

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1
DATE: January 28, 2010
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the January 14, 2010 Council Meeting minutes as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

CITY OF SULTAN COUNCIL MEETING – January 14, 2010

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

PRESENTATIONS

Oath of Office: Mayor Eslick administered the Oath of Office to Councilmembers Pinson, Slawson, Wiediger and Blair.

Sultan Basin Road Update: Connie Dunn, Public Works Director, introduced Sam Richards with WH Pacific the engineering firm designing the Sultan Basin Road.

The city has started the third and final phase of the Sultan Basin Road and US 2 realignment project. Improvements will consist of adding the south leg of Sultan Basin Road connecting Foundry Drive (now South Sultan Basin Road) and Cascade View Drive with US 2. There will be additional traffic control signals, lighting, and left turn lanes on US 2.

Because of the topography, the project requires considerable grading and fill and a significant retaining wall between US 2 and Cascade View Drive. WH Pacific is ready to begin negotiations with adjacent property owners to purchase land needed to accommodate the retaining wall.

The project includes curb, gutter, sidewalks and bike lanes on both sides of the south leg between US 2 and the Burlington Northern railroad tracks. The sidewalks and bike lanes will connect the industrial park, residential neighborhood, park and ride lot and downtown commercial area. The project is being done to provide a safe and effective access to and from US 2 from the industrial area of the city. The design and acquisition needs could be changed to save money on the project. There is a NEPA requirement to conduct a noise study for the project. The project is on hold until the City decides on how to proceed with the project based on design and construction costs. The consultants have met with property owners to discuss property acquisition and right of entry permits. The cost estimate of the project is \$4.3 million dollars and the city has \$2.2 in federal funds and must provide a 13.5% match. There is a \$1.7 million dollar shortfall in funds to complete the project. The Council needs to consider the options and alternatives and decide if they are going to continue the project as designed; move to the east end of Cascade drive with a roundabout; or go with a no build (this would require the city to release grant funds).

Council Discussion was held regarding fund sources for the project; availability of additional grant funds; lack of the anticipated impact fees; the 13.5% match required from the city for the project; the need to lobby for additional funds; creation of new roadways and lack of funds to pay for maintenance on existing roads; allowed expenditures for impact fees.

Public Input:

Nate Porter: The profile changes are increasing the costs, is it necessary for the project? Could people just turn right instead of changing the profile?

Sam Richards: Based on the type of traffic using the roads (trucks) the slope needs to be changed. Any other configuration would require a design deviation process and they would not support that for safety reasons.

Jim Stiles: Appreciates the Council's dilemma as people are using the street or cutting thru Romac. People are turning left on to the highway at the west end of Cascade View Drive. Would like to see some costs mitigated – don't need sidewalks or bike lanes on the project. The improvements need to be made but we need to determine how can we drop the cost and design a project that the city can afford. Recommended removing the island on the west end of Cascade drive and allow people to turn on to Highway 2.

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Kim Koppenberg: He has a business in the area and he tells his employees to use the east end of Cascade View Drive to access the highway. They have 5-15 flatbeds that leave the business once a month and they go out the east end but would use a light if it was installed. The proposal is good and would like to see it happen however if there is no alternative or the project will be put on hold, the city may have to look at light on east end of Cascade View Drive.

Steve Harris: Asked when the cost estimate was done, what bidding estimate time frame was used?

Sam Richards: Used the current bidding climate and estimates are based on today's costs. The city could go to bid later this year; the right of way acquisition is the hold up right now as the federal funding has a strict process to follow.

Wendy Bowman: Asked why the slope can't be reduced? The truck drivers will not use the road when it is icy.

Sam Richards: The design is done based on national standards and if they don't follow the standards federal funds may not be available.

Ray George: He lives past the foundry and the cost added to the project for sidewalks and bike lanes don't make sense as there are not enough residents in the area to need them on both sides of the road. The City is looking for more grants but the federal government is in debt already and at some point there will be no more money. The City could remove the island at the west end and allow traffic to turn left there which would be a less expensive alternatives.

Bob Gilmore with Romac: There is a safety hazard with the road now especially for trucks in icy and snowing weather. The design is bad now and there is a safety issue to address. Staff at Romac help people who get stuck on the road now.

