

CITY OF STANWOOD

Regular Meeting of the City Council

Thursday, May 14, 2009 – 7:00 p.m.

Stanwood-Camano School District Administration Building Board Room

MINUTES

1. Call to Order and Pledge of Allegiance

Mayor Dianne W. White called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

2. Roll Call

City Clerk Melissa Collins called the roll with the following Councilmembers present: Leonard Kelley, Conrad Ryer, Arne Wennerberg, Bill Carlton, Timothy Loney, and Shelley Klasse.

Councilmember Andy Chappel was excused.

Also present: City Administrator Joyce Papke, City Clerk Melissa Collins, Finance Director Crystil Collins, Human Resources Director Mathew Pruitt, Public Works Director Andy Bullington, Police Chief Ty Trenary, Deputy Fire Chief Darin Reid, City Planner Lori Kirkeby and City Attorney Craig Knutson.

3. Staff Announcements

Human Resources Director Mathew Pruitt discussed the Personnel Policy Manual and handed the draft out to Council for review.

Public Works Director Andy Bullington provided an update on the 68th Avenue construction project. He also reported he is currently working on the Transportation Improvement Plan.

Police Chief Ty Trenary announced they have applied for a \$45,000 school zone grant for flashing school zone signs. He is hopeful the City will be successfully awarded.

4. Citizen Comments

Donovan Evanger
1403 A 252nd Street N.W. & Sunday Lake Drive, Stanwood

Mr. Evanger presented information and posters on a proposal for a BMX track at Heritage Park.

5. Special Presentation

Special Recognition of Stanwood Police Personnel Presented by Snohomish County Sheriff's Office.

Mayor White announced the special presentation has been postponed. The plan was to honor recent heroic efforts by the Stanwood Police Department in which a local young woman was injured. Due to her condition and in respect to her and her family it will be done at another time.

6. Approval of the Agenda

Mayor White announced that there would not be an executive session.

Motion by Councilmember Loney, second by Councilmember Kelley to approve the agenda with the deletion of item 12, executive session. Motion carried unanimously.

7. Consent Agenda

- a. Approval of Payroll Checks and Vouchers
- b. Minutes of the January 22, 2009 Regular Meeting
- c. Minutes of the January 29, 2009 Joint Workshop
- d. Minutes of the February 12, 2009 Regular Meeting
- e. Minutes of the February 26, 2009 Joint Workshop
- f. Interlocal Agreement with Snohomish Regional Drug Task Force
- g. Resolution 2009-3 Declaring Certain Property Surplus & Execute Sale of Said Property

*Motion by Councilmember Kelley, second by Councilmember Loney to approve the consent agenda to include items a through g; voucher checks #14248 through #14335 in the amount of \$797,537.18; Voided checks # 2383, 8127, 8281, 13590, 13918, 14271 and 14279 and Payroll checks warrant #16159 through #16255 in the amount of \$288,059.06.
Motion carried unanimously.*

8. Public Hearing

To Consider Public Testimony on an Eight Night Noise Construction Exemption within the City of Stanwood to Allow WSDOT to do Construction During the Hours of 9:00 p.m. to 5:00 a.m. & Evenings

Ordinance No. 1248 Amend Chapter 9.50 of the SMC to Adopt a Noise Variance Procedure

City Attorney Craig Knutson presented the portion of the staff report pertaining to Chapter 9.50 of the Stanwood Municipal Code (SMC) which relates to the City noise ordinance. The ordinance does not currently have variance procedures, therefore City Attorney Knutson prepared an ordinance to put the process in the code. He then explained Ordinance 1248. He recommended a motion to adopt the ordinance and a second motion to adopt the variance. Mr. Knutson responded to questions from Council.

Motion by Councilmember Kelley, second by Councilmember Loney to approve Ordinance 1248, amending Chapter 9.50 of the Stanwood Municipal Code to establish a noise variance procedure. Motion carried unanimously.

City Planner Lori Kirkeby presented the staff report on the noise variance for the Washington State Department of Transportation to do night work on SR 532. In August and September they will be working on the railroad bridge and are proposing to do the work at night to prevent traffic backups. The work is planned to be one or two weekends. The current noise ordinance only allows construction noise during the daylight hours of 7:00 a.m. to 10:00 p.m. on weekdays and 9:00 a.m. to 10:00 p.m. on weekends. The City chose to have a public hearing to notify property owners that live in the area of the proposed variance. The variance was justified based on the extraordinary circumstances where there is an overriding consideration of public interest. The Community Development Department recommended approval of the variance under the Washington Administrative Code (WAC) where there is an overriding consideration of public interest.

Mayor White opened the Public Hearing.

Ms Kirkeby introduced Dave Edwards, Project Manager for the Washington State Department of Transportation Highway 532 Project. He stated they will do all they can do to mitigate the noise during construction and described the actions that will be taken. Residents will receive one week advance notice from the DOT and a 24 hour complaint line will be implemented. Mr. Edwards responded to questions from Council.

Lynn Wilson, 8023 Olympic View Dr. Stanwood, WA

Ms. Wilson asked for clarification on the railroad bridge resurfacing. Mr. Edwards responded to her questions.

There being no further public testimony Mayor White closed the Public Hearing.

