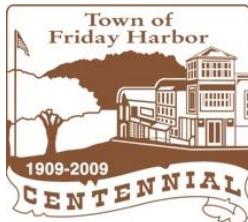


# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, January 8, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 12:00 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

Mayor Jones invited Pas. Joe Bettridge of the Presbyterian Church, to deliver an invocation.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### DEPARTMENTAL REPORTS

#### Emergency Management

At 12:03 p.m., Emergency Management Director, Brendan Cowan, reported on the recent items that the SJC Department of Emergency Management (DEM) has been engaging. Included was a debriefing of the recent inclement weather event and ways to make improvement of the notification systems. Discussion and inquiry followed regarding back-up dispatch systems, FEMA funding, and communication/video conferencing. The Council thanked Mr. Cowan.

#### Fire Department

At 12:17 p.m., Fire Chief, Vern Long, reported on the response to emergency calls year-to-date; emergency backup dispatch center; condition of the current equipment; and progress toward purchasing a new fire engine. Discussion and inquiry followed regarding the condition of the current equipment.

#### System Administration

At 12:22 p.m., System Administrator, Steven Dubail, distributed a 4<sup>th</sup> quarterly staff report. Mr. Dubail reported on the annual 5<sup>th</sup> grade field trips to the Water Treatment Plant; system administration for the Town facilities; current rotation of equipment; surplus sale; and website updates. No inquiry followed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Historic Preservation

At 12:26 p.m., Historic Preservation Coordinator, Sandy Strehlou, distributed a year-end staff report. Mrs. Strehlou reported on Historic Preservation (HP) Review Board and reviews; HP Preservation Manual; Landmark Register; Centennial Celebration activities; and HP website . Discussion and inquiry followed.

### Utilities

At 12:39 p.m., Utilities Superintendent, Mike Wilks, reported that the Trout Lake Reservoir water level is nearly full; Trihalomethane sampling measured 62.5 ug/L for the fourth quarter and 79.9 ug/L for the twelve month average. Mr. Wilks continued to report on meeting, training, construction and equipment maintenance schedules for staff and other budgeted projects. Discussion and inquiry followed regarding street maintenance issues and the recent inclement weather. Council thanked Town staff for their efforts to mitigate the effects of the recent storm events.

### Community Development

At 12:49 p.m., a written report for Community Development was distributed for review. Land Use Administrator, Mike Bertrand, was not available for an oral summary.

## **ACTION AND DISCUSSION ITEMS**

### Presentation – Chamber of Commerce

At 12:50 p.m., Mayor Jones introduced discussion concerning illumination of Town businesses. Debbie Pigman, Executive Director for the Chamber of Commerce, offered several suggested changes to the Town's municipal sign code regarding lighting of business signs after business hours. Due to input from several local businesses, the Chamber requested that the code be changed to allow for the option of lit signs and other lighting during non-business hours to provide a friendlier atmosphere; safer environment; and opportunity for longer hours of business showcasing. Steve Buck, local business owner, offered supporting comments and conclusions from the Downtown Business Forum fall work session. Discussion and inquiry followed regarding the change of code and reasons for the previous changes in the sign ordinance. Administrator Fitch explained that said change in codes are legislative in nature. Mayor Jones appointed Councilmember Lacher to become liaison to the Chamber on this issue. The Council thanked Ms. Pigman and Mr. Buck for their presentation.

### Resolution Nos. 1688 through 1691

At 1:11 p.m., Mayor Jones introduced the following draft resolutions for consideration:

Resolution No. 1688 – Authorizing the Mayor to execute an agreement with Business Association of San Juan County (dba Visitor's Bureau) to provide tourism promotion programs for 2009 in an amount not to exceed \$87,857.14.

Resolution No. 1689 - Authorizing the Mayor to execute an agreement with The Whale Museum to provide tourism promotion programs for 2009 in an amount not to exceed \$4,500.00.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Resolution No. 1690 - Authorizing the Mayor to execute an agreement with San Juan Island Chamber of Commerce to provide tourism promotion programs for 2009 in an amount not to exceed \$30,071.43.

Resolution No. 1691 – Authorizing the Mayor to execute an agreement with the San Juan Historical Museum to provide tourism promotion programs for 2009 in an amount not to exceed \$2,571.43.

Administrator Fitch explained the process for distribution of the second 2% funding. Discussion followed regarding the proposed agreements.

**Moved by Lacher, seconded by Wolf, to adopt said Resolution Nos. 1688 through 1691, as stated above, per the recommendation of the Town Lodging Tax Advisory Committee and Town Council action taken October 16, 2008. Motion passed 4-0 with de Freitas abstaining.**

### Resolution No. 1692

At 1:14 p.m., Mayor Jones introduced draft Resolution No. 1692, authorizing the Mayor to execute a lease agreement with San Juan Archers for a portion of land lying within the Town watershed area known as "Trout Lake". Administrator Fitch explained the particulars of said resolution. The thirty acre parcel is unimproved land serving no particular public need at the present time other than as part of the protective zone for Trout Lake; and that use of the parcel for archery activities, for a portion of membership dues and gross profit, would not be detrimental to the integrity of the reservoir. David Dehlendorf expressed support for renewal and urged that the Council consider renegotiation for a safe buffer zone should public trails be established in the watershed area. Discussion followed regarding fees and safety.

**Moved by Wolf, seconded by Lacher, to adopt Resolution No. 1692, as stated above. Motion passed unanimously.**

### Resolution No. 1693

At 1:24 p.m., Mayor Jones introduced discussion of draft Resolution No. 1693, authorizing the Mayor to execute a contract with URS, Inc. for preparing a structural analysis report for Trout Lake Dam. Administrator Fitch explained the particulars of said resolution. The new hazard rating for Trout Lake Dam requires an expert in non-linear structural analysis of concrete dams; and URS, Inc. has offered a contract to provide a report on said detailed structural analysis in an amount not to exceed \$97,387.00. Discussion and inquiry followed regarding the structural integrity of the dam and scope of work for the agreement.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1693, as stated above. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ADMINISTRATOR'S REPORT

At 1:31 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Guard Street, Phase 4 – Construction has been completed and is awaiting inspection.
- Sewer Replacement Improvement Project – Construction has resumed.
- Tucker Avenue Storm Drainage Project – Construction has been completed and final landscaping completion is weather dependent.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Wolf, second by Lacher, to affirm the payment of Payroll Warrant Nos. 13437 through 13512 in the amount of \$239,677.54 and Claim Warrant Nos. 31979 through 32038 in the amount of \$761,579.44. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Illg, seconded by Lacher, to approve the minutes of **December 18, 2009 as submitted**. Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Lacher briefed the Council on the public meeting conducted by the County regarding the SJC Housing Element on Wednesday, January 7, 2009. Administrator Fitch noted that the collaborative process indicated in the joint planning policies contained in the Comprehensive Plans of the Town and County was not followed. Councilmember Brooks requested that the Town and County Council's plan a joint quarterly meeting to discuss said issue.

### CITIZEN RESPONSE

Ms. Pigman requested clarification that the Chamber had received a consensus to move forth with researching the purchase of solar lighting options.

Deborah Hopkins, Visitor's Bureau Executive Director, thanked the Council for 2009 funding and showcased the 2009 Visitor's Guide.

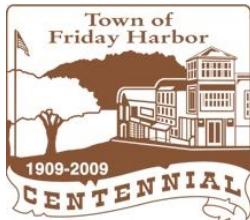
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, January 8, 2009 at 5:30 p.m.

**Moved by Wolf, seconded by de Freitas, to adjourn the meeting at 1:46 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on January 15, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, January 8, 2009 – Town Council Chambers – Evening Session

### CALL TO ORDER

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 5:30 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Public Forum – Local Economy

At 5:32 p.m., Mayor Jones introduced discussion of organizing a public forum regarding the current state of the economy. Councilmember Illg explained her vision of a Town facilitated public forum with local stakeholders, much like the Transportation Summit in September 2008, to brainstorm and formulate methods to stimulate our local economy. Councilmember Brooks shared an idea for a partnership between "financers, builders and owners" to generate housing and stimulate the construction industry. Councilmember Lacher inquired about the Town's roll and mission in this type of public forum. Discussion followed. Administrator Fitch noted that one methodology for the Town Council to stimulate local economy would be to examine and repeal municipal codes that are found to be too restrictive for businesses to prosper. Mayor Jones suggested that the Council appoint a sub-committee to organize such a forum. **Council consensus for Mayor Jones and Councilmembers Brooks and de Freitas to organize said public forum.**

#### SJC Updates

At 5:56 p.m., Mayor Jones invited SJC Councilmember Rosenfeld to provide an update on County business. Councilmember Rosenfeld reported on the following:

"Save Our Ferry – 2009" campaign - The Save Our Ferry campaign is a recent effort by Skagit, Island and San Juan County stakeholders to reinstate the international Anacortes/Sidney sailing. Councilmember Rosenfeld debriefed the Council on the initial meeting, provided written material, and urged the Council to participate in upcoming

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

public meetings. Discussion and inquiry followed regarding the economic impact if the sailing remains eliminated.

Noxious Weed Tax – On January 5, 2009, the County passed Ordinance 1-2009, amending San Juan County Code Chapter 2.42 to increase the fee assessments for the SJC Noxious Weed Control Program to \$0.625 per acre on all property classified as non-forest land and \$0.625 per parcel plus \$0.0625 per acre on all property classified as forest land. The assessments effect property within the Town's limits.

WSDOT Long Range Plan – The draft Plan is available for review and will be presented at a meeting on the inter-island ferry on January 15, 2009. Councilmember Rosenfeld urged the Council and Mayor to participate if possible.

SJC Ferry Advisory Committee (FAC) – FAC meetings have been rescheduled to occur on Wednesdays until further notice.

Housing Authority – The County is considering the development of a Housing Authority. Councilmember Lacher and Illg commented on the public meeting in which they attended on Wednesday, January 7, 2009. Administrator Fitch inquired of Councilmember Rosenfeld about how the County intends to implement proposed changes outlined in the County's Staff Report and draft Housing Plan. Discussion and inquiry followed.

The Council thanked Councilmember Rosenfeld for providing the briefing.

### Centennial Celebration/Birthday Party

At 6:07 p.m., Mayor Jones introduced discussion and final approval of plans for the February 9, 2009 Centennial Birthday Party. Councilmember de Freitas briefed the Council on plans for a three venue event which will occur simultaneously at the Fire Hall, SJI Grange and SJI Yacht Club throughout the afternoon and evening of February 9<sup>th</sup>. Additional professional services to facilitate the event were discussed. Mayor Jones invited Devorah Gottesman and Becky Day to illustrate the scope of services that they will be providing to the Town. Council consensus to move forward with plans for the event.

**Moved by Lacher, seconded by Wolf, to adopt Resolution No. 1694, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and Devorah Gottesman, an independent contractor, to provide Centennial Celebration services. Motion passed unanimously.**

**Moved by Lacher, seconded by Wolf, to adopt Resolution No. 1695, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and Becky Day, owner of Vinny's Ristorante, an independent contractor, to provide Centennial Celebration services. Motion passed unanimously.**

Councilmember de Freitas provided "Birthday Cake" from San Juan Island Bakery for sampling.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Ordinance No. 1386

Concurrently with discussion of the Birthday Event, Mayor Jones introduced draft Ordinance No. 1386, authorizing a special meeting of the Town Council at noon on January 16, 2009 at the Town Council Chambers for the purpose of a quorum attending a Centennial Committee meeting.

**Moved by Wolf, seconded by IIIg, to adopt Ordinance No. 1386, as stated above. Motion passed unanimously.**

### **FUTURE AND NON-AGENDA ITEMS**

Administrator Fitch distributed a draft letter from Town staff to SJC Community Development Planning staff regarding proposed changes to the County's Housing Elements which states that the collaborative process indicated in the joint planning policies contained in the Comprehensive Plans of the Town and County are not being followed. Discussion followed regarding said letter, policies, time-line of recent events, and need for the Town and County to communicate regarding said issue.

### **CITIZEN RESPONSE**

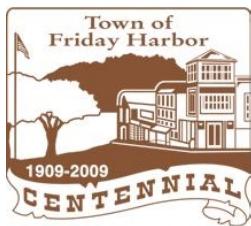
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn and sample birthday cake. The next regular meeting is scheduled for Thursday, January 15, 2009 at 5:30 p.m.

**Moved by IIIg, seconded by de Freitas, to adjourn the meeting at 7:01 p.m. Motion passed unanimously.**

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These minutes were approved on January 15, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Thursday, January 15, 2009 – Town Council Chambers – Afternoon Session**

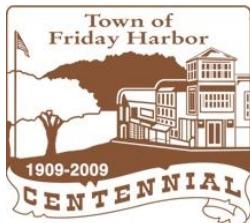
### **ANNOUNCEMENTS/SCHEDULE CHANGES**

[Clerk's Note: The regularly scheduled afternoon session by the Town Council was cancelled per the Council's request. The next regular meeting by the Town Council is scheduled Thursday, January 15, 2009 at 5:30 p.m.]

\* \* \* \* \*

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

These minutes were approved on February 5, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, January 15, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 5:30 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; and Clerk, Amy Taylor. Treasurer, Wendy Picinich was not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Community Development Update

At 5:33 p.m., Land Use Administrator Mike Bertrand reported on the following:

- Town Comprehensive Plan Amendment Requests – Town received 3 requests to amend the Comprehensive Plan. A public hearing to consider said requests and the proposed draft Economic Element will be scheduled with the Planning Commission. The Town Council may attend jointly with the Planning Commission. Said amendments are legislative in nature. No discussion followed.
- Population Allocations – San Juan County is considering a proposed revised Appendix 1 to their Comprehensive Plan regarding population estimates and allocations. The Town Planning Commission will discuss the issue on January 29, 2009 and make recommendations to the Town Council at their February 5, 2009 meeting relating to the effects said changes could have on the Town. SJC Planning Director Ron Hendrickson has agreed to continue the County's public hearings to February 20, 2009 to allow Town time to prepare testimony. Discussion and inquiry followed regarding the effects a change in the population estimates and allocations could have on the Town's planning policies and infrastructure needs.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Buck Property Annexation – Town staff and the Bucks/Boreens continue to meet to draft a developer agreement. Further technical information needs to be ascertained by the developer. Currently, the developers are requesting to opt out of and install their own sewage treatment facility. Staff is proposing as a condition that the connector road/arterial be built by the developer within 5 years should it not be constructed by the County. Discussion and inquiry followed regarding water rights and capacity of the reservoir; legal complications and possible ramifications should the Town allow developers to opt out of Town utilities; and possibility of future annexations.

### Resolution No. 1696

At 6:09 p.m., Mayor Jones introduced draft Resolution No. 1696, authorizing the Mayor to execute Change Order No. 9 on the contract with Strider Construction, Inc., for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution and overview of the current construction schedule for the overall project. Change Order No. 9 has a deductive value of \$10,160.95 for various work items, which include all labor, equipment, and material. Discussion and inquiry followed regarding the oil/gas contamination that has been encountered throughout the project.

**Moved by de Freitas, seconded by Brooks, to adopt Resolution No. 1696, as stated above. Motion passed unanimously.**

### **ADMINISTRATOR'S REPORT**

At 6:12 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Tucker Avenue Storm Drainage Project- The Notice to Proceed has been issued for January 19, 2009.
- Larson Street Drainage – Paving has been completed and detours have been removed. Discussion followed regarding pooling of water on the northerly side of Larson Street.
- Grinder Pump Station – Staff has successfully installed another grinder pump station near Beach Court. The property owner closest to the location has relayed several complements to Town staff regarding the professionalism and care with which they treated her and her property.
- Stormwater Detergent Testing – Staff continues to test for detergents in the stormwater runoff. All six tests have returned negative.
- Solid Waste Transfer Station and Friday Harbor Landfill – Town, as property owner, accompanied the County for the DOE's inspection of the SJC Solid Waste Transfer Station. Concurrently, DOE inspected the Friday Harbor Landfill monitoring wells.
- Letter – Town received a letter of request for additional funding from the SJC Sheriff Cumming, which will be discussed on February 5, 2009.
- SJC Work Crew Program – Town is going to request of Sheriff Cumming that the Work Crew be assigned to the park area on West Street to remove ivy.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Washington State Department of Transportation (WSDOT) Long Range Plan

At 6:35 p.m., Mayor Jones introduced discussion of the public hearing conducted by WSDOT regarding the draft (WSF) Long Range Plan. Mayor Jones and Councilmembers attended the meeting aboard the inter-island ferry. Councilmembers took turn commenting on the two options of the Plan. SJC Councilmember Howie Rosenfeld provided an overview and reviewed the differences of the Plan Options A and B, which are being considered by WSDOT. Mr. Rosenfeld identified the key elements rendering Option B unacceptable and urged that the Council settle for no less than Plan A. Discussion and inquiry followed regarding the operational and financial crisis of WSF; economic impact of loss of service; labor and fleet (deteriorating vessels) issues; and importance of making San Juan County's presence known during upcoming hearings. **Council consensus to sign a letter to WSF, with copies to WSDOT and our legislative representatives, requesting that WSF reject "Plan B" as a viable option for ferry service.**

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by Illg, second by de Freitas, to affirm the payment of Payroll Warrant Nos. 32040 through 32073 in the amount of \$70,523.19; and approve the payment of Claim Warrant Nos. 32074 through 32109 in the amount of \$150,827.13. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Brooks, seconded by de Freitas, to approve the minutes of **January 8, 2009 as submitted.** Motion passed unanimously.

### **FUTURE AND NON-AGENDA ITEMS**

Mayor Jones, per the recommendation of the Will Hamilton and the Town Watershed Management Committee, proposed hiring a consultant to draft a foresting plan for the Trout Lake Watershed Area. Mayor Jones commented that limited forestation could potentially generate revenue for the Town and serve to promote health within the area. The item will be added to a future agenda.

Mayor Jones commented on the joint County and Town Public Disclosure Forum on Monday, February 23, 2009. Clerk Taylor stated the purpose and topics that will be discussed.

Councilmember Lacher stated that the Solid Waste Advisory Committee's final recommendation regarding the SJC Transfer Station will be presented to the County Council on January 26, 2009. Discussion followed regarding the possible relocation of the transfer facility. Administrator Fitch spoke to the issues of non-compliance with the State requirements at the current transfer facility.

Councilmember Lacher requested that Cathy Cavanaugh be invited to the Economic Forum that is being coordinated.

Councilmember Wolf commented on the responses that are being received from the public regarding the proposal for a crosswalk and controlled intersection at Spring and Mullis Street.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

The Council watched a documentary of the setting of Pump Station No. 1, located at Cannery Landing, for the Sewer Replacement Project.

### **CITIZEN RESPONSE**

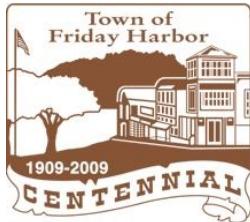
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, February 5, 2009 at 12:00 p.m.

**Moved by de Freitas, seconded by Wolf, to adjourn the meeting at 7:51 p.m.**  
**Motion passed unanimously.**

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**These minutes were approved on February 5, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Thursday, February 5, 2009 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 12:00 p.m.

### **ROLL CALL**

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

Mayor Jones conducted the flag salute.

### **ANNOUNCEMENTS**

The posted agenda was revised.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ACTION AND DISCUSSION ITEMS

#### Sheriff's Report

At 12:02 p.m., Mayor Jones announced that Sheriff Cumming was unavailable to be present and will be rescheduled to the evening session. At that time, the Council will discuss draft Resolution Nos. 1705 and 1706 regarding the approval of law enforcement and dispatch services contracts with SJC. Administrator Fitch provided a brief overview of said contracts. No action was taken.

#### Introduction of Steve Anderson

At 12:06 p.m., Administrator Fitch announced that Steve Anderson, Vice President of Brown & Caldwell Engineering, was unable to attend the meeting due to travel complications. (Mr. Anderson arrived at 1:12 p.m. See notes below.)

#### Resolution No. 1697

At 12:07 p.m., Mayor Jones introduced draft Resolution No. 1697, authorizing the Mayor to execute an agreement for administering a utility reimbursement program with the Family Resource Center (FRC). Administrator Fitch explained that this annual program with the FRC is designed to provide financial assistance to help offset the cost of the Town's monthly utility charges. Discussion followed regarding low-income households and qualifications for such programs.

**Moved by Lacher, seconded by Wolf, to adopt Resolution No. 1697, as stated above. Motion passed unanimously.**

#### Resolution No. 1698

At 12:11 p.m., Mayor Jones introduced draft Resolution No. 1698, authorizing the Mayor to execute Supplement No. 6 to the contract with the engineering firm of Gray & Osborne, Inc. to extend construction management services for the Guard Street Improvement Project – Phase 4. Administrator Fitch explained the particulars of said resolution. Supplement No. 6 is not to exceed \$10, 174.00 to provide said services for an additional thirty days due to unanticipated delays in construction. Discussion followed regarding the Marguerite Place and Guard Street intersection.

**Moved by Wolf, seconded by de Freitas to adopt Resolution No. 1698, as stated above. Motion passed unanimously.**

#### Resolution No. 1685

At 12:19 p.m., Mayor Jones introduced draft Resolution No. 1685, accepting the project known as the Guard Street Improvement Project – Phase 4. Administrator Fitch explained that the project was inspected on January 28, 2009; purposes for formally accepting such capital improvement projects; and reimbursement process. Discussion and inquiry followed regarding releasing the retainage from the Contractor.

**Moved by Illig, seconded by de Freitas to adopt Resolution No. 1685, as stated above. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Resolution No. 1699

At 12:22 p.m., Mayor Jones introduced draft Resolution No. 1699, accepting the project known as the Larson Street Drainage Project. Upon inquiry, Administrator Fitch explained that the purpose of said project was to convey stormwater from the Village Grove and Fox Hall detention systems and not to address storm water discharges from the north side of Larson Street. Discussion followed regarding the pooling of water in the area after the recent inclement weather.

**Moved by Lacher, seconded by de Freitas, to adopt Resolution No. 1699 as stated above. Motion passed unanimously.**

### Resolution No. 1700

At 12:24 p.m., Mayor Jones introduced discussion of draft Resolution No. 1700, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Wayne Haefele and Associates to provide construction design and inspection services for improvements to the wastewater collection system at the intersection of Argyle Avenue and Johns Street. Administrator Fitch explained the particulars of said resolution. The agreement is in an amount not to exceed \$13,460.00 to provide construction documents and inspection services for the addition of a branch collector sewer and manhole on Argyle Avenue near John Street, to eliminate two excessively long existing sewer lateral connections that have presented problems. No discussion followed.

