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CITY OF SEDRO-WOOLLEY  
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Regular Meeting of the City Council  
February 23, 2000 – 7:00 P.M. – Senior Center

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

Pledge of Allegiance

Roll Call

Present: Mayor Dillon, Councilmembers: Meamber, Miller, Tesarik, Lemley, Warner, Grandy and Silves. Staff Members: City Attorney Hayden, City Supervisor Stendal, City Planner Rivera, City Engineer Barnet, Fire Chief Klinger and Police Chief Cooper.

Consent Calendar

- Minutes from Previous Meeting
- Finance
- Claim Vouchers #39586 to #39714 for \$170,144.84
- Payroll Warrants #24177 to #24260 for \$123,218.45

Councilmember Miller moved to approve the consent agenda. Seconded by Councilmember Tesarik. Motion carried.

Items from the Audience

Don Van Etten – 517 Fidalgo St., questioned if the City had any ordinances against the feeding of seagulls and birds within the City limits. Van Etten stated he has neighbors who feed the birds and the birds leave deposits which is a nuisance and requested the Council look into an ordinance.

Mayor Dillon referred this request to the Ordinance Committee.

Mayor Dillon announced the addition of Auction Agreement to the agenda under New Business. She also requested the movement of agenda item Cook Road Reconstruction Project Presentation by Skagit County Public Works to be held at this time.

Cook Road Reconstruction Project Presentation by Skagit County Public Works

Chal Martin of Skagit County Public Works presented an update on the Cook Road Reconstruction Project. Martin stated the bid opening will be held on March 8, 2000 with the project being awarded a week later and construction scheduled to start on April 3, 2000. Completion of the project is schedule to be August 15, 2000. Martin stated in order to meet this time scheduled the road will be closed. Martin reviewed the official detour routes that will be in place. It is anticipated traffic would be delayed

approximately 3-8 minutes from the original Cook Road Route and problems are anticipated at the location of the shopping center where all traffic comes together.

Martin introduced Steve Flude, Assistant County Engineer to the Council.

Martin fielded questions from Councilmembers which addressed turn lanes at main intersections, traffic lights, illumination, traffic revisions, hours of operation, traffic access and timing of the Francis Road project.

Flude spoke on the upcoming Bidder's conference, project timing and traffic signals.

Supervisor Stendal presented an overview of the history of the project and the County's involvement in taking over the City's portion of this project. Stendal thanked the County representatives for their efforts in taking over this project.

## **PUBLIC HEARINGS**

### Public Hearing and Approval – 1999-2000 Comprehensive Plan & Development Regulation Amendments

Mayor Dillon opened the public hearing.

City Planner Rivera reviewed the Comprehensive Plan and Development Regulation Amendments. Rivera stated for the most part these are minor changes, some due to a computer conversion, which requires reformatting. The Towne Center Park has been added to the *Parks Element* and the addition of the term "overall" to the density (4 units per acre). She stated there are also some changes to the Urban Growth Boundary which came about because of numerous challenges to the County Comp Plan. Some acreage south of the city was dropped and include adjustments to acreage at Northern State area.

The addition of high groundwater was added to the *Land Use Element* as one of the factors that restricts density. Language is also included about overall density explaining why 3-5 units per acre was chosen instead of 4 units per acre.

*Parks and Recreation Element* shows changes that reflect the school property purchased after the Comp Plan was adopted and adds language on the Northern State and Towne Center Park.

*Capital Facilities Element* addresses a new goal or pursuing joint ventures in the provision of infrastructure of commercial and industrial development. Rivera stated this was added in order to help the City obtain grants. Rivera has plans to have a commercial/industrial land use inventory to aid in marketing the City.

The *Transportation Element* addresses a Sub Area Plan which has been added at the request of the City Engineer. Rivera stated Attorney Hayden met with the Planning Commission and language was drafted setting forth goals, means of achievement of goals, map of the plan and compensation and financing.

Rivera reviewed two maps of the Sub Area Plan and stated Attachment 1 is the map recommended by the Planning Commission. Attachment 2 is the City Engineer's revised drawing. Rivera stated it was discovered after the map had gone to Planning Commission that the Urban Growth Boundary hadn't been located in the right spot. Rivera reviewed the UGA.

Rivera requested she be allowed to bring to the City Council at their next meeting the alternative #1 drawing which has been reviewed by the Planning Commission with the necessary adjustments to the Urban Growth Boundary. Rivera stated it was important to remember this is a conceptual plan. She noted as development occurs there will be a working relationship established by the language in the Sub Area Plan between the Engineer and the Planning Commission in which they will look at the developments and where the roads will go on an individual basis.

Rivera addressed the *Economic Development Plan* and its importance in obtaining grants. She stated it is a rough version but should be sufficient to apply for some grants.

