

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1
DATE: March 13, 2008
SUBJECT: Council Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the February 28, 2008 Council meeting minutes as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

MOTION:

Move to accept the consent agenda as presented.

COUNCIL ACTION:

DATE:

CITY OF SULTAN COUNCIL MEETING – February 28, 2008

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

CHANGES/ADDITIONS TO THE AGENDA:

Consent – Add Pertee Engineering Contract

Add excused absence of Councilmember Wiediger and Slawson

Discussion – Council Policy

PRESENTATIONS:

Economic Development Web Page: Donna Murphy provided an overview of the proposed web page to encourage Economic development in the city.

Caroline Spott, Iron Goat, gave a presentation on the page and described the site. There will be different links to other sites and a Sultan business guide. The site will include information on business license, demographics and business assistance. The plan is to have the site available by April 1st. Councilmember Blair recommended a link to the Commercial Brokers site and an aerial map with zoning information.

Internet Service – WAN proposal: Ryan Spott gave a brief presentation on the proposal to provide internet service to City buildings. A vendor has provided equipment to test for a six month period at no charge. The equipment is not compatible with other equipment they use in their business so they are willing to donate it to the City after six months for potential credits on other billed services. Brief discussion was held regarding current costs for services, security of the system, and the need to maintain other connections for police services. Staff was directed to bring back a proposal for consideration.

COMMENTS FROM THE PUBLIC

Jeffrey Beeler: Noted that Mr. Spott advised the City that the equipment offered is not compatible with his existing systems. He did not understand that the Stormwater Utility hearing was at 6 PM and the Homeowners Association had some questions regarding the retention ponds. There has been discussion regarding maintenance of the retention ponds and credits. If the City takes over the ponds, what would the cost be to bring them up to standard and what discounts would be allowed? They need more information to determine how to proceed.

Ron Kraut: Advised that he submitted a letter in January 2007 regarding the different terminology used for the hearings as they don't know what type of meeting they are having. The letter from Andrew Lane to the GMA Boards notes that no development applications requiring a concurrency certificate can be approved. Ask when the code changed and when the policy was adopted.

Keith Arndt: Applauded Iron Goat for their work on the web page. It is ironic that economic development is on the same agenda as a proposed moratorium. The City has tools to stop development that they have used. The Council should not discourage development and business growth by imposing a moratorium.

Jerry Gibson: It is great to see the City moving toward economic development. The City needs to clean up the mess along the Highway to attract business. Recommended the City do a survey to determine what the citizens want to see happening in the City.

CITY OF SULTAN COUNCIL MEETING – February 28, 2008

Loretta Storm: The WAN is a good idea however, if the City is giving credits they need to be defined as there have been problems in the past. The Greens PUD needs to caution about the PSE easement as they may have an agreement now but there could be issues in the future if PSE chooses to use the easement. The change in the hearing process was not discussed in public.

Judy Zomak: Ask the Spott's who owns the company that makes the WAN equipment? (Mr. Spott advised the company is located in southern California). Wanted to make sure the equipment is American made.

Peter Arkinson, Attorney for the Barry Hammer estate advised that they have preliminary approval on their plat and in reading the ordinance they don't know if they can move forward with their plat. The ordinance is not clear as to whether they can get final plat approval after the improvements are completed. Requested clarification on the ordinance and vested rights.

Tom Green: Concerned about the lack of sidewalks along the Sultan Basin Road. Would like to see a walking path installed so people don't have to walk on the road.

Deborah Knight: Read a letter from the Master Builders Association regarding the moratorium into the record.

COUNCILMEMBERS COMMENTS:

Blair: It will be difficult to come up with a cost for the retention ponds. Thanked Donna Murphy and Iron Goat for their work on the web page. Voluntary cleanup has been discussed but there may be code changes needed to force property owners to comply.

Davenport-Smith: Was impressed with the proposed web page. The City of Tacoma posts properties of shame on their web page to use peer pressure to get property owners to cleanup their messes.

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 Flower, the consent agenda was approved as amended. Roll call vote: Champeaux – aye; Davenport-Smith - aye; Flower – aye; Blair – aye.

- 1) Minutes of the February 14, 2008 regular Council Meeting as on file in the Office of the City Clerk.
- 2) Approval of vouchers in the amount of \$169,908.20 and payroll through February 8, 2008 in amount of \$70,818.84 to be drawn and paid on the proper accounts.
- 3) Utility Relief Report as on file in the Office of the City Clerk.
- 4) Adoption of Ordinance 980-08 extending the Cable Franchise agreement.
- 5) Authorization for the Mayor to sign the Land Use Agreement extension with Snohomish County.
- 6) Authorize the Mayor to sign a contract with Perteet Engineering for Traffic Forecast and Development regulations.
- 7) Excused absence of Councilmembers Wiediger and Slawson.

