



## **City Council Minutes – August 3, 2009**

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At 7:30 p.m. Mayor Maxwell called the regularly scheduled meeting of August 3, 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. Petrish moved, seconded by Mr. Geer, that the minutes of July 20, 2009 be approved as if read. Vote: Ayes – Petrish, Pickett, Adams, Turner, Richardson, Geer, and McKeown. Motion carried.

### **Citizen Hearings**

Mark Lijek of 3512 West 3<sup>rd</sup> Street spoke regarding stop signs, arguing that more stop signs don't necessarily contribute to traffic safety. The Manual on Uniform Traffic Control Devices (MUTC) sets Federal standards for placement of stop signs. The MUTC calls for a stop sign only where a full and complete stop is necessary for safe passage through an intersection. According to Mr. Lijek, drivers may not obey stop signs that they feel are extraneous. Mr. Lijek stated that stop signs are also an air quality issue because each time a car stops and then starts again additional fuel is burned and additional pollution and CO2 are emitted. Mr. Lijek suggested that the City could reduce its carbon footprint, reduce fuel costs and increase safety by reducing the number of stop signs in town in conformance with the MUTC. Mr. Lijek will contact Eric Shjarback and the Traffic Safety Committee on this issue.

### **Mayor/Council Communication**

Employee Recognition for Kathy Janke: The Mayor and Council thanked Kathy Janke for her many years of service to the Council which concluded at this meeting. Ms. Janke has attended City Council meetings, taken and transcribed Council minutes, and prepared the Council packets since 1998. Ms. Janke has worked at the City since 1978 including in the Finance Department, as front desk receptionist and in the Planning Department where she is currently the Land Use Permit Manager in addition to her ongoing duties as the secretary for the City Council. Ms. Janke was also instrumental in formation and promotion of the Anacortes Farmer's Market and involving Anacortes in Sister Cities International. Ms. Janke has worked for decades behind the scenes to help Anacortes to develop into the fine city it is today. Ms. Janke retires from the City in December, 2009.

Art Dash: Nicole Johnston from the Parks & Recreation Department reported on the very successful 4<sup>th</sup> Annual Art Dash held on Saturday, August 1, 2009. A total of 252 participants ran the half marathon, 10K or 5K routes. Mr. Geer praised the traffic control at points where the race crossed roadways. Ms. Johnston thanked Officer Farrell for his assistance with the traffic control.

Project Porchlight: Mr. Adams reported that he and the Mayor volunteered with Project Porchlight on August 2, 2009, handing out free low energy light bulbs door to door to homes in Anacortes. The project also educated homeowners about energy savings, including facts such as that a single CFL bulb will last seven years and can save \$43 in electricity cost over the life of the bulb. Volunteers are still welcome for a similar event on August 15 which will meet at Storvik Park at 2:00 p.m. Also on August 22 and 23, 2009 at ACE Hardware citizens are invited to trade in up to ten of their existing incandescent light bulbs for new free CFL light bulbs. The Mayor commented that if every home in America changed a single incandescent bulb to a low energy bulb the country would reduce emissions by the equivalent of 800,000 automobiles in a year.

Roundabout Update: Public Works Director Fred Buckenmeyer provided an update on the new Commercial Avenue roundabout. An informal ribbon cutting and drive through for local business owners occurred on July 24, 2009, exactly 30 days after the closure began. Mr. Buckenmeyer reviewed the correct process for traveling through a roundabout: slow down when approaching, yield to pedestrians, yield to cars already in the roundabout, then enter as soon as there is an opening. Once in the roundabout do not stop and do not pass other vehicles. When exiting the roundabout, again yield to

pedestrians. If an emergency vehicle displaying lights or sirens enters the roundabout behind you, proceed to the next exit and pull over out of the way. If an emergency vehicle overtakes you before you enter the roundabout, either pull over before the roundabout if space allows or if not, enter the roundabout and then exit at the first exit and pull out of the way. Bicycles can ride around the roundabout on the sidewalk or can enter and travel through the roundabout just like a car. The roundabout is designed with elevated center island landscaping to discourage drivers from passing incorrectly through the center of the roundabout and to provide a visual barrier which encourages drivers to focus on the vehicles immediately to the left, not vehicles that are still outside the roundabout. Mr. Petrish asked if turn signals should be used. Mr. Buckenmeyer said yes, use signals: the left signal indicates you are continuing inside the roundabout, the right signal indicates you are taking the next exit. Mr. Petrish also suggested that the existing roundabout advisory sign should be positioned further east on Highway 20. Mr. Geer suggested placing a no passing/no stopping sign in the roundabout. Mrs. Richardson suggested placing brochures at the Visitor's Center. Mr. McKeown reported that he has received nothing but positive feedback about the roundabout. Mr. Buckenmeyer said a formal ribbon cutting will be scheduled in September. The Mayor reported that the Anacortes roundabout may soon be featured in a prominent national engineering publication. Mrs. Richardson asked about traffic violations in the roundabout. Chief Bowers reported that there have been no collisions and no violations. Mr. Adams complimented the landscaping which makes the roundabout feel like a brief passage through a park.

Vessel Launch: Mrs. Richardson reported that Dakota Creek Industries has been building a large vessel, the *Ross Candies*. The vessel will be launched at 2:00 p.m. on Saturday, August 8, 2009 and the public is welcome to observe.

#### **Consent Agenda**

Mr. Petrish moved, seconded by Mr. McKeown, 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 July 23, 2009 and July 30, 2009 are approved for payment as of this date August 3, 2009.

#### **Claims Warrants**

July 2009: Warrant Numbers 51868 through 52047 in the total amount of \$1,074,466.36

#### **EFT**

July 2009: EFT Number 51866 through 51867 in the total amount of \$154.00

#### **Prewritten Claims**

July 2009: Warrant Number 51865 in the total amount of \$ 925.00

#### **Cancellation of Warrant**

Claims Warrant Number 51775 in the total amount of \$ \$342.72

Payroll Warrant Number 33835 in the total amount of \$ \$753.90

In the same motion Council:

Approved the Street Fair Application and associated conditions and services for the Sunset Cove Homeowner's Association Annual Picnic to be held on September 13, 2009 from 3:00 p.m. to 6:00 p.m. at the cul-de-sac at the end of Sunset Court; and

Authorized pursuit of a refunding bond for the 1999 LTGO bonds.

#### **Adoption of Interim Storm Water Ordinance**

Assistant Director of Planning and Community Development Don Measamer presented a draft of an interim ordinance that will bring Anacortes into compliance with recent Dept. of Ecology guidelines and

regulations. Staff would like to take the draft to the public for comment and then to the Planning Commission for review before bringing it back to Council for final action. However, Dept. of Ecology requires adoption of an ordinance by August 15, 2009. The interim package will allow Anacortes to be in compliance now while the public process continues for the final ordinance. Mr. Adams asked for highlights of differences between the prior version and the new one. Mr. Measamer replied that the new ordinance has been shortened drastically. Much of the specific design information contained in the old ordinance has been replaced by reference to City standards and the Dept. of Ecology manual so that the ordinance is automatically updated as the referenced standards are updated. Mr. Turner noted a trend towards more low impact development techniques. Mr. Measamer agreed and anticipated that this trend will continue as the final ordinance is drafted. The Mayor reminded that a number of cities challenged the first draft of Dept. of Ecology's NPDES Phase II requirements and were successful at achieving some changes but subsequent legal challenges including one currently in progress may alter the requirements in the future. Mr. Adams asked about the revision cycle for the Storm Water ordinance. Mr. Measamer replied that the ordinance can be considered a work in progress as new guidelines and standards continually come into play. Staff does review the NPDES Phase II permits each year. Mrs. Richardson asked if the interim ordinance can be adopted on the condition that a few typos will be addressed by staff. Mr. Measamer agreed. Mr. Geer moved, seconded by Mr. Adams, to approve the interim ordinance with corrections. Vote: Ayes – Adams, Turner, Richardson, Geer, McKeown, Petrish and Pickett. Motion carried.

#### **Surplus of Vehicles and Police Boat**

Mr. Buckenmeyer presented a list of eighteen vehicles and other equipment that can be declared surplus and disposed of to save the City insurance and maintenance costs. Mr. Buckenmeyer added Vehicle 106, a 1990 Ford Ranger formerly in service at the wastewater treatment plant, to the list. Once approved for surplus, equipment is usually taken to Murphy's Auction for disposal. Police Chief Bonnie Bowers presented a list of five retired handguns that can be declared surplus and traded in to Kesselring's gun shop for credit towards the purchase of new pistols. Chief Bowers also proposed that the department's 1991 Stratos 22-foot fiberglass boat with engines be declared surplus and title transferred to the Skagit County Sheriff's Office for their use pursuant to the Interlocal Agreement with Skagit County to provide Marine Patrol in the inland water ways surrounding the City of Anacortes. Mrs. Richardson moved, seconded by Mr. McKeown, to authorize surplus and disposal of all this equipment. Vote: Ayes – Turner, Richardson, Geer, McKeown, Petrish, Pickett and Adams. Motion carried.

#### **Award of Task Order to Reichhardt & Ebe Engineering, Inc. for Fidalgo Bay Road Improvements**

Mr. Buckenmeyer presented a proposed Task Order for \$97,180 with Reichhardt & Ebe Engineering, Inc. for design and construction engineering of Fidalgo Bay Road improvements that will be funded with the grant received by the Samish Indian Nation. The portion of the road that will be improved is about 1000 feet that runs from just south of the entrance to the RV Park north to approximately the condominiums and will likely include curb, gutter and sidewalk, storm drainage and asphalt overlay. The Task Order amount is sizable because the Federal grant comes with extensive requirements for environmental permitting and geotechnical evaluations. Mr. McKeown asked what the total project will cost. Mr. Buckenmeyer replied that developing an Engineer's Estimate is one of the first things Reichhardt & Ebe will do under this Task Order but he anticipates that most of the \$449,387 of grant funding will be used. Mr. Petrish suggested a sign be installed at the exit of the RV Park closing off the left turn at the intersection of Fidalgo Bay Road and Highway 20 onto eastbound Highway 20. Mr. McKeown and the Mayor both agreed that this is a dangerous intersection. Mr. Buckenmeyer said Public Works will be talking with WSDOT about installing physical closures at that intersection. Mr. Turner asked if the Council Public Works Committee could look at those issues. The Mayor assented but reminded that because this is a State highway the City has to work with WSDOT to implement any changes. The Mayor also reminded that closing this intersection was supposed to be part of the Sharp's Corner roundabout but the State Legislature has delayed that project until 2019 now. Mr. Adams stated that any time the City can get part of Fidalgo Bay Road resurfaced with grant funding it is to the City's advantage. Mr. Adams moved to approve the Task Order, seconded by Mr. McKeown. Mrs. Richardson asked if the project requires a shoreline permit. Mr. Buckenmeyer said no, the project is maintenance only. Vote: Ayes – Richardson, Geer, McKeown, Petrish, Pickett, Adams and Turner. Motion carried.

### **Guemes Channel Trail Update**

Mr. Measamer provided an update on the Guemes Channel Trail construction which began on July 27. The section currently under construction is 2200 LF beginning at Leeward Way. Clearing and grubbing has taken place and base rock is being placed. The shoreline is a lovely walk for the public. Rob Hoxie is the project manager for this Phase I which will be completed late September or early October, paved and ready for use. This is a combined project between the City and Gilbane. Local contractor Strandberg Construction is the prime contractor along with several local subcontractors. The City has been working closely with the State Dept. of Fish & Wildlife and Dept. of Ecology and consulting biologist Jim Wiggins is on site daily to ensure the project is following the guidelines. The Mayor reminded that this trail segment will one day connect to downtown. Mr. Petrish asked how much further east the trail can go before it reaches the point where the railroad bed is washed out and the train tracks historically were built out over the water. Mr. Measamer responded that the design is not that far along yet. Mr. McKeown observed that this section is going to establish the momentum to get the rest of the trail built which will be a wonderful attraction and a viable commuter route for west end residents. Mrs. Richardson observed that that the trail is essentially level so that it is fully accessible for everyone even the mobility impaired. Mr. McKeown observed that similar trails in Seattle move people of all ages and abilities. Mrs. Pickett asked about the rip rap that has tumbled down onto the beach over time. Mr. Measamer said that the rip rap will be removed from the beach and used to rebuild the armoring for the beach. The permit also requires that the railroad ties be removed and trucked away to an approved disposal site.

### **Executive Session (15) Minutes**

At approximately 8:30 p.m. the Mayor and Council convened in Executive Session to discuss possible litigation. At approximately 8:45 p.m., the Council reconvened and without taking any further action, the regularly scheduled meeting of August 3, 2009 was adjourned.