

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1A
DATE: September 9, 2010
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:

Attached are the minutes of the August 26, 2010 Council Meeting as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

CITY OF SULTAN COUNCIL MEETING – August 26, 2010

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

CHANGES/ADDITIONS TO THE AGENDA:

Consent: Add excused absence of Councilmember Wiediger
Continue Ordinance 1086-10 Sewer General Facility Charge to future meeting
Move Ordinance 1083-10 Panhandlers to action

Presentation: Add Community Garden – Christopher Horton
Add Sheriff Lovick
Continue Business recognition to the September 23, 2010 meeting.

PRESENTATIONS:

Snohomish County Sheriff: Sheriff John Lovick was present to thank the Council for their work with the community. Sultan is one of the best partnerships they have in the County and they want to provide whatever service is necessary to make the community safe.

Community Garden: Deputy Christopher Horton was present to propose a community garden in Sultan. The location proposed is the field next to the Cemetery and the garden would be open to citizens in East Snohomish County. VOA has a Master Garden available and the School District is willing to help. Other proposed sites included an area on 8th Street. Businesses in the area have offered to participate in the project. The original idea was to create a project to work with the kids to build a relationship with the Sheriff Officers outside of the office.

WSDOT US 2 Roundabout

Shariff Shaklwan, Design Project Engineer and Lorena Eng, Regional Administrator, WSDOT, Northwest Region discussed the proposed roundabout at the Rice Road intersection and how this improvement will address the safety and access issues at this intersection. The State will do some interim improvements at the intersection to enhance safety until the roundabout is constructed in 2012. Roundabouts are designed to control traffic in an intersection and slow vehicles down. The intersection does not meet the state guidelines for a traffic signal. Lowering the speed limit does not make drivers slow down.

Council concerns: The one lane is designed for 20,000 vehicles per day but the traffic on weekends is double that amount and the study was not done during peak traffic time; designing improvements to meet the population allocation; two lane roundabout to handle congestion; roundabout will not resolve the congestion problem; crosswalks; need to lower the speed limit and address the short site distance for drivers; information and education for the public.

The safety improvement will not address the peak times, only the average traffic times; heavy traffic on weekends will still be an issue with a light or roundabout; two lane roundabout will not slow people down or resolve the congestion problem; need to balance the needs of the regional travelers and the local citizens. A meeting will be held for the public on September 15, 2010.

Connie Dunn – Recognition

The issue before the Council is a presentation of recognition of Connie Dunn as Sultan's Public Works Director for 13 + years.

Laura Koenig – Professional Finance Officer Award

Laura Koenig has received the Professional Finance Officer Award for the State of Washington for the second consecutive year.

CITY OF SULTAN COUNCIL MEETING – August 26, 2010

STAFF REPORTS: Written reports are on file in the Clerk's Office.

- 1) Community Development Department
- 2) Finance Report
- 3) Public Works Department
- 4) Animal Control Report

COMMENTS FROM THE PUBLIC:

Gloria Wolter: The roundabout will encourage business to move into the area and will help the weekend traffic problem. Roundabouts work in other states and countries. Her son was killed at the Rice Road intersection and there have been multiple accidents. The State needs to fix the problem before someone else dies. WSDOT donated a "watch for motorcycles" road sign to them and she would like to dedicate hers to the city.

Rusty Drivstuen: Is the owner of the Chevron station and he has looked at the issue and thought it was good idea for his business. It will move traffic during the weekdays in a safer way but will not help the problem on the weekends. The single lane was a concern but the double ones are confusing. The state has the money today so he does not understand why it takes two years to fix. The right of way issue can be dealt with and he is willing to work with the state to obtain.

Kirk Pearson, State Representative: Lorena Eng has been WSDOT Regional Director for several years, this is a priority issue for them, and they are moving quickly on the project. This is a difficult issue as we have lost friends and family in the valley due to traffic accidents. He met with the Wolters at the intersection in June to look at the traffic problems in the area. Would like to see the highways safer and recommended the City contact with Sedro Wooley to see how well their roundabout works. As a legislator and citizen, he wants to see the highway safer. Encouraged the Council to look at the proposal and seriously consider support.

Keith Arndt: Supports the roundabout, two lanes are okay. Don't be like Portland who put in a two-lane roundabout with stop signs. Thanked the Council for postponing the Sewer General facility charge discussion. Submitted written comments on the proposed general facility charge for the record.

COUNCILMEMBER COMMENTS

Pinson: Supports the roundabout as the safest option. Not in support of lowering the speed limit before or after the roundabout is installed as it is an artificial solution.

Slawson: Has looked at other roundabouts and he wants all the information available to the public for consideration. Supports the roundabout idea but they need to educate the public on how to properly use them.