CITY OF SULTAN COUNCIL MEETING – February 28, 2008

ACTION ITEMS:

Greens PUD – Resolution 08-03: Staff and Council discussed the two proposed resolutions and the need to add additional language regarding the PSE easement. On a motion by Councilmember Champeaux, seconded by Councilmember Flower, Resolution 08-03 A was introduced. Councilmember Champeaux moved to amend the motion to request staff to amend Resolution 08-03 B to include additional language regarding the easements and to bring the resolution back to the next meeting for action, seconded by Councilmember Flower. All ayes.

Resolution 08-10 Revised Comprehensive Plan Compliance Schedule: Adopting the schedule by Resolution is intended to officially inform the public of opportunities to learn more about proposed changes to the 2004 Comprehensive Plan and participate in the discussion. The proposed Resolution should provide additional support for the required Public Participation Process required under the Growth Management Act. It is intended to supplement, not replace, the City's public participation procedures.

The Revised Code of Washington (RCW 36.70A.140) allows City staff to administratively amend the dates and tasks to allowing some flexibility to adjust the schedule to meet changing needs. On a motion by Councilmember Blair, seconded by Councilmember Davenport-Smith, Resolution 08-10 was adopted. All ayes.

Ordinance 981-08 Land Use Moratorium: The issue before the City Council is to have First Reading of Ordinance No. 981-08 imposing a moratorium on the acceptance of and processing of applications for subdivisions under Sultan Municipal Code 16.28.250 through 16.28.390, and 16.28.470; planned unit developments under Sultan Municipal Code chapter 16.10; rezones under Sultan Municipal Code chapter 21.10; and annexations under any method.

Councilmember Flower moved to table the ordinance, no second.

On a motion by Councilmember Flower, seconded by Councilmember Champeaux, the introduction of Ordinance 981-08 was continued to the next meeting. All ayes.

Andrew Lane, City Attorney, advised that the ordinance was drafted in response to the GMA Board requirements. The delayed action may have an impact with the Hearings Board and the Council should discuss the matter further in executive session. The ordinance does not effect decisions already made or vested applications. The date the City received the order of invalidity is the date the plats would be impacted and anything approved prior to that date would be vested. Those projects can proceed and get building permits.

DISCUSSION ITEMS:

Wastewater Treatment Plant Short Term Finance: Deborah Knight, City Administrator, briefly discussed the funding strategies for the Wastewater Treatment Plant. The City received a million dollar loan from PWTF for the design phase but the money will run out before the design is complete. The City needs an additional \$822,500 to complete the design phase. The State budget committee has allocated \$500,000 however it has not been approved yet and calls are needed to encourage representatives to support the funding. The Council needs to make a decision on proceeding with the design or putting the project on hold. Discussion was held on the short term funding options, repayment of the loan, and the need to complete the design. Staff was directed to bring back short term funding recommendations.

Comprehensive Plan Report – Employment, Population and Buildable Lands: Reid Shockey provided a presentation on the development of the Capital Facility Plan. The needs assessment will translate into a Capital Facility Plan. The elements included are land use, employment, population, buildable land and housing. The employment numbers have been

corrected and the contradictions in the documents have been reconciled to provide consistent planning assumptions. The Capital Facility Plan fiscal analysis will be completed by Dugen Planning Services based on the update information.

Staff Comments:

Donna Murphy, Grants: Provided an update on grants applications and current projects. Clean Up Day is set for April 26th and will be a combined event with Snohomish County.

Police Chief Hawkins: Provided an update on the activities in the Police Department. The ACCESS audit is complete and the issues have been addressed by staff. They are working on an emergency response plan with the School District.

Connie Dunn, Public Works: Department is working on growth management requirements for the comprehensive plan and are moving forward on WWTP design. They are working on completing the stormwater inventory.

Laura Koenig, Finance: Presented the 2008 Annual Budget and the January financial report.

Deborah Knight, City Administrator: Provided an update on the application process for the Community Development Director position and advised the Building Inspector has given two weeks resignation notice. Staff is working on the Interlocal agreement with Snohomish County for fire inspection and building inspection.

Brad Collins, Interim Planner: Perteet and City Staff are working well together on planning issues. The annual report from the Hearing Examiners notes issues that need to be addressed.

Executive Session: On a motion by Councilmember Flower, seconded by Councilmember Champeaux, the Council adjourned to executive session for 30 minutes to discuss potential litigation. All ayes.

Adjournment: On a motion by Councilmember Flower, seconded by Councilmember Blair, the meeting adjourned at 10:30 PM.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk