

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Town Council – January 3, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding.

Members present: Brooks, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch

Council excused the absence of Councilmembers Jones and Sheiman

Mayor Boothman led the meeting in the Pledge of Allegiance.

Pastor Archie Brooks gave the invocation.

There were no public access items forthcoming.

Because both the Sheriff and Fire Chief were late the Mayor moved on to the next agenda item.

Resolution #1257 – tape sequence #101

Mayor Boothman introduced draft Resolution #1257. A resolution adopting Personnel Guidelines for non-represented personnel. Administrator Fitch explained the details of the guidelines. Councilmember Brooks moved and Councilmember LaPorte seconded to adopt Resolution #1257 as stated. Councilmember Rosenfeld asked for clarification on several issues and suggested that on page 43 in Chapter 10 entitled "Discipline & Termination" that violation of the sexual harassment policy be added as an action subject to disciplinary action. Councilmember Brooks and Councilmember LaPorte amended the motion to include said change. The motion passed unanimously.

Sheriff Report – tape sequence #407

Sheriff Cumming submitted his year end report for 2001. Councilmember Brooks inquired about various aspects of said report. Sheriff Cumming indicated that he was interviewing several candidates to fill an officer position on the force. He reported that New Years Eve was uneventful except for one small fire set by use of fireworks. Councilmember LaPorte inquired if the new traffic patrol officer has been effective in deterring traffic violations. Sheriff Cumming answered in the affirmative.

Ordinance #1181 – tape sequence #723

Mayor Boothman introduced draft Ordinance #1181. An ordinance repealing ordinances concerning holiday, vacation, and sick leave benefits for personnel. Administrator Fitch explained the particulars of said ordinance. Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Ordinance #1181 as stated. The motion passed unanimously.

Resolution #1258 – tape sequence #738

Mayor Boothman introduced draft Resolution #1258. A resolution authorizing the Mayor to execute a contract with PumpTech, Inc., for repairs to Friday Harbor Labs **sewer**

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pump station. Administrator Fitch explained the particulars of said resolution. Councilmember Brooks moved and Councilmember Rosenfeld seconded to adopt Resolution #1258 as stated. The motion passed unanimously.

Fire Chief Report – tape sequence #922

Fire Chief Low reported that the department was still working on specifications for a new fireboat and defining the vessels mission. Training Officer, Jason Peck, is now on board and will be introduced to the Town Council at the next Fire Chief report. The disaster drill at the airport is still scheduled for February 2, at 10:00 AM. There are 29 members in the Fire Department. We had 104 fire calls in 2001, which is 16 less than the year before. The Washington Insurance Rating Bureau has been contacted regarding a new fire rating for the Town.

Councilmember Rosenfeld requested that a meeting with himself, the Mayor, Administrator, and Fire Chief be scheduled so that he could express some of his concerns. The Mayor agreed to schedule said meeting.

Administrator's Report

Administrator Fitch had nothing to report.

Minutes

The minutes of December 20, 2001 noon and 5:30 PM meetings will be presented for approval at the next regularly scheduled meeting because a quorum of those Councilmembers who attended aforementioned meetings was not present.

Claims – tape sequence #1178

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the payment of claims warrants #20766 through #20810 in the amount of \$25,296.92 and payroll warrants #8392 through 8495 in the amount of \$141,782.53. The motion passed unanimously.

Non-agenda

Mayor Boothman announced that Jean Whitman, our representative to Vela Luka, will report to the Town Council at the January 17th meeting. He also has scheduled time for a presentation regarding use of the gravel pit area and a presentation regarding public access television.

At 12:50 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

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Clerk Pro-tem, C. King Fitch

Town Council – January 3, 2002 @ 12:00 PM

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At 12:50 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Clerk Pro-tem, C. King Fitch

Town Council – January 3, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, LaPorte, & Rosenfeld
Others present: Town Administrator Fitch

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Pam Fitch expressed gratitude for the Town Council's past year of hard work and welcomed the new Town Council member and wished them a productive year of service.

Committee Responsibilities – tape sequence #1320 (tape was continued from noon Town Council meeting)

Mayor Boothman led the discussion of various multi-jurisdictional committees that require participation by elected officials and Town staff. Town Council discussed various aspects of the committees. Councilmember LaPorte offered to serve on the Law and Justice Council. It was suggested the Land Use Administrator, Mike Bertrand, attend the Water Resources Management Committee meetings. The Town Council decided to wait until all Town Councilmembers were present to assign further commitments.

Non-agenda

Councilmember Rosenfeld inquired if the Town Council was still interested in having monthly Board of County Commissioner updates by Commissioner Nielsen. The Town Council indicated the affirmative.

At 6:15 PM, Mayor Boothman, hearing no objection, declared the meeting adjourned.

Gary G. Boothman, Mayor

Clerk Pro-tem, C. King Fitch

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Town Council – January 17, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Carrie Brooks, David Jones, Bill LaPorte, Howard Rosenfeld, & Vonda Sheiman. Others present: Town Administrator Fitch & Clerk Wilson.

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Mayor Boothman introduced Preston Schiller, Coordinator for the North Sound Connecting Communities Project. Mr. Schiller outlined the method in which said committee is attempting to bring together different north sound cities, counties, state, and federal agencies to work together on transportation issues as a region. Mr. Schiller's letter dated 1/15/02 asked for a \$1000 funding commitment from the Town Council to support said committee's efforts.

Inquiry and discussion followed regarding tourism travel; using private transportation in conjunction with public transportation; budget of the committee; and economic development.

Mr. Schiller introduced Gary Lawrence and Shelley Brown, consultants for said committee. Mr. Lawrence suggested that working together on regional transportation issues might help to improve health care access, tourism, the educational system, and future economic success. Mr. Lawrence emphasized that public feedback has indicated another layer of government is not desired. Ms. Brown advocated that joining together to handle transportation issues will give our region more clout with federal and state organizations. Ms. Brown noted changes in state and federal transportation policies.

Mayor Boothman stated that the Town is interested in working with others to have a louder voice in Olympia.

San Juan County Commissioner Nielsen indicated agreement with Mayor Boothman's statement.

Mayor Boothman thanked the committee for their presentation.

Vela Luka – tape sequence 1261

Jean Whitman, the unofficial Town ambassador to its Sister City, Vela Luka, Croatia, gave a descriptive account of her recent trip to said city. Ms. Whitman observed that this region is economically and technologically challenged. Inquiry and discussion followed. Mayor Boothman thanked Ms. Whitman for her presentation.

Resolution #1259 – tape sequence #1720

Mayor Boothman introduced draft Resolution #1259. A resolution authorizing the increase in the mileage allowance for the use of privately owned automobiles for Town business by Town employees in the exercise of their duties and the course of their employment.

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Councilmember LaPorte moved and Councilmember Sheiman seconded to adopt Resolution #1259 as stated. Councilmember Brooks asked why the Town mileage allowance is lower than the Federal mileage allowance. Administrator Fitch explained the Town's past practice regarding mileage allowance rates. Councilmember Brooks suggested the Town maintain the same allowance as the Federal mileage allowance. Following discussion, the stated motion passed unanimously.

Administrator's report – tape sequence #1897

Administrator Fitch reported on his controversial vote at a recent Solid Waste Advisory Committee meeting.

Minutes

Councilmember LaPorte moved and Councilmember Sheiman seconded to approve the Town Council minutes of December 20, 2001 noon and 5:30 PM meetings as written. The motion passed unanimously with Councilmember Jones and Councilmember Rosenfeld abstaining because they were not elected Councilmembers at that time.

Councilmember Brooks moved and Councilmember Rosenfeld seconded to approve the Town Council minutes of January 3, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously with Councilmember Jones and Councilmember Sheiman abstaining because they were not in attendance at said meetings.

Non-agenda – tape sequence #2111

Administrator Fitch indicated that it will be necessary to establish the legal width of the right-of-way at the corner of Harrison and A Streets before a left turn lane, to reduce traffic gridlock, could be designed. Discussion followed regarding timeline of project and public safety during traffic gridlock.

Councilmember Sheiman indicated that legislation regarding the allowable use of hotel motel funds by cities and counties may be tightened by the state legislature.

Councilmember Sheiman announced that the Lodging Tax Advisory Committee has asked that Councilmember Jones replace Councilmember King and Alan Paschal replace Dick Robinson on said committee. Council did not object to these replacements.

With Mayor Boothman's permission, San Juan Commissioner Evans, who recently arrived at the meeting, congratulated Councilmembers Jones and Rosenfeld on their elections, and asked Council to consider quarterly or monthly joint meetings between the two entities.

Claims – tape sequence #2475

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Councilmember Sheiman moved and Councilmember LaPorte seconded to approve the payment of claim warrants #20822 through #20862 in the amount of \$99,623.71. The motion passed unanimously.

Committee responsibilities – originally scheduled for discussion at the evening Town Council meeting

At 1:15 PM, noting additional meeting time, Mayor Boothman opened discussion regarding committee responsibilities.

Following discussion: Councilmember Jones agreed to volunteer on the Lodging Tax Advisory Committee, Councilmember LaPorte agreed to volunteer on the Law & Justice Committee, Mayor Boothman (with Fire Chief Low) volunteered for the Local Emergency Planning Committee, and Mayor Boothman also volunteered for the Solid Waste Advisory Committee.

At 1:24 PM, hearing no further business before the Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – January 17, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Jones, LaPorte, Rosenfeld, & Sheiman
Others present: Town Administrator Fitch, Attorney Eaton, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Friday Harbor Sand & Gravel Pit land presentation

San Juan County (SJC) Commissioner Nielsen outlined the preliminary agreement for the County, the Port of Friday Harbor, the Land Bank, the San Juan Island School District, and the San Juan Island Parks and Recreation District to purchase the Friday Harbor Sand & Gravel Pit land.

Dennis Shaffer, Land Bank Director, displayed initial concept drawings for said site. Mr. Shaffer explained the proposed distribution of land between the various purchasing parties.

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Alan Marriner, San Juan Island Parks & Recreation Chair, indicated that his organization would be the lead agency in the development of the upland area. Mr. Marriner expressed excitement about the proposed project and the community process that would be followed.

Steve Simpson, Port Director, elaborated that the Port supports the property acquisition and that its portion of the land purchase would be an addition to the Jackson Beach area.

Cal Johnson, Athletic Director for the SJI School District, commented on the need for school, as well as, community athletic fields. Mr. Johnson noted that numerous entities would benefit from this project.

Chris Clarke, 182 Pelican Way, outlined past history of gravel pit area use and proposed site development. Mr. Clarke expressed his dismay at the proposed development and the possible erosion of his residential neighborhood.

In the appearance of fairness, Councilmember Jones disclosed that his wife is on the Land Bank Board.

Councilmember Sheiman asked Commissioner Nielsen if San Juan County would be storing gravel at this location. Ms. Nielsen indicated that on loading and off loading of gravel would take place at this site, but storage would be elsewhere.

Discussion followed regarding conceptional drawings, permitted use of property, lead agency in development, and use and regulation of the barge site.

Councilmember LaPorte asked SJC Commissioner Nielsen if other public or private entities, besides the County, that use gravel would have access to the barge off loading facility. Commissioner Nielsen said that such use was not anticipated at this point, but may be introduced during the forthcoming public process.

Councilmember Brooks expressed concerns regarding road congestion in this area, water availability, zoning, and housing.

In response to Councilmember Brooks inquiry regarding water availability, Councilmember Sheiman explained that the gravel pit site currently has a Town industrial water meter hookup. Ms. Sheiman observed that current Town regulations require that if the water use changes at said site the water meter would be eliminated.

Councilmember Sheiman emphasized that, because the gravel pit site is outside Town limits, the public process is not within the Council's jurisdiction.

Alan Marriner expressed value in the Town's involvement with the project.

Councilmember Jones commented that community leaders would be derelict if they did not examine this opportunity.

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San Juan Public Access Consortium – tape sequence #1988

Andrew Seltzer, Coordinator of the San Juan Public Access Consortium, indicated that public access television is a valuable communication medium. Mr. Seltzer asked to film Town Council meetings and play said film on public access television.

Jim Uebelher, Adelphia Cable Company, maintained that his company supports public education and governmental local programming (PEG). Mr. Uebelher expressed concerns regarding the financial impact to the approximately 650 cable customers who would subsidize any infrastructure improvements.

Councilmember Brooks commented on her personal experience with public access broadcasting involving her husband, Minister Archie Brooks.

Discussion followed between Council, Attorney Eaton, Cable Company Personnel, Mr. Seltzer, and members of the audience regarding the use of volunteers; if the cable customer base is interested in funding for public access and how to attain said information; and what responsibilities the cable company is contractually obligated to provide.

Following all discussion, it was the consensus of Council to fund the purchase of equipment to video Town Council meetings and play said meetings on the public access channel.

Non-agenda

There were no non-agenda items presented.

Executive Session

At 7:35 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss land acquisition per RCW 42.30.110 (b) for approximately 5 minutes with no action anticipated.

At 7:43 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – February 7, 2002 @ 12:00 PM

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Jones, LaPorte, Rosenfeld, & Sheiman Others present: Town Administrator Fitch, Treasurer Picinich, Utilities Superintendent Wilks, Wastewater Lead Reitan, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Minutes

Councilmember Brooks moved and Councilmember Jones seconded to approve the Town Council minutes of January 17, 2002 noon and 5:30 PM meetings as written. Councilmember LaPorte noted that during the 5:30 PM Town Council meeting in the course of the Friday Harbor Sand & Gravel presentation he asked San Juan County Commissioner Nielsen if the public would have private use of the barging facilities at said site. Mr. LaPorte asked that his question and Commissioner Nielsen's response be added to said minutes. Councilmember Rosenfeld noted that the names of the Councilmember's present at the 5:30 PM meeting needed to be corrected from previous Councilmember's to present Councilmember's. Councilmembers Brooks and Jones amended their motion to approve the minutes as corrected. The motion passed unanimously.

Sheriff Report – tape sequence #130

At 12:05 PM, Sheriff Cumming, distributed January 2002 reports on deputy activities in and outside of Town. At Administrator Fitch's request and for the new Councilmember's benefit, Sheriff Cumming explained the components of said reports.

Councilmember Sheiman questioned if time spent at the sheriff station, which is situated within Town limits, is considered time spent "in Town" or not. Sheriff Cumming indicated that when the deputy crosses Town limits, they report to dispatch that they are in Town.

Following further inquiry and discussion, Mayor Boothman thanked Mr. Cumming for his report.

Solid Waste Facility – tape sequence #515

At 12:17 PM, Jon Shannon, San Juan County (SJC) Solid Waste Manager, described how State grant funding has changed from a population based allocation to an outcome based allocation. Mr. Shannon described the two components of the grant request to be submitted by SJC and asked Council for a "no commitment" conceptual agreement to the County's plan to attain grant money for a sustainable reuse and recycle project at the Sutton Road Solid Waste Facility. Mr. Shannon exhibited a map displaying the additional operational space needed at said Town site for the project.

Inquiry and discussion followed regarding details of the operation; the County's space needs; moving the Friday Harbor Fire Fighters Association's Thrifthouse facility out to

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said site; congestion at the site and the liabilities associated with such; the Town's space shortage at said site; the Town's contract with SJC and its provision regarding sub-leasing; and the timeline of grant submittal.

Administrator Fitch asked Council to consider the future impacts to Town operations of a "conceptual" approval.

Mayor Boothman asked Mr. Shannon to present the single stream recycling plan to Council in the future. Mr. Shannon indicated that he would be willing to fulfill this request.

Following further discussion, it was the consensus of Council to give their "no commitment" conceptual approval to said project, so that Mr. Shannon could proceed with the grant process.

Planning Commission Nominees

Mayor Boothman indicated that Debbie Emery and Barbara Starr have both agreed to serve on the Town Planning Commission. Councilmember Rosenfeld moved and Councilmember Brooks seconded to appoint Debbie Emery and Barbara Starr to the Town Planning Commission (no position numbers were designated at this time). The motion passed unanimously.

Resolution #1260 – tape sequence #2225

Mayor Boothman introduced draft Resolution #1260. A resolution authorizing the Town Treasurer to initiate an inter-fund loan between the Current Fund and the Fire/Refuse Bond Redemption Fund.

Treasurer Picinich explained the particulars of said resolution. Councilmember Sheiman moved and Councilmember Brooks seconded to adopt Resolution #1260 as stated. The motion passed unanimously.

Administrator's Report – tape sequence #2300

At 1:05 PM, Administrator Fitch described the ½ million gallon steel riveted water reservoir re-roof and re-paint public works project located at 501 Marguerite Street. Mr. Fitch indicated that a request for bid proposals from contractors is scheduled to be in the newspaper next week. General discussion followed.

Administrator Fitch introduced and explained the particulars of draft Resolution #1262. A resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Brown and Caldwell to incorporate a sludge dryer into the design for the Wastewater Treatment Plant Expansion & Upgrade project. Inquiry and discussion followed regarding space availability; cost analysis; market for sludge after treatment; and odor. Utilities Superintendent Wilks and Wastewater Lead Donny Reitan were present to answer inquiries.

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Following discussion, Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1262 as stated. The motion passed unanimously.

Non-agenda – tape sequence #3008

At 1:20 PM, Administrator Fitch described an email requesting permission to create a Town Historical Quilt from an organization called the Quilts Group. Administrator Fitch asked if Council wanted the email passed on to the local Chamber of Commerce. Following discussion, Mayor Boothman volunteered to contact local quilters and see if they were interested in developing a quilt.

Councilmember Sheiman noted her earlier distributed letter of resignation dated 2/7/02 effective at the conclusion of the Town Council meeting on 2/21/02.

Claims & Payroll

Councilmember Sheiman moved and Councilmember Brooks seconded to approve the payment of claim warrants #20877 through 20983 in the amount of \$370,536.65 and payroll warrants #8496 through 8540 in the amount of \$138,744.57. The motion passed unanimously.

At 1:24 PM, hearing no further business before the Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – February 7, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Jones, LaPorte, Rosenfeld, & Sheiman

Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Lee Lehman, President of the Local #1849 labor union and executive member of the Washington State Council of Cities and County Employees (WSCCCE), introduced his associate members on the Local #1849 board. Mr. Lehman expressed hopefulness in building a mature bargaining relationship with the Town. Mr. Lehman indicated that Local #1849 has a web site at www.local1849.com for contract and miscellaneous information.

Attorney Eaton arrived during the above member introductions.

Findings of Fact – 615 Argyle Avenue

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At 5:40 PM, Mayor Boothman introduced Findings of Fact and Conclusions of Law regarding a conditional use permit for a bed and breakfast operation at 615 Argyle Avenue. Administrator Fitch clarified new language added after said findings were distributed to Council in their packets. Councilmember LaPorte moved and Councilmember Sheiman seconded to adopt the Findings of Fact and Conclusions of Law for Conditional Use Permit Application #59 and SEPA checklist #214 for Michael and Laurie Logan. The motion passed unanimously, with Councilmembers Jones and Rosenfeld abstaining because they were not elected councilmembers at the time said conditional use permit was approved.

Resolution #1261 – tape sequence #390

Mayor Boothman introduced draft Resolution #1261. A resolution authorizing the Mayor to execute an amendment to the agreement with JayRay Ads & PR Consultant Firm for development of a marketing communication program.

Administrator Fitch explained the particulars of said resolution.

Councilmember Sheiman detailed the Lodging Tax Advisory Committee's process resulting in this proposal.

Following discussion regarding marketing strategies and clarification of the amount budgeted for tourism promotion in 2002 (\$55,000), Councilmember LaPorte moved and Councilmember Sheiman seconded to adopt Resolution #1261 as stated. The motion passed unanimously.

Non-agenda – tape sequence #1320

Mayor Boothman asked if Council wanted to respond to the letter dated 2/3/02 from the Hillside Homeowners Association regarding the proposed development of the gravel pit site and its use of Town water. Following discussion, it was the consensus of Council that Mayor Boothman write a response letter thanking the Association for their letter and that the Town is aware of the situation regarding said development and will be monitoring the situation closely.

Mayor Boothman mentioned that Councilmember Brooks has volunteered to represent Council on a committee that will meet to discuss said proposed development. Council approved of Councilmember Brooks' attending said meetings.

Councilmember Brooks distributed a letter from Terry Clem, Vice President/Manager of Islanders Bank, requesting the Town consider giving Islanders Bank the opportunity to offer its services should the Town ever consider changing its banking services. Mr. Clem addressed a conversation with Treasurer Picinich in said letter.

Executive Session – tape sequence #1585

At 6:17 PM, hearing no objection, Mayor Boothman declared the meeting in executive session per RCW 42.30.110(i) and RCW 42.30.110(b) to discuss pending litigation and

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property acquisition respectively for approximately 40 minutes with no action anticipated.

Return to regular session

At 7:00 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Treasurer Picinich clarified areas in Mr. Clem's letter that she disagreed with regarding their conversation. Councilmember Jones volunteered to write a response letter to Islanders Bank on behalf of Council. Council concurred.

At 7:07 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – February 21, 2002 @ 12:00 PM

The Town Council met in regular session. Members present: Brooks, Jones, LaPorte, Rosenfeld, & Sheiman. Others present: Town Treasurer Picinich & Clerk Wilson. Clerk Wilson informed the members that Mayor Boothman would not be in attendance and that a Mayor Pro-tem would need to be selected. Councilmember Sheiman moved to appoint Councilmember LaPorte as Mayor Pro-tem. A second to this motion was not forthcoming. Councilmember Jones moved to appoint Councilmember Sheiman as Mayor Pro-tem. Councilmember LaPorte seconded the motion. The motion passed unanimously.

Mayor Pro-tem Sheiman led the meeting in the Pledge of Allegiance. There were no public access items forthcoming.

Noting that San Juan County Commissioner Nielsen was not in attendance, Mayor Pro-tem Sheiman asked Utilities Superintendent Wilks to give his department report.

Mr. Wilks reported on water production, the level of Trout Lake, and the reservoir restoration project. Mr. Wilks indicated that a pre-bid meeting for the reservoir restoration project was scheduled for Monday, February 25, 2002. Inquiries followed regarding said project.

Mr. Wilks noted his attendance at the Waste Water Treatment Plant 70% design drawings review meeting in Seattle with the Brown & Caldwell Engineers. Mr. Wilks commented that the 90% design drawings should be done by March 15th.

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Mr. Wilks reported that the Town would begin chip sealing mid-June on sections of Spring Street, Carter Street, and Lampard Road. He indicated that preparations would begin mid-April for said chip sealing. Inquiries followed regarding said project.

Mr. Wilks reported that the transmission on the Refuse Packer Truck had to be replaced. Mr. Wilks relayed that the Market Place grocery store has started to use their new trash compactor bins. He elaborated that they have not called for a refuse pickup in two weeks, whereas previously they were picked up six days a week. He expressed that the Town's new compactor truck was online and ready for use.

Mr. Wilks reported that Paula Bey, Parks Utility Worker, has been repairing the memorial benches located throughout Town.

Discussion and inquiries followed regarding various components of Mr. Wilks' report.

Councilmember LaPorte acknowledged his appreciation of the appearance of the Town Shop located at 501 Marguerite Street.

System Administration

At 12:13 PM, System Administration Dubail distributed and summarized the Jan/Feb activity summary report for his department. The first part of the Town Council meeting was video taped. Mr. Dubail played the tape for Council for their review. Mr. Dubail stated that the first meeting to be fully taped and later played on the cable channel would be on March 7th. At Mr. Dubail's inquiry, it was the consensus of Council to request a morning and evening cable channel time slot for running future Council meeting tapes.

Fire Department – tape sequence 880

At 12:26 PM, Chief Low introduced Jason Peck, the Part-time Fire Department Training Officer and Secretary. Chief Low summarized the 12 fire calls received since Jan 1st. Mr. Low indicated his intention to apply for a portion of \$360 million in grant money available through the Federal Emergency Management Agency (FEMA). Mr. Low reported on training and new recruits. Chief Low described the Orcas Island, Rosario Resort fire incident on 2/11/02 attended by ten Town volunteer firefighters and the Town's engine 7 fire truck.

Resolution #1263 – tape sequence #1245

At 12:37 PM, Mayor Pro-tem Sheiman introduced draft Resolution #1263. A resolution authorizing the Mayor to execute an intergovernmental agreement with San Juan County Fire Protection District #2 for fire protection services.

Councilmember LaPorte inquired if District #2 requested specific equipment if the Town Fire Department had the ability to deny said request. Chief Low answered in the affirmative.

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Councilmember Rosenfeld asked if interlocal agreements were going to be proposed with Lopez Island and Shaw Island also. Chief Low admitted he has not spoken with these fire departments as yet.

Councilmember Brooks inquired if the Town would be financially reimbursed for the Orcas Island fire call since said interlocal agreement was not in place at the time of the Orcas Island fire. Chief Low indicated that he and his firefighters would prefer not to request reimbursement.

Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1263 as stated. The motion passed unanimously. Councilmember Rosenfeld commented that he preferred certain components in the District #2 interlocal agreement to the District #3 agreement.

Ordinances #1182, 1183, & 1184 – tape sequence #1553

Mayor Pro-tem Sheiman introduced draft Ordinance 1182, 1183, and 1184. Draft Ordinance #1182 adopts water rate tables and repeals Ordinance #1150 in its entirety. Draft Ordinance #1183 adopts sewer rate tables and repeals Ordinance #1151 in its entirety. Draft Ordinance #1184 amends Ordinance #914, adopting storm water rate tables, and repeals Ordinance #1178 in its entirety.

Treasurer Picinich explained the particulars of said ordinances. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinances 1182, 1183, & 1184 as stated. The motion passed unanimously.

Minutes

Councilmember Brooks moved and Councilmember Jones seconded to adopt the Town Council minutes of February 7, 2002 noon and 5:30 PM meetings as written. Councilmember Jones clarified that he and Councilmember Rosenfeld were not elected councilmembers during discussions regarding the Bed & Breakfast located at 615 Argyle Avenue and so they therefore had abstained from the vote regarding the Findings of Fact and Conclusions of Law at the 2/07/02 5:30 PM Town Council meeting. The motion was amended to approve minutes as corrected. The motion passed unanimously.

Claims

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #20985 through #21044 in the amount of \$80,116.05. Councilmember Rosenfeld commented that he would like more time to review the payment vouchers and suggested changing procedures in the future. Councilmember Sheiman suggested that Councilmember Rosenfeld speak with the Mayor. Following discussion, the motion passed unanimously.

Non-agenda –tape sequence #1837

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Councilmember Sheiman commented that the Lodging Tax Advisory Committee has recommended that Councilmember LaPorte fill her vacated seat on said committee. Ms. Sheiman noted that she would be asking for Council approval at the evening Town Council meeting for said appointment.

Councilmember Rosenfeld suggested the Council adopt regulations to preserve the Town's ambiance prior to a restaurant franchise moving into Friday Harbor. Councilmember Sheiman suggested Council ask the Town Attorney to research said issue. Discussion followed regarding differing ways to regulate franchises; such as through the sign ordinance, historic preservation, or through the comprehensive plan. Councilmember LaPorte suggested that Councilmember Rosenfeld place the issue on his legislative agenda list.

