
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
January 27, 2010 – 7:00 P.M. – City Hall Council Chambers

ROLL CALL: Present: Mayor Anderson, Councilmembers: Ted Meamber, Tony Splane, Tom Storrs, Pat Colgan, Hugh Galbraith, Rick Lemley and Brett Sandström. Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Engineer Freiburger (7:23 P.M.), Planner Moore, Senior Planner Coleman, Fire Chief Klinger and Police Chief Wood.

EXECUTIVE SESSION

6:00 PM – 7:00 P.M. Potential Litigation

The Meeting was called to order at 7:02 P.M.

Pledge of Allegiance

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Vouchers #68049 to #68127 in the amount of \$199,069.44 (Bank of America) Warrants #68128 to #68499 voided due to bank change.
 - Claim Checks #68500 to #68592 in the amount of \$362,729.53 (US Bank)
 - Payroll Checks #47000 to #47103 in the amount of \$165,808.52 (US Bank) (Warrants #46931 through #46999 voided due to bank change)
- Supplemental Agreement 12 to the David Evans & Associates, Inc. Local Agency Standard Consultant Agreement – SR20/F&S Grade Road/Skagit Industrial Park Intersection Improvements.
- Professional Services Agreement No. 2010-PS-01 for On-Call Environmental Services – Widener & Associates
- Supplemental Agreement 2 – Agreement 2009-PS-05 Construction Phase Services – Fruitdale Road and McGargile Road Improvements Project and SR9 Pedestrian/Bicycle Improvements Project

Councilmember Storrs moved to approve the consent calendar A through E. Seconded by Councilmember Colgan. Motion carried (7-0).

Skagit Valley Tulip Festival Presentation

Nancy Jankelson with the Skagit Valley Tulip Festival addressed the Council thanking them for their support of the festival and presented the City with the 2010 Tulip Festival Poster.

Public Comment

No comment received.

PUBLIC HEARINGS

Proposed Annexation of UGA Properties on Fruitdale Road

Planner Moore reviewed the proposed annexation of properties within the Sedro-Woolley urban growth area (UGA), located east of Fruitdale Road, north of S.R. 20 referred to as the "Fruitdale UGA". Moore noted there was some question whether the necessary 60% was obtained. The Skagit County Assessor's office has since certified that the minimum criteria have been met. Because of the uncertainty of the petition no advertising was done necessary for action. Moore recommended that because the public hearing has already been published, Council conduct the public hearing for the annexation request under the understanding that the annexation area may change and that another public hearing will be held in the future. No Council action is necessary after the public hearing.

Mayor Anderson opened the public hearing on the proposed annexation at 7:08 P.M.

No comment received.

Mayor Anderson closed the public hearing at 7:08:30 P.M.

UNFINISHED BUSINESS

2009 Comprehensive Plan Docket

- Overlay Zone Information
- Ordinance – Amending Comp Plan
- Ordinance – Amending Municipal Code

Planner Moore reviewed changes to the 2009 Comprehensive Plan as directed by Council at the January 13, 2010 meeting. The changes were noted as 1). Revise the Comprehensive Land Use Map and Zoning Map to remove the proposed designation of Central Business District zoning along W. State Street, retaining its current designation as Industrial. 2). Revise the Comprehensive Land Use Map and Zoning Map to designate 305/307, 313 and 317 F & S Grade Road as Mixed Commercial. Also requested was additional information regarding Zoning Overlays.

City Supervisor/Attorney Berg reviewed the Planning Commission process which included open houses and public hearings. He noted that tonight's the packet was prepared for Council action should Council be ready.

Discussion ensued regarding the effect on properties if rezoned, compromise of zoning on property along Cook Road, overlay zones and uses, comp plan mapping of urban village overlay, lack of municipal code for urban village overlay, and the Rimmer zoning change request.

Bill Rimmer – reviewed his property line in answer to a question by Councilmember Lemley. He noted that he is requesting 150 fee off Patrick and 150 off William roads be commercial zoning and the remainder as residential lots R-15 (Lots 1 through 4, 8 acres total).

Councilmember Meamber moved to direct staff to review the Rimmer property rezone of R-15 in the northeast corner and Mixed Commercial on the remainder. Seconded by Councilmember Storrs.

Councilmember Galbraith discussed the promise to the citizens and the purpose of the round-a-bout for industrial uses.

Councilmember Meamber called for the question.

Mayor Anderson also addressed the intent and funding of the round-about with the Economic Development grant.

Rimmer addressed the Council noting that the demand for industrial property in Sedro-Woolley is not at a high level. He referred to property zoned industrial near the High School which has been sitting empty for a number of years.

Discussion continued regarding the rights of property owners, Rimmer's plan to build apartments if rezoned R-15, and increased traffic, and parking issues should the property be rezoned R-15 and elimination of industrial zones.

Motion denied 2-5, (Councilmember's Splane, Colgan, Galbraith, Lemley and Sandström opposed).

Councilmember Splane moved direct staff to remove the overlay off the Skagit Industrial property. Councilmember Storrs seconded.

Discussion ensued regarding revisiting the overlay request, property changes of the Skagit Industrial park and necessary yard space, transition difficulties from Industrial to Commercial and potential precedent setting regarding overlay.

Motion denied 3-4, (Councilmember's Galbraith, Colgan, Storrs and Meamber opposed).

City Supervisor/Attorney Berg reviewed steps for action should Council be ready.

Planner Moore reviewed conditional uses in industrial zones with discussion held regarding Foundries and uses addressed in the essential public facilities ordinance.

