

CITY COUNCIL MEETING
Minutes
May 27, 2009

The meeting was called to order by Mayor Norris at 7:00 p.m.

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

Staff Present: Public Works Director Bell, Police Chief Bergsma, Recreation Supervisor Brookings, Wastewater Treatment Plant Manager Fullner, Community and Economic Development Director Hanson, Finance Director Huschka, Information Systems Manager Kleppe, Assistant Public Works Director Love, Senior Planner Lowell, Parks & Recreation Director Otos, Fireman Riggs, City Attorney Rogerson, Library Director Soneda, Special Projects Administrator Stendal.

Citizens Present: 13

CONSENT AGENDA

A. Approval of May 6, 2009 Study Session Minutes.

Councilmember Urban moved to approve the May 6, 2009 Study Session Minutes. Motion seconded by Councilmember Combs. Motion carried 7-0.

B. Approval of May 27, 2009 Claims Numbered 111066 through 111266 in the amount of \$655,348.30.

Councilmember Cheney moved to approve the May 27, 2009 Claims Numbered 111066 through 111266 in the amount of \$655,348.30. Motion seconded by Councilmember Lindquist. Motion carried 7-0.

REPORTS

1. Finance Committee: see Committee agenda and minutes for details.
2. Community Comments: none
3. Councilmember Comments: none
4. Mayor's Report:
 - a. Mayor Norris announced that the June 3, 2009 Study Session is cancelled.
 - b. Assistant Fire Chief Riggs presented a request for Council approval of a fireworks display on May 28, 2009 at the Skagit County Fairgrounds from 8 p.m. to 10 p.m. TNT Fireworks annually provided this display and training for fireworks vendors.

Councilmember Lindquist moved to approve a fireworks display as outlined above. Motion seconded by Councilmember Urban. Motion carried 7-0.

NEW BUSINESS

- A. Presentation of Washington Recreation and Parks Association's (WRPA) Honor Fellow Award: Ms. Brookings introduced Ms. Brit Kramer, Executive Director, Washington Recreation and Parks Association (WRPA) who presented the Honor Fellow Award to Larry Otos. This is the highest award bestowed to a member of the WRPA and is based on the recipient's contribution to the parks and recreation profession and their community.
- B. Mount Vernon Historical Commission Appointments: Mr. Stendal presented Rosemary Kamb, Alisoun Lamb, Joan Lee and Sara Patton as the Mayor's candidates to be on the Board of Mount Vernon Historical Society.

Councilmember Lindquist moved to confirm the appointment of Rosemary Kamb, Alisoun Lamb, Joan Lee and Sara Patton to the Mount Vernon Historical Society Board. Motion seconded by Councilmember Fiedler. Motion carried 7-0.

- C. Staff Report in Response to a Request for an Agreement to Provide Sanitary Sewer Service Outside of the City Limits: The City of Mount Vernon has received a "Utility Service Application" and letter requesting that the City make certain statements regarding the City's Urban Growth Area; the City's sewer comprehensive planning; and sewer capacity and availability regarding the applicant's property. The applicant is Skagit D06, Dan Hayes, Maple Valley WA. Ms. Lowell was on hand with a presentation summarizing the request and staff's recommendation for Council to take no action.

Mayor Norris allowed parties of record to make comment.

- Bob Johns, 1601 14th Ave SE, Bellevue, representing the applicant stated that they are requesting a deferment of any action by Council until the data that Community and Economic Development Department provided can be studied further. He also stated his concerns regarding some of the information in the staff response.

Mr. Rogerson was asked to respond Mr. Steven DiJulio was introduced as a special legal representative for the City on this action. Mr. DiJulio reminded Council that this is not a request for a ruling on land use as this is outside the City's limits, but is a request for service extension. Mr. DiJulio stated that this is a discretionary determination that Council is being asked to make and Council is not compelled to take any action on this matter.

No action was taken at this time.

- D. Fiber Optic License Agreements: Mr. Kleppe presented Council with a request to authorize the Mayor to enter into agreements with Noel, and Open Access to provide ISP services on the Fiber Infrastructure. This will create five service providers on the City's fiber network.

Councilmember Ragan moved to authorize the Mayor to enter into an agreement with Noel and Open Access to allow access to the City's Fiber Optic infrastructure. Motion seconded by Councilmember Lindquist. Motion carried 7-0.

- E. Interlocal Agreement: Mr. Kleppe presented a request for Council to authorize the Mayor to enter into an agreement with the Port of Skagit County for the City to provide project management services for the construction of a fiber optic network.

Councilmember Fiedler moved to authorize the Mayor to enter into an agreement with the Port of Skagit for Fiber Optic Network construction project management. Motion seconded by Councilmember Urban. Motion carried 7-0.

- F. Bid Award – 2009 Sanitary Sewer Restoration Project: Mr. Love presented the results of a recent bid opening for the 2009 Sanitary Sewer Restoration Project. Three bids were received and Columbia Pumping and Construction, Inc. was determined to have the lowest responsible bid in the amount of \$163,749.88. The project includes lining approximately 3,650 LF of sanitary sewer pipe.

Councilmember Lindquist moved to authorized the Mayor to enter into an agreement with Columbia Pumping and Construction, Inc. for an amount not to exceed \$163,749.88. Motion seconded by Councilmember McMullen. Motion carried 7-0.

- G. Proposed Amendment to Mount Vernon Municipal Code, Title 6: Mr. Rogerson provided a proposed amendment to Title 6 of the Mount Vernon Municipal Code relating to animals. This amendment is in response to citizen request has received public comment and been reviewed at multiple open City Council sessions. This amendment would change the classification, insurance requirements, sterilization requirements, owner requirements as well penalty provisions for potentially dangerous dogs.

Councilmember Lindquist moved to approve Ordinance 3448 amending Mount Vernon Municipal Code Title 6 relating to Animals. Motion seconded by Councilmember Urban. Motion carried 7-0.

- H. Prosecution Services: Mr. Rogerson requested that Council authorize the renewal of a one year agreement with Eason Law Firm for prosecution services. The amount of \$5,000 per month is not changed.

Councilmember Cheney moved to authorize the Mayor to enter into an agreement renewing an agreement with the Eason Law Firm for prosecution services for one year. Motion seconded by Councilmember Fiedler. Motion carried 7-0.

There being no further business the meeting was adjourned at 8:03 p.m.

SUBMITTED BY:

Rebecca J. Wade, Recording Secretary

ATTEST:

Alicia D. Huschka, Finance Director

APPROVE:

Bud Norris, Mayor