Anacortes City Council Minutes - October 23, 2023

Call to Order

Mayor Matt Miller called to order the Anacortes City Council meeting of October 23, 2023 at 6:00 p.m. Councilmembers Ryan Walters, Anthony Young, Christine Cleland-McGrath, Bruce McDougall and Amanda Hubik were present. Councilmembers Jeremy Carter and Carolyn Moulton participated in the meeting remotely via Zoom.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Executive Session

Potential litigation per RCW 42.30.110(1)(i) (20 minutes)

Mayor Miller announced that the City Council and the City Attorney would convene in Executive Session per RCW 42.30.110(1)(i) for approximately 20 minutes to discuss potential litigation or litigation. Councilmembers Jeremy Carter, Anthony Young, Ryan Walters, Christine Cleland-McGrath, Carolyn Moulton, Bruce McDougall and Amanda Hubik attended the executive session. The mayor advised that the regular meeting would then resume with no final action having been taken.

At 6:43 pm the City Council reconvened from the executive session and resumed the regular meeting.

Announcements and Committee Reports

Mayor Miller thanked Mr. Young for chairing last week's meeting and reported that the Haunted Forest that will be held on Saturday October 28th in Washington Park is sold out and an update on impending construction of the roundabout at R Avenue and 30th Street.

Planning Committee

Ms. Cleland-McGrath reported from the Planning Committee meeting held earlier in the evening. The topics discussed included possible code amendments related to accessory dwelling units, conditional to permitted uses, the inclusion of an environmental impact study in the 2024 budget for the Guemes Channel Trail, and an update from the Downtown Alliance.

Fiber Committee

Ms. Hubik reported from the Fiber Committee meeting held October 19th. The topics discussed included changing construction methods from aerial to underground for the Economic Development Administration Area to reduce costs.

Ms. Cleland-McGrath moved, seconded by Mr. Walters, to amend the agenda an ordinance regarding appointive officers of the city as item 7.a.

Northstar Project Housing Work Group

Mr. Walters reported from the Northstar Project Housing work group meeting held earlier in the day. Topics discussed included briefings on possible locations for housing projects on publicly owned land on West 5th Street, Sharpes Corner, and redevelopment of City Halls. Skagit County proposed developing the Cleveland Street Senior Center and the Skagit County Fairgrounds, though those facilities would need to be replaced. Skagit County also proposed additional sites in Concrete and Mount Vernon. The conversation occurred in the context of the 2025 Comprehensive Plan update.

Public Comment

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

Public comment was given as follows:

- Andrea Doll of Anacortes requested an environmental impact study on the MJB development in light of shoreline development and increased road traffic.
- Mary LaFleur of Anacortes commented on the balance of power within the city and rising property taxes and assessments.

Consent Agenda

Mr. Young moved, seconded by Ms. Hubik, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.
a. Minutes of October 16, 2023
b. Approval of claims in the amount of $1,209,915.17
The following vouchers/checks were approved for payment:
EFT numbers: 107651 through 107687, total $428,623
Check numbers: 107688 through 107715, total $767,062.54
Wire transfer numbers: 333310 through 333645, total $14,229.63
c. Contract Award: Public Right-of-Way ADA Self-Evaluation and Transition Plan #23-290-TRN-001

Public Hearings

Revenue Sources, Including an increase in the property tax levy

Mayor Miller opened the public hearing on Revenue Sources and introduced Finance Director, Steve Hoglund, who detailed revenue sources and projections for 2024 budget planning, referring to a slide presentation that was added to the packet materials for the meeting.

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

Discussion items included:

- Other agencies' actions to increase or find additional revenues and how they affect the city, the challenges associated with financial prediction and assessment, and setting the property tax rate.

Mayor Miller left the public hearing open.

Other Business

Ordinance 4062: An Ordinance Adopting New AMC Chapter 2.08 Regarding Appointive Officers of the City

Mr. Walters, Ms. Moulton and Ms. Cleland-McGrath brought the ordinance before the Council. Mr. Walters detailed the proposed ordinance that would codify appointive officers of the city including all department heads, the hearing examiner and the city engineer and would require their confirmation by the City Council. Additionally, the proposed ordinance would prevent an appointive officer of the city from starting in their position before obtaining City Council confirmation, no person could serve simultaneously in more than one appointive officer position, and the position of city administrator could not be created without amendment of the code chapter. Further, the proposed ordinance would also require that interim appointees be confirmed as temporary or permanent appointive officers by the City Council if they serve in their capacity greater than three months, and no person who previously served as an appointive officer could be reappointed as the interim officer for that position. Finally, the proposed ordinance would require that the City Council be notified of an

appointment, interim appointment, separation or notice of separation of any appointive officer, and that the Council would be able to review the employment applications of appointive officers and conduct informal meetings prior to the scheduled vote. It would also allow the mayor to enter into personal services contracts for services where there is no available employee.

Discussion topics included:

- Additional time for staff and public review, enshrining policies that are already in place, interim appointments, confirmation requirements, appointments of directors prior to City Council confirmation, timing of the ordinance, contracting for personal services in the case of a vacancy, schedule for adoption.

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

Connie Miller of Anacortes asked for clarification on if the proposed ordinance is something that has been handled by the City Council and is not yet enumerated in the code or has it been handled in a different way.

Mr. Walters announced that the ordinance would be brought back before the Council on an agenda in the near term.

Resolution 3134: Adoption of the City of Anacortes Emergency Operations Plan

Fire Chief, Bill Harris, re-introduced Resolution 3134, that would adopt the City of Anacortes Emergency Operations Plan. He detailed the format and content updates from the previous draft. Ms. Moulton made the following amendments to the Emergency Operations Plan:

- page 41 - change 'reservation' to 'properties';
- page 38 - identification of the legal authority or reference document for emergency powers under section 7A - 'Legal Authority /Municipal: Proclamation of Local Emergency'.

Discussion topics included:

- Emergency proclamation ratification by the City Council; removal of annexes with detailed operating procedures.

AMANDA HUBIK moved, seconded by ANTHONY YOUNG, to adopt resolution 3134 as amended. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Abstentions: JEREMY CARTER. Result: Passed

Contract Award: R Avenue Long-Term Improvement Project - Street Light Installation #20-127-TRN-005

Public Works Director, Andrew Rheaume, introduced the proposed contract for the R Avenue Long-Term Improvement Project - Street Light Installation #20-127-TRN-005.

Discussion topics included:

- Lighting type and color

BRUCE MCDOUGALL moved, seconded by AMANDA HUBIK, to authorize the mayor to sign contract #20-127-TRN-005. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Abstentions: JEREMY CARTER. Result: Passed

Resolution 3135: South Fidalgo Island Water System Transfer

Public Works Director, Andrew Rheaume, introduced Resolution 3135 amending the transfer agreement with Skagit Public Utility District for the South Fidalgo Island Water System, detailing that the transfer would be complete on October 25, 2023.

Discussion topics included:

- ability to shut off water without an easement, necessity of obtaining easements.

Ms. Cleland-McGrath recused herself from the vote, as she is the current owner of some of the parcels for which the City will seek water line easements.

BRUCE MCDOUGALL moved, seconded by ANTHONY YOUNG, to approve Resolution 3135 as presented. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Abstentions: JEREMY CARTER, CHRISTINE CLELAND-MCGRATH. Result: Passed

Resolution 3136: Waiving Competitive Bidding Requirements for the Purchase of Endress + Hauser Sensor Instrumentation for the WWTP

Public Works Director, Andrew Rheaume, introduced Resolution 3136 that would waive the competitive bidding requirements for the purchase of Endress + Hauser Sensor Instrumentation for the wastewater treatment plant.

ANTHONY YOUNG moved, seconded by AMANDA HUBIK, to authorize the mayor to sign Resolution 3136. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Abstentions: JEREMY CARTER. Result: Passed

Contract Award: City Engineer On Call - Water and Wastewater #23-291-ENG-001

Public Works Director, Andrew Rheaume, introduced proposed contract for City Engineer On Call - Water and Wastewater #23-291-ENG-001.

ANTHONY YOUNG moved, seconded by AMANDA HUBIK, to authorize the mayor to sign contract #23-291-ENG-001 with HDR Inc. for on-call engineering services. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Abstentions: JEREMY CARTER. Result: Passed

Contract Award: City Engineer of Record for Streets and Stormwater #23-292-ENG-001

Public Works Director, Andrew Rheaume, introduced City Engineer of Record for Streets and Stormwater #23-292-ENG-001.

Discussion topics included:

- Traffic engineering for throughput versus safety, aesthetic and multi-modal considerations.

AMANDA HUBIK moved, seconded by BRUCE MCDOUGALL, to authorize the mayor to sign contract #23-292-ENG-001 with HW Lochner. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Abstentions: JEREMY CARTER. Result: Passed

Contract Modification: Wastewater Treatment Plant Outfall - Design #20-032-SEW-007

Public Works Director, Andrew Rheaume, introduced the proposed amendment to contract #20-032-SEW-007 for the Wastewater Treatment Plant Outfall - Design.

RYAN WALTERS moved, seconded by AMANDA HUBIK, to authorize the mayor to sign the modification to contract #20-032-SEW-007 for the Wastewater Treatment Plant Outfall Design. Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK. Nays - None. Abstentions: JEREMY CARTER. Result: Passed

Adjournment

There being no further business, at approximately 7:53 p.m. the Anacortes City Council meeting of October 23, 2023 was adjourned.