

**SULTAN CITY COUNCIL**  
**AGENDA ITEM COVER SHEET**

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ITEM NO: Consent C 1

DATE: February 22, 2007

SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, City Clerk

SUMMARY: Attached are the minutes of the February 8, 2007 regular Council meeting as on file in the office of the City Clerk.

RECOMMENDED ACTION: Approve as submitted.

MOTION: Move to accept the consent agenda as presented.

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COUNCIL ACTION:

DATE:

**CITY OF SULTAN COUNCIL MEETING – February 8, 2007**

The regular meeting of the Sultan City Council was called to order in the Sultan Community Center by Mayor Tolson. Councilmembers present: Champeaux, Wiediger, Slawson, Seehuus, Flower, Blair and Boyd.

**CHANGES/ADDITIONS TO THE AGENDA:**

Executive Session for potential litigation

Consent: Move Jones and Stokes contract and Shockey Brent contract to action items.

**PRESENTATION:**

Judge Clough swore in the new Police Officer Liz Faith. Chief Walser provided a brief background on Officer Faith's training.

**COMMENTS FROM THE PUBLIC**

Ron Faver: Asked if is normal for the City to get a cash donation of \$30-40,000? Asked when the last time the City received large cash donations was. There is a rumor that the City is trying to get rid of the police. Does not feel it is a good idea and is short sighted and there would be political backlash.

Tracy Hoenstine: Advised that she is working with Chief Walser to start block watches in the city. and is very optimistic that they will work.

Loretta Storm: Thanked the Council for moving the Jones and Stokes contract to action.

Ron Kraut: Requested an answer to his question on the appeal meetings – when will they occur?

**COUNCILMEMBERS COMMENTS:**

Boyd: Advised that his intent is to look at the numbers to compare costs for police services to determine if he should support or not support retaining the police department. They are not making any decisions but it is prudent to look at financial issues constantly.

Blair: Thanked Ms. Hoenstine for heading up the block watch program. Advised that she would like clarification on the meeting and closed record hearing as the code is not clear on the process. Advised that thank you cards will be going out to those who helped during the flood.

Flower: Thank Ms. Hoenstine for her work on the block watch program. Thanked Mr. Faver for his comments and reminded everyone that there will be an election this year for those interested in serving. The Councilmembers are part time and they must make major decisions and rely on staff to provide the information.

Seehuus: Appreciates the comments made by citizens. Strongly supports the police department and noted that according to the Seattle Times, several cities are experiencing a shortage of police officers.

Wiediger: Thanked Ms. Hoenstine for her work on the block watch program.

Champeaux: Advised Ms. Hoenstine that he would like to meet with her and get involved in block watch. The Council is only looking at numbers for the police department and the process always creates a backlash. The council looks at cost for services provided by other departments and there is no citizen comment. It is good policy to look at all options for providing service.

## **CITY OF SULTAN COUNCIL MEETING – February 8, 2007**

**Mayor Tolson:** The City hired a consultant to help with the comprehensive plan and there were some developers that offered to help pay the bill for services. The issue of the donations will be brought back to the Council. Announced that on March 15, 2007 there will be a town meeting at the Middle School to discuss police services and the costs.

### **CONSENT AGENDA:**

The following items are incorporated into the consent and approved by a single motion of the Council. On a motion by Councilmember Champeaux, seconded by Councilmember Boyd, the consent agenda was approved as amended. Champeaux – aye; Wiediger – aye; Slawson – nay; Seehuus - aye; Flower – aye; Blair – aye, abstained on the minutes, Boyd – aye.

- 1) Minutes of the January 18, 2007 regular Council meeting as on file in the Office of the City Clerk.
- 2) Minutes of the January 25, 2007 regular Council meeting as on file in the Office of the City Clerk.
- 3) Vouchers in the amount of \$370,354.50 and payroll through \$42,009.60 were approved to be paid and drawn on the proper accounts.
- 4) Authorization for the Mayor to sign a contract with Northwest Small Cities Services in an amount not to exceed \$1,000 for Council retreat facilitation.
- 5) Designation of Laura Koenig as the authorized representative for the FEMA flood damage claim.
- 6) Authorization for the Mayor to sign the Department of Natural Resources permit application for the 2007 blow down salvage and thinning sale in the Water Shed.
- 7) Approval of the Public Works committee's recommendation for relief from excess water charges due to water leaks. Report is on file in the Office of the City Clerk.
- 8) Authorization for the Mayor to sign the Interlocal Agreement with the City of Everett for Police training.

**Executive Session:** On a motion by Councilmember Champeaux, seconded by Councilmember Boyd, the Council adjourned to executive session for twenty minutes to discuss potential litigation. All ayes.

### **ACTION ITEMS:**

#### **Resolution 07-02 Twin Rivers PUD:**

Rick Cisar briefly discussed the closed record hearing on the project. Two resolutions have been prepared, one to accept the Hearing Examiner recommendation and the other to reject the Hearing Examiner recommendation and accept some findings and make some changes and approve the PUD and Shoreline.

Councilmember Boyd moved to adopt Resolution 07-02A, seconded by Councilmember Flower. Councilmember Champeaux moved to amend the motion to waive the Level of Service and direct staff to prepare an amended resolution for action at the next meeting, seconded by Councilmember Slawson. On the amended motion, all ayes.

#### **Resolution 07-01 Vodnick Lane:**

Rick Cisar briefly reviewed the two resolutions drafted for the development - one accepts the Hearing Examiner recommendation and the other accepts the recommendation with revised findings. Discussion was held regarding the level of service for police and the inconsistent recommendations from the Hearing Examiner in regards to transit access.

## **CITY OF SULTAN COUNCIL MEETING – February 8, 2007**

**Vodnick Lane:** On a motion by Councilmember Blair, seconded by Councilmember Slawson, staff was directed to revise Resolution 07-01B for final action at the next Council meeting. All ayes, except Councilmember Flower who voted nay.

**Sewer Membrane System RFP:** Staff presented a draft of the RFP for a sewer membrane system prepared by Brown and Caldwell. The time line proposed would provide for the RFP to be advertised in February with a bid opening in March and contract award in April. The selection of a MBR supplier is a prerequisite to starting the WWTP upgrade design as each supplier has a different system layout and design features. Staff has looked at four membrane systems and they will be requested to submit RFP.

On a motion by Councilmember Boyd, seconded by Councilmember Flower, staff was authorized to proceed with the advertisement for the Membrane System RFP. All ayes.

**Jones and Stokes Contract:** Rick Cisar reviewed the letters received from the Corp of Engineers requiring completion of the LID 97-1 project.

Councilmember Blair moved to authorize the Mayor to sign the contract with Jones & Stokes, seconded by Councilmember Champeaux.

Discussion was held regarding the fact that the area has grown back to its natural state and the City has been unable to obtain the necessary easements. The city needs to meet with the Corp of Engineers to discuss the options and determine the mitigation that will occur. Staff was directed to meet with the Corp of Engineers and bring back a proposal to the Council.

The original motion and second were withdrawn.

Councilmember Champeaux moved to pay Jones & Stokes for services received only, seconded by Councilmember Slawson. All ayes.

### **Shockey Brent Contract:**

Rick Cisar reviewed the work on the Comprehensive Plan that will be completed by Shockey Brent to include the transportation plan update and the formation of a surface water utility.

Councilmember Flower advised that gifts over \$500 must be approved by the Council and he understands that the donation of money for the comprehensive plan update was not accepted by the Council. Mayor Tolson advised that staff will be bringing the matter to the Council for approval and that the City has received \$30,000 in donations.

