

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1
DATE: July 9, 2009
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the June 25, 2009 Council meeting as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

CITY OF SULTAN COUNCIL MEETING – June 25, 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, Beeler, and Blair. Absent: Davenport-Smith

CHANGES/ADDITIONS TO THE AGENDA

Consent: Add Excused absence of Councilmember Davenport-Smith from the June 25, 2009 meeting.

Presentation: Defer presentation by Richard Little to July 9, 2009 meeting.

Consent: Move Professional Service – Matt & Associates to July 9, 2009 meeting.

PRESENTATIONS**WWTP Achievement Award for “2008 Wastewater Treatment Plant Outstanding Performance”**

Connie Dunn, Public Works Director presented copies of the “2008 Wastewater Treatment Plant Outstanding Performance” award from the Washington State Department of Ecology to John Harris, Todd Strom and Randy Oesch. Karen Burgess presented a plaque to the Sultan Wastewater Treatment Plant for the “2008 Wastewater Treatment Plant Outstanding Performance” award.

Of approximately 300 wastewater treatment plants statewide, Sultan’s plant is one of 91 plants that achieved full compliance with its discharge permit in 2008. The City had three employees that helped achieve the award – John Harris, Todd Strom, and Randy Oesch.

Latimore Project Update

Robert Martin, Community Development Director, introduced Kurt Latimore and provided a brief update on the Building Permit program.

Kurt Latimore provided an overview of the program and demonstrated the on-line access to the “dashboard”. The business licenses have been added to the program to provide an internal review process. As a part of the process, the application is accepted, reviewed, and the applicant is provided a checklist of necessary corrections. It is entered into the system after the application is deemed complete. Springbrook compatibility was tested and it should work well with the dashboard system. Staff will be completing the application checklists for each process, procedure manual and implement the Springbrook connection.

COMMENTS FROM THE PUBLIC:

Dave Wood – VOA: A Community meeting was held on June 23, 2009 on the stabbing incident that occurred on 4th Street. The next step will be hold a meeting on June 26, 2009 for the kids to meet with the police – no press or adults will be allowed. On July 1, 2009 there will be Gang Awareness program at the Middle School put on by Snohomish County Task Force.

COUNCILMEMBER COMMENTS

Beeler: Thanked Dave Wood for hosting the meetings. The incident brought to reality what is going on in Sultan and the need for the City to take control again. In regards to the water rates, favors the option if you use it, pay for it. Would have liked to see the 300 cf allowance instead of the 600 cf.

Blair: Thanked the Mayor, Snohomish County Sheriff and others that put the meeting on Tuesday night. It is unfortunate it took an incident to get people involved with issues. She went to Washington DC and met with Representatives Rick Larson and Patty Murray. Congressman Larsen did not submit the wastewater treatment plant project for funding this year but there will be funds available in the future. Thanked Steve Harris for his input from the developer level.

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Slawson: Request that a representative from Community Transit be asked to attend a meeting to provide an update to the City on what they are doing with cuts in bus routes. The changes in the service will be an inconvenience to the citizens. They met with federal representatives to thank them for help on the city projects. The city is on the list for future funding. The representatives learned new things about Sultan they did not know about such as the volunteer program and the award for the wastewater plant. Thanked the city for allowing them to go to Washington DC – it is a great place to visit.

Champeaux: The Chevron fireworks stand will be doing a fund raiser for girls Basketball team.

Mayor Eslick: Thanked the VOA and Dave Wood for hosting the town meeting. The city, school, fire and police departments all came together to inform the community about what happened. 48 people signed up to help develop a program for the youth and the Family Resource Center will be active again.

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 Champeaux, the consent agenda was approved as amended. Champeaux – aye; Wiediger – aye; Slawson – aye; Flower – aye; Blair – aye; Beeler – aye, abstained on the June 11, 2009 minutes. The following items are incorporated into the consent agenda and approved by a single motion of the Council.

- 1) Approval of the June 11, 2009 Council Meeting Minutes as on file in the Office of the City Clerk.
- 2) Approval of the June 9, 2009 Special Council Meeting Minutes as on file in the Office of the City Clerk.
- 3) Approval of Vouchers in the amount of \$372,597.13 and payroll through June 12, 2009 in the amount of \$76,281.86 to be drawn and paid on the proper accounts.
- 4) Adoption of Ordinance 1043-09 and Ordinance 1044-09 Water Rates and Amendments to SMC Title 13.
- 5) Adoption of Ordinance 1048-09 and Ordinance 1049-09 Parking Zones and Amendments to SMC Title 10.
- 6) Authorization for the Mayor to sign the Interlocal Agreement with the Snohomish County Regional Drug Task Force.
- 7) Adoption of Resolution 09-09 to Change the name of Foundry Drive to South Sultan Basin Road
- 8) Excused absence of Councilmember Davenport-Smith from the June 25, 2009 Council meeting.