Councilmember Brooks inquired about the progress of the tourism promotion campaign with JayRay Ads & PR. Councilmember Sheiman explained the progress to date. Councilmember Jones suggested that JayRay do a presentation to the Council in the future.

At 1:05 PM, hearing no further business before Council and no objection, Mayor Pro-tem Sheiman declared the meeting adjourned.

Mayor Pro-tem, Vonda Sheiman

Kelle Wilson, Town Clerk

Town Council – February 21, 2002 @ 5:30 PM

The Town Council met in regular session. Members present: Brooks, Jones, LaPorte, Rosenfeld, & Sheiman

Others present: Town Treasurer Picinich & Clerk Wilson

Mayor Boothman was not in attendance. Councilmember Sheiman was selected as Mayor Pro-tem at the noon Town Council meeting.

Mayor Pro-tem Sheiman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Mayor Pro-tem Sheiman explained that she asked Clerk Wilson to cancel the scheduled San Juan County Solid Waste Department presentation regarding materials recovery facilities. She noted that the Mayor is the Town's representative on the Solid Waste Advisory Committee (SWAC) and she felt the presentation should be rescheduled when he could be in attendance.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Presentation by Treasurer Picinich regarding Financial Reports

At 5:32 PM, Treasurer Picinich gave a detailed presentation regarding how to read the Town's financial reports. Ms. Picinich explained that the Town operates on a cash basis. She explained the Washington State Budget Accounting Reporting System (BARS) in depth. Ms. Picinich explained the differing funds and their uses. She explained warrants versus checks. Discussion and inquiry followed.

Non-agenda

At 6:18 PM, Mayor Pro-tem Sheiman asked Council to approve the appointment of Councilmember LaPorte to the vacant position on the Lodging Tax Advisory Committee due to the fact that she has submitted her Town Councilmember resignation effective at the end of this meeting. Councilmember Jones moved and Councilmember Brooks seconded to appoint Councilmember LaPorte to said committee. The motion passed unanimously.

Council thanked Councilmember Jones for the letter he wrote to Islanders Bank.

Councilmember LaPorte stated that Attorney Eaton asked him to attain permission from Council to extend a lawsuit deadline for an additional two weeks. Councilmember LaPorte moved and Councilmember Jones seconded to approve said lawsuit deadline extension. The motion passed unanimously.

Councilmember LaPorte, at the prior request of Mayor Boothman, presented Councilmember Sheiman with a plaque of appreciation for her years of service and dedication to the Town of Friday Harbor from 1996 through 2002.

Mayor Pro-tem/Councilmember Sheiman noted her appreciation for the opportunity to serve on the Town Council, to serve with fellow Councilmembers and her thankfulness for Town Administration and staff. Council commented on their appreciation of Councilmember Sheiman also.

At 6:26 PM, hearing no further business before the Council and no objection, Mayor Pro-tem Sheiman declared the meeting adjourned.

Cake was served.

Mayor Pro-tem, Vonda Sheiman

Kelle Wilson, Town Clerk

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Town Council – March 7, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson

Council excused Councilmember Jones' absence.

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Brad Musick, Brown & Caldwell, principle engineer in charge of the Wastewater Treatment Plant (WWTP) Improvement Project, outlined his company's history of service with the Town of Friday Harbor; explained the progress and status of designing the project; described the site plan schematic of how wastewater will flow at the new plant; explained how the site will use current infrastructure and what new buildings will be required; described the sludge dryer and sludge treatment process; displayed the estimated project cost and funding possibilities; and described the timeline for project completion. Jon Beer, Brown & Caldwell, Project Manager was also present.

Councilmember Brooks inquired about the location for future expansion of the sequencing sedimentation batch reactor (SBR). Mr. Musick indicated the area on said site schematic that would be used for future SBR expansion.

Inquiry and discussion followed regarding operations, odors, Class A sludge and its projected use, the schedule of operations during construction; and the timeline of the project.

Mr. Musick expressed his appreciation for Administrator Fitch, Sewer Department Lead Reitan, and Lab Technician Kirk. He emphasized that these Town representatives worked vigorously to guard Town residents' interests during the design process.

At 12.47 PM, Mayor Boothman thanked Mr. Musick for his presentation.

Materials Recovery Facilities – tape sequence #1645

Jon Shannon, San Juan County Solid Waste Manager, summarized the history of recycling on San Juan Island; outlined inter-island movement of recyclable materials; and the cost burden of moving said materials. Mr. Shannon explained that changing the current source separation system to a single stream system will allow the County to accept a larger variety of recyclable materials in the future and reduce individuals' time spent recycling at the Solid Waste Facility.

At 1:10 PM, following discussion and inquiry, Mayor Boothman thanked Mr. Shannon for his presentation.

Minutes – tape sequence #2653

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the Town Council minutes of February 21, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously.

Claims & Payroll

Councilmember Rosenfeld asked if the review process for claims and payroll warrants could start at the noon Town Council meeting and conclude with the approval of said warrants at the evening Town Council meeting. Mr. Rosenfeld expressed that additional time to review claim vouchers would be advantageous. Council concurred with this suggestion and approval of claims and payroll warrants was postponed until the evening Town Council meeting.

Non-agenda – tape sequence #2749

Mayor Boothman acknowledged his letter to Scott Garcias dated 3/7/02 regarding life and safety inspections.

Councilmember Brooks requested a copy of the Mayor's letter dated 3/7/02 sent to the Hillside Homeowners Association regarding water availability at the former gravel pit.

Councilmember Rosenfeld inquired about receiving a copy of the minutes of the Town Planning Commission. It was noted that, in the interest of saving paper, the minutes of the Planning Commission, Historic Preservation Review Board, and Hotel Motel Tax Advisory Committee are located on the Town's web site for review; as well as the minutes of the Town Council.

Administrator Fitch reported that San Juan County's lawsuit against the Town in relation to the Town's 2001 Comprehensive Plan has been dropped. Mr. Fitch noted that the Town's approximate cost for this "friendly" lawsuit was \$20,000.

Administrator Fitch noted draft Resolution #1267 authorizing the Mayor to execute a contract for repairs to the .5 million gallon storage reservoir located at 501 Marguerite Street and its associated piping would be presented at the evening Town Council meeting for passage. Mr. Fitch indicated that the timeline to begin the project was imminent due to weather considerations.

Councilmember LaPorte asked if all councilmembers would be present at the March 21, 2002 Town Council meetings to discuss appointing someone to fill Town Council position #2; recently vacated by former Councilmember Sheiman. Councilmember Rosenfeld indicated he would not be present at said meetings due to a work commitment. Mayor Boothman suggested continuing this evening's Town Council meeting until March 19th, 2002 when all councilmembers could be present. Council concurred with this suggestion.

At 1:26 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – March 7, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, Land Use Administrator Bertrand, & Clerk Wilson

Council excused Councilmember Jones' absence.

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Land Use Administrator Bertrand updated Council on various Community Development Department activities and projects. Mr. Bertrand asked if May 9, 2002 was a convenient date for Council to attend a joint public hearing with the Planning Commission regarding historic preservation incentive program. Council indicated this date was acceptable.

Mr. Bertrand asked if May 23, 2002 was a convenient date for Council to attend a joint public hearing with the Planning Commission regarding the proposed Comprehensive Plan and Friday Harbor Municipal Code (FHMC) Title 17 amendments. Council indicated this date was acceptable.

Councilmember Rosenfeld suggested passing law that would restrict "drive through" windows; allowing exceptions for banking, postal service, and ferry ticketing. Administrator Fitch indicated that the current parking ordinance might be an avenue of regulating drive through windows.

Mr. Bertrand explained his analysis of the Town's building department fee schedules based on building valuations and indicated how future calculations would take into account the cost of building materials purchased locally.

Resolution #1264 – tape sequence #909

Mayor Boothman introduced draft Resolution #1264. A resolution authorizing the Mayor to execute a loan agreement with the Washington State Public Works Trust Fund to fund a portion of the construction of improvements to the Wastewater Treatment Plant.

Administrator Fitch explained the particulars of said resolution. Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt Resolution #1264 as stated. The motion passed unanimously. Councilmember Brooks thanked Treasurer Picinich for her efforts in attaining the loan.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Resolution #1265 – tape sequence #1030

Mayor Boothman introduced draft Resolution #1265. A resolution authorizing the Mayor to execute an intergovernmental agreement with Washington State Department of Community, Trade, and Economic Development for funding as provided by the Growth Management Act. The grant will be used to help fund revisions to the Town's Comprehensive Plan.

Administrator Fitch explained the particulars of said resolution. Councilmember Brooks moved and Councilmember LaPorte seconded to adopt Resolution #1265 as presented. The motion passed unanimously.

Resolution #1266 – tape sequence #1095

Mayor Boothman introduced draft Resolution #1266. A resolution authorizing the Mayor to execute a contract with South Sound Soils for biosolids composting.

Administrator Fitch explained the Town's past history with biosolids treatment and the particulars of said resolution. Following inquiries, Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt Resolution #1266 as presented. The motion passed unanimously.

Resolution #1267 – tape sequence #1350

Mayor Boothman introduced draft Resolution #1267. A resolution authorizing the Mayor to execute a contract for repairs to the .5 million gallon storage reservoir and its associated piping.

Administrator Fitch explained the particulars of the bid process and said resolution. Mr. Fitch briefly described how density decisions by the Council regarding growth management issues impact the Town's utilities. Following inquiries, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1267 as stated. The motion passed unanimously.

Councilmember Brooks suggested acquiring land to locate a future water storage reservoir. Administrator Fitch suggested Councilmember Brooks revisit her suggestion during this year's budget process.

Claims & Payroll

Councilmember Rosenfeld moved and Councilmember Brooks seconded to approve the payment of claim warrants #21047 through 21119 in the amount of \$186,550.89 and payroll warrants #8541 through 8585 in the amount of \$127,258.26. The motion passed unanimously.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2002

Administrator's Report – tape sequence #1875

Administrator Fitch reported that 24 applications were received for the vacant Water Distribution System position. Mr. Fitch mentioned that Utilities Superintendent Wilks would be contacting applicants next week to set up interviews.

Mr. Fitch asked for permission to accept a gift of a used 60' fiberglass flag pole to the Town. Following inquiries, it was the consensus of Council to accept the gift.

Mr. Fitch asked for permission to accept the gift of land for street right-of-way from George and Laura Christensen on Nichols Street. Following inquiries, it was the consensus of Council to accept the gift.

Clerk Wilson indicated that Lil Hamel, San Juan County Clerk of the Board, has asked that the Town Council indicate their choice for the Town representative on San Juan County's (SJC) Hotel Motel Tax Advisory Committee. Both Alan Paschal and Farhad Ghatan have applied for said position.

Non-agenda – tape sequence #1985

Councilmember Rosenfeld suggested adding a provision for merit step increases to the non-represented employee wage and salary ordinance. Council indicated they would take Councilmember Rosenfeld's suggestion under consideration.

Mayor Boothman opened nominations for Council's recommendation to represent the Town on SJC's Hotel Motel Tax Advisory Committee. Councilmember LaPorte nominated Alan Paschal. Councilmember Rosenfeld nominated Farhad Ghatan. Alan Paschal was nominated by a vote of 2 to 1.

Councilmember Brooks reported on the "Gravel Pit Park Steering Committee" meeting held on March 6, 2002. She indicated that the next scheduled meeting was on 4/3/02.

Executive Session

Attorney Eaton indicated that the scheduled executive session regarding existing litigation was not necessary.

At 7:00 PM, hearing no objection Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 20 minutes with no action anticipated.

At 7:30 PM, hearing no objection, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Hearing no further business before the Council, Mayor Boothman continued the meeting until Tuesday, March 19th, 2002 at 5:30 PM. The meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – Tuesday, March 19, 2002 @ 5:30 PM

The Town Council met in continued regular session with Mayor Boothman presiding. Members present: Brooks, Jones, LaPorte, & Rosenfeld
Others present: Town Administrator Fitch, Attorney Eaton, & Treasurer Picinich

Resolution #1268

At 5:35 p.m., Mayor Boothman introduced Resolution #1268, a resolution authorizing the Mayor to execute a contract with Regence BlueShield for employee medical coverage.

Administrator Fitch explained the new medical contract and the changes from the Town's previous medical coverage.

Roxanna Zalmanek, union insurance committee member, explained the process the committee followed and how they made the decision to recommend the proposed Regence BlueShield program.

At 6:00 PM, Councilmember LaPorte moved and Councilmember Brooks seconded to adopted Resolution #1268 authorizing the Mayor to sign the contract for the requested medical coverage program. The motion passed unanimously.

Ordinance #1185

Mayor Boothman introduced Ordinance #1185, an ordinance fixing the 2002 salaries of officials and non-represented personnel. Administrator Fitch explained the ordinance.

Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1185. The motion was unanimously approved.

Councilmember replacement – tape sequence #1468

At 6:15 p.m., Mayor Boothman opened discussion regarding filling Council Position #2. Councilmember Brooks nominated Wally Gillette for the vacant council seat. With no other nominations forthcoming, the Council closed the nominations and unanimously approved the appointment of Wally Gillette to Council Position #2 effective upon administering the oath of office.

Non-agenda

At 6:22 p.m., Mayor Boothman asked for non-agenda items. Councilmember Rosenfeld suggested that time be allocated on future council agendas for various educational work sessions. Councilmember Brooks suggested that the Town's infrastructure needs be discussed at the March 21st Town Council meeting. Councilmember LaPorte felt that since the next council agenda had been published that it was inappropriate to make changes to the agenda.

Mayor Boothman informed the Council that now that the vacant council position has been filled, work on the 2002 Legislative Agenda would begin. Each Councilmember is encouraged to prioritize their concerns that they would like addressed during the year.

At 6:35 p.m. the meeting was adjourned.

Gary G. Boothman, Mayor

Wendy Picinich, Clerk Pro-tem

Town Council – March 21, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Jones & LaPorte
Others: Administrator Fitch, Utilities Superintendent Wilks and Treasurer Picinich
Council approved Councilmember Rosenfeld's absence.

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Town Clerk Pro Tem Picinich administered the Oath of Office to Councilmember appointee Wally Gillette (Position #2).

Sheriff Report

At 12:05 p.m., Sheriff Cumming answered questions about the February 2002 deputy activity report. Sheriff Cumming reported that his department is in the process of hiring a new deputy for San Juan Island.

Utilities Superintendent Report

Mr. Wilks reported on monthly water production, the level of water at Trout Lake and the .5 million gallon reservoir restoration project. Mr. Wilks informed the Council that the Wastewater Treatment Plant Improvement Project 90% design drawings review meeting is scheduled with Brown & Caldwell on April 10th in Seattle.

Mr. Wilks was pleased to announce that Matt Pranger is now a certified waste water plant operator I.

Administrator's Report

At 12:15 PM, Administrator Fitch reported that the draft housing study for the Town comprehensive plan update is in his office and undergoing review.

Administrator Fitch explained that an 8-foot fence is part of the new wastewater treatment plant improvement project. A conditional use permit (CUP) will be required for the fence. The Town staff will make application for said C.U.P.

Administrator Fitch reported that Brown & Caldwell Engineers are working on the update to the 1997 Water Comprehensive Plan. Washington State Department of Health requires that this plan be updated every five years as a condition of the Town's water system operating permit.

Claims

Councilmember LaPorte moved and Councilmember Jones seconded to approve the payment of claims #21121 through 21167 in the amount of \$52,334.64. The motion was approved.

At 12:30 PM, hearing no further business, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Wendy Picinich, Clerk Pro-tem

Town Council – March 21, 2002 @ 5:30 PM

This was a regularly scheduled meeting of the Town Council.

Members present: None

Others present: Town Administrator Fitch

At 5:30 PM, Town Administrator Fitch, acting as Clerk Pro-tem, called the meeting to order, noted the lack of a quorum, and adjourned the meeting.

C. King Fitch, Clerk Pro-tem

Town Council – April 4, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Treasurer Picinich, Land Use Administrator Bertrand, & Clerk Wilson Mayor Boothman led the meeting in the Pledge of Allegiance. There were no public access items forthcoming.

Mayor Boothman announced that Administrator Fitch would be leaving at 1:00 PM to attend the funeral for Helen Geneste.

Comprehensive Plan Review Process

Land Use Administrator Bertrand outlined the 2002 Comprehensive Plan amendment cycle process, i.e. advertising for comments, planning commission review; document revision; public hearing dates; Council work sessions; Council approval process.

Councilmember LaPorte asked that the proposed amendments be clearly identified for simpler Council review. Mr. Bertrand indicated that an effort would be made to accommodate Mr. LaPorte's request.

Mr. Bertrand mentioned that the comment period for the 2003 Comprehensive Plan amendment process would begin June 1 and end December 31, 2002. Mr. Bertrand also mentioned that a new form to help clarify requested amendments would be forthcoming. Council concurred with these changes.

Councilmember LaPorte suggested that Council be informed of proposed amendments earlier in the process so that Councilmembers do not unknowingly violate the appearance of fairness act on specific requests.

Following discussion, Administrator Fitch suggested that Council receive a copy of all requested amendments in January each year after the comment period has been closed. Council concurred with this suggestion.

Administrator Fitch outlined the difference between Friday Harbor Municipal Code (FHMC) Title 17 amendments versus amendments to the Town's Comprehensive Plan. Mr. Fitch credited Mr. Bertrand with suggesting that proposed changes to FHMC Title 17 should not have to go through the annual Comprehensive Plan review process. Council expressed agreement with these administrative changes.

Administrator's Report – tape sequence #1112

Administrator Fitch indicated receipt of an event permit for an Arts Fair to be held Saturday, July 20th on Court Street. Mr. Fitch specified that an event permit regarding 4th of July festivities has not been received.

Payroll

Councilmember LaPorte moved and Councilmember Jones seconded to approve the payment of payroll warrants #8586 through 8667 in the amount of \$142,815.60. The motion passed unanimously.

Claims – tape sequence #1290 (moved from evening agenda)

Councilmember Jones moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #21171 through 21230 in the amount of \$54,202.38. Following discussion, the motion passed unanimously.

Minutes – tape sequence #1380

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the Town Council minutes of March 7, 2002 noon and 5:30 PM; March 19, 2002 5:30 PM; and March 21, 2002 noon and 5:30 PM as written. The motion passed unanimously.

North Sound Connecting Communities Project

Mayor Boothman updated Council on the North Sound Connecting Communities Project meeting held at the Farmhouse Restaurant in Skagit County attended by himself, Councilmember Gillette, and Councilmember Jones. Discussion followed regarding various components of the project and how they might benefit our region.

At 12:45 PM, during the above update, Treasurer Picinich left the meeting.

Non-Agenda

Mayor Boothman mentioned that Congressman Rick Larsen is holding a public meeting on April 6, 2002 at 10:00 AM in the Friday Harbor Mullis Center regarding transportation issues.

Administrator Fitch left the meeting at 12:50 PM.

Councilmember Brooks reported on the recent Gravel Pit Steering Committee meeting. Ms. Brooks noted that the committee meets the 1st Wednesday of the month at 4:30 PM in the former Journal building located at 580 Guard Street.

Mayor Boothman requested that councilmembers submit their list of legislative agenda items to the Clerk to be collated and copied for the evening discussion.

At 12:55 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – April 4, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding.

Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

At Mayor Boothman's request, Attorney Eaton explained the particulars of a new informational handout titled "Town of Friday Harbor, Town Council, Public Guidelines".

Conditional Use Permit Application #60 Public Hearing

At 5:39 PM, Mayor Boothman opened the public hearing for Conditional Use Permit Application #60. A request by R. Leonard and Rebecca Oorthuys to allow residential use of property located at 650 Turn Point Road; Tax Parcel #351392503; zoned as Shoreline Public Accommodation.

Mayor Boothman inquired, but did not hear any objection to his or any Councilmember's participation in the public hearing process. Mayor Boothman inquired if any Councilmembers had an interest in the property or issue; stood to gain or lose any financial benefit as a result of the outcome of this hearing; and if they engaged in communication with opponents or proponents regarding this issue. Council answered in the negative to all these inquiries. Mayor Boothman inquired if Councilmembers could hear and consider public input in a fair and objective manner. Council answered in the positive to this inquiry.

Mayor Boothman asked Permit Coordinator Jones to present the staff report.

Mr. Jones outlined current use, zoning, corresponding property operations, staff process, and summarized the eight-page staff report dated 3/26/02. Mr. Jones recommended Council approval of Conditional Use Permit (CUP) #60.

Mayor Boothman asked if the applicant wanted to make any comments. Mr. Oorthuys introduced himself and thanked the Town Planning Department for their assistance with his project.

Mayor Boothman asked if the audience wanted to make any comments.

Barbara Buck, 929 Turn Point Road, stated her support for Mr. Oorthuys' conditional use permit application.

Mayor Boothman asked if the Council had any questions.

Councilmember Brooks commented on the beauty of Mr. Oorthuys' home. Ms. Brooks inquired if the Town had a certain time limit between the purchase of a piece of property and an application for conditional use.

Attorney Eaton explained that the Town does not have a time limit, although if a violation were occurring, the Town's Code Enforcement Officer would send a letter to the violator requesting code compliance.

At 5:55 PM, hearing no further public input; Mayor Boothman closed the public input portion of the meeting and opened the meeting to Council deliberations.

Councilmember LaPorte moved and Councilmember Gillette seconded to approve Conditional Use Permit Application #60 with staff report dated 3/26/02; SEPA Checklist #217; and Findings of Fact and Conclusions of Law dated 4/04/02. The motion passed unanimously.

Historic Preservation Review Board (HPRB) – tape sequence #810

Nancy Larsen, Historic Preservation Coordinator, acknowledged outgoing HPRB members, Nancy Jones and Mona Meeker for their contributions to the Town. Mayor Boothman presented Ms. Jones and Ms. Meeker with a Certificate of Appreciation for their years of service. Ms. Jones and Ms. Meeker each spoke about their HPRB experiences.

Ms. Larsen introduced Anne Pope and Mary Jane Anderson; detailed their experience for appointment on the HPRB; and recommended Council approval of their appointment to said Board. Councilmember Jones moved and Councilmember Rosenfeld seconded to appoint Anne Pope to Position B and Mary Jane Anderson to Position D on the Historic Preservation Review Board. The motion passed unanimously.

Ms. Larsen introduced the remaining HPRB members, Scott Zehner and David Waldron, to the new Councilmembers.

2002 Legislative Agenda – tape sequence #1334

At 6:11 PM, at Mayor Boothman's request, each Councilmember read their legislative agenda requests aloud. Mayor Boothman indicated that a future Town Council agenda would provide for further discussion and review of the requested items and their budget implementations.

Capital Facilities – tape sequence #2100

Administrator Fitch outlined the various capital facility needs for the Utility Funds, otherwise known as Enterprise Funds. Mr. Fitch observed the savings accumulated for each project. General discussion followed.

Councilmember Jones asked for a debt comparison analysis between our Town and other cities of similar size.

North Sound Connecting Communities Project – tape 2 sequence #737

Mayor Boothman asked if Council were interested in signing an interlocal agreement with the North Sound Connecting Communities Project and contributed towards their grant matching funds. Following discussion, Council asked Attorney Eaton to investigate if providing such funds would be allowable.

Following Councilmember LaPorte's inquiry if the Office of Community Trade and Development were involved with said project, Mayor Boothman volunteered to attain a list of participants from the last committee meeting.

Non-agenda

Councilmember LaPorte inquired about the progress of the Sunshine Alley public restrooms project. Mayor Boothman observed that the project had been placed on hold pending further site investigation. The remaining Councilmembers concurred with this statement.

At 7:37 PM, hearing no further business and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – April 18, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld. Others present: Town Administrator Fitch & Clerk Wilson.

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Jim Ricks, 88 Westward Lane, indicated that the 23-year-old radio transmitter for emergency services has received its last "bandaid" repair. Mr. Ricks asked Council to contribute \$3,500 towards the replacement of said transmitter. Mr. Ricks explained that 4 other organizations would also be contributing. Administrator Fitch expressed concerns regarding ownership. General question and inquiry followed. Mayor Boothman indicated Mr. Ricks' request may be addressed during the non-agenda portion of the meeting.

At 12:05 PM, during Mr. Ricks' request, Treasurer Picinich arrived.

Department Reports – tape sequence #340

Utilities

Administrator Fitch reported on monthly water production, the level of water at Trout Lake, and the .5 million gallon reservoir restoration project.

Mr. Fitch observed that Sewer Department Leadman, Donny Reitan, caught an error during the Wastewater Treatment Plant Improvement Project 90% design drawings review meeting held on April 10th in Seattle.

Mr. Fitch indicated that due to an L & I claim a temporary refuse collector position would be necessary for the summer.

Mr. Fitch reported on scheduled street paving improvements to the Foxhall subdivision.

Mr. Fitch commented that the Cahail Park project is continuing forward.

System Administration

Mr. Dubail distributed the March/April 2002 Activity Summary for the System Administration Department. Mr. Dubail outlined various activities from said summary. General discussion and inquiry followed.

Fire

Chief Low indicated support in regards to Mr. Ricks' public access request. Mr. Low displayed pictures of the last 3 or 4 years of new construction within the Town. Mr. Low reported on research for a new 25 foot aluminum fire boat with two outboard engines. He indicated said fire boat would cost approximately \$80,000 with the Whittier Confidence Foundation agreeing to pay 1/2 of the cost.

Councilmember Rosenfeld inquired if other jurisdictions were interested in contributing to the cost of said boat or to pay a fee for use. Mr. Low observed that the only other jurisdiction that has indicated an interest is the Port of Friday Harbor, including Lopez and Orcas Fire Districts. General inquiry and discussion followed.

Mr. Low summarized the larger fire calls from the previous month. Mr. Low reported that the cost for confined space equipment and training would be approximately \$23,000. General inquiry and discussion followed.

Mr. Low reported on various other Fire Department activities.

Councilmember Rosenfeld inquired about the Town Fire Department's policy regarding withholding Fire District #3's fire engine from responding until it is fully staffed. Mr. Rosenfeld suggested letting Fire District #3's engine respond from the station with available firefighters and then let the trailing mutual aid volunteer firefighters arrive at the scene rather than at the station. Mr. Low responded that waiting for a fully staffed fire engine was for safety reasons.

Following further discussion and due to time constraints, Mayor Boothman suggested said discussion be placed on a future agenda.

Memorial Park – tape sequence #1945

Historic Preservation Coordinator, Nancy Larsen, gave an outline of the process that the "Memorial Park Steering Committee" took in the design development of a modified park. David Waldron displayed various drawings depicting suggested changes. Mr. Larsen introduced the members of the "Steering Committee".

Councilmember Gillette asked if the "Women's Study Club" had been contacted regarding said project. Ms. Larsen indicated that they would be contacted presently.

Following discussion and inquiry, Councilmember Jones moved and Councilmember Brooks seconded to accept the preliminary concept and design changes to Memorial Park. The motion passed unanimously.

Resolution #1269

At 1:27 PM, Mayor Boothman introduced and explained the particulars of draft Resolution #1269. A resolution declaring that it is in the public's interest to terminate the lease agreement for a portion of land owned by the Town at 339 Tucker Avenue currently leased by the "Thrifthouse". Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1269 as stated. The motion passed unanimously.

