Anacortes City Council Minutes - September 3, 2024

Call to Order

Mayor Matt Miller called to order the Anacortes City Council meeting of September 3, 2024 at 6:00 p.m. Councilmembers TJ Fantini, Ryan Walters, Anthony Young, Christine Cleland-McGrath, and Carolyn Moulton were present. Councilmembers Bruce McDougall and Amanda Hubik participated in the meeting remotely via Zoom.

Pledge of Allegiance

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Mayor Miller reminded the public that Anacortes Schools will be back to school tomorrow and to be mindful and cautious of children in school zones. He then mentioned that the city met with the Samish Indian Nation last Thursday, and discussion topics included Fidalgo Bay Road, Fidalgo Bay lift station, Early Learning Center, dark fiber, a state grant for Summit Park property and sewer, cooperation on the Tommy Thompson Trail trestle replacement study, and the municipal service agreement. He then mentioned that NAS Whidbey Island Open House on September 7th from 9am – 3pm and that public comment on the ADA Self-Evaluation and Transition Plan is open through September 15th.

Housing Affordability and Community Services Committee

Mayor Miller announced that the Housing Affordability and Community Services Committee did not meet as scheduled.

Public Works Committee

Mr. Walters reported from the Public Works Committee meeting held earlier in the evening. The topics discussed included a proposed ordinance that would create a pavement management fund in the accounting system that would make it easier to save the amount annually needed to maintain pavement condition and for the Council to monitor how much is being spent on pavement maintenance. Additionally, the proposed ordinance would reset the annual budget for pavement maintenance based on the recent pavement index report and set the allowed uses for that money.

Housing Authority Board Appointment

Mayor Miller announced the appointment of Jim English to the Housing Authority Board, replacing Amanda Hubik. Mr. English's term will be effective through December 31, 2025.

Public Comment

Mayor Miller invited the public to comment on any item not on the agenda. No one present wished to address the Council on any topic not already on the agenda.

Consent Agenda

Ms. Moulton moved, seconded by Mr. Young, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.
a. Minutes of August 26, 2024
b. Approval of claims in the amount of $1,797,815.30
The following vouchers/checks were approved for payment:
EFT numbers: 110321 through 110364 total $1,581,062.56
Check numbers: 110365 through 110375, total $190,180.60
Wire transfer numbers: 353469 through 353752, total $26,572.14

Public Hearings

Resolution 3163: Increasing Solid Waste Rates

At 6:07 pm, Mayor Miller opened the continued public hearing from the August 26th regular City Council meeting on increasing solid waste rates. Finance Manager Rhonda Peck reintroduced Resolution 3163 that would update the unified fee schedule to reflect an increase in solid waste rates, referring to a slide presentation that was included in 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.

At 6:13 pm Mayor Miller closed the public hearing on increasing solid waste rates.

Discussion topics included:

- Rates for 21-gallon totes and the associated discount.

ANTHONY YOUNG moved, seconded by RYAN WALTERS, to close the public hearing and approve Resolution 3163.
Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Ordinance 4087: MJB Properties Vacation Application for Street Rights-of-Way

At 6:14 pm, Mayor Miller opened the public hearing on Ordinance 4087 that would provide for the vacation of city rights-of-way to MJB Properties. City Attorney Darcy Swetnam summarized the key points of the vacation petition, 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.

Public comment was given as follows:

Theresa Baker of Anacortes asked if the compensation being paid to the city would cover the construction of the new restroom and recommended that the funds be placed in the road repair fund, especially for Old Town streets.

Brian Wetcher of Anacortes commented on MJB Properties Joint Aquatic Resources Permit Application (JARPA), pointing out that the land being considered for vacation was not consistently included in the permit application. He then mentioned that the planned esplanade portion on the eastern shoreline portion of the application was questionable due to its apparent placement over the ordinary high watermark in several places. He asked if the JARPA permit had been completed and wondered if the numbers in the application were calculated before the vacation was considered, and if the vacation petition was not approved by the Council, would it invalidate the existing JARPA permit application? He mentioned previous comments he made regarding the JARPA permit application and wondered how the vacation would fit into the overall permits.

Jimmy Blais of Kirkland, representing MJB Properties, thanked city staff and the mayor for the changes to section 4 of the ordinance regarding the easement and remarked that it is a fair proposal for the city. He added that the new bathroom location adjacent to the skate park will be of overall benefit to the city and the public being placed where more citizens can use the facility.

At 6:44 pm, Mayor Miller closed the public hearing.

Discussion topics included:

- Linking the public esplanade to this vacation application.
- Permanent restroom access easement in the original draft ordinance.
- Possibly amending other permit applications.
- Possibly purchase several Portland Loo bathrooms that are designed to prevent hiding and camping for the new restroom facility adjacent to the skate park.
- Section 4 language.
- Is the MJB property adjacent to the skate park related to this vacation?
- Caution against waiving the two-read rule to allow the public additional time for input.

