



SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, May 15, 2025 – Council Chambers – Afternoon Session

CALL TO ORDER

Mayor Jackson called the regular session of the Town Council to order at 12:00 p.m.

ROLL CALL

Councilmembers: Steve Hushebeck (Position No. 1), Richard Geffen (Position No. 2) remote, Anna Maria de Freitas (Position No. 3), Mason Turnage (Position No. 4), and Barbara Starr (Position No. 5).

Mayor Raymont Jackson, Town Administrator Denice Kulseth, Finance Director Bethany Berry (remote), and Town Clerk Jennifer Krembs.

FLAG SALUTE

Mayor Jackson conducted the flag salute.

SET AGENDA

At 12:05 p.m., Mayor Jackson called for the agenda to be set and asked if there were any additional agenda items. Town Administrator Denice Kulseth requested the addition of the Home Trust HolliWalk Development and for Community Development Director Ryan Ericson to review the final project requirements. Kulseth expressed frustration with false information circulating about the project. The Town desires affordable housing as sales tax and viable business make Town operations possible. Kulseth conveyed that housing needs to be up to code, safe, and durable so current and future homeowners have adequate living conditions. Kulseth requested that Ericson review the remaining conditions that had been shared with the Home Trust and Karl Eberhard on April 28, 2025.

Unanimous approval from the Council to amend the agenda to address HolliWalk.

DISCUSSION ITEM

HolliWalk Remaining Conditions Update

At 12:06 p.m., Councilmember Hushebeck requested clarification that the Home Trust had appealed to a hearing examiner and the Town did not appeal his decision regarding frontage improvements; this was confirmed by Ericson and Kulseth. Ericson apologized for sending final document with a “draft” watermark to the Home Trust on the remaining conditions; the Home Trust did not appeal, the document stood, and a final plat application was submitted. Ericson explained the binding site plan as a two-step process that begins with a preliminary approval that includes a list of conditions required for the project to meet code. This was issued on January 6, 2025. On January 24, 2025, the Home Trust submitted the final plat application. Ericson explained the final application is a means to verify all conditions were satisfied and review the binding site plan submitted for recording with the San Juan County Auditor. On April 1, 2025, a letter was submitted to the applicant of record, Amanda Lynn, explaining the timeline and additional requirements needed to issue final determination on the binding site plan due to removing the condition to apply for a Planned Residential Development (PRD). A PRD is a land use permit, a binding site plan is a subdivision permit, and each follow different processes. A subdivision is required to become a PRD and allow the sale or lease of land parcels; a PRD is also required to allow a single water meter to serve all parcels with submeters. Ms. Kulseth noted the County has the same requirements. Ericson explained Requirement No. 1 requires a water service permit and fee for each of the eight units. To avoid this, the Town had advised applying to become a PRD to allow HolliWalk to keep its existing system of one water meter for eight units with submeters for each unit without paying connection fees. There is no fee for the PRD application, and Ericson offered to waive

fees for the binding site plan. Requirement No. 2 refers to a vegetation buffer rather than the full screening required with a PRD. Councilmember de Freitas inquired about screening requirements; the Home Trust was provided with screening options and according to Eberhard the Home Trust elected to install a fence. A PRD would require five trees and additional shrubs and ground cover. Outstanding requirements include correcting clerical errors on the plan, installing address numbers, and assigning parking spaces.

Condition No. 23 requires gypsum installation between attached units. The Home Trust’s building permit application stated they were building duplexes, which cannot be sold as individual units. The Home Trust plans to sell the units; therefore, the units are not duplexes and more closely resemble townhomes which are considered two separate buildings. As individual buildings, they are subject to different fire code requirements such as a parapet or fire rated roof system. Each unit must be retrofitted to be considered a separate building; this was brought up with the hearing examiner a year ago. There are several options to meet the fire rated roof requirements, the simplest being fastening gypsum to the underside of the roof sheathing using attic access. The Council inquired about the various ways to meet the parapet requirements. Councilmember de Freitas asked how the change from duplexes to townhomes was missed. Ericson explained the building permit listed duplexes and the plans were reviewed as duplexes. At final inspection, he learned they were selling the units which requires each unit to be considered a separate building like a townhome. Had he known the units would be a common interest community and sold, these requirements would have been provided at the beginning of the project. Architectural plans did not show a parapet and the units were labeled as duplexes.

