



## **City Council Minutes – March 3, 2008**

---

At 7:30 p.m., Mayor Maxwell called the regularly scheduled meeting of March 3, 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 Previous Meeting**

Mrs. Pickett recommended that the February 4<sup>th</sup> minutes be changed in the following manner: Old Town Ordinance: page 3, sentence 9 should read: “Ms. Pickett said that the combination of 3,000 square feet of space on the main floor and 35’ of height does not give the neighbors much protection against huge structures being built near much smaller homes”. With that correction, Mr. Petrish moved, seconded by Mr. Turner, to approve the minutes of February 4, 2008 and February 11, 2008 as if read. Vote: Ayes – Petrish, Pickett, Adams, Turner, Richardson, Geer, and McKeown. Motion carried.

### **Citizen Hearings**

Mr. Herschel Janz, 1120 King Street, referenced a significant public safety issue at the City dump site relative to motorcycles. Mr. Janz has addressed this problem with both the Park Department and Forest Board. To date, nothing has been done to separate motorized and pedestrian traffic on the forestlands trail at this location. Mr. Janz said that he would return to addresses this issue again.

### **Mayor/Council Communication**

Mayor Maxwell announced that the Port/City Liaison Committee will meet at 8:30 tomorrow morning at the Port marina office.

Mr. Petrish asked the City Council and staff to pursue funding for summer help to eradicate the ivy infestation from the forestlands. The Mayor thanked Jonn Lunsford, Forestlands Manager, and all the volunteers who participated in a recent work party to assist in forestland maintenance. In particular, Mr. Adams recognized the ongoing volunteer efforts of Mr. Herschel Janz to preserve and enhance the forestlands. The Mayor pointed out that funding for ivy removal can be part of the budget dialogue.

### **Anacortes Community Shelter Project Update**

Mr. Ian Munce, Planning Director, introduced Mr. Eric Johnson, Director of the Anacortes Family Shelter. By way of background, Mr. Munce explained that the City is a direct recipient of Housing and Urban Development Department monies for assistance to low income citizens. The City earmarked approximately \$87,000 of these funds for the Anacortes Shelter project. Funding will be dispersed when the operation plan for the Shelter is complete; staff recommends that the City’s contribution shall be allocated for infrastructure improvements. Mr. Johnson, referencing the Shelter’s “Long-Term Operation Plan” outlined current and future operations including safety and security issues raised by neighbors; donations; building fund status; facility layout and amenities; safety features; operating expenses; action plan for guests; staffing; strict restrictions on alcohol and drug use; and hours of operation. Mr. Petrish inquired into the background check procedure and curfew restrictions, provisions for homeless juveniles, neighborhood safety concerns. Mr. Johnson said that the neighborhood has been invited to work with the Shelter to assist in developing operational procedures. Mrs. Pickett congratulated Mr. Johnson and all those involved for this tremendous accomplishment. Mr. Munce said that infrastructure expenditure plans and proposals will be brought back to Council; he also emphasized that this is a private project under construction and that the City has only peripheral responsibility. Mrs. Richardson pointed out that the Shelter will assist guests in getting back into the community in a productive way. The Mayor emphasized that the Shelter, City, and community will work together to ensure a successful facility. Mr. Johnson offered to report to the Council on a biannual basis.

### **Adoption: Transportation Plan**

Mr. Fred Buckenmeyer, Public Works Director, reported to Council that no additional verbal or written comments were submitted subsequent to the most recent of the public meetings on the City’s proposed Transportation Plan. With regard to minor revisions, Mr. Buckenmeyer referred to the March 3<sup>rd</sup> Errata

