

**SULTAN CITY COUNCIL MEETING**  
**319 MAIN STREET**  
**September 28 2005**  
**6:00 PM**

**6:00 PM Public Hearing - PUD Moratorium**

**7:00 PM 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) Prothman Group
- 2) Police Department
- 3) 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 August 24, 2005 regular Council meeting.
- 2) Approval of Vouchers
- 3) 1st Street I & I Project Change Order
- 4) Renewal of the Interlocal Agreement with Snohomish County for Fleet Maintenance
- 5) Set Joint Council/Planning Commission Workshop for October 6, 2005 at 6:30 PM on the Water/Sewer Comprehensive Plans

**Public Hearing - 2005 Budget Amendments**

**ACTION ITEMS:**

- 1) Resolution 05-21 Parking Zones
- 2) Resolution 05-24 - Repeal Water/Sewer Availability Policy
- 3) Roof Bid Awards
- 4) Closed Record Hearing on the Conditional Use Permit - PUD Substation
- 5) PUD Substation Conditional Use Permit – Resolution 05-25
- 6) Prothman Group Contract

**DISCUSSION: Time Permitting**

- 1) PUD Moratorium

**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

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**ITEM NO:** 6:00 PM Public Hearing-PUD Moratorium

**DATE:** September 28, 2005

**SUBJECT:** Public Hearing for  
Planned Unit Development (PUD) Moratorium

**CONTACT PERSON:** Rick Cisar, City Planner

**SUMMARY:** Ordinance Number 884-05, attached, imposed a Moratorium on the Acceptance of and Processing of an Application for Residential Planned Unit Developments (PUD's). Section two of the Ordinance established a Public Hearing date of September 28, 2005 at 6:00 P.M. for the City Council to consider the Moratorium imposed, to determine whether to continue the Moratorium, modify it or rescind it, and at which time, if the Moratorium is continued or modified, to adopt Findings of Fact justifying the Council's determination to adopt or continue, or modify the Moratorium.

I have attached, for Council's consideration, all comments received to date regarding a minimum lot size for PUD's. These comments were part of the Hearing Record for the Planning Commission's Public Hearings held on September 6 and September 20, 2005. Unfortunately, the Planning Commission (4 members present) could not reach a consensus at their September 20 meeting and forward a Recommendation to the City Council. I advised them that they could attend this evening's Hearing and provide comments.

**FISCAL IMPACT:** None

**RECOMMENDED ACTION:** Conduct the Public Hearing for the PUD Moratorium and thereafter under the Discussion Section of the Agenda provide direction to Staff so they can prepare Findings of Fact justifying Council's Determination and Recommendation on the Moratorium.

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**COUNCIL ACTION:**

**DATE:**

**SULTAN CITY COUNCIL**  
**AGENDA ITEM COVER SHEET**

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**Date:** September 28, 2005

**Agenda Item #:** Consent C 1

**SUBJECT:** Council minutes

**CONTACT PERSON:** Laura Koenig, City Clerk/Treasurer

**SUMMARY STATEMENT:** Attached are the minutes of the Minutes of the September 14 2005 regular Council Meeting as on file in the Office of the City Clerk.

**RECOMMENDATION:** Approval as submitted.

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**Action Date:**

**COUNCIL ACTION:**

**CITY OF SULTAN COUNCIL MEETING** – September 14, 2005

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

Student Representative: Karsten Thot

**Executive Session:** On a motion by Councilmember Flower, seconded by Councilmember Blair, the Council adjourned to executive session for fifty five minutes to discuss property acquisition. All ayes.

**ADDITIONS TO THE AGENDA:**

Consent: Excused absence of Councilmember Boyd and Councilmember Criswell

Executive Session: Collective Bargaining Contract negotiations

Discussion: Disaster Preparedness; Highway zoning

**COMMENTS FROM THE PUBLIC**

Debra Wolter: Feels the ordinance regarding garage sales is wrong and the council should allow the sale on 1<sup>st</sup> Street to continue.

Thom Graafstra, City Attorney, advised that the ordinance adopted in 1986 allows for two sales per year for 6 days within a 15 day period. Longer sales may be considered commercial use and may violate zoning ordinances.

Loretta Storm: Congratulated the City staff on the web site. Briefly discussed the letter from Berryman and Henigar and the need to amend the Sewer comprehensive plan. Feels there was inadequate planning and the increased cost of \$9000 should be paid by staff.

Josie Fallgatter: In regards to the sewer comp plan addendum, asked if it was an amendment and if so does the city intend to follow proper procedures. Was surprised that the changes were not anticipated and does not feel the city should pay the additional costs. The Comprehensive Plan anticipates the growth and that should have been considered as part of the capital facility plan.

**COUNCILMEMBER COMMENTS:**

Blair: Need to review the garage sale ordinance to determine if it is enforceable. The different growth scenarios were discussed during the water/sewer rate studies.

Champeaux: Need to review the garage sale ordinance. Don't want to see a business run out of a home or a garage sale every weekend.

Mayor Tolson: Thanked Cyd Donk for her work on the city web site. Received letters regarding the garage sale issue and agrees the ordinance needs to be reviewed. The growth is more substantial than the staff or council anticipated and the city needs to deal with it.

**STAFF REPORTS:**

**Police:** Chief Walser discussed the problems created on Highway 2 from the poor patch job completed by the State.

**Public Works:** Connie Dunn, Public Works Director, advised that the compacter is being installed on the chassis. They are reviewing proposals for engineering services for the sewer plant upgrades. Paving on 1<sup>st</sup> Street should be completed later this month, however, due to the increase in fuel costs a change order will be required for the cost of asphalt.

**CITY OF SULTAN COUNCIL MEETING – September 14, 2005****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 Flower, the consent agenda was approved as amended. Champeaux – aye; Boucher – aye; Seehuus - aye; Flower – aye; Blair – aye.

1. Minutes of the September 14, 2005 Council meeting as on file in the Office of the City Clerk.
2. Vouchers #05-903 through 05-982 in the amounts of \$114,086.44 and payroll through August 26, 2005 in the amount of \$149,177.78 to be drawn and paid on the proper accounts.
3. Utility Committee recommendations for relief from excess utility charges.
4. Excused absence of Councilmembers Boyd and Criswell from the September 14, 2005 Council meeting.

**ACTION ITEMS:**

**Ordinance 885-05 Off-Site Dedication of Recreational Facilities:** Ordinance 885-05 was introduced for a first reading on August 24, 2005 and was prepared in response to the Central Puget Sound Growth Management Hearings Board which ruled that Ordinance 854-05 was invalid. Ordinance 885-05 eliminates Off-site dedications of recreational facilities and financial contributions to the City Park system. On a motion by Councilmember Seehuus, seconded by Councilmember Blair, Ordinance 885-05 was adopted. All ayes, except Councilmember Flower who voted nay.

**Ordinance 886-05 Open Space Requirements:** Ordinance 886-05 was introduced for a first reading on August 24, 2005 and was prepared in response to the Central Puget Sound Growth Management Hearings Board which ruled that Ordinance 853-05 was invalid. Ordinance 886-05 eliminates any reductions in the 20% open space requirement for PUD's and off-site dedications of recreational facilities and financial contributions to the City Park system for PUD's. On a motion by Councilmember Blair, seconded by Councilmember Champeaux, Ordinance 886-05 was adopted. All ayes, expect Councilmember Flower who voted nay.

**Visitors Information Center:** Construction on the project began on April 4, 2005 and was determined to be substantially complete on August 4, 2005. The contract was awarded to Construction Concepts in the amount of \$85,715.00. Change order No. 1 in the amount of \$15,067.19 was approved on April 13, 2005. Change order No. 2 in the amount of \$2,387.54 provides for the construction of a tight lined roof drain on the west side of the building and Change Order No. 3 in the amount of \$3,100.00 provides for completing the tuck pointing and re-grouting on the north and east walls. Rick Cisar, project manager, recommended that the Council accept the project as complete and approve Change Orders No. 2 and 3 subject to the approval of WSDOT. On a motion by Councilmember Seehuus, seconded by Councilmember Flower, the Sky Valley Tourist Information Center construction project was accepted as complete and Change Orders No. 2 and 3 were approved subject to the approval of WSDOT. All ayes.

