
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
January 26, 2011 – 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, Finance Director Nelson, City Supervisor/Attorney Berg, Engineer Freiberger, Planner Moore, 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 #71187 to #71256 in the amount of \$170,951.49
 - Claim Checks #71186 and #71257 to #71327 in the amount of \$67,801.84
 - Payroll Checks #49567 to #49668 in the amount of \$174,985.65
- Interlocal Agreement with Skagit County for reimbursement of the city for work performed by City forces for the County
- Agreement for medical services with Skagit Public Hospital District No. 1

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

Public Comment

Rick Judd – speaking on behalf of the Helping Hands Food Bank gave a special presentation to Terry Carter, Sr. for his many of years of service and the legacy left to the Helping Hands Food Bank.

Mayor Anderson displayed a certificate of appreciation presented to the City from the Helping Hands Food Bank at their grand opening earlier in the day.

NEW BUSINESS

Proposed Modification to Municipal Code to Regulate New Alcohol Serving Establishments (bars) in the Central Business District

Planner Moore reviewed the proposed modifications to the Municipal Code. The modifications come as a result of comments received from numerous citizens and business owners. The comments received were in the form of letters, verbal comments

and statements during the comment period at Council meetings as well as a signed petition. He noted the proposed ordinance adds a definition of alcohol serving establishments and requires a conditional use within the Central Business District (CBD) and is recommended for approval by the Planning Commission. No action is anticipated until the next meeting as this is a first read.

Discussion was held on the public input process. Moore noted the required public hearings have been held at the Planning Commission level however, Council may choose to allow more public comment from audience members.

Kevin Dykstra – stated he and his wife are in the process of looking into opening a brew pub either in Sedro-Woolley or Burlington and questioned how this would affect them.

Planner Moore reviewed the definition of a conditional use permit which includes a formal hearing by a Hearing Examiner. The Hearing Examiner analyzes the use within the comprehensive plan and zoning code, a public hearing is held and the decision made. The Hearing Examiner process provides an extra level of review.

City Supervisor/Attorney Berg reviewed the definition for an alcohol serving establishment.

Jennifer Eldred – 437 Warner St., also a member of the Planning Commission and a local business owner addressed the Council. She listed numerous items she has had to pick up prior to being able to open her business for daily operations. She also addressed the stench of urine smell in alley. Both believed to be a result of nearby bars. Eldred stated the Planning Commission hotly debated the topic prior to making their recommendations. She also addressed patrol issues and balancing free business and the reputation of the community.

Brad Anderson – 27185 Hoehn Rd., representing the Castle, addressed the Council. He noted the bars close at 2:00 P.M. and spoke of the number of juveniles out at that time of night and believes that they are the cause of a lot of the problems. He also spoke of businesses being dark at night which entices vagrants and suggested businesses light their entrances in order to deter vandalism. Anderson also questioned the public process and the petition. He noted the bar owners are merchants just like other businesses and also addressed the presence of bouncers, security and camera within the establishments. The patrons are regulated while in the bars but once outside the owner can't control the actions.

Larry Bragg – 2433 McKendree Ln., stated he has seen problems of over serving and buildings overextended with crowds and the Police officers not dealing with issue due to crowd. He stated he would like to see the Police get tough in handling infractions and also pointed out the business causing most of the issues has now closed.

Michelle Anderson – 700 N. Reed #51 – a resident of Sedro-Woolley for over 54 years and a businesswoman in almost every bar in town for about 34 years. She addressed

knowledge of the problems and would like to see more aggressive enforcement happen by liquor control board. Anderson also addressed the need for more training of wait staff.

Elizabeth Fernando – 805 B Metcalf, owner of Simply Silver, noted she did sign petition but also is not sure if regulation will be the answer. She said she has made a point to get to know business owners in town through her roll in the Chamber of Commerce and her conversations have been positive with a spirit of cooperation. She addressed the need to create good will in order to make progress.

Eva Arragon – 721 N. Reed, addressed spirit of cooperation noting the big problem between 3 p.m. to 2 a.m. is not necessarily what is going on inside bar but outside. She noted with passage of the no smoking law it has caused the issues. She suggested each bar have a smoking area perhaps behind the business or designated area off the main street.

