

SULTAN CITY COUNCIL MEETING
319 MAIN STREET
June 8, 2005
6:00 PM

6:00 PM Workshop on Salmon Recovery

CALL TO ORDER - Pledge of Allegiance and Roll Call

CHANGES/ADDITIONS TO THE AGENDA

COMMENTS FROM THE PUBLIC: Citizens are requested to keep comments to a 3 minute maximum to allow time for everyone to speak.

COUNCILMEMBER COMMENTS

STAFF REPORTS/PRESENTATIONS

- 1) Presentations: Introduction of new staff; Sultan Boys/Girls Torch Club
- 2) Grants
- 3) Police Department
- 4) Public Works

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

- 1) Minutes of the May 25, 2005 regular Council meeting.
- 2) Approval of Vouchers
- 3) Interlocal Agreement with Snohomish County on the 800 MHZ System

ACTION ITEMS:

- 1) Resolution 05-13 Development Procedures
- 2) Schudule A I & I Project - Final Acceptance

DISCUSSION: Time Permitting

- 1) Animal Control
- 2) Financial Report

PUBLIC COMMENT

COUNCILMEMBER RESPONSE TO PUBLIC COMMENTS

Executive Session:

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.

SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

Date: June 8, 2005

Agenda Item #: Consent C 1

SUBJECT: Council minutes

CONTACT PERSON: Laura Koenig, City Clerk/Treasurer

SUMMARY STATEMENT:

Attached are the minutes of the May 25, 2005 regular Council meeting as on file in the Office of the City Clerk.

RECOMMENDATION: Approval as submitted.

Action Date:

COUNCIL ACTION:

CITY OF SULTAN COUNCIL MEETING - May 25, 2005

The regular meeting of the Sultan City Council was called to order in the Sultan Community Center by Mayor Tolson. Councilmembers present: Champeaux, Criswell, Boucher, Seehuus, Flower, and Blair. Absent: Boyd. Student Representative: Ashley Roderick.

ADDITIONS TO THE AGENDA:

Consent: Excused absence of Councilmember Boyd

Executive Session: Litigation

Discussion: Wagley Creek; Finances

COMMENTS FROM THE PUBLIC

Maggie Casey: Read a letter regarding a dog that attacked and bit her and suggested an Animal Control officer be hired to help control the aggressive dogs in the city.

COUNCILMEMBERS COMMENTS:

Blair: Thanked Maggie for coming to the meeting and advised that the city is looking for ways to fund a code enforcement officer.

Flower: Thanked Maggie for coming to the meeting and advised that the city is looking into ways to solve the problem. Advised that city representatives, chambers and business groups are working on the Evergreen Crescent Initiative to provide a voice to city's east of I-5.

Seehuus: Noted that the Nuisance ordinances are extremely outdated and the Mayor should direct the staff to begin work on bringing the codes up to date.

Boucher: Agrees the city needs a code enforcement officer and we will look for funding.

Criswell: Doesn't appreciate dogs that are running loose either and would like to see resolution to the problem.

Champeaux: Maggie spoke very eloquently tonight, however, the council talks about the problem but not any solutions. Need to resolve the problem before someone else is bitten. In regards to the bus stop across from old Candy Cane, staff needs to contact Community Transit to find a safe solution for those crossing Highway 2.

Mayor: Told Maggie she was brave to come to the Council and share what had happened to her. Money is a problem but the city does need to deal with the issue.

STAFF REPORTS:

Grants: Donna Murphy advised that the Downtown Visioning Workshop was well attended and the facilitators worked with the groups to develop a vision for Sultan. A full report will be provided at a later date. The dedication of the Visitors Information Center has been set for August 4th. Advised that County Councilmember Jeff Sax would like to declare June 22-29 as Sultan Centennial week.

Public Works: Connie Dunn advised that the 1st street sidewalk project will start construction in the next two weeks. Property acquisition is being completed on the Sultan Basin Road. Major repairs are being done on the garbage truck and Rabancco will be picking up garbage until the repairs are complete.

CITY OF SULTAN COUNCIL MEETING – May 25, 2005

Student Representative: Advised that the Senior projects are going well, the Track teams are at district finals, the Soccer team went to State and the band is performing in Canada.

CONSENT AGENDA:

The following items are incorporated into the consent and approved by a single motion of the Council. On a motion by Councilmember Champeaux, seconded by Councilmember Blair, the consent agenda was approved as amended. Champeaux – aye; Criswell – aye; Boucher – aye; Seehuus - aye; Flower – aye; Blair – aye.

