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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
August 11, 2010 – 7:00 P.M. – City Hall Council Chambers

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

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

Pledge of Allegiance

Police Chief Wood arrived at 7:01 P.M.

Consent Calendar

- Minutes from Previous Meeting
- Finance
- Claim Checks #69925 to #70011 in the amount of \$276,071.05, (Voided Checks #70005 - #70009)
- Payroll Checks #48397 to #48505 in the amount of \$237,334.64
- Interlocal Agreement with Skagit County for Library Services – 2010

Councilmember Storrs moved to approve the consent calendar as presented. Seconded by Councilmember Meamber. Motion carried (5-0).

Councilmember Lemley abstained from check #69963 to JJ's Cruisers, as he is a member and treasurer of the organization.

Public Comment

Dennis O'Neil – 109 Talcott Street, commented on the recent article on Police Chief Wood's recent humanitarian trip to Africa. He also questioned replacement of the street markers after the re-paving of Talcott Street and noted the City crew did a good job on the re-paving.

## **NEW BUSINESS**

### Fruitdale Road Annexation Ordinance and Interim Zoning Control Ordinance

Planner Moore reviewed the progress of the annexation request on Fruitdale Road. He stated all the procedures have now been completed. He noted the Council had, at a worksession, previously discussed to look at the zoning within the area represented within the proposed interim zoning control ordinance. Moore noted this would

temporarily restrict for 6 months development applications for this area. This would allow the Planning Commission to analyze the change, make a recommendation to Council and allow for proper submission to Department of Commerce for review. Moore stated the Staff recommendation is to adopt the ordinances.

Councilmember Colgan moved to adopt Ordinance 1678-10 to annex 43.39 acres near Fruitdale Road. Seconded by Councilmember Storrs. Motion carried (5-0).

Councilmember Storrs moved to adopt Interim Ordinance 1679-10 to temporarily restrict development applications in the annexation area. Seconded by Councilmember Splane.

Councilmember Lemley questioned the percentage of area considered wetlands within the annexed area.

Motion carried (5-0).

#### Ordinance Adopting 2009 Building Codes and Local Amendments

Planner Moore reviewed the proposed ordinance acknowledging the 2009 State Building Codes. He noted we are allowed to review and make changes to the codes if necessitated. He reviewed the recommended changes to include permitting requirements, certain exemptions, removal of amendments to appendix, duplicate sections and requirement of design professional seals accompanied with original signature.

Council discussion ensued regarding items exempt from a building permit. Planner Moore emphasized that just because a building permit is not required for certain projects does not mean the code requirement do not have to be followed.

Councilmember Lemley moved to adopt Ordinance 1680-10 to revise Chapter 15.04 SWMC to reflect Sate adoption of 2009 building codes and enact certain local amendments. Seconded by Councilmember Meamber. Motion carried (5-0).

#### Criminal Code

City Supervisor/Attorney Berg reviewed the information which would be a complete revamping of Title 9 to eliminate a majority of local crimes that are a reiteration of state crimes. He noted the benefit is that when the state updates their laws our code would automatically update to reflect what the state has done. Berg also discussed the need for updates of the City's bail books and the plan for updating.

Council discussion ensued regarding air guns.

Berg noted this is a first read only and no action is necessary at tonight's meeting. It was also noted in an effort to save paper, the next packet will only have the proposed ordinance reproduced.

## Brickyard Creek Interlocal

Engineer Freiberger addressed a proposed interlocal agreement with Skagit County for the dissolution of the Brickyard Creek Sub-Flood Zone. He presented background information on the zone noting about 2,200 parcels are affected with only 189 being located outside the City limits, with the bulk of Brickyard Creek located within the City limits. Freiberger reported on a recent meeting, past and future funding and the time line for conversion.

Freiberger also addressed a meeting scheduled with Commission Dillon, reviewed current billing for stormwater assessment on utility billing, the backlog of things that need to happen as maintenance has not occurred by County over the last number of years and the verification of projects planned and that they are still pertinent. He noted Nick Vann is on board to take on oversight of the stormwater and stated it is in the best interest of the City to proceed with the process but to proceed with caution.

Freiberger did announce the County Commissioners will be discussing the dissolution at their August 17<sup>th</sup> meeting. He also spoke on an upcoming utility committee meeting scheduled for August 25<sup>th</sup>.

Councilmember Splane stated he would like to keep the funds specifically for maintenance of the creek.

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

### Fire Station 2 Update

City Supervisor/Attorney Berg – reviewed the change order proposals with many still pending on a number of little things that keep coming up to include key pad door openers, central design exhaust system, gas line addition and an owner change order request (#9) for additional conduit for radios.

Fire Chief Klinger reviewed the progress pictures of Fire Station 2 and the work currently being completed as well as the upcoming schedule. He noted the Department of Homeland Security representative will be on site for inspection on September 2nd. Klinger stated that the first and second draw request has been approved. He invited anyone who wishes a tour to contact him for arrangements.

Councilmember Colgan – commented that the street paving looks good.

Councilmember Storrs – questioned the status of his concern at Third and Talcott.

Engineer Freiberger noted he forwarded the request on for a work order but he has been on vacation and not aware of the status of the request but noted he will follow up on it.

Councilmember Splane – reported a hole in Highway 20 which is growing larger.

Engineer Freiburger – reported on the paving projects which have just been completed. He noted the paving stretched the workforce very thin and they will review the paving schedule for next year. He stated because of the current staffing other things are being postponed until the paving projects are complete. There's no other way and the public needs to know the choices and addressed prioritization of work. Freiburger also reported that the SR 9 sewer project is complete and he continues to work on grants.

Grant opportunities were discussed for water parks and sidewalks.

Planner Moore – pointed out a letter in the packet from the Washington Surveying and Rating Bureau (WSRB) regarding the Building Code Effectiveness Grading Schedule Classification that the Mayor, Eric Potash, Building Inspector and himself participated in. He noted the City has been upgraded two levels and this information is provided to insurance companies a for underwriting and rating information. Moore also discussed several code enforcement cases which include recent complaints on shipping containers around town. The Planning Department has put together some draft guidelines for use of shipping containers to be reviewed by the Planning Commission with final approval by Council. Moore requested Council approval to proceed with the process.

Council consensus was for the Planning Commission to review. Council also suggested to check to see what other cities have for regulations.

Moore also noted that in general code enforcement is going well with the new procedures. He noted that they are tracking the complaints and have been successful in closing quite a few with positive results.

Fire Chief Klinger – reported that Asst. Chief Olson will be leaving for South Dakota on Sunday for the inspection on the new engine and will return on Tuesday.

Police Chief Wood – reported that the Work Offender program is going well with good results. The work is very noticeable in the downtown area and around City Hall.

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

The meeting adjourned at 8:17 P.M.