

# CITY OF STANWOOD

*Regular Meeting of the City Council*

*Thursday, May 13, 2010 – 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: Bill Carlton, Andy Chappel, Arne Wennerberg, Tim Pearce, and Conrad Ryer.

*Motion by Councilmember Wennerberg, second by Councilmember Carlton to excuse Councilmembers Tim Loney and Leonard Kelley. Motion carried unanimously.*

Also present: City Clerk Melissa Collins, Finance Director Crystil Robinson, Public Works Director Andy Bullington, Community Development Director Rebecca Lind, Police Chief Ty Trenary, and City Attorney Grant Weed.

### 3. Special Presentations

- a. Undersheriff Tom Davis and Police Chief Ty Trenary recognized Peggy Girard for her work on New World Technology, a new county-wide information system. Undersheriff Davis presented Ms. Girard with a certificate of appreciation.
- b. Jill Wubbenhorst, Managing Librarian provided a report on Library services.
- c. Brian Goodnight, Snohomish County Council provided a presentation on establishing a Snohomish County Transportation Benefit District (TBD) to provide funding for future transportation projects. Mr. Goodnight responded to questions from Council. City Attorney Grant Weed provided clarification on the governance of a TBD.

#### **4. Staff Announcements**

Finance Director Crystil Robinson reported on the first quarter 2010 financial report and gave an update on the Emergency Management Performance Grant. She asked for approval from Council to accept the grant and clarified that the grant is for approximately \$6,000 and can be used for equipment and supplies but not for services that are already in place.

*Motion by Councilmember Carlton, second by Councilmember Chappel to allow the Finance Director to sign the agreement for the Emergency Management Performance Grant. Motion carried unanimously.*

Public Works Director Andy Bullington asked Council to look at dates for future Sewer and Water Comprehensive Plan workshops.

#### **5. Citizen Comments**

There were no citizen comments.

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

Mayor White announced there would be an executive session.

*Motion by Councilmember Wennerberg, second by Councilmember Carlton to approve the agenda adding item C under Special Presentations. Motion carried unanimously.*

#### **7. Consent Agenda**

- a. Approval of Payroll Checks and Vouchers
- b. Minutes of the March 11, 2010 Regular Meeting
- c. Minutes of the March 25, 2010 Special Meeting
- d. Authorize Mayor White to Enter into Interlocal Agreement with Snohomish Regional Drug Task Force for the period of July 1, 2010 to June 30, 2011 in the amount of \$1,339.00

*Motion by Councilmember Carlton, second by Councilmember Chappel to approve the consent agenda to include items a through d; voucher checks #15788 through #15905 in the amount of \$712,238.97; Voided checks #15802, 15817, 15830, and 15831 and Payroll checks warrant #17275 through #17363 in the amount of \$314,564.19. Motion carried unanimously.*

## 8. New Business

- a. Appointment of Chaim Bezalel to serve on the Stanwood Planning Commission beginning May 2010 through December 31, 2010

City Clerk Melissa Collins provided the staff report and stated that in April Albert Burkland resigned from the Planning Commission. She added Chaim Bezalel submitted a letter of interest for the previous Planning Commission vacancies and Mayor White recommends his appointment.

Mr. Bezalel thanked Council and provided a brief description of his background.

*Motion by Councilmember Carlton, second by Councilmember Wennerberg to affirm the appointment of Chaim Bezalel to the Stanwood Planning Commission. Motion carried unanimously.*

- b. Resolution 2010-3 Approving and Adopting an Identity Theft Prevention Program

Finance Director Robinson provided the staff report and stated that the adoption of the resolution will bring the City into compliance with the "Red Flags Rule" that will be enforced by the Federal Trade Commission effective June 1, 2010.

Councilmember Wennerberg requested that "oversight" be stricken from the Program Adoption portion of the program that states "The Program was developed with oversight and approval of the City Council." Ms. Robinson said she will make that change.

