

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Town Council – January 2, 2003 @ 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, Land Use Administrator Bertrand, Utilities Superintendent Wilks & Treasurer Picinich

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

The Reverend Nancy Tiederman, rector of St. David's Episcopal Church, gave the invocation.

Since County Commissioner Nielsen was not in attendance, the Mayor moved to department reports. Mayor Boothman explained that Fire Chief Low was unable to attend the meeting.

Departmental Reports

Utilities Superintendent Wilks reported on Trout Lake level, water production and rainfall. Mr. Wilks informed Council that the Street Department is scheduled to install the new flagpole at Memorial Park next week. Mr. Wilks also reported on the recent leak in the sewer submarine line. A 20' section of the line will be replaced soon.

County Commissioner Nielsen – tape sequence #291

County Commissioner Nielsen joined the meeting at 12:10PM. Commissioner Nielsen updated the Council on State Legislative ferry service cuts. Councilmember LaPorte suggested that the Town and County hire a lobbyist to work on the legislature to save our ferry service and our Capron Funds.

Commissioner Nielsen distributed copies of a "local government joint legislative proposal" drafted by the Association of Washington Cities (AWC), Washington Association of County Officials (WACO) and the Washington State Association of Counties (WSAC). This tri-association proposal recommends that the legislature protects local governments' existing revenue base and to authorize recommended revenue options.

Commissioner Nielsen also distributed copies of the Board of County Commissioners' Ordinance #20-2002 establishing the San Juan County Affordable Housing Fund. Commissioner Nielsen explained that the new Affordable Housing Commission would operate similarly to the Land Bank Commission. The seven-member board would include a representative from the Town Council. The new commission would be funded from a voter-approved real estate excise tax (REET). The purposed REET is scheduled to go before the voters in the November 2003 election.

Councilmember Rosenfeld expressed his continued interest in holding a joint Town Council/County Commissioners meeting in the near future.

Department Reports Continued – tape sequence 975

Land Use Administrator Bertrand distributed his department's year-end reports. Mr. Bertrand also reported his office received nine requested changes to the 2003 update of the Town's Comprehensive Plan. Mr. Bertrand also informed the Council that his staff is working on revisions to the Town's sign ordinance.

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Resolution #1309

Mayor Boothman introduced draft Resolution #1309. A resolution authorizing the Mayor to accept a proposal from General Pacific, Incorporated to provide fourteen street lighting standards. Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1309. The motion passed unanimously.

Resolution #1308

Mayor Boothman introduced draft Resolution #1308. A resolution authorizing the Mayor to execute an agreement for an animal control program for 2003. Councilmember Jones moved and Councilmember Brooks seconded to adopt Resolution #1308. Councilmember Jones pointed out that the agreement was for animal control services within the Town limits only. The motion passed unanimously.

Ordinance #1205

Mayor Boothman introduced draft Ordinance #1205. An ordinance accepting the Final Plat of the Islanders' Addition Subdivision – Phase 1 to the Town of Friday Harbor. Administrator Fitch explained the Town's subdivision procedures. Administrator Fitch noted that the developers still have work to complete before the Town could accept the Final Plat. Administrator Fitch presented a modified version of Ordinance #1205 for Council consideration. This version authorized the Town Administrator, or his designee, and the Mayor to sign the Final Plat after determination that the performance bond application for completion of streets and sidewalks is complete and should be approved. Councilmembers Brooks, Jones and Rosenfeld expressed their discomfort with this modified ordinance.

Bill Percich, Islanders' Addition developer, stated that the draft performance bond is almost completed and the title to the property has been ordered.

Mike Carlson, Islanders' Addition's general contractor requested that the Council continue their meeting until Friday January 10th. Mr. Carlson felt that all of the work needed to be completed would be so by then.

Councilmember Gillette moved and Councilmember Brooks seconded to table Ordinance #1205 until the continued meeting. The motion was approved.

Ordinance #1206

Mayor Boothman introduced draft Ordinance #1206. An ordinance accepting the bills of sale from the Hrycak Corporation for certain improvements of the Town's water, sanitary sewer, and stormwater systems in the Islanders' addition Subdivision – Phase 1. Councilmember Gillette moved and Councilmember Jones seconded to table discussion of Ordinance #1206 until the planned continued meeting on January 10, 2003. The motion was approved.

Administrator's Report

Administrator Fitch informed the Council that he had no report to present.

Minutes

Councilmember Gillette moved and Councilmember Brooks seconded to approve the Town Council minutes of December 17, 2002 at 5:30 PM, December 19, 2002 at noon and 5:30 PM as written. The motion passed unanimously.

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Non-agenda

Mayor Boothman explained the attachment of the City of Bellingham's 2003 Legislative Session Agenda to his 2003 Council Legislative Agenda request letter.

Councilmember Jones asked when the Council would discuss the rate study by Financial Consulting. Administrator Fitch explained that the finished report would arrive soon and will be scheduled for discussion on the January 16th agenda.

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

Gary G. Boothman, Mayor

Wendy Picinich, Town Clerk Pro-Tem

Town Council – January 2, 2003 @ 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, & Treasurer Picinich

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

Proposed Property Purchase

At 5:35 PM, Council began discussion of the purchase of the property at 330 Spring Street known as Browne Lumber. Attorney Eaton explained the draft real estate purchase and sales agreement.

Resolution #1310

Mayor Boothman introduced draft Resolution #1310. A resolution authorizing the Mayor to enter into an agreement for the acquisition of certain real estate on Spring Street, in Friday Harbor, commonly known as the "Browne Lumber Property". Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1310 changing all references to "six months to "180 days". The motion passed unanimously.

Regulation of San Juan County Parking Lots – tape sequence #1188

Attorney Eaton explained San Juan County's request to include the County's Courthouse, Rhone Street Annex and Guard Street parking lots in the Town's parking ordinance. The inclusion of these parking lots would allow the County to establish time limit parking in these parking lots which the San Juan County Sheriff would enforce.

Councilmember Gillette requested that the issue be tabled until after the Town comes to some conclusion on the Browne property citing that after new parking is developed the County would have no parking problems in their lots. Councilmember LaPorte explained that the County's parking issue was totally unrelated to needing more parking spaces in Town but of people either abandoning or leaving their vehicles in the lots for extended periods of time.

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Karen Veddar, a San Juan County Deputy Prosecuting Attorney, further explained the County's request. The County proposes an inter-local agreement under which the County agrees to take full responsibility for the policing of and the issuance of citations in these parking lots. Councilmember Brooks agreed with the proposal but requested that the limit be over twenty-four hours.

Councilmember Gillette suggested that the County sell passes for overnight parking. Town Marshall Bertrand requested that the citations that the County issues for overtime parking be distinguishable from those citations issued by the Town.

Attorney Eaton was directed to prepare an draft inter-local agreement for time limited parking in the County parking lots and draft procedures for the enforcement of and collection of over time parking fines.

Regulation of Moral Nuisance – tape sequence 1543

Councilmember Brooks presented a draft ordinance for the regulation of sexually oriented businesses within the Town of Friday Harbor. Councilmember Brooks explained that she felt that since the Town could not ban these types of businesses the Town needs to establish regulations before any of these types of businesses locate in the Town. Councilmember LaPorte stated that he sees moral nuisances in the Town as a non-problem and is not willing to invest the time or money in pursuing such an ordinance.

Attorney Eaton said if the Council wanted to pursue a regulatory approach the Council would need to retain outside counsel to research moral nuisance regulations. Councilmember Rosenfeld agreed with Councilmember Brooks that it would be wise to have some regulation on the books before such business located in Town but felt that the Town may not be able to afford to do so.

The Council decided that it would express its views against sexual oriented businesses in the Town by Resolution. Mayor Boothman asked Councilmember Brooks to draft such a resolution.

Claims and Payroll – tape sequence 3122

Councilmember Jones moved and Councilmember Gillette seconded to approve the payment of claims warrants #22349 through #22386 in the amount of \$37,389.63 and the payment of payroll warrant #9122 through #9206 in the amount of \$152,473.46. The motion was unanimously approved.

Non-agenda

There were no non-agenda items presented.

At 6:51 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned to reconvene Friday January 10, 2003 @ noon to consider the adoption of Ordinance #1205 accepting the Final Plat of Islanders Addition – Phase I and Ordinance #1206 accepting certain improvements to the Town water, sanitary and stormwater systems in the Islanders Subdivision.

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Gary G. Boothman, Mayor

Wendy Picinich, Town Clerk Pro-Tem

Town Council – January 10, 2003 @ 12:00 PM

The Town Council met in continued session with Mayor Boothman presiding. Members present: Brooks, Gillette, Jones, LaPorte & Rosenfeld Others present: Town Administrator Fitch, Land Use Administrator Bertrand, & Treasurer Picinich

Ordinance #1205

Mayor Boothman introduced draft Ordinance #1205. An ordinance accepting the Final Plat of the Islanders' Addition Subdivision – Phase 1 to the Town of Friday Harbor. Administrator Fitch explained that all of the conditions for acceptance of the subdivision have been met. Councilmember Jones moved and Councilmember Brooks seconded to adopt Ordinance #1205. After discussion, it was decided to change "applied for approval of a performance bond" to "have furnished a performance bond". Councilmember Jones, seconded by Councilmember Brooks, moved to amend the original motion to include the change. The motion was unanimously approved.

Ordinance #1206

Mayor Boothman introduced draft Ordinance #1206. An ordinance accepting the bills of sale from the Hrycak Corporation for certain improvements of the Town's water, sanitary sewer, and stormwater systems in the Islanders' addition Subdivision – Phase 1. Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Ordinance #1206. The motion was unanimously approved.

At 12:10 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Wendy Picinich, Town Clerk Pro-Tem

Town Council – January 16, 2003 @ 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

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

Sheriff's Report

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Sheriff Cumming distributed his department's December 2002 and 2002 year-end activity reports. Sheriff Cumming noted that he has been working with Town Consultant Shannon Davis and Town System Administrator Dubail to improve how this information is reported and presented. Sheriff Cumming updated the Council on the investigation of the water treatment plant robbery. Councilmember Rosenfeld asked if it would be helpful if the Town offer a reward for information about the robbery. Sheriff Cumming responded that a reward offer was a good idea as long as the reward stipulates that the information leads to an arrest and conviction of the perpetrators. Sheriff Cumming also informed the Council that the department is applying for grants to fund a back up dispatch system. Law enforcement funding for E-911 services is decreasing as the State diverts those monies to fund other State programs. Sheriff Cumming told the Council that he is working with the Board of County Commissioners to reestablish the summer traffic control program.

Departmental Reports – tape sequence #673

Fire Chief Low distributed his department's 2002 year-end incident and response times reports. Chief Low informed the Council that the specifications for the new fire boat have been completed and given to the Town Administrator for review. Chief Low also reported that the Town was unsuccessful in its grant request to the Federal Emergency Management Agency (FEMA) for new SCBA equipment. The department will submit an application for funding in the next grant cycle.

Discussion and inquiry followed regarding procedures, response times, equipment and operating standards.

System Administrator Dubail distributed his monthly report noting that with the Mayor's assistance the sound system in the Council Chambers has been improved. He also reported that there have been over 35,300 visitors to the Town's web site and that the home page features profiles on Town employees written by Water Department Leadman, Mike Deegan. Mr. Dubail distributed his year end analysis report for the Town's water, wastewater and solid waste utilities.

Ordinance #1207 – tape sequence #1772

Mayor Boothman introduced draft Ordinance #1772. A ordinance amending Ordinance #1147, and Chapter 15.04 Friday Harbor Municipal Code, concerning adoption of State Building Code. Administrator Fitch explained the changes in Section 2, A-3 referring to the Uniform Fire Code. Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Ordinance #1207. After discussion, the motion passed unanimously.

Resolution #1311 – tape sequence #2274

Mayor Boothman introduced draft Resolution #1311. A resolution authorizing the Mayor to offer for public sale such used vehicles and equipment deemed surplus. Administrator Fitch noted that item #11 on the list should be two Aladdin hot water pressure washers. Jones moved and Councilmember Gillette seconded to adopt Resolution #1311. The motion passed unanimously.

Resolution #1312 – tape sequence #2570

Mayor Boothman introduced draft Resolution #1312. A resolution authorizing the Mayor to execute an addendum to an interlocal agreement between the Town of Friday Harbor, San Juan

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County, and the Port of Friday Harbor for the purpose of the reconstruction of Front Street at its northwest terminus. Councilmember Gillette moved and Councilmember LaPorte seconded to adopt Resolution #1312. The motion was unanimously approved.

2003 Legislative Agenda

Mayor Boothman requested that Councilmembers submit their 2003 legislative agenda items to either the Town Administrator or himself.

Administrator's Report – tape sequence #3108

Administrator Fitch reported that the Town has received a request to move a structure from Three Meadows through Town. The route in Town would be along Tucker Avenue to Blair Avenue and up Spring Street to a San Juan Valley Road destination. The move is scheduled for Thursday January 23 around midnight until 6 AM the next morning. Council gave their approval.

Administrator Fitch informed Council that a claim for the stolen property at the water treatment plant has will be submitted to the Town's insurance carrier.

James Nelson from the Town's bond underwriter Martin Nelson & Company will attend the February 20th Council meeting to explain the Town's upcoming sewer bond issue.

Minutes – tape sequence #3388

Councilmember Jones moved and Councilmember Brooks seconded to approve the Town Council minutes of January 2, 2003 at noon and at 5:30 PM and January 10 at 5:30 PM. Councilmember Gillette moved to the table the approval of the January 2, 2003 at 5:30 PM until his proposed change could be researched. Councilmember Jones seconded the motion. The motion was approved. The original motion to approve the minutes was changed to exclude the January 2, 2003 at 5:30 meeting. The motion was approved.

Non-agenda

There were no non-agenda topics presented.

At 1:30 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Wendy Picinich, Town Clerk Pro-Tem

Town Council – January 16, 2003 @ 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

Mayor Boothman led the meeting in the Pledge of Allegiance.

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Public Access

Jason Peck, Friday Harbor Volunteer Firefighter, presented a letter to the Council from the Friday Harbor Firefighters Association. The Association proposed to purchase a used Type 1 Fire Engine and lease it to the Town for a minimal amount. Council postponed discussion of the proposal until later in the meeting.

James Orr, 275 Marguerite Street, stated that he did not want any of funds generated from Town of Friday Harbor property tax payers to be used to support the purchase of the Browne Lumber property or to support any activities on that property.

Council Discussion of Proposed Increases in Water and Sewer User Fees – tape sequence #445
Administrator Fitch distributed revised water and sewer right-to-connect charges table. Council discussion followed on water and sewer rate and right-to-connect charge update report by Financial Consulting Solutions Group, Inc. Councilmember Jones stated that the Town needs to adopt and follow the study to ensure that the Town will have the monies to finance needed future capital projects. Councilmember Rosenfeld stated that there are other ways to finance these capital projects without relying entirely on user fees. He suggested imposing a utility tax on vacant property in the Town, using sales tax revenue from the Current Expense Fund and/or using hotel/motel tax receipts to help fund future projects.

Councilmember Brooks stated that the Town should adopt the rate study but continue to explore other alternatives to help finance future capital projects. Councilmember Gillette expressed said rate study did not look at uniform rates. Mr. Gillette indicated that uniform rates would assist those people who would like to have a large garden.

Mayor Boothman proposed that staff prepare an ordinance to adopt the proposed rate increase and a resolution to adopt the rate study. He further proposed that a first reading of the rate ordinance be at the February 6th Council meeting along with a public hearing. The ordinance would be scheduled for adoption on the February 20th meeting.

Councilmember Gillette requested that the minutes reflect that he strongly disapproves of any increase in either water user fees or water connection fees.

Councilmember Rosenfeld requested that the proposed user fees increase and the increase in right-to-connect fees be presented in separate ordinances. Councilmember Jones urged the Council to adopt the rate study and then look for various new ways to supplement financing future capital projects. Councilmembers Brooks and LaPorte concurred.

Lovell Pratt of the San Juan Community Home Trust requested that the Council consider deferring or lowering connection fees for affordable housing projects.

Council decided to hold a public hearing on February 6th on the proposed user fee and right-to-connect fee increases with adoption of these increases scheduled for the February 20th meeting. The proposed user fee increases would not be effective until March 1, 2003. The proposed right-to-connect fee increases would not be effective until April 1, 2003. Council will continue to look for alternative ways to help finance future capital projects and ways to allow reduced connection fees for permanent affordable housing projects.

Council Discussion of Contract Negotiations – tape 2 sequence #918

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Town Administrator Fitch reminded the Council that the Town's labor contract with Washington State Council of County & City Employees, AFSCME, AFL-CIO local 1849 expires March 31, 2003. Mr. Fitch asked the council how they would like to proceed with the upcoming labor negotiations. Council decided that the Town should contract with a labor consultant.

Proposal by Friday Harbor Firefighters Association -tape 2 sequence #1629

The Council decided to support the Association looking for a fire engine but reserved the right not to accept the engine or the proposed lease arrangement.

Claims – tape 2 sequence 1928

Councilmember Gillette moved and Councilmember Brooks seconded to approve the payment of final 2002 claims warrants #22401 through #22450 in the amount of \$428,908.91. The motion was unanimously approved.

Non-agenda

Mayor Boothman shared an e-mail from Mike Doubleday who is interested in becoming the Town's lobbyist for ferry related legislation. Council agreed that it was too late to hire a lobbyist for this legislative session. Ferry Advisory Boardmember Bob Distler is scheduled to address the Council at the February 6th Council meeting.

Councilmember Rosenfeld recommended that the Town offer a \$1,000 reward for information leading to the arrest and conviction of person or persons that burglarized the Town's water treatment plant. Councilmember Gillette requested that the reward offer be tabled until the next council meeting in case there is an update on the Sheriff's investigation. Council agreed.

At 8:00 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Wendy Picinich, Town Clerk Pro-Tem

Town Council – February 6, 2003 @ 12:00 PM

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

Bob Distler Presentation

Bob Distler, San Juan Ferry Advisory Committee, spoke concerning levels of ferry service to the San Juan Islands, changes in schedules and scheduling difficulties, percentages of ridership throughout the ferry system, fares, operating costs, and advantages and disadvantages of a legislature lobbyist. Council discussion and inquiry ensued throughout Mr. Distler's presentation.

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Darcie Nielsen, San Juan County (SJC) Commissioner, indicated that the SJC Commissioners have approved the payment of \$9,000 to partner with the Town and the Ferry System in providing summer traffic control in Friday Harbor. Ms. Nielsen also mentioned that Robin Pollard of Community, Trade, and Economic Development (CTED), has pledged to help on marketing the state ferry system. Ms. Nielsen suggested that perhaps having the state ferry designated as a "scenic byway" may help with federal funding.

Mayor Boothman thanked Mr. Distler and Ms. Nielsen for their comments.

Resolution #1313 – Tape sequence #2171

At 1:00 PM, Mayor Boothman introduced draft Resolution #1313. A resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the consulting firm of Howard Strickler & Associates to provide labor negotiation services. Administrator Fitch explained the particulars of said resolution and introduced Mr. Strickler. Following discussion and inquiry, Councilmember Jones moved and Councilmember Gillette seconded to adopt Resolution #1313 as stated. The motion passed unanimously.

Lobbyist discussion postponed

Mayor Boothman postponed Council discussion of state lobbyist due to time constraints.

Draft 2003 Legislative Agenda

At 1:08 PM, Mayor Boothman opened discussion of the 2003 legislative agenda items.

Councilmember LaPorte proposed adding "Solutions to Ferry Problems" to said agenda.

Councilmember Gillette indicated his areas of interest were: Complete Browne Lumber Purchase; Outdoor Burning in Town limit; Simplify Town financial statements; develop a compost & chipping program; and remove dead trees & add landscaping at the Town's Sutton Road property.

Councilmember Brooks asked about the status of a draft tree ordinance. Mayor Boothman indicated that in previous discussions, Council had not supported such an ordinance, but indicated he would research the history of the draft tree ordinance further and report back to Council.

Administrator's report – tape sequence #2833

Administrator Fitch reported that Lawson Construction is working on Sundays to install a new sanitary sewer line on First Street.

Administrator Fitch noted that a resident along Guard Street, who has waited patiently for several years to have a sidewalk placed along said road, reported he was upset because the Town has shifted its focus from Guard Street to Tucker Avenue.

Administrator Fitch indicated that Grover Street would have to remain a gravel road, because the engineer's estimate to pave said road was beyond the Town's resources. Mr. Fitch commented that the San Juan Island School District granted the Town an easement along said street until the roadway can be relocated.

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Administrator Fitch asked if Council wanted to pay to have the Town's fire truck mechanic fly to California to inspect the used fire truck to be purchased by the Friday Harbor Firefighter's Association. Council asked for additional information. Mr. Fitch indicated he would investigate further and report back to Council.

Administrator Fitch asked if Council wanted to grant Bill Percich a 30' foot easement on the Town's new property located off of Harbor Street. Council declined to offer the easement at this time.

Administrator Fitch reported that the Town would be adding a 4-way stop at the corner of Reed, Park, and Blair Streets at the recommendation of its traffic engineers.

Administrator Fitch introduced and explained draft Resolution #1314. A resolution authorizing the Town Treasurer to initiate an Inter-fund loan between the Current Fund and the Fire/Refuse Bond Redemption fund. Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1314 as stated. The motion passed unanimously.

Administrator Fitch announced that a house move through Town would be taking place on February 12, 2003 between the hours of 11 PM and 6 AM.

Administrator Fitch notified Council of an upcoming change order on the Wastewater Treatment Plant project. Mr. Fitch observed that the project continues to go well and is on schedule.

Administrator Fitch noted he will be on vacation beginning February 21 through March 5th.

Administrator Fitch advocated using a rentable portable restroom trailer instead of portable potties for the summer of 2003.

Administrator Fitch announced that the 2002 Annual Report is available.

Administrator Fitch reported that the level of Trout Lake is currently 52" below the spillway and beginning to recover from the light rains this winter.

Non-agenda – tape 2 sequence #213

Mayor Boothman presented a picture donated to the Town by Peter Delorenzi that depicts the crowd at the September 11, 2003 gathering at Memorial Park.

Minutes

Councilmember LaPorte moved and Councilmember Jones seconded to approve the Town Council minutes of January 2, 2003 at 5:30 PM, and January 16, 2003 at noon and 5:30 meetings as written. Councilmember Gillette disagreed with a wording in the January 16th, 2003 at 5:30 PM minutes. Councilmember Jones moved and Councilmember LaPorte seconded to table the approval of the 1/16/03, 5:30 PM minutes until comments made by Councilmember Gillette could be reviewed. The motion passed unanimously. Councilmember LaPorte and Councilmember Jones amended their previous motion to exclude the now tabled 1/16/03, 5:30 PM Town Council minutes. The previous motion passed unanimously as amended.

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Non-agenda

At 1:39 PM, Mayor Boothman postponed non-agenda comments due to time constraints.

Hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – February 6, 2003 @ 5:30 PM

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

Others present: Attorney Eaton & Treasurer Picinich,

Staff present: Town Administrator Fitch, Land Use Administrator Bertrand, Permit Coordinator Jones, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Cates/Gordon Public Hearing

At 5:31 PM, Mayor Boothman opened the public hearing regarding Shoreline Substantial Development Permit Application #72 and SEPA Checklist #226. The applicants of said application are Nancy Cates and Gerry Gordon; who propose to construct additions to an existing structure housing a business known as Friday's Crabhouse located at 65 Front Street.

Mayor Boothman inquired, but did not hear any Councilmember ask to be excused from participating in the public hearing process. Mayor Boothman inquired, but did not hear any objection to his or any other Councilmember's participation in the public hearing process. Mayor Boothman inquired if any Councilmembers had any 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 instructed those present of the procedures that would be followed and asked Permit Coordinator Jones to present the staff report.

Mr. Jones summarized the 15-page staff report dated 1/17/03. Mr. Jones noted Exhibit A, which was the architectural drawings of the proposed project, and Exhibit B, a general vicinity site map which also depicted the 300' project notification area. Mr. Jones noted receipt of one letter in regards to said project. Said letter was from Lucia Sargeson; it was marked Exhibit C. Mr. Jones noted that said staff report recommends approval of SSDP Application #72 and SEPA Checklist #226 with conditions as stated in report.

Mayor Boothman asked if the applicant had any comments. None were forthcoming. Mayor Boothman opened the public hearing to audience comments and Council inquires of staff.

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Administrator Fitch inquired if the foundation under the decks of said project would be professionally engineered. Land Use Administrator Bertrand answered in the affirmative.

Councilmember LaPorte asked if Ms. Sargeson's concerns had been addressed in regards to customers from Friday's Crabhouse using the Cannery Landing boardwalk facility for seating and refuse facilities. Mr. Jones presented a summary of Friday's Crabhouse' refuse, water, and sewer May – Sept 2002 Town utility billing. Said summary indicated that \$2,843.55 had been billed in refuse charges; said summary was marked Exhibit D.

Nancy Cates, co-owner and applicant for said project, stated that she felt Friday's Crabhouse provided adequate seating and refuse facilities.

Attorney Eaton pointed out that years ago one of the requirements for approval of the Cannery Landing development was to provide a public access area. This public space is the boardwalk that Ms. Sargeson refers to in her letter. Mr. Eaton assured that even though persons may bring their food from elsewhere and sit on the Cannery Landing boardwalk, said area is designated as public space, so these activities are permitted.

Councilmember Jones inquired if the applicant would be required to go through the historic preservation review board. Staff answered in the affirmative.

Councilmember Jones asked if approving the upper deck portion of the permit, as stated in the staff report, page 2, #7 was appropriate at this time. Staff specified that unless the construction on the permit has begun within 2 years and is completed by 5 years from the date of issuance of the permit, the applicants would have to come back to the Town Council for a new SSDP.

Gerry Gordon, co-owner and applicant, noted that the upper deck was added to "clean up" the overall look of the project.

At 5:52 PM, hearing no further input or inquires, closed the public input portion of the meeting and opened Council deliberations.

Councilmember Brooks expressed concern that this development might block other businesses' view in that area. Other Councilmembers did not feel the development would impact the other businesses in the area and the project was not in the view protection district.

Councilmember LaPorte moved and Councilmember Gillette seconded to approve Substantial Development Permit Application #72 and SEPA Checklist #226 and directed staff to create findings of fact and conclusions of law to support said decision. The motion passed unanimously.

Administrator's report – tape sequence #790

At 5:55 PM, noting that the time was too early to open the water/sewer public hearing, Mayor Boothman asked Administrator Fitch to give a portion of his Administrator's report.

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Administrator Fitch reported that the Friday Harbor Firefighter's Association would be purchasing a used fire truck from a licensed and bonded dealer in California and then leasing it to the Town. Mr. Fitch indicated that the dealer would certify said truck. Councilmember Gillette asked to review the testing results prior to purchase. Administrator Fitch explained that said Association was going to purchase the fire truck and so the Town did not have any endorsement rights regarding the purchase, although the Town Council could request such documents when deciding whether or not to lease the equipment from the Association.

Following further discussion, Councilmember Gillette moved to ask the Association to review the certification documents prior to purchase. The motion died for lack of a second.

Mayor Boothman noted a letter from San Juan Island Park & Recreation requesting a Councilmember volunteer for their trails committee. Councilmembers Jones and Rosenfeld expressed an interest, but asked staff to acquire more information regarding day and time of the week.

Water/Sewer Public Hearing

At 6:06 PM, Mayor Boothman opened the public hearing regarding increasing both the right to connect and user charges for the water and sewer utilities.

Jim Smith, 475 Friday Avenue, commented about how the high cost of the utilities provided by the Town is economically separating citizens on the island. Mr. Smith noted that the present "model" of how the Town is running its utilities is not working and suggested the Town find a new model. Mr. Smith commented that rentals in Town are adversely impacted due to the high cost of utility bills and are putting a burden on Town residents.

Debbie Emery, 903 Guard Street, noted that she has rented since moving to the island and that it is getting harder and harder to live here because of rising costs. Mr. Emery commented that soon the working class would not be able to live in Town. Ms. Emery suggested the Town find some way to obtain money from islanders who live outside of Town, but benefit from the Town providing services.

Darrell Roberts, 365 Hillcrest Place, echoed Ms. Emery's comments and asked the Town to find alternate ways to meet its funding obligations other than Town residents.

Lee Sturdivant, 745 Larsen Street, asked the Town to find a new model also. She indicated that the Town can't continue impacting the Town's working persons.

Councilmember Rosenfeld asked if Attorney Eaton had researched his suggested funding alternatives, which were discussed at a previous Town Council meeting. Attorney Eaton commented that following research, he was surprised to find that Town government could place a utility tax on undeveloped property. He noted that although such a tax could be adopted, it had not been challenged in court to date. Mr. Eaton noted that further investigation would be necessary to see if hotel/motel monies could be used to supplement water/sewer rates.

Councilmember Brooks suggested giving low income housing utility connections an extension of time to pay their connection fees. Attorney Eaton noted that language regarding a deferred

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program for affordable housing should be added to the Town's Comprehensive Plan if Council wished to support such a decision.

Councilmember Rosenfeld asked Administrator Fitch to explain the utility tax that is charged and then transferred to the street fund. Administrator Fitch explained that most cities use this method to help fund their street utilities. Mr. Fitch indicated that the Town's utility tax assessment rate is the 139th lowest in the state. Treasurer Picinich noted that most cities utility taxes go into the general current expense fund, but the Town of Friday Harbor has gone further and earmarked this money specifically for streets.

Councilmember Brooks indicated that constituents have asked why the Town can not annex San Juan island. Councilmember LaPorte stressed that the infrastructure impacts would be too severe, as then the Town would be obligated to run utility lines, etc., throughout the island. Attorney Eaton observed that the Growth Management Act prohibited this type of wholesale annexation also. Ms. Brooks asked if the Town could tax the whole island or if San Juan County could tax its residents on our behalf. Attorney Eaton explained that the Town could not tax outside of its jurisdiction, and any tax adopted by San Juan County would have to be uniformly applied throughout all County's jurisdiction, not just San Juan Island.

Councilmember Rosenfeld suggested merging the Town and County Fire & Street departments in an effort to save costs. Administrator Fitch indicated that a contract for services would still be necessary.

Councilmember Gillette proposed cutting costs by eliminating the sludge dryer from the Wastewater Treatment Plant improvement project.

Ordinance #1208, 1209, 1210, & 1211 – tape 2 sequence #15

At 7:02 PM, Administrator Fitch introduced draft Ordinance #1208, 1209, 1210 & 1211. Draft Ordinance #1208 amends Ordinance No. 1182 and Chapter 13.05 of the Friday Harbor Municipal Code, concerning water rate tables and connection charges. Draft Ordinance #1209 amends Ordinance No. 1182 and Chapter 13.05 of the Friday Harbor Municipal Code, concerning water rate tables and user charges. Draft Ordinance #1210 amends Ordinance No. 1195 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning sewer rate tables and connection charges. Draft Ordinance #1211 amends Ordinance No. 1195 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning sewer rate tables and septage/sanican dumping charges. Administrator Fitch noted that this was the 1st reading for each of these ordinances and no action was requested of Council at this time.

Councilmember Rosenfeld questioned, if other revenue sources were identified in the future, if rates could be lowered. Mayor Boothman answered in the affirmative.

Councilmember Jones asked the amount of the Town's current indebtedness. Treasurer Picinich answered \$8,350,880 through 2022.

Ordinance #1212 – tape sequence #637

Mayor Boothman introduced draft Ordinance #1212. An ordinance amending Ordinance No. 1084 and Chapter 13.05 of the Friday Harbor Municipal Code, concerning water system regulations. Administrator Fitch explained the particulars of said ordinance.

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Mayor Boothman introduced draft Ordinance #1213. An ordinance amending Ordinance No. 1089 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning sewer system regulations. Administrator Fitch explained the particulars of said ordinance.

Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Ordinance #1212 and 1213 as stated.

Councilmember Gillette moved to table said ordinances until the next meeting when the 2nd reading of draft Ordinances #1208-1211 would occur. The motion died for lack of a second.

The previous motion passed 4 to 1 with Councilmember Gillette against.

Claims & Payroll

Councilmember LaPorte moved and Councilmember Jones seconded to approve the payment of claim warrants #22472 through 22565 in the amount of \$109,716.65 and payroll warrants #9207 through 9252 in the amount of \$151,737.33. The motion passed unanimously.

Minutes – tape sequence #1020

Councilmember Gillette moved and Councilmember Brooks seconded to adopt the Town Council minutes of 1/16/03 at 5:30 PM as revised. The motion passed unanimously.

Non-agenda

Mayor Boothman introduced a letter addressed to State Senator Harriet Spanel for Council signature regarding Capron Funds. Council agreed to sign said letter.

Mayor Boothman introduced a proposal for access to the eCivis Grant Locator System. The proposed cost of said access is \$3,000.

Councilmember Brooks commented that new legislation is being proposed to expand the use of hotel motel monies.

Councilmember Rosenfeld moved and Councilmember Gillette seconded to post a \$1,000 reward to anyone giving information that leads to arrest and conviction of the person(s) responsible for the theft at the Town's Water Treatment Plant. Discussion followed regarding the merits of said reward. Merits were listed as: inducement for someone to come forward with information; discourage future crime; possibility of recovering some of stolen property; and possible restitution from convicted person. Following this discussion, the motion passed unanimously.

Councilmember Brooks indicated she would like to explore the proposal submitted by Joel Douglas for a public parking facility at Nichols and C Streets at the next Council meeting.

Executive Session

At 7:45 PM, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 5 minutes with no action anticipated.

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At 7:54 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 – February 20, 2003 @ 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.

