

City Council Minutes – December 2, 2019

Mayor Laurie Gere called to order the Anacortes City Council meeting of December 2, 2019 at 6:00 p.m. Councilmembers Eric Johnson, Anthony Young, Carolyn Moulton, Bruce McDougall and Matt Miller were present. Councilmembers Ryan Walters and Brad Adams were absent.

The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Public Works Committee: Ms. Moulton reported from the committee meeting earlier in the evening at which those present discussed the drafting status of the Fidalgo Island Water System acquisition MOU, upcoming capital projects at the water treatment plant, and a potential interlocal agreement with Oak Harbor for joint projects.

Ms. Moulton announced that the City would be hosting an open house on December 9, 2019 from 4 to 6 p.m. in the City Council Chambers to solicit input on a proposed complete streets project on Commercial Avenue from 11th Street to 13th Street.

Public Comment

Sharron Stringer read from her prepared comments urging stopping the Madrona Project and extending the moratorium established by Ordinance 3054 beyond the initial six months. Ms. Stringer's comments were added to the packet materials for the meeting.

Dawn Duncan-Lewis, 1514 29th Street, spoke in opposition to raising a 5-story affordable apartment building in the downtown residential area. Ms. Duncan-Lewis objected to the impact of the project on the aesthetic and culture of the community. She asked Council back up and rethink this.

Consent Agenda

Mr. Young removed Item 5d, Contract Modification: Second Amendment to the Residential Recyclables and Residential Organics Collection Agreement with Waste Management of Washington, Inc. #15-102-SAN-001, from the Consent Agenda. Mr. Johnson removed Item 5c, Contract Award: Guemes Channel Trail Wall Replacement Design #19-146-PRK-002, from the Consent Agenda.

Mr. Miller moved, seconded by Mr. Johnson, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- a. Minutes of November 25, 2019
- b. Approval of Claims in the amount of: \$248,898.48
- c. Street Fair Application: Revised Christmas Tree Lighting Event

The following vouchers/checks were approved for payment:
EFT numbers: 95439 through 95481, total \$114,282.42
Check numbers: 95482 through 95515, total \$131,882.95
Wire transfer numbers: 259546 through 259870, total \$2,060.81

- c. Contract Award: Guemes Channel Trail Wall Replacement Design #19-146-PRK-002

Mr. Johnson questioned Public Works Director Fred Buckenmeyer on the location of the wall in question and other aspects of the project. Mr. Buckenmeyer said the wall was approximately 150 feet north of the Edwards

Way cul-de-sac, on the water side of the trail, and explained that the sewer manhole in that location was in jeopardy due to the failing wall.

d. Contract Modification: Second Amendment to the Residential Recyclables and Residential Organics Collection Agreement with Waste Management of Washington, Inc. #15-102-SAN-001

Mr. Young expressed his objections to the proposed contract modification and said he had removed this item from the Consent Agenda so he could vote against it but not against the rest of the Consent Agenda. Ms. Moulton and Mr. Miller expressed support for the modification. Mayor Gere added that other local recycling service providers had already refused to accept the same types of materials that the subject modification would delete from the list of what would be accepted in comingled curbside recycling bins.

Mr. Johnson moved, seconded by Mr. McDougall, to approve Consent Agenda Items 5c and 5d. The motion carried by voice vote.

OTHER BUSINESS

Resolution 2062: Updating Unified Fee Schedule for Updated Sewer Rates and Ordinance 3059: Updating AMC Title 13, Public Services

Finance Director Steve Hoglund presented draft Resolution 2062 which had been reviewed several times by Council, most recently at its November 18, 2019 meeting at which Council expressed support of the resolution but requested that AMC Title 13 be revised to remove conflicts between the resolution and the code. Mr. Hoglund explained that Ordinance 3059 revised only those portions of AMC Title 13 that conflicted with the unified fee schedule and said that additional re-writes of that title were under way. Mr. Hoglund responded to councilmember questions about the average winter water use calculations and sewer plant access cards for pump out. Mr. Johnson asked that the block rates included in Exhibit A of the ordinance be formatted in table form. Ms. Moulton and Mr. Miller asked that all acronyms used in Title 13 be defined.