sheet summary outlining the five new policies introduced by Council; the Port of Anacortes comments dealing primarily with the Anacortes airport; two exceptions to the Port's comments; four proposed revisions from independent traffic consultant; and two comments from independent legal counsel. Three additional revisions include: (1) Policy 9.2b Page 9-3 "...additional *mid-block* pedestrian..."; (2) Comments by Port of Anacortes: Page 5-3, 5.3.1: "As a Public Use Airport ~~and an Essential Public Facility~~, ..."; and (3) Comments by Port of Anacortes: "~~and the 2007 Airport Layout Plan~~." Mr. Petrish remarked on the lack of a parking plan for south Commercial Avenue. After discussion, Mr. Petrish moved, seconded by Mr. Turner, to adopt the Transportation Plan subject to the Errata sheet modifications. Vote: Ayes – Pickett, Adams, Turner, Richardson, Geer, McKeown, and Petrish. Motion carried

### **Consent Agenda**

Mr. Geer moved, seconded by Mr. Adams to approve the following Consent Agenda items. Vote: Ayes – Adams, Turner, Richardson, Geer, McKeown, Petrish, and Pickett. 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 February 21, 2008 and February 28, 2008 are approved for payment as of this date March 3, 2008.

### **Claims Warrants**

Feb, 2008: Warrant Numbers 45027 through 45186 in the total amount of \$491,269.57

### **EFT**

Feb, 2008: EFT Number 45026 in the total amount of \$126.00

Payroll February 20, 2008 in the total amount of \$490,470.98

Warrant Numbers 31967 through 32016 in the total amount of \$48,470.98

Direct Deposit Numbers 25412 through 25575 in the total amount of \$275,736.18

EFT Numbers 820 through 825 in the total amount of \$166,649.98

In the same motion Council:

Approved the Special Events/Street Fair Applications for the use of Causland Memorial Park and Washington Park: Special Event t# 1 – Anacortes 4<sup>th</sup> of July Extravaganza at Causland Park sponsored by the Anacortes Women of Today; Special Event # 2 – What the Heck Fest at Causland Park sponsored by Magic City Center and Bret Lunsford on July 19, 2008; and Special Event # 3 – Salmon Barbecue and Novice Quarter Contest at Washington Park, sponsored by the An-O-Chords on July 27, 2008.

### **Consideration and Award of 2008 Waterline Project**

Mr. Fred Buckenmeyer, Public Works Director, introduced two waterline replacement projects for Council consideration: replacement of an asbestos cement waterline on 7<sup>th</sup> Street between Commercial and "R" Avenues, and transferring four water services from an older cement waterline to a newer ductile iron line on 6<sup>th</sup> Street between Commercial and "Q" Avenues. The low bid was received from Interwest Construction of Burlington; the Engineer's Estimate was \$150,000. After discussion Mr. Turner moved, seconded by Mr. Adams, to accept the bid from Interwest Construction, Burlington in the amount of \$169,813.37. Vote: Ayes – Turner, Richardson, Geer, McKeown, Petrish, Pickett, and Adams. Motion carried.

### **Public Hearings: Vacation Petitions – Island Hospital (Continued from February 19, 2008)**

Mayor Maxwell opened the Public Hearings on 2 Petitions submitted by the Island Hospital for the vacation of (1) a portion of 25<sup>th</sup> Street in Hensler's First Addition and (2) for a portion of the alley in Block 3, Hensler's First. Mr. Ian Munce, Planning Director, explained that Island Hospital owns property on both sides of the rights-of-way to be vacated; an easement for utilities will be required. In addition to taking public comment, Council will need to determine the adequacy of the appraisal used to determine compensation amounts. Also, Mr. Munce explained that the City's policy is not clear on what portion of full value the City should receive relative to a reduction for retaining an easement. If Council accepts the methodology proposed, the compensation would be approximately \$206,000. Additionally, the Hospital has asked to offset the fees with improvements to the portion of 25<sup>th</sup> Street not being vacated with angled parking and to improve some landscaping. City staff reviewed the appraisal and found the square foot

figure to be reasonable. Mr. Turner asked if the compensation could be re-appropriated to other areas; Mr. Munce emphasized that the Hospital's proposal will provide much needed parking in the south Commercial Avenue vicinity.

Mr. Vince Oliver, CEO of Skagit County Public Hospital District No. 2 (Island Hospital) explained that the Hospital Board has been working to develop the vision of Island Hospital and health care for this community well beyond 2020. Mr. Oliver reported that the recent renovation project is on budget and on schedule with building dedication slated for mid-June. Health care needs are on the rise and the hospital campus will need to expand. If vacated, the additional right-of-way will provide additional flexibility for client services. Marc Estvold, 3302 Oakes avenue, provided additional detail on the appraisal submitted. The total land value was calculated at \$400,648. If the property is encumbered by utility easements that amount will be devalued by 20%. Using this formula, the compensation for the vacated right-of-way would be \$220,356. Mr. Estvold then described the proposed improvements to be installed in lieu of compensation. Mr. Estvold then described the short term parking proposal for adjacent property. There were no comments from the audience and the Mayor declared the Public Hearing closed.

Mr. Fred Buckenmeyer, Public Works Director, described the water and sanitary sewer line locations in this vicinity. Mrs. Richardson suggested that future vacation compensation/easement issues shall be decided on a case by case basis. Mrs. Pickett raised a question about the appraiser's application of the 20% reduction amount. Mr. Adams didn't support a reduction for the easement and spoke in favor of the compensation policy set by Resolution. Mr. McKeown agreed. Mr. Adams asked that discussion on compensation be deferred. With that, Mrs. Richardson moved, seconded by Mr. McKeown, to direct staff to prepare an Ordinance vacating both the street and alley vacations as proposed and that further consideration be given determine a compensation amount. Vote: Ayes – Richardson, Geer, McKeown, Petrish, Pickett, Adams, and Turner. Motion carried. Mr. Munce said that staff will bring back Resolution No. 1744 with alternative wording for amendment or adoption relative to establishing easement/compensation values.

#### **Appeals (2) Subdivision Administrator's Tentative Approval of the Allen 2-lot Short Plat – 38<sup>th</sup> and "M" Avenue**

Mayor Maxwell initiated Council deliberation and review of the Subdivision Administrator's approval of a 2-lot short plat at 38<sup>th</sup> Street and "M" Avenue and associated appeals. Mr. Ian Munce, Planning Director, reviewed the Subdivision Ordinance short plat regulations regarding the division of land up to 9 lots. In this case, a 2-lot short plat, an administrative procedure was employed to review lot size, square footage, and setback requirements. A number of years ago, the City approved a Boundary Line Adjustment at this location. At that time the City secured the Allen's approval for the right-of-way needed on 38<sup>th</sup> Street and at the same time secured adequate frontage on 38<sup>th</sup> Street. The 2-lot short plat now before Council meets appropriate criteria. There were protests from the neighbors and appeals were filed; hearing notices were published, posted, and mailed to the appellants and property owners within 300'. Neither the appellants nor their representatives were in the audience. The applicant, Mr. Tom Allen, 4306 Shelby Court, said that the proposed plat has been through City staff review and meets all codes. He responded to some of the issues raised by the neighbors including lot size, driveway widths, use of flag lot configuration, demolition of the large garage on site, landscaping and maintenance of the property, and square footage of Lot B. Mrs. Richardson suggested recording an addendum to the survey to show the previous BLA. Mr. McKeown mentioned the application of design standards. Mrs. Richardson moved, seconded by Mr. Geer, to deny the appeals and to approve the Allen 2-lot Short Plat at 38<sup>th</sup> Street and "M" Avenue subject to conditions recommended by staff. Vote: Ayes – Geer, Petrish, Pickett, Adams, Turner, and Richardson. No – McKeown. Motion carried.

At approximately 9:30 p.m. the Mayor continued the regularly scheduled meeting of March 3, 2008 to 5:00 p.m., March 17, 2008 for the purpose of conducting a site visit relative to the Fidalgo Villas Land Use Permits.