
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
June 26, 2013 – 7:00 P.M. – 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, 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 Anderson.

Pledge of Allegiance

Mayor Anderson announced an amended agenda to include the addition of Item 7 – Skagit County Jail Agreement.

Consent Calendar

- Approval of Agenda
- Minutes from Previous Meeting
- Finance
 - Claim Checks #77011 to #77115 in the amount of \$257,878.38
 - Payroll Checks #55845 to #55958 in the amount of \$198,917.60
- PSE Intolight Authorization Letters for Approval

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

Special Presentation – Bill Storie – Police Officer – Retirement

Mayor Anderson presented Officer Bill Storie with a plaque in honor of his retirement and his 24 years of service. Officer Storie received a round of applause from the Council and those in attendance.

Public Comment

Shannon Tolbert – founder and owner of Skagit Valley Roller Derby stated she addressed the Council at the June 12th meeting requesting help from the City to keep Skagit Valley Roller Derby here in Sedro-Woolley. She then addressed the Council regarding her frustration of the permit process and valuation of fees being assessed. Tolbert detailed the fees quoted and noted she has requested to have the building department reevaluate the permit fees based on a more realistic project costs using the total value of work to be proven by estimates. She believes this is allowed under the IBC Code Section 109.3. She stated the response she received was “the applicant does not get to choose how the

building official determines the fees”. She also expressed frustration that the person who determines the fees is only available after 5:00 P.M. and requested of Council to 1). Calculate permit fees based on more realistic project costs and 2). Be allowed to host events at their location with temporary restrooms while the permanent ones are being built. This would allow roller derby and the revenues that it will generate to stay in Sedro-Woolley.

City Supervisor/Attorney Berg spoke on how building fees are calculated and stated he had not had time to review the ICB code referenced by Tolbert. He also addressed a Planning Committee meeting which reviewed the request of paying for the sewer connection fees over time. Berg referenced Article 8 Section 10 of the Constitution which was amended in 1997 to allow limited extension of public credit and RCW 35.67.030 which allows stormwater and sewer payments over time for the limited purpose of conservation and more efficient use. It is not allowed for new construction or expanded uses.

A lengthy Council discussion ensued regarding definition of arena, goal of planning to be a self-sufficient entity, consistency plan for all projects, ramifications for use of temporary restrooms, time period, state building code impact on city fees and the use of an older model to better suit the community.

Councilmember Galbraith expressed frustration of wanting to accommodate the business and needing to find a way. City Supervisor/Attorney Berg noted it was not possible with the sewer fees; however, there may be something that can be done as a temporary event concept.

Further discussion ensued regarding estimate of lost income, potential of events every weekend, next closest facility being in Bellingham, timing of restroom build and the disagreement in way of valuation of the project.

It was recommended for Tolbert to set up an appointment with the Building Official directly to review in person and to clarify the determination.

UNFINISHED BUSINESS

Ordinance – Revisions to SWMC 15.04, Local Amendments to Adopted State Building Codes

Planning Director Coleman reviewed as a second read the proposed Ordinance that would acknowledge the State adoption of the 2012 building codes and enact certain local amendments.

Councilmember Wagoner moved to adopt Ordinance No. 1776-13 to revise Chapter 15.04 SWMC to reflect State adoption of 2012 building codes and enact certain local amendments. Seconded by Councilmember Storrs. Motion carried (6-1, Councilmember Splane opposed).

Skagit County Jail Agreement

City Supervisor/Attorney Berg reviewed a draft Jail Facility Use Agreement as a first read and apologized for the late materials. Berg reported the group has been having highly productive meetings that have been focused on a common goal. He reviewed the overall concept of the agreement and sales tax measure as well as a detailed review of the draft Jail Facility Use Agreement.

Council discussion ensued regarding the time frame of having the agreement approved and ballot wording for the August ballot.

Mayor Anderson commended the work of City Supervisor/Attorney Berg's involvement with the document.

NEW BUSINESS

SR9 Pedestrian Bicycle Safety Improvement Project – Bid Award Contract Approval

Public Works Director Freiburger reviewed the bid process for the SR9 Pedestrian/Bicycle Safety Improvements Project Bids which closed on June 25, 2013 with six bids received. Freiburger reviewed schedules A, B & C and noted the project came in just over the engineer's estimate. He recommended Council award the project to Faber Construction Corp of Lynden, Wa in the amount of \$661,226.87.

Councilmember Galbraith moved to approve Resolution No. 883-13 awarding the SR9 Pedestrian/Bicycle Safety Improvements Projects Contract 2013-PW-02 with Faber Construction Corp, of Lynden, WA in the amount of \$661,226.87 including sales tax. Seconded by Councilmember Splane. Motion carried (7-0).

SR20/Cook Road Realignment & Extension Project – Bid Award/Contract Approval

Public Works Director Freiburger reviewed the recommendation to Council for the approval of the contract award for the SR20/Cook Road Realignment and Extension Project to Strider Construction Co. Inc. in the amount of \$3,336,810.70. Freiburger reviewed project funding noting having just received additional funding from TIB which will allow for construction of Schedule B.

City Supervisor/Attorney Berg commented on Public Works Director Freiburger's involvement in securing the additional funding from TIB. He noted the additional funding is a tremendous value.

Mayor Anderson commented on the funding of the project and how the city has leveraged its money and the importance of having impact fee funding in order to obtain the type of grants we have been able to secure.

Councilmember Wagoner moved to approve Resolution No. 884-13 awarding the SR20/Cook Road Realignment and Extension Project Contract 2013-PPW-01 with Strider Construction Inc. of Bellingham, WA for the Base Bid plus Schedules A and B in the amount of \$3,336,810.70 including sales tax. Seconded by Councilmember Galbraith.

Discussion was held regarding drainage, staging of project and construction hours.

Motion carried (6-1, Councilmember Splane opposed).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Police Lt. Tucker – reported they have made contacts with juveniles at the Skate Park and Hammer Heritage. He noted they have issued approximately six tickets and seized several bikes and skateboards. Tucker noted there still is a lot of kids hanging about. He also reported on a spike in burglaries and car prowls within the last week and are actively chasing leads.

Fire Chief Klinger – reported that the confined space course will be finishing up tomorrow with the final being held at the Sewer Treatment Plant. He also reported they are gearing up for the 4th of July and will be having fire trucks in both the Kiddies parade and the grand parade.

Councilmember Splane questioned plans for the Seagrave to be placed in the parade. Chief Klinger stated there has been no request from the Association at this time.

Planning Director Coleman – reported the Planning Commission has been working on regulation to relax parking standards for the core area of the central business district as directed by the Business Development Committee. He also reported contact with the new owner of the burned building on Township St. who has plans to demolish the building.

Public Works Director Freiburger – reported on the PSE utility work which is in preparation for the upcoming project. He noted the current project should be finished by Sunday evening and continuation of setting of poles will take place after July 4th with completion to be August 1st. Freiburger also praised the work of City Engineer David Lee. He was able to do all in-house which was a considerable savings to the city.

Some discussion took place regarding Cascade Natural Gas relocation of regulators.

City Supervisor/Attorney Berg – announced the upcoming birth of a baby for him and his wife, noting that during that time he will not be in the office as much but will be available by phone.

Councilmember Loy – questioned who pays for the relocation of the PSE poles.

City Supervisor/Attorney Berg noted it was at the expense of Puget Sound Energy as part of their franchise agreement with the city as they are located within the city right-of-way.

Public Works Director Freiburger addressed the relocation of the high voltage line and the need to remove one of the fir trees at Harry Osborne Park. Something will be replanted in its place. It was noted the flag pole will also need to be relocated.

Councilmember Loy – stated a flag and pole is needed at Hammer Heritage Square.

Councilmember Wagoner – reported on the Public Safety Committee meeting where discussions were held that the Police Department is stretched thin, the number of code enforcement issues to be addressed and the lack of funding for a full-time officer. The committee is requesting authorization to enter into discussions with the Police Guild for an MOU for a part-time enforcement officer. He also requested authorization that if the talks are successful, to allow the department to test for hires.

Councilmember Wagoner moved to authorize staff to negotiate and execute an MOU with the Sedro-Woolley Public Safety Guild regarding the hiring of a part-time code enforcement officer. Seconded by Councilmember Galbraith.

Discussion ensued regarding funding for the position, immediate and future plans for funding the position and the objective of the position.

Motion carried (7-0)

Councilmember Wagoner moved should the MOU be successful to authorize staff to test and hire a part-time code enforcement officer. Seconded by Councilmember Galbraith.

Councilmember Wagoner amended to read pending approval of guild.

Discussion ensued regarding feelings that it needs to come back to Council. City Supervisor/Attorney Berg reviewed the negation and hiring process as a civil service position.

Motion carried (7-0).

Councilmember Wagoner – thanked Police Lt. Tucker for his inspiration to join in on the beard growing contest.

Councilmember Lemley – announced the arrival of the carnival and encouraged everyone to support the local non-profit food vendors.

Councilmember Sandström – also stated that Loggerodeo is happening and encouraged everyone to check out the beard growing contest Saturday at the Museum.

Fire Chief Klinger – announced the Fireman’s Competition to be located Saturday at the former Rite Aid parking lot.

Councilmember Wagoner moved to adjourn. Seconded by All. Motion carried (7-0).

The meeting adjourned at 8:59 P.M.