Community Development Department Report

Land Use Administrator Bertrand asked for a Council volunteer to attend Joint Planning Group meetings with the Town and San Juan County. Mr. Bertrand indicated that the first meeting was scheduled for February 21, 2003 at 1:30 PM in the Council chambers. After Councilmember Jones expressed an interest, Councilmember LaPorte moved and Councilmember Brooks seconded to nominate Councilmember Jones to the committee. The motion passed unanimously.

Mr. Bertrand asked if Council wanted to hold a joint meeting with the Town Planning Commission to hear public testimony regarding amendments to the 2002 Comprehensive Plan, or if they would prefer the Planning Commission listened to said testimony and made its recommendations to the Council without the Council hearing the public testimony directly. Following discussion, it was the consensus of Council to hold a joint public hearing with the Planning Commission. Mr. Bertrand indicated that the joint meeting would be held on March 27, 2003 at 7:00 PM in the Council chambers.

Mr. Bertrand announced that the new Chair of the Planning Commission is Debbie Emery, and the Vice-chair is Mike Coyne.

Mr. Bertrand informed Council of a new 15,000 to 16,000 square foot building to be built on Market Street.

Presentation by Martin, Nelson, & Co. – tape sequence #300

At 12:10 PM, Mr. Jim Nelson, of Martin, Nelson, & Co. described the revenue bond process, contract, rates, and procedures. Discussion and inquiry followed.

Ordinance #1214 – tape sequence #635

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At 12:20 PM, Councilmember Brooks moved and Councilmember Gillette seconded to adopt Ordinance #1214. An ordinance authorizing the issuance of \$2,235,000 principal amount of sewer revenue bonds of the Town for the purpose of providing funds necessary to finance a new sewer treatment plant; providing that said bonds be issued on a parity with certain outstanding sewer revenue bonds of the Town; providing the date, form, terms, maturities and covenants of said bonds to be issued; providing for the payments of the principal of and interest on such bonds; providing the terms and conditions under which future parity bonds shall be issued; providing certain covenants safeguarding the payment of such principal and interest; and approving the sale of such bonds.

Administrator Fitch pointed out that adopting said ordinance will obligate Council to make sure there is sufficiently funds in the sewer revenue fund to make the bond payments each year.

Following further discussion, the motion passed unanimously.

Resolution #1316 – tape sequence #845

At 12:25 PM, Mayor Boothman introduced draft Resolution #1316. A resolution authorizing the Mayor to execute Change Order #4 on the contract with Stellar J. Corporation for improvements to the Wastewater Treatment Plant.

Administrator Fitch explained the particulars of said resolution. Following discussion and inquiry, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1316 as stated. The motion passed unanimously.

Ordinance #1215 – tape sequence #1055

At 12:32 PM, Mayor Boothman introduced draft Ordinance #1215. An ordinance accepting the Final Plat of the Foxhall Subdivision – Phase 3 to the Town of Friday Harbor. Administrator Fitch explained the particulars of said ordinance and indicated that one issue was still outstanding regarding final plat approval. Mr. Fitch elaborated that the developer has not reimbursed the Town approximately \$26,000 for engineering costs at said development. Mr. Fitch specified that payment of all costs is required prior to receiving final plat approval.

Don Galt, Sr., developer of the Foxhall Subdivision, indicated that the engineering costs were higher than expected and asked Council to adopt Ordinance #1215 adding a stipulation that the final plat could be approved following receipt of the funds owed. Mr. Galt indicated that said stipulation would allow the process to move forward without delaying the approval of said final plat until the next Town Council meeting. Following discussion, Council asked staff to revise draft Ordinance #1215 to include new language allowing for approval of the final plat following payment of monies owed. Administrator Fitch indicated that the new draft ordinance would be revised and ready for Council review at the evening Town Council meeting.

Ordinance #1216 – tape sequence #1470

Mayor Boothman introduced draft Ordinance #1216. 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 – Phase 3. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1216 as stated. The motion passed unanimously.

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Findings of Fact/Conclusions of Law – tape sequence #1500

Councilmember LaPorte moved and Councilmember Gillette seconded to adopt the Findings of Fact and Conclusions of Law regarding Shoreline Substantial Development Permit #72 and SEPA Checklist #226 – 65 Front Street. Mr. Bertrand indicated that the owners, Gerry Gordon and Nancy Cates, were to meet with the Historic Preservation Review Board next Wednesday regarding said project. The motion passed unanimously.

Resolution #1318 – tape sequence #1545

At 12:45 PM, Mayor Boothman introduced draft Resolution #1318. A resolution authorizing the Mayor to execute an interlocal joint purchasing agreement between the Town of Friday Harbor and the City of Tacoma to enable either entity to purchase from each others' contracts. Administrator Fitch explained the particulars of the joint purchasing agreement. Mr. Fitch indicated that the purchase of a new Town garbage truck would be the first item acquired under this agreement. Councilmember Rosenfeld moved and Councilmember Brooks seconded to adopt Resolution #1318 as stated. Following further inquiry, the motion passed unanimously.

Resolution #1317 – tape sequence #1317

Mayor Boothman introduced draft Resolution 1317. A resolution authorizing the Mayor to execute a lease with option to purchase agreement for one used Spartan Van Pelt fire truck with the Friday Harbor Firefighter's Association. Councilmember Brooks moved and Councilmember LaPorte seconded to adopt Resolution #1317 as stated. Following discussion and inquiry, the motion passed unanimously.

Minutes

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the Town Council minutes of February 6, 2003 noon and 5:30 PM meetings. Councilmember LaPorte noted clerical errors and suggested adding words to clarify a statement by Councilmember Brooks at the 2/6/03 5:30 PM Town Council meeting regarding connection fees. Councilmember Gillette moved and Councilmember Rosenfeld seconded to table the passage of the 2/6/03 5:30 PM Town Council meeting minutes until the evening Town Council meeting, allowing time for staff to clarify said statement. The motion passed 4 to 1 with Councilmember LaPorte in the opposition. The motion to pass the noon 2/6/03 Town Council meeting minutes, with clerical errors corrected, passed unanimously.

Administrator's Report – tape sequence #2285

Administrator Fitch commented that the Hrycak Corporation is selling the building that it has set up as security for a performance bond with the Town. Mr. Fitch indicated that the Deed of Trust would be transferred to a similar building owned by the same corporation.

Administrator Fitch asked Council to help locate a position for a mobile restroom trailer in the downtown core.

Non-agenda – tape sequence #2569

Councilmember LaPorte reported that the Lodging Tax Advisory Committee has nominated Laura Saccio to be a board member on the San Juan Island Visitor's Bureau Board. Mr. LaPorte asked for Council support of said nomination. Councilmember concurred.

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Councilmember Brooks suggested the Town find a way to receive credit card payments and/or payments over the web. Discussion followed.

At 1:17 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 – February 20, 2003 @ 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, Lee Sturdivant, 745 Larsen Street, suggested moving the funding of the fire department from sales tax to property tax.

Elaine Fleming, stated shock at the proposed increased water and sewer rates.

Resolution #1315 – tape sequence 200

Mayor Boothman introduced draft Resolution #1315. A resolution adopting the January 2003 Water and Sewer Rate and Right-to-Connect Charge Study. Councilmember LaPorte moved and Councilmember Jones seconded to adopt said rate study. Councilmember Gillette expressed concerns with some of the figures used in said study. Following discussion, the motion passed 4 to 1 with Councilmember Gillette in the opposition.

Ordinance #1209 – tape sequence #762

At 5:55 PM, Mayor Boothman introduced draft Ordinance #1209. An ordinance amending Ordinance No. 1182 and Chapter 13.05 of the Friday Harbor Municipal Code, concerning water rate tables. This ordinance will increase water user charges and become effective March 1, 2003 if adopted. Administrator Fitch explained the particulars of said ordinance. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1209 as stated. Following discussion regarding the impact of the new water rates on users; the high cost of living in Town; cost of installing a water and sewer system in the County; and water conservation, the motion passed 4 to 1 with Councilmember Gillette in the opposition.

Ordinance #1211 – tape sequence #1225

Mayor Boothman introduced draft Ordinance #1211. An ordinance amending Ordinance No. 1195 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning sewer rate tables. Administrator Fitch explained the purpose of said ordinance and noted the addition of sancier pumper charges to said rate tables. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1211 as stated. Following discussion and inquiry, the motion passed unanimously. This ordinance will become effective March 1, 2003.

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Ordinance #1208 – tape sequence 1600

At 6:17 PM, Mayor Boothman introduced draft Ordinance #1208. An ordinance amending Ordinance No. 1182 and Chapter 13.05 of the Friday Harbor Municipal Code, concerning water rate tables. This ordinance increases water system connection charges and will become effective April 1, 2003 if adopted. Administrator Fitch explained the particulars of said ordinance. Councilmember Brooks suggested looking further in to a deferral payment program for said connection fees. Following discussion, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1208 as stated. Councilmember Rosenfeld suggested postponing the adoption of said ordinance until discussions could be held regarding alternative funding sources. Discussion followed.

Councilmember LaPorte moved for the previous question. The motion passed 4 to 1 with Councilmember Rosenfeld in the opposition.

The previous motion passed 3 to 2 with Councilmember Gillette and Councilmember Rosenfeld in the opposition.

Ordinance #1210 – tape sequence #2280

At 6:35 PM, Mayor Boothman introduced draft Ordinance #1210. An ordinance amending Ordinance No. 1195 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning sewer rate tables. This ordinance increases sewer connection charges and will become effective April 1, 2003 if adopted. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1210 as stated. Councilmember Gillette suggested doing more to cut costs, such as eliminating the sludge dryer equipment from the new wastewater treatment plant system. Mayor Boothman reported on conversations he had with several other entities that are using or are going to use sludge dryer equipment.

Councilmember LaPorte moved and Councilmember Jones seconded for the previous question. The motion passed 4 to 1 with Councilmember Rosenfeld in the opposition.

The previous motion passed 3 to 2 with Councilmember Gillette and Councilmember Rosenfeld in the opposition.

eCivis Grant Program – tape sequence #3059

Mayor Boothman explained the eCivis grant locator system. Special Consultant, Jim Slocomb, explained his research regarding said system. Following discussion, Council agreed to fund the \$3,000 to access said grant locator system.

2003 Legislative Agenda – tape sequence #3425

Mayor Boothman opened discussion regarding the draft 2003 Legislative Agenda. Mayor Boothman asked if Councilmember Rosenfeld was still interested in attending "Trails Committee" meetings. Councilmember Rosenfeld answered in the affirmative. Mayor Boothman indicated he would notify said committee.

Following discussion it was determined the four legislative agenda items of highest importance were: 1. Develop alternate funding sources for water and sewer. 2. Affordability issues. 3. Solutions to ferry service and funding problems. 4. Fund and plan for streets, sidewalks, and

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trails. It was agreed that other 2003 Legislative Agenda items would be discussed following the completion of the four listed above. Councilmember Gillette asked to be removed from supporting the elimination of "Outdoor Burning in Town Limits" until a compost and chipping program could be developed.

Ordinance #1215

Mayor Boothman introduced revised draft Ordinance #1215. An ordinance accepting the Final Plat of the Foxhall Subdivision – Phase 3 to the Town of Friday Harbor. Attorney Eaton explained the particulars of the ordinance as directed to be revised by Council at the noon Town Council meeting. Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Ordinance #1215 as presented. The motion passed unanimously.

Claims

Councilmember Gillette moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #22658 through #22637 in the amount of \$685,738.27. The motion passed unanimously.

Minutes

Councilmember Gillette moved and Councilmember Jones seconded to approve the Town Council minutes for 2/6/03 at 5:30 PM as revised. The motion passed unanimously.

Non-agenda

None

Executive Session

Not necessary

At 7:15 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 – March 6, 2003 @ 12:00 PM

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

Others present: Town Administrator Fitch, Treasurer Picinich, Land Use Administrator Bertrand, Utilities Superintendent Wilks, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

BOCC Update

San Juan County Commissioner Nielsen updated Council on proposed state initiatives, WA-CERT application deadlines, barge landing meetings and information, and the potential for the San Juan Island ferry route to be designated as a scenic byway to help secure federal funding to

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support the Washington State Ferry San Juan Island/Sidney route. Following discussion, Mayor Boothman thanked Ms. Nielsen for her update.

Sheriff Cumming – tape sequence #670

Sheriff Cumming stated that a barge landing would be an asset in managing emergency services. Mr. Cumming reported that labor and industry training for the Ferry Terminal traffic control workers would begin sometime late April or early May. Mr. Cumming indicated that the Sheriff's department would be proactively securing the right to free speech during local demonstrations regarding the proposed war in Iraq. Following discussion and inquiry, Mayor Boothman thanked Mr. Cumming for his report.

Utilities Report – tape sequence #896

Utilities Superintendent Wilks reported on the rainfall comparison between year 2002 and 2003 (.6" less in 2003); the level of Trout Lake (38" below spillway); and water production (lower than 2002). Mr. Wilks described a cross connection training class attended by water department personnel. Mr. Wilks reported on various projects in the utilities department including the new security system at the Water Treatment Plant, setting flag poles, submarine sewer line repairs, and other training being offered to the crew. Following discussion and inquiry, Mayor Boothman thanked Mr. Wilks for his report.

Resolution #1319 – tape sequence #1270

Mayor Boothman introduced draft Resolution #1319. A resolution authorizing the Mayor to accept a proposal from Almar Aluminum Marine Construction, Inc. to provide a new 26 Foot Fireboat. Chief Low explained the particulars of said resolution. Ed Barrett, Port of Friday Harbor Operations Manager, expressed agreement with the selection of the Almar Aluminum Marine Construction, Inc., bid and indicated that the Port has budgeted to pay 25% of the cost of the boat. Administrator Fitch emphasized that an interlocal agreement with the Port of Friday Harbor could be executed at a later date. Following discussion and inquiry, Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1319 as stated. The motion passed unanimously.

Collective Bargaining Process – tape sequence #1545

Howard Strickler, Town Labor Relations Consultant, gave a presentation regarding "Some Key Points About Collective Bargaining in Washington State". Mr. Strickler pointed out various differences between state and national collective bargaining regulations. Discussion and inquiry occurred during the presentation.

Sign Ordinance – tape sequence #3310

At 1:22 PM, Land Use Administrator Bertrand outlined the proposed revisions to the sign ordinance as proposed by himself and Code Compliance Officer Jensen. Following discussion and inquiry regarding national and state flags versus decorative flags, Council asked Mr. Bertrand to add a definition of flags in the definition section of said draft ordinance. Following further discussion and inquiry Mr. Bertrand indicated he would have a revised ordinance for Council action at the next Town Council meeting on 3/20/03.

At 1:37 PM, Mayor Boothman suggested the remaining items on the agenda be postponed until the evening Town Council meeting. Hearing no objection, Mayor Boothman declared the meeting adjourned.

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Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – March 6, 2003 @ 5:30 PM

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

Council approved Councilmember Jones' 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.

Public Parking Proposal

Mayor Boothman opened Council discussion of a public parking proposal from Harbor Lands Company. Harbor Lands Company proposed a public parking facility at Nichols Avenue and C Street as an alternative to the Browne Lumber property purchase. Councilmember Brooks inquired if the Town had an estimated cost for said facility. Administrator Fitch explained that the developer has not given the Town a purchase price. Mr. Fitch indicated that the developer planned on building the parking facility and then would like the Town to purchase it from him after completion. Mayor Boothman noted that the area was correctly zoned for this type of development. Councilmember Rosenfeld observed that parking was not the only thing driving the Browne Lumber property purchase. Following further discussion, Council decided it was not interested in pursuing the Harbor Lands Company offer.

Administrator's Report

Administrator Fitch reported on the success of the Town's surplus equipment bid process.

Non-agenda

Councilmember Rosenfeld suggested reducing the number of noon meetings and increasing the number of evening meetings to permit those citizens who work during the day time hours an opportunity to run for a Council position. Councilmember Rosenfeld elaborated that he felt noon meetings were an impediment to working people's ability to run for office. Discussion followed.

Ordinance #1217 – tape sequence #725

At 5:52 PM, Mayor Boothman introduced draft Ordinance #1217. An ordinance providing a franchise to occupy a portion of Spring Street. Administrator Fitch explained the particulars of said ordinance and indicated that there is precedence for this type of franchise agreement in the Town. Gordy Petersen, 124 Blackberry Lane and legal owner of the subject property, described some of the particulars of the development project and why the extra portion of property was necessary.

Following discussion, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Ordinance #1217 as stated. The motion passed unanimously.

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Further Public Parking Discussion – tape sequence #1195

At 6:07 PM, Paul Brophy, representative for Harbor Lands Company (who arrived late), presented a schematic showing a proposed public 118 space parking development by the Harbor Lands Company at Nichols and C Streets. Following discussion and inquiry, Council informed Mr. Brophy that without the estimated cost for purchase of said development they could not make a knowledgeable decision regarding same.

Attorney Eaton arrived at 6:10 PM during the above discussion.

Alternative Funding Sources – tape sequence #1833

Mayor Boothman opened Council discussion of ways to develop alternate funding sources for water and sewer. Discussion followed regarding affordable housing; permanent affordable housing; cutting Town programs and operating costs; merging the Town Fire Department with Fire District #3; setting up a revolving loan fund; and going to the Town voters to raise property taxes.

Councilmember Gillette moved to require the staff to work with the Wastewater Treatment Plant Improvement project contractor to eliminate the sludge dryer. The motion died for lack of a second.

Following discussion, Council asked staff to investigate ways to defer payment of water and sewer hookup fees for low-income housing. Attorney Eaton indicated that the basic fundamentals of such a program first needed to be established. Mr. Eaton suggested that he draft some questions for Council discussion at the next Town Council meeting. Council concurred.

Minutes

At 7:40 PM, Councilmember LaPorte moved and Councilmember Brooks seconded to approve the Town Council minutes of February 20, 2003 noon and 5:30 PM meetings as written. The motion passed unanimously.

Claims

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the payment of claim warrants #22643 through #22714 in the amount of \$73,815.15 and payroll warrants #9253 through #9298 in the amount of \$138,282.38. The motion passed unanimously.

Non-agenda

At 7:44 PM, Councilmember Brooks updated Council on recent Gravel Pit Steering Committee meetings. Ms. Brooks suggested Administrator Fitch attend the next committee meeting.

Mayor Boothman reported that all of the Town's sewer revenue bonds have been sold.

Councilmember LaPorte suggested the Town approach the owners of the former Browne Lumber property located at 330 Spring Street to ask if the Town could place its portable trailer

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restrooms at the front of said property. Mayor Boothman indicated that the owners would be contacted.

At 7:52 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 – March 20, 2003 @ 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, Land Use Administrator Bertrand, Fire Chief Low, Systems Administrator Dubail & Treasurer Picinich

Mayor Boothman led the meeting in the Pledge of Allegiance.

Mayor Boothman requested a moment of silence for our armed service troops over seas and the citizens of Iraq.

There were no public access items forthcoming.

Departmental Reports – tape sequence #63

Fire Chief Low introduced New Assistant Fire Chief Tom Eades. The Mayor and Council extended their congratulations. Councilmember Rosenfeld added that firefighter Eades is a great command officer. Fire Chief Low introduced Fire Captain Peter Risser. Captain Risser explained the various fire-fighting foam systems and why the specifications for Town Engine 7 were changed to exclude a compressed air foam system (CAF). He further explained that a CAF system will be included the future design of Engine 8.

Fire Chief Low reported on a recent Washington State Fire Chief's Association meeting he attended. The association is working on obtaining special permission to transport fire engines on Washington State Ferries. Presently fire engines are prohibited by United States Coast Guard regulations to travel on ferries. Such transportation is vital to the Town's mutual aid agreements with other island fire districts.

Chief Low also reported:

A representative from the Washington State Insurance Rating Bureau inspected both fire-fighting equipment and fire records. The general thought is that with the third fire engine on line the Town's fire rating may improve.

Chief Low and San Juan County Fire Marshal, Rick Galer, made a presentation on the "Friday Harbor Grocery" fire to the State Arson Investigation team.

Assistant Fire Chief Eades, Fire Fighter David Jones and Chief Low recently attended an incident command class on "Weapons of Mass Destruction".

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An emergency response drill will be held at the Friday Harbor High School on May 2, 2003; training officer Jason Peck held a hazardous materials class for the San Juan County Sheriff's Deputies; the department held a rapid intervention training class with San Juan Island Fire District #3.

The Town's old fire siren has been refurbished by Nathan Mauldin and reinstalled at the Fire Station. It will be used by the emergency operations center to warn of disasters.

System Administrator Dubail distributed his monthly report noting that the Linux project is still proceeding. He also reported that there have been over 37,400 visitors to the Town's web site. Mr. Dubail reported that he is working with the water department on a backflow and maintenance system software program and with the **wastewater** department to develop a process for reading pump station meter logs.

Presentation by San Juan Home Trust – tape sequence #1318

Lovel Pratt of the San Juan Home Trust asked the Council for a letter of support for the Home Trust's grant application to the State Housing Trust Fund for funding of its Salal Neighborhood Project. Ms. Pratt also updated the Council on the project. A support letter will be prepared for Councilmember signatures.

Ordinance #1218 – tape sequence #1482

Mayor Boothman introduced draft Ordinance #1218. An ordinance amending Ordinance #1077 and adopting revised sign regulations. Land Use Administrator Bertrand informed the Council that a definition of flags was added to the ordinance. Land Use Administrator pointed out that on page 11 of 14, under Section 9-N, there should be a period after the word "windows". Councilmember Gillette suggested that Section 10-F should reflect current legal interpretation regarding the restriction on campaign signs. Councilmember Gillette moved and Councilmember LaPorte seconded to remove the time limit restrictions in this section. Councilmember Rosenfeld suggested retaining the language requiring the removal of campaign signs within five days after the election. Councilmember Gillette moved to amend his motion to reflect these changes. Councilmember LaPorte seconded the motion. The motion passed unanimously. Administrator Fitch suggested changing Section 9-N to read "Neon sign except for those displayed on the interior. Council agreed. After Council discussion, Councilmember Jones moved Councilmember Rosenfeld seconded to adopt Ordinance #1207 with the changes shown in the record. The motion passed unanimously.

Ordinance #1219 – tape sequence #2323

Mayor Boothman introduced draft Ordinance #1219. An ordinance amending Ordinance #1119 and Chapter 20 of the Friday Harbor Municipal Code concerning procedures for administering the Town's development code. Land Use Administrator Bertrand explained the ordinance. Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Ordinance #1219. The motion passed unanimously.

Resolution #1320 – tape sequence #2427

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Mayor Boothman introduced draft Resolution #1320. A resolution authorizing the Mayor to execute a contract with Regence BlueShield for medical insurance for 2003. Administrator Fitch explained the resolution. Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Resolution #1320. The motion passed unanimously.

Administrator's Report – tape sequence #3337

Administrator Fitch asked if the Council had decided on a location for the portable restrooms as the Town needed to order the equipment as availability is limited.

Administrator Fitch noted that the Town has received a letter from Helen Venada regarding a "low impact development" conference scheduled for May 17, 2003. Council suggested inviting Ms. Venada to attend a Council meeting to explain the project.

Administrator Fitch informed the Council that the San Juan Island Chamber of Commerce has been issued an event permit to hold its annual art fair on July 19, 2003 on Court Street.

Administrator Fitch reminded the Council that there is a joint meeting with the Planning Commission scheduled for Thursday March 27, 2003 at 7:00 PM.

Minutes – tape sequence #3692

Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the Town Council minutes of March 6, 2003 at noon and at 5:30 PM. The motion was approved with Councilmember Jones abstaining.

At 1:30 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Wendy Picinich, Town Clerk Pro-Tem

Town Council – March 20, 2003 @ 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, Historical Preservation Coordinator Nancy Larsen & Treasurer Picinich

Mayor Boothman led the meeting in the Pledge of Allegiance.

Public Access

Senior Center representative Joyce Harrell, 200 Portland Fair Road, addressed the Council regarding her group's concern about the safety of the intersection of Nash and Caines Street. The Council suggested that the Senior Citizens discuss the potential problems and possible solutions with the neighboring property owners and present them to the Council at the May 15, 2003 meeting.

Presentation by the Historic Preservation Review Board – tape sequence 147

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Scott Zehner, chairperson of the Town's Historic Preservation Review Board, introduced his board members as they joined the Council for a joint meeting. Megan Duvall of the State of Washington Office of Archeology and Historic Preservation Board made a presentation regarding the State's Certified Local Government program and how to participate in the National Register of Historic Places program.

At 6:25 PM, Mayor Boothman declared a five-minute break.

At 6:30 PM, the meeting reconvened.

Resolution #1321– tape sequence #2123

Mayor Boothman introduced draft Resolution #1321. A resolution authorizing the Mayor to execute a lease for a portion of the unopened right-of-way area of First Street and A Street. Administrator Fitch explained the resolution. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1321. Stacey Brown, owner of the Hungry Clam, explained future planned improvements to the leased area. The motion as unanimously approved.

Council discussion of way to develop alternate funding sources for utility connections for affordable housing – tape sequence 2123

Attorney Eaton led the discussion of different scenarios in the development of an ordinance and guidelines for deferrals of system development charges for low income housing. The Council discussed various deferral and repayment plans, the definition of affordable and low-income housing and how to grant deferrals. Further discussion will be scheduled at a future Council meeting.

Claims – tape 2 sequence 781

Councilmember Gillette moved and Councilmember Rosenfeld seconded to approve the payment of claims warrants #22176 through #22798 in the amount of \$446,081.35. The motion was unanimously approved.

Non-agenda – tape 2 sequence 808

Councilmember Rosenfeld requested that the Council adopt San Juan County's regulations regarding businesses and buildings with drive through access. The Council suggested that Councilmember Rosenfeld obtain a copy of the regulations and the Council would consider them at a future meeting.

Councilmember Rosenfeld inquired as to what the Council stand was on the inaccuracies of the Town of Friday Harbor's voter registration rolls. Councilmember LaPorte informed the Council that it was the job of private citizens not the Council to contest those voters on the rolls that do not reside inside the Town.

Mayor Boothman explained the concept and purpose of the "non-agenda items.

Browne Lumber Counter Offer – tape2 sequence 1156

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Mayor Boothman informed the Council that the Town had received a counter offer from the Browne Family to the Town's original offer to purchase the property known as "Browne Lumber". Attorney Eaton explained the counter offer.

At 8:00 PM, Councilmember Gillette moved and Councilmember Brooks seconded to go into executive session to discuss the proposal. The motion passed with Councilmember LaPorte voting against the motion.

At 8:10 PM, the Council came out of executive session with no action taken.

At 8:11 PM, the Council went into closed session regarding union negotiations.

At 8:25 PM, the Council came out of closed session with no action being taken.

At 8:26 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting continued until March 27, 2003 at 6:00 PM to meet in executive session to discuss property acquisition. At 7:00 PM, the Council will hold a joint meeting with the Planning Commission.

Gary G. Boothman, Mayor

Wendy Picinich, Town Clerk Pro-Tem

Town Council – March 27, 2003 @ 6:00 PM

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

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

Hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 45 minutes with no action anticipated.

At 6:31 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Mayor Boothman, Council, and staff discussed the role of the Town Council at the upcoming 7:00 PM public hearing with the Planning Commission regarding the 2003 amendments to the 2002 Comprehensive Plan and Land Use Regulations.

At 6:37 PM, Mayor Boothman declared a recess until 7:00 PM.

At 7:00 PM, Planning Commission Chair, Debbie Emery, called the Planning Commission meeting to order.

Planning Commission members present: Christopher Burke (arrival 7:07 PM), Michael Coyne, Debbie Emery, Jennifer Herda, & Jeff Iverson

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Mayor Boothman called the Town Council meeting back in session and asked roll to be called again to confirm the presence of all Town Council members. All councilmembers were present as stated above. Mayor Boothman gave a recap of the earlier executive session timelines.

Commissioner Iverson moved and Commissioner Herda seconded to approve the Planning Commission minutes of March 13, 2003 at 7:00 PM as written. The motion passed unanimously.

Chair Emery opened the public hearing on the 2003 Amendments to the 2002 Comprehensive Plan and Land Use Regulations and outlined the procedures to be followed.

Land Use Administrator Bertrand outlined the requested property redesignation requests and the staff report dated 3/3/03. Mr. Bertrand placed various exhibits into the public record (see Planning Commission minutes). Mr. Bertrand indicated that staff has withdrawn their recommendation for approval (as expressed in said staff report and designated on Exhibit A as #1) of the Greenway property redesignation due to the conflict this would have with the covenants of said property. Planning Commission member Burke arrived during Mr. Bertrand's remarks.

Commissioner Burke indicated that in the appearance of fairness he would not participate during the discussion or deliberations regarding the Ellingson redesignation request (designated on Exhibit A as #2).

Mr. Burke left the room and the public hearing regarding the Ellingson request began.

All public input is on the audio tape for this meeting. A brief summary of public input is below. For a more extensive written description of public testimony, exhibits received, and discussion held please refer to the Planning Commission minutes for this meeting.

Barbara Cox, 725 Argyle Avenue, opposed the Ellingson request to redesignate their property located at 734 Nash Street from single family residential to multi-family residential.

David Eden, 410 Spruce Street, opposed the Ellingson request.

Jeff Fitts, 756 Nash Street opposed the Ellingson request. Mr. Fitts also read a letter into the record from Vic & Monique Woodward opposing the Ellingson request. Said letter was designated as Exhibit E.

No other comments regarding the Ellingson request were presented and no questions from the Planning Commission or Town Council were forthcoming, so at 7:27 PM, Chris Burke returned to the meeting.

Claudia Cross, 555 Hemlock Court opposed the Greenway property redesignation request to change Lots 10-13 of Evergreen Addition from single family residential (SFR) to Light Industrial or from SFR to multi-family residential.

Tom Metke, Galt Family Representative, asked the Planning Commission to clarify the zoning definition for private schools.

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Charles "Woody" Jepsen, opposed the Galt Family Trust request to redesignate a lot in the Foxhall Subdivision from single family residential to professional services.

Steve Cutting, owner of 2 lots in the Foxhall subdivision, stated opposition to the Galt Family Trust request.

Carol Ford, owner of 2 lots in the Foxhall subdivision, stated opposition to the Galt Family Trust request.

Brian Brown, Foxhall subdivision lot owner, stated opposition to the Galt Family Trust request.

Tim Greenelsh, Foxhall subdivision lot owner, stated opposition to the Galt Family Trust request. Mr. Greenelsh commented that such a change was against the Foxhall subdivision's covenants also.

Attorney Eaton noted for clarification purposes, that it is permissible for the Town to change regulations that are in opposition of local property covenants.

At 7:40 PM, hearing no further input from the audience, Planning Commissioners, Councilmembers, or staff, Chair Emery closed the public input portion of the meeting.

Mayor Boothman thanked the Planning Commission for allowing the Town Council to join with them in hearing public testimony and hearing no objection declared the Town Council portion of the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – April 3, 2003 @ 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.

Mayor Boothman proclaimed April 6th through April 12th, 2003 as the Week of the Young Child and presented Joyce Sobel, Director of the San Juan Island Family Resource Center with said proclamation.

Community Development Department Report

At 12:03 PM, Land Use Administrator Bertrand distributed year to date building, plumbing, & mechanical permit reports. Mr. Bertrand indicated that the number of permits issued this year compared to last year has increased.

Mr. Bertrand asked for Council direction regarding the length of time the construction walkway located at First and Spring Streets should be allowed to remain without ongoing construction in

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progress. Following discussion, Council agreed that said walkway should be eliminated prior to Memorial Day weekend if construction has not commenced.

Mr. Bertrand indicated that the Planning Commission's recommendations regarding the 2003 Amendments to the 2002 Comprehensive Plan would be forthcoming by the next Town Council meeting.

Mr. Bertrand asked if Council wanted the Planning Commission to investigate ideas to increase affordable housing within the Town limits; such as reducing lot size. Following discussion, Council agreed that the Planning Commission should present an outline of ideas regarding affordable housing for Council review and approval before broadening their investigation efforts further.

Certified Local Government – tape sequence #475

At 12:15 PM, Mayor Boothman opened Council discussion of becoming a Certified Local Government. Mayor Boothman introduced Historic Preservation Review Board (HPRB) Chair, Scott Zehner, and asked for his comments. Mr. Zehner distributed a HPRB memorandum supporting the Town becoming a Certified Local Government. Mr. Zehner outlined some of the benefits of said program as grant monies and technical assistance. Following Council inquires, Councilmember Jones moved and Councilmember Rosenfeld seconded to authorize the HPRB to make application for Certified Local Government status. The motion passed unanimously.

Re-appointments to the Historic Preservation Review Board – tape sequence #542

Mayor Boothman explained that David Waldron, Nancy Larsen (staff designee), and Scott Zehner have all agreed to serve another 2 year term on the HPRB. Councilmember Rosenfeld moved and Councilmember Brooks seconded to approve the re-appointments of the above HPRB members.

Councilmember Jones suggested revising the ordinance that establishes the HPRB to include a resident of the Town of Friday Harbor. Mr. Jones suggested Pamela Williams as a possible candidate for said position. Mr. Jones indicated staff designee, Nancy Larsen, would then become a staff member to the board, and not a voting member of the board.

Mr. Zehner observed that although no one currently on the board is an official Town resident, three of said board members own property within the historic district.

Administrator Fitch indicated that a review of said ordinance would be placed on the agenda within the next quarter.

The motion on the floor passed unanimously.

Resolution #1322 – tape sequence #730

Mayor Boothman introduced draft Resolution #1322. A resolution authorizing the Mayor to execute an agreement between the Town and the engineering firm of Brown and Caldwell to design improvements to the water distribution system.

Administrator Fitch described the particulars of said resolution. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1322 as stated.

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Councilmember Gillette disagreed with various wording and aspects of the agreement presented. Following further inquiry and discussion, Councilmember LaPorte moved and Councilmember Jones seconded to call for the previous question. The motion passed 3 to 2 with Councilmembers Gillette and Brooks against. The previous motion passed 3 to 1 with Councilmember Gillette against and Councilmember Brooks abstaining.

Fireboat Contract Status – tape sequence #1365

Mayor Boothman opened Council discussion of the fireboat contract status. Mayor Boothman explained that this was not a public hearing, however interested parties may be allowed to speak briefly with Council approval. Following discussion, it was the consensus of Council to allow the interested parties to speak briefly. Administrator Fitch explained the particulars of the bid process and later discussions and correspondence with the lowest and second lowest bidders; Almar Aluminum Marine Construction, Inc., and Aluminum Chambered Boats, Inc., respectively. Mr. Fitch indicated that any manufacturing patent dispute that the bidders may have is outside of the Town's purview.

Larry Wieber, President & CEO of Aluminum Chambered Boats (ACB), Inc., gave a history of his company's other prestigious clients and informed Council that his company has an official patent for aluminum chambered boats.

Mike Sandeman, General Manager for Almar Aluminum Marine Construction, Inc., gave a history of his company's clients and indicated that his company will complete the fireboat as specified. Mr. Sandeman indicated that he has contacted legal counsel regarding ACB's patent and has been told that building the boat as proposed will not infringe on the patent.

Ordinance #1220 – tape sequence #2150

Mayor Boothman introduced draft Ordinance #1220. An ordinance amending Ordinance No. 1092 concerning outdoor burning regulations. Administrator Fitch explained the particulars of said ordinance.

Councilmember Brooks moved and Councilmember Rosenfeld seconded to adopt Ordinance #1220 as stated. Councilmember Jones stated that due to public health issues, he feels outdoor burning should be banned in its entirety. Following discussion, the motion passed unanimously.

Administrator's Report – tape sequence #2340

Administrator Fitch reported attempts to contact Helen Venada regarding a presentation to Council about the "low impact development" conference scheduled for May 17, 2003, but has not received any response back from her.

Administrator Fitch reported that the Wastewater Treatment Plant improvement project contractor, Stellar J. Corporation, has asked if the Town would be interested in an accelerated construction schedule. Following discussion, Mr. Fitch indicated a decision was necessary at this time.

Administrator Fitch indicated that staff might be asking for funding to design Grover Street in the near future. Mr. Fitch elaborated that although said project was deleted from the 2003

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Town budget due to lack of funding, the property owners on the north side of Grover Street would need a street design to begin any development efforts.

Administrator Fitch asked if Council wanted to renew the 30 acre land lease near Trout Lake to the San Juan Archers Club. Discussion followed regarding parking, monitoring activities, prohibiting cooking, insurance, and security. Following discussion, Council agreed to renew the lease adding language to prohibit cooking and adding a locked access.

Administrator Fitch reported that a location for the portable restroom trailer has not been found. Councilmember LaPorte suggested placing the trailer where the current construction walkway is located at First and Spring Streets; if said walkway is removed due to lack of construction activity. Following discussion, it was determined that the Town will use portapotties, such as in previous years, to supplement limited restroom facilities. Councilmember LaPorte expressed frustration at the lack of progress for a permanent restroom facility.

Administrator Fitch noted that the reconstruction plans for the Town/Port Front Street project are available for Council review. Mr. Fitch commented that the design has been revised in to a true roundabout and that a pre-bid meeting will be held on April 28th. Mr. Fitch asked Council to review said drawings and be prepared to discuss further at the evening Town Council meeting. Mr. Fitch asked that Council reserve approval for the lighting fixtures until more information could be attained regarding the functionality of said fixtures.

At 1:41 PM, hearing no objection, Mayor Boothman declared the meeting adjourned. Other agenda items not yet completed will be handled at the evening Town Council meeting.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – April 3, 2003 @ 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.

Councilmember LaPorte apologized for inappropriate language at the noon meeting. Council accepted Mr. LaPorte's apology.

During the public access portion of the meeting, John MacDougall, 156 Moonlight Drive, asked Council to consider decreasing the minimal lot size for multi-family zoned property.

Ordinance #1221 – tape sequence #200

Mayor Boothman introduced draft Ordinance #1221. An ordinance amending Ordinance #1062 concerning public sidewalk use regulations. Administrator Fitch explained the particulars of said

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ordinance. Councilmember Brooks moved and Councilmember Rosenfeld seconded to adopt Ordinance #1221 as stated. The motion passed unanimously.

Resolution #1323 Postponed

Mayor Boothman indicated that draft Resolution #1323 will be rescheduled to allow the property owners in the area time to pursue further legal advice. Attorney Eaton explained the automatic vacation provision from 100 years ago.

Resolution #1324 – tape sequence #945

Mayor Boothman introduced draft Resolution #1324. A resolution authorizing the Mayor to submit a revised offer for the acquisition of certain real estate on Spring Street, commonly known as the "Browne Lumber Property". Mayor Boothman explained the particulars of said resolution. Councilmember Gillette moved and Councilmember Jones seconded to adopt Resolution #1324 as stated. Following discussion and inquiry, the motion passed unanimously.

Alternate Funding Sources – tape sequence #1170

Mayor Boothman opened Council discussion of ways to develop alternate funding sources for utility connections for affordable housing. Attorney Eaton reiterated Council decisions regarding deferring water and sewer hookup fees. Mr. Eaton indicated that a timeline for repayment of said hookup fees was necessary and the obligated party needed to be identified. Discussion followed regarding who should pay said fees back to the Town and at what time they would become liable.

Lee Sturdivant, Home Trust Board Member, indicated she would ask the Home Trust Board for suggestions and ideas and let Council know in the future.

Attorney Eaton suggested forming a committee with two Councilmembers, staff, and two nonprofit representatives from the local affordable housing community to work together to answer these difficult questions. Following further discussion, Councilmember LaPorte moved and Councilmember Rosenfeld seconded to create said committee to work on affordable housing issues. The motion passed unanimously.

Councilmember LaPorte moved and Councilmember Gillette seconded to appoint Councilmembers Brooks and Rosenfeld to said committee. The motion passed unanimously.

Minutes – tape sequence #2310

Councilmember Gillette moved and Councilmember LaPorte seconded to approve the Town Council minutes of March 20, 2003 noon and 5:30 PM and March 27, 2003 at 6:00 PM meetings as written. The motion passed unanimously.

Claims & Payroll

Councilmember Jones moved and Councilmember Gillette seconded to approve the payment of claim warrants #22801 through #22851 in the amount of \$891,672.44 and payroll warrants #9299 through 9388 in the amount of \$152,116.27. The motion passed unanimously.

Non-agenda – tape sequence #2350

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Councilmember Gillette informed Attorney Eaton of his concerns regarding the fireboat patent discussion at the noon Town Council meeting. Attorney Eaton indicated he felt the 2nd low bidder for the new 26' fireboat was most likely stating their position--that they believe a patent infringement will occur--to show they have not conceded, waived, or allowed a patent infringement to take place. Attorney Eaton indicated he did not feel that said low bidder's comments were designed to draw the Town into their legal dispute.

Mayor Boothman stated that in order to have a clear audio record for future reference, Councilmembers should have consideration for one another and speak one person at a time. Attorney Eaton concurred with this statement.

Mayor Boothman publicly apologized to the League of Women Voters for indicating at a previous Town Council meeting that said organization was defunct.

Councilmember Rosenfeld moved and Councilmember LaPorte seconded to place the discussion of the elimination of one of the noon Town Council meetings on the next available Town Council agenda. The motion passed 3 to 2, with Councilmembers Brooks and Gillette against.

Councilmember LaPorte moved and Councilmember Jones seconded to allow the Lodging Tax Advisory Committee (LTAC) to join the San Juan Island Chamber of Commerce at an annual fee of \$80. Following discussion regarding voting privileges and serving on the board, the motion passed unanimously with the provision that the LTAC member will not cast a vote without first getting Council support of the vote to be cast, and said member can not serve on the Board of said Chamber.

Councilmembers Brooks and Gillette requested a presentation by the San Juan County Public Health Officer regarding the West Nile and SARS viruses. Councilmember Brooks noted she would supply disease control information for the Council packets.

At Administrator Fitch's request, Councilmember LaPorte moved and Councilmember Jones seconded to authorize the Mayor to sign the Front Street Re-construction Plans with the proviso that the street lights remain the Town standard until the requested altered lighting specifications are presented and approved by Town staff. The motion passed unanimously. Mayor Boothman reported that the new 60' flag pole, donated by Bill Sherman, has been installed at Circle Park and a dedication ceremony will be forthcoming.

Union Negotiations – tape sequence #3398

At 6:55 PM, Mayor Boothman declared the meeting in closed session per RCW 42.30.140(4)(b) to discuss union negotiations for approximately 30 minutes with no action anticipated.

At 7:35 PM, Mayor Boothman declared the meeting back in regular session, Councilmember LaPorte moved and Councilmember Jones seconded to extend the closed session until 8:00 PM. The motion passed unanimously. Mayor Boothman declared the meeting back in closed session.

At 7:50 PM, Mayor Boothman declared the meeting back in regular session with no action taken in closed session. Hearing no objection, Mayor Boothman declared the meeting adjourned.

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Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – April 17, 2003 @ 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.

BOCC Update

San Juan County (SJC) Commissioner Nielsen updated Council on various state legislature proposals. Ms. Nielsen asked the Town Council to contact their representatives regarding the state transportation budget. Ms. Nielsen reported that SJC would appeal the latest Growth Management Hearings Board decision regarding detached guesthouses. Ms. Nielsen announced that the County has purchased the Sundstrom Property off of Sutton Road for a new recycling center site. Ms. Nielsen indicated that the Courthouse expansion project has been put on hold.

Councilmember Brooks inquired why the County had purchased the parcel of land on the corner of Argyle and Malcolm Streets. Ms. Nielsen responded that the SJC Land Bank purchased said land. Ms. Nielsen observed that the Land Bank would probably place restrictions on said land and place it back on the market for sale.

Councilmember LaPorte commented that said parcel had been for sale for a lengthy period of time and placing more restrictions on the property may not be in the Town's best interest. Councilmember LaPorte suggested a discussion with the Land Bank would be beneficial prior to their purchase of any more land within Town. Mr. LaPorte indicated there were other worthwhile projects within Town that could be considered by the Land Bank.

Utility Department Report – tape sequence #348

Utilities Superintendent Wilks reported that Trout Lake has reached full capacity. Mr. Wilks reported on beginning construction of the storage building at the Water Treatment Plant; recent installation of 12 new water connections; an arborist's review of the trees at Circle Park; and **Wastewater Treatment Plant construction progress and activities.**

Mayor Boothman commended the Water Department and Fire Department because the Town's fire protection classification improved from a Class 7 to a Class 6 effective 7/1/03. Mayor Boothman indicated that said lower rating might decrease certain categories of local fire insurance premiums.

Councilmember Brooks thanked the Utility Department for the new All-way stop at the intersection of Blair, Reed, and Park Streets.

Economic Development Council Report – tape sequence #600

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Mayor Boothman introduced Cathy Cavanagh, President of the San Juan County Economic Development Council (EDC). Ms. Cavanaugh reported on EDC 's 2003 1st quarter program development. Ms. Cavanagh focused on the importance of infrastructure needs throughout the community. Discussion and inquiry followed.

Resolution #1325 – tape sequence #1135

At 12:34 PM, Mayor Boothman introduced draft Resolution #1325. A resolution authorizing the Mayor to execute an agreement to promote economic development within the Town. Councilmember Jones moved and Councilmember Brooks seconded to adopt Resolution #1325. The motion passed unanimously.

Administrator's Report – tape sequence #1167

Administrator Fitch reported on the Department of Health's (DOH) review of the Town's draft Water Comprehensive Plan. Mr. Fitch indicated that DOH has requested few changes/clarifications and said draft plan received a very favorable review.

Administrator Fitch reported on attendance at the Washington Municipal Treasurer's Association conference and various informative classes. Administrator Fitch noted that the Fire Department Training Officer has resigned and recruitment will begin soon. Mr. Fitch commented that the Port/Town Front Street turnaround project would commence soon and continue into the summer months. Mr. Fitch reported on a complaint received from Ingrid Fabianson.

Non-agenda – tape sequence #1430

Mayor Boothman noting available time on the agenda, asked if anyone had any non-agenda items.

Councilmember LaPorte indicated a draft contract between the Town and the San Juan Islands Visitors Bureau would be presented for Council review and consideration in the next Town Council information packet.

Councilmember Brooks asked that agenda time be allocated for a presentation regarding the West Nile virus in May. Councilmember Brooks also asked for agenda time to consider a draft resolution regarding moral nuisance in May.

Mayor Boothman reported on attendance at a recent Emergency Planning Seminar. Mayor Boothman said he would distribute information regarding the Homeland Security Advisory System for local governments to Council.

Minutes – tape sequence #1935

Councilmember Jones moved and Councilmember LaPorte seconded to approve the Town Council minutes of April 3, 2003 noon and 5:30 PM meetings as corrected. The motion passed unanimously.

At 12:57 PM, hearing no objection Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Town Council – April 17, 2003 @ 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.

During the public access portion of the meeting, Gary Miller and Helen Venada presented information regarding a Low Impact Development Conference to be held on May 17th and asked for Council financial support.

Changing Council Meeting Times

At 5:39 PM, Mayor Boothman opened Council discussion of changing the time and number of Council meetings.

Councilmember Rosenfeld suggested eliminating one of the noon Town Council meetings, but extending the duration time of the evening Town Council meeting. Councilmember Rosenfeld explained the reason for his suggestion was because said meeting time made it problematic for some working people to run for an elected Council position.

Councilmember LaPorte agreed with eliminating the noon Town Council meeting.

Councilmember Jones agreed that some working individuals might have difficulty running for an elected Council position, such as teachers, but that the majority of working people could make their schedule succeed.

Councilmembers Gillette and Brooks expressed that more, not less, Council meeting time was necessary to accomplish Council business. Councilmember Gillette suggested eliminating adjournment times altogether. Councilmember Brooks agreed that more meeting time was needed.

Councilmember LaPorte observed that if each Councilmember would do their homework and come prepared to the Town Council meetings, then less actual meeting time would be required. Mr. LaPorte also stated that valuable meeting time is wasted hearing Councilmember's reiteration of previously discussed issues.

Following further discussion and inquiry, Councilmember Rosenfeld moved and Councilmember LaPorte seconded to eliminate one of the noon Town Council meetings. The motion failed 2-3 with Councilmember Brooks, Gillette, and Jones against.

Easement Request – tape sequence #983

Mayor Boothman opened Council discussion of a request for an access easement on Town owned property located on Harbor Street.

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Bill Percich, co-owner of the property adjacent to the Town's Harbor Street property, asked Council to consider granting a 30' easement to allow safe ingress and egress from his adjacent property.

Following inquiry, Administrator Fitch indicated that the Town is unsure at this time of its development plans and that it is premature to encumber the Town's property at this time.

Councilmember LaPorte affirmed that the "timing" is not right for granting said easement.

Councilmember Brooks asked if Mr. Percich had approached the northside neighboring property owner for an easement or purchase. Mr. Percich indicated that said property owner had been contacted and was not interested in granting an easement or selling any land.

Councilmember Brooks questioned the safety of an ingress/egress at that particular bend on Harbor Street.

Following discussion and inquiry, Councilmember Jones moved and Councilmember LaPorte seconded to table discussion until after the developer, working together with staff, has presented development plans for his property.

Councilmember Rosenfeld suggested attaining a traffic engineer recommendation also.

Councilmember Brooks agreed that she could not approve of said easement with the information presented at this time. The motion passed unanimously.

Planning Commission's Comp. Plan Recommendations

Mayor Boothman opened discussion of Planning Commission's recommendations of revisions to the Comprehensive Plan, Development Regulations, and Zoning Map.

Land Use Administrator Bertrand indicated that after the Town Council had left the joint Town Council/Planning Commission public hearing on 3/27/03, the Planning Commission (PC) deliberated and, as noted in his memo to Council dated 4/8/03, followed all of staff's recommendations except redesignation request #3 involving Rothlisberger and #2, involving Ellingson. The PC recommended approval of Rothlisberger's request for the entire lot to be zoned professional service, but denial on his request to be zoned commercial. The PC recommended denial of the Ellingson's request to be redesignated from single-family residential to multi-family residential.

Councilmember Jones commented that he was persuaded by the public testimony given against the Ellingson's request.

Because of a prior discussion with Robert Greenway, who has a request for redesignation, and her employment at Islander's Bank, who also has a request for redesignation, Councilmember Brooks asked for clarification regarding the appearance of fairness in regards to casting legislative votes. Attorney Eaton explained that because no one challenged her participation at the 3/27/03 public hearing and because she was forthright in openly stating these possible conflicts, he felt at present the decision on whether or not she could vote on these issues was entirely within her own boundaries of appearance of fairness.

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Although Councilmember Brooks felt she could be fair and objective regarding both issues, she decided to step down from deliberating or voting on the Islanders Bank redesignation request.

Councilmember Jones moved and Councilmember Brooks seconded to accept the Planning Commission's recommendations as listed on the memo to Council dated 4/8/03 from Land Use Administrator Bertrand, and request staff to prepare appropriate supporting documents for Council approval, excluding item #6 involving Islander's Bank. The motion passed unanimously.

Councilmember Brooks left the room.

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to accept the Planning Commission's recommendation for item #6, involving Islander's Bank, as listed on the memo to Council dated 4/8/03 from Land Use Administrator Bertrand, and request staff to prepare appropriate supporting documents for Council approval. The motion passed unanimously with the Councilmembers present.

Councilmember Brooks returned to the room.

Unocal Cleanup – tape sequence 2750

At 6:42 PM, Administrator Fitch reported that a small area (approx. 60-80') was outside of the Front Street Unocal Cleanup project responsibility. Attorney Eaton explained that this property could either be cleaned up appropriately or a restrictive development covenant could be placed on the property. Mr. Eaton explained that the Port was supporting the placement of a restrictive covenant on the property, because this would allow their Front Street turnaround project to proceed. Following discussion, Council agreed to review the restrictive development covenant at the May 1, 2003 Town Council meeting. Land Use Administrator Bertrand left the meeting.

Affordability Issues – tape sequence #3500

At 6:56 PM, Mayor Boothman opened Council discussion of affordability issues. General discussion followed regarding building lot sizes, seasonal employee housing options; ferries; and transportation issues.

Claims

At 7:19 PM, Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the payment of claim warrants #22853 through #22921 in the amount of \$115,497.88. The motion passed unanimously.

Non-agenda

Council discussed the request for financial support from the "Low Impact Development Conference" supporters. Following discussion, Council declined to contribute to the funding of said conference.

Councilmember LaPorte inquired if San Juan County planned on moving their Solid Waste Facility operations in addition to their recycling operations to their newly purchases property off of Sutton Road. Administrator Fitch explained that he felt the County would relocate their

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recycle program to the new location, but keep their solid waste activities on the Town's Sutton Road property until their lease expires. Mr. Fitch indicated that he would be asking the County to move their recycling activities off of the current "shelf" area at said site and on to their new property as soon as possible to allow the Town to begin closing that area of the landfill.

Property Acquisition

Mayor Boothman gave an overview of the response letter received back from Rob and Terry Browne regarding the Town's offer to purchase the property commonly known as the former Browne Lumber site.

Administrator Fitch explained the three issues still under consideration regarding said offer were interest rate; price; and length of contingency time. Following discussion, Council agreed to offer a lesser contingency time of 6 months and to accept the Browne's interest rate of 6%.

At 7:48 PM, Councilmember LaPorte moved and Councilmember Rosenfeld seconded to extend the meeting until 8:00 PM and to go into executive session to discuss property acquisition with no action anticipated. The motion passed unanimously.

At 8:03 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Administrator Fitch reported no necessity for closed session to discuss union negotiations. Mr. Fitch indicated that the next union negotiation meeting was scheduled for Monday, April 21, 2003 between 3:30 and 5:30 PM.

At 8:04 PM, Councilmember Brooks moved and Councilmember Jones seconded to continue the meeting until April 24th, 2003 at noon to discuss property acquisition. The motion passed 4 to 1 with Councilmember LaPorte in the opposition. The meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – April 24, 2003 @ 12:00 PM

The Town Council met in continued regular session with Mayor Boothman presiding for the purpose of discussing the acquisition of property located at 330 Spring Street, commonly known as the former Browne Lumber property. Members present: Brooks, Gillette, Jones, LaPorte, & Rosenfeld Others present: Town Administrator Fitch, Attorney Eaton, & Clerk Wilson

Attorney Eaton distributed a memo dated 4/21/03 from the San Juan County Assessor regarding "time trending of commercially designated sales".

Attorney Eaton explained that the owners of said property have agreed to the Town's 6-month contingency timeframe as proposed in their conditional written offer of April 3, 2003, and that the only issue seemingly under negotiation is the purchase price.

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At 12:07 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss property acquisition for approximately 30 minutes with no action anticipated.

At 12:48 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

Kelle Wilson, Town Clerk

Town Council – May 1, 2003 @ 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. Staff 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.

Mayor Boothman proclaimed May 1st, 2003 as A Day of Prayer in the Town of Friday Harbor and urged citizens to join in this special observance. Mayor Boothman presented Reverend Nancy Tiederman, of St. David's Episcopal Church and Pastor Mark Henslee, of Friday Harbor Presbyterian Church, with a proclamation. Both church representatives spoke briefly about the benefits of prayer.

Native American Artwork

Barbara Marrett, Portals of Welcome Committee Representative, asked Council to contribute \$12,000 in hotel motel tax funds towards the placement of welcoming posts, by Coast Salish artist Susan Point, at the Port Waterfront Park. Ms. Marrett described the project.

Mayor Boothman questioned if other native american tribes may be upset by the Coast Salish artwork. Ms. Marrett maintained that the Co-Salish artwork is the proper artwork for the San Juan Islands.

Following inquiry, Port Director, Steve Simpson, said that the Port is donating the space for said welcoming posts, but is not contributing financially. Ms. Marrett indicated that she would be contacting San Juan County (SJC) for funding also. Mayor Boothman indicated that Council would discuss the funding request at a later time.

Public Health Issues – tape sequence #713

At 12:22 PM, Mayor Boothman opened Council discussion of public health issues and introduced Mark Tompkins, SJC Environmental Health Manager, John Manning, SJC Health & Community Services Director, Tom Schultz, WSU Cooperative Extension Office, and Carl Poschman, SJC Emergency Management Director.

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Mark Tompkins addressed the West Nile Virus issue. Mr. Tompkins explained that said virus is a vector-born disease and gave statistical information that illustrated that said virus is not likely to become a serious public health threat in San Juan County. Mr. Tompkins explained West Nile Virus history, testing, surveillance, preventative measures, and educational information.

Councilmember Rosenfeld commented that the Barn Swallow eats mosquitoes and could be an important element in mosquito/bug control. Mr. Rosenfeld encouraged the health department to educate islanders regarding the benefits of Barn Swallows.

Tom Schultz spoke about education; preventative and management measures regarding habitat, personal protection and equine protection.

John Manning encouraged the public to call the SJC Public Health Department with inquiries regarding public health issues. Mr. Manning indicated that his department was prepared to activate the emergency response center, along with Mr. Poschman, should a public health emergency occur. Mr. Manning emphasized that the SJC Public Health Dept. is also the Town's public health department.

Carl Poschman indicated that he is working closely with other agencies regarding interlocal cooperation and bio-terrorism issues. Mr. Poschman indicated that most bio-terrorism issues are manmade not nature born issues. Mr. Poschman assured Council that planning is in place for emergencies.

Discussion and inquiry ensued during these presentations. Mayor Boothman thanked the above guests for their participation.

Resolution #1330 – tape sequence #2295

At 1:03 PM, Mayor Boothman introduced draft Resolution #1330. A resolution authorizing the Mayor to execute Change Order #5 on the contract with Stellar J. Construction for improvements to the Wastewater Treatment Plant. Administrator Fitch explained the particulars of said resolution.

Councilmember Brooks moved and Councilmember Rosenfeld seconded to adopt Resolution #1330 as stated. The motion passed unanimously.

Administrator's Report – tape sequence #2600

Administrator Fitch reported on a lawsuit regarding the vacation of John Street. Mr. Fitch indicated that the lawyer for said lawsuit did not object to the passage of draft Resolution #1323 as scheduled on the evening Town Council agenda.

Administrator Fitch asked for a motion to allow staff to apply for the SJC Public Facility Financing Assistance Program grant, which is funded by House Bill 2260 funds. Mr. Fitch indicated that said grant application was due 5/15/03 and that the Town would be applying for \$50,000 to help fund the Wastewater Treatment Plant improvement project.

Councilmember Brooks moved and Councilmember Rosenfeld seconded to approve staff apply for said SJC grant funds. The motion passed unanimously.

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Administrator Fitch indicated that the project to install public steps to access a visitor's bench located at Harrison and A Streets has been placed on hold until a less intrusive design could be situated.

Mr. Fitch reported that SJC Solid Waste division has requested Town water services at their new recycling center site. Mr. Fitch indicated said request was problematic as current ordinances prohibit water hookups outside of Town.

Mr. Fitch indicated that tree arborist, Fred Ellis, will be doing preventative medicine and pruning to the trees down at Circle Park. Following inquiry, Mr. Fitch also reported that Mr. Ellis would be submitting a written report regarding the trees along Sutton Road. Mr. Ellis has verbally indicated that said trees have not survived due to being the wrong species for that area. Mr. Fitch explained that Mr. Ellis suggested cutting down said trees and replanting with trees of the appropriate species.

Minutes

At 1:24 PM, Councilmember Rosenfeld moved and Councilmember Jones seconded to approve the Town Council minutes of April 17, 2003 noon and 5:30 PM and April 24, 2003 noon meetings as written. The motion passed 3 to 1, with Councilmember Brooks in the opposition.

Non-Agenda – tape sequence #3372

Administrator Fitch noted that draft Resolution #1328, regarding the placement of a restrictive covenant on the Town's Front Street right-of-way property has been canceled because final wording for said restrictive covenant has not been received from the Department of Ecology.

Councilmember Rosenfeld inquired about the project to re-align Circle Park. Mayor Boothman answered that said project was on hold until further traffic studies regarding large trucks could be performed.

Councilmember Rosenfeld commented on the County's request for Town services at their new Recycle Center site.

At 1:30 PM, hearing no further discussion, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 1, 2003 @ 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.

Staff 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.

Resolution #1323

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Mayor Boothman introduced draft Resolution #1323. A resolution recognizing the automatic vacation of a portion of John Street in the Plat of Douglas Addition to Friday Harbor.

Attorney Eaton explained that without taking a formal position regarding the rest of John Street, said resolution recognizes the vacation of the easterly 54' never opened on said street. Mr. Eaton noted that the passage of Resolution #1323 does not preclude future recognition of another portion of John Street.

Following discussion and inquiry, Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Resolution #1323 as stated. The motion passed unanimously.

Councilmember Gillette inquired why the Town didn't recognize the vacation of all property in question on John Street to avoid further lawsuits. Attorney Eaton explained that recognizing such a vacation might cause problems for other property owners in that area, such as a land lock situation.

Resolution #1326 – tape sequence 900

At 5:58 PM, Mayor Boothman introduced draft Resolution #1326. 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.

Following inquiries, Councilmember Brooks moved and Councilmember Jones seconded to adopt Resolution #1326 as stated. The motion passed unanimously.

Resolution #1327 – tape sequence #955

Mayor Boothman introduced draft Resolution #1327. A resolution authorizing the Mayor to execute an agreement for portable restroom serving and cleaning for 2003. Administrator Fitch explained the particulars of said resolution.

Following inquiry, Councilmember Gillette moved and Councilmember Rosenfeld seconded to adopt Resolution #1327 as stated. The motion passed unanimously.

Resolution #1329 – tape sequence #1030

At 6:02 PM, Mayor Boothman introduced draft Resolution #1329. A resolution authorizing the Mayor to execute an agreement with the Business Association of San Juan County (dba: San Juan Islands Visitors Bureau) to provide a tourist promotion program.

Councilmember and Town Lodging Tax Advisory Committee (LTAC) member Jones explained the particulars of said resolution. Mr. Jones indicated that said resolution has the approval of the LTAC.

Jim Smith, LTAC member, encouraged Council approval and noted that it was advantageous to join together with San Juan County to combine tourist promotion efforts.

Linda Hersey, LTAC member and President of the San Juan Islands Visitors Bureau (SJIVB), voiced approval for said contract and combining the joint efforts of the Town and County LTAC monies into one tourist promotion package through the SJIVB instead of a public relations firm.

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Discussion and inquiry continued regarding the appropriateness of LTAC members also being board members of the SJIVB; use of hotel motel funds; control of promotional campaigns; saving promotional hotel motel tax funds towards a future visitors center; and off-season promotion.

Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Resolution #1329 as presented.

Deborah Hopkins, SJIVB Marketing Director, explained the promotional efforts planned for Spring 2003 and Fall 2003. Ms. Hopkins emphasized that SJIVB would be favorable to any suggestions presented by the Town Council.

The motion passed unanimously.

Payroll & Claims – tape sequence #2285

Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the payment of claim warrants #22924 through #22977 in the amount of \$46,187.14 and payroll warrants #9389 through #9433 in the amount of \$145,996.57. The motion passed unanimously.

Non-agenda – tape sequence #2300

Regarding the presentation by Barbara Marrett at the noon Town Council meeting for \$12,000 of hotel motel tax monies for native american welcoming posts, Attorney Eaton explained that should the Council believe that funding said posts would promote tourism within the Town, then it would not be a misuse of hotel motel funds.

Following discussion, Council agreed to refer the matter back to the LTAC and await their recommendation.

Councilmember Rosenfeld noted that the Historic Preservation Review Board was under the impression that the Council had reduced the budget for this committee. Mr. Rosenfeld clarified that said budget was reduced at the administrative level prior to reaching the Council in an effort to present a balanced budget to Council.

Councilmember Rosenfeld accredited that the reason the ladder truck portion of the Town's fire safety rating was increased from 0 to 46 was due to the increase in the Town's population. Mr. Rosenfeld indicated that previously the Town's population did not warrant a ladder truck and that is why we were rated at a zero. Councilmember Rosenfeld pointed out that the Town can also request a re-rating at any time, and need not wait for ten years.

Councilmember Gillette inquired about the speed limit sign where Turn Point Road and Warbass Way connect.

Mayor Boothman clarified that all departmental requests were presented to Council for review during the budget process. Mayor Boothman elaborated that although some budgets might have been reduced administratively, it is ultimately the Council's decision. Mayor Boothman elaborated that if Council chose to increase portions of a budget, then they would also be responsible to reduce other areas to maintain a balanced budget.

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Councilmember Brooks requested that the Land Bank be placed on a future Town Council agenda.

Executive Session – tape sequence #3305

At 6:54 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss price in regarding to the Browne Lumber property acquisition for approximately 20 minutes with no action anticipated.

At 7:17 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 in closed session to discuss union negotiations.

At 8:07 PM, Mayor Boothman declared the meeting back in regular session with no action taken in closed session. Hearing no further business, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 15, 2003 @ 12:00 PM

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

Public Access

In response to a letter from the Town Land Use Administrator regarding relocating the pedestrian walkway on First Street, Gordy Petersen, owner of property at the corner of Spring and 1st Streets, indicated that the reconstruction of the foundation and buildings, destroyed by fire on May 9, 2002, would begin within 30 days and asked Council to allow the pedestrian walkway to remain at its present location. Discussion and inquiry followed.

Poppy Days Proclamation

At 12:04 PM, Mayor Boothman proclaimed May 24th through 26th, 2003 as Poppy Days and urged citizens to support the American Legion Auxiliary and their Veterans.

Sheriff

The sheriff was unable to attend the meeting.

Community Development Report – tape sequence #191

Land Use Administrator Bertrand distributed draft Planned Residential Development concepts for Council review. Mr. Bertrand asked that Council refer further development efforts to the Planning Commission should they accept said concepts.

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Discussion and inquiry followed regarding manufactured homes, process, and other jurisdictions.

Mr. Bertrand asked for a formal recommendation by Council regarding Mr. Petersen's request during the public access portion of the meeting. The consensus of Council was to allow the pedestrian walkway to remain at its present location as long as construction is progressing.

Discussion turned to cellular towers and their regulations. Mr. Bertrand suggested placing a "Notice of Development" in the newspaper when a new cellular tower was to be erected. General discussion followed regarding future process. No specific decisions were achieved.

Minutes

Councilmember Brooks moved and Councilmember Jones seconded to approve the Town Council minutes of May 1, 2003 noon and 5:30 PM meetings as written. The motion passed unanimously, with Councilmember LaPorte abstaining because he was not in attendance at said meetings.

Resolution #1331 – tape sequence #895

Mayor Boothman introduced draft Resolution #1331. A resolution authorizing the Mayor to execute an agreement for summer traffic control for 2003. Administrator Fitch explained the particulars of said resolution. Councilmember Brooks moved and Councilmember LaPorte seconded to adopt Resolution #1331 as stated. The motion passed unanimously.

Administrator's Report – tape sequence #980

Administrator Fitch updated Council on the Front Street project. Mr. Fitch indicated that Mike Carlson Enterprises was the apparent low construction bidder for said project at \$274,526. Mr. Fitch reported that construction is expected to begin in early June.

Administrator Fitch noted letters regarding signage from the Inter Island Medical Center and the San Juan County Sheriff.

Administrator Fitch noted a letter from Paul & Candy Dossett regarding opening Ellsworth Avenue to alleviate traffic congestion should the Town purchase the Browne Lumber family.

Mr. Fitch reported on the resignation of Andrea Rose, the Utilities Department clerical support person. Mr. Fitch also reported that Brad Musick, Brown & Caldwell, principle engineer in charge of the **Wastewater Treatment Plant (WWTP) Improvement Project** has also resigned his position with the firm of Brown and Caldwell Engineering. Mr. Fitch indicated that he was working to retain Mr. Musick as a project consultant.

Resolution #1332 – tape sequence #1320

Administrator Fitch introduced and explained unscheduled draft Resolution #1332. A resolution authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for preparing plans and specifications for the construction of Grover Street. Following discussion, Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1332 as stated. The motion passed unanimously.

Resolution #1333 – tape sequence #1625

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Administrator Fitch introduced and explained unscheduled draft Resolution #1333. A resolution authorizing the Mayor to execute a \$2,000,000 loan agreement with the Washington State public Works Trust Fund to fund the construction of improvements to the Wastewater Treatment Plant. Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1333 as stated. The motion passed unanimously.

Administrator Fitch reported on the May 8th, 2003, Department of Labor & Industries inspection of Town facilities. Mr. Fitch indicated that the Dept. of L&I would be returning on May 21st to finish inspecting the remaining Town facilities. Mr. Fitch emphasized that the Town is committed to safety and is on the path to correcting errors found. Administrator Fitch requested said safety inspection. Discussion and inquiry followed.

Closed Session

At 12:50 PM, hearing no objection, Mayor Boothman declared the meeting in closed session per RCW 42.30.140(b) to discuss union negotiations.

At 1:23 PM, Mayor Boothman declared the meeting back in regular session with no action taken in closed session.

Non-agenda – tape sequence #1780

Administrator Fitch reported on the progress of the new 27' fireboat.

Councilmember Brooks reported on the Gravel Pit Steering Committee meeting. Ms. Brooks indicated that said committee would like to make a presentation to Council sometime in June.

Councilmember Rosenfeld distributed information on affordable housing concepts.

At 1:29 PM, hearing no further business before the Council, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – May 15, 2003 @ 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.

Senior Citizens Presentation

Georgia Baci, Chair for the Mullis Community Senior Center Advisory Committee, presented a petition asking Council to place a stop signs and a crosswalk on Caines Street. Ms. Baci also

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asked that the "right turn only" sign that was recently erected at the exit of the Senior Center be removed.

Steve Kennedy, Caines Street property owner, commented on the poor corner design of Caines Street. Mr. Kennedy indicated that said design causes traffic flow problems.

Louise Dustrude, Treehouse Lane, supported finishing the current sidewalk on the south side of Caines Street to connect with Spring Street.

Tom Bullock, 115 Grover Street, agreed with the request for a stop sign and crosswalk.

Carolyn Marshal, 360 Carter Avenue, agreed with placing stop signs and a crosswalk along Caines Street to support safety. Ms. Marshal indicated that the children attending Spring Street School do not currently use the crosswalk at the corner of Caines and Spring Street, and that placing an additional stop sign and crosswalk may help to keep them safe.

Barbara Capron, 1021 Argyle Avenue, supported the addition of stop signs and crosswalks.

Councilmember Gillette suggested lowering the speed limit on Caines Street from 25 MPH to 10 MPH and adding a crosswalk.

Councilmember LaPorte asked Ms. Baciu how many seniors walk to the Senior Center. Ms. Baciu did not know.

Administrator Fitch commented on the complexity of funding for street improvements within the Town's limited street funding resources. Mr. Fitch noted how Council changed the Town's focus last budget season from Guard Street improvements to Tucker Avenue in response to public comments. Mr. Fitch pointed out that the Gray & Osborne Engineer's report recommended against placing stop signs and crosswalks on Caines Street. Mr. Fitch advised that placing stop signs would obstruct the flow of traffic. Mr. Fitch asked Council to deny the petitioner's request.

General discussion followed regarding safety, T-stop signs, the design of Caines Street, and how best to resolve the problem for everyone involved. At 6:13 PM, Mayor Boothman indicated that further discussion would have to be scheduled to a future agenda. Mayor Boothman declared a brief recess.

Historic Preservation Annual Awards – tape sequence 1490

At 6:15 PM, David Waldron, Historic Preservation Review Board (HPRB) member, presented Jennifer Fitch-Herda with an award for Outstanding Achievement for Historic Preservation and Rehabilitation for the Nash House, previously located on Caines Street.

Ms. Herda thanked the HPRB for the award and shared it with her parents, who encouraged and supported her rehabilitation and preservation efforts.

Mr. Waldron presented Bill and Diane Giesy with an award for Outstanding Achievement for Historic Preservation and Rehabilitation for the former OPALCO headquarters located on Spring Street.

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Mr. & Mrs. Giesy thanked the HPRB for the award and shared it with their architect, Nina Le Baron.

Resolution #1328 – tape sequence #1880

At 6:27 PM, Mayor Boothman introduced draft Resolution #1328. A resolution authorizing the Mayor to execute a Restrictive Covenant for a portion of Court Street. Administrator Fitch explained the particulars of said resolution. Following discussion regarding future investigation and cleanup responsibility, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1328 as stated. The motion passed unanimously.

Moral Nuisance Discussion – tape sequence #2115

Councilmember Brooks explained her draft resolution. Ms. Brooks noted that although the resolution did not have any legal “teeth” it would hopefully protect the Town in the future and balance the legal rights and responsibilities of the community’s health.

Councilmember LaPorte suggested changing a word in the last paragraph of said draft resolution. The change would be: Be it therefore resolved that the Town Council of the Town of Friday Harbor intends on taking the high road of responsibility regarding moral nuisance (adult entertainment) issues, and ~~expects~~ urges (or) invites its citizens and business owners to do likewise.

Councilmember Jones suggested eliminating all of the “Whereas” sections of said draft resolution and keep only the “Be it therefore...” section as stated by Councilmember LaPorte.

Councilmember Rosenfeld agreed with Councilmember Jones’ suggestion.

Councilmember Gillette expressed that he did not feel it was the Council’s place to pass a resolution regarding morals. He acknowledged though that he felt the Council should set a good example for its citizens.

Following discussion, Councilmember Brooks withdrew her resolution from further review.

Claims – tape sequence #2785

At 6:47 PM, Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the payment of claim warrants #22979 through #23054 in the amount of \$510,781.01. The motion passed unanimously.

Non-agenda – tape sequence #2810

Councilmember Rosenfeld asked for Council opinion of the deferred hookup fee proposal for permanently affordable housing distributed to Council earlier in week.

Mayor Boothman cited RCW 36.27.178, which allows the County to collect revenue by placing a surcharge on recorded documents and share a portion of said monies with towns for use in housing projects.

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Following discussion, Council referred the proposal to staff for review.

Following discussion, Council approved Land Use Administrator Bertrand's draft Planned Residential Development concept to go to the Town Planning Commission for composition.

Councilmember Rosenfeld questioned the current budget process and suggested ways to change the process. Brief discussion ensued regarding the budget process. Treasurer Picinich encouraged Council to visit her during the budget process with any questions.

At 7:27 PM, Mayor Boothman observed no need for either an executive session regarding property acquisition or a closed session regarding union negotiations. Hearing no further business before Council, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – June 5, 2003 @ 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.

Mayor Boothman noted that San Juan Commissioner Nielsen had canceled previously and would be on the June 19th, 2003 Town Council agenda.

Mayor Boothman introduced Russel Barsh, Director of Research for the Samish Nation Center for Study of Coast Salish Environments.

Russel Barsh gave a presentation showing the Coast Salish Territory. Mr. Barsh gave an overview of coast salish artwork, languages, activities, and customs. Mr. Barsh commented that the northern straits coast salish is made up of Semiamoo, Lummi, Samish, Saanich, Songhees, and Sooke tribes. Mr. Barsh indicated that San Juan Island has several reef-net sites that have historical, ecological, and archeological significance and indicated that they are interested in helping communities to live together and share traditions.

Following inquiries, Mayor Boothman thanked Mr. Barsh for his presentation.

Sheriff's Report

Sheriff Cumming distributed three months of Sheriff Department Reports for Council review. Mr. Cumming encouraged everyone to visit the Sheriff's Exhibition at the Historical Museum. Mr. Cumming indicated that a 45 minute Labor & Industry training class has been given to the Friday Harbor & Orcas Ferry Terminal workers regarding traffic safety. Mr. Cumming explained how the Sheriff Department would assist with the upcoming Marathon on June 8th. Sheriff

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Cumming noted that the "mock" accident drill on May 19th at the high school was successful. Following inquiry, Mr. Cumming discussed the recent fatal accident involving Mr. & Mrs. Dolsen.

Fiber Optic Development

Mike Fournier, Opalco Representative, distributed information and maps illustrating current and future fiber optic development sites. Mr. Fournier indicated that the addition of fiber optic technology would attract business development within the Town of Friday Harbor. Mr. Fournier asked for a letter of support from the Town Council.

System Administrator's Report

System Administrator Dubail indicated that broadband access is critical for business and he hoped the Town could be a part of the process. Mr. Dubail distributed the April/May System Administration Activity Summary and the May 2003 Water, Wastewater, & Solid Waste Utilities Summary Report and described various other activities involving technical support.

Resolution #1334 – tape 2 sequence #123

At 1:35 PM, Mayor Boothman suggested moving all other agenda business to the evening Town Council meeting. Due to Utilities Superintendent not being in attendance at the evening Town Council meeting, Administrator Fitch asked that Council consider draft Resolution #1334. A resolution authorizing the Town Treasurer to initiate an interfund loan between the Current Expense Fund and the Equipment Reserve Fund to purchase a Western Peterbilt Refuse Packer. Following inquiry to Utilities Superintendent Wilks, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1334 as stated. The motion passed unanimously.

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

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – June 5, 2003 @ 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.

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MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

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System Administrator Dubail indicated that broadband access is critical for business and he hoped the Town could be a part of the process. Mr. Dubail distributed the April/May System Administration Activity Summary and the May 2003 Water, Wastewater, & Solid Waste Utilities Summary Report and described various other activities involving technical support.

Resolution #1334 – tape 2 sequence #123

At 1:35 PM, Mayor Boothman suggested moving all other agenda business to the evening Town Council meeting. Due to Utilities Superintendent not being in attendance at the evening Town Council meeting, Administrator Fitch asked that Council consider draft Resolution #1334. A resolution authorizing the Town Treasurer to initiate an interfund loan between the Current Expense Fund and the Equipment Reserve Fund to purchase a Western Peterbilt Refuse Packer. Following inquires to Utilities Superintendent Wilks, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1334 as stated. The motion passed unanimously.

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

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

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Town Council – June 5, 2003 @ 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, Betty Gilson, 240 Harrison Street, encouraged Council to support sidewalks, trails, and walking.

Tom Westhoven, 680 Harbor Street, asked that the grass and foliage be cut at the Town property across of the Wastewater Treatment Plant (WWTP) on Harbor Street currently being used by Stellar J Construction.

Public Hearing – 689 Harbor Street and Lot #1 of Victoria Crossing

At 5:35 PM, Mayor Boothman opened the public hearing for Rezone Application #48, Applicant: William Percich, Location: Lot #1 of Victoria Crossing Short Plat and Rezone Application #49, Applicant: Town of Friday Harbor, Location: 689 Harbor Street. Both redesignation requests were to be zoned from Light Manufacturing to Light Industrial.

Mayor Boothman asked if any Councilmember wished to excuse themselves from participating. Councilmember Brooks pointed out that she lives within the 300' area of the proposed rezones. Ms. Brooks stated that she felt she could hear input and make an impartial decision.

There was no audience response to Mayor Boothman's inquiry if anyone objected to his or any Councilmember's participation in the public hearing process. Council responded in the negative to the inquiries regarding interest in the properties or issues; gain or loss of financial benefit; and communication with opponents or proponents.

Mayor Boothman instructed those present of public hearing procedures.

Mike Bertrand, Land Use Administrator, clarified for Council and the audience how Town rezone procedures have changed in recent years.

Attorney Eaton reminded Council of the two criteria used in a quasi-judicial hearing. Mr. Eaton advised that quasi-judicial hearings are site specific and that findings should be based on evidence that shows a change has happened in property circumstances in the neighborhood and that making a zoning change is appropriate and that the change is in the best interest of the public good.

Mr. Jones presented two six-page staff reports dated 5/28/03, outlined corresponding property zoning (referring to the map designated as Exhibit A), and staff process. Mr. Jones noted receipt of a letter from Margaret McEnery, Bob Freeauf, and Deborah McKenzie; said letter was designated as Exhibit B.

Mayor Boothman opened the meeting to applicant comments.

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Bill Percich, representative for Friday Harbor Land & Cattle LLC, described plans for Lot #1 of Victoria Crossing Short Plat and indicated that having the ability to have businesses that use outside storage (permitted in the Light Industrial zone only) would cause less traffic and therefore be a lower impact on the neighboring property owners versus regular retail businesses. Mr. Percich commented that the Light Industrial zone provides flexibility for the future.

C. King Fitch, Town Administrator, indicated that the Town purchased the property at 689 Harbor Street to be the future site of its public works yard. Mr. Fitch noted that although no building or site plans have been drawn up as yet, public works yards generally require outside storage, which is currently not allowed under the property's light manufacturing zone. Mr. Fitch described future property plans to place a metal type building on the property and move the Street & Storm Drainage functions to this new facility. Mr. Fitch commented that the Town has outgrown its facilities at the corner of Spring and Marguerite. Mr. Fitch outlined various neighboring properties that have had substantial changes, which supports the redesignation to light industrial.

Mr. Percich notified Council that he felt it was a requirement of outside storage to have screening and fencing. Permit Coordinator Jones clarified that screening and fencing is only required where it abuts residentially zoned properties.

Jeanie Fodor, 690 Harbor Street, asked if properties could later be redesignated during the comprehensive plan revision process without a public hearing. Land Use Administrator Bertrand answered that properties could not be redesignated without a public hearing. Ms. Fodor suggested that Harbor Street did not need more traffic. Ms. Fodor worried that outdoor storage would lower property values, and asked Council to deny the rezone requests.

Sam Buck Sr, property owner at 301/303 Tucker Avenue, questioned the timeline of the process and suggested that Council rezone the entire area, including the Wastewater Treatment Plant and neighboring commercial properties. Mr. Buck expressed that this would be equally fair to all property owners.

Tom Westhoven, 680 Harbor Street, asked Council to postpone the approval of the Town's rezone request until after the WWTP improvement project was complete.

Lee McEnery, 745 Guard Street, opposed the rezone requests and stressed that allowing outdoor storage would cause negative neighborhood impacts. Ms. McEnery also suggested that should Council approve said rezone requests they should place conditions on the rezone requiring various neighborhood protections as a means to protect the property owners.

Lee Anderson, 1977 Cattle Point Road and FH Land & Cattle LLC representative, noted that development on this property will take place, that they want to be good neighbors and they believe that outside storage will support businesses that will require less traffic in the neighborhood. He also noted he was willing to follow any rules or regulations required of other developers in similar zoning.

Tom Westhoven, clarified if it were true that the FH Land & Cattle LLC would not be accessing via Harbor Street. Mayor Boothman answered that the applicants had previously requested said

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access and had been denied. Councilmember LaPorte clarified that said decision could be different in the future.

At 6:07 PM, no other comments were forthcoming from the audience.

Town Administrator Fitch commented that the audiences' comments had merit and indicated that the Town was willing to wait until after the WWTP was complete if it was the Council's desire.

Mike Bertrand summarized for benefit of Council the differences between light manufacturing and light industrial: outdoor storage and indoor entertainment were permitted uses within the light industrial zone. Mr. Bertrand pointed out that the light industrial zone also allows for broader conditional uses.

Mr. Bertrand observed that Town regulations do not currently allow contractual zoning for uses that are permitted. Mr. Bertrand elaborated that the only process for the Town to put restrictions on property is through the conditional use process.

Councilmember Jones questioned if a welding shop would be allowed in the current light manufacturing zone. Mr. Bertrand answered in the affirmative.

Mayor Boothman inquired about an auto repair shop with indoor storage. Mr. Bertrand answered in the affirmative.

Administrator Fitch explained that the creation of the light manufacturing zone was part of the economic development element in the Town's Comprehensive Plan.

Jeanie Fodor, and unofficial Mike Galligan representative, noted her agreement with Ms. McEnery regarding the negative impacts to the neighborhood. Ms. Fodor also expressed her objection to excessive lighting in the neighborhood.

At 6:17 PM, hearing no further audience participation, Mayor Boothman closed the public input portion of the public hearing and opened the floor to Council deliberations.

Councilmember Brooks expressed that she liked the idea of postponing for a while. She noted that the differences between the zones are substantial depending on the proposed development.

Councilmember Gillette agreed with postponing the decision and stressed that the Town has already "pushed the limits on this zoning as it is".

Councilmember Rosenfeld expressed concern with neighborhood degradation. He commented that he considers the two subject lots as a buffer to the residential properties and changing the zoning from Light Manufacturing to Light Industrial would make it too intense. Councilmember Rosenfeld commented that the Town's lot was purchased on the premise that the Town's Sutton Road facility would be bought by San Juan County and admitted he did not know the justification to keep or develop the 689 Harbor Street property.

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Councilmember Brooks inquired about the definition of governmental services. Attorney Eaton read the definition.

Councilmember Jones maintained that Council should not delay the private individual's request for rezone, because the Town does not currently have a site plan for its property. Councilmember Jones suggested that Council approval of either property rezone should hinge on mitigation, using berms, trees, or bushes, to actually enhance the property there rather than degrade it. Mr. Jones suggested that this was an opportunity for Council to place mitigation limitations on us as well as the private developer.

Councilmember LaPorte pointed out that if screening requirements are required where light manufacturing (LM) abuts single-family residential (SFR) then the Council could impose these same requirements regarding multi-family residential (MFR). Mr. LaPorte suggested that Council could change the regulations regarding screenings at any time and could impose these new regulations prior to the receipt of any building permits for the subject properties. Mr. LaPorte commented on the compelling public need of a new public works yard, as the Marguerite Shop is overflowing and the Sutton Road property is too far out of Town. Mr. LaPorte stated that he favored the comments made by Mr. Westhoven and suggested postponing the Town's rezone application and, following a question regarding "spot zoning", supported approving the FH Land & Cattle LLC rezone application.

Councilmember Brooks suggested that the "purpose" section of light industrial compared to light manufacturing seems to protect adjoining zones more fully.

Councilmember LaPorte reiterated that Council could change current land use laws. Attorney Eaton clarified that as long as the proposed change did not violate the current Comprehensive Plan, land use laws could be changed.

Councilmember Gillette clarified that the easement previously requested by the FH Land and Cattle Company was tabled and the door was open for future consideration.

Councilmember Jones inquired who was in charge of regulating yard mitigations. Mr. Bertrand answered that the Community Development Department administers yard mitigations under 17.04.060(d)

Councilmember Jones moved and Councilmember LaPorte moved for approval of the Friday Harbor Land & Cattle LLC Rezone Application #48 and direct staff to prepare findings of fact and conclusions of law to support said decision.

Councilmember Jones commented that the WWTP improvement project has brought significant change within the neighborhood to justify the approval of the zoning change from light manufacturing to light industrial; and the public good is that the developer sets a pattern and, if mitigated properly, there will be substantial public benefit to the neighborhood, especially if the Town aggressively pursue the regulation words regarding buffering mitigation.

Councilmember Brooks commented that she felt the light industrial zone allowed for more residential protection. Attorney Eaton cautioned Council not to misconstrue the "purpose"

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section of the different zones. That said section was non-regulatory, but was just a general guideline, and could not be enforced.

Councilmembers Gillette and Rosenfeld did not agree with the higher zoning designation around residential areas.

Following further discussion, the motion passed 3 to 2 with Councilmembers Gillette and Rosenfeld opposed.

Councilmember LaPorte moved and Councilmember Brooks seconded to deny the Town of Friday Harbor's Rezone Application #49. Following further comments, the motion passed unanimously.

At 6:50 PM, Mayor Boothman declared a short recess. The meeting reconvened at 6:55 PM.

License to Use Public Right of Way – tape sequence #3310

Administrator Fitch explained the particulars of the application for a license to use the public right of way at 610 Warbass Way by Mr. & Mrs. Paul Upchurch. Mayor Boothman stated that he has been commissioned to do the cabinets at the future Upchurch home. Following discussion, Councilmember Jones moved and Councilmember LaPorte seconded to grant the license to use the public right of way at 610 Warbass Way. The motion passed unanimously.

Ordinance #1222 – tape 2

Mayor Boothman introduced draft Ordinance #1222. An ordinance accepting the bill of sale from Gateway Development LLL, for certain improvements of the Town water system. Administrator Fitch explained the particulars of same. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1222 as stated, The motion passed unanimously.

Administrator's Report – sequence #160

Administrator Fitch reported that Brad Musick will stay on as a subcontractor consultant through Brown & Caldwell.

Administrator Fitch updated Council on the progress of the manufacture of the new fireboat. Mr. Fitch asked Council to approve the addition of a windshield wiper on said boat for an approximate cost of \$289. Council approved the expenditure.

Administrator Fitch noted that the final budget with full narrative is available for Council review.

Administrator Fitch reported that the Front Street improvement project will begin June 11th. He noted said project will be managed by San Juan County, and paid for by the Port of Friday Harbor.

Administrator Fitch informed Council that the Town was served papers to attend a hearing regarding an appeal of a Superior Court decision against Mr. Joel Douglas regarding the denial of a bed and breakfast conditional use permit previously by the Town.

In regards to the fiber optic installation proposed by Opalco, Administrator Fitch emphasized that the Town has utility trenching specifications that utilities are required to follow.

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Administrator Fitch reported that the Department of Labor and Industries has found that the Town Fire Department should have dust proof bags for its self-contained breathing apparatus equipment. He noted that the cost to comply is approximately \$750. Council approved said expenditure.

Administrator Fitch observed that the sludge dryer equipment has arrived at the Wastewater Treatment Plant.

Administrator Fitch asked for Council direction in regards to Caines Street. Councilmember Brooks indicated that she had requested a cost estimate to add a T-stop sign arrange on Caines Street. Councilmember Rosenfeld agreed that he thought that was the Council consensus.

Councilmember Jones thought that the matter was referred back to staff to have the best-engineered solution designed that they could recommend. After this was done, a decision could be made. Councilmember Gillette agreed that no decision was made at the previous meeting.

Administrator Fitch asked for further direction in regards to engineering. Did they want to pay for a presentation from a traffic engineer or would they like to hear a free presentation from an Association of Washington Cities representative or someone from the Department of Transportation.

Councilmember Brooks indicated she would still like to know the cost of designing a T-stop intersection.

Councilmember Rosenfeld indicated that pedestrian safety is the highest priority and suggested adding the stop signs without spending money on engineering.

Councilmember LaPorte noted that putting stop signs in on an unengineered street is not advisable. Mr. LaPorte commented that any changes have to be engineered and also other utilities that have equipment in the area need to be considered.

Following further discussion, it was the consensus of Council to obtain an estimate for the cost of re-designing Caines Street. Discussion followed regarding placing an interium crosswalk across Caines Street. Following discussion, it was decided that a crosswalk was not advisable at this time. Councilmember Jones asked to hear from a traffic engineer in an effort to collect further data.

Non-agenda

Councilmember Rosenfeld asked about the aerial mapping on Tucker Avenue. Administrator Fitch explained said mapping was in conjunction with the sidewalks to be added on Tucker Avenue.

Councilmember Gillette inquired about a constituent getting a parking citation for backing into a parking spot on Front Street. Administrator Fitch explained that said violation was on the Town's bail schedule under 46.61.575 as a \$10. Attorney Eaton indicated he would investigate to see if it is state law or local law.

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Minutes

Councilmember Jones moved and Councilmember Brooks seconded to approve the Town Council minutes of May 15, 2003 noon and 5:30 PM meetings. Councilmember Gillette asked the words "and adding a crosswalk" be added to his words regarding Caines Street at the May 15, 2003 5:30 Town Council meeting. Other Councilmembers indicated they did not feel the minutes accurately reflected the discussion regarding Caines Street, but felt today's conversation had resolved the problem. The motion was amended to approve the minutes as corrected by Councilmember Gillette. The motion passed unanimously.

Non-agenda – tape sequence #1160

At 7:37 PM, at Councilmember Gillette's inquiry, Administrator Fitch reported on the dead trees on Sutton Road.

Councilmember LaPorte reported on the last meeting of the Lodging Tax Advisory Committee (LTAC) regarding the Co-Salish house poles. Mr. LaPorte also noted that Linda Hersey has resigned from the LTAC.

Councilmember Jones moved and Councilmember Rosenfeld seconded to appropriate \$12,000 of lodging tax funds towards the purchase of said house poles. Mayor Boothman inquired if local tribes would approve of said posts. Following discussion, Councilmember Brooks suggest postponing the motion until after hearing from the Samish Tribe's position. Councilmember Jones moved and Councilmember LaPorte seconded to postpone the motion until after hearing from said tribe. Following discussion, The motion passed 4 to 1 with Councilmember Rosenfeld against postponement.

At 7:50 PM, Councilmember Jones left the meeting.

Councilmember Brooks reported on the recent Lafarge Park acquisition and development committee meeting. Ms. Brooks distributed a project timeline to Council.

Claims & Payroll

At 8:00 PM, Councilmember LaPorte moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #23057 through 23142 in the amount of \$118,372.45 and payroll warrants #9434 through 9478 in the amount of \$146,808.07. The motion passed unanimously.

Mayor Boothman indicated that the Town Council discussion of funding for streets, sidewalks, and trails would have to wait until a future agenda.

Councilmember Rosenfeld asked if staff investigated alternative sidewalks, such as gravel paths. Administrator Fitch noted that the street and road standards would have to be revised and also advised that the Town might have difficulty with not having disability access with gravel paths.

Executive Session

At 8:05 PM, Mayor Boothman suggested the property acquisition was not necessary. Councilmember Gillette moved to go into executive session to discuss property acquisition per RCW 42.30.110, Councilmember Rosenfeld seconded the motion. The motion passed 3-1 with

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Councilmember LaPorte against going into executive session. Anticipated time for executive session was 15 minutes, and no action was anticipated.

At 8:10 PM, during executive session, Councilmember LaPorte left the meeting.

At 8:24 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 – June 19, 2003 @ 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.

During the public access portion of the meeting, Georgia Baci, 176 Pelican Way, read a letter into the record regarding removal of the "right turn only" sign at the exit of the Mullis Senior Center, and requested a sidewalk and crosswalk on Caines Street.

Mayor Boothman informed Ms. Baci that Council is looking into the issue.

Mike Close, Rotary of the San Juans representative, asked Council to approve draft Resolution #1335, authorizing conditional private use of a portion of Front Street by the Rotary Club of the San Juans during the July 4th, 2003 for a benefit street dance.

Mayor Boothman noted that said draft resolution would be addressed during the non-agenda portion of the meeting.

Craig Sternagel, Kenmore Air representative, and Paul Hopkins, San Juan Airlines representative, asked Council to write a letter of support for a Department of Transportation Grant application to help enhance their airline service in Friday Harbor. They indicated that said grant would help subsidize local airfares and fund marketing promotion to the islands. Marilyn O'Conner, Port of Friday Harbor, acknowledged that the Port is in favor of said grant application.

Mayor Boothman stated that Council would discuss same during the non-agenda portion of the meeting.

BOCC update – tape sequence #400

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San Juan County (SJC) Commissioner Nielsen announced that the County has approved the distribution of \$50,000 from the public facilities grant funds to the Town for their Wastewater Treatment Plant improvement project.

Ms. Nielsen reported on developments regarding the purchase and sale agreement for the LaFarge Park & Barge Landing project; state legislature activities; conversations with Gulf Island counterparts; County support of the Opalco broadband infrastructure project; attendance at local meetings; the projected 900,000 deficit in the SJC 2004 budget; and support of the House Posts project.

Following inquiries, Mayor Boothman thanked Ms. Nielsen for her update.

Fire Department Report – tape sequence #957

Fire Chief Low indicated that the delivery of the new fireboat was expected on Friday, June 27, 2003. Chief Low mentioned that Engine 6 may need a new water tank that could cost approximately \$6,000. Mr. Low assured Council that they would try and temporarily repair said tank first. Chief Low reported on the Fire Dept. trip to Victoria and Victoria's reciprocal visit to Friday Harbor during the 4th of July parade. Chief Low reported on training programs; departmental promotions of 5 firefighters to the senior level; the hiring of Joe Schilling for the vacant Training Officer position; a trailer donation; and number of fire responses so far this year (32).

Following inquiries regarding fireboat mutual aid agreements and confined space rescue classes, Mayor Boothman thanked Chief Low for his report.

Signage Regulations – tape sequence #1524

Administrator Fitch noted that Mr. Carlson was unable to attend the Council meeting. Mr. Fitch explained that Mr. Carlson pointed out some inconsistencies in the Town's sign regulations regarding free standing signs. Following the review, discussion, and inquiries of draft language to correct said inconsistencies, Council approved staff draft an ordinance to incorporate said changes. Land Use Administrator Bertrand departed.

Ordinance #1223 – tape sequence #1785

At 12:50 PM, Mayor Boothman presented draft Ordinance #1223. An ordinance revising the membership and duties of the Historic Preservation Review Board. Councilmember Brooks moved and Councilmember Jones seconded to adopt Ordinance #1223 as stated. Councilmember Rosenfeld objected to the legal requirement to have a Town resident on said board. Mr. Rosenfeld suggested that such a representative could be encouraged rather than required. Councilmembers LaPorte and Jones advocated that it was important to have representation from a Town resident. The motion passed, with Councilmember Rosenfeld abstaining.

New Historic Board Position – tape sequence 1970

Mayor Boothman proposed that Martha Padve fill the Town resident position on the Historic Preservation Review Board. Councilmember Jones moved and Councilmember LaPorte seconded to confirm the appointment of Ms. Padve on said board. The motion passed unanimously. Mayor Boothman noted that Anne Pope will be stepping down from her position on said board.

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Non-agenda – tape sequence #2068

Administrator Fitch introduced draft Resolution #1335. A resolution authorizing conditional private use of a portion of Front Street by the Rotary Club of the San Juans during the July 4th, 2003 for a benefit street dance. Councilmember Gillette moved and Councilmember Rosenfeld seconded to adopt Resolution #1335 as presented. Councilmember Brooks stated her opposition to alcohol being provided at said dance. Noting the liquor license was in the name of the Rotary Club of Fidalgo Island, Mayor Boothman questioned the Rotary Club in Friday Harbor's establishment status. Following discussion, Councilmember Gillette and Councilmember Rosenfeld moved to table further discussion until the evening Town Council meeting. The motion passed unanimously.

Administrator's Report – tape sequence #2410

Administrator Fitch reported on personnel changes; distribution of the amended budget at the evening Town Council meeting; Lions Club using a portion of Nichols Street on July 4th; the lowering of the speed limit from 35 MPH to 25 MPH on Turn Point Road near the former Mariella Inn location; Council's wishes regarding a mail-in ballot primary; an Association of Washington Cities grant application for technology funding; and Historic Preservation Review Board findings in regards to historic street light standards. Discussion and inquiry followed regarding street light standards. Following said, Council asked Mr. Fitch to arrange a presentation by the Lumec street light standard sales representative.

Non-agenda – tape sequence #3545

At 1:27 PM, Mayor Boothman asked if Council wanted to write a letter of support as requested by the airline representatives during public access. Following discussion, Council asked the Mayor to write a letter of support, without any funding commitment, for Council signature at the evening Town Council meeting.

At 1:32 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – June 19, 2003 @ 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.

In regards to draft Resolution #1335 and conversation at the noon Town Council meeting, Mike Close and Mary Kalbert, Rotary Club of the San Juans, explained that their club is currently a provisional membership and will become a charter membership after obtaining 20 members.

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689 Harbor Street Easement Request

Mayor Boothman opened Council discussion of a request by Bill Percich and Lee Anderson for an access easement on Town owned property located at 689 Harbor Street.

Councilmember LaPorte wondered if commercial traffic across the Victoria Crossing property was advisable. Mr. LaPorte stated that without specific plans for the Town's property, he didn't feel it advisable to encumber the Town's property either. Mr. LaPorte observed that he wasn't sure that Council was in a position to make a decision with the uncertainty of what the Town is going to do with its property.

Councilmember Brooks expressed concerns regarding the safety of turning left from Harbor Street into the developers property.

Councilmember Jones asked Administrator Fitch for his input. Administrator Fitch suggested that if Council were to surplus the Town's property, as has been alluded to by Council previously, then he would advise against encumbering it with an easement.

Councilmember Gillette indicated he was not against sharing a road with the developer.

Councilmember Rosenfeld commented that the Town bought the property with the assumption that San Juan County was going to purchase the Town's Sutton Road Property, but that deal fell through. Mr. Rosenfeld stated that the property was too expensive to retain.

Councilmember Gillette advocated that the property was valuable for future Wastewater Treatment Plant expansion. Following discussion, it was the consensus of Council to retain the Town's property.

Following inquiry, Administrator Fitch relayed his design thoughts for possible construction of a public works yard. Following further discussion and inquiry, it was the consensus of Council to request staff design a conceptual plan for the Town's property. Mayor Boothman stated for the record that the developer's request for access was denied at this time. Council concurred.

Lawson Property Exchange – tape sequence #983

Mayor Boothman opened Council discussion of a request for a property exchange on Town owned property located in the Trout Lake watershed. Administrator Fitch explained the particulars of said exchange.