Al Wirta: What is the cost to the citizens; what will the maintenance cost be and can we afford it? Understands the concerns of business such as Romac because people are using their property. The city should open the west end of the road and put in roundabout.

Kay George: Everyone talks about grant money and the citizens are the ones paying for the grants. This is not free money and there are strings attached. The city must comply with federal regulations to build the road and then must maintain it. Need to attract business to the area to help pay for the improvements. LID 97-1 did not attract business. City needs to consider other alternatives.

CH Rowe: He owns a trucking company on the other side of the Sultan Basin Road. When he was Mayor he supported the north side improvements but has never supported the south side project as the city can't afford it. Truck drivers don't use the road in bad conditions. He would prefer to use the east end of Cascade road instead of stopping a truck on the hill.

Mike Ingalls: A letter of support from Snohomish County Fire District 5 was read into the record.

Council comments:

Flower: There has been a lot of discussion regarding the cost to the citizens and the federal process. The federal government is going broke but they are not going to stop spending money and if don't want the money, it will go to some other project. If there is money available to help the business without increased taxes we should use. Why do we need sidewalks and bike lanes on this project?

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Pinson: The money isn't free. The city will look at a garbage study soon and will have to increase costs for service. There is a flaw in the system and the impact of increases is domino. City needs to look at ways to address the problem.

Blair: Thanked the businesses and fire district for their input. They struggle with directly passing on costs to citizens. The garbage service is a direct cost and other outside factors impact what we charge. They request money from the state but we have all paid in taxes to the state. Are we required to build roads? Yes, we must spend impact funds on new roads. If the city builds the infrastructure it will improve the business development.

Beeler: There was discussion on the need to acquire property and the need to look at alternatives to cut costs. The business owners are concerned about the current road and this project would make it more attractive and safer for everyone. The council needs to review and reduce costs and this will be a good project. We pay taxes to pay for these projects and the city doesn't have the revenues without grants.

US 2 Safety Survey: Sarah Wylie and Rebecca Meiksin with the University of Washington presented the report to the Council.

A class of seven University of Washington students enrolled in the Community Oriented Public Health program spent two weeks in December 2009 investigating transportation safety on US 2 in and around Sultan. Their research included a site visit, interviews with local leaders and residents, and data analysis. In preparing the report, the students took into consideration budget constraints at the local and state level which limit some types of actions and the capital investments already planned to improve traffic safety. The recommendations in the report focus on low-cost educational interventions to improve traffic safety including:

- Raising personal awareness of alcohol consumption and empowering individuals to drive safely.
- Educating the public on the danger of speeding and the importance of using seatbelts.
- Designing education efforts to reach teens and changing risky driving behaviors. It was found that a high percentage of teens do not use seat belts. The school has participated in teen intervention and education programs in the past and it was suggested that more education would be beneficial.
- Promoting safe driving among recreationists traveling on US 2.
- Improving the visibility of pedestrians in the 5th Street crosswalk.

Each recommendation is followed by specific implementation actions the city could take, alone or with partners, to improve safety on US 2.

The Council thanked the students for their work on the survey and with the Health District. Highway 2 safety is a priority with the city as well as the US 2 Safety Coalition.

COMMENTS FROM THE PUBLIC:

Teresa Knuckey: There is an issue with people doing target shooting off 116th Avenue. She met with representatives from DNR and law enforcement to tour the Lake 16 area. It is not safe for hikers in the area due to the shooters. No Shooting signs will be posted in the area. The shooters are also disturbing the bald eagle nests.

Dave Wood: On January 28th the VOA will assist with the National Point in Time homeless count. The goal is to count and interview the homeless and not just those in the encampments. There is a need to identify people who are staying with friends or in cars. They do need volunteers to help.

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Kami Putsman: Director at the Boys and Girls Club. The Club has introduced two new programs for teens from 13-18 - money management and smart girls. The programs will provide the students information on how to handle their money and development of self-esteem.

Steve Harris: Thanked the Councilmembers for their work. There is an opportunity to make the city explode with growth and the government spending may not be the way but if the funds are going to be given out, the city should use them. In order to make projects move forward, everyone needs to work as a team. The city depends on developers to help with the roads and if they waived the fees or impacts they could get development. It will cost more to the city to start but it will generate revenues. He appreciates the help the city has provided on his project.

