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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
October 26, 2011 – 7:00 P.M. –City Hall Council Chambers

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Pat Colgan, Tony Splane, Tom Storrs, Hugh Galbraith, Rick Lemley and Brett Sandström. Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Planner Moore, Fire Chief Klinger and Police Sgt. Dougher.

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

Pledge of Allegiance

Consent Calendar

- Minutes from Previous Meeting
- Finance
  - Claim Checks #73072 to #73177 in the amount of \$734,727.99.
  - Payroll Checks #51528 to #51633 in the amount of \$186,410.24.
- Interlocal Agreement – Upper Skagit Community for Reciprocal Library Borrowing
- Interlocal Agreement – LaConner Regional Library District for Reciprocal Library Borrowing
- Interlocal Agreement – Skagit County for Provision of Community Services – 2012
- Interlocal Agreement – Skagit County for Work Performed, Materials, and Use of Equipment with Operator
- Request for Approval of Interagency Agreement – FY2012-2013 Puget Sound Local Source Control Specialists Partnership
- Frontier Communications PRI Contract Renewal

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

Public Comment

Gerald Chandler – 606 Greenstreet Blvd., representing the Volunteer Firefighters addressed the Council on the upcoming benefit BBQ to be held Saturday, October 29<sup>th</sup> at the Community Center from 11-6:00 P.M. The BBQ will benefit Ryan Lockwood a 26 year volunteer who has had some serious medical issues with no insurance coverage. Chandler encouraged all to attend or consider a donation.

City Supervisor/Attorney Berg reported on a conversation with Jim Bower of Barbury Cove. Barbury Cove is a small boat manufacturing facility located at 500 Metcalf St.

The letter expressed unfairness in requiring garbage service that is neither needed nor wanted. Bower expressed belief the policy to be unconstitutional under the commerce clause. In discussion with Bower, Berg said he told him he would go on record on his behalf with his comments to the Council.

Councilmember Splane expressed an interest in exempting him from the garbage requirement in order to encourage his business in hopes that it will grow.

Discussion ensued regarding the compulsory fee system, illegal dumping, snowbirds, encouragement to stay and expand businesses and effect of compulsory fee system on illegal dumping.

Berg noted he will contact Bower to inform him that the Council held a good discussion regarding his comments and invite him to attend a Council meeting to express his concerns in person for consideration.

Councilmember Lemley – questioned the outcome of the Boots to Burn event held this past weekend. Gerald Chandler noted the event brought in approximately \$20,000 with minimal expense. The proceeds benefit the Northwest Children’s Burn Foundation and Camp Phoenix.

## **PUBLIC HEARING**

### Redistricting

City Supervisor/Attorney Berg reviewed the proposed redistricting. He noted the County Auditor expressed concern with the mapping not being possible without the hiring of a consultant, however, after checking with the County GIS department they are satisfied with the work completed in-house. Berg noted there may be a bill from the County for a review of the voting precincts.

Mayor Anderson opened the public hearing at 7:14 PM.

Mayor Anderson closed the public hearing at 7:14:30 P.M.

Councilmember Lemley moved to approve Ordinance No. 1718-11 An Ordinance Amending SWMC 1.12 to Adjust the Boundaries of the City’s Wards Following the 2010 U.S. Census. Seconded by Councilmember Splane. Motion carried (6-0).

## **UNFINISHED BUSINESS**

### Retaining Impact Fee and General Facility Charge Credits for Buildings that are Demolished

Planner Moore reviewed the proposed ordinance for credits for buildings that are demolished. He noted this will be considered a 1<sup>st</sup> read due to the substantial changes

from what was originally presented. The proposed ordinance incorporates several aspects discussed at the Council worksession. The items incorporated into the ordinance are 1) No expiration date; 2) Record credit certificate on property; 3) Monthly sewer to be paid at 50% of the current rate; and 4) Credits are not transferrable to another property. Moore expressed concern of item 3 and entertained additional questions or comments from Council.

Discussion ensued regarding policies of neighboring cities, debt obligations for sewer, properties on septic, purpose of ordinance to get rid of abandoned buildings by giving incentives, obligation to sewer fund and affect on buildings already demolished.

Moore noted that being a first read no decision is expected.

Council requested a report at the next meeting on 1) How many vacant lots are currently paying for sewer; 2) Number of code enforcement issues within the past five years; and 3) Policies of other neighboring cities.

## **NEW BUSINESS**

### Park Fee Ordinance – Community Center Rates for Annual Users

City Supervisor/Attorney Berg introduced the Park Fee Ordinance. He noted this would be a good candidate for action even though it is a first read. He reported currently there is an annual user of the Community Center that has expressed concern of the recent rate increases. The proposed ordinance would establish a new rate for annual users of \$175.00 per use. Annual users are defined as qualified users on a reoccurring basis of at least three times per month, each month of the year.

Discussion ensued regarding possible lease with the party for a full year commitment and questioned the discontinuation of a rule from 1976 which limited rental to a maximum of one time per month.

Councilmember Sandström moved to adopt Ordinance No. 1719-11 An Ordinance Establishing a New Rental Rate for Annual Users of the Community Center.

Councilmember Splane seconded. Motion carried (6-0).

### Stormwater Utility

City Supervisor/Attorney Berg presented a history and information regarding the proposed ordinance. He noted that at the time of implementation of the Stormwater Utility Council chose to charge far under the amount recommended. The City is facing additional mandates under the NPDES Phase II permits which have driven the costs to an unsustainable level at current rates. Berg reported the utilities committee met and is recommending a rate increase of \$1.75 per month per ERU. Some of the additional requirements include inspections and cleaning 100% of the stormwater system with deadlines approaching, annual inspections, and enforcement of privately owned

stormwater systems and public education, inspections and enforcement of non point source pollution issues such as car washes. The reason the state is requiring is because the number one source of pollution in the Puget Sound is stormwater runoff.

Discussion took place of what the increase would cover with direction requested from the Council in order to continue with preparation of the draft budget.

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

### SR 20 Widening Project Update

City Supervisor/Attorney Berg reported on the progress of the SR20 Widening Project in the absence of Engineer Freiberger. Some discussion ensued regarding the functional swale in front of Three Rivers with Fire Chief Klinger questioning if there are plans for a guard rail.

Police Sgt. Dougher – reported some activity in the local bars which caused problems. She noted they do have a plan in place for the upcoming weekend as it is Halloween weekend.

Fire Chief Klinger – again reminded Council of the fundraiser for Ryan Lockwood and also reported the Boot to Burn event was very successful. He thanked everyone for their support.

Planner Moore – pointed out general information regarding mobile vendors placed in the Council packets.

City Supervisor/Attorney Berg – reviewed a proposed agreement with the Sedro-Woolley Rotary Club regarding AV equipment. Berg requested Council authorization for the Mayor to enter into an agreement. He also noted the Rotary Club plans to purchase 100 new chairs for the community center.

Councilmember Lemley requested direction for abstaining from the vote as he is a board member of Rotary.

Councilmember Colgan moved to authorize the Mayor to sign the agreement regarding Audio/Visual Equipment with the Rotary. Seconded by Councilmember Storrs.

Councilmember Sandström cautioned regarding public use of the AV equipment and questioned whether limitations should be placed. City Supervisor/Attorney Berg noted that the equipment would be in connection with the use of the building at an additional fee to be determined at a later time. Some discussion followed.

Motion carried (5-0-1 Councilmember Lemley abstained).

City Supervisor/Attorney Berg – reported the 2012 Budget has been very difficult with cost increases outweighing the anticipated revenues. He noted there is less room for flexibility as a result of budget cuts in 2009 and 2010. The short term savings tools have also been utilized to the point they are no longer available. The balanced budget will be presented at the worksession on November 2<sup>nd</sup> in the Fire Training Room beginning at 7:00 P.M.

Councilmember Colgan – announced the Halloween Parade on Monday starting at 5:00 P.M.

Councilmember Splane – questioned construction activity on Northern Ave.

Fire Chief Klinger noted the project is a PUD project and they are doing an upgrade of the water line with three new hydrants as part of their ongoing water line maintenance.

Councilmember Galbraith – questioned the activity at the old Forest Service building.

City Supervisor/Attorney Berg noted the tribe continues to move forward with cleaning of the building in order to relocate their tribal office once completed. Plans are also moving forward for a walk in clinic and pharmacy.

Councilmember Sandström – thanked the graffiti patrol for their quick response to a spray paint incident in his alley. He also reported on the two residents in the cemetery as shown by the census for redistricting.

The meeting was adjourned to Executive Session at 7:56 P.M. for the purpose of collective bargaining under RCW 42.30.140 (4) with no decision anticipated. The length of the session is expected to be approximately 15 minutes.

The meeting reconvened at 8:18 P.M.

Councilmember Splane moved to adjourn. Seconded by Councilmember Galbraith. Motion carried.

The meeting adjourned at 8:18 P.M.