**Sewer Comprehensive Plan:** Connie Dunn, Public Works Director, discussed the need to update the Sewer Comprehensive Plan to identify the additional treatment capacity needs and the proposal submitted by Berryman and Henigar to prepare addendum 1 to the plan. The total costs for the addendum is \$9000. Discussion was held the actual growth occurring versus the anticipated growth planned for in the original comprehensive plan. Thom Graafstra, City Attorney, reviewed the different planning obligations required by the RCW's, Growth Management and Department of Ecology.

On a motion by Councilmember Flower, seconded by Councilmember Seehuus, the Mayor was authorized to sign Task Order 2005-3 with Berryman and Henigar to prepare the addendum to the General Sewer Plan. All ayes.

**CITY OF SULTAN COUNCIL MEETING – September 14, 2005**

**Grant Application for the Intersection and Corridor Safety Program:** Discussion was held on the two potential projects for the grant, the intersection at Cascade View Drive and Highway 2 or the intersection at Rice Road and Highway 2. The grant criteria was reviewed. On a motion by Councilmember Seehuus, seconded by Councilmember Flower, staff was directed to submit a grant application for the Rice Road intersection. All ayes.

**National Incident Management System:** The City is required to adopt the National Incident Management System (NIMS) by September 30, 2005 to be in compliance with federal requirements. Failure to adopt NIMS could jeopardize FEMA assistance and federal grants. On a motion by Councilmember Blair, seconded by Councilmember Seehuus, the proclamation adopting NIMS was approved. All ayes.

**Botting LID Segregation:** A short plat was completed on the Botting property in 2003 and a request has been submitted requesting a segregation of the LID assessment. Both parties have agreed to revised assessment and Macaulay and Associates, appraisers, has determined that each parcel has sufficient market value that the security of the bonds will not be adversely affected. On a motion by Councilmember Boucher, seconded by Councilmember Champeaux, Resolution 05-23 providing for the segregation on the Botting property was adopted. All ayes.

**Turk's Trail:** Mayor Tolson advised that the School District is going to gate their end of the trail and the state will not require repayment of the loan. The City may be able to sell the property or move the siren to that location. Chief Walser advised that there have been no incidents on the trail this year and he supports moving the emergency siren to the trail site. Brief discussion was held on the time frame for closing the trail, relocation of the siren and the need to discuss the options with the adjoining property owners.

**DISCUSSION ITEMS:**

**Skateboard Park:** Chief Walser advised that they are working with the youth council to develop a design for the park. Volunteers have come forward to help with materials and labor and to help with fund raising. There is \$10,200 available in funds to begin the project.

**Disaster Preparedness:** Councilmembers discussed the need to prepare for a major disaster and to educate the citizens on how to evacuate and to provide for their basic needs. Citizens should not rely entirely on the government to provide for their needs during a disaster as their resources may be limited.

**Highway 2 Zoning:** Discussion was held regarding the Highway Oriented zoning and the restrictions on industrial uses. Based on the requested proposed uses, changes need to be made to the ED and HO zoning allowed uses. The zoning was based on information received during the hearing on the Industrial Master Plan. Rick Cisar, City Planner, advised that the proposed changes will be included in the docket packet for the comprehensive plan amendment.

**PUBLIC COMMENTS**

Josie Fallgatter: Requested clarification on the sewer comp plan addendum and if the comp plan change is docket for next year.

Rick Cisar advised that they are docketed for this year but the process will take place in 2006.

**Loretta Storm:** Crystal ball is no way to forecast. People were not paying attention to the discussion at the planning commission over the past year. GMA is to plan for the citizens and improvements.

**CITY OF SULTAN COUNCIL MEETING – September 14, 2005**

Bart Dalmasso: The city could place a cell phone tower on the siren and generate revenue. Suggested selling emergency kits as fund raiser for Skateboard park.

Janie Botting: Thanked the council for passing the resolution for the Botting LID segregation. Noted that the Planning Commission discussed combining the HO and ED zones.

