



City Council Minutes – March 15, 2010

At 7:30 p.m. Mayor Maxwell called the regularly scheduled meeting of March 15, 2010 to order. Roll call found present: Nick Petrish, Erica Pickett, Brad Adams, Bill Turner, Cynthia Richardson and Brian Geer. Kevin McKeown was absent. Roll call was followed by the Pledge of Allegiance.

Minutes of Previous Meeting

Mr. Geer moved, seconded by Mr. Petrish, that the minutes of March 1, 2010 be approved as if read. Vote: Ayes – Petrish, Pickett, Adams, Turner, Richardson and Geer. Motion carried.

Citizen Hearings

No one present wished to speak on any items not already on the agenda.

Mayor/Council Communication

Mayor's Award of Merit: Susan Paxman

Mayor Maxwell presented the Mayor's Award of Merit to Susan Paxman, Library Assistant at the Anacortes Public Library, in recognition of her outstanding efforts to save time and money and improve workflow at the Library, particularly with the software and record keeping systems. Librarian Cynthia Harrison thanked Ms. Paxman, calling her instrumental in the past several years of technology and automation updates that have made the library more efficient and able to use staff time even more effectively. Ms. Paxman received a gift certificate to a local restaurant and will have her name added to the plaque in City Hall.

Proclamation: Lions Day

Mayor Maxwell read a proclamation declaring March 26, 2010 to be Lions Day in Anacortes in recognition of the many years of public service the Anacortes Lions Club has provided to the sight and hearing impaired and other members of the community. The Mayor urged the community to participate in the Club's canned food drive on March 27 and thanked the club for its public service including posting the flags around town on holidays. Mr. Robert Freedman spoke on behalf of the Lions listing some of the many programs sponsored by the club and expressed its hope to continue to do more for the community.

Mayor Maxwell reported that the Trestlemania fund raiser on March 13 was sold out and raised nearly \$25,000 for the Tommy Thompson Trestle repair fund. He thanked the DASH group for putting on this successful event. Parks Director Gary Robinson introduced Sommer McWhirter and Dayna Wolfe, students at Anacortes High School. During the holidays the young women raised nearly \$800 selling mistletoe at local grocery stores as a DECA project. They announced that they will donate the proceeds to the trestle repair fund. The announcement was received with general applause and Ms. McWhirter and Ms. Wolfe were thanked by the Mayor and Council.

Unfinished Business

Resolution: Shoreline Master Program (SMP) Draft Adoption

Planning Director Ryan Larsen presented the March 2010 final draft of the SMP to Council with a recommendation that Council adopt the proposed resolution approving the draft and directing staff to forward it to the Washington State Department of Ecology (DOE) for review and approval. Mr. Larsen reported that staff worked with Mrs. Richardson immediately after the March 1, 2010 City Council meeting to incorporate Council revisions from that meeting and then worked with consultant The Watershed Company to make the final revisions. Mr. Larsen announced that pending Council approval, staff would formally submit the draft SMP to DOE on March 24, 2010 to be followed by a public hearing before DOE in Anacortes on the evening of April 21, 2010. Final adoption of the SMP could occur by July 2010. Mayor Maxwell thanked Councilors for all their work and input over the past four years on this update. Mr. Larsen thanked Rob Hoxie, City GIS Coordinator, for producing all the maps for the SMP which saved the City considerable funds and thanked The Watershed Company for its diligent efforts. Mr. Turner praised the thorough review of the SMP and asked about the Mayor's announcement that the Anacortes SMP is

going to be a state model. Mr. Larsen explained that recent state legislation is modeled after the Anacortes case. Mrs. Richardson moved, seconded by Mrs. Pickett, that the March 2010 SMP draft be approved for forwarding to DOE per **Resolution 1796**. Mr. Adams asked if the SMP will be incorporated into the Anacortes Municipal Code. Mr. Larsen said yes, that action will come back before Council, probably in May. Vote: Ayes – Pickett, Adams, Turner, Richardson, Geer and Petrish. Motion carried.

Anacortes Futures Project (AFP) – Funding

Mr. Larsen reported that per Council's request on March 1, 2010, staff and the City Attorney conferred and suggest two acceptable mechanisms for distributing funding to the Chamber of Commerce for the benefit of the next study by the AFP: either amend the existing contract with the Chamber for distributing Tourism Fund monies or enter into a new contract with the Chamber specifically for funding the AFP. Mr. Larsen said the latter alternative may work better and suggested the contract include a requirement for a deliverable document from the AFP by the end of the year. Mrs. Richardson moved, seconded by Mr. Geer, to take Mr. Geer's March 1, 2010 motion to allocate \$12,500 of funding to the AFP off the table. Vote: Ayes – Adams, Turner, Richardson, Geer, Petrish and Pickett. Motion carried. Mr. Geer amended his motion to require a deliverable document from the AFP by the end of the year. Mr. Petrish, who had seconded the original motion, accepted the amendment and it was adopted by general consent. Mr. Turner reported he'd been asked what will happen if the parties funding the AFP study can't agree on a direction but said he was confident the Steering Committee would work to reach consensus. Mr. Adams also expressed confidence that the different missions of the three entities funding the AFP would not prevent all citizens from being heard and common goals identified. Mayor Maxwell reminded that the City Council is the ultimate land use authority for the city so any suggested AFP projects would come back to Council before action could be taken to implement them. Mrs. Richardson observed that the Port of Anacortes Commission recently voted to contribute the same amount of funding the City contributes up to \$25,000 and that MJB will reportedly contribute half of what the City contributes up to \$12,500. She asked if the City might opt to contribute \$25,000 now instead of \$12,500 to leverage more funding from the other entities and suggested that contributing the full \$25,000 budgeted in 2010 would get the project off to a strong start. Mrs. Pickett asked how much the Old Town consultant cost. Mayor Maxwell said about \$25,000. The Mayor observed that the AFP is a two year project so additional funding could be allocated in the second year. Mr. Turner said \$12,500 from the City probably would not accomplish what the City wants to see as final work product and that he would be willing to allocate additional funding later but didn't feel that had to happen now. Mr. Adams agreed that \$12,500 from the City was enough for now and stated that when the facilitator is hired he or she could be asked to put together a more detailed budget. The Mayor called this a prudent approach and noted some of the work may be able to be done locally, not by the consultant. Vote: Ayes – Turner, Richardson, Geer, Petrish, Pickett and Adams. Motion carried. Mrs. Pickett concluded that the key to public involvement is to show up and speak out. She noted nothing is adopted into the Comprehensive Plan or development regulations without due process.

Consent Agenda

Mr. Turner moved, seconded by Mr. Adams, to approve the following Consent Agenda items. Vote: Ayes – Richardson, Geer, Petrish, Pickett, Adams and Turner. 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 March 4, 2010 and March 11, 2010 are approved for payment as of this date March 15, 2010.

Claims Warrants

March 2010: Warrant Numbers 54736 through 54953 in the total amount of \$1,095,741.56

EFT Claims

March 2010: EFT Numbers 54729 through 54735 in the total amount of \$2,364.28

Payroll for March 5, 2010 in the total amount of \$737,904.23

Warrant Numbers 34545 through 34592 in the total amount of \$51,746.35

Direct Deposit Numbers from 34341 through 34537 in the total amount of \$518,600.64

EFT Numbers from 1097 through 1102 in the total amount of \$167,557.24

Cancellation of Warrants

Claims Warrant Number 53719 in the total amount of \$38.90

Claims Warrant Number 54637 in the total amount of \$274.77

In the same motion Council:

Approved the Street Fair Application for the Kiwanis Two Million Celebration from 6:00 p.m. on April 16, 2010 to 4:00 p.m. on April 17, 2010.

New Business

Resolution: Official City Newspaper

Finance Director Steve Hognlund reported that the City is required by law to name an official newspaper. Because there are two newspapers that meet the legal criteria for newspapers of general circulation in Anacortes the City went out to bid, soliciting pricing for the two year period 2010 and 2011. Mr. Turner moved, seconded by Mr. Geer, to adopt **Resolution 1797** naming the *Anacortes American* as the official City newspaper for 2010 and 2011. Vote: Ayes – Geer, Petrish, Pickett, Adams, Turner and Richardson. Motion carried.

Resolution: Personnel Policies

Human Resources Director Emily Schuh presented updated personnel policies for approval by Council via resolution. The revisions have been reviewed by Washington Cities Insurance Authority, employees and union representatives as well as the Council Personnel Committee. Mrs. Richardson reported that the Personnel Committee was pleased with the proposed changes. She noted the difficult job of keeping up with changing federal and state regulations and praised Ms. Schuh's efforts in this regard. Mr. Adams asked what "gender identification" and "genetic information" mean in the context of Equal Employment Opportunity. Mrs. Schuh explained that gender identification refers to sexual orientation and that genetic information refers to known genetic predisposition to certain diseases or health conditions, for example. Mr. Adams asked if "domestic partners" have to be of the same sex to be covered by City policies. Mrs. Schuh said the revised policies follow the strict reading of the State decision which extends benefits to same sex partners or different sex partners if one of the two is over 62 years old. Mr. Adams asked about disciplinary procedure and why the prescribed series of steps now "may" rather than "should" be followed. Mrs. Schuh said this provides supervision, the Human Resources Director and ultimately the Mayor to more quickly determine the appropriate discipline for a situation. Mr. Adams thanked Ms. Schuh for her fine work on the policies. Mr. Geer moved, seconded by Mr. Turner, to adopt **Resolution 1798** updating the City's personnel policies and repealing in its entirety Resolution 1780. Vote: Ayes – Petrish, Pickett, Adams, Turner, Richardson and Geer. Motion carried.

There being no further business, at approximately 8:10 p.m. Mayor Maxwell adjourned the regularly scheduled meeting of March 15, 2010.