**Moved by Lacher, seconded by Illig, to adopt Resolution No. 1700, as stated above. Motion passed unanimously.**

### Resolution No. 1701

Concurrently with Resolution No. 1700, Mayor Jones introduced draft Resolution No. 1701, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Wayne Haefele and Associates to provide construction design and inspection services for improvements to the water distribution system. Administrator Fitch explained the particulars of said Resolution. The agreement is in an amount not to exceed \$16,760.00 to provide construction design and inspection services for the replacement of the aging 6" water main on Front Street from the Port of Friday Harbor to Memorial Park. Discussion followed regarding avoidance of construction during the peak 2009 tourism season.

**Moved by Lacher, seconded by Illig, to adopt Resolution No. 1701, as stated above. Motion passed unanimously.**

### Resolution No. 1702

At 12:34 p.m., Mayor Jones introduced discussion of draft Resolution No. 1702, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Wayne Haefele and Associates to provide construction design services for improvements to the water distribution system. Administrator Fitch explained the particulars of said resolution. The agreement is in an amount not to exceed \$199,950 for a new water storage tank and associated piping to improve the 460

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

foot pressure zone. Discussion followed regarding the need for the improvement for fire suppression purposes and areas that will be directly served.

**Moved by Lacher, seconded by Brooks, to adopt Resolution No. 1702 as stated above. Motion passed unanimously.**

### Resolution No. 1703

At 12:52 p.m., Mayor Jones introduced draft Resolution No. 1703, authorizing the Mayor to execute Change Order No. 10 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 10 is in amount of \$157,213.66 for additional work resulting from "changed conditions" at the new pump station located at the Cannery Landing site. Changed conditions include oil contamination and ground instability. No discussion followed.

**Moved by Lacher, seconded by Illig, to adopt Resolution No. 1703 as stated above. Motion passed unanimously.**

### ADMINISTRATOR'S REPORT

At 12:57 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Grinder Pump Installation at Downriggers – Soil containing diesel fuel was unearthed during the installation which subsequently has delayed construction. Carlson Excavation has been contracted by the Port of Friday Harbor to remove the contaminated material.
- Sewer Replacement Project – A second fuel tank was encountered at the head of the WSF Ferry Lot A. The fuel and tank were safely and successfully removed.
- Public Restrooms – The public restrooms were severely vandalized on January 27, 2009. Discussion followed regarding security for the building.
- Argyle Ave Sewer Lateral Replacement – Argyle Avenue will be detoured on February 18, 2009 for construction purposes.
- Joint Meeting – Port FH – Council discussed scheduling joint meetings with the Port of Friday Harbor. The Clerk will contact the Port Director to determine potential dates.
- Joint Meeting – SJC Council – Council discussed Tuesday, March 24, 2009 for the next joint SJC / Town Council meeting.
- Performance Based Training (PBT) – Town Water Department employees attended the sixth and final PBT on January 30, 2009 on Orcas Island. Councilmember Brooks requested that Town share our information regarding "Solar Bees" technology with the other surface water treatment facilities and the SJC.
- Steve Anderson, Brown & Caldwell Engineering – Mr. Anderson was able to arrive to the meeting. (See note above.) Mr. Anderson and the Council held a dialogue regarding Mr. Anderson's technical experiences and qualifications.
- Treasurer's Monthly Report – A memo from Treasurer Picinich was distributed regarding the 2009 Budget. Discussion followed regarding budgetary projections

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

including reductions in revenues from lease hold taxes and assessment values, and increases in costs relating to the annexation proposal. Discussion followed.

- Stormwater Detergent Testing – The last detergent spike was detected on October 2, 2008. Town continues to test the stormwater outfall for detergents. It has been requested that Town begin to test other stormwater outfalls. Administrator Fitch noted that Town resources should be allocated if Council wishes this to become an ongoing function of staff.

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by Lacher, second by Wolf to approve the payment of Payroll Warrant Nos. 13513 through 13559 in the amount of \$231,107.99 and Claim Warrant Nos. 32111 through 32197 in the amount of \$453,532.82. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Lacher, seconded by Brooks, to approve the minutes of January 15, 2009 as submitted. Motion passed unanimously.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Lacher requested that regular committee reports be scheduled. Discussion followed regarding adding "Committee Reports" as a regular agenda item on a quarterly basis.

Councilmember Illg noted Richard Walker and the Journal of the San Juans efforts to promote the Centennial Celebration.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, February 5, 2009 at 5:30 p.m.

**Moved by Wolf, seconded by de Freitas, to adjourn the meeting at 1:41p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on February 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:**  
**Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, February 5, 2009 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 5:30 p.m.

### **ROLL CALL**

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; and Clerk, Amy Taylor. Treasurer, Wendy Picinich was not present.

Mayor Jones conducted the flag salute.

### **ANNOUNCEMENTS**

The posted agenda was revised.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### **Sheriff's Report**

At 5:31 p.m., Mayor Jones introduced discussion of draft Resolution Nos. 1705 and 1706 regarding the approval of law enforcement and dispatch services contracts with SJC. Sheriff Cumming described the requested 2009 funding increase and associated levels of service. The Council noted its budgetary concerns and disappointment that the County was unable to better fund the Sheriff's Department. Sheriff Cumming emphasized the necessity to maintain the Sheriff Department's current level of staffing, which would not be possible without receiving the requested additional funding. The following actions were taken:

**Moved by Lacher, seconded by de Freitas, to adopt Resolution No. 1705, authorizing the Mayor to execute a law enforcement contract with San Juan County for the calendar year of 2009 in the amount of \$268,634. Motion passed unanimously.**

**Moved by Lacher, seconded by de Freitas, to adopt Resolution No. 1706, authorizing the Mayor to execute an intergovernmental agreement for dispatching services with San Juan County for the calendar year 2009 in the amount of \$7,247. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Planning Commission (PC) Recommendations

At 5:47 p.m., Mayor Jones introduced discussion of Town Planning Commission recommendations relating to proposed changes to Appendix 1 of the San Juan County Comprehensive Plan regarding population estimates and their effects on the Town.

Steve Hushebeck, Town PC member, described the presentation made by Ron Hendricksen, SJC Community Development and Planning Director, at the Town PC meeting of January 29, 2009.

Briefly, in order to come into compliance with the Growth Management Act, SJC has adopted the Office of Financial Management's mid range population forecast which projects the population of the county as 22,513 by the year 2025. San Juan Island's population is expected to be 10,706, thus growing by 3,342. SJC is near adoption of the policy to allocate 50% of the new growth projection to Orcas and Lopez Islands and 50% to San Juan Island. The County has chosen to allocate half of the San Juan Island estimate to the Town.

Mr. Hushebeck explained the following concerns and comments of the PC:

- The Joint Planning Policies and Procedures between the Town and SJC have not been utilized;
- The Town does not have sufficient information available to consider the impacts that such an allocation may have;
- The PC wants all concerns met prior to SJC moving forward;
- The PC acknowledges that the population allocation is likely to move forward with or without the approval of Town; The Town is able to challenge the proposal with the Growth Management Hearings Board (GMHB); and
- Any challenge with the GMHB is likely to be futile.

Land Use Administrator, Mike Bertrand, explained the similar concerns of Town staff. Discussion and inquiry followed regarding the following:

- Zoning of the Friday Harbor Urban Growth Area;
- Discrepancies between the Town and County growth rate projections;
- Neglect to utilize the Joint Planning Policies;
- Method by which SJC can enforce the allocation;
- Affordable and cluster housing;
- Costs of infrastructure and planning caused the allocation; and
- Definition of "growth".

Mr. Hushebeck explained that the final recommendation of the PC is to "go along with it, but only in the spirit of the Joint Planning Policy." Attorney Eaton explained that the options available to the Town are to support, not support or do nothing regarding the SJC population estimates; and further cautioned the Council about "supporting" the proposal without following the Joint Planning Policies.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Council consensus for staff to draft a letter to SJC outlining concerns due to lack of dialogue between the Town and County; stating that the Council declines to make a formal opinion about supporting or un-supporting the County's proposal until proper information regarding impacts of the proposed allocation can be obtained.

### Friday Harbor Municipal Code (FHMC) - Sign Regulation

At 6:06 p.m., Mayor Jones introduced discussion of revisions to FHMC Title 14 regarding sign regulations. Councilmember Lacher explained that members of the business community are requesting that the FHMC be amended to read, "No neon sign shall be illuminated unless the enterprise is open for business and then it may remain illuminated only as long as the business is open." Discussion followed regarding the intent and wording of the proposed change, and if Town should conduct a public hearing. **Council consensus that Town shall conduct a public hearing for the purpose of considering said changes.** No other action was taken.

### Resolution No. 1704

At 6:31 p.m., Mayor Jones introduced draft Resolution No. 1704, authorizing the Mayor to execute an agreement with SCS Engineers for 2009 groundwater monitoring program services at the Friday Harbor Landfill. Administrator Fitch explained the particulars of said resolution. The agreement is in the amount of \$58,792 for quarterly landfill gas monitoring, groundwater sample collection, data review and completion of the 2009 annual monitoring report. Discussion followed regarding the current monitoring situation; requesting proposals for said services; and the Town's working relationship with SCS Engineers.

**Moved by Lacher, seconded by de Freitas to adopt Resolution No. 1704, as stated above. Motion passed 4-1 with IIlg opposed.**

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember IIlg introduced and the Council signed a draft letter of support regarding and San Juan / Gulf Island Watershed Protection Grant and Restoration Program through the EPA.

Mayor Jones invited SJC Councilmember Howard Rosenfeld to give an update regarding mutual issues of concern. Mr. Rosenfeld responded to comments made regarding the proposed revisions for SJC population allocations; joint planning policies; SJC Transfer Station; and Town Centennial. Mr. Rosenfeld reported on ferry issues; HB 1409 – Rescue Tug; and HB 1659 – Public Recreation and Trails. Discussion followed. No action was taken.

### **ADMINISTRATOR'S REPORT (con't.)**

At 6:56 p.m., Administrator Fitch presented the Town Council with an update of the following:

- AWC Risk Management Services Agency (AWC-RMSA) – Town will experience increased rates and may want to re-evaluate expectations of AWC-RMSA pool because the types and number of claims statewide have risen drastically in the last two years.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Guard and Park Street Intersection - Homes for Islanders has offered to pay for landscaping and maintenance of the public right of way at said intersection if Town installs a sub-meter and absorbs the cost of water used for establishing the plantings.
- Beach Court – The public right of way has been surveyed. Administrator Fitch informed the Council of liabilities as were discussed with the Town's insurance representative. Potential liabilities include safety, ADA compliance, and of rights of abutting property owners should the Town make a public declaration of opening the trail. Discussion followed.

### CITIZEN RESPONSE

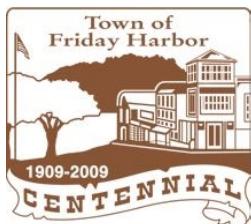
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, February 19, 2009 at 12:00 p.m.

**Moved by Wolf, seconded by de Freitas, to adjourn the meeting at 7:23 p.m.  
Motion passed unanimously.**

\* \* \* \* \*

These minutes were approved on February 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:  
Amy Taylor, Town of Friday Harbor Clerk



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, February 19, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 12:00 p.m.

### ROLL CALL

Council members: Lacher, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Councilmember Wolf and Attorney Eaton were not present.

Mayor Jones conducted the flag salute.

### EXCUSED ABSENCES

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Mayor Jones asked the Council if they wished to excuse Councilmember Wolf. Council unanimously approved his absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

There were no announcements.

### PUBLIC ACCESS TIME

Barbara Marrett, SJC Marine Resource Committee member, offered supportive comments regarding the Stormwater Pollution Prevention Program and requested that the Council support the efforts of local community activists to alleviate stormwater pollution entering the harbor.

### ACTION AND DISCUSSION ITEMS

#### Stormwater Pollution Prevention Program

At 12:03 p.m., Mayor Jones introduced Brian Radar, SJC Pollution Prevention Coordinator, to give a power-point presentation regarding the SJC Stormwater Pollution Prevention Program. Mr. Radar explained the program's successes, challenges and future direction. The program is designed to introduce local environmental professionals into the community to educate local businesses about best management practices for environmentally harmful materials with which they interact. Discussion and inquiry followed regarding State required **waste-water** testing; holding a Council Retreat regarding stormwater issues; and measures in which the Town can participate in said program. Mr. Radar asked that the Council aid in disseminating education whenever possible. **Council consensus to add this topic to a future agenda for discussion purposes.**

#### Resolution No. 1707

At 12:43 p.m., Mayor Jones introduced draft Resolution No. 1707, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Brown & Caldwell to provide construction design services for replacement of the water transmission line. The agreement is in an amount not to exceed \$545,947.11 to design and develop construction plans, specifications, bidding documents and final cost estimates for the Water Transmission Line Replacement Project. Mayor Jones allowed Louise Dustrude, SJI Trails Committee Member, to address the Council. Ms. Dustrude requested that Town consider an amendment to the contract to include investigating the feasibility of a public access non-motorized trail for the length of the project. Ms. Dustrude offered that the SJI Trails Committee would secure the funding for said amendment. Discussion followed regarding the agreement's scope of work; altering the direction given to the engineer; and feasibility of a public access trail. Treasurer Picinich suggested that the SJI Trails Committee contract with Brown & Coldwell separately to determine the feasibility of a public access trail. Council consensus to fundamentally support the SJI Trails Committee's efforts to determine the feasibility of a public access non-motorized trail over the replaced water transmission line, but declined to revise the current scope of work for the consultant.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1707, as stated above. Motion passed 4-0 with Wolf absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Resolution No. 1708

At 1:06 p.m., Mayor Jones introduced draft Resolution No. 1708, authorizing the Mayor to execute Change Order No. 11 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 11 is in amount of \$49,980.51 to remove paving in various areas and provide new base rock and asphalt due to trenching conditions and thin and/or worn-out pavement in locations specified by the Town Street Department. Inquiry followed regarding the removal of the existing submarine sewer in the harbor. The Council thanked Administrator Fitch for the extensive work that he had devoted to the Sewer Replacement Project on behalf of the Town.

**Moved by Lacher, seconded by Brooks, to adopt Resolution No. 1708 as stated above. Motion passed 4-0 with Wolf absent.**

### Resolution No. 1709

At 1:12 p.m., Mayor Jones introduced draft Resolution No. 1709, accepting the project known as the Tucker Avenue Drainage Project. Administrator Fitch explained the particulars of said resolution. No discussion followed.

**Moved by Lacher, seconded by de Freitas, to adopt Resolution No. 1709, as stated above. Motion passed 4-0 with Wolf absent.**

### **ADMINISTRATOR'S REPORT**

At 1:13 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Department of Licensing (DOL) – DOL issued a letter stating that local drivers license testing will no longer be an available service in SJC.
- Joint Planning Policy Group (JPPG) – Staff is polling members of the JPPG for suitable meeting times. Tentatively, the JPPG meet on Wednesdays at 7:00 a.m. or 11:00 a.m.
- Public Disclosure (PD) Forum – Final attendance was confirmed for the PD forum on February 23, 2008.
- AWC RSMA Training – Councilmember Lacher will attend the May 19, 2009 training for public officials. Participation of the Council was encouraged.
- Street Fund - Tucker Avenue – Due to budgetary constraints, the asphalt overlay of Tucker Avenue was recommended to be deleted from the Town's 2009 construction schedule and transfer of funding from the Current Fund into the Street Fund reduced. Council consensus to remove said street project from the 2009 construction schedule and revisit the issue in the fall.
- Town Utility Rates – The issue of a "tiered rate" for water usage generated from "broken pipes due to inclement weather" was suggested. Discussion followed regarding reasons for such a policy and Town procedures for reading user meters. Council consensus for staff to draft a code revision for consideration.
- Stormwater Detergent Testing – No detergents have been detected in 2009 to date. A written report will be distributed at the evening session.
- Environmental Protection Agency (EPA) Grant – An email from SJC regarding an EPA grant for Smart Growth Implementation Assistance was distributed. Said

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- email requested that the Town and County jointly submit a proposal for the grant. Council consensus to include the Town in the County's grant proposal.
- American Recovery Reinvestment Act – A flyer regarding said act was distributed. 68 million dollars has been allotted to Washington State for water infrastructure projects. Discussion followed regarding eligible Town capital improvement projects .

### **PAYMENT OF CLAIMS**

Moved by de Freitas, second by Lacher to approve the payment of Claim Warrants Nos. 32199 through 32259 in the amount of \$105,082.84 Motion passed 4-0 with Wolf absent.

### **APPROVAL OF MINUTES**

Moved by Lacher, seconded by de Freitas, to approve the minutes of **February 5, 2009** as submitted. Motion passed 4-0 with Wolf absent.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Illg inquired if the Town should extend an invitation to Mr. Radar to go door to door to distribute information on the SJC Pollution Prevention Program. Administrator Fitch will contact Mr. Radar.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, February 19, 2009 at 5:30 p.m.

**Moved by Brooks, seconded by de Freitas, to adjourn the meeting at 1:46 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on March 5, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, February 19, 2009 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 5:30 p.m.

### **ROLL CALL**

Council members: Lacher, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Councilmember Wolf was not present.

Mayor Jones conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Jones asked the Council if they wished to excuse Councilmember Wolf. Council unanimously approved his absence.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Letters of Support – HB 1409 and SB 5344

At 5:32 p.m., Mayor Jones introduced two (2) letters of support for House Bill 1409 and Senate Bill 5344 to fund the Neah Bay Rescue Tug to provide an emergency response system for the Strait of Juan de Fuca. No discussion followed.

**Moved by Illg, seconded by de Freitas, to adopt and sign said letters to our State Legislators. Motion passed 4-0 with Wolf absent.**

#### Payment of Claim

At 5:33 p.m., the Council signed an additional pre-write request that was not included in the afternoon Payment of Claims.

#### Stormwater Detergent Issue

At 5:34 p.m., Administrator Fitch distributed a written report regarding said issue. No discussion followed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### PUBLIC HEARING

#### Sign Ordinance

At 5:35 p.m., Mayor Jones opened the public hearing to consider revisions to Title 14 of Friday Harbor Municipal Code regarding sign regulations, allowing signs to be illuminated after businesses are closed.

Administrator Fitch entered the following exhibits into the record: Exhibits A - AWC Bulletin; Exhibit B – Letter from Planning Commissioner Noel Monin; Exhibit C – Letter from Sharon Grace, 175 Gretchen Way; and Exhibit D – Letter from Jeanne Hyde, Town resident. All exhibits suggested that the sign ordinance not be changed.

Mayor Jones opened the public hearing to audience input. The following public comment was taken:

Marilyn O'Conner, Port of Friday Harbor Director, testified that the reasons for the proposed change are legitimate, but requested that the Council evaluate allowable types of lighting in order to maintain the "dark sky" environment.

Peggy Sue McCrae, Town resident, testified against said change for the sign ordinance and in favor of maintaining the "dark sky" environment.

Sandy Robinowitz, Town resident, testified against said change for the sign ordinance and in favor of maintaining the "dark sky" environment.

Kevin Whitmeyer, Town resident, testified against said change for the sign ordinance at this time in order to maintain the "dark sky" environment; and requested that the Council evaluate the types of lighting allowable in Town before they consider amending the sign ordinance.

Mayor Jones commented on Exhibit A regarding proposed House Bill 1069 (HB 1069), regarding light pollution. Mayor Jones opened the public hearing to Council comment.

Councilmember Lacher commented that further consideration of revisions to the sign ordinance and discussion with the business community is needed.

Councilmember Ilig inquired about the intent of HB 1069. Administrator Fitch explained the purpose of HB 1069 is to mandate shielding and direction of public and private outside light fixtures downward in order to reduce light pollution. Councilmember Ilig expressed sympathy for the business community and stated her agreement with the public comment.

Councilmember de Freitas expressed a desire to find a "medium" between the testimony received and request from the business community.

Councilmember Brooks expressed that the Town lighting is insufficient, however that she was in disagreement with the wording of the proposed change.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 5:55 p.m., Mayor Jones closed public input portion of the hearing and opened the hearing to Council deliberations. Discussion followed.

**Moved by Illg, seconded by de Freitas, to not adopt revisions to Title 14 of Friday Harbor Municipal Code regarding sign regulations, allowing signs to be illuminated after businesses are closed; and defer future communication with the business community to staff. Motion passed 3-1 with Lacher opposed.**

### Resolution No. 1710

At 6:01 p.m., Mayor Jones introduced draft Resolution No. 1710, authorizing the Mayor to execute a lease agreement with Tukang, LLC to occupy a portion of Front Street. Administrator Fitch explained the particulars of said resolution. Said agreement allows for the placement of a water tank and platform lift within the above ground portion of the unopened Front Street right-of-way. Placement of the water tank and lift do not interfere with the public's use of the opened or unopened portions of the Front Street right-of-way, nor does the Town have any plan or intent to utilize said portion in the foreseeable future. Discussion followed regarding the procedure for leasing public property and building codes.

**Moved by de Freitas, seconded by Lacher, to adopt Resolution No. 1710, as stated above. Motion passed 4-0 with Wolf absent.**

### Ordinance No. 1387

At 6:09 p.m., Mayor Jones introduced draft Ordinance No. 1387, establishing 5:30 p.m. on Thursday, March 19, 2009 at the Mullis Community Senior Center, located at 589 Nash Street, for a public hearing for consideration of the Buck/Boreen petition for annexation. Land Use Administrator briefed the Council on meetings with the petitioners concerning the draft developer agreement. Discussion and inquiry followed.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1387, as stated above. Motion passed 4-0 with Wolf absent.**

### Ordinance No. 1388

At 6:15 p.m., Mayor Jones introduced draft Ordinance No. 1388, establishing a special meeting of the Town Council at 5:30 p.m. on Monday, February 23, 2009 at the San Juan County Legislative Hearing Room, located at 55 Second Street, for the purpose of a quorum attending a training seminar regarding the open public meetings act and public disclosure laws. Discussion followed regarding attendance.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1388 as stated above. Motion passed 4-0 with Wolf absent.**

## **FUTURE AND NON-AGENDA ITEMS**

Councilmember Lacher inquired about the Town testing for detergents in the stormwater outfall. Discussion followed regarding the testing of silt in the catch basins, Town's stormwater utility, the SJC Pollution Prevention Program, and joint meetings with the Port of Friday Harbor.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember Lacher thanked the numerous individuals who organized the Centennial Birthday Celebration on February 9, 2009.

Mayor Jones invited SJC Councilmember Howard Rosenfeld to give an update regarding mutual issues of concern. Mr. Rosenfeld reported on ferry issues. Discussion followed. No action was taken.

Councilmember Lacher requested that committee assignments and committee updates be added to a future agenda.

