

City Council Minutes – April 15, 2019

Mayor Laurie Gere called to order the regular Anacortes City Council meeting of April 15, 2019 at 6:00 p.m. Councilmembers Eric Johnson, Anthony Young, Ryan Walters, Brad Adams, Carolyn Moulton, Bruce McDougall and Matt Miller were present. The assembly joined in the Pledge of Allegiance.

Announcements and Committee Reports

Proclamation of Arbor Day: Mayor Gere read a statement proclaiming April 26, 2019 as Arbor Day in Anacortes and encouraged citizens to plant trees thus leaving a legacy for present and future generations.

Port/City Liaison Committee: Mr. Johnson reported from the committee meeting the prior week. He summarized topics discussed including implementation of the Maritime Strategic Plan with planned quarterly updates from the committee to City Council, the open house for the Port's Northwest Basin Redevelopment Plan scheduled for April 25 from 6:30 to 8:00 p.m., the development regulations update which would appear later on the evening's agenda, and the Port's comprehensive plan update scheduled for April 18.

Public Works Committee: Mr. Walters reported that the committee meeting scheduled for earlier in the evening had been cancelled.

Public Comment

Pat Robinson, 1304 I Avenue, recounted the adoption of the current 15 mph speed limit in city alleys and asked that the alley speed limit be further reduced; he suggested 5 mph. Mr. Robinson said cars drive faster than the limit as it is which is dangerous for children and other pedestrians in the alley and also kicks up dust. He suggested that lowering the speed limit would save maintenance costs as well. Mr. Robinson acknowledged that police radar does not register speeds below 15 mph and said tickets could be written at that speed. Mr. Robinson also raised the issue of abandoned motorhomes. He said he was told by the police department that the city could not afford the \$5K cost to impound such vehicles. Mr. Robinson suggested that if each residence paid \$5 each year into a fund, there would be sufficient funds collected to impound some of those vehicles. Mr. Robinson also urged councilmembers to watch the Seattle is Dying video on YouTube addressing homelessness and how other cities are addressing it. He warned that homelessness as arriving in Anacortes.

Wim Houppermans referred to his comments to Council at its April 1, 2019 regular meeting regarding inclusion of the Guemes Channel Trail in the Transportation Improvement Plan (TIP). Mr. Houppermans thanked Mr. Walters for his two emails in response to Mr. Houppermans' comments. Mr. Houppermans said that the next TIP would likely come before Council for action later in 2019. He asked that Phases 2 and 3 of the GCT not be included in the next TIP.

Consent Agenda

Mr. Walters removed Item 5c, Contract Award: Library Main Floor Carpet Design & Installation 19-073-FAC-001, from the Consent Agenda.

Mr. Adams removed Item 5d, Contract Award: Municipal Fiber Network Coordinated Services 19-040-FBR-001, from the Consent Agenda.

Mr. Johnson moved, seconded by Mr. Young, to approve the following Consent Agenda items. The motion carried unanimously by voice vote.

- a. Minutes of April 8, 2019
- b. Approval of Claims in the amount of: \$471,935.53

The following vouchers/checks were approved for payment:
EFT numbers: 92872 through 92925, total \$146,061.64
Check numbers: 92926 through 92961, total \$255,236.62
Wire transfer numbers: 247888 through 248285, total \$41,987.51

c. Contract Award: Library Main Floor Carpet Design & Installation 19-073-FAC-001

Referring to the agenda bill for this item, Mr. Walters asked Public Works Director Fred Buckenmeyer which other projects would be adjusted/postponed to avoid having to amend the budget for this project. Mr. Buckenmeyer said he would report back to Council with more information. Mr. Walters questioned why the prospective bidders were only given three days to respond, why more prospective bidders were not contacted, and why the project location was incorrect in the contract scope of work. He suggested that the contract not be let under the proposed terms. Mr. Young suggested that the EDASC vendor list might provide additional contractors in the area. Mr. Miller noted that the proposed contract price was three times market rate, allowing that prevailing wages required on public works do inflate costs. He agreed with Mr. Walters that the contract should not be issued as presented and said it could be rebid later under more favorable market conditions. Mayor Gere confirmed the consensus among the councilmembers not to take action on the proposed contract. Mr. Johnson suggested that department heads should be allowed to allocate their budgets in accordance with priorities they determine. Mr. Miller and Mr. Walters said that the budget did not include sufficient funding to cover the proposed contract.

d. Contract Award: Municipal Fiber Network Coordinated Services 19-040-FBR-001

Mr. Adams suggested postponing action on this contract until after the fiber update later on the evening's agenda. Administrative Services Director Emily Schuh and the remaining councilmembers concurred.