ACTION ITEMS:**Phone Service Change:**

The issue before the City Council is to authorize an agreement with Comcast to change service providers from Verizon to Comcast for phone and Internet service. Comcast is offering business phone and Internet service. The Comcast representatives provided a quote for phone and Internet service to City Hall for a flat rate of \$548.65 per month including both unlimited local and long distance calls. Similar service would need to be negotiated for the public works shop, waste water treatment plant and water treatment plant. Verizon is the City's current phone and Internet service provider. An analysis of the phone and Internet invoices shows the City could save approximately \$600.00 per month by switching to Comcast. The primary savings would be the elimination of long-distance calls. Currently the City pays .17 per minute for long-distance during peak periods.

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Phone Service: Under a contract with Comcast, the City would continue to use its existing phone hardware and software. There may be some ancillary costs associated with changing providers. Verizon may continue to provide service for the fire alarm, elevator and direct dial in-coming calls. These costs would be identified during final negotiations with Comcast. Brief discussion was held on the voice mail system, service to other buildings and costs. On a motion by Councilmember Slawson, seconded by Councilmember Beeler, the matter was continued to July 9, 2009. All ayes.

2009 Budget Amendments

The issue before the Council is to discuss amendments to the 2009 Budget and to schedule a public hearing on July 9, 2009. As issues have come up during the first six months of the year, the City Council has approved expenditures that were not included in the adopted 2009 budget. Amendments are needed in the General, Street and Enterprise funds. On a motion by Councilmember Slawson, seconded by Councilmember Flower, a public hearing on the 2009 Budget Amendments was set for July 9, 2009.

Contract Award – Facility Assessment:

City staff recommend authorizing the Mayor to negotiate and sign a contract for services with Driftmier Architects to complete a facilities assessment by July 31, 2009. This timeline will allow the City to complete some facility improvements in 2009. It would also provide the City with information necessary to prioritize building repairs and develop a budget for 2010. The City will need to negotiate a contract with Driftmier after the selection process is complete. On a motion by Councilmember Blair, seconded by Councilmember Wiediger, the Mayor was authorized to negotiate a professional services contract with Driftmier Architects to complete a facilities assessment and to bring it back with a scope of work and amount for council approval. All ayes.

Community Center Usage

The issue before the Council is to adopt a policy for use of the Community Hall meeting room. The adopted fee schedule for 2009 provides for free use of facilities for City sponsored events and for Inter-jurisdictional groups. There are no other provisions or guidelines for waiving the fees for use of the Community Room. The Council and staff have received requests from other community based non-profit groups for use of the facility in exchange for volunteer work they have performed (such as the Garden Club).

The Sub Committee met on June 4, 2009 to discuss of the Community Room by non-profit groups in the City. They reviewed policies from other cities and made the following recommendations:

All non-profit groups to use the room free of charge during business hours. This would be Monday – Friday from 8 AM to 5 PM.

1. Require the groups to clean the room and put it back in the same order they found it. A photo of the room set up would be posted for their use.
2. Accept donations for use of the room. This could be in the form of cash or service to the community.

Brief discussion was held regarding damage deposits, number of groups that would use the room and the benefit to the city.

On a motion by Councilmember Slawson, seconded by Councilmember Beeler, staff was directed to prepare a revision to the Park & Facility Use Fee Schedule to provide for community room use by non-profit organizations in Sultan and adopt the Community Room use policy. All ayes.

CITY OF SULTAN COUNCIL MEETING – June 25, 2009**Comprehensive Plan Docket 2009:**

In conformance with State Statutes, the Sultan Municipal Code (SMC) Chapter 16.134.070D; provides that the Docket for proposals to amend the Comprehensive Plan is open once each year. The deadline for submittal of docket proposals is April 1st of each year. For 2009, the Planning Board proposed five items and a private property owner proposed one item. The City Council determines what items will be addressed on the current year's Docket and which will not. The docket items included:

- 1) Amend Comprehensive Plan Text to provide for Public/Institutional Zone as overlay in the Zoning Section of the Unified Development Code, Sultan Municipal Code (SMC) Title 16.
- 2) Amend the Comprehensive Plan Future Land Use Map (Figure LU-1) to designate the north portion of Reese Park and the Water Treatment Plant site as Low/Moderate Density Residential, and provide Comprehensive Plan direction for zoning the properties as P/I on the Official Zoning Map.
- 3) Assessment and possible Amendment of Comprehensive Plan Policies on Population and Economic Development, Section 2.2, Goals and Policies, General, #12, #13, and #14.
- 4) Industrial Park Master Plan (Reference Document to Comprehensive Plan) at page 3.7, Development Review Process, Binding Site Plan (BSP).
- 5) The Road Functional Classification used in the Plan does not correlate with the State and Federal classification systems.
- 6) Amendment proposal submitted on behalf of Terra-Ex Land Group. The proposal is to amend the Official Zoning Map to change 17 acres of property at the intersection of Sultan Basin Road and Hwy 2 from Economic Development and Medium Density Residential to Highway Oriented Development. The proposal also asks to amend the text of the Comprehensive Plan and the Sultan Municipal Code 16.12.050 to allow for senior residential housing in the Highway Oriented Development Zone.