Lisa Meiers – 109 Ferry Street, owner of the Overflow stated she feels everything is being lumped together. She noted that some bar owners are very responsible with keeping an eye on customers and cleaning up outside their business. She also stated it is not necessarily the bars creating the problem but the kids around town and addressed the need for better Police patrol in the middle of night and the need for the liquor control board to hold meetings as in the past. Meiers also stated the bars should communicate with each other. She then addressed the smoking issue and noted there can't be different rules for different businesses.

Councilmember Lemley questioned with the closure of a certain establishment. It was noted that many of the problems had been rectified since that closure.

Brad Anderson – again to the podium, questioned smoking in alley and whether retracting canopies could be placed on the sides of the building to move the people to the alley.

Discussion ensued regarding closure of alleys and safety and emergency access.

Troy Erwin – 124 N. Reed, expressed concern on the conditional use permit process and the ability of attracting new business as well as the public hearing process and the need to keep the cost reasonable.

Stephanie – bar manager at the Overflow, noted that the bar is not just a place for drinking but can be a social gathering place with many people drinking coffee and visiting with friends. She expressed concern with the elimination of bars it would eliminate jobs for people in town.

Mayor Anderson noted this is a first read with no action to be taken tonight and recommended Councilmember's consider the comments made and ask people around town their opinions.

Proposed modifications to Municipal Code regarding the keeping of chickens, ducks, bees and small non-hoofed animals

Planner Moore reviewed the proposed modification to the Municipal Code regarding the keeping of chickens and other specified animals. He noted the Planning Department has had numerous inquiries by citizens on the keeping of certain animals and had also received a petition. He reviewed current regulations and noted the Planning Commission held three public hearings. Some people are keeping such animals and this process will legitimize their actions. The proposed ordinance would create a new section under low intensity agriculture. He reviewed the proposed ordinance which addresses no roosters allowed, bee keeping, performance criteria and inspection. Moore stated no action is necessary as this is a first read only. The Planning Commission has unanimously approved for recommendation.

Eva Aragon – 721 N. Reed, spoke in support of the changes and stated she believe it to be important to expose kids to the responsibilities of owning farm animals. She also noted that when purchasing property one of the documents required to sign is a document noting living in an agricultural zone.

Council discussion took place to include the bee requirements, concern on the number of hives allowed, basis of ordinance modeled after another city, the safety of food and limiting small animal 4 – H projects to children living in the City.

Shawna Osborne –addressed the Council noting she no longer lives in Sedro-Woolley due to the limitations. She noted she is a rabbit breeder and addressed issues faced with the code enforcement department regarding her keeping of rabbits. She also noted there are over 100 participants in the Sedro-Woolley in the 4-H program. Osborne encouraged passage of the ordinance.

Further discussion ensued regarding the intention of the ordinance to cover outside animals.

Brad Anderson – again to the podium addressed concern of allowing beehives and suggested requiring the need for special insurance as you would have with potentially dangerous dogs.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Fire Station 2 Update

City Supervisor/Attorney Berg – noted the report in the packet is the final written report on Fire Station 2. The next step will be final acceptance of the project.

Police Chief Wood – requested Council authorize the Mayor to sign a mutual aid agreement with different police agencies. The agreement has been in place and renewed

year to year however, with a new sheriff at the helm a new agreement has been requested.

Councilmember Storrs moved to approve the mutual aid agreement between the County and all the Towns and Cities. Seconded by Councilmember Splane. Motion carried (6-0).

Fire Chief Klinger – pointed out the flyer on the upcoming Open House for Fire Station 2 to be held Wednesday, February 23rd.

Planner Moore – reminded Council that the end of the month is the deadline for any comp plan amendments. He noted he has not received any public requests but if Council has anything for consideration to notify him.

Engineer Freiburger – reminded Council of the upcoming public information meeting on Feb 1st on the SR 20 widening project being held prior to the Council worksession.

City Supervisor/Attorney Berg – reported that Councilmember Splane brought to the City's attention that in 2001 the state legislature passed a law mandating 100% bio-fuel usage by 2013. He stated he and Fire Chief Klinger went to Olympia and testified in favor of a bill for exempting Cities and Towns from usage.

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

The meeting adjourned at 8:08 P.M.