Richard Lawson, family representative for Jeri Lawson, explained a recent survey of property had discovered different property lines than his family had originally recognized. Mr. Lawson gave an overview of the benefits of said property exchange for both the Town and his family. Mr. Lawson did not advocate granting an easement, due to terrain difficulties.

Councilmember Rosenfeld asked if Mr. Lawson would be amenable to exchanging a rectangular portion of the Town's property for a pie shaped portion of the Lawson property. Mr. Lawson expressed openness to this suggestion. Following inquiry, Mr. Lawson agreed to pay all legal fees regarding said exchange.

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Following further discussion and inquiry, it was the consensus of Council that said property exchange was in the best interest of all involved.

Native American House Posts – tape sequence #1927

At 6:25 PM, Mayor Boothman indicated that he received an email from Russell Barsh, Samish Tribe representative, regarding their support for the Susan Point House Posts.

Councilmember Jones moved and Councilmember Brooks seconded to approve the appropriation of \$12,000 in 2% promotional hotel motel funds towards the purchase of Native American house posts should the committee raising such funds acquire the entire remaining funding necessary.

Councilmember Gillette suggested waiting until Council discerns whether or not they had full support from all five of the local tribes.

Lee Brooks, Arctic Raven Gallery, explained the various tribes that support the house post project.

Following discussion, Councilmember Jones and Brooks amended their motion to put a two year timeframe for said appropriation of funds. The motion passed 4 to 1, with Councilmember Gillette opposed.

At 6:40 PM, Mayor Boothman declared a 4 minute recess. At 6:44 PM, Mayor Boothman called the meeting back in session.

Previously Tabled draft Resolution #1335

Mayor Boothman asked Council to address draft Resolution #1335. Councilmember Gillette moved and Councilmember Jones seconded to adopt Resolution #1335. A resolution authorizing conditional private use of a portion of Front Street by the Rotary Club of the San Juans during the July 4th, 2003 for a benefit street dance. Attorney Eaton indicated he was comfortable with the resolution. Following discussion, the motion passed 4 to 1 with Councilmember Brooks opposed.

Legislative Agenda Item #4 – tape sequence #2700

At 6:46 PM, Mayor Boothman opened discussion of funding and planning for streets, sidewalks, and trails. Mayor Boothman suggested Council consider going to the voters to increase the sales tax by .03% to fund for streets, etc.

Councilmember Brooks suggested placing parking meters throughout Town to raise funds for streets, sidewalks, and trails.

Councilmember Gillette suggested forming a citizens advisory committee to analyze the Town's streets, sidewalks, and trails.

Councilmember LaPorte suggested said committee be comprised of two Councilmembers, two Planning Commissioners, two trail committee members; and two non-affiliated members.

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General discussion continued regarding committee support staff; how to share funding for streets, sidewalks, and trails with all island Town residents; voter referendum; priorities; and committee duties.

Mayor Boothman noted that Council would be setting the street priorities at an upcoming Town Council agenda. Mayor Boothman expressed that a committee may not see priorities the same way as Council and confuse the process.

Councilmember LaPorte said that the duties of said committee could be to draw up a "wish" map, prioritize said map, and then tell Council how to pay for suggested improvements.

Councilmember Brooks suggested giving the committee Chapter Five of the Town's Comprehensive Plan regarding funding sources to study.

Attorney Eaton suggested defining "trails", because a committee may propose options that are not permissible and they should understand the parameters that the Town can work under legally. Mr. Eaton inquired if Council wanted the committee to work within the existing rights of way or purchase additional right of way acquisition.

Councilmember Rosenfeld indicated that if the committee wanted to purchase additional rights of way, then they should consider the cost of said purchase in their suggestions.

Councilmember Gillette suggested planning for a trail to the new LaFarge Park also. Following discussion, Councilmember LaPorte suggested focusing on only Town areas at this time. Following discussion, Council concurred.

Mayor Boothman suggested two Councilmembers formulate draft committee duties, membership requirements, sunset clause, responsibilities, and decide about funding. Councilmember LaPorte suggested asking 1 Councilmember, 1 trails committee member, and 1 Planning Commissioner get together and formulate said committee outline.

Attorney Eaton pointed out that said committee once formed may be subject to the open public meetings act and a resolution should be drafted to form said committee.

Following further discussion, it was the consensus of Council to formulate a sub-committee, as suggested by Councilmember LaPorte, which would draw up specific duties for the street, sidewalks and trails committee and return to Council within 30 days with their suggestions and then a draft resolution could be drafted and brought before Council for passage.

Claims – tape 2 sequence #540

Councilmember Jones moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #23144 through 23203 in the amount of \$888,849.55. The motion passed unanimously.

Non-agenda

Mayor Boothman presented the draft letter to the Port of Friday Harbor in support of a Department of Transportation grant application by the local airlines. Councilmember LaPorte

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moved and Councilmember Jones seconded to approve said letter as drafted. The motion passed unanimously. Council signed said letter.

Ordinance #1224 – tape sequence #580

Administrator Fitch introduced and explained the particulars of draft Ordinance #1224. An ordinance amending Ordinance #1218 and FHMC Chapter 14.04 concerning the regulation of signage. Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Ordinance #1224 as stated. The motion passed unanimously.

Non-agenda – tape sequence #610

Mayor Boothman inquired if Council wanted to send a letter of support to Orcas Power & Light Company (OPALCO) regarding their fiber optic infrastructure project. Mayor Boothman pointed out that besides the increased speed and capacity, such broadband will support economic development. Following discussion, it was the consensus of Council to that the Mayor should write a letter of support for said project.

Councilmember LaPorte asked Council to approve the appointment of Steve Feters, Inns of Friday Harbor manager, to the Lodging Tax Advisory Committee (LTAC). Councilmember LaPorte moved and Councilmember Jones seconded to appoint Steve Feters to the LTAC. The motion passed unanimously.

Councilmember Rosenfeld commented on a conversation with the new San Juan County Elections Officer, Dan Gillespie, regarding correcting those registered voters who live outside of Town, but register in Town. Mr. Rosenfeld indicated that evidently there will not be a change in policy, and the elections office will still not be policing this activity.

Councilmember Brooks suggested writing a letter to the Governor and the Insurance Commissioner regarding the insurance tribulations that Gordy Peterson and others have experienced after the May 9th, 2002 fire at 1st and Spring Streets. Councilmember LaPorte suggested getting accompanying letters from the victims of said fire who have experienced said problems. Councilmember Brooks volunteered to obtain said letters.

Councilmember Brooks inquired when Harbor Street would be repaired. Administrator Fitch indicated at the completion of the Wastewater Treatment Plant improvement project.

Executive Session

At 7:41 PM, hearing no objection, Mayor Boothman declared the meeting in executive session per RCW 42.30.110 to discuss property acquisition for approximately 25 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. Attorney Eaton left the meeting.

Hearing no objection Mayor Boothman declared the meeting in closed session per RCW 42.30.140(4)b to discuss union negotiations for approximately 15 minutes.

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At 8:15 PM, Mayor Boothman declared the meeting back in regular session and hearing no objection, declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 3, 2003 @ 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, & Clerk Wilson
Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Stephanie Buffum, Friends of the San Juans representative, asked Council to welcome 300 participants in the 2003 Canoe Journey, which will be hosted on San Juan Island July 23-25, and to be an official event co-sponsor. Ms. Buffum described planned festivities. Ms. Buffum emphasized that said event is an effective anti-drug and alcohol alternative for Indian Country youth and adults. Mayor Boothman indicated said request would be discussed during the non-agenda portion of the meeting.

At 12:07 PM, Utilities Superintendent Wilks reported on June 2002 versus June 2003 rainfall, lake level, and production (June 2003 rainfall: .43"; Lake level: 9.25" below spillway; & Production: 13.5 million gallons). Mr. Wilks reported that 17 new water connections and 5 new fire hydrants have been installed so far this year. Mr. Wilks conveyed activities regarding the failure and repair of **Wastewater Pump Station #2**. Mr. Wilks announced that Andrea Rose has left Town employment and that the Parks Utility Worker, Paula Bey, would be taking over Andrea's duties as Utilities Clerical Support. Consequently, this opens a Town position in the Parks department. Mr. Wilks commented that a confined space training class would be offered this month along with a confined space rescue class with the Fire Department.

Following inquiries, Council asked Mr. Wilks to compliment the crew for their hard work on the pump station failure/repair. Mr. Wilks added that Stellar J. Construction, Contractor for the Wastewater Treatment Plant improvement project, was also very helpful during this predicament.

Small Community Air Service Grant – tape sequence #615

At 12:20 PM, Mayor Boothman opened discussion of financial support for the Department of Transportation Small Community Air Service Grant program. Mayor Boothman explained that San Juan Airlines, Island Air, and Kenmore Air, in conjunction with the Port of Friday Harbor, are applying for a grant to assist rural airlines. Councilmember LaPorte suggested referring the discussion of financial support to the Lodging Tax Advisory Committee. Following discussion, it was the consensus of Council to refer said issue to said committee.

Friends' request – tape sequence #735

Mayor Boothman suggested addressing the public access request by Ms. Buffum. Discussion followed. Administrator Fitch suggested using Town Liquor Excise Tax and Profit dollars to

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support this anti-substance abuse event, if Council so chose. Councilmember Brooks moved and Councilmember Jones seconded to approve the appropriation of \$1,000.00 Town Liquor Excise Tax and Profit dollars in support of the 2003 Canoe Journey. Following inquiries regarding promotional activities, the motion passed unanimously.

Public Hearing 2003 Budget Amendments – tape sequence #975

At 12:30 PM, Mayor Boothman opened the public hearing on the amendments to the 2003 Town Budget. Administrator Fitch outlined the yearly budget amendment process. No input from the audience was forthcoming.

Council inquiries and staff responses followed regarding beginning and ending balances; and various revenues and expenditures throughout the draft amended budget. Councilmember Rosenfeld suggested forgoing the hanging flower baskets for a few years and using said funds to install new historical street lamp posts. Councilmember LaPorte observed that quite a few islanders are partial to the flower baskets and might choose them over new street lights.

Mayor Boothman left the public hearing open to allow latecomers an opportunity to speak.

Capital Reserve Fund Presentation – tape sequence #1920

At 12:55 PM, Treasurer Picinich presented information regarding the Town's Capital Reserve Fund. Ms. Picinich affirmed that the Town's reserve funds are not just a pool of money the Town is sitting on needlessly. Ms. Picinich reminisced about the limited funding that the Town had during her first years of Town employment. Ms. Picinich described past infrastructure that has been either purchased or improved throughout the Town. Ms. Picinich explained that some of the items that affect Town's resources are aging infrastructure, unfunded state mandates, and growth. Mr. Picinich stated that having money in reserves equates to lower financial impacts to Town businesses and residents.

Discussion and inquiry followed regarding comparison of cities our size; debt per capita; and the cost of living in Friday Harbor.

Administrator Fitch stated that it is the Town's fiscal responsibility to plan for and replace infrastructure. Mr. Fitch observed that government services have a "price tag" attached.

Mayor Boothman thanked Ms. Picinich for her presentation.

Minutes

Councilmember LaPorte moved and Councilmember Jones seconded to approve the Town Council minutes of June 5, 2003 noon and 5:30 PM and June 19, 2003 noon and 5:30 PM meetings as submitted. Councilmember Gillette asked for clarification regarding a statement in the June 5, 2003 5:30 PM meeting. Councilmember LaPorte and Councilmember Jones moved to table the motion until clarification could be completed. The motion passed unanimously.

Claims & Payroll – tape 2 sequence #193

Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the payment of claim warrants #23206 through #23268 in the amount of \$168,587.47 and payroll warrants #9479 through #9563 in the amount of \$151,186.79. The motion passed unanimously.

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At 1:36 PM, hearing no public input regarding the amendments to the 2003 Town Budget, Mayor Boothman closed the public hearing and with no objection heard, declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 3, 2003 @ 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, Land Use Administrator Bertrand, & Clerk Wilson

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

Ordinance #1225

Mayor Boothman introduced draft Ordinance #1225. An ordinance amending the 2003 Budget for the Town of Friday Harbor. Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Ordinance #1225 as stated. The motion passed unanimously.

Resolution #1336 – tape sequence #62

Mayor Boothman introduced draft Resolution #1336. 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, 2003 through July 31, 2004. Administrator Fitch explained the particulars of said resolution. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1336 as stated. The motion passed unanimously.

Planning Commission Confirmation

Mayor Boothman asked Council to reconfirm the nomination of Harriet Capron to the Town Planning Commission. Councilmember LaPorte moved and Councilmember Jones seconded to accept the nomination of Harriet Capron to renew her term on the Town Planning Commission in position #2. The motion passed unanimously.

Findings of Fact & Conclusions of Law – tape sequence #195

Land Use Administrator Bertrand pointed out that the Findings of Fact and Conclusions of Law for the Friday Harbor Land & Cattle, LLC rezone application #48 are based on Council comments during the June 5, 2003, 5:30 PM, public hearing regarding the property located at Lot #1 of Victoria Crossing Short Plat.

Councilmember LaPorte moved and Councilmember Jones seconded to adopt said Findings of Fact and Conclusions of Law as prepared by staff.

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Discussion followed regarding process.

Administrator Fitch commented that conclusions of law are sometimes used by an applicant and/or others as a basis to challenge decisions of the Council. Mayor Boothman emphasized that Council decisions set standards for future developers.

The motion passed 3 to 2 with Councilmember Rosenfeld and Councilmember Gillette opposed.

Ordinance #1226 – tape sequence #454

Mayor Boothman introduced draft Ordinance #1226. An ordinance amending the 2002 Town of Friday Harbor Comprehensive Plan and Comprehensive Land Use Map. Land Use Administrator Bertrand explained the particulars of said ordinance. Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Ordinance #1226 as stated. The motion passed unanimously.

Ordinance #1227 – tape sequence #493

Mayor Boothman introduced draft Ordinance #1227. An ordinance amending Ordinance No. 1172 and Title 17, Friday Harbor Municipal Code, relating to the zoning designation map and minor text changes. Land Use Administrator Bertrand explained the particulars of said ordinance. Following inquiries, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Ordinance #1227 as stated. The motion passed unanimously. Land Use Administrator Bertrand departed during the following discussion.

Six-Year Transportation Improvement Plan Process – tape sequence #560

Mayor Boothman opened Council discussion of the six-year transportation improvement plan (TIP) process. Administrator Fitch explained the particulars of the Town's operating budget; planning for improvements under the growth management act (GMA); and funding.

Discussion followed regarding the order of importance of the three roads currently on the Town's 6-year Road Plan; possible additions to said road plan; degradation of Town streets; ferry traffic unloading; and parking.

Administrator Fitch advised Council that roads placed on the Town's TIP are then used to go to the Washington State Legislature to acquire funding for said projects.

Mayor Boothman mentioned that the challenge is setting priorities and sticking to them, when Council diverts funds to an unplanned project it dilutes the process.

Councilmember LaPorte asked if the Front Street Turnaround Project would be dropping off the listed projects now that it has begun construction. Administrator Fitch explained recent developments regarding contaminated soil at said project and indicated that the answer was uncertain at this time.

Administrator Fitch noted that Tucker Street preliminary drawings were available for Council review. Administrator Fitch stated that a future Council decision would be necessary regarding said plans.

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Administrator's Report – tape sequence #1995

Administrator Fitch reported on the arrival of the Town's new 25' fireboat and the joint participation of the Town, Port, and Orcas Power and Light Company (OPALCO) in regards to the Front Street Turnaround project contaminated soil.

Minutes

Councilmember Gillette moved and Councilmember Brooks seconded to approve the Town Council minutes of June 5, 2003 noon and 5:30 PM and June 19, 2003 noon and 5:30 PM meetings as amended. The motion passed unanimously.

Resolution #1337

Mayor Boothman introduced draft Resolution #1337. A resolution authorizing funds in support of the 2003 Canoe Journey. Councilmember Gillette moved and Councilmember Brooks seconded to adopt Resolution #1337. The motion passed unanimously.

Non-agenda

Councilmember Rosenfeld indicated that a concerned group has been formed to develop a proposal for Council regarding specific duties, membership requirements, and responsibilities for a streets, sidewalks and trails committee. It was noted that said concerned group would not fall under the open public meetings act until after the formation of the actual streets, sidewalks, and trails committee.

Closed Session – tape sequence #3360

At 6:55 PM, hearing no objection, Mayor Boothman declared the meeting in closed session to discuss union negotiations per RCW 42.30.140(4)(b) for approximately 15 minutes and noted that an executive session regarding property acquisition would follow the closed session.

At 7:24 PM, Mayor Boothman declared the meeting back in regular session and hearing no objection declared the meeting in executive session per RCW 42.30.110(b) for approximately 10 minutes with no action anticipated.

At 7:32 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session and hearing no objection, declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 17, 2003 @ 12:00 PM

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

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Maury Liebman, 999 Westside Road, asked Council to provide a mid-size dumpster at no cost for the Pioneer Picnic to be held on August 2,

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2003 on the San Juan Historic Museum property. Mr. Liebman indicated that approximately 100 to 200 town/county residents would attend said picnic.

Mike Akin, Anchor Management Inc., Owner and Ferry Terminal Agent, commented on the inadequate amount of bathroom facilities and trash receptacles near the ferry landing. Mr. Akin asked for "relief of some sort" from the Town to the rising costs of maintaining bathroom facilities and trash receptacles for the many island visitors.

Mayor Boothman indicated said requests would be discussed during the non-agenda portion of the meeting.

Sheriff's Report

Sheriff Cumming distributed the June 2003 Sheriff Report for Council review. Mr. Cumming commented on the busy summer and its impacts on the Sheriff's department. Mr. Cumming passed on appreciation of the new fireboat and its use at the recent fire on Orcas Island. Mr. Cumming mentioned forthcoming telephone system changes in regards to cellular phones and emergencies.

Council inquired about recent commercial burglary activities. Mr. Cumming explained as much as he could publicly. Mayor Boothman inquired if a reward would be helpful in gaining information regarding said. Mr. Cumming answered in the affirmative.

Mayor Boothman inquired about the "block watch" program that Mr. Cumming had previously indicated would be implemented. Mr. Cumming indicated that said program was still in the development stages, as time allows.

Resolution #1338 – tape sequence #650

Mayor Boothman introduced draft Resolution #1338. A resolution authorizing the Mayor to offer for public sale such used vehicles and equipment deemed surplus. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1338 as stated. Following further inquiry, the motion passed unanimously.

Minutes – tape sequence #735

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt the Town Council minutes of July 3, 2003 noon and 5:30 PM meetings as written. The motion passed unanimously.

Non-agenda – tape sequence #750

At 12:22 PM, Mayor Boothman asked for Council thoughts regarding the "free dumpster" request from Mr. Liebman during public access. Mayor Boothman expressed reservations if providing said dumpster would require an employee to work extra on their weekend.

Councilmember LaPorte agreed with the providing of said dumpster if providing the dumpster did not require additional employee overtime and was not illegal.

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Treasurer Picinich acknowledged that a Town employee is currently providing refuse service on the weekends. Ms. Picinich suggested that everyone "chip in" a little of their personal money to provide the dumpster rather than giving it for free to the Pioneer Picnic.

Following discussion, Councilmember Gillette moved and Councilmember Rosenfeld seconded that out of respect for the heritage and history of the community the Town provide a free mid-size dumpster and pickup service to the Pioneer Picnic on August 2, 2003 at the San Juan Historical Museum site. The motion passed unanimously.

Mayor Boothman opened discussion of the comments of Mr. Akin during public access. Following discussion, Mayor Boothman indicated he would speak with Administrator Fitch regarding the adequacy of the Town refuse receptacles near the ferry landing.

Mayor Boothman suggested offering a \$1,000 reward for the arrest and conviction of the person(s) involved in recent commercial robberies within Town. Following discussion, Councilmember Gillette moved and Councilmember Jones seconded to appropriate \$1,000 reward money to the arrest and conviction of the person or persons responsible for the rash of recent commercial burglaries. The motion passed unanimously.

Councilmember LaPorte suggested obtaining an estimate to sandblast and paint the bottom of the new aluminum fireboat before saltwater damage is done. Following discussion, Mayor Boothman volunteered to speak with Fire Chief Low regarding said estimate.

Councilmember LaPorte reported on the Lodging Tax Advisory Committee's (LTAC) recommendation that Council fund \$15,000 of Hotel Motel promotional tax funds in 2003 and again in 2004 towards the Small Commuter Air Service Grant. Mr. LaPorte indicated that the Port of Friday Harbor would be administering said grant. Councilmember Jones stipulated that the LTAC placed a condition on the funding that a member of the LTAC would be placed on a future steering committee for said grant. Councilmember LaPorte moved and Councilmember Brooks seconded to approve the expenditure of \$15,000.00 hotel motel monies towards the Small Commuter Air Service Grant with the condition that a LTAC member would be given a place on the future steering committee for said grant. Councilmember Rosenfeld clarified that if the airline did not receive the grant, then Town funds would not be distributed. Council concurred. Following further discussion, the motion passed unanimously.

Councilmember Brooks asked if the Town should pass a noise ordinance to put restrictions on excessive airplane noise. General discussion followed.

Councilmember Rosenfeld reported on conversations with the San Juan County Prosecuting Attorney, Randy Gaylard, regarding voters registered improperly within Town limits.

Clerk Wilson asked for Council approval for the Mayor to sign a Local Records Grant Application. Ms. Wilson noted that said grant application had to be mailed by August 1st. Following inquiries regarding grant use, it was the consensus of Council to approve the Mayor sign said application when completed.

At 12:52 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

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Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – July 17, 2003 @ 5:30 PM

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

Absent: Councilmember Brooks

Others present: Attorney Eaton & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

Public Access

Peter Risser, Town Volunteer Firefighter, asked Council to delay obtaining an estimate to sandblast and paint the new aluminum fireboat. Following discussion regarding hydro hoist permitting concerns, corrosion, and timeliness, Council agreed to refer the matter to the Town Fire Department to obtain additional information and report back to Council by August 7th.

Transportation Advisory Committee – tape sequence #311

At 5:40 PM, Mayor Boothman opened discussion of draft duties of a transportation advisory committee. Mayor Boothman noted that some of the powers and duties of the Town Planning Commission were to appropriate supplements to the comprehensive plan, which includes traffic and transportation. Mayor Boothman suggested that perhaps the transportation advisory committee should take their recommendations to the Town Planning Commission before presenting a final draft product to the Town Council.

Councilmember LaPorte pointed out that previous discussion of the Council had been to form a streets, sidewalks, and trails committee, and questioned how the committee now had become a transportation committee. Councilmember Rosenfeld assured him that said committee would be focusing on moving pedestrian traffic and not transportation issues.

Councilmember Gillette suggested the committee should examine parking issues also.

Town Planning Commission Chair, Debbie Emery, indicated Planning Commission support for said committee and mentioned that she and Christopher Burke have volunteered to serve on the committee.

Councilmember LaPorte mentioned that originally two town residents were to be placed on the transportation committee, along with two Town Councilmembers, two Planning Commission members, and two members of the "trails" committee.

Councilmember Rosenfeld spoke against excluding County residents from Town committees. Councilmember LaPorte indicated that said committee would be studying areas within Town limits and using Town funds to accomplish proposed goals and therefore should have input from Town residents.

Discussion continued regarding difficulty in scheduling a large committee membership and public input. It was the consensus of Council that the committee would be made up of 2

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Councilmember, 2 Commission members, and 2 members of the "trails" committee. Councilmember Rosenfeld assured Council that generous amounts of public input would be sought.

Attorney Eaton recommended eliminating unspecific wording regarding membership and making it clear who had a vote on decisions on said committee. Council concurred.

Discussion followed regarding budget costs for a recording secretary (\$240, assuming \$20 per meeting and one meeting per week for 12 weeks) and a timeline for sunset clause of the committee (90 days from the date of committee formation).

Councilmember Jones commented that the Town has enormous capital requirements and asked that said committee reviews the current "Cadillac style" curb, sidewalk, and gutter standards to find a more inexpensive option. Councilmember Rosenfeld indicated that the committee would be willing to look at said standards.

Councilmember LaPorte stressed that no one on the committee was an engineer or equipped to suggest changes to said standards. Councilmember Jones advocated that the staff would be available to assist the committee.

Mayor Boothman commented that the staff endorses the current standards that provide protection for pedestrians and vehicles traveling together. Councilmember Rosenfeld suggested letting the committee take a look at the standards and see what they come up with. No further comments were noted.

Funding Sources for Housing – tape sequence #1378

At 6:12 PM, Mayor Boothman opened Council discussion of potential funding sources for housing and other needs per RCW 36.22.178, which allows the County Auditor to charge a surcharge on document recording fees to raise funds for low-income housing projects. Mayor Boothman indicated that the Town has access to a portion of these funds. Mayor Boothman proposed a letter to the Board of County Commissioners (BOCC) asking to meet and discuss these funds. Following discussion, Council asked Mayor Boothman to write a letter for Council signature at the next Town Council meeting.

Mayor Boothman suggested going to the voters to increase sales tax or to follow San Juan County's ballot request to raise property taxes by .10 per \$1,000 of assessed value. Following discussion, it was the consensus of Council that an increase in taxes was not desired at present.

Additional Study Items for 2003 Legislative Agenda – tape sequence #1590

At 6:30 PM, Mayor Boothman opened Council discussion of additional study items for the 2003 Legislative Agenda. Mayor Boothman outlined this year's accomplishments. Attorney Eaton indicated he was still working on developing alternative funding options for water and sewer connections. General discussion followed regarding using property taxes to offset the high cost of Town utilities; using sales taxes to fund the Sheriff's contract; and a noise ordinance. Following discussion, no additions were made to the 2003 Legislative Agenda.

Claims – tape sequence #2710

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At 6:44 PM, Councilmember Rosenfeld moved and Councilmember Gillette seconded to approve the payment of claim warrants #23270 through #23331 in the amount of \$468,801.89. The motion passed unanimously.

Executive Session – Pending Litigation

At 6:44 PM, Attorney Eaton asked for an executive session to discuss pending litigation per RCW 42.30.110 for approximately 10 minutes with possible action anticipated following return to regular session. Mayor Boothman hearing no objection, declared the meeting in executive session.

At 7:01 PM, Mayor Boothman declared the meeting back in regular session. Attorney Eaton described recent developments regarding litigation involving Joel Douglas. Following this explanation, Councilmember LaPorte moved and Councilmember Jones seconded to direct Attorney Eaton to file the appropriate paperwork to ask for sanctions on the motion that Mr. Douglas filed with the Court in May asking the Judge to reverse her decision of March 2002. The motion passed unanimously.

Council excused Councilmember Brooks' absence. Councilmember LaPorte informed everyone that he would not be present at the Town Council meetings in August.

At 7:06 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – August 7, 2003 @ 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, Land Use Administrator Bertrand, & Clerk Wilson

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Betty Gilson, 240 Harrison Street, offered to provide a book called "Puget Sound Action Team" regarding development of permeable surfaces for trails, etcetera, that Council may be interested in reading.

Christine Miller, San Juan County Fair Representative, asked the Town to donate 5000 gallons of water for 4 days to help keep the dust down at the San Juan County Fair next week. Mayor Boothman noted that public access requests are usually discussed during the non-agenda portion of the meeting.

Community Development Report – tape sequence #190

Mike Bertrand, Land Use Administrator, updated Council on several major construction projects within Town (new commercial building at the corner of Spring/1st Streets and 81 unit multi-

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family residential project off of Grover Street); a meeting with John Linde regarding the Town Comprehensive Plan's goals & objectives for Parks. Discussion and inquiry followed.

Councilmember Jones asked Mr. Bertrand to report the design feature advantages the Town gained by Mr. Petersen agreeing to follow the Town's historic preservation guidelines in exchange for increased height incentives. Mr. Bertrand indicated that he would locate and distribute the Historic Preservation Review Board's "Summary of Findings" regarding Mr. Petersen's commercial building project on the corner of Spring and 1st Streets.

Following further discussion and inquiries regarding various projects within Town, Mayor Boothman thanked Mr. Bertrand for his update. Mr. Bertrand left the meeting.

Ordinance #1228 – tape sequence #569

Mayor Boothman introduced draft Ordinance #1228. An ordinance accepting the bills of sale from Pope Family Properties LLC, for certain improvements of the Town water and sanitary sewer systems. Administrator Fitch explained the particulars of said ordinance. Councilmember Jones moved and Councilmember Brooks seconded to adopt Ordinance #1228, following payment of all outstanding invoices by the developer. Following further discussion, the motion passed unanimously.

Resolution #1339 – tape sequence #700

Mayor Boothman introduced draft Resolution #1339. A resolution accepting the bills of sale from the Friday Harbor Fire Fighters Association for certain emergency response vehicles. Administrator Fitch explained that the 1982 GMC Van and 1987 Chevrolet G3 Van were purchased by said Association from Island County Fire Dist. #2, for \$300 and \$1,000 respectively. Mr. Fitch pointed out that by Council accepting said donation from the Association, Council was agreeing to pay all future maintenance on the equipment and the sales tax for the purchase of the donated vehicles.

Following discussion, Councilmember Brooks moved and Councilmember Jones seconded to adopt Resolution #1339 as presented. The motion passed unanimously.

Fireboat Maintenance Options – tape sequence #815

Mayor Boothman observed that the purchase of a hydrohoist to protect the bottom of the new fireboat was evidently always a part of the new fireboat purchase package. Mayor Boothman indicated that following inquiry into why the hydrohoist was not included in the purchase price of the new fireboat, he was told that it was assumed said hoist would be funded by the sale of the current fireboat, the Lucy T (bids to be opened on 8/8/03). Mayor Boothman elaborated that the issue is that the current fireboat docking slip is not conducive to launching the new fireboat with the hydrohoist during a low tide situation.

Councilmember Brooks expressed concerns that swells of salt water would still produce an electrolysis or corrosive interaction between the bronze propeller, aluminum hull, and the salt water. She suggested painting the boat in addition to purchasing the hydrohoist. Mayor Boothman explained that the hydrohoist will hold the fireboat sufficiently out of the water, and marine life would not be able to attach to the hull and therefore painting was not necessary.

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Councilmember Gillette expressed concerns with the four minute launch time and the lack of electric power to launch the boat. Councilmember Jones explained that the firefighters take approximately 4 minutes to put on appropriate fire fighting gear and during that time said boat could be launched. Fire Chief Low concurred with this statement.

Following Mayor Boothman's inquiry, Ed Barrett, Port of Friday Harbor Operations Manager, indicated that he was recommending to the Port Commissioners that they support the hydrohoist maintenance option at their August 20th Port Commission meeting. Councilmember Rosenfeld expressed concerns with proceeding without Port Commissioner's prior approval for the hydrohoist and new docking slip location. Mayor Boothman indicated he would contact the Port Commissioners before the evening Town Council meeting.

Administrator Fitch asked for Council direction regarding their preference of purchasing a hydrohoist to hold the fireboat out of the water or painting the fireboat hull. Council agreed to support the hydrohoist purchase.

Fire Chief Low reiterated Mayor Boothman's comments regarding the hydrohoist always being a part of the overall plan during the purchase of the new fireboat.

Administrator's Report – tape sequence # 1375

At 12:40 PM, Administrator Fitch reported that the Fire Chief would like to add the new fireboat to all of the Town's interlocal agreements for available emergency response equipment. Said boat would be billed out at \$97/per hour. Following discussion regarding the policy of the use of said boat, it was the consensus of Council to place further discussion on a future Town Council agenda, and that in the mean time, the Duty Officer would be in charge of making the decision regarding use or disuse of said boat during emergencies.

Administrator Fitch reported that Gray & Osborne Engineering are on the island to do a site visit for Caines Street regarding a "T" stop sign. Approximately cost for said engineering \$7,700. Mr. Fitch explained that they will also complete drawings and specifications for Grover Street design using new aerial photos taken by Washington State Dept. of Transportation.

Administrator Fitch reminded Council to review and give him feedback regarding the Tucker Street Design drawings. Mayor Boothman indicated said issue would be placed on a future agenda.

Administrator Fitch updated Council on the Front Street Turnaround Project. Mr. Fitch asked for Council approval to spend up to \$10,000 to hire the necessary people to take samples, excavate, and dispose of the contaminated materials found on Town property at said project. Discussion and inquiry followed regarding responsibility, liability, and restitution for said contaminated materials; delaying the project; contractors, and parameters of project. Council agreed to approve said expenditure.

Councilmember Gillette inquired about the markings on Park Street. Administrator Fitch explained that it was part of the utilities location for the 327' pressure zone project with Brown & Caldwell.

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Councilmember Brooks inquired about the procedure for replacement of asbestos water pipes within the Town's infrastructure. Administrator Fitch explained that PVC pipe is used for new water lines on replacement projects. Mr. Fitch stipulated that asbestos water pipes are not harmful to the Town's water users; that said pipes are only harmful when cut into by workers.

Councilmember Rosenfeld questioned the placement of curb/gutter/sidewalks on the proposed improvement of Grover Street. Mr. Fitch explained the proposed construction project.

At Councilmember Jones' request, Administrator Fitch updated Council on the Wastewater Treatment Plant Improvement Project. Mr. Fitch indicated that the project was going well. Mr. Fitch elaborated that a future change order would be forthcoming with the addition of improvements to the Pump Station #2 being added to the project.

Councilmember Jones questioned the procedure for the conversion of above-ground electrical lines to below-ground electrical lines. Administrator Fitch explained that Orcas Power & Light Cooperative (OPALCO) places below-ground electrical lines during the installation of new service lines.