### **CITIZEN RESPONSE**

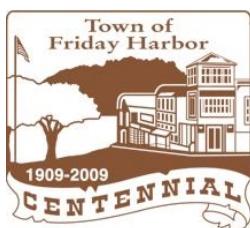
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, March 5, 2009 at 12:00 p.m.

**Moved by Brooks, seconded by de Freitas, to adjourn the meeting at 6:46 p.m.  
Motion passed 4-0 with Wolf absent.**

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These minutes were approved on March 5, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Monday, February 23, 2009 – District No. 3 Fire Station – Special Session**

### **CALL TO ORDER**

The Town Council met in special session per Ordinance No. 1388. Clerk Pro-Tem Picinich noted those present.

### **ROLL CALL**

Council members: Lacher, Illg, and Brooks.

Others Present: Clerk Pro-tem, Wendy Picinich.

### **WORK SESSIONS**

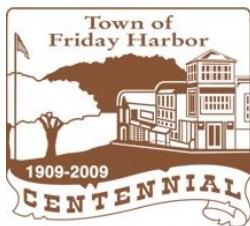
At 5:30 p.m., a quorum of the Town Council attended a training seminar regarding the Open Public Meetings Act, Appearance of Fairness Doctrine and public disclosure laws. Guest speaker Pat Mason, Senior Legal Consultant for Municipal Research Services Center (MRSC) gave a power-point presentation. The Town Council did not interact during said seminar.

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**ADJOURNMENT** – Mr. Mason adjourned the seminar approximately at 7:30 p.m. The next regular meeting is scheduled for Thursday, March 5, 2009 at 12:00 p.m.

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**These minutes were approved on March 5, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, March 5, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

The Town Council met in regular session with Mayor Pro-tem Illg presiding. Mayor Pro-tem Illg called the regular session to order at 12:00 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Town Administrator, C. King Fitch; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Mayor David Jones was not present.

Mayor Pro-tem Illg conducted the flag salute.

### PUBLIC ACCESS TIME

Jeanne Hyde, Friday Harbor resident, requested that the Town of Friday Harbor participate in "Earth Hour" on March 28, 2009 from 8:30 to 9:30 p.m. Ms. Hyde disseminated information about the event.

### DEPARTMENTAL REPORTS

#### Fire Department

At 12:04 p.m., Fire Chief, Vern Long, reported on the response to emergency calls from January 1, 2009 through March 3, 2009; statistics regarding "product" failures such as electric sleeping blankets; and special events and community service activities. Upon inquiry, Chief Long noted that the specifications for bidding a new fire engine were received and being reviewed and will be forwarded to the Town Administrator. The Council thanked Chief Long for the report.

### ACTION AND DISCUSSION ITEMS

At 12:11 p.m., Mayor Pro-tem Illg introduced Brian Windrope, Friday Avenue resident, to make a presentation regarding pedestrian access through Beach Court. Mr. Windrope explained the background of the request. The request is for Town to open the

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

unopened public right-of-way (ROW) through Beach Court for the purpose of constructing a trail for pedestrian use. Attorney Eaton explained the nature of easement that is dedicated to the Town; listed liability issues; and discussed the process for opening the Beach Court ROW. Mr. Eaton noted that opening said ROW is an administrative issue due to nature of the easement. Mr. Windrope described the envisioned trail. Discussion and inquiry followed regarding potential liability and trail maintenance. Mayor Pro-tem Illg invited the public to participate in discussion.

Mark Forenza, 286 First Street resident, stated concerns and requested that if the Beach Court ROW is opened, that there be appropriate signage placed at the proposed trailheads to "route" pedestrians and minimize trespassing.

Per the request of Susan Kerr, 284 Culver Avenue resident, Mr. Windrope described said trail on the display map.

Joan Castaneda, 310 Beach Court resident, described the previous pedestrian trail near her property and voiced concerns about trespassing.

David Dehlendorf, SJI Trails Committee member, voiced support for the project and suggested that a dedicated trail with proper signage would reduce trespassing by channeling pedestrians.

Discussion followed. Councilmember Lacher stated opposition the project due to liability issues. The majority of the Council was favorable to the Town Administrator working with Mr. Windrope to establish a trail through the Beach Court ROW. No final action was taken.

### Resolution No. 1711

At 12:52 p.m., Mayor Jones introduced draft Resolution No. 1711, authorizing the Mayor to execute Change Order No. 12 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 12 is in amount of \$24,478.63. Said Change Order consists of six requests including the removal of buried oil tanks which attributed to soil contamination. No discussion followed.

**Moved by Brooks, seconded by Lacher, to adopt Resolution No. 1711 as stated above. Motion passed unanimously.**

### Ordinance No. 1389

At 6:15 p.m., Mayor Jones introduced draft Ordinance No. 1388, establishing a special meeting of the Town Council at 12:00 p.m. on March 24, 2009 at the San Juan County Legislative Hearing Room, located at 55 Second Street, Friday Harbor, Washington for the purpose of a joint Town of Friday Harbor and San Juan County Council meeting.. Discussion followed regarding attendance.

**Moved by de Freitas, seconded by Wolf, to adopt Ordinance No. 1389 as stated above. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ADMINISTRATOR'S REPORT

At 1:02 p.m., Administrator Fitch presented the Town Council with an update of the following:

- SJC Pollution Prevention Program – Brian Radar, SJC Pollution Prevention Program Coordinator, has been in contact with Town to develop a scope of work for pollution prevention education for Friday Harbor businesses. Mr. Radar's goal is to visit and disseminate information to local businesses in the spring.
- Nichols Street – The Downtown Forum has inquired if the parking spaces at the intersection of Nichols Street and Jensen Alley could be replaced with a sidewalk should a permanent Farmers Market be established at said location. Discussion followed.
- Transfer Station – The County Council has expressed interest acquiring an official position from the Town Council regarding the siting of the proposed new SJC solid waste transfer station. Discussion followed regarding course of action and the Solid Waste Advisory Committee's recommendation of the Beaverton Valley site. **Council consensus to continue the meeting until March 12, 2009 in order to discuss the issue further.**
- Centennial Celebration – The Centennial budget was distributed and discussed. Clerk Taylor requested that the Council approve an invoice from Devorah Gottesman. Said invoice is for services rendered for the February 9, 2009 Birthday Event, which exceeded the professional services contractual amount authorized by Resolution No. 1694. **Council consensus to approve said invoice in the amount of \$522.50.**

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Freitas, second by Wolf, to affirm the payment of Payroll Warrant Nos. 13560 through 13606 in the amount of \$214,144.13; and approve the payment of Claim Warrant Nos. 32263 through 32321 in the amount of \$577,328.40. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Brooks, seconded by Lacher, to approve the minutes of **February 19, 2009 and February 23, 2009 as submitted.** Motion passed 4-0 with Wolf abstaining.

### FUTURE AND NON-AGENDA ITEMS

The Council discussed the request that the Town of Friday Harbor participate in "Earth Hour" on March 28, 2009 from 8:30 to 9:30 p.m. The majority of the Council was favorable to Town's participation and requested that a proclamation be drafted.

### CITIZEN RESPONSE

Jack Cory inquired if public participation would be allowed during the continued meeting of March 12, 2009. Administrator Fitch explained that the Council work session and presentation by Steve Alexander, SJC Solid Waste Manager, regarding the San Juan Island Transfer Station site recommendation and decision process will be open to public participation at the discretion of the Mayor.

Mrs. Hyde thanked the Town for participating in "Earth Hour".

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember Wolf announced that he will resign from the Town Council as of May 21, 2009.

Clerk Taylor requested that the Council appoint a member of the Council to the anticipated vacancy created by the resignation of Councilmember Wolf on the Lodging Tax Advisory Committee (LTAC). The first meeting of the LTAC will occur April 8, 2009. Councilmember Illg volunteered to attend.

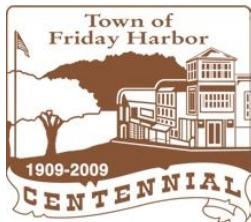
Councilmember Brooks requested that the "Sustain San Juan" proposal be added to a future agenda for discussion.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Pro-Tem Illg requested a motion to continue the meeting until March 12, 2009 at 5:30 p.m. The next regular meeting is scheduled for Thursday, March 19, 2009 at 12:00 p.m.

**Moved by Freitas, seconded by Wolf, to continue the meeting at 1:58 p.m.  
Motion passed unanimously.**

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**These minutes were approved on March 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, March 5, 2009 – Town Council Chambers – Evening Session**

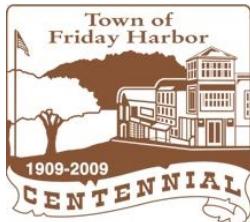
### ANNOUNCEMENTS/SCHEUDLE CHANGES

[Clerk's Note: The regularly scheduled evening session by the Town Council was cancelled due to the special meeting scheduled on March 24, 2009. The next regular meeting by the Town Council is scheduled Thursday, March 19, 2009 at 12:00 p.m.]

\* \* \* \* \*

**These minutes were approved on March 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, March 12, 2009 – Town Council Chambers – Continued Session**

### CALL TO ORDER

The Town Council met in continued session with Mayor Jones presiding. Mayor Jones called the continued session to order at 5:35 p.m.

### ROLL CALL

Council members: Lacher, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Attorney, Don Eaton; and Councilmember Wolf were not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### WORK SESSION

At 5:37 p.m., Mayor Jones introduced the presentation by Steve Alexander, SJC Solid Waste Manager, and Ed Hale, SJC Utilities Manager, regarding the San Juan Island Transfer Station site recommendation and decision process. Mr. Alexander explained that the Council would be receiving ratings on sites based on over 20 evaluative criteria, followed by a question and answer session. Mr. Alexander referenced his staff report recommending the Beaverton Valley site over Daniel Lane, Sutton Road, Egg Lake and Golf Course sites; and gave a slide presentation detailing the criteria and analysis. Mr. Alexander and Mr. Hale answered questions from the Council through the course of the presentation regarding the findings.

At 7:01 p.m., Mayor Jones thanked Mr. Alexander and Mr. Hale. Administrator Fitch invited them to stay for the remainder of the session and encouraged the Council to review the SJC Staff Report dated March 2, 2009 regarding said issue. Administrator Fitch noted that at the March 2, 2009 meeting, the SJC Council had formally requested that the Town be included in the siting process; explained that the Town may have conflict of interest issues such as being the landlord, major customer, and owner of one of the considered sites; and noted that the SJC Transfer Station is an agenda topic for the March 24, 2009 joint meeting. Administrator Fitch then updated the Council on recent compliance issues as follows:

The variance for operations at the SJC Transfer Station expires March 15, 2009. The Department of Ecology (DOE), which acts in an advisory capacity for said issue, has recommended that the variance not be renewed due to lack of progress and the continued below standard transfer station activities. Additionally, the DOE Water Quality

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Program Inspector is recommending to DOE that the SJC Transfer Station acquire an industrial stormwater discharge permit. Said permit would institute regulatory measures which would subsequently correct many of the existing deficiencies at the site. Administrator Fitch described the scope of said deficiencies and potential impact to the site if said permit is required. The County's alternatives to correcting the deficiencies would be to close or limit use of the SJC Transfer station. Either option poses a financial burden to both the Town and County. Administrator Fitch will continue to update the Council as events unfold.

Discussion and inquiry followed. No action was taken.

### ADMINISTRATOR'S REPORT

Administrator Fitch provided an informal update on the following:

- Sewer Replacement Project – The pump station is scheduled to be tested on March 17, 2009.
- Sewer Replacement Project - Asphalt patch paving is scheduled for the week of March 23, 2009.

### CITIZEN RESPONSE

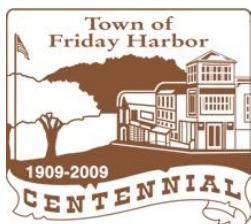
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, March 19, 2009 at 12:00 p.m.

**Moved by Illg, seconded by de Freitas, to adjourn the meeting at 7:50 p.m.  
Motion passed unanimously.**

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These minutes were approved on March 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



### SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, March 19, 2009 – Town Council Chambers – Afternoon Session

### CALL TO ORDER

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 12:00 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### **PUBLIC ACCESS TIME**

Val Veirs, Whale Museum Board President, introduced the Museum's proposal to renovate the Whale Museum building through block grant funding. Discussion followed.

### **ACTION AND DISCUSSION ITEMS**

#### Earth Hour Proclamation

At 12:09 p.m., Mayor Jones proclaimed Saturday, March 28, 2009 from 8:30 p.m. to 9:30 p.m. as Earth Hour and urged all citizens to join in turning out their lights to significantly reduce energy consumption.

### **DEPARTMENT REPORTS**

#### Community Development

At 12:13 p.m., Land Use Administrator, Michael Bertrand, reported on the recent Joint Planning Policy Group meetings; procedure for the scheduled public hearing for annexation and developer agreement of the Buck Property; and stated that the department is researching low-impact development standards for the April 2, 2009 work session. Discussion and inquiry followed regarding the signage issue. **Council consensus for staff to draft language to allow for signs to be illuminated after business hours.**

#### System Administration

At 12:19 p.m., System Administrator, Steven Dubail, distributed a 1<sup>st</sup> quarterly staff report. Mr. Dubail reported on traffic counts, Beach Watchers Field Trip, email retention, workstation replacement, and system maintenance. Discussion and inquiry followed regarding archiving of email and how it relates to public disclosure laws.

#### Historic Preservation

At 12:29 p.m., Historic Preservation Coordinator, Sandy Strehlou distributed a 1<sup>st</sup> quarterly staff report. Mrs. Strehlou reported on the Historic Preservation (HP) Review Board, HP Manual update, draft HP ordinance changes, website and goals. Discussion and inquiry followed regarding design reviews and the roll of sustainable technology in historic preservation.

#### Utilities

At 12:43 p.m., Utilities Superintendent, Mike Wilks, reported on meeting, training, construction and equipment maintenance schedules for staff and other budgeted projects. Discussion and inquiry followed regarding scheduled street maintenance and practices and disposal of street sweeping materials. Councilmember Illig thanked the **Wastewater** Department for participating in the April 19, 2009 Conservation Summit.

### **COMMITTEE REPORTS**

At 1:04 p.m., Councilmembers reported on the following committees:

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Law and Justice Council (L&J) – Councilmember Wolf – Courthouse security has been the main topic of concern. L&J is exploring funding options to institute increased security in 2010.
- Lodging Tax Advisory Committee (LTAC) – Councilmember Brooks – Recapped the previous funding cycle. The first meeting of the year has been scheduled for April 8, 2009. Councilmember Illg will resume Councilmember Wolf's responsibilities. LTAC will discuss the fund balance of \$28,228.
- Marine Resources Committee (MRC) – Citizen Johannes Krieger – Stormwater mitigation and detergent issue; hazardous waste; and the Stormwater Pollution Prevention Program; and fish population have been the main topics of concern. At present MRC is being proactive in education. Discussion followed regarding the health of the local salmon stocks.
- Housing Bank Commission (HBC) – Councilmember Lacher – The Buck Property annexation request; proposed changes to SJC Comprehensive Plan Housing Element; and creation of a housing authority have been the main topics of discussion. Formation of a critical task force for housing needs is being discussed.
- Solid Waste Advisory Committee (SWAC) – Councilmember Lacher – Site recommendation for the SJC Transfer Station is complete. SWAC has been tasked with developing a work plan for 2009; which will include funding for overall operations and facilities and revising the Solid Waste Management Plan. Discussion and inquiry followed.
- Board of Health (BOH) – Councilmember Illg – BOH has been reviewing their bylaws and SJC ordinances pertaining to personal and environmental health. A revision to the Health and Human Services food program plan is underway due to recent budget cuts.
- Regional Transportation Planning Organization (RTPO) – Councilmember Illg – Transit within and to the SJ Islands are under review.

### ADMINISTRATOR'S REPORT

At 1:28 p.m., Administrator Fitch presented the Town Council with an update of the following:

- AWC Risk Management Service Agency (RSMA) – Town received a workman's compensation refund check from the AWC RSMA in the amount of \$4,678 for the 4<sup>th</sup> quarter of 2008 for low accident rates. The Council was encouraged to attend training sessions offered by AWC.
- First Street Restoration - Asphalt patch paving for the Sewer is scheduled for the week of March 23, 2009. The Street Department has identified the additional areas in need of patch paving. Strider Construction, Inc. has offered a Change Order in the amount of \$37,000 for said improvements. Approval of the expenditure will result in the postponement of the Web Street Improvement Project. Discussion and inquiry followed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Guard Street Improvement Project – Town will be served with papers at 2:00 p.m. on March 19, 2009 for non-payment of the sub-contractor [Lawson Construction, Inc.] by the contractor [JS & S Excavation, Inc.]
- Harrison and First Street intersection – Parking issues at the Churchill Square building have been escalating and Town has received several complaints. Sandy Montana will make a new parking proposal at the April 2, 2009 evening session.
- Letter of complaint – Town has received a letter of complaint from Betsy Wingren regarding inappropriate window displays. Town does not relate these types of issues and the letter has been forwarded to the Chamber of Commerce.
- Change Order Proposal - **Council consensus to move forward with the required paperwork to approve the expenditure for the aforementioned additional patch paving on First Street.**

### **PAYMENT OF CLAIMS**

Moved by Lacher, seconded by de Freitas, to approve the payment of Claim Warrant Nos. 32323 through 32392 in the amount of \$365,690.10. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Brooks, seconded by de Freitas, to approve the minutes of **March 5, 2009 and March 12, 2009 as corrected**. Motion passed unanimously.

### **FUTURE AND NON-AGENDA ITEMS**

Mayor Jones noted the upcoming joint meetings with the SJC Council and Port of Friday Harbor.

Councilmember Lacher remarked on her vote of opposition to the Beach Court trail on March 5, 2009 and suggested that Town examine its current standards and develop a trail standard. Mayor Jones suggested that the Council hold a work session in May.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

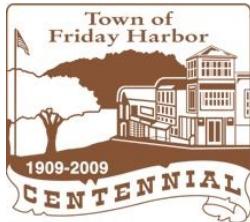
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, March 19, 2009 at 5:30 p.m.

**Moved by Lacher, seconded by de Freitas, to adjourn the meeting at 1:40 p.m. Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on April 2, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, March 19, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 5:30 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARING

#### Annexation Request Application No. 21

At 5:35 p.m., Mayor Jones opened the public hearing relating to the petition for annexation of approximately 50 acres of land [Tax Parcel Nos. 351313002, 351313003, and 351313005] known as the Buck Property [Annexation Request Application No. 21] located in the Friday Harbor Urban Growth Area (FHUGA); and to consider the provisions of a proposed Developer Agreement as a condition to any approval of land annexation into Town boundaries.

Mayor Jones read the rules for public conduct of said hearing; and explained that because both matters were legislative in nature, the appearance of fairness doctrine did not apply.

Mayor Jones inquired if any Councilmember wished to excuse themselves from participation in the proceedings due to a conflict of interest or any other reason. The Council answered in the negative. Mayor Jones inquired if any member of the public wished to place on the record any information which they believed to be an indication of a conflict of interest regarding himself or any Councilmember. No public comments were forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Full list of Exhibits as follows:

Public Hearing – Exhibit List		
Exh. :	Title:	Submitted by:
A	Map of proposed area	Town Staff
B	Letters regarding annexation – received prior to March 19, 2008	Town Staff
C	Letters regarding annexation – received on March 19, 2008 until 5:30 p.m.	Town Staff
D	Letter for annexation	Wendy Shepard
E	Town utility billing	Kelle' Wilson
F	Journal of the San Juans / article in newspaper	David Cable
G	Letter opposed to annexation	Rod Kulbach

At 5:38 p.m., Mayor Jones requested that Michael Bertrand, Land Use Administrator, present the staff report. Mr. Bertrand entered Exhibit A through Exhibit C into the record; explained the analysis of "need" to annex said property; infrastructure requirements; and Staff recommendation based on the attachments contained therein. In summary, the Town currently has sufficient land to meet its housing needs; and if the Council chooses to annex said area, a developer agreement should place restrictions on the land to require that all impacts would be paid for by the owner/developers; and place a restriction on the land requiring 120 permanently affordable housing units and other conditions as listed in Attachment No. 1 of the Staff Report. It was noted that adoption of said Developer Agreement will require amendments to the Town's municipal code to allow for conditions allowed therein.

Vincent Buck, speaking on behalf of the proponents, read a letter into the record. Said letter spoke to the "vision" of the proposed low income, low impact and sustainable development. Mr. Buck emphasized that the petitioners will not agree to annex a portion of the property.

Mark Brewer, Civil Engineer for the developers, described his qualifications; examples of like sewer systems; and the sewer system for the proposed development. Mr. Brewer explained that a home owners association will be formed to maintain all aspects of the proposed sewer system and Skagit County Public Utility District will assume responsibility for oversight of said system.

Nancy DeVaux, Home Trust Executive Director, testified in favor of the annexation and the "vision" of the proposed affordable housing development.

At 6:01 p.m., Mayor Jones invited members of the public to speak regarding the request for annexation. The following individuals testified:

At 6:03 p.m., Peter Kilpatrick, 15 Maddy Lane, testified in favor of annexation and noted that the Home Trust, Buck family and Town to the best of their abilities have addressed

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

all the concerns brought forth at the November 20, 2009 public hearing in the presented developer agreement.

At 6:04 p.m., Wendy Picinich, Town Treasurer, read a letter into the record regarding the Appearance of Fairness Doctrine and emphasized that the Town Council must proceed in a non-bias manner and do what is "best" for the citizens of Friday Harbor.

At 6:05 p.m., Sharon Pigman, Home Trust President, thanked the Town for working with the Buck family and Home Trust to draft the developer agreement and described the vision for the proposed affordable housing development and benefit to the community.

At 6:07 p.m., Lori Stokes, 241 Warbass Way testified in favor of affordable housing and annexation.

At 6:09 p.m., Edde DeChadenedes, 172 Strawberry Lane, testified in favor of affordable housing and annexation and urged the council to apply appropriate zoning to said parcels.

At 6:11 p.m., Wendy Sheppard, 1785 Douglas Road, testified in favor of affordable housing and annexation and read a letter into the record. Said letter is entered as Exhibit D.

At 6:13 p.m., Sam Buck, Jr., 44 Cordora Lane, testified in favor of affordable housing and annexation and noted current real estate prices.

At 6:16 p.m., Bill Eager, 430 Warbass Way, testified that the developer agreement is acceptable and that the reservations he stated at the November 20, 2009 public hearing have been resolved.

At 6:17 p.m., Pete Rose, SJC Administrator, testified that the SJC Council has taken no action to amend the SJC 6-Year Transportation Improvement Plan and that the Turn Point/Grover Arterial Connector is planned for the year 2012.

