

**SULTAN CITY COUNCIL  
AGENDA ITEM COVER SHEET**

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ITEM NO: Consent C 1  
DATE: May14, 2009  
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

**SUMMARY:**

Attached are the minutes of the April 23, 2009 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.

## **CITY OF SULTAN COUNCIL MEETING – April 23, 2009**

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.

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

Consent: Add FEMA Disaster Funding

Action: Add appointment of new Councilmember Jeffrey Beeler

### **PRESENTATIONS:**

**Volunteer Week Proclamation:** Mayor Eslick read the proclamation declaring April 19 – 25, 2009 National Volunteer Week in Sultan.

**Stormwater Grant:** Arthur Lee, Project Specialist IV, Snohomish County Public Works, Surface Water Management. Coordinator for Snohomish County regional NPDES forum, project manager for M/TAC & GST Grant project. reviewed the Stormwater Management Implementation Grant Program Funding Agreement.

**Service Recognition:** Mayor Eslick presented Connie Dunn an award for her 20 years of service to the City of Sultan.

### **COMMENTS FROM THE PUBLIC**

**Rod Hobelman:** Sky Valley Coordinator for ABATE Bike Show thanked the Council for their support and provided a rundown of vendors and activities for the bike show during the Shindig. He also donated 250.00 to the Sultan Food Bank and 250.00 to the Chamber of Commerce for their Fireworks Fund.

**James Wallace:** A long time resident requested more information on the tax rate.

**David Wood:** With the VOA stated they are completing there 2010 budget and have made the decision that Camp Volasucca will not be holding their 12 week camp after this year. The will be open 12 months of the year and will be doing more programs for seniors, children and citizens in the community.

**Val Powell-Barbour:** She is with a group that would monitor Osprey Park for vandalism and feel the City should allow horse riding in the park because the trails are wide enough. The park and bridges are rated for horse riding. They would on a regular basis clean and monitor the park for horse droppings and damage.

**Robert Keck:** He believes that a 20.00 vehicle tab fee is too much for a small town. He also thinks that new development should pay for all of the stormwater fees instead of the citizens that have lived here a long time.

**Al Wirta:** Does not think we need a raise in rates and license tabs but should cut more staff.

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Fred Seiner: The average base rate not long ago was 1000 cf of water a month and then it went down to 600cf a month and now we are wanting drop it to 300 cf of water a month. He is a single person and he uses more than that. He does not agree with raising the rates. He believes that the meter readers should use a bicycle instead of a vehicle to read meter.

Susie Hollenbeck: Wanted let everyone know that all of the graffiti will have been eliminated by this weekend. There will be litter pickup this weekend also.

Bob Martin: Advised that the property at 301 Alder has been acquired and the City will begin the demolition on the property and three others.

Jeffery Beeler: Agreed with Council we need a rate hike but thinks there must be a way that the people who use more water should pay for that usage

### **COUNCILMEMBERS COMMENTS:**

Slawson: Thanked the ABATE organization for their donations and for the information.

Champeaux: He explained that the rates were not going to double, but if you use more water you will be paying for it. The last few years we have not been hiring more people just replacing staff that has left. We do have other positions that have not replaced because of budget restraints. The water fees do not pay for police.

Davenport-Smith: Wanted to thank everyone for coming and for their comments thanked. Thanked the volunteers for all they do.

Blair: Thanked the ABATE group for their \$500.00 donation to the community. The City has paid back almost all of the loans taken out to upgrade the plants. The City is in black in a time when many cities have to take out loans for improvements.

Mayor Eslick: She attended the Mayor Summit in Bremerton. It was in a round table format and Grants were discussed. There is a group starting called Homeless Task Force and anyone interested please contact her. The Highway Collation will be paving between Monroe and Sultan soon. The 522 bridge has been funded and will be starting that project will start soon.

### **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 presented. Champeaux – aye; Wiediger – aye; Slawson – aye; Davenport-Smith - aye; Flower – aye; Blair – aye;

- 1) Approval of the April 9, 2009 Council Meeting Minutes
- 2) Approval of Vouchers

