

# CITY OF STANWOOD

*Regular Meeting of the City Council*

*Thursday, November 12, 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, Andy Chappel, Arne Wennerberg, Bill Carlton, Timothy Loney and Shelley Klasse.

Also present: City Administrator Joyce Papke, City Clerk Melissa Collins, Finance Director Crystil Robinson, Public Works Director Andy Bullington, Community Development Director Rebecca Lind, Police Chief Ty Trenary, Student Advisor Dave Thomas, Assistant Fire Chief Craig Helgeland and City Attorney Grant Weed.

### 3. **Staff Announcements**

There were no staff announcements.

### 4. **Citizen Comments**

Jill Campbell, the new Managing Librarian at the Stanwood Library introduced herself and was welcomed by Mayor White.

John, Jimmy's Pizza, Stanwood, WA

Spoke to Council about the Washington State Department of Transportation's plan to reduce the parking by one-third at Jimmy's Pizza Restaurant.

### 5. **Special Presentation**

- a. Special Recognition of Councilmember Conrad Ryer for the Successful Completion of AWC's Certificate of Municipal Leadership Training Program

Mayor White presented Councilmember Conrad Ryer with a plaque in recognition for completing AWC's Municipal Leadership Training Program and thanked him for a job well done.

## **6. Approval of the Agenda**

Mayor White announced that there would be an executive session.

*Motion by Councilmember Loney, second by Councilmember Chappel to approve the agenda as published. Motion carried unanimously.*

## **7. Consent Agenda**

- a. Approval of Payroll Checks and Vouchers
- b. Minutes of the October 15, 2009 Workshop
- c. Minutes of the October 22, 2009 Regular Meeting
- d. Minutes of the October 29, 2009 Workshop
- e. Authorize Mayor White to Execute the Agreement with the Washington State Department of Ecology for the Comprehensive Shoreline Master Program Update
- f. Authorize Mayor White to sign Interlocal Agreement with Snohomish County to provide Fire Investigation Services

*Motion by Councilmember Kelley, second by Councilmember Loney to approve the consent agenda to include items a through f; voucher checks #15047 through #15117 in the amount of \$802,602.48; voided check #15005 and Payroll checks warrant #16767 through #16830 in the amount of \$218,226.56. Motion carried unanimously.*

## **8. Public Hearings**

- a. To Consider Public Testimony Regarding the Consideration of a Night Noise Construction Variance within the City of Stanwood Pertaining to the WSDOT 532 Road Construction Project

Mayor White called the Public Hearing to order.

Community Development Director Rebecca Lind presented the staff report and handed out a revised staff recommendation. She introduced Pat McCormick, Engineering Manager, Greg Pindras, Project Manager, and Adam Fredericks, Deputy Project Manager for the Washington State Department of Transportation (WSDOT) Highway 532 Project.

Mr. McCormick stated that the noise variance will cover construction from December 2009 to September 2010 all within the Stanwood City limits. This would allow work to be done at night.

A PowerPoint presentation was provided with details regarding the project.

WSDOT representatives responded to questions from Council.

Ms. Lind went over the revised staff recommendations. She stated the City may revoke or add additional conditions if all prior conditions have not been met or if the variance is found to be unreasonably harmful to the community. They are also recommending that a copy of the conditions be served to the contractor so there is formal recognition of responsibility, that there be an actual human complaint contact and if it becomes necessary to take measurements of the noise level, WSDOT will pay for a qualified audiologist to take the measurements.

Councilmember Loney requested clarification on what was considered unreasonably harmful. WSDOT and City staff responded to his concerns.

Mr. McCormick voiced concerns regarding imposing costs to WSDOT for the audiologist. A discussion ensued and it was agreed that the audiologist would be by mutual agreement between the city and WSDOT.

There being no public testimony, Mayor White closed the public hearing.

