Special Meeting

At 4:00 p.m. Mayor Laurie Gere called to order the advertised special meeting of the Anacortes City Council for the purpose of conducting a site visit regarding proposed Cell Tower Special Use Permit/Conditional Use Permit CUP-2014-0003. Council convened outside the north gate of the Anacortes Wastewater Treatment Plant at 500 T Avenue. Councilmembers Ryan Walters, Erica Pickett and John Archibald were present. Planning Director Don Measamer pointed out features of the proposed project as depicted on the site plan in the record. No testimony was received and no action was taken. At approximately 4:07 p.m. the special meeting adjourned.

Regular Meeting

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of March 7, 2016 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams and Liz Lovelett were present. Councilmembers John Archibald and Matt Miller were absent. The assembly joined in the Pledge of Allegiance.

Citizen Hearings

Libby Grage, representing the 12-member Fidalgo Pool Master Capital Improvement Planning Committee, explained the committee's mission to assist the Fidalgo Park & Recreation District Commissioners in developing a capital improvement plan to guide future improvements to the pool. Ms. Grage reported that the committee was tasked with engaging the public, compiling feedback and recommending capital improvements based on the community's priorities. Noting that the pool had not been upgraded since its construction in the 1970s, Ms. Grage encouraged public feedback to the committee via the direct mail survey sent to District residences (also available at fidalgopool.com) and at upcoming open houses which would be advertised.

Merilee Huffman, 806 Commercial Avenue, announced that the Anacortes Food Co-op would be opening in the back of the Tokyo Japanese Restaurant at 8th and Commercial, focusing on organic and gluten-free foods. Ms. Huffman offered membership applications to anyone interested in joining the cooperative.

Mayor/Council Communication and Committee Reports

Appointment of Amber Moffitt to Planning Commission: Mayor Gere requested Council confirmation of her appointment of Amber Moffitt to the Planning Commission for the remainder of a 5-year term ending December 2019. Mr. Adams moved, seconded by Ms. Lovelett, to confirm the appointment of Amber Moffitt to the Planning Commission. Vote: Ayes – Walters, Pickett, Adams, Lovelett and Johnson. Motion carried.

Mr. Walters moved, seconded by Ms. Pickett, to excuse the absence of councilmembers John Archibald and Matt Miller. Vote: Ayes – Pickett, Adams, Lovelett, Johnson and Walters. Motion carried.

Ms. Pickett reported that Anacortes had moved up to 7th place in the national Georgetown University Energy Prize competition but that arch rival Bellingham had moved up to 4th place.

Ms. Lovelett reported from the Affordable Housing & Community Services Committee meeting the prior Thursday. She said many enthusiastic community members attended and that the committee would host a symposium on April 21 to gather stakeholders and discuss planning efforts to improve the situations of vulnerable citizens. Mr. Johnson added that attendees included Dr. Ann Meyers-Hutchinson who started a 1000-unit full service housing facility in San Antonio and had volunteered to assist in Anacortes.

Mr. Johnson reported from the Public Works Committee meeting which discussed the water element of the 2016 Comprehensive Plan and also discussed two new staff positions, an additional crew member for sanitary sewer operations and an additional engineering technician.

Ms. Pickett reported from Port/City Liaison meeting that the Port had been working with the owners of the

Majestic Inn to study the feasibility of adding a hotel at the location of the existing dog park. She also noted that Anthony's Restaurant would open its new outdoor space in April or May.

Consent Agenda

Mr. Johnson moved, seconded by Mr. Adams, to approve the following Consent Agenda items. Vote: Ayes – Adams, Lovelett, Johnson, Walters and Pickett. Motion carried.

a. Minutes of February 16, 2016 and February 22, 2016
b. Approval of Claims in the amount of: $890,177.90
c. Approval of Findings of Fact, Conclusions of Law and Decision for Denial of Appeal & Approval of the Anacortes High School CUP & Variance Request, CUP-2015-0006
d. Resolution 1948: Emergency Declaration and Contract for Q Avenue Sanitary Sewer Repair/Replacement
e. Contract Modification: Construction Engineering Services for WWTP Incinerator Scrubber (CH2M Hill)

The following vouchers/checks were approved for payment:

Voucher (check) numbers: 79541 through 79728, total $921,999.11
EFT Numbers 201208 through 201539, total $823.26

Payroll for March 4, 2016 in the total amount of $814,420.00
Check Numbers 41165 through 41203 in the total amount of $28,793.60
Direct Deposit Numbers from 62749 through 62956 in the total amount of $520,621.51
EFT Numbers from 1929 through 1934 in the total amount of $265,004.89

UNFINISHED BUSINESS

Resolution 1946: Fire Protection/EMS Policy Adoption

Fire Chief Richard Curtis presented draft Resolution 1946 to establish a guiding policy for funding future Fire/EMS Service improvement projects, based on recommendations from the Public Safety Committee. Chief Curtis walked through Sections A through F of the draft resolution, seeking councilmember feedback and addressing questions about the options presented.

Regarding Section A, to fund apparatus and equipment replacement, Chief Curtis clarified that the proposed fire impact fee would apply to all new construction, not just construction three floors or taller. Mr. Walters supported that notion so as not to disincentivize taller construction in the commercial core. He asked Chief Curtis to provide figures of how much revenue would be generated by such an impact fee. Mr. Johnson and Ms. Lovelett requested figures on the second option of leasing equipment.

Regarding Section C, to fund lease or construction of a fire station in the March Point response zone, Mr. Walters asked staff to explore a fire impact fee specific to that response zone, possibly a sizable one. Mr. Adams cautioned against imposing impact fees in the March Point LM zone that would discourage economic development and job creation there. Ms. Pickett suggested staff verify whether impact fees could legally be imposed in sub-areas.

Regarding Section D, to fund 24-hour staffing at all three fire stations, Chief Curtis explained two new potential funding sources, Ground Emergency Medical Transport revenue for Medicaid patients and an Ambulance Utility Fee similar to that in place in Port Angeles. The Chief responded to councilmember questions about the allocation of EMS levy funds to Anacortes. Mayor Gere, Mr. Walters and Ms. Pickett said they did not support the new Ambulance Utility Fee.

Councilmembers raised no questions about Sections B, E or F.

Mr. Johnson observed that the proposed funding increases totaled approximately $985K annually and asked Chief Curtis to calculate what this would cost an average Anacortes homeowner. Mayor Gere clarified that the EMS levy amounts paid by Anacortes residents were not the same as what was received by Anacortes for providing EMS service. Mr. Adams asked Chief Curtis to provide those figures. Mr. Walters reported that Mr. Miller had suggested sending the draft resolution to the Public Safety Committee for rewording. Mr. Walters concurred and asked for the addition of a total cost, more specificity about impact fees, and definitions for Section E positions.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Chief Curtis responded to questions from Mr. Johnson about his March 7, 2016 memo regarding ambulance service areas and impacts. Mayor Gere suggested Chief Curtis address that topic in committee. Ms. Lovelett said the Public Safety Committee would need to meet more often than quarterly. Mayor Gere asked Chief Curtis to schedule twice monthly committee meetings to complete the committee's review of Resolution 1946.

Council Meeting Schedule

City Clerk Steve Hoglund recapped Council's conversation from the February 22, 2016 study session regarding moving towards weekly action meetings for City Council. Mr. Hoglund noted that the evening's Council packet included Mr. Walters's draft of new City Council procedures which provided for four action meetings per month. He invited further councilmember discussion. Mr. Walters explained that the draft procedures reorganized the existing Council procedures and that substantive changes were highlighted in the document, including establishing which items were appropriate for the Consent Agenda.

Councilmembers discussed at some length proposed Section 3.7(b) regarding scheduling Council retreats on Saturdays. There was no consensus in favor of that proposal.

Ms. Pickett suggested removing proposed Section 5.4(b) in the interest of allowing efficient transaction of city business at all four meetings each month. Mr. Walters and Mr. Johnson explained that Section 5.4 would provide the only remaining distinction between regular meetings and study sessions, which Mr. Walters understood some of his colleagues to want to retain.

Regarding Section 6.4(d)(6), Mr. Adams suggested decreasing the public works contract size for the Consent Agenda to $200,000. Mr. Hoglund agreed.

Ms. Pickett and Mr. Walters discussed Section 7.2 regarding voice votes vs. roll call votes but reached no agreement.

Ms. Lovelett suggested postponing action on the draft procedures until all seven councilmembers were present. Mr. Adams urged continuing the discussion at a future study session but endorsed being able to take action on a Consent Agenda at each meeting. Mayor Gere asked Mr. Hoglund to bring the topic back for more discussion at a future study session when all councilmembers could be present.

NEW BUSINESS

Open-Record Public Hearing: Verizon Wireless Cell Tower Proposed at WWTP, CUP-2014-0003, 500 "T" Avenue

Associate Planner Kevin Cricchio presented an application from Verizon Wireless for a Special Use Permit/Conditional Use Permit for construction of a 60-foot-tall stealth monopole cell tower on the grounds of the Anacortes Wastewater Treatment Plant at 500 T Avenue. Referring to his slide presentation included in the packet materials for the meeting, Mr. Cricchio reviewed the project details, existing land use, underlying and neighboring zoning, background and timeline of the application processing, noticing, public comment period, SEPA review and Determination of Non-Significance issued on February 5, 2016, critical areas review, public comments, agency and department comments, and third party review. Mr. Cricchio advised that Planning Department staff recommended approval of the application subject to staff's suggested conditions of approval. He added that since the staff report was drafted the Public Works Director had also emailed his support of the application. Mr. Cricchio called attention to Condition 8 which called for the stealth monopole/cell tower to be designed to resemble a smoke stack in neutral earth tone colors, in order to blend with the surrounding industrial uses. He displayed photo simulations of the tower.

Mr. Walters questioned staff about the wetland buffer addressed in Mr. Cricchio's presentation: "An offsite wetland was identified west of and adjacent to the project site. The applicant submitted a wetland report which identified the subject wetland as a "Category III Wetland" with a habitat score less than twenty (20) points. According to AMC Table 17.70.340(1), Category III wetlands with a habitat scores less than 20 points require a sixty (60) foot buffer from the wetland's edge. However, according to AMC 17.70.340(F(2), the measurement of wetland buffers shall not include lawns, walkways, driveways, and other mowed, cultivated, or paved areas. Therefore, the wetland's buffer has been truncated at the fence line along the western site's boundary." Mr. Measamer confirmed that if the buffer were not truncated the tower would be located within the 60 foot buffer.

Mayor Gere invited the applicant to address Council. George Johnston of MD7, LLC, representing Verizon, and Mr. Measamer responded to questions from Mr. Johnson regarding the overall plan for cell towers in Anacortes and co-location opportunities on the subject tower. M. Johnson requested a study session on cell phone coverage and tower strategy in Anacortes. In response to a question from Mr. Walters, Mr. Johnston said that the subject tower could not be located more than 60 feet from the wetland due to site constraints.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Mr. Walters and Mr. Measamer continued discussion of the truncated wetland buffer and the pre-existing use (the Wastewater Treatment Plant) that was exempted from the buffer. Mr. Johnston offered that Verizon could add additional landscaping to the existing lawn area to provide additional buffer but that Wastewater Plant operations might preclude that. Mr. Measamer suggested that Planning Department staff work with Wastewater Plant staff to allow the applicant's conditioned landscaping plan using native plants to provide some habitat value if possible.

No one else present wishing to speak, at approximately 7:26 p.m. the mayor closed the public hearing.

Mr. Johnson moved, seconded by Ms. Pickett, to approve the Special Use Permit/Conditional Use Permit application CUP-2014-0003, subject to staff's suggested conditions of approval.

Mr. Walters questioned Mr. Johnston about the choice of a smokestack design over a flagpole design. Mr. Johnston responded that it had been staff's suggestion to fit contextually into the industrial area.

Vote: Ayes – Lovelett, Johnson, Walters, Pickett and Adams. Motion carried.

Public Hearing: Ordinance 2969 Martin Vacation

Public Works Director Fred Buckenmeyer presented a petition to vacate property at 2218 10th Street, at the corner of 10th Street and C Avenue. Mr. Buckenmeyer displayed a site plan showing the proposed vacation and also the location of the property proposed to be swapped for the vacated land, both parcels totaling approximately 1100 SF. He noted that the parcel to be acquired by the city was immediately adjacent to the proposed route of the Guemes Channel Trail and added that an easement for existing utilities located on the applicant's property would also be included. Mr. Buckenmeyer said that if Council were inclined to approve the vacation following the evening's advertised public hearing, staff would bring back a vacation ordinance for action on the Consent Agenda at the next regular meeting.

Mr. Buckenmeyer and Mr. Measamer responded to councilmember questions about the current and proposed sidewalk locations and about vacation of street ends terminating at the shoreline. They confirmed that no appraisal would be performed and no cash transaction would occur, only the land swap.

Applicant Frank Martin, 12342 Windward Way, responded to councilmember questions about current uses of the property and planned renovations, as well as utilities located on the property without easement.

No one else wishing to address Council regarding the proposed vacation, Mayor Gere closed the public hearing and directed staff to bring the vacation ordinance back for final action at the next regular City Council meeting.

Community Development Block Grant (CDBG): Open 30-day Public Comment Period on Community Needs and Applications

Mr. Measamer opened the 30-day public comment period on the CBDG 2016-2017 Action Plan. He advised that the 2016 allocation of CDBG funds for Anacortes was $89,552 to which would be added approximately $40K of funding carried over from 2015. Mr. Measamer described the applications received thus far including the Anacortes Family Center application for the 15% public services component of the grant, the Anacortes Housing Authority application for $40,705 to replace stoves and ranges, an internal application for $30K to retrofit accessible restroom doors at city facilities, and an internal application for $95K to retrofit accessible sidewalk ramps on R Avenue between 7th and 10th Streets. In addition to the 20% administration component of the grant, the total proposed project funding was $194,406. Mr. Measamer advised that the restroom door project might ay not qualify for CDBG funding. He invited public comment on the applications through April 5, 2016.

Mr. Johnson reported that the Affordable Housing and Community Services Committee had reviewed the Action Plan and supported the stove replacement project and the sidewalk ramp retrofits.

Mayor Gere invited members of the audience to comment on this agenda item.

Merilee Huffman, 806 Commercial Avenue, reported that the Housing Authority was interested in replacing both stoves and refrigerators and was looking into rebate credits and bulk buying discounts to help offset the costs.

Deanna Usman, 719 Q Avenue, confirmed that appliances had not been replaced in her building for at least 13 years and that some of the older models require reaching over the burners to reach the controls. She also noted that some residents have lost the contents of their freezers when the appliances failed. Mr. Measamer confirmed that ADA requires stove controls to be located on the front of the appliance.

No one else present wished to address the Council. Mayor Gere and Mr. Measamer invited additional public comment through April 5, 2016.

Resolution 1950: Updating Unified Fee Schedule - Contractual Customer Water Rates

Finance Director Steve Hoglund introduced a housekeeping resolution to update the water rates for contractual wholesale customers. Mr. Hoglund reminded that those rates are adjusted annually to minimize the year end reconciliation adjustments to actual cost, which is required by those contracts. He reviewed the capital, fixed and variable portions of the water rates and said only the fixed and variable rates were part of the current rate adjustment and the annual reconciliation. He added that staff would like to implement the rates effective April 1.

Mr. Walters questioned why a resolution was being presented to adopt utility rates, some of which were already in the Municipal Code. City Attorney Darcy Swetnam advised that the rates included in the resolution were consistent with what was stated in code so no conflict was created. She advised that an upcoming ordinance would remove the remainder of the utility rates in the code and consolidate all rates into the unified fee schedule.

Mayor Gere observed that the proposed water rate for agricultural users had decreased. Mr. Hoglund confirmed that the variable rate calculation, in this case a decrease, did also affect the agricultural water rate.

Ms. Lovelett suggested some changes to the solid waste rate schedule. Mr. Hoglund suggested that she work with the City Attorney bring those forward for consideration.

Mr. Hoglund advised he would bring the resolution back to Council for action on the Consent Agenda at the next regular meeting.

There being no further business, at approximately 8:10 p.m. the Anacortes City Council meeting of March 7, 2016 was adjourned.