## **CITY OF SULTAN COUNCIL MEETING – April 23, 2009**

- 3) Sewer Utility Codes
  - A. Adoption of Ordinance 1033-09, Sewer Rates
  - B. Adoption of Ordinance 1041-09 Repeal SMC 13.083030(A)
- 4) Code Scrubs
  - A. Adoption of Ordinance 1034-09 Amend 2.28 City Elections
  - B. Adoption of Ordinance 1035-09 Repeal 2.24 Official Bonds
  - C. Adoption of Ordinance 1039-09 Repeal 5.08 Bowling Alleys, Pool Halls and Gaming Rooms
- 5) Skateboard Park Fence Bid Award
- 6) Resolution 09-07 Support of Reiter Recreation Area
- 7) Letter of Intent – Hazard Mitigation Grants
- 8) Authorization to Proceed with Chlorine Bid Award
- 9) FEMA Disaster Fund

### **ACTION ITEMS:**

**Resolution 09-04 Volunteer Policy:** The issue before the City Council is to adopt Resolution 09-04 establishing a volunteer policy. The City of Sultan recognizes and supports the use of volunteers to assist the City of Sultan government in providing services and programs. The Volunteer Program Policies will establish standards of volunteer service for a formal volunteer program. This policy contains responsibilities of both the City and volunteers. Written policies and procedures will assure volunteers are suitably oriented and trained and job duties are developed, supervision is appropriate to assigned duties and discussion with volunteers regarding safety, liability to the City and accident and property damage coverage is conducted. Advisory boards and commissions are not covered by this policy.

The scope will be to maximize the effectiveness of volunteers, yet limit risk exposure to both volunteers and the City, this policy will apply to all City departments and volunteers.

Procedures will be to develop and maintain written procedures to supplement this policy which will address specific methods to recruit, interview, select, orient, train, supervise and recognize volunteers. The Mayor will designate an employee to be responsible for the Volunteer Program, who will serve as the contact person.

On a motion by Councilmember Davenport-Smith, seconded by Councilmember Blair, Resolution 09-04 adopting Volunteer Policy was adopted. All ayes.

### **Resolution 09-05 & 09-06 PWFT Preconstruction Design and Construction loan applications:**

The issue before the Council is to authorize the Mayor to direct staff to apply to the Public Works Trust Fund for Low Interest Pre-Construction Loan and the Trust Fund Low Interest Construction Loan and to authorize Mayor Eslick to sign the applications on behalf of the City of Sultan.

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Washington State Public Works Board offers low interest loans up to \$1 million dollars for pre-construction (design) of the Waste Water Treatment Facility. Interest rates vary from

½ percent to 2 percent, depending on the local matching funds (5 to 15+ percent) provided by the City. The design of the Wastewater Treatment Facility is at 50% and an additional \$500,000 is needed for completion of the design. The City must submit the application by May 5, 2009 in preparation of submittal of the PWTF Construction Loan application due June 1, 2009.

There is a companion Resolution 09-06 for construction. The strategy is to apply for the Pre-Construction loan to complete the design at the same time as the Construction Loan (up to \$20 million).

This is the companion to Resolution 09-05 for preconstruction. Washington State Public Works Board is offering a maximum of \$20 million dollars per applicant in low interest loans for construction of the Waste Water Treatment Facility over the next 2 years from the Public Works Trust Fund (PWTF). Interest rates vary from ½ percent to 2 percent, depending on the local matching funds (5 to 15+ percent) provided by the City.

The City must submit the application is due June 1, 2009 in order to be eligible for funding in 2010 and completion of plant construction by the end of 2011. Delaying the application will result in a delay in construction until 2013.

On a motion by Councilmember Champeaux, seconded by Councilmember Slawson, Resolution 09-05 to authorize staff to apply for Public Works Preconstruction Loan Program was passed and adopted. All Ayes.

On a motion by Councilmember Slawson, seconded by Councilmember Wiediger, Resolution 09-06 to authorize staff to apply for Public Works Construction Loan Program was passed and adopted. All ayes.

### **Public Works Department Reorganization**

The issue before the City Council is to begin the first steps to reorganize the public works department as discussed by the City Council in 2008 during the 2009 budget process.

The City Council's role is to approve the city's budget including salaries and benefits. The proposal will require amending the city's salary schedule and adopting a budget amendment if necessary in the fourth quarter of 2009 to fund the field supervisor position.

On a motion by Councilmember Slawson, seconded by Councilmember Flower. The Public Works Department Reorganization request was denied. The consensus of the Council was to bring the mater back as part of the 2010 budget process. All Ayes.

## **CITY OF SULTAN COUNCIL MEETING – April 23, 2009**

### **Ordinance 1036-09 Animal Control**

The issue for the Council is to have First Reading Ordinance No. 1036-09 to amend animal control regulations contained in Chapter 6.04 of the Sultan Municipal Code

The City Council has discussed Sultan's animal control program at a number of meetings since 2007 and has taken a number of legislative actions to reestablish an animal control program. One remaining task is to review the City's animal control regulations.