COUNCILMEMBER COMMENTS

Beeler: Glad to see the sander and snow plow is running – we won't need it now. The Sultan Basin Road extension will provide more road to maintain but this project will improve the road and address drainage and wetland issues. The city needs to look at ways to fund street maintenance – taxes or utility options. Appreciates help from anyone or any agency on the funding.

Blair: Welcomed the new year and the new and returning council members. Is looking forward to an interesting four years and economic development in the city.

Flower: Welcomed Councilmember Pinson from the oldest member of the council now. The Survey by the UW students was excellent and informative. Ask the Police Chief if there was any place people can go to shoot now? (Chief – 116th pit is the last area people can go to shoot) There will be no net increase in road area for the Sultan Basin Road. The road in the area is old and needs repair and the new road will be built to new standards and should not need major maintenance for several years. Advised that he was re-elected as chair for the Snohomish County Public Health Board.

Davenport-Smith: Congratulated the new council members. There is a need to proceed with the gun range to provide a place for the shooters. Thanked the Knuckeys for their work. The survey done by EMC was very informative. It was good to hear that economic development was right behind crime and safety for concerns. The Council needs to think outside the box and government needs to be less restrictive.

Wiediger: Welcomed the new council members and thanked Councilmember Flower for continuing on with the health board. Thanked the Knuckeys for their work. The city doesn't need bike lanes and sidewalks on the Sultan Basin Road and we could cut costs by eliminating them.

Slawson: Community Transit will be making several cuts to service in East County. He needs input from citizens to take to the board as the changes will make the 6:05 am bus the earliest bus from Gold Bar. Encourage the council to go to Olympia to lobby for funds for city projects and keep some tax dollars in the city. Asked the two young men in the audience why they were at the meeting. (They advised they are with the Boy Scouts and are earning their citizenship badge). The County is still working on the gun range and should have land conveyance by February. The range needs to be completed to stop the devastation in other areas.

Pinson: He is the new loose cannon on the council but he made the decision to help out in the city. He is not up to speed on the gun range issue but a dangerous situation occurs when all the ranges are shut down. The Sultan Basin Road looks great and he can see value but the city needs to do things when we can afford them. Stating this will stimulate the economy and create jobs sends mixed signals to business. Our decisions cause the problems and someday we will have to face consequences of those choices. Our children are facing a debt they can never pay. Was an Eagle Scout and was glad to see them attending the meeting.

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Stephanie Morrill (Student Representative): Advised that two students scored in the 90% range in math for the SATs. The high school musical for this year is Crazy for You. The Sultan Basin Road improvements would be very beneficial and the city should do the project but look at alternatives for cutting costs. US 2 safety survey addressed teen awareness. Last year the high school did a program to encourage seat belt use.

Mayor Eslick: The State closed down the Reiter Pit area and now there is criminal activity occurring as people are using other areas to ride motorbikes and vehicles. The area needs to be reopened for public use. She toured the evacuation trail today to determine what needs to be done in the way of repair and maintenance. The first business workshop will be this week and there are several scheduled in the future.

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 Wiediger, the consent agenda was approved as presented. Pinson – aye, abstained on the minutes; Wiediger – aye; Slawson – aye; Davenport-Smith – aye; Flower – aye; Blair – aye; Beeler – aye,

- 1) Approval of the December 10, 2009 Council Meeting Minutes as on file in the Office of the City Clerk.
- 2) Approval of the December 10, 2009 Public Hearing minutes on the 2009 Budget Amendments as on file in the Office of the City Clerk.
- 3) Approval of the December 2, 2009 special Council Meeting Minutes as on file in the Office of the City Clerk.
- 4) Approval of Vouchers in the amount of \$186,050.40 and payroll through December 11, 2009 in the amount of \$113,095.64 to be drawn and paid on the proper accounts.
- 5) Approval of Vouchers in the amount of \$148,370.07 and payroll through December 25, 2009 in the amount of \$42,397.40 to be drawn and paid on the proper accounts.
- 6) Utility Committee report
- 7) Authorization for the Mayor to sign a professional service contract with Iron Goat Inc. for IT services.
- 8) Approval of the request for extension to the PWTF loan for the Wastewater Plant.