*Motion by Councilmember Loney, second by Councilmember Chappel to approve a variance to allow night work for a nine month period within the 532 project Zones 3 & 4, from January 2010 to September 2010 based on the finding that the potential disruption to the community from exclusively daytime work would create extraordinary congestion and an economic hardship for the business and residential community. Truck tailgates will be secured whenever reasonably possible to prevent excessive noise from banging; Stationary equipment, such as light plants, etcetera shall utilize WSDOT approved noise mitigation shields, etcetera available as approved by the engineer; The City administration shall review the variance within the first 90 days and may revoke or add additional conditions if all prior conditions have not been met or if the grant of the variance is found to be unreasonably harmful to the health, safety and welfare of the community; A copy of the variance shall be served the WSDOT contractor; WSDOT and the contractor shall each identify a human complaint contact that citizens can call 24 hours a day in the event there are complaints and to get information and that the information be posted on their website; If it becomes necessary to take measurements of the noise levels, WSDOT shall pay for a qualified audiologist mutually agreed upon by*

*the City and WSDOT to study the situation and to make recommendations to reduce or mitigate the noise. Motion carried unanimously.*

b. To Consider Public Testimony Regarding the 2010 Property Tax Levy

Ordinance 1255 Levying Taxes upon all Property for the Year 2010

Ordinance 1256 Levying Taxes for Emergency Medical Services for the Year 2010

Mayor White opened the public hearing.

Finance Director Crystil Robinson provided the staff report on the 2010 General Fund revenue budget and general property tax and Emergency Medical Services (EMS) property tax. She stated the major assumptions for 2010 are a 1% increase plus use of banked capacity of 3.07% for the general property tax and a 1% increase for the Emergency Medical Services property tax. She reported that development related revenues are down. They have projected 10 houses for 2010, 59 houses were projected for 2009. Sales tax is down approximately 6% in 2009 from 2008 and interest revenue is still down to about ½ of a percent.

There being no public testimony, Mayor White closed the public hearing.

Councilmember Loney requested clarification on the property tax impact on citizens. Ms. Robinson responded to his questions.

*Motion by Councilmember Kelley, to adopt Ordinance 1255 an ordinance of the City of Stanwood levying taxes upon all property subject to taxation within the corporate limits of the City of Stanwood, Washington for the year 2010 and adopt Ordinance 1256 an ordinance of the City of Stanwood levying taxes for emergency medical services upon all property subject to taxation within the corporate limits of the City of Stanwood, Washington for the year 2010 .*

Councilmember Kelley withdrew the motion.

*Motion by Councilmember Kelley, second by Councilmember Loney to adopt Ordinance 1255 an ordinance of the City of Stanwood levying taxes upon all property subject to taxation within the corporate limits of the City of Stanwood, Washington for the year 2010. Motion carried unanimously.*

*Motion by Councilmember Kelley, second by Councilmember Chappel to adopt Ordinance 1256 an ordinance of the City of Stanwood levying taxes for emergency medical services upon all property subject to taxation within the corporate limits of the City of Stanwood, Washington for the year 2010.*

*Kelly, yes; Ryer, yes; Chappel, yes; Wennerberg, yes; Carlton, yes; Loney, No; Klasse, yes; Motion carried 6-1.*

c. To Consider Public Testimony Regarding the Preliminary 2010 Budget

Finance Director Crystil Robinson provided the staff report and explained the budget process began in June 2009 when the staff was asked to prepare departmental requests at the absolute minimum level necessary to maintain services in the coming year. A final preliminary budget was agreed upon in September 2009 and brought before Council in October 2009. There have been three workshops on the preliminary budget.

Ms. Robinson presented the following budget highlights:

Major assumptions for the 2010 revenues include:

- 1% increase plus 3.07% banked capacity in property tax revenue over last year
- 1% increase in EMS tax
- One time residual equity transfer of \$54,000

Major assumptions for the 2010 expenditures include:

- Two percent cost of living for public works, administrative union, and non-represented employees.
- Benefit increases from zero to ten percent
- Staffing changes from 2009 – Two full- time positions left vacant in 2009; two full time employees reduced to half-time and layoffs of one full-time and two part-time positions effective January 1, 2010.

Ms. Robinson went over the details of each City fund as provided in the staff report and responded to questions from Council.

There being no public testimony, Mayor White closed the public hearing.

Since this was first reading, no action was required.

A discussion ensued regarding when the second reading will take place. It was decided it will be brought before Council at the December 10, 2009 meeting.

Councilmember Loney asked Mayor White if he can legally rescind his no vote on the EMS Ordinance. City Attorney Grant Weed explained the process.

*Motion by Councilmember Kelley, second by Councilmember Carlton to reconsider Ordinance 1256.*

*Kelly, yes; Ryer, yes; Chappel, yes; Wennerberg, no; Carlton, yes; Loney, yes; Klasse, yes; Motion carried 6-1.*

*Motion by Councilmember Kelley, second by Councilmember Chappel to adopt Ordinance 1256. Motion carried unanimously.*

**9. NEW BUSINESS**

Authorize Mayor White to sign a Letter of Support to the Snohomish Health District

Mayor White explained that there is funding available for public health and summarized a letter of support to the Snohomish Health District. Mayor White explained that the City has been working for approximately 3 ½ years on moving Stanwood towards a wellness program. This can result in lower health insurance premiums and other benefits to the City.

*Motion by Councilmember Loney, second by Councilmember Carlton to authorize Mayor White to sign the letter of support to the Snohomish Health District who is requesting Federal Stimulus Funding from the CDC in order to achieve increasing levels of physical activity, Improve nutrition and Decrease overweight/obesity prevalence in Snohomish County. Motion carried unanimously.*

**10. Report of Officers and Committees**

a. Mayor's Report

Mayor White thanked Councilmember Loney for his Mayoral run in the recent election and said she is looking forward to another four year term.

She also reported on the following:

- The train station opening is on November 21, 2009 at 8:30 a.m.
- Commended Deputy Fire Chief Reid and Police Chief Ty Trenary on the H1N1 vaccination clinic on October 3, 2009 where 2,600 people were immunized.

b. Committee Reports

There were no committee reports.

c. Councilmember Reports/Questions

Mayor White responded to questions from Council regarding the opening of the train station. The opening on November 21, 2009 will be organized by WSDOT and Design Stanwood.

Councilmember Loney commented on his campaign. He distributed flyers to approximately 400 homes and was pleased with receiving 40% of the vote.

d. City Administrator Business

There was no City Administrator's report.

e. Student Advisor Report

Student Advisor Dave Thomas reported on the following items:

- Spartan football team beat Arlington and went to the playoffs
- Winter sports start on November 15<sup>th</sup>
- Current food drive at the High School
- Veterans Day assembly
- Recognized FFA students who placed at the National level and were recognized for their achievements.

**11. Citizens Closing Comments**

There were no citizens closing comments.

**12. Adjourn to Executive Session**

Mayor White adjourned the meeting to executive session at 8:10 p.m. for 15 minutes to discuss real estate conveyance with action required.

**13. Reconvene and Adjourn**

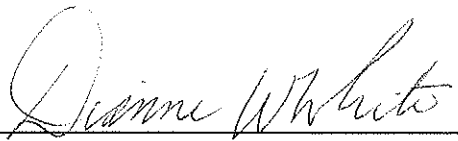
The meeting reconvened at 8:30 p.m.

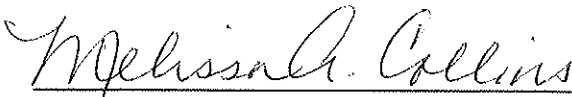
*Motion by Councilmember Kelly, second by Councilmember Wennerberg to authorize the Mayor, subject to the City Attorney's approval to execute a deed transferring title of the train station property to Washington State Department of Transportation, but retaining curb, gutter, and sidewalk. Motion carried unanimously.*

There being no further business before the Council, Mayor White declared the meeting adjourned at 8:32 p.m.

CITY OF STANWOOD

ATTEST:

  
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Dianne W. White, Mayor

  
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Melissa A. Collins, City Clerk