

## NORTH BEND CITY COUNCIL MINUTES

May 21, 2013

Senior Center, 411 Main Ave. S., North Bend, Washington

### CALL TO ORDER, ROLL CALL:

Mayor Hearing called the regular meeting to order at 7:02 p.m.

**Councilmembers Present:** Cook, Gothelf, Kolodejchuk, Loudenback, Pettersen, Rosen and Williamson.

Councilmember Gothelf **MOVED**, seconded by Councilmember Kolodejchuk to pull AB13-062 – Motion Authorizing Contract with Henderson, Young & Co. for Transportation Impact Fee Study from the main agenda and add it to the consent agenda, and to pull AB13-050 Ordinance Amending 2013 Budget & Salary Schedule and AB13-059 Resolution Confirming Administrative Interpretation of NBMC Regarding Duplex Lot Width from the consent agenda and add it to the main agenda. The motion **PASSED** 7-0.

### CONSENT AGENDA:

**Minutes** – Council Workstudy of April 23, 2013

**Payroll – May 3, 2013 – 26908** through **26914**, in the amount of **\$147,002.39**

**Checks – May 21, 2013 – 58129** through **58199**, in the amount of **\$833,030.74**

**AB13-051** – Motion Authorizing Work Order with Perteet for NB Way Conceptual Plan

**AB13-052** – Motion Authorizing Supplement No. 2 with Perteet for NB Way Sidewalks

**AB13-053** – Motion Authorizing RAS Pump Purchase for WWTP

**AB13-054** – Motion Authorizing ILA with Issaquah for Prosecution & Public Defender Services

**AB13-055** – Ordinance 1488 Extending Term of PSE Franchise Agreement

**AB13-056** – Resolution 1618 Authorizing CDBG Grant Application for NB Way Improvements

**AB13-057** – Resolution 1619 Accepting STP Grant & Authorizing Agreements

**AB13-058** – Motion Authorizing 2012 – 2015 Union Contract with Office-Clerical Employees

**AB13-062** – Motion Authorizing Contract with Henderson, Young & Co. for Transportation Impact Fee Study

Councilmember Gothelf **MOVED**, seconded by Councilmember Kolodejchuk to approve the consent agenda as amended. The motion **PASSED** 7-0.

## **CITIZEN'S COMMENTS:**

**Dave Olson**, 440 Main Ave S., reported the Kiwanis Club had a very successful collection event for Eastside Baby Corner during their recent swap meet. He noted Kiwanis had awarded five scholarships to Mt Si High School students and a fifteen hundred dollar scholarship to Two Rivers Alternative School.

**Piper Muoio**, 46026 SE 137<sup>th</sup> Street, spoke regarding the proposed renaming of streets in the Wood River neighborhood as part of the annexation process. She asked Council to halt consideration of this issue, noting the change was a burden on everyone's time and finances. She requested Council review the audio recording of the public comments made during the May 9<sup>th</sup> Planning Commission meeting, noting that the public feedback was very informative and was related to several important issues Council would be considering in the near future.

## **COMMISSION AND COMMITTEE REPORTS:**

Senior Planner McCarty reported the Planning Commission had met on May 9<sup>th</sup> to discuss amendments to the Zoning Map and Comprehensive Land Use Designation Map related to properties on North Bend Way, E. Park Street, and 12727 and 12805 412<sup>th</sup> Ave SE.

Senior Planner McCarty stated the Parks Commission would meet on Wednesday, May 22<sup>nd</sup> at 6:00 p.m.

Senior Planner McCarty noted the Economic Development Commission held a special meeting on May 2<sup>nd</sup> to discuss the Downtown Plaza design, website interactive map, 2013 events, Visitor's Center project and City website statistics.

Public Works Director Page explained the new Fire Station 87 project was nearing completion with clean-up of the interior and finishing touches on the landscaping taking place. He noted the grand opening celebration was scheduled for July 20<sup>th</sup> at 11 a.m.