Russell Wiita: Thanked the Sheriff and Deputy Horton for saying how great Sultan is – he loves it here and is glad to hear it from others.

Davenport-Smith: Congratulations to Connie Dunn, she has done a great job. Congratulations to Laura Koenig on her award– took her tax class and it was great. The City has a great staff.

Blair: Congratulations to Connie Dunn – will be good in new position. Congratulations to Laura Koenig – award is well deserved. The Roundabout will provide access to the business in the areas. Traffic improvements are used to determine impact fees for the city but the State is not held to the same standard as cities when it comes to traffic improvements. They need to consider the population projections for the next twenty years and base improvements on future needs. Toured the Alderleaf Wilderness College which is a training camp for natural survival.

CITY OF SULTAN COUNCIL MEETING – August 26, 2010

Beeler: Based on what has been said, roundabouts will increase business sales. Traffic light intersections are dangerous when the power goes out and roundabouts don't need electricity so the traffic control is always there. Would still like to see the speeds reduced on US 2.

Mayor Eslick: Chief Brand won the "kiss the cow" contest and the event will be on Sunday at the Evergreen State fair. Was concerned about safety in the roundabouts as other areas have had accidents in the two lane ones. She is more comfortable with one lane roundabouts for safety. The Finance report was presented to the Council and the city has money in the reserves. There are no money issues and city is doing fine and will continue to do so for many years. Staff works long hours and they have been committed to the city for many years. Commended all the staff for their work. The Block watch potluck at Osprey Park was held last week and they all walked the trails the Knuckey's have been keeping clean for the cities. A Business Fair will be held on September 25th in downtown.

CONSENT AGENDA: The following items are incorporated into the consent agenda and approved by a single motion of the Council. On a motion by Councilmember Slawson, seconded by Councilmember Davenport-Smith, the consent agenda was approved as amended. Pinson – aye; Slawson – aye; Neigel - aye; Blair – aye; Davenport-Smith – aye; Beeler – aye abstained on the minutes.

- 1) Approval of the August 12, 2010 Council Meeting Minutes
- 2) Approval of Vouchers in the amount of \$84,573.17 and payroll through August 6, 2010 in the amount of \$67,654.25 to be drawn and paid on the proper accounts.
- 3) Centrifuge Project – final acceptance of the work done by Triad Mechanical
- 4) Set Hearing for 2010 Budget Amendments for September 9, 2010
- 5) Approval of the Council Sub Committee Assignments
- 6) Excused absence of Councilmember Wiediger.

ACTION ITEMS:**Ordinance 1088-10 Building Code Updates**

The issue is to have first reading of Ordinance 1088-10, amending Sultan Municipal Code (SMC) 15.01 to adopt the 2009 Washington State Building Code, Chapter 19.27 of the Revised Code of Washington, with certain amendments specified by the City of Sultan. The model codes are revised about every three years. Part of the revision process allows the City to consider/adopt certain code appendices that can augment the model codes.

The most noteworthy change to the 2009 State Building Code relates to how fire sprinkler systems are addressed in the International Residential Code (IRC), a subsidiary component of the International Building Code. The IRC is currently code used to construct homes in Sultan. This change concerns provision of fire sprinkler systems in residential structures. Sultan has the option of adopting either Appendix R or Appendix S to clarify sprinkler requirements within the City.

Appendix R provides a detailed, prescriptive design approach to the voluntary installation of automatic fire sprinklers. This approach is both a less restrictive and a less complicated one than may be required under the International Building Code or International Fire Code. As an example, Appendix R does not require that attics, crawlspaces, closets, soffits or garages have sprinklers. Appendix S requires the installation of fire sprinklers according to the construction standards specified in "Appendix R" in new one-family and two-family dwellings and townhouses.

Council directed by consensus that the ordinance for adoption of the 2009 updated codes should specify that "Appendix R" be adopted, and that "Appendix S" not be adopted.

Discussion: Glazing requirements for glass; Section 8 reference to L&I.

On a motion by Councilmember Slawson, seconded by Councilmember Pinson, Ordinance 1088-10 amending SMC 15.01 was introduced and passed on to a second reading. All ayes

CITY OF SULTAN COUNCIL MEETING – August 26, 2010**Visitor Information Center lease and use of building**

The issue before the Council is to approve the five year renewal of the Service Agreement with the Sky Valley Chamber of Commerce (Chamber) to maintain the Visitor Information and to approve the use of the facility by Grow Washington.