1. Minutes of the May 11, 2005 public hearing on the 2005 Budget Amendment and the May 11, 2005 Council meeting as on file in the Office of the City Clerk.
2. Vouchers #05-512 through 05-562 in the amounts of \$353,720.58 and payroll through May 6, 2005 in the amount of \$83,380.77 to be drawn and paid on the proper accounts.
3. Authorization to surplus computer equipment.
4. Authorization for the Mayor to sign an Interlocal Agreement with the City of Edmonds for installation of radio and lights on the motorcycles.
5. Authorization for the Mayor to sign the Broker contract with Sultan Insurance.
6. Excused absence of Councilmember Boyd from the May 25, 2005 Council meeting.

ACTION ITEMS:

Ordinance 878-05 Cable Franchise Extension: On a motion by Councilmember Criswell, seconded by Councilmember Seehuus, Ordinance 878-05, Cable Franchise Extension, was adopted. All ayes.

Ordinance 879-05 Budget Amendment: On a motion by Councilmember Boucher, seconded by Councilmember Champeaux, Ordinance 879-05, 2005 Budget Amendment, was adopted. All ayes, except Councilmember Criswell who voted nay.

Notice of Intent to Annex – Van Wyngarden: Rick Cisar, City Planner, reviewed the annexation petition received from Van Wyngarden, LLC to annex 60.20 acres located at the northwest corner of the intersection of Sultan Basin Road and 132nd Street. The petition meets the 10% requirement and all properties are located within the UGA. The petition was signed by Mr. Van Wyngarden who owns at least 10% of the property. Staff recommends setting a meeting date to consider the annexation.

Discussion was held regarding notification of the adjoining property owners, utilities and future development.

Donnie Belk, Barclays North: Advised that they have sent letters to the other property owners but have not received a response as of this date. They would like to move forward with the annexation.

Val Peck, property owner, advised that she received a letter a week ago and has not had enough time to consider all the aspects and would be nice to have more time to research the issues pros and cons. Has a concern about future development in the area and the impacts to her property.

On a motion by Councilmember Champeaux, seconded by Councilmember Seehuus staff was directed to set a meeting date for June 22, 2005 to consider the annexation petition and to notify all property owners of the meeting. All ayes.

5th Street Signalization Bid Award: Connie Dunn advised that the City received five bids for the project and that Trimaxx Construction was the apparent low bidder. On a motion by Councilmember Seehuus, seconded by Councilmember Champeaux, the bid for the 5th Street Signalization was awarded to Trimaxx Construction Inc in the amount of \$528,737.30. All ayes.

CITY OF SULTAN COUNCIL MEETING – May 25, 2005

Ordinance 880-05 Juvenile Tobacco Use: Thom Graastra, City Attorney, advised that the ordinance needs to be changed to make the violation a civil infraction instead of a misdemeanor to be enforceable. On a motion by Councilmember Criswell, seconded by Councilmember Flower, Ordinance 880-05 was adopted. All ayes.

Resolution 05-12 Street Vacation Petition: A petition to vacate a portion of an existing street right of way between SR 2 and 339th Ave SE adjacent to property located on the south side of 33818 SR was received. There are existing PUD easements along the road and right of way may be requested for water and sewer lines. No access is available from Highway 2. On a motion by Councilmember Flower, seconded by Councilmember Blair, Resolution 05-12, setting a public hearing for June 22, 2005, was adopted. All ayes.

DISCUSSION ITEMS:

Wagley Creek: Councilmember Flower discussed the history of the creation of Wagley Creek and recommended that the City pass a resolution to request the Corp of Engineers to reconsider the creek's classification as a class three salmon bearing creek. Discussion was held regarding the salmon activity in the creek, environmental issues, reconsideration of set backs, and the feasibility of getting the CORP to change the designation. Councilmembers felt that trying to change the set backs would be an easier battle to fight.

Finances: Mayor Tolson advised that the city will receive \$73,000 of the state backfill distribution in August. Requested that the Council consider how the city will spend the extra funds. Suggested paying off the jail bills to the County and the interfund loans. Councilmembers agreed that debt reduction should be considered first.

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

Settlement Agreement: On a motion by Councilmember Blair, seconded by Councilmember Seehuus, the Mayor was authorized to sign the settlement agreement regarding the petition filed with the Central Puget Sound Growth Management Hearings Board challenging the City's Comprehensive Plan. All ayes except Councilmember Boucher who voted nay.

Adjournment: On a motion by Councilmember Criswell, seconded by Councilmember Blair, the meeting adjourned at 8:35 PM.

Benjamin Tolson, Mayor

Laura J. Koenig, Clerk/Treasurer.

SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

Date: June 8, 2005
Agenda Item #: Consent C 2
SUBJECT: Voucher Approval
CONTACT PERSON: Laura Koenig, Clerk/Treasurer

SUMMARY STATEMENT:

Approval of Vouchers # 05-564 through #05-600 in the amounts of \$105,562.91 and payrolls through May 20, 2005 in the amount of \$56,668.06 to be drawn and paid on the proper accounts.

FISCAL IMPACTS:

Expenditure Required: \$162,230.97

RECOMMENDATION: Recommend approval as submitted.

COUNCIL ACTION:

Action Date:

SULTAN CITY COUNCIL

AGENDA ITEM COVER SHEET

ITEM NO: Consent C 3

DATE: June 8, 2005

SUBJECT: Interlocal Financing Agreement between Snohomish County and the City of Sultan

CONTACT PERSON: Laura J. Koenig, Clerk/Treasurer

SUMMARY: The Snohomish county Emergency Radio System (SERS) 800 MHZ Phase 2 system is tentatively scheduled to be available for beneficial use in the first quarter of 2006. The County needs to complete the Interlocal Agreements for Phase II Users by July 5, 2005. The Interlocal Agreement provides for financing the system through Snohomish County and is also a participation agreement. The City issued bonds in December 2004 to cover the cost of the system and will not use the County's financing. Payment in full will be made to the County in accordance with the Interlocal.

FISCAL IMPACT:

RECOMMENDED ACTION:

Authorize the Mayor to sign the Interlocal Agreement.

COUNCIL ACTION:

DATE:

SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET

ITEM NO: A-1

DATE: June 9, 2005

SUBJECT: Approval of Resolution Number 05-13 establishing Development Regulation Amendment Procedures and a Public Hearing and Participation Process

CONTACT PERSON: Rick Cisar, City Planner

SUMMARY: Staff has prepared Resolution Number 05-13 in response to the City Council's Approval of the Settlement Agreement with Jocelyn Fallgatter and Jeff Kirkman. The Resolution adopts the Development Regulation Amendment Procedures and a Public Hearing and Participation process as described on attached Exhibit "A".

FISCAL IMPACT: None at this time.

RECOMMENDATION: Approval of Resolution 05-13 establishing
ACTION: Development Regulation Amendment Procedures and a Public Hearing and Participation Process.

COUNCIL ACTION:

DATE:

**CITY OF SULTAN
SULTAN WASHINGTON**

RESOLUTION 05-13

**A RESOLUTION OF THE CITY OF SULTAN, CITY COUNCIL ESTABLISHING DEVELOPMENT REGULATION
AMENDMENT PROCEDURES AND A PUBLIC HEARING AND PARTICIPATION PROCESS**

WHEREAS, the City Council of the City of Sultan has determined that it is in the best interests of the City of Sultan to formally adopt their Development Regulation Amendment Procedures and a Public Hearing and Participation Process to supplement Chapter 16.128 SMC; and

WHEREAS, City Staff have developed and employed the attached Development Regulation Amendment Procedures and Public Hearing and Participation Process as described on exhibit "A"

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sultan that the document entitled "City of Sultan Development Regulation Amendment Procedures and Public Hearing and Participation Process" is hereby adopted to be used when amending development regulations and for the Public Hearing and participation processes of the City. A copy of these procedures and processes shall be included with the City's Comprehensive Plan and shall be on file with the City Clerk.

PASSED AND ADOPTED this _____ day of _____, 2005.

Benjamin Tolson, Mayor

ATTEST:

Laura J. Koenig, City Clerk/Treasurer

Approved as to form:

Thom Graafstra, City Attorney

CITY OF SULTAN

AGENDA ITEM COVER SHEET

DATE: June 8, 2005

AGENDA ITEM NO: **Action A 2**

SUBJECT: Recommendation of Final Acceptance
Schedule A, I&I Reduction Program Phase 2

CONTACT PERSON: Connie Dunn, Director of Public Works
Jon Stack, P.E., City Engineer

SUMMARY STATEMENT: Shoreline Construction Co. has satisfactorily completed all work included under Schedule A. This project consisted of installation of storm water separation at 5th Street and 6th Street on Alder Avenue; conveying storm water along Alder and 5th Streets to connect to the storm drain trunk line on Main Street. Also included installation of an 8" water line on 5th Street from Main to Alder with reconstruction of 5th Street; addition of three ADA ramps at 5th Street and Alder.

FISCAL IMPACTS: Total construction cost for this Schedule is \$156,466.35 plus State Sales Tax. All work was completed within the budget and schedule established under the Public Works Trust Fund Loan for this Phase 2 project.

RECOMMENDATION: Final acceptance of Schedule A, I&I Reduction Program Phase 2. This will enable release of the contract retainage to Shoreline Construction in the amount of \$7,823.32

COUNCIL ACTION:

Action Date: