
CITY OF SEDRO-WOOLLEY

Regular Meeting of the City Council
December 9, 2015 – 7:00 P.M. – Council Chambers

ROLL CALL: Present: Mayor Mike Anderson; Councilmembers: Germaine Kornegay, Brenda Kinzer, Keith Wagoner (late), Hugh Galbraith, Rick Lemley and Brett Sandström Staff: Recorder Brue, Finance Director Nelson, City Supervisor/Attorney Berg, Director of Public Works Freiburger, Planning Director Coleman, Asst. Fire Chief Olson and Sgt. Harris

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 #182752 to #182831 in the amount of \$560,397.72.
 - Payroll Checks #58756 to #58772 plus EFT's in the amount of \$279,880.57.
- Ordinance 1833-15 – 2015 Budget Amendment #4
- Employment Contract
- Ordinance 1834-15 – 2016 Salary Ordinance
- Biosolids Contract with King County and BPI – Amendment #1
- Professional Services Agreement for Miscellaneous On-Call Professional Services
 - 2016-PS-02 – Skagit Surveyors & Engineers – On-Call Engineering and Surveying
 - 2016-PS-06 Lisser & Associates PLLC – On-Call Survey Services
 - 2016-PS-07 J. Hanson Consulting LLC – Economic Development Coordinator Services
 - 2016-PS-08 Transo Group USA Incorporated – On-Call Transportation Services
 - 2016-PS-09 The Otos Group LLC – On-Call Planning and Development of Parks
 - 2016-PS-10 Scott Thomas, Esq. – On-Call Hearing Examiner
 - 2016-PS-11 Guardian Northwest Title & Escrow – Title and Escrow Professional Services

Councilmember Galbraith moved to approve the consent calendar items A through H. Seconded by Councilmember Kornegay.

Motion carried (5-0).

Councilmember Wagoner arrived.

Public Comment

Dennis O'Neil – 109 Talcott St., addressed the Council with comments on pedestrian safety and cars not stopping or slowing for pedestrians in crosswalks along Metcalf Street. He presented statistics on crosswalk violations and questioned how to enforce the law with no tracking. He encouraged a refocus of efforts for better enforcement.

Ed Bishop – 4950 Ida Dr., spoke on the same issue as addressed by Mr. O'Neil. He noted he was hit in the crosswalk on Metcalf and Woodworth. Bishop requested the Police to address the issue with more vigor.

Phillip Murray – 223 State St. addressed the proposed increase on the water and questioned how the tax would be calculated.

PUBLIC HEARING

Moratorium on Public Uses in the Mixed Commercial Zone (Interim Ordinance #1827-15)

City Supervisor/Attorney Berg presented background information on Ordinance 1827-15 and the process for a public hearing. He noted the purpose of the moratorium is to freeze the field while a study is done. It ensures whatever policy decision is made it will be for that date forward. He clearly stated the topic is about allowed uses within the mixed commercial zone not specifically a Library. Berg also reminded Council of the investment the City has made in the infrastructure along the Hwy 20 corridor and rezone to mixed commercial and addressed allowed uses that do not generate tax or do not pay taxes as the policy question.

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

Dick Nord – 107 S. 3rd St, La Conner and owner of Windermere in Sedro Woolley asked Council to reconsider the ordinance.

Carole Torset – a Sedro-Woolley resident for 35 years, requested the moratorium be lifted.

Chris Silves – board member of Central Skagit Rural Library Board, 23298 Gunderson Road, presented background information and asked the Council to reconsider the ordinance.

Susan Trout – 26347 Burmaster Road, spoke on the direction of the Library Board and supports a collaborative effort.

Elinor Nakis – 6591 Fruitdale Rd. requested a list of property inventory owned by the city not producing taxes. She also requested a current inventory of mixed commercial land and encouraged the City and Skagit Rural Library to work together.

Mindi Cosler 22452 Prairie, presented an update on the facility search and reasons to locate it within the city. She also presented statistics of the Library Board.

Tiffany Danley – 4515 Park Rd., urged Council to reconsider the moratorium.

Melissa Macomber – 417 Spring Ln.. Requested Council drop the moratorium and to continue talks with the Skagit Rural Library.

Linda Allen – 7377 Hayes Ln. spoke of her background in children’s library, combining resources to provide services and revenue issues.

Jim Johnson – 587 Carter St. expressed support of the moratorium and the need for cooperation between the city and rural library.

Sylvia Matterand – 13294 State Rt. 9, expressed favor for the moratorium, collaboration and the value in combining and having one great library.

Wayne Carlson – 14602 Baker Heights Rd. spoke of the opportunity to have a library, logical location of Sedro-Woolley and encouraged a face to face discussion.