Resolution #1270

Mayor Boothman introduced and explained the particulars of draft Resolution #1270. A resolution declaring that it is in the public's interest to terminate the lease agreement for a portion of land owned by the Town at 337 Tucker Avenue currently leased by the "Food Bank". Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1270 as stated. The motion passed unanimously.

Resolution #1271

Mayor Boothman introduced draft Resolution #1271. A resolution designating the Journal of the San Juans as the source for legal printing and other official publications for the Town of Friday Harbor. Clerk Wilson explained the particulars of said resolution.

Town Council – July 18, 2002 @ 12:00 PM

Councilmember Brooks moved and Councilmember Gillette seconded to adopt Resolution #1271 as stated. The motion passed unanimously.

Earth Day Proclamation

Mayor Boothman presented Mr. Paulson with an Earth Day Proclamation urging all citizens to celebrate the beauty of our natural surroundings and to renew their commitment to the health and harmony of our environment. Mr. Paulson outlined planned activities for Earth Day.

Non-agenda

Following discussion regarding Mr. Ricks' public access request, Councilmember Brooks moved and Councilmember Jones seconded to appropriate \$3,500 maximum as the Town's portion towards the purchase of a new dual frequency transmitter for emergency services. The motion passed unanimously.

Minutes

Councilmember Brooks moved and Councilmember Gillette seconded to approve the Town Council minutes of 4/04/02 noon and 5:30 PM minutes as written. The motion passed unanimously.

More Non-agenda

Councilmember Rosenfeld commented that the JayRay Ads & PR invoice indicated radio spots on one radio station and he was under the impression it should have been for multiple radio stations. Mr. LaPorte clarified that the agreement was for many spots on one radio station.

At 1:40 PM, hearing no further business before the Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – April 18, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance. There were no public access items forthcoming.

Administrator's Report

Administrator Fitch commented that the \$2,000 budgeted in 2001 for re-designing Memorial Park was not carried over into the 2002 budget. Councilmember Jones moved and Councilmember Brooks seconded to appropriate \$2,000 for preliminary design of Memorial Park, and include said appropriation during the next 2002 budget amendment process. The motion passed unanimously.

Administrator Fitch reported that according to our street engineers at Gray & Osborne, the approximate cost to create a new left hand turn lane at Harrison and A Streets is \$4,000. Mr. Fitch noted this amount was not currently a part of the street department budget. Mayor Boothman described past history of traffic gridlock in the downtown core and how said improvement will help to alleviate the gridlock. Councilmember Gillette moved and Councilmember LaPorte seconded to appropriate \$4,000 to create said turn lane, and to include said appropriation during the next 2002 budget amendment process. The motion passed unanimously.

Draft 2002 Housing Report

Mike Bertrand, Land Use Administrator, introduced Shannon Davis and Jim Slocumb and outlined the timeline of the draft 2002 Housing Report indicating that the final product should be ready for approval by late June.

Shannon Davis, Special Consultant, outlined population trends and projections; housing demographics; income & wages; median income, median family income limits; annual average wage; and affordable housing.

Jim Slocumb, Special Consultant, presented various housing questions and findings that suggest the Town has the physical space to provide housing, but does not have the capital facilities infrastructure or water supply to fully serve the space.

Discussion and inquiry went on during and after the above presentations.

2002 Legislative Agenda – tape sequence #3135

At 6:50 PM, Mayor Boothman opened the draft 2002 Legislative Agenda discussion. Mayor Boothman reminded Council that legislative items impact the Town budget. Mayor Boothman suggested each Councilmember choose their top priority. General discussion followed.

The following decisions were made:

Councilmember Brooks' #1 priority – Regulate X-rated retail sales.

Councilmember Gillette's #1 priority – Surplus water rates

Councilmember Jones' #1 priority – Historic preservation regulations

Councilmember LaPorte's #1 priority – Reduce number of Council meetings

Councilmember Rosenfeld's #1 priority – Affordable housing solutions

Mayor Boothman asked Administrator Fitch to present the estimated budget cost to implement the above legislative priorities at the next Town Council meeting.

Town Council – July 18, 2002 @ 12:00 PM

Mayor Boothman asked that Council arrive prepared to prioritize the rest of the draft 2002 legislative agenda at the next Town Council meeting.

Claims – tape sequence #936 – tape 2

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #21233 through 21304 in the amount of \$198,002.90. The motion passed unanimously.

Non-agenda

Councilmember Rosenfeld suggested that the Town devise an incentive for local business owners to allow the public to use their restrooms. Following discussion, Council asked Councilmember Rosenfeld to poll the local business owners and see if they would be interested.

Executive Session

At 7:33 PM, hearing no objection, Mayor Boothman declared the meeting in executive session regarding property acquisition for approximately 10 minutes with no action anticipated.

At 8:05 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 2, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, & Rosenfeld. Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson.

Council excused Councilmember LaPorte's absence.

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Land Use Administrator Bertrand distributed the Council packet information for the May 9th, 2002 public hearing on amendments to Title 17 of the Friday Harbor Municipal Code and the May 23rd, 2002 public hearing on amendments to the Town's Comprehensive Plan. Mr. Bertrand asked Council to retain said information and bring it to the upcoming public hearings.

Resolution #1272 – tape sequence #146

Mayor Boothman introduced draft Resolution #1272. A resolution authorizing the Mayor to execute an agreement for portable restroom servicing and cleaning for 2002. Administrator Fitch explained the particulars of said resolution. Following inquiries, Councilmember Jones moved and Councilmember Brooks seconded to adopt Resolution #1272 as stated. The motion passed unanimously.

Resolution #1273

Mayor Boothman introduced draft Resolution #1273. A resolution authorizing the Mayor and Town Finance Officer to apply for a low-interest loan from the Public Works Trust Fund. Administrator Fitch explained the particulars of said resolution. Following inquiries, Councilmember Brooks moved and Councilmember Gillette seconded to adopt Resolution #1273 as stated. The motion passed unanimously.

Resolution #1274 – tape sequence #443

Mayor Boothman introduced draft Resolution #1274. A resolution authorizing the Mayor to execute an agreement for summer traffic control for 2002. Administrator Fitch explained the particulars of said resolution. Following inquiries and comments about sensitivity training for the traffic control personnel, Councilmember Gillette moved and Councilmember Jones seconded to adopt Resolution #1274 as stated. The motion passed unanimously.

Town Travel Policies – tape sequence #885

Wendy Picinich, Finance Officer/Treasurer, outlined the Town's travel policy. Ms. Picinich detailed tips, mileage, miscellaneous costs, and non-reimbursable items. Administrator Fitch indicated that a copy of the "flyer" illustrating the explanation for travel should be attached to the form for travel reimbursement.

Administrator's Report

Administrator Fitch indicated that two Council volunteers were needed for the State Auditor exit conference to be held on Friday, May 3, 2002 at 9:30 AM. Councilmembers Jones and Gillette volunteers to attend.

Administrator Fitch indicated that a position on the San Juan County Disability Board was open due to the resignation of former Councilmember Sheiman. Mr. Fitch outlined meeting frequencies and duties and asked for a Council volunteer to fill the opening. Councilmember Rosenfeld volunteered to be on said Board.

At 12:45 PM, Councilmember Jones left the meeting for a fire call.

Administrator Fitch reported that repairs to the .5 million gallon water tank at the corner of Spring and Marguerite Streets would begin Monday, May 6th.

At 12:46 PM, Councilmember Jones returned to the meeting.

Administrator Fitch reported on conversations with Ed Barrett, Port of Friday Harbor, regarding the Port contributing \$20,000 towards the purchase of a new fireboat. Mr. Barrett indicated that said funds were not budgeted in 2002. Councilmember Jones clarified that the Whittier Confidence Foundation has committed to review the Fire

Town Council – July 18, 2002 @ 12:00 PM

Department's grant request for \$40,000, but has not yet committed to funding the fireboat project.

Administrator Fitch asked for Council approval to submit a grant application to San Juan County for a portion of the House Bill 2260 funds. Councilmember Brooks moved and Councilmember Jones seconded to give approval to Mayor Boothman to submit a grant application to San Juan County for HB2260 funds. The motion passed unanimously.

Administrator Fitch indicated that a draft interlocal agreement with San Juan County Fire District #3 would be forthcoming soon for radio transmitter services.

Minutes – tape sequence #1920

Councilmember Gillette moved and Councilmember Jones seconded to approve the Town Council minutes of April 18, 2002 at noon and 5:30 PM as written. The motion passed unanimously.

Payroll

Councilmember Jones moved and Councilmember Brooks seconded to approve the payment of payroll warrants #8668 through 8712 in the amount of \$139,344.19. The motion passed unanimously.

Non-agenda – tape sequence #1947

Mayor Boothman presented Jessica Ray, Animal Shelter Manager with a proclamation for the week of May 5 through May 11th as "Be Kind to Animals Week" in the Town of Friday Harbor and urged all citizens to thank our volunteers for their countless hours in support of our local animals and to express appreciation for the special role that animals play in our lives and environment.

Ms. Ray invited Council to the Animal Shelter's 20th Anniversary open house celebration on May 4, 2002.

At 1:00 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 2, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, & Rosenfeld

Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson
Council excused Councilmember LaPorte's absence.

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Lee Sturdivant, 745-A Larsen Street, representing the Friends of Friday Harbor & Island Recreation & Trails Committee, asked for neighborhood amenities, such as sidewalks, benches, and trees. Ms. Sturdivant suggested that providing such amenities would encourage a "walking" Town atmosphere. Mayor Boothman explained that a Local Improvement District is one way for neighborhoods to afford such improvements and suggested Ms. Sturdivant contact the property owners in her area to see if they would be interested in setting up said District.

At 5:37 PM, Attorney Eaton arrived.

N. Sound Connecting Communities – tape sequence #345

Attorney Eaton explained how the Town must receive value in return for any contributions made. Mr. Eaton indicated that an interlocal agreement with Skagit Valley of Governments (SKOG) should articulate the value the Town would be receiving for any contribution made. Mr. Eaton elaborated that he felt value could be articulated in an interlocal agreement with SKOG. Following discussion it was the consensus of Council to enter into an agreement with North Sound Connecting Communities Project via Skagit Valley of Governments for \$1,000.

2002 draft Legislative Agenda – tape sequence #827

Mayor Boothman opened discussion of the draft 2002 Legislative Agenda items. Following discussion, Council's legislative priorities were as follows: Historic Preservation Regulations, Affordable Housing Solutions, Geotechnical Study of Trout Lake Dam, Regulate X-rated retail sales, Reduce number of Council meetings, Outdoor burning regulations, and Develop Pedestrian / Bike Paths Plan.

Mayor Boothman asked each Councilmember to obtain information in regards to their legislative priorities.

Food Bank Future – tape sequence #1925

Dorothy Lawson, 500 Hemlock Court and Head of the Food Bank for 20 years, explained past Food Bank operations and outlined their funding. Mrs. Lawson emphasized the importance of the Food Bank in our community and asked Council to help them find a new location.

Carolyn DeRoos, Food Bank Volunteer, implored Council to facilitate the Food Bank's survival at a new location. Ms. DeRoos indicated that a location in conjunction with the Thrifthouse would be advantageous.

Council suggested contacting local churches, the airport, the fairgrounds, or a business in need of a tax break.

Roger DeRoos, Food Bank Volunteer, suggested that Councilmembers come to the Food Bank and see its operation. Mayor Boothman indicated he would be there the following Wednesday at noon.

Claims – tape sequence #2865

At 6:45 PM, Councilmember Rosenfeld moved and Councilmember Jones seconded to approve the payment of claim warrants #21308 through 21363 in the amount of \$69,814.70. The motion passed unanimously.

Non-agenda

Administrator Fitch corrected the amount of the Public Works Trust Fund loan application amount \$1.5 million to \$2.0 million.

Councilmember Brooks asked if the new wastewater treatment plant would have gray water available for use by local park and recreation fields. Administrator Fitch indicated that making gray water available for use outside the treatment plants' needs was not in the current project's scope of work.

Executive Session

At 6:52 PM, hearing no objection, Mayor Boothman declared the meeting in executive session for approximately 30 minutes to discuss property acquisition with no action anticipated.

At 7:57 PM, hearing no objection, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Hearing no further business before the Council and no objection, Mayor Boothman continued the meeting to May 9, 2002 at 7:00 PM to hold a public hearing with the Planning Commission regarding amendments to Title 17 of the Friday Harbor Municipal Code. The meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 9, 2002 @ 7:00 PM

The Town Council was scheduled to meet in continued regular session for the purpose of holding a joint public hearing with the Planning Commission in regards to amendments to Title 17 of the Friday Harbor Municipal Code. Members present: none
Others Present: Administrator Fitch

Administrator Fitch called roll. Noting a lack of quorum, Mr. Fitch adjourned the meeting.

(**Note:** The newspaper of record mistakenly did not publish the Notice of Public Hearing in the legal section of the newspaper for two consecutive weeks. Due to this mistake, Councilmembers and Planning Commission members were notified that the meeting could not go forth.)

Clerk Pro-tem, C. King Fitch

Town Council – May 16, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson
Mayor Boothman led the meeting in the Pledge of Allegiance.

Sheriff Cumming commented that the Town Fire Department, as well as other fire and emergency response personnel, did a wonderful job fighting the fire at 1st and Spring Streets on May 9, 2002. Mr. Cumming mentioned the positive viewpoint on the fire was that no one was hurt and the fire was kept from spreading to other nearby buildings. Council thanked the Sheriff's department for their collaboration during said fire.

At 12:06 PM, Mayor Boothman noting the capacity of the room had reached its limit, and hearing no objection, declared a recess for approximately 10 minutes so that staff could set up a temporary meeting room next door at the Town Fire Station for the continuation of the present meeting in a larger facility.

At 12:12 PM, Mayor Boothman called the meeting back to order. All Councilmembers were still present.

Public Access

Michele Melbourne, 340 Salmonberry Lane, and fire-impacted employee of Friday Harbor Grocery, commented that the firefighters that fought the fire at 1st & Spring Streets were her heroes. She observed that the Fire Chief cared about her missing wallet and after the fire was extinguished took extra time to locate it within the fire wreckage. Ms. Melbourne praised all of the islands' emergency response personnel.

At 12:16 PM, Wendy Shepard, San Juan Island, expressed her gratitude for the firefighters who fought said fire and her dismay at the cowardly unsigned flyers that were distributed around Town regarding unsubstantiated personal vendettas and an administrative cover up regarding the fire. Ms. Shepard asked that everyone have

compassion for the mistakes of others and that all parties put their egos aside, listen to each other, provide constructive criticism, and put public safety in the forefront.

At 12:19 PM, Bob Greenway, San Juan Island, stated that four years ago his apartment building (Sandpiper Apartments) had a fire. Mr. Greenway indicated that the fire department seemed to have improved since his fire and that he was impressed with the fire fighting that happened on May 9, 2002.

Mayor Boothman reminded the public that this was not a public hearing, but a public meeting and that he could not allow time for everyone to speak. He commented that he would allow a few more comments and then Council would have to move on to scheduled agenda items.

Jeff Brash, San Juan Valley Road, thanked everyone who participated in the fire fighting efforts. Mr. Brash asked that everyone quit bickering and look at the bigger safety issues. Mr. Brash suggested putting egos aside and begin to work together and speak one language. Mr. Brash advocated merging the two fire departments if a solution to fight fires effectively together could not be attained.

At 12:24 PM, Dave Werling, 668 Sutton Road and San Juan Florist Co-owner, stated that he has been overwhelmed with the community support. Mr. Werling observed that it does not matter who was the first on the scene, but rather that everyone did their jobs. Mr. Werling recommended that at times such as this, everyone should work together and act like a brotherhood.

Commissioner Nielsen BOCC Update

At 12:26 PM, Commissioner Nielsen echoed the sentiments of the community regarding the professionalism and expertise of the emergency response personnel. Ms. Nielsen indicated that Governor Locke would be coming to the island on Monday, May 20, 2002 at 10:00 AM to visit the fire site and speak with business owners impacted by said fire.

Ms. Nielsen mentioned that San Juan Island's new co-mingled recycling program began May 15th. Ms. Nielsen commented on receipt of a Department of Ecology \$500,000 recycling program grant. Ms. Nielsen indicated that the Board of County Commissioners (BOCC) is still interested in acquiring the Town's Sutton Road property. Ms. Nielsen commented on the formation of a local economic development council; the County's HB2260 grant program; and future affordable housing legislation. Ms. Nielsen noted that a BOCC public hearing regarding hotel motel tax monies is scheduled for May 21, 2002 at 1:30 PM in the Commissioners hearing room.

Attorney Eaton arrived in the audience at approximately 12:30 PM.

Departmental Reports

At 12:33 PM, Utilities Superintendent, Mike Wilks, reassured Council that the 400,000 gallons used during the May 9th fire fighting efforts did not effect the level of Trout Lake. Mr. Wilks reported on treatment plant flows; muddy water; curb painting and street striping; street chip seal timeline; hanging baskets; water tank repair tribulations;

and various other activities and projects within the Utilities department. Council thanked the Utilities Department for their efforts during the fire.

At 12:41 PM, Land Use Administrator, Mike Bertrand, distributed monthly Community Development Department reports for Council review. Mr. Bertrand stressed that when calculating the new building department permit fees, his department would honor the contractor's estimated value of the project. Mr. Bertrand asked Council to bring previously distributed information regarding draft changes to Title 17 and draft 2002 amendments to the 2001 Comprehensive Plan to the public hearing on May 23rd at 5:00 PM. Mr. Bertrand then distributed the May 16, 2002 staff report in regards to the annexation of the Port of Friday Harbor Property also to be discussed at said scheduled public hearing.

At 12:43 PM, Fire Chief, Bob Low, thanked the Red Cross, local businesses, and the community for the food and drinks supplied to the fire fighters. Town Fire Chief Low and Fire District #3 Chief McLaughlin reported on the joint fire fighting activities. Discussion and inquiry followed regarding the particulars of the fire fighting efforts.

Resolution #1275

At 1:03 PM, Mayor Boothman introduced draft Resolution #1275. A resolution authorizing the Mayor to execute an intergovernmental agreement with the San Juan County Fire District #3 for radio transmission services. Administrator Fitch explained the particulars of said resolution. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1275 as stated. The motion passed unanimously.

Fire Department Status

At 1:08 PM, Mayor Boothman opened Council discussion of the status of the fire department. Councilmember Rosenfeld questioned the Town Fire department's policy that restricts Fire District #3 from responding to a fire with less than 4 firefighters. Mr. Rosenfeld acknowledged past discussions with the Town Fire Department's officers, but indicated that he did not agree with their responses. Mr. Rosenfeld explained that he had discussed this restriction with other career firefighters and they indicated that it was an uncommon mutual aid agreement restriction. Mr. Rosenfeld suggested putting aside the policy and allowing Fire District #3 to respond according to their own policy and self-stage until they have a full compliment.

Councilmember LaPorte advocated leaving the decision in the hands of the Mayor, Administrator, and Fire Chief.

Mayor Boothman stated that the Fire Chief should determine what is best for his department.

Councilmember Rosenfeld indicated that if Council chose not to change the policy he would have to accept it; but after 18 years as an officer in firefighting, he felt the policy could endanger future people and/or property. Councilmember Rosenfeld said that the purpose of bringing it up was to make the issue public.

Councilmember Brooks asked if a compromise couldn't be attained on this issue.

Mr. LaPorte responded that Councilmember Jones has been making progress in discussions with Rebecca Smith, one of the Fire District #3 Commissioners, regarding several fire department issues. Mr. LaPorte suggested allowing this process to continue instead of holding a public session policy discussion.

Councilmember Rosenfeld asked to be included on the committee with Councilmember Jones.

Mayor Boothman explained the difference between the executive and legislative branches of government.

Councilmember Brooks stipulated that this was not just a management issue, but concerned the safety of the Town. Ms. Brooks pointed out that more information is necessary to make an educated decision.

Mayor Boothman suggested scheduling a future meeting with the Fire Chiefs in attendance.

Councilmember Jones suggested it was not the Council's job to micro-manage the Town's personnel.

Councilmember LaPorte moved and Councilmember Gillette seconded to acknowledge the superb leadership and skill demonstrated by the Town Fire Chief.

Following discussion, after determining that a resolution should be drafted for the evening Town Council meeting, Councilmember LaPorte moved to table the previous motion to the evening Town Council meeting and Councilmember Gillette seconded that motion also. The motion to table the previous motion passed unanimously.

Administrator's Report

At 1:29 PM, Administrator Fitch asked Ken Enns, Gray & Osborne Engineer for the repairs to the .5 million gallon water reservoir project, to give a status report on said project. Kenn Enns reported that the top ring of said reservoir had structural damage and recommended repairing the top ring of the reservoir at an estimated cost not to exceed \$35,000.

Councilmember Gillette questioned if the bottom of said reservoir was structurally sound. Mr. Enns indicated that he would have the bottom tested for soundness. Following further inquiry and discussion, it was the consensus of Council to ask staff to draft a resolution for approval at the evening Town Council meeting regarding said additional repairs.

At 1:46 PM, hearing no objection, Mayor Boothman indicated the remainder of the noon Town Council agenda items would be transferred to the evening Town Council meeting. Hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 16, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Mayor Boothman proclaimed May 24th through May 27th, 2002 as Poppy Days in the Town of Friday Harbor and urged citizens to support their American Legion Auxiliary and their Veterans allowing poppies to bloom throughout the Town on every coat, jacket, shirt and blouse. Judy Ross, American Legion Auxiliary Member, encouraged the public to reaffirm the sacrifice made by our veterans and purchase a poppy to wear.

Historic Preservation Awards

Scott Zehner, Historic Preservation Review Board Chair, presented two historic preservation awards. The first award was presented to the Sam Buck Sr. family for Outstanding Achievement in Continuing Historic Preservation in regards to the former San Juan County Bank building on the corner of 1st and Spring Streets. The second award was presented to Bill Weissinger and Steve Kennedy for Outstanding Achievement for Historically Compatible New Construction in regards to their 425 Caines Street building.

Resolution #1277 – tape sequence #530

Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1277. A resolution acknowledging the superb leadership and skill demonstrated by Town Fire Chief Low, and the brave actions of the Town of Friday Harbor Firefighters during the extremely destructive fire at 1st and Spring Streets on May 9, 2002. Following discussion, the motion passed unanimously.

Resolution #1276 – tape sequence #797

Mayor Boothman introduced draft Resolution #1276. A resolution authorizing the Mayor to execute an agreement to provide forage fish information in Friday Harbor. Administrator Fitch explained the particulars of said resolution. Councilmember Brooks moved and Councilmember Rosenfeld seconded to adopt Resolution #1276 as stated. The motion passed unanimously.

Wastewater Treatment Plant Bids – tape sequence #900

Administrator Fitch explained the particulars of the process for solicitation of bids to reconstruct the Wastewater Treatment Plant. Administrator Fitch stressed that it would be difficult to withdraw from the project once the solicitation for bids had been advertised. Following discussion, Council authorized the Administrator to proceed with the advertisement for bid process for reconstruction of the Wastewater Treatment Plant.

Legislative Agenda – tape sequence #1225

Councilmember Brooks asked that a tree preservation regulation ordinance be added to the legislative agenda. Councilmember Gillette asked that affordable water rates during plentiful times be added to the legislative agenda. Mr. Gillette indicated that the Geotechnical Study of Trout Lake Dam could be lowered in priority on said agenda. Councilmember LaPorte asked that removing the fire chief from the union be added to the legislative agenda list. Mayor Boothman reviewed the revised legislative agenda aloud. Council approved said agenda as reviewed.

Administrator's Report – tape sequence #1585

At 6:16 PM, Administrator Fitch asked Council if they wanted to allow San Juan Sanitation to serve the commercial recycling customers within the Town right of way. Following discussion, Council agreed that more information was necessary.

As previously discussed during the noon Town Council meeting, Administrator Fitch introduced draft Resolution #1278. A resolution authorizing the Mayor to execute Change Order #1 on the contract with Coatings Unlimited, Inc., for repairs to the .5 million gallon storage reservoir. Administrator Fitch stated that tests to the water reservoir floor established that the floor was structurally sound. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1278 as stated. The motion passed unanimously.

Administrator Fitch noted personnel additions and departures, and alterations to employee work schedules. Councilmember Brooks suggested the Town conduct employee exit interviews. Administrator Fitch mentioned that such a policy could be added to the personnel guidelines during the next review process.

Minutes

Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the Town Council minutes of May 2, 2002 at noon and 5:30 PM and May 9, 2002 at 5:30 PM as written. The motion passed unanimously.

Claims

Councilmember Brooks moved and Councilmember Jones seconded to approve the payment of claim warrants #21365 through #21419 in the amount of \$246,753.21. The motion passed unanimously.

Non-agenda – tape sequence #2515

Councilmember Jones and Gillette gave an account of the admirable Town's exit interview with the State Auditor's Office.

Mayor Boothman noted that San Juan County Commissioner Nielsen wants to do a joint proclamation to thank everyone involved with the fire fighting efforts on May 9th. Councilmember Brooks commented that Mayor Boothman handled the media coverage with excellence.

Councilmember LaPorte noted that Tori Zehner will soon be the mother of twins and will resign from the Lodging Tax Advisory Committee (LTAC). Mr. LaPorte indicated that the LTAC has asked that Linda Hersey, the new manager of the Friday Harbor House, be appointed to replace Ms. Zehner. Council approved said appointment.

Councilmember Rosenfeld questioned the legality of Mayor Boothman barring him from the Fire Department debriefing meeting held Monday, May 13, 2002, regarding the fire on May 9th. Attorney Eaton explained that debriefing meetings are not public meetings and therefore not subject to the open public meetings act. Discussion followed. Attorney Eaton will look into whether or not a councilmember might have different rights.

Executive Session – tape 2 sequence #207

At 7:05 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 30 minutes.

At 8:10 PM, Councilmember LaPorte moved and Councilmember Jones seconded to return to regular session with no action taken in executive session. The motion passed unanimously.

Hearing no objection, Mayor Boothman continued the meeting until May 23, 2002 at 5:00 PM for the purpose of holding a joint public hearing with the Town Planning Commission. The meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 23, 2002 @ 5:00 PM

The Town Council met in continued regular session for the purpose of three joint public hearings with the Planning Commission.

At 5:02 PM, Chair Ghatan called the Planning Commission meeting to order and Mayor Boothman called the Town Council meeting to order.

Councilmembers present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Planning Commission members present: Coyne, Emery, Ghatan, and Hart

Staff present: Town Administrator Fitch, Attorney Eaton, Land Use Administrator Bertrand, Historic Preservation Coordinator Larsen, Planning Commission Recording Secretary Zalmanek, and Clerk Wilson.

Planning Commission members absent: Jennifer Fitch

Planning Commission member Barbara Starr arrived at 5:55 PM.

Member Hart moved and Member Coyne seconded to adopt the Planning Commission minutes of April 25, 2002 as written. The motion passed unanimously among the planning commission members.

