

## SULTAN CITY COUNCIL

### AGENDA ITEM COVER SHEET

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ITEM NO: Consent C 1A  
DATE: February 14, 2008  
SUBJECT: Council Minutes  
  
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the January 24, 2008 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 – January 24, 2008**

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

**Recess:** On a motion by Councilmember Slawson, seconded by Councilmember Weidiger, the Council recessed to continue the public hearings. All ayes.

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

Action: Remove A 2 Greens PUD

Consent: Move Ordinance 979-08 to Action

Discussion: Sheriff Contract

### **PRESENTATIONS:**

Caldie Rogers – Military Family Friendly Employment Partnership Initiative: Provided information on the problems military dependents have finding work and discrimination they have experienced. The Marysville Tulalip Chamber Military Affairs committee has spearheaded a county-wide coalition to help military families attain financial stability and achieve employment goals. The US Department of Labor and Defense would like to use the model as a pilot program. She requested that the City adopt a resolution to become a military friendly employer.

### **COMMENTS FROM THE PUBLIC**

Loretta Storm: Requested that the minutes of January 10, 2008 be corrected to change the year from 1973 to 1993 in her statement regarding the deaths on Highway 2. In regards to the discount on the stormwater fee, the standard discount on utilities is for senior citizens based on level of income.

Jeffrey Beeler: There are confusing things in the City code that the council must follow. The code needs to be fixed. On December 13, 2007 the Blue Ribbon CAP did a presentation on their meetings and recommendations but the report was not included in the minutes. He was later advised that the Council does not include workshops in the minutes. Councilmember Flower said that the CAP got off subject and that employees were attacked. The committee was selected and requested to review the issues and if that included a discussion of employees it was okay for them to do so. Cul-de-sacs create parking issues and there are some areas that have safety issues that need to be addressed.

David Gibson: Requested that Jerry Gibson's comments be read into the minutes. (The letter was read into the record and discussed a mandated ULID as part of the Twin Rivers plat). David Gibson advised that it is not true that a LID will be formed and it has never been requested. A grant was approved for the railroad improvements and no taxpayer money will be used.

Scott Zaffram: Developments do affect their lives and the developers are concerned about making money, not about the city. He wants to provide a good home for his family. The Mayor should get in touch with City staff and find out what they do as issues have been overlooked. It is not fair for the citizens to be impacted by errors made by City staff. He does not want the City to make decisions that lower the value of his home.

Joshua Freed: Was offended by the comments that he is only concerned about his livelihood and not the City. He is in the business of making the American dream. He has five kids and wants to make sure they are taken care of as is concerned about families.

## **CITY OF SULTAN COUNCIL MEETING – January 24, 2008**

Josie Fallgatter: Written comments were read into the record. Ordinance 979-08 proposes a change to SMC 21.04 which is a development regulation and requires a public participation process. Requested the Council allow more time for public hearings.

Jean Roberts: The Design Review Board used to look at developments. Are they still active?

Mike McCory: Is not after the developer but there is a certain level of discomfort with the Caleb Court proposal. Requested the council uphold the Hearing Examiner decision and have the developer meet with the neighbors.

Mike Lamb: Attorney for the Caleb Court applicant. Advised that the difficulty for the applicants is that they have worked with the City staff for two years on the process and to send it back would add two more years to the process. The Hearing Examiner is asking for guidance on the three issues raised during the hearings.

### **COUNCILMEMBERS COMMENTS:**

Councilmember Blair and Flower: Comments regarding agenda items have always been allowed. In regards to the comments about projects, they have allowed people to speak about the project during the comment period.

### **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 Slawson, the consent agenda was approved as amended. Champeaux – aye; Wiediger – aye; Slawson – aye; Davenport-Smith - aye; Flower – aye; Blair – nay; Doornek - aye.

- 1) Minutes of the January 10, 2008 regular Council Meeting and the January 10, 2008 Caleb Court Public Meeting as on file in the Office of the City Clerk.
- 2) Approval of vouchers in the amount of \$238,048.16 and payroll through January 11, 2008 in the amount of \$143,989.83 to be drawn and paid on the proper accounts.
- 3) Authorization for the Mayor to sign the necessary documents to terminate the Public Works Trust Fund Loan for the Sultan Basin Road project.
- 4) Authorization to add Willametter Dental as an alternate choice for dental coverage for employees.
- 5) Authorization for the Mayor to sign a professional service contract with Makr Knowles for Financial consulting services.
- 6) Authorization for the Mayor to sign a letter of support to the Snohomish County Council to evaluate establishing a countywide transportation benefit district.
- 7) Adoption of Resolution 08-07 2008 Fee Schedule.

### **ACTION ITEMS:**

**Resolution 08-05 Caleb Court PUD:** A Closed Record hearing was held prior to the Council meeting. Staff recommends that the matter be remanded back to the Hearing Examiner. The Hearing Examiner's decision was to deny the application and return the subdivision to the applicant for modification. If the Council upholds the Hearing Examiner decision, they will need to provide direction on how to proceed.

