

EDMONDS CITY COUNCIL APPROVED MINUTES

May 22, 2007

The Edmonds City Council meeting was called to order at 7:00 p.m. by Mayor Haakenson in the Council Chambers, 250 5th Avenue North, Edmonds. The meeting was opened with the flag salute.

ELECTED OFFICIALS PRESENT

Gary Haakenson, Mayor
Peggy Pritchard Olson, Council President
Richard Marin, Councilmember
Deanna Dawson, Councilmember
Dave Orvis, Councilmember
Ron Wambolt, Councilmember

ELECTED OFFICIALS ABSENT

Mauri Moore, Councilmember
Michael Plunkett, Councilmember*
(*Participated by phone for Agenda Item 4)

ALSO PRESENT

Shaun Callahan, Student Representative

STAFF PRESENT

Gerry Gannon, Assistant Police Chief
Duane Bowman, Development Services Director
Stephen Clifton, Community Services Director
Brian McIntosh, Parks & Recreation Director
Noel Miller, Public Works Director
Rob Chave, Planning Manager
Dave Gebert, City Engineer
Renee McRae, Recreation Manager
Scott Snyder, City Attorney
Sandy Chase, City Clerk
Jana Spellman, Senior Executive Council Asst.
Jeannie Dines, Recorder

1. APPROVAL OF AGENDA

COUNCILMEMBER MARIN MOVED, SECONDED BY COUNCILMEMBER WAMBOLT, TO APPROVE THE AGENDA IN CONTENT AND ORDER. MOTION CARRIED UNANIMOUSLY.

2. CONSENT AGENDA ITEMS

COUNCILMEMBER MARIN MOVED, SECONDED BY COUNCILMEMBER WAMBOLT, TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY. The agenda items approved are as follows:

A. ROLL CALL

B. APPROVAL OF CITY COUNCIL MEETING MINUTES OF MAY 15, 2007.

C. APPROVAL OF CLAIM CHECKS #96295 THROUGH #96459 FOR MAY 17, 2007 IN THE AMOUNT OF \$379,290.90. APPROVAL OF PAYROLL DIRECT DEPOSITS AND CHECKS #44830 THROUGH #44895 FOR THE PERIOD OF MAY 1 THROUGH MAY 15, 2007 IN THE AMOUNT OF \$790,967.90.

D. ACKNOWLEDGE RECEIPT OF CLAIM FOR DAMAGES FROM NATALIA SEDYKH (AMOUNT UNDETERMINED).

E. REPORT OF BIDS OPENED ON MAY 8, 2007 FOR THE 2007 STREET OVERLAY PROGRAM AND AWARD OF CONTRACT TO WILDER CONSTRUCTION COMPANY (\$859,815.30).

Approve
5/15/07
Minutes

Approve Claim
Checks

Claim for
Damages

2007 Street
Overlay
Program

Old Woodway
Elementary
Demolition

F. REPORT OF BIDS OPENED ON MAY 10, 2007 FOR THE OLD WOODWAY ELEMENTARY SCHOOL DEMOLITION PROJECT AND AWARD OF CONTRACT TO R.W. RHINE, INC.(\$344,605.34).

4th of July
Parade and
Fireworks

G. AUTHORIZATION FOR THE MAYOR TO SIGN THE CONTRACT WITH THE GREATER EDMONDS CHAMBER OF COMMERCE FOR THE 4TH OF JULY PARADE AND FIREWORKS DISPLAY.

Taste of
Edmonds

H. AUTHORIZATION FOR THE MAYOR TO SIGN THE CONTRACT WITH THE GREATER EDMONDS CHAMBER OF COMMERCE FOR THE TASTE OF EDMONDS.

