

City Council Minutes – February 13, 2017

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of February 13, 2017 at 6:00 p.m. Councilmembers Eric Johnson, Ryan Walters, Erica Pickett, Brad Adams, John Archibald and Matt Miller were present. Councilmember Liz Lovelett was absent. The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Tulip Festival Presentation: Darene Follett, Treasurer of the Skagit Valley Tulip Festival board, introduced festival Executive Director Cindy Verge. Ms. Verge thanked Anacortes for its ongoing support of the festival and presented Mayor Gere with a framed 2017 Tulip Festival poster by Bellingham artist Trish Harding.

Anacortes Family Center Presentation: Executive Director Dustin Johnson introduced Anacortes Family Center board members Bonnie Bowers, Vicki Stasch, Warren Tessler, and Leona Bratz. He thanked Anacortes for its generous support of the Family Center. Mr. Johnson shared a slide presentation summarizing new services and programs being offered by the Center. His presentation was added to the packet materials for the meeting. He cited statistics demonstrating the effectiveness of AFC programs at helping clients establish employment and permanent housing, reduce dependence on social services, and ensure personal safety and wellness for themselves and their families.

Port/City Liaison Committee: Ms. Pickett reported on the presentation from the U.S. Navy about the new Growlers that will be flying out of NAS Whidbey.

Planning Committee: Mr. Walters reported that the committee meeting scheduled for earlier in the evening had been cancelled.

Public Comment

No one present wished to address Council on any topic not already on the agenda.

Consent Agenda

Mr. Walters removed Item 5a, Minutes of February 6, 2017, from the Consent Agenda. Mr. Johnson moved, seconded by Ms. Pickett, to approve the following Consent Agenda items. The motion passed unanimously by voice vote.

- b. Approval of Claims in the amount of: \$499,327.53
- c. Contract Award: 2017 Sanitary Sewer Improvements Project (16-074-SEW-001)
- d. Contract Award: 2017 Slurry Seal (17-004-TRN-001)
- e. Findings of Fact, Conclusions of Law and Decision: CUP-2016-1002, Two 1.5-million-gallon Water Tanks/Reservoirs at Blue Heron Circle
- f. Street Fair Applications: Fools Run at Night, Anacortes Arts Festival Spring Fest, Shipwreck Days

The following vouchers/checks were approved for payment:
Check numbers: 83783 through 83822, total \$159,835.70
EFT numbers: 83731 through 83782, total \$289,202.77
Wire transfer numbers: 212367 through 213086, total \$23,143.01

a. Minutes of February 6, 2017

Mr. Walters moved, seconded by Mr. Archibald, to approve the minutes of February 6, 2017 corrected to strike the last sentence of second paragraph on page 4. The motion passed unanimously by voice vote.

OTHER BUSINESS

Anacortes Bike/Pedestrian Advisory Committee Update Presentation

City Engineer Eric Shjarback and members of the Anacortes Bike/Pedestrian Advisory Committee updated Council on the Committee's recent achievements and upcoming activities. Their slide presentation was added to the packet materials for the meeting. Mr. Shjarback announced that the city had recently been awarded a \$250K Transportation Improvement Board grant, part of which would be dedicated to the new neighborhood greenways project. He shared a list of potential projects that would help move Anacortes from Bronze to Silver classification as a Bicycle Friendly Community from the League of American Bicyclists. Committee member John Pope introduced the neighborhood greenway project which would direct cyclists and pedestrians to quiet residential roads and leave busy arterials to motorized traffic. Mr. Pope explained that this is a very cost effective way to connect neighborhoods and improve safety for all transportation modes. He outlined the economic benefits of greenways which encourage local purchasing, attract skilled professionals, and draw tourists. He displayed a map depicting the proposed South Hill Greenway and West 2nd Neighborhood Greenway. Committee member Warren Tessler reported on the annual Open Streets event held in Anacortes each summer with increasing success each year. Committee member Steve Jahn introduced the concept of the Art Walk Friday Street Plaza which would close Commercial Avenue to vehicles between 4th and 6th Streets on three first Friday Art Walks during the summer from 6 to 9 p.m. to enhance the financial success and community enjoyment of the event. Mr. Jahn reported that contact with the businesses in those blocks had been entirely positive. Several councilmembers voiced support of the greenway concept and the Art Walk Street Plaza.

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

WSDOT Noise Variance Request for 2017 Paving Project

Planning Director Don Measamer presented a request from WSDOT for a noise variance for up to 30 non-consecutive nights of work between May and November 2017 during the SR20 paving project. He explained that nighttime work would minimize traffic impacts during the day along the busy corridor. Mr. Measamer said that WAC 173-60-080 allows the city to issue such a variance for up to 30 days without holding a public hearing if special circumstances prevent compliance with WAC 173-60-040 establishing maximum permissible environmental noise levels. He enumerated the mitigation measures proposed by WSDOT. Mr. Measamer reported staff's finding that the proposed mitigation measures met the requirements. He recommended granting the variance.

Mr. Walters asked if equipment backup alarms could be better mitigated. WSDOT Project Engineer Shane Spahr explained the limited but necessary use of the alarms. Mr. Miller urged WSDOT to make sure to communicate to residents along the route when and where work would be occurring at night. Mr. Spahr concurred and said the Nighttime Work Mail Notification was typically distributed about two weeks ahead of the work.

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

Mr. Walters moved, seconded by Mr. Archibald, to find that special circumstances exist preventing compliance with requirements and approve the requested noise variance for up to 30 nights of work

between May and November 2017. Vote: Ayes – Walters, Pickett, Adams, Archibald, Miller and Johnson. Motion carried.

Daniels Field Turf Installation Update

Parks and Recreation Director Gary Robinson recalled prior discussions of the turf project at City Council meetings on June 27, 2016, July 5, 2016 and October 10, 2016. He reported that the field subsurface had been prepared. He asked for a decision on the turf material, on funding for the turf, and for a revised agreement with the Parks Foundation. Mr. Robinson discussed the studies performed by various groups regarding health effects of crumb rubber and cited a recent study by the Washington State Department of Health concluding that available research does not indicate a significant health risk due to exposure to crumb rubber playing fields. He said coated crumb rubber encapsulates most if not all of the potentially harmful compounds and recommended proceeding with that product which provides additional health protection and also durability at a reasonable cost. Councilmembers Pickett, Miller, and Adams voiced support of that choice.

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

Mr. Robinson responded to questions from Mr. Walters and Mr. Archibald regarding the total cost of the field project, the differential cost of different turf materials, and the balance of park impact fees. Mr. Adams observed that the Daniels family had added \$150K to their original donation of \$500K for the turf project. Mr. Robinson thanked the Daniels family for their generous donations to the park over the years.

Ms. Pickett moved, seconded by Mr. Johnson, to go forward using the coated crumb rubber and to allocate \$50,000 of park impact fees to the project. Mr. Walters supported the material choice but said he was not comfortable allocating funding outside the budget process without a firm impact reserve fee balance figure. Mr. Walters asked unanimous consent to amend the motion to add acceptance of the modified Memorandum of Understanding with the Anacortes Parks Foundation which was included in the packet materials for the meeting. Ms. Pickett agreed to the amendment and no councilmembers objected. Vote on amended motion: Ayes – Pickett, Adams, Archibald, Miller and Johnson. Nays – Walters. Motion carried.

Ordinance 3001: Temporary Parking for Guemes Ferry Haul Out

City Attorney Darcy Swetnam presented Ordinance 3001 to carry out the terms presented by Skagit County for traffic control and parking during the Guemes Ferry haul out between February 28, 2017 and March 28, 2017. She clarified that the ordinance would only be effective from 5:00 p.m. February 27 through 8:00 a.m. on March 29. Ms. Swetnam outlined the traffic flow and parking changes as per the plan presented by Skagit County to City Council on January 23, 2017. She advised that Paragraph F of the ordinance would need to be altered to identify violation of the ordinance as an infraction rather than a misdemeanor.

Mr. Miller moved, seconded by Mr. Archibald, to adopt Ordinance 3001 temporarily amending traffic and parking on 6th Street and H Avenue during the Guemes Haul-out, correcting paragraph F to make violation an infraction rather than a misdemeanor. Mr. Walters said that either the class of the infraction or the amount of the penalty also needed to be specified and suggested a penalty of \$50 based on other infractions in AMC 12. Ms. Swetnam concurred.

Mr. Adams asked if there was sufficient room for parking on the north/west side of H Avenue with the large boulders that had been placed there. Mr. Shjarback said the one lane of one-way traffic should allow space for parking. No one present was able to identify how or when the boulders were placed. Mr. Adams asked Mr. Shjarback to find out, to report back, and to ensure that there was sufficient space to park.

Mr. Walters proposed to amend the motion to specify a \$50 penalty for violating the ordinance. Mr. Miller accepted that amendment, seconded by Mr. Archibald. Vote on amended motion: Ayes – Adams, Archibald, Miller, Johnson, Walters and Pickett. Motion carried.

Resolution 1984: Special Market Condition for Purchase of Directional Drilling Equipment

Public Works Director Fred Buckenmeyer presented a resolution declaring a special market condition for the purchase of a used directional boring machine for use by the Water Department. Mr. Buckenmeyer explained the need for the equipment and the advantageous pricing available for this particular machine which would be used for both water and fiber optic telemetry projects. He recommended adoption of the resolution. Upon questioning by Mayor Gere, Mr. Buckenmeyer confirmed that the equipment would be inspected by a certified dealer before the sale was concluded and that sufficient funds remained in the budget for the purchase.

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

Mr. Johnson moved, seconded by Mr. Archibald, to approve **Resolution 1984** approving the special market condition purchase of the used directional boring machine. Vote: Ayes – Archibald, Miller, Johnson, Walters, Pickett and Adams. Motion carried.

Resolution 1963: Establishing Fees for the Storm Water Utility and Ordinance 2979 Removing Storm Rates from AMC and Defining Impervious Surface Units

Mr. Buckenmeyer presented additional information that had been requested by councilmembers during previous consideration of this topic at the February 6, 2017 City Council meeting. His revised slide presentation was added to the packet materials for the meeting including three alternative rate scenarios. Mr. Buckenmeyer requested consensus on which rate structure was preferred so staff could begin the public outreach effort.

Mr. Buckenmeyer then explained in some detail the three scenarios, each of which showed the proposed monthly rate per ERU for residential, commercial, and HM/LM1 zone customers each year from 2017 through 2030. Each scenario also displayed the portion of total stormwater revenue that would be contributed by those three classes of customers as well as the total projected annual revenue, operating expenses, capital expenses, reserve balance and targeted reserved balance for the utility.

Councilmembers discussed the scenarios in depth, including the relative merits of steeper versus more gradual rate increases, immediate versus delayed rate increases, the rate at which HM/LM1 customer rates would be brought into alignment with the rest of the city, and the effect of each scenario on the rate of required capital improvements and fund balance targets established by policy. Mr. Buckenmeyer reminded that all the scenarios included revising the ERU from 2000 SF to 3600 SF and charging all commercial customers for their actual equivalent ERU. He recommended scenario 3, which would put rate adjustments into effect as of January 2018 and provide more time for public outreach prior to the increase. Councilmembers asked the impact of each scenario on typical commercial customers. Mr. Buckenmeyer shared slides presenting that information. Ms. Pickett and Mayor Gere observed that Anacortes comprises far more residential than commercial acreage so shifting stormwater management funding more towards residential customers was more equitable. Mr. Archibald and Mr. Miller said they preferred the second scenario. Mr. Adams and Ms. Pickett preferred the third scenario. Mr. Walters preferred a modified second scenario, with a July 2017 increase to \$7.50 rather than \$9 per ERU. Mr. Johnson spoke to the different strengths of both the second and third scenarios.

Mr. Johnson asked Mr. Buckenmeyer to explain the reserve balance projections included in the scenarios. Mr. Walters encouraged his colleagues to adopt a multiple year fee schedule once a scenario was chosen, rather than requiring annual Council action to set the rates.

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

Public Works Project Update

Mr. Buckenmeyer referenced the list of 2017 public works projects included in the packet materials for the meeting. Mr. Shjarback and Assistant Public Works Director Matt Reynolds described each of the listed projects. Mr. Buckenmeyer then briefly listed additional non-project related items including Cartegraph asset management implementation, fiber telemetry, Skagit river upstream turbidity sensors, Water Treatment Plant intake screens, Water Treatment Plant manual operation manual, illicit discharge efforts, propane vehicles, and an electric vehicle pool car. Mr. Johnson asked that the project list be posted on the city's website.

Mayor Gere invited members of the audience to comment on this agenda item. Patrick O'Hearn commented in support of the cape seal project.

There being no further business, at approximately 9:15 p.m. the Anacortes City Council meeting of February 13, 2017 was adjourned.