Motion by Councilmember Loney, second by Councilmember Kelley to approve a variance which shall take effect after Ordinance No. 1248 has become effective to allow night work for a 45 day period beginning August 14-September 30 with noise mitigation as proposed by WSDOT in the letter dated April 20, 2009, based on the finding that the potential disruption to the community from the closure of the bridge for exclusively daytime work would create extraordinary congestion. Motion carried unanimously.

9. New Business

a. Insurance & Indemnity Agreement with Interwest Construction

City Attorney Knutsen provided the staff report and said that this agreement is necessary in order to protect the City from claims that may arise in connection with the contractor performing work on City owned property. The agreement is also necessary in order to secure an endorsement on the contractor's policy of insurance naming the City as an additional insured. The agreement was prepared by the City Attorney and he has approved it as to form. Mr. Knutson responded to questions from Council.

Motion by Councilmember Loney, second by Councilmember Klasse to approve the Mayor's signature entering into the Insurance and Indemnity Agreement between the City and Interwest Construction pertaining to the construction of the Stanwood Train Station on the City's real property. Motion carried unanimously.

b. Authorize Mayor White to Enter into an Intergovernmental Cooperative Purchasing Agreement between the City and Lewis County Fire Protection District #14 for the Purchase of Self Contained Breathing Apparatus Units

Finance Director Crystil Collins provided the staff report stating in February the City was awarded a Federal Emergency Management Agency (FEMA) grant to purchase 21 self contained breathing apparatus units and associated equipment. Lewis County Fire Protection District #14 recently went out for bid and awarded a contract for the same units. To help reduce City costs and expedite the purchasing process entering into an intergovernmental cooperative purchasing agreement with Lewis County Fire Protection District

#14 is in the City's best interest. Accepting the grant and purchasing from the contract would cost the City approximately \$6,972 which is the City's match required for the grant. This amount was budgeted for 2009.

Motion by Councilmember Wennerberg, second by Councilmember Kelley to authorize Mayor White to enter into the Intergovernmental Cooperative Purchasing Agreement between the City and Lewis County Fire Protection District #14, pertaining to the purchase of self contained breathing apparatus units. Motion carried unanimously.

c. Authorize Mayor White to Enter into an Interlocal Agreement with the City of Everett for Animal Shelter Use

Police Chief Ty Trenary provided the staff report and stated that the City has operated without an Interlocal Agreement to use Everett City's animal shelter. The City currently contracts with Snohomish County for animal control services. The proposed agreement allows for the City, through its contracted animal services to house animals at the Everett Animal Control Shelter. The agreement is consistent with other municipalities within Snohomish County who also use the Everett Shelter. There are some fee changes that go with the new facility, but some costs can be regulated through the Police Department in terms of how animals are impounded. Chief Trenary responded to questions from Council.

The Public Safety Committee met on April 21, 2009 and reviewed the proposed agreement and the changes for the last executed agreement. It was agreed that the City should move forward.

Motion by Councilmember Wennerberg, second by Councilmember Loney to authorize the Mayor to enter into the proposed Interlocal Agreement with the City of Everett for services for the period of one year, ending in May 2010. Motion carried unanimously.

10. Report of Officers and Committees

a. Mayor's Report

Mayor White reported on the following:

- She and Andy Bullington met with Representative John Koster and others regarding the upgrade plan for Heritage Park.
- Attended swine flu H1N1 pandemic flu preparedness meetings.
- Attended the Chamber of Commerce annual awards luncheon.
- Grandchildren visited last week.

b. Committee Reports

Councilmember Ryer reported the Human Services Committee met for the first time for 2009. He said the committee would like to ask permission from the Council to authorize the Human Resources Director, Mathew Pruitt to develop a statement in regards to the impacts to the human services process for the 2010 budget. The Council concurred and asked that the statement be placed on the City's web-site in order for citizens to become aware that there is a policy, even though there is no funding at this time.

Councilmember Kelley reported the Finance Committee met regarding the special event permit partnership process.

c. Councilmember Reports/Questions

Councilmember Carlton commented on the Council retreat tentatively being held in August. A discussion ensued regarding the retreat, workshops and the budget process. Ms. Papke discussed some benefits of bringing in a third party to facilitate a retreat. Council agreed a facilitator would be beneficial.

Councilmember Kelley commented that he hopes Council will consider the BMX track suggestion. He was involved in BMX activities in California.

Mayor White announced a Town Hall Meeting will be held on May 20, 2009 at 6:30 p.m. at the Stanwood-Camano School District Administration Building.

Councilmember Loney attended a Global Competitive Business Summit.

d. City Administrator Business

City Administrator Papke thanked Council on Ordinance 1248 and explained how it came about.

11. Citizens Closing Comments

There were no citizens closing comments

12. Adjourn to Executive Session

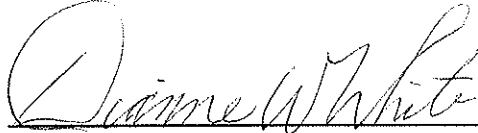
There was no executive session

13. Reconvene and Adjourn


There being no further business before the Council, Mayor White declared the meeting adjourned at 8:11 p.m.

CITY OF STANWOOD

ATTEST:



Dianne W. White, Mayor



Melissa A. Collins, City Clerk