Hot Autumn
Nites

I. AUTHORIZATION FOR THE MAYOR TO SIGN THE CONTRACT WITH THE GREATER EDMONDS CHAMBER OF COMMERCE FOR HOT AUTUMN NITES.

Res# 1146
17008 – 77th
Pl. W (Willis)

J. RESOLUTION NO. 1146 SETTING A HEARING DATE REGARDING THE PROPOSED VACATION OF CITY RIGHT-OF-WAY ADJACENT TO 17008 – 77TH PLACE W. APPLICANT: DONALD WILLIS; FILE NO. ENG-07-124.

Ord# 3646
Land Clearing
& Tree Cutting

K. ORDINANCE NO. 3646 OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE EDMONDS COMMUNITY DEVELOPMENT CODE, CHAPTER 18.45 LAND CLEARING AND TREE CUTTING CODE, TO INCORPORATE THE TERMS "IMPROVED" AND "PARTIALLY IMPROVED" IN ORDER TO COMPLY WITH RECENT DECISIONS OF THE WASHINGTON SUPREME COURT, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

Public Works
Week
Proclamation

L. PROCLAMATION IN HONOR OF PUBLIC WORKS WEEK, MAY 20 - 26, 2007.

Chamber of
Commerce –
Everything
Edmonds

3. GREATER EDMONDS CHAMBER OF COMMERCE PRESENTATION ON "EVERYTHING EDMONDS."

Jim Hills, President, Greater Edmonds Chamber of Commerce, commented the Chamber joined the family and friends and everyone touched by his energy and vision in mourning the passing of Police Chief and Chamber President David Stern. He shared Chief Stern’s enthusiasm for the community and was here to introduce a new website launched today, EverythingEdmonds.com.

Mr. Hills remarked Edmonds was a special place and getting that message to the community had taken a number of forms over the years including the Edmonds Kind of Day bumper sticker and the more recent marketing efforts by Team Edmonds. As it became clear that the Team Edmonds had run its course, Chamber members began discussing a number of methods of getting the message out including how the Internet could be used. Following months of research, the Chamber Board voted to move ahead with EverthingEdmonds.com funded entirely by Chamber resources but available to all businesses.

Jan Vance, Executive Director, commented it had been a broad-based process to develop the “think and look local” program that allowed anyone to find any business in Edmonds regardless of whether they were Chamber members, find out what’s happening, helpful links and a site that would generate its own budget. She identified the members of the Chamber Economic Development Committee and the members of the subcommittee who developed the EverythingEdmonds program. She expressed her thanks to all Chamber Board Members for their support.

Mike Denton, Membership and Communications Manager, remarked the Greater Edmonds Chamber of Commerce has served the community for over 100 years. He identified events the Chamber has been involved in:

- 4th of July parade and fireworks (100th anniversary this year).
- Taste of Edmonds (25th anniversary this year)
- Hot Autumn Nites Car Show (7th anniversary this year)
- Halloween downtown
- Christmas Tree Lighting & Santa Parade
- Third Thursday Artwalk

Mr. Denton listed the services the Chamber provides its members including marketing, networking opportunities, events, education, and a variety of other benefits. He explained the EverythingEdmonds website was designed to be one site for information about all Edmonds businesses, calendar of events, recreation programs, entertainment, links to other important Edmonds websites, and a space for special offers from Edmonds merchants. He explained this campaign was an effort to get Edmonds residents to put their money where their house is.

He explained on the EverythingEdmonds website, each licensed business in Edmonds would be included in a searchable database. Business owners have the ability to update their information, add events to the calendar at no charge, and access enhancements to their listing including advertising opportunities for a minimal fee. This is available to all businesses in Edmonds regardless of Chamber affiliation. The revenues from the enhanced listings and advertising would be used to support the site. He described reasons to patronize local businesses including promoting a strong vital local economy, supporting and enhancing unique local neighborhoods, creating quality jobs, and encouraging local prosperity. He urged residents to think local, buy local and energize Edmonds.

He quoted the late Chamber President David Stern who was excited about the EverythingEdmonds program, “the Chamber has long taken the lead in marketing Edmonds and Edmonds businesses to the world. EverythingEdmonds is the next logical step for the Chamber and for Edmonds.” Mr. Denton invited the public to learn more about EverythingEdmonds by emailing Everything@EdmondsWA.com or calling the Chamber office at 425-670-1496, Ext. 3. He referenced the Chamber’s mission statement to explain why the Chamber was at the forefront of this effort, “to promote the economic vitality of the greater Edmonds business community through advocacy, leadership and education.”

Chris Moss, Web Designer, Ebb Web Design, demonstrated the navigation and information available on the EverythingEdmonds website including a slideshow on the homepage of various areas of Edmonds, event highlights, calendar of events, opportunity to suggest an entry for the calendar, a coupon page and links on the home page to the City’s website, library, ferry schedules, etc. She relayed the Chamber’s request for businesses to access the business partner login and confirm their business information. She noted Chamber members had bolded listings, a feature other businesses could also access as well as advertising opportunities and custom detail pages.

Councilmember Marin commended the Chamber on the EverythingEdmonds website, remarking it was a great enhancement.

Councilmember Dawson agreed this was a great site and was glad all Edmonds businesses had been included. She applauded the Chamber for the work they had done.

Council President Olson also commended the Chamber on the site, noting the Friends of the Edmonds Library could advertise their events on the website.

Mayor Haakenson asked whether the Chamber was accepting donations for 4th of July. Ms. Vance answered they were and invited the public to send donations to the Greater Edmonds Chamber of Commerce, 121 5th Avenue North, Edmonds WA 98020.

4. **REPORT AND RECOMMENDATION FROM THE HISTORIC PRESERVATION COMMISSION ON DOWNTOWN DESIGN STANDARDS.**

(Councilmember Plunkett joined the Council via telephone for this item.)

Planning Manager Rob Chave explained the Historic Preservation Commission (HPC) met with the Council in February 2007 where additions to the downtown design were discussed, particularly for the BD1 zone, the retail corridor. After further work, the HPC has presented an outline of their ideas to the Council. Many of the concepts are not yet detailed but the HPC is attempting to indicate their intent. He contrasted this with the design guidelines the HPC developed based on Mark Hinshaw's work with the Council in 2005. The HPC's intent is to work with the Planning Board to develop potential amendments to development standards, codes, etc. that would be presented to the Council. He noted the amendments would require public hearings at the Planning Board and City Council. Tonight's presentation was intended to inform the Council of the direction in which they were proceeding. He referred to City Attorney Scott Snyder's memo that indicated the Architectural Design Board (ADB) should be included in the discussion. He anticipated the ADB would be involved in developing the amendments.

Mr. Chave reviewed the HPC's report:

- Purpose section - add a purpose section to describe the intent.
- Rename the BD1 zone - Heritage Center of Edmonds. He explained the interim name captured three concepts, 1) Edmonds, 2) the area as the center and identity of Edmonds, and 3) the heritage of the BD1.
- Develop Design Standards - words and pictures describing characteristics in detail. He noted these were labeled guidelines but the HPC wants them adopted as standards that every building/project in the BD1 would be required to meet.
- Threshold for Design Review - The HPC feels the traditional standard that requires an ADB hearing, exceeding the SEPA threshold, was too high as there could be significant impacts on historical buildings via renovations that did not meet SEPA. He noted the standard must be specific and could not be vague or unpredictable. Another concern is not capturing too many projects due to time delays caused by ADB review. He noted the goal was to balance the process to ensure the designs were what the City wanted to achieve without unduly burdening the process.
- Design Review Process - The HPC recommends having two HPC members on the ADB when projects specifically located in the Heritage District/BD1 are reviewed. The HPC feels their expertise in historic buildings would be helpful to the ADB.
- Applications for ADB Review - This section contains the features the HPC feels are important and should be considered in the review. He noted most of these items were consistent with the changes in the design review process with the exception of color. He stated review of color was usually done via historic districts as color was often identified with a particular point in time. Historic districts typically adopt a pallet of colors used during a particular historic period. The challenge for downtown Edmonds would be to determine that historic pallet because multiple pallets for multiple points in time would make regulation difficult.
- Demolition - The HPC recommends a waiting period before a building could be demolished. He noted there would be no power to prevent the demolition but the intent was to provide time for the HPC to work with the owner or prospective purchaser regarding adaptive reuse opportunities, identifying a different buyer, etc. He noted this technique had been used in historical districts in other communities and was often successful. He clarified the HPC was not advocating a waiting period for all demolition, only significant demolition.

- Incentives - The HPC was interested in developing incentives for preserving structures and providing a break for property owners trying to do the right thing via more flexible building codes, reduced permit fees, streamlined processing, etc.
- EHPC Participation in the Process - The HPC wants to work with the Planning Board and ADB in an effort to develop language that could be adopted as code amendments.

Councilmember Orvis referred to the incentives section and the language that buildings on the Edmonds Register of Historic Places be allowed to go outside the existing building's envelope. He anticipated the only way this could occur would be to increase the building's height. He asked whether this would be addressed by the non-conforming regulations that the Planning Board was currently reviewing. Mr. Chave answered that was largely true but the HPC was concerned with providing enough flexibility for unusual circumstances that would maintain the character of a building and enhance its viability.

Mr. Snyder advised the Planning Board would be discussing the non-conforming use provisions in the context of adaptive reuse at their next meeting. He provided examples such as limitations on the amount of glass due to the new energy codes. The intent was to review building code requirements that were not health safety related that could be altered in order to make the retention of an existing building more economically attractive/viable - to provide incentives to retain a building rather than demolish it.

Councilmember Wambolt did not want this to be a way to increase heights. Mr. Chave assured that was not the intent and that would not be expected from the HPC. Mr. Snyder commented assuming the public liked Edmonds the way it was, the intent was to encourage property owners to retain those buildings.

Councilmember Marin spoke in favor of forwarding the HPC's recommendations to the Planning Board. He noted although there were a number of interesting old buildings downtown that should be retained, there were no grand, architecturally significant buildings as compared to Fairhaven or Port Townsend for example. He recalled discussions in the past few years that highlighted the importance of maintaining a vital downtown retail core and was satisfied the HPC's proposal met that intent. He was not opposed to the name "Heritage Center" but did not want the concept of maintaining a vital downtown retail core to be overlooked. He referred to old buildings that had been architecturally enhanced and improved, commenting he viewed the design guidelines as a method of improving the downtown core.

Councilmember Dawson referred to Mr. Snyder's memo, pointing out there were few truly historic buildings downtown but there were many buildings that added a feeling, character and charm to downtown that because it had been developed over time, could not be recreated artificially. She spoke in favor of developing incentives that encouraged the retention and restoration of existing buildings, remarking without incentives, it may not be economically feasible to retain an existing building, making it more attractive for a developer to demolish it. She suggested expanding the definition of what the HPC was trying to preserve. She found heritage rather than historic appropriate for the downtown core.

Councilmember Dawson was intrigued by having an HPC member serve temporarily on the ADB when reviewing buildings in the downtown area and asked whether that was done in other areas. Mr. Chave answered he was not aware of any other cities that had a difference in membership on the ADB depending on the location of the project. It was more common to have a separate board for each district. Mr. Snyder pointed out the definition of the ADB membership included architects, landscape engineers, etc.; therefore, it was consistent to have members with different expertise. Mr. Chave commented an alternative may be to change the requirement for the ADB to include a member with historic expertise.

Councilmember Orvis proposed a scenario of a 35-foot tall historic building that had no elevator; the property owner wanted to restore it and add an elevator which would require the addition of a penthouse.

Under the non-conforming provisions that would not be allowed because the building would not be allowed to go higher than five feet for an elevator. Mr. Chave noted the intent was to make retaining the building viable. Mr. Snyder clarified life and safety requirements could not be waived nor accessibility requirements.

Council President Olson asked whether the ADB would be involved before the proposal was presented to the Planning Board. Mr. Chave envisioned an initial presentation/discussion with the Planning Board and then a meeting with representatives from both groups. He noted the entire Board members did not necessarily need to be present; they could designate a few members from each to meet.

Council President Olson asked whether the Planning Board would hold a public hearing. Mr. Chave answered yes as amendments to the development code required a public hearing. The Council would also hold a public hearing.

Councilmember Marin remarked Councilmember Orvis' scenario regarding the addition of an elevator was a remote possibility. He supported Councilmember Dawson's comments regarding providing incentives to preserve buildings. He recommended establishing sufficient flexibility so that a property owner would feel they had a chance when asking for a deviation while making sure they were carefully worded so that the result was not an increase in building heights downtown.

Mayor Haakenson advised Councilmember Plunkett was having difficulty hearing the Council via telephone and was satisfied with the HPC's outline proceeding to the Planning Board. It was the consensus of the Council for the HPC to proceed to the Planning Board.

5. AUDIENCE COMMENTS

Old Woodway
Elementary

Al Rutledge, Edmonds, advised the court's consideration of the Old Woodway Elementary School demolition, case #07-2-03222-1 was continued to May 25 at 9:00 a.m. The judge has indicated he plans to make a final decision at that time. Next, Mr. Rutledge urged Council to discuss term limits for the Mayor prior to January 1, noting the legislature planned to consider term limits during the next session. Mr. Rutledge then commented on past population increases, pointing out the population in 1963 was 19,273, it was 29,720 in 1989 and was forecast to be 37,000 by 2010 and 40,000 by 2015. He concluded growth had been greater than expected due in part to annexations.

Term Limits

Population
Increases

Incandescent
Light Bulbs

Steve Bernheim, Edmonds, displayed a bag of incandescent light bulbs that as a result of Mayor Haakenson's proclamation he replaced with compact florescent bulbs that use one fourth the electricity. He noted florescent bulbs paid for themselves within 9-18 months and the bulbs last ten years. He displayed a chart of his household energy use that he tracked using his energy bills that illustrated during the last year the daily kilowatt use. He summarized his household's daily energy use was 12 kilowatt hours per day or ½ kilowatt per hour which was the equivalent of leaving five 100 watt light bulbs on 24 hours per day which he noted was very low. He urged the public to look at their electric meters and try to make them stop.

Wi-Fi

Roger Hertrich, Edmonds, referred to Council discussion regarding Wi-Fi and his conversation with Administrative Services Director Dan Clements regarding Edmonds' ability to capture that system. He asked what the City would do with the system once it was in place, suggesting the City move forward cautiously. He urged Council to read and discuss the article in today's *Everett Herald*. Next, he expressed concern with Bob Gregg's offer to settle his lawsuit in exchange for something he wanted from the City. He recalled when Mr. Gregg was seeking approval for the Old Milltown project the second time, he stated he would cancel the lawsuit if he got what he wanted, which he apparently had not done. He acknowledged there likely had been discussion in Executive Session about the lawsuit and now there

Old Milltown/
Gregg Lawsuit

was a public hearing scheduled regarding Mr. Gregg's tradeoff. He requested the City explain the proposal to the public to allow them to prepare for the public hearing. He urged Council not to be intimidated by Mr. Gregg.

6. COUNCIL REPORTS ON OUTSIDE COMMITTEE/BOARD MEETINGS.

South
Snohomish
Cities

Council President Olson reported in late April, the South Snohomish Cities group organized a dinner with Snohomish County cities which was attended by four Snohomish County Councilmembers. There was a very good dialogue regarding issues affecting the cities and ways to improve communications. Next she reported on a presentation at the SeaShore Transportation Forum from the Port of Seattle who is working on a land swap whereby King County would swap Boeing Field to the Port of Seattle and in return get a 42 mile rail corridor from Renton to Snohomish and a spur from Woodinville to Redmond. She explained the corridor would be used for trails as well as the Dinner Train.

Seashore
Transportation
Forum

Enhanced 911
Board

Councilmember Dawson reported there was no SnoCom meeting last month. She reported on the Enhanced 911 Board meeting today that included discussion of budget issues and their ability this year to set aside funds toward funding for a new CAD system. She reported the Board also discussed recognition of the work done by David Stern as Chair of the E-911 Board. She advised due to Chief Stern's passing, Greg Lineberry had assumed the role of Chair and Steve Perry agreed to serve as Vice-Chair.

Port
Commission

Councilmember Wambolt reported at the April 30 Port meeting, the Commission approved the placement of an outdoor pool on the Harbor Inn site, one of the upgrades required to be a member of the Best Western chain. He reported Skipper's had closed and the owners had filed for bankruptcy. The Skipper's site was part of the area being considered for redevelopment. At the May 14 meeting, the Port approved a new 30-year agreement with the City and the Department of Fisheries for operation of the fishing pier. The Commission also accepted a letter of intent from Horizon Marine, formerly known as Jacobsen's Marine, to construct a 13,000 square foot building on the Port property. The Commission also reviewed the design of a new restroom building that includes laundry facilities. The Commission agreed to change their first meeting of the month to Monday afternoon at 1:00 p.m. After he alerted them that a daytime meeting may make it difficult for Councilmembers in the future, they are reconsidering the change.

Highway 99
Task Force

Councilmember Marin reported the Highway 99 Task Force met yesterday and had a presentation from Steven's Hospital that included preliminary drawings of a new large hospital structure. One of the components was the potential for a mixed use retail building on their campus on Hwy. 99 which would coordinate well with retail planned in a portion of the Top Foods parking lot. Next Councilmember Marin reported he had been selected by Snohomish County Cities and Towns to serve on the Puget Sound Regional Council Transportation Policy Board. Last month the Transportation Policy Board voted to develop a regional traffic operations committee comprised of representatives from cities in the region and traffic engineers to work on traffic signal coordination. Coordination of traffic signals could cut travel time on arterials by up to 20%. He noted coordination of traffic signals throughout the region would likely require a contribution from each city.

Puget Sound
Regional
Council
Transportation
Policy Board

Sound Transit
Central Link
Oversight
Committee

Councilmember Marin reported the Sound Transit Central Link Oversight Committee was discussing the University link project from the Paramount Theater to the University District. There were 24 value engineering studies underway that have determined a potential cost savings of over \$90 million. Unfortunately most of the savings would likely be used to offset the additional cost due to escalating building costs. He was pleased as a member of the Sound Transit Board and as a taxpayer that Sound Transit was doing that level of scrutiny to trim costs.

7. MAYOR'S COMMENTS

Memorial Day
Service at
Edmonds
Cemetery

Mayor Haakenson reminded Council and the public of the annual Memorial Day Service which will be held at the Edmonds Memorial Cemetery at 11:00 a.m.

8. COUNCIL COMMENTS

Wi-Fi

In response to Mr. Hertrich's comment about the *Everett Herald* article, Councilmember Wambolt noted the article was in regard to cities who were failing in providing wireless telephone service; the City was not proposing to provide wireless telephone service only; we would also include internet and television. The article also stated one of the cities that was struggling with implementation may have their revenue problems solved if they were able to start monitoring water meters. He noted staff was already considering that possibility. He summarized there was a superior team of people working on this issue and if the City decided to move forward, there would be public hearings.

Councilmember Marin expressed his appreciation for the marvelous work being done by the Historic Preservation Commission.

9. ADJOURN

With no further business, the Council meeting was adjourned at 8:10 p.m.