

City of DuPont
Regular City Council Meeting
July 25, 2006
7:00 p.m.

Call To Order: Deputy Mayor Cumberbatch called the meeting to order at 7:00 p.m.

Roll Call: Those present were Councilmembers Coffey, Crouse, Cumberbatch, Ehrenreich, Pottorff, Westman, and Wilcox. Mayor Young was excused.

Staff Present: Those present were City Attorney Kerslake, City Administrator McDonald, Finance/ Support Services Director Schauer, Fire Chief Jensen, Assistant Fire Chief Easton, Police Chief Pohl, City Clerk Larsen, Public Works Director Cunningham and Community Development Director Darling.

Pledge: Deputy Mayor Cumberbatch led the flag salute.

Presentations:

Susan Adams, Director of the Crystal Judson Family Justice Center provided a presentation on the new program for domestic violence victims, services, and the facility.

Council inquired about the geographic location of victims utilizing the center, history of creating the center, relationships with local agencies, and touring the center.

Approval of Agenda: A motion was made and seconded to approve the agenda Coffey/ Pottorff 7/0 motion carried.

Public Comment:

Lorraine Overmyer (100 Brandywine Ave.) expressed concern with people trespassing and using her property next to Iafratti Park as a public toilet. She recommended placing a honey-bucket in Iafratti Park. She also expressed concern for people lighting off fireworks close to her hedges. Ms. Overmyer recommended that the City designate a public area for people to light off fireworks on the 4th of July.

Approval of Consent Agenda Items:

- July 11, 2006 – Regular Council Meeting Minutes;
- Approval of Claim Vouchers List – July 25, 2006;
- Williamson Plat Waterline Easement Correction.

A motion was made and seconded to approve the consent agenda. Wilcox/Crouse 7/0 motion carried.

Discussion:

July 4th Briefing

Police Chief Pohl provided an after action report to Council on July 4th events and the open air concert. He thanked all the volunteers for successful events and highlighted changes for next year.

Council inquired about barricades and the impact on the 2007 budget.

All-Way Stop

Public Works Director Cunningham provided history on the request for an all-way stop at Wilmington Drive and Center Drive. He stated that a signal is scheduled to be installed by the end of this year. Mr. Cunningham stated that his recommendation is not to install an all-way stop at this time due to safety concerns. He recommended trimming the vegetation, installing “no pedestrian access” signs and continued monitoring of the intersection.

Council inquired about a controlled and uncontrolled crosswalk, completion of the McDonald Street extension, expediting the installation of the signal, uniformed traffic control officers, reducing the speed limit, signage, and the process to reduce the speed limit. Council concurred to direct City staff to start the process to reduce the speed limit from 35mph to 25mph on Center Drive near the Business District.

Mayor’s Report: None

City Administrator’s Report:

- Requested that Council recommend topics of concern to discuss with Legislators prior to the upcoming legislative agenda.

Councilmember Reports:

Councilmember Cumberbatch stated that a joint meeting with the Council and the Planning Agency has been scheduled for August 5, 2006, from 9 a.m. to noon. She also stated that a Town Hall Meeting will be scheduled for the 3rd week of August.

Councilmember Crouse recommended that the meeting be televised.

Councilmember Coffey thanked all the volunteers for participating in the open air concert event and Glacier Northwest for volunteers and equipment.

Councilmember Pottorff thanked Councilmember Coffey for her dedication and hard work on the open air concert event. She stated that she received positive feedback from the DuPont businesses.

New Business:

Ordinance Authorizing Comprehensive Plan and Zoning Amendments Regarding the Old Fort Lake, Mineral Resource Overlay, and the Civic Center

Community Development Director Darling provided background information on the proposed Ordinance. He highlighted changes that would be made to the Comprehensive Plan and Zoning Code

City Attorney Kerslake advised Council of the process for discussing and amending the proposed Ordinance.

