

**CITY OF SEQUIM  
CITY COUNCIL MINUTES  
SEQUIM TRANSIT CENTER  
190 WEST CEDAR STREET  
SEQUIM, WA**

**MAY 26, 2009**

**5:00 P.M. STUDY SESSION**

Discuss Title 18 amendments – Low Impact Development

Planning Director Lefevre gave a brief overview of the history of this project. We are reviewing the code to amend it to reflect low impact development (LID) stormwater techniques. He outlined different aspects of the techniques.

John Cambalik with Puget Sound Partnerships assisted with the presentation. Stormwater in an undeveloped situation shows that surface runoff is less than 1%. In a developed situation, surface runoff can be up to 30%. LID is cost effective and allows developers to control flows more effectively and efficiently. The State of the Sound report outlines risks from land developments and stormwater.

Cambalik outlined stormwater management and goals, along with flow control and treatment objectives. He outlined the most popular integrated management practices, such as bioretention, amended soils, permeable pavement, dispersion vegetated roofs, rainwater harvesting and minimal excavation foundations. Current common practices include pervious paving which has excellent flow control and treatment as well as a plastic grid system. Also used is pervious asphalt and pervious pavers. He showed Seattle City Hall's green roof that are becoming popular.

Comparing LID approach to conventional, LID is not just narrowing a road or using a rain garden. It is not a planning tool, it is a tool used when a site has been selected for development. Engineers use these practices for stormwater runoff. Irvin said doing this site analysis during the application process will be useful.

There was discussion about how LID would affect a single family residence. Irvin said we offer a build green concept to builders. There will be tools available for applicants to build with LID and build green.

LID is not a growth management tool but a site development tool. Ongoing maintenance is found to be easier. Education is the key to use of LID. LID can't work on all sites, but some practices can.

Cambalik outlined resources that are available, including [www.psp.wa.gov/](http://www.psp.wa.gov/). He stated all

jurisdictions on the Peninsula have received regulation assistance except for Forks. LID is now part of state and federal policy.

Hays stated we have talked about a stormwater ordinance and wonders if we could assign incentives to the various component of LID to offset stormwater. Ritchie said he thinks that can be done. There are issues with LID and the value of infrastructure the City might get. The stormwater utility is generally designed to deal with excess stormwater. Hays feels LID tools may help the WRIA 17 and 18. Ritchie would want to know the legal foundation before we take that on.

McHugh said if we are not using LID now we are allowing people to spill their stormwater wherever they want. There was general discussion concerning cisterns and rain gardens. LID water could be cleaner when it went into the aquifer.

There was general discussion concerning contaminants and our water tables. The County has information on water tables. It was agreed water levels have changed over the years.

Dubois asked about the maintenance of drywells. There was discussion about maintaining drywells in commercial parking lots.

Lefevre stated this will come back to Council in July.

McHugh asked on the stormwater infrastructure the City maintains, beyond our downtown core, how much is the City providing catch treatment for? Lefevre doesn't have an answer. Needham said we aren't supposed to collect stormwater into our sewer system. Storm drains in many different types are throughout the City.

Irvin said we make sure on new applications where storm drains are and disconnect any that are connected to our system. Hays said it is important to take steps to keep stormwater out of our system.

Meeting recessed at 5:50 p.m.

## **6:00 P.M. REGULAR COUNCIL MEETING**

Mayor Dubois called the meeting to order.

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

Deputy Clerk Usselman called roll. Council members present: Laura Dubois, Erik Erichsen, Ken Hays, Bill Huizinga, Susan Lorenzen, Paul McHugh, and Walt Schubert.

City Staff present: Deputy Clerk Bobbie Usselman, Planning Director Dennis Lefevre, Capital Projects Manager Frank Needham, Police Chief Bob Spinks, City Attorney Craig Ritchie, Associate Planner Joe Irvin and Interim City Manager Linda Herzog.

## INTRODUCTIONS & CORRESPONDENCE

### CEREMONIAL

### REPORTS

#### COMMITTEE, BOARD AND LIAISON SUMMARY

Huizinga reported on the Economic Development Council meeting. It was reported that Lockheed will build a facility in Port Angeles with up to 400 employees.

Schubert updated on the Boys & Girls Teen Club with the relief fund picnic and worked a dunk tank a few weeks ago.

Erickson said the SMAC meeting had a presentation from Larry Little for the Olympic Marathon. The committee did not receive the request well making it uncomfortable for Mr. Little. He apologized for the committee and for himself for not stopping it before it went too far. Procedures need to be developed for future requests for financial support. This should be done without individual members of the public having to sit through the debate about the funding because at times there are people with different opinions. In the manager's report there is discussion about it. Vickie Maples and Erickson will meet with the City Manager for a unified approach for such funding items that have traditionally come from the general fund and can, by recent legislation, be paid from LTAC funds.

Lorenzen attended the Clallam Transit Board meeting in Forks. She reminds everyone of the youth pass available during the summer which is \$10 for the entire summer. It is a great deal and is under utilized.

Dubois also attended the Clallam Transit Board meeting where they had the second public hearing on route changes. Two changes will be in Sequim. The last public hearing is on June 15 in Port Angeles if anyone has comments on the route changes.

### PRESIDING OFFICER REPORT

#### CITY MANAGER REPORT

- a. Two budget amendments in this packet
- b. City support of festivals, fairs and special events
- c. June 29 opportunity to discuss financial/budget policies
- d. Council election campaigns and staff ethics
- e. Food Bank donation center

- f. Parks Advisory Board bylaws
- g. Misdemeanor court services in Sequim

Herzog stated we do have a food bank bin in the lobby and hope people will bring items to the meetings.

On June 29 we are planning a special meeting to go over the City work plan and discussion about finance and budget policies before budget time. Council should give us a heads up if you have any policy suggestions to Herzog or Goschen. The meeting will start at 5 p.m.

Concerning the SMAC meeting, she also apologizes for the miscommunications on that issue. She wants everyone in the community to know staff is supportive of the fairs and festivals that happen. We are trying to save the general fund from expenses that can be paid by other sources. We want to bring a policy by June 29; it may not be applicable for June 29.

The Association of Washington Cities is having its annual conference June 24-26 in Spokane. If a Councilor would like to go it is not too late to register. There are some beneficial workshops.

The consultants for the City Manager position will have a status report in the next couple days.

**PUBLIC COMMENTS** *(For Items Not on the Agenda – Please limit comments to 3 minutes)*

Mayor Dubois read the rules for public comment.

Patricia Allen, P.O. Box 3892, stated she came before the Council last year stating the four new Council members needed guidance to run the City. In the last year she has seen money spent on many things without income. You can't keep spending without revenue coming in. She would like a comment from one Councilor concerning the monies spent since Bill Elliott was fired.

Lorenzen stated Allen's information is incorrect. We would have had to pay someone for the position this past year. When Chief Spinks filled the position, we paid a small amount before the difference was between his normal salary and the city manager position. It was a difference of \$2,000 to \$3,000 per month. The previous city manager was 66 years old and was going to retire anyway. The 12 month severance was increased from 3 months to 12 months in lieu of a 10% pay increase which would have been about \$9,000. The additional 9 months of severance came to \$68,000 to \$70,000. The information Allen has is skewed. You need to take into account the amounts that would have been paid regardless, including benefits. The only thing we are out is his severance. Allen said 66 is young and that she will write a letter.

Pat Clark, 303 Falcon Road, thanked Council for doing something concrete for the food bank. He said in Steamboat Springs the busses are free all the time. On the low impact development, there is a dry well next to his property surrounded by City property that has failed three years in

a row. Once it failed to the point where there was 52" higher than his crawl space. The County responded it didn't have anything to do with it. He paid for it to be fixed. There was 12,000 gallons a day of water being pumped out of his basement. He spoke to Waldron today as Paul McHugh referred them to him. He gave them an ear full.

Jerry Sinn, President of the Boys & Girls Club, 400 W. Fir Street, stated they are campaigning for kids for direct donations to the club. It is their second fundraiser. This is a difficult year. One way a community can pull together is by giving. We encourage everyone to do that. They are advertising the campaign in various ways around town. Their goal is \$115,000 across the Peninsula. They are at \$20,000 and have a long way to go. They must make their goal to keep them going until the auction.

Vickie Maples, Executive Director of Chamber, invited everyone to a celebration planned for when the bridge opens on June 6. Port Townsend will be the main host for the event. We'll send more information.

Scott Nagel, Exec. Director Sequim Lavender Festival, stated the Seattle Times published a one day getaway to the Lavender Festival. This is an editorial saying people should come to Sequim. They also talk about other things to do in Sequim. This is what the Lavender Festival and other festivals bring to the community. Several hotels are sold out and most B&Bs are gone. There will be staycations from the entire region and we are looking forward to our best year ever. They have met with the Chamber to see what can be done to make things better. We are moving to the athletic field with 25 service organizations and the Boys & Girls Club. We are looking at attracting 1,000 more people. We have added a military discount on their tickets to active duty families. The Sequim Gazette published over 100,000 programs. They look forward to working with everyone. Cisco Morris will be there.