Chair Ghatan indicated receipt of a request from Joel Douglas' Attorney asking him to recuse himself during the portion of the public hearing regarding the Joel Douglas redesignation request. Mr. Ghatan felt that he could be unbiased and impartial regarding Mr. Douglas' redesignation request, but decided, as long as his absence did not impact the Planning Commission's quorum status, that he would step down and not participate in said portion of the public hearing.

Councilmember Brooks indicated that she lived within 300' of the Trienens, Carter Avenue redesignation request. Ms. Brooks maintained that she could be unbiased and impartial in regards to the Trienens' redesignation request. Chair Ghatan inquired of the audience regarding Ms. Brooks' participation, no one in the audience voiced an objection to Ms. Brooks' participation.

Member Hart stated that he has worked for the Trienens' and, although he felt he could remain impartial and unbiased, in the appearance of fairness would like to recuse himself from the Trienens' redesignation request, unless the Planning Commission's quorum was affected by his absence. Chair Ghatan inquired of the audience regarding Mr. Hart's participation, no one in the audience voiced an objection to Mr. Hart's participation.

Councilmember Rosenfeld noted that he lived within 300' of the Robert Starr, Malcolm Street property redesignation request. Mr. Rosenfeld maintained that he could be unbiased and impartial in regards to Mr. Starr's redesignation request. . Chair Ghatan inquired of the audience regarding Mr. Rosenfeld's participation, no one in the audience voiced an objection to Mr. Rosenfeld's participation.

Attorney Eaton pointed out that because no one in the audience has objected to the participation of Councilmember Brooks, Commissioner Hart, or Councilmember Rosenfeld, they could participate in the discussions regarding said redesignations unless they felt they could not remain unbiased and impartial.

Chair Ghatan inquired, but did not hear any objection to his or any Planning Commission Member or Councilmember's participation in the public hearing process, other than previously mentioned. Chair Ghatan inquired if any Council or Planning Commission members had an interest in any of the properties or issues; stood to gain or lose any financial benefit as a result of the outcome of these hearings; and if they engaged in communication with opponents or proponents regarding these issues. Chair Ghatan noted two communications with Joel Douglas. Other than this statement by Mr. Ghatan,

all members answered in the negative to these inquiries. Chair Ghatan inquired if members could hear and consider public input in a fair and objective manner. Members answered in the positive to this inquiry.

Public Hearings – tape #1 sequence #301 – tape #2 sequence #1328

Planning Commission Recording Secretary Zalmanek took the minutes of this joint public hearing. For staff input, Planning Commission inquiries, Councilmembers inquiries, exhibits received, public testimony, and discussion, please refer to the Planning Commission minutes for this meeting.

At 7:13 PM, hearing no objection, Mayor Boothman declared the Town Council portion of the meeting adjourned. Planning Commission Chair Ghatan declared a short recess. Mayor Boothman, Councilmembers, Administrator Fitch, and Clerk Wilson departed. The Planning Commission meeting continued after said recess. Please refer to Planning Commission minutes.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – June 6, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Utilities Superintendent Wilks, Land Use Administrator Bertrand, Historic Preservation Coordinator Larsen, Street Leadman Smith, and Treasurer/Clerk Pro-tem Picinich.

Mayor Boothman led the meeting in the Pledge of Allegiance. There were no public access items forthcoming.

Commercial Recycling

Dan Leidecker, co-owner of San Juan Sanitation Company, gave a presentation explaining his company's new co-mingled commercial recycling program. The program would offer weekly pickups for paper, metal, and plastic at business locations throughout the Town. There would be a per container pick up charge. The program is slated to begin September 1st.

Utilities Superintendent Wilks and Street Leadman Smith expressed concerns regarding the placement of recycling containers in the limited space now occupied by the Town's refuse containers and the possible encroachment of the public right of way.

Jon Shannon, San Juan County Solid Waste Manager, explained how new technology has made co-mingled recycling possible.

Council requested that staff meet with representatives from San Juan Sanitation to work out the operational details.

Sheriff's Report – tape sequence #1170

At 12:35 PM, Sheriff Cumming gave his monthly report. The Sheriff announced the hiring of Carl Poschman as the County Emergency Management Director and Rod Giesy as director of the E-911 program.

Ordinance #1186

At 12:40 PM, Mayor Boothman introduced draft Ordinance #1186. An ordinance accepting the bills of sale from Moorhouse Properties, LLC for certain improvements to the Town sanitary and stormwater systems. Administrator Fitch explained the Town developer main extension program. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1186 as stated. The motion passed unanimously.

Ordinance #1187 – tape sequence #1552

Mayor Boothman introduced draft Ordinance #1187. An ordinance creating two-hour limited parking on a portion of East Street. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1187 as stated. Following discussion, The motion passed unanimously.

Historical Regulations – tape sequence #1650

At 12:47 PM, the Council began discussion of sample historical regulation ordinances. Councilmember Jones explained his goal to make the Town's voluntary historical guidelines mandatory without being burdensome to the staff or property owners.. He presented sample ordinances from three other jurisdictions. He encouraged the Council to review the Town's historical manual and the read the book City Comforts.

Council decided to schedule a work session to discuss possible changes to the historical preservation guidelines with a focus on demolition of existing buildings.

Administrator's Report – tape sequence #3868

At 1:30 PM, Administrator Fitch informed the Council that the Town's financial audit report from the State Auditor's Office is available for review.

Mr. Fitch noted that the Wastewater Treatment Plant Improvement Project pre-bid meeting was held Wednesday, June 5th with eight general contractors attending. Mr. Fitch commented that the bid opening is scheduled for June 28th, 2002 at 2:00 PM.

Mr. Fitch mentioned that Utilities Superintendent Wilks and several department leadmen would be attending a public auction on June 12th at the M.R. Fab business. M.R. Fab has ceased operations.

Minutes

Councilmember Rosenfeld requested that the approval of minutes be postponed until the evening meeting. Council concurred.

Payroll

Councilmember Brooks moved and Councilmember Rosenfeld seconded to approve the payment of payroll warrants #8713 through 8758 in the amount of \$144,167.93. The motion passed unanimously.

Non-agenda

Councilmember Brooks presented Mayor Boothman with a video tape from the Mayor of Vela Luka, the Town's Sister City.

Councilmember Gillette requested that the Lodging Tax Advisory Committee present any proposed Town advertising mottoes to the Council for approval.

At 1:45 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Clerk Pro-tem, Wendy Picinich

Town Council – June 6, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Land Use Administrator Bertrand, Historic Preservation Coordinator Larsen, Utilities Superintendent Wilks, and Treasurer/Clerk Pro-tem Picinich

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Pamela Fitch, PO Box 1935, commented on how nice the Town looks and thanked the Council for the beautiful flowers and work done by the Parks department.

Planning Commission Land Use Recommendations – tape sequence #72

Land Use Administrator Bertrand explained the Planning Commission's recommended changes. Mr. Bertrand noted that the Planning Commission recommended that Chapter 17.64.070 historic preservation incentive program exclude structures located within the Town's View Protection Overlay District from the height incentive. Staff recommended the approval of the height incentive for the entire Historic District. Councilmember Jones moved and Councilmember LaPorte seconded to approve 17.64.070(E) as

proposed by staff. The motion passed unanimously. The Council also approved the recommended fence height change in 17.56.050 and the affordable housing definition change in 17.08.040 and requested staff bring forth an ordinance incorporating said changes.

Resolution #1279 – tape sequence #979

At 6:00 PM, Mayor Boothman introduced draft Resolution #1279. A resolution adjusting the corporate boundaries of the Town to include a portion of the airport owned by the Port of Friday Harbor. Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1279. The motion passed unanimously.

Claims – tape sequence #1192

Councilmember LaPorte moved and Councilmember Jones seconded to approve the payment of claim warrants #21423 through 21517 in the amount of \$107,749.37. The motion passed unanimously.

Minutes

Councilmember Brooks moved and Councilmember Rosenfeld seconded to approve the Town Council minutes of May 16, 2002 at noon and 5:30 PM and May 23, 2002 at 5:00 PM as written. Mayor Boothman corrected the noon minutes of May 16, 2002 by changing the words on page 1 of 5 from "At 12:06 PM, Mayor Boothman noting the capacity of the room had reached its limit, and hearing no objection, declared ~~the meeting adjourned~~ a recess for approximately 10 minutes..." Councilmember Rosenfeld asked for the following changes to the May 16, 2002 noon Town Council meeting: Page 3 of 5 "Mr. Rosenfeld suggested putting aside the policy and allowing ~~3 firefighters to respond when imminent life is threatened as stated in the Washington Administrative Code (WAC) Fire District #3 to respond according to their own policy and self-stage until they have a full compliment.~~" And on same page, Councilmember Rosenfeld asked that the following sentence be added: "Councilmember Rosenfeld said that the purpose of bringing it up was to make the issue public." Councilmember Rosenfeld also asked for the following sentence to be added to the 5:30 PM May 16, 2002 Town Council meeting Page 3 of 3 "Attorney Eaton will look into whether or not a councilmember might have different rights." The motion was amended to approve said minutes as corrected. The motion passed unanimously.

Non-agenda

Councilmember Gillette reported on his attendance at the "Farmhouse Gang" (aka: North Sound Connecting Communities Project) meeting held at the new Everett train station. He noted that the September meeting is scheduled to be held in Friday Harbor.

Executive Session

At 6:25 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately one hour with no action anticipated.

At 8:27 PM, hearing no objection, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Clerk Pro-tem, Wendy Picinich

Town Council – June 20, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Treasurer Picinich, Utilities Superintendent Wilks, System Administrator Dubail, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Departmental Reports

System Administrator Dubail distributed a May/June 2002 Activity Summary for the System Administration Department. Mr. Dubail outlined web site activity, virus protection efforts, alternative operating system software, and Microsoft software upgrade options. Following inquiries, Mayor Boothman thanked Mr. Dubail for his update.

Utilities Superintendent Wilks reported on water production, rainfall, Trout Lake level, and the .5 million gallon water tank restoration project. Mr. Wilks indicated that chip sealing of Carter, Larson, Lampard, & Mullis Roads would begin June 25th. Mr. Wilks reported receiving 11 applications for the vacant Street Utility position. Mr. Wilks mentioned that wastewater department employees are beginning to prep for the future wastewater treatment plant improvement project.

Councilmember LaPorte inquired if the .5 million gallon water tank restoration project would affect the summer water supply. Mr. Wilks indicated that the restoration project would not affect the summer water supply.

Mr. Wilks announced that San Juan Sanitation would begin their commercial recycling program within Town limits in either August or September of this year.

Councilmember Gillette asked when the Town would begin its co-mingled recycling program for residential recycling customers. Treasurer Picinich maintained that a new brochure explaining changes to the Town's recycling program would be forthcoming to Town recycle customers shortly. Administrator Fitch emphasized that currently the Town's recycle customers had the option of co-mingling their recyclable items, except glass. It was also noted that the Town does not currently accept paper recyclables.

Resolution #1281 – tape sequence #790

At 12:25 PM, Mayor Boothman introduced draft Resolution #1281. A resolution authorizing conditional private use of a portion of Front Street by the San Juan Island Yacht Club. Administrator Fitch explained the particulars of the resolution. Mike Close, Yacht Club representative, explained the particulars of the planned event.

Discussion and inquiry followed regarding parking, restrooms, selling of liquor, stage set-up location, and the density of the event area. Following discussion, Councilmember LaPorte moved and Councilmember Jones seconded to approve Resolution #1281 as stated. The motion passed 4 to 1 with Councilmember Brooks in the opposition.

Resolution #1282 – tape sequence 1080

Mayor Boothman introduced draft Resolution #1282. A resolution authorizing the conditional private use of a portion of Nichols Street by the San Juan Lions Club. Administrator Fitch explained the particulars of said resolution. Councilmember Jones moved and Councilmember LaPorte seconded to approve Resolution #1282 as stated. Following discussion, the motion passed unanimously.

Resolution #1283 – tape sequence #1270

At 12:39 PM, Mayor Boothman introduced draft Resolution #1283. A resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Brown & Caldwell to provide construction management services during the Wastewater Treatment Plant Expansion & Upgrade. Administrator Fitch explained the particulars of said resolution. Following inquiry, Councilmember Jones moved and Councilmember Gillette seconded to adopt Resolution #1283 as stated. The motion passed unanimously.

Ordinance #1188 – tape sequence #1372

At 12:42 PM, Mayor Boothman introduced draft Ordinance #1188. An ordinance accepting the bills of sale from the Galt Family Trust for certain improvements of the Town water, sanitary sewer, and stormwater systems in the Foxhall Subdivision. Administrator Fitch explained the particulars of said ordinance. Administrator Fitch emphasized that the developer still had some paperwork to accomplish before the ordinance, if approved by Council, would be published in the newspaper and become valid. Following inquiries, Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Ordinance #1188 as stated. Councilmember Brooks suggested adding the words "Phase 2" to the ordinance to help clarify which set of improvements the Town was accepting. Council concurred and the motion and second were amended to reflect said change. The amended motion passed unanimously.

Resolution #1284 – tape sequence #1915

Mayor Boothman introduced draft Resolution #1284. A resolution authorizing the Mayor to execute an agreement for summer traffic control for 2002 and repealing Resolution No. 1274 in its entirety. Administrator Fitch explained that a new agreement for summer traffic control was necessary because Aeronautical Services has chosen to

terminate its contract to manage the Friday Harbor Ferry Terminal. Mr. Fitch explained that Anchor Management Services, Inc. would now be managing said ferry terminal and has agreed to perform the traffic control services. Mr. Fitch indicated that Mike Akin, president of said business, has asked that the liability insurance requirement in Section 4(C) of the draft agreement be amended from "...not less than two (2) million dollars" to "...not less than one (1) million dollars" for this first year of the agreement. Following inquiry and discussion, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1284 changing Section 4(C) as requested. The motion passed unanimously.

Resolution #1280 – tape sequence #2215

At 1:02 PM, Mayor Boothman introduced draft Resolution #1280. A resolution authorizing the Mayor to adopt the Town of Friday Harbor 2002 Housing Report. Land Use Administrator Bertrand acknowledge receipt of an additional letter from San Juan County Planning Director, Laura Arnold, dated 6/14/02 regarding said housing report. Following discussion and inquiry, Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1280 as stated. The motion passed unanimously. Council expressed their appreciation for the excellent work performed by consultants, Jim Slocomb and Shannon Davis.

Administrator's Report – tape sequence #2622

At 1:11 PM, Administrator Fitch announced that the Town will receive a \$50,000 grant from San Juan County's House Bill 2260 funds and per RCW 82.14.370. Mr. Fitch indicated that said funds would be used to help fund the Wastewater Treatment Plant Improvement Project.

Mr. Fitch indicated that the 2002 population number received from the Office of Financial Management states the Town's population at 2045.

Mr. Fitch observed that the Town received a Notice of Violation from the Dept. of Ecology (DOE) because of the sewage discharged into the bay last February when the Dept. of Transportation cut a 5" hole in the Town's 8" submarine sewer main. Mr. Fitch commented that although the Town made arrangements for rapid repairs and later reported the incident the DOE did not feel the report was timely.

Mr. Fitch observed that the Whittier Confidence Foundation has agreed to grant the Town \$43,500 towards the purchase of a new aluminum fireboat. Mr. Fitch acknowledged that the \$20,000 needed from the Town to fund its portion was not budgeted in 2002.

Mr. Fitch mentioned that the sidewalk located near the Convalescent Center on Spring Street needed repairs due to tree roots damaging the concrete walkway. Mr. Fitch indicated that this expenditure was also unbudgeted.

Mr. Fitch asked Council to mark July 11th on their schedules. He explained that because the 4th of July falls on the 1st Thursday of the month, per Friday Harbor Municipal Code the Town Council meetings scheduled for this day will be rescheduled to the following Thursday, which is July 11th.

Ordinance #1191 – tape sequence #3320

At 1:23 PM, Administrator Fitch introduced and explained the particulars of draft Ordinance #1191. An ordinance accepting the Final Plat of the Foxhall Subdivision – Phase 2 to the Town of Friday Harbor. Administrator Fitch explained that because the Council does not meet again until July 11th, and even though the developer has some unfinished paperwork and requirements to accomplish prior to final plat acceptance of the Phase 2 FoxHall Subdivision; this ordinance was brought forth in an effort not to delay the developer's option to sell some of the parcels in said development once all conditions are met, should this happen prior to the next Town Council meeting. Mr. Fitch assured Council that said final plat approval and publication of Ordinance #1191 would not happen until all paperwork and requirements were accomplished. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1191 as stated, with the understanding that said Ordinance would not be published until all conditions have been met by the developer to the Administrator's satisfaction.

Councilmember Brooks asked if the concerns regarding stormwater runoff brought forth by neighboring property owners, George and Nancy Atkins (see letter received in Town Hall on 6/19/02) had been addressed.

Tom Metke, Engineer for the Galt Family, explained how the revised stormwater run-off system would alleviate the Atkins' drainage concerns.

Don Galt Jr., PO Box 1145, assured Council that said revised system would be built shortly and indicated he would produce a letter of commitment stating this accordingly from the Contractor and the Trust.

Heidi Dues, PO Box 2415, asked if the Town's system was adequate to take the extra run-off from this new revised stormwater system development.

Tom Metke answered in the affirmative and emphasized that the project's retention pond could accommodate 19 additional lots from the expected total build out.

Following all inquiry and discussion, the motion on the floor passed unanimously.

Non-agenda

Councilmember LaPorte commented that the Chamber of Commerce is not going to charge the Mayor or Councilmembers to be in the 4th of July parade this year. Mr. LaPorte indicated that Councilmembers would have to provide their own vehicle and their own signage for the parade.

Minutes – tape sequence #337

Councilmember LaPorte moved and Councilmember Gillette seconded to approve the Town Council minutes of June 6, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously.

At 1:40 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – June 20, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, Land Use Administrator Bertrand, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Resolution #1285

Mayor Boothman introduced draft Resolution #1285. A resolution authorizing the Mayor to execute an agreement concerning the location of the common boundary between Lot 2, The Karl Short Plat, and Lot 5, Friday Harbor Playgrounds. Attorney Eaton explained the particulars of how said resolution would adjust the boundary from a moving boundary, coincident with a creek, to a fixed boundary as described on the Short Plat of Betty's Last Stand. Following discussion and inquiries, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1285 as stated. The motion passed unanimously.

Ordinance #1189 – tape sequence #289

Mayor Boothman introduced draft Ordinance #1189. An ordinance amending portions of Ordinance No. 1172 and portions of Title 17, Friday Harbor Municipal Code, relating to Historic Preservation, Height Limitations, Parking Requirements, and Affordable Housing. Land Use Administrator Bertrand explained the particulars of said ordinance. Following inquiries, Councilmember Brooks moved and Councilmember Gillette seconded to adopt Ordinance #1189 as stated. The motion passed unanimously.

Ordinance #1190

Attorney Eaton introduced and explained the particulars of draft Ordinance #1190. An ordinance amending portions of Ordinance No. 1119 and portions of Chapter 20.16, Friday Harbor Municipal Code, relating to administrative approvals. Councilmember Jones moved and Councilmember Gillette seconded to adopt Ordinance #1190 as stated. The motion passed unanimously.

Amendments to 2001 Comprehensive Plan Discussion

Land Use Administrator Bertrand asked Council to abstain from discussing the reclassification requests during this discussion. Mr. Bertrand indicated that an additional public hearing is scheduled on 7/11/02, and additional public input may be heard at that

time regarding reclassifications. Attorney Eaton explained procedural differences between legislative and quasi-judicial public hearings and how the Growth Management Act has changed the reclassification process.

Discussion followed regarding proposed amendments, other than reclassification requests, to the 2001 Comprehensive Plan. Administrator Fitch inquired if Community Trade and Economic Development (CTED) had reviewed proposed amendments and if they had any concerns. Mr. Bertrand indicated that only verbal comments had been received from CTED at this time; but that written comments were expected before the end of the 60-day comment period and ready for Council review at the July 18th Council meeting. Following further discussion and inquiry, it was the unanimous consensus of Council that further changes were not necessary and that staff could proceed with printing said document, awaiting CTED written comments and excluding maps, as they may be impacted by reclassifications.

Claims – tape sequence #1370

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the payment of claim warrants #21519 through 21581 in the amount of \$141,152.71. The motion passed unanimously.

Non-agenda – tape sequence #1380

Councilmember Rosenfeld distributed a letter dated 6/20/02 regarding a previous proposal to merge the Town fire department and fire district #3 together.

Councilmember Rosenfeld suggested discussing a noise ordinance. A brief discussion followed regarding enforcement issues and past history. No specific direction was given to staff to pursue the issue further.

At 6:20 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 45 minutes with no action anticipated.

At 7:16 PM, hearing no objection, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Hearing no further business before the Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 11, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Town Council did not meet on July 4th due to the holiday. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld. Others present: Town Administrator Fitch, Treasurer Picinich, Land Use Administrator Bertrand, **Sewer** Department Leadman Reitan, & Clerk Wilson. Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Amara Zee, 5658 West Side Road, & Assistant Director of Camp Eagle Rock, proposed that Camp Eagle Rock, an Island Rec program, paint a mural on the construction wall on First Street. Councilmember LaPorte expressed concerns regarding blocking the pedestrian walkway at said site. Administrator Fitch expressed concerns regarding paint by-products being washed into the Town's storm drainage system. Land Use Administrator suggested that the camp paint their mural elsewhere and then bring the dried mural to said site and attach it to the construction wall. Following discussion, Council approved Ms. Zee's request, as long as the painting occurred elsewhere and that the property owners of said construction wall gave their approval.

San Juan County Commissioner Update

At 12:07 PM, San Juan County Commissioner Nielsen reported on County revenues as of May 2002. Ms. Nielsen indicated that the County was still interested in purchasing the Town's Solid Waste Facility on Sutton Road. Ms. Nielsen acknowledged receipt of the Town's request to annex a portion of the Airport. Ms. Nielsen reported on efforts to establish a local Economic Development Council; the July 23, 2002 Ferry Advisory Committee work session scheduled in the Commissioner's Hearing room at 2:30 PM and the positive impact the passage of Referendum #51 would have on the ferry system; and affordable housing and the proposed local ballot issue regarding a .5% real estate excise tax to support affordable housing. Ms. Nielsen admitted concerns with the Town's recently adopted 2002 Housing Report. Discussion and inquiry occurred regarding various subjects addressed by Ms. Nielsen.

Resolution #1286 – tape sequence #950

At 12:28 PM, Mayor Boothman introduced draft Resolution #1286. A resolution authorizing the Mayor to accept a proposal from, and execute a purchase agreement with, Island Petroleum Services to provide motor fuels to the Town of Friday Harbor from August 1, 2002 through July 31, 2003. Administrator Fitch explained the particulars of said resolution. Councilmember Gillette moved and Councilmember Jones seconded to adopt Resolution #1286 as stated. The motion passed unanimously.

Council discussion of Wastewater Treatment Plant Improvement bids – tape sequence #1025

Brad Musick, Brown & Caldwell, principle engineer in charge of the Wastewater Treatment Plant (WWTP) Improvement Project, gave a project update presentation. Because the bids received for said project came in at \$1.5 million over the engineer's estimate, Mr. Musick presented various alternatives and their advantages and disadvantages. Brown & Caldwell and Town staff recommended awarding the project to

the low bidder and then negotiating deductive change orders to lower the total project price.

Discussion followed regarding the construction timeline; legalities of changing the project following bid award; other items that could possibly be eliminated; the time associated with rebidding the project; and the present bidding climate.

Council did not make a decision at this time. Further discussion regarding said project funding is scheduled for the evening Town Council meeting.

Administrator's Report – tape sequence #3220

Administrator Fitch reported that construction on the Islander's Addition Subdivision should begin next Monday. Mr. Fitch observed that the Trout Lake Reservoir is experiencing an algae bloom and that a press release had been issued regarding same.

Land Use Administrator Bertrand asked if Council wanted to have a second joint public hearing with the Planning Commission on July 25th to hear further testimony regarding comprehensive plan land redesignations. Council declined to attend the public hearing.

Mr. Fitch asked if Council wanted Attorney Eaton to continue working with the Port's Attorney to draft an interlocal agreement with the Port of Friday Harbor to jointly purchase a new fireboat. At this point, Councilmember Jones distributed a paper titled "Fireboat Talking Points". After reviewing said points, Councilmember Jones moved and Councilmember Gillette seconded to commit the Town to purchase a fireboat subject to the drafting of a mutually agreed upon inter-local agreement. Administrator Fitch expressed concerns regarding the Port's unknown expectations regarding said fireboat. Following further discussion, the motion passed unanimously.

Non-agenda – tape 2 sequence #200

Mayor Boothman indicated that Tom Schultz has volunteered to chair the new San Juan County Economic Development Committee.

At 1:37 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 11, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Wastewater Treatment Plant funding options

Councilmember Jones inquired if staff agreed with the Brown and Caldwell recommendation as stated at the noon Town Council meeting. Administrator Fitch advocated in the affirmative. Councilmember Jones inquired if the Stellar J. Corp. had completed projects of this type previously. Administrator Fitch responded in the affirmative and indicated that the company is very highly recommended.

At 5:37 PM, Attorney Eaton arrived.

Administrator Fitch outlined the different customer classes of users and how each class of user impacts the Wastewater Treatment Plant (WWTP). Administrator Fitch indicated that while single family residential sewer customers make up 58% of the users, they only use 28% of the capacity of the WWTP. Administrator Fitch outlined user fee revenues. Administrator Fitch reminded the Council that had they raised sewer rates as suggested in the 1996 Rate Study the Town would currently have the funds to build the new treatment plant.

Council asked if there were grant funds available. Treasurer Picinich responded that efforts towards locating a grant were unsuccessful.

Council discussed a property tax increase.

Lee Sturdivant, 745 Larsen Street, suggested the Town raise its sales tax to raise money for said plant. Administrator Fitch explained that only the State can raise sales taxes.

Councilmember Gillette suggested reworking and rebidding the project at a later date. Following inquiry, Donny Reitan, Sewer Dept. Leadman, indicated that the engineer's cost estimate to revise the specifications and rebid the project is \$60,000.

Councilmember LaPorte suggested that staff recommend an avenue to raise the necessary funding for the project.

Sharon Kivisto, local reporter, asked if the Town had the ability to increase its property taxes by the percentages untaken in prior years. Staff will research this question.

Discussion continued regarding various funding options. Following discussion, Council asked staff to produce several rate structures showing the impact of increased sewer rates on different classes of users.

Minutes – tape 2 sequence #13

Councilmember Rosenfeld moved and Councilmember Jones seconded to approve the Town Council minutes of June 20, 2002 noon and 5:30 PM as written. Councilmember Brooks noted an error on page 2 of said noon meeting. The motion and second were amended to correct the minutes as amended. The motion passed unanimously.

Payroll/Claims

Councilmember LaPorte moved and Councilmember Jones seconded to approve the payment of claim warrants #21587 through #21667 in the amount of \$225,457.73 and payroll warrants #8759 through #8840 in the amount of \$140,534.35. The motion passed unanimously.

Non-agenda – tape sequence #84

Councilmember LaPorte suggested a wage increase for the Fire Marshal from \$77.25 to \$577.25 effective August 1st, 2002. Councilmember Jones seconded the motion.