For discussion purposes, Attachment A is a "mark-up" version of Chapter 6.04 highlighting areas where Council has directed changes or city staff are making recommendations. The major policy questions for Council consideration include:

1. Section 6.04.020 Code Enforcement Officer – Should the Animal Control Officer be responsible for collecting money or should that responsibility be transferred to the Finance Department?
2. Should the City require animal owners to secure their pets on leashes, pick up animal feces in public places and prohibit excessive barking and noise made by animals that unreasonably disturbs neighbors?
3. Section 6.04.060 Potentially Dangerous Dogs – Should the City use the Snohomish County Code as a template for developing process for declaring dangerous and potentially dangerous dogs as required by state law?
4. Section 6.04.110 through Section 6.04.150 Impound – How does the City Council want to handle animals that are impounded? The current practice is to temporarily "hold" animals in Sultan at the Public Works kennel until they can be adopted or euthanized.

On a motion by Councilmember Slawson, seconded by Councilmember Blair. Ordinance 1036-09 was introduced and passed on a second reading. All ayes.

### **Ordinance 1037-09 Fireworks**

The issue before the City Council is First Reading of Ordinance No. 1037-09 regulating the sale and discharge of fireworks.

The City Council discussed the issue of banning the sale and discharge of fireworks following Fourth of July festivities last year. The Council directed staff to bring back the issue for discussion in 2009.

The City Council further discussed the sale of discharge of fireworks at the Council meeting on March 26, 2009 and directed staff to return with an adopting ordinance to allow the sale and discharge of common fireworks subject to the limitations imposed by chapter 70.77 RCW.

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Ordinance No. 1037-09:

- Repeals the existing code which bans discharging fireworks except through public displays authorized by the City:
- Allows the sale and discharge of common fireworks consistent with state law.
- Requires a permit issued by the City Council for public display of fireworks
- Requires a permit issued by the City at the staff level for retail sales of fireworks
- Requires an inspection by the building official or designee of any structure or building intended for retail activity, wholesales activity, manufacturing activity, fireworks storage or public display of fireworks.
- Requires activities to be conducted in a safe and reasonable manner.
- Provides an appeal of retail permit conditions or denial to the City Council.
- Provides conditions for revoking a permit.

Establishes misdemeanor penalties of up to \$1000 and 90 days in jail

On a motion by Councilmember Blair, seconded by Councilmember Slawson, Ordinance adopting Fireworks Policy was introduced and passed on a second reading. All ayes.

### **Election of New Councilmember for Position 7**

The Issue before the council is to elect a new councilmember for Position 7 that was vacated by Councilmember Doornek's resignation.

On a motion by Councilmember Wiediger, seconded by Councilmember Slawson, Jeffrey Beeler was appointed to Position 7 Councilmember. All ayes.

### **PUBLIC COMMENTS**

Steve Harris: Would like the council to reconsider and run again, because they are all a great team. This team can make history and run again. Congratulations to Jeffrey Beeler.

Frank Linth: The Planning Board has two positions available in June and maybe someone here would be interested in being appointed. The National Association of Builders has invited the board to attend a seminar about the current economic climate for building and planning development on May 11 and all 5 members are going to attend.

Garth York: Would like to hear more discussion on the water rates.

Bob Knuckey: Thanked the council for their consideration for appointment. He would like the council members to reconsider running again.

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Jeffrey Beeler: Understands the Council's problem with cats not being restrained but would like for them to leave them in the animal control code, instead of eliminating it. Thanked them for their vote of confidence and he will do his best.

**COUNCIL COMMENTS**

Champeaux: Thanked the audience for wanting them to continue as Councilmembers.

Davenport-Smith: Thanked everyone for giving comments on the rate study.

Flower: It has been a fun meeting and he was glad to hear real people expressing their concerns. Reorganization of public works just can't happen right now.

Blair: Is proud of what they have done as a Council. She realizes and understands the community concern on fiscal planning.

Slawson: Thanked everyone for coming and for wanting them to run for another term but he is not going to run again.

**Executive Session:** On a motion by Councilmember Blair, seconded by Councilmember Champeaux, the meeting was adjourned to Executive Session for fifteen minutes to discuss litigation.

**Adjournment:** On a motion by Councilmember Davenport-Smith, seconded by Councilmember Slawson, the meeting adjourned at 9:48PM.

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Carolyn Eslick, Mayor

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Rosemary Murphy,  
Clerk