

**TRANSCRIPTION: EXCERPTS: JOHN DICK'S STATEMENTS RE COMPLAINTS
AGAINST THE CITY'S NON-ACTION OF COMPLAINT
(Made during council meetings)**

Comments During March 19, 2003 Council Meeting

John Dick [6-year Sultan resident, previous Sultan Planning Commissioner and ProSultan Board member] Mr. Mayor, I already check with your attorney and handing all these pictures out to the council here, just so you guys can get a visual of... I'm here to talk about code enforcement and the lack [there]of. The pictures in front of you are samples of what is on my street, of a business owner that is running a business from a property that he does not even live at, that is not occupied by anybody at this point and is probably considered "unoccupiable." The 5.04.010, "The purpose of this chapter is to provide means of obtaining public information and compliance to statistical information on existing and new businesses in the city, to regulate and insure the legal conduct of businesses and to assist in the effective administration of health, fire, building, zoning and other codes of the city." And you can go down to 5.04.02, .03, .110, and then you get to "Compliance with the Code [5.04.120]. These codes are being broken and not being enforced. Code 9.16.010, "The purpose of this chapter is to accomplish litter control in the City of Sultan," as you can see in Picture 1B and 2B, the open containers, the buckets, the garbage laying all around this yard; these are buckets of stains and acids and hazardous materials that are uncovered that are a danger to my children and the other 10 children that live on my street. In 12.20.010, "The duty to maintain a clean right-of-way" on the easement -- if you look on the picture 1A, that is on a dry day, it's not raining. You can see how the track of mud that is being left behind by the vehicle that travels behind the trailer there at the end of the block? That's a dry day. And when it's wet, it's even worse. There's another code being broken that's not being enforced. 13.08.070, "Defective plumbing on a private sewer," that is picture #B-- or letter D -- that is behind the house, and it is overflowing septic sewage coming out because the gentleman that runs this business poured a slab of concrete over his drainage field and covered up his septic tank opening and put a shed over this slab or concrete, which he did without a permit. Another code broken, another code unenforced. The grayish-brown matter around that pipe I'm assuming is crap and toilet paper. In 16.48.010 is "The purpose and the intent of this chapter [is] to allow for the establishment of home occupation in a residential neighborhood. It is also the intent of this section to regulate the operation of home occupation so that residential neighbors will not be adversely impacted by its existence. 16.48.020 are the standards for having a home occupation business. The man does not live at this home. It is a piece of property with a single-wide trailer on it. No one lives there. He is illegally running this business without a business license for the City of Sultan. Code broken, code no enforced. Several of my neighbors and I have contacted this gentleman. We've had discussion on the issues with him and he's promised action and we've gotten none. I've been in contact with Mr. Bruner and his department for about the last six months on -- or so - about different issues regarding this business, the hazardous materials stored on the property and the Sultan Municipal Codes that are not being enforced. I do believe Mr. Bruner requested from the business owner a hazmat form. I do not know if the request was fulfilled. On the back of those pictures is a copy of a letter that Mr. Bruner wrote, but was not sent. I

didn't realize that until earlier today that Mr. Bruner did not send the letter. The pictures were taken on the [March] 15th. He was supposed to be given until the 14th to clean it up. Municipal codes like these are not just for the business owners, they are for the people that live next door to the business also. They are placed for public safety, they are placed so neighborhoods and neighborhood streets do not turn into business districts. This business and its owner are in clear violation of several codes of conduct for this city. The business owner knows it, Mr. Bruner knows it and now the mayor and the council know it. We should not have to pursue this any further than here and now. There are codes being broken. There are penalties and fines for breaking these codes, and the city must enforce them or face other options. I would hope this situation could be resolved and codes enforced within the next few days. It's already been six months. Thank you.

Comments During 4-16-03 Council Meeting:

John Dick (*Long-time 5th Street resident, ex-Planning Commissioner and a board member of ProSultan*) I'm here seeking some clarity in a portion of the Sultan Municipal Code, 16.48, supplemental standards for home occupation. It is my belief that the intent of this code is to allow an individual to run a small business from where they live. I also believe the code exists to protect the integrity of neighborhoods. It's to keep them safe and clean for the people who live in those neighborhoods. I moved here to live in a neighborhood, not to be in an industrial park with mud on the streets and trucks going back and forth and a dump truck parked on the street now. Industrial business belongs in industrial parks, not in the middle of growing families and children. To quote the code, 16.48.010 as the purpose it is the intent of this chapter to allow for and regulate the establishment of home occupation in a residential neighborhood. This is the part that I like about this code. It also, the intent in this section, to regulate the operation of a home occupation [in a] residential neighborhood so it does not adversely impact, that neighbors aren't adversely impacted by its existence. I'm a residential neighbor, and I am being adversely impacted by a business. Allowing industrial-type business to operate in neighborhoods lowers the value of the neighborhood, not to mention my own piece of property. The streets are dirty and the traffic makes it unsafe for the children. I am here tonight to ask that the City also come into compliance with the Sultan Municipal code and form a Technical Review Board. In the municipal code 16.132.060, Technical Review Committee, there's establishment and enforcement of Technical Review Committee consisting of two designated representatives from the council, two representatives from the planning commission and the building official. The committee shall meet as required to carry out the functions specified in this title. The functions of this committee are to provide oversight to the decisions of the building or zoning official to assure court--coordinated enforcement in cases involving multiple violations, and to assure consistent, proportional enforcement of the city code. I would also add to the public record that the fact that it took me six months and a public comment to the city council to get Mr. Bruner to respond to a potentially dangerous situation in my neighborhood; the buildings being built without permits, acids exposed that children could get into or stolen for anybody to use. After coming to you, it took him seven business days to call me and request to be allowed to inspect a 2 1/2-year-old addition in my home that I legally checked with him before starting the project and got his okay. I do believe this action by Mr. Bruner was in retaliation to me coming to the council and expressing my concerns for the lack of enforcement. He said he was concerned for the safety of my children. Mr. Bruner, I am also concerned for the safety of my children. Thank you.

Comments made during May 7, 2003 council meeting (not yet transcribed)