

**CITY OF SULTAN
COUNCIL MEETING – COMMUNITY CENTER
December 12, 2013**

6:30 PM Executive Session

7:00 PM CALL TO ORDER - Pledge of Allegiance and Roll Call

CHANGES/ADDITIONS TO THE AGENDA

PRESENTATIONS

- 1) Oath of Office – New Councilmember

COMMENTS FROM THE PUBLIC: Citizens are requested to keep comments to a 3 minute maximum to allow time for everyone to speak. It is also requested that you complete a comment form for further contact.

COUNCILMEMBER COMMENTS

CITY ADMINISTRATOR COMMENTS

STAFF REPORTS – Written Reports Submitted

- 1) Community Development – Community Rating System Report (FEMA Flood Insurance) (verbal)
- 2) Code Enforcement
- 3) Planning Board Minutes

HEARINGS:

- 1) Timber Ridge Moratorium
- 2) 2013 Budget Amendments

CONSENT AGENDA: The following items are incorporated into the consent agenda and approved by a single motion of the Council.

- 1) Approval of the November 21, 2013 Council Meeting Minutes
- 2) Approval of the October 24, November 7 and November 21, 2013 Public Hearing minutes on the 2014 Budget
- 3) Approval of Vouchers
- 4) Ordinance 1183-13 Timber Ridge Moratorium
- 5) Ordinance 1187-13 – 2014 Property Tax (correction)

ACTION ITEMS:

- 1) Ordinance 1179-13 – 2014 Budget
- 2) Resolution 13-07 – 2014 Fee Schedule
- 3) Ordinance 1186-13 – 2013 Budget Amendments
- 4) Accounts Payable – Payment Approval

DISCUSSION: Time Permitting

PUBLIC COMMENT ON AGENDA ITEMS ONLY

COUNCILMEMBER RESPONSE TO PUBLIC COMMENT ON AGENDA ITEMS

Adjournment - 10:00 PM or at the conclusion of Council business.

ADA NOTICE: City of Sultan Community Center is accessible. Accommodations for persons with disabilities will be provided upon request. Please make arrangements prior to the meeting by calling City Hall at 360-793-2231. For additional information please contact the City at cityhall@ci.sultan.wa.us or visit our web site at www.ci.sultan.wa.us

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: H-1
DATE: December 12, 2013
SUBJECT: Timber Ridge Moratorium
CONTACT PERSON: Mick Matheson, P.E., Public Works Director



ISSUE:

Conduct a Public Hearing to take public testimony on the emergency moratorium (Ordinance 1183-13) to be considered by the City Council at the December 12, 2013 council meeting.

STAFF RECOMMENDATION:

Staff recommends the city council conduct the Public Hearing as advertised for this date, take public comment, and close the hearing.

SUMMARY:

The staff presented Ordinance 1136-12, an emergency moratorium on development within the plat of Timber Ridge at the February 9, 2012 council meeting. Council unanimously authorized Mayor Eslick to sign Ordinance 1136-12 which went into effect immediately after passage.

The city's consultants (WHPacific and Robinson Noble) continued to study the slope instability issue at Timber Ridge, and both consulting firms recommended to Council at the June 14, 2012 council meeting that the six month moratorium be extended an additional six months.

The staff subsequently presented Ordinance 1155-12, an emergency moratorium on development within the plat of Timber Ridge at the July 26, 2012 council meeting. Council unanimously authorized Mayor Eslick to sign Ordinance 1155-12 which went into effect immediately after passage.

The city's geotechnical engineer subsequently developed "draft" special design requirements for lots within Timber Ridge, and WHPacific resurveyed a number of ground points in December 2012 to determine if the ground had moved. Additional work was necessary to finalize the specialized design requirements, so staff presented Ordinance 1165-13, an emergency moratorium on development within the plat of Timber Ridge at the January 10, 2013 council meeting. Council unanimously authorized Mayor Eslick to sign Ordinance 1155-12 which went into effect immediately after passage.

Since then, the owner of the lots without houses (Union Hill Const., Inc) was provided the opportunity to review the proposed code language and suggest potential revisions. Union Hill Const., Inc had concerns with the proposed code singling out Timber Ridge, and requested that the City adopt a code that addressed all sites with critical areas.

Staff has since developed a draft Geologically Hazardous Areas Code with an additional set of standards allowing continued development in Timber Ridge. The draft code has been reviewed by Robinson Noble and City Attorney Ann Marie Soto, together with Bob Sterbank of Kenyon Disend. The City is in the process of modifying the code to achieve consensus.

After consensus is reached, the proposed code will be provided to Union Hill Const. Inc. for their review and input prior to adopting the code.

The emergency moratorium is necessary to provide additional time to develop and adopt a new Geologically Hazardous Areas Code. This is considered an emergency situation due to the fact the housing market appears to be improving in the greater Seattle area and there is potential for new building activity. It is critical that some or all new homes built in this plat have special foundation designs to address the unique conditions of the soils in the plat. Special design requirements are not in place at this time, and the potential exists for extreme structure damage due to possible earth settlement and landslide activity.

FISCAL IMPACT:

There will be City Attorney and staff time associated with dealing with moratorium issues that arise over the next four months and perhaps beyond.

The moratorium will not allow the collection of building permit fees and associated utility connection fees for those building lots that are currently vacant during the four-month moratorium timeframe.

The moratorium is a potential safeguard against possible litigation.

ALTERNATIVES:

1. Hold a public hearing to take testimony on extending a four-month moratorium on grading or building on lots within the plat of Timber Ridge. Determine it is in the best interest of the city to continue to develop and adopt a new Geologically Hazardous Areas Code.
2. Hold a public hearing to take testimony on extending a four-month moratorium on grading or building on lots within the plat of Timber Ridge, and repeal or amend Ordinance No. 1183-13. Determine it is in the best interest of the city to continue to allow grading or building on lots while the City develops and adopts a new Geologically Hazardous Areas Code.

RECOMMENDED ACTION:

Hold a public hearing to take testimony on extending a four-month moratorium on grading or building on lots within the plat of Timber Ridge. Determine it is in the best interest of the city to continue to develop and adopt a new Geologically Hazardous Areas Code.

ATTACHMENTS:

- A – RCW 36.70A.390 Moratoria, interim zoning controls – public hearings
- B – Ordinance No. 1136-12
- C – Ordinance No. 1155-12
- D – Ordinance No. 1165-13
- E - Ordinance No. 1172-13
- F - Ordinance No. 1183-13

RCW 36.70A.390**Moratoria, interim zoning controls -- Public hearing -- Limitation on length -- Exceptions.**

A county or city governing body that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the governing body received a recommendation on the matter from the planning commission or department. If the governing body does not adopt findings of fact justifying its action before this hearing, then the governing body shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

This section does not apply to the designation of critical areas, agricultural lands, forest lands, and mineral resource lands, under RCW 36.70A.170, and the conservation of these lands and protection of these areas under RCW 36.70A.060, prior to such actions being taken in a comprehensive plan adopted under RCW 36.70A.070 and implementing development regulations adopted under RCW 36.70A.120, if a public hearing is held on such proposed actions.

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1136-12**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, DECLARING AN EMERGENCY AND ADOPTING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM; AND PROVIDING THAT THE MORATORIUM WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of ¼ inch to ½ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to monitor and evaluate horizontal and vertical movement throughout the plat;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Tuesday, February 21, 2012, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 9th DAY OF February, 2012.**

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1155-12**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of ¼ inch to ½ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, the City's geotechnical engineer and civil engineer have recommended to City Council that the six month moratorium established by Ordinance 1136-12 be extended an additional six months to provide the City and its consultants time to better understand the underlying problems;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this

ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, July 26, 2012, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 26th DAY OF July, 2012.**

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1165-13**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of $\frac{1}{4}$ inch to $\frac{1}{2}$ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to continue to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, on February 9, 2012, the City Council authorized the Mayor to sign Ordinance 1136-12 adopting an emergency moratorium on grading or building on lots within the Timber Ridge plat;

WHEREAS, on July 26, 2012, the City Council adopted Ordinance 1155-12 extending the emergency moratorium for an additional six months; and

WHEREAS, the City's geotechnical engineer has developed "draft" special design requirements for lots within Timber Ridge which are currently being reviewed by the City

Attorney, but additional work is needed to finalize these special design requirements before they are codified; and

WHEREAS, Ordinance 1155-12 is set to expire on January 26, 2013, and

WHEREAS, on January 10, 2013 the City Council held a public hearing regarding the extension of the moratorium to allow time for the City and its consultants to review special design requirements and better understand the underlying problems related to the Timber Ridge plat; and

WHEREAS, it is important to ensure that the existing moratorium is continued without interruption due to publication problems or other unforeseen delays;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, January 10, 2013, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 10th DAY OF January, 2013.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1172-13**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of ¼ inch to ½ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to continue to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, on February 9, 2012, the City Council authorized the Mayor to sign Ordinance 1136-12 adopting an emergency moratorium on grading or building on lots within the Timber Ridge plat;

WHEREAS, on July 26, 2012, the City Council adopted Ordinance 1155-12 extending the emergency moratorium for an additional six months; and

WHEREAS, on January 10, 2013, the City Council adopted Ordinance 1165-13 extending the emergency moratorium for an additional six months; and

WHEREAS, the City's geotechnical engineer has developed "draft" special design requirements for lots within Timber Ridge which have been reviewed by the City Attorney, but additional work is needed to finalize these special design requirements before they are codified; and

WHEREAS, Ordinance 1165-13 is set to expire on July 10, 2013; and

WHEREAS, on June 13, 2013 the City Council held a public hearing regarding the extension of the moratorium to allow time for the City and its consultants to review special design requirements and better understand the underlying problems related to the Timber Ridge plat; and

WHEREAS, it is important to ensure that the existing moratorium is continued without interruption due to publication problems or other unforeseen delays;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, June 13, 2013, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 13th DAY OF JUNE, 2013.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1183-13**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A FOUR-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of ¼ inch to ½ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City retained the services of a civil engineer and land surveyor to continue to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, on February 9, 2012, the City Council authorized the Mayor to sign Ordinance 1136-12 adopting an emergency moratorium on grading or building on lots within the Timber Ridge plat;

WHEREAS, on July 26, 2012, the City Council adopted Ordinance 1155-12 extending the emergency moratorium for an additional six months; and

WHEREAS, on January 10, 2013, the City Council adopted Ordinance 1165-13 extending the emergency moratorium for an additional six months; and

WHEREAS, on June 13, 2013, the City Council adopted Ordinance 1172-13 extending the emergency moratorium for an additional six months; and

WHEREAS, the City has prepared a draft new Geologically Hazardous Areas Code with an additional set of standards allowing continued development in Timber Ridge, but additional work is needed to incorporate City Attorney edits before they are codified; and

WHEREAS, Ordinance 1172-13 is set to expire on December 13, 2013; and

WHEREAS, it is important to ensure that the existing moratorium is continued without interruption due to publication problems or other unforeseen delays;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan adopts a new Geologically Hazardous Areas Code.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of four months from the date this ordinance is passed and shall automatically expire at the conclusion of that four-month period unless the same is extended as provided in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, December 12, 2013, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are preparing a new Geologically Hazardous Areas Code.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance,

including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 12th DAY OF DECEMBER, 2013.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM #: Public Hearing PH 2

DATE: December 12, 2013

SUBJECT: 2013 Budget Amendments

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

ISSUE:

The issue before the Council is to hold a public hearing on proposed budget amendments to the 2013 Budget.

SUMMARY STATEMENT:

Staff recommends the following amendments to the funds:

113 Building Maintenance Fund

The Building Maintenance fund is used for minor repairs and routine maintenance of city buildings. As buildings age additional repairs become necessary. In 2013, the city had building issue at the Visitor's Center and Post Office.

Revenue	Original Budget	Amended Budget	Increase/Decrease
Beginning fund balance	\$9,500	\$9,500	\$0
Taxes	\$16,400	\$16,400	\$0
Operating Transfer In	\$0	\$30,000	\$30,000
Total Fund Revenue	\$25,900	\$55,900	\$30,000
Expenditure	Original Budget	Amended Budget	Increase/Decrease
Op/Maint/Capital	\$25,628	\$55,628	\$30,000
Total Fund Expenditures	\$25,628	\$55,628	\$30,000

114 Information Technology (IT) Fund

The IT is used to track all expenditures associated with maintenance, installation and replacement of electronic equipment. In 2012, the vendor terminated service without notice to the city and it has been necessary to hire a new vendor to re-establish e-mail and web page services.

Revenue	Original Budget	Amended Budget	Increase/Decrease
Beginning fund balance	\$0	\$3,300	\$3,300
Transfers In	\$47,844	\$51,144	\$3,300
Total Fund Revenue	\$47,844	\$51,144	\$3,300
Expenditure	Original Budget	Amended Budget	Increase/Decrease
Prof/Capital	\$41,100	\$51,144	\$10,044
Total Fund Expenditures	\$41,100	\$51,144	\$10,044

103 Cemetery Fund:

The Cemetery fund has received more than the anticipated revenues for 2013. The City contracts out burial service to Wilbert Vault and due to the increase in services in 2013, expenditures are greater than anticipated.

Cemetery Fund

Revenue	Original Budget	Amended Budget	Increase/Decrease
Beginning Fund Balance	\$0	\$0	\$0
Cemetery fees/Int.	\$25,000	\$31,000	\$6,000
Total Fund Revenue	\$25,000	\$31,000	\$6,000
Expenditure	Original Budget	Amended Budget	Increase/Decrease
Operating/Services	\$24,734	\$30,734	\$6,000
Total Fund Expenditures	\$24,734	\$30,734	\$6,000

107 Drug Enforcement Fund:

The Drug Enforcement Fund expenditures are restricted to use for drug enforcement or education purposes. The City has used the fund balance for the last few years to pay the cost for the city's portion of the Drug Task Force Interlocal. After the payment for 2013, there was a balance of \$274 in the fund. The fund will be closed out at the end of 2013.

Revenue	Original Budget	Amended Budget	Increase/Decrease
Beginning Fund Balance	\$1,200	\$2,052	\$852
Total Fund Revenue	\$1,200	\$2,052	\$852
Expenditure	Original Budget	Amended Budget	Increase/Decrease
Operating/Services	\$1,200	\$1,778	\$578
Transfer Out	\$0	\$274	\$274
Total Fund Expenditures	\$1,200	\$2,052	\$852

207 LID Bond Fund:

The LID Bond Fund is used to make payments on the bonds issued for LID 97-1. The bond interest is based on the outstanding balance of the principal and was slightly higher than budgeted. The city also refunded an overpayment on a LID assessment.

Revenue	Original Budget	Amended Budget	Increase/Decrease
Beginning Balance	\$40,000	\$40,000	\$0
Payments on Assess.	\$291,937	\$291,937	\$0
Total Fund Revenue	\$331,937	\$331,937	\$0
Expenditure	Original Budget	Amended Budget	Increase/Decrease
Bond Payments	\$303,805	\$304,835	\$1,030
Transfers Out	\$0	\$3,547	\$3,547
Total Fund Expenditures	\$303,805	\$308,382	\$4,577

633 Treasurer's Trust Fund

The City received funds from PUD for the sale of property and easements. The moneys were placed into the Treasurer's Trust pending a decision by the Council on the use of the funds. In September 2013, the Council approved a contract with Finishing Touch Masonry and Restoration Solutions to do essential repair work to the Visitor Information Center and Post Office.

Revenue	Original Budget	Amended Budget	Increase/Decrease
Beginning Fund Balance	\$0	\$30,000	\$30,000
Total Fund Revenue	\$0	\$30,000	\$30,000
Expenditure	Original Budget	Amended Budget	Increase/Decrease
Transfer Out to 113	0	\$30,000	\$30,000
Total Fund Expenditures	0	\$30,000	\$30,000

RECOMMENDATION:

Close the public hearing on the 2013 Budget Amendments.

**SULTAN CITY COUNCIL
AGENDA COVER SHEET**

ITEM NO: SR-1
DATE: December 12, 2013
SUBJECT: FEMA Flood Insurance Premium Reduction
CONTACT PERSON: Robert Martin, Community Development Director

Reve

ISSUE:

Reduction of Premium Rate for National Flood Insurance Program: 20% Savings for citizens of Sultan: Upgraded Community Rating System to "Class 6 Community".

DISCUSSION:

Flood insurance is provided by the National Flood Insurance Program (NFIP) of the Federal Emergency Management Agency (FEMA). Residents of cities or counties can access the NFIP if their community participates at a basic level in support of the program. The City of Sultan has participated in the NFIP for many years.

Based on additional flood education, prevention, and preparedness activities, communities can be reviewed by the FEMA Community Rating System to qualify for flood insurance premium discounts for residents. The rating system goes from 10 (lowest rating) to 1 (highest rating). Each number up the scale beyond 10 qualifies residents for an additional 5% reduction in their flood insurance premiums. Sultan has been at level 7 for several years (15% reduction from full premiums).

Under direction of Mayor Eslick, Community Development Department staff made a concerted effort at compliance and tracking of the activities used in the Community Rating System during 2012 for the 2013 rating review. Based on the extensive submittal sent to FEMA reviewers earlier this year, Sultan has been upgraded to a CRS Level 6 C Community. This qualifies residents for a 20% reduction in their National Flood Insurance Program premiums.

Staff will be sending notice in the utility billing and by various other means to encourage residents to contact their insurance companies regarding this change. Staff has become aware that some insurance companies are not aware of this Federal discount program, and even tell their policy holders that there is no such program. The City will also be notifying all area insurance companies directly concerning this program and how to become informed so that Sultan residents can take proper advantage of the available premium discount.

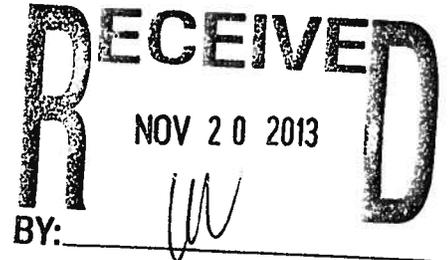
ATTACHMENT A: FEMA notification letter to Mayor Eslick, Nov. 18, 2013



FEMA

November 18, 2013

Honorable Carolyn Eslick
Mayor, City of Sultan
319 Main Street
Suite 200
Sultan, Washington, 98294



Dear Mayor Eslick:

I would like to congratulate your community's commitment to wise floodplain management through its participation in the Community Rating System (CRS) of the National Flood Insurance Program (NFIP). The CRS recognizes local efforts to decrease future flood losses by reducing flood insurance premiums for a community's property owners by 5 percent to 45 percent. Some of the flood preparedness efforts credited under CRS include: maintaining open space in the floodplain, elevating new buildings beyond the minimum NFIP protection level, initiating storm-water management programs, and mapping flood hazards – just to name a few.

As the enclosed plaque highlights, the City of Sultan is currently a Class 6 community in the CRS. This rating translates into a premium savings of 20 percent for each flood insurance policyholder located in the designated floodplain of your community. Communities participating in the CRS not only reduce flood insurance premium rates for their constituents, but also limit future economic losses caused by flooding through the mitigation and preparedness efforts undertaken through the CRS.

Again, I commend you for your work in reducing future flood damages through participation in the CRS. If you have any questions concerning the CRS or how to increase your rating, please contact Ms. Marlene Jacobs, ISO Commercial Risk Services at (503) 342- 6138, or John Graves of my staff at (425) 487-4737.

Sincerely,

Mark Carey, Director
Mitigation Division

Enclosure

cc: Bob Martin, Floodplain Administrator
Scott McKinney, Washington State NFIP Coordinator

JG:bb

**SULTAN CITY COUNCIL
AGENDA COVER SHEET**

ITEM NO: SR-2

DATE: December 12, 2013

SUBJECT: Worklist for Community Development and
Community Service Officer

CONTACT PERSON: Robert Martin, Community Development Director
Victoria Forte, Community Service Officer

ISSUE:
Transmitting Monthly Reports.

STAFF RECOMMENDATION:
Receive Report, no action required.

BACKGROUND:
Current Worklist for the Community Service Officer.

ATTACHMENT

Attachment A: Code Enforcement work list

Project Lead	Start Date	Case #	Property Address	Owner Name	Dilapidated building/fence	Parked Cars/Trailers on Property/Street	Noxious Weeds	Over-Crown Trees and Shrubs	Sight Obstructions	Vehicle Disassembly	Accumulation of rubbish / Trash	Illegal Building Structure	ADU w/ Inhabited trailer coaches	Other	1st	2nd	most recent	Final
Council	11-22-2011	011-CV-36	32821 Cascade View	Pearson	x										11-22-2011	11-28-2011		11-28-2011
Mayor	2-8-2012	12-407	Bakery "A" Frame Sign	Smith						x					2-14-2012	3-12-2013		
Bob	3-26-2012	12-423	14006 339th St SE	Wolter						x					4-3-2012	10-16-2012	1-3-2013	
Bob	5-22-2012	12-446	Vacant lot Salomon Run	Nelson			x	x							5-30-2012	7-24-2012	see 13-248	
	7-18-2012	12-438	1200 Fir Street (S)	Geastel			x								8-19-2012	11-20-2012		
	10-22-2012	12-508	835 Main Street	Gordon						x					6-2-2012	10-26-2012	12-16-2012	1-28-2013
	10-23-2012	12-506	806 Stevens Ave	Falcher						x					10-17-2012	12-5-2012		2-28-2013
	11-6-2012	12-516	815 Pine Hill	Rehner			x								11-18-2012	11-18-2012	1-6-2013	2-16-2013
	11-18-2012	12-517	106 10th Street	Galk						x					11-14-2012	1-22-2013	3-16-2013	4-18-2013
	12-18-2012	12-522	489 Main Street	Buick A/W						x					12-18-2012			1-9-2013
	1-15-2013	13-300	402 5th Place	Sunquist/pending repo							x				1-22-2013	3-18-2013		
	2-8-2013	13-301	464 11th Street	Fed National Mortgage								x			2-5-2013			3-18-2013
	2-5-2013	13-302	312 Main Street	Walburn						x					2-25-2013	3-11-2013		4-30-2013
	2-5-2013	13-302	865 Stevens	New Concepts Prop Mgmt						x					2-28-2013	3-5-2013		3-18-2013
	2-5-2013	13-303	631 Stevens Ave	Boucher						x					2-12-2013	3-11-2013		3-6-2013
	2-5-2013	13-304	13817 610th Ave	Miller						x					2-5-2013	2-26-2013		3-5-2013
???	2-5-2013	13-305	707 Alder Ave	Jordan						x	x				2-12-2013			
	2-25-2013	13-306	404 8th Street	Flagstar Bank FSB			x			x					2-28-2013	3-18-2013		4-10-2013
	2-25-2013	13-307	402 8th Street	Johnston			x								2-25-2013	3-11-2013		3-18-2013
	2-25-2013	13-308	203 Main Street	Martin						x					2-25-2013	(1-2013) (resand to)	5-23-2013	8-6-2013
	2-25-2013	13-309	102 2nd Street	Hübner						x					2-26-2013			3-11-2013
	2-26-2013	13-310	202 Alder Ave	Boylan							x				2-26-2013	5-12-2013		3-11-2013
	2-26-2013	13-311	914 5th	Lidzey's Estates						x					2-28-2013	3-11-2013	8-6-2013	
	2-26-2013	13-312	812 Deer Road	Giese						x					2-25-2013	2-26-2013		3-5-2013
	3-11-2013	13-313	Pine Street (adj to 600)	City of Sultan								x			3-11-2013			4-1-2013
	3-18-2013	13-314	1114 Deer Road	Robert							x				3-18-2013			4-1-2013
	3-18-2013	13-315	406 Stevens Ave (Palumbo)	Goltschick								x			3-18-2013	4-2-2013	8-6-2013	9-23-2013

Project Lead	Start Date	Case #	Property Address	Owner Name	Dilapidated building/fence	Parked Cars/Trailers on Property/Street	Noxious Weeds	Over-Crown Trees and Shrubs	Sight Obstructions	Vehicle Disassembly	Accumulation of rubbish / Trash	Illegal Building Structure	ADU w/ Inhabited trailer coaches	Other	1st	2nd	most recent	Final
	5-18-2013	13-316	13211 Conr Road	Mayer										x	3-18-2013			4-1-2013
Bob	3-26-2013	13-317	Willow Run East	HOA							x				4-7-2013	4-16-2013	5-7-2013	
	4-3-2013	13-318	831 Stevens Ave	George							x				4-1-2013	4-10-2013		5-20-2013
	5-26-2013	13-319	923 Main Street	Grow Washington Business							x				3-27-2013			4-16-2013
	3-26-2013	13-320	1016 Kassler Drive	Cosens							x				4-1-2013			4-30-2013
	4-16-2013	13-321	Cemetery Road	Swezey	x					x					5-7-2013	5-14-2013		
	5-6-2013	13-322	201 4th Street	Steffan							x				5-7-2013			5-13-2013
	5-29-2013	13-323	305 Birch Ave	Letts							x				5-20-2013			unfined
	5-13-2013	13-324	106 4th Street	Meyer			x								5-13-2013			5-20-2013
	5-13-2013	13-325	4th/Fir	Siegel											5-13-2013	5-17-2013	8-12-2013	9-3-2013
	5-13-2013	13-326	512 1st Street	Meyer	x										5-13-2013 (L/M)	5-14-2013		5-20-2013
	5-20-2013	13-327	111 Main Street	Sultan III LLC							x				5-17-2013	5-21-2012		5-28-2013
	5-20-2013	13-328	202 4th Street	Telmege			x	x							5-20-2013			5-28-2013
	5-20-2013	13-329	511 Main Street	Krops											5-20-2013	6-26-2013	7-1-2013	7-17-2013
	5-20-2013	13-340	Date Street Condo	HOA			x								5-21-2013	5-28-2013	6-24-2013	7-1-2013
	5-20-2013	13-241	923 Main Street	Boucher							x				5-21-2013	na	permit	needed
	5-21-2013	13-242	932 Stevens	Nason							x				5-21-2013			6-12-2013
	5-21-2013	13-243	107 Ash Ave	Hazel				x							5-21-2013			5-28-2013
	5-21-2013	13-244	413 Cedar Street	Lewis				x							5-21-2013			5-28-2013
	6-4-2013	13-245	301 4th Street	Sacristi				x							6-4-2013	8-8-2013		9-3-2013
	6-11-2013	13-246	511 3rd Street	Meyer				x							6-11-2013			7-1-2013
	6-11-2013	13-247	32533 Cascade View Dr	Pure Foods Inc				x							6-11-2013	7-17-2013		8-5-2013
	6-12-2013	13-248	empty lot E Salmon Run N/ 0095850000900	Nelson			x	x							6-12-2013	7-1-2013	8-12-2013	9-6-2013
	6-12-2013	13-249	725 Fir Ave	safeguard properties				x			x				6-12-2013	7-28-2013	9-6-2013	9-28-2013
	6-18-2013	13-250	923 Main Street	Schliker							x				6-19-2013	6-21-2013		7-1-2013
	6-20-2013	13-251	13881 Beech Ct	Hackmanh							x				6-20-2013			8-2-2013
	6-20-2013	13-252	812 1st Street	Rogers			x	x							6-20-2013	8-8-2013		10-23-2013

Project lead	Start Date	Case #	Property Address	Owner Name	Dilapidated building/flence	Parked Cars/Trailers on Property/Street	Noxious Weeds	Over-Grown Trees and Shrubs	Sight Obstruction(s) / ROW	Vehicle Obstruction(s) / ROW	Accumulation of rubbish / Trash	No permits/Business License	Illegal building structure	ADUs/ Inhabited trailer coaches	Other	1st	2nd	most recent	Final
	6.20.2013	13-253	210 1st Street	Figueroa		x										6.20.2013			7.1.2013
	6.24.2013	13-254	601 Alder Ave	Markey		x	x									6.24.2013			7.1.2013
	6.24.2013	13-255	316 Willow	Wall		x										6.24.2013			8.1.2013
	6.24.2013	13-256	503 Lois Lane	pending repo		x	x									6.24.2013			
	6.24.2013	13-257	708 Salmon Run	SMAC Mortgage LLC/HUD		x	x									6.24.2013	8.2.2013	9.10.2013	11.25.2013
	6.24.2013	13-258	404 3rd Street	Flagstar Bank FSB		x	x									6.24.2013			8.6.2013
	7.1.2013	13-259	601 Walnut	Rambor							x					7.1.2013	7.1.2013		7.1.2013
	7.2.2013	13-260	111 4th Street	Howe			x									7.2.2013			7.17.2013
	7.2.2013	13-261	626 Marcus Street	Rainbolt					x							7.1.2013	8.2.2013		8.5.2013
	7.11.2013	13-262		Rivers							x					07.01.2013			7.2.2013
	7.11.2013	13-263	605 Walnut Street	Fluist property manager						x						7.1.2013			7.20.2013
	7.2.2013	13-264	617 1st Street	VOA		x										7.2.2013	7.17.2013		8.5.2013
	7.17.2013	13-264	784 1st Street	NW Best Home's Museum		x										7.18.2013	7.28.2013		8.6.2013
	7.17.2013	13-265	Cemetery Blot Park	City of Sultan		x										7.17.2013			8.2.2013
	7.17.2013	13-266	Cascade Vine Drive Equipment	PHD		x										7.17.2013			
	7.19.2013	13-267	828 Stevens	Ingersoll							x					7.19.2013			8.2.2013
	7.22.2013	13-268	404 7th Street	Keller								x				7.22.2013	8.1.2013	8.2.2013	9.1.2013
	7.23.2013	13-269	715 Main Street	Koehler							x					8.5.2013	8.6.2013	9.3.2013	
	7.28.2013	13-270	330 2nd Street	Poon							x					7.28.2013			8.2.2013
	7.28.2013	13-271	400 Alder Ave	Hallen			x	x		x						7.28.2013			8.3.2013
	7.28.2013	13-272	401 Main Street	estate roofing							x					8.5.2013			8.2.2013
	7.28.2013	13-273	615 6th Street	Billy		x										7.28.2013			8.2.2013
	7.28.2013	13-274	516 6th Street	White		x										7.28.2013			8.2.2013
	7.28.2013	13-275	728 Fir Ave	salesquad properties		x	x	x								7.28.2013	8.2.2013	8.1.2013	9.30.2013
	7.28.2013	13-276	8th 4th Street	Preview Properties NW LLC		x										8.2.2013	8.7.2013		8.12.2013
	7.28.2013	13-277	828 Main Street	JD Slicks							x					7.28.2013			8.2.2013
	8.2.2013	13-278	128 Stevens	Ingersoll								x				8.5.2013	8.12.2013		9.6.2013

Project lead	Start Date	Case #	Property Address	Owner Name	Dilapidated building/flence	Parked Cars/Trailers on Property/Street	Noxious Weeds	Over-Grown Trees and Shrubs	Sight Obstruction(s) / ROW	Vehicle Obstruction(s) / ROW	Accumulation of rubbish / Trash	No permits/Business License	Illegal building structure	ADUs/ Inhabited trailer coaches	Other	1st	2nd	most recent	Final
	8.6.2013	13-279	Skoland Estates	HOA			x									8.6.2013			9.3.2013
	8.6.2013	13-280	Steen Park	Green			x	x								8.6.2013	9.6.2013	10.15.2013	
	8.12.2013	13-281	311 4th	pending repo	x														
	8.20.2013	13-282	5th High Ave	Kolisch		x										8.20.2013			9.6.2013
	8.20.2013	13-283	808 Main Street	Waketield Enterprises						x						8.20.2013			8.3.2013
	8.20.2013	13-284	208 SkyWall Drive	Beuhler			x	x								8.20.2013			
	8.20.2013	13-285	210 Skywall Drive	Udy							x					8.20.2013			8.3.2013
	9.3.2013	13-286	913 Fir Ave	Fed National Mortgage	x		x	x			x					9.10.2013			unfounded
	9.3.2013	13-287	789 Date Ave							x									unfounded
	9.10.2013	13-288	509 W Stevens	Bannon			x												
	9.10.2013	13-289	814 Dyer Ave (Vacant)	D'Alessandro			x	x								9.10.2013			
	9.18.2013	13-290	483 Fir Ave	Mability						x						9.18.2013			9/23.2013
	9.17.2013	13-291	Lot E of 1st/N of High	Houston			x	x								9.17.2013			
	9.30.2013	13-292	811 7th Street	Freed		x					x					9.30.2013			10.29.2013
	9.30.2013	13-293	ixtapa building	AGM inc							x					9.30.2013	10.21.2013	10.27.2013	
	9.30.2013	13-294	33818 SR2	Estate Motors Inc							x					10.4.2013	11.12.2013	11.20.2013	
	9.30.2013	13-295	Marcus Street duplex	Jessup		x					x					9.27.2013	10.21.2013		
	8.29.2013	13-296	Finney Church duplex	Neumann							x					8.29.2013	9.24.2013		10.21.2013
	9.30.2013	13-297	13516 310th Ave SE	Stevens							x					10.4.2013	11.12.2013	no contact	
	10.1.2013	13-298	614 Whitehawk Plnd	Joanis							x					10.1.2013			10/21.2013
	10.1.2013	13-299	418 Cedar (Alley Way)							x									unfounded
	10.4.2013	13-300	SR2 Rice Rd (vacant)	Noyes								x				10.4.2013	11.12.2013		11.20.2013
	10.29.2013	13-301	615 Main Street	Burris							x					10.29.2013			11.12.13
	10.29.2013	13-302	BNSF ROW	Hahncock							x					10.29.2013	11.12.2013		11.19.2013
	11.19.2013	13-403	912 1st Street	Rogers						x						11.19.2013			
	11.19.2013	13-404	516 Stevens Ave	Turner							x					11.19.2013			
	11.20.2013	13-405	1305 Gohr Rd	Dunn										x		11.20.2013			
	11.25.2013	13-406	311 Birch Ave	Boatman									x			11.25.2013			

**SULTAN CITY COUNCIL
AGENDA COVER SHEET**

ITEM NO: SR-3
DATE: December 12, 2013
SUBJECT: Planning Board Minutes
CONTACT PERSON: Robert Martin, Community Development Director



ISSUE:

Transmitting Planning Board Minutes from November 12, 2013 meeting as approved at December 3, 2013 meeting.

