

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

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ITEM NO: Consent C 1

DATE: October 18, 2007

SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, City Clerk

SUMMARY: Attached are the minutes of the September 27, 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 – September 27, 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, Boyd and Blair.

### **CHANGES/ADDITIONS TO THE AGENDA:**

#### **PRESENTATIONS:**

**2006 Audit Report:** Christopher Kapek, Audit Manager, provided an overview of the audit report. The Audit has issued an unqualified opinion on the financial statements which means there are no issues with the financial reports. There are no findings for the 2006 fiscal year. Several of the prior issues have been resolved such as the credit card use and travel policy and the review process required for the federal grants.

#### **COMMENTS FROM THE PUBLIC**

**Jeffrey Beeler:** Advised that when the construction was completed by Timber Ridge on the Sultan Basin Road the center line was not marked. He would appreciate it if the City could get the line painted so they can see where to drive.

#### **COUNCILMEMBERS COMMENTS:**

**Mayor Tolson:** Apologized for the inappropriate comments about staff that he post on a local web site.

**Flower:** Advised that the Blue Ribbon Committee is meeting on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month and the public is welcome.

**Blair:** Thanked staff for attending the Economic Development Roundtables. There were good comments and ideas received.

**Champeaux:** Thanked and congratulated Deborah Knight and Laura Koenig for the good audit report.

**Slawson:** Good job on the audit – nice to see no findings.

#### **CONSENT AGENDA:**

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

- 1) Minutes of the September 13, 2007 regular Council Meeting as on file in the Office of the City Clerk.
- 2) Minutes of the September 13, 2007 Public Hearing minutes on Ordinance 959-07, School Impact Fees, as on file in the Office of the City Clerk.
- 3) Approval of vouchers in the amount of \$242,615.51 and payroll through September 7, 2007 in the amount of \$95,624.65 to be drawn and paid on the proper accounts.
- 4) Adoption of Ordinance 963-07, Library Board Appointments.
- 5) Adoption of Ordinance 962-07, Petty Cash and Change Drawers

#### **ACTION ITEMS:**

**Ordinance 959-07, School Impact Fees:** An Ordinance 959-07 increasing School Impact fee was introduced for a first reading on September 13, 2007. The fee for a single family resident will increase from \$1,673 to \$2,878 and for multi-family units the fee will increase from \$1,221 to \$1,931. On a motion by Councilmember Seehuus, seconded by Councilmember Flower, Ordinance 959-07 establishing School Impact Fees was adopted. All ayes.

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**Ordinance 961-07 Sewer Monthly Rates:** Ordinance 961-07 was introduced for a first reading on September 13, 2007. The ordinance sets the monthly service fee for sewer service with an effective date of December 1, 2007 for the increase. On a motion by Councilmember Flower, seconded by Councilmember Boyd, Ordinance 961-07 setting monthly sewer rates was adopted. All ayes.

**Ordinance 955-07 Non Conforming Uses:** Public hearings were held before the Planning Board and City Council and Ordinance 955-07 was introduced for a first reading on September 13, 2007. The ordinance provides for non conforming uses and for expansion of non conforming use. On a motion by Councilmember Boyd, seconded by Councilmember Flower, Ordinance 955-07, Non Conforming Uses, was adopted. All ayes.

**Ordinance 957-07 Library Annexation:** During discussions of the short-fall in the General Fund budget, the City Council discussed annexing into the Sno-isle Regional Library District as an alternative to reduce expenses in the General Fund. Under the existing arrangement, the City owns the building that houses the library, but contracts for staff, materials and library services with the Library District by paying an annual fee. In 2007, that fee is \$92,788. The City Council directed staff to explore the options of annexing into the Library District. City staff met with members of Sultan Sno-isle Library Board to discuss annexation on September 13, 2007. The Sultan Sno-isle Library Board is supportive of the annexation effort and will work with the City as needed.

The first steps in the annexation process are:

1. Officially notify the library district of the City's intent to terminate the contract Staff received direction from the City Council at its August 23, 2007 meeting to notify the district of the City's intent to terminate the contract.
  - Under the contract, the City would pay for library services through 2008.
  - If voters approve the annexation, library services would continue for Sultan residents in 2009 without interruption.
  - If voters do not approve the annexation, Sultan residents would not be able to remove materials (books, videos, DVDs, CDs, etc.) from libraries within the district.
2. Initiate the annexation process by passing an ordinance requesting annexation into the library district.

RCW 27.12.360 requires annexation to be initiated by an ordinance stating the City's intent to join the District and finding that the public interest will be served thereby.

RCW 27.12.360 authorizes the City Council to initiate the submittal of a ballot proposition to the voters of the City to authorize annexation of the City to the Sno-Isle Regional Library District.

If the District concurs in the annexation, notification thereof shall be transmitted to the Snohomish County Council to call for an election per RCW 27.12.370.

Brief discussion was held regarding the timing of the election, cost for the election and the option to remain with Sno-Isle if the vote failed. Cheryl Telford, from Sno-Isle advised that the Sno-Isle Board has approved the request to annex to the district.

On a motion by Councilmember Flower, seconded by Councilmember Blair, Ordinance 957-07 providing for annexation to the Library District was introduced for a first reading and passed on to a second reading. All ayes.

**Annual Comp Plan Docket:** Rick Cisar advised that the City received 2 applications for Comprehensive Plan Amendments. The first Application was prepared by City Staff and proposes Comprehensive Plan Amendments to evaluate the growth strategies in the Comprehensive Plan. This petition was reviewed with the Planning Board on June 26, 2007. The second petition was

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**Annual Comp Plan Docket:** received from Rusty Drivstuen and also requests an evaluation of the growth strategies and removal of the Police Level-of-Service. The petition further requests completion of the Transportation Improvement Plan, Capital Facilities Plan, Police Services, and all other issues related to the Comprehensive Plan under review by Consultants be complete this year which includes the Level of Service (LOS) for Transportation, Parks, Police, water and wastewater etc. to determine if our current standards are adequate and reasonable. Staff is recommending the City Council defer action of the Staff proposed 2007 Annual Docket Application and Redocket the 2005 Petition Items that have not been completed which included:

1. Incorporate Sultan School District CFP.
2. Refine Park Element.
3. Incorporate 2006 Capital Facility Plan Update.
4. Update Map Folio.
5. Review of the State Route 2 zoning designations requested by Mr. Dalmasso will be considered upon completion of our current Comprehensive Plan Update effort.

Brief discussion was held on the issues included in the docket and the Dyer Addition petition. On a motion by Councilmember Blair, seconded by Councilmember Flower, the 2007 Comprehensive Plan Docket as recommended by staff was approved. All ayes.

**Denali Ridge Final Plat:** Staff has recommended the approval of the Denali Ridge Final Plat located on 138<sup>th</sup> Street. The developer has completed the construction of the public and private facilities necessary to provide services to the plat. Performance and maintenance bonds will be provided. On a motion by Councilmember Champeaux, seconded by Councilmember Flower, Resolution 07-26 approving the Denali Ridge Formal Subdivision Final Plat and Conditional Use Permit to Cluster Lots and accepting a 2 year Maintenance Bond in the amount of \$60,896.88 and authorizing the release and reduction of the existing performance bond upon completion and approval of the remaining improvements was adopted. All ayes except Councilmember Slawson who voted nay.

**Stormwater Management Implementation Grant:** The grant will provide a program to offer grants to local business owners to offset the expenses of reducing the amount of impervious surface or to install stormwater retention/detention facilities. Brief discussion was held on when the funds would have to be spent and the criteria for the grants. On a motion by Councilmember Flower, seconded by Councilmember Slawson, staff was authorized to submit a grant application to the Department of Ecology for Stormwater Implementation. All ayes.

### **DISCUSSION ITEMS:**

**Animal Control Ordinance:** The issue before the Council is to review proposed changes to the City's Animal Control Regulations- Chapter 6 of the Sultan Municipal Code (SMC), and to give direction to city staff. The proposed changes included:

1. Change "code enforcement officer" to "animal control officer" throughout the regulations (housekeeping change).
2. Amend Section 06.04.020 to provide that the City's finance department will receive and collect costs and charges related to enforcement activities.
3. Establish an appeal (hearing) process for a dog that is designated as "dangerous" under SMC 06.04.060 to be consistent with RCW 16.08.080.
4. Revise the City's pet licensing fees to be consistent with unincorporated Snohomish County. A pet license is valid for one year from date of purchase.

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5. Revise Sections 6.04.110 through Section 6.04.150 to allow the Animal Control Officer to move an impounded animal to the (Everett) animal shelter, and allow the animal to be adopted pursuant to the policies and considerations of the animal shelter.
6. Expand Sultan Municipal Code Title 6 – Animals to include cats.

Brief discussion was held regarding pet day care centers, fees for cats, license for cats and the draft ordinance. Staff was directed to proceed with finalizing the ordinance for adoption.

**Sewer Availability Policy:** Connie Dunn discussed the proposed process for establishing a sewer connection policy and requested that the Council authorize staff to seek a qualified consultant to perform a demand analysis on the connections need to serve commercial development. The policy will provide consistency with the goals in the comprehensive plan. The cost for the study will be approximately \$7,500. The consensus of the Council was to direct staff to proceed with a scope of work and proposal for a consultant.

**PUBLIC COMMENTS**

**Jeffrey Beeler:** The Council should push to include cats in the animal ordinance as they are issue in the neighborhood. Asked if the lifetime tag remain if they have one now? There has been a decrease in the level of police services.

**Jean Roberts:** Thanked the Council for passing the first reading of ordinance to annexation to the Sno Isle District. 90% of the citizens of Sultan have library cards and the library is well used by students after school

**Traci Hoenstine:** She does a lot of rescue work with animals and she offered to work with animal control as a resource.

**COUNCIL COMMENTS**

**Wiediger:** The police level of service is down but Chief Marshall is doing a good job providing coverage for the city.

**Slawson:** Advised that the Snohomish County Tomorrow fee will increase \$1107 in 2008 and he would like to see it included in the budget as they support road and transportation projects.

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

**Adjournment:** On a motion by Councilmember Flower, seconded by Councilmember Boyd, the meeting adjourned at 9:00 PM.

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Benjamin Tolson, Mayor

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Laura J. Koenig, City Clerk