
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
June 13, 2012 – 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, Fire Chief Klinger and Police Lt. Tucker.

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

Pledge of Allegiance

Mayor Anderson announced a change on Item D. Councilmember Loy questioned Item D, which was pulled for consideration as a lone item.

Consent Calendar

- Minutes from Previous Meeting (Including June 6, 2012 Worksession)
- Finance
 - Claim Checks #74524 to #74642 in the amount of \$312,718.50 (Voided Check #74550)
 - Payroll Checks #53146 to #53258 in the amount of \$262,552.91
- Resolution 862-12 – Declaring Certain Property as Surplus and Authorizing its Disposition.
- Change Order 9 Approval – Contract 2011-PW-06 SR20, Metcalf to Township Lane Widening and Bicycle/Pedestrian Improvement Project – Interwest Construction, Inc.
- Ordinance 1742-12 – 2012 Budget Amendment #2

Councilmember Storrs moved to approve the consent calendar Items A through E, minus Item D. Seconded by Councilmember Splane. Motion carried (7-0).

Councilmember Loy questioned the wording in the analysis portion of the memo “sufficient funds are available for the added work”. Engineer Freiberger stated that when he does change orders he reviews whether there are sufficient funds within the project budget. When he says that in a memo he has made that check.

Councilmember Wagoner moved to approve the change order from contract 2011-PW-06 SR20, Metcalf to Township Lane Widening in the amount of \$36,228.73. Seconded by Councilmember Lemley. Motion carried (7-0).

Public Comment

Dennis O'Neil – 109 Talcott Street, addressed the Council regarding the downturn in revenue. He noted that whatever happens with the sales tax topic he hopes it takes the pressure off the Library. O'Neil stated the Library is as important as the Fire Department.

PUBLIC HEARING

Utility Tax Rates Ordinance (2nd Reading)

City Supervisor/Attorney Berg reviewed the second read of the proposed utility tax ordinance that would increase the City's utility tax. He noted a public hearing will be held, even though one is not required. Berg addressed neighboring cities utility tax rates in which Sedro Woolley is the lowest other than the City of Burlington. The proposal is to raise the rate effective July 1, 2012 with 2012 collections to be used to establish a code enforcement fund. After the end of the year the moneys would be budgeted within the 2013 budget according to direction of the Council.

Council discussion ensued regarding the difficulty in enforcement of property clean up, challenges of code enforcement with need for civil action and clarification of 2012 vs. 2013 funding.

Mayor Anderson opened the public hearing at 7:12 P.M.

No comment received.

Mayor Anderson closed the public hearing at 7:13 P.M.

Councilmember Wagoner moved to adopt Ordinance No. 1743-12 An Ordinance Increasing the City's Utility Tax Rates on Sewer, Garbage and Stormwater. Seconded by Councilmember Sandström. Motion carried 5-2, (Councilmembers Loy and Splane opposed).

Possible Adoption by Resolution of the Six-Year Transportation Improvement Program (TIP) 2013 – 2018 (Minor Updates – Late Materials)

Engineer Freiburger reviewed the Six Year TIP process including some formatting changes within the report due to a change in the state software. Freiburger also stated the annual Six-Year TIP requires a public hearing and adoption by Resolution and reviewed the changes in projects either being broken out in separate phases or combining into one project.

Mayor Anderson opened the public hearing at 7:18 P.M.

The public hearing was closed at 7:18 P.M. with no comments received.

Engineer Freiburger entertained Council questions to include Texomat, which is a fabric that goes under the asphalt lift and financial aspects of projects. He noted the TIP was basically a wish list with funding to be identified when grants are applied for.

Councilmember Galbraith moved to adopt Resolution No. 863-12 A Resolution Adopting the Six-Year Transportation Improvement Program for the City of Sedro-Woolley, Washington, 2013-2018. Seconded by Councilmember Storrs.

Councilmember Sandström noted his objection to the Jameson Arterial project. Motion carried 6-1 (Councilmember Sandström opposed).

UNFINISHED BUSINESS

Sales Tax for Public Safety Resolution (2nd Reading)

City Supervisor/Attorney Berg reviewed as a second read a proposal for a sales tax for public safety to be placed on the upcoming November ballot. He noted under state law 1/3 of the funds would need to be used for public safety; however, under the proposed resolution, 100% of the city portion of the revenue generated by the sales tax would be designated for the Police and Fire ERR fund. Berg reviewed the current method of cycling vehicles for replacement. He also noted that under state law 85% of the revenue would go to the City with 15% to the County and election costs have been estimated around \$1,000. Berg also noted that car dealers are exempt from the tax for three years.

Council discussion was held regarding a possibility of County plans for sales tax increase for the purpose of jail funding, funding split and capacity, concern of future jail costs should the City increase prior to any County increase and use of Wapato jail vs. Skagit County jail.

Councilmember Storrs moved to pass Resolution No. 864-12 A Resolution Placing the Question Before the Voters on November 6th of Increasing Sales Tax by .1% for Public Safety Purposes. Seconded by Councilmember Wagoner.