Rivera reviewed the Development Regs (zoning code) and recommendations from the Planning Commission and staff. She stated the City has received a number of complaints about industrial lands located next to residential areas and in researching changes she found in 1974 the City had provisions and a buffer area that businesses had to meet when next to a residential area. These included provisions regarding fire and explosions, sound levels, pollution standards and language regarding heat, glare and vibration. She said somewhere over the course of time these provisions were dropped from the zoning code. The Planning Commission was in favor of reconsidering these provisions and have recommended it. Staff recommended it apply to new and expanded businesses but the Planning Commission recommended it apply to new, expanded and existing uses. Rivera cautioned if applied to one industrial area it has to be applied to all.

Rivera then reviewed recommendations in the Development Regs requiring play areas in Subdivisions and PUD's if 10 units or over. Rivera stated the intent of this regulation is to alleviate large developments with no play areas for children.

Councilmember Meamber questioned the recommended provisions for industrial lands located next to residential areas.

Councilmember Warner questioned if the concept of the Sub Area Plan would be the first to develop the first to put the road system in.

Attorney Hayden stated the exact mechanism of how the roads are to be constructed, who's to pay and under what provisions would depend on the type of development. He stated the short answer is if somebody puts a road in, this plan gives the City legal authority to require them to put the road to the end of their property rather than build a cul de sac. But if nobody was going to build, subdivide and put a road in maybe the use was going to be different than that, we couldn't force them to run a road where they weren't developing. He said the problem without this plan is the City can't tell people they can't build cul de sacs and cul de sac lots are more desirable in development.

Rivera commented within the Impact Fee Ordinance there is an avenue for developers to receive credits if they are required to put a road in if the City has a Sub Area Plan. Without a Sub Area Plan no credit could be given.

Mayor Dillon opened the public hearing.

Benny Dickenson – 309 Bennett Street, questioned the noise pollution and curfews. He questioned if the recommended change would equalize the curfew for music.

Rivera stated the recommendation only addresses industrial uses and his concern would need to be addressed as a separate issue by the City Council.

Howard Koozer – 22499 Hwy 20, questioned the north/south road and additional property to the playfield. He stated it looks like the road is going to go down the middle and questioned if the impacts have been considered.

Engineer Barnet stated given the conceptual nature of the plan it is the intent to connect to the north at Prospect Street and connect at the south at Rhodes Road. The actual configuration of the road as it goes through that property on the north/south direction isn't important right now. As an example, if the school goes out there, the school will, as part of their site development accommodate our access road through there. It may not be a straight line or it may move a little bit and could possible take the form of a road similar to what's at Cascade Mall between where Target is and Red Robin. Which is an access road that goes into the mall with a there's a traffic light and people can turn in and then channel out into parking areas. How developer's want to develop it is their choice just as long as in their development scheme they accommodate the road.

Koozer also expressed concern of the street right of way being next to his poultry houses. Koozer stated he has bio security concerns as well as other safety issues and questioned what kind of boundary could be envisioned along there.

Rivera commented of a section in the zoning code that requires a 50 foot buffer when near agriculture resource lands.

Koozer then questioned access with his current easement.

Barnet stated all those issues would need to be discussed and agreed upon as to whatever proposed development went forward. He said it is not the intent of this conceptual plan to come to an agreement on all those issues right now. It would be impossible because of all the different development scenarios. He said the goal of this plan is to get a plan that says as this part of the City develops, it's important to the City to have one north/south road and two east/west roads in some type of configuration. And then let the developers as they come in needing to access some of the back properties, needing to develop their property for maximum economic development, they will know that this is a condition of the development and will come before the City Council with that already a part of their plan rather than them coming to us with a plan and having to go back and redo. Barnet stated the plan is something we are trying to get up front so as that part of town develops we can get fire access, streets, utilities everything in a straight forward grid formation.

Koozer questioned if he could expect when something happens that he would be involved in some way to know what the plans for their connection.

Barnet stated in order to line up on Rhodes Road some type of right of way needs to be accommodated as the road comes down towards Highway 20. Something would have to be done with Koozer's involvement and concurrence to make those things line up. How access issues might develop further north of Koozer's panhandle in relationship to his big piece, if the road was immediately adjacent to his property so you'd have access to the road and it was 30-40 feet away he would not have access to the road. Barnet said those would be decision making issues Koozer would have to decide but until we actually see someone out there wanting to develop we don't know what the impacts will be.

Councilmember Lemley questioned Koozer's property line in conjunction with the roadway.

Koozer stated his road access was inside his property line, but his buildings are 35' from the property line.

Mayor Dillon stressed the proposed plan is a conceptual plan.

Hayden stated there are a lot of different options and until someone says they want to build or develop property it can't be said where roads would occur and it could be that Rhodes Road would be aligned in someone's plan.

