



City Council Minutes – January 7, 2008

At 7:30 p.m. Mayor Maxwell called the regularly scheduled meeting of January 7, 2008 to order. Roll call found present: Kevin McKeown, Nick Petrish, Erica Pickett, Brad Adams, Bill Turner, Cynthia Richardson, and Brian Geer. Roll call was followed by the Pledge of Allegiance.

Minutes of November 5, 2007, November 19, 2007, and December 3, 2007

Mrs. Pickett moved, seconded by Mr. Geer, to approve the minutes of November 5, 2007, November 19, 2007, and December 3, 2007 as if read. Vote: Ayes – Petrish, Pickett, Adams, Turner, Richardson, Geer, and McKeown. Motion carried.

Citizen Hearings

No citizens present wished to testify on matters not on the agenda.

Mayor/Council Communication

Mr. Steve Hoglund, Finance Director, administered the Oath of Office for Councilmembers Kevin McKeown, Nick Petrish, and Brad Adams.

Mr. Petrish, outgoing Mayor pro tem, called for nominations for Mayor pro tem for a two-year term. Mr. Adams moved, seconded by Mrs. Pickett to nominate Mrs. Richardson. Vote: Ayes – Pickett, Adams, Turner, Richardson, Geer, McKeown, and Petrish. Motion carried. Mrs. Richardson will appoint Council committee members at the next regularly scheduled meeting.

The Mayor announced that there will be a Port/City Liaison Committee meeting tomorrow morning at 8:30 a.m. at the Port office; Mr. Turner, Mrs. Richardson, and Mrs. Pickett (interim only) will attend the meeting.

Looking forward to a successful 2008, the Mayor thanked all community volunteers for their continuing support of this great community.

Old Town Design Standards: Consultant Contract

Mr. Ian Munce, Planning Director, presented a draft contract and scope of work with LMN Architects (Mark Hinshaw) for the "Old Town" design standards project. Mr. Munce explained that when the City adopted its new Comprehensive Plan policies were put in place preserving the character of older neighborhoods. In keeping with that goal, the Council will hold a Public Hearing on January 28th to review the interim controls put in place regarding "Old Town". Mr. Munce clarified that the design standards reviewed thus far relate to pitched roof, character of the building, alley access, and basic zoning considerations. Mrs. Richardson said that the consultant can help gather information to start the discovery process. Staff recommends approval of the contract with Mr. Hinshaw, a recognized leader in design standards. This contract expenditure is not in the budget; however, based on the groundswell of support from the community, the proposal has been placed before Council for support. Discussion followed regarding the definition of a "historic district".

With that, Mrs. Richardson moved, seconded by Mrs. Pickett, to authorize the Mayor to enter into a contract with LMN Architects in the amount of \$30,000 for the "Old Town" design standards project. Mrs. Pickett emphasized that, as a result of this effort, the City will have an assessment of the character of the district and will be able to develop some overarching objectives and principles - all useful tools in the planning process. Mr. McKeown inquired into the consultant selection process and contract details. Mr. Petrish spoke in favor of the motion. Mr. Adams suggested that the scope of work include all of Anacortes; Mr. Munce supported that concept but responded that it was important to start this process with a defined area. Vote: Ayes – Adams, Turner, Richardson, Geer, McKeown, Petrish, and Pickett. Motion carried.

Consent Agenda

Mr. Petrish moved, seconded by Mr. Geer to approve the following Consent Agenda items. Vote: Ayes – Turner, Richardson, Geer, McKeown, Petrish, Pickett, and Adams. Motion carried.

Approval of Vouchers/Cancellation of Warrants

Council voted unanimously that the following vouchers/warrants audited and certified by the City's Auditing Officer (Finance Director) and subsequently reviewed and approved by the Council Finance Committee on December 20, 2007, December 27, 2007, and January 3, 2008 are approved for payment as of this date January 7, 2008.

Claims Warrants

Dec, 2007: Warrant Numbers 44241 through 44468 in the total amount of \$991,888.81

Prewritten Claims

Jan, 2008: Warrant Number 44240 in the total amount of \$1,228.35

Payroll December 20, 2007 in the total amount of \$478,726.73

Warrant Numbers 31740 through 31788 in the total amount of \$49,924.23

Direct Deposit Numbers 24724 through 24887 in the total amount of \$267,975.14

EFT Numbers 794 through 799 in the total amount of \$160,827.36

Payroll January 4, 2008 in the total amount of \$719,288.50

Warrant Numbers 31789 through 31851 in the total amount of \$239,088.21

Direct Deposit Numbers 24888 through 25002 in the total amount of \$273,879.93

EFT Numbers 769 through 805 in the total amount of \$206,320.36

Cancelled Warrants:

Claims Number 40757 in the amount of \$56.00; Claims Number 43257 in the amount of \$3,348.00; and Claims Number 43078 in the amount of \$500.00

In the same motion Council:

Accepted the Paving for Pump Station 12 Project at 5th Street/Cap Sante (07-031-TRN-001) as complete thereby initiating the mandatory lien period; and

Accepted the Northwest Pipe Company pipe procurement contract (Segments 5 and 6) as complete thereby initiating the mandatory lien period.

