City Council Minutes – May 16, 2016

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of May 16, 2016 at 6:00 p.m. Councilmembers Eric Johnson, Erica Pickett, Brad Adams, Liz Lovelett, John Archibald and Matt Miller were present. Councilmember Ryan Walters was absent. The assembly joined in the Pledge of Allegiance.

Public Comment
Tom Glade, 210 Mansfield Court, speaking on behalf of Evergreen Islands, thanked the city for its very professional handling of the Break Free event in Anacortes over the weekend and thanked several councilmembers for attending and participating in panel discussions.

Announcements and Committee Reports
Ms. Lovelett moved to excuse the absence of Mr. Walters.

Public Works Committee: Ms. Lovelett reported from the committee meeting earlier in the evening and discussed stormwater upgrades to comply with the city's NPDES permit and also public outreach in preparation for the slurry seal project.

Mayor Gere reported that the Break Free event held in Anacortes over the weekend had concluded safely. She thanked public safety staff for the extensive care and planning for the event and thanked the protesters for respectful behavior. The mayor advised that the Emergency Operations Center had been activated to manage the event and had productively exercised that operational structure. She thanked local businesses who provided meals and support for public safety officers over the weekend. Mr. Miller, a member of the Public Safety Committee, said he visited the EOC several times during the weekend and was impressed by the successful cooperation between the various law enforcement agencies involved. He concluded that it was a very well run operation to ensure public safety. He thanked the refineries for altering work schedule to minimize conflict points. Mr. Miller noted that the event was disruptive to some downtown businesses and that the cost to the city for staff overtime and equipment was approximately $57K.

Consent Agenda
Mr. Johnson moved, seconded by Ms. Lovelett, to approve the following Consent Agenda items. The motion passed unanimously by voice vote.

a. Approval of Claims in the amount of: $391,437.32
b. Street Fair Application: Anacortes Waterfront Festival

The following vouchers/checks were approved for payment:

Voucher (check) numbers: 80363 through 80537, total $408,039.73
EFT numbers: 203503 through 204027, total $14,644.36

PUBLIC HEARINGS

Public Hearing: Ordinances 2975, 2976, 2977, Jeretzky, Allen and Rockwood Right of Way Vacations
City Attorney Darcy Swetnam presented three petitions to vacate an 8-foot wide strip along contiguous portions of the north side of 10th Street between C Avenue and D Avenue, immediately east of a similar vacation approved by City Council on March 21, 2016 (Ordinance 2969). In exchange for the vacated property, the property owners proposed to quitclaim a 15-foot wide strip of land at the foot of the slope forming the northern boundary of their parcels along the proposed route of the Guemes Channel Trail. Referring to her slide presentation which was added to the packet materials for the evening, Ms.

Swetnam displayed an aerial photo of the area and plan views of the Jeretzky, Allen and Rockwood properties depicting the areas proposed to be vacated by the City and quitclaimed to the City. In all cases the landowners were quitclaiming more area than they were receiving by vacation.

Ms. Swetnam cited the relevant sections of the Anacortes Municipal Code allowing conveyance of real property in lieu of cash payment for vacated property, AMC 12.50.110 setting out criteria for granting a vacation, and AMC 12.50.140(A) regarding establishment of value of vacated property. Ms. Swetnam advised that in accordance with AMC 12.50.140(A), City Engineer Eric Shjarback had determined that no compensation was required beyond the property transfer because the square footage to be transferred by quitclaim deeds exceeded the square footage vacated and the parties had agreed that the value was equivalent. Ms. Swetnam emphasized that the vacations would only be effective after the quitclaim deeds transferring property to the City were executed, recorded, and publication was complete.

Councilmembers confirmed with Ms. Swetnam and Mr. Shjarback that staff did not foresee any future need for the vacated 8-foot strip of the 80-foot road right of way. Mr. Shjarback confirmed that the existing sidewalk along the north side of the roadway and south of the vacated land would remain in place.

Mayor Gere opened the public hearing on the three proposed vacations of 10th Street right of way.

Tom Glade, representing Evergreen Islands, said he would like to see a cross-section of the slope to determine how steep it is and also some indication of the proposed trail route. Public Works Director Fred Buckenmeyer explained that because the property was still in private hands the city had not yet been able to survey the proposed trail corridor nor the upland slope but advised that prior construction of existing segments of the trail had demonstrated the high value of those slopes to provide construction access and staging and to allow installation of drainage and retaining structures where required. Mr. Glade questioned the value of the quitclaimed property if the trail would not actually be constructed on that land.

Marilyn Derig, 1302 K Avenue, spoke to the importance of keeping the existing sidewalks along 10th Street to provide pedestrian safety.

Bret Andrich, 2016 10th Street, advised that he grew up on the adjoining Martin property and said that vacation made sense. Mr. Andrich asked if construction of the Guemes Channel Trail, which he supported, really required the property proposed to be quitclaimed. He urged Council to be careful about granting vacations so they don't come to be expected by area homeowners.

Frank Jeretzky, 13664 Rosario Road, applicant, confirmed that the existing sidewalk would remain in place and in fact be improved. Mr. Jeretzky displayed an overhead image of the property proposed to be quitclaimed and discussed its usefulness to the trail construction effort.

Ms. Lovelett asked Ms. Swetnam to address the question of setting precedent for street vacations. Ms. Swetnam explained that no one is entitled to a vacation, that vacations are granted solely at Council's discretion, and that there must always be a clear public benefit to warrant a vacation.

Patrick O'Hearn, 11039 Post Drive, asked if a title search would be performed before execution of the ordinances. He said a small portion of the Jeretzky lot still showed as owned by Burlington Norther Railroad on the Skagit County records. Mr. Jeretzky advised that a survey and title insurance had been required as part of his application.

No one else wishing to speak, the mayor closed the public hearing.

Mr. Archibald noted the public benefit of the proposed vacations. He moved, seconded by Ms. Pickett, to approve Ordinances 2975, 2976, and 2977, each vacating public right-of-way to be compensated by transfer of real property, by means of Quit Claim Deeds, from the Jeretskys, the Allens, and the Rockwoods to the City of Anacortes. The motion passed unanimously by voice vote.

Resolution 1957: Potential Speed Limit Change on Oakes Avenue

Mr. Buckenmeyer shared a slide presentation summarizing the proposed change of speed limit on Oakes Avenue to 30 mph, recapping the discussion from the April 25, 2016 City Council meeting. Mr. Buckenmeyer recommended Council approval of Resolution 1957 which would initiate a formal request to the Washington State Department of Transportation to change the speed limit on Oakes Avenue (SR 20 spur) to 30 mph for its entire length.

Mayor Gere opened the public hearing on this resolution.

Kevin Meenaghan, 3211 Oakes Avenue, spoke in strong support of the change to 30 mph. Mr. Meenaghan said he lives just east of the current speed transition zone and has seen accidents happen at that location. He argued that 30 mph is consistent with the speed limit on other arterials in the city and would remove the guesswork for both local and out of town motorists. Mr. Meenaghan said the lower speed would also make it easier for residents along Oakes Avenue to merge safely onto the roadway.

Councilmembers expressed their support for the lower, consistent speed limit and discussed with Mr. Buckenmeyer the subsequent steps in the process to seek WSDOT approval for the change.

No one else wishing to comment, Mayor Gere closed the public hearing.

Mr. Johnson moved, seconded by Ms. Lovelett, to approve Resolution 1957 which states that the City shall formally request, to the Secretary of Transportation, a lowering of the 40 mph speed limit to 30 mph from Kansas Avenue to Ferry Terminal Road. The motion passed unanimously by voice vote.

In closing, Ms. Pickett congratulated and commended the Anacortes Police Department, all the organizations that worked so hard over the weekend, and the organizers of the Break Free event.

There being no further business, at approximately 6:50 p.m. the Anacortes City Council meeting of May 16, 2016 was adjourned.