Jennifer Silves – 13254 Parkhurst Ln. – expressed concerns regarding access to the Sedro-Woolley. She feels the action is an attack and driving a bigger wedge.

Kim Morgan – 413 Talcott – spoke of those that originally went out and got signatures on the petition and the original intent for the Skagit Rural Library and is in favor of the moratorium.

Mike Macomber – 417 Spring Ln. addressed the moratorium as being directed at the Rural Library Board. He also spoke about libraries in Ferndale and Burlington and their programs.

Shawn Danley – 4515 Park Rd. urged Council to remove the moratorium to allow the district to explore the feasibility within the City.

Lynn Torset – 9419 Soren Rd. – addressed comments made on the moratorium not being related to library actions. He believes the moratorium was a direct impact of the City finding out.

Linda Morgan – 413 Talcott St. encouraged the moratorium to stay in place. She noted she was one of the original people who obtained signatures with the intent for two libraries to join together.

Dennis O’Neil – 109 Talcott – spoke of the United General and Skagit Valley Hospital affiliation and was in favor of the moratorium for the group to work something out.

Mayor Anderson closed the public hearing at 8:05:30 P.M.

Council discussion was held regarding the Central Skagit Rural Partial County Library District time line, ongoing talks with the City, progress benchmarks within the moratorium, separated issues and mixed commercial area.

Councilmember Wagoner separately addressed the issues of mixed commercial properties and the Rural Library. He spoke of exempt taxing districts and the need to provide services. Wagoner then addressed the Library issue, noting that everyone is here for the common good. He encouraged leaving the moratorium in order to work on a solution.

Councilmember Galbraith commented on the value of the both entities and taking time with the moratorium would allow time to come together.

Councilmember Galbraith moved to approve Ordinance No. 1835-15 An Ordinance Adopting Findings of Fact Ratifying, Confirming and Continuing Ordinance 1827-15 Adopted October 28, 2015 Proclaiming an Emergency and Placing A Moratorium on the Processing or Accepting of Applications for Permits or Licensing and Establishment for any Building or Land Use Activity Involving Public Uses in the Mixed Commercial Zone. Seconded by Councilmember Wagoner. Motion carried (6-0).

UNFINISHED BUSINESS

Proposed Comprehensive Plan Amendment and Subarea Plan for the Center for Innovation and Technology

Jana Hanson reviewed the staff report outlining the process and coordination of the sub area plan. She noted the policy document directs reuse and redevelopment of the area for the next 20 plus years.

Councilmember Wagoner moved to approve Ordinance No. 1836-15 Adopting the Center for Innovation and Technology Subarea Plan and amending the Sedro-Woolley Comprehensive Plan. Seconded by Councilmember Galbraith. Motion carried (6-0).

Planned Action Ordinance and Mitigation Decision Document, Attachment A for the Center for Innovation and Technology

Jana Hanson reviewed the proposed ordinance that describes the vision described in the subarea plan. This document is used for future development.

Councilmember Wagoner moved to approve Ordinance No. 1837-15 adopting the Planned Action Ordinance and Mitigation Decision Document, Attachment A for the Center for Innovation and Technology. Seconded by Councilmember Kornegay. Motion carried (6-0).

Proposed Amendments to Chapter 17.32 SWMC, Public Zone

Jana Hanson reviewed the proposed ordinance noting it is to reflect the planned action ordinance. The document provides structure for projects.

Councilmember Wagoner moved to approve Ordinance No. 1838-15 approving amendments to Chapter 17.32 Sedro-Woolley Municipal Code. Seconded by Councilmember Sandström. Motion carried (6-0).

Preliminary Approval of the Plat of Sauk Mountain View Estates North V – A Planned Residential Development (File #LP-2014-094)

Planning Director Coleman lead the second read on a 28 Unit Plat that was discussed at the last meeting.

Councilmember Wagoner moved to approve Resolution No. 930-15 A Resolution Granting Preliminary Approval for the “Plat of Sauk Mountain View Estates North Phase V – A Planned Residential Development,” A 28-Lot Subdivision and Authorizing the Mayor and his Designee(s) to Sign all Preliminary Plat Approval Documents. Seconded by Councilmember Galbraith. Motion carried (6-0).

Utility Tax on Water

City Supervisor/Attorney Berg addressed the recent split 3/3 vote at the previous meeting regarding the Utility Tax on Water. He noted the tie vote is deemed tabled until the tie can be broken. He noted the absence of Councilmember Loy and requested Council direction as to whether to vote tonight or to bring it to another Council meeting after the first of the year.