Mayor Jackson asked how many revisions were made by the Home Trust. The 2020 site plan was approved on January 2, 2021. Ericson started working for the Town on January 11, 2021. Ericson shared a number of revisions that had been made after his hire date. A stormwater meeting was held onsite to get the project rolling with the site clearing. The second site plan review fee was waived. Ericson reviewed the timeline of plan submittals. Mayor Jackson asked if granting temporary occupancy is a common practice. Ericson confirmed it is if basic life, health, and safety code is met. At the discretion of a municipality, temporary occupancy can be granted with good faith that requirements will be met. HolliWalk was granted temporary occupancy. Timelines were suspended during the frontage improvement appeal process. A certificate of occupancy recognizing HolliWalk as duplexes was issued in January 2025. Councilmember de Freitas requested confirmation that there is nothing the homeowners can do and that administrative action from the Home Trust is still incomplete. Mayor Jackson requested confirmation that the applicant was aware of what was still required. Ericson shared that the application received on January 24, 2025, from applicant Amanda Lynn showed checkmarks made by the Home Trust indicating the completion of the required submittal items; however, not all the preliminary plat conditions were met or completed. The Council thanked Ericson for the update. Kulseth summarized several conditions to be met including correcting clerical errors in the paperwork such as replacing County with Town and duplex with townhome, adding house numbers, stenciling parking numbers, planting trees and shrubs, installing a fence, and installing gypsum or, if they choose not to do a PRD, installing individual water meters. Mayor Jackson and the Council requested confirmation that the guidelines with the conditions are required by code; Kulseth confirmed the requirements are required by code. Councilmember de Freitas inquired about next steps. Mayor Jackson suggested a Town Hall meeting. Councilmember Turnage agreed that residents need to hear the Town perspective. Kulseth shared Town staff have been working hard to complete this project, and lack of communication from the Home Trust has been frustrating. Councilmember de Freitas wants to invite HolliWalk residents to the Town Hall meeting. Mayor Jackson offered to go door to door to invite residents. An informational evening meeting was agreed upon for May 22, 2025, at 6:30 p.m. Logistics were discussed to expedite the process for final approval of the project.

ANNOUNCEMENTS

At 12:42 p.m., Mayor Jackson called for announcements. No announcements were forthcoming.

PUBLIC COMMENT

At 12:43 p.m., Mayor Jackson opened public comment. San Juan County Council Chair Kari McVeigh shared that Governor Ferguson will visit San Juan County on July 14, 2025. Furgeson will attend ferry focused meetings on Orcas

and San Juan Island and has requested the attendance of the Town Administrator, SJC Manager, and two Town Councilmembers at the 2 p.m. meeting on July 14th at Brickworks. McVeigh requested that the Town let Representative Larson, Senator Cantwell, and Senator Murray know if federal administrative financial support has been paused. Home Trust Board President and county resident Paul Fischburg expressed disappointment that the Council added an agenda item regarding the Home Trust without prior notice. Fischburg referred to the January 6th document and noted it was issued as a draft. Fischburg acknowledged some conditions in the document would be easy to complete and expressed frustration with receiving a draft final certification letter with the inability to appeal. Fischburg was under the impression that the final certificate of occupancy and recording fee for the binding site plan indicated that the process had concluded. The Home Trust did not anticipate a Final Notice of Official Administrative Action; had this been known, the Home Trust would have requested an opportunity to appeal. Mayor Jackson notified Fischburg of the public comment time limitation and protocols for commenting at the end of the meeting. Home Trust Executive Director and town resident Amanda Lynn stated the Home Trust is not out to attack the Town. Lynn expressed concern regarding the draft notice and the hearing examiner determination on frontage improvements. She requested an opportunity to appeal the final notice or to be allowed to record the binding site plan. Lynn expressed appreciation for a meeting opportunity for homeowners to attend and understand the issue and said there had been confusing information coming from Town officials. Lynn clarified Eberhard is not involved with the HolliWalk Project.

CONSENT AGENDA

At 12:53 p.m., the Consent Agenda was introduced by Mayor Jackson.

Ordinance No. 1818 – Approving the preliminary plat of Guard Street Townhomes, Planned Residential Development Application PRD No.7 and Sub No. 15.

Resolutions

Resolution No. 2954 – Ratifying a contract with Lawson Construction, Inc., for deferred maintenance at Sunken Park.

Resolution No. 2955 – Authorizing a contract for service with Civic Plus for website and accessibility services.

Resolution No. 2956 - Authorizing a surplus sale.

Minutes

Approval of the Summaries of the Minutes dated May 1, 2025; May 5, 2025; and May 8, 2025.

Moved by Councilmember Geffen, seconded by Councilmember de Freitas, to adopt the Consent Agenda as presented. Motion passed unanimously.

PROCLAMATION

At 12:54 Mayor Jackson proclaimed Mental Health Awareness Month and presented Compass Health Office Manager Kendra Mullin with the proclamation. Mullin expressed gratitude and welcomed those in the community in need of support to turn to Compass Health.

