
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
October 10, 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, Public Works Director Freiberger, Acting Planning Director Coleman, Fire Chief Klinger and Police Chief Wood.

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

Pledge of Allegiance

Consent Calendar

- Approval of Agenda
- Minutes from Previous Meeting
- Finance
 - Claim Checks #75327 to #75406 in the amount of \$88,922.12
 - Payroll Checks #54047 to #54155 in the amount of \$252,834.61
- Interlocal Public Safety Technology Service Agreement with Skagit County (SPSS)

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

Public Comment

Terry Roberts – 23786 Cove Road (Janicki Cove), addressed the Council regarding City owned property located next to Riverfront Park. He showed pictures of the mess and property being destroyed by kids. Roberts requested something to be done to clean up the property.

Mayor Anderson noted that the issue has been ongoing and Council will take it under advisement and have the Parks board look at it.

Elizabeth Fernando – 805B Metcalf, addressed the Council regarding the downtown paving project, the impact on the businesses and loss of sales tax revenue. She stated downtown customers are confused as to how to get to the stores. She also noted the project has been done in a patchwork method over a three week period.

UNFINISHED BUSINESS

CUP-1-11/Swett, Closed Record Appeal of HEX

City Supervisor/Attorney Berg reviewed the closed record findings of CUP-1-11. He noted the hearing was reviewed to capture the thought process of the Council. Berg also stated the appearance of fairness doctrine still applies and questioned the Council if anything had changed since the last hearing. Councilmember's gave no indication of any changes since the last meeting.

Councilmember Loy stated he had one residual concern regarding the judge's decision which points out the City engaged in unlawful procedure and failed to follow the process and shifting the burden of proof. He expressed concern that nobody seemed to be concerned on the procedures and questioned what can the public expect from the procedure?

City Supervisor/Attorney Berg noted that the judge's statements were taken to heart and the process was ran differently the second time. He also noted that in the future, modifications to the code will be brought to Council that will better allow participation in the future.

Discussion ensued regarding the Finding of Fact capturing the Council statement, confusion with testimony and being limited to what is in the record.

Councilmember Wagoner moved that after discussion and any modification requested by the Council, to adopt the findings and conclusions and order in the remand of the appeals of CUP-1-11. Seconded by Councilmember Splane. Motion carried (6-1 Councilmember Loy opposed).

NEW BUSINESS

Ordinance – Business License Title Update

City Supervisor/Attorney Berg reviewed the proposed Business License Title Update noting that when Title 5 was updated there was no cross reference to Title 18. But Title 18 does reference Title 5. This was brought to the cities attention by the Code Reviser who pointed out that a person might misinterpret the enforcement provisions. Berg noted this was a housekeeping manner and could be done without a second read.

Councilmember Galbraith moved to approve Ordinance No. 1753-12 An Ordinance amending SWMC 18.05.010, 18.05.030B.1, 5.24.090, and adding a new Chapter to Title 5 addressing violations. Seconded by Councilmember Wagoner. Motion carried (7-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Police Chief Wood – announced the grand opening of the Skate Park to be held Saturday, October 13th at 2:00 P.M. He also reported the Rotary Club will be having hot dogs, energy drinks and will be giving away \$4000 in protective skating gear.

Fire Chief Klinger – reported on the Governors Office’s extension of the state wide burn ban. He also reported on the upcoming annual Boot to Burn dance and benefit auction to be held at the Community Center on Saturday, October 20th. Proceeds from the event benefit the Northwest Burn Foundation.

Public Works Director Freiburger – presented an update on the progress of the Metcalf Street Paving project which is coming to an end. He also reported on the Swedelius Tree Farm Loop Road that has been completed by the City street crew. He noted the High School students are beginning their work in clean up of the nursery area. The road was made utilizing crushed concrete that came from Cascade Middle School project which saved the City significant funds. Freiburger then reported on the recent TIB Board meeting with the availability of possible additional funding for projects.

City Supervisor/Attorney Berg – addressed Council regarding a late materials item for an amendment to the Interlocal Public Safety Technology Service Agreement. He noted the Interlocal Public Safety Technology Service Agreement was approved under the consent calendar. The amendment allows the City to piggyback on the original agreement with the Spillman Mobile Software for Police. The agreement commits the City to a five year program, the cost of twelve licenses is \$22,000. The funds are budgeted utilizing Police mitigation funds. The purchase would be upfront for the five years and renewal would be revisited at the end of the five years. Berg explained the advantages of the system including voiceless dispatch and interactive mapping and requested Council approval.

Councilmember Storrs moved to approve Amendment to InterLocal Public Safety Technology Service Agreement Between Skagit County and the City of Sedro-Woolley. Seconded by Councilmember Wagoner.

Discussion ensued regarding the parameters of the police mitigation funds and the term of the agreement.

Motion carried (7-0).

Councilmember Sandström – questioned on behalf of a citizen, if there were any precautions being considered with the roundabout and the Edward R. Murrow project.

Discussion ensued regarding no planned improvements (sidewalks) to Garden of Eden Road, aerial view plans being hard to read, traffic patterns and overall corridor improvement projects.

Councilmember Wagoner – thanked the Street Department for the ground asphalt at the football field.

Councilmember Splane – questioned who is paying for the crusher that has been at the Solid Waste department.

It was noted that the School District was charged for bringing in the concrete which offset the cost of the crusher.

Councilmember Loy – congratulated Police Chief Wood and anyone else involved in the Skate Park. He noted the park far exceeds the imagination and will be a great asset to the City.

Dorothy DeFremery – 316 Garden of Eden Road, addressed the Council regarding the map and visual of the proposed Cook Road project. She expressed concern of the possibility of increased traffic on Garden of Eden due to the SR20, Cook road Realignment and Extension Project. DeFremery noted there are no safe walking areas on either side of Garden of Eden Road and also expressed concern with having two roundabouts close together and traffic back ups.

Discussion ensued on traffic patterns and intended traffic patterns with the project.

EXECUTIVE SESSION

The Council adjourned to executive session at 7:54 P.M., for the purpose of Litigation under RCW 42.30.110 1(i) and RCW 42.30.140.4 Collective Bargaining for approximately 30 minutes.

The meeting reconvened at 8:25 P.M.

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

The meeting adjourned at 8:26 P.M.