*Motion by Councilmember Carlton, second by Councilmember Chappel to adopt Resolution 2010-3 approving and adopting an identity theft prevention program with the removal of the words "oversight and" under Program Adoption. Motion carried unanimously.*

- c. Authorize Mayor White to Execute the Professional Services Agreement with FCS Group in the amount of \$69,904 for a Water and Wastewater Utility Rate Study and General Facilities Charges Update

Finance Director Robinson provided the staff report. She said that two consulting groups submitted proposals and FCS Group was chosen. City Attorney Grant Weed commented on rate studies in other cities. Public Works Director Andy Bullington provided information on what the study will provide. Ms. Robinson responded to questions from Council.

*Motion by Councilmember Wennerberg, second by Councilmember Chappel to authorize Mayor White to execute the professional services agreement between the City of Stanwood and FCS Group in the amount of \$69,904 for a water and*

*wastewater utility rate study and general facilities charges update. Motion carried unanimously.*

- d. Authorize Mayor White to Execute the Professional Services Agreement with Jack Lyons and Associates for Fire Services Cost of Service Analysis Phase II

Finance Director Robinson provided the staff report and explained that at the last Council meeting there was discussion about bringing back the Professional Services Agreement with modifications to the scope of work. Ms. Robinson stated that Mr. Lyons provided the modified scope of work to the city and it was sent out to Council. The City's cost of the project will be \$9,000.00 plus 50% of the total mileage, not to exceed \$9,500.00.

*Motion by Councilmember Wennerberg second by Councilmember Chappel to authorize Mayor White to execute the professional services agreement between the City of Stanwood and Jack Lyons and Associates for Fire Services Cost of Service Analysis Phase II. Motion carried unanimously.*

- e. Authorize Mayor White to sign all Contract Documents after Preview and Approval of the City Attorney for Construction of Emerald Glenn City Pond Fencing

Director Bullington provided the staff report and reported that the pond fence located off of 72<sup>nd</sup> Avenue at Emerald Glen Development is in disrepair and has outlived its lifespan and needs to be replaced. He received bids from five contractors and the lowest quote was Dimock Construction LLC with the quote of \$32,791.77.

*Motion by Councilmember Wennerberg, second by Councilmember Chappel to authorize Mayor White to sign all contract documents after review and approval of the City Attorney for construction of Emerald Glenn City pond fencing. Motion carried unanimously.*

- f. 1) Ordinance 1265 Amending Stanwood Municipal Code Chapter 17.145.130 Sight Distance for Landscaping Adjacent to Public Rights-of-Way and Points of Access

Community Development Director Rebecca Lind provided the staff report. She stated that this is the second time it has been brought before Council. It was suggested by the City Attorney that it be broken out into two ordinances and both are being presented. Ordinance 1265 includes sight triangle amendments and has no changes. Ordinance 1271 is focused on the encroachment permit process and fee.

*Motion by Councilmember Wennerberg, second by Councilmember Chappel to adopt Ordinance 1265 amending SMC Ch 17.145.130 Sight distance for landscaping adjacent to public rights-of-way and points of access. Motion carried unanimously.*

2) Ordinance 1271 Amendment to Chapter 14.42 to Adopt an Encroachment Permit Process and Fee

Director Lind provided the staff report and said the issue was what to do with existing structures and the equity to existing property owners. The Planning and Economic Development Committee discussed these issues and came back with a revised recommendation.

*Motion by Councilmember Wennerberg, second by Councilmember Chappel to adopt Ordinance 1271 amendments to Chapter 14.42 to adopt an encroachment permit process and fee. Motion carried unanimously.*

g. Ordinance 1267 Amending Stanwood Municipal Code Title 17 and Title 5 Business License and Regulations, Chapter 5.06 Public Dances, Music or Entertainment to Address Outdoor Eating/Drinking Establishments and Public Entertainment Establishments

Director Lind provided the staff report and provided details of the proposed changes to the Stanwood Municipal Code (SMC) regarding outdoor entertainment and outdoor eating. She stated the changes come with a recommendation from the Planning Commission with good public involvement from residents and business owners. The Planning Commission took the position that they wanted it to work for businesses and not be too regulatory with no high fees and still be helpful to the residential community. Ms. Lind responded to questions from Council. City Attorney Grant Weed provided information regarding noise ordinances and decibel levels.

*Motion by Councilmember Pearce, second by Councilmember Carlton to adopt Ordinance 1267 Amending SMC Title 17 Zoning and Title 5 Business License and Regulations, Chapter 5.06 Public Dances, Music or Entertainment to address outdoor eating/drinking establishments and public entertainment establishments as amended by the Planning and Economic Development Committee. Motion carried unanimously.*

- h. Ordinance 1268 Amending the Definition of Community Center and Adding the "Community Center" Use and "Community Garden" Use to the Main Street Business Zone and Approving the Parking Standards for the "Community Center" Use

Community Development Director Rebecca Lind provided the staff report and reported to Council that this issue came about when the Community Resource Center approached the City regarding expansion. It was discovered that community centers are not an allowed listed use in MBII. After the Planning Commission made its initial recommendation on the amendment to MBII, staff became aware that two teen centers are in the MBI zone and this zone does not allow "community center" as a permitted use. Ms. Lind responded to questions from Council.

*Motion by Councilmember Pearce, second by Councilmember Ryer to adopt Ordinance 1268 amending the definition of community center and adding the "community center" use and "community garden" use to the Main Street Business II zone and approving the parking standards for the "community center" use. Motion carried unanimously.*

*Motion by Councilmember Pearce, second by Councilmember Chappel to refer the issue of adding "community center" use to the MBI zone to the Planning Commission for review and recommendation as a separate work program. Motion carried unanimously.*

## **9. Report of Officers and Committees**

### **a. Mayor's Report**

Mayor White reported on the following:

- City management is going through a metamorphosis with a goal to improve all aspects of city government.
- The City is looking forward to supporting community events and hopes to help them succeed.
- Operation Clean Sweep was held on May 8 and was organized in ten days. She thanked the staff and community members that were involved in the effort.
- In 2009, the Mayor and Council held a retreat to establish City priorities. She would like to hold another retreat to see if these are still the priorities and

determine what steps are needed to move ahead. The date of the retreat will be discussed at the May 27 Council meeting.

- She will be holding a meeting for all City employees to provide information and respond to questions regarding City issues.

b. Committee Reports

Councilmember Tim Pearce reported the Economic Development Committee is looking at the Economic Development plan and will have more at the upcoming meeting.

Councilmember Bill Carlton reported that the Finance Committee met and reviewed the quarterly report. The Committee had recommended using the May 27 meeting to develop a strategy plan for the promotion of the levy lid lifts.

c. Councilmember Reports/Questions

There were no councilmember reports or questions.

**10. Citizens Closing Comments**

There were no citizens closing comments.

**11. Adjourn to Executive Session**

Mayor White adjourned the meeting to executive session at 8:55 p.m. for 20 to 25 minutes to discuss potential litigation and real estate with action required.

**12. Reconvene and Adjourn**

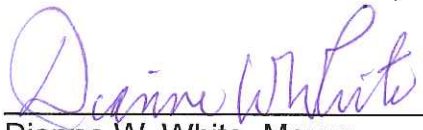
The meeting reconvened at 9:25 p.m.

*Motion by Councilmember Carlton, second by Councilmember Chappel to accept offer of compensation and authorize Mayor White to execute the temporary easement and quit claim deed in favor of WSDOT use of a portion of City property. Motion carried unanimously.*

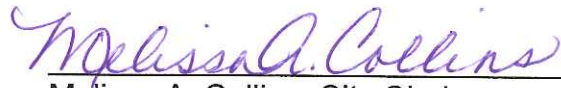
There being no further business before the Council, Mayor White declared the meeting adjourned at 9:06 p.m.

CITY OF STANWOOD

ATTEST:



Dianne W. White, Mayor



Melissa A. Collins, City Clerk