
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
December 28, 2011 – 7:00 P.M. –City Hall Council Chambers

ROLL CALL: Present: Mayor Mike Anderson, Councilmembers: Kevin Loy, 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, Asst. Fire Chief Olson 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 #73487 to #73548 in the amount of \$130,497.44.
 - Payroll Checks #51956 to #52064 in the amount of \$185,552.46.
- Resolution 855-11 – Declaring Certain Property as Surplus and Authorizing its Disposition
- Resolution 856-11 – Interfund Loan
- Ordinance 1725-11 – concerning the Salaries for Members of the City Council
- Interlocal Correction/Detention Agreement with the City of Wapato

Councilmember Storrs moved to approve the consent calendar Items A through F. Seconded by Councilmember Lemley. Motion carried (7-0).

Swearing-in of Newly Elected Officials

Mayor Anderson administered the Oath of Office to Councilmembers Kevin Loy, Keith Wagoner and Hugh Galbraith.

Public Comment

Myra Martin – 708 Brickyard Blvd. addressed the Council regarding the numerous petty thefts going on within town and in particular her neighborhood. She questioned what the normal citizen can do to help.

Some suggestions were motion sensor lighting, being observant, lights on, talking to neighbors and video surveillance cameras.

Martin questioned the number of officers in Sedro-Woolley (14 full time paid and 4 reserve officers) followed by a discussion on the Senior Crime Watch and block parties.

NEW BUSINESS

Mobile Vendors – Ordinance Revision

City Supervisor/Attorney Berg again reviewed questions that have come up regarding the Mobile Vendor ordinance, specifically lunch trucks as well as the true mobile vendor who stays stationary in one spot. He reviewed examples of the proposed changes.

Discussion ensued regarding wording of “invitation by property owner”, general public capturing under existing language, public right of way mobile vending and mobile vending at youth sporting events.

Councilmember Wagoner moved to approve Ordinance No. 1726-11 An Ordinance Amending SWMC 5.04.010, Exempting Certain Mobile Vending Businesses and Open Air Vending Businesses from Specialty Business License Fees. Seconded by Councilmember Lemley. Motion carried (6-1, Councilmember Loy opposed).

Mayor Anderson noted an addition to the agenda, *Moratorium Regarding Medical Marijuana*.

Revisions to Design Standards and Municipal Code Requirements for the Mixed Commercial Zone

Planner Moore reviewed the proposed ordinance outlining revisions to the Sedro-Woolley Design Standards and Guidelines. He noted it is a first read of the ordinance.

Discussion ensued regarding parking requirements with Moore noting the Planning Commission is currently working on reviewing the parking requirements on the Urban Village code and may want to incorporate some of the concepts into the Mixed Commercial Zone. Elimination of the maximum setback requirements was also discussed.

Planner Moore reviewed Section 2 of the ordinance “Standard and Guidelines for All Development”. He addressed specific standards for the mixed commercial zone.

Further discussion ensued regarding bicycle parking, roof top equipment, and difficulty viewing buildings when up against the road.

Ordinance – 2011 Budget Amendment #3

Finance Director Nelson reviewed Budget amendment #3 for the year end of 2011. She noted the amendments are necessary due to grant funding from Skagit County and Soroptimist donations, as well as some miscellaneous housekeeping items which are detailed in the memo.

Councilmember Storrs moved to adopt Ordinance No. 1727-11 An Ordinance Amending Ordinance 1688-10 entitled an Ordinance Adopting the Annual Budget for the City of Sedro-Woolley, Washington, for the Fiscal Year Ending December 31, 2011. Councilmember Wagoner seconded. Motion carried (7-0).

Moratorium regarding Medical Marijuana (addition)

City Supervisor/Attorney Berg reviewed the background information of Ordinance No. 1705-11 which was adopted in April 2011, pending legislation in draft form that would have allowed for Medical Marijuana Dispensaries. The Governor vetoed much of the legislation and the ordinance lapsed. Berg noted there are continued uncertainties, specifically with collective gardens. He detailed state law regarding cannabis plants and addressed conflicts with the City zoning code.

The previous ordinance was revised to include cultivation and collective gardening. It would place a 6 month moratorium and would require the Planning Department to construct a model ordinance. A required public hearing would be held within 60 days in line with regulations for emergency ordinances. The ordinance will not affect any existing applications but would affect any future applications. The moratorium is intended to keep status quo while going through the process.

Discussion ensued regarding federal law pre-empting state law, upcoming legislation and extension of moratoriums.

Councilmember Galbraith moved to approve Ordinance No. 1728-11 An Interim Ordinance of the City of Sedro-Woolley, Washington, Adopting a Moratorium on the Processing or Accepting of Applications, Permits or Licensing and Establishment for any Building or Land Use Activity Involving Medical Marijuana or the Establishment of Collective Gardens, Providing for a Public Hearing, Establishing an Effective Date and Providing that the Moratorium, Unless Extended, Will Sunset Within Six (6) Months of the Date of Adoption. Councilmember Storrs seconded. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Engineer Freiburger – presented a late request for authorization for the Mayor to execute an authorization letter with PSE/Intolight for design and installation of lights for the SR20, Metcalf to Township Lane Widening and Bicycle/Pedestrian Improvements Projects. He noted the actual cost of \$13,961.57 is under the amount budgeted.

Councilmember Sandström moved to authorize the Mayor to execute the attached Schedule 53 Street Light Authorization Letter with PSE/Intolight in the amount of \$13,961.57 for the installation of new Street Lights on SR20. Seconded by Councilmember Splane. Motion carried (7-0).

Engineer Freiburger presented a brief report on the project. He noted the project has been shut down for the holidays, but will start up again the following week in order to

complete the sidewalk ramps, landscaping and striping. Freiberger did note the striping is weather dependant. The project will then be suspended and the Contractors will come back mid-February to install the signals.

Freiberger also reported on a meeting with Alex Ruby who is looking to do an Eagle Scout project of some landscaping around the trestle. A rendering of his plan will be brought back for Council review. He also noted the Engineering Department has been very busy putting out for bid the annual public works contracts which will be brought to Council for approval at the second meeting in January.

Engineer Freiberger reported on the confirmation of grant funding for the design of the SR20 Cook Road Project in the amount of \$625,000. The design is scheduled to start after the first of the year and will be done in-house. The project will be an attractive project to be funded through TIB. He also reported on the extension of the Ecology Capacity Grant in the amount of \$50,000 for Stormwater quality improvements.

Councilmember Galbraith – questioned the drainage ditches along Highway 20.

Councilmember Lemley – wished everyone a Happy New Year.

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

The meeting adjourned at 8:05 P.M.