Councilmember Storrs moved to approve CPA-1-09, Update Economic Development Element as shown in Exhibit 1 with the amendments. Seconded by Councilmember Colgan. Motion carried 6-1, (Councilmember Meamber opposed)

Councilmember Meamber moved to approve CPA-2-09, Update of the Public Utilities Element as shown in Exhibit 2. Councilmember Colgan seconded. Motion carried (7-0).

Councilmember Storrs moved to approve CPA-3-09, Land Use Elements, Chapter 9 with amendments, Exhibit 3. Seconded by Councilmember Colgan. Motion carried (7-0).

Councilmember Meamber moved to approve CPA-4-09, Revisions to Zoning Map, Landscape Buffer Requirements and Zoning Code with amendments shown in Exhibit 4. Seconded by Councilmember Storrs. Motion carried 6-1. (Councilmember Splane opposed).

Councilmember Storrs moved to adopt Ordinance 1663-10 Amending the Comprehensive Plan as Part of the 2009 Docket Process. Seconded by Councilmember Lemley. Motion carried 6-1, (Councilmember Splane opposed).

Councilmember Splane moved to adopt Ordinance #1664-10 Amending the Municipal Code as Reviewed During the 2009 Docket Process with Exhibit E, Item 11 taken out of it "foundries". Councilmember Storrs seconded. Motion carried (7-0).

Councilmember's noted their thanks to the Planning Commission for their hard work.

NEW BUSINESS

SWMC 12.36

City Supervisor/Attorney Berg reviewed proposed change regarding SWMC 12.36 in order to address issues of bad behavior within City Parks. He noted the Ordinance is modeled after one the City of Everett uses. The ordinance would add restrictions to all City parks, compliance with department rules, prohibit the use of profane or inappropriate language, intimidation and damaging or acting in a manner that may cause damage to City parks. The Mayor would be authorized to establish conditions of use for city premises, orders of exclusion process and draft procedures for exclusion.

Berg noted this was a first read with no action necessary at this meeting.

Discussion ensued regarding clarification of Item G – use of City Park Facilities and consideration of a no smoking ban in City parks.

Ordinance – Changing the Date and Time of the last Council Meeting in December

City Supervisor/Attorney Berg reviewed the purpose for the need of a second meeting in December for the purpose of bill paying only. He noted the change becomes necessary with the change from Warrants to Checks and no longer being able to extend payables from the prior year into the next.

Council direction was to include as part of the Consent calendar for next meeting for action.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Fire Chief Klinger – reviewed the final design for Station 2 and reported on the progress on the ladder truck. He noted a picture of the ladder truck will be coming soon. Chief Klinger also received notice of being successful on a grant from FEMA for bunker gear.

Police Chief Wood – noted the difficult time within the department regarding the officer involved shooting. He noted the Officer is doing well and has received unbelievable support from the public and staff.

Senior Planner Coleman – thanked the Council, Planning Commission and community for the hard work put into the process of the 2009 Comp Plan Update.

Engineer Freiburger – reviewed his Council report on various Public Works projects. He reported that the City has engaged a landscape architect in order to soften the look of the Fruitdale/McGargile pump station. Freiburger noted he has been researching grant opportunities and will be coming back with a Resolution authorizing the Mayor and City Staff to commit to certain amounts of matching funds for the various programs.

City Supervisor/Attorney Berg – reviewed a late material item which is a contract agreement for the Riverfront Park caretaker.

Councilmember Lemley moved to approve the Riverfront Park Caretaker Agreement with Glen Gardner. Seconded by Councilmember Meamber. Motion carried (7-0).

City Supervisor/Attorney Berg requested the Public Safety committee meet prior to the next Council worksession (Councilmember Colgan, Storrs and Splane) at 6:00 P.M. Councilmember Colgan requested reminder calls.

Councilmember Meamber – thanked the Planning Department for their hard work on the 2009 Comp Plan Update.

Councilmember Colgan – reported on a Public Safety Committee meeting for a possible grant opportunity. He referred to City Supervisor/Attorney Berg for further details.

City Supervisor/Attorney Berg noted the issue discussed was how to address the current Police Fleet, noting the current vehicle rotation for the 15 immediate response vehicles has been on a 7 year plan. Due to the funding difficulties we have been facing there was none purchased last year and only one vehicle slated for the 2010 budget. Berg requested Council authorization to apply for a USDA loan/grant package for replacement vehicles. If successful, further Council authorization will be necessary.

Councilmember Splane moved to authorize the City Supervisor to apply for a USDA grant/loan package to fund the project. Councilmember Sandström seconded. Motion carried (7-0).

Councilmember Colgan – commented on the absence of the Council Ward Map on the City website.

Councilmember Galbraith – questioned if Ball Street is scheduled to be paved this year.

Engineer Freiburger noted that staff will be coming with a proposed paving schedule in the near future for Council review.

Councilmember Colgan – also questioned the filling of the ditches along John Liner Road and the drainage.

Engineer Freiburger noted the project is not quite complete and they will be placing slotted lids and will be doing more contouring to finish the project.

Councilmember Sandström -- thanked the Planning Commission for their commitment with the 2009 Comp Plan Update.

City Supervisor/Attorney Berg – reported on a recent conference attended by Councilmember Sandström and himself presented by AWC for newly elected Councilmember's. Berg encouraged all Councilmember's to consider attending the next time it's offered.

EXECUTIVE SESSION

The meeting adjourned to Executive Session for approximately 30 minutes for discussion of potential litigation and personnel at 8:30 PM. with no decision anticipated.

The meeting reconvened at 9:02 P.M.

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

The meeting adjourned at 9:02 P.M.

