



City Council Minutes – January 4, 2010

At 7:30 p.m. Mayor Maxwell called the regularly scheduled meeting of January 4, 2010 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.

Oath of Office: City Clerk Steve Heglund administered the oath of office to City Councilors Erica Pickett, Bill Turner, Cynthia Richardson and Brian Geer and to Mayor Dean Maxwell, all of whom were elected for new four-year terms in the last municipal election.

Minutes of Previous Meeting

Mr. McKeown moved, seconded by Mr. Geer, that the minutes of December 21, 2009 be approved as if read. Vote: Ayes – Petrish, Pickett, Adams, Turner, Richardson, Geer and McKeown. Motion carried.

Regarding the minutes from the December 14, 2009 study session, Mrs. Pickett asked for clarification on the last sentence of the third paragraph from bottom on the first page regarding handling of possible future changes to the uses permitted by the State in various Shoreline environments.

Citizen Hearings

Hershel Janz, 1120 King Street, spoke against “racing, skinny tired bicycles” on the Tommy Thompson trail. Mr. Janz expressed concern that certain bikes moving too fast amongst many user groups of varying abilities could be dangerous. After talking with the Anacortes Police Department Mr. Janz suggested that speed bumps could be the way to slow bikes down, as at Washington Park. He stated that the speed limit of 15 mph may be excessive for the trail. Mrs. Pickett said in her experience riding her bicycle on the Tommy Thompson Trail, other users don’t hear bikes overtaking and the only way to pass safely is to slow the bike down to walking speed. Mr. Petrish cautioned that speed bumps cause difficulties for wheel chair users if the bumps span the full width of the trail.

Mayor/Council Communication

Reappointments to Board of Adjustment: With the concurrence of Assistant Planning Director Don Measamer, Mayor Maxwell proposed reappointing Brad Snyder, J.B. Smith and John Archibald to additional four-year terms on the Board of Adjustment. Former alternate John Archibald will fill the regular position vacated by the untimely death of John Curtis and J.B. Smith will continue as an alternate. Mr. Geer moved, seconded by Mr. Turner, to confirm the reappointments. Vote: Ayes – Pickett, Adams, Turner, Richardson, Geer, McKeown and Petrish. Motion carried. Mayor Maxwell recognized the many years of service by Mr. Curtis.

Election of Mayor *pro tempore*: Mrs. Richardson, sitting mayor *pro tempore*, explained that a new mayor *pro tempore* is selected by the Councilors after each municipal election and is traditionally the senior member of the Council. Mrs. Richardson moved to elect Brad Adams as mayor *pro tempore*, seconded by Mr. McKeown. Vote: Ayes – Adams, Turner, Richardson, Geer, McKeown, Petrish and Pickett. Motion carried. Mr. Adams expressed his appreciation and asked his fellow Councilors to send him their top four choices for committee assignments for the coming year.

Consent Agenda

Mr. Turner moved, seconded by Mr. Adams, 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 31, 2009 are approved for payment as of this date January 4, 2010.

Claims Warrants

December 2009: Warrant Numbers 53860 through 53994 in the total amount of \$907,568.53

EFT Claims

December 2009: EFT Number 53859 in the total amount of \$266.00

Prewritten Claims

December 2009: Warrant Numbers 53854 through 53858 in the total amount of \$1,354.45

Payroll for January 5, 2010 in the total amount of \$816,058.03

Warrant Numbers 34370 through 34416 in the total amount of \$54,834.04

Direct Deposit Numbers from 33607 through 33801 in the total amount of \$509,807.13

EFT Numbers from 1071 through 1076 in the total amount of \$251,416.86

Cancellation of Warrants

Claims Warrant Number 53532 in the total amount of \$87.00

Claims Warrant Number 53497 in the total amount of \$225.00

In the same motion Council approved **Ordinance 2812** adopting 2009 Proposed Comprehensive Plan and Development Regulation Amendments.

Regarding the petition to vacate a portion of S Avenue and Market Street, Don Measamer explained that utility easements will be involved and right-of-way will be provided for the existing roadway; the vacation will include rededication of right-of-way and easements. Mrs. Richardson moved, seconded by Mrs. Pickett, to adopt **Resolution 1793** setting a public hearing date of February 16, 2010 for the Petition to Vacate a Portion of S Avenue and Portions of Market Street (Port of Anacortes). Vote: Ayes – Richardson, Geer, McKeown, Petrish, Pickett, Adams and Turner. Motion carried.

Closed Record Review: Conditional Use Permit for Proposed Bed & Breakfast, 2714 Morton Ave.

Mr. Measamer presented the request by Danny McFarland for a conditional use permit to convert an existing single family residence at 2714 Morton Avenue to a 3-bedroom bed and breakfast establishment. The adjacent lot also owned by Mr. McFarland would be used for off-street guest parking. The Planning Commission held an open record public hearing on December 9, 2009 and received no public comment on the request. Planning Commissioners and City staff both recommend approval. There have been no appeals filed. Mrs. Richardson asked if the second lot could be sold separately in the future, hence losing the guest parking. Mr. Measamer said yes but noted there would still be three off-site parking spaces available on the 2714 Morton Street lot. Mr. Turner asked for verification of Condition 5 that calls for a single two square foot sign. Mr. Measamer replied that's the maximum size the City Code allows for in this situation. Mr. Geer moved, seconded by Mr. Turner, to grant the conditional use permit. Vote: Ayes – Geer, McKeown, Petrish, Pickett, Adams, Turner and Richardson. Motion carried.

Public Hearing on Petition to Vacate Existing Right-of-Way in Exchange for Proposed Right-of-Way in the Proposed Channel Landing 9-Lot Short Plat

Mr. Measamer presented an overview of the proposed vacation/dedication and some history on the Channel Landing short plat which was preliminarily approved in 2006. He explained that the developer is preparing for final plat approval which requires that all underlying rights-of-way be vacated. The applicant is proposing to dedicate 51,432 SF of Channel Landing short plat right-of-way in exchange for 51,433 SF of vacated right-of-way in the Old Baring Addition. The Board of Adjustment held a public hearing December 3, 2009 and recommended approval, no public comments have been received since then, and City staff recommends approval. If approved by City Council, final plat approval and recording of the ordinance granting the vacation would be simultaneous. Mr. Petrish asked how people will get in and out of the development. Mr. Measamer explained access would be via Oakes Avenue, Edwards Way, and through San Juan Passage. Mrs. Richardson clarified this property was originally called the Prutzman short plat and that coordinating access with San Juan passage was part of that approval process. At approximately 8:02 p.m. Mayor Maxwell opened the public hearing. No one wishing to testify, the Mayor closed the public hearing. Mrs. Richardson moved to approve the vacation and rededication of rights-of-way, seconded by Mr. Turner. Vote: Ayes – McKeown, Petrish, Pickett, Adams, Turner, Richardson and Geer. Motion carried.

There being no further business, at approximately 8:05 p.m. Mayor Maxwell adjourned the regularly scheduled meeting of January 4, 2010.