Further discussion ensued regarding the estimated cost savings of interest with not having to purchase vehicles on time.

Motion carried 6-1 (Councilmember Loy opposed).

NEW BUSINESS

Sidewalk Cafes in the Central Business District Ordinance

Planner Moore introduced the topic of Sidewalk Cafes, noting that Rotarian Brock Stiles has previously spoke to the Council on the concept. Moore reviewed the Planning Commission's review which included public hearings and the proposed ordinance specifying rules. He reviewed the intent to allow the use of public sidewalks and/or parking spaces in front of a business in the Central Business District as a private outdoor dining area from May 15 – September 25th. Other proposed rules were reviewed as well.

Council discussion ensued regarding spacing, number of parking spaces affected, level of interest, parking concerns, semi permanent structures, trial basis and limitations to dining only.

Brock Stiles – Sedro Woolley Rotarian who is heading the project gave a presentation on Sedro Woolley Dine Outs for Business development. The presentation showed examples of different sidewalk cafes, some in California and some in Park City, Utah. He noted that Coconut Kenny's and Tony's BBQ have both expressed interest. The Sedro Woolley Rotary Club is providing the decking with the restaurant being responsible for the railings at their own expense. The proposal is supported as well by the Chamber of Commerce. Stiles encouraged the Council to support the ordinance.

Further discussion ensued regarding limitations of hours, hours of operation, liquor control board requirements, trial basis and Rotary's involvement with the building of decking.

Pola Kelley – representing the Chamber of Commerce addressed the Council and stated that outside dining is an attractive choice for people and brings vitality to the town. She supports the proposal at least on a trial basis and spoke of the opportunity to try something new. She encouraged the Council to at least give it a try.

Elizabeth Fernando – addressed the Council regarding two tables that she has in front of her business. Fernando gave an report on the recent Blast from the Past event noting it was a good event, with happy vendors and lots of people and activities.

Becky Taft – spoke of her experiences with outdoor dining both in Germany and Park City, Utah. Taft encouraged giving a full season in order to try. She spoke of the choices made by employees at lunch time by where they can sit outside and eat.

Dennis O'Neil – addressed the Council regarding the narrow streets on Metcalf and expressed safety concerns.

Mayor Anderson noted this was a first read with action to be taken at the next meeting.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Police Lt. Tucker – spoke of their ongoing drug enforcement with another vehicle seized.

Fire Chief Klinger – announced the upcoming Fireman’s Competition and said they would like to see some Councilmember’s at the event.

Planner Moore – reported the Planning Commission has been very busy. Next week the Planning Commission will start considering rules and zoning for businesses with medical marijuana. Moore noted that currently there is a moratorium on any requests which will be expiring and it is expected a request for an extension of the moratorium will again come before Council.

Engineer Freiberger – reported they are close to advertizing for the Metcalf Street Overlay Project. In doing the project, consideration has been given to revising the angle parking on Metcalf. Freiberger reviewed the number of spaces, angle and width of street as it currently stands. He also reviewed the proposed changes to include some loss of spaces. Also discussed were the ADA ramps and cross walks on State Street.

Discussion ensued regarding number of lost spaces, not allowing oversize vehicle parking, cross walks and bulb outs. The Council consensus is to leave the parking spaces as is.

Engineer Freiberger noted they will be posting the project on the city website and will deliver letters to all business regarding the project. The work is schedule to take place in late August/early September. He stated that we have received the federal funds obligation on the Cook Road Realignment Project so the contract for the topo work with David Evans and Associates has been cancelled as the work will now be part of the project. Freiberger stated he has arranged for a tour to view the BP roundabout project up in Ferndale on July 5th from 9-5. He will be arranging bus transportation and requested confirmation of those wanting to attend in order to publish any special meeting notices should it be required. He did note the roundabout to be looked at has been designed as a commercial roundabout. Councilmember’s Splane, Storrs and Wagoner will attend the tour. Freiberger also reported that the County has signed the Brickyard Creek Interlocal Agreement.

City Supervisor/Attorney Berg – reported on a recent meeting with the Director of Enterprise Services as a follow up regarding the concerns with the Northern State Campus center. He noted it was a positive meeting. Berg also reported that he and Councilmember Wagoner will be attending the first meeting regarding the jail and will report back at the next Council meeting. Berg pointed out the opening brief regarding the Swett litigation at each Councilmember’s seat.

City Supervisor/Attorney Berg stated that it was mentioned in the meeting with Enterprise Services that a celebration of the 100 year anniversary of the site will be held later in the year.

Pola Kelley – stated she attended a state wide Mainstreet program in Chelan and there was a strong interest in preserving the Northern State buildings. She noted that Cascade Job Corps already has plans in the works for a historical celebration.

Finance Director Nelson – pointed out the annual report on impact fees included in the Council packet.

Councilmember Sandström – thanked the Police Department for their continued efforts in the drug arrests.

Mayor Anderson – reported that the Wastewater Treatment Plant has received another award for outstanding service.

The meeting adjourned at 8:50 P.M.