Don Hall, 912 E. Oak Street, attended the concert on Sunday at the James Center. He found out they are trying to build another building but the Dept. of Ecology is holding it up. He suggests they swap some land such as Keeler Park. The fishing derby had a great turnout. At the Sequim Band Shell the new asphalt path works great.

Mike McAleer, 560 N. 5<sup>th</sup> Avenue, reported the Rotary put up 98 flags on Fir, Alder and Spruce and soliciting subscriptions was a huge success. People were very emotional about having the flags up. Even those on social security said they would buy flags. There were some that said they could do it possibly next year. He feels there was 90% sign up. We'll expand the program to other parts of the community. We are ready to put up more flags.

Mike East, 660 Happy View Lane, said you think 66 years old is a retirement age. He is 66 and doesn't plan to retire for a long time. He also got a feeling there was age discrimination at the same time; that you think someone 66 should retire. We look around the community and there are people in their 60s, 70s and 80s that are productive. If he were a candidate he would want a contract with an exit strategy to protect himself like Elliott had. If he didn't get it, he would not

take the job. If he was in a management situation and someone didn't ask for that, I would think their management skills weren't very good.

## **INFORMATION/COUNCIL QUESTIONS INVITED**

1. Timeline for WRIA 18 instream flow rule
2. Moved to item 7
3. Sequim Speaks update and process
4. Draft Ordinance Revising Chapters 1 through 4

Ritchie said some issues are new, including hiring the City Attorney on page 14; Civil Service for City police and he'd like a labor law expert review; also you should look at p. 50 a provision for use of inactive funds without Council approval each time; elimination of the Police department donation fund; payroll fund we are trying to change the name of; and a claims fund to settle small claims without going to Council on page 57. There are a number of substantive changes so we will have a series of ordinances. We don't need separate ordinances for simple changes or to conform to the statute.

McHugh said he questions the change on page 14 and why the process for hiring a City Attorney would be different than other managers. He feels it should be the City Manager's responsibility. Ritchie said the City Attorney is different. All other offices are filled by the City Manager. The City Attorney works for the City Manager except when the Council wants a specific decision carried out. He researched and found three ways that City Attorneys are hired: 1) by city manager; 2) by city manager with confirmation by Council; and 3) by the Council. This is probably the best way for the City Attorney to make sure he can work well with the Council. The City Manager would still do the appointment with confirmation by Council. The statutes say Council can hire its own attorney. He feels the way he wrote it is most efficient and effective. McHugh asked if most work comes from the City Manager or from Council. There are situations where Council comes directly to him about the City Manager or a potential lawsuit. But he takes direction from the City Manager. Herzog has seen cases where Council will hire its own attorney for several items or a period of time, but the City Attorney still sits in the city government. This can cause hardship and endorses what Ritchie suggests.

## **PUBLIC HEARINGS (Legislative)**

5. Comprehensive Plan Amendment to add a Capital Facilities Element, and Concurrent Budget Amendment – Adoption of Ordinances 2009-009 approving Comprehensive Plan Amendment for Capital Facilities Project List Update

The Mayor read the rules for public hearings.

The public hearing opened at 6:49 p.m.

Needham stated you have seen the list of projects many times. It has been adjusted and council has been advised of the changes. We had to separate it from the Comp Plan Amendment process because we can do a land use amendment once a year. The Planning Commission asked why costs aren't the same as on another schedule, such as the transportation improvement plan. We try to have identical costs but further information comes forward at later dates that would change things.

McHugh asked about the tree harvest ordinance. Needham said in the next 3-5 years the state will require every community to have a tree ordinance or evergreen community status. We are trying to get ahead of that curve to create our tree ordinance now. McHugh asked if once this is passed and made part of the Comp Plan will it be forwarded to our consultants looking at impact fees to include these dollars into their studies. Needham stated they will analyze the consequences of the costs. McHugh said this is a significant document that relates to commercial and residential costs in the future. Needham said this list is required to obtain government funds.

Lorenzen said the ODT missing link amount seems low. Needham said it is middle of the road. Lorenzen said we are several years out for city hall and asked if inflation should be included. Ritchie stated you do not need to calculate for inflation and explained the statutes. You can't collect impact fees for things in your capital facilities element. The list is important; the estimates are best guess.

Needham said the list will be updated each year. The transportation improvement plan has been kept up annually.