A motion was made and seconded to adopt an Ordinance amending the Comprehensive Plan and Zoning map with respect to the Civic Center area; the Mineral Resource Overlay; and the Fort Lake Business and Technology Park. Westman /Crouse

A motion was made by Councilmember Pottorff to amend the Ordinance to exclude the Old Fort Lake Business and Technology Park Exhibit. Motion died due to lack of a second.

Councilmember Westman thanked citizens for their input during this process as well as, on other matters and concerns. He highlighted the 2006 Strategic Plan vision and goals, and the 2001 Land Use Plan guidelines and goals. Councilmember Westman stated that he does not support free standing warehouses because they are not compatible with the City's vision.

Councilmember Wilcox expressed support to increase the 60,000 square feet allowed for retail and service use by 10%.

Councilmember Pottorff expressed support for omitting free standing warehouses from the proposal and allowing 60,000 square feet for retail and service uses. She recommended adding a section to require the developer to make reasonable efforts for green architecture.

Councilmember Coffey expressed support for new zoning regulations. She did not support free standing warehouses.

Councilmember Ehrenreich expressed the desire to be fair to all citizens including corporate, business, and residents. He expressed support for granting some free standing warehouses. He highlighted items that will not change with the passage of the proposed Ordinance.

Councilmember Ehrenreich supported Exhibit C A-2.

Councilmember Crouse thanked Quadrant, staff, and citizens for support and comments. She stated her opposition to free standing warehouses. Councilmember Crouse stated that she would support conditional use if Council approved Exhibit C A-2.

Councilmember Cumberbatch did not support free standing warehouses.

A motion was made and seconded to accept alternative 3, the Comprehensive Plan Map amendment that indicates no free standing warehouse distribution facilities. Coffey Pottorff 6/1 motion carried.

A motion was made and seconded to delete in Exhibit B, on page 2 of 7, section (c) *In addition to the uses specified above, free-standing warehouse/distribution uses are permitted provided that they shall not be located:*

- (i) Closer than 500 feet to land zoned R-4 or R-5, or
- (ii) Within the setback areas depicted in Figure 1.

Westman /Coffey 7/0 motion carried.

A motion was made and seconded to add a requirement that the developer shall use green sensitive architecture to 25.40.050 Performance Standards, section 8. Pottorff/Westman

A motion was made to withdraw the previous motion. Pottorff/Westman

A motion was made to include in Exhibit B, on page 2 of 7, section (2) *Accessory Uses. This district permits the following uses as an accessory to permitted uses listed in this chapter:* (a) *Uses which meet the development standards in the purpose section of this chapter and provide a service to the employees of any permitted use, are contained in the main building of said permitted use, and consume no more than 10 percent of the total floor area of said permitted use,* that was previously stricken from the exhibit.

Councilmember Pottorff stated that the 60,000 square feet is a sufficient amount of space.

Wilcox /Crouse 6/1 motion carried with Councilmember Pottorff opposed.

Councilmember Westman made a motion to amend the motion to include the words “and the public” after the word employees in Exhibit B, on page 2 of 7, section (2) *Accessory Uses. This district permits the following uses as an accessory to permitted uses listed in this chapter:* (a) *Uses which meet the development standards in the purpose section of this chapter and provide a service to the employees of any permitted use, are contained in the main building of said permitted use, and consume no more than 10 percent of the total floor area of said permitted use.* Motion died due to lack of a second.

Councilmember Pottorff expressed her concern for adding additional retail space.

Councilmember Wilcox stated that this will add tremendous economic value to the City.

Councilmember Coffey expressed concern for the lack of an opportunity to put in a store front if there is a limit of 60,000 square feet. She stated that this would allow entrepreneurs to market their specific product.

Councilmember Westman expressed support for maintaining flexibility.

Councilmember Westman made a motion to delete the road indication from Alternative 3 and adopt the Comprehensive Plan Amendments as stated in the Ordinance. Motion died due to lack of a second.