STAFF RECOMMENDATION:

Receive Report, no action required.

ATTACHMENT A: Planning Board Minutes of November 12, 2013

ATTACHMENT A

SULTAN PLANNING BOARD MINUTES November 12, 2013

PLANNING BOARD MEMBERS PRESENT:

Janet Peterson
Lucy Hitchcock
Geoffrey Evans
Gloria Reedy

STAFF PRESENT:

Robert Martin, Director

CALL TO ORDER:

Call to Order at 7:03 p.m.

CHANGES TO THE AGENDA:

PUBLIC COMMENTS:

None

PLANNING BOARD MEMBER COMMENTS:

Ms. Peterson: Happy to be back, and welcome to Ms. Reedy.

Mr. Evans: Nothing at this time.

Ms. Reedy: Asked if she could get a copy of the City Zoning Map.

Asked for an explanation of "Allocated Population" as used in the Comprehensive Plan and the Zoning Code Draft. Mr. Martin explained the concept of allocating anticipated incoming population from the State to the County to the local jurisdictions.

Ms. Hitchcock: Handed out and read a statement regarding State marijuana laws and the City's response thereto. Her statement and a copy of an editorial from the Herald are attached and included in the minutes at her request.

APPROVAL OF MINUTES:

Mr. Evans moved approval of the July 2, 2013 minutes.

Ms. Peterson moved second.

All Ayes.

PUBLIC HEARING AND ACTION ITEMS:

DISCUSSION AND STUDY ITEMS:

D-1: Zoning Code Development: Discussion of Residential Densities

At the last meeting, the Board asked for an expanded discussion of the zoning concepts involved in establishing a range of specified minimum lot sizes in the draft zoning code. Staff provided a detailed staff report on the topic and included the text of each proposed zone description.

In the Table-driven code concept, the information relating to the uses, densities, and dimensional standards of each zone are not printed and duplicated in each zone. These standards are provided once in tables that are referenced by the zone description. The benefit gained by increased "page turning" is that the information needs to be printed only once in the code. This eliminates many pages of repetitive text and many opportunities for mistakes.

The Board wanted to understand how the zones, the minimum lot sizes, and land development standards all work together to require properly designed land developments/subdivisions. Ms. Hitchcock was particularly concerned with the provision of open space and recreation land. Mr. Martin explained how the Land Division Code, the Zoning Code, the City Engineering Standards, and the several environmental codes all work together. A development proposal must address all of the codes. A developer cannot focus on the zoning code or the land division code only.

Previous inappropriate developments were the result of mis-application of the planned unit development provision of Title 16. This code section was repealed three years ago, and is no longer in effect. All developments will now have to address the specified development standards and minimum lot sizes listed in the applicable land use zone.

Mr. Evans questioned the "Maximum Units Per Acre" provision in the land use zone tables. Mr. Martin explained that this concept is brought to the new draft code from the existing Title 16. He explained that it is not a necessary or helpful provision when there is a specified minimum lot size that cannot be circumvented by a planned unit development process.

The board directed by consensus that the "Maximum Units Per Acre" column be deleted from the density/dimensional standards table of the zone descriptions. The concept of specific minimum lot sizes will be utilized in the new code.

The Board also asked that the dimensional standard setting 30 feet as the maximum residential building height be looked at by staff in view of the growing trend toward smaller footprint buildings with three stories. Staff will report back on this question.

The Board expressed appreciation for the clear explanation of the issues related to specific minimum lot sizes.

D-2: Zoning Code Development: Chapters 18.14, and 18.16, Tables of Process and Review Levels

Mr. Martin explained that this chapter prescribes the type of public notice that is provided for each level of land use process in the Zoning Code. The processing levels are from Level I to Level VII. In general, public notice increases as the processing level increases. This concept is the same as the already adopted Land Division Code.

Level I uses (outright permitted uses such as residences or garages on residential lots) have essentially no public notice process. Large scale issues such as Level VI and VII (comprehensive plan amendments and annexations) have the highest levels of public notice involving individual mailings, web site posting, newspaper publication, on-site posting, etc.

These standards are largely prescribed by state statute or land use custom. There are not many options involved in this hierarchy of procedures.

Mr. Evans moved to forward the chapter to the Planning Board Draft.

Ms. Peterson seconded.

All Ayes.

D-3: Zoning Code Development: Chapter 18.46; Violations and Enforcement

Mr. Martin explained that this chapter is an example of the criminal citation approach to zoning code enforcement. The other approach is the civil enforcement concept. Either or both can be used by the city attorney to achieve compliance with the code standards. This section of the code is largely under the management of the city attorney, so the Board does not need to become involved in the details of the language. This draft chapter is provided so that the Board can see how the enforcement chapter is assembled.

The Board will see the final Chapter 18.46 prior to taking the planning board draft to public hearing.

PUBLIC COMMENTS:

PLANNING BOARD MEMBER COMMENTS:

Ms. Peterson appreciated the tenor and progress of the meeting; it is good to work with this group.

Mr. Evans appreciated Ms. Hitchcock's comments to the record concerning marijuana.

ADJOURNMENT:

Mr. Evans moved to adjourn

Ms. Reedy seconded

All Ayes.

Adjourned at 8:38

ATTACHMENT:

Attachment A: Ms. Hitchcock comments on marijuana regulations

Attachment B: Daily Herald editorial on local regulation of marijuana, 11-08-13

Opinion

A13 | THE DAILY HERALD | WWW.HERALDNET.COM/OPINION | FRIDAY, 11.08.2013

11.08.2013 | STATE LIQUOR CONTROL BOARD

Uphold medical pot law

Editorial Board

Josh O'Connor, Publisher
Peter Jackson, Editorial Page Editor
Carol MacPherson, Editorial Writer
Neal Pattison, Executive Editor

Where exactly in Initiative 502, which legalized recreational marijuana in the state, does it instruct the State Liquor Control Board to dismantle the state law that legalized medical marijuana? State residents voted to approve recreational marijuana, *in addition* to medical marijuana, not to replace it. But that's exactly what is set to happen with over-reaching changes proposed by the State Liquor Control Board, the Department of Health and the Department of Revenue.

Proposals include:

- Ending the medical marijuana dispensaries and the collective gardens that support them; medical marijuana would be available only in the state's recreational stores. It would end the patient's right to grow their own, or have someone grow it for them.
- Medical marijuana patients could, however, purchase tax-exempt marijuana from the

334 recreational stores, but to be a medical marijuana patient *requires doctors to register patients names with the state*, maintained by the Department of Health, and available to law enforcement and Department of Revenue. (It's hard to believe the Department of Health could sign off on such an egregious, nonsensical invasion of medical privacy.)

- Reduces the amount patients could possess from 24 ounces to three ounces, removes the affirmative defense for medical marijuana patients, and end the right to petition for new medical conditions to be added.
- Find the right for new medical conditions to be added?

Seriously? At a time when opioid painkiller abuse is one of the biggest health problems we face? Every day, scientific research and respected members of the medical community — from Dr. Sanjay Gupta to

Mayo Clinic, point to more and more legitimate uses of medical cannabis for myriad conditions, including epilepsy and other difficult to treat seizure disorders.

It's repeated daily that Washington's medical marijuana system is "widely unregulated." However, the only place this is evident is Seattle, where the number of dispensaries is unregulated. Most cities, like Everett, have made it difficult for dispensaries to open, and you can bet those that do follow the letter of the law. They have found ways to pay taxes. If a separate law is needed to limit the number in Seattle, so be it.

While medical marijuana advocates believe the medicine should not be taxed — the way prescription drugs are not taxed — it makes more sense to pay a tax and keep the medical dispensaries separate, rather than not be taxed and

folded into the recreational stores. Because under the law, doctors can *recommend* marijuana, not prescribe it. It would make sense then to tax medical marijuana at the rate other over-the-counter drugs are taxed (normal sales tax). (In Colorado, which keeps the medical and recreational systems separate, medical patients are registered *and* pay a tax. So our proposal seems a fair compromise. And in Colorado, anyone can grow their own. Which makes sense. No law keeps people from making their own beer.)

If you aren't a medical marijuana patient, or run a dispensary, likely you don't care about this issue. But the fact that sick patients don't have any political clout is all the more reason to speak up for them. Don't let the Liquor Control Board totally rewrite the medical marijuana law, which was approved by the citizens.

ATTACHMENT B

Response to Sultan City Council Action on Collective Gardens

I want to observe that the Sultan City Council voted not to accept the Planning Board's recommendation regarding Collective Marijuana Gardens. You will remember that we presented to them an ordinance, in compliance with state law, that would have limited collective gardens to within a structure, in one industrial area in the city which would be easily policed and was not near schools, parks, etc. And, they plan at their next meeting, in opposition to current state law, to pass an ordinance against any growing or distribution outlets for marijuana in city limits. I don't have the exact wording.

My observations are (1) that this is against state law so could open the city to yet another lawsuit. (2) that this leaves people, in the city of Sultan, with medical conditions treatable with cannabis under a doctor's recommendation, who cannot grow it themselves, unable to care for themselves locally. (3) that this is contrary to the recorded vote of the people of Sultan. (4) that the Council has decided not to have a well-advertised public meeting on the ordinance they plan to pass which breaks state law.

Further I observe that despite the fact that the Council asked us to do the research on collective gardens and make a recommendation, which incidentally took many months of work by a volunteer Board, they have not had the courtesy to communicate with us directly in any way. Ken Walker, who is staff not a council member, did communicate with us, at our last meeting, that he was advising the Council to pass our proposed ordinance although as the recorder of the minutes at that meeting he did not record what he recommended. Subsequently, reportedly because the Liquor Control Board is considering, in the light of passage of Recreation Marijuana Permission in the State of Washington, how now to handle collective gardens, Ken recommended to the council that they vote to turn down the Planning Board's proposed ordinance. He could have recommended or the Council could have chosen to table the item until the Liquor Board completes its work but that was not done. This observation leads to the conclusion that the only direct communication from the Council to the Planning Board is requests for service, not dialogue, not explanations, not collaboration.

I have passed out an editorial directed toward the Liquor Control Board by the Everett Herald regarding medical marijuana and collective gardens in the light of what the board is now considering. It is well worth reading.

Finally, I am sympathetic with Council members concerned about illegal use of marijuana and other drugs (hopefully including alcohol abuse) in the city of Sultan especially among minors. The solution to this is education, the provision of constructive activities for youth, a community ethos of responsible use, and law enforcement for all ages, not law transgression by the City of Sultan.

Rev. Dr. Lucy Hitchcock, Chair, Planning Board

ATTACHMENT A

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 1
DATE: December 12, 2013
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

SUMMARY:

Attached are the minutes of the November 21, 2013 regular Council meeting as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

Mayor Eslick called the regular meeting of the Sultan City Council to order in the Sultan Community Center. Councilmembers present: Marshall, Slawson, George, Neigel, Davenport-Smith, Blair and Beeler. Mayor Eslick left the meeting prior to the public hearing.

PRESENTATIONS:

Business Spotlight – Soul in Bronze

The issue before the Council is to recognize Soul in Bronze as the City of Sultan's Business Spotlight for November 2013. Soul in Bronze is located at 1116 East Main, Sultan, WA and incorporated on June 1, 2001. Born in Seattle, Washington, Kevin Pettelle and his wife Susi chose to call Sultan their home in 1980.

A sculptor for over 32 years, Kevin has devoted himself to the exploration and interpretation of the human figure. With its tactile warmth, historic durability and remarkable ability to accent form, bronze has proven the perfect medium of choice to express himself. In 1987, partnering with his father Ed, and brother, Todd, the fine art foundry, Northwest Artworks Bronze Casting Service was established. It was there that Kevin gained an extensive knowledge of the lost wax method of casting, learning all aspects of this ancient and complicated process. His work is shown extensively throughout the United States and abroad, cultivating collectors worldwide. The Schack Art Center Exhibition in Everett named Kevin Pettelle "Artist of the Year for 2012" and awarded him a One Man Show.

In 1998, the City of Sultan commissioned Kevin to sculpture "Future Dreaming", the bronze statue that has graced the lobby of the Community Center since August 18, 2000. Kevin has had commissions for his bronze work with the City of Lacey, City of Wenatchee, City of Seattle, City of Oak Harbor, City of Anacortes and the Port of Everett. He also works closely with Industrial Fabrication in Sultan for the stainless steel fabrication.

Kevin is also Artist in Residence with Wenatchee's Art on the Avenue's Beauty of Bronze, working with more than 600 5th graders a year for the past 10 years to learn about the language of art and its importance in everyone's lives. The grant funded program partners school districts with the Wenatchee Valley Museum and Cultural Center and the Performing Arts Center of Wenatchee to give 5th graders the opportunity to work personally with Pettelle and to discover the sculptures in their community. "Of all the things I do, I feel this is one of the most important," said Kevin, who has worked with more than 6,000 students over ten years. "I love working with kids, they have an openness and enthusiasm."

Most recently, Kevin has joined the Return of the Salmon Celebration Sub Committee working to revitalize Chief T'seul-Ted's statue.

Mayor Eslick presented a certificate of appreciation to Kevin.

Kevin Petelle: Thanked the Council for the honor and recognition. Moving to Sultan was the best thing that has happen to them and they want to spend the rest of their life here. His first public commission is in city hall. He started out with human figures and now does a variety of commission work for others. A lot of his design work is one on the computer instead of using clay and sketches. Most of his work is done for commercial purposes and he also produces urns for burial.

Council: The work is beautiful and fantastic and it is great to have him in the community. The human figurines are incredible.

EvCC East County Campus – Robert Prosch, Director

Robert Prosch, Director of the Everett Community College East County Campus presented an update on what is going on the East County campus. Is working with the community to develop programs beneficial to the area. Everett Community College is committed to serving East Snohomish County residents and businesses by offering college credit, basic skills and English as a Second Language classes, and customized training and classes for employers.

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

Everett Community College: In September 2010, the East County Campus opened the doors to a new east county facility in the Lake Tye Building to serve residents and businesses. Enrollment steadily increased, and by January 2013, the East County Campus was serving more than 480 students per quarter and expanding course offerings each quarter. The first full-time faculty member joined the East County Campus in the 2013-2014 academic years to teach math and provide advising for students. Two years ago, they developed a strategic plan to focus on students to prepare them for the job market of a four-year college. Have an outreach program to educate citizens in East County on the course available and they are working with the businesses to form partnerships.

They are working with the schools to provide more opportunities for the college in high school program. In 2014, the college will work with the high school to provide a program for welding and nursing. Many of the four year students are not finding work in their fields whereas, the two-year programs are focused on practical skills for the work force.

Council: Councilmember Slawson offered to work with Community Transit on transportation issues; they have empowered youth coalition in the community – Want More, and it could be a good partnership with the college as they are looking for more in the future; great to be able to complete a degree without having to drive to Everett; Running Start students appreciate the program availability in Monroe; graduates from two year programs are making more money in the work force then those with four year degrees.

COMMENTS FROM THE PUBLIC:

Lucy Hitchcock: At the last Planning Board meeting she presented her observation regarding the city's plan to prohibit collective gardens (copy of letter provided). She would like the Council to table the vote on Ordinance 1182-13. She is disappointed they would consider breaking state law without consulting the citizens. They discussed a meeting at the high school and instead held the meeting at the Council meeting and it was not broadly published. There was no public hearing on proposed ordinance and the public has a right to know especially if the city is going against state law. Hopes the Council interacts with the Planning Board in the future as they feel they are not being heard.

Gerry Gibson: Submitted written comments to the city regarding the need for more police protection and concerns about the contractor selected to patch the streets.

COUNCILMEMBER COMMENTS

Marshall: Thanked Lucy for her comments. The VOA will have a free Thanksgiving dinner for everyone and are looking for volunteers. They served 338 meals served last year.

Slawson: Attended the last official Snohomish County Tomorrow meeting and it was great to be on the board. They worked to lower the population allocation, approved grants offered a large networking organization for the city. Attended the Focus on Farming conference and received great information. Vertical farming has become popular and allows you to grow year round. The design work continues on the shooting range and they will have a meeting at the High School in January 2014.

Davenport-Smith: November 23rd there will be a holiday bazaar at Mountainview Christian Church and dessert auction at Galaxy Chocolates to raise money for the Senior Center. Thanked Lucy for the information. She is in favor of the ban based on feedback from citizens. Appreciate comments about need to interact with the Planning Board and she would like to have joint meeting with the Planning Board least quarterly next year.

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

Blair: Has worked on the Sultan Harvest for 11 years and it is a fantastic day serving 200-300 meals. This is a community meal and not focused on the homeless. Thanks for the comments from Lucy. The Planning Board does a lot of work behind the scenes and does not get the recognition they deserve. Focus on Farming was great event and the lunch was all food grown in the Northwest. Will Allen created a program in an area with no grocery stores by creating gardens in parking lots and growing all year round. Would be great to have a program in Sultan. Encourage people to grow and eat.

Beeler: Agrees there is a disconnect between the Council and Planning Board. They do a lot of legwork and Frank Linth came to the meetings to keep the city in the loop. The Council makes decisions that do not agree with everyone in the room. He does read the minutes and considers their input and has nothing against board but sometimes makes a different decision.

Mayor: The Police are working with the issues about safety and drugs on the streets and will have additional officers in the area. Chief Beaton is doing a great job working with the citizens. At the Block Watch meeting, they discussed the specific problem areas and would like to see more concerned citizens to get involved. The City was presented flag that flew over the capital in Washington DC and they are looking for display location.

CITY ADMINISTRATOR COMMENTS

The Snohomish County City/Town meeting is on December 5th and the city will present white papers on proposed projects. The city council and staff will also lobby aggressively during the legislative session. The Police Chief, Mayor and he meet weekly to discuss events going on in the town and are taking action. Donna Murphy suggested using the list serves to provide information to the citizens and the send out the agenda. Staff is looking for information for the calendar that goes out with the utility bills and will be including information on community events. In regards to the paving contract issue, this was a bid process and they only did the Timber Ridge paving as a contractor. Does not feel the city has done anything inappropriate.

STAFF REPORTS – Written Reports Submitted and are on file in the Office of the City Clerk.

- 1) Animal Control
- 2) Planning Board Minutes
- 3) Grants Report (Reviewed the written report on file)
- 4) Public Works Report (Reviewed the written report on file)
- 5) Public Works Report (Field Supervisor)

HEARINGS: 2014 Budget – Capital Projects. Minutes are provided under separate report.

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 Marshall, seconded by Councilmember Davenport-Smith, the consent agenda was approved as amended. Marshall – aye; Slawson – aye; George – aye, nay on the vouchers and Ordinance 1178-13; Davenport-Smith – aye, Neigel – aye; Blair – aye; Beeler - aye.

- 1) Approval of the November 7, 2013 Council Meeting Minutes
- 2) Approval of Vouchers in the amount of \$167,930.82 and payroll through November 8, 2013, in the amount of \$69,645.10 to be drawn and paid on the proper accounts.
- 3) Adoption of Ordinance 1178-13 – Salary Schedule
- 4) Approval of the Contract Renewal – Aimee Trua, Public Defender
- 5) Approval of the Contract Renewal – Thom Graafstra – Special Counsel
- 6) Approval of the Contract Renewal – Kenyon Disend, City Attorney
- 7) Approval of the Contract Renewal – Goldbar Geek , IT Service

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

ACTION ITEMS:

Ordinance 1179-13 – 2014 Budget

The issue before the Council is the introduction of Ordinance 1179-13 to adopt a budget for the 2014 fiscal year. The detailed budget and department reports were prepared and submitted to the Council during the public hearing process on October 24, 2013, November 7, 2013 and November 21, 2013.

At the November 7, 2013 meeting, the Council discussed Ordinance 1178-13, the 2014 Salary Schedule. Based on the Mayor's recommendation, the \$100 per month contribution to Deferred Comp for non-represented employees was approved. The budget and Ordinance 1179-13 are based on this proposal. As a part of the budget process, staff reviews the 2014 work plan for each fund. A review of current job responsibilities, the proposed work program for the next year and the actual hours worked is used to determine the appropriate fund to charge for the salaries and benefits. Staff time must be appropriated to the fund for which the employee performs the work. Allocation of Council time is based on agenda items. All salary allocations are based on recognized accounting practices identified by Audit Report 1006136.

On a motion by Councilmember Blair, seconded by Councilmember Beeler, Ordinance 1179-13, setting the 2014 Budget, was introduced and passed on to a second reading. All ayes, except Councilmember George who voted nay.

Ordinance 1182-13 – Ban on Collective Gardens/Dispensaries

The issue before the City Council is adoption of Ordinance 1182-13, prohibiting medical marijuana collective gardens and dispensaries, more restrictive than those established by state statute but in accordance with draft recommendations proposed by the Washington State Liquor Control Board.

The Council conducted a public hearing on adoption of the Planning Board's recommendation for an amendment to the Sultan Municipal Code to regulate Medical Marijuana Collective Gardens, agenda item H1 Ordinance 1177-13 Collective Gardens, on October 24, 2013. Subsequent to the hearing, the proposed Ordinance 1177-13 was presented as agenda item A3 Ordinance 1177-13 Collective Gardens and was rejected by City Council. Following the rejection of the proposed ordinance, a motion was made, seconded, and passed that directed staff to prepare an ordinance that would ban collective gardens and dispensaries in Sultan.

Council comments:

Blair: Does not agree with ordinance as some need for it for medical purpose and this will limit the availability for medical use.

Beeler: Drug use continues to grow as well as issues related to illegal use of marijuana. If we allow a more prolific way to dispense, use will increase. It is not out of the ordinary for cities to ban specific things and his neighbors don't want a collective garden next to them. This does not prohibit them from growing their own. With ever changing LCB rules hard to change. This still violates federal law and he will not.

Marshall: 6th graders drug of choice is heroin not marijuana as it is cheaper. Need to think about what city will do for the future. There have been lawsuits filed and must consider if the city can afford to fight.

George: Future council could vote a different way but because of the drug problem here, they should not put on a stamp of approval – just say no. This is a strong message.

On a motion by Councilmember Neigel, seconded by Councilmember Beeler, Ordinance 1182-13, prohibiting collective gardens and dispensaries, was adopted. All ayes, except Councilmember Blair and Marshall who vote nay.

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

Ordinance 1184-13 - Building Code Update

The issue is to introduce Ordinance 1184-13, amending Sultan Municipal Code (SMC) 15.01 to adopt the 2012 Washington State Building Code, RCW Chapter 19.27 with certain amendments specified by the City of Sultan.

The model codes are revised every three years and part of the revision process allows the City to consider/adopt certain code appendices that can augment the model codes. Cities are also allowed to adopt or augment their own construction administrative rules and do not have to accept the general provisions of the model codes. In addition, other codes (e.g. dangerous building codes, housing maintenance codes) may be adopted if they are found to be beneficial to the City, provided they do not conflict with the required State Code adoption. The building codes are adopted by the City in SMC 15.01. For this update, it is only necessary to amend the existing 15.01 to indicate the current versions of the codes that are being adopted.

The adopting ordinance also lists the exceptions or modifications that the City is choosing to enact that are different from the standard state adoption. The City can only adopt exceptions that are authorized by the state, as in the alternative fire sprinkler option discussed above. The City cannot choose to exclude mandatory portions of the state-adopted code.

On a motion by Councilmember Blair, seconded by Councilmember Beeler, Ordinance 1184-13 amending SMC 15.01 related to building codes was adopted. All ayes.

Street Repair Approve and Award Contract

The issue before the council is to authorize the Mayor to sign a contract with Ponderosa Pacific for the street repair of five (5) asphalt patches in various locations where water leaks, sewer repair and installation of a water service. Staff recommends the city award the bid to Ponderosa Pacific for the repair and authorize the Mayor to sign the contract not to exceed \$6,720.17 without prior approval of City Council. This will include:

- o Repair of five (5) patches in various locations; prep work at each location and a minimum of 2" of asphalt for each patch

During annual budget preparation there is money in the operating portion of the funds to include maintenance and repair of water, sewer and streets. This project will be paid from water and sewer funds as they are a direct result of water and sewer infrastructure.

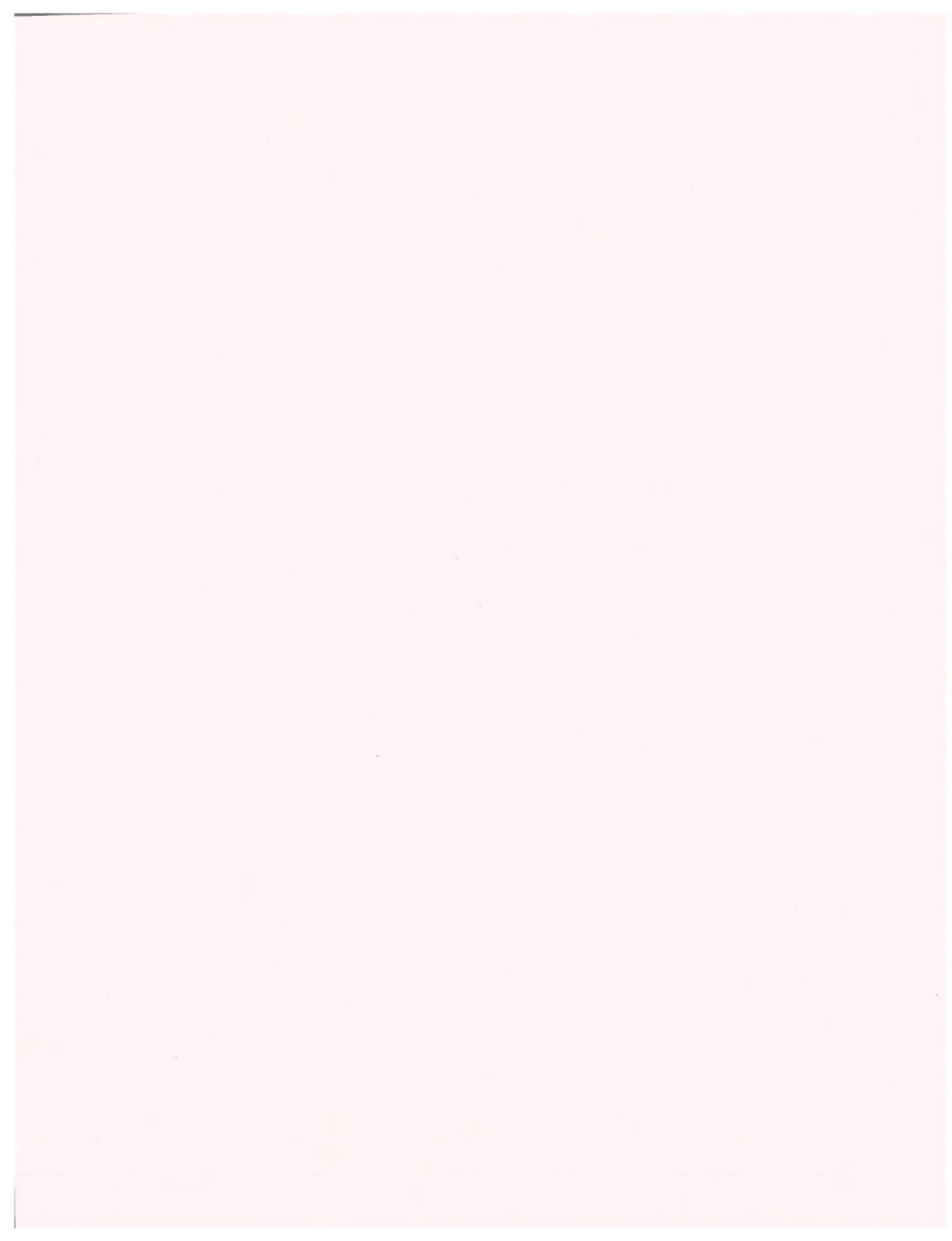
80% Water	Estimate \$5,376.13
20% Sewer	Estimate \$1,344.04

On a motion by Councilmember Marshall, seconded by Councilmember Blair, the city accepted the bid and authorized the Mayor to sign a contract with Ponderosa Pacific for an amount not to exceed \$6,720.17 without prior written authorization from the Council to provide five asphalt patches in various locations. All ayes.

Adjournment: On a motion by Councilmember Marshall, seconded by Councilmember Davenport-Smith, the meeting adjourned at 9:30 PM. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk



**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C 2
DATE: December 12, 2013
SUBJECT: Council Meeting Minutes

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

SUMMARY:

Attached are the minutes of the October 24, 2013, November 7, 2013 and November 21, 2013 public hearings on the 2014 Budget as on file in the office of the City Clerk.

RECOMMENDED ACTION:

Approve as submitted.

CITY OF SULTAN COUNCIL MEETING – October 24, 2013**PUBLIC HEARING:**

Mayor Eslick called the Public Hearing on 2014 Budget to order.

Councilmembers present: Slawson, George, Marshall, Neigel, Davenport-Smith, Blair and Beeler.

Staff:

The issue before the Council is to hold a public hearing on 2014 budget for the Debt Service funds and several special revenue and reserve funds included in the budget. Some of the funds are “stand alone” funds and others are support funds for the operating budgets.

The City has General Obligation debt bonds for construction of the Community Center issued in 1999 and for the 2004 bonds for Police Equipment. The City pledges the assets of the city (property taxes) to pay the general obligation bonds for the Community Center. The Police equipment bonds were a voted issue and additional property tax is assessed to make annual payments.

The Water and Sewer Funds have revenue bonds and Public Works Trust Fund (PWTF) loans for capital projects. The assets of the Water and Sewer Utility are pledged to make payments. The source of funding for payments can be user fees from rate payments, connection fees and reserve funds.

203 Limited GO Tax Bond Fund:

The General Obligation Tax bonds for the Community Center/Library are a General Fund obligation. In 1999, the City issued bonds for the construction of the Community Center/Library. This was a council approved bond issue, not a voted issue. The bonds will mature in 2018. The finance issue the city will face with this bond is the escalating principle payment for the remainder of the bond.

The bond payments must be made from property taxes, real estate excise tax (REET 1) funds or other general fund sources. In 2014, property taxes will be used make the payments as revenues from Real Estate sales (REET 1) (\$20,000) will not to be sufficient to make the bond payments.

205 Police GO Bond Fund:

In 2004, the City issued bonds to pay for the 800 MHz communication system and for capital improvements to the Police Station. This was a voted issue and an additional levy on property located within the city limits. An ordinance will be adopted as part of the budget process to levy the required taxes to meet the annual payment.

The bonds will mature in 2024. Property owners in the city will pay \$10.75 per \$100,000 of assessed value for the bond (\$21.94 for a \$200,000 home).

207 LID Bond Fund

The LID Bond payments are made by the benefited property owners who receive annually billing statements in December. The LID (Local Improvement District) project is a sewer line from the Sultan Basin Road to Rice Road that was constructed in 1997 that runs parallel to Wagley Creek. Payments on the bonds are from assessment against the benefited properties. The LID payments are for 18 years and are considered a lien against the property. The bonds will mature in 2021.

In February 2012, the Council passed Resolution 12-03 setting a payment schedule for the city's obligation under LID 97-1. The City payment schedule on the obligations under LID 97-1 follows:

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

- 1) 2012 - \$69,000 (General/Street - \$1423; Garbage - \$31,865; Sewer - \$35,712) This paid two of the city properties in full.
- 2) 2013 - \$144,137 - Sewer operating fund. This will paid the Wold assessments in full.
- 3) 2014 - \$140,000 - Sewer operating fund. Pays all city assessments in full.

403 Water Revenue Bond Fund:

Water/Sewer Revenue Bonds were issued in 1996 to fund system improvements. The assets of the Water and Sewer Utility Funds were pledged as security for the bonds. The funding source for the bond payment is transfer from the Water and Sewer Utility Funds. Each fund will contribute \$50,000 towards bond payments. Water and Sewer revenue bonds were used to fund Main Street and Eighth Street main line upgrades and replacement. The bonds will mature in 2016.

The City refinanced the bonds which lowered the interest payments in 2012-2016. The overall savings on the refinancing was \$41,783.

412 Water Debt Service Fund:

The purpose of this fund is to provide for the payment of debt service incurred by the Water Utility System for capital projects. The fund has outstanding debt for the previous the connection to the Everett Waterline and for the second reservoir.

The funding for debt service has been from operating fund transfers. For 2014 the debt service payments will be made from the operating fund (Water Utility Fund – 400). The Public Works Trust Fund (PWTF) loan documents pledge the assets of the Water Utility for repayment of the loan

413 Sewer Debt Service Fund:

The purpose of this fund is to provide for the payment of debt service incurred by the Sewer Utility System for capital projects. The fund has outstanding debt for the previous expansion of the existing Wastewater Treatment Plant, the I & I Reduction program and for the Stormwater Report.

The funding for debt service is from current customers. For 2014, the debt service payments will all be made from the operating funds (Sewer Utility Fund – 401 and Stormwater Utility Fund – 406). The PWTF loan documents pledge the assets of the Sewer Utility for repayment of the loan.

100 General Fund Contingency

In 2006 the City established a General Fund Contingency and General Fund Reserve Fund with the intent of providing an emergency fund. The intent of the funds is to provide reserves for unexpected events or emergencies.

RCW 35A.33.145 provides that “the total amount accumulated in such fund at any time shall not exceed the equivalent of thirty-seven and one-half cents per thousand dollars of assessed valuation of property within the city at such time”. The current assessed value of the property for 2014 is \$302,611,142 (estimate). This currently limits the amount allowed to be accumulated in the fund to \$113,479.

Transfers are completed as part of the annual closeout process provided excess funds are available for transfer from the General Fund. Excess funds for 2013 and 2014 are being used to fund payments on the GO bond for the Community Center.

CITY OF SULTAN COUNCIL MEETING – November 21, 2013**107 Drug Enforcement Fund**

This fund could only be used for drug enforcement or educational purpose (restricted by state law). The City contracts with Snohomish County for law enforcement services and no longer has its own task force. The city used the remainder of the funds in to make the payments under the Interlocal agreement to Snohomish County Regional Drug Task Force. The fund was closed out in 2013.

109 Community Improvement Fund

The Community Improvement Fund is used to track revenues and expenditures for community oriented programs and improvements. The City partners with the School District and Volunteers of America to operate and fund the Safe Stop program. The City will contribute \$1,500 in 2014 from Criminal Justice Special programs funds. The fund is used to track special projects. The city will use the fund to track expenditures for the Emergency Siren project in 2014. The city received \$250,000 from PUD to install three emergency sirens in the city for evacuation purposes.

113 BUILDING MAINTENANCE AND REPAIR FUND

The City of Sultan owns, operates and maintains a variety of buildings housing government and non-profit organizations. City facilities include city hall, public works field and food bank, public works shop, police station, post office, and visitor information center.

To provide funding for ordinary maintenance, the city council increased the utility tax allocated to the Building Maintenance Fund. The receives approximately \$14,000 in utility taxes.

It covers anticipated normal, routine maintenance expenditures of approximately \$14,000. The annual expenditures include fire protection inspections, HVAC inspections, elevator maintenance and inspection, labor and industries inspections, light bulb replacements, etc.

The Public Works funds will transfer \$18,000 to the fund in 2014 for future replacement of the roof on the city shop building.

114 Information Technology (IT) Fund

In 2009, the city began the process of standardizing computers and servers in all city departments. The information technology fund was created to track the cost of information technology services. Revenues are provided from interfund transfers from the operating budget. Funds have been set aside funds in the 2014 budget to accumulate for future purchases.

Public Input

None

On a motion by Councilmember Beeler, seconded by Councilmember Neigel, the public hearing was continued to November 7, 2014. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk

CITY OF SULTAN COUNCIL MEETING – November 7, 2014

PUBLIC HEARING:

The continued Public Hearing on 2014 Budget was called to order by Mayor Pro-tem Slawson. Councilmembers present: Slawson, George, Marshall, Neigel, Davenport-Smith, Blair and Beeler.

Staff:

2014 General Fund:

The city has an obligation to provide levels of service to the community that meet the basic need. Some services are mandated such as floodplain management, Growth Management Act planning, financial reporting, and building inspection. Other services such as public safety, economic development, code enforcement and park maintenance are optional. Whether a service is mandatory or option, the city has a choice about the level-of-service or level of investment to make when providing services to the community. The budget themes identify areas of strategic investment over the next five years to coincide with the five-year forecast.

The 2014 budget forecast anticipates declining General Fund revenues and expenditures for the next two years (2014 and 2015). The General fund is the largest fund in the budget. The General fund is supported by taxes and fees and generally has no funding restrictions. The General and Street funds share revenue sources including property taxes and utility taxes.

The proposed general fund revenue of \$1.6 million for 2014 is a 6% reduction from 2013. The reduction is tax collections due to the required allocation of property taxes to meet the obligation of the debt service on the GO bonds for the Community Center.

The following is a summary by revenue type:

	<u>2014 Budget</u>
Taxes	\$1,228,500
Licenses and Permits	\$96,000
Intergovernmental	\$132,939
Charges for Service	\$14,800
Fines and Penalties	\$27,400
Miscellaneous	\$124,991
Total Revenues	\$1,624,630

The 2014 proposed expenditure budget has been reduced by \$115,000 from the 2013 adopted budget. The need to fund the payments on the Community Center bonds has reduced revenues by \$96,000. The major areas of change include:

- Reduction in legal fees by \$45,000. The land use and personnel issues have been reduced since 2012. The legal fees for 2013 should be less than \$40,000.
- The Law Enforcement contract negotiations should be completed in the next month. There will be an approximate \$25,000 savings in 2014.
- The Community Development Director's hours will be reduced to 80% due to lack of planning activity.
- The Building Department staff allocation has been reduced to 15%. The position has been combined with the Utility Clerk.

The General Fund is comprised of 13 departments and provides:

- General management and financial services
- Law Enforcement services
- Planning and Building services
- Parks and recreation service

CITY OF SULTAN COUNCIL MEETING – November 7, 2014

2014 General Fund Budget Expenditures

Legislative	\$15,850
Executive	\$62,605
Finance/Administration	\$64,890
Grants	\$37,480
Legal	\$45,995
Other Governmental	\$67,435
Law Enforcement	\$960,192
Law Enforcement - Court	\$79,400
Emergency Management	\$5,600
Code Enforcement	\$32,164
Planning and Community Development	\$109,160
Building	\$26,103
Public Health	\$1,000
Library	\$6,500
Park/Recreation	\$66,352
Miscellaneous (Transfers Out)	\$9,000
Total Expenditures	\$1,589,726

2014 Parks Budget

The parks operating budget is part of the city's general fund budget. Revenues dedicated to the parks budget are used to support staff and resources to maintain the city's six parks, trails and open space areas. The parks budget "competes" with other general fund priorities such as finance, planning, building, code enforcement, animal control and public safety.

Parks Budget	2011	2012	2013	2014
Salaries	\$38,942	\$40,847	\$36,583	\$40,200
Benefits	\$19,825	\$17,821	\$16,200	\$16,680
Office and Operating Supplies	\$2,158	\$2,678	\$1,530	\$1,300
Other Services	\$15,574	\$9,635	\$11,908	\$8,172
Operating Transfer Out	\$600	\$0	\$1,000	\$0
Total	\$77,099	\$70,981	\$67,221	\$66,352

2014 Street Operating Expenditures

Overall, the 2014 street operating expenditures have decreased by \$60,251. Salaries and benefits are decreased by \$37,866. Due to declining revenues, it will be necessary to significantly reduce staff hours spent in the street fund to balance the budget.

Street Budget	2011	2012	2013	2014
Salaries	\$109,581	\$112,160	\$94,486	\$66,620
Benefits	\$33,769	\$33,085	\$35,975	\$25,975
Office and Operating Supplies	\$8,408	\$5,661	\$5,910	\$3,200
Other Services	\$94,785	\$74,577	\$49,916	\$46,695
Capital Outlay	\$4,831	\$234	\$5,000	\$1,500
Operating Transfer Out	\$17,905	\$9,352	\$18,854	\$5,900
Total	\$269,279	\$235,069	\$210,141	\$149,890

CITY OF SULTAN COUNCIL MEETING – November 7, 2014

In the past, the city has spent considerable effort constructing new transportation facilities. The 2014 street capital budget recognizes the need to invest in repairing the city's existing street facilities. The following transportation projects are planned for 2014:

- Alder Avenue from Fifth Street to Eighth Street: Reconstruct Alder Avenue from 5th Street to 8th Street. The project has received a \$500,000 legislative proviso for these improvements, and a \$30,516 Community Development Block Grant for a sidewalk on the north side of Alder from 7th Street to 8th Street.
- Fourth Street from Alder Avenue to Fir Avenue: Completion of overlay and selective dig-out of Fourth Street from Alder to Fir Avenue. The City has received \$337,156 in grant funding from the Transportation Improvement Board. The City is required to provide matching funds of \$17,643.
- High Avenue from 1st Street to 4th Street: Reconstruct High Avenue from 1st Street to 4th Street. The City has received \$500,916 in grant funding from the Transportation Improvement Board. The City is required to provide matching funds of \$26,212.
- Construct speed cushions on 1st Street as a traffic calming measure.
- Continue with the Adopt a Street program.
- Continue street sign replacement and maintenance program.
- Add raised pavement markers on Sultan Basin Road.

2014 Cemetery Fund:

Estimated revenue for the cemetery is based on the assumption of the sale of five gravesites in 2014. The city council will need to carefully consider maintaining the 2013 level of service in order to ensure expenditures for maintenance are aligned with revenues.

Cemetery Budget	2011	2012	2013	2014
Revenues	\$19,024	\$24,141	\$25,000	\$25,100
Expenditures				
Salaries	\$25,351	\$10,739	\$11,625	\$9,790
Benefits	\$9,372	\$5,267	\$5,879	\$4,850
Office and Operating Supplies	\$1,595	\$750	\$1,600	\$500
Professional Services	\$400	\$5,187	\$4,500	\$5,000
Capital Outlay	\$761	\$0	\$0	\$0
Total Expenditures	\$32,627	\$24,348	\$24,734	\$23,440

2014 Water Operating Expenditures

Overall, the 2014 water budget expenditures have increased by \$62,180. This is primarily due to an increase in salaries and benefits of \$47,232 due to the Public Works Field Supervisor spending more time in water related activities, as she is one of two employees currently certified to perform weekend duty at the Water Treatment Plant. The Grants Administrator is also slated to spend more time helping prepare water related grants in 2014. A Utility Worker will also spend more time cross training at the Water Treatment Plant as part of the City's succession planning.

CITY OF SULTAN COUNCIL MEETING – November 7, 2014

Water Budget	2011	2012	2013	2014
Revenues				
Service Charges	\$899,217	\$885,256	\$923,103	\$1,003,020
Misc	\$31,802	\$25,306	\$22,000	\$18,200
Total	\$931,018	\$910,562	\$945,103	\$1,021,220
Expenditures				
Salaries	\$296,914	\$229,295	\$256,156	\$278,075
Benefits	\$110,136	\$76,238	\$114,382	\$135,446
Office and Operating Supplies	\$29,470	\$41,843	\$62,740	\$66,800
Other Services	341,894\$	\$208,024	\$285,921	\$255,414
Capital Outlay	\$51,755	\$2,028	\$6,000	23,500
Operating Transfer Out	\$159,500	\$273,715	\$277,249	255,393
Total	\$989,669	\$831,143	\$952,448	\$1,014,628

Capital Buildings has increased \$4,000 over 2013. A roof is proposed to be constructed over the currently uncovered blower air units (\$10,000).

Capital Equipment has increased \$23,500 to reflect the following expenditures:

- \$2,500 – 15hp motor and 200 gpm pump
- \$15,000 - Contingency
- \$6,000 – Cherry Hill Estates 6-inch electronic water meter.

An \$8,000 expenditure is proposed for the future purchase of a generator at the Water Treatment Plant. Operating Transfer Out to Fund 409 (Water Capital Improvement Budget) has increased \$5,726 to \$18,500. This expenditure is proposed for the design of two capital projects. Everett Intertie Improvements Design (\$11,000) and PRV 1 Replacement Design (\$7,500).

2014 Sewer Operating Budget

Sewer rate revenues are estimated to be \$1,291,412 for 2014 (an increase of \$29,411). This is primarily due to a trend of commercial accounts using more water than in previous years.

Sewer Revenues	2011	2012	2013	2014
Service Fees	\$1,241,027	\$1,248,369	\$1,247,0019	\$1,275,912
Miscellaneous	\$14,653	\$18,832	\$15,000	\$15,500
Total	\$1,255,764	\$1,267,201	\$1,262,001	\$1,291,412
Expenditures				
Salaries	\$284,669	\$240,139	\$241,187	\$244,780
Benefits	\$91,096	\$95,984	\$110,310	\$101,531
Office and Operating Supplies	\$21,288	\$26,430	\$44,540	\$44,770
Other Services	\$294,985	\$353,628	\$308,256	\$301,480
Capital Outlay	\$19,506	\$47,639	\$56,000	\$69,450
Operating Transfer Out	\$529,379	\$546,146	\$496,105	\$509,011
Total	\$1,240,923	\$1,309,966	\$1,256,398	\$1,271,022

CITY OF SULTAN COUNCIL MEETING – November 7, 2014

The sewer capital budget is used to fund capital improvement projects. Proposed capital projects include:

- New sewer system beneath Alder Avenue from 5th to 8th Street.
- New sewer system beneath 4th Street from Alder to Fir Avenue.
- New sewer system beneath High Avenue from 1st to 4th Street.
- Infiltration and Inflow study in the downtown area.
- Design improvements to the Lift Station.
- Design of the sewer pipe on the pedestrian bridge.

2014 Garbage Operating Fund

Sultan provides garbage service to the citizen three days per week, Monday, Thursday, and Friday. The city has a franchise agreement with Allied Waste for recycling which is critical in the waste stream flow in Sultan as well as Snohomish County. The garbage fund also provided the volunteers with 1200 yellow garbage bags.

Revenues for garbage service are estimated to be \$753,900. The garbage fund is balanced because of the city council's decision to increase rates as recommended in the 2009/2010 rate study.

Salaries and benefits are increased by \$13,831 in 2014. Three utility workers equally share the garbage duties now, where in past years, two utility workers performed the majority of garbage duties.

Garbage Budget	2011	2012	2013	2014
Revenues				
Charges for Service	\$720,571	\$732,077	\$748,794	\$706,500
Misc Revenues	\$45,810	\$45,732	\$47,758	\$47,400
Total	\$766,090	\$777,800	\$796,552	\$753,900
Expenditures				
Salaries	\$168,048	\$143,871	\$132,004	\$146,880
Benefits	\$65,380	\$73,994	\$70,125	\$69,080
Office and Operating Supplies	\$4,765	\$3,777	\$6,140	\$6,120
Other Services	\$101,025	\$146,217	\$122,465	96,050
Intergovernmental (disposal and recycling)	\$327,643	\$327,541	\$327,900	\$326,500
Capital Outlay	\$20,315	\$18,605	\$31,000	\$23,000
Operating Transfer Out	\$50,479	\$83,349	\$92,434	\$81,803
Total Expenditures	\$737,655	\$758,397	\$782,068	\$749,433

2013 Storm Water Fund

The City owns, operates and maintains the drainage, or storm water system, consisting of conveyance assets (pipes, culverts, catch basins, and inlets), storm water ponds, and storm water treatment facilities.

Services provided include on-going maintenance of city owned facilities, vactoring manholes and catch basins to remove sediment and increase system capacity. The utility also provides funds to repair and/or replace failing culverts to reduce flooding.

CITY OF SULTAN COUNCIL MEETING – November 7, 2014

Salaries and benefits are decreased by \$3,945 in 2014. Professional services are decreasing from \$13,500 in 2013 to zero in 2014 because the fund cannot support professional services this year. With the existing stormwater utility rates, the primary focus can only be on maintenance. The rates will need to be increased to be able to afford the design and construction of stormwater and flood prevention projects. Rentals are reduced from \$15,500 in 2013 to \$10,000 in 2014. The City must provide less vactoring this year to have a balanced budget.

Stormwater Budget	2011	2012	2013	2014
Revenues				
Service Fees	\$126,428	\$150,169	\$164,025	\$165,945
Miscellaneous	\$92	\$306	\$200	200
Total	\$126,520	\$150,474	\$164,225	\$166,145
Expenditures				
Salaries	\$23,023	\$77,239	\$81,313	\$75,845
Benefits	\$7,020	\$5,951	\$32,562	\$34,085
Office and Operating Supplies	\$733	\$1,187	\$1,960	2,750
Other Services	\$29,749	\$23,684	\$45,114	\$30,534
Capital Outlay	\$0	\$33	\$0	\$0
Operating Transfer Out	\$60,000	\$39,539	\$40,736	\$19,737
Total	\$120,525	\$147,633	\$201,685	\$162,951

Council Comments:

George: Asked about the number of water/sewer connections expected in 2014? (Staff: 2 business connections and possible 40 unit apartment unit).

Beeler: When does the city expect to purchase and implement the new garbage truck and toters? (2015). This will save labor costs and toters will be provided by the city. More efficient and better for the citizens.

Blair: Do road construction improvements included storm? (Transportation grants will pay for the storm drainage portion of the project). City needs to show the true cost of the storm element for projects.

Public Input**None**

On a motion by Councilmember George, seconded by Councilmember Davenport -Smith, the public hearing was continued to November 21, 2013. All ayes.

 Steve Slawson, Mayor Pro-tem

 Laura J. Koenig, City Clerk

CITY OF SULTAN COUNCIL MEETING – November 21, 2013**PUBLIC HEARING:**

The Public Hearing on 2014 Capital Budget was called to order by Mayor Pro-tem Slawson. Councilmembers present: Slawson, George, Marshall, Neigel, Davenport-Smith, Blair and Beeler.

Staff: Mick Matheson, Public Works Director presented the report.

Street & Transportation Improvements

Street chip seal project: A street will be selected for the City's annual chip seal project. This project will be funded using Real Estate Excise Tax (REET) 2.

Alder Avenue Reconstruction (5th Street to 8th Street): The design is 90 percent complete with construction planned for May 2014. Construction of the transportation improvements are grant funded through a Community Development Block Grant and a Legislative Proviso.

Sultan River Pedestrian Bridge: The design is 30 percent complete with construction planned for summer 2014, contingent on receiving construction funding. The design of the transportation related bridge improvements is grant funded through a legislative proviso and the Surface Transportation Program. Construction is currently unfunded.

Fourth Street Overlay (Alder Avenue to Fir Avenue): The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The transportation improvements are grant funded through the Transportation Improvement Board. The sanitary sewer and water construction are currently unfunded.

High Avenue Reconstruction (1st Street to 4th Street): The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The transportation improvements are grant funded through the Transportation Improvement Board. The sanitary sewer and water construction are currently unfunded.

1st Street Speed Cushions: The project is planned for 2014 and will be funded using REET2.

Sultan Basin Road Sidewalk: The project is planned on the east side of Sultan Basin Road to fill in a missing gap of sidewalk north of the Timber Ridge development. The project is dependent on receiving a grant from the Transportation Improvement Board.

Sultan Basin Road Raised Pavement Markers (RPMs): The project is planned to add raised pavement markers to the striping on the recently completed Sultan Basin Road Overlay project. This project will be funded using REET2.

Water System Improvements

Gohr Road & 135th Street Water Main: The design is proposed to be funded using Water Capital Funds. The construction is proposed to be loan funded.

Booster Pump House Upgrade: The design and construction of the Booster Pump House Upgrade include the replacement of pumps, the electrical system, generator, and pump house structure. The upgrade effort is proposed to be loan funded as the costs are significant.

Alder Avenue Reconstruction (5th Street to 8th Street): The design is 90 percent complete with construction planned for May 2014. Construction of the water improvements are grant funded through a Community Development Block Grant and a Legislative Proviso (each grant is specifically for sewer and water improvements).

Sultan River Pedestrian Bridge: The design is 30 percent complete with construction planned for summer 2014, contingent on receiving construction funding. The design of the water related elements are to be funded using Water Capital Funds. Construction of the water related elements is currently unfunded.

PRV Station Replacement: The design and construction of PRV #1 are proposed to be funded using Water Capital Funds.

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

Fourth Street Overlay (Alder Avenue to Fir Avenue): The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The water improvements are currently unfunded and anticipated to be paid for with a loan.

High Avenue Reconstruction (1st Street to 4th Street): The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The water improvements are currently unfunded and anticipated to be paid for with a loan.

Everett Intertie Upgrade: This design and construction of this project is proposed to be funded using Water Capital Funds.

Water Capital Fund

The following projects are proposed to be funded using City Water Capital Funds:

Gohr Road & 135 th Street Design	\$31,400
4 th Street Water Design	\$14,600
Alder Avenue Water Design	\$11,676
High Avenue Water Design	\$6,500
Sultan Bridge Water Design	\$55,600
PRV #1 Design & Construction	\$82,500
<u>Everett Intertie Design & Construction</u>	<u>\$84,500</u>
Total	\$286,776

To provide adequate funding for the capital projects, staff is proposing the following:

- Transfer \$160,614 from Fund 405 (Water Reserve Fund) to Fund 409 (Water System Improvements Fund), leaving \$150,000 in the Water Reserve Fund.
- Transfer \$18,500 of Operating Funds to Fund 405 (Water Reserve Fund) to specifically cover the PRV#1 Design & Everett Intertie Improvements (already proposed in the 2014 Operating Budget).
- Transfer \$108,422 from Fund 400 (Water Operating Fund) to Fund 409 (Water System Improvements Fund) leaving \$150,000 in the Water Operating Fund

The \$287,536 in Fund 409 is adequate to fund the proposed capital improvements of \$286,776.

Sewer System Improvements

Lift Station Upgrade: The design is proposed to be funded using Sewer Capital Funds. The construction is proposed to be loan funded.

Infiltration and Inflow Study: This project is proposed to be funded using Sewer Capital Funds.

Alder Avenue Reconstruction (5th Street to 8th Street): The design is 90 percent complete with construction planned for May 2014. Construction of the sewer improvements are grant funded through a Community Development Block Grant and a Legislative Proviso (each grant is specifically for sewer and water improvements).

Sultan River Pedestrian Bridge: The design is 30 percent complete with construction planned for summer 2014, contingent on receiving construction funding. The design of the sewer related elements are to be funded using Sewer Capital Funds. Construction of the sewer related elements is proposed to be loan funded.

Fourth Street Overlay (Alder Avenue to Fir Avenue): The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The water improvements are currently unfunded and anticipated to be paid for with a loan.

CITY OF SULTAN COUNCIL MEETING – November 21, 2013

High Avenue Reconstruction (1st Street to 4th Street): The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The sewer improvements are currently unfunded and anticipated to be paid for with a loan.

Sewer Capital Fund

The following projects are proposed to be funded using City Sewer Capital Funds:

Lift Station Design Upgrade	\$69,000
Infiltration & Inflow Study	\$30,000
4 th Street Sewer Design	\$20,200
Alder Avenue Sewer Design	\$10,778
High Avenue Sewer Design	\$15,200
Sultan Bridge Sewer Design	\$83,400
Total	\$228,578

To provide adequate funding for the capital projects, staff is proposing the following:

- Leave Fund 404 (Sewer Reserve Fund) intact.
- Transfer \$65,000 of Operating Funds to Fund 407 to specifically cover the majority of the Lift Station Design Upgrade (already proposed in the 2014 Operating Budget).
- Transfer \$201,050 from Fund 400 (Sewer Operating Fund) to Fund 407 (Sewer System Improvement Fund) leaving \$150,000 in the Sewer Operating Fund

The \$322,023 in Fund 407 is adequate to fund the proposed capital improvements of \$228,578.

Storm Water System Improvements

Dyer Road Culvert Replacement: The design is 90 percent complete. Construction is currently unfunded, and the City is seeking grants complete the project. There are not enough funds available to adequately fund need projects.

Council comments:

Blair: Need to make sure adequate funds are available to fund liabilities and operating costs.

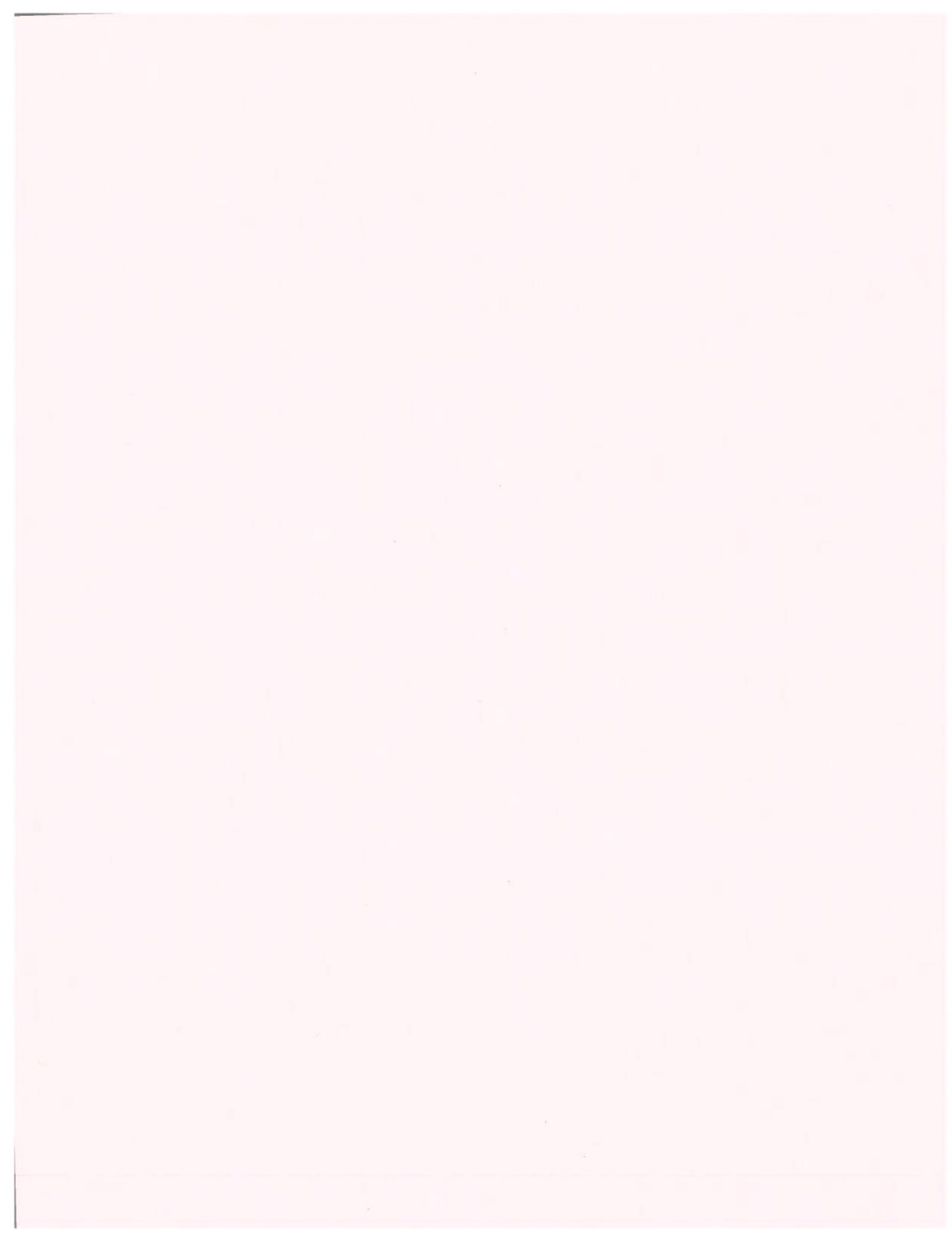
Public Input

Ray George: Asked if the I & I study will be done before or after the sewer lines are replaced. May be obsolete if do projects first.

On a motion by Councilmember Blair, seconded by Councilmember Davenport-Smith, the public hearing was closed. All ayes.

Carolyn Eslick, Mayor

Laura J. Koenig, City Clerk



**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM #: Consent 3
DATE: December 12, 2013
SUBJECT: Voucher Approval
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

SUMMARY:
Attached are the vouchers for approval in the amount of \$421,779.15 and payroll through November 22, 2013, in the amount of \$62,468.26 to be drawn and paid on the proper accounts.

FISCAL IMPACT: \$484,247.41

RECOMMENDATION:
Approve the payment of vouchers as submitted.

**City Of Sultan
Voucher Approval
December 12, 2013**

I, the undersigned, do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered, or the labor performed as described hereon, and that the claim is just, due and an unpaid obligation against the City of Sultan, and that I am authorized to authenticate and certify to said claim.

Laura J. Koenig, Clerk/Deputy Finance Director

We, the undersigned City Council of Sultan Washington, do hereby certify that the merchandise or services hereinafter specified have been received and the claims are approved for payment in the following amounts:

Payroll Check #28719-21	\$ 5,763.91
Direct Deposit #24	\$ 25,384.72
Benefits Check #28715-18	\$ 8,120.51
Tax Deposit #PR 23 & 24	\$ 23,199.12
Accounts Payable Checks #28722-67	\$ 412,389.21
ACH Transactions - DOR	\$ 9,389.94
TOTAL	\$ 484,247.41

Bob McCarty, Councilmember

Steve Slawson, Councilmember

Kay George, Councilmember

Sarah Davenport-Smith, Councilmember

Joseph Neigel, Councilmember

Kristina Blair, Councilmember

Jeffrey Beeler, Councilmember

Accounts Payable

Check Register Totals Only



User: laura.koenig
 Printed: 12/4/2013 - 3:09 PM

Check	Date	Vendor No	Vendor Name	Amount	Voucher
				306.98	0
28723	12/12/2013	agsupply	AG Supply Co	11,920.61	0
28724	12/12/2013	AllWaste	Allied Waste Services	560.00	0
28725	12/12/2013	amtest	AM Test	694.78	0
28726	12/12/2013	APP	Associated Petroleum Products Inc	16,652.00	0
28727	12/12/2013	Blueline	Blueline	18,816.83	0
28728	12/12/2013	Blueline	Blueline	145.28	0
28729	12/12/2013	CampPet	Campbell Pet Company	195.68	0
28730	12/12/2013	carrot	Carrot-Top Industries	2,392.95	0
28731	12/12/2013	CBRE	CBRE Inc.	572.96	0
28732	12/12/2013	CertLabs	Certified Laboratories	150.75	0
28733	12/12/2013	Corin	Correctional Industries	476.00	0
28734	12/12/2013	Digital	Digital Dolphin	2,350.10	0
28735	12/12/2013	dynacco	Dynacco	226.10	0
28736	12/12/2013	Frontier	Frontier	805.33	0
28737	12/12/2013	gbgeek	Gold Bar Geek	14,180.73	0
28738	12/12/2013	Gray	Gray & Osborne Inc.	32.59	0
28739	12/12/2013	keller	Keller Supply Company	240,447.11	0
28740	12/12/2013	Lakeside	Lakeside Industries	435.43	0
28741	12/12/2013	napa	Monroe Parts House	31.08	0
28742	12/12/2013	dmurphy	Donna Murphy	5,931.08	0
28743	12/12/2013	mytana	MyTana Mfg. Co. Inc.	453.83	0
28744	12/12/2013	NorthSaf	Northern Safety Co Inc.	1,002.69	0
28745	12/12/2013	NorthSta	Northstar Chemical, Inc.	185.50	0
28746	12/12/2013	NWCas	Northwest Cascade Inc	66.79	0
28747	12/12/2013	OfcDepot	Office Depot	8,390.83	0
28748	12/12/2013	PUD 1	PUD	194.10	0
28749	12/12/2013	PSE	Puget Sound Energy	49.30	0
28750	12/12/2013	QBS	Quality Buisness Systems	146.16	0
28751	12/12/2013	Railroad	Railroad Management Company III, L	12,915.68	0
28752	12/12/2013	skilling	Skillings Connolly	2,588.50	0
28753	12/12/2013	SCDEM	Snohomish County DEM	2,551.50	0
28754	12/12/2013	snoplan	Snohomish County Planning and Deve	4,935.47	0
28755	12/12/2013	Snopac	Snopac	51.91	0
28756	12/12/2013	Staples	Staples Credit Plan	3,357.37	0
28757	12/12/2013	Summit	Summit Research Labs	4,787.11	0
28758	12/12/2013	TSI	Technical Systems, Inc.	678.75	0
28759	12/12/2013	titan	Titan Electric	1,700.00	0
28760	12/12/2013	atrua	Aimee Lou Trua	1,034.51	0
28761	12/12/2013	BluBook	USA Blue Book	576.61	0
28762	12/12/2013	VerizonW	Verizon Wireless	2,769.00	0
28763	12/12/2013	visa	Visa	548.03	0
28764	12/12/2013	visa	Visa	65.00	0
28765	12/12/2013	visa	Visa	43,130.48	0
28766	12/12/2013	WH	WH Pacific	2,174.74	0
28767	12/12/2013	WH	WH Pacific		
Check Total:				411,678.23	

ACH Check Register

User: 'julie.addington'
 Printed: 11/25/2013 - 8:54AM
 Batch: 3-11-2013
 Include Partial: FALSE



Check Date	Check Number	Employee No	Employee Name	Amount
11/27/2013	0	001	Laura Koenig	2,087.90
11/27/2013	0	004	Donna Murphy	1,505.43
11/27/2013	0	005	Robert Martin	2,534.64
11/27/2013	0	007	Julie Addington	1,463.46
11/27/2013	0	010	Cindy Donk	1,568.69
11/27/2013	0	011	Janice Mann	1,205.01
11/27/2013	0	013	Rosemary Murphy	1,205.15
11/27/2013	0	019	Michael Matheson	2,745.12
11/27/2013	0	020	Michael Matheson	2,026.00
11/27/2013	0	025	Connie Dunn	2,010.90
11/27/2013	0	028	John Harris	1,733.19
11/27/2013	0	028	Todd Strom	887.29
11/27/2013	0	049	Victoria Forte	2,040.04
11/27/2013	0	120	Matthew Wood	1,241.43
11/27/2013	0	121	Jason Strauss	1,130.47
11/27/2013	0	122	Steven Martin	
Total Employees:			15	Total: 25,384.72

PR24

Payroll
 Computer Check Register

User: julie.addington
 Printed: 11/25/2013 - 8:51AM
 Batch: 00003-11-2013 Computer



Check No	Check Date	Employee Information	Amount
28719	11/27/2013	015 Kenneth Walker	2,761.03
28720	11/27/2013	024 Michael Williams	1,618.60
28721	11/27/2013	029 James Barns	1,384.28
Total for Payroll Check Run:			5,763.91
Total Number of Employees:		3	