On a motion by Councilmember Flower, seconded by Councilmember Champeaux, the Council denied the PUD without prejudice based on the reduced right-of-way and alternative street design and return the preliminary subdivision to the applicant for modification and to direct staff to draft a Resolution 08-05 supporting this decision. All ayes.

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**Resolution 08-05 Caleb Court PUD:** Discussion was held regarding the width of the road and the cul-de-sac, the need for better plat drawings, the police level of service and the need to treat each development separately.

**Resolution 08-06 Twin Rivers PUD:** The Council conducted a Closed Record Hearing to consider the Hearing Examiner's Recommendation dated December 20, 2007 for the Twin Rivers Ranch Estates Preliminary Subdivision in accordance with SMC 2.26.150(C), (D), (E), and (F). The Hearing Examiner recommended approval of the Preliminary Subdivision subject to Conditions. The approval also includes Plat Modifications to waive access to public shoreline requirements and to allow a longer-than-standard cul-de-sac; a Conditional Use Permit to allow clustered houses, and a Shoreline Substantial Development Permit for the subdivision, within the shoreline zone for the Skykomish River. On a motion by Councilmember Blair, seconded by Councilmember Flower, Resolution 08-06 was adopted. All ayes.

**Land Use Attorney – Cairncross and Hempelmann:** The issue before the City Council is to authorize the Mayor to negotiate a professional services contract with Cairncross and Hempelmann for land use attorney services to assist the City with adopting a compliant comprehensive plan under the State Growth Management Act. At its November 15 2007 meeting, the City Council directed staff to issue a request for proposal for land use attorneys to assist the City in preparing a comprehensive plan compliant with the Growth Management Act. The budget was briefly discussed. On a motion by Councilmember Slawson, seconded by Councilmember Wiediger, the Mayor was authorized to negotiate a professional services contract with Cairncross and Hempelmann for land use attorney services to assist the City with adopting a compliant Comprehensive Plan. All ayes.

**Stop the Clock:** On a motion by Councilmember Doornek, seconded by Councilmember Blair, the clock was stopped. All ayes.

**Resolution 08-04 Water Use Efficiency Goal:** The issue is the adoption of the City of Sultan Water Use Efficiency Goal which is - "The City of Sultan will allocate the necessary resources to reduce average water consumption from 130 gallons per day (GPD) per capita in 2007 to 125 GPD per capita in 2013. This represents a 4% reduction in daily consumption per capita by 2013." On a motion by Councilmember Slawson, seconded by Councilmember Doornek, Resolution 08-04 establishing a Water Use Efficiency Goal, was adopted. All ayes.

**Resolution 08-08 Comprehensive Plan Workshop and Hearing Schedule:** Deborah Knight discussed the proposed Comprehensive Plan Workshop and Hearing Schedule to insure public participation in the Comprehensive Plan update. Brief discussion was held regarding the docketing process. On a motion by Councilmember Slawson, seconded by Councilmember Flower, Resolution 08-08 setting the Comprehensive Plan workshop and hearing schedule was adopted. All ayes.

**Ordinance 979-08 amending Chapter 2.26 and 21.04:** The ordinance proposed to change SMC 2.26.140 and SMC 21.04.030 to set fees by resolution. SMC 21.040.030 is part of the development code and requires a public hearing process. The ordinance will be amended to delete the reference to SMC 21.04.030. On a motion by Councilmember Slawson, seconded by Councilmember Champeaux, Ordinance 979-08 was introduced for a first reading as amended. All ayes.

**CITY OF SULTAN COUNCIL MEETING – January 24, 2008**

**DISCUSSION ITEMS:**

**Contract with Snohomish County Sheriff – Interim Chief:** Mayor Eslick briefly discussed using the Snohomish County Sheriff to provide an interim police chief for free for up to three months. Brief discussion was held on reducing overtime, potential costs and work conditions. It was decided to continue the Council meeting to February 1, 2008 to review, discussion and consider action on the Interlocal Agreement.

**PUBLIC COMMENTS**

**Vern Nelson:** Asked who the Sheriff would answer to when they are here for three months and what would Officer Marshall do? (Mayor Eslick advised the contract is free for three months and Officer Marshall will return to patrol work.)

**Loretta Storm:** Connie Dunn did an excellent job on the presentation on the stormwater utility.

**Garth York:** Is a developer in the community and he can see that it was frustrating for Caleb Court as they relied on the staff recommendation on how to proceed and then the Council turned it down. The City needs guidelines in black and white and not terms like innovative design. He thought there was policy and code in place that required roads to be connected to the next property. Decisions are not consistent between developments. Good planning would resolve the problems and the City needs to look at the big picture. There should be a connecting drive between Dyer Road and Skywall Drive.

**COUNCIL COMMENTS**

**Blair:** Was surprised to hear people in Salmon Run discuss the road issue. She would like to see better maps provided that shown where the development ties into other areas.

**Slawson:** Asked if the animal control fees had been revised. (Staff advised they were changed in the new fee schedule.)

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

**Adjournment:** On a motion by Councilmember Slawson, seconded by Councilmember Flower, the meeting was continued to February 1, 2008 at 7:00 PM.

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Carolyn Eslick, Mayor

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Laura J. Koenig, City Clerk