

CITY COUNCIL MEETING
Minutes
April 22, 2009

The meeting was called to order by Mayor Norris at 7:10 p.m.

Present: Mayor Norris, Councilmembers Cheney, Combs, Fiedler, Lindquist, McMullen, Ragan, and Urban.

Staff Present: Public Works Director Bell, Police Chief Bergsma, Community and Economic Development Director Hanson, Senior Planner Higgins, Finance Director Huschka, Senior Planner Lowell, City Attorney Rogerson, Special Projects Administrator Stendal.

Citizens Present: 25

CONSENT AGENDA

- A. Approval of April 22, 2009 claims numbered 110586-110592, 110604-110806 in the amount of \$3,335,702.76.

Councilmember Urban moved to approve the April 22, 2009 claims numbered 110586-110592, 110604-110806 in the amount of \$3,335,702.76. Motion seconded by Councilmember Combs. Motion carried 7-0.

REPORTS

1. Finance Committee: see Committee agenda and minutes for details.
2. Community Comments: Consuelo Guandique and Victor Rodriguez representing the Skagit Valley Farm Workers Consortium were on hand to inform the Council of the 24th annual Farm Workers March that will take place May 3, 2009. This is a celebration of farmer workers as well as a means to raise awareness of the needs and difficulties that farm workers face. There have been many advances in the working conditions of the Skagit Valley Farm Workers that include sanitation, safety and health conditions. Mr. Rodriguez is a member of MECHA, an organization that advocates the Latino culture at the Mount Vernon High School and Skagit Valley College Campus. The march starts at Maiben Park in Burlington and culminates with a meal at the St. Joseph Center in Mount Vernon.
3. Mayor's Report: Mayor Norris wanted to inform Council that May 3 through May 10, 2009 there will be a complete closure of the intersection of College Way and Riverside Drive while Washington State Department of Transportation re-surfaces this intersection. He also reported that the Skagit County Commissioners have provided \$500,000 for the Downtown Waterfront re-development project through the Economic Development Distressed County Grant Funds.

NEW BUSINESS

- A. Closed Record Public Hearing Property Rezone: Ms. Higgins presented information regarding a requested property rezone. The applicant wishes to locate a used car lot at 827 W. Division, the site of a former fuel (gas) station. The site is currently zoned C-1b, which does not allow used car lots. The rezone to C-2 would allow this activity. This request is not consistent with the

Comprehensive Plan for this area. The hearing examiner did recommend approval. A change to C-2 would also allow other uses since this is not a conditional use application.

Mayor Norris opened the closed record public hearing to parties of record.

- Mr. Bill Bonner, applicant, urged Council to adopt this Ordinance.
- Mr. Gohl spoke against this application and asked that it could be considered as a conditional use permit, which would keep control of the property use even if it is sold.

There being no further comment Mayor Norris closed the closed record public hearing.

Councilmember Ragan moved to approve Ordinance 3446 reclassifying 827 W. Division from C-1b to C-2. Motion seconded by Councilmember Fiedler. Motion carried 5-2 (Councilmembers Urban and Cheney opposed).

- B. Amendments to Mount Vernon Municipal Code Chapters 17.06, 17.30 and 17.48; Regulation of Recreational Vehicle Parks: Ms. Lowell presented a proposed amendment to the Mount Vernon Municipal Code that would remove the ability to develop a recreation vehicle (RV) park within the General commercial (C-2) district; and would create new criteria for RV parks within the Public (P) district where they are currently allowed with a conditional use permit. The planning commission has recommended approval.

Mayor Norris opened the closed public hearing.

- Mr. Walt Maher is a property owner who would like to develop an RV Park. This property is located in a prime area to attract travelers and he would like to have this accomplished in less than a year, which he believes would not be possible if this ordinance were adopted.
- Margaret Maxwell submitted a written report (see attached) and came before Council to ask for this ordinance to be sent back for further review before adoption.

There being no further comment Mayor Norris closed the public hearing.

Councilmember Urban moved to approve Ordinance 3447 amending Mount Vernon Municipal Code 17.06, 17.30 and 17.48. Motion seconded by Councilmember Lindquist. Motion carried 6-1 (Councilmember Ragan opposed).

- C. Railroad Crossing Agreement: Mr. Rogerson presented a request for Council to authorize the Mayor to enter into an agreement with Burlington Northern Santa Fe Railway, Skagit County and Skagit County Fire District No. 3 for an emergency use/ private railroad crossing at Hickox Road.

Councilmember Cheney moved to authorized the Mayor to enter into an agreement with Burlington Northern Santa Fe Railway, Skagit County and Skagit County Fire District No. 3 for an emergency use/ private railroad crossing at Hickox Road subject to approval as to form by the City Attorney. Motion seconded by Councilmember Combs. Motion carried 7-0.

- D. Agreement with Smith and Burkland: Mr. Bell presented a request for Council to authorize the Mayor to enter into an agreement with Smith and Burkland to reimburse them for a portion of the costs to build a public sewer. In order to facilitate the orderly and cost efficient development of the city's sewer system, the City had required the sewer project to be built with sufficient capacity to serve a larger area than the developers' commercial development. The sewer pipe was required to be increased in diameter from 8 inches to 12 inches. The maximum reimbursement allowed would be \$35,000.

Councilmember Ragan moved to authorize the Mayor to enter into an agreement with Smith and Burkland for reimbursement of a portion of the cost to build public sanitary sewer pipe not to exceed \$35,000, subject to approval as to form by the City Attorney. Motion seconded by Councilmember Lindquist. Motion carried 7-0.

There being no further business the meeting was adjourned at 8:35 p.m.

SUBMITTED BY:

Rebecca J. Wade, Recording Secretary

ATTEST:

Alicia D. Huschka, Finance Director

APPROVE:

Bud Norris, Mayor