

**Mount Vernon  
City Council Meeting  
Minutes  
July 22, 2009**

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

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

Absent: Councilmember McMullen

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

Citizens Present: 12

**CONSENT AGENDA**

- A. Approval of June 17, 2009 Study Session Minutes and June 24 and July 8, 2009 Regular Council Meeting Minutes.

**Councilmember Lindquist moved to approve the June 17, 2009 Study Session minutes and the June 24 and July 8, 2009 Regular Council Meeting minutes. Motion seconded by Councilmember Urban. Motion carried 6-0.**

- B. Approval of July 22, 2009 Claims Numbered 111908, 111909, 111911 – 112085 in the amount of \$850,467.15

**Councilmember Combs moved to approve the July 22, 2009 Claims Numbered 111908, 111909, 111911 - 112085 in the amount of \$850,467.15. Motion seconded by Councilmember Ragan. Motion carried 6-0.**

**REPORTS**

1. Finance Committee: see Committee agenda and minutes for details.
2. Community Comments: Richard Boyer, Mount Vernon resident, commented on items that had been approved in the 2009 budget, and voiced his disapproval of cost of living adjustments included in the 2009 budget. He stated that no cost of living adjustments should be allowed for a two year period.
3. Councilmember Comments: none
4. Mayor's Report: Mayor Norris asked Chief Bergsma to give an update on recent gang related incidents within the City. Chief Bergsma reported that the Police Department is utilizing the school officers for investigating gang related activity while school is out of session. Two grants have been received that will fund the supervision of juveniles who are assigned to paint over graffiti. The goals of these grants are to teach juvenile gang offenders team work and leadership skills. Each month the Police Department meets with representatives of the school

district as well as others who might be affected by gang related activities to create plans that will enable them to work together on eradicating gang activities.

## **NEW BUSINESS**

1. **Sister City Presentation:** Mr. Stendal introduced Burton "Bud" Bard, State Coordinator for Sister Cities International, who presented the Mayor and Council with an overview of the Sisters Cities program. Matsushige, Japan is requesting that they become a sister city to Mount Vernon. This is an opportunity for cities to promote cultural and educational opportunities with each other.

**Councilmember Urban moved to investigate a potential sister city relationship with Matsushige, Japan. Motion seconded by Councilmember Combs. Motion carried 6-0.**

2. **Street Closure Request:** Mr. Stendal presented a request for Council to approve the closure of 1<sup>st</sup> Street, from Division to Kincaid Street, and Myrtle Street from Main to 2<sup>nd</sup> Street, beginning at 6:00 p.m. on Friday, September 25, 2009 and continuing until 7:00 p.m. on Saturday, September 26, 2009 for the Mount Vernon Downtown Association sponsored Fall Festival.

**Councilmember Lindquist moved to approve the street closure as outlined above. Motion seconded by Councilmember Ragan. Motion carried 6-0.**

3. **Public Hearing – Proposed Annexation:** Councilmember Ragan recused himself due to potential conflict of interest and left the room. Ms. Lowell presented Council with background information regarding the proposed annexation of approximately 26 acres located west of Freeway Drive. A Notice of Intention must be approved by Council before it is signed and sent to Skagit County's Boundary Review Board for the review process to begin. The City owns approximately 4.5 acres of an existing stormwater pond within the proposed annexation. Because the City owns this property authorization for the Mayor to sign an annexation petition is being requested. This would be zoned C-2 to match the zoning of the adjoining properties.

Mayor Norris opened the public hearing.

- Richard Boyer, Mount Vernon resident, had questions regarding this annexation and whether it would cost the citizens any money and what would be the benefit to him. Ms. Lowell responded that the annexation is cost free. The applicant paid for the staff time and processing. The benefit to the community will be a general commercial development that would increase property taxes and sales taxes from potential development. Any developer would be solely responsible for building out infrastructure in the area; therefore there would not be any cost incurred by the citizens. The number of commercial properties in the City is disproportionately low compared to the number of residential properties, and it is staff's opinion that this is just one small step towards a better balance.
- Marly Slostad, 13872 Trumpeter Lane, spoke against annexing this area as it is in a flood area and it will diminish farm land even further. Ms. Lowell responded that The Friends of Skagit Farm Land had not commented on this as it has been part of the UGA for many years.

- Doris Breevort, Mount Vernon resident, suggested that if new development is going to be allowed on this land it should be required to be built to a “green” building standard.

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

**Councilmember Fiedler moved to authorize the Mayor to sign the Notice of Intention to be sent to the Boundary Review Board, and to sign an annexation petition for annexation of the City’s property that is located within the proposed annexation area. Motion seconded by Councilmember Lindquist. Motion carried 6-0.**

4. Planned Unit Development (PUD) Code, Chapter 17.69: Ms. Lowell presented a PowerPoint program relaying information on the progress made on the proposed code amendments and asked Council to provide direction on how to proceed. Currently the City zoning is 73% residential; 14% commercial, industrial, office and healthcare; and 13% public uses. The most recent buildable lands analysis showed that the City could accommodate 30,000 more residents. In 2005 a moratorium on PUD’s was established and in 2006 a new PUD ordinance was adopted. Council placed a moratorium on any further PUD development on November 12, 2008. Following the moratorium the Mayor appointed a task force to review the changes to the PUD code. Two task force meetings have been held. Staff submitted a summary of deficiencies and potential solution to Skagit Island County Building Association (SICBA) and received comments back from them.