At 6:19 p.m., Mimi Wagner, 821 Sunday Drive, testified in opposition of annexation due to the potential negative impacts to the existing Sunday Drive neighborhood.

At 6:21 p.m., Kelle' Wilson, 165 John Street, testified in opposition to the annexation due to the Town not needing said property at this point in time and unknown future costs associated with annexation. Mrs. Wilson entered Exhibit E into the record.

At 6:24 p.m., Dorothy Stone, 740 Hunt Street, testified in opposition to the annexation and requested that the Council take ample time and possibly postpone deliberations regarding the annexation of said parcel due to the current state of our national and local economy.

At 6:26 p.m., Mark Wagner, 821 Sunday Drive, testified in opposition of annexation due to the Town not needing said property at this point in time.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 6:27 p.m., Rod Kulbach, 725 Argyle Avenue, testified in support of affordable housing and in opposition of annexation due to the Town not needing said property at this point in time and unknown future costs associated with annexation. Mr. Kulbach urged the Council to remember that the public hearing is not regarding affordable housing.

At 6:29 p.m., Laura Tuttle, 300 Washington Way, testified in support of annexation and affordable housing; and stated that Town would no longer have a "rural" feeling if it were built out to maximum capacity.

At 6:31 p.m., Lee Studivant, 745A Larson Street, testified in support of annexation and stated that Sam Buck, Jr. and Larry Soll will not benefit financially by the sale of said parcel.

At 6:34 p.m., Keri Talbot, 823 Sunday Drive, stated for the record that Councilmembers Lacher and Wolf live in Home Trust homes; Councilmember Illg independently works with affordable housing programs and projects along with other related non-profits; and Councilmember Brooks through her employment funds affordable housing projects.

At 6:36 p.m., David Cable, 173 Gulf Course Road, on behalf of the Seattle Yacht Club, stated concerns about the traffic impact on Warbass Way and Turn Point Road as a result of the proposed development. Mr. Cable entered Exhibit F into the record.

At 6:39 p.m., Gene Wilson, 175 John Street, provided a historical reference regarding the Sustainable Technology Building on Mullis Street and stated that if the proposed sewer system fails, the State will more than likely require the Town to allow the proposed development to connect to Town Utilities. Mr. Wilson stated that monetary safeguards, such as bonding, should be a requirement of the developer agreement.

At 6:41 p.m., Doris Summer, 115 Grover Street, testified in opposition to the annexation due to the current state of the local economy and urged that the Council postpone consideration of the annexation at this point in time.

At 6:43 p.m., Genevieve Kenny, 536 Chinook Way, testified in favor of annexation and affordable housing.

At 6:46 p.m., Mayor Jones asked if any members of the audience would like to provide further public testimony.

At 6:49 p.m., Kelle' Wilson, clarified that although she testified in opposition of annexation, she is in favor of affordable housing.

At 6:52 p.m., Mayor Jones closed the public testimony portion of the public hearing and asked Staff if they had anything to add.

At 6:53 p.m., Attorney Eaton reminded the Council that the current Friday Harbor Municipal Code will need to be amended to allow for the proposed on-site sewer system should the Council approve the proposed annexation and developer agreement.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 6:55 p.m., Mayor Jones opened the hearing to Council questions.

Councilmember Wolf inquired about the maintenance of the proposed sewer system. Mr. Brewer stated that a homeowners association will maintain said system to a certain extent; a professional wastewater company such as Water & Wastewater Services, Inc. will be contracted for on-call and routine maintenance; and Skagit County Public Utility District will be responsible for local governmental oversight and regulation. Mr. Brewer described the aesthetic impacts the described system may have.

Councilmember Illig inquired if the proposed system is currently registered and design approved with the Department of Health. Mr. Brewer explained that said system is currently in the "pre-design phase" and outlined the approval process.

Councilmember Illig inquired what the next step is for the developers if the Department of Health denies the design of the proposed system. Mr. Brewer answered that the developers will need to design a different system.

Councilmember Brooks stated concerns about the wording and surety of the proposed development agreement and the possibility of incurring additional legal fees if the parties have a dispute in the future. Mr. Bertrand explained the provision for ten water rights and 180 day provision of the proposed developer agreement. Mr. Eaton commented on the authorship of the document.

Councilmember Brooks cited a passage from the staff report. Mr. Eaton explained that in the event of any legal proceeding between the parties with respect to the agreement, the prevailing party shall be entitled to recover all costs and expenses incurred in connection with such action, including reasonable attorney's fees.

Councilmember Brooks inquired how much has been spent on legal fees for this annexation request to date and if said fees are recoupable. Administrator Fitch replied that more than \$30,000 has been spent to date. Attorney Eaton explained that the fees are not recoupable as they have not been provided for in the agreement.

Councilmember de Freitas inquired who will bear the costs for future infrastructure and/or other studies should they be needed. Attorney Eaton replied that the developers shall bear all costs.

At 7:12 p.m., Mayor Jones asked the Council if they had additional question from the petitioners, public or staff. Hearing none, Mayor Jones closed the public testimony portion of the hearing and requested that Attorney Eaton explain the Council's options for annexation.

At 7:13 p.m., Attorney Eaton explained that the Council has the right to approve all, part or none of the petition for annexation; and options regarding the approval of the developer agreement. Attorney Eaton stated that said developer agreement was drafted in consideration of annexing all the property petitioned.

At 7:15 p.m., Mayor Jones requested the Council to deliberate and provide direction.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember Brooks listed benefits of annexing said parcel, such as funding to offset improvements to the Argyle Avenue / Grover Street intersection, creation of jobs, collection of sales taxes, and modeling of green building techniques. However, Councilmember Brooks opposed the proposed annexation, stating that the public benefits to the Town are not sufficient enough.

Councilmember de Freitas stated concerns that if annexed, the Town will be setting a precedent for future annexation petitions by allowing the developers to opt out of Town utilities. Councilmember de Freitas urged the Council to understand the agreement between Skagit County PUD and the developers before moving forward with the proposal.

Councilmember Lacher stated that the petition for annexation and proposed development was a visionary and responsible method for Town to manage future growth and avoid urban densification.

Councilmember Wolf suggested that staff incorporate additional language in the developer agreement regarding approval from the Department of Health for the proposed sewer system. Attorney Eaton read Section B8 of the developer agreement which states that the long plat application shall not be given preliminary approval until such time as the developers have obtained final and unconditional approval from all required governmental agencies for the location and design of an on-site sewer system with sufficient capacity to serve the entirety of the property if fully developed in accordance with the proposed long plat. Attorney Eaton explained this provision.

Councilmember Illig requested that Attorney Eaton explain the "180 day" clause of the developer agreement. Attorney Eaton explained that the draft Resolution allows the parties 180 days to obtain necessary permitting and meet other provisions before annexation takes effect.

Councilmember Illig requested that Attorney Eaton address the aforementioned bonding issue. Attorney Eaton explained that the Town may require bonding, however it is optional rather than necessary.

Councilmember Brooks requested that Attorney Eaton explain Section C8 of the developer agreement. Attorney Eaton explained that the clause allows the Town to seek an injunction without bond in the event that the developers violate the provisions of the developer agreement.

Councilmember Illig inquired if there was existing sewer infrastructure within 200 feet of proposed development. Mr. Bertrand answered in the affirmative. Councilmember Illig inquired why the Town allowed the developer to opt out of the sewer utility. Mr. Bertrand answered that the developer requested to opt out of the sewer utility due to the \$5,000,000 cost to hook up to the Town's sewer utility.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember Illg inquired about the cost and if a rate study has been completed by the developer for the proposed sewer system. Attorney Eaton answered that staff does not have that information available.

Councilmember Lacher commented that the Town and petitioners have addressed the presented concerns regarding annexation and that both parties agree on the proposed developer agreement. Councilmember Lacher applauded staff for the work with the petitioners to draft said agreement.

Councilmember Brooks inquired about the zoning of said parcel. Mr. Bertrand stated that zoning will be addressed during the second public hearing. Attorney Eaton addressed procedure.

Mayor Jones recessed for a brief break.

At 7:47 p.m., Mayor Jones requested direction from the Council.

**Moved by Wolf, seconded Lacher, to conditionally approve the annexation of the Buck/Boreen Property, also known as Tax Parcel Nos. 351313002, 351313003 and 351313005, subject to the developers signing the developer agreement as described in the staff report; and authorizing the Mayor to sign said developer agreement.**

Discussion and inquiry ensued regarding amending the developer agreement to include the issuance of a bond to insure against the failure of their sewer system. Attorney Eaton explained that he was of the opinion that the proposed developer agreement was adequate because the declarations in Section B7 and B8. Attorney Eaton posed questions to the Council regarding the parameters of such a bond. The Council discussed the potential failure of the system.

**The motion and second were withdrawn.**

At 8:06 p.m., Mayor Jones reopened public testimony.

At 8:07 p.m., per inquiry Mr. Brewer explained the levels of responsibility engineers and State take to certify like projects. Mayor Jones requested that Mr. Brewer list other entities that have similar systems. Mr. Brewer described aspects of the proposed system.

Mayor Jones asked if any members of the audience would like to provide further public testimony.

Bob Anderson, Starr Surveying, provided testimony regarding professional insurance, registration, licensing for engineers.

At 8:21 p.m., Mayor Jones closed the public testimony portion of the public hearing and requested direction from the Council.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**Moved by Wolf, seconded Lacher, to conditionally approve the annexation of the Buck/Boreen Property, also known as Tax Parcel Nos. 351313002, 351313003 and 351313005, subject to the developers signing the developer agreement as described in the staff report; and authorizing the Mayor to sign said developer agreement.**

Discussion followed.

Councilmember Brooks reiterated that the proposed annexation and developer agreement is not satisfactory because the Town will not receive enough benefit from said annexation.

Councilmember Lacher stated that one way to mitigate densification is to approve the request for annexation.

Councilmember Illig commented on the value of the proposed development and expressed disappointment that the developer asked to opt out of Town utilities stating that "they want the benefits of the Town without paying for them." Councilmember Lacher provided countering comments.

Councilmember Brooks stated concerns about the longevity of non-profit organizations; specifically questioning what could occur if the Home Trust is forced to abandon the proposed development.

Mayor Jones called for a vote.

**Motion passed 4-1 with Brooks opposed.**

At 8:32 p.m., Mayor Jones closed the public hearing.

At 8:37 p.m., Mayor Jones introduced draft Resolution No. 1712, approving the Developer Agreement concerning a Petition For Annexation of certain real property commonly referred to as "The Buck Property", and authorizing the Mayor to execute said Agreement.

Provisions of draft Resolution No. 1712 are as follows:

"1. The Development Agreement proposed by the Bucks, a copy of which is attached hereto as Exhibit B, is hereby approved and the Mayor is authorized and directed to execute two originals of the same and deliver both to the Bucks forthwith;

"2. If the Bucks execute and return both originals of the Agreement no later than September 15, 2009, the Town Council will, no later than October 1, 2009, adopt an ordinance approving the Petition For Annexation, setting forth in said ordinance a provision by which the annexation will become effective Forty-Five (45) days after its adoption;

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

"3. If the Bucks fail to execute and return both originals of the Agreement before September 15, 2009, the Petition For Annexation shall be denied by adoption of an ordinance at the Town Council's first regular meeting after September 15, 2009, or as soon thereafter as shall be convenient to the Town Council."

No discussion followed.

**Moved by Wolf, seconded by Lacher, to adopt Resolution No. 1712 as stated above. Motion passed 4-1 Brooks opposed.**

### Zoning of Conditional Annexation

At 8:38 p.m., Mayor Jones opened the public hearing relating to the zoning of the conditional annexation of approximately 50 acres of land [Tax Parcel Nos. 351313002, 351313003, and 351313005] known as the Buck Property [Annexation Request Application No. 21] located in the Friday Harbor Urban Growth Area (FHUGA).

Mayor Jones read the rules for public conduct of said hearing; and explained that because the matter was legislative in nature, the appearance of fairness doctrine did not apply.

Full list of Exhibits as follows:

Public Hearing – Exhibit List		
Exh.	Title:	Submitted by:
A	Map of proposed zoning	Town Staff

At 8:41 p.m., Mayor Jones requested that Michael Bertrand, Land Use Administrator, present the staff recommendation. Mr. Bertrand entered Exhibit A into the record and explained that the zoning once platted will be divided into approximately 15 acres of multi-family residential and the remainder as single family residential.

Vincent Buck, speaking on behalf of the proponents, thanked the Council for conditionally annexing the said parcels.

Nancy DeVaux, Home Trust Executive Director, spoke about the density for the proposed development.

At 8:44 p.m., Mayor Jones invited members of the public to speak regarding the zoning for the conditional annexation. Hearing none, Mayor Jones opened the hearing to Council questions.

Councilmember Brooks inquired about the topography of the property. Mr. Buck explained the siting of affordable housing development in relation to the property the Buck family will retain.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Mr. Brewer referred to Exhibit A and questioned the flexibility in changing/adjusting the zoning in anticipation of final design of the proposed development. Mr. Bertrand explained that zoning would be final if approved and suggested that the Council should postpone assigning zoning until the annexation is final.

Mr. Buck inquired about the rezoning process. Discussion and inquiry followed.

Mr. Bertrand and Attorney Eaton suggested that issue be continued for the purpose of clarifying the proposed boundaries. Mr. Buck requested that the public hearing be continued 60 days.

Councilmember IIIg inquired if there is a buffer zone between single and multi-family residential zoning. Mr. Bertrand answered in the affirmative if a planned residential development is applied for. Councilmember IIIg inquired about the location of the sewer system in relation to said buffer. Mr. Bertrand answered that it will need to be determined if said system can be incorporated in the buffer at that point in time.

At 9:01 p.m., Mayor Jones closed the public testimony portion of the hearing and requested Council direction.

**Moved by Brooks, seconded by de Freitas to continue the public hearing for zoning of the conditionally annexed "Buck Property" until 5:35 p.m. on May 21, 2009 in the Town Council Chambers. Motion passed unanimously.**

At 9:05 p.m., Mayor Jones closed the public hearing.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

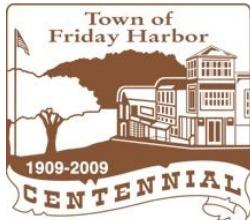
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, April 2, 2009 at 12:00 p.m.

**Moved by IIIg, seconded by de Freitas, to adjourn the meeting at 9:06 p.m. Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on April 2, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Tuesday, March 24, 2009 – SJC County Hearing Room – Joint Session**

### CALL TO ORDER

The Town Council and SJC Council met in special session with Mayor Jones presiding. Mayor Jones called the meeting to order at 12:07 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.  
Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

At 12:07 p.m., Mayor Jones and the Town Council held a joint public meeting with the SJC Council to address issues of mutual concern. Issues brought forth for discussion by the SJC Council, Town Council and Mayor were: Joint Policy Planning Committee update and work plan, "Buck Property" Annexation, Washington State Ferries, siting process for the SJC Transfer Station, and compliance issues and Interim Waste Plan relating to the current Transfer Station.

SJC Councilmember Lovel Pratt informed the Town of an offer made by Jeanie Summerhays, Department of Ecology Regional Director, to make a site-visit to the Transfer Station to review available options to correct compliance issues. Town and County officials agreed to form a committee as follows: SJC Councilmembers Rich Peterson, Howie Rosenfeld, and Lovel Pratt; Town Councilmembers Carrie Lacher and Liz Illg; SJC Administrator Pete Rose; Town Administrator, C. King Fitch; SJC Public Works Director, Jon Shannon; SJC Solid Waste Manager, Steve Alexander; SJC Utilities Supervisor, Ed Hale; and Town Utilities Superintendent, Mike Wilks. The SJC Clerk was directed to schedule said site-visit.

Mr. Rosenfeld and Mayor Jones noted that there is legislation pending concerning sales and use tax exemptions in respect to aircrafts, specifically float planes, used in intrastate commuter operations. The Town will consider the matter at their April 2, 2009 meeting.

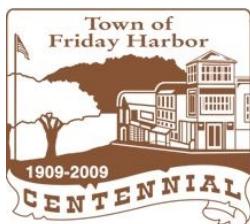
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, April 2, 2009 at 12:00 p.m.

**Moved by de Freitas, seconded by Brooks, to adjourn the meeting at 12:56 p.m. Motion passed unanimously.**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

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These minutes were approved on April 2, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Tuesday, March 24, 2009 – SJC County Hearing Room – Joint Session**

### CALL TO ORDER

The Town Council and SJC Council met in special session with Mayor Jones presiding. Mayor Jones called the meeting to order at 12:07 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

At 12:07 p.m., Mayor Jones and the Town Council held a joint public meeting with the SJC Council to address issues of mutual concern. Issues brought forth for discussion by the SJC Council, Town Council and Mayor were: Joint Policy Planning Committee update and work plan, "Buck Property" Annexation, Washington State Ferries, siting process for the SJC Transfer Station, and compliance issues and Interim Waste Plan relating to the current Transfer Station.

SJC Councilmember Lovel Pratt informed the Town of an offer made by Jeanie Summerhays, Department of Ecology Regional Director, to make a site-visit to the Transfer Station to review available options to correct compliance issues. Town and County officials agreed to form a committee as follows: SJC Councilmembers Rich Peterson, Howie Rosenfeld, and Lovel Pratt; Town Councilmembers Carrie Lacher and Liz Illg; SJC Administrator Pete Rose; Town Administrator, C. King Fitch; SJC Public Works Director, Jon Shannon; SJC Solid Waste Manager, Steve Alexander; SJC Utilities Supervisor, Ed Hale; and Town Utilities Superintendent, Mike Wilks. The SJC Clerk was directed to schedule said site-visit.

Mr. Rosenfeld and Mayor Jones noted that there is legislation pending concerning sales and use tax exemptions in respect to aircrafts, specifically float planes, used in intrastate commuter operations. The Town will consider the matter at their April 2, 2009 meeting.

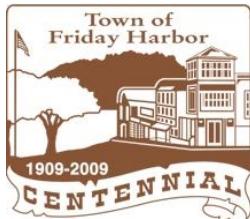
## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, April 2, 2009 at 12:00 p.m.

**Moved by de Freitas, seconded by Brooks, to adjourn the meeting at 12:56 p.m. Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on April 2, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, April 2, 2009 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Town Administrator, C. King Fitch; and Attorney, and Don Eaton were not present.

Mayor Jones conducted the flag salute.

#### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

#### **ACTION AND DISCUSSION ITEMS**

At 12:03 p.m., Mayor Jones and the Town Council held a joint public meeting with the Port of Friday Harbor Commission to address issues of mutual concern. Issues brought forth for discussion by the Port Commission (Mike Ahrenius, Barbara Marrett, and Greg Hertel), Town Council and Mayor were the stormwater detergent issue; airport issues; discontinuance of the Victoria Express for the 2009 summer season and parking issues.

At 12:05 p.m., Commissioner Marrett explained the dangers of surfactants being introduced into the marine environment. In addition to washing boats, surfactants being released by boats through gray-water are among the contributing factors of the detergent/surfactant issue. It is the Port of Friday Harbor's practice to educate visitors and residents of the Port on best practices to avoid "toxins in water" through media, monthly newsletters, handouts and verbally. Councilmember Illg inquired if Washington

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

State Ferries discharges gray-water into the harbor. Commissioner Hertel commented on the structure of vessels and noted that older builds do not have holding tanks for gray-water. Discussion followed regarding the SJC Pollution Prevention Program, car washing fundraisers, and impervious surfaces.

Commissioner Marrett inquired of the likelihood of detergents/surfactants being released through the Town's stormwater and sewer systems. Street Department Leadman, Dave Smith, reported that the Town has not detected detergents in the stormwater outfall since the three initial sources had been identified. **The Town Council and Port Commission agreed to partner in continued education on this topic.**

At 12:23 p.m., Marilyn O'Connor, Port Director, introduced Dave Ryan, Airport Director. The Town Council and Port Commissioners discussed the bird population and control practices; occurrences and dangers of bird strikes; current flight path; and potential siting of the SJI Transfer Station near the airport.

At 12:39 p.m., Councilmember de Freitas updated the Town Council and Port Commissioners regarding the discontinuance of the Victoria Clipper between Victoria and San Juan Island during 2009. Discussion followed regarding impact to our local economy from loss of tourism dollars and sales tax. [Clerk's Note: Correction made by the SJI Chamber of Commerce - Victoria Express will continue the same routes and same time schedule as 2008; however, the Victoria-Friday Harbor boat will run from June 26 through September 7 (in 2008, ran June 14 through September 1) from Friday through Monday only.]

Commissioner Hertel discussed the feasibility of the purchase of a high speed vessel subsidized through federal funding to institute year round runs between Friday Harbor and Bellingham. Discussion followed regarding the benefits of the proposal.

At 12:52 p.m., Councilmember Brooks inquired if the Port would consider using Port property near the airport for a transportation hub and additional parking. Port Commissioners answered in the affirmative.

At 12:53 p.m., Councilmember de Freitas inquired about the budgetary impact to the Port resulting from the Victoria Express issue. Ms. O'Connor stated that the Port will delay capital projects slated in their current budget. There are no plans to downsize staff or routine maintenance. Discussion followed regarding parking availability.

Commissioner Ahrenius stressed the importance of cooperative action between the Port, Town and County for mutual interests of concern. Mayor Jones thanked the Port Commission for attending.

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by Illg, second by Wolf, to affirm the payment of Payroll Warrant Nos. 13607 through 13695 in the amount of \$237,221.48 and approve the payment of Claim Warrant Nos. 32394 through 32449 in the amount of \$105,835.17. Motion passed unanimously.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### APPROVAL OF MINUTES

Moved by Brooks, seconded by Lacher, to approve the minutes of **March 19, 2009 and March 24, 2009 as corrected**. Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Lacher introduced draft language to amend the sign ordinance. Councilmember Lacher inquired if the Mayor and Council wished to move forward with a public hearing to consider the proposed change. Discussion followed regarding the intent of language. **Council consensus to set a date and time for public hearing.**

Councilmember Illg inquired about the "Town's commitment to recycling" and requested that the recycling policy be added to a future agenda. Discussion followed.

Councilmember Lacher requested that the process for appointing a new Councilmember after the resignation of Councilmember Wolf be added to a future agenda.

### CITIZEN RESPONSE

Steve Buck commented on the proposed changes to the sign ordinance and recycling.

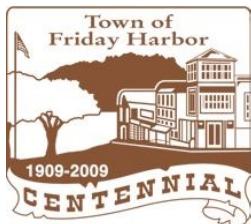
Jack Cory commented on enforcement of local ordinances regarding signs, parking and lighting.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, April 2, 2009 at 5:30 p.m.