OTHER BUSINESS

Public Works Engineering 2019 Project Overview

Assistant City Engineer Eric Shjarback reported that the waterline construction on Commercial Avenue was not complete and that the temporary asphalt patching would very soon be replaced by a smooth hot patch of the entire area. He then outlined the transportation projects planned for the 2019 season that would affect traffic circulation. He displayed a map identifying the 2019 projects. The map was added to the packet materials for the meeting. Mr. Shjarback clarified that the K Avenue overlay from 12th to 20th Streets would be postponed until 2020 after the Anacortes High School project was complete. He then described the remaining street surfacing projects depicted: a residential street overlay in the vicinity of D Avenue between 29th and 32nd Streets, an overlay of M Avenue between 32nd and 35th Streets, slurry seal of an extensive network of streets south of Oakes Avenue between D Avenue and the airport, and cape seal of sections of March Point Road. Mr. Shjarback elaborated on the extensive public outreach that would accompany the slurry seal project, slated to begin in July. He advised that the public would be invited to an Open House in June to find out more about the planned projects.

Mr. Young emphasized the need to make progress on residential streets that are in very poor condition as well as those that are being maintained to a higher standard. He asked staff to keep Council and the public informed of progress in that regard. Mr. Miller confirmed that the projects Mr. Shjarback had described would all be contracted out. Mr. Shjarback added that the Street Department did have its own paving machine and would be working on other projects during the summer. He responded to councilmember questions about how street maintenance projects were prioritized, the funding expected to be available in 2019 from the new transportation sales tax, and the emergency repairs underway on Fidalgo Bay Road. Mr. Johnson asked that Mr. Shjarback's

map be posted prominently on the Public Works page of the city website. Mr. McDougall requested a heat map showing streets of different conditions in different colors.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Fiber Update - Telemetry and Municipal Fiber

Administrative Services Director Emily Schuh introduced Jim Lemberg, the recently hired Municipal Broadband Fiber Manager, to update Council on the work underway to prepare for the business launch of the municipal fiber network. Mr. Lemberg's slides were included in the packet materials for the meeting. He elaborated on the tasks completed, currently in progress and still to come to build the fiber infrastructure, staff the network, connect the network upstream to the world wide web, begin modeling and marketing the network to customers, and engage the potential customer base. Mr. Johnson asked that the municipal broadband be more easily found on the city website. Mr. Walters asked Mr. Lemberg to share more information about his extensive background in the industry, which he did.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Public Works Director Fred Buckenmeyer then updated Council on progress on the fiber telemetry network, referring to his memo and maps which had been added to the packet materials earlier in the day. He advised that fiber was currently being installed in the water transmission line between the water treatment plant and Fidalgo Island and was expected to complete by the end of April. He reported that all city buildings had been connected with fiber including 23 of the sewer pump stations. Mr. Buckenmeyer outlined the schedule for the Phase 3 work on the west end of the island and noted that a budget amendment would soon come before Council to roll unused funding from 2018 into 2019 to complete that work.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

Contract Award: Municipal Fiber Network Coordinated Services 19-040-FBR-001

Council then considered the contract that had been postponed from Item 5d on the Consent Agenda. Ms. Schuh responded to councilmember questions regarding terminology, acronyms and pricing reflected in Exhibit B to the proposed contract with NoaNet to oversee the Network Operation Center, provide off-hours customer service support, and provide network engineering support in lieu of hiring a network engineer in house. She clarified that the \$2.50 monthly charge for the network operations center (NOC) would be charged per subscribing customer, not per call. Mr. McDougall said that pricing model compared favorably with other models the ad hoc fiber committee had considered. Mr. Walters noted the lack of a not to exceed amount in the contract. Ms. Schuh said the terms were similar to the city's earlier contracts with NoaNet and that those terms had not been abused in the past. She said staff was closely monitoring expenditures for the project and would report back to Council on that in more detail.

Mr. Adams moved, seconded by Mr. Johnson, to approve Consent Agenda Item 5d.

