

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

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ITEM NO: Consent C 1

DATE: December 13, 2007

SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, City Clerk

SUMMARY: Attached are the amended minutes of the October 25, 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 – October 25, 2007**

The joint meeting of the Sultan City Council and Planning Board was called to order at the Sultan High School by Mayor Tolson.

Councilmembers present: Champeaux, Wiediger, Slawson, Seehuus, Flower, and Blair.

Planning Board present: Latimore, Van Pelt, Davenport-Smith, Cofer and Schmidt

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

Executive session: Add to discuss potential litigation and real estate acquisition

### **PRESENTATIONS:**

**Friends of the Library:** Mayor Tolson presented a Proclamation to the Friends of the Library declaring the week of October 21<sup>st</sup> as Friends of the Library Week.

Sue Shawger thanked the Council on behalf of the Friends of the Sultan Library and briefly described the book sale they have to raise funds for scholarships.

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

**Steve Fox:** Asked if the comments are open for the Comprehensive Plan or only to levels of service for the Comprehensive Plane – which part of the comment period is being extended? Advised that he was present as a representative for Fire District 5 and requested that the City comply with WAC 365.195.600 (2a) that requires that each comment be included in the document and that the disposition of the comments be included in the document.

(Thom Graafstra, City Attorney, advised that the discussion item is the Comprehensive Plan update and level of service so they can comment now as part of the public comment or they can wait until the discussion item is called and the comments can be on the update and levels of service.

**Jerry Gibson:** The Comprehensive Plan calls for 2.6 officers per 1000. He has attended the Planning Board and Council meetings and no one knows where the number came from. It needs to be changed and they need to discuss the levels for police and parks and determine where the numbers came from. They paid a consultant to do the plan and there should be answers. Everyone agrees we need retail business but we need police to keep everyone safe. The new homes won't sell if we don't have enough police and without homes we will not attract retail. Need to do a survey to determine what the citizens want for service levels. Provided information from the Washington Association of Sheriffs and Police Chiefs program to review the department and assist with determining staffing needs. Does not support removing the level of service as the City needs a safe guard and should not rely on the budget process.

**Loretta Strom:** Does not know where the 2.6 per thousand for police service came from. The 1994 plan discussed police facilities and the number of officers and the 2004 plan discusses police vehicles per thousand. No levels of service would have been included if it weren't for Josie Fallgatter.

**Josie Fallgatter:** Agrees, that she made the motion to include levels of services in the comprehensive plan. The police level of service is for vehicles. There is a difference between service and facilities. The plan says we need eight vehicles but we could have the vehicles without the officers. A survey was completed as part of the plan and police and fire services needs rated high. The information provided says that there is no requirement for police levels of service to be included in the plan and the proposal is to remove it. GMA does not require that you meet a level of service for police to be concurrent; it only requires you to be concurrent on transportation. In 1994 the Council and citizens included other items – police, parks and roads. The Council needs to tell the public that the level of service for police is being removed in order for

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development to occur. They need to be honest with the public and developers. The Council discussed the need for street lights. They owe the developers a safe environment to sell homes and they need street lights to keep materials from being stolen.

Kerry Ourada: It is a bad idea to eliminate the level of service in the plan. If they don't have it, the police service will be based on the budget. This year the City reduced the number of Officers to five and next year it will go back up to seven. Just because other cities don't have it in their comprehensive plan doesn't mean we shouldn't have it in ours.

### **COUNCILMEMBERS COMMENTS:**

Blair: The Comprehensive plan and capital facility plan identify a funding mechanism for projects and this is why the plan is driven by development. For police services, the grant funds have gone away and the plan was based on the officers funded by grants. In the comp plan, personnel is not addressed; growth and facilities and how they will be funded are addressed. Funding for police service is received through general fund revenues and the level of service is driven by the budget.

Flower: There is a lot of fear about reducing levels of service. The council is not reducing levels, but instead acknowledging the level of service we have. Increases and decreases in personnel is a part of the budget process. The Citizens wanted to stay with local control if the police in order to be flexible. It all comes down to paying for service and the budget must be balanced.

### **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 Seehuus, the consent agenda was approved as presented. Champeaux – aye; Wiediger – aye; Slawson – aye; Seehuus - aye; Flower – aye; Blair – aye.

- 1) Approval of vouchers in the amount of \$151,400.53 to be drawn and paid on the proper accounts.
- 2) Set an Open Public appeal Meeting for the Greens Estates Planned Unit Development and Preliminary Plat application for November 8, 2007 at 6:30 PM.
- 3) Proclamation for the Friends of the Library Week.
- 4) Change the regular Council meeting from November 21, 2007 to November 15, 2007.
- 5) Excused absence of Councilmembers Champeaux and Boyd from the October 18, 2007 Council meeting.
- 6) Donation of a holiday tree to the Sky Valley Chamber.

### **DISCUSSION ITEMS:**

#### **Comprehensive Plan Update and Levels of Service:**

The issue before the City Council and the Planning Board is a discussion, with input from members of the Sultan community, of proposed reductions to transportation, parks and police levels-of-service (LOS) in the City of Sultan Comprehensive Plan (Revised August 2007).

Reid Shockey provided a presentation on the Levels of Service issues.

The question for the Council and the community is what level of service can you afford? Both the adopted level of service for parks (42.6 acres) and transportation (LOS B) and police (2.6

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offers/1,000 residents) require a public investment that may be beyond the financial means of the City.

In the Revised August 2007 Plan, the City is proposing to reduce levels of service:

- Transportation LOS would be reduced from LOS B (fairly free flowing) to LOS D (stable flow with acceptable delay)
- Parks LOS would be reduced from 42.6 acres/1000 residents to 1.5 acres/1000 residents
- Police LOS would be changed from 2.6 commissioned officers per 1,000 residents to an LOS based on police facilities needed to serve the community. For example, the 1994 Plan based police LOS on the number of police vehicles.

The GMA requires LOS standards for all arterial roads and transit routes. LOS standards are not specifically required for other facilities. However, they are needed to complete the required steps in preparing the capital facilities element of the comprehensive plan. Communities must establish capacities and forecast future needs for all facilities covered in the capital facilities plan.

Level of service standards are measures of the amount (and/or quality) of the public facility which must be provided to meet that community's basic needs and expectations.

For example, the amount of parks currently needed in a community may be determined by comparing the ratio of existing parks per 1000 population to the community's desired level of parks relative to its population. The gap between the two is the needed park acreage. As the community grows in population, the requirement is to maintain the ratio.

In Sultan, the adopted level-of-service for parks, recreation and open space acreage is 42.6/acres per 1000. Meaning that the City must acquire 42.6 acres of park land for every 1000 people. This far exceeds the national average of 1.5 acres per 1000 people and impacts the amount of money that must be spent to acquire and develop park properties. As the population grows from 4,500 people today to the 2025 target of 11,119 this means the City must acquire approximately 281 acres of land to meet its adopted level of service (6.6 thousand people x 42.6 acres). At \$240,000/acre the proposed investment is \$67 million dollars (\$240,000 x 281).

The entire Sultan UGA is 3,236 acres, an additional 281 set aside for parks plus existing park acreage of 136 acres represents 12.8% of the entire Sultan area set aside for parks.

The police department is currently staffed with 6 full-time commissioned officers. The City is in the process of hiring a police chief. The 2008 budget includes 6 full-time commissioned officers plus a police chief (total 7 commissioned officers).

The adopted LOS for police is 2.6 officers per 1,000 residents. The current LOS is approximately 1.3 (6 officers/4.5 thousand residents). With the addition of the Chief the LOS increases to approximately 1.5 (7 officers/4.5 thousand residents).

By comparison, the average number of officers per 1,000 residents is 1.7 officers in Washington State cities between 50,000 and 100,000 populations, and 2.1 officers per 1,000 on a national basis.

Capital facilities versus personnel – police officers are not a facility. The Council must make a budget decision on how much service can be provided. They may have to change the land use plan if the City can't meet the elements in the plan. The choices are to adjust land use and lower the levels of service or increase funding and phase growth.

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Erik Ireland, Perteet, discussed the transportation element. Transportation levels of service standards are required. Evaluating the LOS on the arterial street system is typically described in terms of traffic congestion, which is measured as vehicle delay – or how long you wait. The resulting LOS is usually given a letter ranking from A-F where:

- LOS A-B means fairly free flowing travel conditions or little delay
- LOS C-D means stable flow with acceptable delay
- LOS E and F mean severe congestion with low travel speeds and unacceptable delay.