**Moved by de Freitas, seconded by Illg, to adjourn the meeting at 1:29 p.m. Motion passed unanimously.**

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These minutes were approved on April 16, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



### SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, April 2, 2009 – Town Council Chambers – Evening Session

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Town Administrator, C. King Fitch; and Attorney, Don Eaton; were not present.

Mayor Jones conducted the flag salute.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Presentation – Request for Parking – Churchill Square

At 5:35 p.m., Mayor Jones invited Sandy Montana, owner of Mosquito Fleet Mercantile, to make a presentation regarding a revised proposal for parking on Harrison Street in front of Churchill Square. The proposal is to narrow the sidewalk located in front of the Churchill Square building to three feet in order to match the existing sidewalk, thereby creating space for two parking spaces. Y&J Ventures, LLC. submitted a letter stating that they would assume all costs for said improvement. Land Use Administrator, Mike Bertrand, described travel lane distances, parking space standards and time limits to be assigned, if approved. Discussion and inquiry followed. **Council consensus for staff to continue to work with Y&J Ventures, LLC., to determine the feasibility of the proposal.**

#### Letter of Support – Smart Growth Grant

At 5:57 p.m., Mayor Jones introduced a draft letter of support for a 2009 Smart Growth Implementation Assistance grant proposal. Discussion followed regarding the purpose of the grant. **Council consensus to sign said letter.**

#### Letter of Support – Homes for Islanders

At 5:58 p.m., Mayor Jones introduced a draft letter of support for Homes for Islanders for a 523 Technical Assistance Grant request. No discussion followed. **Council consensus to sign said letter.**

#### Letter(s) of Support – SB 5358 and HB 1287

At 5:59 p.m., Mayor Jones introduced draft letters of support for Senate Bill 5358 and House Bill 1287 concerning sales and use tax exemptions in respect to aircrafts used in intrastate commuter operations. Tim Brooks, Vice-President of Kenmore Airlines, explained the history and purpose of said bills. Discussion followed.

**Moved by Brooks, seconded by Lacher, to approve letters of support for Senate Bill 5358 and House Bill 1287. Motion passed unanimously.**

#### Low Impact Development

At 6:07 p.m., Mayor Jones introduced the work session regarding Low Impact Development (LID). Mr. Bertrand explained possible methods of implementing LID requirements for site specific/individual building or incentive based; and noted that use of LID practices are allowed in Town but not mandated. Discussion followed regarding adopting LID standards, current incentives, draft ordinance, and existing examples of LID within Town. Upon inquiry, Mr. Bertrand recommended that a draft ordinance reference the Evergreen State Low Impact Development Manual rather than crafting LID language in the municipal code. **Council consensus for staff to draft for**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

consideration an ordinance to adopt the Evergreen State Low Impact Development Standards.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Brooks inquired about the status of the West Street Park. Discussion followed regarding the development of the Port of Friday Harbor's property. Mr. Bertrand stated that Town is waiting to improve said area until the Port develops their administration building.

Councilmember Brooks requested that the Town consider the purchase of a Centennial Banner and participate in the July 4, 2009 parade.

Councilmember Lacher stated that the Friday Harbor High School (FHHS) would like to hang a sign/banner on the FHHS gymnasium. Mr. Bertrand asked that the FHHS be referred to the Planning Department for proper direction.

Councilmember Lacher suggested that the Town attempt to become a "sister city" with the Anacortes, Washington and Victoria, British Columbia. Discussion followed. No action was taken.

### CITIZEN RESPONSE

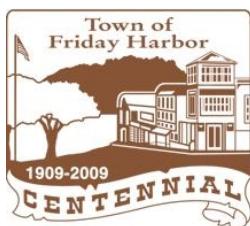
SJC Councilmember Rosenfeld provided an update on Washington State Ferries and SJC Transfer Station issues.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, April 16, 2009 at 12:00 p.m.

**Moved by Illig, seconded by Wolf, to adjourn the meeting at 6:51 p.m. Motion passed unanimously.**

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**These minutes were approved on April 16, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, April 16, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

Mayor Pro-Tem Lacher called the regular session of the Town Council to order at 12:00 p.m.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Mayor, David Jones; Treasurer, Wendy Picinich; and Attorney, Don Eaton were not present.

Mayor Pro-Tem Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Centennial Celebration – Paint the Town

At 12:04 p.m., Mayor Pro-Tem Lacher invited Ruth Offen, Waterworks Gallery owner, to make a presentation regarding a public art event for the Centennial Celebration. Ms. Offen explained that Waterworks Gallery had coordinated the competition for artists in celebration of Friday Harbor's 100th anniversary. Ms. Offen explained that the gallery will not be presenting the show due to insufficient entries. Ms. Offen requested that the Town still consider purchasing one or both of the submissions for public display. Discussion followed. **Council consensus to place said topic a future agenda.** The Council thanked Ms. Offen.

#### Town recycling program

At 12:08 p.m., Mayor Pro-Tem Lacher introduced discussion of the Town recycling program. Councilmember Illg explained that many Town residents do not participate in the curbside recycling program as it exists due to the disallowance of paper products and suggested that Town discuss expanding the program. Administrator Fitch explained the refuse collection rules for cans and dumpsters; curbside recycling program guidelines; and yard waste recycling program. Administrator Fitch explained previous requests on said subject, statistics concerning other municipalities providing similar services; and steps the Town would need to take to expand the current program. Dave Smith, Street Department Leadman, aired a video tape of refuse crew staff delivering recycling items at the Transfer Station demonstrating the difficulties at the current transfer station. Discussion and inquiry followed regarding a change in policy to include paper recyclables in said program and placing recycling receptacles in the public right-of-ways. Mayor Pro-Tem Lacher invited members of the public to speak. Tyler Dawson and Ginny Gislason, Friday Harbor High School students, described their civic community recycling project. **Council consensus for Administrator Fitch to continue to work with Mr. Dawson and Ms. Gislason on said project.** Ms. Offen requested that any receptacles be tastefully designed and placed. Lori Stokes spoke to the public relations aspect of the civic project. The Council thanked Mr. Dawson and Ms. Gislason.

#### Resolution No. 1713

At 12:53 p.m., Mayor Pro-Tem Lacher introduced draft Resolution No. 1713, authorizing the Mayor to execute Change Order No. 13 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 13 is in amount of \$37,070.34. Said Change Order

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

consists of a request by Town for an additional 860 square yards of asphalt paving restoration. No discussion followed.

**Moved by Illg, seconded by Brooks, to adopt Resolution No. 1713 as stated above. Motion passed unanimously.**

Resolution No. 1714

Concurrently, Mayor Pro-Tem Lacher introduced draft Resolution No. 1714, authorizing the Mayor to execute Change Order No. 14 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 14 is in amount of \$23,088.22. Said Change Order consists of 5 requests including a credit for work done by the Town water department. No discussion followed.

**Moved by Illg, seconded by Brooks, to adopt Resolution No. 1714 as stated above. Motion passed unanimously.**

### **ADMINISTRATOR'S REPORT**

At 1:00 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Joint Planning Policy Group (JPPG) – The JPPG met on April 8, 2009 to discuss siting of the proposed San Juan Island Integrated Medical Facility. During said meeting, JPPG discussed County Joint Planning Policy 5 and Town Joint Planning Policy 6 regarding the duplication of essential public facilities.
- SJI Transfer Station – The Department of Ecology will make a second site visit on April 23, 2009 to inspect the San Juan Island Transfer Station. A compliance order to correct stormwater violations is anticipated.
- SJI Transfer Station – Drainage - SCS Engineering will determine and prepare an "as-built" storm drainage drawing for the flow of runoff from the Friday Harbor Landfill. Town believes that the drainage does not cross connect with the Transfer Station drainage system. Discussion followed regarding associated costs.
- Sign Ordinance – A public hearing to consider revisions to the sign ordinance is scheduled for May 7, 2009. A request has been made by local churches to add language to allow for after hour lighting. Discussion followed regarding code compliance.
- Public Facilities Financing Assistance Program (PFFAP) - PFFAP grant applications are due to the County by May 11, 2009. Discussion followed. **Council consensus to apply for funding for eligible Town projects.**
- Trihalomethane (THM) Level – The THM level for the first quarter was measured at 72.0 ug/L, giving a running twelve month average of 78.53 ug/L. Discussion followed regarding the pilot aeration study.
- Fire Engine Replacement – The latest attempt to piggyback on a bid for a pumper to replace Fire Engine No. 6 did not result in a responsive bid for the Town. Discussion followed regarding the cost received and available budget for said equipment. **Council consensus to discuss on a future agenda.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Restoration A/C Paving – Paving of First Street should be completed April 16, 2009 weather permitting.
- Sewer Replacement Project – An additional Change Order in the amount of \$93,000 for soil contamination and change in site conditions is anticipated.
- Emergency Management Services – Samples of the quarterly Emergency Management postcards were dispersed.
- 2009 Summer Arts Fair – The annual Summer Arts Fair is scheduled July 18, 2009 and July 19, 2009. Court Street will be closed to traffic during said event.
- AWC RMS Newly Elected Official Training – Newly elected officials are required to attend training per the Town's service agreement.
- Stormwater Detergent Issue – An event was detected on April 15, 2009. Evidence suggests that a business located near Spring and Front Street disposed of mop bucket water in the catch basin.
- SJC Pollution Prevention Program – Town continues to work with the program coordinator to institute an outreach program for local business owners. Discussion followed regarding gas stations connecting to the sanitary sewer.
- Whale Museum's Energy Efficiency Grant – Administrator Fitch requested clarification on the direction given at the April 2, 2009 session regarding said grant. It appears that the intent of the Whale Museum was for the Town to apply for a grant on their behalf. Council did not understand nor agree to the request. Discussion followed. No action was taken.

### **PAYMENT OF CLAIMS**

Moved by de Freitas, second by Wolf, to approve the payment of Claim Warrant Nos. 32450 through 32511 in the amount of \$421,811.52. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Brooks, seconded by Illg, to approve the minutes of **April 2, 2009 as corrected**. Motion passed unanimously.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Lacher inquired about the health of the plantings on Guard Street near the San Juan Island Library.

Councilmember Illg requested discussion time for an update on the Critical Needs Task Force.

Councilmember de Freitas requested discussion time for an update on a recent local Border Patrol issue.

Councilmember Brooks requested discussion time for an update on the Sustain San Juan proposal.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

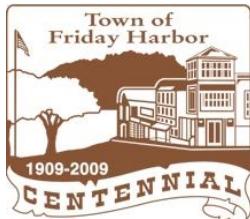
## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Pro-Tem Lacher requested a motion to adjourn. The next regular meeting is scheduled for Thursday, April 16, 2009 at 5:30 p.m.

**Moved by Wolf, seconded by de Freitas, to adjourn the meeting at 1:42 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on May 7, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, April 16, 2009 – Town Council Chambers – Evening Session**

#### CALL TO ORDER

Mayor Pro-Tem Lacher called the regular session of the Town Council to order at 12:00 p.m.

#### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Mayor, David Jones; Treasurer, Wendy Picinich; and Attorney, Don Eaton were not present.

Mayor Pro-Tem Lacher conducted the flag salute.

#### PUBLIC ACCESS TIME

There were no public access items forthcoming.

#### ACTION AND DISCUSSION ITEMS

##### Sustainable San Juans

At 5:32 p.m., Mayor Pro-Tem Lacher introduced discussion of the "Sustainable San Juans" proposal. Councilmember Illg explained that the Sustainable San Juans Fair from Friday, April 17, 2009 through Sunday, April 19, 2009 includes displays from local stewardship groups and "green" businesses, presentation of the 2009 Good Steward Awards, local lunches prepared by the Experience Food Project and local chefs, and a series of workshops with practical tips for nurturing low impact landscaping, reducing toxic chemicals in the house, and supporting environmentally sound businesses. No discussion followed.

Sustain San Juan

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 5:36 p.m., Councilmember Brooks gave an update on the Sustain San Juan proposal. The proposed agreement attempts to lower prices, charges, rates and fees by at least 10% to stimulate and sustain the San Juan Island economy by encouraging residents to purchase goods and services locally with reduced prices. Councilmember Brooks noted that the program is in the conceptual stage. Discussion followed.

### SJI Solid Waste Transfer Station

At 5:49 p.m., Mayor Pro-Tem Lacher introduced discussion of the San Juan Island Transfer Station. Administrator Fitch explained that the Joint Planning Policy Group met on April 8, 2009 and discussed San Juan County Policy 5 and Town Policy 6 regarding the duplication of essential public facilities; specifically in relation to the SJI Transfer Station. A draft Letter of Intent stating intention of the Town to continue utilization of the SJC Solid Waste Transfer Facility and to collaborate with the County on the siting of a single facility on SJI was distributed. SJC Administrator Pete Rose explained the County's interest in having said letter of intent. Said letter states that it is in the best interests of SJI to keep costs at a minimum and maintain existing service levels; that the Town and County will work cooperatively to resolve violations at the existing site; and that the Town pledges in good faith to work with the County on matters related to site ownership/lease and the existing landfill, should the County choose the existing site for improvement. Discussion and inquiry followed regarding said letter and the difficulty of making any type of formal arrangement regarding said issue. **Council consensus to discuss said letter on a future agenda and request a similar pledge from the County.**

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Illg distributed an organizational chart of the San Juan Critical Needs Task Force (CNTF) sponsored by the SJI Community Foundation and explained the services that CNTF are rendering. Councilmember Illg requested that the Council feel free to contact CNTF with any ideas or suggestions regarding county wide ideas or solutions for community issues. No action was taken.

Councilmember de Freitas noted a letter posted on an on-line newspaper regarding a recent local border patrol issue. Councilmember de Freitas stated concerns about the professionalism of the local Border Patrol agents. Discussion and inquiry followed regarding contacting our Legislators. No action was taken.

Councilmember de Freitas stated that the Victoria Clipper is working with Washington State Ferries to develop group package prices to transport tourists from Seattle to Anacortes.

Councilmember de Freitas read a quote from the "Peninsula PI" regarding the inauguration of the WSF International sailing to Sidney, B.C. and stated that WSF staff was adamant that said sailing will not be available during the 2010 Olympics.

SJC Councilmember Rosenfeld provided an update regarding Washington State Ferries and recent sonar activity in the Sound. Mr. Rosenfeld spoke in favor of keeping the SJC Transfer Station at the current site. Administrator Fitch corrected an earlier comment regarding the recycling practices for paper products.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### CITIZEN RESPONSE

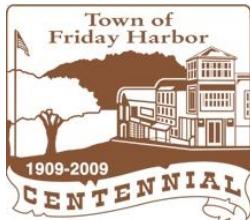
Jack Corey commented on the posted Custom's Office signage and professionalism of their agents regarding the aforementioned Border Patrol issue.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Pro-Tem Lacher requested a motion to adjourn. The next regular meeting is scheduled for Thursday, May 7, 2009 at 12:00 p.m.

**Moved by Illg, seconded by de Freitas, to adjourn the meeting at 7:14 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on May 7, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, May 7, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The order of the posted agenda was revised.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Centennial Celebration – Paint the Town

At 12:02 p.m., Mayor Jones introduced discussion of the purchase of public artwork for the Centennial Celebration. Ruth Offen, Waterworks Gallery owner, displayed the two submissions that qualified for the "Paint the Town" competition. Discussion followed regarding purchase of one or both of the artwork pieces. The Council approved an

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

amount up to \$5,000 in the 2009 Town Budget for said purchase. The Council thanked Ms. Offen.

**Moved by Lacher, seconded by Illg, to purchase and acquire two artwork pieces titled "Doctor's Office" by Richard See and "Malcolm & Argyle" by David Ridgway for public display in commemoration of the Town's Centennial Celebration. Motion passed 4-1 with Brooks opposed.**

### DEPARTMENTAL REPORTS

#### Emergency Management

At 12:10 p.m., Emergency Management Director, Brendan Cowan, and John Manning, Health & Community Services Director, reported on the recent items that the SJC Department of Emergency Management (DEM) has been engaging. Included was an update on the current public education campaign (postcards), the canvassing of local suppliers for "stock on hand" in case of an emergency, updating of the Comprehensive Emergency Management Plan, and the effects of the "Swine Flu" on San Juan County. Inquiry followed regarding the Swine Flu pandemic, including probable cases, preventative measures, and available treatment. Mr. Cowan commented on the recent power outage event. The Council thanked Mr. Cowan and Mr. Manning.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### **ACTION AND DISCUSSION ITEMS (cont.)**

#### National Historic Preservation Month

At 12:22 p.m., Mayor Jones proclaimed May 2009 as National Historic Preservation Month and urged citizens to promote preservation of our heritage resources by participating in this special observance. The proclamation was presented to Sandy Strehlou, Historic Preservation Coordinator, and Historic Preservation Review Board members.

#### Centennial Celebration Map

At 12:25 p.m., Mayor Jones introduced Emily Reed, graphic designer, to present a local map and guide of historic buildings in Friday Harbor to commemorate the Centennial Celebration. Ms. Reed distributed copies of the map. The Council thanked Ms. Reed. No action was taken.

#### Historic Preservation Review Board

At 12:29 p.m., Mayor Jones requested that the Council to confirm the reappointment of David Waldron, Kevin Peterson and Michael Jean (Carpentier) Smith to the Historic Preservation Review Board. The Council indicated approval of said reappointments.

**Moved by Lacher, seconded by Brooks, to affirm the reappointment of David Waldron, Kevin Peterson and Michael Jean (Carpentier) Smith to the Historic Preservation Review Board. Motion passed unanimously.**

#### Friday Harbor Streetscape Furniture

At 12:31 p.m., Mayor Jones introduced Mr. Waldron to make a presentation regarding renovation of signage, lighting and furniture in the downtown core to create a master "Friday Harbor Streetscape". Mr. Waldron distributed hand-out materials and models of the proposed street furniture. Mr. Waldron described the vision of the proposal. The Council indicated concept approval of the plan. Discussion followed regarding the design for signage and lighting, maintenance, and funding of the project. Mayor Jones suggested holding a work session on said issue. Councilmember Illg noted that the Town Lodging Tax Advisory Committee is interested in using a portion of the first 2% hotel/motel tax funding towards a similar project. The Council thanked Mr. Waldron. No action was taken.

#### Resolution No. 1715

At 12:51 p.m., Mayor Jones introduced discussion of draft Resolution No. 1715, authorizing the Mayor to execute an agreement with the SJC Economic Development Council (EDC) to promote economic development within the Town for 2009. Bill Watson, EDC Program Coordinator, briefed the Council on current activities for 2009. No discussion followed.

**Moved by de Freitas, seconded by Wolf, to adopt Resolution No. 1715 as stated above. Motion passed unanimously.**

#### Resolution No. 1716

At 12:53 p.m., Mayor Jones introduced discussion of draft Resolution No. 1716, authorizing the Mayor to submit an application to the Department of Community Trade

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

and Economic Development for a CDBG grant to develop an Affordable Housing Action Plan. Angie Lausch, SJC Affordable Housing Coordinator, explained the purpose of said grant. The joint grant application allows the Town and County to jointly apply for \$40,000. The County would only qualify for \$24,000 if it were to apply individually. Discussion followed regarding the Town's role and responsibility for said grant. **Council consensus to postpone approval of draft Resolution No. 1716 until the May 21, 2009 public hearing for the consideration of the grant application.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Resolution No. 1717

At 1:03 p.m., Mayor Jones introduced draft Resolution No. 1717, authorizing the Mayor to execute Change Order No. 15 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 15 is in the amount of \$22,013.81. Said Change Order consists of five requests including additional concrete anchors and paving. Discussion followed regarding the materials used for the project.

**Moved by de Freitas, seconded by Wolf, to adopt Resolution No. 1717 as stated above. Motion passed unanimously.**

### Resolution No. 1718

Concurrently, Mayor Jones introduced draft Resolution No. 1718, authorizing the Mayor to execute Change Order No. 16 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 16 is in amount of \$93,843.50. Said Change Order consists of costs associated for changed conditions on the project. No discussion followed.

**Moved by de Freitas, seconded by Wolf, to adopt Resolution No. 1718 as stated above. Motion passed unanimously.**

### **ADMINISTRATOR'S REPORT**

At 1:12 p.m., Administrator Fitch presented the Town Council with an update of the following:

- SJC Transfer Station – The Town Council will be discussing a Lease/Purchase Agreement during the evening May 7, 2009 session. Department of Ecology (DOE) has made site visits and an Administrative Order was issued to the San Juan County Public Works Department for stormwater compliance issues on April 23, 2009.
- Stormwater Detergent Issue – Detergents in the amount of .25 mg/L was detected in the smaller outfall pipe below Spring Street during the most recent testing. Discussion followed. Councilmember Brooks stated that Mr. Mike Kaill has identified some inexpensive solutions for said issue, including the purchase of a catch basin filter.
- Friday Harbor Landfill – SJC Department of Health, the regulatory agency for the Landfill, has requested that Town report the Landfill to the DOE Toxic Cleanup Program and to update the Sampling Analysis and Quality Assurance Plan.
- Spring Street Asphalt Improvements – Cost for additional patch paving on Spring Street would cost \$10,000 for approximately a 10 x 137 foot area. Discussion followed regarding if there is grant funding available to supplement the cost.
- Hanging Baskets – The flower baskets are scheduled to be hung on May 18, 2009.
- Street Striping – Street striping is scheduled to begin May 11, 2009, weather permitting.
- Water Transmission Main Replacement Project – Consultants and staff walked said project on May 5, 2009. The meeting agenda was distributed and update of

## **MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009**

the meeting was given. Discussion followed regarding the next steps in the design process.

- Windjammer Cable TV – Users are receiving letters stating changes to their programming. The current franchise agreement expires in 2009.

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by Brooks, second by Illg to affirm the payment of Payroll Warrant Nos. 13696 through 13742 in the amount of \$226,954.19; and approve the payment of Claim Warrant Nos. 32514 through 32600 in the amount of \$196,961.16. Motion passed unanimously.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### APPROVAL OF MINUTES

Moved by Lacher, seconded by de Freitas, to approve the minutes of **April 16, 2009 as corrected**. Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Mayor Jones suggested that the "Friday Harbor Streetscape" be added to a future agenda.

Councilmember Lacher inquired where the newly purchased artwork should be displayed and requested that informational plaques and a press release be posted.

### CITIZEN RESPONSE

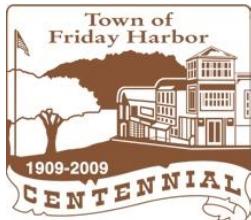
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, May 7, 2009 at 5:30 p.m.

**Moved by Lacher, seconded by Brooks, to adjourn the meeting at 1:39 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on May 21, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, May 7, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Council members: Lacher, de Freitas, Illig, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Councilmember Wolf was not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Debbie Pigman, Executive Director for the SJI Chamber of Commerce, provided cost information regarding Centennial Celebration banners for the outdoor light standards. Eight banners with hanging hardware costs approximately \$1,280.

Robert Low, 520 Spruce Street, described the poor roadway condition of Spruce Street and requested that Nash Street be reopened to vehicular traffic.

Doug Brow, 525 Alder Court, described the poor roadway condition of Spruce Street and also requested that Nash Street be reopened to vehicular traffic; noting that the neighborhood residents are willing to sign another petition. Mayor Jones inquired if the neighborhood residents are willing to form a local improvement district to address some of the street and stormwater issues. Discussion followed.

### **PUBLIC HEARINGS**

#### Sign Ordinance

At 5:38 p.m., Mayor Jones opened the public hearing to consider revisions to Title 14 of Friday Harbor Municipal Code regarding sign regulations, allowing signs to be illuminated after businesses are closed.

Land Use Administrator, Mike Bertrand, entered letters of testimony into the record and explained the draft language under consideration.

At 5:40 p.m., Mayor Jones opened the public hearing to audience input. The following public comment was taken:

Steve Buck, Caldwell Banker, provided background of the proposal submitted by the Downtown Forum group.

Mike Close, San Juan Island Marine Center owner, testified in favor of the proposed change in general but against singling out specific special interest groups such as real estate companies or churches.

Pastor Joe Bettridge, Presbyterian Church, testified in favor of the proposed change in general but against singling out specific special interest groups such as real estate companies or churches.

Roger Bennett, Front Street business owner, testified in favor of the proposed change in general but against singling out specific special interest groups such as real estate companies or churches.

Ed Williams, Spring Street business owner, testified in favor of the proposed change.

Linda Hersey, former hotel manager, testified in favor of the proposed change.

There was no more audience input forthcoming. Mayor Jones opened the public hearing to Council comment.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Mayor Jones reiterated two arguments provided during the written and oral testimony. Discussion followed regarding the full removal of the clause regarding illumination of signs after business hours and adding language to define and restrict unwelcomed signs.

At 5:51 p.m., Mayor Jones closed the public input portion of the public hearing. Further discussion ensued regarding alternative language to allow signs to be illuminated after business hours.

At 6:00 p.m., Mayor Jones closed the public hearing.

**Council consensus for staff to provide a draft ordinance for consideration on May 21, 2009 which would revise the "illumination after business hours" clause; and define and prohibit specific types of signs from being illuminated after business hours.**

### ACTION AND DISCUSSION ITEMS

#### Summer Traffic

At 6:02 p.m., Mayor Jones introduced Mike Akin, Anchor Management Services, to make a presentation regarding the continuation of a summer traffic control program. The Town Council opted to discontinue the traffic control program for 2009 after SJC Sheriff's Department had not chosen to fund one third of the program due to budgeting shortfalls; leaving the Town responsible to fund two thirds of the program and Washington State Ferries one third. Mr. Akin proposed that the Town continue to fund one third of the program and half of the County's responsibility for a total of \$19,100 to operate the program for 80 days. Anchor Management Services would contribute the second half of the County's share. Mr. Akin stressed the need for said program. Discussion followed regarding anticipated tourism during the Town's Centennial. Mayor Jones noted that it was a conscience decision during the 2009 budget process to not fund the traffic control program. Treasurer Picinich provided an overview of available funding. **Council consensus to decline the proposal from Anchor Management Services at this point in time.**

#### SJI Transfer Station

At 6:19 p.m., Mayor Jones introduced discussion of a lease/purchase agreement for a portion of Town property adjacent to the Friday Harbor Landfill. SJC Administrator Pete Rose stated that the SJC Council voted the Sutton Road site as their preference for the location of the SJI Transfer Station on April 28, 2009 and requested that the Town consider entering into negotiations to lease/purchase for a portion of the property. Mayor Jones inquired about procedure. Administrator Fitch clarified that the intent of the discussion was to solely direct staff to begin the negotiation process. Per inquiry, SJC Administrator Rose stated that the County is only interested in purchasing the portion of the property because of environmental concerns and due diligence. Discussion and inquiry followed regarding the impact that selling the property would have on Town.

**Moved by Lacher, seconded by Illig, to direct staff to enter into negotiations for a lease/purchase agreement for a portion of Sutton Road property where**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**the current SJI Transfer Station is located. Motion passed 4-0 with Wolf absent.**

### Beach Court Pedestrian Access Project

At 6:29 p.m., Mayor Jones introduced discussion of the Beach Court pedestrian access project. Administrator Fitch stated that he continues to work with the petitioner and homeowners in identifying issues and the feasibility of a trail through the Beach Court right-of-way. Rough specifications for the trail and responses from abutting property owners were provided. While volunteer labor would be provided to develop the trail, the petitioners for the trail are requesting approximately \$600 to \$1,000 for construction materials and proper signage. Discussion followed regarding Town funding of the project. David Dehlendorf, Chair of the SJI Trails Committee, endorsed said project and offered support from volunteers on the SJI Trails Committee.

**Moved by IIIg, seconded by de Freitas, to approve the proposed design as presented; direct staff to continue to work with the petitioners; designate said activity as a Sanctioned Centennial Event; and allocate an amount up to \$1,000 from the Centennial Celebration fund for materials and proper signage of said trail. Motion passed 4-0 with Wolf absent.**

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Lacher inquired about the health of the plantings on Guard Street near the SJI Library. Administrator Fitch stated that 78 of the 88 plantings could not be saved.

Mayor Jones stated that the WA Department of Licensing office has opted to not close the local driver's licensing office.

Councilmember Brooks stated that she received a request that Town install parking meters. Discussion followed. The issue will be added to a future agenda.

Administrator Fitch requested that the Council review and approve the drawings and specifications submitted by Hart Pacific Engineering, an agent for Y&J Ventures, LLC regarding revisions to the sidewalk abutting Churchill Square to allow for up to two parking stalls; and if approved, direct the Town Administrator to approve the drawings and specifications.

**Consensus to direct the Town Administrator to approve the drawings and specifications for the Churchill Square sidewalk revisions.**

Mayor Jones remanded the discussion of the request from the Chamber for Centennial Banners to the Centennial Committee.

SJC Councilmember Howard Rosenfeld provided an update on Washington State Ferry issues.

### **CITIZEN RESPONSE**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

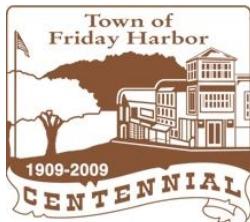
Louise Dustrude, SJI Trails Committee member, thanked the Council for their decision regarding the Beach Court Trail.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, May 21, 2009 at 12:00 p.m.

**Moved by de Freitas, seconded by Illg, to adjourn the meeting at 7:06 p.m.**  
**Motion passed 4-0 with Wolf absent.**

\* \* \* \* \*

**These minutes were approved on May 21, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, May 21, 2009 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Town Administrator, C. King Fitch; and Attorney, Don Eaton were not present.

Mayor Jones conducted the flag salute.

#### **ANNOUNCEMENTS/SCHEUDLE CHANGES**

At 12:01 p.m., Mayor Jones proclaimed May 17<sup>th</sup> through May 25, 2009 as Poppy Days in the Town of Friday Harbor and urged citizens to support their Veterans and the efforts of the American Legion Auxiliary.

The order of the posted agenda was revised.

#### **PUBLIC ACCESS TIME**

Mayor Jones requested that constituents hold comments regarding Nash Street until the allotted agenda time.

There was on public access forthcoming.

#### **ACTION AND DISCUSSION ITEMS**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Centennial Banners

At 12:04 p.m., Mayor Jones introduced discussion of the purchase of Centennial Celebration banners for the outdoor light standards. Councilmember IIIg provided cost information. Eight banners with hanging hardware costs approximately \$1,280. Discussion followed regarding the commission of a Town flag. **Council consensus to refer the issue regarding the flag to the Centennial Committee for discussion.**

**Moved by IIIg, seconded by Brooks, to allocate an amount up to \$1,280 for the purchase of eight banners with hanging hardware to commemorate the Centennial Celebration. Motion passed unanimous.**

### Ordinance No. 1391

At 12:10 p.m., Mayor Jones introduced discussion of draft Ordinance No. 1391, amending Ordinance No. 1218 and FHMC Chapter 14.04, concerning the regulation of signage. Land Use Administrator Michael Bertrand explained the proposed language. Discussion and inquiry followed regarding adoption process.

**Moved by IIIg, seconded by de Freitas, to adopt Ordinance No. 1391, as stated above. Motion passed 4-1 with Wolf opposed.**

### Ordinance No. 1391

At 12:13 p.m., Mayor Jones introduced draft Ordinance No. 1391, establishing a special meeting of the Town Council at 12:00 p.m. on June 9, 2009 at the San Juan County Legislative Hearing Room, located at 55 Second Street, Friday Harbor, Washington for the purpose of a joint Town of Friday Harbor and San Juan County Council meeting. Discussion followed regarding Councilmember attendance for upcoming meetings.

**Moved by Brooks, seconded by de Freitas, to adopt Ordinance No. 1391 as stated above. Motion passed unanimously.**

### **FUTURE AND NON-AGENDA ITEMS**

Mr. Bertrand invited the Town Council to attend a joint public hearing with the Town Planning Commission regarding Comprehensive Plan Amendments. Discussion followed. **Council consensus to hold a joint public hearing with the Town Planning Commission on July 9, 2009 at 5:35 p.m.**

Councilmember Brooks offered to donate Fourth of July banners to the Town to decorate the Front Street hand railing. Discussion followed regarding participation in the parade. **Council consensus to participate in the Fourth of July parade. Mayor Jones was assigned the task of procuring the vehicles. Councilmember IIIg was assigned the task of registering the Town in the parade with funding from the Centennial Celebration fund.**

### **PUBLIC HEARING**

#### CDBG Grant Application

At 12:25 p.m., Mayor Jones opened the public hearing to consider public comment regarding the submittal of a joint application with San Juan County (SJC) for a

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Community Development Block Grant (CDBG) Planning Only Funds to the Department of Community, Trade, & Economic Development (CTED); adopting a Resolution of Certifications; and adopting a resolution directing staff to sign an inter-local agreement with San Juan County. Angie Lausch, SJC Affordable Housing Coordinator, explained the particulars of said application; application process; and purpose for said funding. Land Use Administrator, Mike Bertrand, commented on the application and consultant selection processes.

At 12:27 p.m., Mayor Jones opened the public hearing to audience comment. Hearing none, Mayor Jones closed the public comment portion of the hearing and opened it to Council comment. Discussion and inquiry followed regarding Town participation.

At 12:29 p.m., Mayor Jones closed the public hearing.

### **ACTION AND DISCUSSION ITEMS (cont.)**

#### Resolution No. 1716

At 12:30 p.m., Mayor Jones introduced draft Resolution No. 1716, authorizing the Mayor to submit an application to the Department of Community, Trade and Economic Development for a CDBG grant to develop an "Affordable Housing Action Plan". No discussion followed.

**Moved by de Freitas, seconded by Lacher, to adopt Resolution No. 1716, as stated above. Motion passed unanimously.**

#### Resolution No. 1719

At 12:31 p.m., Mayor Jones introduced draft Resolution No. 1719, authorizing the Mayor to execute an interlocal agreement with San Juan County to develop an "Affordable Housing Action Plan". No discussion followed.

**Moved by Lacher, seconded by Brooks, to adopt Resolution No. 1719 as stated above. Motion passed unanimously.**

#### Nash Street

At 12:31 p.m., Mayor Jones introduced the discussion of opening the southern portion of Nash Street to vehicular traffic. Mayor Jones invited members of the audience to speak regarding said subject.

Monique Woodward, 719 Nash Street, commented on the maintenance of the southern portion of Nash Street during 2008; noted that the one-way designation is not adhered to; and commented on the physical condition of Nash Street when said portion is open to vehicular traffic. Ms. Woodward stated that she is not opposed to the portion of street being opened to vehicular traffic if it is finished to street standards.

Chuck Fitz, 756 Nash Street, affirmed Ms. Woodward's comments. Mr. Fitz stated that having the street open to vehicular traffic is convenient, however, observed that many drivers do not observe the speed limit or one-way designation. Mr. Fitz requested that the southern portion of street remain unopened to vehicular traffic for safety reasons until can be constructed to street standards.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Kathleen Zuidema, 738 Nash Street, commented on the physical condition of Spruce Street and Nash Street; and requested that that the southern portion of street remain unopened to vehicular traffic for safety reasons until can be constructed to street standards.

Mayor Jones stated the actual cost for the Town to maintain the southern portion of Nash Street when opened to vehicular traffic from May until September during 2008.

Bob Low, 520 Spruce Street, affirmed Ms. Zuidema's comments and argued that Nash Street is a public right-of-way that should be opened for public's use. Mr. Low stated that Town would be waiting twenty years to open it if constructed to street standards.

Sharon Kivistö, San Juan Islander journalist, stated that much of the traffic on Argyle Avenue generated by the elementary school and Evergreen Subdivision would be eliminated if the southern portion of Nash Street were opened to the public. Ms. Kivistö urged the Council to consider what is best for the entire Town rather than one neighborhood.

Councilmember Wolf opposed the opening due to costs of maintenance and safety issues.

Councilmember Illg disclosed that she resides on Spruce Street and stated opposition the opening of the southern portion of Nash Street due to safety issues. Councilmember Illg requested that the southern portion of Nash Street be added to the Six-Year Transportation Improvement Plan.

Councilmember Brooks stated opposition to the opening of the southern portion of Nash Street at this point in time due to cost and safety issues. Councilmember Brooks insisted that it is necessary to construct and open the portion of Nash Street in the near future as an increase in traffic will be anticipated with proposed development of the Buck Property.

Councilmember de Freitas concurred with the other statements from the Council.

Councilmember Lacher concurred with the other statements from the Council.

**Council consensus to not take action on the opening of the southern portion of Nash Street at this point in time.**

### **PAYMENT OF CLAIMS**

Moved by de Freitas, second by Lacher, to approve the payment of Claim Warrants Nos. 32601 through 32652 in the amount of \$139,039.34. **Motion passed unanimously.**

### **APPROVAL OF MINUTES**

Moved by Lacher, seconded by de Freitas, to approve the minutes of **May 7, 2009 as submitted. Motion passed 4-0 with Wolf abstaining.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### **FUTURE AND NON-AGENDA ITEMS (cont.)**

Councilmember Lacher requested the support of the Council for the "2009 Relay for Life" event. Councilmember Illg stated that she would abstain from any vote regarding "Relay for Life" for personal reasons. Mayor Jones will add the topic to a future agenda.

Councilmember Lacher summarized the recent letter from Jeannie Summerhaze, Regional Director of the WA State Department of Ecology, regarding the site visit to the SJI Solid Waste Transfer Station in April 2009.

Councilmember Lacher invited the Council to participate in the newly installed "Born Learning Trail" opening at the County Fairgrounds on Saturday, May 23 from 10:00 a.m. to 11:00 a.m.

Councilmember Brooks commented on the handicap access on the corner of East and Second Street near the rock face and stairs.

Councilmember Brooks informed the Council that she recently spoke with a film producer about filming a documentary in Friday Harbor and San Juan County called "The Life of the Orca" that would air on cable television channels. Councilmember Brooks described the project and request from said producer for a letter of support from the Town of Friday Harbor. **Council consensus to allow Councilmember Brooks to draft letters to the appropriate companies inviting them to Friday Harbor for the filming of said documentary.**

Councilmember Illg promoted the SJI Library's "100 Book Challenge" and requested that the Town participate by entering a team. **Council consensus to form and enter a Town team into the SJI Library's 2009 "100 Book Challenge".**

Councilmember Brooks inquired of Treasurer Picinich if first 2% Hotel Motel Funding could be used for bicycle parking accommodations. Treasurer Picinich answered in the negative. Discussion followed regarding spending limitations of the Hotel Motel Tax.

Councilmember Lacher commented on the future evening discussion regarding the summer traffic control program.

Councilmember Lacher expressed approval that there has been no detergent spikes detected in the ongoing stormwater testing. Discussion followed regarding dates, times and weather conditions during testing of the stormwater outfall.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

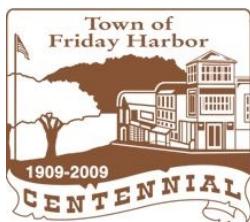
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, May 21, 2009 at 5:30 p.m.

**Moved by Wolf, seconded by de Freitas, to adjourn the meeting at 1:25 p.m. Motion passed unanimously.**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

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These minutes were approved on June 4, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, May 21, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Town Administrator, C. King Fitch was not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARINGS

#### Zoning of Conditional Buck Annexation and Resolution No. 1720

At 5:35 p.m., Mayor Jones opened the public hearing relating to the zoning of the conditional annexation of approximately 50 acres of land [Tax Parcel Nos. 35131002, 351313003, and 351313005] known as the Buck Property [Annexation Request No. 21] located in the Friday Harbor Urban Growth Area (FHUGA).

Mayor Jones read the rules for public conduct of said hearing; and explained that because the matter was legislative in nature, the appearance of fairness doctrine did not apply.

Full list of exhibits as follows:

Public Hearing – Exhibit List		
Exh. :	Title:	Submitted by:
A	Revised map of proposed zoning for subject parcels	Town Staff
B	Letter from adjacent property owners (Islander's Subdivision)	Sharon Peaslee

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 5:38 p.m., Mayor Jones requested that Land Use Administrator, Michael Bertrand, present the staff recommendation. Mr. Bertrand entered Exhibit A into the record and explained that once platted the zoning will be divided into approximately 15 acres of multi-family residential and the remainder as single family residential; and that draft Resolution No. 1720 is provisional and would conditionally approve zoning districts being proposed for annexation into the Town should the conditions of the developer agreement be met.

At 5:40 p.m., Mayor Jones invited the proponents to make a presentation.

Richard Hobbs, speaking on behalf of the proponents, invited the Council to direct any questions they may have to him.

Hector Sears, "Brown Island Parcel" owner, requested that he be able to hold his comments until the end of the public comment period; and invited the Council to direct any questions they may have to him.

At 5:41 p.m., Mayor Jones invited members of the audience to comment on said subject. No comments were forthcoming. Mayor Jones inquired if staff had any additional comments. No additional comments were heard from Attorney Eaton or Land Use Administrator Bertrand. Mayor Jones again invited members of the audience to comment.

At 5:43 p.m., Sharon Peaslee, 825 Sunday Drive, read a letter into the record requesting appropriate setbacks and to "hold the development of the property to the highest standards of urban planning." Said letter was entered into the record as Exhibit B.

At 5:46 p.m., Mayor Jones inquired if there were additional comments from the audience. Hearing none, Mayor Jones opened the public hearing to Council comment.

Councilmember Brooks inquired where the proposed streets would be placed. Mr. Bertrand stated that the location of streets will be considered during the subdivision process; and provided a peripheral overview of where proposed streets may be located.

Upon inquiry from Councilmember Brooks and Illg, Mr. Bertrand reviewed conditions of the Developer Agreement regarding the street arterial, project phasing and total number of housing units. Mr. Bertrand reviewed various land use regulations such as setbacks, easements and requirements for open space.

At 5:54 p.m., Mayor Jones asked the Council if they had additional questions for the petitioners, public or staff. Hearing none, Mayor Jones inquired if there were any additional comments from the audience. Hearing none, Mayor Jones closed the public testimony portion of the hearing.

Mr. Bertrand provided a brief overview of the annexation process following the conditional zoning of the conditional annexation of the "Buck Property".

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Attorney Eaton explained the motion under consideration for draft Resolution No. 1720. Briefly, if the conditions to annexation which are set forth in Resolution No. 1712 are met, and the Town Council, acting pursuant to said Resolution, therefore formally annexes the Buck Property into the Town, the Town Council shall, on the same date it formally approves the annexation, adopt an ordinance that establishes the zoning for the Property as shown in Exhibit A of the current (this) public hearing.

**Moved by Wolf, seconded by Lacher, to adopt Resolution No. 1720, conditionally approving zoning districts for Tax Parcel Nos. 351313002, 351313003, and 351313005, also referred to as the "Buck Property Conditional Annexation", as modified by Public Hearing document (Exhibit A – Revised zoning map) entered into the public record for the hearing regarding the conditional zoning of said parcels on May 21, 2009 at 5:35 p.m.**

Councilmember Brooks expressed concerns regarding development of the property and other conditions of the Developer Agreement. Attorney Eaton stated that the Council has already approved the Developer Agreement; that the purpose of the public hearing is only to consider zoning districts for the conditional Buck Property annexation; and in the event that the conditions of the Developer Agreement are met and property annexed, that the concerns being addressed by the Council should be properly considered through the platting and permitting processes.

**Motion passed 4-1 with Brooks opposed.**

At 5:57 p.m., Mayor closed public hearing.

### **ACTION AND DISCUSSION ITEMS**

#### Work Session – Economic Trends

At 5:59 p.m., Mayor introduced Mimi Wagner, Attorney for the Law Offices of Wiessinger, and Cathy Cavanagh, Certified Public Account, to report on the local economic trends of Friday Harbor and San Juan County. Ms. Wagner and Ms. Cavanagh made presentations which included statistics on real estate rentals, transactions, assessment values, foreclosures, bankruptcy, taxes, tourism, and employment. Both Ms. Wagner and Ms. Cavanagh noted that many of their clients have a significant amount of financial anxiety at present due to effects of the national economic downturn. Mayor Jones thanked Ms. Wagner and Ms. Cavanagh for their presentations, stating that they would be beneficial as the Town enters into the 2010 Budget process. No discussion followed.

#### San Juan County (SJC) Council Update

At 6:18 p.m., Mayor Jones introduced SJC Councilmember Howie Rosenfeld to provide an update on mutual issues of concern. Councilmember Rosenfeld reported on ferry issues and requested that the Town allocate one third of the funding of a minimal summer traffic control program. Said funding would match Washington State Ferries (WSF) and San Juan County in contracting the professional services of Anchor Management Services for traffic control during the noon hour sailing. Discussion followed. **Council consensus to allocate \$1,200 for said summer traffic control program.** Councilmember Rosenfeld noted that the proposed draft WSF Fall Sailing

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Schedule is less than satisfactory for SJC ferry commuters. The Mayor thanked SJC Councilmember Rosenfeld.

### Recognition of Councilmember Wolf

At 6:35 p.m., Mayor Jones presented plaque to Chris Wolf in recognition of his service to the Town of Friday Harbor. Councilmember Wolf thanked the Mayor and stated that it was a joy to serve on the Town Council.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Illig requested that the Town invite Charles Anderson, on behalf of the Critical Needs Task Force, to make a presentation regarding the proposed integrated medical facility on San Juan Island.

Councilmember de Freitas requested that the Town hold a follow up discussion regarding the aforementioned economic trends presentation. Mayor Jones suggested that it occur closer to beginning of 2010 Budget planning.

Councilmember Lacher noted that she will attend the AWC Budget Planning Workshop during the summer of 2009.

### **CITIZEN RESPONSE**

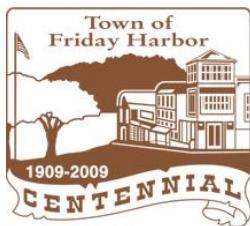
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, June 4, 2009 at 12:00 p.m.

**Moved by Wolf, seconded by de Freitas, to adjourn the meeting at 6:39 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on June 4, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Thursday, June 4, 2009 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Council members: Lacher, de Freitas, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Council Position No. 2 is vacant. Councilmember Ilig and Attorney Don Eaton were not present.

Mayor Jones conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Jones asked the Council if they wished to excuse Councilmember Ilig. Council unanimously approved her absence.

### **PUBLIC ACCESS TIME**

Doris Estabrooks, SJI resident, read a letter into the record regarding the usage of polystyrene (Styrofoam) and danger it poses to the environment, humans and wildlife. Mayor Jones continued public access time until after the appointment of the Town Council Position No. 2.

### **ACTION AND DISCUSSION ITEMS**

#### Town Council (Vacant) Position No. 2

At 12:03 p.m., Mayor Jones welcomed the applicants for vacant Town Council Position No. 2 to the meeting. The applicants for said position are as follows: Noel T. Monin, Clinton W. Mills, and Felix Menjivar. (Mr. Menjivar was unable to attend the afternoon meeting due to a prior scheduled engagement.) Applicants explained why they wished to be appointed to the vacant position. The Council discussed the qualifications of the applicants.

**Moved by Brooks, seconded by Lacher, to appoint Noel T. Monin to fill the unexpired term of Council Position No. 2. Motion passed 3-0 with Ilig absent.**

Mayor Jones and the Council expressed appreciation for the caliber of applicants for said position. The unsuccessful Council applicants were requested to consider serving on other Town boards and committees; including the Town Planning Commission; and to run for Council Positions in this year's election.

#### Oath of Office

At 12:10 p.m., Clerk Taylor administered the oath of office to newly appointed Councilmember Noel T. Monin. Councilmember Monin's appointment will expire following the certification of the 2009 election results. At that time, the incumbent will be seated for the remainder of the unexpired term which expires December 31, 2011. [Clerk's Note: Mr. Monin is running unopposed in the 2009 election for said position.]

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### **PUBLIC ACCESS TIME (cont.)**

Stephanie Buffum, on behalf of the San Juan Island Anti-Litter Initiative, requested that the Council adopt an ordinance banning the use of Styrofoam food containers such as cups, plates and "clam shells". Ms. Buffum presented a draft ordinance for consideration that was written by the Initiative. Discussion followed regarding enforcement issues and date for a public hearing. Mayor Jones thanked Ms. Buffum. No action was taken.

### Fire Department Report – Firewise Community Program

At 12:17 p.m., Mayor Jones introduced Ron Garner, Local Firewise Specialist, to speak about the Firewise Community Program. Mr. Garner explained that the Friday Harbor Fire Department has taken the steps necessary to achieve recognition as a "Firewise Community/USA" site, including creating a community plan, forming a Firewise Board, planning a Firewise Day or similar event, and documenting a \$2.00 per capita contribution to Firewise projects within Friday Harbor. Discussion and inquiry followed regarding the benefits of being a Firewise community. Mayor Jones and the Council thanked Mr. Garner and the Friday Harbor Fire Department. No action was taken.

### Proclamation – Firewise Community Program

At 12:27 p.m., Mayor Jones proclaimed the Town a proud member of the "Firewise Community Program" and urged all citizens to join in supporting the efforts of the Friday Harbor Fire Department and Firewise Communities, USA in their attempts to make the Town of Friday Harbor a safer place to live.

### 2009 Relay for Life Event (Relay)

At 12:29 p.m., Mayor Jones introduced Relay for Life representatives to promote said event and explain the Relay for Life program. Vicki Thalacher of Soroptimist International, explained that said program is not affiliated with the Susan Komen Foundation. Carrie Upingco, Relay Marketing and Publicity Chair; and Chris Hallock, Relay Organizing Committee; requested that the Council support "Painting the Town Purple" as is done in many communities; permission to place purple plastic tablecloths promoting Relay on the Front Street railing and various Spring Street locations; and issuance of a proclamation for July 24, 2009 as "Relay for Life Paint the Town Purple Day". Painting the Town Purple also consists of asking downtown businesses to dedicate one day to promote Relay by decorating their windows with purple items or displaying Relay posters, signs, balloons, etc. on their doors and windows on July 23, 2009. Discussion and inquiry followed regarding the allowance of said request under current sign regulations. Administrator Fitch stressed that the Council may never arbitrarily make exceptions to the municipal code and explained that in order to facilitate said requests, the Council will have to amend the municipal code by ordinance to allow for exceptions to prohibited types of signs. **Council consensus to direct staff to draft an ordinance for consideration to amend FHMC 14.04.090 regarding "Prohibited Signs".** The Mayor thanked the Relay for Life representatives for their presentation.

### Resolution No. 1721

At 12:49 p.m., Mayor Jones introduced draft Resolution No. 1663, authorizing the Mayor to execute an inter-local agreement with San Juan Island Park and Recreation District

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

for participation in the "Touch a Truck" event. Administrator Fitch and Councilmember Monin explained that the purpose of the agreement is for the District to organize the second annual special event for children and families and for the Town to participate in the event by providing trucks, other vehicles and personnel from the Utilities Department, Fire Department and Parking Enforcement. No discussion followed.

**Moved by Brooks, seconded by de Freitas, to approve Resolution No. 1721 as stated above. Motion passed 4-0 with IIlg absent.**

### Resolution No. 1722

At 12:51 p.m., Mayor Jones introduced draft Resolution No. 1722, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and Chinmayo of Chinmayo Studios, an independent contractor, to facilitate the creation of a Centennial Mural. Administrator Fitch explained that the purpose of the agreement is to allow the Town to collect, hold and distribute donations from various sponsors for the project in a designated account for the completion of three (3) six foot by five foot tile mural panels. Discussion and inquiry followed regarding the purpose of the Town entering into said agreement and acting as a financial conduit for the project. Councilmember Brooks raised concerns regarding the proposal.

**Moved by Lacher, seconded by de Freitas, to approve Resolution No. 1722 as stated above. Motion passed 4-0 with IIlg absent.**

**Council consensus to direct staff to absolve the concerns presented by Councilmember Brooks before the execution of said agreement by the Mayor.**

### **ADMINISTRATOR'S REPORT**

At 1:01 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Centennial Banners – The original quote for the purchase of eight banners with hanging hardware to commemorate the Centennial Celebration did not include set up charges or tax. The revised quote for banners is \$1500. **Moved by Lacher, seconded by Brooks, to approve the adjusted cost. Motion passed 4-0 with IIlg absent.**
- Friday Harbor Food Bank - Gray & Osborne Engineering will make a donation to the local food bank in lieu of hosting the annual client appreciation dinner at the AWC conference for town and cities.
- Department of Ecology (DOE) Shorelines Grant – Town received notice from the DOE that Town will receive funds in form of a grant in the amount of \$125,000 in order to update the Shoreline Master Plan (SMP).
- Model Toxic Cleanup Program (MTCP) - Town will meet with DOE, SJC and consultants on June 5, 2009 regarding listing the FH Landfill on the MTCP cleanup list and updates to the current quality assurance and sampling plan as a requirement of the FH Landfill "permit".
- West Street – A request has been received to close the dead-end of West Street on September 21, 2009 between 9:00 a.m. and 5:00 p.m. for an American Lung Association event.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- HB2260 Grant Funding – The Town’s application for “.09% sales tax” grant funding for public facilities projects is being considered by the County Council at a public hearing on June 9, 2009 at 10:20 a.m. Land Use Administrator Mike Bertrand provided an update on the County’s recommendation process and stated that the Public Facilities Review Committee voted 3-2 in favor of recommending that the Town’s application in the amount of \$75,000 receive partial funding in the amount of \$45,000 with full funding for the remaining four applications. Mr. Bertrand noted that the reason for said reduction in funding was at the suggestion of one Committee member because there “may be other projects that have not requested funding yet,” and that the comment was made by said Committee member that “the Town will fund the project anyway.”  
**Council consensus to issue a letter of explanation to the SJC Council regarding said recommendation.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Joint Council Meeting – Town will hold a joint meeting with the County Council on June 9, 2009 at 12:00 p.m. Agenda topics were reviewed.
  - Water Transmission Main Replacement Project – Town Staff and various consultants walked the entire route of the existing Water Transmission Main on May 5, 2009. Since then, surveying of environmental features have been completed; utility easements researched; and first preliminary map of existing main drafted. No recommendation for the route for the replacement has been made.
  - SJC Transfer Station – Update by the SJC Staff will be made.
- Blair Avenue – A request has been received to close Blair Avenue from Park Street to Guard Street on June 9, 2009 between 5:00 p.m. and 9:00 p.m. for a “block party” event hosted by the Experience Food Project.
- Affordable Housing Workshop – SJC will hold an “Affordable Housing Plan” work session on August 31, 2009.
- Water System Plan – Town, as a “Class A” water purveyor, is required to update the Water System Plan at least every six years. A scope of work has been drafted and updates for said plan are estimated to cost \$135,000.
- 2009 AWC Annual Conference – **Council consensus to endorse Councilmember Lacher and Administrator Fitch as the Town's voting delegates at the 2009 AWC Annual Conference in Spokane.**
- AWC Risk Management Services (RMS) Operations Committee – Administrator Fitch’s term on said Committee is due to expire. **Council consensus for Administrator Fitch to apply for reelection to said Committee.**

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Lacher, second by de Freitas to affirm the payment of Payroll Warrant Nos. 13743 through 13789 in the amount of \$221,198.90; and approve the payment of Claim Warrant Nos. 32655 through 32721 in the amount of \$435,657.37. **Motion passed 4-0 with Illg absent.**

### APPROVAL OF MINUTES

Moved by de Freitas, seconded by Lacher, to approve the minutes of **May 21, 2009 as submitted. Motion passed 3-0 with Monin abstaining and Illg absent.**

### FUTURE AND NON-AGENDA ITEMS

Councilmember Lacher requested a cost proposal for the reconstruction of Spruce Street. Administrator Fitch explained that Gray & Osborne Engineering will need geotechnical information in order to produce said estimate and a study would need to be conducted. Councilmember Lacher explained that her request is in an attempt to begin addressing the problem.

Councilmember Brooks presented a draft letter regarding the filming of an educational documentary about whales on San Juan Island and in Friday Harbor. **Council consensus to sign said letter during the June 4, 2009 evening session.** Councilmember Brooks noted that a San Juan Island Film Festival is being organized for April 2010.

## **MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009**

Councilmember Lacher thanked Mayor Jones and Councilmember Brooks for their presentation during the Memorial Day event.

Councilmember Brooks inquired if recordings of sessions could be added to the internet.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### CITIZEN RESPONSE

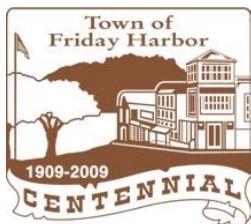
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, June 4, 2009 at 5:30 p.m.

**Moved by de Freitas, seconded by Monin, to adjourn the meeting at 1:40 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on June 18, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, June 4, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Councilmember Ilig and Attorney Don Eaton were not present.

Mayor Jones conducted the flag salute.

### EXCUSED ABSENCES

Mayor Jones asked the Council if they wished to excuse Councilmember Ilig. Council unanimously approved her absence.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Parking Proposal

At 5:34 p.m., Mayor Jones introduced Debbie Pigman, Executive Director of the SJI Chamber of Commerce; and Eddie Williams, Chair of the Friday Harbor Parking Committee, to make a presentation regarding modification to the current parking system and management in the downtown core of Friday Harbor. Briefly, a Parking Committee

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

was established by the Downtown Forum to work in conjunction with the Chamber to identify areas of concern for visitors and businesses. As a result, the Committee determined that the following revisions of the existing parking program and policy should be done in phases. Phase I – A free parking lot that would be provided and funded by the Town at the location of the former Browne Lumber yard on Spring Street; and Phase II (optional) – Installation of “Pay-N-Display” parking kiosks in the downtown core for paid parking that would coincide with the current two hour parking schedule, i.e.: non-monitored free parking after 5 p.m., Sundays and designated holidays.

Discussion and inquiry followed regarding the current parking situation; and funding, enforcement, and other logistical issues associated with said proposal. Mayor Jones invited Lovel Pratt, Project Director for the San Juan Island Agricultural Guild's Permanent Farmers Market Project, to provide an update on the current efforts to locate the Market at 150 Nichols Street. Mayor Jones invited the audience to comment. Lisa O'Brien, owner of SJIslandsTV.com, testified in favor of the full parking proposal. Roger Bennett, Front Street business owner, suggested the implementation of a Business Improvement District to help finance the implementation of Phase I. Administrator Fitch inquired about the terms of the lease of said property. The Mayor and Council thanked Ms. Pigman and Mr. Williams for their presentation. No action was taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### San Juan County (SJC) Council Update

At 6:35 p.m., Mayor Jones introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the aforementioned parking proposal and reported on ferry issues. Councilmember Rosenfeld noted that the proposed draft WSF Fall Sailing Schedule is less than satisfactory for SJC ferry commuters and noted that the draft schedule is posted on the County website.

Councilmember Brooks recapped the afternoon discussion regarding the Town application for HB 2260 funding, a.k.a. Public Facility Finance Funding authorized by RCW 82.14.370. The Council presented a copy of the letter of protest addressed to the SJC Council regarding said issue. Councilmember Rosenfeld assured the Council that he would raise the issue during the public hearing. The Mayor thanked SJC Councilmember Rosenfeld.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Brooks inquired about decoration of Fire Engine No. 1 that will be used during the 2009 Fourth of July Parade.

Councilmember Brooks presented the final draft letter regarding the filming of an educational documentary about Orca whales on San Juan Island and in Friday Harbor.

### **CITIZEN RESPONSE**

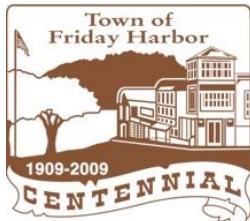
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, June 18, 2009 at 12:00 p.m.

**Moved by Lacher, seconded by de Freitas, to adjourn the meeting at 6:46 p.m.  
Motion passed 4-0 with Illg absent.**

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**These minutes were approved on June 18, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Tuesday, June 9, 2009 – SJC County Hearing Room – Joint Session**

### **CALL TO ORDER**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

The Town Council and SJC Council met in special session with Mayor Jones presiding. Mayor Jones called the meeting to order at 12:07 p.m.

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; and Clerk, Amy Taylor. Town Administrator, C. King Fitch; Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

At 12:07 p.m., Mayor Jones and the Town Council held a joint public meeting with the SJC Council to address issues of mutual concern. Newly appointed Town Councilmember Monin was introduced. Issues brought forth for discussion by the SJC Council, Town Council and Mayor were: consideration of an ordinance by SJC to address the peddling of merchandise within the East Sound Urban Growth Area; compliance issues and Interim Waste Plan schedule relating to the current Transfer Station; request for Town representation on the SJC Stormwater Advisory Committee; update on the status of the Water Transmission Line Replacement Project; current status and upcoming actions regarding the conditional annexation of the Buck Property; and discussion of the draft Fall Sailing Schedule for Washington State Ferries.

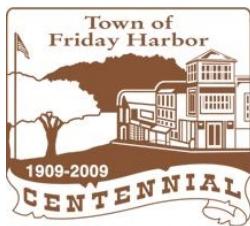
Councilmember Lacher requested that the County issue a written explanation for the reduction of funding for the Town's application for HB2260 grant funding per the public hearing held by the SJC Council on June 9, 2009.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, June 18, 2009 at 12:00 p.m.

**Moved by Lacher, seconded by Brooks, to adjourn the meeting at 12:59 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on [date]. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, June 18, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

## ROLL CALL

Councilmembers: Lacher, Monin, and Illg. Councilmember de Freitas arrived late. Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Attorney, Don Eaton and Brooks were not present.

Mayor Jones conducted the flag salute.

## EXCUSED ABSENCES

Mayor Jones asked the Council if they wished to excuse Councilmember Brooks. Council unanimously approved her absence.

## PUBLIC ACCESS TIME

There were no public access items forthcoming.

## ACTION AND DISCUSSION ITEMS

### Planning Commission Appointments

At 12:02 p.m., Mayor Jones requested that the Council affirm the appointment of Clinton Mills and Felix Menjivar to the vacancies on the Town Planning Commission. Councilmember Lacher noted that the SJC Planning Commission currently has a vacancy for a representative from District No. 3 (Town of Friday Harbor). **Council consensus to affirm said appointments.**

### Centennial Video Request

At 12:03 p.m., Mayor Jones introduced Gerard Woldtvedt, owner of Elan Video, to discuss a request for funding for a Centennial Celebration Video. Mr. Woldtvedt explained that video recording of Centennial events has been on-going and requested funding from the Centennial fund to reimburse Elan Video for hours that they will spend editing footage. Mr. Woldtvedt estimated cost to be \$875. Discussion and inquiry followed.

**Moved by Illg, seconded by Lacher, to approve expenditure of Centennial funding for said request. Motion passed 3-0 with de Freitas and Brooks absent.**

### Resolution No. 1723

At 12:10 p.m., Mayor Jones opened discussion of draft Resolution No. 1723, authorizing conditional private use of a portion of Front Street by the Rotary Club of San Juan Island. Jack McKenna and John Kalbert, current Rotary Club President, explained the particulars of the 2009 "Rock the Dock" event. No discussion followed. On behalf of the Prevention Coalition, Councilmember Illg requested that the Rotary Club consider prohibiting alcohol consumption. The Council thanked the Rotary for hosting said event.

**Moved by Lacher, seconded by Monin, to adopt Resolution No. 1723 as stated above. Motion passed 3-0 with de Freitas and Brooks absent.**

### Resolution No. 1724

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 12:19 p.m., Mayor Jones introduced consideration of draft Resolution No. 1724, authorizing the Mayor to execute an agreement with Anchor Management Services, Inc. for 2009 limited summer control services. Administrator Fitch explained the particulars of said resolution and draft Resolution No. 1725. Discussion followed regarding the reduced services and funding for said program.

**Moved by Lacher, seconded by Monin, to adopt Resolution No. 1724 as stated above. Motion passed 4-0 with Brooks absent.**

Resolution No. 1725

Concurrently with Resolution No. 1724, Mayor Jones introduced consideration of draft Resolution No. 1725, authorizing conditional private use of a portion of Court Street by Anchor Management Services, Inc. for temporary parking area to stage vehicles waiting to board Washington State Ferries vessels.

**Moved by Lacher, seconded by Monin, to adopt Resolution No. 1725 as stated above. Motion passed 4-0 with Brooks absent.**

Resolution No. 1726

At 12:16 p.m., Mayor Jones introduced draft Resolution No. 1726, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Brown and Caldwell to complete a Comprehensive Water System Plan Update (WSP). Administrator Fitch explained the particulars of said Resolution. The agreement is in the amount of \$134,630 for updating the WSP, including reviewing past and projecting future water demands; reviewing water system level of service goals and regulatory requirements; assessing system performance, capacity, and potential deficiencies relative to anticipated water system demands, performance goals, and regulatory requirements; and proposing needed system improvement alternatives to address anticipated deficiencies. Discussion and inquiry followed regarding the purpose and scope of work for the agreement and alternative treatment processes.

**Moved by de Freitas, seconded by Lacher, to adopt Resolution No. 1726 as stated above. Motion passed 4-0 with Brooks absent.**

FH/SJC Housing Authority

At 12:23 p.m., Mayor Jones introduced Angela Lausch, SJC Affordable Housing Coordinator, to make a presentation regarding the establishment of a joint Town and County Housing Authority. Ms. Lausch provided background information and answered questions from the Council regarding housing assistance through Housing Authorities and associated programs. Ms. Lausch noted that John Smith, former Executive Director for the Skagit County Housing Authority, would be willing to schedule a work session to share his expertise regarding said subject. Discussion and inquiry followed regarding alternative federally funded programs. Per inquiry, Councilmember Lacher and Administrator Fitch explained that the Joint Planning Policy Group is not the proper venue for further discussion of said subject. **Council consensus to forward the request by SJC to form a joint housing authority to the Planning Commission for review; and request that Ms. Lausch coordinate a joint work session with**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**Mr. Smith to provide further information.** The Council thanked Ms. Lausch for her presentation.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ADMINISTRATOR'S REPORT

At 12:44 p.m., Administrator Fitch presented the Town Council with an update of the following:

- 6-Year Transportation Improvement Plan (TIP) – Administrator Fitch asked the Council to begin considering its priorities for the 2010-2015 TIP. The Public Hearing for the TIP is tentatively scheduled on July 16, 2009 at 6:00 p.m. Per the request of Councilmember Illg, said Public Hearing was rescheduled to August 6, 2009 at 5:30 p.m. Administrator Fitch provided an overview of the program and street projects that are currently listed.
- Spring and Mullis Street Intersection – Citizen response has been varied regarding the placement of a three-way stop and bump-out at said intersection. Discussion followed regarding placement of bump-outs and date for public hearing to consider the subject. **Council consensus to discuss the subject further after the preliminary siting decision for the proposed integrated medical facility.**
- Spruce Street – Performing a geotechnical engineering study on Spruce Street is estimated to cost \$5,000. Gray & Osborne Engineering will require said geotechnical information in order to produce a cost estimate and scope of work for repairing the street. Said study will be included in the 2010 Town Budget.
- SJC Pollution Prevention Program – Administrator Fitch met with Brian Radar, Program Coordinator, to review and discuss the Program's scope of work and goals for 2010. Administrator Fitch noted that Mr. Radar may approach the Town for financial assistance in 2010.
- Stormwater Detergent Issue – The Street Department continues to monitor for detergents in the stormwater outfall on Spring Street. Several events were detected in April, one in May and one in June, 2009. All occurrences have been below the acceptable threshold of .025 mg/L.
- Leasehold Excise Tax – Treasurer Picinich explained that the Town will not receive approximately \$60,000 in lease-hold taxes for 2009. Said tax is a 12.84% charge by the State on government properties which provide rentals to the public, in this case moorage at the Port of Friday Harbor. Town receives a percentage of said tax from the State. Treasurer Picinich stated that the payees of the tax will receive a refund due to the Port of Friday Harbor's property receiving a reassessment in 2009.
- Sewer Replacement Project – The project is experiencing surcharging of pipes. Administrator Fitch and engineers will conduct a conference call to discuss the issue.