ACTION AND DISCUSSION ITEMS

NWCAA Update

At 12:58 p.m., Mayor Jackson welcomed Northwest Clean Air Agency (NWCAA) Executive Director Mark Buford to provide information on the agency, current representation, board make up, meeting schedule, and participation requirements. NWCAA staff will meet with board and prospective members in June to explain how NWCAA works in all aspects. Buford invited questions. Kulseth requested that Council think about serving on the board; she will follow-up with them.

EXECUTIVE SESSION

At 1:03 p.m., Mayor Jackson announced the Council would be holding a Executive Session in accordance with the provision of RCW 42.30.110(1)(g) to evaluate the qualifications of an applicant for employment or to review the performance of an employee. The session was estimated to last 15 minutes. Participants: Town Council, Mayor Jackson, and Administrator Kulseth. At 1:18 p.m., the session was extended for an additional 10 minutes. At 1:33

p.m., the session ended for an actual session time of 30 minutes. The public was properly informed of the time extension.

ACTION AND DISCUSSION ITEMS CONTINUED

Wellness Program Annual Report

At 1:32, Mayor Jackson welcomed Executive Assistant and Wellness Coordinator Julie Greene to present the 2024 Wellness annual report. Greene shared the Wellness mission and announced the Town’s achievement of being recognized as an AWC Well City for the 10th year in a row which guarantees the Town and employees a health insurance premium discount through 2026. AWC employee rewards and new programming from year 2024 were shared as well as plans for 2025. The mayor thanked Greene for all the efforts and implementation. Councilmember de Freitas inquired about the budget available to Greene for programming. Greene shared budget details and welcomed wellness ideas. The Council thanked Greene for the update.

Friday Harbor Arts Commission (FHAC) Annual Report and Proposal Review

FHAC Coordinator Julie Greene shared the 2024 FHAC annual report including the appointment of Commissioner David Anderson, the poetry contest reading at the San Juan Island Museum of Art, and potential projects. In 2025, the FHAC is updating their guidelines and discussing breezeway artwork and other new projects. Councilmember de Freitas inquired about the mural in Sunken Park. Greene shared the mural that had been repainted three years ago. Councilmember de Freitas suggested touching up the mural to align with the Sunken Park deferred maintenance project.

Per FHAC guidelines, Greene reported the results of a public proposal review. On April 22, 2025, the commission reviewed “Interconnected,” a tile installation proposed for the corner of First and A Streets by Maria Michaelson of Alchemy Arts. The FHAC considered the proposed site and the eelgrass tile mural and, following their guidelines, found the site acceptable for a mural. However, the FHAC requested the Council’s support for their recommendation to deny the project due to concerns with the safety of the material and lack of imprinted design cohesion and appropriate scale. The Council agreed with the recommendation and requested Greene encourage the artist to consider bringing forth the concept as a painted mural.

Fats, Oils, and Grease (F.O.G.) Program Work Session

At 1:57, Mayor Jackson welcomed Public Works Director Jesse Douglas-Seitz to share the history of the Wastewater Treatment Plant’s (WWTP) processing of Fats, Oils, and Grease (F.O.G.) and the challenges that have significantly impacted the ability to clean effluent. Last year, the Department of Ecology (DOE) had to be contacted for support. Douglas-Seitz proposed adding a requirement for an abatement program to the Friday Harbor Municipal Code (FHMC). Councilmember de Freitas asked how the Department of Health (DOH) approves commercial kitchens in Friday Harbor. Douglas-Seitz was uncertain about DOH processes for approval, and stated approximately 80% don’t have properly sized grease traps. Douglas-Seitz steadfastly affirmed the importance of the F.O.G. problem and how it impacts the whole community. Douglas-Seitz introduced Wastewater Treatment Supervisor Joe Pasic to present on F.O.G. Pasic just returned from a F.O.G. forum and learned that one of the biggest issues for food establishments is F.O.G. training due to high turnover. Pasic shared the pretreatment program to process F.O.G. and provided visual examples of clogged pipes and their potential for raw sewage backups. The Town’s small plant is not designed to process F.O.G., making the pretreatment program necessary. Pasic shared efforts and expense to get F.O.G. out of the sewer including clearing lines, cleaning pump stations, and hauling waste off-island. The Town could establish partnerships with food providers, churches, and organizations with commercial kitchens. The DOE and Federal Clean Water Act mandate that sewer utilities discharge clean water. Pasic shared various systems that intercept F.O.G., a grease calculator, recommended cleaning cycles, and guidelines that should be implemented by all food providers. The grease calculator tool identifies the size of grease interceptor required. Councilmember Hushebeck asked where the grease goes, and whether it becomes a solid waste issue. The grease goes into the garbage; yellow grease can be recycled. Homeowners are encouraged to put F.O.G. in the trash. Kulseth suggested a public education effort as more people are recycling and washing F.O.G. into pipes unintentionally. Pasic agreed public engagement is important.