City Supervisor/Attorney Berg reviewed the history of the tax with some discussion on the use of funds.

Councilmember Wagoner moved to approve Ordinance No. 1839-15 an Ordinance Amending SWMC 5.06.020 to Increase the City Utility Tax on Domestic Water. Seconded by Councilmember Kornegay. Motion ties (3-3, Councilmembers Kinzer, Galbraith and Sandström opposed).

NEW BUSINESS

Resolution to Not Designate the Skagit River as a Wild Steelhead Gene Bank (Wildcat Steelhead Club)

City Supervisor/Attorney Berg introduced Bill Reinard of the Wildcat Steelhead Club.

Bill Reinard – 12221 Eagle Dr. addressed the Council and also acknowledged Mike Rathvon, President of the Wildcat Steelhead Club in the audience. Reinard presented a historical view regarding endangered species and hatcheries and addressed action to designate the Skagit River to Wild Steelhead Gene Bank Status. He requested Council consider adopting a resolution to not designate the Skagit River as a Wild Steelhead Gene Bank.

Reinard entertained questions from the Council.

Don Collin – 22299 Cully Rd. spoke of the once vibrant fishing industry of the 1960’s and the revenues that were brought in by visitors coming to the Skagit River for fishing.

Councilmember Sandström moved to approve Resolution No. 931-15 Resolution to not Designate the Skagit River as a Wild Steelhead Gene Bank. Seconded by Councilmember Galbraith. Motion carried (6-0).

Animal Code Update Error Correction

City Supervisor/Attorney Berg reviewed the animal code update that was inadvertently left out of the recent major Animal code update. He noted there is currently one case pending where the ordinance would address the issue for the animal.

Councilmember Sandström moved to approve Ordinance No. 1839-15 An Ordinance of the City of Sedro-Woolley Reenacting Sections of the Sedro-Woolley Municipal Code Title 6 Relating to the Keeping of Animals and Animal Treatment within the City. Seconded by Councilmember Lemley. Motion carried (6-0).

COMMITTEE REPORTS AND REPORTS FROM OFFICERS

Police Sgt. Harris – reported Officer Wilson has finished her FTO.

Asst. Fire Chief Olson – reported on completion of the Fire Academy. He also noted the department is prepared for flood fight if necessary. Engine #55-15 was in the Christmas parade and he thanked Glenn Gardner for the awesome job of the lights on the truck.

Planning Director Coleman – reported the new building inspector is doing great and is a great asset to the department. He also announced an upcoming Planning Commission public hearing on the UGA Expansion on December 15th. They will also be introducing the topic for the Rural Library at that same meeting. The County Planning Commission will be holding a meeting on January 5th on the review of our the UGA expansion.

Public Works Director Freiburger – noted he is watching the flood situation closely and reported on sand bag locations. He also updated Council on the status of the Jameson, Cascade Trail and Fruitdale projects.

City Supervisor/Attorney Berg – spoke of the AWC legislative conference on January 28th and 29th and addressed attendance for the Council meeting. He also reminded Council of the upcoming City Luncheon on December 23rd. Berg presented a late materials item regarding the veteran's memorial park at the Northern State Recreational area that Council has previously expressed support.

Councilmember Lemley moved to adopt Resolution No. 932-15 A Resolution of the Sedro-Woolley City Council Supporting the Development of a Veterans Park on the Northern State Recreation Area Property. Councilmember Kinzer seconded. Motion carried (6-0).

City Supervisor/Attorney Berg detailed meetings held with representatives of the Rural Library. He announced the upcoming special meeting to be held Tuesday 15th at 9:00 AM with the City Council and Rural Library Board for further discussion and public comment.

Finance Director Nelson – reported the Finance Department has been busy with preparations for year end and the affordable care act paperwork. She also reported on a Skagit Valley College student working on an internship and helping in the finance department.

Councilmember Kornegay – announced an open house for Community Action.

Councilmember Wagoner – expressed his opinion of Sedro-Woolley having the best parade, best tree and being the best City.

Councilmember Lemley – expressed his appreciation to Councilmember Galbraith and noted what an honor it has been to sit next to him for all the years on the Council.

Councilmember Sandström – commended the Sedro-Woolley Police for recent actions of some vandalism.

Councilmember Kornegay – commented the parade this year was a feel good moment for the City.

EXECUTIVE SESSION

The meeting adjourned to Executive Session on Real Estate at 9:31 P.M. for approximately 15 minutes under RCW 42.30.110. No action is anticipated.

The meeting reconvened at 9:46 P.M.

Councilmember Galbraith moved to adjourn. Seconded by Councilmember Lemley. Motion carried (6-0).

The meeting adjourned at 9:47 P.M.