



City Council Minutes – November 7, 2011

At 7:00 p.m. Mayor Dean Maxwell called the regularly scheduled Anacortes City Council meeting of November 7, 2011 to order. Roll call found present: Eric Johnson, Erica Pickett, Brad Adams, Bill Turner, Cynthia Richardson and Brian Geer. Nick Petrish was absent.

Visiting Boy Scout Troop 4081 led the assembly in the Pledge of Allegiance. Scout David Payne explained that the troop was attending as part of the requirements for the Citizenship and the Community merit badge.

Minutes of Previous Meeting

Mr. Johnson moved, seconded by Mr. Geer, that the minutes of October 17, 2011 be approved as if read. Vote: Ayes – Pickett, Adams, Turner, Richardson, Geer and Johnson. Motion carried.

Citizen Hearings

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

Mayor/Council Communication and Committee Reports

Mayor Maxwell requested City Council approval of the following appointments to City boards and commissions:

- appointment of Matt Miller to the Planning Commission seat vacated by Clay Leming
- reappointment of Laurie Gere and Marty Laumbattus to the Planning Commission
- appointment of Board of Adjustment alternates J.B. Smith and Curt Opiel to regular positions on the Board of Adjustment
- appointment of Corey Ertel and Sheri Muntean as alternates to the Board of Adjustment
- reappointment of Jim Taylor to the Museum Advisory Board
- reappointment of Susan Fahey and Robert Harrison to the Historic Preservation Board
- reappointment of Bill Mihelich to the City Improvement Board.

The mayor thanked Corey Ertel, Vernon Lauridsen, Susan Rooks, Jim Taylor and Warren Tessler who submitted letters of interest for the Planning Commission and William Ballentine who submitted a letter of interest for the Board of Adjustment. He added that there are currently two openings on the Library Board and interested parties should contact him. Mrs. Richardson moved, seconded by Mr. Turner, to approve the appointments. Vote: Ayes – Adams, Turner, Richardson, Geer, Johnson and Pickett. Motion carried. The mayor expressed sympathy for the recent passing of former Board of Adjustment member Ken Wilson.

Mr. Turner reported on behalf of the Public Works Committee that the Old Brook Lane project is well underway and will be complete by next summer. He observed that the City is the most prepared for snow that it has ever been. He said the Water Treatment Plant Improvement Project is going well and is due to complete in 2013. He announced a ribbon cutting at the Port wastewater facility later in the week. Mr. Geer added that the City website has links to weather alerts and snow advisories.

Unfinished Business: Anacortes Memory Care Findings of Fact, Conclusions of Law and Decision

Assistant Planning Director Don Measamer stated that at its October 10, 2011 regular meeting the City Council voted 5-2 to deny the appeals of the Planning Commission recommendation on the Anacortes Memory Care conditional use permit application and that at its October 17, 2011 regular meeting Council voted 5-2 to approve the application with conditions. Mr. Measamer presented the draft Findings of Fact, Conclusions of Law and Decision which was included in the Council packet. Mrs. Richardson announced that she had submitted several minor grammatical corrections to staff. She asked that on pages 5-8, Items 11b, 12b, 13b, 14b, 15b, 16b and 17b, the Conclusions of Law in each case should read that the appeal *topic* rather than the appeal itself is denied. In Condition 26, she asked that the building height be spelled out as "24 feet". Mr. Johnson asked about Condition 2 on Page 15 which requires a single block of street improvements whereas Condition 25 on Page 17 requires additional blocks. Mrs. Richardson explained that per the cover memo on the draft Findings, Condition 2 is specific to the cul-de-sac improvements and Condition 25 addresses improvements at other locations. Mrs. Pickett noted that Item

14a, Page 7, refers to “boarding home” but “boarding home” is not defined in the Anacortes Municipal Code, only “boarding house” is. Mr. Geer moved, seconded by Mr. Turner, to approve the Findings of Fact, Conclusions of Law and Decision with the corrections discussed. Vote: Ayes – Turner, Richardson, Geer, Johnson, Pickett and Adams. Motion carried.

Consent Agenda

Mr. Johnson moved, seconded by Mrs. Pickett, to approve the following Consent Agenda items. Vote: Ayes – Richardson, Geer, Johnson, Pickett, Adams and Turner. Motion carried.

Approval of Vouchers/Cancellation of Checks

Council voted unanimously that the following vouchers/checks audited and certified by the City’s Auditing Officer (Finance Director) and subsequently reviewed and approved by the Council Finance Committee on October 20, 2011, October 27, 2011 and November 3, 2011 are approved for payment as of this date November 7, 2011.

Claim Checks

October 2011: Check Numbers 62291 through 62500 in the total amount of \$6,756,566.14

EFT

October 2011: EFT Numbers 62287 through 62290 in the total amount of \$464.71

Pre-Written Checks

October 2011: Check Numbers 62285 through 62286 in the total amount of \$58.25

Payroll for October 20, 2011 in the total amount of \$554,073.74

Check Numbers 36580 through 36610 in the total amount of \$27,970.89

Direct Deposit Numbers from 41765 through 41947 in the total amount of \$341,718.33

EFT Numbers from 1340 through 1346 in the total amount of \$184,384.52

Payroll for November 4, 2011 in the total amount of \$903,354.06

Check Numbers 36611 through 36676 in the total amount of \$41,792.12

Direct Deposit Numbers from 41948 through 42148 in the total amount of \$643,825.75

EFT Numbers from 1347 through 1351 in the total amount of \$217,736.19

Cancelled Checks

Check Number 55264 in the amount of \$45.62

Check Number 61625 in the amount of \$361.64

Check Number 60343 in the amount of \$21.64

In the same motion Council:

Accepted as complete the Pennsylvania Avenue Reconstruction, Phase 3 project (06-054-TRN-017) by C. Johnson Construction, Inc.;

Adopted **Resolution 1833** approving the Ward Redistricting Plan; and

Authorized the mayor to sign an Interlocal Cooperative Agreement with Anacortes School District No. 103 for the Safe Routes to School (SRTS) grant.

Public Hearing: 2012 Budget

Finance Director Steve Hogle announced that the City Council Finance Committee which currently meets Thursdays at 4:00 p.m. will change its regular meeting time to Fridays at 9:30 a.m. starting November 18, 2011.

Mr. Hogle then advised that state law requires a public hearing on the proposed final budget which was reviewed extensively during City Council study sessions on September 26, 2011 and October 10, 2011. He said the \$41M budget includes a 1% property tax increase. Mr. Hogle said subsequent to the public hearing and any adjustments requested by Council, at the November 21, 2011 regular meeting staff would present for Council action a final budget ordinance and a resolution adopting the 1% property tax increase. At approximately 7:17 p.m. Mayor Maxwell opened the public hearing. No one wishing to testify, the mayor closed the public hearing.

Request for Final Plat Approval: San Juan Passage, Phase 3

Senior Planner Libby Grage advised that GP Anacortes, LLC has requested final plat approval for San Juan Passage Phase 3 which covers nine single-family lots. She said staff has reviewed the final plat application and found that all the conditions have been satisfied or bonded. She added that the Public Works Department reviewed the application and had no objections to approval of the final plat. Ms. Grage said that at its October 26, 2011 meeting the Planning Commission reviewed the request and recommended moving it forward to City Council with a recommendation for final plat approval. Mr. Adams asked if all conditions for Phase 1 and Phase 2 apply to Phase 3. Ms. Grage said yes. For the benefit of the guests in the audience Mrs. Richardson explained the subdivision process and the requirements for final plat approval. Mr. Johnson moved, seconded by Mr. Turner, to approve the final plat for Phase 3 of the San Juan Passage subdivision. Vote: Ayes – Geer, Johnson, Pickett, Adams, Turner and Richardson. Motion carried. After the vote Mayor Maxwell announced receipt of a \$2,500 check from Gilbane Development Company for improvements at the triangle property and thanked them for the donation.

Resolution: Employee Wellness Program

On behalf of Human Resources Generalist Lynn Barber, Police Chief Bonnie Bowers advised that the City has won an AWC WellCity Award for eight years in a row and requested that Council renew the wellness resolution it adopted in 2002. Mr. Turner and Mr. Adams voiced their support for the program. Mr. Adams noted the rising cost of health care and said this program has reduced health insurance premiums as well as treatment costs. Mr. Adams moved, seconded by Mr. Geer, to adopt **Resolution 1834** supporting the Employee Wellness Program. Vote: Ayes – Johnson, Pickett, Adams, Turner, Richardson and Geer. Motion carried.

Request to Place Temporary Mobile Trailer for Caretaker Quarters (3820 Q Avenue)

Ms. Grage presented a request from Annie Robinson to place a recreational vehicle to serve as a temporary dwelling for a person providing care to a resident at 3820 Q Avenue. Ms. Grage reviewed AMC 17.64.030 which allows Council to authorize temporary residence in an RV for a specified duration. Ms. Grage said staff has reviewed the proposal and recommends approval of the request subject to the four conditions listed in the October 27, 2011 staff memo included in the Council packet. Mr. Johnson noted the request is for six to eight months but suggested allowing one year. Mrs. Richardson agreed and suggested adding a Condition 5 allowing placement “for one year or until Mr. Erb no longer resides there.” Mrs. Pickett asked if Council would have to take further action if the temporary residence was still required after a year. Mr. Measamer said that in the past such authorizations have been issued “until no longer necessary” and suggested the approval could provide for administrative review after a year with extension by staff if necessary. Mrs. Richardson and the mayor agreed. Mr. Geer moved, seconded by Mr. Turner, to approve the request. Mr. Adams thanked Ms. Robinson for following the established process instead of asking after the fact. Vote: Ayes – Pickett, Adams, Turner, Richardson, Geer and Johnson. Motion carried.

Executive Session – Ten (10) Minutes

At approximately 7:30 p.m. Mayor Maxwell announced that the mayor, Council and City Attorney Brad Furlong would convene in Executive Session to discuss potential litigation for approximately ten minutes and would reconvene with no further action. At approximately 7:50 p.m., the Council reconvened and without taking any further action, the regularly scheduled Anacortes City Council meeting of November 7, 2011 was adjourned.