Councilmember Rosenfeld asked for the basis of such a substantial increase in wage.

Councilmember LaPorte indicated that without a wage increase he felt the employee who fills this position might leave Town employment.

Councilmember Rosenfeld asked to review the job description for the Fire Marshal position.

Administrator Fitch asked if Council would consider a similar increase in wages for the Town Marshal who manages the Town's parking enforcement and code enforcement programs for an annual salary of \$10.

Councilmember Brooks asked if the duties of the Town Marshal were already incorporated into the duties of another position. Administrator Fitch explained that this was true in both the Town Marshal and Town Fire Marshal positions. Administrator Fitch elaborated that one of the justifications to hire a full-time Fire Chief a couple years ago was that the full-time Chief's position would perform the duties of the Fire Marshal also. Administrator Fitch explained that consequently the current Fire Chief's wage includes the Fire Marshal duties.

Councilmember Brooks suggested to Councilmember LaPorte that perhaps an increase in the Fire Chief's wage was more appropriate. Councilmember LaPorte responded that the Fire Chief position was part of the labor union and therefore was not subject to receive an increase in wages outside of the union contract, whereas the Fire Marshal position was not in the labor union.

Administrator Fitch explained that the usual procedure when the Town has increased wages in the past has been through a draft ordinance brought to Council for discussion. The motion and second were amended to ask staff to bring forth a draft wage ordinance increasing the Fire Marshal's wages at the next Town Council meeting. The motion passed unanimously.

Councilmember Gillette suggested holding off on the mailing of the new recycling brochure. Mr. Gillette suggested increasing the amount of recycling that the Town collected to include paper, newspaper, and cardboard to match San Juan County's recycle program at Sutton Road.

Town Council – July 18, 2002 @ 12:00 PM

Mike Wilks, Utilities Superintendent, indicated that an additional employee might be necessary should the Town begin collection of these added recyclables.

Mayor Boothman suggested that staff gathers the financial analysis regarding Councilmember Gillette's suggestion and presents it at a future Council meeting.

Pam Fitch, County Resident, pointed out that the County Solid Waste site accepts recyclable products, but they do not go to each resident's home and collect them as the Town does. Ms. Fitch indicated that if the Town residents wanted to make an environmental stand, they always had the option of taking their additional recycle products to the Solid Waste Facility along with the County residents.

Following discussion, it was decided to mail the recycle brochure as produced.

Councilmember Rosenfeld noted that some residents complained to him regarding parking enforcement on the 4th of July. Administrator Fitch noted that the current Town ordinance enforces parking every day except Sunday, including holidays.

Councilmember Rosenfeld suggested placing signs around Town that designate the Town's historic district and also ask for voluntary compliance with turning car radios downward.

Councilmember Rosenfeld asked staff to research the public art ordinance as drafted by the Planning Commission last year during the comprehensive planning process. Administrator Fitch indicated he would find out what happened to said draft.

Executive Session

At 7:27 PM, hearing no objection from Council, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 25 minutes with no action anticipated.

At 8:18 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Hearing no further business before the Council, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 18, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld. Others present: Town Administrator Fitch, Treasurer Picinich, Utilities Superintendent Wilks, Land Use Administrator Bertrand, Fire Chief Low, & Clerk Wilson. Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Arnie Klaus, 96 Grover Street & Executive Director of San Juan Community Home Trust, asked Council to write a letter of support to accompany a Home Trust grant application to the State.

Departmental Reports – tape sequence #226

Fire Chief Low reported on various projects and activities in the Fire Department. Mr. Low reported that 51 fire calls have been received since the beginning of the year, 2 more than last year at this same time.

Councilmember Rosenfeld inquired about the results of the joint meeting with Fire District #3 regarding the May 9th fire at Spring and 1st Streets. Mr. Low did not remember the particulars of the meeting. Councilmember Jones, who attended the meeting as a firefighter, remembered that the only outcome of concern was that the self-contained breathing apparatus units (SCBA) used by each department were incompatible.

Councilmember Gillette asked the approximate cost of replacing the SCBA's with compatible units. Chief Low estimated the cost at \$80,000. Councilmember Jones indicated that grant money had been applied for to replace SCBA equipment.

Councilmember Rosenfeld asked Treasurer Picinich if money was continuing to be set aside to purchase said apparatus. Treasurer Picinich stressed that the money previously set aside for new breathing apparatus had been used to purchase the Fire Chief a new command vehicle.

At 12:30 PM, Land Use Administrator Bertrand reported on various projects and activities in the Community Development Department. Mr. Bertrand noted that less building fees were collected over the first 6 months of this year compared to the first 6 months of last year. Mr. Bertrand reported that comments from the Office of Community Development were favorable regarding the Town's draft Comprehensive Plan. Mr. Bertrand specified that the public art ordinance drafted by the Planning Commission last year was delayed due to other pressing issues and would be reevaluated again this fall, time permitting.

Planning Commission Nominees – tape sequence #1195

Mayor Boothman asked Council to confirm the re-appointment of Planning Commission members Debbie Emery, position #1 and Jennifer Fitch, position #7, as their terms expired on 7/7/02. Mayor Boothman also asked Council to confirm the appointment of Jeff Iverson to position #4 and Christopher Burke to position #6. Councilmember Rosenfeld moved and Councilmember Brooks seconded to re-appoint and confirm the above-described planning commission members. The motion passed unanimously.

Discussion Historic Preservation Regulations – tape sequence #1330

Mayor Boothman opened the discussion regarding historic preservation regulations. Land Use Administrator Bertrand indicated that the historic building inventory data available is still in its preliminary stages and has not been ranked. Mr. Bertrand emphasized that the Historic Preservation Review Board has also not reviewed the data fully as yet.

Councilmember Jones maintained that the Historic Preservation Manual is silent regarding demolition of historic structures. Mr. Jones requested that staff develop a priority list of the most important historic structures to be protected.

Councilmember LaPorte suggested that those buildings not in the historic overlay district be eliminated.

Ordinance #1192 – tape sequence #1635

Mayor Boothman introduced draft ordinance #1192. An ordinance fixing the salaries of officials and non-represented personnel. Because the only wage increase on said ordinance was for the fire marshal position, Mayor Boothman noted receipt of letters from five other non-represented personnel asking for the same wage increase proposed for the fire marshal position.

Councilmember Brooks expressed amazement at the responsibilities listed under the fire marshal duties as drafted by the Fire Chief.

Councilmember Rosenfeld explained that the duties of the Fire Chief and Fire Marshal are similar in nature and that if one person is performing both positions it is difficult to draw a line to separate which position is doing which task.

Councilmember Brooks suggested tabling said draft ordinance until a better demarcation between the duties of the two different jobs could be attained.

Discussion followed regarding combining the two positions; maintaining administrative flexibility; and the Fire Chief's current salary.

Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1192 as stated.

Councilmember Rosenfeld stressed that the Town personnel are upset about this issue and passing this ordinance will cause a morale issue.

Councilmember Rosenfeld pointed out that the Town was on the verge of building a new sewer plant and possibly increasing the Town's sewer rates and that it was not the proper time to be increasing anyone's wage. Councilmember Rosenfeld also mentioned the necessity to save for future infrastructure improvements. Mr. Rosenfeld suggested that an employee evaluation should be performed before a wage increase is considered.

Councilmember Brooks inquired if the Town would be able to replace a Fire Chief at the Chief's current wage.

Councilmember Rosenfeld, having held the Fire Chief position previously, maintained that the Town could very easily attract a qualified Fire Chief at the current wage.

Councilmember LaPorte observed that other local Fire Chiefs have substantially larger salaries than the Town Fire Chief. Councilmember Rosenfeld observed that they also have substantially larger jurisdictions.

In answer to Councilmember Brooks' question, Administrator Fitch explained that other cities and Towns of our same size do not generally have a paid full-time Fire Chief and if you look at cities with a population of 5000 they are paying their chief approximately \$2,200 per month. Administrator Fitch acknowledged that it was true that compared to other local Fire Chiefs the current Fire Chief's wage was smaller.

Councilmember Rosenfeld implored Council to consider the ramifications of this decision. He emphasized that Council should do what is best for the Town's residents, stating that it was not right to burden them further.

Councilmember Rosenfeld mentioned that four years ago a committee had sat down together and discussed merging Fire District #3 with the Town, at the time it was determined that such a merge was not advantageous to the Town. Mr. Rosenfeld observed that because of the continuing growth of the Fire Department's budget, now might be a good time to re-look at merging the departments to save the Town's constituents money.

Mayor Boothman disagreed that merging the two fire departments would save the Town residents money based on the findings of the committee four years ago.

Following discussion, the motion passed 3 to 2 with Councilmember Brooks and Councilmember Rosenfeld against.

Administrator's Report – tape sequence #2870

Administrator Fitch stated that both the Thrifthouse and Food Bank, who are currently located on Town **sewer** department property on Tucker Avenue, have found new locations for their activities.

Administrator Fitch reported on a meeting with the Adelphia cablevision franchise representatives. Mr. Fitch indicated that the present franchise agreement would expire in 2004 and a new agreement will need to be negotiated.

Administrator Fitch reported that it appears that the Town and County regulations regarding political campaign signs are out of compliance with recent court cases.

Administrator Fitch noted that the public hearing for the six year transportation improvement plan will be held on August 1st.

Administrator Fitch asked for direction regarding funding options to improve the Wastewater Treatment Plant. Mr. Fitch asked if Council wanted to focus on a sewer rate increase or a property tax increase. Councilmember Brooks and Rosenfeld asked to see both proposals.

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Non-agenda

Councilmember Rosenfeld moved and Councilmember Brooks seconded to request the Mayor draft a letter for Council signature in support of the San Juan Communities Home Trust's grant application. The motion passed unanimously.

At 1:21 PM, hearing no further business before the Council, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 18, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, Utilities Superintendent Wilks, Land Use Administrator Bertrand, Sewer Dept. Leadman Reitan, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Mayor Boothman declared July 27th, 2002 as Nicholas J. Lehman Day and encouraged all members of our community to join in honoring his noteworthy achievements, and congratulate him for his dedication and commitment in attaining the rank of Eagle Scout.

Shoreline Substantial Development Permit (SSDP) #71 Public Hearing – tape sequence #129

At 5:35 PM, Mayor Boothman opened the public hearing regarding the Town and Port of Friday Harbor's Shoreline Management Substantial Development Permit Application #71 at 175 Front Street North.

Hearing no objection to his or any other Councilmembers participation, Mayor Boothman instructed those present of the procedures that would be followed and asked Land Use Administrator Bertrand to present the staff report.

Mr. Bertrand summarized the four-page staff report dated 6/26/02. Mr. Bertrand noted that said staff report recommends approval of SSDP Application #71 as conditioned in the Revised Cleanup Action Plan prepared by GeoEngineers.

Kevin Peterson, 165 White Point and Port Planning Consultant, gave an overview of the proposed project using Exhibit A for visual reference. Mr. Peterson explained the two major

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components of the project were to clean up the former Unocal Site and build a vehicular turn around at the east end of Front Street.

Councilmember Gillette inquired if a loading zone is an element of the proposed project. Mr. Peterson responded that a bus loading zone would be added near the current grassy area near the Port offices.

Councilmember LaPorte inquired if Front Street would lose parking spaces due to the project. Mr. Peterson answered in the affirmative, but added that the upper parking lot would be gaining parking spaces.

Councilmember Brooks inquired about winter driving conditions. Mr. Peterson indicated that a stout gravel base on the excavated areas would be used during the winter months.

Steve Simpson, Port Director, acknowledged that the proposed project was part of the Friday Harbor Intermodal Facility Study adopted in 1998 by the Town.

Mayor Boothman inquired if sidewalks would be added to the west side of Front Street. Mr. Simpson answered no, but suggested moving the centerline to make an area for pedestrian travel.

Councilmember Rosenfeld inquired if a second access road into the Port would be beneficial. Mr. Simpson indicated that another access road would be advantageous, but in the past attaining the necessary right of way had been difficult.

Mr. Bertrand asked Council to add a provision that should the Unocal cleanup scope of work go outside of the turnaround project into the Town's right of way, that Unocal would be responsible to bring that surface back up to Town standards. Council agreed with this stipulation.

Mayor Boothman asked if they would be taking all of the Unocal contaminates elsewhere or if they would be "capping" it. Mr. Bertrand indicated that the project called for the contaminates to be taken elsewhere for proper disposal.

Attorney Eaton specified that Unocal has voluntarily agreed to cleanup the site and that DOE has approved the cleanup plan and process.

At 5:58 PM, hearing no further comments from the audience, staff, or Council, Mayor Boothman declared the public input portion of the meeting closed.

Councilmember LaPorte moved and Councilmember Gillette seconded to approve the Port of Friday Harbor's Shoreline Management Substantial Development Permit #71 located at 175 Front Street North adding the additional provision as proposed by Land Use Administrator Bertrand. The motion passed unanimously.

Wastewater Treatment Plant Funding – tape sequence #1135

Mayor Boothman opened the Wastewater Treatment Plant (WWTP) Improvements funding discussion asking Council the direction they wanted to undertake regarding same.

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Discussion began with the proposal to revisit the consequences of not improving the WWTP; previous Council decisions; and penalties for operating outside of the Town's approved discharge permit.

Sewer Plant Leadman, Donny Reitan, observed that current infrastructure was near failure and could put the Town out of compliance with its discharge permit if a failure should occur.

Councilmember Gillette suggested revising the construction specifications and rebidding the project. Discussion continued regarding availability of contractors; availability of spare equipment; contractor mobilization; weather; and other similar projects throughout the state and how they might have impacted our bidding prices. Following discussion, it was the consensus of Council to proceed forward with said improvements to the WWTP.

Discussion began regarding possible funding solutions. San Juan County Assessor, Paul Dossett, suggested the Town obtain a general obligation bond. He advocated that property values within Town would decrease if hookups to the Town's sewer system were not available due to limited plant capacity.

Administrator Fitch commented that previous infrastructure improvements had been funded through the rate structure system because the rates are explainable and defensible to the public and put the burden on the ones who utilize the system rather than on owners of undeveloped property.

Councilmember Brooks asked that all funding options be presented to Council to better analyze the best option.

Discussion continued regarding the advantages and disadvantages of a general obligation bond and sewer rate structure increases.

Following inquiry, Administrator Fitch indicated that in his opinion Option 1, which distributed the funding shortfall between customers' base and use by 45% & 55%, was the fairest way to distribute the costs to sewer customers.

Discussion followed regarding a combining a rate increase and property tax increase to raise the necessary funding for said project; how low income single family residents will be impacted by an increase; and if eliminating certain budgeted items within the Current Expense Fund could help fund said plant.

Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1287. A resolution authorizing the Mayor to execute a contract for improvements to its Wastewater Treatment Plant.

Councilmember Gillette urged Council to rebid the project stating beliefs that rebidding the project would save the Town money.

Sewer Department Leadman Reitan and Utilities Superintendent Wilks expressed their concerns with delaying the project.

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Councilmember Gillette moved to table Resolution #1287 until the next meeting. The motion died for lack of a second.

The motion to adopt Resolution #1287 passed 4 to 1, with Councilmember Gillette in the opposition.

Claims & Payroll – tape sequence #1450

Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the payment of claim warrants #21669 through 21703 in the amount of \$32,639.96 and payroll warrants #8759 through 8840 in the amount of \$140,534.35. The motion passed unanimously.

Non-agenda

Councilmember Rosenfeld expressed concerns of actions by various members of the Fire Department.

Executive Session

At 7:45 PM, hearing no objection from Council, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 25 minutes with no action anticipated.

Sharon Kivisto, local reporter, questioned the legality of the Town going into executive session to discuss property acquisition when San Juan County had announced at the recent Solid Waste Advisory Committee that the Town had agreed to sell the Sutton Road property to them. Consequently if an amount had been agreed upon then under RCW 42.30.110(c) executive session discussion was not necessary, because it would not hinder the minimum price at which real estate would be offered for sale.

Attorney Eaton explained that a formal deal had not been consummated and therefore open discussion could possibly hinder the property acquisition.

At 7:51 PM, hearing no further comments, Mayor Boothman declared the meeting in executive session.

At 8:13 PM, hearing no objection, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Hearing no further business before Council, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 2002

Town Council – August 1, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld. Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson.

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Sharon Kivisto, local reporter and San Juan Island resident at 82 De Haro Lane, spoke in regards to Council reconsideration of Resolution #1287 and recent communications between Councilmembers outside of an open meeting. She respectfully requested that the Council and Mayor review the open public meetings act and follow the spirit of the law.

Mayor Boothman indicated that Attorney Eaton was in attendance to give a summary of the open public meeting act.

Attorney Eaton explained how challenges to a violation of the open public meetings act (OPMA) are handled by the court. Mr. Eaton emphasized the importance of following the spirit of the act. Mr. Eaton explained that the act asserts that a governing body does not have the right to decide what the public should know and what the public should not know, therefore all action should take place at a meeting open to the public; except for those items permitted to be closed to the public under executive session rules. Attorney Eaton further explained that under the act, the definition of "action" includes discussion.

Attorney Eaton observed that the "medium" of contact is not relevant, be it telephone, email, or in person, but rather that three Councilmembers could not discuss Town business either together, sequentially, or serially, because this in essence violates the OPMA.

Mr. Eaton specified that two Councilmembers could speak of Town business because this was not a quorum of the Council, but neither of these two Councilmembers should then speak to a third Councilmember regarding the same subject matter.

Attorney Eaton further explained other features of the OPMA and in conclusion stated that elected government officials and employees should be vigilant not to erode public trust and should go out of their way to follow the spirit of said act.

Mayor Boothman publicly apologized for misinterpreting the OPMA and offering improper advice to Councilmember Gillette.

Mayor Boothman explained that consequently because of discussions with Councilmember Gillette, Resolution #1287 was again on the Town Council agenda. Mayor Boothman asked if a Councilmember, who voted in favor of the passage of Resolution #1287 on July 18th, 2002 wanted to move to reconsider said resolution.

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to reconsider Resolution #1287. Councilmember LaPorte and Rosenfeld stated that they felt it was in the best interests of the public to discuss said resolution further. Mayor Boothman introduced draft

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Resolution #1287. A resolution authorizing the Mayor to execute a contract for improvements to its Wastewater Treatment Plant.

Councilmember Gillette explained various phone conversations with other wastewater treatment plant personnel throughout the United States regarding sludge-drying equipment; summarized viable alternatives regarding the Town's biosolids; and presented numerous rationales for rebidding the Wastewater Treatment Plant Improvement project.

Discussion and inquiry ensued during the above presentation from staff, Council, and Brown & Caldwell Engineering consultants. Following discussion and inquiry, Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Resolution #1287 as presented. The motion passed 4 to 1, with Councilmember Gillette in the opposition.

Mayor Boothman thanked Councilmember Gillette for his dedication to the Town's citizens and the obvious effort put forth in his presentation. Council concurred.

At 1:41 PM, Mayor Boothman postponed further agenda items until the evening Town Council meeting and hearing no objection declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – August 1, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Six Year Road Plan Public Hearing

At 5:33 PM, Mayor Boothman opened the public hearing on the Town's Six Year Road Transportation Plan.

Richard Pederson, 475 Green Way, asked that the Town fix a 350' section of road where Spruce Street meets with Rose Lane in the Evergreen Subdivision. Mr. Pederson observed that this section of road is not sloped properly and therefore causes drainage problems. Mr. Pederson asked for guidance regarding other actions the Home Owner's Association might take to solve said problem.

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Mayor Boothman suggested the Home Owner's Association could form a local improvement district (LID) to finance said local improvements.

Administrator Fitch explained that this subdivision's development drainage tribulations are long standing due to the low lying area of the development.

Following discussion, Council asked Administrator Fitch to research the cost of improving the 350' section at Spruce Street and Rose Lane. Administrator Fitch agreed to research the improvement costs.

Mayor Boothman noted an email to the Town from Denice Brown requesting sidewalk improvements on Tucker Avenue.

Discussion began regarding the appropriate time to bring forth suggested street and sidewalk improvements. Administrator Fitch explained that other than major projects, which are designated in the 6-year road plan, other improvements should be discussed during the budget process.

Discussion followed regarding various needed improvements of Town streets and sidewalks.

At 6:01 PM, hearing no further comments, Mayor Boothman closed the public hearing portion of the meeting and introduced draft Resolution #1288. A resolution providing for a Six Year Transportation Improvement Program for the years 2003 through 2008.

Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1288 as stated. The motion passed unanimously.

Discussion of Wastewater Treatment Plant funding options

At 6:03 PM, Mayor Boothman opened discussion of Wastewater Treatment Plant (WWTP) funding options. Administrator Fitch presented a revised rate option 1, which distributed the funding shortfall equally between customers' base and use charge by 50% each.

Discussion followed regarding the merits of increasing the sewer usage rates, along with increasing the sewer hookup fees or increasing sewer usage rates along with a general obligation bond to raise said funds.

Administrator Fitch encouraged Council to place the increase on the users of the WWTP. Mr. Fitch noted that a general obligation bond would leave those tax-exempt properties, who currently impact the sewer system, free from paying any portion of the necessary funding. Mr. Fitch also speculated on the legalities of a future sewer hookup moratorium should an undeveloped property owner protest that they had been paying property taxes for said plant. Mr. Fitch commented that said property owner might feel they have a privilege to connect to the sewer system after paying said general obligation property taxes.

Councilmember Rosenfeld suggested slowly eliminating the Sheriff department budget to liberate funds for other necessary Town improvements without further burdening Town residents. Councilmember Rosenfeld questioned why Town residents pay property taxes for protection services and then again have to pay for the Sheriff's contract through the Town's

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budget. Mr. Rosenfeld asked if citizens in Eastsound or Lopez Center are required to pay additional monies to the Sheriff's Department for their protection.

Mayor Boothman responded that Sheriff Cumming might argue that the Town obtains additional services for its contract.

Administrator Fitch indicated that Sheriff Cumming maintains that the Town's contract helps to pay for additional deputies on San Juan Island and hence benefits the Town.

Councilmember Jones asked the length of time the Town has been contracting with the Sheriff's department for protection services. Attorney Eaton felt the contract had been in service since the early 1980's.

Discussion followed regarding the timeline for increasing utility rates or notification of the San Juan Election's office to place a general obligation bond issue on the ballot.

Councilmember Brooks expressed concern that increasing sewer rates may adversely affect affordable housing.

General discussion continued regarding the Town's hookup fee rate and its comparison to other jurisdictions and the possibility of increasing sewer hookup rates to more accurately reflect the cost of buying into current infrastructure costs.

Treasurer Picinich pointed out that property owners within the Town's urban growth area, who once annexed will be able to hookup to the Town's sewer system, would not be paying anything towards the current funding shortfall if funding is raised through a general obligation bond.

Administrator Fitch maintained that raising the funding shortfall for said project through the sewer rates is the fairest way to impact Town residents. Mr. Fitch indicated that raising said shortfall through a general obligation property tax increase would impact large complexes that may have a high property value, but might only have one or two bathrooms, and consequently impact the WWTP very little.

Following further general discussion regarding sewer rates, property taxes, sewer hookup fees, etc., it was the consensus of Council to focus the raising of the necessary funding shortfall through a sewer rate increase using the revised Option 1 and a sewer hookup increase. Administrator Fitch indicated that he would have Traci Dunlap of Financial Consultings Group, do a rate study to determine the actual sewer rate increase necessary to raise the WWTP Improvement project funding shortfall.

Administrator's Report – tape 2 sequence #487

Administrator Fitch reported that the Town has received an insurance claim involving the refuse truck in regards to car damage on the 4th of July and asked Council to approve the forwarding of said insurance claim to the Town's insurance carrier. Councilmember Jones moved and Councilmember LaPorte seconded to approve the forward of said claim to the Town's insurance carrier. The motion passed unanimously.

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Administrator Fitch noted that Camp Eagle Rock has asked to modify their mural proposal as presented to the Town Council on July 11th at the noon meeting. The modification is to relocate the mural to the corner of Spring and First Streets to increase visibility of the mural. Council did not object to this proposed relocation.

Administrator Fitch introduced draft Resolution #1290. A resolution authorizing the Town Treasurer to cancel warrants and/or checks. Treasurer Picinich explained the particulars of said resolution. Councilmember LaPorte moved to adopt Resolution #1290 as stated with one typographical correction. Councilmember Jones seconded the motion. The motion passed unanimously.

Administrator Fitch introduced draft Resolution #1291. A resolution authorizing the Town Treasurer to initiate an inter-fund loan between the Current Expense Fund and the Fire/Refuse Bond Redemption Fund. Treasurer Picinich explained the particulars of said resolution. Councilmember Brooks moved and Councilmember Rosenfeld seconded to adopt Resolution #1291 as stated. The motion passed unanimously.

Administrator Fitch introduced draft Resolution #1289. A resolution authorizing the Mayor to execute an intergovernmental agreement with San Juan Island Emergency Medical Services for radio transmission services and repealing Resolution #1275 in its entirety. Administrator Fitch explained the particulars of said resolution. Councilmember Rosenfeld moved and Councilmember LaPorte seconded to adopt Resolution #1289 as stated. The motion passed unanimously.

Administrator Fitch and Treasurer Picinich reviewed 2002 sales tax receipts.

Administrator Fitch indicated that the Town received its annual risk management assessment from Fred Cromley of the Association of Washington Cities (AWC) Risk Management Division. Mr. Fitch noted that Mr. Cromley suggested the Town take advantage of a free presentation regarding the open public meetings act and quasi-judicial hearings provided by AWC. Council concurred and agreed to meet in either September or November depending upon scheduling with AWC.

Minutes

Councilmember LaPorte moved and Councilmember Jones seconded to approve the Town Council minutes of July 11, 2002 noon and 5:30 PM and July 18th, 2002 noon and 5:30 PM meetings with corrections as submitted by Town Clerk Wilson and suggested by Councilmember Jones. The motion passed 4 to 1 with Councilmember Brooks in the opposition.

Claims/Payroll – tape sequence #1145

Councilmember Rosenfeld moved and Councilmember Brooks seconded to approve the payment of claim warrants #21706 through #21762 in the amount of \$110,973.81 and payroll warrants #8842 through #8887 in the amount of \$146,791.22. The motion passed unanimously.

Non-agenda

Councilmember Brooks suggested that a sidewalk yellow zone may be necessary at the Sustainable Technology Center due to limited site distance. Administrator Fitch indicated that he would have Utilities Superintendent Wilks investigate the situation.

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Treasurer Picinich indicated that the 2002 Budget with full narrative was available for review.

Councilmember Rosenfeld asked that agenda items that have the potential to proceed longer than expected be placed on the evening agenda to accommodate daytime work schedules. Mayor Boothman assured Council that efforts were made in this direction.

Councilmember Rosenfeld noted that the bill for \$10,800 from San Juan Island Fire District #3 to assist the Town at the May 9th fire would be eliminated if the Town were annexed into said Fire District's area. Mr. Rosenfeld suggested it was time to explore other alternatives.

Councilmember Gillette suggested placing a vote of confirmation for the Town Fire Department on a future agenda.

Executive Session

At 7:43 PM Mayor Boothman declared a short recess. At 7:48 PM, Mayor Boothman called the meeting back to order and hearing no objection, declared the meeting in executive session for approximately 25 minutes with possible action anticipated.

