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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
June 9, 2010 – 7:00 P.M. – City Hall Council Chambers

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Ted Meamber, Tony Splane, Tom Storrs, Hugh Galbraith, Rick Lemley and Brett Sandström. Staff: Recorder Brue, City Supervisor/Attorney Berg, Engineer Freiburger, Planner Moore, Fire Chief Klinger and Police Sgt. McIlraith.

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

Pledge of Allegiance

Consent Calendar

- Minutes from Previous Meeting
- Finance
  - Claim Checks #69463 to #69560 in the amount of \$161,204.33 (Voided Checks #69501 thru #69507).
  - Payroll Checks #47962 to #48070 in the amount of \$234,868.69.
- Credit Card Usage Policy
- COPS CHRP Grant
- Professional Services Agreement for Materials Testing and Special Inspections – Geo Test Services, Inc.

Councilmember Storrs moved to approve the consent calendar A through E. Seconded by Councilmember Lemley. Motion carried (6-0).

Recognition of Sedro-Woolley High School State Champions

Mayor Anderson read a proclamation congratulating the Sedro-Woolley State Champion Teams and declaring a day off from school for the 2010 Girl's Wrestling Team, the 2010 Girls Fast pitch Softball Team and the 2010 Boys Golf Team (Academic Champions).

Members of the Boys Golf Team, Trent Gardner, Kevin Brown and Matt Ruschard were in attendance and received a round of applause.

Public Comment

Dana Webb – 308 Northern Ave, addressed the Council on behalf of Scooters Bar. He stated the group "September 500" had been instrumental in helping to turn the Eagles Club around, holding meetings, benefit motorcycle runs and are in no way associated with any outlaw motorcycle groups. They are just looking for a better place to hang out. Webb handed out information to the Council for their consideration.

Fred Smith – owner of Skagit Harley Davidson, speaking on behalf of the group wanting to open the establishment, presented the background on the group called “September 500” which has been in existence for 20 years. He said they are just a group of friends who ride together and do charity events for groups like the Boys and Girls Club and Secret Harbor School. Smith emphasized they are not associated with any outlaw group. He also said he would vouch for their success in operating various businesses over the years and encouraged the City to reconsider the application.

Brad DeRouchey – addressed the Council and said he was the one that started the “September 500”. He stated they were just a group of old high school friends who took a motorcycle ride every September and their first ride was 500 miles and that was how the name came about.

Dave McDonald – noted he was a Seattle transplant and has met the group through the Eagles. He stated they have helped the Eagles with bike runs and rally’s and spoke of a bike rally he attended noting that at the particular rally 50% of the bikers were doctors and lawyers. He stressed that not all bikers are bad and this group does a good job for their community.

Brad Anderson -- 27185 Hoehn Road, addressed the Council regarding the application for a bar named Scooters. He noted the difficulty in finding a restaurant in town after 9:00 P.M. with good atmosphere, serving steak, chicken and salad. He addressed a lack of tolerance for any disruptive behavior, the time and money invested and the vision of offering something different. He also addressed the location and requested a retraction of the letter sent to the liquor control board.

Councilmember Lemley questioned any planned changes to the foot print of the building.

Mayor Anderson recognized Novelli Lewis, C-Team coach of the Girl’s Fast pitch Softball team.

## **PUBLIC HEARING**

### Resolution – Stormwater Ordinance #1675-10

City Supervisor/Attorney Berg reviewed the Stormwater Ordinance which was re-adopted by Council May 12, 2010. He noted tonight is the scheduled public hearing.

Mayor Anderson opened the public hearing at 7:18 P.M.

No public comment received.

Mayor Anderson closed the public hearing at 7:19 P.M.

Councilmember Storrs moved to accept Resolution No. 829-10 A Resolution of the City Council of the City of Sedro-Woolley, Washington, Adopting Findings Supporting the

Adoption of the 2005 Stormwater Manual for the Western Washington and Related Standards as Amendments to SWMC Ch. 13.36 and Ch. 13.340, and Confirming Ordinance No. 1675.10. Seconded by Councilmember Lemley. Motion carried (6-0).

## **UNFINISHED BUSINESS**

### Ordinance – Complete Streets

City Supervisor/Attorney Berg reviewed the second read of the proposed complete streets ordinance. He noted the ordinance would require staff and consultants to plan for all modalities of transportation within public works projects. Berg referenced the Fruitdale/McGargile project which incorporated bike lanes and sidewalks. The ordinance would be used as a tool to benefit projects and development. He said it only codifies the current vision and practices. The recommendation by staff is to adopt the ordinance.

Councilmember Sandström moved to approve Ordinance No. 1676-10 An Ordinance Amending the Sedro-Woolley Municipal Code Regarding Complete Streets Which Include Bicycle and Pedestrian Facilities. Seconded by Councilmember Meamber. Motion carried (4-1, Councilmember Splane opposed).

### Ordinance – Proposed Increase in Allowable Building Height

Planner Moore reviewed the second read regarding a proposed increase in allowable building height. He noted the City has received a ladder truck which will be in full service by August. The Planning Commission held an open record public hearing on May 18, 2010. Moore noted no comments were received at the public hearing and the Planning Commission recommended unanimously that the ordinance be adopted.

Council discussion was held regarding setbacks for existing buildings, zoning waiver procedure, effect on insurance rates, review of department plan, central business district vs. R-15 (it was noted that no changes were included in building height change nor any residential zones), restricted to mixed commercial, CBD and light industrial. Further discussion ensued regarding industrial zoned property butting up against residential, stricter buffering requirements and the height of Gateway building.

Councilmember Sandström moved to adopt Ordinance No. 1677-10 An Ordinance Amending SWMC Title 17 Regarding Maximum Building Heights.

Councilmember Meamber questioned if the Ordinance is not approved could it restrict building in Sedro-Woolley. It was noted that it possibly could and also that it was one of the reasons to purchase of the ladder truck.

The motion was seconded by Councilmember Galbraith. Motion carried (6-0).

## **NEW BUSINESS**

### Library Interlocal/Reciprocal Borrowing Agreement with City of Anacortes, La Conner Regional Library District and City of Mount Vernon

Debra Peterson – Librarian addressed the Council along with Library Board members, Dagni Cole and Beverly Ringhouse on the Interlocal/Reciprocal Borrowing Agreement. Peterson noted that the City of Burlington and Mount Vernon have been very successful with their program and the agreement would allow City residents to utilize the other libraries within the interlocal agreement. She also explained the process for obtaining cards for the other libraries. Peterson stated they are still working on bringing the City of Burlington and the Upper Skagit libraries on board.

Council discussion ensued regarding what the agreement does for County residents. It was noted that it would not change the County system.

Councilmember Storrs moved to allow the Mayor to sign each of the above agreements with Anacortes, La Conner and Mount Vernon. Seconded by Councilmember Splane. Motion carried (6-0).

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

### Sales Tax Revenue Report

City Supervisor/Attorney Berg reviewed the current sales tax revenue report. He noted the trend for the sales tax revenue is in a decline. He noted there was no increase in sales tax revenue budgeted in 2010. If there is a similar decline with the next report, we will then cross the line of lower sales tax revenue than budgeted. Berg noted staff has already been directed to implement an informal spending freeze, with a formal freeze anticipated in the next two months. He discussed the impact of the decrease in sales tax revenue, uncontrolled costs (health care), new health care regulations and comparisons throughout the country. Berg did note some good news with an increase of permit processing in the building department and property tax collections being stronger than budgeted. He also updated the Council on the Utility collections being at an all time high. Some changes are being made to be more aggressive in the area of collections.

Engineer Freiberger – reported that TIB has announced their new grant programs. After a review of our projects, Freiberger noted the most feasible project would be the SR20 Widening Project and Sidewalk Project to extend sidewalks from McGargile to Park Cottage on Highway 9. He noted the TIB is interested in the SR9/Jameson project, but there has been no progress with the owner for necessary right of way.

Mayor Anderson shared information he received at the SCOG meeting regarding project funding.

Fire Chief Klinger – requested Council approve a hold harmless agreement for Sealand Development. Klinger apologized for the late memo but noted the Train the Trainer academy is set for this coming weekend for the ladder truck. Part of the training will be held at the Skagit Industrial Park and the need for a current agreement was discovered. Chief Klinger also noted the receipt of the first payment received on Fire Station 2. The contractor has been on site and has started to do some trenching.

Councilmember Storrs moved to authorize the Mayor to sign the agreement regarding use of the buildings at 500 Metcalf Street by the City of Sedro-Woolley, including a hold harmless and indemnification provision regarding Sealand. Councilmember Splane seconded. Motion carried (6-0).

Councilmember Lemley – reported on the Blast from the Past noting lots of people in town and a great turn out for the car show. He also gave kudos to the quilters. Councilmember Meamber concurred it was a great event.

Mayor Anderson – gave kudos to Rick Lemley for all his work with the Chamber and community events. He also noted the quilt event was great.

Councilmember Galbraith – questioned any progress being made on the Old City Hall.

Planner Moore noted he has not had any conversations with anyone regarding the building.

Councilmember Meamber – reported on the program held at the Sedro-Woolley Union Cemetery and complimented Mayor Anderson on his speech.

## **EXECUTIVE SESSION**

Mayor Anderson announced the Council will now go into executive session to discuss a personnel issue, labor negotiations regarding the S-W Public Safety Guild and litigation on the Metcalf sewer project. The executive session will last approximately 30 minutes with no action anticipated. The meeting adjourned to executive session at 8:00 P.M.

The meeting reconvened at 8:44 P.m.

Councilmember Galbraith moved to adjourn. Seconded by Councilmember Lemley. Motion carried. (6-0).

The meeting adjourned at 8:44 P.M.