

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

JUNE 22, 2009

5:00 P.M. STUDY SESSION

Sequim Speaks

Ritchie explained the need for the appropriate members in each quadrant with a majority of the membership residing in the City. Council will determine which members will have the 2-year and 1-year terms. The list is divided into quadrants and identifies City residents. Each Council member can appoint a member from the pool. A letter will be sent to governmental agencies asking for the appointment of a liaison; applications will be solicited perpetually; and owning property in the city does not qualify someone as a resident.

McHugh thinks this is premature. He would like to see the issues clarified. When this comes back to Council, it needs to include applicants who meet the requirements and the volunteers be set aside so issues are not confused. This can be tabled to the next City Council meeting if that is enough time to sort out issues. He would also like to address the cost projections.

Herzog explained that the cost is for overtime for staff to take minutes, doing notices, etc. Supplies will be minimal.

Following discussion it was agreed that Karen will provide electronic minutes to Councilors.

Two additional City residents are necessary. It is not necessary to have a City resident in each quadrant. However, the majority of the membership must be comprised of City residents.

There was discussion as to whether this type of committee exists in other cities. Hays indicated this is based on other City models.

Membership will be selected once there are enough City residents. The resolution will be discussed later in the meeting.

Shoreline Master Program

Lefevre stated that the Shoreline Management Act was passed by the legislature in 1971. The act requires cities to adopt a Shoreline Master Program. Discussions have begun with DOE and Clallam County to review the potential of coordinating specific tasks. This is a 2-3 year process. There are residences north of the marina that are in the county. City staff will be working with the county to assume jurisdiction of that area. It is anticipated that this area and the Battelle landholdings will be included in the update. Jurisdictions that are requested to update their plan

are receiving financial assistance from DOE. Funding is based on the amount of shoreline, types of uses, type of development, etc. DOE has offered the City \$40,000 in this update process. A preliminary scope of work has been identified. This is the first step in a long process. This will be brought to Council for approval once an agreement is reached with DOE.

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

Clerk Kuznek-Reese called roll. Council members present: Laura Dubois, Ken Hays, Bill Huizinga, Susan Lorenzen, Paul McHugh, and Walt Schubert.

MOTION to excuse Erik Erichsen who is on vacation made by Hays; second by Lorenzen. **Carried Unanimously.**

City Staff present: Admin. Service Director Karen Goschen, Clerk Karen Kuznek-Reese, Planning Director Dennis Lefevre, Capital Projects Manager Frank Needham, City Attorney Craig Ritchie, Police Chief Robert Spinks and Interim City Manager Linda Herzog.

INTRODUCTIONS & CORRESPONDENCE

CEREMONIAL

REPORTS

COMMITTEE, BOARD AND LIAISON SUMMARY

Clallam County Economic Development Council quarterly update

Linda Rotmark reported she visited Japan and her recent trip to Shiso City. There is a possibility of performing an economic development piece. She will visit two times each year. There is an opportunity if Council has any ideas.

Dubois added the first college student exchange will take place this year.

Rotmark reported on EDC activities for the second quarter 2009. If an innovator has concerns with one specific issue, they can call the EDC and they may receive 40 hours of free technical assistance. This can help an innovator go to the next level. They are working on regional public private funding authority. There would be one entity responsible for knowing about all public/private funding on specific projects. EDC is participating on the Carlsborg water reclamation team; working on public development authority; working with Battelle on bringing

green economy type projects to the area. She stressed the importance of the City's representation to the two-county economic development organization.

Sequim Open Aire Market quarterly update

Mark Ozias reported sales over \$55,000 on par for last year; 54 booths per week. Farm vendor sales are 25% of the overall market sales compared to 16% last year. This illustrates that residents are utilizing the OAM for food. The market is participating in the nutrition program which provides low income individuals with vouchers to purchase produce. There are new things at the market. They have recruited youth vendor members. Youth acts will be featured at the market. The market received a grant and is in process of implementing a waste reduction and recycling program. He thanked Jeff Edwards who was instrumental in obtaining recycling bins and locating them behind City Hall. City staff is exceptional in working with SOAM. They will hold a workshop for vendors to help focus on waste reduction ideas. The speaker will provide information to many events and festivals. SOAM is looking forward to actively participating in Earth Day celebrations in 2010.

Planning Commission

Schubert reported he attended the Planning Commission meeting on June 16 where they discussed design standard amendments.

Law & Justice Council

Hays attended the Law & Justice Council meeting. The sheriff's office has been working with Port Angeles Police Department on grant applications for a new stand alone EOC facility, including stimulus funds. Stone Garden grant of \$500,000 was awarded to fund mobile data terminals in the county. Operation green seal had 8-10 agencies attending 10-12 hours training on terrorist attacks on the North Olympic Peninsula. Spinks provided further information.