Return to Regular Session

At 8:43 PM, Mayor Boothman declared the meeting back in regular session.

Councilmember Gillette moved and Councilmember Rosenfeld seconded to authorize Attorney Eaton to send a letter to the San Juan County Prosecutor regarding terms and conditions for San Juan County to purchase the Town's Sutton Road property. The motion passed unanimously.

Councilmember Jones moved and Councilmember Brooks seconded to approve the Town attain an appraisal of the former Browne Lumber property located at 330 Spring Street. The motion passed 4 to 1 with Councilmember LaPorte in the opposition.

At 8:45 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – August 15, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Utilities

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Superintendent Wilks, Systems Administrator Dubail, Land Use Administrator Bertrand, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Robert Alexander, 595 Linder Street, asked Council to proactively monitor and oversee the Sheriff's Department handling of criminal activities within Town limits.

Bob Charters, 198 Cape Drive and San Juan Island Food Bank representative, indicated that prior to the Food Bank being allowed to move into their new location near the Mullis Senior Center the Town requires a paved parking area. Mr. Charters asked Council to support the Food Bank by contributing to a paving fund. Mr. Charters approximated the cost of paving at \$4,000 to \$5,000.

Andrew Seltzer, representative for the San Juan Public Access Consortium, asked Council to abide by the franchise agreement with Adelphia Cablevision.

Sheriff's Report – tape sequence #620

At 12:20 PM, Sheriff Cumming distributed the July 2002 Sheriff's Department activities report.

Councilmember LaPorte inquired if information from the Sheriff's Department was limited because of pending legal matters. Sheriff Cumming answered in the affirmative.

Councilmember Brooks inquired about outside agencies, such as the Drug Enforcement Agency, and their involvement in local investigations. Mr. Cumming indicated that outside agencies occasionally work together with the Sheriff's department.

Councilmember Rosenfeld commented that with the Growth Management Act requiring more and more affordable housing within Town limits perhaps the Sheriff could do something more proactive to assure Town residents of their safety.

Following further discussion and inquiry, Mayor Boothman thanked Sheriff Cumming for his report.

Departmental Reports – tape sequence #1009

Utilities Superintendent Wilks reported on the completion of the .5 million gallon water reservoir improvement project; the level of Trout Lake (28" below spillway), water production, and rainfall compared to the previous year. Mr. Wilks reported on current and upcoming activities within the Utilities Department. Following discussion and inquiry, Mayor Boothman thanked Mr. Wilks for his report.

System Administrator Dubail distributed and summarized the July/August 2002 activity report for the System Administration Department. Following discussion and inquiry, Mayor Boothman thanked Mr. Dubail for his report.

Historic Preservation Review – tape sequence #1518

Historic Preservation Coordinator Larsen explained how properties are traditionally placed on National, State, and Local historic registers. Ms. Larsen explained that the public does not

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always perceive the placement on a historic register as favorable for their property. Ms. Larsen suggested allowing the Historic Preservation Review Board to prioritize/rank local historic sites and develop criteria, forms, and benefits for local historic designation to be consistent with the Historic Preservation Review Manual. Ms. Larsen distributed historic preservation information for Council review.

Discussion followed regarding the number of properties to be evaluated; budgetary and time constraints; the process for owner notifications; formation of a grant program to give economic incentives to those who preserve historic structures; public outreach and education; and how to make a successful program.

Following all discussion, Council asked Mayor Boothman to draft a letter to the owners of the buildings currently on the draft list of historic structures and inform them of their buildings' possible historic designation.

At 1:30 PM, with Council support, Mayor Boothman delayed all subsequent agenda items to the evening Town Council meeting so that Council could discuss the public access items presented at the beginning of the meeting.

Food Bank

Following discussion regarding the Town's Municipal Code and fairness to other non-profit organizations, it was the consensus of Council that the Town should not participate in funding the Food Bank's paving project. It was suggested that perhaps local churches might be willing to assist the Food Bank.

Public Access Consortium

Administrator Fitch explained the particulars of the franchise agreement with Adelphia Cablevision and the component for office space in said agreement requiring Adelphia to provide office space for public access purveyors. Mr. Fitch agreed to write a letter to Adelphia notifying them that the Town wishes them to adhere to the provision in said agreement and provide the necessary office space to public access purveyors. Following further discussion, Mayor Boothman suggested that the subject perhaps should be placed on a future Town Council agenda.

Sheriff Department Monitoring

Councilmember Brooks suggested that a neighborhood watch program might be an effective way to handle Mr. Alexander's concerns. Mr. Alexander commented that such programs had not been successful in the past.

Councilmember Jones suggested that security guards or resident managers might help to protect Town residents living in multi-family residences. Administrator Fitch pointed out that the Town does not have any current regulations to enforce onsite managers or security guards at said locations. Councilmember Jones suggested a police and/or crime overseeing committee. Following further discussion, Mayor Boothman suggested that the subject perhaps should be placed on a future Town Council agenda.

Non-agenda

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Councilmember Gillette suggested several citizens advisory committees to evaluate Town needs for public restrooms, parking, and financing for necessary infrastructure improvements.

Administrator Fitch distributed original letters, with attachments, to each Councilmember from Joel Douglas' attorney, J. Richard Aramburu, dated August 14th and which were received during the Council meeting (said letter had already been distributed to Council in faxed format).

At 2:08 PM, hearing no further business before the Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – August 15, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Land Use Administrator Bertrand, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Chris Riester, 1232 Egg Lake Road, read a letter received by him from Councilmember Rosenfeld regarding Fire Department issues.

Front Street Project Findings of Fact

Mayor Boothman introduced draft Findings of Fact and Conclusions of Law regarding the joint Port and Town application for Shoreline Substantial Development Permit #71 and SEPA Determination #217 located at 175 Front Street North. Land Use Administrator Bertrand explained the particulars of said findings of fact. Councilmember LaPorte moved and Councilmember Gillette seconded to approve Findings of Fact and Conclusions of Law regarding Shoreline Substantial Development Permit #71 and SEPA Determination #217 as presented. The motion passed unanimously. Mr. Bertrand outlined the projected beginning date of said project.

Resolution #1293 – tape sequence #220

Mayor Boothman introduced draft Resolution #1293. A resolution by the Council of the Town of Friday Harbor affirming their continued support of the Town of Friday Harbor Fire Department. Councilmember Gillette moved and Councilmember Jones seconded to adopt Resolution #1293 as stated.

Councilmember Rosenfeld questioned the limit that Town citizens can be burdened with the cost of administering Town programs and projects. Mr. Rosenfeld suggested that merging with

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San Juan Fire District #3 would save Town citizens' money. Councilmember Rosenfeld presented various reasons in support of merging the two fire departments; suggested having a citizens committee perform a feasibility study regarding merging; and objected to language within said resolution.

Councilmember Brooks commented that both the position of Firefighter and the position of Councilmember deserve respect. Ms. Brooks suggested moving forward with said resolution and perhaps pursuing discussion regarding merging the fire departments in the future.

Following additional discussion and inquiry, the motion passed 4 to 1 with Councilmember Rosenfeld in the opposition.

At 6:15 PM, Mayor Boothman declared a brief recess. At 6:17 PM, Mayor Boothman declared the meeting back in session.

Ordinance #1193 – tape sequence #1555

Mayor Boothman introduced draft Ordinance #1193. An ordinance adopting the 2002 Town of Friday Harbor Comprehensive Plan and Comprehensive Land Use Map. Land Use Administrator Bertrand explained the particulars of said ordinance.

Councilmember Brooks proposed eliminating an unnecessary sentence in Chapter 1, page 1 of 3 and a portion of a sentence regarding parking in Chapter 5, page 7 of 20.

Following discussion and inquiry, Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1193 as presented by staff, with recommendations of the Planning Commission, and with minor text changes as presented by Council. The motion passed unanimously.

Ordinance #1194 – tape sequence #2226

Mayor Boothman introduced draft Ordinance #1194. An ordinance amending portions of Ordinance No. 1172 and portions of Title 17, Friday Harbor Municipal Code, relating to land use violations and minor text changes. Land Use Administrator Bertrand explained the particulars of said ordinance.

Following inquiries, Councilmember Brooks moved and Councilmember LaPorte seconded to adopt Ordinance #1194 as presented. The motion passed unanimously.

Administrator's Report – tape sequence #2440

Due to a grant application deadline of 8/31/02, which is prior to the next scheduled Town Council meeting, Administrator Fitch asked Council to pre-approve the Mayor to sign a grant application for transportation improvement funds. Following discussion, Council approved the Mayor to sign said grant application.

Administrator Fitch reported that the Town received an "A" rating on its Compliance Assessment Report Card. Mr. Fitch elaborated that the Town will save money on its insurance risk

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premiums because of said good rating. Council commended Administrator Fitch and staff for the accomplishment.

Administrator Fitch indicated that the Attorney for the Town of Steilacoom and AWC Legal Consultant, Larry Hoffman, is available to give a presentation to the Town Council and Planning Commission regarding the Open Public Meetings Act and the Role of the Councilmember on November 7th and or 8th. Council indicated that either one or both of these dates would be acceptable.

Administrator Fitch asked Councilmember Gillette to report on the Spring Street sidewalk repairs at the Convalescent Center.

Administrator Fitch reported on the Wastewater Treatment Plant pre-construction meeting held on 8/14/02.

Administrator Fitch presented a draft letter to Adelphia Cablevision asking them to comply with the provisions in their franchise agreement with the Town in regards to public access office space. Following discussion, it was the consensus of Council that Administrator Fitch should mail the letter to Adelphia.

Wastewater Rate Study Adopted in 1996 – tape sequence #3418

Mayor Boothman suggested postponing the rate study discussion to a future Town Council agenda.

Administrator Fitch asked to present a brief overview of the rate study for Council consideration. Administrator Fitch explained that the 1996 rate study commissioned the Financial Consulting Solutions Group, Inc., (FCSG) to develop rates that were explainable and defensible to the general public. Administrator Fitch explained the rational behind treating single family residential customers differently than other classes of customers in regards to the rate structure.

Lee Sturdivant, 745 Larsen Street, suggested that commercial customers should fund the sewer rate increase as the reason behind the expansion of the Wastewater Treatment Plant is because the Town is out of compliance with their sewer discharge permit in the summer due to tourism.

Administrator Fitch observed that the Town has not been out of compliance in recent years with its sewer discharge permit and that the plant upgrade is necessary due to aging infrastructure.

Councilmember Gillette asked Administrator Fitch to research the cost savings involved with eliminating the water rate portion of the proposed new rate study. Following discussion, Council concurred that Administrator Fitch should explore if conducting a sewer rate study rather than a full utility rate study would save the Town money overall.

Councilmember Rosenfeld suggested implementing the option 1 proposed sewer rate increases as presented by staff at the August 1, 2002 Town Council meeting. Following discussion, Council asked staff to produce a draft ordinance raising sewer user and connection rates for consideration at the next Town Council meeting for a 1st reading.

Non-agenda

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At 7:30 PM, Mayor Boothman noted the letter from San Juan Island School District No. 149 Principal, Marilyn Luckman, and Director of Career & Technical Education, Larry Wight, inviting the Town Council to a public forum to be held on 8/20/02.

Mayor Boothman presented a draft letter to the US Dept. of Agriculture/Rural Development in support of the Homes for Islanders 523 Self Help Pre-application for Council approval. Council approved of said letter.

Minutes – tape sequence #1120

Councilmember LaPorte moved and Councilmember Brooks seconded to adopt the Town Council minutes of August 1, 2002 noon and 5:30 PM meetings as written. Councilmember Gillette objected to the brevity of the Clerk's minutes in regards to his presentation at said noon Town Council meeting and presented suggested language to insert in said minutes. Following discussion the motion on the floor passed 4 to 1 with Councilmember Gillette in the opposition.

Claims

Councilmember Jones moved and Councilmember LaPorte seconded to approve the payment of claim warrants #21764 through #21827 in the amount of \$242,509.90. The motion passed unanimously.

Non-agenda

Councilmember Rosenfeld asked Council to read and consider his memo of 8/15/02, which outlines purported cost savings by merging the two fire departments together.

Councilmember Brooks expressed concerns regarding early morning airplane noise.

Executive Session

At 7:47 PM, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 2 minutes with no action anticipated.

At 7:57 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session, and hearing no further business before the Council, declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 5, 2002 @ 12:00 PM

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The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld. Others present: Town Administrator Fitch, Treasurer Picinich, Land Use Administrator Bertrand, & Clerk Wilson. Mayor Boothman led the meeting in the Pledge of Allegiance. There were no public access items forthcoming.

Land Use Administrator Bertrand distributed the 2002 Town Comprehensive Plan to those Councilmembers who wanted a copy.

Mayor Boothman noted that the remembrance and reflection proclamation for September 11th, 2002 would be read on said day at the scheduled events.

Resolution #1292 – tape sequence #180

Mayor Boothman introduced draft Resolution #1292. A resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and John E. Jensen, an independent contractor, to provide code compliance services.

Administrator Fitch explained the particulars of said resolution. Mr. Fitch indicated that the contracted hourly rate is increasing from \$34 per hour to \$35 per hour.

Councilmember Jones inquired about evaluating the contract performance. Mr. Fitch indicated that Mr. Jensen reports to and gets direction from the Land Use Administrator. Mayor Boothman inquired if the code compliance process was driven by complaint. Mr. Bertrand indicated that along with complaints, patrolling the Town also determined areas of concern, such as signage.

Councilmember Brooks pointed out a text correction in the contract. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1292 with said correction. The motion passed unanimously.

Resolution #1295 – tape sequence #307

Mayor Boothman introduced draft Resolution #1295. A resolution authorizing the Mayor to execute deductive Change Order #1 for One hundred fifty one thousand six hundred seventy dollars and 14/100 (-151,670.14) on the contract with Stellar J. Corp for improvements to the Wastewater Treatment Plant.

Administrator Fitch explained the particulars of said resolution.

Following Council inquires regarding several aspects of said change order, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1295 as stated. The motion passed unanimously.

Historic Preservation Discussion – tape sequence #456

Mayor Boothman outlined the motivation for said agenda item. Some of the council members acknowledged their confusion regarding the previous discussion at the August 15, 2002 Town Council meeting. Mayor Boothman clarified that one of the issues under discussion was whether or not Council wanted to accelerate the process of designating local historic structures or if they wanted to follow the Historic Preservation Review Board's recommendation to

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complete 8 to 10 local designations per year. Mayor Boothman explained that the second issue was whether or not Council wanted a letter to go out to property owners informing them of their possible historic designation.

Boyd Pratt, Architectural Historian Consultant to the Historic Preservation Review Board, outlined the process involved with describing historic buildings and recommended that Council "use a carrot rather than a stick" to encourage others to participate in the historic preservation program.

Following inquiry, Mr. Pratt indicated that he was uncertain how long it would take to analyze each historic building on the proposed list and whether or not have time to handle an accelerated process.

Councilmember Jones indicated that a letter informing property owners of their property's possible historic designation was not necessary at this time. Mr. Jones stressed, however, the necessity to accelerate the local historic register program.

Councilmember Gillette expressed concern about violating the rights of property owners.

Following discussion between Council, Historic Preservation Review Board (HPRB) members Anne Pope and Mary Jane Anderson, Mr. Pratt, and staff it was the consensus of Council to support the HPRB's recommendation to perform 8 to 10 historic designations per year. Council asked the HPRB members to estimate the cost of accelerating said program from 8 to 10 designations to 16 to 20 designations per year. Council agreed that a letter to those properties on the draft historic structures list was not necessary at this time.

Parks Property Tax

At 12:52 PM, Mayor Boothman opened Council discussion of proposal to ask voters to consider an increase in property tax for the purpose of funding parks in Town.

Treasurer Picinich explained the Town's property tax ranking throughout the state (7th lowest) and the anticipated revenue should a property tax increase be approved by the voters.

Council indicated that the proposal had some merit, but suggested funding for streets and sidewalks rather than parks. Discussion followed regarding how revenues are collected to support street improvements. Ms. Picinich indicated that the state allocated approximately \$229,000 to the Town last year from "Capron Funds". Ms. Picinich and Mayor Boothman indicated that these funds are attacked each year during the state's legislative budget process and are not a funding source to rely on. Ms. Picinich commented that the Town's utilities each pay a utility tax to help support streets.

Following discussion, it was the consensus of Council to discuss the issue further in 2003.

Administrator's Report – tape sequence #2855

Administrator Fitch indicated the updated sales tax revenue report available for Council review. Discussion followed.

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Administrator Fitch observed that the Transportation Improvement Board grant application had been mailed requesting grant funds for improvements to First Street from Spring Street to A & East Streets.

Administrator Fitch confirmed that Larry Hoffman will be giving two 2.5-hour presentations to Council on November 7th & 8th. Mr. Fitch asked that the presentation on the 8th be moved from noon to 9:00 AM. Council concurred.

Administrator Fitch commented that Adelphia Cable Company has indicated that upon receiving a refund from the Town, they will deal directly with to the local public access consortium to provide PEG support.

Administrator Fitch presented Treasurer Picinich with a National Municipal Treasurer's Service Award that she received from said association for her years of dedication and willingness to serve.

Non-agenda

Councilmember Gillette acknowledged that the change order passed by Resolution #1295 was a good start in paring down the Wastewater Treatment Plant Project. Mr. Gillette suggested restudying the cost of operating the sludge dryer versus contracting to haul sludge off-island. Mayor Boothman asked if Council wanted to fund such a study. Following discussion Council declined to further study this issue with a consensus of 4 to 1 with Councilmember Gillette in the minority.

Mayor Boothman postponed the approval of minutes to the evening Town Council meeting.

Councilmember Brooks expressed concerns regarding the West Nile Virus and suggested a joint meeting with the County Commissioners and the Public Health Department on how best to encourage people to decrease mosquito habitats. Councilmember Rosenfeld observed that virus' such as these are not as major of a threat as they are purported to be by the media.

At 1:43 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 5, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton (arrived 5:34 PM), Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

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There were no public access items forthcoming.

Citizen Oversight Committee

Mayor Boothman opened Council discussion of creating a citizen oversight committee regarding law enforcement issues. Mayor Boothman indicated that Sheriff Cumming was not in favor of such a committee.

Councilmember Brooks relayed that herself and former Councilmember Sheiman used to visit the Sheriff on a quarterly basis to review Town issues.

Councilmember Jones asked what the Town was receiving for the annual contract of approximately \$200,000 per year with the Sheriff.

Following discussion regarding how best to provide an avenue for citizens to feel comfortable coming forward with criminal activity concerns; if crime has increased; which type of committee would be best to handle citizen concerns; and inadequate data provided by the sheriff's department; it was the consensus of Council to request better statistical analysis from the sheriff's department including annual comparisons by incident and comparisons with other Towns our size. Council also concurred that citizens could contact council members with their concerns.

Ordinance #1195 – 1st reading – tape sequence #1673

Mayor Boothman introduced draft Ordinance #1195. An ordinance adopting sewer rate tables and repealing Ordinance #183 in its entirety.

Administrator Fitch explained the particulars of said ordinance and indicated that no action was required by Council at this time, as it was the first reading of said ordinance.

Discussion followed regarding previous utility rate studies; the definition of a general facilities charge and a system development charge; number of average connections to the sewer system each year; regulations and funding; and tourism revenues and how it benefits/impacts Town residents.

Council asked Treasurer Picinich to provide information regarding the six cities with lower property tax levies than Friday Harbor and the amounts they collect in sales tax. Ms. Picinich agreed to provide this information to Council before the next meeting.

Resolution #1294 – tape sequence #3030

Mayor Boothman introduced draft Resolution #1294. A resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and Financial Consulting Solutions Group, Inc. to conduct a water and sewer utility rate and right-to-connect study.

Administrator Fitch explained the particulars of said resolution.

Councilmember Brooks asked what the benefits are to performing a study. Administrator Fitch maintained that having a current rate study sometimes is a requirement of grants. Attorney Eaton explained that utility rates that are based on a rate study are harder to challenge in court.

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Discussion followed regarding delaying the study; the timeline of the study; future infrastructure costs; growth impacts; and whether to perform a water and sewer rate study or just a sewer rate study.

Following discussion, Councilmember Jones moved and Councilmember Rosenfeld seconded to adopt Resolution #1294 as stated performing both a water and sewer rate study. The motion passed 4 to 1 with Councilmember Gillette against.

Resolution #1296 – tape 2 sequence #375

Mayor Boothman introduced draft Resolution #1296. A resolution authorizing the Mayor to execute a real estate purchase and sale agreement for a portion of Tract 15 of Gould's Second Acre Addition.

Following Administrator Fitch's explanation of the particulars of said resolution, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1296 as stated. Following discussion, the motion passed unanimously.

Payroll & Claims – tape sequence #690

Councilmember LaPorte moved and Councilmember Jones seconded to adopt payroll warrants #8888 through #8934 in the amount of \$143,803.54 and claim warrants #21832 through #21896 in the amount of \$75,698.19. The motion passed unanimously.

Minutes – tape sequence #703

Councilmember Brooks moved and LaPorte seconded to approve the Town Council minutes of August 15, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously.

Non-agenda – tape sequence #745

Councilmember Gillette noted that the "Farmhouse Gang" was scheduled to meet on September 20th at noon in the San Juan Community Theatre's Gubelman Room.

Councilmember Rosenfeld pointed out a letter written to the San Juan Islander.com editor by Fire District #3 Chief McLaughlin. Mr. Rosenfeld suggested that because the proposal to merge Fire District #3 and the Town's Fire Department evaluation process happened several years ago it was time to reevaluate the merger question.

Councilmember Rosenfeld inquired about the Mayor's policy regarding communication between staff and council members. Mayor Boothman indicated that he did not want council members discussing issues with Town staff during working hours unless they had a majority of the Council approving such staff time expenditures. Mayor Boothman elaborated that staff could converse with Council during their personal time if desired.

Councilmember Brooks asked if "exit interviews" procedures had been implemented for employees who leave Town employment. Following discussion, Administrator Fitch indicated that an exit interview procedure would be developed.

At 7:50 PM, Councilmember LaPorte moved and Councilmember Gillette seconded to adjourn. The motion passed unanimously.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 2002

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 19, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, & Rosenfeld. Council excused Councilmember LaPorte's absence. Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson. Mayor Boothman led the meeting in the Pledge of Allegiance. There were no public access items forthcoming.

Sheriff Report

Sheriff Cumming distributed a publication in regards to national drug and safety information and the August 2002 Sheriff's Department monthly analysis report. Mr. Cumming encouraged the Mayor and Council to visit him with questions or to ride along with an officer.

Administrator Fitch asked if Sheriff Cumming could reformat his monthly reports to reflect various monthly and annual comparisons of data. Mr. Cumming answered in the positive. General inquiry and discussion followed.

Departmental Reports

Community Development. Land Use Administrator Bertrand distributed year to date building and planning permit reports. Mr. Bertrand outlined current activities of the Town Planning Commission. Mr. Bertrand commented that he had begun joint planning discussions with Laura Arnold, San Juan County Planning Director, in regards to the unincorporated urban growth area. General discussion and inquiry followed.

Councilmember Rosenfeld suggested the Council begin quarterly meetings with the Board of County Commissioners to discuss various issues. No decision was obtained regarding Mr. Rosenfeld's suggestion.

Fire Department. Chief Low reported on fire-related calls received in the last two months. Mr. Low indicated that specifications for the new fireboat would be completed shortly. Mr. Low reported that there were 65 calls year to date, which is slightly down from previous years. Mr. Low reported on new recruits, training, and education efforts.

Councilmember Gillette inquired about the cost of outfitting Engine 7 with a compressed air foam system. Mr. Low answered that the cost of adding said system would be approximately \$40,000. Mr. Gillette asked the Chief to investigate the price of alternative transportation for a compressed air foam system.

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Councilmember Rosenfeld pointed out that Fire District #3 already has a compressed air foam system available to be used during Town emergencies without spending \$40,000.

General discussion and inquiry followed regarding various activities of the fire department.

Public Hearing – tape sequence #1480

At 12:45 PM, Mayor Boothman opened the public hearing regarding amendments to the 2002 Town Budget. Treasurer Picinich explained the particulars of the amendments presented. Council questioned various features of the presented amendments as well as procedural issues. Council asked for a one page comparison summary of the current budget versus the amended budget. Administrator Fitch indicated he would distribute said information to Council at the evening meeting.

Treasurer Picinich reminded Council that staff diligently searches for grant funds for projects approved by Council or scheduled in the future. Administrator Fitch commented that most grant programs are designed to help economically distressed areas.

Mayor Boothman reminded Treasurer Picinich that Council previously approved a \$1,000 expenditure for the "Farmhouse Gang", officially known as the North Sound Connecting Communities Project. Administrator Fitch mentioned that the Town has not received the interlocal agreement from the Skagit Valley of Governments as yet. Treasurer Picinich agreed to add said expenditure to the amended budget.

At 1:16 PM, Mayor Boothman hearing no further comments in regards to the budget and no audience participation, closed the public hearing regarding the 2002 Town Amended Budget.

Resolution #1297 – tape sequence #2915

Mayor Boothman introduced draft Resolution #1297. A resolution authorizing the Mayor to execute an agreement for janitorial services to clean Town Hall offices for 2002/2003. Administrator Fitch explained the particulars of said resolution. Following inquiry, and with the suggestion that Mr. Fitch attain a background review of the low bidder, Councilmember Jones moved and Councilmember Gillette seconded to adopt Resolution #1297 as stated. The motion passed unanimously.

Administrator's Report

Clerk Wilson outlined miscellaneous increases, decreases, and new additions to the fee schedule. Council concurred with the proposed fee schedule changes.

Administrator Fitch reported that the "call for bids" to paint Town Hall and the Fire Station is in the newspaper this week.

Administrator Fitch reported that Stellar J. Corporation has begun mobilizing for the Wastewater Treatment Plant Improvement Project and to expect an additional deductive change order regarding said project at the next Town Council meeting.

Treasurer Picinich explained that the Town has canceled the credit card payment program because the company handling such transactions instituted a \$1,000 per year handling fee.

Minutes

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Councilmember Gillette moved and Councilmember Rosenfeld seconded to approve the Town Council minutes of September 5, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously.

Non-Agenda – tape sequence #3480

Councilmember Gillette reminded Council that the North Sound Connecting Communities Project Group, informally known as "the farmhouse gang", is meeting on 9/20/02 in the San Juan Community Theatre's Gubelman room at noon.

Councilmember Gillette reported on recent Solid Waste Advisory Committee meetings. Mr. Gillette indicated that the County's revamped recycling system is going well and that the County's solid waste division is operating in the "black" for the first time in two years.

Councilmember Brooks asked if the vehicular site distance issue coming out of the Sustainable Technology Center had been investigated. Mr. Fitch responded that Mike Wilks, Utilities Superintendent, had investigated Ms. Brooks' concerns and that the site distance was hindered if a large vehicle was parked near the entrance. Mr. Fitch indicated that he would ask the crew to stencil that parking space with "compact car" to improve the situation.