Councilmember Pettersen reported the Community & Economic Development Committee had met on May 14<sup>th</sup> to discuss an administrative interpretation of North Bend Municipal Code related to minimum lot width on duplex units, Cottage Residential zoning, current building permit activity, and surplus of City owned properties.

Councilmember Gothelf remarked the Finance & Administration Committee meeting was held on May 7<sup>th</sup> with topics of discussion including surplus of City owned property, transportation impact fee study, new positions at the Community & Economic Development and Public Works departments, elected official benefits, and changes to the utility billing process.

Councilmember Loudenback stated at the May 14th Public Health & Safety Committee

meeting had been cancelled. He added that a community meeting was held on Thursday, May 13<sup>th</sup> at the Mt Si Senior Center to discuss public safety concerns, particularly the recent violent incident in the Circle River neighborhood.

Councilmember Kolodejchuk noted the Transportation & Public Works Committee had met on May 15<sup>th</sup> to discuss development issues and standards, water and sewer services, contracts with Perteet, Inc., addressing issues in annexation areas, capital projects, and the Six Year Transportation Improvement Program.

Mayor Pro Tem Cook reported at the April 23<sup>rd</sup> Workstudy Council reviewed the 2012 Finances and discussed staffing issues, elected official benefits, and surplus of City owned property.

## **INTRODUCTIONS:**

### **AB13-060 – Resolution 1620 Authorizing Surplus of City Property**

City Administrator Lindell reported at the January 25, 2013 Council Retreat, she had reviewed a map containing City owned properties in the downtown area that could be surplused in an effort to obtain funding for downtown revitalization. Following review of the properties, Council requested that staff return with a resolution that would surplus the following properties:

1. Old Park & Ride Lot near Rocco's Diner
2. Vacant Lot near the Moose Lodge
3. Annex House at 112 E 4<sup>th</sup> Street

Council further considered this issue at its April 23, 2013 Workstudy Session and directed that this matter be remanded back to the Finance and Administration Council Committee for further discussion.

The Finance and Administration Committee considered this issue on May 7, 2013 and recommended removing the old park and ride lot near Rocco's Diner until such time as the roundabout design was completed. This recommendation was a result of Public Work Director Page's testimony about the possible future need for some of this property to accommodate a proposed roundabout at this location. They recommended surplus the other two parcels: The vacant lot near the Moose Lodge and the Annex House located at 112 E 4<sup>th</sup> Street.

The Community & Economic Development Committee reviewed this item on May 14, 2013 and recommended removing the Vacant Lot near the Moose Lodge and approving the surplus of the Annex House. The CED requested additional time to consider possible development incentives or restrictions it may wish to place on this property in order to insure that the property was redeveloped with a structure that would contribute to the revitalization of the downtown core.

Councilmember Pettersen **MOVED**, seconded by Councilmember Gothelf to approve AB13-060, a resolution declaring only the Annex House as surplus, providing for its disposal and remanding the issue of the Vacant Lot near the Moose Lodge to the May 28<sup>th</sup> Workstudy Meeting for further discussion. The motion **PASSED** 7-0.

**AB13-061 – Ordinance 1489 Adopting Findings of Fact Regarding Ordinance 1482 Interim Regulations – Home Occupation Business Licenses**

City Administrator Lindell stated on March 5, 2013, the Council adopted Ordinance 1482 establishing interim zoning controls related to home occupation business licenses. The interim development regulations clarified that medical marijuana collective gardens, legal sales or exchanges of marijuana, the provision of tattoos, and the provision of body piercings shall not be permitted through a home occupation business license. The City Council did not intend in originally adopting home occupation regulations that a home occupation business license could be granted in non-residential zones for land uses that would otherwise be prohibited in the underlying zoning districts.

The ordinance was brought forward as an emergency ordinance. A requirement of Ordinance 1482 was that a public hearing on the interim zoning control be held no later than sixty (60) days following its adoption. The public hearing was advertised and conducted on April 16, 2013.

The interim regulations would remain in place while the Planning Commission evaluated and recommended further municipal code amendments to address the issue, which would include a public hearing on those amendments.

Ms. Lindell noted the ordinance provided for Council consideration tonight would adopt findings of fact in support of Ordinance 1482 after conducting the public hearing and in support of the original Ordinance 1325 which provided Employment Park 2 as the appropriate zoning designation for tattoo parlor businesses. She added that numerous studies and reports setting forth the significant public health issues surrounding the operation of a tattoo parlor, including the Center for Disease Control and Prevention report dated January 21, 2008 and the February 16, 2010 Mayo Clinic article entitled "Tattoos – Understanding Risk and Precautions" noted some of the risks of infection and public safety issues surrounding blood borne pathogens. The reports were on file with the City Clerk and had been made available for both the City Council and public to review prior to adoption of the ordinance.

Councilmember Cook **MOVED**, seconded by Councilmember Williamson to approve AB13-061, an ordinance adopting findings of fact in support of Ordinance No. 1482, which established interim zoning regulations relating to home occupation business licenses, as a first and final reading. The motion **PASSED** 7-0.

**AB13-059 – Resolution Confirming Administrative Interpretation of NBMC Regarding Duplex Lot Width**

Councilmember Cook stated he had a financial interest in the property to be discussed and recused himself from the proceedings at 7:28 p.m.

Councilmember Kolodejchuk **MOVED**, seconded by Councilmember Gothelf to remand to the May 28, 2013 Workstudy AB13-059 Resolution Confirming Administrative Interpretation of NBMC Regarding Duplex Lot Width. The motion **PASSED** 6-0.

Councilmember Cook rejoined the meeting at 7:30 p.m.

**AB13-050 – Ordinance 1490 Amending 2013 Budget & Salary Schedule**

Finance Manager Lewis stated on December 4, 2012 the City Council adopted Ordinance No. 1474 approving the City's Budget & Salary Schedule for 2013. At this time an amendment needed to be made to update several funds and to add two, 2-year positions to the CED staff and one permanent position to the Public Works Maintenance staff.

The fund updates were necessary housekeeping amendments following discussion with the State Auditor. Fund No. 110 (the Capital Improvement fund) and Fund No. 190 (the Transportation Benefit District fund) needed to be transferred to two new funds for reporting purposes. The new funds were Fund No. 320 (the Capital Improvement – Real Estate Excise Tax (REET) fund) and Fund No. 690 (the Fiduciary – Transportation Benefit District fund).

Additionally, City Council considered staff requests for additional staff at its City Council Workstudy meeting on April 23, 2013 and at its Finance and Administration Council Committee on May 7, 2013. The Council supported adding two additional positions for the Community and Economic Development Department for a period of two years to respond to increased development activity. This was consistent with Council's direction that growth pay for growth. These positions would be paid for with one time development revenues. Council had also adopted a budget policy to only use one time revenues for one time expenditures. By advertising these positions for a period of only two years and funding them with development revenues staff was achieving Council's budget policy. This would provide the administration and Council the opportunity to evaluate work load at the expiration of the two years to determine whether or not these positions were still necessary to meet the increased development demand.

Council also supported adding a permanent Public Works Maintenance position in response to an annexation which increased the City maintenance area by approximately 25% and as a result of increase citizen demand and workloads. This position would be funded out of the general fund and would be an ongoing cost.

In order to implement this Council direction, the City needed to amend the 2013 Budget & Salary Schedule to authorize and recognize increased expenditures (\$145,247) for three new staff positions which include Building Inspector/Acting Building Official and Senior Transportation Planner with anticipated hire dates in July 2013, and Public Works Maintenance Journey with an anticipated hire date in June 2013.