A motion was made and seconded to remove language in Exhibit B, on page 4 of 7, section (5) *For free-standing warehouse/distribution uses, special emphasis shall be placed on these design guidelines on all sides of the building.* Pottorff/Cumberbatch 7/0 motion carried.

A motion was made and seconded to change Exhibit B, Chart of Uses by District, section (D) from Distribution to Accessory and section (W) from Warehousing to Accessory.

Crouse/Westman 7/0 motion carried.

A motion was made and seconded to amend Exhibit C A-1 to designate the shaded area as light manufacturing. Westman/Wilcox 2/5 motion failed with Councilmembers Crouse, Coffey, Cumberbatch, Ehrenreich and Pottorff opposed.

At 9:55 p.m. Deputy Mayor Cumberbatch recessed the meeting for a 5 minute break. She reconvened the meeting at 10:00 p.m.

A motion was made and seconded to include in Exhibit B on page 2 of 7, 25.40.020 Permitted Uses section (2)(a) *Uses which meet the development standards in the purpose section of this chapter and provide a service to the employees and the public of any permitted use, are contained in the main building of said permitted use, and consume no more than 10 percent of the total floor area of said permitted use.* Ehrenreich/Westman 6/1 motion carried with Councilmember Pottorff opposed.

City Attorney Kerslake reviewed all approved amendments to the proposed Ordinance.

A motion was made and seconded to include in Exhibit B on page 2 of 7, 25.40.020 Permitted Uses section (2) *Accessory Uses. This district permits the following uses as an accessory to permitted uses listed in this chapter: (a) Uses which meet the development standards in the purpose section of this chapter and provide a service to the employees and the public of any permitted use, are contained in the main building of said permitted use, and consume no more than 10 percent of the total floor area of said permitted use* to become section (d) Ehrenreich/Crouse 6/1 motion carried with Councilmember Pottorff opposed.

A motion was made and seconded to provide second reading and adopt an Ordinance amending the 2001 Comprehensive Land Use Plan. Westman/ Crouse

A motion was made to withdraw the previous motion. Westman/Crouse

A motion was made to adopt an Ordinance amending the Comprehensive Plan and Zoning Map with respect to the Civic Center area; the Mineral Resource Overlay; and the Fort Lake Business and Technology Park as amended. Westman/Crouse

Councilmember Pottorff stated that the reason she will vote against the proposed Ordinance is due to the amendment increasing the retail sales space by 10%. She stated that the amendment does not support the current business community and that this amount was not requested by the developer.

Councilmember Coffey stated that the square footage will still be well below the 13 acres currently zoned mixed use in the 2001 Comprehensive Plan.

Westman/Crouse 6/ 1 motion carried with Councilmember Pottorff opposed. Ordinance No. 06-816

Contract with Helix Architects

City Administrator McDonald provided background information on the proposed contract and recommended approval.

Councilmember Crouse expressed concern that a timeline is not included in the contract.

Finance Director Schauer stated that the timeline is addressed under Section 3, Time for Performance.

Councilmember Coffey expressed concern for reimbursable expenses.

Pottorff/Crouse 7/0 motion carried.

Public/Council Comment:

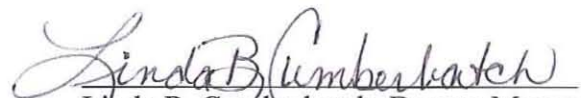
Denise Dahne (1100 Station Dr.) expressed concern for the amount of time and process it has taken to receive a building permit. She requested research into this issue.

Ismail Arslangiray (100 Barksdale Ave.) concurred with Ms. Dahne. He also expressed concern for the amount of time the City spends on other development projects.

Councilmember Coffey read an e-mail commending DuPont for a child and family friendly community.

Adjournment:

Deputy Mayor Cumberbatch adjourned the meeting at 10:31 p.m.


Linda B. Cumberbatch, Deputy Mayor

Attest:


Erin Larsen, City Clerk