Clallam Transit System

Lorenzen reported the CTS board conducted public hearings for schedule changes in Forks and Sequim. Forks changes were approved but not the Sequim changes. The Gateway Project has received its certificate of occupancy and is now open.

PRESIDING OFFICER REPORT

Dubois received a letter about a dental clinic taking place at the Boys & Girls Club in July. She will have more information at the next meeting.

CITY MANAGER REPORT

Herzog reported Music & Movies in the Park start tomorrow. Green Light Situation will play tomorrow evening. June 30 will include music and a movie. Soul Shakers will be followed by Hotel for Dogs. A 3D movie, Fly Me to the Moon, will be shown on the last Tuesday in July. She extended a special invitation for Councilmembers to operate the popcorn machine on June 30 or August 21. Susan offered for June 30.

Herzog reported that Monday, June 29, is a fifth Monday which will be a study session to discuss

the work program. A written report will also be provided. Financial policies for the budget will also be discussed. If any Councilor has policy questions, please let her know. The meeting will begin at 5:00 p.m.

INFORMATION/COUNCIL QUESTIONS INVITED

1. Design Standards: Initial review of recommended amendments

Lefevre stated that interim guidelines and standards were adopted. Projects have gone through the process. Lefevre praised the Design Review Board (DRB) in working through the projects and process. He provided options being considered. DRB and Planning Commission are still addressing issues and proposed changes.

McHugh is concerned about not implementing and enforcing the requirements in the ordinance. He is also concerned about members not being residents of the City of Sequim.

Councilors felt requirements need to be clear in the ordinance: Do these standards address new construction or alterations? The Council needs to take time to review the process and ordinance. Guidelines are confusing when compared to the standards.

2. Updates concerning ESB5504 and design of reclaimed water distribution system

Negotiations have taken place with the Department of Ecology on language interpretation. We now have clarification and know how to proceed. Information will be brought to Council on how the grant will be implemented.

3. Police Department 2008 annual report

Chief Spinks highlighted information contained in the report. There was discussion concerning vehicle replacement/maintenance. Chief Spinks indicated he could not continue to delay replacing vehicles. Schubert indicated the Police Department did not purchase a car this year in an effort to provide funding to the Boys & Girls Club. The department is also down two officers. An updated report will be emailed to the Council.

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

Patrick Thomson, 941 N. Portside Way, stated there is no sidewalk in front of 625 Fifth Avenue. That is no longer acceptable because of the traffic on Fifth Avenue. Pedestrian traffic must walk in the grass or street. He witnessed a woman come out of the Fifth Avenue Retirement Center on a walker. She had to go through wet grass to get to the medical center and couldn't make it. It was close to being an accident when she had to go out into the street. There is no sidewalk at the Public Works building either. This is an accident waiting to happen. Sidewalks are needed up and down both sides of Fifth Avenue.

Don Hall, 912 E Oak Street, stated last weekend the Senior Softball team put on excellent show with 6 teams. Only thing disappointing was they could have had more teams if they had a third

softball field. Softball is coming along. He attended the transit board public meeting and talked about the bus schedule. He thanked Lorenzen and Dubois for their vote against changing the schedules.

Ron Fairclough, 153 W. Spruce Street, indicated that two months ago the Council turned down the offer to purchase his property. He is in a bind. He has to give the property back to Ray Kenoyer. He made an offer to Ken Hays that he would sell the property to the City for \$135,000. That way he would only lose about \$25,000. There is another piece of property on the other side of the two-story building that he owes \$151,000 on it. He is trying to sell it for \$165,900. He would also carry the contract. He has the properties listed for sale. The City could also have purchased the apartment building for \$380,000. A concept plan was done in 2002. He made the assumption the City would want his property. He will lose \$100,000 if he sells all three of his lots. It seems like people here are not very neighborly. He finds himself in a big bind and he doesn't like it. It seems there ought to be some way to do something that would benefit the City.

Herzog indicated a reply will be made to Mr. Thomsen's comments.

Mayor Dubois called for a five-minute break at 7:57. The meeting reconvened at 8:03 p.m.

PUBLIC HEARINGS (Legislative)

4. Amendments to Titles 1 through 4 of the Sequim Municipal Code

Mayor Dubois read the rules for the public hearing. The public hearing was opened at 8:05 p.m.

Ritchie provided an overview of each proposed ordinance.

Ted Miller, 830 N. Minstrel, has been an advocate to update the code. He has sent questions to Craig which have been answered. He urges Council to approve these ordinances. He recommends the alternative to have the City Manager and Finance Officer make the decisions for inactive funds, rather than the City Council.

The public hearing was closed at 8:22 p.m.

MOTION that this codification ordinance and the listed underlying ordinances be adopted made by Lorenzen; second by Shubert. The motion was subsequently withdrawn.

MOTION that this codification ordinance and the listed underlying ordinances be adopted with the proposed change to 2.06.030(c) substituting the Chief of Police or the Chief's designee for the Public Works Director and substituting the Public Works Director if the chief or designee are unavailable and with the alternate that the City Manager manage funds in accordance with state law in Ordinance 2009-023 and with the addition of 3.48.050 added to Ordinance 2009-035 before the words mitigation funds; made by Lorenzen; second by Schubert.

McHugh stated that there is a paragraph in Ordinance 2009-018 dealing with accounts/deposits.

Who is going to be required to make a deposit at the time of application for water and sewer? It indicates that if you are the property owner, you can submit a deposit or submit evidence from a previous utility that the owner is in good standing. A tenant does not have that option. Most tenants have had utility service. He would like to allow non-owner occupants the same opportunity to offer the same option to provide evidence of good credit or deposit.

Amendment to the motion that Ordinance 2009-018 in the first sentence in 3.52.110 A.1 be amended to read as follows: 1. at the time an account is requested by an owner or occupant and before it is authorized, the finance officer or his/her designee shall require the person requesting services either to make a deposit with the City or present a copy of a verifiable prior utility credit rating deemed suitable to assure with certainty that the account with the City will not become delinquent made by McHugh; second by Dubois.
Carried Unanimously.

Vote on the main motion. Aye by McHugh, Lorenzen, Dubois, Hays, Schubert. Nay by Huizinga. **Motion carries.**

Huizinga indicated he is voting no because there are too many last minute changes. Discussions began in 2008 and we just spent the last half hour making changes.

CONSENT AGENDA

5. Approve/Acknowledge
 - a. City Council Meeting Minutes – June 8, 2009
 - b. Claim Voucher recap dated 6/22/09 total payments \$896,461.30
 - c. Preliminary Plat Extension Request – Home Subdivision SUB06-004 and
 - d. Preliminary Plat Extension Request – Sorrento Subdivision SUB06-003

MOTION to approve Consent Agenda as presented made by McHugh; second by Lorenzen. **Carried Unanimously.**

UNFINISHED BUSINESS

6. Sequim Speaks – Approve Resolution R-2009-02, appoint City liaison, appoint committee members, authorize budget for 2009 expenses

Representatives cannot be appointed at this time because there are not enough applicants. Section 2 should read Sequim Speaks shall be comprised of not fewer than 12 members and not more than 19. This reflects the three governmental appointees not being voting members of the committee.

MOTION to approve Resolution No. 2009-02 establishing a Sequim Area Citizens Advisory Committee and setting forth its duties, membership and procedures and amending Resolution No. R-2008-30, and Section 2 be amended to read Sequim Speaks shall be comprised of not fewer than 12 members and not more than 19, made by Hays; second by Dubois.

McHugh is concerned about Sequim Speaks determining as a majority that an issue should be brought forth to the City Council. Many of the members are not suggesting they want to help their neighborhoods. They have carefully stated positions that they want to bring forward to the Council. They feel they will have a greater ear before the City Council.

Schubert is against supporting it tonight even though he believes it is a filter. He feels it is being shoved down his throat when it is not complete and ready to go. He does not see where at least half the members live in the City.

Pat Clark stated his participation in the meetings often lasted for hours. His participation was based on his initial read that this was going to be an issue forced group. When it became clear it wasn't going to be an issue focused group, he decided to change. There are a lot of people who are reluctant to come to the City Council meetings and say what they think. They are not reluctant to sit in the living room of the coordinator and express their concerns. That's what this is about. He applauds the Council for perceiving that there is a need for people who don't want to talk to Council in person. It's time to vote yes and get Sequim Speaks up and running.

Mike East, 660 Happy View Lane, said he thought it would be beneficial to people if a map was included so they could see where the quadrants are located.

Aye by Lorenzen, Dubois, Hays, Schubert, Huizinga. Nay by McHugh. **Motion carries.**

MOTION to appoint Craig Ritchie as the City's liaison to Sequim Speaks made by Hays; second by Lorenzen. **Carried Unanimously.**

MOTION to approve additional 2009 expenditures if we should move forward when the appropriate number of applicants are received made by Hays; second by Lorenzen. **Carried Unanimously.**

Lorenzen feels she voted hastily on the consent agenda. She would like to reconsider item 5c.

MOTION to reconsider item 5c of the consent agenda to discuss at the next meeting made by Lorenzen; second by Hays.

Lorenzen indicated this was approved with private roads. Councilor Erichsen would prefer to be in attendance when these are brought forth. There were several things that were wrong we are attempting to fix. She would like to have this reconsidered.

Ritchie explained there is a statute that talks about a 5-year time limit on subdivisions. That statute overrules the 3-year time limit in the City ordinances. He could discuss the pros/cons in executive session. That is why we are recommending this extension for a time certain. State statute says they get five years. We are at 3 years so we are giving them another year to avoid the challenge. After 5 years it expires and no more extensions are allowed.

Aye by Lorenzen. Nay by Dubois, Hays, Schubert, Huizinga. **Motion fails.**

7. East end banner assembly – acceptance of bid

Herzog stated the east end banner assembly is no longer in existence. The Council approved the \$30,000 estimated amount as part of the hotel/motel fund in the budget. The project went out to bid. All three bids came back higher than \$30,000. \$1,600 has been spent in engineering. Do you want to reject all bids and wait to install the banner assembly this year? Another option is to add \$9,000 to the balance and complete a portion of the project; or add \$15,000 to complete the entire project. Council can take the money out of hotel/motel fund or restricted streets fund in the sidewalk line item. SMAC recommends using \$9,000 from the streets restricted sidewalk fund.

Huizinga feels if SMAC feels it is a tourist attraction, it should be funded out of SMAC. He feels it should remain near the Co-op. Let's try again when there are more funds.

McHugh stated tourism is an important piece of the economic puzzle. He recommends taking the money from the sidewalk fund and reimburse from hotel/motel next year.

Lorenzen feels it is frivolous. The impact to tourism is minimal. Dubois thinks the west end banner is sufficient at this time. Hays is not sure he would even support it next year.

MOTION to defer the project until 2010 or later when sufficient funds for the entire project are available from the hotel/motel fund or the Streets Restricted Fund and reject all bids made by Schubert; second by Huizinga.

Joe Borden, 1041 W Spruce Court, agrees it is something that should not be done at this time. The east end of town is not populated enough yet. At some point in time it may be a valid issue but with the way funds are now, it is better off for the City that it not be completed at this time.

SMAC will receive this item in the 2010 budget that is recommended by City staff.

It was suggested to get the downtown businesses and chamber involved in the discussion concerning location.

Vote on the motion. Aye by McHugh, Lorenzen, Dubois, Schubert, Huizinga. Nay by Hays. **Motion Carries.**

NEW BUSINESS

GOOD OF THE ORDER

McHugh indicated the Smile Mobile will be at the Boys & Girls Club. The care is not free. He left a flier for the Council.

Dubois announced there are 20 pieces of non perishable food items for the food bank. She reminded everyone to bring something for the food bank.

Schubert commented that public comments are taken on agenda items that do **not** have an asterisk.

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

EXECUTIVE SESSION

There is an executive session to discuss qualifications for a candidate or candidates. It is expected to last 30 minutes and there may be action. Meeting recessed at 9:35 p.m. Meeting reconvened at 10:03 p.m.

Lane Youngblood of Waldron stated that pay range is one of the issues regarding future employment of a permanent City Manager. This is something potential applicants are interested in. They are cognizant of the economic situation. They also understand about the cost of living and housing. They realize they may not receive the highest salary in the range. Waldron recommends \$95,000-\$125,000. That would provide a suitable step up from the department heads. It is also a rational range given the economic situation. In the future that may be different, but that is reasonable for the current market.

MOTION set range between \$100,000 and \$130,000 made by Huizinga; second by McHugh. **Carried Unanimously.**

NEXT MEETING DATE

Mayor Dubois announced the next meeting dates of June 29, 2009 at 5:00 p.m. and July 13, 2009 at a time to be determined.

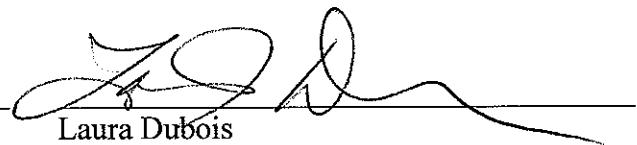
ADJOURNMENT

MOTION to adjourn at 10:08 p.m. McHugh; second by Hays. **Carried Unanimously.**

Respectfully submitted,



Karen Kuznek-Reese, CMC
City Clerk



Laura Dubois
Mayor

Minutes approved at a regular council meeting held on July 13, 2009.