On a motion by Councilmember Slawson, seconded by Councilmember Champeaux, the recommended docket was accepted by the Council. All ayes.

Greens Estate Developer Agreement:

The issue before the Council is the requests that the Council legislatively extend the expiration of the Greens Estate Preliminary PUD Approval from February 27, 2009 to February 27, 2013. The extension is tied to a Developer Agreement which addresses a variety of items that staff requested to clarify details of the PUD design and administrative procedures. A decision by the Council to approve this extension adds four years to the expiration date provided by SMC 16.10.150-A. By entering into a Developer Agreement, the Council is not setting a precedent that all other preliminary PUD approvals will be automatically extended. The Developer Agreement mechanism provides the developer an opportunity to validate compliance with the code standards as provided by SMC 16.10.150-B. If a developer chooses not to address any outstanding issues with the Preliminary PUD Approval, the Council may make findings that the conditions of SMC 16.10.150-B are not met, and the Preliminary PUD Approval expires one year from approval.

Discussion was held regarding charging a hold fee for the water/sewer connections; extending the plat for one year instead of four years; difference in extension polices for plats and PUD's; the need for separate developer agreements for each project; consistency in the agreements; lose of capacity when connections are reserved by the developments; ability to pay for infrastructure without

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connections; change in policy for payment requirements for connections and the need to address legal issues associated with the connection policy and agreements.

On a motion by Councilmember Slawson, seconded by Councilmember Beeler, the matter was continued. All ayes.

Ordinances for Quasi Judicial Amendments:

The issue is to have first reading and adoption of Ordinance 1050-09 Amending SMC Title 2, Ordinance 1051-09 Amending SMC Title 16, Ordinance 1052-09 Amending SMC Title 21 to remove the City Council from quasi-judicial decision process, vesting that responsibility in the Hearing Examiner, and clarifying the titles of various responsible officials.

On a motion by Councilmember Slawson, seconded by Councilmember Champeaux, Ordinance 1050-09, Amendment to SMC Title 2 was introduced and adopted. All ayes.

On a motion by Councilmember Slawson, seconded by Councilmember Wiediger, Ordinance 1051-09, Amendment to SMC Title 216 was introduced and adopted. All ayes.

On a motion by Councilmember Beeler, seconded by Councilmember Slawson, Ordinance 1052-09, Amendment to SMC Title 21 was introduced and adopted. All ayes.

Bid Award – Modification to Water Plant:

Staff is recommending City Council authorize award of the Door Replacement Project to Pacific Northwest Construxion Inc as the lowest responsible bidder, which will allow staff to notify the contractor and issue a notice to proceed on installation of a larger access door into the chlorine room. This will allow the equipment necessary (primarily a 4 foot diameter plastic tank) for the chlorine conversion to be added to the chlorine room.

On a motion by Councilmember Blair, seconded by Councilmember Slawson , the bid was awarded to Pacific Northwest Construxion in the amount of \$8,766.15. All ayes.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

Craig Sears: He has been in the land development business for over 30 years and 1982 was a bad year for building, however this year is worse. Developers, builders and subcontracts are all falling by the way side and they don't have a lot of money to work with. Requested the Council consider their financial situation when they make decisions regarding payment of connection fees and monthly assessments. They have a plat under development in town and have sold five homes and applied for building permits for five more homes.

COUNCILMEMBER RESPONSE TO PUBLIC COMMENT ON AGENDA ITEMS

Slawson: Their role is to protect the City and the water rights. They are not trying to harm the developer and they don't want to set a precedent.

Blair: Thanked Mr. Sears for his comments. Their action has is not aimed at the PUD or developer.

Beeler: Four years is too long a time to extend the plat and should come back on an annual basis. The Council will need to deal with each developer separately.

Mayor Eslick: Would like to see the Council hold off any requirement to pay a monthly fee as the developers don't have any money and the City needs to work with them.

Adjournment: On a motion by Councilmember Champeaux, seconded by Councilmember Blair, the meeting adjourned at 9:20PM. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk