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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
February 11, 2009 – 7:00 P.M. – City Hall Council Chambers

The Meeting was called to order at 7:03 P.M.

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Ted Meamber, Tony Splane, Pat Colgan, Hugh Galbraith and Rick Lemley. Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Engineer Freiburger, Planner Moore, Fire Chief Klinger and Police Chief Wood (Late).

Pledge of Allegiance

Councilmember Meamber presented a brief report on Councilmember Storrs. He noted he is recuperating and expects to be at the next meeting.

Consent Calendar

- Minutes from Previous Meeting (Including February 3, 2009 Work Session)
- Finance
  - Claim Vouchers #65632 to #65744 in the amount of \$411,696.20
  - Payroll Warrants #44381 to #44487 in the amount of \$248,169.50
- Resolution #789-09 Designating the Skagit Valley Herald as the Official City Newspaper
- APP Purchase Agreement
- Final Acceptance – Phase 2 – SR20 Sewer Improvement Project
- Proposed Change Order 2 – SR-9/Township Trenchless Sanitary Sewer Project
- Amendment 1 to Professional Services Agreement for Construction Services – Reichhardt & Ebe Engineering
- Possible Bid Award – 2009-2010 Sanitary Sewer Lift Station Backup Generator Maintenance – Legacy Telecommunications Inc.
- Resolution #790-09 Declaring Certain Property as Surplus and Authorizing its Disposition

Councilmember Lemley moved to approve the consent calendar Items A through I. Seconded by Councilmember Splane. Motion carried (5-0).

### Special Presentation

Shane Walley – Parks & Facilities Supervisor, made a special presentation to Don and Wilma Hartze, Riverfront Park Caretakers upon their retirement as caretakers. He stated they have been the caretakers since 2003 and have done an outstanding job and will be greatly missed.

Don Hartze thanked the City for the opportunity and stated the City is extremely lucky to have the Parks personnel they have. They have enjoyed their time as caretakers.

### Public Comment

No Public Comment

### **NEW BUSINESS**

#### Possible Bid Award – SR20/F&S Grade Road and Skagit Industrial Park Roadway Improvement Project – Interwest Construction, Inc.

Engineer Freiburger reviewed background information and bid results for the SR20/F&S Grade Road and Skagit Industrial Park Roadway project. He noted that the top three bids were deemed non responsive due to the failure to meet the federal Disadvantaged Business Enterprise requirements for the project as required by federal regulations. He noted one company had appealed and the proper procedures have been followed in the review. The bid is approximately 30% under the engineer's estimate and staff recommendation is to award the bid to Interwest Construction Inc.

Council discussion ensued regarding the project and bid process.

Councilmember Galbrath moved to award the SR20/F&S Grade Road and Skagit Industrial Park Roadway Improvements Project to Interwest Construction, Inc. of Burlington, WA in the amount of \$1,419,018.95 including sales tax. Seconded by Councilmember Lemley.

Councilmember Galbraith moved to adopt Resolution No. 791-09 A Resolution of the City of Sedro-Woolley, Washington, Awarding the Bid and Authorizing the Public Works Director to Manage the SR20/F&S Grade Road and Skagit Industrial Park Roadway Improvement Project and Delegating Authority to Approve Change Orders. Councilmember Meamber seconded.

Supervisor Berg noted the resolution awards the bid and authorized change order authority to the City Engineer and presented a brief explanation of the details.

Discussion ensued to include a change order cap.

Mayor Anderson restated the first motion. Motion carried (5-0).

Mayor Anderson restated the second motion. Motion carried (5-0).

Possible State Bid Acquisition – Stormwater Catch Basin Cleaner Truck Acquisition – Owens Equipment Company Vactor 2110J6

Engineer Freiburger presented background information on the request to purchase a Stormwater Catch Basin Cleaner Truck utilizing the State bid. The purchase includes a trade in of the 1996 Vactor unit in exchange for a camera unit. Staff recommendation is to proceed with the purchase.

Councilmember Meamber moved to authorize to proceed with the acquisition of a Vactor 2110 J6 under the state bid systems WSDOT Truck Catch Basin Cleaner Contract from Owens Equipment company to be funded from the ERR with a cost not to exceed \$350,000 including sales tax and delivery. Councilmember Splane seconded.

Discussion was held regarding the necessity of multiple nozzle sizes.

Motion carried (5-0).

Police Chief Wood introduced Matt Vollans the newest police officer. Vollans recently graduated from the Police Academy and is currently working under the direction of Officer Holmberg for his field training.

Vollans addressed the Council and presented a brief personal background being a Sedro-Woolley High School graduate and stated he is looking forward to working with the Department.

Municipal Code Updates

- a. Admissions Tax Ordinance
- b. Check-handling Charge Ordinance
- c. Claims Against the City Ordinance

Finance Director Nelson noted as an ongoing review of the City code it was found some of the sections were extremely out of date. She noted the changes are minor in nature and reviewed the changes as follows:

Admissions Tax – the change would allow for clearer wording but would result in the same tax rate. It also allows for non-profit, tax exempt organizations as being exempt from the admissions tax.

Check Handling Charge – also known as NSF fees would increase from the current \$15.00 to \$30.00 which would bring more in line with the time involved as well as being more consistent with the bank charges.

Claims Against the City – would change internal controls regarding payment of invoices from 1899.

Councilmember Lemley moved to approve Ordinance No. 1632-09 An Ordinance Amending SWMC 3.04, the City Admission Tax. Seconded by Councilmember Splane. Motion carried (5-0).

Councilmember Lemley moved to approve Ordinance No. 1633-09 An Ordinance Amending SWMC 3.64, Increasing the City's Check Handling Charge. Seconded by Councilmember Colgan. Motion carried (5-0).

Councilmember Lemley moved to approve Ordinance No. 1634-09 An Ordinance Amending SWMC 3.56, Dealing with Claims Against the City. Seconded by Councilmember Splane. Motion carried (5-0).

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

Councilmember Meamber – questioned the status of the walking trail he inquired about at the last meeting, noting he would like to see the project start as soon as possible.

City Supervisor/Attorney Berg reported that the potential is there to do something at the right of way but there is no funding within the 2009 budget.

Finance Director Nelson – reported the 2008 financial reports are completed and are currently under review. She noted that all of her tasks are completed which will allow her to proceed with her planned sabbatical which begins on Saturday.

City Supervisor/Attorney Berg –reported that the real estate transaction that was discussed in Executive Session at the last meeting has fallen through due to the recent changes in the County's Critical Areas code. Berg also reported that he and the Mayor will be attending the AWC conference next week and they will be meeting with legislators on several items. He also reviewed a memo to staff regarding the 2009 budget implementing a spending freeze on all items not necessary to the day to day operations. He noted currently there is no problem with the budget but is taking a protective process to preserve cash by deferring purchases. He also discussed rescheduling the Public Safety committee meeting which was to be held tomorrow. Discussion ensued with the meeting rescheduled to February 25, 2009 at 6:00 P.M. just prior to the next Council meeting.

Engineer Freiburger – reviewed his written report highlighting the Metcalf Street Trenchless Sewer Project, the Township Sewer project, the Fruitdale/McGargile road Improvement project which is at 100% design and plans have been submitted to DOT.

The necessary right of way acquisitions are close to being completed and the environmental clearance is almost complete as well. Freiburger noted they are moving ahead on stormwater management and exploring grant opportunities through FEMA. He also reported there will be some upcoming Ordinance revisions to come before Council at a later date. The Fruitdale/McGargile project will be ready for advertisement around the second week in March. This project has also been made the major project within the proposed Stimulus package. The City's Safety committee has conducted a review of all City facilities for any safety related concerns and he noted the Street Department is busy cleaning up after the winter sanding.

Funding on the McGargile project was discussed as well as questions regarding the Fruitdale sewer line.

Planner Moore – reported on the Citizens Selection Committee for the environmental review of the Deluxe project has selected a firm called AHBL. Moore noted that the materials will be delivered sometime next week. AHBL estimates it will take approximately three weeks for review plus the open comment period which would take up to two months to finalize.

Fire Chief Klinger – noted the delivery of a scissor lift that was approved by Council at the last meeting. He also noted the price came in under the authorized amount.

Councilmember Colgan – questioned the status of the street light.

City Supervisor/Attorney Berg noted that he will check to see how the retrofitting is progressing.

Councilmember Splane moved to adjourn. Seconded by Councilmember Colgan. Motion carried (5-0).

The meeting adjourned at 7:50 P.M.

ATTEST:

APPROVED:

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