Ericson reviewed the draft FHMC requiring that all food providers comply with abatement by installing properly sized F.O.G. interceptors and ventilation. Food providers would need to either purchase new interceptors or clean F.O.G. more frequently to comply. Abatement documentation and the pumper program would be electronically monitored by staff through PermitTrax, licenses would be issued, and pumpers would require certification. Ericson provided Council with compliance timelines and infraction recommendations. Councilmember de Freitas requested reconsideration of the timeline with the beginning of high tourist season and asked that the SJC Department of Health to be involved in the process. Douglas-Seitz stressed the F.O.G. program can't wait for another season. Pasic and Ericson explained cleaning practices are implementable by restaurants now, and the focus on community education would be implemented prior to required compliance. The Council requested that Ericson share information with local organizations such as the Chamber of Commerce and Visitors Bureau and through Town mailers. On June 5, 2025, a public hearing will take place before adopting the proposed F.O.G. program Ordinance to create FHMC Chapter 13.22.

Ordinance 1817

At 2:37 p.m., Mayor Jackson introduced Ordinance No. 1817 addressing salaries of officials and non-represented personnel and repealing Ordinance Nos. 1781 and 1795. Kulseth clarified elected officials serving ex-officio at additional meetings will be entitled to compensation.

Moved by Councilmember de Freitas, seconded by Councilmember Hushebeck, to approve Ordinance 1817 authorizing fixing salaries of officials and non-represented personal and repealing Ordinance Nos. 1781 and 1795. Motion passed 4-0 with Councilmember Turnage not present.

ADMINISTRATOR'S REPORT

At 2:39 p.m., Administrator Kulseth reported on the following:

- Kulseth shared there have been a few complaints regarding Recreational Vehicles (RV) in neighborhood driveways being used for housing and accommodations. The Town Attorney reviewed the FHMC and found, as written, enforcement and regulation are not possible. Kulseth requested Council's guidance on how to handle RV regulation. The Council discussed concerns with improper RV waste disposal, RVs being used as rentals, and parking enforcement. The Council requested a work session. Kulseth offered to provide a memo after gathering information on how other municipalities handle RV regulation.
- A new IT Administrator has been hired. The Council granted permission for the new hire to overlap with current IT Administrator Mike Greene who is retiring at the end of June.
- Community Wildfire Evaluation spearheaded by the Conservation District is complete. The watershed is considered low risk; Shane Mason served as the Town representative.

FUTURE AND NON-AGENDA ITEMS

At 2:51 p.m., Mayor Jackson called for future agenda items. No new agenda items were forthcoming.

PUBLIC COMMENT

At 2:51 p.m., Mayor Jackson opened public comment and announced he would not take public comment on the agenda items including HolliWalk. Mayor Jackson had conferred with a councilmember to make this determination. Mayor Jackson recognized county resident Paul Fischburg. Fischburg further expressed his disappointment with HolliWalk being added to the agenda without notice. Mayor Jackson stopped Fischburg from completing his comment and said comments could be made at the next meeting.

Councilmember Geffen called for a point of order to clarify the meeting rules. Mayor Jackson stated the public comment decision was at his discretion.

Councilmember de Freitas called for a point of order and stated Mr. Fischburg was told he could make a comment at the end of the meeting, and he stayed to do so. Mayor Jackson apologized and said he made an error in allowing the previous public comments on an agenda topic.

Town citizen Amanda Lynn commented on not allowing public comment on agenda items. Mayor Jackson stopped Ms. Lynn and asked her to speak after the meeting. Councilmember Starr asked Ms. Lynn to stop arguing. Kulseth clarified restricted comment is a practice conducted when there is a public hearing. Mayor Jackson reiterated his rationale. Councilmember de Freitas commented that it is important to allow public comment for transparency. Councilmembers Hushebeck and Starr stated historically public comment was not allowed on agenda items. Mayor Jackson called for additional public comment. No additional comments were forthcoming.

ADJOURNMENT – Hearing no further business and no objection, Mayor Jackson adjourned the meeting at 3:00 p.m. The next regular meeting is scheduled for Thursday, June 5, 2025, at 12:00 p.m.

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These minutes were approved by motion of the Town Council . The original document is retained by the Clerk in the Town Council’s permanent records. Attest : Jennifer Krembs, Town of Friday Harbor Clerk