RYAN WALTERS moved, seconded by CHRISTINE CLELAND-MCGRATH, to close the public hearing, waive the two-read rule for ordinances, and approve Ordinance 4087 with the agreed edits to Section 4.
Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Other Business

Partnering with the Port of Anacortes to Rebuild 2nd Street and O Avenue Intersection

Public Works Director Andrew Rheaume introduced the proposed project to rebuild the intersection of 2nd Street and O Avenue in cooperation with the Port of Anacortes pursuant to interlocal agreement #23-184-IDS-001, pointing out that the city will save money on the project and that the roadway is in poor condition.

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

Discussion topics included:

- Pricing for the Americans with Disabilities Act ramps.

TJ FANTINI moved, seconded by ANTHONY YOUNG, to authorize the mayor to use interlocal agreement #23-184-IDS-001 to partner with the Port of Anacortes to rebuild the intersection of 2nd Street and O Avenue.
Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Contract Award: 2024 Non-Arterial Roadway Project #24-215-TRN-001

Public Works Director Andrew Rheaume introduced the proposed contract #24-215-TRN-001 with Lakeside Industries, Inc. for the 2024 non-arterial roadway project, referring to area maps of the project that were included in the packet materials for the meeting. Mayor Miller mentioned that Access Fiber has been installed, and water lines have been replaced in the project area.

Discussion topics included:

- A program for streets to be resurfaced in the pavement management plan for the following years.
- Having areas worked on that are close to other ongoing projects.
- Timeline for introduction of the Transportation Master Plan to the Council.
- Finishing the project of overlaying streets in a neighborhood where most surrounding streets have already been completed.
- A map of the streets that have been resurfaced.

CAROLYN MOULTON moved, seconded by AMANDA HUBIK, to authorize the mayor to sign contract #24-215-TRN-001 with Lakeside Industries, Inc.
Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Interlocal Agreement #24-234-APD-001 with Skagit County for Public Safety Technology Services (Spillman)

Police Chief Dave Floyd introduced the proposed interlocal agreement #24-234-APD-001 with Skagit County for Public Safety Technology Services (Spillman), mentioning that the agreement has been subject to legal review and coordinated with the Information Technology division to assure compliance with firewall requirements.

Discussion topics included:

- Cost of maintaining and using the application over time.
- Is there a choice for use of certain application modules?

CAROLYN MOULTON moved, seconded by ANTHONY YOUNG, to authorize the mayor to execute interlocal agreement #24-234-APD-001 with Skagit County for Public Safety Technology Services (Spillman).
Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Resolution 3164: Use of Lodging Tax Funds for Skagit Valley Tulip Festival

Mr. Walters introduced proposed Resolution 3164 that would allocate $7,500 in lodging tax funds to the Skagit Valley Tulip Festival, mentioning that the request was for $10,000, which is commensurate with the organization's funding requests to other local entities. He added that the Lodging Tax Advisory Committee (LTAC) unanimously approved the funding request for $7,500. He then introduced Nicole Roozen, Executive Director of the Skagit Valley Tulip Festival, who outlined the reasons for the request, mentioning that reduced LTAC amounts were requested before she commenced her position in September 2023 and that the festival is running a budget deficit. She then cited data that indicates that between 400-600k people attend the festival and spend nearly $83 million throughout Skagit County each year. She mentioned promotion, advocacy and coordination within the community as the three major lines of effort of the non-profit promotional arm for the festival. Ms. Roozen concluded that the request is to compensate for funds that were not accounted for over the past year, including website re-design with mobile compatibility, marketing strategy, and sponsorship tracking and communication.

Discussion topics included:

- Discouraging out of cycle LTAC requests.
- 2024 award and past awards have been around $2,500.
- The amount requested will not affect the long-term stability of the fund.
- The criteria LTAC used to determine the award amount.
- Other cooperation opportunities with the Tulip Festival.
- Tulip Festival as a de facto chamber of commerce for Skagit County.
- Safe and efficient traffic flow for tulip field viewing.
- Difficulty of getting festival goers to self-report about attendance and activities.

AMANDA HUBIK moved, seconded by ANTHONY YOUNG, to approve Resolution 3164.
Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Resolution 3166: Authorizing a Noise Variance for the Wastewater Treatment Plant (WWTP) Outfall Relocation Project

Public Works Director Andrew Rheaume introduced proposed Resolution 3166 that would authorize a noise variance for the Wastewater Treatment Plant outfall relocation project to allow for work during favorable tide conditions outside of noise hours of 7am – 7pm from September 9-13, 2024.

Discussion topics included:

- Notification plan of affected neighbors.

RYAN WALTERS moved, seconded by AMANDA HUBIK, to approve Resolution 3166.
Vote: Ayes - ANTHONY YOUNG, RYAN WALTERS, CHRISTINE CLELAND-MCGRATH, CAROLYN MOULTON, BRUCE MCDOUGALL, AMANDA HUBIK, TJ FANTINI. Nays - None. Result: Passed

Adjournment

There being no further business, at approximately 7:28 p.m. the Anacortes City Council meeting of September 3, 2024 was adjourned.