Chandler Encroachment Appeal

Mr. Ian, City Attorney, initiated the review of an appeal of his decision to deny an Encroachment Agreement application submitted by Mark and Sharon Chandler, 3004 West 3rd Place. The Chandlers installed landscaping to the north of their home on the adjacent portion of undeveloped West 3rd St. Concerns from the neighbors regarding height and access issues necessitated an Encroachment Agreement between the Chandlers and the City. If approved, the Agreement would give assurances that the City has a right to require the improvements be removed if necessary, and assurances to the Chandlers that the landscaping can be installed with some expectation that the improvements can remain. Neighbors were notified of the application and invited to respond; two letters of objection were received regarding landscaping. The neighbors wanted to know: if the trees grew to a substantial height would the City be responsible for maintenance? Mr. Munce asked for Council's direction regarding due process and public notice considerations with regard to this appeal. Having reviewed the background material, Mr. McKeown suggested removing the 4 trees and that the Chandlers prepare a restrictive maintenance easement. Mrs. Pickett pointed out that access was also an issue raised by a neighbor. Mr. Geer suggested that a Public Hearing and site visit should be part of the decision process. Mr. Munce offered that a site visit could be held on the afternoon of January 22nd with notices to those in the vicinity and on the record. With that, Mr. Adams moved, seconded by Mr. McKeown, table this matter in order to hold a site visit at 3:00 p.m. on Tuesday, January 22, 2008 at 3004 West 3rd Place, and to notify appropriate property owners of a Public Hearing on the evening of January 22nd. Vote: Richardson, Geer, McKeown, Petrish, Pickett, Adams, and Turner. Motion carried.

Marine Heights Property Disposition

Gary Robinson, Parks Director, explained that the Marine Heights Development approval included a provision for access to the forestlands between 4209 and 4213 Marine Heights Way. This particular access is not in use and more favorable access points in the area have been established. The City has discussed the possibility of selling this property to adjacent land owners; the Forest Board supports selling a small portion of the property and recommends securing an Encroachment Agreement over the remaining piece. In that regard, Mr. Jim Fourness, 4213 Marine Heights Way, would like to purchase a 30' x 15' piece in the amount of \$8,865.00; this proposal was previously reviewed by Council in Executive Session. Also, the Homeowners Association supports this action. With that, Mr. Turner moved, seconded by Mr. Adams, to approve the sale (to Mr. Jim Fourness) of a 30' x 15' portion of the Marine Heights access between 4209 and 4213 in the amount of \$8,865.00. Mr. Robinson answered Mr. McKeown's question regarding other parking access points in the area. Vote: Ayes – Geer, McKeown, Petrish, Pickett, Adams, Turner, and Richardson. Motion carried.

Resolution: Promoting Use of LEED Standards and Green Building

Mr. Don Measamer, Assistant Planning Director, presented a Resolution to Council that responds to a growing community interest in green building issues. With adoption of this Resolution, City staff would be able to put together resources for home owners, developers, and builders to encourage them to go further than what the codes now require to address environmental concerns; the City's current adopted codes include minimum design standards. This would provide an opportunity for developers to take a new development path with energy saving techniques. On a question from Mr. Adams, Mr. Measamer explained that LEED stands for Leadership in Energy and Environmental Design. With that, Mr. Turner moved, seconded by Mr. Geer, to adopt **Resolution No. 1752** entitled "A Resolution Promoting the Use of LEED Standards in the Construction and Renovation of City Buildings and in the Construction Practices of the Private Sector." Vote: Ayes – McKeown, Petrish, Pickett, Adams, Turner, Richardson, and Geer. Motion carried. Mrs. Richardson suggested that a resource center could be established at the Library containing this type of information. The Mayor and Mrs. Pickett complimented Mr. Measamer and the Building Department for bringing this issue to the forefront.

At approximately 8:30 p.m. Mayor Maxwell continued the January 7th meeting to Tuesday, January 22, 2008 at 3:00 p.m. in order to conduct a site visit at 3004 West 3rd Place relative to the Chandler Encroachment appeal.