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

Mayor Gere invited Mr. Hoglund to bring the agenda item back to Council at a future meeting.

Thomas G. Thompson, Jr. Train Memorandum of Agreement

City Attorney Darcy Swetnam requested Council approval of an MOA revising the 2012 agreement that the City entered into with Anne Thompson to accept donation of the Thomas G. Thompson, Jr. Train as a retired artifact for static exhibit only. Ms. Swetnam summarized the terms and conditions of the donation agreement and the proposed modification which would allow more flexibility to the City to determine how to display or sell the train. Ms. Swetnam's slide presentation was added to the packet materials for the meeting. She emphasized that the MOA did not propose any particular disposition of the train, only made more options available to the City.

At Council's request, Museum Director Bret Lunsford provided a brief synopsis of Mr. Thompson's operation of the train, and his wishes for the train's display at the time of his death, and its donation to the city in 2012.

Mr. Miller moved, seconded by Mr. Johnson, to authorize the Mayor to sign the Memorandum of Agreement between the City of Anacortes and Anne Thompson.

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

Vote: Ayes – Young, Moulton, McDougall, Miller and Johnson. Motion carried.

PUBLIC HEARINGS

Public Hearing: Resolution 2068 Affirming Interim Ordinance 3054 Declaring an Emergency and Adopting a Moratorium on the Acceptance of Certain Land Use Applications in the R4 Zone

Planning Director Don Measamer summarized the adoption of Ordinance 3054 on October 21, 2019 and the RCW requirement for a public hearing and adoption of a work plan following that interim ordinance. Mr. Measamer said that staff was not recommending extending the moratorium beyond the initial six months. He reviewed the proposed work plan. Mr. Measamer's slide presentation was added to the packet materials for the meeting. He responded to Mr. Miller's request for clarification on how the moratorium would impact the project currently proposed at 18th Street and O Avenue.

At 6:50 p.m. Mayor Gere opened the public hearing. She called speakers forward in the order in which they had signed up to speak. The mayor asked each speaker to try to keep comments to about three minutes to allow everyone to have an opportunity to address the Council.

Ed Gegen, 2015 N Avenue, read from his prepared comments expressing concern about allowing a building of over 50 feet in height in the R4 zone. Mr. Gegen asked Council to extend the moratorium for an additional 6 months as allowed by RCW 36.70A.390 so this situation can be looked at more closely and a good solution can be achieved. He added that he would like to see a popular vote by the city of the Anacortes if the people want high rise buildings.

Jeanne Olmsted, 1019 16th Street, referred councilmember to correspondence she had previously sent to them. She said she favored making the moratorium permanent or revising the code.

Sharron Stringer expressed concern that six months was not sufficient time to consider this question and said the community needed to be thoughtful and respectful in this process.

Chuck Bush, 2308 Forest View Lane, expressed concern that there was not adequate parking for the proposed project at 18th Street and O Avenue. He elaborated on those concerns and suggested requiring underground parking for the project.

Ron Fernandez said he'd like to see a clear definition of affordable housing which was not clear in the code, and also of public benefit and social benefit. Mr. Fernandez also asked for conformity of the building codes with the 2016 Comprehensive Plan, particularly regarding the traditional scale of the neighborhood. He said the project proposed project at 18th Street and O Avenue would have permanent parking problems and traffic problems.

Jeanne Smith confirmed that councilmembers would also take into consideration emails and correspondence submitted by the public. Ms. Smith asked if the city was likely to face a lawsuit if it changed parameters for the project from the code that was in place when the 18th & O project began.

No one else present wishing to address the Council, at 7:02 p.m. Mayor Gere closed the public hearing.

Mr. Johnson moved, seconded by Mr. Miller, adopt Resolution 2068 affirming Ordinance 3054, adopting findings of fact, and adopting the attached work plan. Vote: Ayes – Moulton, McDougall, Miller, Johnson and Young. Motion carried.

There being no further business, at approximately 7:03 p.m. the Anacortes City Council meeting of December 2, 2019 was adjourned.