Rivera commented since she has to bring back a revised map she would research and present information on the ag land buffer in question to the next Council meeting.

Nancy Paine-Donovan – 334 Sapp Road, questioned if the redrawn map for the Sub Area Plan would be approved by the Planning Commission or was it just going to come back to the City Council.

Rivera stated it would only be brought to City Council but a copy could be mailed to the Planning Commission.

Mayor Dillon closed the public hearing.

Councilmember Meamber stepped down at this time due to a conflict of interest.

Rivera noted to the Council when approving the amendments, their action is only approval of the recommendations. The actual changes would not come back for 90 days due to the required SEPA review and a 60 day review period by the State.

Mayor Dillon requested to handle the topic in two separate motions. One being the change of the comprehensive plan, the boundaries, the provisions requiring the density and the high groundwater and as a separate motion, the Transportation Sub Area Plan for Cook and Trail Road.

Councilmember Miller moved to accept the recommendations for the Comprehensive Plan and Development Regulations amended by the Planning Commission and City staff with the exclusion of the Transportation Sub Area policy. Seconded by Councilmember Tesarik. Motion carried.

It was the consensus of the Council to postpone voting on the Transportation Sub Area policy until the corrected map is brought back before the Council.

## **OLD BUSINESS**

### Award of Bid for the Construction of Trail Road Street Improvements to Snelson Companies, Inc.

Engineer Barnet requested Council award the Trail Road Street Improvement Bid to Snelson Companies, Inc. in the amount of \$756,527.70. Barnet reviewed the project and stated there were 18 responsible bidders for this project with Snelson Companies, Inc. being the low bidder. Barnet stated the contractor has requested a delay in the start of the project and is currently working on a new schedule. Barnet said the ending date would still be in August, 2000.

Councilmember Tesarik moved to award the contract of the Trail Road Street Improvements to Snelson Companies, Inc. of Sedro-Woolley, WA in the amount of \$756,527.70 plus tax and direct the Mayor to sign the contract. Councilman Miller seconded. Motion carried.

## **NEW BUSINESS**

### Cook Road Reconstruction Project Presentation by Skagit County Public Works

See Above

### Intersection Modifications for the SR-20/Trail Road Intersection

Engineer Barnet reported on the recent installation of the C-Curbing that was placed at the intersection of Hwy 20 and Trail Road as part of the overlay by the Department Of Transportation (DOT). The placement of the C-Curb has caused safety issues for emergency vehicle access through the intersection. Barnet passed photos showing these concerns. Barnet reported on a meeting held on-site with the DOT who stated they are willing to remove the C-Curb only if the closest access to the Texaco station is closed.

Police Chief Cooper presented an overview of the problem with the difficulty of emergency vehicles getting through the intersection when vehicles are pulling over trying to give them access. Cooper supported closing the closest access to the Texaco Station because of safety issues. Fire Chief Klinger concurred.

Councilmember Meamber moved that the City Council directs the Engineering Department to work with the Washington State Department of Transportation to remove the newly placed C-Curb on the eastbound leg of SR 20 at the Trail Road Intersection. Seconded by Councilmember Miller. Motion carried.

### Auction Agreement

Supervisor Stendal reported on the upcoming Surplus sale of outdated items. Stendal stated Burlington will be joining us on this sale which is a benefit to the City. The auction is set for April 15, 2000 in the old fire truck bays located at City Hall. Stendal reviewed a proposed agreement for Herb Hancock Auctioneers. He stated an Ordinance will be brought to the next Council meeting that will list all items to be auctioned.

Councilmember Grandy moved to authorize the Mayor to sign the contract with Herb Hancock Auction Company to surplus the City of Sedro-Woolley and the City of Burlington surplus items. Councilmember Lemley seconded. Motion carried.

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

Councilmember Warner – expressed his views on the Economic Development Plan and cautioned the City to be prudent in attracting companies that will be a benefit to Sedro-Woolley. Warner suggested the formation of a committee to solicit economic development.

Councilmember Miller – thanked the City for filling the pothole at John Liner Road.

Planner Rivera – stated she would be preparing a letter of intent for a grant for some of the athletic activities in the City which will be for a variety of recreational uses.

Fire Chief Klinger – stated the Thermal Imaging System topic may be delayed until April due to the number of companies that now market the systems.

**EXECUTIVE SESSION**

The meeting adjourned to executive session at 8:20 P.M. for the purpose of personnel and contract negotiations with a possible decision.

The meeting reconvened at 8:53 P.M.

Contact Negotiations

Councilmember Silves moved to enter into a memorandum of agreement with Fire District #8 to run from January 1, 2000 to March 31, 2000. Seconded by Councilmember Miller. Motion carried.

Adjournment

Councilmember Miller moved to adjourn. Seconded by all. The meeting adjourned at 8:54 P.M.

ATTEST:

APPROVED:

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