Mayor Gere invited members of the audience to comment on this agenda item. No one present wished to address the Council.

The motion carried unanimously by voice vote.

At approximately 7:30 p.m. Mayor Gere called a 5-minute recess. At approximately 7:35 p.m. the mayor called the meeting back to order.

Planning Commission Recommendation: Development Regulations and Zoning Map Amendments

Planning Director Don Measamer introduced Bob Bengford of MAKERS Architecture and Urban Design to provide an overview of the proposed updates to the development regulations and official zoning map. Mr. Measamer thanked the Planning Commission, community and staff for the countless hours of work invested over the prior two years to arrive at the third draft of the development regulations in December of 2018 and the Planning Commission recommendations on that draft approved on April 10, 2019. Mr. Measamer said that staff was preparing a fourth draft incorporating the Planning Commission recommendations and would distribute that to City Council for the April 22, 2019 City Council meeting.

Mr. Measamer discussed with councilmembers the schedule for City Council review, suggesting early 5:00 p.m. start times for the next several meetings and/or calling a special meeting on April 29. Mayor Gere polled the councilmembers and all agreed to call a special meeting beginning at 5:00 p.m. on fifth Monday April 29, 2019 devoted entirely to review of the development regulations. Mayor Gere added that the agenda on May 6, also with an early 5:00 p.m. start time, would also be limited to development regulations and consent agenda items. Mr. Measamer suggested reviewing Divisions 1 through 4 on April 22 and Divisions 5 and 6 on April 29.

Mr. Measamer advised that the Planning Commission had recommended that City Council take additional public comment on the R2/R2A boundary. He clarified that public comment before City Council was not required for this legislative action but that Council had discretion to invite additional comment, either oral or written or both, on specific topics. Mr. Measamer reminded that any public comment opportunities would need to be noticed 14 days in advance. He also advised that for each upcoming meeting staff would provide a summary of the divisions to be discussed and key discussion topics for each division. Mr. Johnson referenced a document submitted by former councilmember Cynthia Richardson and suggested her reasonable proposal should be looked at. Mr. Measamer reiterated the options and requirements for soliciting and accepting additional public comments.

Mr. Bengford then walked Council through a slide presentation summarizing the process to date, then discussing the major changes and remaining discussion topics for each division of Title 19. Mr. Bengford's slides were added to the packet materials for the meeting. Councilmembers requested further discussion on the following topics:

- Table 19.42.030, increased density/smaller units/encouraging affordable housing in all zones
- Section 19.63, regarding corporate architecture and consolidation of articulation standards
- Section 19.66, regarding fencing, specifically along Oakes Avenue

Mr. Bengford then summarized issues discussed before the Planning Commission since release of the 3rd draft in December 2018. He noted that over 200 public comments were received and many changes resulted; he called Council's attention to the summary of the comments in the packet materials. Mr. Measamer advised that the Planning Commission had recommended bringing the R1 zone bonus incentives and cottage housing projects back before the Commission and the Council at a later date for more specific review; he said staff would provide additional information in this regard at the April 22, 2019 City Council meeting. Councilmembers requested further discussion on the following topics.

- Table 19.42.070, art and landscaping incentive impact on affordable housing
- Whether a Type 1 or Type 2 process should be used to determine if an incentive qualifies for a height bonus and using more prescriptive language for the incentives
- 19.43.010 regarding garage setbacks
- 19.43.010(H)(3) regarding single-purpose residential uses in the MMU zone
- 19.61.010 regarding block frontage designations and allowance of parking in front of buildings

Mr. Johnson again asked his colleagues their response to Cynthia Richardson's proposal that citizens and councilmembers submit suggested topics for Council discussion. Mr. Walters observed that citizens are

welcome to contact their councilmembers on any aspect of this legislative process. He noted that the comment matrix included in the packet materials indicates which prior comment topics remain unresolved. Mr. Miller agreed, but noted that any significant Council alterations to the current draft would require additional public comment. Mr. Measamer concurred. Mr. Johnson clarified that councilmembers would serve as the conduit for citizen comments on the effects of the Planning Commission recommendation. Mr. Measamer suggested that any topics that require additional public comment be combined for a shared, noticed, written comment process on specific sections of the code.

There being no further business, at approximately 9:15 p.m. the Anacortes City Council meeting of April 15, 2019 was adjourned.