On a motion by Councilmember Flower, seconded by Councilmember Seehuus, the Mayor was authorized to sign the amended contract with Shockey Brent to include the Transportation Plan Update and Storm Water Utility program in the amount of \$33,500. All ayes.

### **PUBLIC COMMENTS**

**Gerry Gibson:** Was confused on the resolution for Vodnick Lane. He understands the waiver of level of service for police but does not understand how they can pass the resolution on the other issue when the Hearing Examiner made a mistake.

**Tracy Honestein:** Gave her e-mail address to those who want to be involved in block watch and advised that she is in the process of doing research on other programs and working with the Police to develop a program.

**Ron Faver:** Asked when they can ask questions about the \$30,000 given to the city. It is like the elephant in the room and he doesn't understand why they are not upset when they have been accused of taking a bribe.

## **CITY OF SULTAN COUNCIL MEETING – February 8, 2007**

Kerry Ourada: The Council is only interested in approving all PUDs even if the citizens in the area don't want the project. The City has major reputation with developers and to accept \$30,000 and say it won't effect decisions by council is not true. It looks like bribery.

Josie Fallgatter: Supports the police and looking at the costs for police service. The Council should look at all scopes of work and look to see if developers are paying for the costs of services. Asked if a final decision was made on Vodnick Lane and Twin Rivers PUD? (City Attorney advised that they will be brought back for final action at the next Council meeting.) Prior decisions were used in the Vodnick Land and Twin Rivers determinations. The location criteria is clear on PUD's s they are allowed everywhere but there are other clear requirements that have not been met. It is not safe to walk to the park and ride on US 2.

Loretta Storm: The Council should look at the total costs for police services and consider the cost of the existing officers. In regards to the mitigation for LID 97-1, the issue is not about the blackberries but the blatant disregard for the rules during the construction.

**Stop the Clock**: Councilmember Seehuus moved to stop the clock, seconded by Council member Blair. Nay – Boyd, Champeaux; Slawson – abstained; Blair, Flower, Seehuus, Wiediger – ayes.

### **COUNCIL COMMENTS**

Chapeaux: The Council does not always go against the Hearing Examiner on plats. The Council had a moratorium on PUDs for six months to change the lot sizes. He would like to see larger lots in the city but that will not comply with GMA.

Slawson: Reminded people that this is an election year and encourage them to either run for office or help the current council.

Seehuus: Is concerned about the police department and any comparison of costs will be "apples to apples". There are some things that you can't put a price tag on and he will do everything in the law to keep the local police department.

Flower: Is a supporter of the local police department. The Twin Rivers proposal was denied and Vodnick Lane was approved and the next step is up to the developers. The reason is brought the discussion forward on the \$30,000 was because he found out that there was procedure that should have been followed and they need to take corrective action now. Their word and reputations are valuable assets. It takes a lifetime to build a reputation and rumor to kill it.

Blair: Appreciates the citizen's passion and the sharing of their opinions. Citizens should not assume that the council knew about the procedure as they are not familiar with the entire code. In regards to police services, one councilmember requested information on county services and it has been blow out of proportion. The City has a good department and they support it but they also need to look at all options as they are responsible for sound financial decisions.

Boyd: He has been accused of attacking the police department and trying to get county services and he would like to look at all the numbers and determine if the general fund could be balanced and have the same level of staffing. The citizens should want him to look at the numbers and do a comparison.

**CITY OF SULTAN COUNCIL MEETING – February 8, 2007**

Mayor Tolson: There were a lot of heated emotions tonight and when he was on the other side of the table, he used to make some of the same assumptions about the Council.

**Executive Session**: On a motion by Councilmember Slawson, seconded by Councilmember Champeaux, the Council adjourned to executive session for fifteen minutes to discuss personnel. All ayes.

**Adjournment**: On a motion by Councilmember Flower, seconded by Councilmember Blair, the meeting adjourned at 9:45 PM.

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Benjamin Tolson, Mayor

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Laura J. Koenig, City Clerk