ACTION ITEMS:

Mayor Pro-tem: In accordance with the current Council Rules of Precedures for Council Meetings, the Council appoints a Mayor Pro Tem for the year at the first Council meeting. The Mayor Pro Tem conducts the business of presiding over meetings of the council and any other regularly conducted business of the Mayor in the Mayor's absence.

On a motion by Councilmember Flower, Councilmember Slawson was nominated as Mayor Pro-tem for 2010; seconded by Councilmember Wiediger. All ayes.

PMC Professional Service Contract – Park Plan: The issue before the City Council is to authorize the Mayor to sign the contract and the scope of work and with PMC World, Inc (PMC) to write the City of Sultan Park, Recreation, and Open Space (PROS) Plan. On a motion by Councilmember Blair, seconded by Councilmember Wiediger, the Mayor was authorized to sign the contract and a scope of work with PMC to prepare the PROS Plan in 2010. All ayes.

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BHC Professional Service Contract: This proposal would provide on-call services for 2010 to address specific code compliance issues related to building code and nuisance management through the focused efforts of a consultant experienced in code compliance processes that are particularly technical in nature.

Discussion was held on the need for separate animal control and code enforcement personnel; using funds allocated to animal control for other code issues; number of incidents that occur in a year; need for future budget amendments to cover animal control needs; on call services for animal control; need for other code enforcement services to improve the “looks” of the city. The consensus of the council was that animal control service was a priority.

On a motion by Councilmember Beeler, seconded by Councilmember Slawson, the Mayor was authorized to negotiate a contract with BHC Consultants (in an amount not to exceed \$6,000) for on-call services to provide assist with compliance with building code and nuisance code.

Councilmember Beeler amended the motion to reduce the amount to \$4000, seconded by Councilmember Flower. Ayes: Flower and Beeler; Nays – Pinson, Slawson, Wiediger, Davenport-Smith, and Blair. Contract was not approved.

Stop the Clock: On a motion by Councilmember Davenport-Smith, seconded by Councilmember Blair, the clock was stopped at 10 PM. All ayes.

USDA Wildlife Contract: This proposal would provide on demand services for 2010 to manage damaging and health hazard wildlife in the city. Wildlife, different from domestic animals, is an area outside of the expertise of local government animal control programs. This program is available through the Federal Government at a very economical cost to local governments.

Discussion was held on whether there is a wild life problem; other agencies that could handle the problem and the need to research the options further.

On a motion by Councilmember Blair, seconded by Councilmember Slawson, the matter was continued to a future meeting. All ayes, except Councilmember Beeler and Pinson who voted nay.

DISCUSSION:

Board Appointments: The issue before the City Council is to consider appointments to regional boards and commissions including Snohomish County Tomorrow, Snohomish Health District, Community Transit, Puget Sound Regional Council, Snohomish County, and Sky Valley Chamber.

On a motion by Councilmember Blair, seconded by Councilmember Beeler, the following appointment recommendations were confirmed:

Snohomish County Tomorrow – Councilmember Slawson; Davenport-Smith as alternate

Snohomish Health District – Councilmember Flower

Community Transit – Councilmember Slawson

Snohomish County Cities – Finance Committee and Law and Justice – Councilmember Wiediger

PSRC – Economic Development – Councilmember Blair; Transportation – Councilmember Beeler;

Growth Management – Councilmember Davenport-Smith.

Public Comment on Agenda Items:

Scott Durham: Found the meeting to be interesting. He is a boy Scout and need to attend the meeting for a merit badge.

Eric Gonzaro: (Boy Scout) Found the meeting to be long but the part about the Sultan Basin Road was interesting.

Steve Harris: Need to update information on the public access channel. Good to see the Council is not over spending.

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Councilmember Response to Public Comments:

Slawson: Thanked the Boy Scouts for attending the meeting.

Blair: Looks forward to having an animal control officer again.

Beeler: Enjoyed being a Boy Scout and hopes the two young men continue in scouting.

Executive Session: On a motion by Councilmember Slawson, seconded by Councilmember Beeler, the Council adjourned to executive session for twenty five minutes to discuss real estate acquisition and potential litigation. All ayes.

Adjournment: On a motion by Councilmember Blair, seconded by Councilmember Davenport-Smith, the meeting adjourned at 11:10 PM. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk