
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
April 24, 2013 – 7:00 P.M. – Council Chambers

ROLL CALL: Present: Mayor Pro Tem Tom Storrs, Councilmembers: Kevin Loy, Tony Splane, Keith Wagoner, Hugh Galbraith, Rick Lemley and Brett Sandström. Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Public Works Director Freiberger, Planning Director Coleman, Fire Chief Klinger and Police Lt. Tucker.

The Meeting was called to order at 7:00 P.M. by Mayor Pro Tem Storrs.

Pledge of Allegiance

Consent Calendar

- Approval of Agenda
- Minutes from Previous Meeting
- Finance
 - Claim Checks #76589 to #76690 in the amount of \$483,961.88
 - Payroll Checks #55411 to #55515 in the amount of \$197,752.11
- Professional Services Agreement No. 2013-PS-11 for Design Phase Services for the SR9/Lucas to Park Cottage Place Bicycle/Pedestrian Safety Improvements Project – Reichhardt & Ebe Engineering, Inc.

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

Public Comment

No comment received.

UNFINISHED BUSINESS

Skagit County Jail Provisional Agreement

City Supervisor/Attorney Berg introduced an entourage from Skagit County in attendance to include Tim Holloran, Commissioners Dillon and Wesen, Sheriff Reichardt and consultants, Marc Estvold and Susan Musselman.

Berg then reviewed the provisional agreement with specific review of paragraphs 2 and 7. He noted the purpose of the document is to allow for immediate understandings to take place, to allow Mount Vernon and Burlington to remove the 1/10 sales tax from the August ballot and to come together with certain terms, allow the County to move forward

with a 3/10 sales tax on the August ballot and to spell out general framework for a future interlocal. Berg noted tonight is a first read with action requested at the May 8th meeting. He also noted that timing is critical.

City Supervisor/Attorney Berg discussed paragraph 2 which includes some special provisions for Anacortes and Burlington with rebates to offset the disproportionate amount of sales tax they collect. Sedro-Woolley would pay an equivalent amount of 85% of the 1/10 sales tax due to the fact that the voters have already approved the 1/10 sales tax for emergency services. Berg pointed out there are provisions within the document for increases or decreases of sales tax revenue. In exchange, the County agrees to pull the 90 day letter dated April 1st and continue to work towards a definitive agreement.

Berg also addressed provisions included should all parties not be able to come to an agreement and also addressed the finance committee whose purpose will be to oversee the finances without inserting itself into the day to day operations of the jail. The agreement will run for the life of the bonds which is expected to be approximately 25 to 30 years. Berg reviewed terms should the ballot fail as well as a dispute resolution clause.

City Supervisor/Attorney Berg acknowledged there is a lot of work yet to be done but also the timing is now as it needs to go to the ballot in August.

Audience member John Piazza was introduced as being in attendance representing a group who had presented a proposal to the County Commissioners. The proposal has been deemed not viable.

The topic was opened up for Council discussion which included comments of getting the cart before the horse as there is no definite location and no architects rendering.

Berg noted that the plan is to have a jail and build a facility to house 400 beds at opening with room for expansion for up to 800 beds. The cost has been determined from an architect's best estimate and there is currently no site chosen. Berg also noted the need to have faith that the process will work.

Further discussion ensued regarding high priced property and having a court room in new jail.

Tim Holloran, Skagit County Administrator addressed the Council and spoke of the essential public facilities process the County is required to go through whether the site is in the county or city. He noted that early reports indicate that 80% of the expense is in operations and studies have all shown it is best to put it near the Law and Justice campus in downtown Mount Vernon, however they are open to county property. He noted that consultant Marc Estvold has been working with realtors, the County planning department and the Mount Vernon planning department running concurrent tracts, noting that it comes down to dollars. Again, noting the big dollars are in operations, Holloran also

discussed having a contained court house in the jail, running concurrent tracts and keeping options open.

More discussion took place to include lack of plans, what are we getting, the ability to deal with people with drug or mental health problems and the need to figure it out ahead of time.

It was noted that programs will not be part of the interlocal agreement and the model used for financing estimates all include space for programs and staffing for medical needs.

Further discussion ensued regarding the need to provide proper information to the public ahead of time and that cities need to be involved in promoting the vote.

Holloran noted the hiring of a consultant who will be tasked with educating the public. He said there are answers to a lot of the Council's questions but they have not been put out yet. This week is a crucial week to get all City Councils to commit to the plan as the plan needs all Councils to go in because it is designed for all revenues and everyone's prisoners. Holloran then reviewed the concept of a 400 bed facility.

Extended discussion took place on newly proposed DUI changes, County to provide basic education materials, once a ballot issue is established, an outside group will provide the campaigning, having the plan as a possible worksession topic, comparable size of facility to other communities of same populous, pod concept and proposed completion time line (2016).

Holloran noted that the County Commissions plan to adopt a resolution on Monday and are hoping to have all cities on board. City Supervisor/Attorney Berg stated the topic will be on the May 8th agenda for action.

Councilmember Wagoner reminded the Council that time is of the essence and being at a critical juncture.

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

City Supervisor/Attorney Berg stated the May 1st worksession topic will be on the Business Development Committee follow up on impact fee reviews with discussion on sewer rates, sewer connection charges and transportation impact fees.

Police Lt. Tucker – reported on final wrap up of the recent manslaughter investigation and reported on recent undercover drug buys that led to a bust on Sterling Road. He also noted the new patrol car is in service and reported on the sale of several drug seizure vehicles.

Fire Chief Klinger – addressed the need for a second pre owned ambulance. He noted the need came to light in the last month and he has been looking at pre owned vehicles noting they have been very particular in what they have been looking at. City

Supervisor/Attorney Berg reported this has gone before the Public Safety Committee and that funds are available within the fire impact fees. Funds have been in the budget the past couple of years for a replacement but were not included within the 2013 budget. A request has been made to the Public Safety Committee to support authorizing spending the funds to purchase and outfit a used ambulance.

Councilmember Wagoner reported this was one of three items discussed at their Public Safety Committee meeting. The committee recommends a motion to purchase a pre-owned ambulance. Discussion ensued on 6 liter engines. Chief Klinger noted they are looking at a 2001 F450 with a 7.3 liter diesel engine. It has approximately 100,000 miles and 6,900 hours on it. It was owned by a private ambulance company who picked it up from a department with low highway miles. The ambulance company used it as a backup vehicle and has been sitting in their yard for the last couple of years. The vehicle was picked up by H & W Vehicles who we are working with. It appears to be a solid unit. North Cascade Ford will be doing an inspection on the vehicle prior to any purchase.

Some discussion ensued regarding things to be aware of on a vehicle that has been sitting.

Councilmember Wagoner moved to authorize the City to spend up to \$24,000 for an emergency response vehicle. Seconded by Councilmember Sandström. Motion carried (7-0).

Public Works Director Freiberger – reviewed three memos which are late items due to emergency situations. The first item is a request for an Emergency Public Works Agreement 2013-PW-23 with Pump Tech, Inc. of Bellevue, WA. Freiberger described the failure of Rotor #2 at the Waste Water Treatment Plant and the need to hire Pump Tech who will remove the rotor with a crane and use specialized equipment and trained mechanics for removal and repair. The request has a not to exceed limit of \$35,000.

Freiberger also reviewed RCW 39.04.280 which defines the use of emergency procedures. He noted that loss of another rotor would result in non-conformance of our Ecology permit. Freiberger requested Council declare an emergency and authorize the Public Works contract with Pump Tech.

Councilmember Galbraith moved to declare an emergency and to approve Public Works Contract 2013-PW-23 with Pump Tech Inc. of Bellevue, WA on an emergency basis for repair of Rotor #2 at the Wastewater Treatment Plant at a cost not to exceed \$35,000. Seconded by Councilmember Wagoner. Some discussion ensued. Motion carried (7-0).

Public Works Director Freiberger reviewed a request for Emergency Public Works Agreement 2013-PW-24 with Catapult Heavy Construction Inc. of Mount Vernon, WA. He presented background information on a sewer back up problem resulting from contract work being done at 213 N. Murdock St. and requested approval. The request would be under RCW34.280(2).

Councilmember Wagoner moved to declare an emergency and to approve Public Works Contract 2013-PW-24 with Catapult Heavy Construction, Inc. of Mount Vernon, WA on an emergency basis for repair of a sanitary sewer force main at 213 N. Murdock at a cost not to exceed \$5,000. Seconded by Councilmembers Loy and Galbraith. Motion carried (7-0).

Public Works Director Freiburger requested on behalf of the Sewer Department a request for a manual check in the amount of \$1500 to purchase a utility trailer being sold on Craig's List. The City mechanic indicated he could not build a trailer for the cost of a pre-made trailer. Freiburger noted the trailer is in excellent condition, a good deal and the transaction is time sensitive.

Some discussion ensued regarding use of the trailer.

Councilmember Lemley moved to authorize Mayor Anderson, or his representative, to sign a manual check for \$1,500 payable to the current owner, for the purchase of the trailer as seen in the attached photo. Seconded by Councilmember Galbraith. Motion carried (7-0).

Public Works Director Freiburger presented a brief update on the Cook Road project and a potential snag regarding the DOT right of way. He also noted he is currently working on the review of the 90 % plans and is on schedule to go to bid by the end of May providing the right of way issue is resolved.

City Supervisor/Attorney Berg – pointed out the display banners in the foyer. The banners were used at the Schmooze fair. He reported they were met with good reception and thanked those who participated in staffing the City booth. He also referred to a sample of a trifold brochure to help develop business in Sedro-Woolley.

A brief discussion ensued on the Schmooze Fair and Schmooze Cruise.

Finance Director Nelson Patsy – clarified Consent Agenda Item 3D was passed as the revised memo. She also announced the hiring of Serena Mynatt as the new billing clerk who will replace Reta Stephenson upon her retirement. Serena's start date is May 1st.

Councilmember Wagoner – presented a Public Safety Committee report. Councilmember Sandström discussed Governor Inslee's proposed DUI legislation and requested the City send a letter in support of the legislation.

Councilmember Sandström moved to send a letter to the Governor supporting the drunk driving bill to come before the legislature. Seconded by Councilmember Galbraith. Some discussion took place. Motion carried (6-1, Councilmember Loy opposed).

Councilmember Wagoner further reported the Public Safety Committee discussed people driving with suspended licenses. He requested City Supervisor/Attorney Berg review what options Council might have for enforcing.

Councilmember Lemley – thanked everyone for their expression of concern during his recent surgery and stated everything went well. Lemley also noted his Council term is up at the end of the year and after holding the position for 14 years, at this time he does not anticipate running for another term.

Mayor Pro-Tem Storrs noted a recent article in the Skagit Valley Herald listing the positions that are up for election and that mid-May is the filing period.

Councilmember Sandström – noted he has been going to the skate park on the nice days and that the kids are hoping a grand reopening and skate fest will be held.

Councilmember Lemley noted that incoming Rotary President Becky Elde is interested as her community project to build restrooms at the skate park.

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

The meeting adjourned at 8:18 P.M.