At 1:36 PM, hearing no further business before the Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 19, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, & Rosenfeld. . Council excused Councilmember LaPorte's absence. Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.
There were no public access items forthcoming.

Ordinance #1196

Mayor Boothman introduced draft Ordinance #1196. An ordinance amending the 2002 Budget for the Town of Friday Harbor. Administrator Fitch explained the particulars of said ordinance.

Following inquiries, Councilmember Rosenfeld moved and Councilmember Brooks seconded to adopt Ordinance #1196 as stated. The motion passed unanimously.

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Ordinance #1195 – tape sequence #238

Mayor Boothman introduced draft Ordinance #1195. An ordinance adopting sewer rate tables and repealing Ordinance #1183 in its entirety.

Administrator Fitch explained the particulars of said ordinance. Following discussion and inquiry, Councilmember Brooks moved and Councilmember Jones seconded to adopt Ordinance #1195 as stated. The motion passed unanimously.

Slogan Contest – tape sequence #840

Councilmember Jones explained the particulars of the "slogan contest" supported by the Lodging Tax Advisory Committee. Mr. Jones indicated that said Committee's selection of the winning slogan was "Friday Harbor, a natural playground". Following discussion and inquiry, Councilmember Jones moved and Councilmember Gillette seconded to adopt "A natural playground" as the slogan contest winner. Attorney Eaton suggested protecting the slogan by registering it with the state. Council agreed. The motion passed unanimously.

Regulation of X-rated Retail Sales – tape sequence #1215

Mayor Boothman opened discussion of the regulation of X-rated retail sales. Councilmember Brooks lead the discussion expressing concerns about X-rated sales within Town. Ms. Brooks noted information received from the American Center for Law & Justice indicated that such activities could not be banned, but could be restricted. Ms. Brooks suggested imposing restrictions and/or regulations before such activities become a problem within the Town.

Councilmember Gillette suggested investigating existing state and federal laws regarding said regulation.

Councilmember Jones suggested investigating how other jurisdictions have handled this type of issue.

Attorney Eaton advised Council that written and filmed materials are sometimes entitled to greater protection from government regulations under the First Amendment. Mr. Eaton also advised that to support future legal challenges, factual data of secondary problems associated with X-rates sales should be identified to support any proposed regulations.

Councilmember Brooks volunteered to gather information regarding said issue.

Geotechnical Study of Trout Lake – tape sequence #2300

Mayor Boothman opened discussion of the funding of a geotechnical study of the Trout Lake Dam site. Councilmember Gillette recommended completing the investigation, began by KCM in the 1997 entitled "Trout Lake Dam Improvement Feasibility Study", and do a geotechnical study to identify the subsurface conditions and the best location of a future dam site. Mayor Boothman asked Administrator Fitch to investigate the possible cost of performing such a study. Administrator Fitch agreed to find said information. Administrator Fitch pointed out that the 1997 KCM study still needed to be adopted by Council.

Claims

Councilmember Rosenfeld moved and Councilmember Gillette seconded to adopt claim warrants #21898 through 21954 in the amount of \$82,447.21. The motion passed unanimously.

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Non-agenda – tape sequence #2864

Councilmember Rosenfeld suggested that the Town honor former Councilmember, and recently deceased, Bud Geneste's memory by being conservative with its water usage.

Administrator Fitch commented that Jon Shannon, San Juan County Solid Waste Manager, had assured him that San Juan County is still pursuing the purchase of the Town's Sutton Road property.

Mayor Boothman announced that he signed the contract to purchase property off of Harbor Street where the Town will locate a new public works yard.

Executive Session

At 6:51 PM, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 15 minutes with no action anticipated.

At 7:01 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – October 3, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Resolution #1299

Mayor Boothman introduced draft Resolution #1299. A resolution accepting the final design of the improvements to the Wastewater Treatment Plant. Administrator Fitch explained that said resolution formally acknowledges the Town's acceptance of the final Wastewater Treatment Plant design. Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1299 as stated. The motion passed unanimously.

Resolution #1300

Mayor Boothman introduced draft Resolution #1300. A resolution authorizing the Mayor to execute Change Order #2 on the contract with Stellar J. Corporation for improvements to the

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Wastewater Treatment Plant. Administrator Fitch explained the particulars of said resolution. Mr. Fitch introduced Tim Starbuck, Project Manager and Tim McRoberts, onsite Project Superintendent, both of Stellar J. Corporation. Following discussion and inquiry, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1300 as stated. The motion passed unanimously.

Resolution #1298 – tape sequence #375

Mayor Boothman introduced draft Resolution #1298. A resolution authorizing the Mayor to execute an interlocal agreement with the Skagit Council of Governments regarding the North Sound Connecting Communities project. Administrator Fitch explained the particulars of said resolution. Following discussion regarding whether or not Whatcom County should be listed as one of the regions participating in the North Sound Connecting Communities project, Council agreed to delay further discussion regarding Resolution #1298 until the evening Town Council meeting.

Administrator's Report

Resolution #1301 – tape sequence #620

At 12:20 PM, Administrator Fitch introduced draft Resolution #1301. A resolution authorizing the Mayor to execute a contract for the exterior painting of Town Hall and the Fire Station. Administrator Fitch explained the particulars of the bidding, review, and selection process. Following discussion, Councilmember Brooks moved and Councilmember Gillette seconded to adopt Resolution #1301 as stated. The motion passed unanimously.

Administrator Fitch reported that Land Use Administrator Bertrand and possibly San Juan County (SJC) Planning Director Arnold would be reviewing the Joint Planning Policies with Council at their 10/17/02 noon meeting.

Administrator Fitch indicated that SJC Commissioner Evans expressed interest in a joint Town/County legislative meeting sometime in November. Mayor Boothman agreed to call Mr. Evans to schedule said meeting.

Administrator Fitch reported that the Town received 16 sewer system connection fees prior to the rate increase that was effective October 1, 2002.

Administrator Fitch gave a revenue and expenditure budget overview, which highlighted on the various ways the Town generates revenues and the distribution of expenses in each budget department, as well as, debt, and trust accounts. Discussion and inquiry ensued throughout Mr. Fitch's presentation.

Mayor Boothman indicated that a balanced budget would be available for Council on October 7, 2002.

Minutes – tape sequence #2700

Councilmember Gillette asked for the following change in the September 19, 2002 noon Town Council meeting minutes: "Mr. Gillette asked the Chief to investigate the price of a ~~trailer pulled~~ an alternative compressed air foam transportation system." Councilmember Gillette also asked to eliminate the following strikeout words in the September 19, 2002, 5:30 PM Town Council meeting minutes: "...and do a geotechnical study to identify subsurface conditions ~~at Trout~~

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Lake and the best location of a future dam site.” Councilmember Gillette moved and Councilmember Jones seconded to adopt the Town Council minutes of September 19, 2002 noon and 5:30 PM minutes as amended. The motion passed unanimously, with Councilmember LaPorte abstaining as he was not in attendance at said meetings.

Non-agenda – tape sequence #2910

Mayor Boothman, Councilmember Gillette, and Councilmember Jones reported on the “Farmhouse Gang” meeting held on 9/20/02. Councilmember Gillette asked Council to contemplate in what way the North Sound Connecting Communities project could benefit the Town the most.

Mayor Boothman noted the receipt and distribution of a letter from the Ferry Communities for Ref. #51 supporting said referendum and illustrating the various benefits of it.

Councilmember Brooks commented on unscrupulous individuals abusing the Washington State Ferries fee system.

At 1:30 PM, hearing no further business before the Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – October 3, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Tad Sooter, introduced himself and indicated that he is a intern journalist with the Journal of the San Juans newspaper.

Reduction of Council Meetings

Mayor Boothman indicated that Councilmember LaPorte requested that the discussion in regards to reducing the number of required meetings be postponed to a future Town Council meeting to allow time for additional research. Councilmember Brooks indicated that she would appreciate being present during said discussion and would not be present at the next Town Council meeting. Council agreed to postpone said discussion until Councilmember Brooks could be present in the future.

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Resolution #1298 – tape sequence #49

Mayor Boothman introduced draft Resolution #1298. A resolution authorizing the Mayor to execute an interlocal agreement with the Skagit Council of Governments regarding the North Sound Connecting Communities project. Councilmember Gillette summarized clerical changes, as well as, the addition of Whatcom County as one of the five regions involved with said project. Councilmember Gillette moved and Councilmember Jones seconded to adopt Resolution #1298 as presented. The motion passed unanimously.

Non-drought Water Rates – tape sequence #298

At 5:40 PM, Council agreed to discuss 2002 Legislation Agenda item "reducing water rates during non-drought periods" in replacement of the scheduled discussion regarding the reduction in Council meetings.

Councilmember Gillette commented that conservation is fine when necessary, but the Town's water system was designed to allow for higher water production and when weather conditions are good the Town should lower water rates to encourage usage.

Mayor Boothman inquired about the status of Tracey Dunlap's water rate study. Administrator Fitch explained the particulars of Ms. Dunlap's study and the basis used for her analysis.

Mayor Boothman observed that it is difficult to change the behavioral patterns of the public during times of plentiful water conditions versus times of drought.

Administrator Fitch indicated that one of the elements of the Town's Water Comprehensive Plan is a water conservation plan. Mr. Fitch commented that most water system based grants require a water conservation plan and in order to qualify for these grant funds you must have water conservation rates in place and be adhering to them.

Following discussion regarding community conservation and public awareness; weather patterns; commercial development; water revenues and whether or not a decrease in water rates would increase or decrease water revenues; and future infrastructure costs it was the consensus of Council to retain the current water conservation rate structure.

Outdoor Burning Regulations – tape sequence #2125

Councilmember Brooks indicated that after reading the information provided by staff in the Council packet, she felt the current burning regulations were sufficient. General discussion followed.

Claims

At 6:40 PM, Councilmember Brooks moved and Councilmember Jones seconded to approve the payment of claim warrants #21958 through #22022 in the amount of \$87,195.62. The motion passed unanimously.

Executive Session

Mayor Boothman indicated that a property acquisition executive session was not necessary at this time.

Non-agenda

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Councilmember Brooks asked for ten to fifteen minutes at the 11/7/02 Town Council meeting to discuss affordable housing.

Councilmember Gillette suggested forming a citizens advisory committee in regards to restrooms and parking. Mayor Boothman explained that both issues were on hold until pending location issues could be solved. Councilmember LaPorte indicated that once the location issue was solved the Town Council could move forward on the restrooms without a citizens committee.

At 6:44 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – October 17, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Gillette, Jones, LaPorte, and Rosenfeld. Council excused Councilmember Brooks' absence.

Others present: Town Administrator Fitch, Treasurer Picinich, Land Use Administrator Bertrand, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

At 12:02 PM, noting that the Sheriff was not yet in attendance, Mayor Boothman asked the Land Use Administrator to begin his report.

Land Use Administrator Bertrand provided background information concerning the existing Town and County's Joint Planning Policy (JPP) and the Unincorporated UGA Management Agreement. Mr. Bertrand noted that said planning policies are consistent with the Town's Land Use Regulations and do not prohibit the Town from establishing additional cooperative agreements that may address other areas of concern, such as affordable housing.

Discussion followed regarding the urban growth area, annexation, affordable housing, and the Joint Planning Policy timeline. Mr. Bertrand indicated that the Town is currently evaluating land designation zones other than residential to see if such zones are adequately represented within the Town's limits or if the urban growth area should be expanded.

Administrator Fitch asked Laura Arnold, San Juan County Planning Director, if she had received a copy of the memo from Land Use Administrator Bertrand to the Mayor & Town Council dated 10/9/02 and if it adequately represented the facts in terms of the Joint Planning Policies and the Unincorporated Management Agreement. Ms. Arnold answered in the affirmative to both questions.

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Following discussion, it was the consensus of Council that the joint planning process should proceed as presented.

Mr. Bertrand updated Council on the Front Street "Unocal" cleanup project and indicated that a revision to said project's shoreline substantial development permit may be forthcoming to allow for reclamation of additional yardage.

Sheriff Cumming – tape sequence #810

At 12:25 PM, Sheriff Cumming distributed the September Sheriff Department reports. Mr. Cumming reported on personnel changes within his department. Mr. Cumming indicated that the Dept. of Labor & Industries notified his department that ferry landing traffic control personnel are inadequately trained even though they have a certified flaggers card. Mr. Cumming mentioned the possibility of his department providing a future traffic control training class. Mr. Cumming mentioned that a uniform change might be helpful also.

Councilmember Jones pointed out that two officers on Orcas Island have issued a higher number of traffic citations than the total number of citations issued within the Town. Mr. Cumming explained that it was a "styles" difference between islands in the approach to traffic violations.

Mayor Boothman asked if the Sheriff was enforcing the "no skateboarding" in the downtown core regulation. Mr. Cumming responded in the affirmative.

Councilmember Gillette inquired about homeland security grant funds. Mr. Cumming indicated that it is unsure how the federal government will be distributing homeland security grant funds at this time.

Mayor Boothman thanked Mr. Cumming for his report.

Draft Preliminary 2003 Budget work session – tape sequence #1485

Administrator Fitch briefed Council on the timeline of the budget process. Mayor Boothman pointed out the list of budget items requested by each department and where it illustrates if such items were kept in the draft budget or not.

At Mayor Boothman's request, Administrator Fitch explained the basis of the 2003 wage adjustments proposed for non-represented personnel.

Council work session involved discussion regarding comparing medical insurance rates between companies; whether or not wages should be compared with cities in the lower or same population bracket; whether or not to review said draft budget line by line for educational purposes or by special projects; and the order of priority regarding the Fire Department's budget requests for equipment.

Following discussion, it was the consensus of Council that \$22,000 should be funded to purchase a new fire boat (total estimated cost of said boat is \$88,000 and will also be funded through a grant from the Whittier Confidence Foundation and the Port of Friday Harbor) and to transfer \$15,000 to equipment reserve for future purchase of self-contained breathing apparatus (SCBA) equipment.

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Councilmember LaPorte inquired about the absence of a cost of living increase for the Sheriff's department in the draft 2003 budget. Mayor Boothman explained that in an effort to accommodate the needs in other areas of public protection a cost of living increase was not budgeted for the Sheriff's contract. Discussion followed.

At 1:42 PM, Mayor Boothman indicated that all unfinished items on the noon agenda would be moved to the evening Town Council agenda and hearing no objection declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – October 17, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Gillette, Jones, LaPorte, and Rosenfeld. Council excused Councilmember Brooks absence.

Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Hotel Motel Expenditures

Mayor Boothman opened Council discussion of Hotel Motel fund expenditures. Councilmember LaPorte asked for Council support to commit \$7,500 of hotel motel promotional funds to place a one-page advertisement in the Washington State 2003 Visitor's Guide to promote Friday Harbor, San Juan Island. Mr. LaPorte noted that the Lodging Tax Advisory Committee (LTAC) is in support of said expenditure. Following discussion, Council approved of said commitment.

Councilmember LaPorte indicated that Laura Saccio, LTAC member who also doubles as the committee "minutes taker", has asked that said committee hire a "minutes taker" so that she can concentrate on her member status during meetings. Mr. LaPorte estimated the cost of a "minutes taker" to be \$1,000 per year. Administrator Fitch suggested Mr. LaPorte put forth said request during budget discussions.

Draft 2003 Budget work session – tape sequence #530

Mayor Boothman opened the Council work session on the draft 2003 Budget. Proceeding through the budget page by page, the following decisions were agreed upon by Council in the Current Expense Fund: eliminating the \$10,000 that was budgeted for an Income Survey; allocating a 1.5% increase in the Sheriff's contract; increasing the ferry terminal traffic control program budget by \$700 to cover possible new uniform expenses; approve \$22,000 to be added to the budget to purchase a fire boat; add a \$15,000 transfer from Current Expense fund to the Equipment Reserve fund to begin saving for self-contained breathing apparatus equipment; add \$2,500 for aerial photos of Town; delete \$500 budgeted for external DVD/RW

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storage equipment; and reallocate the \$3,000 budgeted in the Current Expense fund for a "Walking Town Brochure" to the Capital Reserve Hotel/Motel Tax fund.

Administrator's Report – tape sequence #3010

At 6:50 PM, Administrator Fitch reported that Tracey Dunlap, the consultant completing a Water/Sewer Rate Study for the Town, will be ready to present said study at the December 5, 2002 Town Council meeting. Discussion followed.

Clerk Wilson asked Councilmembers who wanted business cards to contact her.

Minutes

Councilmember LaPorte moved and Councilmember Jones seconded to approve the Town Council minutes of October 3, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously.

Claims – tape 2 sequence #299

Councilmember Gillette moved and Councilmember LaPorte seconded to approve the payment of claim warrants #22024 through #22086 in the amount of \$532,893.03. The motion passed unanimously.

Non-agenda

There were no non-agenda items forthcoming.

Executive Session – tape sequence #338

At 7:10 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 20 minutes with no action anticipated.

At 8:04 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session and hearing no further business before Council declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – November 7, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Historic Preservation Coordinator Larsen, Town Planning Commission Ghatan, Marine Resource Committee Co-Chair Balcomb, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

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Mayor Boothman opened the training session regarding the Open Public Meetings Act and introduced Lawrence Hoffman.

Mr. Hoffman gave an overview of his qualifications and credentials. Mr. Hoffman noted that in addition to practicing law in a private law firm, he is also the Attorney for the Town of Steilacoom and performs training sessions for the Association of Washington Cities (AWC) Risk Management Services Agency (RMSA).

Mr. Hoffman explained that the Association of Washington Cities sends him out to perform training sessions, such as this one today, to be proactive in preventing or lowering the risk of potential litigation and other claims through education. Mr. Hoffman indicated that insurance pool costs are impacted by claims and fewer claims will translate to lower insurance costs.

Mr. Hoffman's presentation covered the agenda; formation of Council rules and procedures to facilitate and structure Council meetings; expediting Council meetings; the difference between legislative and quasi-judicial meetings; rights of citizens; public perception and the appearance of fairness; recusals; making a good public record for future review; work sessions; and the purpose, process, and potential pitfalls of meetings.

Discussion and inquiry ensued during the above presentation from all present.

At 2:00 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – November 7, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Treasurer Picinich, & Clerk Wilson (until 6:50 PM)

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Dan Miller, former Island resident now living in Olympia, encouraged Council to find the legal answer to the question of whether or not a council member should be excluded from a fire department debriefing meeting. Mr. Miller also asked Council to address the disparity between the rich and poor.

Affordable Housing

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At 5:35 PM, Mayor Boothman asked Councilmember Brooks to give a report regarding the Washington State Affordable Housing Conference that she attended.

Councilmember Brooks gave an overview of said conference, highlighting on: home ownership, economic development, housing systems, work force housing, and growth management.

Mayor Boothman introduced John Campbell, San Juan County Housing Advisory Board Vice-Chair. Mr. Campbell deferred to Arnie Klaus.

Arnie Klaus, 96 Grover Street, and Housing Advisory Board member, stated advantages to supporting affordable housing and asked Council to support the establishment of a housing fund. Discussion and inquiry followed regarding the parameters of said housing fund. Mr. Klaus indicated that said fund might be financed somewhat like the local land bank, except instead of the buyer paying the tax, it would be the seller.

Gary Miller, Eureka Road, and Farhad Ghatan, Harrison Street, and both Housing Advisory Board members, indicated that there may be limitations added on when the tax is collected, in an effort to assist those buying lower income housing.

Discussion and inquiry followed between Council and the audience regarding ways to fund and encourage affordable housing; the merits of a density bonus; the Town's housing study; infrastructure impacts to the Town; costs to developers; and what percentage of affordable housing should the Town be obligated to possess.

Lovel Pratt, 2551 Cattle Point Road and Executive Director of San Juan Community Home Trust, described said Trusts' first affordable home ownership project, which will be located on 2.5 acres on Carter Avenue. Ms. Pratt distributed a Homeowner Application Packet for Council review.

Farhad Ghatan, local developer, gave an overview of his affordable housing project located behind the Islander's Bank Administrative Offices.

Reduce Council Meetings

(Clerk Wilson left and Treasurer Picinich took over taking minutes) Mayor Boothman opened Council discussion of reducing the number of required Council meetings.

Councilmember LaPorte explained comparison information regarding other towns and cities throughout Washington State and their number of meetings compared to Friday Harbor. Mr. LaPorte proposed meeting twice a month from 5:30 PM to 8:30 PM and eliminating the noon Town Council meetings.

Discussion followed regarding accommodating consultants, etc., who travel from off-island; the financial savings of lesser meetings not justifying the shortening of time to conduct Town business; allow the Mayor more flexibility to adjust the necessity for a meeting; and that less meetings transmit to less time to be heard on issues.

Following discussion Councilmember LaPorte asked Council to consider the statistical information and noted he was not looking for Council action this evening.

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Ordinance #1197 – tape 2 sequence #829

Mayor Boothman introduced draft Ordinance #1197. An ordinance authorizing bonding in lieu of full completion of public improvements for subdivisions and amending Ordinance No. 1058.

Mayor Boothman explained the particulars of said ordinance. Councilmember Gillette moved and Councilmember LaPorte seconded to adopt Ordinance #1197 as stated. The motion passed unanimously.

Claims & Payroll

Councilmember Jones moved and Councilmember Brooks seconded to approve the payment of claim warrants #22092 through 22172 in the amount of \$156,489.10 and payroll warrants #9023 through 9072 in the amount of \$147,642.73. The motion passed unanimously.

Minutes

Councilmember LaPorte moved and Councilmember Jones seconded to approve the Town Council minutes of October 17, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously with Councilmember Brooks abstaining because she was not in attendance at said meetings.

Non-agenda – tape 2 sequence 1104

Mayor Boothman distributed a draft letter addressed to the Board of County Commissioners (BOCC) in support of the ferry traffic control program for Council review and approval. Council suggested various changes to said letter. Mayor Boothman said he would make said changes and have the letter available for Council signature at the scheduled 11/8/02 Town Council meeting. Council concurred.

Mayor Boothman indicated that the BOCC has requested a joint meeting with the Town on November 18. Council agreed to meet on said date at 5:00 PM, if this was agreeable to the BOCC.

Bill Wright, Pear Point Road, asked for Council support at the November 22, 2002 Ferry Tariff Advisory Committee meeting regarding fare increases. Mayor Boothman indicated he would contact Mr. Distler.

At 7:55 PM, hearing no further business before Council and no objection, Mayor Boothman continued the meeting until 9:00 AM on November 8, 2002. The meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk &
Wendy Picinich, Town Treasurer/Clerk Pro-tem

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Town Council – November 8, 2002 @ 9:00 AM

The Town Council met in continued regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, & Rosenfeld Others present: Clerk Wilson

Mayor Boothman opened the training session sponsored by the Association of Washington Cities regarding roles and responsibilities of elected officials.

Lawrence Hoffman, who performs training sessions for the Association of Washington Cities (AWC) Risk Management Services Agency (RMSA) and is also Attorney for the Town of Steilacoom, presented said training session.

Mr. Hoffman's session consisted of: where basic powers of government come from; differences between municipalities and private businesses; forms of government; hypothetical questions; locations of meetings; and executive sessions.

At 10:30 AM, Mayor Boothman declared a brief recess. Councilmember Rosenfeld informed the Clerk that he would not be returning after the recess. At 10:38 AM, Mayor Boothman declared the meeting back in session.

The training session continued regarding: criteria for making a quasi-judicial decision; ex parte contact; making a good public record; conflicts of interest; immunity from liability; and the different roles of the Mayor and Council in regards to policy making, personnel matters, budget, meetings, and land use.

Mr. Hoffman pointed out several helpful pointers and words of wisdom from the Roles and Responsibilities Handout.

Discussion and inquiry ensued during the above presentation from all present.

At 11:45 AM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – November 21, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson

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Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Susie Doyle, 810 Larsen and owner of Susie's Moped Rentals, expressed her concerns regarding the impact the new turn lane on Harrison Street will have on her business. Ms. Doyle asked to be notified in the future when the Town would be working next to her business.

Mayor Boothman explained that the project is an effort to ease traffic congestion in said area due to ferry transportation.

Administrator Fitch explained the project specifics and indicated that Susie's Moped Rentals would not be able to do business within the Town's right of way in this area in the future.

Bob Kinghorn, President of Stellar J. Corporation (contractor for the Town's new Wastewater Treatment Plant), introduced himself and offered his business cards to the Mayor and Councilmembers.

Department Reports – tape sequence #548

Fire – Chief Low reported that the Standard Operating Procedures (SOP) Manual is complete. Mr. Low reported on training, number of calls to date (79), educational programs, and number of firefighters (36 total).

Utilities – Utilities Superintendent Wilks reported on Trout Lake spillway level (59.5" below), rainfall, water production, and water department projects. Mr. Wilks reported on various activities and projects in the street, refuse, parks, and sewer departments. Mr. Wilks reported that the Wastewater Treatment Plant Improvement project is on schedule and going well.

Councilmember Gillette inquired about the sidewalk project at the Convalescent Center. Administrator Fitch answered that the construction easement has been completed and the project should be done this year or early next year.

Councilmember Brooks inquired about the addition of a 4-way stop at the intersection of Blair/Park/Reed Streets. Mr. Fitch indicated that more analytical information was necessary prior to placing a 4-way stop at said location. Mr. Fitch expressed that he has started the process to gather said information and should it support a 4-way stop at this intersection a work order would be issued.

Revenue Resources Public Hearing – tape sequence #1120

At 12:34 PM, Mayor Boothman opened the public hearing on revenue resources for the 2003 budget.

Treasurer Picinich explained the various types of current fund revenues that generate funding for the Town's operations. Said revenues include sales and use tax; property taxes; licenses and permits; charges for services; fines and forfeits; intergovernmental; and miscellaneous.

Councilmember Jones asked for clarification regarding the decrease in property tax revenues in 2003. Ms. Picinich indicated that State Initiative #747 now limits the amount the Town can increase property taxes each year to 1%. Previously the limit was 6%.

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Administrator Fitch praised Ms. Picinich for her information and presentation.

Mayor Boothman opened the public hearing to comments from the audience. At 1:00 PM, hearing no public input regarding revenue resources, Mayor Boothman closed the public hearing.

Department Reports Continued

System Administration – Mr. Dubail updated Council on various projects and activities of the System Administration Department.

Ordinance #1198 – tape sequence #2556

Mayor Boothman introduced draft Ordinance #1198. An ordinance fixing and levying the amount of Ad Valorem Taxes for the Town of Friday Harbor for the year 2003. Administrator Fitch gave a brief explanation of said ordinance. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1198 with one small clerical change. The motion passed unanimously.

Ordinance #1199

At 1:11 PM, Mayor Boothman introduced draft Ordinance #1199. An ordinance fixing and levying the amount of Ad Valorem Taxes for the payment of the Town of Friday Harbor's General Obligation Bonds for the year 2003. Treasurer Picinich explained the particulars of said ordinance. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1199 as stated. The motion passed unanimously.

Budget Work Session

Mayor Boothman noted there was not time for the noon budget work session.

Administrator's Report – tape sequence #2800

Administrator Fitch noted receipt of several emails in regards to Tucker Avenue and a letter from the San Juan County Sheriff in regards to his contract with the Town.

Administrator Fitch distributed the minutes from the Washington State Ferries Friday Harbor Ferry Terminal Preservation Project held on October 23, 2002. Mr. Fitch indicated that alternative #3 had been selected. Said alternative would rebuild the existing ferry slip 80' offshore of its current location and provide temporary vehicle service out of the tie-up slip location.

Administrator Fitch presented a letter from Mark Tompkins, San Juan County Environmental Health Manager, asking for Council support for a Water Resource Management Committee Instream Flow Grant. Following discussion, Councilmember Jones moved and Councilmember LaPorte seconded to approve Mayor Boothman write a letter in support of San Juan County's Instream Flow Grant. The motion passed unanimously.

Minutes

Councilmember Gillette moved and Councilmember Brooks seconded to approve the Town Council minutes of November 7, 2002 noon and 5:30 PM and November 8, 2002 9:00 AM meetings. Following discussion, Councilmember Brooks moved and Councilmember Jones

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seconded to table the approval of minutes until the evening Town Council meeting to give the Clerk time to clarify an issue. The motion passed unanimously.

Non-agenda

Administrator Fitch pointed out the new "Public Guidelines" brochure developed by Attorney Eaton and the Clerk. Mr. Fitch indicated that said brochure is an attempt to educate the public regarding government processes.

Councilmember LaPorte explained that currently the Town's transient accommodation businesses are collecting the 2% hotel motel tax, but that 1.2% of said tax is being distributed to the Town and .8% of said tax is being distributed to San Juan County. Mr. LaPorte asked Council to approve the amendment of its current hotel motel tax ordinance so that the full 2% of hotel motel taxes collected in Town will come to the Town. Mr. LaPorte expressed that the Lodging Tax Advisory Committee is supportive of said amendment. Council approved said change. Mayor Boothman assured Council that the amended ordinance would be on a future agenda.

At 1:33 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – November 21, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, San Juan County (SJC) Commissioner Nielsen asked Council to suggest someone to fill recently resigned Dan Ward's position on the Ferry Advisory Committee. Ms. Nielsen relayed that the ferries will not be traveling to Sidney, BC from February 1st through April 12, 2003, due to the Sidney ferry terminal rebuilding project. She noted this change would affect service to San Juan Island. Ms. Nielsen asked for future communications with the Council regarding the changing roles of Towns and Counties at the state level.

2003 Budget Public Hearing – tape sequence #315

At 5:40 PM, Mayor Boothman opened the public hearing on the draft 2003 budget.

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Mayor Boothman placed several emails and letters regarding budget requests into the record. Emails were received from the following constituents:

Ruth Apter/Linder Street, in regards to lack of a sidewalk on Tucker Avenue.
Mary Smith/Treehouse Place, advocating a sidewalk on Tucker Avenue.
Dona Wuthnow/not a Town resident, advocating a sidewalk on Tucker Avenue.
Vivien Burnett/Trails Committee member, regarding safety of pedestrians along Tucker Avenue.
Nina Le Baron/Architect, advocating a sidewalk on Tucker Avenue.
Unsigned email advocating sidewalks on Guard and Tucker Avenue.
Shannon Dean advocating a sidewalk on Tucker Avenue.
Louise Dustrude/Treehouse Place, advocating a sidewalk from Guard Street to Tucker Avenue at Village Grove.
Susan Vernon supporting a sidewalk from Guard Street up Tucker Street to the Village Grove Development.

Letters were received from:

Lee Sturdivant/Larsen Street advocating a sidewalk on Tucker Avenue.
Sally Kerr/Larsen Street advocating a sidewalk on Tucker Avenue.
Denice Brown/Chinook Way advocating a sidewalk on Tucker Avenue.

Mayor Boothman pointed out a letter from Sheriff Cumming requesting the Town fund the full cost of living adjustment requested by his department.

Louise Dustrude, Treehouse Place, stated that one of the emails presented were from her and asked for safer walking conditions on Tucker Avenue.

Budget Work Session – tape sequence #458

Mayor Boothman opened the Council work session on the draft 2003 budget. Mayor Boothman noted that the draft 2003 Budget public hearing would remain open to accommodate any late arrivals.

Council discussed the requests for a sidewalk on Tucker Avenue. Administrator Fitch explained the section of sidewalk that will be built in relation to the Wastewater Treatment Plant (WWTP) Improvement Project. Administrator Fitch explained past history and some of the difficulties obtaining right of way from property owners on Tucker Avenue.

Councilmember Rosenfeld suggested delaying the sidewalk on Harbor Street in regards to the WWTP project and using the monies allotted for the Harbor Street section to build a pathway without curb or gutter on Tucker Avenue.

Administrator Fitch indicated that there is not currently a provision in the Town's Municipal Code to delay the development of one area of sidewalk to enhance another. Mr. Fitch also mentioned that the Town does not currently have pathway standards.

Councilmember Jones inquired about the capital project fund for streets. Ms. Picinich indicated that the money saved in the capital project fund has been set aside as matching grant funds for the improvement of Guard Street.

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Councilmember Gillette suggested staff investigate the cost comparison between pathways and sidewalks. Councilmember Jones asked staff to look into developing path standards.

Pam Fitch, PO Box 1935, advocated the building of sidewalks instead of paths to better accommodate those with infirmaries or disabilities.

Councilmember Jones suggested the pathway could be asphalt.

Attorney Eaton emphasized that, whether the Town builds pathways or sidewalks, the American Disabilities Act (ADA) standards would have to be met.

Councilmember Rosenfeld suggested the Town might be able to use hotel motel funds to subsidize said pathways.

Councilmember Brooks suggested that more community input and staff research is necessary.

Council began discussion of the Sheriff's request for a 3% increase on the 2002 contract with the Town. Council previously had decided to only fund a 1.5% increase on said contract.

Councilmember Jones commented that the difference in the amount of funding from 1.5% to 3% was not significant enough to dispute. Councilmember Jones moved and Councilmember LaPorte seconded to increase the 2002 Sheriff's contract by the 3% cost of living adjustment (COLA) requested by the Sheriff's Department. Following discussion regarding understanding the basis of the price of said contract; the cost of running a protection department; and in the future tying the COLA to a specific consumer price index instead of to the Sheriff's negotiations with its deputy guild, the motion passed unanimously.

The 2003 Budget work session continued with Council questioning various projected expenditures and revenues. At Councilmember LaPorte's request, Council approved \$600 for a secretary/minute taker for the Lodging Tax Advisory Committee. Councilmember Gillette requested the sidewalk improvement project near the Convalescent Center's be accomplished in 2002. Utilities Superintendent Wilks indicated that the project could be accomplished in 2002. Treasurer Picinich specified she would amend the 2002 budget for said project's cost.

Council agreed that a special meeting to work on the draft 2003 budget was not necessary at this time.

At 7:03 PM, hearing no further public input, Mayor Boothman closed the draft 2003 budget public hearing.

Claims – tape #2 sequence #162

Councilmember Jones moved and Councilmember Gillette seconded to approve the payment of claim warrants #22174 through #22233 in the amount of \$381,449.47. The motion passed unanimously.

Non-agenda

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Councilmember Rosenfeld noted his agreement with some of Councilmember LaPorte's suggestions in regards to eliminating Town Council meetings. Mr. Rosenfeld pointed out that because of the noon Town Council meetings, we are eliminating certain Town citizens from running for a Town Council position because their work schedules would conflict with said noon meetings. Mr. Rosenfeld suggested more evening meetings instead, and reserve the noon meetings for joint meetings with other governmental bodies. Administrator Fitch pointed out that noon meetings were put in place for two reasons. One: to eliminate off-island consultants from having to spend the night when they are presenting information to the Town Council. Two: to allow Council time to review Town expenditures.

Minutes

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the Town Council minutes of November 7, 2002 noon and 5:30 PM and November 8, 2002 9:00 AM meetings as corrected. The motion passed unanimously.

Executive Session

At 7:10 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss land acquisition for approximately 25 minutes, with no action anticipated.

At 7:49 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – December 5, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld. Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson.

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Lee Sturdivant encouraged Council to present information regarding the potential purchase of property located at 330 Spring Street to the public. Ms. Sturdivant noted that the Town's adopted 2002 Comprehensive Plan states that there is adequate street parking within the Town and suggested that a sidewalk along Tucker Avenue might be a better use of Town funds.

Mayor Boothman noted that staff is currently investigating pathway standards as a less expensive alternative to a sidewalk along Tucker Avenue.

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Councilmember Rosenfeld commented that should the property at 330 Spring Street not support itself financially, the purchase would not go forward.

Don Galt, inquired about elements of the presentation to be given by Financial Consulting Solutions Group regarding water and sewer rates components. Mayor Boothman asked Mr. Galt to delay his questions until after the presentation.

Water & Sewer Rate Study – tape sequence #215

At 12:07 PM, Tracey Dunlap, Financial Consulting Solutions Group, gave an overview of said company's resume. Ms. Dunlap commented that the most substantial change since the Town's 1996 water/sewer rate study has been the Town's capital program. Ms. Dunlap gave a summary of said 1996 study. Ms. Dunlap stated that the new rate study focuses on the level of rates and their correlation to funding operations and future capital improvement projects. Ms. Dunlap defined "general facilities" charges as past cost of infrastructure and "system development" charges as future capital facilities costs. Ms. Dunlap indicated that costs are spread over all customers (both existing and new) to recognize that the planned capital projects will serve and benefit all customers. Ms. Dunlap acknowledged that the Town's low growth rate is a factor in the increased utility rates. Ms. Dunlap summarized the proposed rate increases and their influence on future expenditures.

Discussion, clarifications, and inquiries ensued during the above presentation from Council and staff. Mayor Boothman thanked Ms. Dunlap for her presentation.

Executive Session – tape sequence #3212

At 1:20 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 20 minutes.

At 1:45 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Councilmember Rosenfeld moved to postpone the additional agenda items to the evening Town Council meeting. The motion died for lack of a second.

Minutes

Councilmember Brooks moved and Councilmember Jones seconded to adopt the Town Council minutes of November 21, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously.

Non-agenda

Councilmember Jones asked that a paper copy of the minutes of other Town boards and commissions be placed in the Town Council meeting packets. Council concurred.

Administrator Fitch distributed draft Ordinance # 1201, authorizing bonding in lieu of full completion of public improvements for subdivisions for Council review and possible evening Town Council passage.

At 1:52 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 2002

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – December 5, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

Mayor Boothman presented Samantha Garl with a proclamation declaring December 8, 2002 as National Children's Memorial Day and urged all citizens to join with the Compassionate Friends in their annual ceremony of remembrance.

Public Hearing – Variance Application #24 – all input is on tape/minutes are summary only.

At 5:35 PM, Mayor Boothman opened the public hearing for a 5.36' variance from the Friday Harbor Municipal Code (FHMC) required 27' height limitation by Mr. and Mrs. Paul Upchurch at 610 Warbass Way.

Mayor Boothman inquired, but did not hear any objection to his or any Councilmember's participation in the public hearing process. Mayor Boothman inquired if any Councilmembers had an interest in the property or issue; stood to gain or lose any financial benefit as a result of the outcome of this hearing; and if they engaged in communication with opponents or proponents regarding this issue. Council answered in the negative to all these inquiries. Mayor Boothman inquired if Councilmembers could hear and consider public input in a fair and objective manner. Council answered in the positive to this inquiry.

Mayor Boothman asked Permit Coordinator Jones to present the staff report.

Mr. Jones outlined zoning, corresponding property elevations, staff process, and presented the ten-page staff report dated 11/27/02. Mr. Jones observed that other height variances have been granted along Warbass Way. Mr. Jones recommended Council approval of Variance Application #24, SEPA checklist #225 and the Findings of Fact and Conclusions of Law distributed to Council at the noon Town Council meeting, which are dated 12/5/02.

Mayor Boothman opened the public hearing to public comment.

Eric Gatley, 570 Harrison Street, inquired about the height of the proposed variance building in relationship to the proposed garage, which will not need a height variance. Mayor Boothman indicated the building would be approximately 20' from street level. Mr. Gatley commented that

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maintaining the view corridor is important and if trees were planted it may block the view in the future.

David Kinderfather, 370 Spruce Street and Architect for the Applicant, described the building project and the logic for the variance request using Exhibits A-C. Mr. Kinderfather indicated the owners would like to follow the historic guidelines although the property is not within the Town's historic preservation overlay district.

Attorney Eaton clarified that planned improvements within the Town's right of way would need a separate license and were not a part of these proceedings. Mr. Kinderfather acknowledged his understanding of this statement.

Sandy Richard, 179 Sweet Cress Lane and owner of property located at 610 Harrison Street, indicated that the project under review could affect her view. Ms. Richard incorporated several pictures depicting possible view loss into the record; said pictures were labeled Exhibit D through I. Ms. Richard indicated that she did not have enough time from the receipt of the notice of public hearing to the hearing itself to investigate fully the impacts to her property. Ms. Richard asked Council to table discussion until further investigation could occur.

Mr. Kinderfather indicated that based on a 27' calculation the proposed building height would not be much different than the height of the previous building on the property.

Land Use Administrator Bertrand clarified that public notices were mailed within the required amount of time as specified in the FHMC for a variance.

Because most of the Council had not been through a variance application previously, Attorney Eaton reminded them that they were acting in the role of a judge. He elaborated that Council should make their decision based on current FHMC regulations and approve or disapprove of the variance based on the rules in place at the present. Mr. Eaton suggested that it is good policy for each Councilmember to articulate their reasons for approval or disapproval for the meeting record.

Mayor Boothman opened the public hearing to Council inquiries.

Councilmember Brooks asked staff to clarify why they felt allowing the variance did not impact the rights of other property owners. Permit Coordinator Jones indicated that staff felt allowing the variance would not "significantly" injure the rights of other property owners.

Following inquiry by Councilmember Brooks regarding square footage of the lot and proposed structure, Mr. Kinderfather presented a site plan with topography; said site plan was marked Exhibit J.

Councilmember Rosenfeld asked if granting this height variance would set a precedence for future variances in this area. Permit Coordinator Jones answered that if the same circumstances were in place, then granting this variance might allow others to obtain a variance.

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Permit Coordinator Jones commented that, within his eleven years working for the Town, the Town has never granted a height variance to someone with a level lot. . Mr. Jones observed that the applicant could build closer to the road and stay within the Town's 27' height limit; although such a project may adversely impact neighboring property owner's views.

Councilmember Jones inquired how the applicant intended to follow the historic guidelines.

Attorney Eaton noted that whether the applicant follows or does not follow the Town's historic guidelines can not be used as a basis for Council's decision.

Councilmember Brooks showed concern about the devaluation of Ms. Richard's property if the variance were approved. Ms. Brooks asked where the pictures, submitted as Exhibit D-I, were taken from on Ms. Richard's property. Ms. Richard responded that the pictures were taken from the lower deck of her property.

Jim Buterbaugh, 530 Harrison Street, asked Council to take more time in making their decision. Mr. Buterbaugh commented that an out-of-state neighboring property owner might not have had time to comment on said variance.

Mayor Boothman indicated that most out-of-state property owners either call, email, or write the Town to express concerns.

At 6:43 PM, Mayor Boothman closed the public hearing to public input and opened Council deliberations.

Councilmember Rosenfeld commented that allowing the variance would impact the neighbors.

Councilmember LaPorte noted that the criteria for the variance had been met and spoke in favor of approval.

Councilmember Brooks expressed disagreement that the variance criteria had been met. She expressed that the applicant has not proven that there would not be significant impact to neighboring property owners.

Councilmember Rosenfeld suggested contacting the Assessor's Office and asking if said view will impact neighboring property owners' values.

Councilmember Gillette suggested that more information was necessary to make an informed decision.

Councilmember Rosenfeld asked to see other variance permits granted in the Warbass Way area.

Councilmember Jones indicated that the meaning of "significant" should be better defined in regards to comparisons of impact. Councilmember Jones suggested continuing the public hearing until a later date to attain more information. Councilmember Brooks seconded the motion.

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Administrator Fitch asked Council to define the specific information that is being requested.

Council suggested additional pictures from different viewpoints, along with a picture displaying the project as proposed and pictures depicting a 27' pole directly at the road for comparison sake.

Attorney Eaton explained that it is the applicant's burden to prove to the Town Council that a variance should be granted and so the Council should direct their requests for additional information and pictures to the applicant.

Following discussion, Councilmember Jones moved and Councilmember Brooks seconded to continue the public hearing to December 17th, 2002 at 5:30 PM and expressed a desire for the applicant to obtain pictures as stated above. The motion passed 4 to 1, with Councilmember LaPorte in the opposition.

Mayor Boothman declared a short recess. At 7:17 PM, Mayor Boothman declared the meeting back in session.

At Mayor Boothman's suggestion, Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1304, Resolution #1302, Ordinance #1200, and Ordinance #1201. Resolution #1304 authorizes the Mayor to execute a law enforcement contract with San Juan County for the year 2003. Resolution #1302 authorizes the Mayor to execute an interlocal agreement with Fire District #4 for fire protection services. Ordinance #1200 enacts an additional 2% hotel motel tax and repeals Ordinance #1169 in its entirety. Ordinance #1201 authorizes bonding in lieu of full completion of public improvements for subdivisions, amending Ordinance #1058 and repealing Ordinance #1197. Following inquiries, the motion passed unanimously.

Draft 2003 Budget Work Session – tape 2 sequence #645

Treasurer Picinich indicated that certain funds would have a larger beginning cash balance than originally anticipated. Mayor Boothman, Council, Administrator Fitch, and Treasurer Picinich discussed the draft 2003 budget starting at the current fund and concluding the work session at the sewer fund. Council proposed no changes.

Claims – tape sequence #1721

Councilmember Brooks moved and Councilmember LaPorte seconded to approve the payment of claim warrants #22238 through #22289 in the amount of \$132,494.00 and payroll warrants #9074 through #9120 in the amount of \$141,146.47. The motion passed unanimously.

Executive Session

At 7:53 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition with no action anticipated for approximately 20 minutes.

At 8:47 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Hearing no objection, Mayor Boothman declared the meeting adjourned.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 2002

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – December 17, 2002 @ 5:30 PM

The Town Council was scheduled to meet in continued regular session for the purpose of holding a continued public hearing in regards to a height variance application from Mr. and Mrs. Paul Upchurch. Members present: none
Others Present: Treasurer Picinich

Treasurer Picinich called roll. Noting a lack of quorum, Ms. Picinich adjourned the meeting.

(**Note:** After the first public hearing held at the Town Council meeting on December 5, 2002, the applicant withdrew their variance application. Due to this withdrawal, Councilmembers were notified that the meeting would not go forth.)

Clerk Pro-tem/Treasurer, Wendy J. Picinich

Town Council – December 19, 2002 @ 12:00 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson
Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Ron Zee, 5658 West Side Road, and Sherri Larson, PO Box 136, presented Council with a petition and draft resolution supporting the peaceful resolve of conflict between the United States and Iraq. They urged Council to pass the draft resolution, which advocated a diplomatic solution to the dispute in Iraq.

Resolution #1303

Mayor Boothman introduced draft Resolution #1303. A resolution authorizing the Mayor to execute an agreement for an animal control program for 2002. Administrator Fitch explained the particulars of said resolution. Following inquiries, Councilmember Jones moved and Councilmember Brooks seconded to adopt Resolution #1303 as presented. The motion passed unanimously.

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Resolution #1306 – tape sequence #320

Mayor Boothman introduced draft Resolution #1306. A resolution authorizing the Mayor to execute deductive Change Order #3 on the contract with Stellar J. Corporation for improvements to the Wastewater Treatment Plant. Administrator Fitch explained the particulars of said resolution. Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt Resolution #1306 as presented.

Councilmember Gillette encouraged another change order to eliminate the sludge dryer equipment.

Following discussion, Councilmember LaPorte moved and Councilmember Jones seconded for the previous question. The motion regarding the previous question passed unanimously. Subsequently, the motion on the floor (adoption of Resolution #1306) passed unanimously also.

Resolution #1305 – tape sequence #1305

Mayor Boothman introduced draft Resolution #1305. A resolution authorizing the Mayor to execute an intergovernmental agreement with San Juan County Fire Protection District #5 for fire protection services. Administrator Fitch explained the particulars of said resolution. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1305 as stated. The motion passed unanimously.

Administrator's Report – tape sequence #613

Administrator Fitch introduced draft Resolution #1307. A resolution authorizing the Mayor to execute an agreement to promote economic development within the Town. Mayor Boothman explained the particulars of said resolution.

Councilmember LaPorte questioned supporting a group without adopted bylaws. Following discussion, Councilmember Brooks moved and Councilmember Jones seconded to table further discussion until the evening Town Council meeting. The motion passed unanimously.

2002 Budget Amendments Public Hearing

At 12:30 PM, Mayor Boothman opened the public hearing on the 2002 budget amendments. Treasurer Picinich explained the particulars of said amendments.

Hearing no public input, Mayor Boothman asked Administrator Fitch to continue with his Administrator's report.

Administrator's Report Continued

Administrator Fitch reported that Mr. & Mrs. Upchurch have withdrawn their 27' height variance application at 610 Warbass Way. Mr. Fitch indicated that the applicant has chosen to move their building closer to the public right-of-way and would now be within the Town's height regulations.

Administrator Fitch reported that Brown & Caldwell Engineering has completed a draft Water Conservation Plan. Mr. Fitch indicated that staff was currently analyzing said document, but a copy of it would be available for Councilmembers if desired.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 2002

Administrator Fitch noted that the Historic Preservation Review Board wished to have a joint meeting with the Town Council. Following discussion, Council agreed to a joint meeting on March 20, 2003 at 5:30 PM.

Regarding the 2003 budget, Administrator Fitch noted a request from the San Juan County Sheriff's Department for an increase in their dispatch services fee.

Councilmember Rosenfeld inquired about the level of Trout Lake. Administrator Fitch noted that at the end of November the lake level was 62.5" below the spillway.

At 12:44 PM, hearing no public input on the 2002 Amended Budget, Mayor Boothman closed the public hearing and introduced draft Ordinance #1202. An ordinance amending the 2002 Budget for the Town of Friday Harbor. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1202 as stated. The motion passed unanimously.

Minutes – tape sequence #1475

Councilmember Brooks moved and Councilmember Gillette seconded to approve the Town Council minutes of December 5, 2002 noon and 5:30 PM meetings as written. The motion passed unanimously.

Non-agenda

Council discussed the petition and draft resolution presented during the public access portion of the meeting. Councilmembers Brooks, Gillette, Jones, and LaPorte were in accord to reject passage of the presented resolution for various reasons. Councilmember Rosenfeld moved to adopt the presented draft resolution. The motion died for lack of a second.

Mayor Boothman asked Council to confirm the appointment of Harriet Capron to the Town Planning Commission. Councilmember LaPorte moved and Councilmember Jones seconded to confirm Ms. Capron to position #2 on the Town Planning Commission. The motion passed unanimously.

Mayor Boothman suggested the Planning Commission begin video taping their meetings to show on public access. Council concurred with this suggestion.

Work Session on draft 2003 Budget – sequence #1839

At 12:53 PM, Mayor Boothman opened the work session on the draft 2003 budget. Administrator Fitch outlined various changes to the budget, and last minute requests. Mr. Fitch noted that some Town employees were disappointed in regards to budget cuts in their departments. Mr. Fitch asked Council to review the pages of the draft budget regarding those eliminated funds. Following inquiry and discussion, Council approved the following budget additions, Sheriff department's requested increase for 2003 dispatch user fees and the Animal Protection Society of Friday Harbor's request for funding of \$1,500 to capture and neuter feral cats.

At 1:35 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 2002

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – December 19, 2002 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld

Others present: Town Administrator Fitch, Treasurer Picinich, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Cathaleen Cavanaugh, 731 Sutton Road, and President of the San Juan County Economic Development Council (EDC), described the functions and activities of the EDC. (Draft Resolution #1307 was introduced at the noon Town Council meeting and then tabled until the evening meeting.) Following discussion and inquiry, Councilmember Rosenfeld moved and Councilmember Gillette seconded to adopt Resolution #1307. A resolution authorizing the Mayor to execute an agreement to promote economic development within the Town for 2002. The motion passed unanimously.

Draft 2003 Budget Work Session – tape sequence #975

At 6:00 PM, Mayor Boothman opened the Council work session on the draft 2003 budget. Discussion began at the Sewer Department budget. Treasurer Picinich indicated that funds budgeted in 2002 to asphalt the Town shop have been transferred to the 2003 budget because the project was not completed as yet. Ms. Picinich also mentioned the addition of funding for an alarm service at the Water Treatment Plant.

Councilmember Gillette suggested analyzing if contracting with an outside agency to provide sludge hauling functions would be more cost effective. Administrator Fitch indicated that past analysis has not revealed any savings.

Treasurer Picinich noted that projected Refuse Department revenues for 2003 have been lowered because current revenues are down in this department.

Administrator Fitch described funding changes in the Street Department budget in regards to Grover Street under professional services and improvements. Councilmember Brooks suggested funding for a new street to connect with Dougherty Lane for safety of travel to the proposed Park on Pear Point Road. Administrator Fitch observed that funding for streets and sidewalks is very limited and with multiple projects needed on existing roadways, building a new street is difficult to fund.

Administrator Fitch indicated that engineering and sidewalks for Tucker Avenue have been added to said budget.

Council reviewed the stormwater, capital reserve, and arterial street funds. At 6:55 PM, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1203, an ordinance adopting the budget for the Town of Friday Harbor, Washington, for the fiscal year ending December 31, 2003 including changes as discussed. The motion passed unanimously. Council graciously thanked staff for their hard work.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 2002

Ordinance #1204

Mayor Boothman introduced draft Ordinance #1204. An ordinance fixing 2003 salaries of officials and non-represented personnel. Councilmember Jones moved and Councilmember LaPorte seconded to divide Section 6, pertaining to volunteer firefighter compensation, of said ordinance into a separate vote. The motion passed unanimously.

Councilmember LaPorte moved and Councilmember LaPorte seconded to adopt Ordinance #1204, excluding Section 6. The motion passed unanimously.

Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Ordinance #1204, Section 6, which pertains to compensation for volunteer firefighters. The motion passed unanimously, with Councilmember Jones abstaining, as he is a volunteer firefighter.

Council Accomplishments – tape 2 sequence #280

Mayor Boothman thanked the Council for their hard work and gave an overview of the accomplishments for 2002. Some of the accomplishments mentioned were the beginning of the largest public works project ever undertaken by the Town, which is the Wastewater Treatment Plant improvements; the management of the largest fire in the Town's history; and park improvements. Council expressed appreciation for each other and the Mayor.

Claims

Councilmember Gillette moved and Councilmember Brooks seconded to approve the payment of claim warrants #22291 through #22346 in the amount of \$411,032.03. The motion passed unanimously.

Non-agenda

Council briefly discussed a Sister City request from Monte Sereno, California. Mayor Boothman indicated that a Friday Harbor High School student may be forthcoming to work with the Town on sister city issues.

Executive Session

At 7:15 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 10 minutes with no action anticipated.

At 8:03 PM, hearing no objection, Mayor Boothman declared the meeting back in regular session with no action taken in executive session. Attorney Eaton arrived during executive session at 7:30 PM. Hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk