

**SULTAN CITY COUNCIL  
AGENDA ITEM COVER SHEET**

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ITEM NO: Consent C 1  
DATE: June 25, 2009  
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

**SUMMARY:**

Attached are the minutes of the June 11, 2009 Council meeting as on file in the office of the City Clerk.

**RECOMMENDED ACTION:**

Approve as submitted

**CITY OF SULTAN COUNCIL MEETING – June 11, 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. Absent: Beeler.

**CHANGES/ADDITIONS TO THE AGENDA:**

Add: Presentations: US Olympic Proclamation  
Consent: Excused absence of Councilmember Beeler  
Discussion: Council Retreat Agenda  
Move: Consent: Street Donation to Action

**PRESENTATIONS:**

**Legislative Update – Kirk Pearson:** Representative Kirk Pearson provided an update on funding provided under the State budget this year. The amount of funds available for capital projects was less this year. A large amount of money was used to purchase more park property at the same time the State is closing parks. The purchase of property did not create any jobs and he did not agree with the priorities set by other Representatives for funding. Highway 2 received funds to continue with the safety project. Mr. Pearson thanked the Council for their support and for coming to Olympia to help support projects.

**Snohomish County Regional Drug Task Force – Pat Slack:** Jeff Brand introduced Commander Pat Slack with the Snohomish County Regional Drug Task Force. Commander Slack described the formation of the task force under a grant in 1988. At the time several agencies had narcotics task forces and they were combined into a regional task force in 1995 and 2000. The Task Force works to eliminate drug dealers and meth labs and also provides prevention and treatment programs. They are looking to develop a drug take back program to allow citizens to properly dispose of prescription drugs. They also work with the Snohomish Health District on clean up of contaminated property after meth labs are removed.

**Wastewater Treatment Plant Project Update – Brown and Caldwell:** Connie Dunn introduced Bo Vestergard-Hansen from Brown and Caldwell who provided an update on the Wastewater Treatment Plant upgrade and centrifuge projects. The 50% design documents were presented to the City. The centrifuge project will reduce operation costs. He is the project manager and is working with Triad Mechanical on the installation. The centrifuge is due to be delivered by July 30<sup>th</sup> prep work will be done prior to delivery. The project must stay on schedule as they will not be able to do any dewatering during the 30 day installation period.

**US Olympic Day Proclamation:** Mayor Eslick declared June 23, 2009 as Olympic Day in the City of Sultan and presented the proclamation to the In Line Speed Skating Team from Sultan. The team members presented a baton to the City.

**CITY OF SULTAN COUNCIL MEETING – June 11, 2009****COMMENTS FROM THE PUBLIC**

Steve Harris: He went to Olympia and met with Kirk Pearson who has his heart in the best interest of the community. He will be going to Washington DC with the City Councilmembers to help seek funding for the Wastewater Treatment Plant.

Matt Koehler: Attended the meeting with members of his 5<sup>th</sup> Grade class. They are finishing a civic units learning about how government works and were excited when the Mayor responded to their letter and invited them to attend a Council meeting.

Garth York: Requested the Council consider holding off on the general facility charge increases until the economy is better.

Bob Knuckey: Provided an update on the Adopt a Street Program. They have two new people doing clean up on 1<sup>st</sup> street and 138<sup>th</sup>. There are over 100 participants that are cleaning 12 miles of streets. There are several people using the trails in the park and the last time he cleaned, there was less then a box of cans on the trail. The City is a lot cleaner thanks to the program.

**COUNCILMEMBERS COMMENTS:**

Slawson: He will be going to Washington DC next week with Councilmember Blair to seek funds for the WWTP and Highway 2. They will be meeting with Richard Little (lobbyist for the City) and representatives to talk about funding needs for Sultan.

Wiediger: Mr. Koehler has done a good job educating the kids on government. Thanked Mr. Knuckey for his work on the Adopt a Street Program.

Davenport-Smith: Thanked Representative Pearson and Mr. Knuckey for their work to make Sultan a better place to live. She will be attending the AWC Conference and will have an opportunity to do an interview with Comcast on the City's volunteer program.

Flower: Thanked Representative Pearson for his work on behalf of the city and Mr. Knuckey for all the work he does on the Adopt a Street program. Snohomish County Health District has had to shut down programs due to budget constraints and still needs to cut three million dollars out of the budget. Cuts have been made to environmental health that deals with septic systems. The child care health program was shut down. They are working on the strategic plan for the Health District to provide a long term solution to the problems. The Health District did a good job controlling the swine flu.

Blair: Welcomed the 5<sup>th</sup> grade class to the meeting. Thanked Mr. Knuckey for the excellent work on the cleanup program. Thanked Representative Pearson for his efforts on behalf of the community. Businesses are closing in the community and the Council needs to consider the impact to the budget.

Mayor Eslick: Was glad to see the students at the meeting. Youth needs to be introduced to government as they are future Councilmembers for the City. The Main Street program went well and this week they will be painting crosswalks. The Post Office mural dedication will be held on July 13, 2009.

**CITY OF SULTAN COUNCIL MEETING – June 11, 2009****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 Davenport-Smith, the consent agenda was approved as amended. Champeaux – aye; Wiediger – aye; Slawson – aye; Davenport-Smith - aye; Flower – aye; Blair – aye.

- 1) Minutes of the May 28, 2009 regular Council Meeting as on file in the Office of the City Clerk.
- 2) Approval of vouchers in the amount of \$225,668.89 and payroll through May 29, 2009 in amount of \$51,066.99 to be drawn and paid on the proper accounts.
- 3) Approval of the recommendations from the Utility Relief Report
- 4) Authorization for the Mayor to sign the renewal of Contract #CDCI 4597 with the Department of Corrections to provide inmate labor.
- 5) Authorization for the Mayor to sign a Memorandum of Understanding with the Snohomish County Retired and Senior Volunteer Program.
- 6) Excused absence of Councilmember Beeler from the June 11, 2009 meeting.

**ACTION ITEMS:****Ordinance 1043-09 and 1044-09 - Water Rates and Amendments to Title 13:**

The issue before the City Council to have First Reading of two companion ordinances:

1. Ordinance No. 1043-09 adopts a five (5) year water rate structure for single-family, multi-family and commercial customers. New rates would be effective December 1, 2009; and increases the general facility charge (GFC) from \$5,254 to \$6,209 paid by new development to connect to the City's water system. The new charge would be effective December 1, 2009.
2. Ordinance No. 1044-09 amends Sultan Municipal Code Chapter 13.12 "Water" to make housekeeping changes; and remove rates, fees and charges to Ordinance 1043-09.

Rates go into effect December 1, 2009 so first billing would be received in January 1, 2010. Developers would be able to pay the existing connection fee until November 2009. The rates need to be increased to cover the costs of operations and debt service. This year funds from the capital budgets were used to make the debt service payments this year.

Based on discussions on June 9, 2009, the ordinance has been revised to present an alternative to the proposed rate structure. Currently each property gets 600 cf per month and the proposal was to decrease that amount to 300 cf. The revised rate structure allows 600 cf for single family; 300 cf for multi-family (over 2 units) and 600 cf for commercial accounts.

On a motion by Councilmember Slawson, seconded by Councilmember Wiediger, Ordinance 1043-09 was introduced and passed on to a second reading. All ayes.

On a motion by Councilmember Slawson, seconded by Councilmember Davenport-Smith, Ordinance 1044-09 was introduced and passed on to a second reading. All ayes.

**CITY OF SULTAN COUNCIL MEETING – June 11, 2009****Wastewater Treatment Plant Funding Options:**

The issue is to select the preferred alternative for funding installation of the centrifuge for the Wastewater Treatment Plant based on discussion during the June 9, 2009 Special Council meeting. The project is scheduled to start in July and be completed by October 2009. Additional financing needs to be secured by the end of June 2009.

Staff recommends establishing the line of credit for \$400,000 to cover any contingencies on the Centrifuge project and refunding all or part of the 1996 bonds if there is a cost benefit. The City would only draw funds as needed with Council approval.

On a motion by Councilmember Flower, seconded by Councilmember Wiediger, staff was directed to establish a line of credit not to exceed \$400,000 to cover capital project costs for the Wastewater Treatment Plant. All ayes.

**AMEC Contract Amendment:**

The issue before the City Council is to authorize the Mayor to sign a contract amendment with AMEC not to exceed \$7,557. The original contract was not to exceed \$5,000. The time required to complete the requested services exceeded the agreed to budget for this fixed price contract by \$2,557. Although City staff did not request work outside of the budget, AMEC is requesting the City council consider paying for the work that was completed.

Discussion was held regarding the terms of the contract and the requirement to obtain written approval to increase the contract amount; the failure of the consultant to notify the City of the cost overruns; prior issues with consultant cost overruns and the lack of funds. On a motion by Councilmember Blair, seconded by Councilmember Slawson, the request to amend the contract was denied. All ayes

**Ordinance 1048-09 and 1049-09 – Parking:**

The issue before the Council is the approval of the Parking Regulations by Ordinance 1049-09 and an amendment to Sultan Municipal Code (SMC) Chapter 10.12.220 with Ordinance 1048-09.

Ordinance 1048-09 sets parking zones and time limits and adds the following:

1. Commercial Loading Zones (Max 30 minutes):
2. No Parking Zones:
 

<i>Timber</i>	141 <sup>st</sup> Street SE	No Parking on North side of street
<i>Ridge</i>	143 <sup>rd</sup> Street SE	No Parking on South side of street
<i>Area</i>	142 <sup>nd</sup> Place SE	No Parking in street
	143 <sup>rd</sup> Place SE	No Parking on South side of street
<i>Wildwood</i>	328 <sup>th</sup> Avenue SE	No Parking between Lots 4 and 5
<i>Place -</i>	133 <sup>rd</sup> Place SE	No Parking on North side of street
<i>Skoglund</i>	135 <sup>th</sup> Place SE	No Parking on South side of street

**CITY OF SULTAN COUNCIL MEETING – June 11, 2009**

**Parking:** The ordinance proposed to eliminate the Loading Zone on 5<sup>th</sup> Street from Main north 100 feet as it was not needed by the current tenant. Due to the closure of the business, it was recommended the loading zone be left there in case a new business owner needed the loading zone.

On a motion by Councilmember Slawson, seconded by Councilmember Davenport-Smith, Ordinance 1048-08 was introduced and passed on to a second reading. All ayes.

On a motion by Councilmember Slawson, seconded by Councilmember Champeux Ordinance 1049-08 was introduced and passed on to a second reading. All ayes.

**Bid Award – Demolition of FEMA Property on Alder:** The issue is to award a bid for the demolition of FEMA purchased property on Alder Street. The City received two acceptable bids on the project. A third bid was rejected as the contractor was not on the Small Works Roster used by the City.

On a motion by Councilmember Slawson, seconded by Councilmember Wiediger, the bid was awarded to Mountain Trucking & Excavating in the amount of \$12,477.50.

**Street Donation on Walbrun Road**

The issue before the Council is the acceptance of a donation of land from John and Anita Walker which is part of Walbrun Road. The Walkers own a strip of land on Walbrun Hill which has been used for road right of way for years. This is not a buildable lot and there are utility easements and ingress/egress rights through it. The Walkers have requested the City accept the donation of the right of way to the City.

There has been discussion about closing access to Walbrun Road as part of the Highway 2 safety improvements and providing an alternate access from the Sultan Basin Road area. If this should occur, the City would need to acquire the right of way for street improvements. The Council Sub Committee met on June 4, 2009 to review the request and recommend the City accept the property.

Discussion was held regarding the future needed right of way for circulation in area; required maintenance of the road; and acceptance of the donation versus future purchase. The Council also discussed the need to repair the grader in order to maintain gravel streets.

On a motion by Councilmember Slawson, seconded by Councilmember Champeaux, the Council accepted the property donation. All ayes.

**DISCUSSION ITEMS:**

**Hazard Mitigation Plan:** Snohomish County Department of Emergency Management recently notified the City of the requirement to update the City's Hazard Mitigation Plan. The current plan will expire in early 2010. The county and Snohomish cities have less than a year to complete the update.

**CITY OF SULTAN COUNCIL MEETING – June 11, 2009****Hazard Mitigation Plan:**

The Snohomish County Department of Emergency Management received a grant to assist with consultant time to review existing plans and make necessary changes. This would be Sultan's opportunity to review its adopted NHMP and make any updates based on new information or changed conditions.

This project was not anticipated and staff resources have not been allocated to updating the NHMP. The public works director and police chief will need to work together with Snohomish County and Fire District 5 to review and update the City's NHMP. Due to the required deadline other city priorities may be delayed to complete the update within the short time-frame. Fire Chief Merlin Halverson has been appointed a member of the County's NHMP Steering Committee.

Brief discussion was held regarding using Craig Bruner as a consultant on the project, staff time required and funding needed.

**Interlocal Agreement – Drug Task Force**

The Snohomish Regional Drug Task Force is a consortium of detectives, investigators, prosecutors, public health and safety officials from Snohomish County, the State of Washington and the Federal Government with a mission to target mid and upper level drug trafficking organizations (gangs) and reduce drug availability in Washington State and Snohomish County. Member agencies of the Drug Task Force sign an interlocal agreement, pay a local match fee and supply staff to support the Task Force.

The Task Force is funded through seizures, state and federal grants and local government money. The Snohomish Drug Task Force has a 2009 – 2010 operating budget of \$615,000 and is asking for a total of \$163,574 in matching money from Snohomish County jurisdictions. They have developed a billing formula which is based on the each agency's population and are requesting that Sultan sign the interlocal agreement and pay \$1,070 during this contract period.

Council directed staff to bring the Interlocal Agreement back at the next meeting for action.

**Finance Report – 2009 Status Report:** The issue before the Council is the review of the 2009 Budget Status and to address issues of concern. Reports reflect revenue activity through the month of May and expenditures through June 5, 2009.

The 2008 Annual Report was presented to the Council. In accordance with Council policy, \$14,785 in excess sales tax and building permit fees was transferred to the Contingency fund. The Street Construction fund ended with a negative fund balance due to a payment made to a contractor at the end of December. This may result in an audit finding.

General Fund revenues and expenditures are within the anticipated range for the end of May. There are several reimbursements pending for grant projects and from Sno-Isle and Snohomish County.

The Street fund has a negative balance and due to the funding sources there are limited options for increasing revenues. Mr. Gibson recommended at a prior meeting that the Council consider using part of the police vehicle funds to help fund street projects.

**CITY OF SULTAN COUNCIL MEETING – June 11, 2009****Change Street Name Foundry Drive to Sultan Basin Road**

The issue before the City Council is the request to change Foundry Drive to South Sultan Basin Road. This is strictly related to funding future improvements on Sultan Basin Rd. South. If the Council changes Foundry Dr. to South Sultan Basin Rd., the City would then apply to Federal Highway Administration (FHWA) to change the road classification from Local Street to Collector Arterial. Federal funding requirements would then be met and qualify for federal funding improvements. The property owners do not object to the change.

Council directed staff to proceed with the name change and continue to communicate with the property owners to address any issue or concerns they may have with the change.

**Council Retreat Agenda:** Councilmember Slawson requested discussion on the Council/Mayor pay item on the agenda for the retreat. Mayor Eslick advised that she requested it be on the agenda to discuss additional pay for the Mayor. The City of Leavenworth has an annual contract for the Mayor for pay based on the work done. Discussion was held regarding dealing with the Mayor and Council pay separately; increase in pay to encourage people to run for office; reasons for running for office – money versus concern for the community; and other uses for the funds.

**PUBLIC COMMENTS**

**Steve Harris:** The City Administrator does her job well but she can't do all the tasks required and a full time Mayor could help out with the work. It could be a benefit to the City. The Council does the job because they want to help the City. Staff works on a limited budget and they are working towards the future so they will be prepared when Sultan booms.

**Garth York:** If the City is going to use consultants they should limit the amount of time they bring them out to meetings. The water rates were discussed several times but the general facility rates were not discussed by the Council. It is frustrating that the Council was not concerned about those fees and he would like some feed back on the issue.

**COUNCIL COMMENTS**

**Slawson:** He would like to see more employees in Public Works instead of a raise for the Mayor and Council. They have squeezed everything out of Public Works and they deserve more.

**Davenport-Smith:** The Council should have discussed the general facility charge more. They did discuss the rates but not the impact to developers.

**Flower:** Agrees they should have had some discussion on the general facility charge.

**Blair:** The ordinance for the water rates includes a time frame for implementation. They should have given the GFC more consideration and maybe it could be discussed before the effective date of the ordinance.

**CITY OF SULTAN COUNCIL MEETING – June 11, 2009**

**Executive Session:** On a motion by Councilmember Slawson, seconded by Councilmember Davenport-Smith, the Council adjourned to executive session for ten minutes to discuss real estate acquisition. All ayes.

**Adjournment:** On a motion by Councilmember Champeaux, seconded by Councilmember Wiediger, the meeting adjourned at 10:00 PM.

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Carolyn Eslick, Mayor

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Laura J. Koenig, City Clerk