
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
November 9, 2011 – 7:00 P.M. –City Hall Council Chambers

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Pat Colgan, Tony Splane, Tom Storrs, Keith Wagoner, 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 #73178 to #73257 in the amount of \$391,773.36 (Voided Check #73195).
 - Payroll Checks #51634 to #51739 in the amount of \$252,802.32.
- Memo of Agreement with EMC for Maintaining Tactical Radio Infrastructure.
- Second Amended Agreement for Fire and Emergency Medical Services and Joint Operation of Facilities with Fire District No. 8
- Setting a Public Hearing on November 22, 2011 to consider adoption of the 2012 Budget
- Final Acceptance – 2011 Sanitary Sewer Pipeline and Manhole Improvements Project – SRV Construction Inc.
- Agreement for Legal Services – Jennifer Bouwens
- Employment Contract -- Fire Chief Dean Klinger
- Employment Contract – Police Chief Doug Wood
- Resolution 852-11 – Appointing Brian Stiles as Judge for the Municipal Court

Councilmember Colgan moved to approve the consent calendar Items A through J.
Seconded by Councilmember Storrs

Councilmember Lemley abstained from check #73212 as it was made payable to his business as a refund of an overpayment. Motion carried (6-0-1).

Proclamation – United Way

Mayor Anderson read a proclamation declaring November, United Way Campaign Month in Sedro-Woolley. The proclamation encouraged everyone in the community to step forward with vigor and generosity to help your fellow man by volunteering and contributing financially to the United Way.

Public Comment

No public comments received.

PUBLIC HEARING

Stormwater Utility Rate Increase

City Supervisor/Attorney Berg reviewed the proposed ordinance for a rate increase of the Stormwater Utility. He noted the original rate was recommended to be \$8.00 at the initial implementation. At that time the Council chose not to charge the recommended rate. Berg discussed the increased requirements on the State and Federal level as well as the technical aspects of cleaning of the stormwater drains, requirements for enforcement, maintenance of private stormwater systems, public education and a required hot line to address spills. He noted the utility is currently not funded to do the minimum requirements required by the NPDES permit. He also noted the proposed increase will not fund capital projects.

Councilmember Wagoner questioned cleaning of the stormwater lines, whether the cleaning has to be completed on a timeline or as needed basis.

Engineer Freiburger noted there are about 1800 catch basins and pipe, 15 municipal ponds and 60 private ponds. Currently staff has been cleaning about two – three hundred per year. Now that they have been cleaned the process should be easier but each catch basin has to be opened and inspected. Freiburger discussed past funding for the stormwater and funding with the rate increase. He also recalled the 2007 rate study which addressed system upgrades and noted that they continue to pursue grant funding for those upgrades.

Mayor Anderson opened the public hearing at 7:10 P.M.

No comments received.

Mayor Anderson closed the public hearing at 7:10 P.M.

Councilmember Storrs moved to approve Ordinance No. 1720-11 An Ordinance Amending the Fees and Charges for the Use of the City of Sedro-Woolley Storm and Surface Water Utility System and Amending Portions of Sedro-Woolley Municipal Code Chapter 2.46. Seconded by Councilmember Galbraith. Motion carried (7-0).

Property Tax Levy Ordinances

Finance Director Nelson reviewed the proposed property tax levy which is in two portions. The first is payment of the Voter Approved Bond. She noted that low income senior citizens do not pay providing they have filled out the proper paperwork with the Skagit County Assessor's office. The second is the General Property Tax revenues. She

reviewed the preliminary valuations provided by the Skagit County Assessor's office. Final valuations and resulting tax rate will not be known until January, 2012. Nelson noted the proposed ordinance is consistent with the Mayor's preliminary budget for 2012 and reviewed a graph as to how the tax dollars are split. She also noted the ordinance does not include any banking capacity. The forecast is for a long and slow economic recovery.

Mayor Anderson opened the public hearing at 7:17 P.M.

No comments received.

Mayor Anderson closed the public hearing at 7:17 P.M.

UNFINISHED BUSINESS

Ordinance – Business License Title Update

City Supervisor/Attorney Berg reviewed the changes from the original two readings of the proposed Business License ordinance. He reviewed the addition of mobile vending and open-air vending, their requirements and fee structure. Berg also reviewed the addition of a specialty business license fee for taverns, bars and lounges with a proposed fee of \$1,000 per year to help defray a small portion of the SWPD overtime that results from those businesses. Berg stated that because of the partnership with the State Business License Service the ordinance needs to be passed tonight in order for the state to bill under the master business license process.

Discussion ensued regarding clarifying the definition of a bar, tavern and private clubs with lengthy discussion of wording to include "open to persons 21 years of age", movement of mobile vendors after one hour, additional wording proposed under 5.04.030 B-1 "these businesses are open to patrons 21 years and older and B-3 "these businesses are open to all ages at all times".

Lisa Meiers – business owner of the Overflow Bar addressed the Council stating she and her family have been in the business for years. She spoke regarding the fees already paid to the liquor control board and believes the additional fees to be unfair. She noted they have received instruction from both the Liquor Control Board and Sedro-Woolley Police to call whenever there are issues and said it feels that they are being punished for calling. Meiers reviewed her call log and noted that the police should work with the particular places that are offenders. If its alcohol related anyone selling alcohol should be included, not just the bars. She also addressed kids hanging out in town during the late night hours and nothing is being done to their parents. She addressed the private clubs not being included and also addressed the new rules due to the recent passing of Initiative 1183.

Discussion ensued regarding the amount of increase for the license fee, alternate solutions with bars hiring bouncers, fairness in fee for everyone serving alcohol,

recording of incidents and number of calls as required by the Liquor Control Board and review of annual gambling tax revenues which is allocated by the State per capita.

Brandy Montnay – operations manager at Smiley’s Bar and Grill addressed the Council stating that people bounce back and forth between establishments and restaurants. She believes that any business selling alcohol should be included in the higher fee, not just the bars. She addressed the Liquor Control Board who if there is a problem should be writing more tickets and said the bar owners work together as a community. Montnay said she has a hard time understanding why it is just the bars.

More discussion ensued regarding restaurants with separate lounges, authority of the Liquor Control Board and the idea to allocate cost to core user group causing the cost.

Police Chief Wood noted that bars take more police time and resources and have for over 30 years. Wood gave comparison of calls between various businesses, including bars. He also noted the police do have a good relationship with the bar owners.

Lisa Meiers – again to the podium, spoke of the police officers job which is to provide public safety and said she believes more arrests should be made to those causing the problems.

Discussion was held again regarding arrests and medical and jail costs, fair cost for business license fee, overall struggles of the community due to the economy, whether it be individual, business or city, discrepancy of fees for restaurants and lounges vs. bars, methods of increase in revenue, classifications of specialty license and the difference between having a beer with dinner vs. going to a bar to drink.

Phillip Murray – 223 State St., who lives next to a bar, noted he has called the police on numerous occasions due to the disruptive activities of the patrons. He noted nothing ever happens to the bars and believes the bars should close at midnight which would alleviate the much of the problem.

Further discussion ensued regarding business activity between midnight and the 2 a.m. closing, enforcement for non-payment of business license and bundling the City license with state licenses.

Councilmember Storrs moved to adopt the attached Ordinance No. 1721-11 Repealing, Amending and Enacting New Sections of the Sedro-Woolley Municipal Code Title 5, with change of Section B, Page 3 deleting 2 and 3 and adding on B-1 businesses, clubs and societies, selling/serving beer, wine or spirits operating under license or authority of the Liquor Control Board an annual license fee of \$250. Seconded by Councilmember Splane. Motion carried (7-0).

NEW BUSINESS

2012 Budget

Finance Director Nelson reviewed the proposed budget ordinance for 2012. She noted that this year has been a particularly painful budget year. Changes are anticipated to the Mayor's Preliminary Budget before the second reading on November 22. It is also anticipated that voting on the final budget will take place the first meeting in December. Nelson noted the budget is available for viewing on the website and a public copy is available in the Finance office.

City Supervisor/Attorney Berg reviewed changes within the Library budget. He also noted any changes the Council might want considered between drafts to let him know.

Personnel Policies Update

City Supervisor/Attorney Berg reviewed proposed personnel policies regarding dual insurance coverage policy, wireless devices and insurance coverage for non-represented employees. Berg noted the policies are a first read.

Discussion ensued regarding cafeteria plans for medical insurance, medical coverage being a big issue for the future, dependent coverage, with some policies being time sensitive due to open enrollment.

Sedro-Woolley Community Skate Park

City Supervisor/Attorney Berg introduced a proposed Rotary Project to redo the Skate Board Park. Berg noted that Police Chief Wood who is a Rotary member and next years president is presenting the project as a major project to build for next year.

Doug Wood – Hamilton Cemetery Rd., addressed the Council as a Rotary Member. He noted he has presented to Rotary to budget money for a major project of the Skate Board Park due to the need for improvements as it is one of the more used parks in town other than organized sports. Wood reviewed a basic footprint plan for the improvements and noted there would be no impact to the ball field. There also is an enthusiastic group to complete the project. Wood then entertained questions from the Council to include liability and City funds to come from Park Impact Fee funds.

Councilmember Sandström noted he spoke with the Babe Ruth Baseball Commissioner and they are in favor of the project.

Councilmember Galbraith moved to authorize the project to move forward with the Skate Park. Seconded by Councilmember Splane. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

SR20 Widening Project Update

Engineer Freiberger presented an update on the SR20 Widening Project. He discussed some conflicts with various utilities on the North side. The utilities have had to move lines which has caused project delay. He noted mid December is the scheduled completion date and reviewed upcoming work.

Councilmember Lemley – reminded everyone that the next Council meeting will be held on Tuesday due to the Thanksgiving holiday.

Councilmember Wagoner – reported the Sedro-Woolley Girls Swim team will receive an award for the highest GPA in State this coming Saturday.

Councilmember Colgan – stated he has enjoyed working with Council and this is his last meeting. Since the election was held, his replacement will be coming on board the first meeting in December.

A round of applause was given for Councilmember Colgan.

The meeting adjourned to Executive Session at 9:01 P.M. for approximately 30 minutes for the purpose of collective bargaining under RCW 42.30.140 (4) with a possible decision.

The meeting reconvened at 9:55 P.M.

Councilmember Storrs moved to allow the Mayor to sign a Memorandum of Understanding between the City of Sedro-Woolley and AFSCME Local 176 SW. Councilmember Colgan seconded. Motion carried (7-0).

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

The meeting adjourned at 9:57 P.M.