**COUNCIL COMMENTS**

Blair: The council has discussed planning for disasters and for the future of the city. Everyone has worked hard to plan and there are some things that need fixing. Need to learn from the past and plan for the future in the best way possible.

**Executive Session**: On a motion by Councilmember Seehuus, seconded by Councilmember Blair, the Council adjourned to executive session for five minutes to discuss collective bargaining negotiations. All ayes.

**Adjournment**: On a motion by Councilmember Seehuus, seconded by Councilmember Boucher, the meeting adjourned at 9:00 PM.

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Benjamin Tolson, Mayor

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Laura J. Koenig, Clerk/Treasurer.

**SULTAN CITY COUNCIL**  
**AGENDA ITEM COVER SHEET**

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**Date:** September 28, 2005  
**Agenda Item #:** Consent C 2  
**SUBJECT:** Voucher Approval  
**CONTACT PERSON:** Laura Koenig, Clerk/Treasurer

**SUMMARY STATEMENT:**

Approval of Vouchers # 05-983 through #05-1035 in the amounts of \$602,604.15 and payrolls through September 9, 2005 in the amount of \$67,003.40 to be drawn and paid on the proper accounts.

**FISCAL IMPACTS:**

Expenditure Required: \$669,607.55

**RECOMMENDATION:** Recommend approval as submitted.

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**COUNCIL ACTION:**

Action Date:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: Consent C 3

DATE: September 28, 2005

SUBJECT: Mosbrucker Excavating, Inc.  
Change Order No. 6

CONTACT PERSON: Public Works Director Dunn  
City Engineer Stack

SUMMARY: The City has received a request to increase the price for asphalt by \$5.00 per ton. This request is supported by the fact that Mosbrucker was delayed while the curb replacement contract was completed and recent dramatic increases in the price of diesel/asphalt.

FISCAL IMPACT: The cost of this change order is between \$5,000 and \$7,500.

RECOMMENDED ACTION: Approve the attached change order to the I & I Reduction Program Phase 2

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COUNCIL ACTION:

Action Date:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: Consent C 4

DATE: September 28, 2005

SUBJECT: Interlocal Agreement – Fleet Management Services

CONTACT PERSON: Laura Koenig, Clerk/Treasurer  
Fred Walser, Police Chief

SUMMARY: The Police Department contracts with Snohomish County Fleet Management Services for vehicle repair and radio/radar technicians. Annually the County adjusts the compensation rates for services and requires an amendment Interlocal Agreement.

FISCAL IMPACT: Budgeted

RECOMMENDED Authorize the Mayor to sign the amended Interlocal Agreement with Snohomish County for Fleet Management Services.

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COUNCIL ACTION:

DATE:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: Consent C 5

DATE: September 28, 2005

SUBJECT: Joint Workshop on Water/Sewer Plans

CONTACT PERSON: Rick Cisar, City Administrator

SUMMARY: A workshop has been scheduled for October 6, 2005 at 6:30 PM on the Water and Wastewater Comprehensive Plans. John Wilson from Berryman & Henigar will be present to review the plans and answer questions.

FISCAL IMPACT:

RECOMMENDED ACTION: Set the joint workshop for October 6, 2005 at 6:30 PM

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COUNCIL ACTION:

DATE:

## AGENDA ITEM COVER SHEET

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ITEM NO: PUBLIC HEARING

DATE: September 28, 2005

SUBJECT: Public Hearing on 2005 Budget Amendments

CONTACT PERSON: Laura J. Koenig, Clerk/Treasurer

SUMMARY: The public hearing on the 2005 Budget Amendments was continued to September 28, 2005 in order to determine final expenditure amounts for several items. Staff is continuing to gather information on the following anticipated costs:

1. Cable Franchise Renewal
2. Critical Area Ordinance
3. Organizational Study
4. Water/Sewer Upgrades

FISCAL IMPACT:

RECOMMENDED ACTION: Continue the hearing to October 12, 2005.

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COUNCIL ACTION:

DATE:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: A - 1

DATE: September 28, 2005

SUBJECT: City of Sultan Parking Resolution 05-21

CONTACT PERSON: Public Works Director Dunn

SUMMARY: Approximately every two years, the City of Sultan reviews the Parking Zone Resolution establishing them. At the August 10<sup>th</sup> and 24<sup>th</sup> Council Meetings there were suggestions, changes and additions to the current parking resolution, which I have incorporated into the resolution that is before you tonight. Also addressed in the resolution is the parking in culdesacs.

Attached is Resolution 05-21.

This resolution provides guidance to citizen's of Sultan, while helping the bussinesses, the Fire District, the City and the School District.

FISCAL IMPACT: Signs, included in the Budget.

RECOMMENDED ACTION: Pass Resolution 05-21 regarding parking within the City Limits of Sultan authorizing the Mayor to sign this resolution for enforced.

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COUNCIL ACTION:

CITY OF SULTAN  
SULTAN WASHINGTON  
RESOLUTION 05-21

A RESOLUTION ESTABLISHING PARKING ZONES  
WITHIN THE CITY OF SULTAN

WHEREAS, Ordinance 470 requires parking zones and restrictions to be established by resolution,  
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SULTAN that the parking  
zones and restrictions shall be as follows:

NO PARKING ZONES:

- |                              |  |
|------------------------------|--|
| CITY WIDE                    | - 30 feet from a stop sign<br>- 20 feet from a crosswalk<br>- In front of mailboxes<br>- 15 feet both directions from a fire hydrant |
| 1 <sup>st</sup> STREET       | - West side from Main Street extending 135 feet north  |
| 3 <sup>rd</sup> STREET       | - West side from Alder Street south to the alley   |
| 4 <sup>th</sup> STREET       | - East and west sides from US 2 extending 25 feet north  |
| 4 <sup>th</sup> STREET       | - East side from High Avenue to Willow Avenue  |
| 4 <sup>th</sup> STREET       | - West side starting 550 feet from High Avenue and then extending<br>- to Willow Avenue  |
| 5 <sup>th</sup> STREET       | - Fir Ave north to High Ave, either side   |
| 7 <sup>th</sup> STREET       | - East & West sides from Fir Avenue to High Avenue   |
| 8 <sup>th</sup> STREET       | - East & West sides from Main Street to north end of 8th Street  |
| 124 <sup>th</sup> Street SE  | - Within City limits   |
| 132 <sup>nd</sup> Street SE  | - Rice (339 <sup>th</sup> ) to Sultan Basin Road   |
| 138 <sup>th</sup> STREET SE  | - North side   |
| BEECH COURT                  | - West or south side   |
| CEDAR COURT                  | - Turn around at south end   |
| DOGWOOD COURT                | - Hammerhead at south end  |
| ELM AVENUE                   | - South side from 8 <sup>th</sup> Street east  |
| DYER ROAD                    | - Turnaround at east end   |
| FIR AVENUE                   | - North side from 4 <sup>th</sup> Street to 8 <sup>th</sup> Street   |
| FIR AVENUE                   | - In culdesac at east end  |
| GOHR ROAD                    | - South side from Willow to Wisteria   |
| GOHR ROAD                    | - Both sides from Wisteria to end of 311th SE  |
| HIATT COURT                  | - West side from Kessler Avenue south  |
| HIGH AVENUE                  | - South side from 4 <sup>th</sup> Street to 8 <sup>th</sup> Street   |
| KESSLER DRIVE                | - East side from Merea to Perkins Way  |
| E. KESSLER DR                | - North side of the street from Sultan Basin Road to Merea   |
| LOVES HILL DR                | - East side of the street  |
| MAIN STREET                  | - South side from 1 <sup>st</sup> Street to 3 <sup>rd</sup> Street   |
| MEREA DRIVE                  | - East side of the street  |
| PERKINS WAY                  | - South side of the street   |
| RICE (339 <sup>th</sup> ) RD | - North of US 2 to City Limits   |
| RICE (339 <sup>th</sup> ) RD | - South of US 2 to Sultan-Startup Road   |
| SALMON RUN                   | - 100' north of High Avenue either side  |
| SKYWALL DRIVE                | - Both sides of Road south of RR Tracks through first 90° turn   |
| US 2                         | - South side of US 2 from 10 <sup>th</sup> Street extending west to Sultan River Bridge  |
| US 2                         | - North side from Main Street East to 10 <sup>th</sup> Street  |
| SULTAN BASIN RD              | - US 2 to City Limits  |
| WILLOW AVENUE                | - South side from First to Fourth  |
| WILLOW AVENUE                | - North and south sides from 4th to 310th/High School  |
| WISTERIA AVENUE              | - North and south sides from Gohr Road to 310 <sup>th</sup> Avenue SE  |
| YEW AVENUE                   | - North side   |
| YEW AVENUE                   | - In turnaround at west end  |

EMERGENCY SERVICE PARKING

- 6th STREET - West side extending 100 feet north of Main Street
- ALDER AVE - North side 200 feet east of 3rd

SCHOOL BUS LOADING ZONES:

- DATE AVENUE - North side from 4<sup>th</sup> Street extending 200 feet east  
Between the hours of 8:30 AM and 9:30 AM; 3:30 PM and 4:30 PM
- HIGH AVENUE - North side from 200 block to 4<sup>th</sup> Street  
Between the hours of 7:15 AM and 7:45 AM; 1:45 PM and 2:30 PM

SCHOOL CHILDREN LOADING ZONES:

- 4<sup>th</sup> STREET - East side from Date Avenue extending 200 feet north  
Between the hours of 8:30 AM and 9:30 AM; 3:30 PM and 4:30 PM

COMMERCIAL LOADING ZONES:

- 3<sup>rd</sup> STREET - West side from Main Street extending 100 feet south
- 5<sup>th</sup> STREET - East side from Main Street extending 100 feet north
- MAIN STREET - 1 space mid block on south side between 3rd and 4<sup>th</sup> (posted)

TRANSIT BUS LOADING ZONES:

- 1<sup>st</sup> STREET - East and west sides starting 90 feet south of High Avenue extending 50 feet
- 4<sup>th</sup> STREET - East side from Alder extending 50 feet south
- 4<sup>th</sup> STREET - West side from Main Street extending 50 feet north
- 4<sup>th</sup> STREET - West side starting 80 feet south of Date Avenue extending 50 feet south
- 8<sup>th</sup> STREET - West side from Fir Avenue extending 50 feet south
- 8<sup>th</sup> STREET - East side starting 25 feet north of Fir Avenue extending 50 feet north
- 8<sup>th</sup> STREET - East and west sides from Alder Avenue extending 50 feet north
- HIGH AVENUE - North side west at 7<sup>th</sup> Street extending 50 feet west
- HIGH AVENUE - South side West of 8<sup>th</sup> Street extending 50 feet west
- MAIN STREET - North side east of 8<sup>th</sup> Street as designated by turnout
- DATE AVENUE - North side 125 feet west of 4<sup>th</sup> Street extending 50 feet west

TIME LIMIT ZONES: Between the hours of 8:00 AM and 6:00 PM

- 15 Minute Zone:
  - 3<sup>rd</sup> Street - East side 1<sup>st</sup> two parking spaces north of Main Street
  - 4<sup>th</sup> Street - East and west sides starting 25 feet north of US 2 to Main Street
  - Main Street - East of 4<sup>th</sup> Street 1<sup>st</sup> two parking spaces on south side
- 30 Minute Zone: US 2 - South side starting 210 feet west of 10<sup>th</sup> Street extending to Main Street intersection
- 2 Hours Zone:
  - Main Street - South side from 3<sup>rd</sup> Street to 4<sup>th</sup> Street
  - Main Street - North side from 3<sup>rd</sup> Street to 6<sup>th</sup> Street
  - Main Street - North side starting 35 feet east of 6<sup>th</sup> Street and extending east 75 feet

SPECIAL PARKING ZONES

3 Spaces at 319 Main Street Parking Lot for Visitor Information Center as Posted

Parking Lot at 320 Main Street for Sultan Chiropractic and Visitor Information Center as Posted.

PASSED AND ADOPTED this 28<sup>TH</sup> day of September 2005

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Benjamin Tolson, Mayor

ATTEST:

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Laura J. Koenig, City Clerk/Treasurer

Approved as to form:

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Thom Graafstra, City Attorney

# SULTAN COUNCIL AGENDA

## AGENDA ITEM COVER SHEET

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**ITEM NO:** Action A- 2

**DATE:** September 28, 2005

**SUBJECT:** Approval of Resolution Number 05-24 repealing Resolution 05-08 establishing Water and Sewer Availability Procedures.

**CONTACT PERSON:** City Attorney, Thom Graafstra and Rick Cisar, City Planner

**SUMMARY:** Staff has prepared Resolution Number 05-24 in response to the Central Puget Sound Growth Management Hearings Board ruling determining it has jurisdiction over Resolution 05-08. Resolution 05-08, which was adopted on April 27, 2005 established the Water and Sewer Availability Procedures. In light of recent applications for service, the current policy appears to be moot.

**FISCAL IMPACT:** Staff time in preparing and processing the Resolution.

**RECOMMENDED ACTION:** Adoption of Resolution Number 05-24

**ACTION:**

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**COUNCIL ACTION:**

**DATE:**

**CITY OF SULTAN**  
**Sultan, Washington**  
**Resolution 05-24**

A Resolution of the City of Sultan City Council repealing Resolution 05-08 establishing Water and Sewer availability procedures.

Whereas the Central Puget Sound Growth Management Hearings Board determined that it had jurisdiction over Resolution 05-08;

Whereas the Resolution has been rendered moot by the number of applications made for sewer connection.

Now, therefore, the City Council of the City of Sultan do ordain as follows:

**Section 1.** Resolution 05-08 is hereby repealed.

**Section 2.** Any Water and Sewer availability letters previously issued by the City under Resolution 05-08 shall be administered in accordance with the terms and conditions of approval as specified under Resolution 05-08 by the Public Works Director.

**Section 3.** Any and all other Resolutions or parts of Resolutions of the City of Sultan inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

PASSED by the City council and Approved by the Mayor this 28th day of September 2005.  
CITY OF SULTAN

By \_\_\_\_\_  
Benjamin Tolson, Mayor

Attest:

By \_\_\_\_\_  
Laura J. Koenig, Clerk/Treasurer

Approved as to form:

By \_\_\_\_\_  
Thom H. Graafstra, City Attorney

Published:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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ITEM NO: Action A 3

DATE: September 28, 2005

SUBJECT: Roof bid awards

CONTACT PERSON: Jon Stack

SUMMARY: The City has requested bids to replace the roofs on the Police Department and Water Treatment Plant. Bid opening is set for September 23, 2005 at 1:00 PM.  
Information on the bids will be provided at the council meeting.

FISCAL IMPACT:

RECOMMENDED ACTION: Staff will make a recommendation at the meeting.

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COUNCIL ACTION:

DATE:

# SULTAN CITY COUNCIL

## AGENDA ITEM COVER SHEET

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**ITEM NO:** A-4 and A 5

**DATE:** September 28, 2005

**SUBJECT:** **CLOSED RECORD HEARING**  
Hearing Examiner Recommendation:  
Snohomish County PUD No.1 Conditional Use Permit (CUP)  
File Number No. CUP05-002  
**(Hearing Examiner's Recommendation, Staff Reports and Maps Attached)**

**CONTACT PERSON:** Rick Cisar, City Planner

**SUMMARY:** The Hearing Examiner held an Open Record Hearing on August 25, 2005 and considered a request from Snohomish County Public Utility District for a Conditional Use Permit (CUP) to construct an Electrical Substation ("Wallace River Substation") on property located at 140<sup>th</sup> Street S.E. and north of State Route 2. The property is Zoned "HO" Highway Oriented which allows Electrical Substations as a Conditional Use with a minimum lot size of 0.5 acre. The Snohomish County Public Utility District No. 1 Application is File Number CUP05-002. Based on the Findings of Fact, Principles of Law, Discussion and Conclusion the testimony and evidence submitted at the Hearing, the Hearing Examiner **RECOMMENDS APPROVAL** of the Conditional Use Permit to construct an Electrical Substation ("Wallace River Substation") **SUBJECT TO 2 Conditions on Page 9** of the attached Recommendation.

The Applicant, Snohomish County PUD No.1 was in agreement with the Recommendation and Conditions of Approval. No requests for Reconsideration of the Application were received by the City on or before 5:00 p.m. September 12, 2005.

**Note: the Council's Action will be formalized in Resolution Number 05-25, Action Item A- 5**

**FISCAL IMPACT:** None at this time.

**RECOMMENDATION ACTION:** Acceptance of Hearing Examiner Report and Recommendation and Approval of Resolution Number 05-25

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**COUNCIL ACTION:**

**DATE:**

**CITY OF SULTAN**  
**Sultan, Washington**

**RESOLUTION NO. 05-25**

**A RESOLUTION OF THE CITY OF SULTAN APPROVING THE SNOHOMISH COUNTY PUBLIC UTILITY DISTRICT NO. 1 CONDITIONAL USE PERMIT TO CONSTRUCT AN ELECTRICAL SUBSTATION (“WALLACE RIVER SUBSTATION”) CITY OF SULTAN FILE NUMBER CUP05-002**

**WHEREAS**, Snohomish County Public Utility District No.1 submitted an Application to the City of Sultan on April 14, 2005 for Approval of a Condition Use Permit (CUP) to construct an Electrical Substation (“Wallace River Substation”); and

**WHEREAS**, the City Planner issued a Letter of Complete Application to Snohomish County Public Utility District No.1 on August 18, 2005; and

**WHEREAS**, the Responsible Official for the Snohomish County Public Utility District No.1 issued a Determination of Non-Significance (DNS) for the proposal on October 27, 2005 and no Appeals to that Threshold Determination were received by the Snohomish County Public Utility District No.1; and

**WHEREAS**, The Planning Staff, on August 25, 2005 issued a Staff Report and Recommendation of Approval with Conditions for the Snohomish County Public Utility District No.1 proposal; and

**WHEREAS**, The Design Review Board conducted a meeting on May 30, 2005 to review the Snohomish County Public Utility District No.1 Conditional Use Application and Recommend Approved the project with eight (8) Conditions; and

**WHEREAS**, the Hearing Examiner conducted an Open Record Public Hearing on the proposal on August 25, 2005; and

**WHEREAS**, the Hearing Examiner on August 25, 2005 based upon Findings of Fact and Conclusions, the Testimony and Evidence submitted at the Open Record Hearing and the Examiner’s site view, issued a Recommendation to Approve the Conditional Use Permit to construct an Electrical Substation (“Wallace River Substation”) subject to two (2) conditions; and

**WHEREAS**, the City Council at a regular meeting held on August 25, 2005 accepted the Hearings Examiner’s Report and Recommendation, including the Findings of Fact and Conclusions, and Approved the Conditional Use Application Number CUP05-002 with the two (2) Conditions Recommend by the Hearing Examiner; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON AS FOLLOWS:**

**Section 1.** The City Council finds that the Snohomish County Public Utility District No.1 Conditional Use Permit has been completed in accordance with the provisions of SMC Chapter 16.12.050 and Chapter 21.04.

**Section 2.** The Hearing Examiner on September 2, 2005 recommended Approval of Conditional Use Permit, CUP05-002 to construct an Electrical Substation (“Wallace River Substation”) subject to two (2) Conditions.

**Section 3.** The Applicant, Snohomish County Public Utility District No. finds the Conditions of Approval for their Conditional Use Permit File Number CUP05-002 acceptable and did not request Reconsideration of the Hearings Examiner’s Recommendation.

**Section 4.** The Conditional Use Permit for Snohomish County Public Utility District No.1, CUP05-002 is **Approved.**

**PASSED** by the City Council and **APPROVED** by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

**CITY OF SULTAN**

By \_\_\_\_\_  
Ben Tolson, Mayor

Attest:

By \_\_\_\_\_  
Laura Koenig, City Clerk

Approved as to form:

By \_\_\_\_\_  
Thomas Graafstra, City Attorney