The Sultan adopted Transportation LOS for local streets is LOS B meaning that the City is required to maintain fairly free flowing travel conditions with little delay during the AM and PM peak travel periods.

This standard represents the lowest operating level for a given street or intersection allowed during the peak hour period measured against the planned traffic capacity. This means that during the peak hour, the City expects that between 60 to 70% of the available street capacity will be used with no noticeable delay in travel times. A 2007 traffic study demonstrates the 2007 traffic LOS on City arterial roadways is very good during the PM peak hours. However US 2 is very congested during this time. Sultan's traffic LOS standard is unusually high compared to City's across the State as most are at a Level C or D. The City should not over build the transportation elements for small level of service change. The City needs a second road to eliminate need for Highway 2. It is almost impossible to maintain a level B service as the cost would be too high for the community. Level D is more realistic and consistent with other cities in the area.

### **Council/Planning Board Comments:**

Blair: In previous discussions, the park area include school facilities, does new proposal include schools? If the number of park acres includes the schools property, then we need to look at City owned properties to calculate the amount of acres per thousand residents.

The issue of police services has become a problem for the developers and public safety is an issue for the council. The City needs development to create retail which in turn will increase sales tax to fund police services. The developments approved were not concurrent and we are not meeting the levels of service in the comprehensive plan. The City needs to update the municipal code to meet concurrency. Asked if the Planning Board considered revising the code.

Latimore: Advised that the Planning Board did not want to propose an ordinance that would be in conflict with the comprehensive plan.

Staff: Advised that the chart includes City owned park property. Other communities are discussing joint use facilities with the schools to reduce costs. The 1.5 acres/1000 standard would be city owned properties. The current park impact fee is based on City owned parcels. The active inventory includes 25 acres of park land which is 5.7 acres/1000 residents. Most plans do not include sections on the level of service for parks and police.

Champéaux: The comparison of transportation provided was interesting. Do other Cities have level of service for parks and police in their plans? Police response time could be used to determine needs. The City can put the number of officers on the street that they can afford.

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Setting a number in the comprehensive plan is not realistic as they must make the budget balance. The Council could commit to a percentage of the revenues for the General Fund for police services and as the City grows, the number of police officers would increase.

Kurt Latimore: The Planning Board has reviewed the park, transportation and police level of service in the plan. They have also looked at the sewer, water and storm plans and the capital facility elements and have looked at the deficiencies in the plan. They have reviewed the transportation element closely and the reports provided and the direction they are headed is to recommend a Level D for the City. The park level of service should be 1.5 acres/1000 and there should be two new neighborhood parks and one new community park. The Planning Board recommends that the City remove the police level of service from the comprehensive plan.

Charles Van Pelt: The level of service for police is higher than the state and national average.

Sarah Davenport-Smith: The level of service does not have to be based on officers, it can be based on response time.

Jeff Cofer: Taking the police level of service out of the plan is one less promise the City must try to keep. They have published a recipe for failure and the police level of service does not have a function in the comprehensive plan. In regards to transportation, six lanes up the Basin road are not reasonable. The leaders must do what is best for the community.

Mayor Tolson: Response time for police may be something the city could consider and he asked if that was a more common factor used for police.

Reid Shockey: Advised that the number of officers per 1000 is uncommon, response time would be more common.

### **Public Comments:**

Jerry Gibson: Provided information earlier on the service available from the Washington Sheriff's Association to do a survey on the levels of services. In regards to response time, if there are no police, there will be no response. There is a relationship between development and level of service. Development does not impact the water service but it does impact police service. The agreements from the developers have not produced any money yet.

Bart Dalmasso: The level of service in the plan is only numbers. They need to be concerned about the quality of service. We have better service now and good quality of service. Need to have 8.5 officers to provide two officers per shift. The current chief doing a good job.

Kerry Ourada: At the town meeting it was that we need 11 officers for 24/7 coverage. The current level of parks in the plan includes all city property. The level in the plan is 42 acres per thousand residents and we have 5.7/1000 of active park lands now. The information provided is misleading.

Traci Hoenstine: The city should determine the level of service not the comp plan. Need to look at the audit reports for the past ten years to get the answers.

