
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
March 10, 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 Freiberger, Planner Moore, Senior Planner Coleman, Fire Chief Klinger and Police Chief Wood.

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

Pledge of Allegiance

Consent Calendar

- Minutes from Previous Meeting
- Finance
 - Claim Checks #68805 to #68903 in the amount of \$106,001.32
 - Payroll Checks #47316 to #47421 in the amount of \$226,439.19
- Request for Out of State Travel – Police Department
- Professional Services Agreement No. 2010-PS-05 for Design Phase Services for the SR20, Metcalf to Township Widening Project – Reichhardt & Ebe Engineering, Inc.

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

Proclamation – Lions Day – March 26, 2010

Mayor Anderson read a proclamation declaring March 26, 2010 as Lions Day in Sedro-Woolley. The proclamation encouraged the people of Sedro-Woolley to observe this day with appropriate programs, activities and ceremonies supporting this year's Lions Club community programs.

Skagit County Solid Waste Presentation by Kevin Renz

Kevin Renz addressed the Council and audience regarding the proposed upgrades to the Skagit County Transfer Station. He reviewed the proposed layout and functions of the facility of which the design is 90% complete. He reviewed the funding mechanisms for the upgrade. He noted that it is believed after a few years of operation the tipping fee could potentially be lowered. The program would still include the no fee recycling. Renz entertained questions from the Council regarding tipping fees, no fee recycling, use of the current building, efficiency of operation, target date for bid ready packet, construction completion 2012, staffing and tonnage capacity.

Councilmember Meamber thanked the members of the Lions Club for all they do for the City.

Public Comment

Lynn Torset – thanked the Mayor for the proclamation and requested the Mayor’s help in honoring Will Dow for his 50 years of service with the Lions Club and community. A round of applause was received for Mr. Dow.

John Piazza – 205 Thompson Pl., addressed the Council regarding the City’s impact fees and the trend for cities to reduce impact fees during these economic times. He encouraged the Council to give strong consideration on a reduction of fees.

Tim Smith – 408 Marcella Ln. addressed the Council regarding a recent Skagit Valley Herald article on the widening of Highway 20 between Murdock and Township streets. He noted he hoped to see pedestrian access under or through the railroad trestle included in the project.

Brian Hanson – 978 Hillcrest Dr., noted he has been trying to get a couple projects started in Sedro-Woolley and spoke on the financial burden with the cost of impact fees. He noted the fees are astronomical and deters businesses from coming. He encouraged the Council to think hard on the impact fees.

John Wright – also addressed the Council regarding the impact fees and the cost of the fees to the builder which is then passed onto the buyer. He spoke of research from the National Association of Home Builders which shows that the fees are offset by business that is brought in. He stated the fees are out of line. Wright also addressed right of way permit fees and is seeing negative growth within the City and thinks the impact fees are a direct result and encouraged Council reconsider some of the impact fees.

Loren Vaughn – 215 Ball St., thanked the City for the recent resurfacing of Waldron. He also addressed extended pick ups parking on Main Street causing traffic and safety concerns.

City Supervisor/Attorney Berg noted that Metcalf is scheduled to be resurfaced and that now would be a good time to consider solutions.

PUBLIC HEARING

Proposed Annexation of UGA Properties North of Jones Road, West of Garden of Eden Road

Planner Moore reviewed the background information regarding the annexation request of properties within the urban growth area (UGA) west of Garden of Eden Road, north of Jones Road and east of Westerman Road referred to as the Garden of Eden/Westerman

Road Annexation. He noted the initial process started in February, 2008 at which time the City determined they would accept the petition after the lifting of the sewer moratorium. The moratorium was lifted in September, 2008. Since that time the annexation boundary was established and the petition was submitted in December, 2009. Moore noted all but one of the property owners within the boundary has signed the annexation petition. The petition has been verified by the Skagit County Assessor that the signatures represent the necessary 60% of the assessed value of the area. In compliance with the laws a public hearing was scheduled for this meeting.

Mayor Anderson opened the public hearing at 7:32 P.M.

Vern Kilcup – 8877 Garden of Eden, questioned how much the property will be raised and addressed the surface water drainage ponds. He addressed the current one on F & S Grade Road and noted the need for more esthetically pleasing options. He expressed concern of property being raised and his property being affected by the drainage.

Moore addressed development standards set by the State as part of development standards. He noted there are many options but most developers choose the most cost effective way. Standards are set by the Department of Ecology stormwater requirements.

Harold Coultas – 8947 Westerman Rd., noted he owns property owner within the proposed annexation area and is representing himself and his mother who also owns property. He also addressed stormwater ponds. Coultas also stated he feels like they have been in the City for many years and addressed the various projects within the area such as the new pump station and intersection improvements. He also noted the area seems to be a dead area for Sheriff's office and would love to have the City police protection. He noted the annexation would clear some ambiguities with the City/County lines. Coultas stated the property has been in his family for over 100 years and would like to maintain the same zoning.

Mayor Anderson closed the public hearing at 7:44 P.M.

Council discussion ensued regarding potential development of the parcels.

Councilmember Storrs moved to pass Resolution No. 825-10 to approve proceeding with the annexation of properties as shown in Exhibit A and forward required materials to the Boundary Review Board. Councilmember Meamber seconded. Motion carried (7-0).

Fruitdale Sewer Connection Fee

City Supervisor/Attorney Berg reviewed background information regarding the installation of the new sewer main along Fruitdale Road and reviewed the proposed ordinance creating a special connection fee for properties serviced by the new sewer main and pump station on Fruitdale Road noting this is a first read only.

Mayor Anderson opened the public hearing at 7:48 P.M.

John Piazza – 205 Thompson, addressed the high fee and not making economic sense for development. He again encouraged review of the old fee which would help to offset the special connection fee.

City Supervisor/Attorney Berg reviewed the current repayment of debt service in order to lift the sewer moratorium.

Piazza stated that businesses have cut back on their profits within the current economic status and believes the City's need to be doing the same.

Rick Judd – noted he owns a rental house at 812 Fruitdale Road and addressed the Council regarding the special connection fee and the impact of the property owner who wishes to connect to sewer with no development plans.

Mayor Anderson closed the public hearing at 7:53 P.M.

Councilmember Meamber expressed interest in reviewing the sewer connection fees and impact fees.

Discussion ensued to include payment method, variance process for working septic systems, credit allowance for decommissioning an existing septic when connecting to sewer, cost of debt service, alternatives and past discussions for placing sewer along Fruitdale.

Terry Carter – stated the City is losing if developers can't afford to develop because of the high fees.

Resolution – Surplus of Portobello Ave. Fire Station Site

City Supervisor/Attorney Berg reviewed background information regarding the land located off Portobello Avenue which was originally set aside for the purpose of constructing a fire station. He noted following the defeat of a fire station construction bond in 2008 the City reconsidered and opted for the purchase of an alternate site. It is recommended that the City surplus the Portobello property and use the proceeds of the sale for the site on SR9/Township. Berg stated a public hearing is not required by State law but has been requested by the title company.

Mayor Anderson opened the public hearing at 8:05 P.M.

No public comment received.

Mayor Anderson closed the public hearing at 8:05:30 P.M.

Council discussion ensued regarding interest in property by potential buyers, completion of process for surplussing and recommendation of listing property at a later date due the economy.

Councilmember Lemley moved to adopt the attached Resolution No. 826-10 A Resolution of the City of Sedro-Woolley Declaring Real Property Located at 1580 Portobello Avenue surplus to the Needs of the City and Authorizing its Sale. Seconded by Councilmember Colgan. Motion carried 7-0.

UNFINISHED BUSINESS

Ordinance – Township Parking

City Supervisor/Attorney Berg reviewed the second read of the proposed ordinance. He noted the scope of the project has been changed from the first read which reduces the initial cost of signage and gives a good area to test.

Discussion ensued regarding impact on businesses along the street, number of businesses affected, being a pilot project and possibility of expansion to other areas of the City.

Councilmember Galbraith moved to adopt Ordinance 1669-10 Regarding No Parking Zones on Township Street. Seconded by Councilmember Colgan.

Robert Melder – 596 Township St. noted the primary concern to the parking issue was poor visibility which presents a safety concern. He questioned wider setbacks being reviewed by the Council committee. Melder also addressed the cut out parking for sweeping and thanked the Council for their efforts and concern on their issue.

Motion carried 7-0.

Marty Brown – 610 Township, addressed the variance for the apartments which does not exist and feels that something should be done to rectify the lack of a variance. He recommended the play area be deleted and used for parking lot. Brown also thanked the Council for their efforts.

Discussion ensued regarding ability for correction on the lack of a variance as the project was built as permitted and adequate site distance.

Councilmember Storrs reported the committee recommendation for setbacks was to use the same distances on Wicker. Engineer Freiburger noted 20 feet was the visibility number. Markings have been placed at various distances for review.

Discussion took place regarding unintended consequences with the Committee recommendation of 20 feet on either side of driveway.

Robert Melder – addressed accident history, unintended consequences, primary concern being safety, intention to make the neighborhood desirable, railroad grade, conversion to bike lane vs. painting setbacks everywhere and parking.

Councilmember Galbraith moved for no parking – 20 feet on east and west of Township between Ferry and Wicker on driveways upon property owners request. Seconded by Councilmember Storrs.

Councilmember Sandström questioned where the final determination on a variance lies. It was noted the Hearing Examiner would have the final decision under a variance request.

Rick Judd – presented some history on the project and stated that this scenario is what happens when the Planning Commission and Council do not work together.

Motion carried 6-1 (Councilmember Colgan opposed).

Ordinance – Code Enforcement

City Supervisor/Attorney Berg presented the third read with no changes made since the second read at the February 24, 2010 meeting.

Councilmember Storrs moved to adopt Ordinance No. 1670-10 An Ordinance that Revises the City's Code Enforcement Process to Allow for the Use of Civil Processes Managed by the Planning director or Other Department Heads Rather than Exclusively Using Criminal charges Managed by Law Enforcement. Seconded by Councilmember Galbraith. Motion carried 7-0.

NEW BUSINESS

SWSD Impact Fee Reduction Ordinance

Planner Moore reviewed background information regarding the School District's revised capital facilities plan and their request for reduction in School Impact Fees. Moore noted this is a first read only.

Presentation of Proposed Comprehensive Plan Amendments – 2010 Docket

Planner Moore introduced the proposed Comprehensive Plan Amendment docket for 2010. He noted that the entire Comprehensive Plan must be fully updated by 2012. Items proposed for review in 2010 include 1) Review, and if necessary, update the Parks and Recreation Element of the Sedro-Woolley Comprehensive Plan; and 2) update the Capital Facilities Element to include the Sedro-Woolley School District's most recent version of their Capital Facilities Plan.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

City Supervisor/Attorney Berg – requested Council action regarding a Memorandum of Understanding (MOU) with AFSCME regarding the offender work program.

Councilmember Colgan moved to approve the MOU with AFSCME regarding the offender work program. Councilmember Splane seconded. Motion carried (7-0).

Police Chief Wood – reported on the Offender Work Program with 6 people signed up and more expected after tomorrow's court session. Luigi Gallino has been hired as the supervisor for the program.

Finance Director Nelson – reported that she has been monitoring the fuel prices in accordance with the surcharge levels. She noted to date they are still under the \$3.00 per gallon but have been creeping up and will continue to keep watch. She also reported the arrival of the State Audit team who will be here approximately 3 weeks. They are currently concentrating on the Federal Single Audit. The City is considered a low risk for the federal single audit and they will look at 25% of the expenditures.

City Supervisor/Attorney Berg – pointed out the response from Burlington Northern regarding Councilmember Meamber's request for a pedestrian crossing at Woodworth and Eastern Streets. He also addressed a letter received from Puget Sound Energy as well as an e-mail exchange with Commissioner Dillon regarding Economic Development funds and how the County is using the funds that used to be used to build projects to pay their EDASC dues.

Engineer Freiburger – reported they have been getting a lot of questions regarding the surveying on Hwy 20 which is for the proposed SR20, Metcalf to Township Widening project. He noted they are looking forward to possible grant funds for the project. Freiburger also announced Nick Vann will be starting March 29, 2010 as Engineering Services Manager.

Councilmember Meamber – reported he was approached by a citizen requesting the City look into the possibility of installing a handicap landing for wheelchair bound fishermen near the boat launch area at Riverfront Park.

Councilmember's thought it would be a good addition to the park and a possible project for grant funding. Discussion also took place on an idea for a Rotary project for a cantilevered deck at Riverfront Park.

Councilmember Storrs – stated he sent an orange slip to the Engineer regarding repaving of Warner Street.

Councilmember Lemley – noted a pothole as Eastern Avenue in front of the parking lot of the old Market Place building.

Councilmember Galbraith – questioned the rumor of the Upper Skagit Tribe purchasing the old forestry building. Discussion ensued regarding if the property would remain in the City for tax purposes. City Supervisor/Attorney Berg explained the fee to trust transfer process.

Councilmember Sandström – reminded Police Chief Wood that he is interested in being involved in any meetings of the group regarding a shelter at the Skate Park.

Rick Judd – spoke of the upcoming Downtown Revitalization meeting in Port Townsend noting it might be the last chance to get onboard for funding as this is possibly the last meeting they will have.

Councilmember Colgan moved to adjourn. Seconded by all. Motion carried (7-0).

The meeting adjourned at 9:15 P.M.