

City Council Minutes – May 9, 2016

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of May 9, 2016 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams, Liz Lovelett, John Archibald and Matt Miller were present. The assembly joined in the Pledge of Allegiance.

Mr. Walters requested unanimous consent to add to the Consent Agenda Item 5E, Street Closure Application: Procession of Luminaria – The Salmon People. Ms. Pickett requested that this item be considered immediately following the Consent Agenda instead to allow for discussion.

Announcements and Committee Reports

Housing Affordability and Community Services Committee: Mr. Johnson reported that the committee met the previous Thursday to review the results of the recent symposium and would be meeting again to develop work plans. He advised that staff from Skagit Community Action Agency and Home Trust of Skagit would be addressing the committee in the near future.

Planning Committee: Mr. Walters reported that the committee met earlier in the evening regarding AMC Title 19 and assisting small businesses.

Ms. Lovelett reported that she had participated in Fire Operations training and commended the firefighters for their service to the community.

Public Comment

Brian Jo, spearhead for the Anacortes Food Co-Op, invited the public to a barbeque fundraiser on Memorial Day with local food, music, games and a silent auction at 818 Commercial Avenue.

Consent Agenda

Mr. Johnson moved, seconded by Ms. Pickett, to approve the following Consent Agenda items.

- a. Minutes of May 2, 2016
- b. Approval of Claims in the amount of: \$252,585.61
- c. Accept as Complete: 2016 Sanitary Sewer Improvements Project 16-001-SEW-001 (Bianchi Construction)
- d. Amendment to Interlocal Cooperative Agreement C20140640 with Skagit County for Emergency Medical Services

Mr. Miller asked to remove Item B from the Consent Agenda. Mr. Johnson and Ms. Pickett consented to amend the motion accordingly.

Regarding Item 5D, Mr. Walters disclosed that as a fixed salary employee of Skagit County, one of the contracting parties, under RCW 42.23.040 he had a remote interest in the agreement and for the city to enter into the agreement his vote could not be counted.

Consent Agenda Items A, C and D were then unanimously approved by voice vote.

- b. Approval of Claims in the amount of: \$252,585.61

Mr. Miller questioned the amount of the vinyl cutting machine on the voucher list and asked that staff report back to the Finance Committee on what was included in that price. Finance Director Steve Hoglund said he would provide that information. Mr. Miller also questioned the number of purchases from amazon.com and encouraged local purchasing. Mr. Miller moved, seconded by Mr. Archibald, to approve Item B, Approval of Claims in the amount of \$252,585.61. Mr. Johnson noted his email to his colleagues earlier in the day reporting staff responses to a number of Finance Committee questions about items on the voucher list. Consent Agenda Item B was then unanimously approved by voice vote.

The following vouchers/checks were approved for payment:

Voucher (check) numbers: 80384 through 80451, total \$214,142.36

EFT numbers: 203491 through 203641, total \$996.79

OTHER BUSINESS

Street Closure Application: Procession of Luminaria – The Salmon People

Mayor Gere described the parade to take place on Saturday evening, May 14, between the Port Transit Shed and the Depot. Ms. Pickett asked if insurance was required for this type of event. Police Chief Bonnie Bowers advised that insurance was not typically required for this type of small and/or spontaneous celebratory parade. Ms. Lovelett moved, seconded by Mr. Archibald, to approve the street closure application for the luminaria. The motion passed unanimously by voice vote.

Historic Preservation Board Update

Ken Hansen, chairman of the Anacortes Historic Preservation Board, presented the board's annual report to Council. Mr. Hansen's slide presentation was included in the packet materials for the evening. Mr. Adams and Ms. Pickett applauded the board's work. Mr. Hansen responded to councilmember questions about the home history program. Mr. Walters encouraged a pictorial display in the Planning Department of historic home renovations that would highlight alternatives to demolition of existing homes. Mr. Hansen announced the preservation awards the Board wished to present to Roy and Darlene Martin and to Jan O'Leary for their renovation projects.

Planning Committee Update: AMC Title 19

City Attorney Darcy Swetnam updated Council about ongoing work by staff and the Planning Committee to update the Anacortes Municipal Code relating to land use decisions including Titles 15 through 19. Ms. Swetnam's slide presentation was added to the packet materials for the evening. She requested councilmember feedback on the proposed approach of sequentially replacing Titles 15, 16, 17 and much of 18 with a new Title 19 that would form the development code. She also sought Council approval to begin drafting the first phases of Title 19, starting with procedures and general provisions. She emphasized the opportunities for public input. Ms. Swetnam responded to councilmember questions about timing and sequence. Mr. Walters elaborated on the rationale for the proposed approach envisioned by the committee. Mr. Johnson asked about the role of the Planning Commission in the process and potentially the role of a communications specialist to develop a public engagement plan. Mr. Adams asked staff to report back on how extensively other communities rely on conditional use permits. Mr. Miller, Mr. Archibald, Ms. Lovelett and Ms. Pickett all spoke in support of the proposed approach.

At approximately 7:00 p.m. Mayor Gere invited members of the public to comment on this agenda item.

Marilyn Derig, 1302 K Avenue, read prepared remarks on behalf of her husband, Gene Derig, who was not able to attend the meeting due to his work schedule. Mr. Derig's comments were added to the packet materials for the evening. Mr. Derig supported the incremental approach to updating the codes but presented questions relating to installing a hearing examiner at the present time.

Tom Glade, 210 Mansfield Court, spoke representing Evergreen Islands. He spoke against adopting a hearing examiner, noting that an attorney is typically required to appeal a hearing examiner decision and that the associated costs constitute a huge impediment to public participation. Mr. Glade advised that he would be submitting a letter detailing Evergreen Islands' objections. Mr. Glade also commented on the proposed decision processes matrix.

Patrick O'Hearn, 11039 Post Drive, said the current land use code is complex and confusing. He spoke in support of the proposed framework but said the devil is in the details. Mr. O'Hearn said all stakeholders must have a seat at the table and that the proposed schedule of addressing procedures by the end of summer would not allow a lot of time for public input. He added that safeguards should not be removed from previous locations before new safeguards were in place in Title 19.

Vernon Lauridsen, 2219 32nd Street, spoke in support of the proposed approach and echoed many of Mr. O'Hearn's comments. He urged careful review before eliminating the Board of Adjustment and also sparing use of conditional use permits.

Richard Storwick, 1510 9th Street, noted the willingness of Anacortes citizens to serve on boards and commissions and suggested that while the latest hearing examiner proposal was more palatable than in the past, the position still would reduce the role of citizens in decision making. Mr. Storwick, a member of the Board of Adjustment, disagreed with the characterization of that board in the packet materials and summarized the board's activity year to date.

Wil Houppermans, 3412 K Avenue, said that the City Council, not lawyers, represents the citizens. He applauded the work of the Board of Appeals and suggested expanding its role. He expressed concern that a hearing examiner would increase costs to citizens.

Mr. Walters suggested soliciting public comment on the Potential Decision Processes Matrix as drafted early on. Mr. Johnson suggested first adding some footnotes to reference the location of relevant definitions in the code. Ms. Pickett asked if hearing examiner fees would be set by the city rather than by State law and Ms. Swetnam said yes.

Mayor Gere summarized that staff should continue on the proposed path and continue to solicit public comment. Ms. Swetnam offered that staff could prepare additional briefing specifically on the hearing examiner question.

Robert Hogan, 3616 West 10th Street, spoke in support of the matrix but asked for more detail as to what "Level 2 variances" encompasses.

There being no further business, at approximately 7:37 p.m. the Anacortes City Council meeting of May 9, 2016 was adjourned.