Minutes – tape sequence #2720

Councilmember Gillette moved and Councilmember Rosenfeld seconded to approve the Town Council minutes of July 17, 2003 noon and 5:30 PM meetings as written. The motion passed unanimously.

Non-agenda

Council discussed the public access San Juan County Fair request for donated water. Following discussion, Council agreed that the Fair could have the water that is normally wasted during the flushing of the Town fire hydrants, as long as, it does not entail employee overtime and is at the convenience of the Town crew. Other than the above concept, the Fair is welcome to purchase water at current tank load rates at the Town Shop.

Mayor Boothman presented a draft letter addressed to the San Juan County Commissioners requesting an interlocal agreement for the purpose of supporting appropriate affordable housing needs within Town per RCW 36.22.178, which authorizes the San Juan County Auditor to assess a surcharge to the recording of certain documents for said purposes. Council approved of said draft letter. Mayor Boothman indicated an original would be ready for Council signatures at the evening Town Council meeting.

Administrator Fitch pointed out the letter received from Joan and Phillip White regarding Hillcrest Place. Administrator Fitch indicated he would direct the crew to clean up the overhanging trees on said street.

Mayor Boothman read a letter regarding the Washington Finance Officers Association's presentation of the "Professional Finance Officer's Award" to Treasurer Picinich. Councilmember Jones moved and Councilmember Brooks seconded to formally acknowledge and congratulate Ms. Picinich's receipt of the award and her years of service to the Town. Ms. Picinich thanked Council for their continued support of education.

At 1:27 PM, hearing no further business, Mayor Boothman declared the meeting adjourned.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – August 7, 2003 @ 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.

Six Year Road Transportation Plan

Mayor Boothman opened the public hearing for the six year road transportation plan. Administrator Fitch explained the particulars of the yearly process. Mr. Fitch suggested adding the Grover Street project as the #1 Town road transportation project. Mr. Fitch outlined the draft six year transportation plan as presented to Council. Mr. Fitch indicated that projects are driven by development.

No public input was forthcoming.

Administrator Fitch noted a letter from Marilyn Koran of Skagit/Islands Head Start Program dated 8/7/03, endorsing placing the paving of Grover Street as a road improvement priority for the Town.

Discussion and inquiry between Mayor Boothman, Council, and staff ensued regarding various projects throughout Town.

Mayor Boothman noted that the six year road transportation plan public hearing would remain open for a while longer, in case someone from the public arrived late to give testimony.

Ordinance #1229 – tape sequence #592

At 5:50 PM, Mayor Boothman introduced draft Ordinance #1229. An ordinance creating a Transportation Advisory Committee (TAC). Councilmember Rosenfeld suggested following Councilmember LaPorte's previous suggestion and adding a Town resident member at large to the existing committee member composition. Councilmember Jones volunteered to be the second council member on the TAC. Following discussion, it was the consensus of Council to add language to Section 2 of said draft ordinance that designates one of the Town council members as chair of said committee, add a Town resident member, and note that Council was to appoint all committee positions. Councilmember Gillette moved and Councilmember Rosenfeld seconded to adopt Ordinance #1229 with said language additions. Following discussion, the motion passed unanimously.

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Councilmember Rosenfeld moved and Councilmember Jones seconded to appoint themselves along with Planning Commission members, Debbie Emery and Christopher Burke; Trails committee members, Louise Dustrude and Betty Gilson; and Town resident member, Denice Brown to the Transportation Advisory Committee. The motion passed unanimously.

Claims/Payroll – tape sequence #970

Councilmember Rosenfeld moved and Councilmember Brooks seconded to approve the payment of claim warrants #23334 through 23410 in the amount of \$136,322.29 and payroll warrants #9564 through #9608 in the amount of \$153,388.56. The motion passed unanimously.

Non-agenda

Mayor Boothman distributed a letter to the Board of County Commissioners for Council signature requesting an interlocal agreement per RCW 36.22.178 for the purpose of supporting affordable housing needs within Town.

Mayor Boothman indicated that he was unable to contact the Port Commissioners to discuss the fireboat location and hydrohoist issue. Mayor Boothman supported moving ahead with the purchase of the hydrohoist for the fireboat; assuring that the Port would want what is best for the most effective use of said boat.

Referring to the donations from the Confidence Foundation and the Port of Friday Harbor towards the purchase of the new fireboat, Councilmember Brooks asked who was ultimately responsible for the fireboat. Administrator Fitch responded that the Town is the responsible party and that interlocal agreements will define outside organization's participation in the fireboat.

Administrator Fitch commented that the proposed purchase price of the fireboat hydrohoist is under state bidding requirements. Mr. Fitch mentioned that he would contact the vendor tomorrow and start the purchase process.

Councilmember Gillette asked Administrator Fitch to investigate if the company building the fireboat hydrohoist could reduce the fireboat launch time to seconds rather than minutes.

Treasurer Picinich mentioned that decreasing the launch time capabilities may increase the cost of the hydrohoist, therefore requiring the Town to go out for bids to build the hydrohoist, and consequently delaying the project.

Mayor Boothman stressed that delaying the process may cause the Town to lose the 20% discount currently being offered by the company.

Councilmember Rosenfeld suggested asking the manufacturer if such a "quick launch valve" could be retrofitted at a later date.

Following discussion, Council indicated that staff should inquire about the cost to retrofit a "quick launch mechanism" in the future time.

Councilmember Rosenfeld inquired if Administrator Fitch had arranged for a presentation by the Lumec street light standard sales representative in regards to new historic street lights.

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Administrator Fitch indicated that since said issue was a budgetary issue, he was arranging for a presentation during the upcoming 2004 budget process.

Councilmember Brooks commented on traffic gridlock in the downtown core area due to the breakdown of the Washington State Ferry, Yakima, on Sunday, July 20th. Following discussion, Ms. Brooks volunteered to speak with Friday Harbor Ferry Terminal Manager, Mike Akin, regarding planning for future similar situations.

Public Hearing Closure – tape sequence #1560

At 6:16 PM, hearing no public input forthcoming regarding the six year road transportation improvement plan, Mayor Boothman closed the public hearing.

Resolution #1340

Mayor Boothman introduced draft Resolution #1340. A resolution providing for a Six Year Transportation Improvement Program for the years 2004 through 2009. Said Transportation Plan listed priorities as Grover Street #1 (Elementary School to Islanders Subdivision), Guard Street #2 (Tucker Avenue to Park Street), First Street #3 (East Street to Spring Street), and First Street #4 (Spring Street to Court Street). Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Resolution #1340 as stated. The motion passed unanimously.

Executive Session – tape sequence #1627

At 6:18 PM, hearing no objection, Mayor Boothman declared the meeting in executive session per RCW 42.30.110 for approximately 25 minutes to discuss property acquisition with no action anticipated.

At 6:40 PM, Mayor Boothman declared the meeting back in regular session with no action taken in executive session.

Closed Session

Hearing no objection, Mayor Boothman declared the meeting in closed session per RCW 42.30.140(4)(b) to discuss union negotiations.

At 7:00 PM, Mayor Boothman declared the meeting back in regular session.

Councilmember Rosenfeld inquired about the timeline of the sales tax report generated by Treasurer Picinich. Treasurer Picinich responded that the sales taxes reported are generally two months behind actual transactions.

At 7:02 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Town Council – August 21, 2003 @ 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.

Stephanie Buffum, 286 Spindle Road, Shaw, and Director of the Friends of the San Juans, expressed disappointment that the 2003 Canoe Journey's scheduled stop in the San Juan Islands was canceled due to high wind weather conditions. Ms. Buffum described said Journey's adventures and receptions in other cities. Ms. Buffum asked if the Town would agree to be the first location for a Canoe Journey Memorabilia display. Because of said canceled stop, Ms. Buffum refunded \$750 of the \$1,000 donated by the Town as an official event co-sponsor of the 2003 Canoe Journey.

Mayor Boothman noted that public access requests are usually discussed during the non-agenda portion of the meeting. Mayor Boothman thanked Ms. Buffum for her 2003 Canoe Journey update and the refunded funds.

AWC Risk Management

At 12:07 PM, Paul Chasco, Association of Washington Cities (AWC) Risk Management Assistant Director for Insurance Services, presented the Town with a member equity refund check for \$16,353. Mr. Chasco specified that the Town of Friday Harbor was 1 of 38 founding members of the AWC Risk Management Services Agency (RMSA). Mr. Chasco explained that the years from 1989-1993 were closed with surplus funds, which were now being distributed to 36 of the 38 founding members. General discussion and inquiry followed.

Sheriff Report – tape sequence #456

At 12:14 PM, Sheriff Cumming reported that the \$1,000 reward offered by Council along with other circumstances helped his department to arrest the person suspected of breaking in to Town businesses. Mr. Cumming reviewed other departmental activities. Following inquiry, Mr. Cumming reassured Council that, time permitting, a "neighborhood watch" program would be started this winter.

Tucker Avenue Roadway Design – tape sequence #573

At 12:19 PM, Administrator Fitch explained the background of the Tucker Avenue improvement project. Mr. Fitch reported that the Town has contracted with Hart Pacific Engineering for a preliminary road design using the Town's current street and storm drainage standards.

John Hart, Owner of Hart Pacific Engineering, reiterated that the design before Council was preliminary and that some decisions needed to be made before further design could go forth. Mr. Hart indicated that the Town would have right of way acquisition issues.

Gregg Bronn, Engineer for Hart Pacific Engineering, described the various components of said preliminary designs including centerline alignment, elevation, fill and/or slope easement areas, and utility relocation areas.

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Councilmember Jones inquired if the Town were only able to put in one side of curb, gutter, and sidewalks on Tucker Avenue, which side would be the easiest to accomplish. Mr. Bronn indicated that the Town would encounter less conflict on the west side of the street.

Councilmember Gillette inquired if any provisions for bicyclists had been incorporated into the design. Mr. Bronn replied that the current road has been widened from 12 feet to 14 feet, which would leave adequate area for bicyclists.

Councilmember Gillette stated that since the Wastewater Treatment Plant is not yet cast in concrete that the grade could be modified to match the optimum road design.

Discussion followed regarding the adopted street standards; the merits of parking versus accommodating bicyclists; and the cost per foot of said improvements.

Jim Desermeaux, 511 Tucker Avenue, supported eliminating all parking on Tucker Avenue.

General discussion continued.

Mr. Bronn pointed out that said preliminary design did not incorporate storm drainage catch basins and the impoundment of water.

Mayor Boothman thanked Mr. Hart and Mr. Bronn for their presentation.

Non-Agenda – tape sequence #2195

At 1:00 PM, Mayor Boothman asked if Council wanted to address Ms. Buffum's request to display the 2003 Canoe Journey memorabilia at Town Hall. Councilmember Jones moved and Councilmember Rosenfeld seconded to allow the 2003 Canoe Journey memorabilia to be displayed at Town Hall. The motion passed unanimously.

Minutes

Councilmember Gillette moved and Councilmember Rosenfeld seconded to approve the Town Council minutes of August 7, 2003 noon and 5:30 PM meetings as written. The motion passed unanimously.

Administrator's Report – tape sequence #2275

Administrator Fitch indicated that a budget amendment for \$10,000 to rebuild the sidewalk on First Street from Court Street to West Street would be forthcoming in the next amended budget process.

Administrator Fitch updated Council on the Wastewater Treatment Plant project.

Administrator Fitch explained an upcoming public meeting at the noon September 4th, 2003 Town Council meeting regarding the Town's Water System Plan. Mr. Fitch indicated that said plan had already gone through review by staff and the local and state Departments of Health.

Administrator Fitch placed Council on notice of an upcoming shoreline substantial development permit from the Washington State Ferries System.

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Administrator Fitch mentioned that Grover Street was to be chip sealed today by San Juan County on a time and materials basis.

At 1:14 PM, hearing no further business and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – August 21, 2003 @ 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, Treasurer Picinich, & Clerk Wilson

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

Resolution #1341

Mayor Boothman introduced draft Resolution #1341. A resolution authorizing the Mayor to execute Change Order #6 on the contract with Stellar J. Corporation for improvements to the Wastewater Treatment Plant. Administrator Fitch explained the particulars of said resolution.

Councilmember Rosenfeld moved and Councilmember Jones seconded to adopt Resolution #1341 as stated. The motion passed unanimously.

Resolution #1342 – tape sequence #147

Mayor Boothman introduced draft Resolution #1341. A resolution authorizing the Mayor to execute a lease agreement with San Juan Archers for a portion of land lying within the Town watershed, known as "Trout Lake". Administrator Fitch explained the particulars of said resolution.

Councilmember Gillette moved and Councilmember Rosenfeld seconded to adopt Resolution #1342 as presented.

Councilmember Brooks expressed concerns with the absence of a provision that would prohibit alcohol consumption and smoking on the Town's property in said lease. Ms. Brooks also expressed concerns about security issues. Ms. Brooks suggested a flat rate fee be charged to the Archers instead of participant percentages.

Following discussion, Councilmember Brooks moved and Councilmember Jones seconded to add language to the lease that would prohibit the consumption of alcohol and/or smoking on the leased area. The motion to amend the lease passed unanimously.

The motion to adopt Resolution #1342 passed unanimously.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Legislative Agenda for 2004 – tape sequence #490

Mayor Boothman noted that only one council member had given staff their 2004 legislative agenda information at the noon Town Council meeting. Mayor Boothman asked that Council produce a list of their 2004 legislative agenda items to staff by August 29th for discussion at the next Town Council meeting.

Claims

Councilmember Brooks moved and Councilmember Jones seconded to approve the payment of claim warrants #23412 through 23460 in the amount of \$533,569.90. The motion passed unanimously.

Non-agenda

Councilmember Jones commented on his appreciation of the information provided by Land Use Administrator Bertrand regarding the development of the project at 100 First Street. Said information showed the historic preservation concessions obtained by the Town from the developer in exchange for height incentives offered by the Town. Discussion followed.

Councilmember Brooks expressed concerns about the traffic gridlock problem within the downtown core on Sundays. Ms. Brooks suggested asking Ferry Terminal Agent, Mike Akin, to speak at a future Town Council meeting regarding the situation. Ms. Brooks also suggested writing a Council letter to the Washington State Ferries System requesting they purchase more parking areas for ferry staging.

Councilmember Gillette indicated that additional parking will also be necessary if a passenger only ferry between Friday Harbor and Bellingham comes to realization.

Discussion followed regarding summer congestion; Washington State Ferries' lack of infrastructure funds; public safety; and a ferry reservation system.

Administrator Fitch pointed out that the Town has an adopted Intermodal Transportation Study that points out the Washington State Ferries' infrastructure needs.

Administrator Fitch noted former Councilwoman Sheiman's feelings that a ferry reservation system works well for those people who can plan well in advance, such as tourists, but doesn't work well for local islanders who make their plans more last minute.

Following discussion, Council requested to receive a copy of the Five Year Waterfront Intermodal Transportation Study Recommendations adopted in November of 1998 for review.

Mayor Boothman pointed out a draft letter to the Port of Friday Harbor Commissioners in regards to noise at the Friday Harbor Airport. Mayor Boothman asked Council to review the letter for comments. Following clerical corrections, Councilmember Jones suggested asking the Port to purchase electronic recording equipment to help regulate those airplanes departing outside of the normal airport hours.

Mayor Boothman announced that Jason Miniken of the Town's Water Department has obtained his certification as a Water Works operator in the state of Washington.

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At 6:22 PM, Mayor Boothman observed several emails between Councilmember Gillette, other Town Councilmembers, the Mayor, and Attorney Eaton. Discussion followed regarding the Open Public Meetings Act (OPMA). Mayor Boothman advocated adopting an email communication policy to help prevent future OPMA tribulations. Mayor Boothman indicated he would place the drafting of said policy on his 2004 legislative agenda request.

Councilmember Rosenfeld inquired about the status of the hydro hoist for the new fireboat. Administrator Fitch reported that because the hydro hoist the Town had proposed to purchase did not work for the fireboat, specifications for a new lift system would be drafted by the Fire Department and the Town would be going to bids for said equipment.

Councilmember Rosenfeld questioned if the expenditures for the relocation of the Sunshine Alley sewer line and the relocation of the Whale Museum sewer line on 1st Street were in the 2003 budget. Administrator Fitch answered in the affirmative.

Councilmember Rosenfeld inquired about Town policy regarding supporting or gifting Town funds to various activities or programs. Administrator Fitch and Treasurer Picinich explained that usually such donations are governed by the source of the funds from which the expenditure is coming. Treasurer Picinich indicated that the Current Expense Fund can be used more liberally than the enterprise funds. Councilmember Rosenfeld suggested a written policy regarding said issue. Councilmember Brooks commented that sometimes unwritten policy can be more lenient than a written policy.

Councilmember Rosenfeld indicated that a new WAC, which gives transient persons with nontraditional addresses a broad residence capability in regards to voter registration, is complicating the process of eliminating those residents who vote in Town, but live in the County. Mayor Boothman observed that the onus of challenging those citizens who don't register to vote in the correct precinct is still on the public.

Closed Session – tape sequence #3338

At 6:53 PM, hearing no objection, Mayor Boothman declared the meeting in closed session to discuss union negotiations per RCW 42.30.140(4)(b) for approximately 25 minutes.

At 7:18 PM, Mayor Boothman declared the meeting back in regular session with no action taken in closed session. Hearing no further business before Council, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 4, 2003 @ 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.

Public Access

During the public access portion of the meeting, Greg Hertel, Port of Friday Harbor Commissioner, explained the restrictions the Port is under regarding noise abatement issues at the Friday Harbor Airport. General discussion continued regarding signage, flight patterns, and communication with pilots. Port Commissioner Hertel offered to speak with local pilots regarding a change in the current flight pattern.

System Administration Report

At 12:14 PM, Steve Dubail, System Administrator, distributed the June/July/August Activity Summary and updated Council on various activities and projects within the computer system department. Discussion followed.

Planning Commission Nominee – tape sequence #810

At 12:25 PM, Mayor Boothman asked Council to support the appointment of Dick Moorehead to fill the Planning Commission position vacated by Harriette Capron. Councilmember Jones moved and Councilmember Brooks seconded to appoint Dick Moorehead to Position #2 on the Town Planning Commission. The motion passed unanimously.

Fireboat Mission Statement – tape sequence #845

Mayor Boothman opened discussion of the fireboat mission statement. Administrator Fitch asked Chief Low if he anticipated the fireboat helping the Sheriff's Department with search and rescue operations. Chief Low indicated that he anticipated assisting with search grids and patterns, but not with dive rescue missions. Administrator Fitch suggested adding language to said mission statement stating same.

General discussion followed regarding the radius of operation for the fireboat; clerical changes to the draft fireboat mission statement; standard operating procedures; the per hour cost of running the fireboat; and the odds of two water related fires happening at the same time.

Following discussion, it was the consensus of Council to allow the fireboat to respond to marine related emergencies within San Juan County at the discretion of the Duty Officer. Said draft mission statement will be forwarded to the Port of Friday Harbor Commissioners for their review following suggested word changes.

Council asked Chief Low to investigate and report to Administrator Fitch the cost per hour other fire districts charge for fireboat mutual aid responses. Council felt the basic charge should be approximately \$200 per hour.

Draft Water System Plan – tape sequence #2055

At 12:57 PM, Administrator Fitch outlined the process and procedures involved with producing the draft Town of Friday Harbor Water System Plan. Mr. Fitch indicated that this meeting fulfills the "informational meeting" requirement of WAC 246.290.105. Administrator Fitch explained the various components of said water plan. Mr. Fitch indicated that the State of Washington Dept. of Health will begin new water system regulations as of September 10, 2003.

General discussion and inquiry followed.

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Draft Ordinance #1230 – tape sequence #2876

Mayor Boothman introduced draft Ordinance #1230. An ordinance accepting the bill of sale from Browne Home Center LLC, for certain improvements to the Town water system. Administrator Fitch explained the particulars of said ordinance.

Following discussion, Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Ordinance #1230 as presented. The motion passed unanimously.

Administrator's Report

None

Minutes

Councilmember Gillette asked that the following statement be added to the Town Council minutes of 8/21/03 noon meeting during the Tucker Avenue roadway design discussion: Councilmember Gillette stated that since the Wastewater Treatment Plant is not yet cast in concrete that the grade could be modified to match the optimum road design. Councilmember Gillette moved and Councilmember Jones seconded to adopt the Town Council minutes of August 21, 2003 noon and 5:30 PM meetings as proposed. The motion passed unanimously, with Councilmember LaPorte abstaining as he was not in attendance at these meetings.

At 1:25 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 4, 2003 @ 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.

Public Access

During the public access portion of the meeting, Brian Taylor, 445 Caines Street, encouraged Council to adopt the San Juan County noise ordinance.

Caines & Nash Street Intersection Design

At 5:32 PM, Mayor Boothman opened Council discussion of the Caines and Nash Street intersection design options. Administrator Fitch explained the two options as proposed by Gray & Osborne, the Town's Traffic Engineers.

Following discussion regarding the options presented, Councilmember LaPorte suggested referring the matter to the newly formed Transportation Advisory Committee (TAC) to review and prioritize with other sidewalk and road related projects throughout the Town.

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Attorney Eaton suggested that the option proposed by Administrator Fitch at the May 15th, 2003 Town Council meeting be included in the options under review by said Committee. Attorney Eaton explained that said third option would install a six foot sidewalk with proper curb and gutter along the south side of Caines Street from Spring Street to Argyle Avenue for approximately \$30,000.

Following discussion, Councilmember Jones moved and Councilmember Brooks seconded to refer the sidewalk/crosswalk interface of Nash and Caines Street subject be assigned to the TAC for study and recommendation. Councilmember LaPorte suggested amending the motion to include language that would require the Committee to prioritize this suggested improvement along with improvements needed on Tucker and Guard Streets. Other Council members felt this was already a matter under consideration by the TAC and did not necessarily need to be added to the current motion. The motion passed unanimously.

Draft 2004 Legislative Agenda – tape sequence #1168

Mayor Boothman opened Council discussion of the 2004 Legislative Agenda and Budget items.

Councilmember LaPorte observed that following inquiry, future Council member, Debbie Emery, had specified she did not want to propose anything at this time.

Councilmember Rosenfeld suggested the Town did not deserve high marks for its work on affordability issues in 2003 and suggested the process continue in 2004.

Following discussion regarding the various items proposed by Council members, the majority of Council concurred to place the following items on the 2004 Legislative Agenda:

- Discussion of grant writer and researcher.
- Discussion of public restrooms.

Several other items were discussed but did not seem to obtain a majority vote of the Council.

Resolution #1343 – tape 2 sequence #520

Mayor Boothman introduced draft Resolution #1343. A resolution authorizing the Mayor to adopt the 2003 Water System Plan. Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt Resolution #1343 as presented. The motion passed unanimously.

Claims & Payroll – tape sequence #545

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #23463 through #23519 in the amount of \$86,700.78 and payroll warrants #9611 through #9656 in the amount of \$144,129.63. The motion passed unanimously. Councilmember Rosenfeld commented that the TAC would be holding an extra meeting on September 30th.

Non-agenda – tape sequence #575

Councilmember Brooks asked why the recent Marsadon development on Mullis Street was not required to put in sidewalks. Councilmember LaPorte pointed out that the development is not taking place on property that abuts Mullis Street. Administrator Fitch explained that, per the

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Town Municipal Code, only those developments that are directly abutting Town streets are required to make right of way improvements.

Councilmember Gillette read a brief statement regarding payment for construction staging at the Wastewater Treatment Plant (WWTP). Councilmember Gillette moved and Councilmember Brooks seconded to request staff negotiate with Stellar J. Construction for a deductive change order for rental of Town property used as a staging area this past year during the WWTP improvement construction project. Following inquiry and discussion, the motion failed 4 to 1 with Councilmember Gillette in favor of the motion.

Mayor Boothman pointed out that there will be a pre-audit meeting with Washington State Auditor Officials on 9/9/03 at 1:00 PM. Councilmember Jones volunteered to attend said meeting.

Councilmember LaPorte indicated that the next meeting of the Lodging Tax Advisory Committee will be held on 9/11 and that under discussion will be funding requests for 2004.

Councilmember LaPorte noted that the Patriot Day March will start on 9/11 at 8:00 AM at the Inns of Friday Harbor.

Closed Session

At 7:35 PM, hearing no objection, Mayor Boothman declared the meeting in closed session to discuss union negotiations for approximately 15 minutes.

At 7:45 PM, Mayor Boothman declared the meeting back in regular session with no action taken in closed session. Hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 18, 2003 @ 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, Gordy Peterson, 124 Blackberry Lane, distributed a proposal to place public restrooms in his new building that will be built at 100 First Street.

SJC Commissioner Nielsen Update

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

San Juan County Commissioner Nielsen spoke of regret regarding Ryan LoBue's death in a bicycle accident on Bailer Hill Road and indicated that the County is looking for funding to improve county roads for bicyclist.

Ms. Nielsen expressed appreciation for the "ground breaking" on the San Juan Island Home Trust affordable housing project on Carter Avenue. Ms. Nielsen expressed confusion regarding a letter from the Council in August regarding RCW 36.22.178 pertaining to the surcharge accessed on the recording of certain documents. Ms. Nielsen indicated that the balance of said surcharge funds is currently \$49,000.

Ms. Nielsen indicated that the County has issued two million dollars in bonds to support the barge landing on Pear Point Road, LaFarge Park, and a future public works site.

Ms. Nielsen updated Council on recent state legislative issues and budgetary tribulations the County is confronting.

Mayor Boothman explained that the Town might use its portion of the funds generated under said RCW to offset the water and sewer connection fees for affordable housing projects. Ms. Nielsen assured him that the County would be happy to work with the Town to support affordable housing.

Following inquiries, Mayor Boothman thanked Ms. Nielsen for her update.

SJC EDC Activities – tape sequence #615

Cathy Cavanaugh, President of the San Juan County Economic Development Council (EDC), gave a status report of the various activities being undertaken by the EDC. Richard Civile, EDC Executive Director, outlined the work plan elements occurring within the EDC, such as: broadband, business development, membership development, and various other activities that EDC is supporting.

Following discussion and inquiry, Mayor Boothman thanked Ms. Cavanaugh and Mr. Civile for their status report.

Lumec Company – tape sequence #1476

Greg Thomas, Lumec Company representative, described his company's luminaire historical lighting fixture.

Councilmember Jones asked if this fixture would use less electrical power. Mr. Thomas indicated that said fixture would use the same allotment of power, but would produce more light with less glare.

Administrator Fitch explained current procedure in regards to lighting standards. Mr. Fitch indicated that perhaps the Town could manage the changing of the current light standards throughout the historic district the same way it has managed the benches throughout the Town; via a private participation donation program.

Discussion and inquiry continued regarding reuse of old poles outside the historic district; new fixture ownership; initial procurement costs; and procurement procedures.

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Administrator's Report – tape sequence #2707

Administrator Fitch noted that the State Auditor's exit conference would be held on September 24, 2003 at 11:00 AM in the Town Council Chambers. Mr. Fitch asked if any council members wanted to attend. Along with Mayor Boothman, Councilmembers Jones and Gillette expressed an interest in attending said meeting.

Non-agenda – tape sequence #2845

Mayor Boothman indicated that the noise ordinance issue would be on the next agenda where the San Juan County Sheriff is also in attendance.

At 1:15 PM, Councilmember Rosenfeld indicated that the Transportation Advisory Committee supported the idea of a "roundabout" placement to regulate traffic at the intersection of Caines and Nash Streets, if possible. Councilmember Rosenfeld commented that if a "roundabout" is not possible, the alternative choice was to finish the sidewalks on Caines Street.

Administrator Fitch pointed out that direction from Council regarding the design of Tucker Avenue was still necessary. Following discussion, Council agreed to hold discuss the issue at the next Town Council meeting to be held on October 2nd.

Administrator Fitch reported that the new SBR's are online at the Wastewater Treatment Plant.

Councilmember Gillette inquired about the fireboat hydrohoist. Administrator Fitch explained that the Town is still trying to locate a trailer to haul the fireboat out to the County's certified scale at the Solid Waste Facility and obtain an official boat weight.

Minutes – tape sequence #3500

Councilmember LaPorte moved and Councilmember Brooks seconded to approve the Town Council minutes of September 4, 2003 noon and 5:30 PM meetings as written. Following discussion, the motion passed unanimously.

At 1:30 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – September 18, 2003 @ 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

Mayor Boothman led the meeting in the Pledge of Allegiance.

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There were no public access items forthcoming.

Resolution #1344

Mayor Boothman introduced draft Resolution #1344. A resolution authorizing the Mayor to execute an intergovernmental agreement for dispatching services with San Juan County for the calendar year 2003. Administrator Fitch explained the particulars of said resolution. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1344 as stated. Following some clarification, the motion passed unanimously.

Resolution #1345

At 5:39 PM, Mayor Boothman introduced draft Resolution #1345. A resolution authorizing the Mayor to execute an intergovernmental agreement with the Port of Friday Harbor for fire protection services and assistance. Administrator Fitch explained the particulars of said resolution. Attorney Eaton explained the differences between the draft agreement distributed in the Council packets and the newly drafted agreement before Council.

Councilmember Jones inquired if the agreement contained language addressing the Town's policy that the fireboat could be dispatched anywhere within San Juan County at the Duty Officers discretion.

Attorney Eaton explained that following discussions with the Port of Friday Harbor and Fire Chief Low regarding uses of the fireboat and said Town policy, the issue was referred to under Section 4(B) of the agreement where it states "...and for any purpose which is authorized by the official "run card" to be maintained on file at the San Juan County Sheriff's dispatch office...".

Following discussion, Attorney Eaton suggested the Fire Department review the activities listed on its "run card" for completeness.

Administrator Fitch commented that the interlocal agreements with other fire districts will need to be amended to include the fireboat. Mr. Fitch noted that a basis for the hourly reimbursement cost of the fireboat has not been found and said amount would have to be set by Council prior to amending said agreements.

Following general discussion, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1345 as presented. The motion passed unanimously.

Public Restrooms – tape sequence #725

Mayor Boothman opened Council discussion of public restroom siting. Councilmember Rosenfeld mentioned that Verne Howard, owner of King's Market, has volunteered to rent space to the Town for \$1 per year for 30 years to locate two restrooms in the King's Market back parking lot corner facing Second Street. Approximate size of the building could be 18' X 18'.

Administrator Fitch noted that other businesses have volunteered to place public restrooms within their establishments in the past also. Mr. Fitch read a portion of Town Council minutes from 1933, where the Council was discussing the placement of public restrooms.

Councilmember LaPorte suggested that Mr. Howard's option could be used in the future, but a larger restroom complex was more important at present. Councilmember Rosenfeld responded

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that perhaps the Town should start with Mr. Howard's location and then additional time could be used to locate and procure property for a larger restroom complex.

Councilmember Jones asked Gordy Peterson if he would sell space to the Town for public restrooms within his projected building. Mr. Peterson indicated that he did not believe condominimizing his building would be workable.

Discussion continued regarding the best location for the public restrooms; length of a lease in Mr. Peterson's building; restroom hours of operation; the differing development costs for each location; parking at both proposed locations; restroom management; and square footage.

Councilmember LaPorte suggested that the Town currently owns the house on Sunshine Alley and should move forward with the development of this site for its public restrooms.

Councilmember Jones maintained that the location of the Sunshine Alley house was superior because the 1st Street location was too close to the public restrooms provided by the Port of Friday Harbor and Washington State Ferries. Councilmember Jones supported moving ahead with the development of public restrooms within the Sunshine Alley house.

Councilmember Brooks expressed apprehension at the lighting situation at both the lower level of the Peterson Building and the Sunshine Alley location. Ms. Brooks stated that in an effort to move forward with the restroom project, she supported developing the Sunshine Alley location.

Councilmember Gillette moved to accept Gordy Peterson's offer for placement of public restrooms within his proposed building project with a long term rental lease at \$1.30 per square foot. Councilmember Rosenfeld seconded the motion for discussion.

Councilmember Brooks observed that such a decision was premature. She explained that until safety and lighting issues at Mr. Peterson's site were addressed she was not ready to abandon the Sunshine Alley location.

Administrator Fitch commented that should the Town lease property from Mr. Peterson for public restrooms, it would be best if the Town had a separate water and sewer hookup.

Mr. Peterson indicated that if the Town was not interested in placing the restrooms on the lower level of his building project, perhaps he would co-mingle the public restrooms with the restrooms for the entire building and create a larger restroom area on the upper level. Mr. Peterson volunteered to return to Council with a new proposal for an upper building location.

Councilmember Jones expressed concerns with the Town involving themselves in a major capital expenditure that will belong to someone else.

Following further discussion, Councilmember Gillette moved and Councilmember Brooks seconded to table the previous motion until a new proposal is received from Mr. Peterson.

Administrator Fitch asked Council to consider the logistics of a co-mingled restroom situation in regards to operational issues. Such as management; water and sewer consumption cost

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distribution; and cleaning. Attorney Eaton observed that hours of operation would also be a factor with a co-mingled situation.

The motion to table passed 4 to 1 with Councilmember LaPorte opposed.

For Mr. Peterson's benefit, Attorney Eaton clarified that the Town was not interested in restrooms on the lower level of Mr. Peterson's building project. It was a 4 to 1 consensus of the Council that the restrooms proposed on the lower level of said building project were not acceptable. Councilmember Gillette was the opposing member.

Claims – tape sequence #2510

Councilmember Jones moved and Councilmember LaPorte seconded to approve the payment of claim warrants #23521 through #23580 in the amount of \$465,714.40. The motion passed unanimously.

Non-agenda – tape sequence #2519

Following inquiry by Mayor Boothman, Council agreed that the Mayor should pursue acquiring the Town's portion of the funds collected by San Juan County that are generated per RCW 36.22.178 for affordable housing.