Councilmember Gothelf **MOVED**, seconded by Councilmember Pettersen to approve AB13-050, an ordinance amending the 2013 Budget & Salary Ordinance 1474, as a first and final reading.

Councilmember Cook expressed a desire to have language added to the ordinance that identified the two positions of Building Inspector/Acting Building Official and Senior Transportation Planner as two year term positions only.

Councilmember Gothelf **MOVED**, seconded by Councilmember Loudenback, to approve AB13-050, an ordinance amending the 2013 Budget & Salary Ordinance 1474 with the addition of language in the body of the ordinance that identified the positions of Building Inspector/Acting Building Official and Senior Transportation Planner as two year term positions only, as a first and final reading. The motion **PASSED** 7-0.

#### **MAYOR, COUNCIL, AND ADMINISTRATOR CONCERNS AND INITIATIVES:**

Councilmember Loudenback thanked everyone that attended the May 13<sup>th</sup> Public Health & Safety forum. He added that the City would be taking proactive measures based upon the comments received and thanked those that shared their thoughts.

Councilmember Rosen commented that the North Bend Theatre was raising funds to help the Theatre remain open and aid in its conversion to digital media projection. He encouraged those interested in donating to visit [www.northbendtheatre.com](http://www.northbendtheatre.com) and click on the "Save the Theatre" link on the homepage.

Councilmember Gothelf reiterated Councilmember Loudenback's comments regarding the May 13<sup>th</sup> Public Health & Safety forum meeting. He addressed the concern several citizens had expressed related to the addition of a seventh officer on the Snoqualmie Police Contract. He noted that there would still be an overall cost savings with the additional officer in comparison to what was paid for the contract with the King County Sheriff's Office.

Councilmember Kolodejchuk thanked citizens for their input regarding the potential street name changes. He added that he had recently discussed with Public Works and Administrative staff some of the information received during the recent Public Health & Safety forum and wished to assure citizens that they would be working to make changes regarding the issues that had been reported.

City Administrator Lindell reported that initially the City had budgeted for 35 building

permits at the beginning of the year, and today alone, the City had received 27 building permits. She noted with the growth in building permits being received by the City the addition of staff in the Community & Economic Development Department was much appreciated. She also thanked Council for approval of the Office/Clerical workers contract.

Mayor Hearing reported that it was National EMS Week and this year's theme was "EMS: One Mission - One Team". He asked everyone to join him in thanking the EMS members in the community for all of their efforts to ensure the health and safety of its citizens. He added that the current King County EMS Levy that funds many of the important EMS services throughout the area would expire soon and asked citizens to watch for the measure to appear on an upcoming ballot.

Mayor Hearing stated the May 13<sup>th</sup> Public Health & Safety community meeting was very well attended and the City had received excellent citizen input. He encouraged those that asked what they could do to help with the increased criminal activity in their neighborhoods to consider forming a community or neighborhood block watch program. More information about community watch programs was available by visiting the Police Services Page on the City's website.

Mayor Hearing commented on how the City handled addressing in recently annexed areas of the City. He explained in 1980 the City Council adopted an ordinance which allowed for numbering and naming of City streets. In 2008 this section of municipal code was amended to include the urban growth areas of the City. The intent in adopting this policy was to ensure uniformity and consistency in the addressing system as areas of the UGA were annexed into the City and it was never Council's intent that this addressing system place a burden on newly annexed residents or EMS personnel. He concluded by adding that the City was aware of citizen concerns and would take them into account regarding this issue in the future.

Mayor Hearing noted the June 25<sup>th</sup> Workstudy would be moved to Monday, June 24<sup>th</sup>, 2013.

**ADJOURNMENT:**

Councilmember Gothelf **MOVED** to adjourn, seconded by Councilmember Rosen. The motion **PASSED** 7-0.

The meeting adjourned at 7:45 p.m.

ATTEST:

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Kenneth G. Hearing, Mayor

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Susie Oppedal, City Clerk