City Council Minutes – February 17, 2009

At 7:30 p.m. Mayor Maxwell called the regularly scheduled meeting of Tuesday, February 17, 2009 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

Mr. Geer moved, seconded by Mr. Turner, that the minutes of January 20, 2009 be approved as if read. Vote: Ayes – Petrish, Pickett, Adams, Turner, Richardson, and Geer. Abstain: McKeown. Motion carried.

Citizen Hearings

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

Mayor/Council Communication

The Mayor shared excerpts from Section 6.1 from the City Council Procedures, Resolution No. 1374. Section 6.1 (A) specifies that any Council member who cannot attend a meeting shall notify the Mayor. Mr. Turner reported he recently underwent back surgery and has been unable to attend meetings.

Consent Agenda

Mr. Adams moved, seconded by Mrs. Pickett to approve the following Consent Agenda items. Vote: Ayes – Pickett, Adams, Turner, Richardson, Geer, McKeown, and Petrish. 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 5, 2009 and February 12, 2009 are approved for payment as of this date February 17, 2009.

Claims Warrants

Feb 2009: Warrant Numbers 49653 through 49830 in the total amount of $478,967.26

EFT

Feb 2009: EFT Number 49646 through 49652 in the total amount of $2,608.06

Payroll for February 5, 2009 in the total amount of $732,753.24

Warrant Numbers 33190 through 33227 in the total amount of $54,780.99
Direct Deposit Numbers 29572 through 29763 in the total amount of $297,931.29
EFT Numbers 945 through 953 in the total amount of $380.040.96

Cancellation of Warrant

Warrant Number 49533 in the total amount of $99.07

In the same motion Council approved:

Adopted **Ordinance No. 2796** entitled "An Ordinance Adopting a New Transportation Plan Pursuant to RCW 36.70A.130 and Repealing Ordinance No. 2542.", and

Approved the Garden Art Fair Street Fair Application: This new event will take place on April 25 and 26 and will be held downtown adjacent to "The Depot."

Consideration of Bids for 2009 Waterline Replacement Project
Mr. Fred Buckenmeyer, Public Works Director, presented the annual waterline replacement project to Council for review and approval. Old water distribution mains and service lines which are either undersized or have a history of excessive maintenance requirements are targeted. Bids were obtained with a low bid from Strandberg Construction of Anacortes in the amount of $150,983.62 (including sales tax); staff recommends the project be awarded to Strandberg Construction. Mr. McKeown so moved, seconded by Mrs. Pickett. Vote: Ayes – Adams, Turner, Richardson, Geer, McKeown, Petrish, and Pickett. Motion carried.

Closed Record Meeting: Conditional Use Permit – Buggia – Single Family in the CM Zone
Mayor Maxwell initiated the closed record meeting to consider a conditional use application to construct a single family residential unit in the Commercial Marine Zone at 6040 Sands Way. Mr. Don Measamer, Assistant Planning Director, used an overhead display to point out the project driveway access off Sands Way. The single family unit will be located on the second floor of a building now in the final stages of construction. A portion of the property will be dedicated to a Native Growth Protection Easement; also, the eagle perch trees have been retained. The applicant worked extensively with the Department of Fish and Wildlife to develop an Eagle Habitat Management Plan. The Planning Commission held a Public Hearing on this matter and recommended approval subject to 13 conditions; no appeals were filed. On a question from Mr. Turner, Mr. Measamer discussed current legislation regarding eagle protection measures. Mrs. Richardson said that mixed use projects are encouraged in this zone. With that, Mrs. Richardson moved, seconded by Mr. McKeown, to approve the Buggia Conditional Use permit to locate a single family residence at 6040 Sands Way, subject to the Findings of Fact and Conclusions of Law recommended by the Planning Commission. Vote: Ayes – Turner, Richardson, Geer, McKeown, Petrish, Pickett, and Adams. Motion carried.

The Mayor reported that an Anacortes contingent recently traveled to Sidney B.C. for a meeting regarding the international ferry run; the Mayor met with the CEO of Butchart Gardens and representatives from the British Columbia government and economic community; he heard compelling testimony and a deep commitment to work together to keep the international ferry run operational. The Mayor and Planning Director will meet with Washington State legislators to underscore the significant financial stimulus that this ferry run represents to our state economy.

There being no further business, at approximately 7:50 p.m. Mayor Maxwell continued the regularly scheduled meeting of February 17, 2009 to Monday, February 23, 2009 for the purpose of: 2009 Refunding Bond and possible continuation of the Rabanco Contract.