In 2004 the City and Sky Valley Chamber of Commerce entered into a Service Agreement for operations and maintenance of the Visitor Information Center and Transportation Museum. The Agreement has a five-year term with an option for an additional five-year term at the request of the Chamber. The first five-year term ended in August 2009. The Chamber has indicated a desire to continue

The Chamber Board met on August 11, 2010 to discuss a policy for use of the facility by other groups. The purpose of the Chamber is to promote and encourage economic development and support business. To be consistent with their purpose, the Board adopted the following criteria for approval of shared use of the facility:

1. Non-profit organizations only.
2. Economic development focus such as assisting small business. This would not include human service organizations such as the Boys and Girls Club, Big Brother/Sister or the VOA.
3. Part-time office space only (maximum of 20 hours per week) to limit someone from monopolizing the opportunity and to allow others to share the space.
4. Time limited – annual renewal to allow others and opportunities to use the space.

The Chamber received a request from Grow Washington for permission to set up a desk and small office area for the purpose of business promotion and economic development. Based on the criteria adopted by the Chamber Board they are recommending approval of Grow Washington's request to set up an office in the Visitor Information Center.

Discussion: Exclusion of human services and limitations to non profits; clarification that all users have insurance; need for the Chamber and City to approve other uses; charging fees to other users; clarification of revenues generated.

Councilmember Beeler moved to approved the five-year renewal of the Service Agreement with the Sky Valley Chamber of Commerce to maintain the Visitor Information; seconded by Councilmember Davenport-Smith. All nays

On a motion by Councilmember Blair, seconded by Councilmember Beeler staff was directed to revise the lease and bring it back to the Council for action. All ayes except Councilmember Pinson who voted nay.

On a motion by Councilmember Davenport-Smith, seconded by Councilmember Niegel, the Council approved the use of the facility by Grow Washington. Ayes – Slawson Beeler Davenport-Smith; nay – Blair, Neigel, Pinson. Motion failed for lack of majority.

On a motion by Councilmember Blair, seconded by Councilmember Davenport-smith, the Council approved the use of the facility by Grow Washington until the lease with the Chamber is revised and approved and they provide proof of insurance within two weeks. All ayes except Councilmember Pinson who voted nay.

Carolyn Eslick director for Grow Washington: She has worked on the program for six years to help business start up and has been working out of the VIC office for the past three weeks. This is a membership based program and the main purpose is the promote and ignite new products in the state. It is based on a program called Grow Nebraska. She would be willing to pay rent when it is financially viable and will look into insurance and other locations on Main Street if the council is not agreeable with the use. Will continue to offer workshops and seminars.

CITY OF SULTAN COUNCIL MEETING – August 26, 2010

Ordinance 1083-10 Panhandlers Staff recommends the City Council adopt Ordinance 1083-10, Regulating Panhandlers. Earlier this year Council adopted Ordinance 1078-10, revising SMC Chapter 5.04, an ordinance related to Peddlers and Solicitor regulations. The issue of aggressive panhandling was also discussed and staff was requested to bring back an ordinance that deals with unwanted panhandling. Many other communities around the country including Seattle and Tacoma have regulated panhandling through their municipal codes. Discussion was held regarding the criminal and misdemeanor penalties and the impact of creating a criminal record for panhandling; providing “teeth” and substance to help enforce the ordinance; aggressive panhandling at the bus stops; need to educate the public on the new law. On a motion by Councilmember Slawson, seconded by Councilmember Pinson, Ordinance 1083-10 was adopted. All ayes, except Councilmember Neigel who voted nay.

DISCUSSION**SMC 2.17 Planning Board**

The issue before the Council is to review proposed amendments to SMC 2.17. This matter was continued from the August 12, 2010 Council meeting at the request of the Planning Board. At workshops over the last several months, the Board has developed recommendations for changes to the provisions of the Sultan Municipal Code that create the Planning Board and address its membership and tasking. At the July 20, 2010 meeting, the Board unanimously voted to forward the proposed modifications of SMC 2.17 to the City Council with a recommendation for adoption.

The majority of the proposed changes can be classified as housekeeping items. Removing language that addresses the date of the initial meeting of the Board (2.17.130) is an example of this type of modification. Some of the proposed modifications (eg. 2.17.080 & 2.17.160) are proposed by the Board to clarify its role and/or its relationship to the community and the Council. Stating that the Board has a specific role to take information out to the community and to gather information from the community to be used in the planning process is an example of this type of modification. The Planning Board also recommended changing the name back to Planning Commission instead of Planning Board.

Discussion: Add term limits to the board with criteria; the City changed to a planning board vs planning commission due to prior problems; reasons for removal from the board; no requirement to have a planning commission. Consensus of Council was to leave name as planning board, add term limits and provide language about vacancies.

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

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

Adjournment: On a motion by Councilmember Beeler, seconded by Councilmember Pinson, the meeting adjourned at 10:30 PM. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk