

Anacortes City Council Minutes - April 18, 2022

Call to Order - Special 7:00 Start Time

Mayor Matt Miller called to order the Anacortes City Council meeting of April 18, 2022 at the advertised special start time of 7:00 p.m. Councilmembers Jeremy Carter, Ryan Walters, Anthony Young, Christine Cleland-McGrath, Carolyn Moulton, Bruce McDougall and Amanda Hubik were present.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor thanked Council and staff for attending the City Council retreat the prior Friday.

Public Works Committee

The Mayor announced that the committee meeting scheduled for earlier in the evening had been cancelled.

Port/City Liaison Committee

The Port/City Liaison Committee had no report.

Housing Affordability and Community Services Committee

Mr. Walters reported from the Committee meeting held the previous Thursday. The meeting consisted of a presentation by the Executive Director for the Bellingham Housing Authority.

Public Comment

Mayor Miller invited the public to comment on any item not on the agenda.

Pat Gardner thanked the Mayor for working on a cleanup job on H Avenue. Ms. Gardner expressed concern that the property was deteriorating once again.

Shaunie McLeod, chairperson for the Anacortes Pride organization, followed up on her email to Council and Mayor. Ms. McLeod said that the newly formed Pride group joined in the 4th of July Parade in 2021. She reported on the activities and mission of Anacortes Pride. Ms. McLeod asked the City to proclaim June 2022 Pride Month in Anacortes.

Consent Agenda

Mr. Walters removed Item 5f, Contract Award: OpenGov Budget Module #22-125-FIN-001, from the Consent Agenda.

Mr. McDougall removed Item 5c, Street Fair Application - Anacortes Pride Parade, from the Consent Agenda.

Mr. Young moved, seconded by Ms. Moulton, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- a. Minutes of April 11, 2022
- b. Approval of claims in the amount of \$1,191,495.67
 - The following vouchers/checks were approved for payment:
 - EFT numbers: 102978 through 103034, total \$1,116,212.73
 - Check numbers: 102963 through 102977, total \$56,926.36
 - Wire transfer numbers: 302014 through 302209, total \$18,356.58

- d. Street Fair Application - Anacortes Farmers Market
- e. Street Fair Application - Anacortes High School Senior Parade
- c. Street Fair Application - Anacortes Pride Parade
Mr. McDougall noted that the agenda bill indicates the event will take place July 18, but the application is for June 18. Mr. McDougall moved, seconded by Mr. Young, to approve the application for June 18, 2022. The motion carried unanimously by voice vote.
- f. Contract Award: OpenGov Budget Module #22-125-FIN-001
Mr. Walters requested a commitment from the Finance Department to work with the Finance Committee to implement the software, particularly the capital facility planning module. Finance Director Steve Hoglund concurred. Mr. Walters moved, seconded by Mr. McDougall, to approve the contract. The motion carried unanimously by voice vote.

CLOSED RECORD DECISION HEARINGS

Closed Record Decision Hearing: CUP-2022-0001 - Fiddlehead School Expansion

Senior Planner Emily Morgan presented an application for a Conditional Use Permit from the Fiddlehead Montessori School for the expansion of the school campus for the addition of a pre-school facility. Ms. Morgan summarized the project. Her slide presentation was included in the packet materials for the meeting. Ms. Morgan reported that on April 6, 2022, after an open record public hearing, the Planning Commission had recommended approval of the permit, subject to all staff recommended conditions of approval, except for striking recommendation #5.

Mayor Miller invited parties of record to comment on this agenda item. No one present wished to address the Council. The mayor closed the hearing.

CHRISTINE CLELAND-MCGRATH moved, seconded by Amanda Hubik, to approve CUP-2022-0001, a conditional use permit application for the expansion of the Fiddlehead School subject to the conditions contained within the staff report of record. Vote: Ayes - JEREMY CARTER, ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDUGALL, Amanda Hubik. Nays - None. Result: Passed

OTHER BUSINESS

Contract Award: WTP Energy Study #22-123-WTR-001

Interim Public Works Director Brian McDaniel requested City Council consent to award a contract in the amount of \$149,874.00 to Brown and Caldwell to perform an energy study for the Water Treatment Plant. Mr. McDaniel summarized the grant funded scope of work and recommended approval of the contract.

RYAN WALTERS moved, seconded by BRUCE MCDUGALL, to authorize the Mayor to sign contract 22-123-WTR-001 with Brown and Caldwell in the amount of \$149,874.00 to perform the WTP Energy Study. Vote: Ayes - JEREMY CARTER, ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDUGALL, Amanda Hubik. Nays - None. Result: Passed

Ordinance 4021: Amending Title 6 AMC regarding Animals

City Attorney Darcy Swetnam introduced draft Ordinance 4021 which would amend Anacortes Municipal Code Chapter 6.08 regarding dangerous and potentially dangerous dogs. She explained the specific updates proposed to the chapter. Ms. Swetnam's slide presentation was added to the packet materials for the meeting. Animal

Control Officer Zabrina Nybo responded to councilmember questions about the chapter.

Ms. Moulton asked staff to revise the definition of "provoked" to match the RCW. She questioned the Exemptions to Requirements section.

Mr. Walters asked to revise 6.08.015.A(a) to "bites" rather than "inflicts one or more bites on". He agreed with Ms. Moulton that the definition of provokes should match the RCW. He suggested linking some events to violations of the leash law. He said section 6.08.170 needs to letter paragraph "B". He agreed with the proposal that some misdemeanors should be changed to civil infractions but said the misdemeanor language is still in this chapter, which is appropriate for negligence.

Officer Nybo explained the extensive requirements to earn a Canine Good Citizen exemption from a potentially dangerous designation, which includes significant obligations on the owner. She discussed the interaction of the leash law.

Mr. Walters noted that in 6.08.015 "Dangerous dog" includes any dog previously declared potentially dangerous in another jurisdiction but that the definition of "Potentially dangerous dog" does not include that language. Officer Nybo explained that the intent is that any dog that has previously been declared potentially dangerous anywhere should automatically be considered potentially dangerous in Anacortes so that subsequent transgressions would elevate that dog's status to dangerous. Ms. Swetnam said she would adjust the definition language to achieve that.

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

Pat Gardner noted that many people adopt dogs and may not know of pre-existing aggressive tendencies in the dog. She urged that owners be held responsible for their pets.

Adjournment

There being no further business, at approximately 7:55 p.m. the Anacortes City Council meeting of April 18, 2022 was adjourned.