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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
October 23, 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, Finance Director Nelson, City Supervisor/Attorney Berg, Public Works Director Freiburger, 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

Consent Calendar

- Approval of Agenda
- Minutes from Previous Meeting
- Finance
  - Claim Checks #77841 to #77943 in the amount of \$1,152,999.55
  - Payroll Checks #56748 to #56854 in the amount of \$186,696.06
- Approval of Contract for Prosecutor Services for 2014 – Canyon Law Office

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

Public Comment

Tina Brown – 1105 Fidalgo Street, addressed Council regarding the number of dogs in her neighborhood running loose as well as dogs running loose throughout town.

## **PUBLIC HEARING**

### Moratorium on Recreational Marijuana Producers and Processors

Planning Director Coleman introduced the topic for restricting site location of recreational marijuana producers and processors within the city. He noted the proposed moratorium would allow the Planning Commission time to review and propose code changes. He noted the timeliness of the topic because within a short time the state will begin to accept and approve licenses.

Discussion regarding inclusion of retail within the moratorium took place as well as a Council debate on Planning Commission involvement in the decision. Further discussion took place regarding interpretation of current zoning for producers and processors and the process of decision making.

Mayor Anderson opened the public hearing at 7:15 P.M.

Council questioned the application process, notification to the City by the State Liquor Control Board and an upcoming rules conference.

No public comment received.

Mayor Anderson closed the public hearing at 7:20 P.M.

Councilmember Wagoner moved to approve Ordinance No. 1779-13 An Ordinance of the City of Sedro-Woolley Adopting an Moratorium on the Siting, Establishment, Location, Permitting, Licensing, Operation or Maintenance of any Structures or Uses Relating to the Cultivation of Recreational Marijuana, Production of Recreational Marijuana or Marijuana-Infused Products and Processing of Recreational Marijuana or Marijuana-Infused Products. Seconded by Councilmember Sandström. Motion carried (5-2, Councilmembers Loy and Splane opposed).

Council consensus was to have the opportunity to provide specific direction prior to Planning Commission proceedings.

## **NEW BUSINESS**

### Interlocal Agreement with the City of Anacortes, City of Burlington, City of Mount Vernon and Skagit County for Functioning of a Skagit County Multiple Agency Response Team (SMART)

City Supervisor/Attorney Berg introduced the proposed Interlocal agreement with neighboring cities for mutual aid which is targeted for larger events. Berg noted there are no associated costs. The agreement is formalizing what is already being done. The topic is a first read and will appear on the consent calendar at the next meeting.

### Possible Resolution – Citizens United v. the Federal Elections Commission

Cookson Beecher – 9641 Simpson Rd., addressed the Council as a community involved member of a non- partisan group in Skagit County regarding a Supreme Court decision known as Citizens United. She presented background information on the Citizens United case, campaign finance history and the proposed constitutional amendment to overrule the Supreme Court’s decision. On behalf of the group she requested Council consider a resolution in support of an amendment to the Constitution.

Council discussion took place regarding free speech, non-partisan status, role of the Council and only one view presented.

Louise Harris – 11115 Sterling Rd., asked the Council if it is fair that corporations are allowed to donate millions of dollars to candidates’ campaigns.

Glenn Bordner – 2910 Iroquois Dr, Mt. Vernon, and former Mt. Vernon City Councilmember spoke on the relevancy to City Councils and buying a candidates vote through shadow votes. He addressed the quote “We the people in order to form a more

perfect union” and spoke of leveling the playing field in needing to know who is contributing to campaigns. He noted that one of the highest honors is to serve in public office.

Council discussion ensued to include the effect of the outcome whether action is taken or not, transparency and opposite viewpoints.

Councilmember Galbraith moved to place on the agenda Citizens United vs. the Federal Elections Commission Resolution. Seconded by Councilmember Wagoner.

Discussion ensued regarding language for the Resolutions to include Unions.

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

### **COMMITTEE REPORTS AND REPORTS FROM OFFICERS**

Police Lt. Tucker – reported on “no smoking” enforcement efforts in the vicinity of the Library and Memorial Park. He also noted the department was following up on leads in regards to a hit and run where a car ran into the Library building. Lt. Tucker also reported that Officer Adams, the new reserve officer has been helping out on duty.

Fire Chief Klinger – reminded Council of the upcoming Boot the Burn fundraiser. He noted tickets are still available. Klinger also announced the Survey Rating Bureau will be on site beginning Monday.

Councilmember Wagoner questioned the status of the collective garden in a residential area.

Planning Director Coleman stated on September 30<sup>th</sup> Superior Court threw out the appeal, therefore the City Council decision to deny the conditional use permit was upheld. Notice was sent with an October 30<sup>th</sup> deadline to return the units back to standard storage.

Public Works Director Freiberger – reported on the opening of the Cook Road round-about. He noted things are running well. He noted Edward R. Murrow Street is complete but waiting for permanent signage. Freiberger reported on the progress of the Washington Street, Bingham Park and Ball and Waldron Street projects.

City Supervisor/Attorney Berg – noted a new item under Committee Reports, “Minor Contract Approved SWMC Code 2.104.060” He noted listing them would allow for better transparency. Berg also reported on meeting with outside counsel regarding the Dike 12 docketing stating the Examiner was trying to determine how much time was needed for Dike 12 to comply with the additional engineering requirements. The next hearing will be sometime in February. Discussion ensued.

Councilmember Loy – reported he was already working on the Skate Board Competition for next year.

Councilmember Sandström noted the Museum has requested it not be scheduled for the same time as the Founder’s Day Shoot Out.

Councilmember Storrs – noted the downtown looks good with the yellow lines.

Councilmember Wagoner – expressed congratulations to Finance Director Nelson and staff for another exceptional audit. He also congratulated Wastewater Treatment Plant Supervisor Debbie Allen for being named the SWAN Women of the Year. He noted that Sedro-Woolley was represented by two women, Allen and Ellen Palmer of the Senior Center.

Councilmember Galbraith. – stated he also appreciated the yellow lines.

Councilmember Lemley – acknowledge Councilmember Wagoner’s letter to the editor which clarified that the City is running on a lean and tight budget.

Councilmember Sandström – questioned the status of the closed section of Fruitdale Road.

City Supervisor/Attorney noted there has been no further action. He noted that calls should be referred to Commissioner Dillon and presented a brief history of the road.

Mayor Anderson – announced the upcoming grand opening for Dwayne Lane’s North Cascade Ford.

Minor Contracts Approved Under SWMC 2.104.060

## **EXECUTIVE SESSION**

The meeting adjourned at 8:50 P.M. for the purpose of Labor Negotiations under RCW 42.30.140(4) for approximately 20 minutes with no decision anticipated.

The meeting reconvened at 9:10 P.M.

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

The meeting adjourned at 9:10 P.M.