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Josie Fallgatter: The population the City needs to plan to accommodate is what the City chose and negotiated with the County and it is higher than what was recommended by the State and County. They can only blame themselves as they lobbied for those numbers. She is happy that they are finally getting around to looking at mess but it is a mess because the Mayor and Council did not listen. The City needs to go back to the public and explain what they are getting when they lower levels of service. They need to know they are not getting parks as proposed in the plan.

For transportation the City needs to reduce the reliance on Highway 2 and there is a need for a connector. There are land issues to consider and you still must cross the bridge to get out of town and this is the constrictor. Other routes will not eliminate the problem.

For police level of service, Issaquah has several different values that they use such as the number of calls per officer. If the level of service is changed, the agreement will be eliminated. The Council could change the code to eliminate the concurrency requirements and leave the comprehensive plan language. Development regulations go hand in hand with comprehensive plan and she does not see a conflict with changing the code and leaving the comprehensive plan alone.

Erik Ireland, Perteet: Advised that the proposal is to provide a connector on the north side of the city and they have reviewed aerial photos to determine most logical location. A detailed review of the old "red bridge" location on Trout Farm Road has not been completed as it is in the County. The long range plan is to make Highway 2 a four lane road.

Rusty Drivsteun: He looks at Sultan with a different mind set. The City is in transition from an old logging community and is stepping into future. The future is bright and there are tough decisions for the City to make. The City needs to do things properly but don't need to place themselves in a box with no wiggle room. We all need to look at the good things the City has done and not just at the negative things. The business community is watching Sultan and looking for more rooftops to move forward with development. Hopes that we will keep going strong and that we continue to dream and that we will have money for parks and police and it will be a good community.

Caroline Eslick: Is impressed with all the work that everyone has done on the plan. She is concerned about the parks as most of the new ones will go on the east side of the City. She would like to see the increase from 1.5 acres/1000 to at least 3 acres/1000. Asked if it was true that if the level of service for police is removed from the comprehensive plan that the developers will not have to pay any funds for police service. If that is the case, she would like to make sure that the agreements are good before the plan is changed.

Josie Fallgatter: In the past year developments have been approved and the Council has had the developers sign an agreement to pay a pro-rata share of police service costs. The agreement says if the city changes the police level of service if the plan, they will not have to pay. There is a loop hole that may get them off the hook for payment.

Mayor Tolson advised that the developments have not been built yet and no payment is due.

Loretta Storm: Open space, the beauty of the area and levels of service are all important.

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**Storm:** Mr. Cofer stated that he wanted to keep the “small time” feel for Sultan and that can be achieved with quality developments and small shops. The WAC codes should be reviewed for compliance. She does not support the open house concept for the comprehensive plan as the comments are not recorded. The written comments for the 2004 plan were not addressed by the consultant and she would like to see more detail included in the plan. Level of service for police is needed and the City needs to set goals and strive to achieve them.

**Chris Kristenson:** Is new to the community and feels it is one of the most beautiful areas in the nation. The Council has talked about attracting business and moving from logging community to new types of business. In regards to property and land use, are we using property for the best use like the bakery. The City needs to invest in infrastructure like the police department. If 1.6 to 1.9 is the average around the nation then 42 acres for park per 1000 residents seems excessive. We don't each need our own wheat field. Everyone has welcomed them to the city and the community is friendlier then the community he came from. We have the foundation to succeed and just need to make it through the rough spots. We need to make an investment in the infrastructure to encourage developments to finish their projects.

**Steve Fox:** Fire Commissioner advised that they sent several letters to the city regarding the comprehensive plan. The WAC's require that City respond to each comment submitted. The Fire Commissioners want the transportation plan changed to eliminate the road through their property and they are willing to donate time to help staff revise the plan. The Growth Management Board is considering recommending sanctions against the City if the plan is not brought into compliance. Fire District 5 is here to protect their property and is willing to help the city to that end.

**Charles Van Pelt:** The Planning Board is trying hard to make reality match the plan. He appreciates the work everyone has done on the plan.

**Slawson:** He likes the small town feeling and everyone is beating up the council like they wrote the plan. He saw a sign that said “something to crow about”. The City needs to crow about things more – speak well of it not ill of it.

**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 and real estate acquisition. All ayes.

**Adjournment:** On a motion by Councilmember Seehuus, seconded by Councilmember Flower, the meeting adjourned at 9:15 PM.

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Benjamin Tolson, Mayor

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Laura J. Koenig, City Clerk