Council reviewed the 4/1/03 through 6/30/03 "Traffic Statistics Rider Segment Report" from Washington State Ferries.

Councilmember Gillette suggested that approved minutes be placed on the Town's web site rather than the draft minutes. Discussion followed regarding the lag in time from Town Council meetings to the approval of its minutes. Council agreed that the draft minutes should be placed on the Town's website until the Town Council approves them, subsequently, the approved minutes should then replace the draft minutes.

Councilmember Rosenfeld reported that the Transportation Advisory Committee has chosen Option #4 of the Caines and Nash Street options proposed. Option #4 is the "traffic circle". Councilmember Rosenfeld elaborated that should the "traffic circle" not be feasible at this location, then the Committee's second choice was the option that would finish the sidewalks on Caines Street. Following inquiry regarding Option #4, Councilmember Rosenfeld said that he did not envision stop signs, but did hope that crosswalks could be added.

Councilmember Rosenfeld moved and Councilmember Jones seconded to review the Fireboat Mission Statement in a year to ascertain if there are any problems or revisions to be made. The motion passed unanimously.

Councilmember Jones inquired of Administrator Fitch what the timeline for building public restrooms at the Sunshine Alley house location would be. Administrator Fitch responded that the project could be completed in approximately 4 months.

At 7:02 PM, hearing no further business and no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

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Kelle Wilson, Town Clerk

Town Council – October 2, 2003 @ 5:30 PM

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

Council excused the absence of Councilmember Brooks.

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

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, William Weissinger, part owner of a professional building at 425 Caines Street, expressed concerns about the Town's proposal to add a "traffic circle" on Caines Street. Mr. Weissinger indicated that finishing the sidewalks along Caines Street would be preferable.

Caines & Nash Street Intersection Design – tape sequence #70

Mayor Boothman opened Council discussion of the Caines and Nash Street intersection design. Councilmember Rosenfeld explained the four options under consideration and noted the Transportation Advisory Committee's preference as option #4, which is the traffic circle. Councilmember Rosenfeld noted that at this time the Town was unaware if such an option could be feasibly engineered.

Councilmember Jones commented that the real problem was the speed of drivers on said streets and supported the traffic circle as a traffic calming device. Councilmember Jones also supported placing crosswalks to and from the traffic circle for pedestrians.

Administrator Fitch commented that this issue originally began as a sidewalk issue and that following a traffic engineered study of said streets it was determined that there were sufficient gaps in the traffic to accommodate "jaywalkers" and that it was not feasible to put in crosswalks because of the infrequency of people that would be using said crosswalks.

Councilmember Gillette suggested that the Caines Street dilemma would disappear if the speed limit were lowered to 10 miles per hour and sidewalks were added. Attorney Eaton read RCW 46.61.400(2) and 46.61.415(1) that prohibit a Town from lowering its speed limits below 20 MPH.

Councilmember LaPorte observed that the number of pedestrians crossing Caines Street has yet to be determined. Councilmember LaPorte expressed that Council should concentrate its efforts on streets that necessitate improvements, such as Guard Street.

Administrator Fitch stated that Caines Street is designated as a minor arterial. Councilmember Rosenfeld asked if such a designation necessitates the Town to design the street for large vehicles. Administrator Fitch commented that this was true, unless such traffic was guided elsewhere.

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Steve Kennedy, co-owner at 425 Caines Street, suggested that very few large trucks frequent this area and that most of the foot traffic is during the morning school hours. Mr. Kennedy suggested the Town finish the sidewalks on Caines Street which would eliminate the telephone pole on the west side of Caines Street and increase traffic visibility.

Following discussion regarding funding, street priorities, and the feasibility of a traffic circle, Councilmember Jones moved and Councilmember LaPorte seconded to expend funds to find out if the traffic circle option at Caines and Nash Streets is feasible. Administrator Fitch suggested that should a traffic circle be found to be feasible by a traffic engineer, and the Town adopts this option, then the Town should remove Caines Street from its minor arterial list. Following further comments, the motion passed 3 to 1 with Councilmember Gillette in the opposition.

Councilmember Rosenfeld moved and Councilmember Gillette seconded to proceed with the construction of sidewalks along Caines Street as designated in Option C of the Caines Street improvement options presented. Discussion followed regarding the approximate cost of said project (\$30,000). Administrator Fitch pointed out that \$30,000 was currently in the draft 2004 budget for Caines Street sidewalks. Councilmember Jones clarified that the actual project would be accomplished in 2004. Council concurred with this statement. The motion passed unanimously.

Public Restrooms – tape sequence #1665

At 6:18 PM, Mayor Boothman opened Council discussion on the siting of public restrooms. Mayor Boothman noted that via contact with Councilmember LaPorte, Gordy Peterson has withdrawn his offer to provide public restrooms within his building project on 1st Street.

Mayor Boothman noted that the Town had a proposal from Mr. Nelson at the noon Town Council meeting to provide public restrooms within his bowling alley business on Spring Street.

Discussion followed regarding accountability concerns with using hotel motel funds within a partnership with another business for public restrooms; cost of developing the Sunshine Alley location; possible savings with a restroom partnership; advantage of extended hours with a partnership; beautification of the Sunshine Alley location; committing public funds to a non-permanent location; and other possible locations.

Following discussion, Councilmember LaPorte moved and Councilmember Jones seconded to proceed with the development of the Sunshine Alley location for placement of public restrooms, including beautification of the entrance and lighting. Following further comments, the motion passed 3 to 1 with Councilmember Gillette in the opposition.

Noise Ordinance – tape sequence #2635

At 6:40 PM, Mayor Boothman opened Council discussion of a noise ordinance. Mayor Boothman noted that Sheriff Cumming had indicated at the noon Town Council meeting that a noise ordinance could be an effective tool when dealing with noise complaints; although no citations had yet been issued.

Councilmember Rosenfeld moved and Councilmember Jones seconded that staff draft an ordinance for noise regulation within the Town of Friday Harbor. Councilmember Rosenfeld

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suggested using the same ordinance used by San Juan County for enforcement simplification purposes.

Councilmember LaPorte questioned the noise concerns that the Council is trying to regulate. He commented that only two concerns were a difficulty within Town: karaoke at local nighttime establishments and the noise from vehicles playing their music too loud. Councilmember LaPorte stressed that the County ordinance did not fix either of these situations.

Attorney Eaton cautioned Council that they could not single out any one group for regulation. Mr. Eaton observed different portions of the County ordinance that may not be enforceable.

Councilmember Rosenfeld stated that some constituents feel that noise is the biggest problem that Friday Harbor contains.

Discussion followed regarding providing a tool to be used by law enforcement; modifying the motion on the floor to add exemptions to the County law that pertain to Towns; definitions and enforcement issues; adopting only those portions of the County law that pertain to the Town; and forming a committee to investigate the issue further. Following discussion, the motion failed 3 to 2, with Councilmembers Jones and Rosenfeld for the motion and Councilmembers Gillette and LaPorte against the motion and Mayor Boothman voting against the motion in the tie breaker.

Claims/Payroll

Councilmember LaPorte moved and Councilmember Jones seconded to approve the payment of claim warrants #23585 through 23640 in the amount of \$114,368.17 and payroll warrants #9657 through 9740 in the amount of \$157,800.84. Following discussion, the motion passed unanimously.

Non-agenda – tape 2 sequence #875

Councilmember LaPorte indicated that the Lodging Tax Advisory Committee (LTAC) supports funding the San Juan Island Visitor's Bureau (SJIVB) for \$10,000 for a Northern Lights Festival in December 2003 and \$36,000 in the Spring of 2004 for a Return of the Orcas Festival and Opening of Yachting Day Celebration.

Following discussion, Councilmember LaPorte moved and Councilmember Jones seconded to appropriate \$10,000 to the SJIVB for the Northern Lighting Festival in December 2003 subject to an itemized budget being received from the SJIVB.

Administrator Fitch questioned if the requested \$36,000 for 2004 was over and above the \$50,000 currently designated for tourism promotion in the draft 2004 budget. Treasurer Picinich pointed out that Council has already committed \$17,500 to the airport grant project and \$12,000 to the House Pole project in 2004 in addition to the \$50,000 for general tourism promotion. Councilmember LaPorte responded that the \$36,000 was in addition to the \$50,000, \$17,500, and \$12,000 currently designated in the 2004 draft budget.

The motion on the floor passed unanimously.

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Treasurer Picinich acknowledged that the Town is listed on the US Fire Administration web site as a recipient of a fire equipment grant for \$118,800.

Administrator Fitch notified Council of the "ribbon cutting" ceremony for the Front Street Turnaround Project on October 20, 2003 at noon.

Councilmember Rosenfeld notified Council that concerns regarding voters who live "out" of a jurisdiction but register to vote "within" that jurisdiction can only be challenged through private citizens.

Councilmember Gillette commented on attending the Town's exit interview with the Washington State Auditor's Office and the respectable review the Town received.

Closed Session

At 7:46 PM, hearing no objection, Mayor Boothman declared the meeting in closed session to discuss union negotiations.

At 8:15 PM, Mayor Boothman declared the meeting back in regular session, and hearing no objection, declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – October 16, 2003 @ 12:00 PM

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

Others present: Land Use Administrator Bertrand and Treasurer Picinich

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

Community Development Report

Land Use Administrator Bertrand explained and distributed year-to-date Community Development Department reports.

Council inquired about Gordy Peterson's 1st & Spring Street building project. Mr. Bertrand maintained that aside from a few minor changes the project should be permitted shortly. Following inquiry, Mr. Bertrand indicated that the extension of Sunshine Alley continued to be a part of Mr. Peterson's project.

Councilmember Jones questioned the standing of the Town's application for Certified Local Government Status in regards to historic preservation. Mayor Boothman explained the status of said application.

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Following discussion regarding various other projects and possible upcoming projects throughout Town, Mayor Boothman thanked Mr. Bertrand for his update. Mr. Bertrand left the meeting.

Resolution #1347 – tape sequence #288

Mayor Boothman introduced draft Resolution #1347. A resolution authorizing the Mayor to execute a contract with Richard Lawson Construction, Inc., for installation of the Sunshine Alley wastewater pump station. Utilities Superintendent Wilks, and Sewer Department Leadperson, Don Reitan, explained the particulars of said resolution. Following inquiries, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1347 as stated. The motion passed unanimously.

Ordinance #1231 – tape sequence #382

Mayor Boothman introduced draft Ordinance #1231. An ordinance re-establishing a Lodging Tax Advisory Committee. Mayor Boothman explained that Ordinance No. 1170 had expired on September 30, 2003 and that this ordinance would re-establish said committee and a new "sunset" date of September 30, 2005. Following inquiry, Councilmember LaPorte moved and Councilmember Jones seconded to adopt Ordinance #1231 as stated. The motion passed unanimously.

Committee Reports – tape sequence #492

Councilmember Rosenfeld reported on attendance at a non-vehicular transportation "brainstorming" session with other San Juan community members interested in encouraging transportation other than vehicular. Councilmember Rosenfeld indicated that the Town Transportation Advisory Committee may need one additional meeting beyond their November 6th deadline.

Councilmember LaPorte asked Council to approve \$10,000 of 2003 Hotel Motel Tax funds to support the "Mid-October to Mid-November Advertising Campaign" being coordinated by the San Juan Islands Visitors Bureau (SJIVB). This promotion is in conjunction with the Washington State Ferries and would allow those traveling to the San Juan Islands a reduced ferry fare. Councilmember LaPorte noted that this requested funding was in addition to the \$10,000 requested for the Northern Lights Festival in December 2003. Following discussion, Councilmember LaPorte moved and Councilmember Jones seconded to approve the \$10,000 appropriation of 2003 Hotel Motel funds for the Mid-October to Mid-November Advertising Campaign. The motion passed unanimously. Councilmember LaPorte noted that the approximate ending cash balance of this fund for 2003 will be \$12,000.

Minutes

At 12:27 PM, Councilmember LaPorte moved and Councilmember Jones seconded to approve the Town Council minutes of October 2, 2003 noon and 5:30 PM meetings as written. Following suggested changes, the motion failed with all Council voting against approval of said minutes at this time. Clerk Wilson indicated that she would have revised minutes ready for approval at the evening Town Council meeting.

Non-agenda – tape sequence #1170

None presented.

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At 12:35 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 – October 16, 2003 @ 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, Utilities Superintendent Wilks, and Sewer Department Leadperson, Donny Reitan.

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Grace Swan, resident at 350 Warbass Way and property owner at 350 Caines Street, supported the placement of stop signs on Caines Street, but expressed concerns about losing the trees along the south side of her property on Caines Street if sidewalks were placed adjoining said property.

Draft 2004 Budget Work Session

At 5:37 PM, Mayor Boothman opened the Council work session on the draft 2004 Budget. Mayor Boothman outlined the memo to Council dated 10/6/03 describing the revenues, expenditures, and major topics of discussion in said draft budget. Mayor Boothman outlined the departmental budget requests received including which items were denied and which items were funded in said draft budget.

Council inquired about various funded items, including the percentage of the Sheriff's contract increase; the Town's grant locator system's effectiveness; if the Town was providing for "online" or "credit card" payment options in the future; various equipment purchases; the new employee position in the **wastewater** department; and other revenues and programs.

Following review and discussion of the compensation for elected officials, Councilmember LaPorte moved and Councilmember Jones seconded to approve an increase of councilmember wages from \$75 per meeting with a maximum of four compensated meetings per month to \$85 per meeting with the same maximum. The motion passed with Councilmembers Jones, LaPorte, and Rosenfeld voting for the motion and Councilmembers Brooks and Gillette not voting, as they will directly benefit from this action.

Councilmember LaPorte moved and Councilmember Gillette seconded to increase the Mayor's compensation by the same percentage that the Councilmembers' compensation was increased. The motion passed unanimously.

Review and discussion continued throughout the Current Expense Fund. After finishing the Current Expense Fund, Mayor Boothman called this work session to an end. No changes were formalized, except the above motions.

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Claims – tape 2 sequence #889

Councilmember Jones moved and Councilmember Rosenfeld seconded to approve the distribution of claim warrants #23642 through #23697 in the amount of \$421,405.01. The motion passed unanimously.

Minutes

Councilmember Rosenfeld moved and Councilmember Jones seconded to approve the Town Council minutes of October 2, 2003 noon and 5:30 PM meetings as amended. The motion passed unanimously, with Councilmember Brooks abstaining because she was not in attendance at said meetings.

Mayor Boothman indicated that there was not any need to have the scheduled closed session for union negotiations.

At 7:29 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 6, 2003 @ 12:00 PM

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

Council excused the absence of Councilmember Brooks.

Others present: Town Administrator Fitch, Treasurer Picinich, & Wastewater Department Leadman Reitan.

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Mike McKay, owner of Island Concrete Products, asked Council if they had any objections to his company using the Washington State Ferries (WSF) loading dock to unload aggregates into dump trucks to be transported through Town to their company facility near Cattle Point Road. Mr. McKay indicated that WSF has requested the Town's acceptance of said proposed activities.

Council questioned various aspects of the proposed activities, such as: number of trucks, number of trips, timelines, day of the week, and cleanliness. Mayor Boothman indicated that further discussion would be addressed during the non-agenda portion of the meeting.

Jim Slocumb, Chairman of the Marine Resources Committee, distributed a proposal for development of a San Juan County Marine Stewardship Area and asked for future agenda time to discuss said proposal.

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Mayor Boothman indicated that Fire Chief Low was unable to attend the meeting and outlined the Fire Department Report submitted by the Chief.

Resolution #1348 – sequence #580

Mayor Boothman introduced draft Resolution #1348. A resolution authorizing the Mayor to execute Change Order #7 on the contract with Stellar J. Corporation for improvements to the Wastewater Treatment Plant (WWTP) in the amount of \$25,021.54. Administrator Fitch explained the particulars of said change order. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1348 as stated. Councilmember Gillette questioned the lack of payment of rent from Stellar J. Corporation for Town property used for storage space. Following discussion, the motion passed 3 to 1 with Councilmember Gillette in the opposition.

Resolution #1349 – sequence #750

Mayor Boothman introduced draft Resolution #1349. A resolution authorizing the Mayor to execute Change Order #8 on the contract with Stellar J. Corporation for improvements to the Sewer Pump Station #2 in the amount of \$77,577.75. Administrator Fitch explained the particulars of said change order. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1349 as stated. Leadman Reitan indicated that approximately 90 to 95% of the flow to the WWTP comes via Pump Station #2 on McDonald Street. Following discussion the motion passed unanimously.

Appointment of members to the Lodging Tax Advisory Committee (LTAC) – tape sequence #985

Mayor Boothman indicated that members of the LTAC needed to be re-appointed due to the passage of Ordinance #1231 which re-established said committee. Councilmember LaPorte pointed out changes to the various committee members' "associations", in regards to the requirement that committee members must be from businesses which are obligated to collect the two percent excise tax. Councilmember LaPorte moved and Councilmember Jones seconded to reappoint the current members of said committee with the changes stated by Councilmember LaPorte. The motion passed unanimously.

Resolution #1350 – tape sequence #1094

Mayor Boothman introduced draft Resolution #1350. A resolution authorizing the Mayor to execute an agreement with the Business Association of San Juan County to provide additional tourist promotion programs in the amount of \$20,000. Administrator Fitch explained the particulars of said resolution. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1350 as stated. The motion passed unanimously.

Administrator's Report – tape sequence #1232

At 12:37 PM, Administrator Fitch reported on the corrective pruning to be done and the permanent lighting system to be installed on the elm trees in Circle Park. Administrator Fitch reported on the cutting down of the dead trees on the Town's property on Sutton Road. Administrator Fitch asked for some time at the evening Town Council meeting to discuss Warbass Way right-of-way issues. Administrator Fitch noted that the Town's Audit Report was available for review. Administrator Fitch distributed a new water conservation program tool that can be attached to showers or outside hose bids to visually show the amount of water used and asked Council to give feedback in the future regarding same. Mr. Fitch reported on

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upcoming sequence batch reactor (SBR) training and indicated that the WWTP improvement project is still on schedule and should be completed by the 12/31/03 timeline. Mr. Fitch reported on a similar Wastewater Treatment Plant bid opening in the Town of Duvall, Washington which came in at \$9 million. Mr. Fitch reported that the fire siren would be tested at the 7:00 PM Fire Department training on December 1st, 2003.

Regarding the audit report, Councilmember Jones moved and Councilmember Rosenfeld seconded to officially recognize Town staff for their excellent work on the last five audit reports. The motion passed unanimously.

Public Works Yard Design – tape sequence #1810

At 12:53 PM, Mayor Boothman opened discussion of the design of the public works yard proposed on Harbor Street. Three designs were presented. General discussion followed regarding the advantages and disadvantages to the designs presented. Treasurer Picinich suggested incorporating the RV waste dump station currently situated on the east side of Harbor Street in to the new public works yard space.

Co-owner of the adjacent property under review, Bill Percich, asked Council to choose a design that would benefit his development plans for his property.

Discussion followed regarding the advantages or disadvantages to the Town in accommodating the adjourning property owners' request.

Councilmember Gillette moved to fine tune Plan B & C, slope wise, and scrap Plan A. The motion died for lack of a second.

Councilmember LaPorte moved adoption of Plan C. The motion died for lack of a second.

Councilmember Rosenfeld suggested placing more significance on the staff's recommendation and the advantages to the Town tax and rate payers than to the needs of the adjourning developer.

Councilmember LaPorte expressed liability concerns that the traffic flow for the adjourning property owners' development would have to travel through the current easement for said use via the Victoria Crossing Condominium complex located on Guard Street if the Town did not accommodate the developers.

Councilmember Rosenfeld inquired about the size of the park and parking accommodations.

Councilmember Jones expressed concerns about access for emergency service providers via the Victoria Crossing entrance. Councilmember Jones inquired if the developer could be required to put in the entire road in exchange for an easement on the Town's property. Administrator Fitch answered in the affirmative, if the developer was willing to negotiate this for the easement. Councilmember Jones suggested postponing the discussion.

Lee Anderson, co-owner of adjourning property, requested Council come to a decision in the near future.

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Mayor Boothman indicated said discussion would be on the next agenda.

Non-agenda – tape sequence #3125

Mayor Boothman opened discussion of Mr. McKay's request during the public access portion of the meeting.

Following inquiry, Administrator Fitch said that although legally loaded trucks do have the right to use the public right of way, if Island Concrete Products planned to use flaggers then perhaps a moving or parade permit should be completed before said activities took place. Administrator Fitch also indicated that he would like to review WSF's shoreline permit for compliance with such activities. Following discussion, Councilmember Jones moved and Councilmember Gillette seconded to authorize the Town Administrator to approve a permit for Mr. McKay's request once that he is satisfied that all appropriate conditions are met; and following this action, the Town Administrator should notify WSF of the Town's position. The motion passed unanimously.

Minutes

At 1:29 PM, Councilmember LaPorte moved and Councilmember Rosenfeld seconded to approve the Town Council minutes of October 16, 2003 noon and 5:30 PM meetings as written. The motion passed unanimously.

Non-agenda

Councilmember Gillette distributed information regarding new standards for pervious concrete paving for trails, sidewalks, and streets.

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 – November 6, 2003 @ 5:30 PM

The Town Council met in regular session with Mayor Boothman presiding. Members present: Gillette, Jones, LaPorte, & Rosenfeld (Councilmember Rosenfeld arrived during the Zervas' public access address)

Council excused the absence of Councilmember Brooks.

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

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Greg & Naoni Zervas read a statement asking Council to stop the enforcement action against the Hillside House Bed & Breakfast regarding the use of seven rental rooms.

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Cathy Cavanaugh, President of the San Juan County Economic Development Council (EDC), asked Council to philosophically put aside \$2,000 to partner with the Port of Friday Harbor in a study to be done in 2003 regarding the economic feasibility of purchasing the property commonly known as the Browne Lumber Property on Spring Street. Ms. Cavanaugh indicated that said study would look at various concerns such as: economic feasibility of the purchase, loss of tax revenue; and if the property would be better served in the hands of private enterprises. Following discussion and inquiry, it was the consensus of Council to philosophically budget \$2,000 for said study and wait for a formal proposal from the EDC with further details.

PUBLIC HEARING – tape sequence #555

At 5:49 PM, Mayor Boothman opened the public hearing on the proposed changes to the Land Use Ordinance regarding Historic Preservation Incentives, Covenants, and Qualifications.

Land Use Administrator Bertrand explained the three proposed changes to the Land Use Ordinance. One being the requirement that before a building permit is issued, authorizing construction that relies upon the incentives, the owner must submit a declaration of restrictive covenant, signed by all persons or entities having an ownership interest in the subject property; Two being the addition of procedures allowing for a process to double check that the developers design is consistent with the Town's regulations; Third being the elimination of the 8:12 roof pitch requirement for non-residential structures.

No public input was forthcoming.

Discussion and inquiry among Council and staff proceeded regarding the formula for height limit calculations in regards to property footprint; concerns with changing the roof pitch requirement for non-residential structures; encouraging architectural flexibility; and preserving history versus making history.

At 6:07 PM, Mayor Boothman once again asked for public input. None was forthcoming. Attorney Eaton summarized the procedural changes in said draft ordinance.

At 6:12 PM, Mayor Boothman closed the public hearing on amendments to the Land Use Ordinance relating to the historic preservation incentive program.

Mayor Boothman introduced the two versions of draft Ordinance #1232, dated 10/23/03 and 10/31/03 and explained that the only difference between the two versions. 10/23/03 version of Ordinance #1232 had four sections with Section 3 referring to historic preservation incentives and the 10/31/03 version had three sections and did not address any changes to the historic preservation height incentive.

Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1232 version dated 10/31/03. An ordinance amending portions of Ordinance No. 1189 and Chapter 17.64, Friday Harbor Municipal Code, relating to the Historic Preservation Incentive Program.

Councilmember Rosenfeld inquired in to the preference of the Town staff. Land Use Administrator Bertrand noted the support for the 10/23/03 version. Attorney Eaton pointed out that Historic Preservation Coordinator Larsen also supported said version.

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Councilmember Jones suggested that accepting the status quo, therefore leaving the 8:12 roof pitch, was preferable until the Historic Preservation Review Board (HPRB) had additional time to review the proposed changes. Councilmember Jones asked in what timeline could the HPRB meet to discuss changes future changes. Land Use Administrator Bertrand expressed that an accelerated schedule could be placed on the issue.

Councilmember Gillette inquired if the current ordinance remained in place, if the applicant could apply for a height variance. Attorney Eaton indicated in the affirmative, but stated that a variance can only be legally issued if it meets the criteria that the applicant has an unfair situation compared to his neighbors.

Following discussion, the motion tied 2 to 2 with Councilmembers Jones and Gillette for the motion on the floor and Councilmembers LaPorte and Rosenfeld against the motion. The motion failed with Mayor Boothman voting against.

Councilmember Rosenfeld moved and Councilmember LaPorte seconded to adopt Ordinance #1232 version 10/23/03 adding a 90 day sunset clause after the date of publication to Section 3, which pertains to historic preservation height incentives. Councilmember Jones expressed concerns regarding opening the door for applicants to build 35' roofs without the 8:12 roof pitch requirement in place during the 90 day period. Attorney Eaton explained that said applicants would still need to meet the other standards of the HPRB. Following discussion, the motion passed 3 to 1, with Councilmember Jones in the opposition.

Transportation Advisory Committee Report – tape sequence #2210

At 6:36 PM, Mayor Boothman turned over the Transportation Advisory Committee (TAC) Report to Councilmember Rosenfeld. Councilmember Rosenfeld deferred to Councilmember Elect, Planning Commission member, Transportation Advisory Committee member, Debbie Emery. Ms. Emery respectfully requested that the presentation of the TAC report be postponed to the next Town Council meeting. Mayor Boothman agreed to place the presentation on the next Town Council agenda.

Councilmember Gillette suggested that because of the postponement of said transportation issues, perhaps the Town Council should place a hold on the engineering work presently being accomplished by Hart Pacific Engineering in regards to the Tucker Avenue Design. (Said design was approved by Council at the 10/2/03 noon Town Council meeting.) Following discussion, it was the consensus of Council to ask Administrator Fitch to contact Hart Pacific Engineering and place a hold on said design work.

Work Session on draft 2004 Budget – tape sequence #2700

At 6:43 PM, Mayor Boothman opened the work session on the draft 2004 budget. Councilmember Gillette indicated that he did not feel that Council should receive a wage increase after all due to overall rising expenses to Town residents.

Administrator Fitch gave an overview of revenues and expenditures beginning in the water fund and continuing through the end of the draft 2004 budget.

Administrator Fitch explained water and sewer utility rate increases were as proposed in the January 2003 Water and Sewer Rate and Right-to-Connect Charge Study. Administrator Fitch

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indicated that a refuse rate increase was not anticipated unless San Juan County's tipping fees increased. Mr. Fitch pointed out that the stormwater rates would not be increasing at this time. Administrator Fitch spoke about the degradation of the shelf area currently being used by San Juan County for recycling purposes at the Town's landfill closure site on Sutton Road. Administrator Fitch indicated that said shelf area needs to be vacated by San Juan County (SJC) and re-closed. Administrator Fitch suggested that Jon Shannon, SJC Public Works be placed on the Town Council agenda in January to discuss said issue. Discussion and inquiry between Council and staff ensued during the budget overview.

Administrator Fitch stated that a public hearing to discuss revenue resources for 2004 Budget would be held on 11/20/03 at noon and the public hearing for the proposed 2004 Town Budget would be at 5:35 PM the same day.

At 7:27 PM, Mayor Boothman closed work session on the draft 2004 Budget.

Claims – tape sequence #900

Councilmember LaPorte moved and Councilmember Gillette seconded to approve the payment of claim warrants #23702 through #23802 in the amount of \$105,321.99. The motion passed unanimously.

Councilmember Rosenfeld moved to extend the meeting until 8:00 PM. The motion died for lack of a second.

Councilmember LaPorte moved and Councilmember Jones seconded to extend the meeting until 7:45 PM. The motion passed unanimously.

Non-agenda

Warbass Way Right of Way – tape 2 sequence #980

Administrator Fitch and Attorney Eaton asked Council if they wanted to expend funds to do a Right-of-Way Study. They estimated the cost at approximately \$12,000. Council asked that the issue be placed on an agenda early next year.

Following inquiry, Attorney Eaton clarified for Council that the Town does not have any liability in regards to denying a request for an access easement on its property to an adjacent property owner even if it forces the property owner to arrange access in a different area.

Executive Session – tape sequence #1425

At 7:42 PM, hearing no objection, Mayor Boothman declared the meeting in executive session to discuss pending litigation per RCW 42.30.110 and indicated that following pending litigation the Council would be going in to closed session to discuss union negotiations per RCW 42.30.140 for approximately 30 minutes total.

At 8:18 PM, Mayor Boothman declared the meeting back in regular session and hearing no further business before Council and no objection, declared the meeting adjourned.

Gary G. Boothman, Mayor

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Kelle Wilson, Town Clerk

Town Council – November 20, 2003 @ 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, Utilities Superintendent Wilks & Sewer Lead Reitan.

Mayor Boothman led the meeting in the Pledge of Allegiance.

Public Access

During the public access portion of the meeting, Tim Starbuck, Project Manager for Stellar J. Corporation on the Wastewater Treatment Plant (WWTP) Improvement Project, updated Council on the progress of said project and expressed appreciation for various Town employees, especially Don Reitan, and the Brown & Caldwell Engineers involved with the project.

Mayor Boothman read a letter of appreciation to Wastewater Department Leadperson, Don Reitan, which expressed appreciation and thanks for the outstanding job that Mr. Reitan has performed during the WWTP Improvement Project. In recognition of Mr. Reitan's performance, Mayor Boothman stated that a merit wage increase, effective January 1, 2004, would be given to Mr. Reitan.

Jon Beer, Project Manager for Brown and Caldwell on the WWTP design and construction also presented a brief status report on said project. He noted that the project is 90% complete and, to everyone's credit, change orders costs have been only 1.4% of the entire project cost, which is unusual for a project of this magnitude.

Resolution #1353 – tape sequence #315

Mayor Boothman introduced draft Resolution #1353. A resolution authorizing the Mayor to execute an amendment to the intergovernmental agreement for dispatching services with San Juan County for the calendar year 2004. Administrator Fitch explained the particulars of the 10% increase in said dispatching services. Councilmember LaPorte moved and Councilmember Gillette seconded to adopt Resolution #1353 as presented. The motion passed unanimously.

Resolution #1354 – tape sequence #410

Mayor Boothman introduced draft Resolution #1354. A resolution authorizing the Mayor to execute a law enforcement contract with San Juan County for the calendar year 2004. Administrator Fitch explained the particulars of the 1.62% increase of said law enforcement contract and pointed out the addition of Section 4(D) in regards to enforcement of parking regulations in County-owned parking lots. Following inquires, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1354 as stated. The motion passed unanimously.

Public Works Yard Design – tape sequence #500

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At 12:16 PM, Mayor Boothman opened Council discussion of the three concepts designs presented for a Town public works yard off of Harbor Street.

Bill Percich, co-owner of the northern adjoining property and applicant for a 15' easement on said Town's property, commented that in Concept C, he would be willing to put 20' of the 24' joint road on his side of the property, which would make the Town's loss of square footage only 900 s.f., if the easement were granted.

Rusty Rush, 321 Seaview Lane and representative for her brother Travis Mager owner of Victoria Street Crossing property, asked that the Town grant Mr. Percich's easement request so that access to Mr. Percich's property could be via Harbor Street rather than via Guard Street through the Victoria Street Crossing housing complex for safety reasons.

Utilities Superintendent Wilks commented that per his memorandum of 11/14/03 to Mayor Boothman and Council regarding the proposed public works yard, only Concept A would sufficiently provide enough space to be utilized for a Town public works yard, and even said concept was about 1.25 acres smaller than he had originally requested.

Discussion followed regarding security, retaining walls, topography of the land, parks, liability concerns, and ingress and egress visibility.

Public Hearing on Revenue Resources – tape sequence 1170

At 12:35 PM, Mayor Boothman interrupted the discussion and opened the public hearing on revenue resources for the 2004 Town Budget. Treasurer Picinich described the various revenue resources anticipated for 2004 in the Current Expense Fund.

At 12:53 PM, Mayor Boothman asked for audience participation. None was forthcoming. Mayor Boothman noted that the public hearing would remain open to comments while the discussion resumed regarding the Town's public works yard design.

Mr. Percich again asked that the Town open access across its property to his property.

Councilmember Brooks suggested developing an additional concept that would add a small access road parallel to the Town's property to accommodate Mr. Percich's access issues.

Following further inquiries, ideas, and discussion, Councilmember Jones moved and Councilmember Rosenfeld seconded to accept Concept A, adding a gate for emergency access only to the adjoining property.

Councilmember Gillette stated that he felt Concept A was flawed from the topography point of view, from the safety point of view, and from the cooperation with the next door neighbors to make the area safer, and it eliminates the park, which is valuable from a public relations point of view. Councilmember Gillette asked that his comments be placed in the minutes.

The motion passed 3 to 2 with Councilmember Brooks and Gillette opposed. Lee Anderson, co-owner of adjoining property, thanked the Council for their consideration.

Ordinance #1237 – tape sequence #2535

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At 1:09 PM, hearing no public comments regarding 2004 Revenue Resources, Mayor Boothman closed the public hearing and introduced draft Ordinance #1237. An ordinance fixing and levying the amount of Ad Valorem Taxes for the Town of Friday Harbor for the year 2004. Administrator Fitch explained the particulars of said ordinance. Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt Ordinance #1237 as stated. The motion passed unanimously.

Resolution #1356 – tape sequence #2622

Mayor Boothman introduced draft Resolution #1356. A resolution authorizing the Mayor to accept a proposal from HydroHoist International Incorporated to provide a floating boat lift for its 25 foot fireboat. Administrator Fitch explained the particulars of said resolution. Following discussion, Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1356 as stated.

Councilmember Gillette stated that in August he distributed an email to the Mayor, Council, and Town Administrator regarding the possibility of considering a different boat lift model that would allow the fireboat to be launched within 30 seconds rather than 4 minutes. He stated that he felt the specifications for the boat lift under consideration were flawed and this was why he would vote against the motion. Councilmember Gillette asked that his comments be placed in the minutes.

The motion passed 4 to 1 with Councilmember Gillette in the opposition.

Administrator's Report – tape sequence #2855

In the interest of time, Mayor Boothman delayed the work session on the 2004 draft budget and asked Administrator Fitch to present his report.

Administrator Fitch introduced and explained the particulars of draft Resolution #1357. A resolution authorizing the Mayor to execute an addendum to an interlocal agreement between the Town of Friday Harbor, San Juan County, and the Port of Friday Harbor for the purpose of the reconstruction of Front Street turnaround at Front Street and Court Street Right of Way. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1357 as stated. The motion passed unanimously. General discussion of landscaping improvements of said project ensued.

Administrator Fitch indicated that in the future it may be harder to obtain a Transportation Improvement Board grant, as they may be stiffening their criteria.

Administrator Fitch reported on the trimming and lighting of trees in Memorial/Circle Park.

Land Use Administrator Bertrand spoke about discussions with Washington State Ferries personnel regarding the request by Island Concrete (11/6/03 noon Town Council meeting) to land and unload a barge of aggregate using the Friday Harbor Ferry Terminal. Mr. Bertrand indicated that the issue was a lot more complicated than originally anticipated.

Mr. Bertrand reminded Council that the ordinance regarding parking enforcement states that Sunday is the only day that the Town does not enforce parking limitations, consequently the upcoming holidays are not "free" parking days.

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Non-agenda

None.

Minutes – tape sequence #3425

Councilmember Jones moved and Councilmember LaPorte seconded to approve the Town Council minutes of November 6, 2003 noon and 5:30 PM meetings as corrected. The motion passed unanimously, with Councilmember Brooks abstaining as she was not in attendance at said meetings.

At 1:29 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 20, 2003 @ 5:30 PM

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

Council excused the absence of Councilmember Brooks.

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

Mayor Boothman led the meeting in the Pledge of Allegiance.

There were no public access items forthcoming.

Public Hearing - 2004 Town Budget

Mayor Boothman opened the public hearing on the proposed 2004 Town Budget. No public input was forthcoming. Mayor Boothman indicated said public hearing would remain open in case someone arrived late and wished to give public input.

Resolution #1351

Mayor Boothman introduced and explained the particulars of draft Resolution #1351. A resolution authorizing the Mayor to execute a labor contract with Washington State Council of County & City Employees, AFSCME, AFL-CIO Local 1849 for the period from April 1, 2003 through December 31, 2003. Councilmember LaPorte moved and Councilmember Jones seconded to adopt Resolution #1351 as presented. The motion passed unanimously.

Ordinance #1233 – tape sequence #230

Mayor Boothman introduced draft Ordinance #1233. An ordinance fixing compensation for represented personnel from April 1, 2003 through December 31, 2003. Administrator Fitch explained the particulars of said ordinance. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1233 as stated. The motion passed unanimously.

Transportation Advisory Committee Final Report – tape sequence #281

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Mayor Boothman asked Councilmember Rosenfeld, Chair of Transportation Advisory Committee, to present the Transportation Advisory Committee Final Report dated 11/6/03. Councilmember Rosenfeld then turned the presentation over to Denise Brown, committee member.

Denise Brown, 535 Chinook Way, highlighted the priorities in said report as Caines and Nash Street; Tucker Street; and Guard Street. Ms. Brown also indicated that a sidewalk inventory update was needed to show gaps in walkability. Councilmember Rosenfeld noted that the additional information distributed regarding "Restriping Existing Roads with Bike Lanes" was an appendix to said report. Following discussion, Councilmember Rosenfeld moved and Councilmember Jones seconded to refer said final report to the Planning Commission for review and evaluation. The motion passed unanimously. Mayor Boothman thanked the Committee for their efforts.

Councilmember Rosenfeld suggested that future discussion was needed regarding eliminating parking spaces in favor of bike lanes on Tucker Avenue. Mayor Boothman suggested that perhaps the residents along said road should be contacted regarding said revision first.

Councilmember Rosenfeld stated that, because of anticipated stricter grant criteria for Transportation Improvement Board grant funds, perhaps the Town should use some of its currently saved grant matching funds to provide shoulder or pathway improvements along Guard Street for pedestrian safety.

Councilmember LaPorte expressed concerns that using funds for small improvements may delay the completion of the entire project.

Councilmember Jones suggested reducing the travel lanes, of those roads with a current speed limit of 25 MPH, to 10 feet and placing a stripe along the road as a temporary solution for pedestrians and bicyclists.

Councilmember LaPorte commented that large vehicles, such as school buses and delivery trucks, may have troubles with smaller travel lanes.

Resolution #1352 – tape sequence #1460

Mayor Boothman introduced draft Resolution #1352. A resolution authorizing the Mayor to execute a labor contract with Washington State Council of County & City Employees, AFSCME, AFL-CIO Local 1849 for the period January 1, 2004 through December 31, 2005. Councilmember Jones moved and Councilmember LaPorte seconded to adopt Resolution #1352. The motion passed unanimously.

Ordinance #1234 – tape sequence #1526

Administrator Fitch introduced and explained the 1.62% wage increase over 2003 wages included in draft Ordinance #1234. An ordinance fixing compensation for represented personnel beginning January 1, 2004 through December 31, 2004. Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt Ordinance #1234 as presented. The motion passed unanimously.

Ordinance #1238 – tape sequence #1775

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Attorney Eaton introduced and explained the particulars of draft Ordinance #1238. An ordinance enacting vehicle parking restrictions for certain County parking lots and amending Section 13 of Ordinance No. 945 and Friday Harbor Municipal Code 10.04.130. Following discussion, Councilmember Rosenfeld moved and Councilmember LaPorte seconded to adopt Ordinance #1238 as stated. The motion passed unanimously.

Resolution #1355 – tape sequence #2128

At 6:30 PM, Mayor Boothman introduced draft Resolution #1355. A resolution approving an amendment to the Intergovernmental Agreement Establishing District Court Filing Fees for certain actions. Councilmember Rosenfeld moved and Councilmember LaPorte seconded to adopt Resolution #1355. The motion passed unanimously. Land Use Administrator Bertrand left the meeting.

Ordinance #1235 – 1st Reading – tape sequence #2156

Mayor Boothman introduced draft Ordinance #1235. An ordinance amending Ordinance No. 1084 and Chapter 13.05 of the Friday Harbor Municipal Code, concerning water rate tables and repealing Ordinance No. 1182 and No. 1209 in their entirety. Administrator Fitch explained the particulars of the 8.5% increase in water rates. General discussion ensued regarding alternative ways to charge water users; water conservation efforts; bonding capacity and infrastructure impacts; and the appearance of the Town's utility bills.

Ordinance #1236 – 1st Reading

Mayor Boothman introduced draft Ordinance #1236. An ordinance amending Ordinance No. 1089 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning sewer rate tables and repealing Ordinance No. 1195 and Ordinance No. 1211 in their entirety. Administrator Fitch explained the particulars of the 4.3% increase in sewer rates.

Draft 2004 Budget Work Session – tape sequence #2927

Mayor Boothman opened the work session on the draft 2004 budget. Administrator Fitch outlined the funding for the capital facilities fund. Discussion and inquiry followed.

Administrator Fitch indicated that should San Juan County increase the tipping fees at the Solid Waste Facility, as the local newspaper reports, the Town will need to increase its refuse rates to accommodate said increase. Discussion followed regarding San Juan County's apparent failure to have discussions regarding said increased tipping fees as specified by the Town/County Interlocal Agreement signed March 30, 1995; and increasing the County's rental payment for the space used for recycling purposes at said location to help offset said increases. Administrator Fitch pointed out that Jon Shannon, Public Works Director, is scheduled to appear before Council on 1/8/04 to discuss the recycling area currently in use by San Juan County. Further general discussion followed.

Claims – tape sequence #721

At 7:22 PM, Councilmember Rosenfeld moved and Councilmember Jones seconded to approve the payment of claim warrants #23805 through #23858 in the amount of \$403,883.44. The motion passed unanimously.

Non-agenda

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Attorney Eaton explained recent developments in regards to court sanctions imposed against Joel Douglas on behalf of the Town of Friday Harbor. Following discussion, Council asked Attorney Eaton to research ownership of properties by Mr. Douglas and report back to Council.

Councilmember Rosenfeld thanked Attorney Eaton for information regarding deferral of utility hookup fees for affordable housing projects.

At 7:31 PM, hearing no further business before Council and no objection, Mayor Boothman declared the meeting adjourned. This adjournment effectively closed the public hearing on the on the proposed 2004 Town Budget. No public input was given.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – December 4, 2003 @ 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, and Land Use Administrator Bertrand.

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Minnie Knych, PO Box 1696, asked Council to give amnesty to those persons who received parking tickets during the time they were volunteering at the Thanksgiving dinner community event on First Street. Ms. Knych also asked Council to seriously consider changing the Town parking ordinance to exempt parking enforcement on Thanksgiving, Christmas, and New Year's Day. Ms. Knych suggested forming an advisory group of Spring Street Business persons to discuss said change in Town laws. Ms. Knych distributed a petition signed by members of the San Juan Island Grange in support of exempting holidays.

Deborah Hopkins, SJI Visitors Bureau, PO Box 1330, supported exempting holidays from parking enforcement. Ms. Hopkins also distributed information regarding extending parking limitations from 2 hours to 4 hours.

Jim Knych, 478 Victoria Drive, supported the elimination of parking enforcement on Thanksgiving Day.

Mayor Boothman inquired about the number of volunteer of said event. Mr. Knych estimated that there were approximately 12 long term volunteers.

Councilmember Gillette questioned if Mr. Knych believed those businesses on Spring Street would self-monitor their parking if parking enforcement was eliminated. Mr. Knych indicated he was incapable of answering the question for the businesses on Spring Street.

Mayor Boothman indicated that further discussion would be held during the non-agenda portion of the meeting.

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Sheriff's Report

Mayor Boothman indicated that Sheriff Cumming would be unable to attend today's meeting.

Utilities Department

Utilities Superintendent Wilks reported on 2002 versus 2003 water production, Trout Lake Levels, and November rainfall (7,154,000/8,738,000; 61.5" below spillway/over spillway on 11/24; & 1.97"/5.4"). Mr. Wilks reported on the Wastewater Treatment Plant improvement project and the anticipated 12/15 startup date for the sludge dryer equipment; the Tucker Avenue closure on December 22nd between Guard and Harbor Streets to install electrical conduits to tie Pump Station #2 to the in-plant generator and also install a new section of the force main under Tucker Avenue; the receipt of a new Vactor Truck and a garbage truck (old truck will be surplus in 2004); and Street Department flooding and sanding activities. Mayor Boothman complimented the new arbor located at Cahail Park.

Memorial/Circle Park Design Presentation – tape sequence #544

At 12:15 PM, David Waldron, Local Architect, presented design changes to Memorial/Circle Park. Mr. Waldron indicated that along with a group of concerned citizens, and Mayor Boothman, the following problems were identified as needing revisions: space to view the Memorial Monument in said Park, settling of exposed paving, and view of the shoreline. Mr. Waldron observed that three things would not be changed: the flag pole, the monument, and the elm trees. Mr. Waldron described the various proposed changes in said park. Some of the changes outlined were: moving the park farther up on Spring Street, which would allow more space for monument viewing and more space on the shoreline side for a larger sidewalk for pedestrians; and a change in paving on the east side of the road around the park. Following Council inquiries and discussion, Council seemed to approve of said proposed park changes. Although Council asked Administrator Fitch, the Town's Traffic Engineer, to review the project layout to make sure large trucks were able to negotiate the turn from Front Street to Spring Street. Mayor Boothman thanked Mr. Waldron for his presentation.

Administrator's Report – tape sequence #1233

At 12:37 PM, Administrator Fitch reported on holiday lighting at Memorial/Circle Park and asked for Council feedback regarding said before the next holiday season. Mr. Fitch indicated that an approximate \$10,000 bill would be forthcoming for the removal of old abandoned lights, installing new lights, and some selected pruning of the elm trees in said park. Mr. Fitch reported on the successful testing of the Town's alarm siren on Monday, December 1st. Mr. Fitch indicated that Land Use Administrator Bertrand is working with Adelphia Cable to renew their franchise agreement. Mr. Fitch reported that Nancy Larsen, Historic Preservation Coordinator has resigned effective 1/15/04. Mr. Fitch relayed that bids for the Town's Public Restrooms Facility in Sunshine Alley would be advertised in December and then opened on 1/9/04. Discussion followed regarding said facility.

Minutes

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to approve the noon Town Council minutes of November 20, 2003 as written. Following proposed changes by Councilmember Gillette, the motion was amended to approve minutes as corrected. The motion passed unanimously.

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Councilmember Jones moved and Councilmember LaPorte seconded to approve the 5:30 PM Town Council minutes of November 20, 2003 as written. The motion passed unanimously, with Councilmember Brooks abstaining as she was not in attendance at this meeting.

Non-agenda – tape sequence #1690

At 12:48 PM, Council took up the request for parking tickets amnesty on Thanksgiving Day. Mayor Boothman asked how many tickets were issued in the vicinity of the Thanksgiving Community Dinner. Town Marshal Bertrand reported that 5 tickets were issued. Councilmember Rosenfeld inquired if it would be problematic to forgive the tickets issued. Town Marshal Bertrand responded that it would not be problematic. Following inquiry, Administrator Fitch indicated that parking enforcement issues have been documented in the Town's minutes since 1924. Administrator Fitch suggested issuing special parking passes for volunteers at community events on holidays. Mr. Fitch suggested that if Council chose to exempt certain holidays, then the Town should spend the funds to change its parking enforcement signs. Mr. Fitch discussed employee staffing issues.

Councilmember LaPorte pointed out that there were three issues under discussion: amnesty of tickets issued on Thanksgiving Day 2003; changing the Town's ordinance to exempt certain holidays in the future; and the Visitors Bureau's request to change the timed parking limitation hours from 2 to 4 hours.

Councilmember Jones moved and Councilmember LaPorte seconded to grant amnesty to everybody ticketed for Town parking violations on Thanksgiving Day. The motion passed unanimously.

Councilmember Gillette moved to suspend all timed parking limitations until the Economic Development Committee could study all of the Town's parking as a system and report back to Council by 2/19/04. The motion died for lack of a second.

Councilmember LaPorte moved and Councilmember Brooks seconded to request staff draft an ordinance to exempt New Years Day, Thanksgiving Day, Christmas Day, and Sundays from parking enforcement and to change the Town's parking signs to reflect said change.

Councilmember Rosenfeld suggested waiting on the signage until further research could be obtained from the business community.

Administrator Fitch suggested going forth with the ordinance change, but then purchasing bags that say "happy holidays" to place over the signs on the exempted holidays.

Following discussion, the motion was amended to request staff draft an ordinance to exempt New Years Day, Thanksgiving Day, Christmas Day, and Sundays from parking enforcement. The motion passed 4 to 1, with Councilmember Gillette in the opposition.

Councilmember Gillette moved to bag/cover the parking signs for the next 4 months. The motion died for lack of a second.

Councilmember Rosenfeld suggested obtaining the business community's input regarding hours of parking enforcement.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2003

Councilmember Gillette moved that the Economic Development Committee's proposed study be expanded to include a comprehensive study of the Town's parking system. The motion died for lack of a second. Town Marshal Bertrand left the meeting at 1:17 PM.

Regarding the change of hours from 4 to 2 hours as proposed by the Visitors Bureau, Councilmember LaPorte moved and Councilmember Rosenfeld seconded to give the San Juan Island Chamber of Commerce 90 days to poll its members and report back to Council regarding their recommendations on time limits for parking. Following discussion the motion passed 4 to 1 with Councilmember Gillette opposed.

Other non-agenda

Councilmember Brooks commented on the proposed winter ferry schedule and its negative impact for islanders (longer ferry rides, shortened interisland service, and no galley service). Discussion followed.

At 1:28 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 – December 4, 2003 @ 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

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Emily Orr, 275 Marguerite Place, asked Council to find some ways to mitigate the rising costs of the Town utility bills. Discussion and explanation followed regarding the requirements to follow federal and state water quality referendums.

Jeanie Foder, 690 Harbor Street, inquired if there were a way to expand the payment for Town improvements to residents outside of Town, as they also use all of the Town amenities. Mayor Boothman explained that county residents indirectly pay for Town improvements via increased prices at commercial establishments within Town.

Tucker Street Design – tape sequence

At 5:50 PM, Mayor Boothman opened discussion of the Tucker Avenue design. Councilmember Jones supported finishing the engineering design work for Tucker Avenue in relation to the sidewalk on the west side of Tucker Avenue.

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Councilmember Gillette opposed going against the Transportation Advisory Committee's (TAC) Final Report that recommended alternative methods such as trails or paths rather than traditional sidewalks.

Councilmember Brooks read from said Final Report where it stated support for finishing the sidewalk on the west side of Tucker Avenue.

Councilmember Rosenfeld commented that there is currently a sidewalk from the Town & Country Trailer Park to the Luxel Business Complex on the west side of Tucker Avenue. Councilmember Rosenfeld expressed that it would be more advisable to finish the sidewalk on the west side and perhaps use the alternative methods on the other side of the street.

Following further discussion, Councilmember Jones moved and Councilmember Rosenfeld seconded to proceed with the design of Tucker Avenue with an emphasis to putting a sidewalk on the west side of the street. The motion passed 4 to 1, with Councilmember Gillette in the opposition.

Budget 2004 – tape sequence #955

At 6:00 PM, Mayor Boothman opened Council discussion of the draft 2004 Budget. Following brief inquiries, Council thanked Treasurer Picinich and Administrator Fitch for their work on said budget.

Ordinance #1235 – 2nd reading

Mayor Boothman introduced draft Ordinance #1235. An ordinance amending Ordinance No. 1084 and Chapter 13.05 of Friday Harbor Municipal Code, concerning water rate tables and repealing Ordinance No. 1182 and Ordinance No. 1209 in their entirety.

Discussion followed regarding grant funds; percentage of revenues that go to Town reserves; philosophy of the capital reserve fund; and complying with the water and sewer rates study's recommendations for revenue increases.

Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Ordinance #1235. The motion passed 4 to 1 with Councilmember Gillette in the opposition.

Ordinance #1236 – 2nd reading – tape sequence #1588

Mayor Boothman introduced draft Ordinance #1236. An ordinance amending Ordinance No. 1089 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning sewer rate tables and repealing Ordinance No. 1195 and Ordinance No. 1211 in their entirety.

Sharon Kivisto, PO Box 1118, inquired if hotel/motel funds will be used to pay the debt for the new Wastewater Treatment Plant.

Administrator Fitch explained that a portion of the hotel/motel funds were used towards the construction of said plant improvements, but would not be an ongoing funding mechanism.

Ms. Kivisto questioned the absence of the revenue received from the yearly hookup fees being used to off-set the current rate increases. Ms. Kivisto maintained that the hookup fees were used in the 2002 Water and Sewer Rate Study to compile rate figures and consequently since

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the Town received a larger number of hookups than expected, these funds should lower the actual rate increase. Administrator Fitch explained the Town's philosophy on its rate structure in regards to system development charges and general facility charges.

Following discussion, Councilmember Jones moved and Councilmember LaPorte seconded to adopt Ordinance #1236. The motion passed 4 to 1 with Councilmember Gillette opposed.

Claims & Payroll – tape sequence #2337

Councilmember Gillette moved and Councilmember Rosenfeld seconded to approve claim warrants #23862 through #23910 in the amount of \$192,257.26 and payroll warrants #9786 through 9830 in the amount of \$141,763.95. The motion passed unanimously.

At 6:37 PM, hearing no objection, Mayor Boothman declared the meeting adjourned.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk

Town Council – December 18, 2003 @ 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

Mayor Boothman led the meeting in the Pledge of Allegiance.

During the public access portion of the meeting, Lauren Stara, San Juan Island Library Director, expressed concerns regarding the lack of sidewalks on Guard Street and the speed of drivers along the corner of Park and Guard Street.

Following Councilmember Gillette's inquiry regarding formal sidewalks or an alternative pedestrian path, Ms. Stara responded that although she was not well versed on pedestrian walkways, she did not feel a trail would allow sufficient room and safety. Councilmember Rosenfeld suggested walking Guard Street to see the conditions.

Mayor Boothman indicated that Ms. Stara's concerns would be further discussed during the non-agenda portion of the meeting.

Friday Harbor High School Choir

Angel Michaels, Friday Harbor High School Choir Director, and said Choir performed various beautiful Christmas Carols for the Town Council and audience.

SJC Economic Development Council – tape sequence #872

At 12:25 PM, Richard Cville, Director of the San Juan County Economic Development Council (EDC), presented a Town/Port partnership proposal called "Assess Feasibility of a Development Partnership of the Browne Lumber Property" in regards to a joint purchase between the Town

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and the Port of Friday Harbor of said property and asked the Town Council to fund half of the \$4,000 study cost.

Councilmember Rosenfeld expressed concerns regarding funding said feasibility study without a restriction on the sale of said property until the study could be completed. Councilmember Rosenfeld also expressed concerns regarding spending Town funds on another piece of property, when said monies could be used to offset future rate increases in water and sewer fees.

Councilmember Brooks indicated that the economic development that might take place on said site could be helpful to the Town.

Councilmember Gillette distributed his ideas regarding the expansion of said study to include a more comprehensive analysis of the Town's overall parking needs.

Mr. Civile indicated that the study could be expanded, but this would also mean "delaying" the study until he had the opportunity to go back to the Port Commissioners and discuss the expanded study with them.

Councilmember Jones commented that said proposal meets the Town's needs at present, and with the added benefit of the Port's co-funding, suggested going forth with the proposal as drafted.

Councilmember Gillette moved and Councilmember Jones seconded to ask the EDC to draft a contract to fund said proposal at the cost of \$2,000 to the Town, and in the future look for the EDC to perform an expanded study into the parking needs of the Town. The motion passed 4 to 1 with Councilmember LaPorte in the opposition.

Public Hearing – tape sequence #1600

At 12:45 PM, Mayor Boothman opened the public hearing on the 2003 amended budget. There was no input forthcoming from the audience. Administrator Fitch explained the particulars of the budget amendment process. Councilmember Gillette inquired about various amendments in said budget and pointed out a possible error. Discussion followed.

At 12:55 PM, Mayor Boothman closed the public hearing on the amendments to the 2003 Town Budget. No public input was received.

Resolution #1363 – tape sequence #1956

Mayor Boothman introduced draft Resolution #1363. A resolution authorizing the Mayor to execute Change Order #9 on the contract with Stellar J. Corporation for improvements to the Wastewater Treatment Plant for \$36,277.92. Administrator Fitch explained the particulars of said resolution. Councilmember LaPorte moved and Councilmember Brooks seconded to adopt Resolution #1363 as stated. Following inquires, the motion passed unanimously.

Resolution #1358 – tape sequence #2110

Mayor Boothman introduced draft Resolution #1358. A resolution authorizing the Mayor to execute an agreement with the Business Association of San Juan County to provide a tourist promotion program for the year 2004. Councilmember LaPorte moved and Councilmember

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Jones seconded to adopt Resolution #1358 for \$70,000.00. Following inquires answered by Councilmember LaPorte (and Chair of the Lodging Tax Advisory Committee), the motion passed unanimously.

Resolution #1360 – tape sequence #2238

Mayor Boothman introduced draft Resolution #1360. A resolution authorizing the Mayor to execute an intergovernmental agreement with the Port of Friday Harbor for assistance to address air transportation service needs. Administrator Fitch explained the particulars of said resolution. Mayor Boothman suggested adding an additional "whereas" to said resolution for clarification. Councilmember Brooks moved and Councilmember Jones seconded to adopt Resolution #1360. Councilmember LaPorte moved and Councilmember Jones seconded to amend said resolution to include the verbiage suggested by Mayor Boothman. The motion to amend the resolution passed unanimously. The motion to adopt Resolution #1360, as amended, also passed unanimously.

Ordinance #1239 – tape sequence #2610

Mayor Boothman introduced draft Ordinance #1239. An ordinance concerning time limited parking and repealing Ordinance #1187 in its entirety. Councilmember Brooks moved and Councilmember Jones seconded to adopt Ordinance #1239. Following discussion, the motion passed unanimously.

Ordinance #1241 – tape sequence #2798

Treasurer Picinich asked that Ordinance #1241 be tabled until this evening's Town Council meeting so that the error could be corrected in the draft amended 2003 Town Budget could be corrected. Council agreed.

Administrator's Report – tape sequence 2825

At 1:15 PM, Administrator Fitch asked Wastewater Department Lead, Don Reitan, to distribute the Town's newest product. Mr. Reitan distributed the first sludge produced from the Town's sludge drying equipment in a jar that was named "Friday Harbor's Best Organic Booster" for Council review.

Administrator Fitch asked Land Use Administrator Bertrand, who had recently arrived at the meeting, to discuss a request for annexation into the Town of Friday Harbor by Steve Buck in regards to a letter send to Council by Mr. Buck. Mr. Bertrand indicated that because the requested annexed property is not within the current urban growth area (UGA) it can not be considered for annexation. Mr. Bertrand elaborated that he has spoken with Mr. Buck about the proper procedure to get the UGA changed, which is to petition San Juan County to expand the UGA to include his property. Mr. Bertrand explained that should the County expand the UGA to included Mr. Buck's property, the Town would then consider his request during the next comprehensive plan review process. Following discussion, Council asked Mr. Bertrand to write a letter to Mr. Buck explaining that Mr. Buck's request is not considered a valid comprehensive plan request, as subject property is not within the current UGA.

Administrator Fitch indicated to Council that he would be bringing forth a comprehensive plan revision to add a "utility zone" to said plan.

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Administrator Fitch stated that no communication has been forthcoming from Washington State Ferries regarding the request by Island Concrete to use the Washington State Ferries Friday Harbor Terminal as a barge landing for aggregate.

Mr. Bertrand left the meeting.

Administrator Fitch indicated that there would be a pre-bid meeting on Friday, December 19th at 11:00 AM for the Sunshine Alley Public Toilet Facility.

Administrator Fitch reported that the design drawings for Grover Street are 90% complete and are available for Council review. Discussion followed regarding said design; a gift of land from the San Juan Island School District; and other aspects of the project.

At 1:35 PM, at Mayor Boothman's request, Councilmember LaPorte moved and Councilmember Brooks seconded to extend the meeting to 1:45 PM. The motion passed 3 to 2 with Councilmembers Gillette and Rosenfeld opposed to the extension of time.

Non-agenda – tape 2 sequence #296

Regarding the request by Ms. Stara for sidewalks along Guard Street, Councilmember Rosenfeld suggested estimating the cost to provide alternative pathways along Guard Street. Councilmember LaPorte suggested that Councilmember Rosenfeld walk Guard Street and discuss again at a later date.

Minutes – tape sequence #582

Councilmember LaPorte moved and Councilmember Rosenfeld seconded to adopt the Town Council minutes of December 4, 2003 noon and 5:30 PM meetings as written. Following discussion, the motion passed 4 to 1 with Councilmember Gillette opposed.

At 1:49 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 – December 18, 2003 @ 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

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

Ordinance #1241

Mayor Boothman introduced draft Ordinance #1241 as corrected by Treasurer Picinich. An ordinance amending the 2003 Budget for the Town of Friday Harbor. Councilmember LaPorte

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moved and Councilmember Jones seconded to adopt Ordinance #1241. The motion passed unanimously.

2004 Budget Discussion

Mayor Boothman opened the discussion of the draft 2004 Town Budget. Treasurer Picinich explained the particulars of recent changes in said draft budget.

Ordinance #1242 – tape sequence #163

Mayor Boothman introduced draft Ordinance #1242. An ordinance adopting the budget for the Town of Friday Harbor, for the fiscal year ending December 31, 2004. Councilmember Jones moved and Councilmember LaPorte seconded to adopt said ordinance. The motion passed unanimously.

Ordinance #1240 – tape sequence #183

Mayor Boothman introduced and explained draft Ordinance #1240. An ordinance fixing salaries of officials and non-represented personnel. Councilmember Brooks moved and Councilmember LaPorte seconded to adopt Ordinance #1240. The motion passed unanimously.

Resolution #1362 – tape sequence #246

At 5:41 PM, Mayor Boothman introduced draft Resolution #1362. A resolution authorizing the Mayor to revise the adopted Personnel Guidelines for Non-Represented Personnel. Administrator Fitch explained the particulars and outlined the changes of said resolution. Following discussion, Councilmember Jones moved and Councilmember Rosenfeld seconded to adopt Resolution #1362 as stated. The motion passed unanimously.

Resolution #1361 – tape sequence #420

Mayor Boothman introduced draft Resolution #1361. A resolution authorizing the Mayor to revise the adopted Personnel Guidelines for Employees covered by collective bargaining. Administrator Fitch explained the particulars of said resolution. Councilmember Rosenfeld moved and Councilmember Brooks seconded to adopt Resolution #1361 as stated. The motion passed unanimously.

Resolution #1359 – tape sequence #495

Mayor Boothman introduced draft Resolution #1359. A resolution authorizing the Mayor to execute Change Order #4 on the contract with Mike Carlson Enterprises for the reconstruction of the Front Street Turnaround project. Administrator Fitch explained the particulars of said resolution. Administrator Fitch pointed out that the Port of Friday Harbor along with Federal Grant money were going to pay the \$7,120.00 change order costs, consequently the Town was not having to expend any funds, but were just authorizing Change Order #4. Councilmember Gillette moved and Councilmember Rosenfeld seconded to adopt Resolution #1359 as stated. The motion passed unanimously.

Attorney Eaton explained the possible alternatives the Town, as owner of the contaminated right of way on Front Street, could take to deal with the clean up of said right of way. Administrator Fitch reminded Council that a Restricted Covenant had been placed on the Town's property to allow the Front Street Project to proceed. Mr. Fitch indicated that until said property is cleaned up, excavating for utility purposes in this area would be a very time

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consuming, in regards to making preliminary arrangements and an expensive process. No decision regarding the Council's preference in action was resolved at this time.

Councilmember Gillette asked if the overall Front Street Project was on budget. Administrator Fitch indicated that the monies contributed by the Port of Friday Harbor, as well as, all Federal Grant monies had been expended, at a total project cost of \$429,731.00.

Claims – tape sequence #1610

At 6:20 PM, Councilmember Jones moved and Councilmember Rosenfeld seconded to approve the payment of claim warrants #23914 through #23977 in the amount of \$392,984.74. The motion passed unanimously.

2003 Legislative Accomplishments

Mayor Boothman outlined the various 2003 Town accomplishments, such as: the decision to site the public restroom facility on Sunshine Alley; budgeting for sidewalks on Tucker Avenue and Caines Street; Front Street Turnaround Project; new fireboat "Confidence"; drafting a plan to lower water and sewer hookup fees; Transportation Advisory Committee suggestions regarding sidewalks, trails, and paths, turned over to the Planning Commission; and completion of the **Wastewater Treatment Plant Improvement Project**.

Councilmember Gillette suggested adding the sidewalk improvement at the Islands Convalescence Center and the additions of stop signs at the intersection of Blair/Park/Reed Streets.

Councilmember Jones suggested adding the adoption of a Water and Sewer Rate Study to guide the Town in accumulating the necessary funds for future infrastructure.

Councilmember Rosenfeld commented that he wished the Town could do better towards holding the line on utility rate increases. He suggested locating the exact amount of funds necessary, and then working towards setting those funds aside out of the Current Fund and transferring this amount into the utility funds, instead of raising utility rates for Town customers. Mr. Rosenfeld indicated that he would be willing to give up his "pet" projects, such as sidewalks, to stop the increasing of utility rates.

Discussion followed regarding different accounting analysis and staying with the present practice, which allows the "users" to pay their share.

Recognition of Councilmember Services

At 6:35 PM, Mayor Boothman recognized Councilmember LaPorte's years of contribution to public service. Mayor Boothman and staff presented Councilmember LaPorte with several gifts. Tom Starr, former San Juan County Commissioner, congratulated retiring Councilmember LaPorte for his years of public service as well.

Councilmember LaPorte stated that passing more laws does not make a better government. Councilmember LaPorte encouraged Council to visit and value the Town staff. Councilmember LaPorte thanked the Mayor, his fellow Councilmembers, and staff for their support. Councilmember LaPorte presented the Town with an atomic clock that had inscribed on it "A good meeting starts on time and ends on time".

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Oaths of Office – tape sequence #2848

Clerk Wilson gave the Oath of Office to re-elected Treasurer Picinich, re-elected Councilmember Gillette, Position #2, and re-elected Councilmember Brooks, Position #5. Councilmember Elect, Position #1, Debbie Emery, was not available to receive her Oath of Office at this time, due to illness.

At 7:00 PM, Councilmember LaPorte moved and Councilmember Gillette seconded to adjourn for the rest of the year 2003. The motion passed unanimously.

Congratulatory cake and refreshments were served.

Gary G. Boothman, Mayor

Kelle Wilson, Town Clerk