Public comment:

Mike East, 660 Happy View Lane, said on the ODT, he knows it is important to a lot of people in the community, but it seems like a short distance to spend that amount of money and asked why it couldn't be done with a series of signage and arrows on the ground. It might cost \$50,000 vs. \$500,000. It doesn't seem practical to spend that kind of money on a short part of the trail.

Lorenzen said the trail section isn't just for the City, it is part of a much larger trail. There are requirements that the trail has certain widths and be ADA accessible. Our portion that is incomplete is one of the few portions. It is a commitment the City has with a larger entity. We are looking for grant money.

Don Hall, 912 E. Oak Street, stated the Parks Board has someone on the coalition for the ODT that will be working on grants and hopes grants will come to us.

Huizinga said there is divided opinion on the trail and it is important to keep it in. Think of it as a wide sidewalk from Carrie Blake to Sequim Avenue. There is disagreement among Council, but it is important to keep it in.

McHugh said the street that has been identified is largely devoid of any infrastructure for pedestrians who walk in the road or in peoples' yards. It needs to stay in and we need to complete it.

Ritchie said he emphasizes this amendment is being done in conjunction with a budget amendment to receive grant funds that has to do with one of the capital facilities projects in this hearing.

Public hearing closed at 7:03 p.m.

**MOTION** by Hays to adopt Ordinance No. 2009-009 amending the City of Sequim Comprehensive Plan – Update 2006 to include the revised “Capital Facilities Project Gross Costs 2009-2014” list for the Capital Facilities Element (Chapter 13) and waive the second reading; second by Erichsen.

Schubert stated he will vote for this. All of the items listed do not mean we are going to do them but they are available to do. As far as the trail, we need to do it right. It will be there for a long time.

Dubois is also in favor of having this comprehensive list and as grants become available for specific projects we will be ready.

Huizinga doesn't feel we are lucky getting grants but it is good staff work.

McHugh feels it is a complete list identified through a good public process. He will vote for it but what makes him uncomfortable is that this information will be provided to the consultants who will generate a high impact fee because of this. If it wasn't for moving toward impact fees he would have a question about it. Needham understands McHugh concerns. If we didn't have these numbers, we would run the risk of higher impact fees.

McHugh said he is concerned about the entire project list. Regardless of who's estimate it is, we are looking at significant totals. Council will have to decide how much citizens who want to build are prepared to pay. Otherwise they will seek other alternatives in the County or other locations.

Dubois said just because it is a comprehensive list doesn't mean impact fees will go up.

Hays feels this is a good list. This is a list of all projects that need to be done. Staff did a great job.

Schubert said the parks list is looked at by the parks board as a wish list. If it isn't on the list, there is no chance of being accomplished.

**VOTE: Unanimously approved.**

## **CONSENT AGENDA**

6. Approve/acknowledge
  - a. City Council meeting minutes – May 11, 2009
  - b. Claim Voucher dated 5/26/09 total payments \$353,301.54

**MOTION** to approve the Consent Agenda made by Hays; second by Erichsen. **Carried Unanimously.**

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

7. Budget Amendment and Ordinance 2009-007 Authorizing Expenditures for Unanticipated Grant Revenues

Goschen identified the two major grants this would cover.

**MOTION** by Lorenzen to adopt Ordinance 2009-007 providing for unforeseen receipt of specified grant and loan funds, and expenditure of those funds for their respective projects; second by Erichsen. **Unanimously approved.**

8. Budget Amendment and Ordinance 2009-008 for Unforeseen Expenditures

Goschen stated this involves expenditures not matched by income. Most items are typical that you would see throughout the year. There are a few items that are 2008 carryover with invoicing in 2009. The 2009 budget was a tight budget with the concern of maintaining fund balance and staffing. We also had a heat pump failure at Guy Cole. It was within our authority to fix it but it essentially consumed our repair budget. We are asking for additional funds for future repairs.

Ritchie introduced the ordinance by reading the title.

Dubois stated this will be back to Council on June 8 for a public hearing.

## **GOOD OF THE ORDER**

**PUBLIC COMMENTS** *(Please limit comments to 3 minutes each)*


## **EXECUTIVE SESSION**


**NEXT MEETING DATE** June 8, 2009 5:00 p.m. study session and 6:00 p.m. regular meeting.

**ADJOURNMENT**

**MOTION** to adjourn at 7:17 p.m. made by McHugh; second by Huizinga. **Carried**  
**Unanimously.**

Respectfully submitted,

  
Bobbie Usselman, CMC  
City Clerk

  
Laura Dubois  
Mayor

Minutes approved at a regular Council meeting held on June 8, 2009.