
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
May 13, 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, Thomas Storrs, Pat Colgan, Hugh Galbraith, Rick Lemley and Dennis London. Staff: Recorder Brue, City Supervisor/Attorney Berg, Engineer Freiburger, Planner Moore, Fire Chief Klinger and Police Chief Wood.

Pledge of Allegiance

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim vouchers #66294 to #66438 in the amount of \$603,515.68 (Voided Warrants #66385 – 66401)
 - Payroll Warrants #45050 to #45162 in the amount of \$241,220.13
- Street Closure Request – May 15, 2009 – Central Elementary School
- Services Agreement – The Language Exchange, Inc.

Councilmember Meamber moved to approve the consent calendar as presented. Seconded by Councilmember Storrs. Motion carried (7-0).

Special Presentations

Skagit Conservation District 2009 Stormwater Awareness Poster Contest

Cindy Pierce of Skagit Conservation District explained their mission and introduced the winners of the recent poster contest on stormwater awareness. She noted the winning posters will be turned into bookmarks. The lucky winners were: 3rd Place – Shanna Corn of Lyman Elementary, 2nd Place – Kathryn (Kate) Morgan of Mary Purcell Elementary and 1st Place – Hallie Stiles of Lyman Elementary. A round of applause was given for all winners.

UGH Student Report on Alcohol

Lisa Mitchell – Health Educator at United General Hospital for the Substance Abuse Program. She introduced participants in a youth coalition called “VOICE”. She explained the program which is to enhance wellness in the youth within the community. The students gave a power point presentation which outlined their project “Reducing Alcohol Marketing to Youth” and then answered questions from the Council.

Public Comment

Rick Judd – 1310 Fruitdale Road, expressed his support for the student’s presentation, noting they did a great job. He also addressed the Council regarding the possibility of having community gardens.

Discussion was held regarding how community gardens work and potential sites.

Eva Aragon – 721 N. Reed Street, addressed Council regarding backyard chickens. She discussed the current ordinance which does not allow for any on less than a 1 acre lot and requested Council consider a change to allow bunnies and chickens on smaller lots. She presented information on present ordinances in Seattle and other metropolitan cities obtained from backyardchickens.com. Discussion ensued to include odor. Council directed City Supervisor/Attorney Berg to proceed with a draft ordinance.

NEW BUSINESS

Design Review and Signs in the Central Business District (CBD)

Planner Moore reviewed the results of the Planning Commission and special committee that was formed at the request of the City Council regarding signs within the Central Business District. Moore reviewed the process of the review of current standards which included a questionnaire to the downtown businesses and Chamber of Commerce. Moore noted from the input received the proposed guidelines and changes were formed for Council consideration.

Rick Judd – Planning Commission member addressed Council concern of maintaining the 1900’s theme. He also addressed the Council on the role of the Planning Commission and working together.

Discussion ensued regarding the 1900’s theme, 50/50 response on maintaining the theme, number of questionnaires sent vs. response, Council involvement, restrictive wording within the document, art Nuevo, backlit and flashing signs, color choice of buildings, expediting process via the Planning Department vs. Design Review, language within section 15.44.075 regarding appeal process, off premises advertising and LCD reader boards.

Steve O’Neil – 408 B Metcalf St., addressed enforcement of signs and stated he fully supports the section within the proposed ordinance on the enforcement provisions.

Further discussion ensued regarding enforcement provisions, removal of signs upon discontinuing business, extension of mural program to include discontinued business signs and pre-existing signs within the grandfather clause.

Planner Moore continued to review the proposed changes within the ordinance.

More discussion ensued to include removal of business presence once closed, lack of interest in responding to questionnaires, enforcement of cleanliness and maintenance of buildings and signage,

Steve O'Neil – noted he had received some direct comments during the questionnaire phase from individuals that “It doesn't make any difference; the City won't enforce it anyway”.

Councilmember London moved to approve Ordinance No. 1642-09 An Ordinance Amending SWMC 15.44 Regarding Design Review Procedure and Amending the Sedro-Woolley Design Standards and Guidelines Regarding Signs and Awnings in the Central Business District with additional changes to Section 15.44.075 changing the intent to appeal rather than hearing. Seconded by Councilmember Lemley.

Final discussion took place to include enforcement, staffing, too many rules, minority vs. majority and enforcement procedures.

Councilmember Meamber – thanked the Planning Commission for their efforts.

Motion carried (5-2) (Councilmembers Meamber and Splane opposed).

Final Plat Approval – Plat of Sapp Place

Planner Moore reviewed the request for final plat approval of Sapp Place. Moore addressed the addition of a condition which the developer has agreed to.

Councilmember Galbraith questioned the status of lot sales prior to final plat approval.

Moore noted that legally lots can not be sold until final approval however there may be an offer on a contingent basis upon final approval.

Councilmember London questioned the play area at the entrance of the development.

Discussion ensued to include Planning Commission review of the parks structure within the City and possible voluntary Parks Impact payments in lieu of small playgrounds within developments.

Eva Aragon – addressed the play area location and traffic within the area and expressed concern of safety of the children playing in the playground. She also addressed visibility of the railroad trestle within the vicinity.

Councilmember London questioned the length of time between preliminary approval and final approval request.

Discussion was held with the process and progress of the development and time limits.

Councilmember Lemley moved to adopt Resolution No. 800-09 A Resolution Granting Final Approval to the Plat of Sapp Place. Councilmember Colgan seconded. Motion carried (7-0).

Final Plat Approval – Sauk Mountain View Estates North – Phase IV

Planner Moore reviewed the final plat approval of Phase IV of Sauk Mountain View Estates North. He reviewed conditions of approval and noted that the items have been reviewed by the Engineering, Planning and Legal departments. It was deemed that the items could be inspected and completed under bonding and security that the applicant was going to put into place.

Discussion ensued regarding ingress/egress, future plan and recommended approval to be conditioned upon security for unfinished work acceptable to the City Attorney.

Ben Wasson – Ron Jepson & Associates, representing property owner Grandview Homes, addressed the security of the project via letter of credit. He addressed the inactivity the plat has gone through with various administrations and the sewer moratorium.

Discussion ensued regarding acceptable security and a letter dated May 12, 2009 for outstanding punch list items.

Councilmember Galbraith moved to approval Resolution No. 801-09 A Resolution Granting final Approval to Sauk Mountain View Estates North – Phase Four Planned Residential Development (PRD) Application No. 161. Seconded by Councilmember Splane.

Further discussion took place on pricing of asphalt, timing of work and expiration components of security and amount of available information within packet.

Ben Wasson addressed Council regarding the redesign of the plat for entrances on Portabello and noted the development has been a long process. He also addressed future development phases.

Motion carried (7-0).

Possible Bid Award – Fruitdale Road & McGarigle Roadway Improvements Project and SR 9 Pedestrian/Bicycle Safety Improvements Project – G.G. Excavation Inc.

Engineer Freiberger reviewed the bid results for the project. He noted the bids showed favorable prices on the project but noted the original low bidder did not meet the disadvantage business enterprise requirements. He stated the second bid is still 30% under the engineers estimate. Freiberger reported staff recommendation is to award the

bid to GG Excavation Inc. and reviewed the proposed resolution to award the project and change order approval.

Councilmember Lemley questioned the qualifications of contractor. Freiburger reviewed the reference checks and recommendations.

Councilmember Galbraith moved to authorize Resolution No. 802-09 awarding the Fruitdale Road and McGarigle Roadway Improvements Project and SR9 Pedestrian/Bicycle Safety Improvements Project to G.G. Excavation, Inc. of Anacortes, WA in the amount of \$3,761,308.39 (including sales tax), subject to concurrence to award by WSDOT Mount Baker Area Development Services, and authorizing the Public Works Director to enter into change orders with conditions stated. Councilmember Colgan seconded. Motion carried (7-0).

Interlocal Agreement – Skagit County PUD No. 1 (Fruitdale-McGarigle)

Engineer Freiburger reviewed the proposed interlocal agreement with Skagit County PUD No. 1 for the Fruitdale/McGargile project. He noted PUD No. 1 desires to upgrade their existing water main located in the vicinity as part of our contracted work.

Councilmember Meamber moved to authorize the Mayor to sign the attached Interlocal Agreement with PUD No. 1 for construction work on the Fruitdale-McGarigle Road Improvement Project in final form as approved by the City Attorney and Public Works Director. Seconded by Councilmember Storrs. Motion carried (7-0).

Amendment 2 to the Professional Services Agreement for construction Services – Reichhardt & Ebe Engineering, Inc.

Engineer Freiburger reviewed Amendment 2 for construction services with Reichhardt & Ebe and recommend approval of the extension. He noted even with the increase the project is 6% under budgeted amount.

Councilmember London moved to authorize Mayor Anderson to execute the attached Amendment 2 to the agreement with Reichhardt & Ebe Engineering, Inc. to provide construction engineering services for the SR9/Towship Trenchless Sanitary Sewer Improvements Project in the amount of \$32,317.36. Seconded by Councilmember Galbraith. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Mayor Anderson discussed banning of open air vending and noted he had requested City Supervisor/Attorney Berg to draft an ordinance prohibiting open air vending with exception of community sanctioned events.

Council discussion ensued regarding an existing food vendor and ice cream trucks. The topic was referred to the Finance Committee.

Police Chief Wood – reported on two recent incidents at the intersection of W. Ferry/Cook and Hwy 20. He noted one was a fatality which has been turned over to the State Patrol for investigation and the other was stopped by a police officer conducting a Pit Maneuver which resulted in damage to the police vehicle but no other injury. Wood also discussed the upcoming canned food drive, bike show & poker run being sponsored by Dusty’s Girls. He noted the Department will be gearing up for the event but are unsure of attendance. It appears to be growing larger than the original expectations.

City Supervisor/Attorney Berg also reported that additional Fire personnel will be placed on standby as well as some expected overtime for the Parks personnel in order to maintain restrooms open. He also reviewed the organizers request to close additional streets if necessary for bike overflow.

After a brief discussion Council consensus was to allow Lt. Tucker to use his judgment in parking needs but encouraged the use of the Municipal parking lots throughout town.

Fire Chief Klinger – reported that the USDA grant applications have been completed along with the additional information packet they require.

Engineer Frieberger – reported the contractor will be mobilizing for the SR 20/F&S Grade Road project on Monday and the northwest corner on F&S (Park & Ride lot) will become the staging area for the project. He also reported on the upcoming open house for the Fruitdale/McGargile/SR9 Pedestrian project to be held on May 19th at Evergreen Elementary from 5-7 P.M. Frieberger also reported on the submission of a grant application under high priority projects program for the SR9/Jameson Arterial project. He recommended using savings realized from other projects to finish the design of the project and requested Council authorize the Mayor to sign the support letter to increase the project match.

Councilmember Splane moved to increase the match from \$100,000 to \$260,000 from what Mark said. Councilmember Colgan seconded. Motion carried (7-0).

Councilmember London – reported on the Wildcat Steelhead Club Kids Derby.

EXECUTIVE SESSION

The meeting adjourned to Executive Session for the purpose of personnel for approximately 15 minutes at 9:34 P.M. with a possible decision.

The meeting reconvened at 9:54 P.M.

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

The meeting adjourned at 9:54 P.M.