Accounts Payable
 Check Register Totals Only

User: laura.koenig
 Printed: 11-21/2013 - 3:34 PM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
28715	11/21/2013	Retire	Department of Retirement	1,475.00	0
28716	11/21/2013	Retire	Department of Retirement	5,916.61	0
28717	11/21/2013	AFLAC	AFLAC	111.90	0
28718	11/21/2013	UNION	Teamsters Local Union #763	617.00	0
Check Total:				8,120.51	

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 10th DAY OF JANUARY, 2013.**

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1155-12**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of $\frac{1}{4}$ inch to $\frac{1}{2}$ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, the City's geotechnical engineer and civil engineer have recommended to City Council that the six month moratorium established by Ordinance 1136-12 be extended an additional six months to provide the City and its consultants time to better understand the underlying problems;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, July 26, 2012, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 26th DAY OF JULY, 2012.**

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1136-12**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, DECLARING AN EMERGENCY AND ADOPTING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM; AND PROVIDING THAT THE MORATORIUM WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of $\frac{1}{4}$ inch to $\frac{1}{2}$ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to monitor and evaluate horizontal and vertical movement throughout the plat;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. . Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. . Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. . Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. . Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Tuesday, February 21, 2012, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 9th DAY OF FEBRUARY, 2012.**

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

Checks for Approval

Check Number	Check Date	Fund Name	Account Name	Vendor Name	Amount
28715	11/21/2013	GENERAL FUND	Deferred Comp Payable	Department of Retirement	294.01
28715	11/21/2013	STREET FUND	Deferred Comp Payable	Department of Retirement	97.24
28715	11/21/2013	CEMETERY FUND	Deferred Comp Payable	Department of Retirement	3.75
28715	11/21/2013	BUILDING MAINTENANCE FUND	Deferred Comp Payable	Department of Retirement	9.00
28715	11/21/2013	UTILITY WATER FUND	Deferred Comp Payable	Department of Retirement	306.00
28715	11/21/2013	UTILITY SEWER FUND	Deferred Comp Payable	Department of Retirement	520.50
28715	11/21/2013	UTILITY GARBAGE FUND	Deferred Comp Payable	Department of Retirement	138.25
28715	11/21/2013	STORMWATER UTILITY FUND	Deferred Comp Payable	Department of Retirement	106.25
28716	11/21/2013	GENERAL FUND	PERS Payable	Department of Retirement	94.07
28716	11/21/2013	GENERAL FUND	PERS Payable	Department of Retirement	51.07
28716	11/21/2013	GENERAL FUND	PERS Payable	Department of Retirement	386.89
28716	11/21/2013	GENERAL FUND	PERS Payable	Department of Retirement	171.15
28716	11/21/2013	STREET FUND	PERS Payable	Department of Retirement	19.13
28716	11/21/2013	CEMETERY FUND	PERS Payable	Department of Retirement	24.84
28716	11/21/2013	BUILDING MAINTENANCE FUND	PERS Payable	Department of Retirement	508.71
28716	11/21/2013	UTILITY WATER FUND	PERS Payable	Department of Retirement	476.69
28716	11/21/2013	UTILITY SEWER FUND	PERS Payable	Department of Retirement	252.05
28716	11/21/2013	UTILITY GARBAGE FUND	PERS Payable	Department of Retirement	170.12
28716	11/21/2013	STORMWATER UTILITY FUND	PERS Payable	Department of Retirement	724.21
28716	11/21/2013	GENERAL FUND	PERS Payable	Department of Retirement	320.40
28716	11/21/2013	STREET FUND	PERS Payable	Department of Retirement	35.82
28716	11/21/2013	CEMETERY FUND	PERS Payable	Department of Retirement	46.50
28716	11/21/2013	BUILDING MAINTENANCE FUND	PERS Payable	Department of Retirement	952.29
28716	11/21/2013	UTILITY WATER FUND	PERS Payable	Department of Retirement	892.30
28716	11/21/2013	UTILITY SEWER FUND	PERS Payable	Department of Retirement	471.94
28716	11/21/2013	UTILITY GARBAGE FUND	PERS Payable	Department of Retirement	318.43
28716	11/21/2013	STORMWATER UTILITY FUND	PERS Payable	Department of Retirement	0.07
28717	11/21/2013	CEMETERY FUND	AFLAC Payable	AFLAC	5.93
28717	11/21/2013	UTILITY WATER FUND	AFLAC Payable	AFLAC	8.00
28717	11/21/2013	UTILITY SEWER FUND	AFLAC Payable	AFLAC	0.05
28717	11/21/2013	STORMWATER UTILITY FUND	AFLAC Payable	AFLAC	0.15
28717	11/21/2013	CEMETERY FUND	AFLAC Payable	AFLAC	15.78
28717	11/21/2013	UTILITY WATER FUND	AFLAC Payable	AFLAC	25.80
28717	11/21/2013	UTILITY SEWER FUND	AFLAC Payable	AFLAC	0.17
28717	11/21/2013	STORMWATER UTILITY FUND	AFLAC Payable	AFLAC	0.06
28717	11/21/2013	CEMETERY FUND	AFLAC Payable	AFLAC	5.93
28717	11/21/2013	UTILITY WATER FUND	AFLAC Payable	AFLAC	8.00
28717	11/21/2013	UTILITY SEWER FUND	AFLAC Payable	AFLAC	0.06
28717	11/21/2013	STORMWATER UTILITY FUND	AFLAC Payable	AFLAC	0.06

28717	11/2/2013	CEMETERY FUND	AFLAC Payable	AFLAC	0.16
28717	11/2/2013	UTILITY WATER FUND	AFLAC Payable	AFLAC	15.79
28717	11/2/2013	UTILITY SEWER FUND	AFLAC Payable	AFLAC	25.80
28717	11/2/2013	STORMWATER UTILITY FUND	AFLAC Payable	AFLAC	0.15
28718	11/2/2013	GENERAL FUND	Union Dues Payable	Teamsters Local Union #763	48.05
28718	11/2/2013	STREET FUND	Union Dues Payable	Teamsters Local Union #763	15.32
28718	11/2/2013	CEMETERY FUND	Union Dues Payable	Teamsters Local Union #763	3.92
28718	11/2/2013	BUILDING MAINTENANCE FUND	Union Dues Payable	Teamsters Local Union #763	2.39
28718	11/2/2013	UTILITY WATER FUND	Union Dues Payable	Teamsters Local Union #763	85.57
28718	11/2/2013	UTILITY SEWER FUND	Union Dues Payable	Teamsters Local Union #763	79.12
28718	11/2/2013	UTILITY GARBAGE FUND	Union Dues Payable	Teamsters Local Union #763	52.02
28718	11/2/2013	STORMWATER UTILITY FUND	Union Dues Payable	Teamsters Local Union #763	22.11
28718	11/2/2013	GENERAL FUND	Union Dues Payable	Teamsters Local Union #763	48.07
28718	11/2/2013	STREET FUND	Union Dues Payable	Teamsters Local Union #763	15.32
28718	11/2/2013	CEMETERY FUND	Union Dues Payable	Teamsters Local Union #763	3.91
28718	11/2/2013	BUILDING MAINTENANCE FUND	Union Dues Payable	Teamsters Local Union #763	2.40
28718	11/2/2013	UTILITY WATER FUND	Union Dues Payable	Teamsters Local Union #763	85.54
28718	11/2/2013	UTILITY SEWER FUND	Union Dues Payable	Teamsters Local Union #763	79.11
28718	11/2/2013	UTILITY GARBAGE FUND	Union Dues Payable	Teamsters Local Union #763	52.01
28718	11/2/2013	STORMWATER UTILITY FUND	Union Dues Payable	Teamsters Local Union #763	22.14
28722	12/04/2013	UTILITY WATER FUND	Communication	USPS	213.29
28722	12/04/2013	UTILITY SEWER FUND	Communication	USPS	213.30
28722	12/04/2013	UTILITY GARBAGE FUND	Communication	USPS	213.29
28722	12/04/2013	STORMWATER UTILITY FUND	Communication	USPS	71.10
28723	12/12/2013	GENERAL FUND	Volunteer Program	AG Supply Co	178.03
28723	12/12/2013	INSURANCE CLAIMS FUND	Operating Supply	AG Supply Co	19.53
28723	12/12/2013	BUILDING MAINTENANCE FUND	Operating Supply	AG Supply Co	22.23
28723	12/12/2013	UTILITY SEWER FUND	Operating Supplies	AG Supply Co	3.25
28723	12/12/2013	BUILDING MAINTENANCE FUND	Operating Supply	AG Supply Co	19.52
28723	12/12/2013	UTILITY WATER FUND	Operating Supply	AG Supply Co	36.91
28723	12/12/2013	BUILDING MAINTENANCE FUND	Operating Supply	AG Supply Co	27.51
28724	12/12/2013	UTILITY GARBAGE FUND	Intergovernmental - Recycle	Allied Waste Services	11,920.61
28725	12/12/2013	UTILITY WATER FUND	Water - Testing	AM Test	120.00
28725	12/12/2013	UTILITY WATER FUND	Water - Testing	AM Test	440.00
28726	12/12/2013	UTILITY GARBAGE FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	386.76
28726	12/12/2013	UTILITY SEWER FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	47.21
28726	12/12/2013	UTILITY WATER FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	177.86
28726	12/12/2013	CEMETERY FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	11.64
28726	12/12/2013	STREET FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	11.64
28726	12/12/2013	GENERAL FUND	Vehicle Maintenance	Associated Petroleum Products Inc	11.64
28726	12/12/2013	GENERAL FUND	Vehicle Operation/Maintenance	Associated Petroleum Products Inc	48.03
28727	12/12/2013	STREET IMPROVEMENT FUND	4th Street Project	Blueline	16,652.00

28728	12/12/2013	STREET IMPROVEMENT FUND	High Ave Project	Blueline	18,816.83
28729	12/12/2013	GENERAL FUND	Office/Operating Supplies	Campbell Pet Company	145.28
28730	12/12/2013	BUILDING MAINTENANCE FUND	Operating Supply	Carrot-Top Industries	195.68
28731	12/12/2013	GENERAL FUND	Professional Services	CBRE Inc.	2,392.95
28732	12/12/2013	UTILITY SEWER FUND	Operating Supplies	Certified Laboratories	572.96
28733	12/12/2013	UTILITY WATER FUND	Office Supplies	Correctional Industries	18.84
28733	12/12/2013	UTILITY SEWER FUND	Office Supplies	Correctional Industries	18.84
28733	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Correctional Industries	18.84
28733	12/12/2013	STREET FUND	Office Supplies	Correctional Industries	18.84
28733	12/12/2013	GENERAL FUND	Office/Operating Supplies	Correctional Industries	75.39
28734	12/12/2013	UTILITY WATER FUND	Office Supplies	Digital Dolphin	59.50
28734	12/12/2013	UTILITY SEWER FUND	Office Supplies	Digital Dolphin	59.50
28734	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Digital Dolphin	59.50
28734	12/12/2013	STREET FUND	Office Supplies	Digital Dolphin	59.50
28734	12/12/2013	GENERAL FUND	Office/Operating Supplies	Digital Dolphin	238.00
28735	12/12/2013	UTILITY WATER FUND	Operating Supply	Dynacco	2,958.26
28735	12/12/2013	UTILITY WATER FUND	Operating Supply	Dynacco	-521.28
28735	12/12/2013	UTILITY WATER FUND	Operating Supply	Dynacco	-86.88
28735	12/12/2013	UTILITY WATER FUND	Communication	Frontier	10.70
28736	12/12/2013	GENERAL FUND	Communication	Frontier	10.70
28736	12/12/2013	STREET FUND	Communication	Frontier	10.70
28736	12/12/2013	UTILITY WATER FUND	Communication	Frontier	10.70
28736	12/12/2013	UTILITY SEWER FUND	Communication	Frontier	10.70
28736	12/12/2013	UTILITY GARBAGE FUND	Communication	Frontier	10.70
28736	12/12/2013	UTILITY WATER FUND	Communication	Frontier	106.35
28736	12/12/2013	GENERAL FUND	Communication	Frontier	0.49
28736	12/12/2013	STREET FUND	Communication	Frontier	0.49
28736	12/12/2013	UTILITY WATER FUND	Communication	Frontier	0.48
28736	12/12/2013	UTILITY SEWER FUND	Communication	Frontier	0.49
28736	12/12/2013	UTILITY GARBAGE FUND	Communication	Frontier	0.49
28736	12/12/2013	GENERAL FUND	Communication	Frontier	12.76
28736	12/12/2013	STREET FUND	Communication	Frontier	12.76
28736	12/12/2013	UTILITY WATER FUND	Communication	Frontier	12.77
28736	12/12/2013	UTILITY SEWER FUND	Communication	Frontier	12.76
28736	12/12/2013	UTILITY GARBAGE FUND	Communication	Frontier	12.76
28736	12/12/2013	INFORMATION TECHNOLOGY FUND -	Professional Service	Gold Bar Geek	805.33
28737	12/12/2013	STREET IMPROVEMENT FUND	Alder Avenue Project	Gray & Osborne Inc.	14,180.73
28738	12/12/2013	BUILDING MAINTENANCE FUND	Operating Supply	Keller Supply Company	27.42
28739	12/12/2013	BUILDING MAINTENANCE FUND	Operating Supply	Keller Supply Company	5.17
28739	12/12/2013	STREET IMPROVEMENT FUND	Street Construction - Basin Rd	Lakeside Industries	240,447.11
28740	12/12/2013	UTILITY SEWER FUND	Operating Supplies	Monroe Parts House	34.74
28741	12/12/2013	UTILITY GARBAGE FUND	Operating Supplies	Monroe Parts House	181.75
28741	12/12/2013	STREET FUND	Office/Operating Supplies	Monroe Parts House	22.96

28741	12/12/2013	UTILITY SEWER FUND	Operating Supplies	Monroe Parts House	36.91
28741	12/12/2013	UTILITY WATER FUND	Operating Supply	Monroe Parts House	8.13
28741	12/12/2013	UTILITY SEWER FUND	Vehicle Operation Maintenance	Monroe Parts House	150.94
28742	12/12/2013	GENERAL FUND	Travel and Seminars	Donna Murphy	31.08
28743	12/12/2013	UTILITY WATER FUND	Small Tools/Minor Equipment	MyTana Mfg. Co. Inc.	1,463.54
28743	12/12/2013	UTILITY SEWER FUND	Small Tools/Minor Equipment	MyTana Mfg. Co. Inc.	4,467.54
28744	12/12/2013	STREET FUND	Uniforms	Northern Safety Co Inc.	90.77
28744	12/12/2013	UTILITY WATER FUND	Uniforms	Northern Safety Co Inc.	90.77
28744	12/12/2013	UTILITY SEWER FUND	Uniforms	Northern Safety Co Inc.	90.77
28744	12/12/2013	UTILITY GARBAGE FUND	Uniforms	Northern Safety Co Inc.	90.76
28744	12/12/2013	STORMWATER UTILITY FUND	Uniforms	Northern Safety Co Inc.	90.76
28745	12/12/2013	UTILITY SEWER FUND	Operating Supplies	Northern Safety Co Inc.	1,002.69
28746	12/12/2013	UTILITY SEWER FUND	Rentals	Northstar Chemical, Inc.	185.50
28747	12/12/2013	UTILITY WATER FUND	Office Supplies	Northwest Cascade Inc	0.37
28747	12/12/2013	UTILITY WATER FUND	Office Supplies	Office Depot	0.37
28747	12/12/2013	UTILITY SEWER FUND	Office Supplies	Office Depot	0.37
28747	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Office Depot	0.37
28747	12/12/2013	STREET FUND	Office/Operating Supplies	Office Depot	1.48
28747	12/12/2013	GENERAL FUND	Office/Operating Supplies	Office Depot	2.63
28747	12/12/2013	UTILITY WATER FUND	Office Supplies	Office Depot	2.62
28747	12/12/2013	UTILITY SEWER FUND	Office Supplies	Office Depot	2.63
28747	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Office Depot	2.62
28747	12/12/2013	STREET FUND	Office/Operating Supplies	Office Depot	10.50
28747	12/12/2013	GENERAL FUND	Office/Operating Supplies	Office Depot	3.53
28747	12/12/2013	UTILITY WATER FUND	Office Supplies	Office Depot	3.53
28747	12/12/2013	UTILITY SEWER FUND	Office Supplies	Office Depot	3.53
28747	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Office Depot	3.53
28747	12/12/2013	STREET FUND	Office Supplies	Office Depot	14.11
28747	12/12/2013	GENERAL FUND	Office/Operating Supplies	Office Depot	1.83
28747	12/12/2013	UTILITY WATER FUND	Office Supplies	Office Depot	1.82
28747	12/12/2013	UTILITY SEWER FUND	Office Supplies	Office Depot	1.83
28747	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Office Depot	1.82
28747	12/12/2013	STREET FUND	Office/Operating Supplies	Office Depot	7.30
28747	12/12/2013	GENERAL FUND	Office/Operating Supplies	Office Depot	183.50
28748	12/12/2013	UTILITY WATER FUND	Utilities	PUD	183.50
28748	12/12/2013	UTILITY SEWER FUND	Utilities	PUD	183.49
28748	12/12/2013	UTILITY GARBAGE FUND	Utilities	PUD	183.50
28748	12/12/2013	STREET FUND	Utilities	PUD	183.50
28748	12/12/2013	GENERAL FUND	Utilities	PUD	917.49
28748	12/12/2013	GENERAL FUND	Utilities	PUD	292.53
28748	12/12/2013	GENERAL FUND	Utilities	PUD	2,580.95
28748	12/12/2013	UTILITY WATER FUND	Utilities	PUD	39.83
28748	12/12/2013	UTILITY WATER FUND	Utilities	PUD	

28748	12/12/2013	UTILITY SEWER FUND	Utilities	PUD	39.84
28748	12/12/2013	UTILITY GARBAGE FUND	Utilities	PUD	39.83
28748	12/12/2013	STREET FUND	Utilities	PUD	148.23
28748	12/12/2013	GENERAL FUND	Utilities	PUD	55.72
28748	12/12/2013	GENERAL FUND	Utilities	PUD	70.51
28748	12/12/2013	GENERAL FUND	Utilities	PUD	486.18
28748	12/12/2013	UTILITY SEWER FUND	Utilities	PUD	31.27
28748	12/12/2013	GENERAL FUND	Utilities	PUD	73.08
28748	12/12/2013	GENERAL FUND	Utilities	PUD	175.41
28748	12/12/2013	GENERAL FUND	Utilities	PUD	2,482.64
28748	12/12/2013	STREET FUND	Utilities	PUD	97.05
28748	12/12/2013	STREET FUND	Utilities	Puget Sound Energy	19.41
28749	12/12/2013	GENERAL FUND	Utilities	Puget Sound Energy	19.41
28749	12/12/2013	STREET FUND	Utilities	Puget Sound Energy	19.41
28749	12/12/2013	UTILITY WATER FUND	Utilities	Puget Sound Energy	19.41
28749	12/12/2013	UTILITY SEWER FUND	Utilities	Puget Sound Energy	19.41
28749	12/12/2013	UTILITY GARBAGE FUND	Utilities	Puget Sound Energy	19.41
28749	12/12/2013	GENERAL FUND	Utilities	Puget Sound Energy	9.86
28750	12/12/2013	GENERAL FUND	Office/Operating Supplies	Quality Business Systems	9.86
28750	12/12/2013	STREET FUND	Office Supplies	Quality Business Systems	9.86
28750	12/12/2013	UTILITY WATER FUND	Office Supplies	Quality Business Systems	9.86
28750	12/12/2013	UTILITY SEWER FUND	Office Supplies	Quality Business Systems	9.86
28750	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Quality Business Systems	9.86
28750	12/12/2013	UTILITY WATER FUND	Office Supplies	Quality Business Systems	9.86
28751	12/12/2013	UTILITY WATER FUND	Rentals	Railroad Mgt Company III, LLC	146.16
28752	12/12/2013	STREET IMPROVEMENT FUND	Street Construction - Basin Rd	Skillsong Connolly	12,915.68
28753	12/12/2013	GENERAL FUND	Department of Emergency Mgmt	Snohomish County DEM	2,588.50
28754	12/12/2013	GENERAL FUND	SnoCity Plan/Building Service	Snohomish Cty Plan/Dev Services	2,551.50
28755	12/12/2013	GENERAL FUND	Intergovernmental - SNOPAC	Snopac	4,935.47
28756	12/12/2013	STREET FUND	Office/Operating Supplies	Staples Credit Plan	25.96
28756	12/12/2013	UTILITY WATER FUND	Office Supplies	Staples Credit Plan	6.48
28756	12/12/2013	UTILITY SEWER FUND	Office Supplies	Staples Credit Plan	6.49
28756	12/12/2013	UTILITY GARBAGE FUND	Office Supplies	Staples Credit Plan	6.49
28757	12/12/2013	UTILITY WATER FUND	Operating Supply	Staples Credit Plan	6.49
28758	12/12/2013	UTILITY WATER FUND	Repair and Maintenance	Summit Research Labs	3,357.37
28758	12/12/2013	UTILITY SEWER FUND	Repair and Maintenance	Technical Systems, Inc.	597.30
28758	12/12/2013	UTILITY WATER FUND	Repair and Maintenance	Technical Systems, Inc.	939.40
28758	12/12/2013	UTILITY SEWER FUND	Repair and Maintenance	Technical Systems, Inc.	3,250.41
28758	12/12/2013	UTILITY WATER FUND	Repair and Maintenance	Titan Electric	325.80
28759	12/12/2013	INFORMATION TECHNOLOGY FUND -	Repair and Maintenance	Titan Electric	352.95
28759	12/12/2013	INFORMATION TECHNOLOGY FUND -	Professional Services - Prosec	Aimee Lou Trua	1,700.00
28760	12/12/2013	GENERAL FUND	Operating Supply	USA Blue Book	134.41
28761	12/12/2013	UTILITY WATER FUND	Operating Supply	USA Blue Book	900.10
28761	12/12/2013	UTILITY WATER FUND	Communication	Verizon Wireless	10.97
28762	12/12/2013	UTILITY WATER FUND	Communication	Verizon Wireless	10.97

28763	12/12/2013	UTILITY SEWER FUND	Vehicle Operation Maintenance	1.10	1.10
28763	12/12/2013	UTILITY WATER FUND	Vehicle Operation/Maintenance	4.14	4.14
28763	12/12/2013	CEMETERY FUND	Vehicle Operation/Maintenance	0.27	0.27
28763	12/12/2013	STREET FUND	Vehicle Operation/Maintenance	0.27	0.27
28763	12/12/2013	GENERAL FUND	Vehicle Maintenance	30.51	30.51
28763	12/12/2013	UTILITY WATER FUND	Operating Supply	356.70	356.70
28763	12/12/2013	UTILITY SEWER FUND	Repair and Maintenance	87.63	87.63
28763	12/12/2013	STREET FUND	Travel and Seminars	50.00	50.00
28763	12/12/2013	STORMWATER UTILITY FUND	Travel and Seminars	55.28	55.28
28763	12/12/2013	STREET FUND	Travel and Seminars	55.28	55.28
28763	12/12/2013	UTILITY WATER FUND	Travel and Seminars	55.28	55.28
28763	12/12/2013	UTILITY SEWER FUND	Travel and Seminars	55.30	55.30
28763	12/12/2013	STORMWATER UTILITY FUND	Travel and Seminars	114.69	114.69
28764	12/12/2013	GENERAL FUND	Travel and Seminars	35.00	35.00
28764	12/12/2013	GENERAL FUND	Travel and Seminars	52.22	52.22
28764	12/12/2013	GENERAL FUND	Travel and Seminars	50.00	50.00
28764	12/12/2013	GENERAL FUND	Travel and Seminars	54.29	54.29
28764	12/12/2013	GENERAL FUND	Office/Operating Supplies	241.83	241.83
28764	12/12/2013	GENERAL FUND	Travel and Seminars	65.00	65.00
28764	12/12/2013	GENERAL FUND	Travel and Seminars	43,130.48	43,130.48
28765	12/12/2013	GENERAL FUND	Sultan River Bridge Project	2,174.74	2,174.74
28766	12/12/2013	STREET IMPROVEMENT FUND	Professional - Legal		
28767	12/12/2013	TIMBER RIDGE SETTLEMENT FUND			
			TOTAL		420,509.72

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: C-4

DATE: December 12, 2013

SUBJECT: Adopt Ordinance 1183-13 to Extend an Emergency Moratorium on development within the plat of Timber Ridge

CONTACT PERSON: Mick Matheson, P.E. – Public Works Director



ISSUE:

The issues before the city council are to:

1. Authorize the Mayor to sign Ordinance No. 1183-13 extending an emergency moratorium on grading or building on lots within the plat of Timber Ridge for an additional four months. The purpose of the moratorium is to allow the city additional time to develop and adopt a new Geologically Hazardous Areas Code.
2. Hold a public hearing on December 12, 2013 to take public testimony on extending a four-month moratorium on grading or building on lots within the plat of Timber Ridge for an additional four months.

This ordinance is presented as an emergency ordinance relating to the health and safety of the public and shall be effective upon passage. As an emergency, the ordinance requires a vote of the majority plus one of the whole council in order to become effective. A public hearing will be held on December 12, 2013 for the city council to consider public comment as required by RCW 35A.63.220 and RCW 36.70A.390.

STAFF RECOMMENDATION:

Authorize the Mayor to sign Ordinance No. 1183-13 extending an emergency moratorium on grading or building on lots within the plat of Timber Ridge for an additional four months, which is to take effect immediately upon passage. Hold a public hearing for December 12, 2013 to take public testimony.

ALTERNATIVES:

1. Authorize the Mayor to sign Ordinance No. 1183-13 extending an emergency moratorium on grading or building on lots within the plat of Timber Ridge an additional four months, which is to take effect immediately upon passage. Hold a public hearing on December 12, 2013 to take public testimony.
2. Amend Ordinance 1183-13 before authorizing the Mayor to sign an emergency moratorium. Hold a public hearing date on December 12, 2013 or select another date within six months as required by RCW 36.70A.390.
3. Do not authorize the Mayor to sign Ordinance No. 1183-13 and direct staff to areas of concern.

SUMMARY:

City staff noticed significant road and sidewalk damage apparently due to a slope failure on 141st Street SE when responding to complaints of illegal dumping in December 2010. Staff contacted Inscodico, the bonding company holding the maintenance bond to conduct a site inspection.

A site meeting with Inscodico was held on February 15, 2011 in order to review the condition of the failed infrastructure.

Mick Matheson, Public Works Director, prepared a letter, dated March 8, 2011, to Tim Bruggman with Golden Eagle Development Services (representing Inscodico), outlining the minimum required investigation measures. In addition to the sidewalk and roadway damage noted on 141st Street SE, new earth slide activity on the south side of 142nd Street SE was noted and included in the letter to Mr. Bruggman.

Inscodico retained Terra Associates (a Kirkland, Washington geotechnical engineering firm) to prepare a geotechnical study. Terra Associates prepared a Geotechnical Engineering Study dated June 24, 2011. Inscodico chose not to complete any other of the investigation items outlined in Mr. Matheson's March 8, 2011 letter. Instead, Inscodico made a decision to forfeit the entire amount of the Maintenance Bond.

In December 2011, City Attorney Margaret King negotiated a final settlement with Inscodico to pay the City \$467,438.00.

The City contracted with WHPacific and Robinson Noble (WHPacific's geotechnical consultant) in December 2011 to conduct engineering and survey studies to further understand the ongoing issues and to provide recommended solutions.

Based in part by initial findings by WHPacific and Robinson Noble regarding slope instability affecting the Timber Ridge subdivision, the City Council authorized the Mayor to sign Ordinance 1136-12 on February 9, 2012 adopting an emergency moratorium on grading or building on lots within the plat of Timber Ridge.

WHPacific and Robinson Noble provided City Council with a status update at the June 14, 2012 council meeting. Both consulting engineering firms recommended extending the six month moratorium created by Ordinance 1136-12 for an additional six months to provide additional time to research the ongoing issues and to provide recommended solutions.

Since that time, WHPacific and Robinson Noble designed a groundwater collection system to lower the elevation of the groundwater in the sanitary sewer trench in 142nd Street SE. This system was designed to intercept subsurface flows from the sanitary sewer trench in 142nd Street SE and convey those flows in a tight line 8-inch diameter storm pipe between lots 13 and 14, and connect to an existing storm catch basin near the southeast corner of lot 13. This construction was completed in October 2012, and has appeared to significantly lower the elevation of the groundwater in the sewer trench.

WHPacific conducted a survey of fixed points such as manhole lids, catch basin lids, and property corners in December 2011 to compare to "as-built" locations of these points to determine potential movement. As a follow up to that work, WHPacific resurveyed those same points in December 2012 to verify if movement had happened. Minor ground movement was observed, however it was not significant.

Robinson Noble developed "draft" special design requirements for lots within Timber Ridge which were reviewed by the City Attorney. Prior to adopting the special design requirements as City code, the owner of the lots without houses (Union Hill Const., Inc.) was provided the opportunity to review the proposed code language and suggest potential revisions. Union Hill Construction, Inc. retained a geotechnical engineer (The Riley Group, Inc.) to review the draft code.

City staff, WHPacific, and Robinson Noble met with Union Hill Construction, Inc. and The Riley Group on June 12, 2013 to discuss the proposed code and other issues related to slope stability at Timber Ridge. Union Hill Construction, Inc had concerns with the proposed code singling out Timber Ridge, and requested that the City adopt a code that addressed all sites with critical areas.

Community Development Director Robert Martin has developed a draft Geologically Hazardous Areas Code with an additional set of standards allowing continued development in Timber Ridge. The draft code has been reviewed by Robinson Noble and City Attorney Ann Marie Soto, together with Bob Sterbank of Kenyon Disend. The City is in the process of modifying the code to achieve consensus.

After consensus is reached, the proposed code will be provided to Union Hill Construction, Inc. for their review and input prior to adopting the code.

The emergency moratorium is necessary to provide additional time to develop and adopt a new Geologically Hazardous Areas Code. This is considered an emergency situation due to the fact the housing market appears to be improving in the greater Seattle area and there is potential for new building activity. It is critical that some or all new homes built in this plat have special foundation designs to address the unique conditions of the soils in the plat. Special design requirements are not in place at this time, and the potential exists for extreme structure damage due to possible earth settlement and landslide activity.

RECOMMENDED ACTION:

Authorize the Mayor to sign Ordinance No. 1183-13 extending an emergency moratorium on grading or building on lots within the plat of Timber Ridge an additional four months, which is to take effect immediately upon passage.

ATTACHMENTS:

- A –RCW 36.70A.390 Moratoria, interim zoning controls, public hearings
- B – Ordinance 1183-13
- C – Ordinance 1172-13
- D – Ordinance 1165-13
- E –Ordinance No. 1155-12.
- F – Ordinance No. 1136-12.

RCW 36.70A.390

Moratoria, interim zoning controls -- Public hearing -- Limitation on length -- Exceptions.

A county or city governing body that adopts a moratorium, interim zoning map, interim zoning ordinance, or interim official control without holding a public hearing on the proposed moratorium, interim zoning map, interim zoning ordinance, or interim official control, shall hold a public hearing on the adopted moratorium, interim zoning map, interim zoning ordinance, or interim official control within at least sixty days of its adoption, whether or not the governing body received a recommendation on the matter from the planning commission or department. If the governing body does not adopt findings of fact justifying its action before this hearing, then the governing body shall do so immediately after this public hearing. A moratorium, interim zoning map, interim zoning ordinance, or interim official control adopted under this section may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such a longer period. A moratorium, interim zoning map, interim zoning ordinance, or interim official control may be renewed for one or more six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal.

This section does not apply to the designation of critical areas, agricultural lands, forest lands, and mineral resource lands, under RCW 36.70A.170, and the conservation of these lands and protection of these areas under RCW 36.70A.060, prior to such actions being taken in a comprehensive plan adopted under RCW 36.70A.070 and implementing development regulations adopted under RCW 36.70A.120, if a public hearing is held on such proposed actions.

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1183-13**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A FOUR-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of $\frac{1}{4}$ inch to $\frac{1}{2}$ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City retained the services of a civil engineer and land surveyor to continue to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, on February 9, 2012, the City Council authorized the Mayor to sign Ordinance 1136-12 adopting an emergency moratorium on grading or building on lots within the Timber Ridge plat;

WHEREAS, on July 26, 2012, the City Council adopted Ordinance 1155-12 extending the emergency moratorium for an additional six months; and

WHEREAS, on January 10, 2013, the City Council adopted Ordinance 1165-13 extending the emergency moratorium for an additional six months; and

WHEREAS, on June 13, 2013, the City Council adopted Ordinance 1172-13 extending the emergency moratorium for an additional six months; and

WHEREAS, the City has prepared a draft new Geologically Hazardous Areas Code with an additional set of standards allowing continued development in Timber Ridge, but additional work is needed to incorporate City Attorney edits before they are codified; and

WHEREAS, Ordinance 1172-13 is set to expire on December 13, 2013; and

WHEREAS, it is important to ensure that the existing moratorium is continued without interruption due to publication problems or other unforeseen delays;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan adopts a new Geologically Hazardous Areas Code.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of four months from the date this ordinance is passed and shall automatically expire at the conclusion of that four-month period unless the same is extended as provided in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, December 12, 2013, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are preparing a new Geologically Hazardous Areas Code.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 12th DAY OF DECEMBER, 2013.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1172-13**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of ¼ inch to ½ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to continue to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, on February 9, 2012, the City Council authorized the Mayor to sign Ordinance 1136-12 adopting an emergency moratorium on grading or building on lots within the Timber Ridge plat;

WHEREAS, on July 26, 2012, the City Council adopted Ordinance 1155-12 extending the emergency moratorium for an additional six months; and

WHEREAS, on January 10, 2013, the City Council adopted Ordinance 1165-13 extending the emergency moratorium for an additional six months; and

WHEREAS, the City's geotechnical engineer has developed "draft" special design requirements for lots within Timber Ridge which have been reviewed by the City Attorney, but additional work is needed to finalize these special design requirements before they are codified; and

WHEREAS, Ordinance 1165-13 is set to expire on July 10, 2013; and

WHEREAS, on June 13, 2013 the City Council held a public hearing regarding the extension of the moratorium to allow time for the City and its consultants to review special design requirements and better understand the underlying problems related to the Timber Ridge plat; and

WHEREAS, it is important to ensure that the existing moratorium is continued without interruption due to publication problems or other unforeseen delays;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, June 13, 2013, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements

for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

Section 6. Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 8. Effective Date. The city council hereby finds and declares that an emergency exists which necessitates that his ordinance become effective immediately in order to preserve the public health, safety and welfare. This ordinance shall become effective immediately upon passage. The city clerk is directed to publish a summary of this ordinance at the earliest possible publication date.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 13th DAY OF JUNE, 2013.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1165-13**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, EXTENDING A SIX-MONTH MORATORIUM WITHIN THE CITY OF SULTAN ON GRADING OR BUILDING ON LOTS WITHIN THE PLAT OF TIMBER RIDGE; SETTING A DATE FOR A PUBLIC HEARING ON THE MORATORIUM EXTENSION; AND PROVIDING THAT THE MORATORIUM EXTENSION WILL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

WHEREAS, in December 2010, the City discovered issues with slope stability, and damage to 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with damage to the storm conveyance system associated with 141st Street SE; and

WHEREAS, in early 2011, the City discovered issues with slope stability and damage to 142nd Street SE; and

WHEREAS, inclinometers installed by the developer to monitor movement of the site are showing creep of ¼ inch to ½ inch; and

WHEREAS, the Hilfiger wall located south of 142nd Street SE was designed to settle between 6 to 14 inches. As such, special foundation requirements will need to be developed for houses affected by this significant settlement and perhaps additional requirements as well; and

WHEREAS, the City has retained the services of a geotechnical engineer to evaluate groundwater levels to determine if the Hilfiger wall was designed properly, and to develop special building foundation requirements; and

WHEREAS, the City has retained the services of a civil engineer and land surveyor to continue to monitor and evaluate horizontal and vertical movement throughout the plat; and

WHEREAS, on February 9, 2012, the City Council authorized the Mayor to sign Ordinance 1136-12 adopting an emergency moratorium on grading or building on lots within the Timber Ridge plat;

WHEREAS, on July 26, 2012, the City Council adopted Ordinance 1155-12 extending the emergency moratorium for an additional six months; and

WHEREAS, the City's geotechnical engineer has developed "draft" special design requirements for lots within Timber Ridge which are currently being reviewed by the City Attorney, but additional work is needed to finalize these special design requirements before they are codified; and

WHEREAS, Ordinance 1155-12 is set to expire on January 26, 2013; and

WHEREAS, on January 10, 2013 the City Council held a public hearing regarding the extension of the moratorium to allow time for the City and its consultants to review special design requirements and better understand the underlying problems related to the Timber Ridge plat; and

WHEREAS, it is important to ensure that the existing moratorium is continued without interruption due to publication problems or other unforeseen delays;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Preliminary Findings. The recitals and findings set forth above are hereby adopted as the city council's preliminary findings in support of the moratorium imposed by this ordinance. The city council may, in its discretion, adopt additional findings at the conclusion of the public hearing reference in Section 4 below.

Section 2. Imposition of Moratorium. Pursuant to the provisions of Article 11, Section 11 of the Washington State Constitution, RCW 35A.63.220, and RCW 36.70A.390, a moratorium is hereby enacted prohibiting within the City of Sultan for the following activities.

Any grading or building on lots within the plat of Timber Ridge until such time as the City of Sultan determines appropriate development conditions related to the design and construction of special house foundations.

Section 3. Effective Period for Moratorium. The moratorium set forth in this ordinance shall be in effect for a period of six months from the date this ordinance is passed and shall automatically expire at the conclusion of that six-month period unless the same is extended as provide in RCW 35A.63.220 and RCW 36.70A.390, or unless terminated sooner by the city council.

Section 4. Public Hearing. Pursuant to RCW 35A.63.220 and RCW 36.70A.390, the city council will hold a public hearing, at the city council's regular meeting, at 7:00 p.m. in Council Chambers, Sultan Community Center, on Thursday, January 10, 2013, or as soon thereafter as the business of the city council shall permit in order to take public testimony and to consider adopting further findings.

Section 5. Referral to Staff. Staff in conjunction with consulting engineers retained by the City are pursuing engineering studies to determine the extent of horizontal and vertical site movement, groundwater levels, and the development of special foundation and related requirements for houses affected by the anticipated settlement of the Hilfiger wall located south of 142nd Street SE.

**CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Consent C-5

DATE: December 12, 2013

SUBJECT: Ordinance 1187-13 - Setting the tax levy for the 2014 Property Taxes (Correction to Ordinance 1175-13)

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

ISSUE:

The issue before the Council is to adopt Ordinance 1187-13 (Attachment A) amending Ordinance 1175-13 to set the property tax levy for the 2014.

SUMMARY:

In accordance with RCW 84.55.120, a taxing district with regular levies must hold a public hearing on the proposed increase and use of property tax funds. A public hearing on the proposed use of 2014 property taxes was held on October 24, 2013.

The ordinance must be adopted and filed with the County on or before November 30th.

The County Assessor provides the city with preliminary information in early October regarding the property tax levies required for the next year. This information provides estimates for new construction and refunds and does not include any increases for assessed values on shared utilities. It is also based on preliminary increases to assessed values.

After the city submits the ordinance to the County Assessor's office, they review the documents based on the additional information they have received. Based on this information, the County Assessor provided a recommendation that the City increase the levy amount by 5% (based on the increase to assessed property values). The amount of increase is \$23,252.

The levy amount in the ordinance increased from \$546,935 to \$570,187. This amount will impact future bonded capacity. The city will still be limited to \$1.60/1000 of assessed value for actual collections.

STAFF RECOMMENDATION

Adoption of Ordinance 1187-13 amending the 2014 property tax levy.

Attachments: A. Ordinance 1187-13

CITY OF SULTAN
SULTAN WASHINGTON
ORDINANCE 1187-13

AN ORDINANCE OF THE CITY OF SULTAN FIXING THE AMOUNT
OF TAXES TO BE LEVIED ON TAXABLE PROPERTY WITHIN THE
CITY OF SULTAN FOR THE YEAR 2014

WHEREAS, the City of Sultan has met and considered its budget for the calendar year 2014;
and

WHEREAS, the City Council of the City of Sultan after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Sultan requires a regular levy in the amount of \$570,187, which is a increase in property tax revenue from the previous year, based on amounts resulting from the increase in assessed values, addition of new construction and improvements to property and any increase in the value of state-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the district and in its best interest; now therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULTAN AS FOLLOWS:

Section 1 Tax: That an increase in the regular property tax levy is hereby authorized for the 2014 levy in amount of \$23,252 which is a percentage increase of 5% from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

Section 2 Severability: If any provisions of this ordinance or its application to any person or circumstance are held invalid, the remainder of the ordinance or applications of the provisions of the ordinance to other person or circumstances is not affected.

Section 3 Effective Date: This ordinance shall be in full force and effect five days after publication as required by law.

REGULARLY ADOPTED this day of 12th day of December, 2013.

Carolyn Eslick, Mayor

Attest:

Laura J. Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Published:

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM #: Action A 1
DATE: December 12, 2013
SUBJECT: Ordinance 1179-13 - 2014 Budget
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

ISSUE:

The issue before the Council is the adoption of Ordinance 1179-13 (Attachment A) to adopt a budget for the 2014 fiscal year. The ordinance was introduced for a first reading on November 21, 2013.

SUMMARY:

The ordinance has been changed to increase the expenditure amount in the CR Equipment fund from \$10,000 to \$36,000. The Public Works Department plans to replace a mower used for park maintenance, cemetery work and street right-of-ways maintenance. This mower is over five years old and is at the end of its useable life. There are also plans to replace the 1989 F150 pickup truck (dark navy blue) as with a used vehicle, maintenance costs now exceed the value of the vehicle.

The Planet Power solar panel grant deadline has been extended to February 2014 and the expenditures have been included in the 2014 Budget.

The detailed budget and department reports were prepared and submitted to the Council during the public hearing process on October 24, 2013, November 7, 2013 and November 21, 2013.

At the November 7, 2013 meeting, the Council discussed Ordinance 1178-13, the 2014 Salary Schedule. Based on the Mayor's recommendation, the \$100 per month contribution to Deferred Comp for non-represented employees was approved. The budget and Ordinance 1179-13 are based on this proposal.

GENERAL FUND:

The General fund is the largest fund in the budget. The General fund is supported by taxes and fees and generally has no funding restrictions. The General and Street funds share revenue sources including property taxes and utility taxes.

As a part of the budget process, staff reviews the 2014 work plan for each fund. A review of current job responsibilities, the proposed work program for the next year and the actual hours worked is used to determine the appropriate fund to charge for the salaries and benefits. Staff time must be appropriated to the fund for which the employee performs the work. Allocation of Council time is based on agenda items. All salary allocations are based on recognized accounting practices identified by Audit Report 1006136.

The proposed general fund revenue of \$1.6 million for 2014 is a 6% reduction from 2013. The reduction is tax collections due to the required allocation of property taxes to meet the obligation of the debt service on the GO bonds for the Community Center.

The Snohomish County Assessor has notified the City of Sultan that the assessment value of existing property for Property Taxes Payable in 2014 increased by 3.7%.

The city reached its maximum levy rate of \$1.60/\$1,000 assessed value in 2011. Property tax revenues are divided between the General Fund, Street Fund, Police Bond Fund (voter approved) and the general obligation bond for the community center (councilmatic). For 2014, the increased assessed property values lowered the levy rate to \$1.55/1000 of assessed value. The city will levy at the \$1.60 rate and use part of the \$212,000 of banked capacity.

Due to the need to make payments on the GO bonds for the Community Center, the allocation of property taxes in the General Fund will be less for 2014.

The following is a summary by revenue type:

	<u>2014 Budget</u>
Taxes	\$1,228,500
Licenses and Permits	\$96,000
Intergovernmental	\$132,939
Charges for Service	\$14,800
Fines and Penalties	\$27,400
Miscellaneous	<u>\$124,991</u>
Total Revenues	\$1,624,630

The 2014 proposed budget has been reduced by \$115,000 from the 2013 adopted budget. The need to fund the payments on the Community Center bonds has reduced revenues by \$96,000. The major areas of change include:

- Reduction in legal fees by \$45,000. The land use and personnel issues have been reduced since 2012. The legal fees for 2013 should be less than \$40,000.
- The Law Enforcement contract negotiations should be completed in the next month. There will be an approximate \$25,000 savings in 2014.
- The Community Development Director's hours will be reduced to 80% due to lack of planning activity.
- The Building Department staff allocation has been reduced to 15%. The position has been combined with the Utility Clerk.

The General Fund is comprised of 13 departments and provides:

- General management and financial services
- Law Enforcement services
- Planning and Building services
- Parks and recreation service

PUBLIC WORKS FUNDS

Street Fund:

The Street Fund is used to repair and maintain the city's streets, sidewalks, alley ways trails, signs and vegetation (street trees and grass strips). The city has approximately 31 miles (62 lane miles) of roadways and trails, 600 signs, and 150 trees.

Maintenance is a factor affecting the usability of city streets, and is an on-going, day-to-day requirement for Sultan's street system. The present level of maintenance is generally minimal and includes sweeping, mowing planter strips and rights of way, filling pot holes, and grading gravel streets. As more street facilities are developed, it will be necessary to expand the maintenance operation commensurate with the increase in street infrastructure.

Although the Street Fund is not a part of the city's general fund budget, the two funds share operating revenues. The Street operating budget is supported by property taxes, utility taxes,

B & O taxes and the motor vehicle excise tax which is dedicated solely to the Street Operating fund.

Street operating revenues have decreased from \$321,977 in 2009 to a projected \$169,264 in 2014. The Street fund has experienced a significant reduction in property tax revenues since 2009 (\$67,493 to \$20,000) as a result in a decline in assessed values and the need to allocate property tax revenues to payment of the bonds for the Community Center.

Overall, the 2014 street operating expenditures have decreased by \$60,251. Salaries and benefits are decreased by \$37,866. Due to declining revenues, it will be necessary to significantly reduce staff hours spent in the street fund to balance the budget.

Cemetery Fund

The Sultan Cemetery is located on approximately 4.5 acres at the east end of Cascade View Drive. The cemetery was established in the late 1800's by the Woodsmen of America. Sultan took ownership of the cemetery from the Woodsmen in the early 1900's.

The Cemetery Fund is one of the city's five enterprise funds. Revenues raised from fees must be used to maintain and operate the cemetery. Continuing to maintain Sultan's cemetery within existing revenues has been a challenge over the last five years. With expenditures outpacing revenues, Council adopted a 50% rate increase in 2011.

This issue has been growing worse over the last 5 years. The city council has raised burial fees to capture sufficient revenues to cover costs. Unfortunately, this has only exacerbated the problem because unlike our utilities the cemetery is not a monopoly. This year particularly people have been choosing to bury their loved ones in other area cemeteries. In addition, the "market" is changing and more people are choosing cremation and are scattering the ashes rather than place the ashes in a cemetery.

The city has been seeking opportunities to raise revenues and/or lower costs. In 2011, the city council took a number of steps to bring expenditures into alignment with revenues including outsourcing burial services to Wilbert Vault and installing a columbarium niche wall, donated by Koppenburg Enterprises, for ash internment. The niche wall is a future revenue source for the Cemetery Fund.

Estimated revenue for the cemetery is based on the assumption of the sale of five gravesites in 2014. The city council will need to carefully consider maintaining the 2013 level of service in order to ensure expenditures for maintenance are aligned with revenues. Labor costs are approximately 62% of the cemetery budget expenditures.

Water Fund:

This fund is for the operation and maintenance of the water treatment and distribution system, which includes a 360 acre watershed. The water department supplies water to approximately 1,700 households and businesses in the Sultan area. New case law requires the city general fund to pay for the fire hydrant repair and maintenance program.

The City's owns a raw water supply reservoir (Lake 16) located approximately 2.5 miles north of the City's Water Treatment Plant. The City is normally reliant on Lake 16 for its water supply (approximately 97 percent). The City also has an intertie with the City of Everett's water system, which delivers treated water to Sultan water consumers during periods of Water Treatment Plant maintenance activities (approximately 3 percent of total water usage).

The City of Everett currently supplies the City of Sultan with approximately three percent of its total supply volume. Due to the loss of major water customers, the City of Everett is increasing its wholesale rates by approximately 18 percent in 2013. Fortunately, the City of Sultan is

affected significantly less than our neighboring water districts that rely on City of Everett water for all of their supply.

Revenues dedicated to the water budget are used to support staff and resources to maintain the Water Treatment Plant and the water distribution system. Water rate revenues (revenues from sales) are estimated to be \$1,003,020 for 2014 (an increase of \$79,917). Water rate revenues will increase primarily due to a Council approved rate increase of \$1.39 per month which will go into effect December 1, 2013.

Overall, the 2014 water budget expenditures have increased by \$62,180. This is primarily due to an increase in salaries and benefits of \$47,232 due to the Public Works Field Supervisor spending more time in water related activities, as she is one of two employees currently certified to perform weekend duty at the Water Treatment Plant. The Grants Administrator is also slated to spend more time helping prepare water related grants in 2014. A Utility Worker will also spend more time cross training at the Water Treatment Plant as part of the City's succession planning.

Sewer Fund

This fund is for the operation and maintenance of the wastewater treatment plant, lift station, and approximately 16 miles of gravity and force main piping. The City's Wastewater Treatment Plant (WWTP) was upgraded in 1998 and has a maximum month average flow design capacity of 0.72 million gallons per day and a peak hour capacity of 2.16 million gallons per day.

The City had been experiencing rapid growth and high peak flows and peaking factors; therefore the City completed an Engineering Report for the WWTP upgrades in 2006. The 2006 WWTP Upgrade Engineering Report prepared by Brown and Caldwell provided a phased approach for the expansion of the WWTP to plan for future growth within the Urban 'Growth Area.

Revenues dedicated to the sewer budget are used to support staff and resources to maintain the Wastewater Treatment Plant, the lift station, and the 16 miles of conveyance pipe and forcemain. The city council adopted a 2-year rate schedule in 2010 to make the final two payments on the \$1,000,000 public works trust fund loan used to design the waste water treatment plant upgrade to the new membrane bioreactor technology (MBR).

The City Council adopted Ordinance 1137-12 to extend sewer rates per Table 1 below to carry forward until 12/1/2014. They adopted the ordinance to ensure the sewer utility collects sufficient revenues to cover expenses until a rate study can be conducted in 2015.

The wastewater treatment plant is estimated to have capacity to serve an additional 121 equivalent residential units. This is not including the certificates of availability that have been issued to active plats including Timber Ridge, Ramirez and Steen Park.

The City is planning to replace the existing impellers in the two submersible pumps at the lift station with larger diameter impellers in the latter part of 2013. This improvement is projected to add 180 additional equivalent residential units.

Garbage Fund:

Sultan provides garbage service to the citizen three days per week, Monday, Thursday, and Friday. The city has a franchise agreement with Allied Waste for recycling which is critical in the waste stream flow in Sultan as well as Snohomish County. The garbage fund also provided the volunteers with 1200 yellow garbage bags.

Revenues dedicated to the garbage budget are used to support staff and resources to maintain smooth operations of this enterprise fund.

The garbage utility is fiscally sound because the council has taken the necessary steps in the past to ensure rates cover current operating expenses and future needs. Ignoring future needs to replace equipment means future councils and garbage utility customers will bear the weight of even higher increases.

Salaries and benefits are increased by \$13,831 in 2014. Three utility workers equally share the garbage duties now, where in past years, two utility workers performed the majority of garbage duties. The primary reason for this change is to minimize potential injury and avoid a possible Labor and Industries claim.

Stormwater Fund:

The City owns, operates and maintains the drainage, or storm water system, consisting of conveyance assets (pipes, culverts, catch basins, and inlets), storm water ponds, and storm water treatment facilities. The City has approximately 82,000 linear feet (15.5 miles) of storm water system pipes and major culverts. Approximately 820 catch basins and 160 inlets are located throughout the service area (from City of Sultan Comprehensive Plan updated September 25, 2008). Grass-lined ditches are also part of the storm water collection system.

In addition to the conveyance assets, the City owns and maintains infiltration facilities and retention ponds. Approximately thirteen (13) such facilities are owned and operated by the City. There are numerous privately-owned storm water facilities scattered throughout the City of Sultan service area including approximately 44 privately-owned ponds in the Sultan Urban Growth Area (UGA).

The purpose of the storm water operating fund is to promote quality control of storm water in the city. The fund is used to maintain the city's storm water conveyance and treatment facilities and construct storm water capital projects such as the detention facility for Sultan Basin Road Phase III. Ordinance 985-08 was adopted in 2008 to establish the storm water utility and Ordinance 986-08 set storm water utility rates through 2012.

Salaries and benefits are decreased by \$3,945 in 2014. Professional services are decreasing from \$13,500 in 2013 to zero in 2014 because the fund cannot support professional services this year. With the existing stormwater utility rates, the primary focus can only be on maintenance. The rates will need to be increased to be able to afford the design and construction of stormwater and flood prevention projects. Rentals are reduced from \$15,500 in 2013 to \$10,000 in 2014. The City must provide less vactoring this year to have a balanced budget.

CAPITAL PROJECTS

Street & Transportation Improvements

Street chip seal project

A street will be selected for the City's annual chip seal project. This project will be funded using Real Estate Excise Tax (REET) 2.

Alder Avenue Reconstruction (5th Street to 8th Street)

The design is 90 percent complete with construction planned for May 2014. Construction of the transportation improvements are grant funded through a Community Development Block Grant and a Legislative Proviso.

Sultan River Pedestrian Bridge

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving construction funding. The design of the transportation related bridge improvements is grant funded through a legislative proviso and the Surface Transportation Program. Construction is currently unfunded.

Fourth Street Overlay (Alder Avenue to Fir Avenue)

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The transportation improvements are grant funded through the Transportation Improvement Board. The sanitary sewer and water construction are currently unfunded.

High Avenue Reconstruction (1st Street to 4th Street)

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The transportation improvements are grant funded through the Transportation Improvement Board. The sanitary sewer and water construction are currently unfunded.

1st Street Speed Cushions

This project is planned for 2014 and will be funded using REET2.

Sultan Basin Road Sidewalk

This project is planned on the east side of Sultan Basin Road to fill in a missing gap of sidewalk north of the Timber Ridge development. The project is dependent on receiving a grant from the Transportation Improvement Board.

Sultan Basin Road Raised Pavement Markers (RPMs)

This project is planned to add raised pavement markers to the striping on the recently completed Sultan Basin Road Overlay project. This project will be funded using REET2.

Water System Improvements

Gohr Road & 135th Street Water Main

The design is proposed to be funded using Water Capital Funds. The construction is proposed to be loan funded.

Booster Pump House Upgrade

The design and construction of the Booster Pump House Upgrade include the replacement of pumps, the electrical system, generator, and pump house structure. The upgrade effort is proposed to be loan funded as the costs are significant.

Alder Avenue Reconstruction (5th Street to 8th Street)

The design is 90 percent complete with construction planned for May 2014. Construction of the water improvements are grant funded through a Community Development Block Grant and a Legislative Proviso (each grant is specifically for sewer and water improvements).

Sultan River Pedestrian Bridge

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving construction funding. The design of the water related elements are to be funded using Water Capital Funds. Construction of the water related elements is currently unfunded.

PRV Station Replacement

The design and construction of PRV #1 are proposed to be funded using Water Capital Funds.

Fourth Street Overlay (Alder Avenue to Fir Avenue)

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The water improvements are currently unfunded and anticipated to be paid for with a loan.

High Avenue Reconstruction (1st Street to 4th Street)

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The water improvements are currently unfunded and anticipated to be paid for with a loan.

Everett Intertie Upgrade

This design and construction of this project is proposed to be funded using Water Capital Funds.

To provide adequate funding for the capital projects, staff is proposing the following:

- Transfer \$160,614 from Fund 405 (Water Reserve Fund) to Fund 409 (Water System Improvements Fund), leaving \$150,000 in the Water Reserve Fund.
- Transfer \$18,500 of Operating Funds to Fund 405 (Water Reserve Fund) to specifically cover the PRV#1 Design & Everett Intertie Improvements (already proposed in the 2014 Operating Budget).
- Transfer \$108,422 from Fund 400 (Water Operating Fund) to Fund 409 (Water System Improvements Fund) leaving \$150,000 in the Water Operating Fund

Sewer System Improvements

Lift Station Upgrade

The design is proposed to be funded using Sewer Capital Funds. The construction is proposed to be loan funded.

Infiltration and Inflow Study

This project is proposed to be funded using Sewer Capital Funds.

Alder Avenue Reconstruction (5th Street to 8th Street)

The design is 90 percent complete with construction planned for May 2014. Construction of the sewer improvements are grant funded through a Community Development Block Grant and a Legislative Proviso (each grant is specifically for sewer and water improvements).

Sultan River Pedestrian Bridge

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving construction funding. The design of the sewer related elements are to be funded using Sewer Capital Funds. Construction of the sewer related elements is proposed to be loan funded.

PRV Station Replacement

The design and construction of PRV #1 are proposed to be funded using Water Capital Funds.

Fourth Street Overlay (Alder Avenue to Fir Avenue)

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The water improvements are currently unfunded and anticipated to be paid for with a loan.

High Avenue Reconstruction (1st Street to 4th Street)

The design is 30 percent complete with construction planned for summer 2014, contingent on receiving loan funding for sanitary sewer and water construction. The sewer improvements are currently unfunded and anticipated to be paid for with a loan.

Sewer Capital Fund

The following projects are proposed to be funded using City Sewer Capital Funds:

Lift Station Design Upgrade	\$69,000
Infiltration & Inflow Study	\$30,000
4th Street Sewer Design	\$20,200

Alder Avenue Sewer Design \$10,778
High Avenue Sewer Design \$15,200
Sultan Bridge Sewer Design \$83,400
Total \$228,578

Storm Water System Improvements

Dyer Road Culvert Replacement

The design is 90 percent complete. Construction is currently unfunded, and the City is seeking grants complete the project.

RECOMMENDATION:

Move to introduce Ordinance 1179-13 adopting the 2014 Budget for a first reading and pass it on to a second reading.

ATTACHMENTS:

- A. Fund Summary
- B. Ordinance 1179-13 - 2014 Budget
- C. General and Public Work Fund Detail

ATTACHMENT A

2014 BUDGET SUMMARY

Fund	Fund Name	REVENUE	EXPENSE	SURPLUS
001	General Fund	\$1,624,630.00		
	Legislative		\$15,850.00	
	Executive		\$62,605.00	
	Finance/Administration		\$64,890.00	
	Grants		\$37,480.00	
	Legal		\$45,995.00	
	Other Governmental		\$67,435.00	
	Law Enforcement		\$960,192.00	
	Law Enforcement - Court		\$79,400.00	
	Emergency Management		\$5,600.00	
	Code Enforcement		\$32,164.00	
	Planning and Community Development		\$109,160.00	
	Building		\$26,103.00	
	Public Health		\$1,000.00	
	Library		\$6,500.00	
	Park/Recreation		\$66,352.00	
	Miscellaneous (Transfers Out)		\$9,000.00	
	Total Expenditures		\$1,589,726.00	\$34,904.00
		\$0.00	\$0.00	\$0.00
100	General Fund Contingency			
		\$0.00	\$0.00	\$0.00
101	Street Fund	\$169,264.00	\$149,890.00	\$19,374.00
103	Cemetery Fund	\$25,100.00	\$23,440.00	\$1,660.00
104	C.R. Equipment Fund	\$93,400.00	\$36,000.00	\$57,400.00
108	Street Impact Fee Fund	\$0.00	\$0.00	\$0.00
109	Community Improvement Fund	\$151,500.00	\$145,810.00	\$5,690.00
112	Park Impact Fee Fund	\$0.00	\$0.00	\$0.00
113	Building Maintenance Fund	\$84,602	\$66,469	\$18,133.00
114	Information Tech Fund (IT)	\$46,100.00	\$42,500.00	\$3,600.00
115	Insurance Claim Fund	\$0.00	\$0.00	\$0.00
117	Timber Ridge Settlement	\$317,000.00	\$317,000.00	\$0.00
203	Limited Tax Bond GO	\$140,577.00	\$140,577.00	\$0.00
205	Unlimited Tax GO Bond	\$32,828.00	\$32,828.00	\$0.00
207	LID Guaranty Fund	\$318,900.00	\$213,927.00	\$104,973.00
301	Capital Project Fund REET 1	\$20,000.00	\$20,000.00	\$0.00
302	Capital Project Fund REET 2	\$20,000.00	\$20,000.00	\$0.00
303	Street Improvement Fund	\$1,939,935.00	\$1,937,935.00	\$2,000.00
305	Park Improvement Fund	\$0.00	\$0.00	\$0.00
400	Utility Water Fund	\$1,021,220.00	\$1,014,628.00	\$6,592.00
401	Utility Sewer Fund	\$1,291,412.00	\$1,271,022.00	\$20,390.00
402	Utility Garbage Fund	\$753,900.00	\$749,433.00	\$4,467.00
403	Water Revenue Bond Fund	\$125,532.00	\$125,532.00	\$0.00
404	C.R. Sewer Utility Fund	\$163,578.00	\$163,578.00	\$0.00
405	C.R. Water Utility Fund	\$160,614.00	\$160,614.00	\$0.00
406	Storm Water Utility	\$166,145.00	\$162,951.00	\$3,194.00
407	Sewer System Improvement Fund	\$228,578.00	\$228,578.00	\$0.00
409	Water System Improvement Fund	\$286,776.00	\$286,776.00	\$0.00
410	Stormwater System Improvement Fund	\$0.00	\$0.00	\$0.00
412	Water System Debt Fund	\$133,090.00	\$133,090.00	\$0.00
413	Sewer System Debt Fund	\$194,744.00	\$194,744.00	\$0.00
621	Cemetery Trust Fund	\$1,500.00	\$0.00	\$1,500.00
	TOTALS	\$9,462,423.00	\$9,178,546.00	\$283,877.00

CITY OF SULTAN
SULTAN, WASHINGTON
ORDINANCE NO. 1179-13

AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF SULTAN
WASHINGTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Mayor of the City of Sultan, Washington, completed and placed on file with the City clerk a proposed budget and estimate of the amount of moneys required to meet the public expenses, bond retirement and interest, reserve funds and expenses of government of said City for the fiscal year ending December 31, 2014, and notice was published that the Council of said City would meet on October 24, 2013 for the purpose of making and adopting a budget for said fiscal year and giving taxpayers within the limits of said City an opportunity to be heard upon said budget; and

WHEREAS, the Council continued the public hearing to November 7, 2013 and November 21, 2013 for the purpose of making and adopting a budget for said fiscal year and giving taxpayers within the limits of said City an opportunity to be heard upon said budget; and

WHEREAS, the said City Council did meet at said times and did then consider the matter of said proposed budget; and

WHEREAS, the said proposed budget does not exceed the lawful limit of taxation allowed by law to be levied on the property within the City of Sultan for the purposes set forth in said budget, and the estimated expenditures set forth in said budget being all necessary to carry on the government of said City for said year and being sufficient to meet the various needs of the City during said period.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN DO ORDAIN as follows:

Section 1: The budget for the City of Sultan, Washington for the year 2014 is hereby adopted in its final form and content as set forth in the document entitled City of Sultan 2014Budget, three (3) copies of which are on file in the office of the City Clerk.

Section 2: Estimated resources, including fund balances or working capital for each separate fund of the City of Sultan, and aggregate totals (net of transactions between funds) for all such funds combined, for the year 2014 are set forth in the summary form below, and are hereby appropriated for expenditures during the year 2014 as set forth below:

2014 BUDGET

2014 BUDGET SUMMARY

Fund	Fund Name	REVENUE	EXPENSE
001	General Fund	\$1,624,630.00	
	Legislative		\$15,850.00
	Executive		\$62,605.00
	Finance/Administration		\$64,890.00
	Grants		\$37,480.00
	Legal		\$45,995.00
	Other Governmental		\$67,435.00
	Law Enforcement		\$960,192.00
	Law Enforcement - Court		\$79,400.00
	Emergency Management		\$5,600.00
	Code Enforcement		\$32,164.00
	Planning and Community Development		\$109,160.00
	Building		\$26,103.00
	Public Health		\$1,000.00
	Library		\$6,500.00
	Park/Recreation		\$66,352.00
	Miscellaneous (Transfers Out)		\$9,000.00
	Total Expenditures		\$1,589,726.00
100	General Fund Contingency	\$0.00	\$0.00
101	Street Fund	\$169,264.00	\$149,890.00
103	Cemetery Fund	\$25,100.00	\$23,440.00
104	C.R. Equipment Fund	\$93,400.00	\$36,000.00
108	Street Impact Fee Fund	\$0.00	\$0.00
109	Community Improvement Fund	\$151,500.00	\$145,810.00
112	Park Impact Fee Fund	\$0.00	\$0.00
113	Building Maintenance Fund	\$36,100.00	\$17,967.00
114	Information Tech Fund (IT)	\$46,100.00	\$42,500.00
115	Insurance Claim Fund	\$0.00	\$0.00
117	Timber Ridge Settlement	\$317,000.00	\$317,000.00
203	Limited Tax Bond GO	\$140,577.00	\$140,577.00
205	Unlimited Tax GO Bond	\$32,828.00	\$32,828.00
207	LID Guaranty Fund	\$318,900.00	\$213,927.00
301	Capital Project Fund REET 1	\$20,000.00	\$20,000.00
302	Capital Project Fund REET 2	\$20,000.00	\$20,000.00
303	Street Improvement Fund	\$1,939,935.00	\$1,937,935.00
305	Park Improvement Fund	\$0.00	\$0.00
400	Utility Water Fund	\$1,021,220.00	\$1,014,628.00
401	Utility Sewer Fund	\$1,291,412.00	\$1,271,022.00
402	Utility Garbage Fund	\$753,900.00	\$749,433.00
403	Water Revenue Bond Fund	\$125,532.00	\$125,532.00
404	C.R. Sewer Utility Fund	\$163,578.00	\$163,578.00
405	C.R. Water Utility Fund	\$160,614.00	\$160,614.00
406	Storm Water Utility	\$166,145.00	\$162,951.00
407	Sewer System Improvement Fund	\$228,578.00	\$228,578.00
409	Water System Improvement Fund	\$286,776.00	\$286,776.00
410	Stormwater System Improvement Fund	\$0.00	\$0.00
412	Water System Debt Fund	\$133,090.00	\$133,090.00
413	Sewer System Debt Fund	\$194,744.00	\$194,744.00
621	Cemetery Trust Fund	\$1,500.00	\$0.00
	TOTALS	\$9,462,423.00	\$9,178,546.00

Section 3: The City Clerk is directed to transmit a certified copy of the budget hereby adopted to the Division of Municipal Corporations in the Office of the State Auditor and to the Association of Washington Cities.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 12th DAY OF DECEMBER, 2013.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Date of Publication:

Effective Date:

ATTACHMENT C

001 GENERAL FUND		2011	2012	2013	2014
Account	Description	Actual	Actual	Adopted	Requested
		0	0	0	0
308-80-000	Beginning Fund Balance				
311-10-000	Real and Personal Property Tax	611,955	423,849	406,455	345,000
313-11-000	Local and Retail Sales and Use	282,460	278,295	279,230	280,000
313-71-000	Sales Tax - Criminal Justice	59,603	62,462	59,135	59,500
316-41-000	B & O Electric	122,181	147,084	150,000	160,000
316-42-000	Water Utility Tax	51,443	51,444	50,507	57,000
316-43-000	B & O Gas	67,853	48,008	69,482	60,000
316-44-000	Sewer Utility Tax	73,060	75,106	77,261	77,000
316-46-000	B & O Cable	59,574	49,360	59,010	55,000
316-47-000	B & O Telephone	106,520	144,480	160,000	101,000
316-48-000	Garbage Utility Tax	32,839	34,291	33,336	32,000
316-81-000	Gambling Tax	5,350	2,856	4,714	2,000
	Taxes Totals:	1,472,837	1,317,233	1,349,130	1,228,500
321-91-000	Cable Franchise Fees	52,339	60,205	53,000	55,000
321-99-000	Business License	16,639	16,558	18,500	17,000
322-10-100	Buildings, Structures, Equipme	3,499	4,101	2,625	15,000
322-10-200	Permits - Other	10,475	9,809	6,500	6,500
322-30-000	Animal Licenses	1,978	1,430	1,050	1,500
322-90-000	Non Business Permits	752	657	525	1,000
	Licenses and Permits Totals:	85,682	92,760	82,200	96,000
335-03-910	PUD Privilege Tax	25,840	25,828	26,000	27,000
336-04-980	Local Government Assistance	39,226	48,838	40,000	43,800
334-00-000	Planning Grant	0	0	0	9,000
336-06-210	Criminal Justice Funding	1,028	1,049	1,212	1,212
336-06-260	CJ Special Programs	2,900	2,610	2,647	4,054
336-06-510	DUI Cities	978	870	900	900
336-06-950	Liquor Board Profits	55,136	63,579	52,391	46,973
	Intergovernmental Revenues Totals:	125,108	142,774	123,150	132,939
341-81-000	Copies and Certifications	701	281	300	300
341-91-000	Candidate Filing Fees	186	0	0	0
341-99-000	Passport Fees	6,505	8,405	7,000	7,000
345-81-000	Zoning and Subdivision Fees	700	1,900	2,500	5,000
345-83-000	Plan Check Fees	952	1,736	1,000	1,000
345-89-000	Other Environment Protection	1,375	0	1,000	1,500
	Charges for Services Totals:	10,419	12,322	11,800	14,800
353-10-100	District Court	26,442	25,418	25,000	25,000
353-10-300	Violations Bureau	873	3,835	1,500	1,500
354-10-000	Parking Infractions	180	90	100	100

359-90-000	Animal Control Fines	333	436	200	500
359-90-010	Animal Control Fees	544	365	300	300
Fines and Penalties Totals:		28,373	30,144	27,100	27,400
361-11-000	Investment Interest	376	234	1,000	500
361-40-000	Sales Tax Interest	227	123	570	120
362-40-000	Rents and Royalties	47,706	54,343	7,494	7,500
362-50-000	Rental Income Post Office	0	0	45,150	47,860
367-11-010	Contributions/Donations	71,686	2,800	7,500	9,000
369-90-000	Miscellaneous Income/NSF fees	2,897	16,234	5,700	4,000
Miscellaneous Revenues Totals:		122,892	73,734	67,414	68,980
395-10-000	Sale of Fixed Assets	66	1,816	0	0
397-10-100	Operating Transfer In	0	53,983	51,106	56,011
Other Financing Sources Totals:		66	55,799	51,106	56,011
REVENUES TOTALS:		1,845,376	1,724,766	1,711,900	1,624,630

GENERAL FUND EXPENDITURES		2011	2012	2013	2014
<u>Account</u>	<u>Description</u>	<u>Actual</u>	<u>Actual</u>	<u>Adopted</u>	<u>Requested</u>
005	Legislative				
511-60-100	Salaries and Wages	8,808	7,898	8,162	6,300.00
511-60-200	Benefits	579	865	1,195	850.00
511-60-310	Office/Operating	777	824	850	500.00
511-60-311	Office/Operating - Mayor	0	0	0	200.00
511-60-430	Travel and Seminars	5,740	4,403	2,500	2,000.00
511-60-490	Miscellaneous	-221	170	200	0.00
514-90-510	Voter Registration	6,095	5,832	6,000	6,000.00
Legislative Totals:		21,780	19,993	18,907	15,850.00
010	Executive/Administrative				
513-10-100	Salaries and Wages	22,414	24,983	23,104	44,520.00
513-10-200	Benefits	6,947	4,931	6,522	16,985.00
513-10-320	Office Supplies	0	17	100	0.00
513-10-420	Communication	0	26	500	500.00
513-10-430	Travel and Seminars	3,876	3,364	1,500	500.00
513-10-490	Miscellaneous	5	167	100	100.00
Executive/Administrative Totals:		33,243	33,488	31,826	62,605.00
015	Finance Administration				
514-23-100	Salaries and Wages	28,508	35,725	36,214	37,870.00
514-23-200	Benefits	10,383	10,860	16,248	17,520.00
514-23-310	Office Supplies	0	289	200	250.00
514-23-410	Audit Costs	10,987	14,604	7,500	7,000.00
514-23-430	Travel and Seminars	1,648	2,381	900	1,000.00

514-23-490	Bank Fees	1,479	2,322	1,150	1,000.00
514-23-491	Miscellaneous Expense	0	0	0	250.00
Finance Administration Totals:		53,006	66,182	62,212	64,890.00
020	Grants				
514-60-100	Salaries and Wages	15,220	40,272	24,726	21,768.00
514-60-200	Benefits	4,475	6,287	8,804	8,312.00
514-60-310	Economic Development	99	4,903	2,500	5,000.00
514-60-320	Office Supplies	40	23	200	200.00
514-60-350	Small Tools/Minor Equipment	0	74	100	100.00
514-60-410	Professional Services	0	0	350	350.00
514-60-420	Communication	0	0	50	50.00
514-60-430	Travel and Seminars	1,334	1,588	1,000	500.00
514-60-490	Volunteer Program	243	542	1,200	1,200.00
Grants Totals:		21,412	53,688	38,930	37,480.00
025	Legal Services				
515-30-100	Salaries and Wages	3,960	3,964	3,872	3,834.00
515-30-200	Benefits	1,388	1,388	1,600	1,661.00
515-30-410	Legal - Litigation Fees	80,207	76,946	87,500	40,000.00
515-70-510	Crime Victim Services	550	335	500	500.00
Legal Services Totals:		86,105	82,635	93,472	45,995.00
035	Other Governmental Services				
518-10-310	Office/Operating Supplies	9,297	9,988	7,500	8,000.00
518-90-340	Books and Periodicals	955	1,067	750	1,000.00
518-20-490	Organization Dues	3,093	6,039	4,000	4,000.00
518-90-410	Professional Services	3,201	19,201	1,000	6,000.00
518-90-420	Communication	9,161	6,812	6,500	5,500.00
518-90-440	Advertising and Legal Notices	4,408	3,364	2,500	2,000.00
518-90-460	Insurance	22,142	32,207	18,000	34,935.00
518-90-470	Utilities	5,283	4,599	4,500	4,500.00
518-90-480	Repair and Maintenance	731	130	200	700.00
518-90-490	Miscellaneous	413	856	800	800.00
Other Governmental Services Totals:		58,684	84,262	45,750	67,435.00
040	Law Enforcement				
521-20-100	Salaries and Wages	1,123	2,053	2,108	2,162.00
521-20-200	Benefits	403	444	854	870.00
521-20-210	Disability Insurance	11,745	12,034	12,000	6,500.00
521-20-310	Operating Supplies	0	0	100	100.00
521-20-460	Insurance	1,000	0	750	0.00
521-20-490	Miscellaneous	212	726	0	1,200.00
521-20-510	Professional Service - SnoCty	878,351	958,931	912,194	875,000.00
528-10-500	Intergovernmental - SNOPAC	66,760	61,059	60,525	60,500.00
528-10-510	Intergovernmental - 800 MHZ	13,316	13,857	13,857	13,860.00

		972,909	1,049,103	1,002,388	960,192.00
Law Enforcement Totals:					
045	Law Enforcment Agency Fees				
512-50-510	Miscellaneous - Court Filing F	16,728	12,664	12,000	6,000.00
515-30-410	Professional Services - Prosec	36,410	31,542	17,000	15,000.00
515-30-411	Public Defender Attorney	0	0	18,400	18,400.00
523-90-510	Miscellaneous - Jail Fees	53,478	50,764	58,000	40,000.00
Law Enforcment Agency Fees Totals:		106,616	94,970	105,400	79,400.00
050	Emergency Services				
525-50-310	Operating Supplies	939	0	0	0.00
525-10-480	Repair and Maintenance	0	1,292	500	500.00
525-10-510	Department of Emergency Mgmt	4,840	3,776	5,100	5,100.00
Emergency Services Totals:		5,779	5,068	5,600	5,600.00
060	Code Enforcement				
554-30-100	Salaries and Wages	21,704	21,679	19,354	22,684.00
554-30-200	Benefits	4,448	5,224	5,614	6,480.00
554-30-310	Office/Operating Supplies	1,843	1,216	1,000	1,500.00
554-30-360	Vehicle Operation/Maintenance	202	1,519	500	500.00
554-30-370	Vehicle Repair	120	213	500	0.00
554-30-410	Professional Services	793	566	1,000	750.00
554-30-430	Travel and Seminars	807	365	375	250.00
554-30-460	Insurance	1,725	0	500	0.00
Code Enforcement Totals:		31,640	30,783	28,843	32,164.00
065	Planning and Development				
558-60-100	Salaries and Wages	66,409	113,482	85,211	68,560.00
558-60-200	Benefits	24,204	37,377	36,637	29,750.00
558-60-310	Office/Operating Supplies	213	282	350	100.00
558-60-340	Books and Periodicals	160	157	200	0.00
558-60-350	Small Tools/Minor Equipment	57	0	200	0.00
558-60-410	Professional Services	32,282	2,760	2,500	9,000.00
558-60-420	Communication	3,136	528	1,000	500.00
558-60-430	Travel and Seminars	1,477	2,286	700	0.00
558-60-440	Advertising and Legal Notices	770	1,369	1,500	750.00
558-60-490	Miscellaneous	1,827	967	500	500.00
Planning and Development Totals:		130,533	159,207	128,798	109,160.00
070	Building and Community Dev.				
558-50-100	Salaries and Wages	27,829	39,979	30,466	10,243.00
558-50-200	Benefits	12,849	15,088	16,970	5,260.00
558-50-310	Operating Supplies	59	206	500	250.00
558-50-340	Books and Periodical	8	0	1,200	900.00
558-50-360	Vehicle Operation/Maintenance	0	0	250	0.00
558-50-410	Professional Services	0	1,525	1,000	500.00

558-50-420	Communication	948	1,019	500	500.00
558-50-430	Travel and Seminars	708	1,451	500	250.00
558-50-480	Repair and Maintenance	0	0	300	0.00
558-50-490	Miscellaneous	587	50	0	200.00
558-50-510	SnoCty Plan/Building Service	8,638	12,573	9,000	8,000.00
Building and Community Dev. Totals:		51,626	71,891	60,686	26,103.00
075	Public Health				
562-50-510	Intergovernmental	1,125	2,471	1,000	1,000.00
Public Health Totals:		1,125	2,471	1,000	1,000.00
080	Library				
572-20-460	Insurance	0	0	0	0.00
572-20-470	Utilities	7,286	6,876	7,000	6,500.00
Library Totals:		7,286	6,876	7,000	6,500.00
085	Parks and Recreation				
576-80-100	Salaries and Wages	38,942	40,847	36,583	40,200.00
576-80-200	Benefits	19,825	17,821	16,200	16,680.00
576-80-220	Uniforms	773	498	500	500.00
576-80-310	Office/Operating Supplies	2,150	2,678	1,530	1,300.00
576-80-320	Office Supplies	8	0	0	0.00
576-80-350	Small Tools/Minor Equipment	61	398	810	350.00
576-80-360	Vehicle Maintenance	0	0	0	1,300.00
576-80-370	Vehicle Repair	0	165	1,050	500.00
576-80-410	Professional Services	0	0	0	1,000.00
576-80-420	Communication	652	564	600	400.00
576-80-430	Travel and Seminars	540	95	222	222.00
576-80-450	Rentals	2,608	3,330	2,226	0.00
576-80-460	Insurance	5,003	956	3,000	0.00
576-80-470	Utilities	3,655	2,751	3,000	3,300.00
576-80-480	Repair and Maintenance	1,873	446	500	500.00
576-80-490	Miscellaneous	80	399	0	100.00
594-80-620	Capital - Equipment	328	33	0	0.00
597-30-000	Operating Transfer Out	600	0	1,000	0.00
Parks and Recreation Totals:		77,099	70,981	67,221	66,352.00
E90	Interfund Services				
588-80-000	Prior Year Adjustments	40,385	0	0	0.00
597-40-020	Operating Transfer Out	106,500	1,798	0	0.00
597-50-010	Operating Transfer Out - 114	8,216	8,576	9,000	9,000.00
Interfund Services Totals:		155,101	10,374	9,000	9,000.00
EXPENDITURES TOTALS:		1,813,943	1,841,971	1,707,033	1,589,726.00

101	STREET FUND				
<u>Account</u>	<u>Description</u>	2011	2012	2013	2014
		Actual	Actual	Adopted	Requested
308-80-000	Beginning Fund Balance	0	0	0	0
311-10-000	Real and Personal Property Tax	38,427	16,846	20,010	20,000
316-41-000	B & O Electric	78,960	63,559	66,000	35,000
316-43-000	Utility Tax Gas	10,339	3,841	6,300	5,000
316-47-000	Utility Tax Telephone	16,231	11,558	18,000	12,000
322-40-000	Street/Curb Permits -ROW	1,150	3,384	2,500	2,000
336-00-870	Motor Vehicle Excise Tax	97,292	95,119	97,300	95,064
361-11-000	Investment Interest	126	153	200	200
367-11-010	Contributions - Street Project	121	120	0	0
		242,646	194,579	210,310	169,264

<u>Account</u>	<u>Description</u>	2011	2012	2013	2,014
		Actual	Actual	Adopted	Revised
150	Road and Street Maintenance				
542-30-100	Salaries and Wages	109,581	112,160	94,486	66,620
542-30-200	Employee Benefits	33,769	33,085	35,975	25,975
542-30-220	Uniforms	667	508	200	200
542-30-310	Office/Operating Supplies	6,727	3,710	4,210	2,200
542-30-320	Office Supplies	1,681	1,951	1,700	1,000
542-30-350	Small Tools/Minor Equipment	1,689	344	910	350
542-30-360	Vehicle Operation/Maintenance	3,260	2,539	1,300	1,500
542-30-370	Vehicle Repair	257	1,948	500	500
524-30-410	Professional Service	40,145	16,229	2,000	2,000
542-30-420	Communication	2,262	2,831	2,900	2,500
542-30-430	Travel and Seminars	652	897	195	445
542-30-450	Rentals	0	292	0	0
542-30-460	Insurance	8,817	12,528	10,000	8,000
542-30-490	Miscellaneous	1,749	1,199	611	200
594-30-640	Capital - Equipment and Signs	4,831	234	5,000	1,500
597-30-000	Operating Transfer Out - 303	14,000	6,392	9,000	2,400
597-50-010	Operating Transfer Out - 114	3,905	2,960	9,854	3,500
542-30-480	Repair and Maintenance	2,687	200	1,300	1,000
542-63-470	Utilities	32,601	35,061	30,000	30,000
		269,279	235,069	210,141	149,890

103	CEMETERY FUND				
<u>Account</u>	<u>Description</u>	2011	2012	2013	2014
		Actual	Actual	Adopted	Requested
308-80-000	Beginning Fund Balance	0	0	0	0
343-60-000	Cemetery Fees	16,080	23,989	25,000	25,000
361-11-000	Investment Interest	31	14	0	100
367-11-000	Contributions - Cemetery Impro	2,913	138	0	0
		19,024	24,141	25,000	25,100

<u>Account</u>	<u>Description</u>	2011	2012	2013	2,014
		Actual	Actual	Adopted	Revised
103	Cemetery				
536-10-010	Salaries and Wages	25,351	16,795	11,625	9,790
536-10-200	Benefits	0	0	5,879	4,850
536-10-220	Uniforms	138	12	30	0
536-10-310	Operating Supplies	307	336	300	500
536-10-320	Office Supplies	11	115	0	0

536-10-340	Items for Resale	732	747	500	900
536-10-350	Small Tools/Minor Equipment	40	0	300	100
536-10-360	Vehicle Operation/Maintenance	506	474	500	700
536-10-410	Professional Services	400	5,187	4,500	5,000
536-10-460	Insurance	4,287	682	1,000	1,500
536-10-480	Repair and Maintenance	95	0	100	100
594-10-640	Capital - Equipment	761	0	0	0
		32,627	24,348	24,734	23,440

400 UTILITY WATER FUND
Account Description

		2011 Actual	2012 Actual	2013 Adopted	2014 Requested
308-80-000	Beginning Fund Balance	0	0	0	0
342-00-010	Inspection Fees	0	205	0	0
343-40-000	Water Service	878,046	874,172	906,103	992,520
359-10-000	Turn On/Off Fees	21,171	10,879	17,000	10,500
361-11-000	Investment Interest	140	542	200	200
369-40-000	Judgements and Settlements	594	0	0	0
369-90-000	Miscellaneous	24,146	23,174	21,000	17,000
379-10-000	Water Connection Charges	1,600	1,200	800	1,000
		925,698	910,173	945,103	1,021,220

Account	Description	2011 Actual	2012 Actual	2013 Adopted	2,014 Revised
400	Utility Water				
534-80-100	Salaries and Wages	296,914	229,295	256,156	278,075
534-80-200	Benefits	110,136	76,238	114,382	135,446
534-80-220	Uniforms	1,468	1,785	900	1,000
534-80-310	Operating Supply	26,203	38,791	59,240	63,220
534-80-320	Office Supplies	3,267	3,052	3,500	3,600
534-80-350	Small Tools/Minor Equipment	1,194	9,422	7,675	13,175
534-80-360	Vehicle Operation/Maintenance	9,205	7,469	9,650	6,875
534-80-370	Vehicle Repair	225	2,200	500	500
534-80-410	Professional Service - General	98,630	33,255	17,700	8,000
534-80-420	Communication	10,249	9,344	9,500	7,000
534-80-430	Travel and Seminars	2,434	2,958	3,655	3,855
534-80-450	Rentals	413	1,364	2,000	3,000
534-80-460	Insurance	29,013	26,085	29,000	45,500
534-80-470	Utilities	105,020	37,976	34,000	20,000
534-80-471	Water Service - Everett	0	0	0	15,000
534-80-480	Repair and Maintenance	15,296	8,462	62,275	62,375
534-80-490	Miscellaneous	14,121	10,837	20,066	15,614
534-80-491	Water - Testing	0	0	0	4,000
534-80-510	Taxes - Excise	43,648	46,366	39,000	39,500
594-80-620	Capital - Buildings	45,370	0	6,000	10,000
594-80-640	Capital - Equipment	6,385	2,028	0	39,500
597-20-000	Operating Transfer Out - 412	91,500	137,167	136,701	133,090
597-20-050	Operating Transfer Out - 403	65,000	65,000	63,500	50,000
597-30-010	Operating Transfer Out - 104	3,000	46,000	42,500	8,000
597-30-010	Operating Transfer Out - 001		12,774	12,774	16,803
597-30-030	Operating Transfer Out - 409	0	12,774	12,774	18,500
597-50-020	Operating Transfer Out - 114	10,979	10,500	9,000	13,000
		989,669	831,143	952,448	1,014,628

401 UTILITY SEWER FUND		2011	2012	2013	2014
Account	Description	Actual	Actual	Adopted	Requested
308-80-000	Beginning Fund Balance	0	0	0	0
342-00-200	Sewer Inspection Fee	750	0	500	0
343-50-000	Sewer Service	1,240,277	1,248,369	1,246,501	1,275,912
361-11-000	Investment Interest	273	496	0	500
369-90-000	Miscellaneous	14,379	18,337	15,000	15,000
		1,255,679	1,267,201	1,262,001	1,291,412

Account	Description	2011	2012	2013	2,014
		Actual	Actual	Adopted	Revised
401	Utility Sewer	284,669	240,139	241,187	244,780
535-80-100	Salaries and Wages	91,096	95,984	110,310	101,531
535-80-200	Benefits	1,665	1,939	900	1,700
535-80-220	Uniforms	17,536	23,148	41,040	41,270
535-80-310	Operating Supplies	3,752	3,282	3,500	3,500
535-80-320	Office Supplies	1,065	1,909	14,175	16,575
535-80-350	Small Tools/Minor Equipment	2,848	2,250	7,950	8,375
535-80-360	Vehicle Operation Maintenance	2,971	2,676	3,000	3,000
535-80-370	Vehicle Repair	98,826	66,311	57,700	10,500
535-80-410	Professional Service	0	0	0	30,000
535-80-411	Services - Sludge Hauling	10,725	10,739	12,000	9,000
535-80-420	Communication	1,119	3,226	2,755	2,755
535-80-430	Travel and Seminars	292	3,175	16,000	29,226
535-80-450	Rentals	35,580	37,042	32,000	50,420
535-80-460	Insurance	41,418	38,934	38,000	38,000
535-80-470	Utilities	58,210	49,270	88,475	66,375
535-80-480	Repair and Maintenance	10,442	11,578	6,301	4,654
535-80-490	Miscellaneous	0	0	0	1,400
535-80-491	Sewer - Testing	29,825	31,447	29,000	29,500
535-80-510	Taxes - Excise	15,336	0	6,000	12,000
594-80-620	Capital - Buildings	4,170	47,639	50,000	57,450
594-60-640	Capital - equipment	410,000	432,712	330,171	324,608
597-20-000	Operating Transfer Out - 413	65,000	65,000	63,500	50,000
597-20-040	Operating Transfer Out - 403	45,400	21,000	25,000	34,000
597-30-010	Operating Transfer Out - 104	0	0	0	16,803
597-30-010	Operating Transfer Out - 001	0	12,774	50,000	65,000
597-30-030	Operating Transfers Out - 407	8,979	14,660	27,434	18,600
597-50-020	Operating Transfers Out - 114				
		1,240,923	1,216,835	1,256,398	1,271,022

402 UTILITY GARBAGE FUND		2011	2012	2013	2014
Account	Description	Actual	Actual	Adopted	Requested
308-80-000	Beginning Fund Balance	0	0	0	0
316-48-000	Garbage State Tax	19,085	19,459	20,950	20,600
321-91-000	Garbage Franchise Fees	1,473	2,962	3,000	3,000
333-03-100	Coordinated Prevention Grant	2,680	1,770	2,500	1,700
343-70-000	Garbage/Solid Waste	545,216	566,490	581,806	540,000
343-70-100	Recycling Charges	175,355	165,586	166,988	166,500
361-11-000	Investment Interest	246	424	200	200

362-20-000	Dumpster Delivery Charges	20,658	20,675	20,708	21,500
369-90-000	Miscellaneous	350	150	400	400
395-10-000	Sale of Fixed Assets	1,027	284	0	0
		766,090	777,800	796,552	753,900

<u>Account</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Actual</u>	<u>2013 Adopted</u>	<u>2,014 Revised</u>
402	Garbage				
537-80-100	Salaries and Wages	168,048	143,871	132,004	146,880
537-80-200	Benefits	65,380	73,944	70,125	69,080
537-80-220	Uniforms	680	1,208	900	900
537-80-230	Contract Labor	0	3,565	0	0
537-80-310	Operating Supplies	1,585	1,090	3,540	3,520
537-80-320	Office Supplies	3,180	2,687	2,600	2,600
537-80-350	Small Tools/Minor Equipment	304	92	1,110	1,100
537-80-360	Vehicle Operation/Maintenance	19,148	19,565	22,000	47,000
537-80-370	Vehicle Repair	12,643	7,373	25,000	500
537-80-380	CPG Grant - Clean UP	2,464	1,333	2,500	1,700
537-80-410	Professional	6,439	12,850	8,500	9,750
537-80-420	Communication	8,296	7,402	7,500	7,000
537-80-430	Travel and Seminars	478	1,566	715	915
537-80-460	Insurance	13,817	16,722	14,000	12,890
537-80-470	Utilities	2,489	2,246	3,000	2,000
537-80-480	Repair and Maintenance	1,181	224	4,175	4,175
537-80-490	Miscellaneous	959	2,434	1,065	1,120
537-80-500	Intergovernmental - Recycle	141,917	139,141	140,900	141,500
537-80-510	Intergovernmental - Disposal F	185,726	188,400	187,000	185,000
537-80-520	Taxes - Excise	32,128	30,728	32,000	27,000
594-80-620	Capital Outlay - Buildings	0	0	6,000	8,000
594-80-640	Capital Outlay - Equipment	20,315	18,605	25,000	15,000
597-30-000	Operating Transfer Out - 104	44,000	79,639	75,000	39,000
597-30-000	Operating Transfer Out - 001	0	0	0	16,803
597-50-010	Operating Transfer Out - 114	6,479	3,710	17,434	6,000
		737,655	758,397	782,068	749,433

406 STORMWATER UTILITY FUND

<u>Account</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Actual</u>	<u>2013 Adopted</u>	<u>2014 Requested</u>
308-80-000	Beginning Fund Balance	0	0	37,469	0
343-10-000	Stormwater Utility Fee	126,428	150,169	164,025	165,945
343-00-610	Investment Interest	92	306	200	200
		126,428	150,169	201,494	166,145

<u>Account</u>	<u>Description</u>	<u>2011 Actual</u>	<u>2012 Actual</u>	<u>2013 Adopted</u>	<u>2,014 Revised</u>
531-10-100	Salaries and Wages	23,023	77,239	81,313	75,845
531-10-200	Benefits	7,020	5,951	32,562	34,085
531-10-220	Uniforms	145	354	235	400
531-10-310	Operating Supplies	436	772	1,560	2,250
531-10-320	Office Supplies	297	415	400	500
531-10-350	Small Tools/Minor Equipment	1,526	389	1,610	2,050
531-10-360	Vehicle Operation Maintenance	331	154	1,250	1,400
531-10-370	Vehicle Repair	60	1,954	0	500
531-10-410	Professional Service	0	5,503	13,500	0

531-10-420	Communication	1,267	1,485	800	1,000
531-10-430	Travel and Seminars	382	1,172	1,140	500
531-10-450	Rentals	17,961	5,047	15,500	10,000
531-10-460	Insurance	1,000	4,762	1,000	9,980
531-10-470	Utilities	0	0	800	800
531-10-480	Repair and Maintenance	3,882	116	1,020	1,020
531-10-490	Miscellaneous	886	40	5,559	184
531-10-510	State Excise Tax	2,309	2,709	2,700	2,700
597-20-010	Operating Transfer - 413 Debt	28,700	28,700	28,632	10,136
597-50-020	Operating Transfers Out - 114	0	3,712	10,104	4,000
597-60-030	Operating Transfer Out - 001	0	0	0	5,601
597-60-030	Operating Transfer Out - 104	31,300	7,127	2,000	0
		120,525	147,600	201,685	162,951

SULTAN CITY COUNCIL MEETING AGENDA COVER SHEET

ITEM NO: A-2

DATE: December 12, 2013

SUBJECT: Resolution 13-07 adopting the 2014 Fee Schedule

CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director

ISSUE:

The issue before the Council is to authorize the Mayor to sign Resolution 13-07, 2014 City of Sultan Fee Schedule (Attachment A). Resolution 13-07 sets fees charged by the City for the various services provided to citizens and community members.

RECOMMENDED ACTION:

Authorize the Mayor to sign Resolution 13-07 adopting the 2014 Fee Schedule.

SUMMARY:

The City Council reviews proposed changes to the fee schedule each year as part of the budget process to ensure the fees charged for services cover the cost of service to the benefiting party. Over the last five years, the City Council has been systematically removing fees from the municipal code and incorporating them into the annual fee schedule.

City staff reviewed the 2013 fees, discussing revenues verses expenditures to determine if collected revenues are covering expenditures. The changes for 2014 included:

1. Removal of School Impact fees. There are current no school impact fees. (page 2).
2. Removal of Design Review Board review of applications. Design Review Board was eliminated. (page 3)
3. Duplicate SEPA checklist fee removed. (page 3)
4. Revised Plan Review and Permit Processing fees. (page 5)
5. Add Main Street Business area to Right of Way Permits. (page 13)
6. Change Concealed Weapon Permit fees to agree with those set by the State. (page15)
7. Change Business License fee to agree with action by the Council. (page 15)

In addition to the proposed changes, staff recommends the Council consider:

Water & Sewer Connection Fees (this may require change to Ordinance #1124-11)

Add:	Meter Setting where service is completed from Mainline to Back of ROW	\$	350.00
	Service Line and Meter Installation	Inside City Limits	\$1,200.00
	Service Line and Meter Installation	Outside City Limits	\$1,800.00

(County ROW Permits required)

Other Municipal Services

Add: Any *specialty sign requested by citizen/neighborhood, cost of sign & post plus 15% for installation (Neighborhood safety, additional block watch, etc.)

Add: City picking up any event signs left in the right-of-way \$ 25.00 each
(This includes yard sale, fun raising events, political, sandwich boards, etc)

Add: New Banner sign display cost, every six months, business required to maintain \$ 20.00 every 6 months

Cemetery Fees: Increase to endowment care as suggested a couple of years ago.

BACKGROUND:

The city council substantively reviews fees on an annual basis. The annual review provides information on whether the fee rates and authorized activities are aligned with actual program costs and activities. The fee schedule also provides opportunities for community input on whether the fees are reasonable compared to the service provided.

1. If a program primarily benefits the general public (e.g., park maintenance), it is usually supported by general revenue, not user fees outlined in the fee schedule.
2. If a program primarily benefits identifiable users, such as an individual property owner installing a new water heater, it is funded by fees.
3. If a program benefits both the general public and users, it is funded in part by fees and in part by general revenues (partial not full cost-recovery).
4. Programs that primarily benefit the general public are usually non-excludable, that is, there is no practical way of preventing someone from benefiting from the program, and non-rival, that is, once the program is in operation, there is no additional cost of providing it to more people.
5. The beneficiary-pays principle promotes equity by assigning costs to those who both use and benefit from the services. User fees set by the city under the beneficiary-pays principle can also enhance economic efficiency by ensuring that resources are allocated to the most highly valued use, as users make adjustments to their consumption of the service based on their costs and benefits.

FISCAL IMPACT:

With the exception of the utility rates and impact fees (which were adopted under separate ordinance following public hearings), the proposed fees will have a nominal effect on the city's budget. The purpose of amending the fee schedule is to identify new services and to bring revenues into alignment with city policy and program costs.

ALTERNATIVES:

1. Authorize the Mayor to sign Resolution 13-07 adopting the 2014 Fee Schedule. This action will approved the fee schedule as presented in Attachment A. .
2. Amend Resolution 13-07 adopting the 2014 Fee Schedule before authorizing the Mayor to sign. This action indicates the city council has questions or concerns about the fee schedule and would like to make specific changes prior to adoption
3. Do not authorize the Mayor to sign Resolution 13-07 and direct staff to areas of concern. This alternative indicates the city council has questions or concerns regarding the proposed changes that are material and need additional analysis or study prior to adoption. The city council may choose to delay this decision until after January 1, 2014 without impacting city services or finances.

ATTACHMENT: A. Resolution 13-07 - 2014 Fee Schedule (With changes marked)

**CITY OF SULTAN
WASHINGTON
RESOLUTION NO. 13-07**

**A RESOLUTION OF THE CITY OF SULTAN, WASHINGTON,
ESTABLISHING FEES, FINES, PENALTIES AND CHARGES
FOR SERVICES PROVIDED BY THE CITY.**

WHEREAS, the City Council of the City of Sultan has determined that it is in the best interests of the City of Sultan to provide a single, efficient and convenient listing of all fees, fines, penalties, interest and charges for permits, services applications and filing fees; and

WHEREAS, such a listing will better facilitate the updating and uniform review of all such fees, fines, penalties, interest and charges on a periodic basis;

WHEREAS, ordinances adopted by the City Council throughout the year require fees, fines, penalties, interest and charges for service set by resolution:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON,
DOES RESOLVE AS FOLLOWS:

Section 1. The attached document entitled "City of Sultan 2014 Fee Schedule" is hereby adopted by reference and the fees, fines, penalties, interest and charges for services not otherwise set by separate ordinance will be effective January 1, 2014.

PASSED AND ADOPTED this 12th day of December 2013.

Carolyn Eslick, Mayor

ATTEST:

Laura J. Koenig, City Clerk

APPROVED AS TO FORM:

Ann Marie Soto, City Attorney

~~2013~~2014* FEE SCHEDULE

Approved Resolution 12-17

FEEES CANNOT BE WAIVED EXCEPT BY COUNCIL APPROVAL

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GENERAL DEVELOPMENT PERMIT FEES

DEFINITIONS

Standard Fee, City Staff Review (SF):

Land use applications require filing of a "Standard Fee" to cover costs of the particular type of application. The "Standard Fee" is charged for review and processing of the application by city staff and is not refundable in whole or in part. This fee covers the initial city staff review and one follow-up review for a total of two reviews. If repeat reviews beyond the initial and the first follow-up review are required to complete processing the application, the city will require filing of an additional review fee in the amount of 40% of the Standard Fee for each review in excess of the first two. **The label (SF) indicates a Standard Fee.**

If a project is typically charged a "Standard Fee" but city staff is not able to review the application due to time constraints or the complexity of the proposal, the city and the applicant may mutually agree to convert the city staff review to a consultant review. If city staff has not begun the review, all of the "Standard Fee" will be converted to a "Base Fee" and placed into a consultant account. If city staff has begun the review and it is determined that a consultant is needed, eighty percent (80%) of the "Standard Fee" will be converted to a "Base Fee" for consultant activity.

Per Hour Fee, City Staff On-Site Inspection:

City staff conducts certain in-house plan review and on-site inspections of construction of utilities, roads and other facilities. These services are charged for on a per-hour basis. Hours expended are documented and processed through the city finance office for billing to the applicant or other responsible party.

Base Fee; Consultant Review and/or In-House Plan Review:

If a consultant is engaged to review an application, the "Base Fee" will be used to pay the consultant at the rate charged by the consultant. The Base Fee listed for that type of application will be required at the time the application is filed. The Consultant will keep records of time and cost and submit this accounting to the city on a monthly basis. The "Base Fee" is payable at the time of application to provide the initial funds that the city will use to pay the consultant for initial review of the application.

Direct Cost, Consultant Review:

If the charges (Consultant and City Administrative Fee) deplete the Base Fee account to within 20% of the original Base Fee, the city will inform the applicant that additional funds referred to as "Direct Cost" are needed to replenish the account to continue the consultant review process. If the applicant fails to submit the additional funds, review of the application will be suspended. The amount requested by the city for "Direct Cost" will be the amount reasonably estimated to complete review of the application. If "Direct Cost" funds remain in the account once the consultant has completed review, the city will determine its administrative fee, reconcile the account and refund the remaining balance to the applicant.

City Administrative Fee:

The City Administrative fee is a 15% fee for handling consultant accounts (Base Fee and Direct Cost). The "Administrative Fee" is based on the amount billed by the consultant through the city to the applicant.

- A. The city shall submit monthly payment invoices to the applicant after such services have been performed, and the applicant shall make payment within four (4) weeks after the submittal of each approved invoice.
- B. If the applicant objects to all or any portion of any invoice, it shall so notify city of the same within five (5) days from the date of receipt and shall pay that portion of the invoice not in dispute. The parties shall immediately make every effort to settle the disputed portion.

PERMIT FEES

Hearing Examiner

Administrative Appeal to Hearing Examiner.....	\$2,000.00 base fee + administrative fee
Hearing Examiner Public Hearing.....	\$1,500.00 base fee + administrative fee ¹
Hearing Examiner Reconsideration.....	\$1,500.00 base fee + administrative fee

Impact Fees:

Park Impact Fees.....	\$3,175.00 per dwelling unit
Park Impact Administrative Fee.....	\$35.00 each unit
School Impact Fees (Or as may <u>be</u> required by <u>the</u> School District at building permit application, <u>check with school</u>)	
<u>360.793.9800</u>	
2+ Bedroom Multi Family Units, Duplex and Town Homes.....	\$1,931.00
Single Family Detached Dwellings and Mobile Homes.....	\$2,878.00
One Bedroom Multi Family Units.....	\$0.00
School Impact Administration Fee.....	\$35.00 per unit
Traffic Impact Fees.....	\$5,272.00 per peak hour trip
Traffic Impact Administration Fee.....	\$35.00 or 1% of the fee whichever is greater

Land Division Processes:

Binding Site Plan	
Preliminary.....	\$2,400.00 + \$100.00 unit/lot (SF)
Final.....	\$1,200.00 + \$100.00 unit/lot (SF)
Boundary Line Adjustment (BLA).....	\$700.00 (SF)
City Engineer Plan Review Fee (Subdivision/Binding Site Plan).....	\$2,500.00 base fee
Construction Inspection, Outside Consultant.....	\$2,500.00 base fee + administrative fee
Planned Unit Development (PUD) (<i>Administrative provisions relating to PUD's have been repealed by Ordinance 1077-10, these fees apply only to existing valid PUD applications.</i>)	
Amendment.....	\$500.00 + \$10.00 per swelling unit (SF)
Master Plan.....	\$2,000.00 + \$10.00 per dwelling unit (SF)
Preliminary PUD	
Residential.....	\$1,500.00 + \$20.00 per dwelling unit (SF)
Commercial.....	\$1,500.00 (SF)
Administrative Review.....	\$500.00 (SF)
Major Modification.....	\$2,400.00 + \$100.00 per unit/lot (SF)
Minor Modification.....	\$250.00 (SF)
Final PUD	
Residential.....	\$570.00 + \$10.00 per lot (SF)
Commercial.....	\$750.00 (SF)
Short Plat Subdivision – (Four (4) or fewer lots/units)	
Preliminary.....	\$1,200.00 + \$100.00 unit/lot (SF)
Final.....	\$600.00 + \$100.00 unit/lot (SF)
Long Plat Subdivision (five (5) or more units or lots)	
Preliminary.....	\$2,400.00 + \$100.00 unit/lot (SF)
Final.....	\$1,200.00 + \$100.00 unit/lot (SF)
Model Homes	
In Approved Preliminary Plats.....	\$300.00 per Unit + \$100.00 per subdivision

¹ 50% of Hearing Examiner Fees to be returned if Hearing Examiner finds for appellant upon reconsideration

Other Land Use Fees	\$500.00 (SF)
Administrative Variance	
Annexation	\$1,500.00 (SF)
Election	\$1,000.00
Petition	
Each Revised Petition Application submitted within 24 months of initial application	\$750.00(SF)
Apartment/Multi-Family Development	\$1,500.00 + \$100.00 per unit
Bond Release (Performance and Maintenance)	\$200.00 (SF)
Comprehensive Plan Amendment	\$1,000.00 + hearing examiner + direct cost (SF)
Concurrency Determination (transportation, parks, water and sewer)	\$1,000.00 + direct cost
Conditional Use Application	\$1,000.00 + hearing examiner + direct cost (SF)
Condominium Town Home	\$1,500.00 + \$200.00 per lot (SF)
Critical Area Process:	
Critical Area: Review of Application/Consultant Report	\$1,000.00 (SF)
Critical Area Signs (Each)	\$35.00 (SF)
Design Review Board: Review of Application	\$0.00 (SF)
Land Use Address Mailing Review – First 50	\$50.00 (SF)
51+	\$.25 each additional (SF)
direct cost (SF)	
Map Reproduction	\$1,500.00 + \$100.00 per lot (SF)
Mobile Home Park	
Non-Conforming Use/Expansion	\$1,000.00 + hearing examiner + direct cost (SF)
Pre-Application Process:	
Pre-Application Conference– 1 st Hour	\$400.00 (SF)
Pre-Application Conference Additional Hours	\$150.00 (SF)
\$200.00 (SF)	
Public Notice Fee and Posting	\$25.00 (SF)
Public Notice Land Use Sign - Each	\$75.00 + direct cost (SF)
Recording Fee	\$1,000.00 + direct cost (SF)
Rezoning	\$105.00 per inspection (SF)
Site Plan/Landscaping/Inspection	\$105.00 per inspection (SF)
Site Improvements/Re-Inspections	\$1,000.00 (SF)
Street Vacation Petition	
Variance Application	\$1,000.00 ea + hearing examiner fees + direct cost (SF)
Vegetation Removal Permit	\$100.00 (SF)
Zoning Code Amendments	\$1,000.00 + direct cost (SF)

SHORELINE MASTER PROGRAM

Shoreline Substantial Development Permits	\$500.00 (SF)
\$2,500 to \$10,000 Valuation	\$750.00 (SF)
\$10,001 to \$50,000	\$1,500.00 (SF)
\$50,001 to \$250,000	\$2,500.00 (SF)
\$250,001 to \$1,000,000	\$3,000.00 + 1% (SF)
Over \$1,000,000 (plus .1% of projected value)	\$882.00 (SF)
For Variance, Add	\$938.00 (SF)
For Conditional Use Permit, Add	\$225.00 (SF)
Pre-Substantial Review	\$200.00 (SF)
Shoreline Exemptions	
Permit Amendment is 80% of the fee under this schedule	

STATE ENVIRONMENTAL POLICY ACT (SEPA)

EIS Review	\$10,000.00 (SF)
SEPA Checklist	\$550.00 (SF)
SEPA Fee Schedule – Development	
Short Subdivisions	
0 to 4 Lots	\$550.00
Subdivisions	

0 to 20 Lots.....	\$650.00
21 to 50 Lots.....	\$750.00
51 to 100 Lots.....	\$900.00
Greater than 100 Lots.....	\$1,100.00
Commercial Urban Center and Highway Oriented Development Zoning or Commercial Building Permits and Multiple Family Construction in any zone	
0 to 2 Acres.....	\$550.00 (SF)
3 to 10 Acres.....	\$700.00 (SF)
11 to 20 Acres.....	\$850.00 (SF)
Greater than 20 Acres.....	\$1,100.00 (SF)
Industrial Economic Development Zoning	
0 to 2 Acres.....	\$550.00 (SF)
3 to 10 Acres.....	\$800.00 (SF)
11 to 20 Acres.....	\$1,000.00 (SF)
Greater than 20 Acres.....	\$1,200.00 (SF)
Threshold Determinations for all Other Project Actions not specifically listed.....	\$550.00 (SF)
If Developer Contacts City Contract Consultant.....	15% administration fee + direct cost

BUILDING PERMIT FEES

WORK BEGUN OR COMPLETED BEFORE PERMIT ISSUANCE

Permit Fees Double

Note: Plan Review Fees are due at time of application. Building Permit Fees are due at issuance. Building Permit Fees shall be determined using building gross area, times the square foot construction cost as determined by the International Code Council, Section 109.32 and 109.3.

Table 1-A Building Permit Fees

Valuation in dollars	Fee in dollars
0 to \$1,000	\$48.00
\$1,001 to \$2,000	\$48.00 for the first 1,000 plus \$3.45 for each additional 100 or fraction thereof
\$2,001 to \$25,000	\$82.50 for the first \$2,000 plus \$15.40 for each additional 1,000 or fraction thereof
\$25,001 to \$50,000	\$436.70 for the first \$25,000 plus \$11.10 for each additional \$1,000 or fraction thereof to and including \$50,000
\$50,001 to \$100,000	\$714.20 for the first \$50,000 plus \$7.70 for each additional \$1,000 or fraction thereof to and including \$100,000
\$100,001 to \$500,000	\$1,099.20 for the first \$100,000 plus \$6.15 for each additional \$1,000 or fraction thereof to and including \$500,000
\$500,001 to \$1,000,000	\$3,559.20 for the first \$500,000 plus \$5.25 for each additional \$1,000 or fraction thereof to and including \$1,000,000
\$1,000,001 to \$5,000,000	\$6,184.20 for the first \$1,000,000 plus \$3.40 for each additional \$1,000 or fraction thereof to and including \$5,000,000
\$5,000,001 and up	\$19,784.20 for the first \$5,000,000 plus \$2.65 for each additional \$1,000 or fraction thereof

Plan Review and Permit Processing Fees

Description	Fee or Rate
Plan review fees on all building permits requiring review unless listed below	61% of building permit fees (Standard Plan Review Fee)
Plan review fees on Commercial Plumbing and Mechanical permits requiring review	40% of plumbing or mechanical fees
Plan review fees for work done outside normal business hours shall be the normal fee plus an hourly fee with a minimum of two hours on weekdays and four hours on weekends	\$105.00 per hour or total hour cost incurred, whichever is greatest. Includes wages, benefits, overhead, supervision and equipment used.
Processing fee on all permits not requiring plan review	\$31.25
Additional plan review required by changes, additions or revisions to approved plans	\$105.00 per hour
<u>Plan review fees for residential plans to be used as a "Basic Plan" for multiple construction of identical plan</u>	<u>100% of building permit fees</u>
<u>Plan review fees for residential plans to be used for construction of additional residences after initial approval and filing of "Basic Plan" *</u>	<u>20% of standard plan review fee</u>
<p><u>* For subdivisions over 8 lots, developers intending to construct multiples of the same unit using the "Basic Plan" discount, must file two different "Basic Plan" applications to provide the community with a minimal degree of aesthetic variation in residential developments. For subdivisions over 12 lots, developers must file at least three "Basic Plans" to be provided the "Basic Plan" discount. Resolution 11-14</u></p>	

Other Fees\$1,000.00 + direct cost
 Outsource Plan Review and Inspections.....

State Building Code Council surcharge fee \$4.50 per permit plus \$2.00 per each additional dwelling unit over one.
 Exempt from the fee are plumbing, electrical, mechanical permits, permits issued to install a mobile/manufactured home,
 commercial coach or factory built structure or permits issued pursuant to the International Fire Code.

Mechanical	\$25.00
Air Conditioning Unit < 100 Btu/h.....	\$40.00
Air Conditioning Unit > 100 Btu/h.....	\$52.00
Air Conditioning Unit > 500 Btu/h.....	\$15.60
Air Handling Units.....	\$25.00
Base Mechanical Fee.....	
Boiler – for installation and relocation.....	\$26.00
Up to 3 hp/100,000 BTUs.....	\$41.65
Over 3 to 15 hp/100,000 to 500,000 BTUs.....	\$57.30
Over 15 to 30 hp/500,000 to 1,000,000 BTUs.....	\$72.95
Over 30 to 50 hp/1,000,000 to 1,750,000 BTUs.....	\$88.60
Over 50 hp/over 1,750,000 BTUs.....	\$15.60
Clothes Dryers – Gas Fired.....	\$20.00
Condensers.....	\$20.00
Ductwork (drawings required).....	\$15.60
Evaporative Coolers.....	\$15.60
Exhaust Fans.....	\$15.60
Fireplace/Insert/Stove.....	\$25.00
Forced Air Heat < 100 Btu/h.....	\$40.00
Forced Air Heat > 100 Btu/h.....	\$25.00
Gas Fired AC < 100 Btu/h.....	\$40.00
Gas Fired AC > 100 Btu/h.....	\$52.00
Gas Fired AC > 500 Btu/h.....	\$20.85
Gas Piping 1-4 units.....	\$5.20
Gas Piping > 4 units.....	\$15.60
Heat Exchangers.....	\$15.60
Heat Pump.....	\$15.60
Hot Water Heat Coils.....	\$20.85
Miscellaneous Appliance (no other fee in schedule).....	\$25.00
Range Hoods.....	\$26.00
Range/Cook top – Gas Fired.....	\$25.00
Refrigeration Unit < 10 Btu/h.....	\$40.00
Refrigeration Unit >100 Btu/h.....	\$52.00
Refrigeration Unit >500 Btu/h.....	\$105.00
Re-Inspection Fee.....	\$15.60
Amended Permit Fee.....	\$25.00
Unit Heaters < 100 Btu/h.....	\$40.00
Unit Heaters > 100 Btu/h.....	\$25.00
Wall Heaters – Gas Fired.....	\$15.60
Water Heater – Gas Fired.....	

Plumbing	\$50.00
Additional Plan Review Fees.....	\$15.60
Alteration/Repair Piping.....	\$26.00
Backflow Assembly.....	\$31.25
Base Plumbing Fee.....	\$15.60
Bath/Shower Combo.....	\$25.00
Building Main Waste.....	

Clothes Washer.....	\$15.60
Dishwasher.....	\$15.60
Drinking Fountain.....	\$15.60
Floor Drains.....	\$100.00
Grease Interceptor.....	\$25.00
Grease Trap.....	\$15.60
Hose Bibbs.....	\$15.60
Icemaker/Refrigeration.....	\$15.60
Kitchen Sink & Disposal.....	\$15.60
Laundry Tray.....	\$15.60
Lavatory.....	\$60.00
Medical Gas Piping < 5 inlets/outlets.....	\$5.00
Medical Gas Piping > 5 inlets/outlets.....	\$20.85
Miscellaneous Appliance (no other fee in schedule).....	\$15.60
Pre-Treatment Interceptor.....	\$105.00
Re-Inspection Fee (All).....	\$15.60
Roof Drains.....	\$15.60
Shower (only).....	\$15.60
Sink (bar, service, etc.).....	\$15.60
Supplemental Permit Fee.....	\$15.60
Toilets.....	\$15.60
Urinal.....	\$15.60
Water Heater.....	\$15.60

COMMERCIAL PLUMBING AND MECHANICAL PERMITS ARE REQUIRED TO SUBMIT LINE DRAWINGS.

Other Inspections and Fees:

1. Inspections outside normal business hours – per hour.....	\$140.00
(Minimum Charge 2 hours)	
2. Re-inspection Fees – Per Inspection.....	\$105.00
3. Inspections for which no fee is specifically indicated – per hour.....	\$105.00
4. Additional review required by changes, additions or revisions to plans – per hour.....	\$105.00
(Minimum Charge 1 hour)	
5. Outside building services for plan checks.....	\$1,000.00 deposit
Inspections or both.....	direct cost + 15% administrative fee
6. Inspection of structures outside City limits that may be relocated	
inside City limits.....	\$500.00 deposit + direct cost

MISCELLANEOUS BUILDING PERMITS

Demolition Permit	\$20.00
Garage/Shed.....	\$100.00
Single Family Residence.....	\$200.00
Multi-family/Commercial.....	\$15.00
Fence Permit	
Fire Alarm Systems (IFC Section 907)	
Comprehensive Fees for permit, review and inspection	
Existing System	
Tenant Improvement or System Modification	
Number of Devices ²	
1 – 2.....	\$75.00

² Note: All Central Station Monitoring must be UL or FM listed. Notification Appliances, Flow Switches, Supervisory Switches, Magnetic Door Hold-Open devices, Remote Annunciators, Pull Stations, Beam Detectors (each is one device) and other such devices.

3 - 5.....	\$125.00
6 - 10.....	\$175.00
11- 20.....	\$225.00
21- 40.....	\$300.00
41 - 100.....	\$375.00
101 - 200.....	\$475.00

Fire Alarm Systems (IFC Section 907) (Continued)

New System

Number of Devices	\$350.00
1 - 100.....	\$475.00
101 - 200.....	\$500.00 + \$50.00 per 100 additional devices
>200.....	

In addition to device (see footnote 1) fees shown, the following fees also apply:

FACP and/or Transmitter

Number of Devices (see footnote 1)	\$125.00
Replace.....	\$200.00
New.....	

Fire Marshall

Fire Code Inspection.....	direct cost
Fire Investigation.....	direct cost
Annual Fire Inspection.....	direct cost

Fire Sprinkler Systems Table E (IFC Section 903)

Tenant Improvement or System Modification Commercial

Number of Devices ³	\$75.00
1 - 2.....	\$125.00
3 - 5.....	\$175.00
6 - 10.....	\$225.00
11- 20.....	\$300.00
21- 40.....	\$375.00
41 - 100.....	\$475.00
101 - 200.....	\$575.00
201 - 300.....	\$600.00 + \$50.00 per 100 additional devices
>300.....	

New System - Commercial

Number of Sprinklers or Devices (see footnote 2)	\$375.00
1 - 100.....	\$475.00
101 - 200.....	\$600.00
201 - 300.....	\$625.00 + \$50.00 per 100 additional devices
>300.....	

New System - Residential

Number of Sprinklers	\$175.00
1 - 10.....	\$225.00
11 - 25.....	\$275.00
26 +	

*Non-required NFPA 13-D Systems Fee is 50% of the listed fees for voluntary installations.

Hood Suppression System

³ Devices include separate individual portions of a Fire Sprinkler System such as sprinklers, risers, valves and earthquake bracing but not including hangers.

Pre-Engineered.....	\$125.00
Custom Engineered.....	\$275.00
Fireworks Stand\$100.00	
Stand plus one (1) on-site sign (RCW 70.77.555).....	
Flood\$50.00	
Elevation Certificate Review.....	\$50.00
Elevation Determination.....	
Roofing\$35.00	
10 Squares or Less.....	\$45.00
11 to 25 Squares.....	\$60.00
Over 25 Squares.....	\$105.00
Inspection Fee.....	
Sign Confiscation in Public Right-of-Way\$20.00	
First Sign.....	\$40.00
Thereafter (Each).....	
Sign Permit Fee / Plan Check (Need Right of Way Permit)	
Inspection Fee.....	\$105.00
Permanent Sign.....	\$25.00
Portable Sign Permit.....	\$25.00
Structural Review.....	\$50.00
Temporary Sign.....	\$25.00 per sign for each 30 days + \$50.00 deposit
.....	deposit is refundable if signs removed within 3 working days of permit expiration
Flood Hazard Area Development Permit\$300.00	
Without a Structure.....	\$750.00
With a Structure.....	
Spray Booths (IFC 1504) and Industrial Ovens IFC Chapter 21	
<i>Note: Separate Sprinkler Permit Required</i>	
Pre-Engineered with documents.....	\$150.00
Site-Built or used without documents.....	\$250.00
Industrial Oven.....	\$250.00
Standpipe Systems (IFC Section 905)\$150.00	
Class I, II or III New and Existing.....	\$300.00
Fire Pump - Each.....	
Placement Mobile/Modular Placement	
Commercial Industrial or Residential Development	
Temporary Permit Deposit for Mobile.....	\$500.00 (refundable with conditions - Ord. 617)
Temporary Permit.....	\$125.00
Deposit (SMC 15.14.050).....	\$1,000.00 + direct cost
(Refundable if Mobile removed within one year)	
Temporary Permit (SMC 15.14.060).....	\$125.00
Renewal Fee.....	\$125.00
Permanent Placement Permit.....	\$500.00
Title Elimination - Each.....	\$50.00
Tenant Improvement	
New Commercial and/or Commercial Tenant Improvement	
Change of Use Certificate of Occupancy	

<	2,000 sq. ft.....	\$100.00
≥	2,000 sq. ft.....	\$200.00

SPECIAL BUILDING INSPECTION FEES + CALCULATED REVIEW FEE

- A. A minimum investigation fee equal to the required permit fee shall be charged pursuant to the IBC.
- B. All FHAVA and pre-move inspection within the City limits shall be \$100.00. An additional fee of \$.040 cents per mile shall be charged for inspections outside corporate limits.
- C. A Re-Inspection Fee of \$100.00 shall be charged under provisions of the IBC Section 305.

CIVIL PENALTIES / LAND USE ENFORCEMENT

Failure to Comply with Stop Work Order.....	Up to \$1,000.00 per violation + direct cost
Misdemeanor Conviction.....	\$250.00 per day per conviction + direct cost
Notice and Order to Abate (SMC 8.04.080).....	\$500.00 maximum per day/per violation
Penalty for violation of any land use ordinance by any person engaged in:	
Commercial Ventures.....	\$250.00 per day per violation + direct cost
Non Commercial Ventures.....	\$100.00 per day per violation + direct cost

PUBLIC WORKS FEES

Permit Fees Double

WORK BEGUN OR COMPLETED BEFORE PERMIT ISSUANCE

Cross Connection/Backflow Inspections and Certifications

Business/Residents are required to contract with a Licensed Backflow Assembly Tester (BAT) Yearly
First letter and First City of Sultan Staff Call or contact.....free
Second call or contact and one thereafter to assure Backflow Device is tested.....\$25.00

Driveway Permit Fee within Right of Way

Residential
Minimum 10 foot cut to a maximum of 20 foot cut.....\$100.00
Non-Residential (per engineering/development plans).....\$200.00 + direct cost
Culvert\$150.00 + direct cost

Engineering Site Plan Review (Preliminary plat submittals)
City Engineer In-House Public Works Site Development Review.....\$60.00

SITE DEVELOPMENT FEES

Plan Review Fees - When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. For the excavation and fill on the same site, the fee will be based on the volume of excavation or fill, whichever is greater.

Grading Plan Review Fees

Application Fee.....\$100.00
50 cubic yards or less.....\$110.00
51 to 100 cubic yards.....\$217.00
101 to 1,000 cubic yards *SEPA Required after 350 cubic yards.....\$359.00
1,001 to 10,000 cubic yards.....\$576.00
100,001 or more.....\$861.00 for the first 100,000 cubic yards plus \$50.00 for additional 10,000 cubic yards or fraction thereof

Other Fees

Additional plan review required by changes, additions or revisions to approved plans \$69.00 per hour (Minimum Charge 1/2 hour)
Outside Consultant Review.....Actual costs plus ten percent (15%) administrative fee

Grading Permit Fees

Grading Permit Fees - A fee for each grading permit shall be paid as set forth. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

Application Fee.....\$100.00
50 cubic yards or less.....\$189.00
51 to 1,000 cubic yards.....\$300.00
1,001 to 10,000 cubic yards.....\$300.00 for the first 1,000 cubic yards plus \$50.00 for each additional 1,000 cubic yards or fraction thereof
10,001 cubic yards or more.....\$730.00 for the first 10,000 cubic yards plus \$88.00 for each additional 10,000 cubic yards or fraction thereof
1000,001 or more.....\$929.00 for the first 100,000 cubic yards plus \$35.00 for each additional 10,000 cubic yards or fraction thereof

Other Grading Inspections and Fees	\$93.00
1. Inspections outside of normal business hours - per hour (Minimum Charge – one hour) and subsequent visits	\$62.00
2. Re-Inspection fees after 3 rd visit – per hour (and every hour thereafter)	\$62.00
3. Inspections for which no fee is specifically indicated - per hour	

Major Utility Construction	\$100.00
Plowed Cable Road	\$0.50
-Add Per lineal foot 0' - 2000'	\$0.20
-Over 2000'	

Other Major Utility & Construction of Existing Utilities

Alteration or Modification	\$350.00 + direct cost
Construction Inspection	\$1,000.00 + direct cost

Right of Way Permit

Blanket Utility Construction Per Each Activity	\$150.00
<u>Main Street Business Area (minor building maintenance or frontage improvements) Per Each Activity</u>	<u>\$100.00</u>
Application Fee	\$100.00
Permit Fee	\$100.00 + direct cost
Plan Check Fee	\$600.00 + \$0.20 per linear foot
Inspection Fee – Single Family Residence	\$50.00 + direct cost
Inspection Fee – other than Single Family Residence	\$500.00
	\$0.50 per lineal foot for asphalt/concrete cut
	\$0.30 per lineal foot for non asphalt

Sanitary Sewer Extension	\$600.00 + \$0.20 per linear foot
Plan Check	\$1,000.00 deposit + direct cost
Inspection	\$250.00
Side Sewer Permit and Inspection (single lot residential/commercial)	

Stormwater	\$600.00 + 0.20 per linear foot
Plan Check	\$1,000.00 + direct cost
Inspection	

Water	\$600.00 + 0.20 per linear foot
Plan Check	\$1,000.00 + direct cost
Inspection	

Water Fees – Miscellaneous	\$100.00
Fire Flow Meter Annual Inspection Fee	

Water Sales – WATER PURCHASED BUT NOT USED IN THE SAME CALENDAR YEAR WILL BE FORFEITED

Hydro seeding, filling swimming pools, construction dust control, supplement of private wells and other uses and services
 CUSTOMER MUST HAVE A CERTIFIED BACK FLOW DEVICE BEFORE SALE CAN TAKE PLACE, PUBLIC WORKS HAS METER AVAILABLE.

Inspection Fee – Regular Business Hours - Each Occurrence	\$105.00
Inspection Fee – After Business Hours - Each Occurrence	\$180.00
Per 1,000 gallons	\$50.00
Deposit for Backflow Device	\$100.00

Water Service Disconnect/Re-Connect

After Hours Reconnection for Accounts Disconnected for Non Payment (after 4 pm)	\$100.00
Emergency	

during regular business hours.....	Free
after regular business hours.....	\$25.00
Lock Replacement (labor charge doubles after 4pm).....	\$150.00 equipment + \$50.00 labor
Meter Installation (labor charge doubles after 4pm).....	\$50.00
Meter Replacement (labor charge doubles after 4pm).....	\$400.00 equipment + \$50.00 labor
Non-Payment Disconnect/Re-Connect Fee.....	\$50.00
Request Disconnection/Re-Connect	
Regular Business Hours for repairs or vacancy (8 am to 4 pm) – each occurrence.....	\$50.00
After Regular Business Hours for repairs or vacancy (after 4 pm) – each occurrence.....	\$100.00

See Additional Water and Sewer Utility Rates and Fees in attached Ordinance No. 1056-09 and Ordinance No. 1124-11

Water and Sewer Connection Fees

Water Connection Fee.....	\$3,694.00
Sewer Connection Fee.....	\$12,895.00

Sewer Special Assessment

North Wagley Creek Basin Charge (Ordinance No. 707-99).....	\$260.00/ residential unit
Charge in lieu of Assessment (Ordinance No. 791-02).....	\$.38/sqft building area or \$260.00/residential unit

Cemetery Fees

All charges are due and payable at the time of service. All burials include tent, greens and chairs.

Ash and Infant lot.....	\$904.80
Ash Burial on Existing Lot.....	\$760.50
Burial lot (Full & Junior).....	\$1,509.30
Endowment Care (applies to all lots in the cemetery including columbarium spaces).....	\$350.00
Liner (Full).....	\$525.00
Liner (Junior/Infant).....	\$300.00
Liner (Ash).....	\$180.00
Niche Wall Purchase.....	\$520.00
Niche Wall Open/Close.....	\$130.00
Niche Wall Shutter Headstone Setting Fee.....	\$65.00
Open/Close of grave (Full/Junior).....	\$1,107.60
Open/Close of grave (Ash/Infant).....	\$703.95
Saturday Services (Full/Junior).....	\$1,407.90
Saturday Services (Ash/Infant).....	\$926.25
Sunday/Holiday Services (Full/Junior).....	\$1,850.55
Sunday/Holiday Services (Ash/Infant).....	\$1,277.25

SETTING HEADSTONES

<u>By City Staff</u>	
12 x 24 Flat.....	\$155.00
12 x 36 and above Flat.....	\$232.00
Pillow Top.....	\$232.00
Upright – Height six inches or less.....	\$310.00
Upright – Height above six inches.....	\$516.00
<u>By Others</u> – Must have proof of insurance	
Permit.....	\$150.00
Inspection Fee.....	\$105.00
Resetting/Repair of Headstone Base.....	\$150.00 deposit + direct cost

Setting Fee for Liners Purchased from Others.....\$100.00
Administrative Fee on Services.....15%

MISCELLANEOUS FEES

Animal Control

(All Annual Fees subject to additional fee of \$ 10.00 if renewed after February 1st of each year)

(All License Fees are Per Animal)

SMC 6.04.100 Fees:

- A. Fees for the annual license for each shall be set by resolution. All charges and penalties paid in accordance with the terms of this chapter shall be paid to the Sultan City Clerk or designee.
- B. All licenses shall expire on the first day of the following year in which the license is issued.

Annual Dog/Cat (SMC 6.04/070)License Fees:	\$16.00
Altered.....	\$14.00
Altered (Senior Citizen Rate).....	\$8.00
Altered – Micro-Chipped.....	\$7.00
Altered (Senior Citizen Rate) – Micro-Chipped.....	\$36.00
Unaltered.....	\$34.00
Unaltered (Senior Citizen Rate).....	\$18.00
Unaltered – Micro-Chipped.....	\$17.00
Unaltered (Senior Citizen Rate) – Micro-Chipped.....	\$5.00
Replacement for Lost/Damaged Tags (Each Time).....	

Impound Fees

.....	\$30.00
1st Offense.....	\$55.00
2nd Offense.....	\$110.00
3rd & Subsequent Offense.....	\$5.00
Post Notice of Impound.....	\$10.00
Room / Board for Animal (Per Day Monday through Friday).....	\$25.00
Room / Board for Animal (Per Day Saturday and Sunday).....	\$25.00
Impound Fees for Cost Recovery	

Concealed Weapons Permits – Set by WA State DOL, Firearms Division

.....	\$42.00
Late Renewal.....	\$55.25 <u>\$52.50</u>
Original Application.....	
Renewal\$32.00.....	\$10.00
Replacement.....	\$79.00 <u>\$82.50</u>
Resident Alien.....	\$510.00
Fingerprinting – Per Person.....	1 st 10 pages free and .25 <u>.15</u> per page after
Police Records.....	

Parking Violations

.....	\$23.50
Overtime Parking (if paid within 5 days of issuance).....	\$47.00
Overtime Parking (if not paid within 5 days of issuance).....	\$50.00
Parking in Fire Lane, Tow-Away Zone, Loading Zone or Obstruction of Traffic.....	\$250.00
Penalty for unauthorized use or disabled parking.....	\$47.00
All Other Parking Infractions.....	

Other Municipal Services

.....	\$35.00
Adopt-a-Street/Adopt-a-Park (personalized signs).....	\$15.00
Annual Report	\$10.00
Authorization to Bill Tenant Processing Fee (per authorization).....	\$20.00
Budget Report	\$50.00
Business License Renewal.....	\$50 <u>\$25.00</u>
Business License.....	

Comprehensive Plan - Land Use - Each.....	\$75.00
Comprehensive Plan - Land Use - CD - Each.....	\$35.00

Other Municipal Services (Continued)

Comprehensive Plan - Land Use Updates.....	direct cost
Copies of Records - Per Page.....	\$.15
Copies of Records (Other).....	direct cost
Engineering Water/Sewer Design Standards.....	\$50.00
CD - Each.....	\$5.00
CD - Each.....	\$1.00
Fax (per page).....	\$5.00
Fee Schedule.....	\$60.00
Municipal Code Book - Each Hard Copy.....	
Municipal Code CD.....	\$5.00
Notary Service Fees - Per Document.....	\$10.00
NSF Charge.....	\$35.00
Passports	
Passport Fee - Per Application - Adult (set by US Department of State Homeland Security).....	\$110.00
Passport Fee - Per Application - Child (set by US Department of State Homeland Security).....	\$80.00
Passport Card - Per Application - Adult (set by US Department of State Homeland Security).....	\$30.00
Passport Card - Per Application - Child (set by US Department of State Homeland Security).....	\$15.00
Passport Acceptance Fee - Per Application (set by US Department of State Homeland Security).....	\$25.00
Passport Photo Fee (2 pictures).....	\$10.00
Maps - Per Page.....	direct cost
Map Reproduction.....	direct cost
Road Design Standards - Each.....	\$5.00
Secondary Billing Fee.....	\$10.00
Sultan Lapel Pins.....	\$3.00
Utility Billing Landlord fee.....	\$10.00
Water/Sewer/Stormwater Plan - Each.....	\$75.00
CD - Each.....	\$5.00
Maps - Each.....	\$5.00
Zoning Map (11 x 17).....	\$5.00
Zoning Map (24 x 36).....	\$15.00

PARK & FACILITY USE FEES

ALL FACILITY RENTALS REQUIRE A \$100.00 DAMAGE DEPOSIT

COMMUNITY BASED NON-PROFIT GROUPS MUST PROVIDE PROOF OF NON-PROFIT STATUS TO QUALIFY FOR DISCOUNTED RATES.

CANCELLATIONS MUST BE MADE AT LEAST 30 DAYS PRIOR TO EVENT. THE COST WILL BE REFUNDED MINUS A \$10.00 ADMINISTRATION COST. NO REFUND WILL BE GIVEN IF CANCELLATION IS LESS THAN 30 DAYS. A \$50.00 FEE IS CHARGED FOR ALL RETURNED CHECKS.

The City of Sultan complies with the State of Washington's "Fair Play in Community Sports Act" (Chapter 467, 2009 Laws, effective date July 26, 2009) that prohibits discrimination against any person in a community athletics program on the basis of sex. Any questions or comments please contact Connie Dunn, Public Works Director at 360.793.2231.

IN LIEU OF FEES, GROUPS/ORGANIZATIONS MAY DONATE AN EQUIVALENT NUMBER OF VOLUNTEER HOURS FROM CITY APPROVED VOLUNTEER TASK LIST.

RIVER PARK PAVILION:

Community based non-profit Groups/Organizations.....	\$50.00
City Sponsored Events.....	no charge
Non-profit Youth/School Groups.....	\$50.00
Other Individuals/Groups.....	\$100.00

REESE PARK, SPORTSMAN'S PARK & OSPREY PARK:

Reserved Shelter/Basketball Court:	
Individual/Groups/Organizations (Events – without field use).....	\$50.00
Individual/Groups/Organizations (Events – with field use).....	\$75.00
Reserve Volley Ball Net (Sportsman's Park only).....	free w/\$50.00 deposit

ALL FIELDS:

Administrative Fees

All groups scheduling under 75 games/practices.....	\$50.00
All groups scheduling 76-200 games/practices.....	\$100.00
All groups scheduling over 201 games/practices.....	\$150.00

Field Use Fees

Softball/Baseball

Adult League Play – per game.....	\$20.00
Youth League Play – per game.....	\$10.00
Adult Practice – per hour.....	\$6.00
Youth Practice – per hour.....	\$3.00

Soccer

League Play – per game.....	\$20.00
Youth League Play – per game.....	\$10.00
Adult Practice – per hour.....	\$6.00
Youth Practice – per hour.....	\$3.00

Tournament Policy Fees

Reservation Fee

Field Use Fees

Softball/Baseball

Adult Tournament Play – per game.....	\$100.00
Youth Tournament Play – per game.....	\$20.00

Soccer

Adult Tournament Play – per game.....	\$20.00
Youth Tournament Play – per game.....	\$10.00

COMMUNITY ROOM - Requires Additional \$10.00 key deposit

Inter-jurisdictional Groups (Sno-Isle, County, Cities etc.).....	free
All Other Groups/Organizations	
Meetings less than 2 hours.....	\$20.00
Meetings over 2 hours.....	\$50.00

ORDINANCES

**ESTABLISHING WATER, SEWER, GARBAGE,
STORMWATER FEES**

CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1157-12

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, REPEALING
ORDINANCE NO. 1128-11, ADOPTING A CORRECTED WATER RATE
SCHEDULE; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, pursuant to RCW 35.92.010 and RCW 35.92.025 the City through its legislative authority has the power and authority to establish rates for water service; and

WHEREAS, in 2009 the City conducted an investigation of the reasonable rates required to provide water service now and in the future; and

WHEREAS, the City established rates by Ordinance No. 1043-09 that were reasonable and necessary to operate its water system from December 1, 2008 through December 1, 2013; and

WHEREAS, as part of the discussion of the 2012 Water Operating Fund the city council considered postponing the \$77,000 expenditure for electronic water meters until 2013 in order to reduce the proposed water rate increase effective December 1, 2011 from 11.25% to 2.27% ; and

WHEREAS, Ordinance No. 1128-12 adopted a new rate schedule effective February 1, 2012 which reduces anticipated water rate revenues and effectively postpones the water meter purchase and installation until 2013; and

WHEREAS, Ordinance No. 1128-12 contained a Scribner error regarding volume rate allowances; and

WHEREAS, it was not the intent of the Council to change the volume rate allowances from the prior Ordinance 1043-09; and

WHEREAS, the water customers have been billed in accordance with the volume rate allowances as provided for in Ordinance 1043-09;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1 Establishment of fees and charges for water service. Water rates are hereby established for the following categories of service as follows:

1. The words and phrases set out in this section are defined as follows:
 - A. "Low income senior citizen" means persons 62 years of age or older, on or before January 31st of the year of the filing for the discount. Low income is based on 125 percent of the federal poverty guidelines.

B. "Base rate" means the minimum monthly charge for water service.

C. "Rate" equals monthly base rate plus volume rate for each additional 100 cubic feet.

D. "Monthly base rate" is the rate tabulated in the two water rate schedules below. The rates differ for service within the city's corporate limits and without the city's corporate limits.

E. "Volume rate for each additional 100 cubic feet" refers to the applicable rate whether within the city's corporate limits or without for each additional 100 cubic feet or fraction thereof of water usage over the allowance set by the city council for the customer's unit.

2. For residential and commercial service inside the city limits all rates are per dwelling or commercial unit. An accessory dwelling unit is considered a dwelling unit.

RESIDENTIAL WATER CONNECTIONS LOCATED <u>WITHIN</u> THE CITY'S CORPORATE LIMITS							
Effective Date:	12/1/2008	12/1/2009	12/1/2010	2/1/2012	12/1/2012	12/1/2013	12/1/2014
Single-Family (includes duplex)							
Base Rate	\$25.25	\$28.09	\$31.25	\$31.96	\$34.77	\$36.16	\$37.61
Volume Rate/100 cf > 600 ccf "allowance"	\$2.28	\$2.54	\$2.83	\$2.89	\$3.15	\$3.28	\$3.41
Low-Income Senior	12/1/2008	12/1/2009	12/1/2010	2/1/2012	12/1/2012	12/1/2013	12/1/2014
Base Rate	\$12.63	\$14.05	\$15.63	\$15.99	\$17.39	\$18.09	\$18.81
Volume Rate/100 cf > 600 ccf "allowance"	\$2.28	\$2.54	\$2.83	\$2.89	\$3.15	\$3.28	\$3.41
Multifamily							
Base Rate/Unit	25.25	\$24.52	\$27.28	\$27.90	\$30.35	\$31.57	\$32.83
Volume Rate/100 cf > 300 ccf "allowance"	\$2.28	\$2.54	\$2.83	\$2.89	\$3.15	\$3.28	\$3.41
Mobile Home Parks							
Base Rate/Unit	25.25	\$24.52	\$27.28	\$27.90	\$30.35	\$31.57	\$32.83
Volume Rate/100 cf > 300 ccf "allowance"	\$2.28	\$2.54	\$2.83	\$2.89	\$3.15	\$3.28	\$3.41

COMMERCIAL WATER CONNECTIONS LOCATED <u>WITHIN</u> THE CITY'S CORPORATE LIMITS							
Effective Date:	12/1/2008	12/1/2009	12/1/2010	2/1/2012	12/1/2012	12/1/2013	12/1/2014
Base Rate by Meter							
3/4" Meter	\$27.25	\$30.32	\$33.73	\$34.50	\$37.53	\$39.03	\$40.59
1" Meter	\$38.15	\$42.44	\$47.21	\$48.28	\$52.53	\$54.63	\$56.82
1.5" Meter	\$49.05	\$54.57	\$60.71	\$62.09	\$67.55	\$70.25	\$73.07
2" Meter	\$79.03	\$87.92	\$97.81	\$100.03	\$108.83	\$113.18	\$117.72
3" Meter	\$299.75	\$333.47	\$370.99	\$379.42	\$412.78	\$429.28	\$446.49
4" Meter	\$381.50	\$424.42	\$472.17	\$482.90	\$525.36	\$546.36	\$568.27
6" Meter	\$572.25	\$636.63	\$708.25	\$724.34	\$788.03	\$819.53	\$852.39
8" Meter	\$790.25	\$879.15	\$978.05	\$1,000.27	\$1,088.22	\$1,131.72	\$1,177.10
Volume Rate/100 cf > 600 ccf "allowance"	\$2.28	\$2.54	\$2.83	\$2.89	\$3.15	\$3.28	\$3.41

3. For residential and commercial service outside the city limits, the charges shall be one hundred fifty percent (150%) of the standard in-city rate as established by the city council. "Outside of the city limits" shall mean any property that qualifies for one or more of the following:

- A. A majority of the property is situated outside of city limits
- B. A majority of fixtures on the property are outside of city limits; or
- C. A majority of the value of improvements is outside city limits

RESIDENTIAL WATER CONNECTIONS LOCATED <u>OUTSIDE</u> THE CITY'S CORPORATE LIMITS							
Effective Date:	12/1/2008	12/1/2009	12/1/2010	2/1/2012	12/1/2012	12/1/2013	12/1/2014
Single-Family (includes duplex)							
Base Rate	\$37.88	\$42.14	\$46.88	47.94	\$52.15	\$54.24	56.41
Volume Rate/100 cf > 600ccf allowance	\$3.42	\$3.80	\$4.23	4.33	\$4.71	\$4.90	\$5.10
Low-Income Senior				0.00			
Base Rate	\$18.95	\$21.08	\$23.45	23.98	\$26.09	\$27.13	\$28.22
Volume Rate/100 cf > 600ccf allowance	\$3.42	\$3.80	\$4.23	4.33	\$4.71	\$4.90	\$5.10

RESIDENTIAL WATER CONNECTIONS LOCATED OUTSIDE THE CITY'S CORPORATE LIMITS							
Effective Date:	12/1/2008	12/1/2009	12/1/2010	2/1/2012	12/1/2012	12/1/2013	12/1/2014
Multifamily							
Base Rate/Unit	37.88	\$36.78	\$40.92	\$41.85	\$45.53	\$47.35	\$49.25
Volume Rate/100 cf > 300 ccf "allowance"	\$3.42	\$3.80	\$4.23	22.53	\$4.71	\$4.90	\$5.10
Mobile Home Parks							
Base Rate/Unit	37.88	\$36.78	\$40.92	\$41.85	\$45.53	\$47.35	\$49.25
Volume Rate/100 cf > - 300 ccf "allowance"	\$3.42	\$3.80	\$4.23	22.53	\$4.71	\$4.90	\$5.10

COMMERCIAL WATER CONNECTIONS LOCATED OUTSIDE THE CITY'S CORPORATE LIMITS							
Effective Date:	12/1/2008	12/1/2009	12/1/2010	2/1/2012	12/1/2012	12/1/2013	12/1/2014
Base Rate by Meter							
3/4" Meter	\$40.88	\$45.48	\$50.60	\$51.75	\$56.30	\$58.55	\$60.90
1" Meter	\$57.23	\$63.67	\$70.83	\$72.44	\$78.81	\$81.96	\$85.24
1.5" Meter	\$73.58	\$81.86	\$91.07	\$93.14	\$101.32	\$105.38	\$109.60
2" Meter	\$118.55	\$131.89	\$146.73	\$150.06	\$163.25	\$169.78	\$176.59
3" Meter	\$449.63	\$500.21	\$556.48	\$569.11	\$619.14	\$643.90	\$669.72
4" Meter	\$572.25	\$636.63	\$708.25	\$724.33	\$788.00	\$819.52	\$852.38
6" Meter	\$858.38	\$954.95	\$1,062.38	\$1,086.50	\$1,182.00	\$1,229.28	\$1,278.57
8" Meter	\$1,185.38	\$1,318.74	\$1,467.10	\$1,500.40	\$1,632.29	\$1,697.58	\$1,765.65
Volume Rate/100 cf > 600 ccf "allowance"	\$3.42	\$3.80	\$4.23	4.23	\$4.71	\$4.90	\$5.10

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 13th DAY OF SEPTEMBER, 2012.**

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Date of Publication:

Effective Date:

CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1124-11

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
REPEALING ORDINANCE NO. 1056-09 ADOPTING A NEW
DECREASED WATER GENERAL FACILITIES CHARGE;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, pursuant to RCW 35.92.010 and RCW 35.92.025 the City through its legislative authority has the power and authority to establish rates for water service and also to establish a reasonable connection charge as a condition to granting the right to connect to the City's water system; and

WHEREAS, the city council adopted Ordinance No. 1056-09 effective August 22, 2009 establishing the water general facilities charge ("connection charge") per equivalent residential unit at \$6,199 if paid after November 30, 2009; and

WHEREAS, the City has completed the 2010 Water System Plan in accordance with the Washington Administrative Code 246-290-100 which requires water purveyors to update their water system plans every six years; and

WHEREAS, the City of Sultan held first reading on October 27, 2011 to adopt the 2010 Water System Plan; and

WHEREAS, as a part of the 2010 Water System Plan analysis, the City has conducted an investigation of the historic costs of its water system and of interest and other factors influencing that cost for the purpose of determining an appropriate connection charge; and

WHEREAS, the City wishes to establish charges that reflect the equitable share of the cost of the system for connection to the system; and

WHEREAS, the City of Sultan held a public hearing on September 22, 2011 and received no public comment on adopting the 2010 Water System Plan and decreasing the general facilities charge to connect to the City's water system from \$6,199 to \$3,694;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Establishment of the Water General Facilities Charge. The Water General Facilities Charge is hereby imposed on all parties seeking to connect to the water system a water general facilities charge as follows:

1. The charge per equivalent residential unit shall be, if paid before the city's close of business on November 30, 2011, \$6,199. If paid thereafter, the charge per equivalent residential unit shall be \$3,694.
2. The GFC may be adjusted annually during the budget process to capture capital costs from the 6-year Capital Improvement Plan (CIP) and changes in the Engineering News Record Construction Cost Index
3. A \$1,000 additional charge shall be assessed for water meter, installation and inspection for units not within an approved development or plat.
4. A \$300.00 additional charge shall be assessed for water meter, installation and inspection for units within an approved development or plat.
5. The charges imposed by this subsection shall be in addition to any charges due under an approved latecomer or cost recovery contract.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication, but no sooner than December 1, 2011.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 10th DAY OF November, 2011.**

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1116-11**

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, ADOPTING A NEW INCREASED SEWER GENERAL FACILITY CHARGE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, 35.92.025 RCW allows municipalities to charge a connection fee so that property owners connecting to the sewer system bear their equitable share of the cost of the system; and

WHEREAS, the establishment of City sewer fees and charges are authorized in Section 13.08.030 of the Sultan Municipal Code; and

WHEREAS, the City of Sultan has a general facility charge imposed on all parties seeking to connect to the sewer system to capture the historic cost of the system; and

WHEREAS, in 2007, the City Council revised the methodology for calculating the sewer general facility charge to include capital investments made to the sewer system; and

WHEREAS, the city evaluated the historic value of the sewer system as a part of the 2010 General Sewer Plan and the impact on the general facility charge using the financial analysis prepared by FCS Group as the basis for the analysis; and

WHEREAS, based on the analysis by FCS Group, the city calculated the value of the sewer system and the available equivalent residential units provided by the system and determined the value of the general facility charge increased from \$11,282 to \$12,895; and

WHEREAS, the Planning Board evaluated and discussed increasing the general facility charge on September 6, 2011, September 20, 2011 and October 4, 2011 and held a public hearing in accordance with RCW 36.70A.035 on September 20, 2011; and

WHEREAS, the City Council evaluated and discussed increasing the general facility charge on February 26, 2011 and March 3, 2011, and held a public hearing on October 13, 2011; and

WHEREAS, the City Council considered a recommendation from the Planning Board and members of the public to postpone the proposed increase to the general facilities charge and has determined that it is in the best interests of the City to increase the sewer general facility charge effective January 1, 2013 consistent with RCW 35.92.025;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Establishment of General Facility Charge. A sewer general facility charge is hereby imposed on all parties seeking to connect to the sewer system as follows:

1. The charge per equivalent residential unit shall be, if paid before the city's close of business on December 31, 2012, \$11,282. If paid thereafter, the charge per equivalent residential unit shall be \$12,895.

2. The GFC may be adjusted annually during the budget process to capture capital costs from the 6-year Capital Improvement Plan (CIP) and changes in the Engineering News Record Construction Cost Index

3. The charges imposed by this subsection shall be in addition to any charges due under an approved latecomer or cost recovery contract.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 10th DAY OF NOVEMBER 2011.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed by the City Council:

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1137-12**

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
ADOPTING SEWER RATES FOR 2012 TO 2014; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the sewer utility is an enterprise fund and all enterprise funds are required to collect sufficient revenues to cover expenses; and

WHEREAS, the City has an obligation to pay assessments for ten parcels for LID 97-1; and

WHEREAS, on February 4, 2012 at the Budget Retreat, the Council discussed payment of the assessments over a three year period and considered alternatives that included leaving the monthly sewer rates at the current \$74.47; and

WHEREAS, based on the discussion on February 4, 2012, the Council has proposed to continue the current monthly charge of \$74.47 for sewer until 2014;

WHEREAS, the City Council has completed the update to the General Sewer Plan and will need to conduct a rate study based upon the revised Plan in 2013; and

WHEREAS, the City Council wants to ensure the sewer utility collects sufficient revenues to cover expenses until a rate study can be conducted based on the updated General Sewer Plan; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Establishment of fees and charges for sewer service as follows:

A. Sewer Rates. Sewer rates are hereby established for the following categories of service beginning on the effective dates as indicated as follows:

SEWER RATE SCHEDULE			
Effective Date	12/1/2012	12/1/2013	12/1/2014
RESIDENTIAL (flat rate)			
Single Family	\$74.47	\$74.47	\$74.47
Low-income Senior	\$37.24	\$37.24	\$37.24
Multi-family	\$74.47	\$74.47	\$74.47
Mobile Home Parks	\$74.47	\$74.47	\$74.47
COMMERCIAL (base rate by meter + volume)			
¾" meter	\$74.47	\$74.47	\$74.47
1" meter	\$103.06	\$103.06	\$103.06

1.5" meter	\$131.65	\$131.65	\$131.65
Effective Date	12/1/2012	12/1/2013	12/1/2014
2" meter	\$209.47	\$209.47	\$209.47
3" meter	\$798.20	\$798.20	\$798.20
4" meter	\$1,003.62	\$1,003.62	\$1,003.62
6" meter	\$1,503.92	\$1,503.92	\$1,503.92
8" meter	\$2,075.70	\$2,075.70	\$2,075.70
Volume Rate/100 cf	\$3.15	\$3.15	\$3.15
600 cf Volume included in Base			

Rate equals monthly base rate plus for commercial - a volume rate for each additional 100 cubic feet.

"Monthly base rate" is the rate tabulated in the sewer rate schedule.

"Volume rate for each additional 100 cubic feet" refers to the rate for each additional 100 cubic feet or fraction thereof of water usage over the first 600 cubic feet for the customer's unit.

All rates are per dwelling or commercial until. An accessory dwelling unit is considered a dwelling unit.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect five days after publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON 21st DAY OF FEBRUARY, 2012.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Date of Publication:

Effective Date:

**CITY OF SULTAN
WASHINGTON**

ORDINANCE NO. 1074-10

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
ADOPTING GARBAGE RATES; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the garbage utility is an enterprise fund and all enterprise funds are required to collect sufficient revenues to cover expenses; and

WHEREAS, the City Council adopted interim garbage rates by Ordinance No. 1014-09 in 2008 pending the completion of a Garbage Rate Study; and

WHEREAS, the City Council authorized and budgeted a Garbage Rate Study in 2009; and

WHEREAS, increasing garbage rates and charges is necessary to meet the Council's objectives in the utility including adopting a cost-of-service model; establishing a 45-day operating reserve; and saving sufficient revenues from rates to replace the current garbage truck in 2015 without debt financing; and

WHEREAS, the City of Sultan discussed proposed garbage rate changes at the City Council meetings on January 28, 2010; February 25, 2010; March 11, 2010; and March 25, 2010; and

WHEREAS, the city notified customers of the proposed rate changes in the February, 2010 and March, 2010 utility bills and issued news releases to the news media and city electronic list-serve members; and

WHEREAS, the city received public comment on the proposed interim increase to rates and charges; and

WHEREAS, RCW 35.21.157 requires notification of rate increases for "solid waste collection" either mailed to each affected ratepayer or published once a week for two consecutive weeks in a newspaper of general circulation in the collection area at least forty-five days prior to the proposed effective date of the rate increase;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON,
DO ORDAIN AS FOLLOWS:

Section 1. Establish rates and charges for garbage service as follows:

- 1. Garbage Rates and Charges for Single-Family, Multi-Family and Commercial Service**

Rate Class	Existing Rates	July 2010	July 2011	July 2012	July 2013	July 2014	July 2015
R1 - Monthly 32-gallon	\$ 6.66	\$ 8.73	\$10.10	\$10.50	\$10.82	\$ 11.14	\$ 1.47
R2 - Semimonthly 32-gallon	10.43	12.37	13.21	13.73	14.15	14.57	15.01
R4 - Weekly 32-gallon	17.95	20.08	20.46	21.28	21.92	22.57	23.25
R8 - Weekly - 2-32-gallon	40.54	33.93	35.29	36.35	37.44	38.56	39.39
CW - Weekly 32-gallon	17.95	20.16	20.46	21.28	21.92	22.57	23.25
C12 - Semimonthly 1-yard	33.30	42.59	48.35	50.28	51.79	53.34	54.94
C14 - Weekly 1-yard	66.60	84.20	94.72	98.51	101.47	104.51	107.65
C18 - Semiweekly 1-yard	131.76	163.31	180.85	188.08	193.73	199.54	205.53
C22 - Semimonthly 2-yard	66.60	72.72	73.20	75.63	77.90	80.23	82.64
C24 - Weekly 2-yard	131.76	146.65	147.53	153.44	158.04	162.78	167.66
C28 - Semiweekly 2-yard	264.96	286.48	289.81	297.93	306.87	316.08	325.56
C32 - Semimonthly 3-yard	99.90	97.09	100.98	103.81	104.01	107.13	110.34
C34 - Weekly 3-yard	198.36	200.35	208.36	209.90	214.61	221.05	227.68
C38 - Semiweekly 3-yard	398.17	392.10	407.78	416.31	420.02	432.62	445.60
Extra Garbage	10.14	11.46	11.70	12.17	12.54	12.91	13.30
Low Income Senior Rate Weekly 32-gallon	8.34	10.04	10.23	10.64	10.96	11.29	11.63

Garbage rates for mobile home parks will be in accordance with separate agreements with the City of Sultan.

2. **CALL BACK - due to garbage not placed out in time or obstructed**
 - Can pickup charge.....\$21.00
 - Dumpster pickup charge (Equal to 3 extra can charge).....\$36.00

3. **Temporary Dumpsters (Maximum use is 15 days as defined in SMC 13.16.055)**
 - Damage Deposit (Required to be paid before delivery).....\$105.00
 - 1 yard dumpster.....\$150.00
 - 2 yard dumpster.....\$180.00
 - 3 yard dumpster.....\$105.00
 - Delivery/Pickup (each service).....\$40.50
 - Pickup of 1 yard dumpster (each time).....\$81.00
 - Pickup of 2 yard dumpster (each time).....\$121.50
 - Pickup of 3 yard dumpster (each time).....\$121.50

4. **Dumpster Leases**

All multi-family units within the City of Sultan will be required to have a dumpster(s) sized to meet the requirement of SMC 13.16.050(A). No permanent dumpsters are allowed at single-family or duplex units.

Dumpsters shall be owned by the City and leased to the users. Maintenance and repair shall be the responsibility of the City.

Deposit:	
1 yard dumpster	\$105.00
2 yard dumpster	\$150.00
3 yard dumpster	\$180.00
Monthly lease (billed monthly)	
1 yard dumpster	\$10.50
2 yard dumpster	\$17.50
3 yard dumpster	\$20.70
Pick Up/Delivery Fee (each service)	\$105.00

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force on July 1, 2010.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 8th DAY OF APRIL, 2010.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Published: April 21, 2010
Effective: July 1, 2010

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1170-13**

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
ESTABLISHING THE STORMWATER UTILITY FEE; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

Whereas, the Federal Clean Water Act, 33 U.S.C. 1251 et seq., requires certain political entities, such as the City, to implement stormwater management programs within prescribed time frames, and the Environmental Protection Agency, pursuant to the Federal Clean Water Act, 33 U.S.C. 1251 et seq., has published rules for stormwater outfall permits; and

Whereas, pursuant to RCW Ch. 35 A.11, Ch. 35.67 and Ch. 35.92, the City has the authority to establish a Stormwater Utility and set utility rates; and

Whereas, by Ordinance No. 986-08 the City adopted a Stormwater Utility rate structure levied upon all developed real property within the boundaries of the utility; and

Whereas, the rate structure adopted by Ordinance No. 1123-11 was effective December 1, 2009 through May 31, 2013; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1: Stormwater Utility Fee. In accordance with the rate structure established herein, there is hereby levied upon all developed real property within the boundaries of the Utility the following Stormwater Utility Fee:

- 1) For all single-family residences and detached single-family condominiums, the monthly Stormwater Utility Fee shall be the fee established and approved for 1.00 ERU.
- 2) For two-, three- and four-family residential property, the monthly stormwater utility fee shall be the fee established and approved for 1.75 ERUs.
- 3) For all other developed property including commercial, institutional, manufacturing, multi-family greater than four (4) residences, attached condominiums of greater than four (4) units and mobile home parks within the boundaries of the Utility, except as exempt under Section 4 below, the monthly Stormwater Utility Fee is determined by dividing the total square feet of impervious surface on the subject property by one ERU.

By way of illustration:

12,500 square feet of impervious surface / 4,519 square feet (1 ERU) = 2.77 ERU

STORMWATER MONTHLY RATE SCHEDULE PER TAX PARCEL				
	06/01/2013	06/01/2014	06/01/2015	06/01/2015
RESIDENTIAL PARCELS				
Single Family	\$9.25	\$9.53	\$9.81	\$10.11
Low-Income Senior (50% SFR rate)	\$4.63	\$4.77	\$4.91	\$5.06
Two-, three-, and four-family residential units	\$9.35	\$9.63	\$9.92	\$10.22

COMMERCIAL, INSTITUTIONAL, MANUFACTURING, MULTI-FAMILY (GREATER THAN 4 UNITS) AND MOBILE HOME PARKS				
Base Rate by Equivalent Residential Unit (ERU)				
The calculated ERU is 4,519 square feet				
< 1 ERU-1.0 ERU	\$9.25	\$9.53	\$9.81	\$10.11
1.01-5.00 ERU	\$9.35	\$9.63	\$9.92	\$10.22
5.01-10.00 ERU	\$9.45	\$9.73	\$10.03	\$10.33
10.01-15.00 ERU	\$9.55	\$9.84	\$10.13	\$10.44
15.01 – 20.00 ERU	\$9.65	\$9.94	\$10.24	\$10.54
20.01 – 25.00 ERU	\$9.75	\$10.04	\$10.34	\$10.65
25.01 – 50.00 ERU	\$9.85	\$10.15	\$10.45	\$10.76
50.01-100.00 ERU	\$9.95	\$10.25	\$10.56	\$10.87
> 100.00 ERU	\$10.05	\$10.35	\$10.66	\$10.98

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication, but no sooner than June 1, 2013.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9th DAY OF MAY 2013..

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney

Date of Publication: May 14, 2013
Effective Date: June 1, 2013

CITY OF SULTAN
ORDINANCE NO. 1131-12

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
TO ADOPT RECYCLE SERVICE RATES; PROVIDING FOR SEVERABILITY;
AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS the City has entered into a contract with Allied Waste to provide recycling services within the city;
and

WHEREAS, the rates may be adjusted on annual basis based on the Consumer Price Index (CPI) in
accordance with the contract with Allied Waste;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. Establish rates and charges for recycle service as follows:

1. Recycling
(Per Dwelling Unit Per Month)
Single family detached and multi-family units
(duplex, triplex, and fourplex).....\$ 8.85
64 or 96 gallon toter.....

- Multi-family units of five units or larger.....\$ 8.85
64 or 96 gallon toter/unit.....\$ 4.43
Qualified low income senior citizens.....\$8.40
Yard Waste Voucher (per pickup).....

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its
application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or
should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or
pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other
persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall
take effect and be in full force on January 1, 2012.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 26th DAY OF
JANUARY 2012.

CITY OF SULTAN

Carolyn Estick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Margaret J. King, City Attorney

Passed: 1-26-12

Published:

Effective:

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM #: Action A 3
DATE: December 12, 2013
SUBJECT: Ordinance 1186-13 - 2013 Budget Amendments
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

ISSUE:

The issue before the Council is to introduce Ordinance 1186-13 to amend the 2013 Budget. A public hearing was held during the December 12, 2013 Council meeting.

STAFF RECOMMENDATION

Staff recommends the council introduce Ordinance 1186-13 amending the 2013 Budget for a first reading.

SUMMARY STATEMENT:

A public hearing on the proposed amendments to the 2013 Budget was held on December 12, 2013 during the regular Council meeting. Agenda Item PH 2 provides the details of the proposed budget amendments.

RECOMMENDED ACTION:

Introduction of Ordinance 1186-13 to amend the 2013 Budget.

Attachments: A. Ordinance 1186-13 – 2013 Budget Amendment

**CITY OF SULTAN
SULTAN WASHINGTON
ORDINANCE 1186-13**

**AN ORDINANCE OF THE CITY OF SULTAN AMENDING THE 2013 BUDGET
ADOPTED UNDER ORDINANCE 1164-12 AND AMENDED UNDER ORDINANCE
1167-13; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE**

WHEREAS, the City is required under state law to have a balanced budget; and

WHEREAS, the 2013 budget was adopted under Ordinance 1164-12 in December 2012, amended under Ordinance 1167-13 in April 2013; and

WHEREAS, it is necessary to amend the budget to adjust for unanticipated revenues or expenditures; now therefore

THE CITY COUNCIL OF THE CITY OF SULTAN DO ORDAIN AS FOLLOWS:

SECTION 1: The 2013 Budget as authorized under Ordinance 1164-12 and amended under Ordinance 1167-13 for revenues and expenditures for the operation of the City of Sultan for the fiscal year ending December 31, 2013 is amended to increased/decreased in the following amounts:

<u>FUND # AND NAME</u>	<u>REVENUES</u>	<u>EXPENDITURES</u>
103 Cemetery Fund	\$ 6,000	\$ 6,000
107 Drug Enforcement Fund	\$ 852	\$ 852
113 Building Maintenance Fund	\$ 30,000	\$ 30,000
114 IT Fund	\$ 3,300	\$ 10,044
207 LID Bond Fund	\$ 0	\$ 4,577
633 Treasurer's Trust	\$ 30,000	\$ 30,000

SECTION 2: The budget for the year 2013 is amended to provide for the changes as outlined above and filed in the office of the City Clerk.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 19th DAY OF DECEMBER 2013.

CITY OF SULTAN

Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

Laura Koenig, City Clerk

Approved as to form:

Ann Marie Soto, City Attorney



**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: Action A 4
DATE: December 12, 2013
SUBJECT: Accounts Payable – Advance Payment Approval
CONTACT PERSON: Laura Koenig, Clerk/Deputy Finance Director 

ISSUE:

The issue before the City Council is to authorize staff to issue payment on the credit card accounts prior to the regular Council meeting to eliminate late fees and interest charges.

SUMMARY:

During the past two Accountability Audits, the Auditor has expressed concern over interest and late fee charges on the city's credit card accounts. In 2012, the city incurred \$386 in late fees and interest fees on the credit card accounts.

The city receives the credit card statements during the last week of the month and payment is due within 10 days. Unfortunately, due to the Council meeting schedules, payments are frequently made after the due date. An example is this month, payment is due on the 7th and the first council meeting is on the 12th.

Other vendors have worked with the city to accommodate payment schedules that coincide with the voucher approval at the council meetings.

The payment will be shown on the Voucher Approval at the next regular meeting for Council approval. This authorization will be valid for the 2014 fiscal year.

FISCAL IMPACT

Reduction in late fees and interest charges on accounts payable.

RECOMMENDATION:

Authorize staff to issue payment on the credit card accounts prior to the regular Council meeting to eliminate late fees and interest charges.