

Engineer Freiburger – reviewed his written report highlighting the Township project which is expected to be completed by mid-February. The CIPP sewer project is complete with a few repairs to be done in the next few weeks. The Fruitdale/McGargile Road Project is being proposed for the Federal Economic Stimulus package and has been combined with the Township Sidewalk project. Freiburger noted he will be attending a meeting on the Similes Package. He reviewed the bid results for the F & S Grade Road roundabout project. He noted the low two bids appear to be non responsive due to not meeting the disadvantage business enterprise mandatory goal for the project, with the third bid being significantly below the Engineers Estimate. The start date may be around the first part of June with some preliminary work. Discussion ensued regarding the bid pricing and process.

City Supervisor/Attorney Berg – reviewed a request to purchase a used forklift for the Sewer Department and requested Council to authorize staff to proceed with the RFP. The Sewer Department has been working with Councilmember Splane for specs and that Council will approve the final bid, once bids are received.

Councilmember Splane moved to advertise for a proposal for a used fork lift with pneumatic tires. Seconded by Councilmember Meamber. Motion carried (6-0).

City Supervisor/Attorney Berg – reported on an upcoming Finance committee meeting to discuss Business Licensing. He noted this would be a possible worksession topic for the next worksession.

Finance Director Nelson – reported on the streamline sales tax and errors in reporting supplied by the Department of Revenue. Corrections were noted and returned in order to correct the error. She also reported that the City has been informed that the Courier Times will no longer be printing Legal ads. Skagit Valley Publishing has decided the Skagit Valley Herald will be the only paper to print the legal ads. A resolution will be forthcoming to change the paper of record. Nelson also reported she is working on the final details for an Interim Finance Director. She is working with Meredith Riley who is a retired Finance Director from Blaine and a former State Auditor. Riley will assume the duties during Nelson's upcoming sabbatical.

Councilmember Meamber – noted the Downtown Revitalization Committee is interested in having the City build a gravel trail from Metcalf Street to Township. Discussion ensued regarding previous work with the Railroad and possible use of City right of way.

Councilmember Colgan – questioned status of downtown lights.

City Supervisor/Attorney Berg noted that American Pole is currently working on a spare pole fitting it with some sample lights to try. He noted other avenues are being explored as well.

Councilmember Lemley – reported on a recent utility committee meeting regarding the flow base billing. He noted discussions on some of the software issues as well as the recommendation of utilizing Katy Isaksen for financial calculations.

Discussion ensued to include research of other city methods and being a future worksession topic.

Councilmember Lemley moved to authorize the City Supervisor to enter into a contract with Katy Isaksen for her services not to exceed \$10,000. Seconded by Councilmember Galbraith.

Councilmember Meamber stated his objection to the contract. He noted he believes it to be too high and wants an hourly rate.

It was noted that the contract is for an hourly rate with a “not to exceed” \$10,000, and a scope of work attached.

Councilmember Splane expressed his opposition of a flow base billing. Discussion followed.

Mayor Anderson restated the motion. Motion carried (5-1, Councilmember Splane opposed).

Councilmember London – questioned if there are any regulations against placement of protective grills around windows.

Planner Moore stated there is currently nothing in the code but would recommend other options be researched.

The meeting adjourned to Executive Session at 8:25 P.M. for discussion of possible litigation for approximately 20 minutes.

The meeting reconvened at 8:35 P.M.

Councilmember Galbraith moved to have the City Attorney negotiate a settlement with Robert Mason and authorize the Mayor to sign. Councilmember Colgan seconded. Motion carried (6-0).

Councilmember London moved to adjourn. Seconded by Councilmember Splane.  
Motion carried (6-0).

ATTEST:

APPROVED:

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