Mayor Norris opened the floor for public comment on this issue.

- a. Corey Ertel, SICBA legal representative, asked Council to continue the processes that are currently underway to try and reach a consensus on this issue. He suggested that the task force meet more often and have more members representing builders who have PUD experience.
- b. Richard Marker, Mount Vernon resident, stated that it is his opinion that a PUD program is a positive one if used correctly and commended staff on their presentation. He suggested that the ordinance establish a pre-set lot size to help accommodate the calculation of open space, establish the zone for a PUD as R1.3 but keep the density the same, which would allow a more flexible development and would support the townhouse style of building.
- c. Milt Armstrong, 13790 Trumpeter Lane, expressed his opinion that the Rosewood development that is near his home is a result of poor planning for PUD’s and recommends that the City monitor itself better so no further developments of this type will be built. He supports the City and staff in their further consideration of changes that will make PUD’s a positive addition to the community.
- d. Gerry Ray, Coupeville resident, spoke on behalf of Habitat for Humanity. He stated that large lots will be out of the price ranges for the lower income ranges of the community and it is their belief that a PUD is an important tool that helps make communities more flexible. He also encourages more meetings with a broader variety of participants on this topic.
- e. Robin Johnson, 13525 Trumpeter Lane, said that he remembered when the Rosewood PUD was initially applied for in 1995. He recalled that the original

presentation was of a beautiful development, and in his opinion it never came to be, due to the change in developers over the years.

- f. James Satcher, Eaglemont Homeowners Association President, stated that he supports the creativity of a PUD but would like to make sure that the developers are held to the plans that are originally presented.
- g. Jim Carter, Mount Vernon resident, stated that he supports the staff's proposals for PUD's and that if Council can't support staff he would only be in favor of repealing the PUD ordinance. He also stated that he is concerned about the developers' comments and believes that they have a different agenda than the City and its residents.
- h. Joe Woodmansee, 17646 Britt Road, feels that all PUD's should be required to have multi-family units to encourage variety and promote density. He also suggested that Senior Housing be a part of the density factor in order to have smaller lots.
- i. Brian Gentry, 504 E. Fairhaven Burlington, said that the PUD is a wonderful tool that developers can use. He is sorry to hear that developers are depicted as villainous people out to seek money at all cost and encourages City staff and builders to keep working together towards solutions.
- j. Steve Johnson, 13539 Trumpeter Lane, mentioned Rosewood again and he also remembered that it had started with good goals and significant promise that it failed to meet. He further added it was his opinion that open space and conservation areas should be kept separate in the density calculations. He agrees with the City staff's recommendation to remove R1.3 zones from the PUD proposal.
- k. Doris Breevort, Mount Vernon resident, commented on the specialty of PUD's and how they work well with special geographic restraints on lots. She has seen small and very attractive living units in other areas of the state. She also asked if "green" building standards could be added to PUD's.
- l. Maurice Slostad, 13872 Trumpeter Lane, feels that with proper guidance PUD's can be very positive and hopes that Council continues the moratorium to give staff time to create good PUD guidelines.
- m. Kendal Gentry, 504 E. Fairhaven Burlington, thinks that further meetings of the task force to allow staff to finalize this process would be important. He also urged Council to develop a full comprehensive plan.

Councilmembers expressed their opinion that the moratorium be extended for further investigation in an attempt to reach a consensus between the City, local builders and stakeholders.

**Councilmember Ragan moved to extend the PUD moratorium to continue the review and discussion process to be followed by another public hearing. Motion seconded by Councilmember Combs. Motion carried 6-0.**

- 5. Sale of Surplus Vehicle: Chief Hari provided Council with information regarding a request for authorizing the surplus and sale of the Fire Department's 2000 Jeep Cherokee. The vehicle has been replaced recently and Cedardale Fire District (Skagit County Fire District #3) has offered to purchase it for \$3,000.

**Councilmember Urban moved to approve Resolution 793 declaring a vehicle surplus and authorizing the sale of this vehicle to Skagit County Fire District #3 for \$3,000 plus tax. Motion seconded by Councilmember Cheney. Motion carried 6-0.**

The meeting was convened to executive session at 9:08 p.m. the estimated length of which is 15 minutes.

6. Executive session for the discussion of litigation or potential litigation.

There being no further business the meeting was adjourned at 9:25 p.m.

SUBMITTED BY:

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Rebecca J. Wade, Recording Secretary

ATTEST:

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Alicia D. Huschka, Finance Director

APPROVE:

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Bud Norris, Mayor