### PAYMENT OF CLAIMS

Moved by de Freitas, second by Monin, to approve the payment of Claim Warrant Nos. 32722 through 32779 in the amount of \$132,220.72. **Motion passed 4-0 with Brooks absent.**

### APPROVAL OF MINUTES

Moved by Lacher, seconded by de Freitas, to approve the minutes of **June 4, 2009 and June 9, 2009 as submitted. Motion passed 3-0 with Illg abstaining and Brooks absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### FUTURE AND NON-AGENDA ITEMS

Councilmember Lacher noted the SJI Library's "100 Book Reading Challenge" and other summer 2009 programs.

Councilmember Illg and Debbie Pigman, SJI Chamber of Commerce Executive Director provided an update on 2009 Independence Day activities. **Council consensus to issue a press release to remind citizens to remove their vehicles from the parade route.**

Ms. Pigman enlisted the aid of the Street Department to hang the recently purchased Centennial Banners.

Councilmember de Freitas relayed a request from the Visitors Bureau Board of Directors to amend the Scope of Work for their 2009 agreement regarding the reporting requirement for sales tax and start of the fall advertising campaign. Administrator Fitch stated that he would research said request.

Councilmember Illg requested that the Council send a letter to the US Coast Guard requesting that a waiver be issued to allow "touring watches" on Washington State Ferries routes. **Council consensus to draft said letter for consideration.**

Councilmember Lacher request that Treasurer Picinich provide a presentation regarding Town monthly financial reports.

Councilmember Monin provided an update on the recent SJI School District 149 meeting and recent arson event on school property located on Carter Avenue.

Councilmember Monin commented that he has been meeting with local business owners regarding the recent parking proposal.

### CITIZEN RESPONSE

There were no public access items forthcoming.

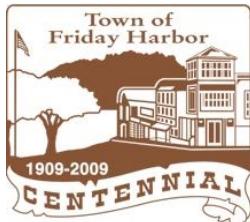
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, June 18, 2009 at 5:30 p.m.

**Moved by Illg, seconded by de Freitas, to adjourn the meeting at 1:47 p.m.  
Motion passed 4-0 with Brooks absent.**

\* \* \* \* \*

**These minutes were approved on July 2, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, June 18, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas and Illg.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Councilmember Illg was not present.

Mayor Jones conducted the flag salute.

### EXCUSED ABSENCES

Mayor Jones asked the Council if they wished to excuse Councilmember Brooks. Council unanimously approved her absence.

### PUBLIC ACCESS TIME

Lee Sturdivant, 745 Larson Street, thanked the Council for working to find solutions for affordable housing issues.

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1392

At 5:34 p.m., Mayor Jones introduced draft Ordinance No. 1392, approving the Petition for Annexation concerning Tax Parcel Nos. 351313002, 351313003 and 351313005, also known as the "Buck/Boreen Property". Attorney Eaton explained that the Town is obligated per the Developer Agreement approved by Resolution No. 1712 on March 19, 2009 to adopt said Ordinance. Annexation of said parcels is effective August 2, 2009. Discussion followed regarding other conditions of the Developer Agreement.

**Moved by de Freitas, seconded by Illg, to adopt Ordinance No. 1392 as stated above. Motion passed 4-0 with Brooks absent.**

#### Ordinance No. 1393

At 5:37 p.m., Mayor Jones introduced draft Ordinance No. 1393, amending the Town's Comprehensive Plan Land Use Map and Zoning Designation Map concerning Tax Parcel Nos. 351313002, 351313003 and 351313005, also known as the "Buck/Boreen Property". Land Use Administrator Mike Bertrand explained the changes to and differences between said maps. Attorney Eaton explained the amendment process.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1393, as stated above. Motion passed 4-0 with Brooks absent.**

### Ordinance No. 1394

At 5:43 p.m., Mayor Jones introduced draft Ordinance No. 1394, fixing the public hearing for consideration of a Petition for Annexation for Country Village, LLC. on Thursday, July 16, 2009 at 5:30 p.m. Mr. Bertrand explained the differences between said annexation request and that of the "Buck/Boreen Property". No discussion followed.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1394, as stated above. Motion passed 4-0 with Brooks absent.**

### Ordinance No. 1395

At 5:47 p.m., Mayor Jones introduced draft Ordinance No. 1395, establishing a special meeting of the Town Council at 5:30 p.m. on July 9, 2009 in the Town Council Chambers, located at 60 Second Street, Friday Harbor, Washington for the purpose of a joint public hearing with the Town Planning Commission. No discussion followed.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1395, as stated above. Motion passed 4-0 with Brooks absent.**

### San Juan County (SJC) Council Update

At 5:54 p.m., Mayor Jones introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on recent meetings with Washington State Ferries (WSF) and the US Coast Guard regarding the draft WSF Fall Sailing Schedule and "touring watch" issue; and public health concerns regarding the "Swine Flu Pandemic". Discussion followed.

## **FUTURE AND NON-AGENDA ITEMS**

Administrator Fitch distributed two letters for Council signature. Said letters concerned the WSF touring watch issue and proposed National Maritime Heritage Area designation.

## **EXECUTIVE SESSION**

At 6:04 p.m., Mayor Jones announced that the Council would be holding an executive session regarding potential litigation in accordance with the provisions of RCW 42.30.110(i); which was estimated to last 35 minutes. Participants: Town Council, Mayor Jones, Treasurer Picinich, Attorney Eaton, Administrator Fitch, and Clerk Taylor. The session ended at 7:06 p.m. for an actual session time of 1 hour and 3 minutes. No action was taken.

## **CITIZEN RESPONSE**

There were no public access items forthcoming.

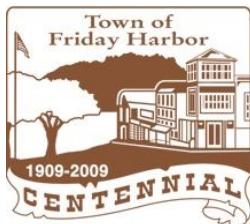
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, July 2, 2009 at 12:00 p.m.

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Moved by de Freitas, seconded by Lacher, to adjourn the meeting at 7:07 p.m.  
Motion passed unanimously.

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These minutes were approved on July 2, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, July 2, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 12:00 p.m.

### ROLL CALL

Council members: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised to time constraints.

### Fourth of July Proclamation

At 12:02 p.m., Mayor Jones proclaimed Saturday, July 4, 2009 as the one hundredth celebration of Independence Day in the Town of Friday Harbor and urged all citizens to thank the many servicemen and veterans whose service and sacrifices to our Nation protect us from those who threaten America at home and abroad.

### PUBLIC ACCESS TIME

Jim Smith, 1016 Guard Street, requested that the Council review the zoning and use of the adjacent property located at 1021 Guard Street that is occupied by a business known as "Downtown Dog". The topic will be added to a future agenda.

Debbie Pigman, Chamber of Commerce Executive Director, thanked the Town Street Crew for hanging the Centennial Banners.

### DEPARTMENT REPORTS

Community Development

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 12:11 p.m., Land Use Administrator, Michael Bertrand, reported on the second quarter building permits and upcoming public hearings for the Council and Planning Commission. No discussion followed.

### System Administration

At 12:15 p.m., System Administrator, Steven Dubail, distributed a second quarter staff report. Mr. Dubail reported on the vehicle traffic counts, Consumer Confidence Report on Water Quality, Beach Watchers Field Trip, email retention, workstation replacement, and system maintenance. Discussion and inquiry followed regarding upgrading the Council Chamber's video recording system and making the video of meetings available on the internet.

### Historic Preservation

At 12:29 p.m., Historic Preservation Coordinator, Sandy Strehlou distributed a second quarterly staff report. Mrs. Strehlou reported on the Historic Preservation (HP) reviews, HP Manual update, draft HP ordinance changes, preservation month, centennial celebration and website. No discussion followed.

### Fire Department

At 12:31 p.m., Firefighter John Miller, reported on Fourth of July and Fire Department Centennial activities planned for July 2, 2009 through July 5, 2009. Discussion followed regarding the events schedule for said holiday weekend.

### Utilities

At 12:41 p.m., Utilities Superintendent, Mike Wilks, reported on crew training, construction and equipment maintenance schedules for staff and other budgeted projects. Mr. Wilks noted that the Town has again met the State Trihalomethane reporting requirements. Councilmember Lacher complimented Sharon Hamel, Town Gardener, on the hanging flower baskets.

## COMMITTEE REPORTS

At 12:47 p.m., Councilmembers reported on the following committees:

- Lodging Tax Advisory Committee (LTAC) – Councilmember Brooks – LTAC preliminarily recommended the allocation of \$100,000 for tourism promotion grant funding. Town will accept applications beginning in July.
- Board of Health (BOH) – Councilmember Illig – BOH has been collecting statistics locally regarding communicable diseases. Flu vaccines will be limited to the community due to the shortfall in the SJC 2009 Budget.
- Housing Bank Commission (HBC) – Councilmember Lacher – HBC is in the process of developing a SJC Affordable Action Housing Plan.
- Marine Resources Committee (MRC) – Councilmember Brooks – The MRC has been working to secure grant funding for preservation and restoration of fish habitat.
- Solid Waste Advisory Committee (SWAC) – Councilmember Lacher – SWAC is in the process of developing a funding strategy recommendation for the SJC Council regarding operation of their refuse utility.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Joint Planning Policy Group (JPPG) – Mike Bertrand – The JPPG will be considering SJC Comprehensive Plan changes that would effect the Town including Phase II expansion of the Friday Harbor Urban Growth Area.

### ACTION AND DISCUSSION ITEMS

#### Monthly Financial Report

At 1:08 p.m., Mayor Jones introduced Treasurer Picinich to make a presentation regarding the Town's monthly financial reports. Treasurer Picinich explained the format of the report which includes cash balances for revenues, expenditures, investments and interest accrual. Discussion and inquiry followed. The Council thanked Treasurer Picinich.

#### Resolution No. 1727

At 1:43 p.m., Mayor Jones introduced discussion of draft Resolution No. 1727, authorizing the Mayor to accept a proposal from, and execute a purchase agreement with, Vander Yacht Propane to provide propane fuel to the Town of Friday Harbor from August 1, 2009 through July 31, 2010. Administrator Fitch explained the particulars of said resolution. No discussion followed.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1727, as stated above. Motion passed unanimously.**

#### Resolution No. 1728

At 1:44 p.m., Mayor Jones introduced draft Resolution No. 1728, authorizing the Mayor to accept a proposal from, and execute a purchase agreement with, Petro San Juan to provide motor fuels to the Town of Friday Harbor from August 1, 2009 through July 31, 2010. Administrator Fitch explained that on an annual basis, the Town bids separately for different motor fuels, including bio-diesel; and that Petro San Juan was the lowest qualified bidder for all motor fuels except bio-diesel. Administrator Fitch noted that the Town will continue to purchase bio-diesel from Island Petroleum Services for the street sweeper and refuse truck. Discussion and inquiry followed regarding the use of bio-diesel fuel in Town owned vehicles and equipment.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1728 as stated above. Motion passed unanimously.**

#### Resolution No. 1729

Concurrently, Mayor Jones introduced draft Resolution No. 1729, authorizing the Mayor to accept a proposal from, and execute a purchase agreement with, Island Petroleum Services to provide Bio-diesel fuel to the Town of Friday Harbor from August 1, 2009 through July 31, 2010.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1729 as stated above. Motion passed unanimously.**

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by de Freitas, second by Lacher to affirm the payment of Payroll Warrant Nos. 13790 through 13879 in the amount of \$239,035.73 and approve the payment of Claim

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Warrant Nos. 32784 through 32834 in the amount of \$99,400.26. **Motion passed unanimously.**

### FUTURE AND NON-AGENDA ITEMS

There were no future agenda items forthcoming.

### CITIZEN RESPONSE

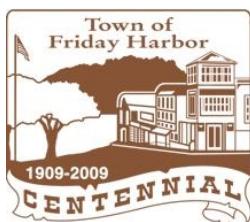
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, July 2, 2009 at 5:30 p.m.

**Moved by Brooks, seconded by Lacher, to adjourn the meeting at 1:46 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

These minutes were approved on July 16, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, July 2, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ADMINISTRATOR'S REPORT

At 5:32 p.m., Administrator Fitch presented the Town Council with an update of the following:

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- State Auditor – The entrance conference between the Town and State Auditor is scheduled July 9, 2009 at 2:00 p.m. for the Town's 2008 audit and annual review. Councilmembers de Freitas and Lacher will attend the meeting with Mayor Jones, Treasurer Picinich and Administrator Fitch.
- Sales Tax Revenue – Revenues generated from sales tax for the first half of 2009 is down approximately twenty percent which is currently ten percent more than anticipated.
- Hotel Motel Revenue – Revenues generated from Hotel Motel tax for the first half of 2009 is down approximately thirty five percent.
- Sewer Replacement Project – Strider Construction is scheduled to return on July 16, 2009 for additional marine work to remove the existing cast iron pipe.
- Consumer Confidence Report (CCR) – The CCR on water quality has been mailed to all users of Town water.
- Utility Assistance Program – \$2,500 was transferred from a project in the Parks Department budget in order to supplement funding for said program. The Family Recourse Center has already disbursed all available funding to families in need. Councilmember Monin suggested a "Round Up" program.
- Brown & Caldwell - Steve Anderson, Vice-president, will visit on July 16, 2009 to report on alternatives for the surcharging of pipes that the Sewer Replacement Project is experiencing and explain the engineering issues regarding said issue.
- Water Treatment Plant – Currently, the Town Water Treatment Plant is pumping over 500 gallons per minute to the Town. Operations are maximized in anticipation of serving 20,000 to 25,000 residents and visitors over the holiday weekend.
- Capital Facilities Plan – The draft Capital Facilities Plan will be discussed at the joint public hearing with the Planning Commission on July 9, 2009.
- Employee Photograph – Town staff and crew will participate in a group photograph on August 28, 2009 as part of the Centennial Celebration.
- Council Orientation – A tour of the Town utility facilities and Trout Lake is planned for July 7, 2009.

### APPROVAL OF MINUTES

Moved by Illg, seconded by de Freitas, to approve the minutes of **June 18, 2009 as submitted**. Motion passed 5-0 with Brooks abstained.

### ACTION AND DISCUSSION ITEMS

#### Critical Needs Task Force (CNTF)

At 5:46 p.m., Mayor Jones introduced Charles Anderson, CNTF Chair, to give a presentation on the committee's current projects. One of the purposes of the CNTF, which was formed under the sponsorship of the SJI Community Foundation, is to address the local impact of the global economic downturn on the island community. CNTF consists of community-wide workgroups involving, in total, over 300 local residents who work to create solutions for the community's "greatest needs". The most recent project included a fundraiser which raised approximately \$50,000 to provide for short-term immediate community grant funding. The Council thanked Mr. Anderson for the presentation. No action was taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### 2010 – 2015 Six Year Transportation Improvement Plan (TIP)

At 6:06 p.m., Mayor Jones introduced discussion of the TIP. Administrator Fitch presented the current 2009 – 2014 TIP; explained the basis of the program; and requested that the Council discuss and provide staff direction as to any revisions that they may have for the 2010 – 2015 TIP. The public hearing for said document was scheduled for August 6, 2009 at 5:35 p.m. Discussion and inquiry followed regarding the order of projects listed on the current TIP. **Council consensus to carry forward all currently listed projects on the 2009 – 2014 Six Year Transportation Improvement Plan.**

### Ordinance No. 1396

At 6:41 p.m., Ordinance No. 1396, adopting revisions to Title 14 of Friday Harbor Municipal Code regarding sign regulations. Land Use Administrator, Michael Bertrand explained that the purpose of the proposed revision is to allow for special event signage and decorations to be located within the Town right-of-way in approved locations as determined by the Land Use Administrator, pursuant to the June 18, 2009 direction given by the Council.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1396 as stated above. Motion passed 5-0 with 11g abstained.**

### Committee Assignments

At 6:48 p.m., Mayor Jones introduced discussion of committee assignments. Mayor Jones suggested that Councilmember Monin participate on the SJC Law and Justice Council in order to fill the vacancy created by the resignation of Councilmember Wolf; and allow the new Mayor to discuss assignments in 2010. Discussion followed regarding the current assignments. The Council concurred with Mayor Jones' suggestion. **Mayor Jones directed Clerk Taylor to notify the SJC Council of said nomination and request appointment of Noel Monin to the SJC Law and Justice Council.**

### **FUTURE AND NON-AGENDA ITEMS**

Mayor Jones scheduled a discussion on the July 16, 2009 agenda regarding the zoning and possible compliance issues resulting from the use of property located at 1021 Guard Street.

Councilmember de Freitas and Clerk Taylor will coordinate with System Administrator Steve Dubail to discuss and develop a proposal for upgrading the current video recording system in the Town Council Chambers.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:56 p.m., Mayor Jones introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the constitution of the Public Facilities Financing Committee; recent meetings with Washington State Ferries (WSF) and the US Coast Guard regarding the "touring watch" issue; current vacancies on SJC boards and committees; SJC budget issues regarding the "road funds"; and that WSF will offer free parking for the Independence Day

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

holiday. Discussion followed regarding logistical issues for the Town's participation in the 4<sup>th</sup> of July parade.

### ADMINISTRATOR'S REPORT (cont.)

At 7:04 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Association of Washington Cities (AWC) – Administrator Fitch and Councilmember Lacher attended the annual conference in June. The Council was debriefed on proposed legislation, seminars, risk management pool operations and other conference materials. Seminar topics included annexation, retirement systems, healthcare, Wellness Program, public utilities, public works trust fund and development. Administrator Fitch was reelected to the AWC Risk Management Services (RMS) Operations Committee.

### CITIZEN RESPONSE

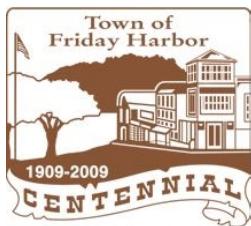
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The special meeting is scheduled for Thursday, July 9, 2009 p.m.

**Moved by Lacher, seconded by de Freitas, to adjourn the meeting at 7:33 p.m.**  
**Motion passed unanimously.**

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**These minutes were approved on July 16, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, July 9, 2009 – Town Council Chambers – Special Session**

### CALL TO ORDER

Mayor Jones called the special session of the Town Council to order at 5:31 p.m. The Town Council met in special session with the Planning Commission (PC) for the purpose of hearing public testimony regarding 2009 amendments to the 2002 Comprehensive Plan.

### ROLL CALL

Council members: Lacher, Monin, de Freitas, Illg, and Brooks.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; Land Use Administrator, Michael Bertrand; Recording Secretary, Roxanna Zalmanek; and Clerk, Amy Taylor. Treasurer, Wendy Picinich was not present.

Planning Commissioners: Iverson, Menjivar, Creone, Mills, and Hushebeck. Commissioners Kohler and (Kerr) Thomsen were not present.

### **PUBLIC HEARINGS**

#### 2009 revisions to the 2002 Comprehensive Plan

At 5:30 p.m., PC Chair Iverson opened the public hearing relating to 2009 revisions to the 2002 Comprehensive Plan. Secretary Zalmanek called the roll for the PC and Clerk Taylor called the roll for the Council. The PC motioned to approve their meeting minutes.

Chair Iverson asked if any Councilmember or Commissioner wished to excuse him or herself from participating. No members wished to be excused. No response was heard following Chair Iverson's inquiry if anyone in the audience objected to any member's participation in the public hearing process. Members 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. Member responded in the affirmative that they can hear and consider issues in a fair and objective manner.

Full list of exhibits as follows:

Public Hearing – Exhibit List		
Exh. :	Title:	Submitted by:
A	Map of proposed land use reclassification requests	Town Staff
B	Correspondence received regarding Issue Nos. 1 & 2	Town Staff
C	Recorded plat map – Issue No. 2	Town Staff
D	Proposed site plan – Issue No. 1 - 955 Guard Street	Alexandra Gavora
E	Letter read into record – Issue No. 2 –1025 & 1029 Guard Street	Diane Olshefsky
F	Photographs – Issue No. 2 - 1025 & 1029 Guard Street	Darren Olshefsky

At 5:35 p.m., Chair Iverson read the procedures for public conduct of said hearing and asked Land Use Administrator Michael Bertrand to present the staff recommendation as listed in the staff report dated June 22, 2009. Mr. Bertrand entered Exhibit A & B into the record and outlined the issues as follows:

Issue No. 1 – 955 Guard Street – Request by Medra Properties, LLC to reclassify parcel from multi-family classification to commercial classification. Staff recommendation is to deny the reclassification request.

Issue No. 2 – 1021, 1023, 1025, 1027 and 1029 Guard Street – Request by James, Diane, Darren and Sheila Olshefsky to reclassify two of five said parcels from professional service classification to commercial classification. Staff recommendation is to reclassify all five parcels to industrial classification.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Issue No. 3 – 325, 355 & 375 C Street – Request by Joel and Barbara Douglas to reclassify the south half of Tax Parcel No. 351391120 from multi-family classification to commercial classification. Staff recommendation is to deny the reclassification request.

Issue No. 4 – Capital Facilities Improvements Summary – Primary revisions consist of updates in scheduling timelines and cost estimates.

Issue No. 5 – Economic Development Element – New document for the 2002 Comprehensive Plan mandated by the Growth Management Act to be included in all plans by the year 2012. Staff recommendation is to adopt the Element as Chapter Nine of the 2002 Comprehensive Plan.

At 5:44 p.m., Chair Iverson invited the proponents and audience to give testimony in the priority of the aforementioned issues.

The following testimony was received regarding Issue No. 1 – 955 Guard Street:

Alexandra Gavora, proponent, entered Exhibit D into the record and explained that the purpose of the reclassification request is to provide retail and/or professional service uses with ancillary residential use that is not currently compatible with the existing zoning in a growing neighborhood of multi-family and low-income housing.

No other public testimony was received on Issue No. 1.

The following testimony was received regarding Issue No. 2 – 1021, 1023, 1025 and 1027 Guard Street:

Diane Olshefsky, proponent, entered Exhibit E into the record and explained that the purpose of the reclassification request is to provide off-site storage and parking for their current business located at 890 Guard Street. Mrs. Olshefsky stated that the property would be enveloped in privacy screening to help abate possible noise.

Jim Smith, 1016 Guard Street, testified in favor of said reclassification request noting that the proponents are “quiet neighbors”.

Darren Olshefsky, proponent, entered Exhibit F into the record and explained that the topography of the subject parcels is ideal for the intended use if said parcels are reclassified. Members took a moment to examine Exhibit F.

No other public testimony was received on Issue No. 2.

No public testimony was received regarding Issue No. 3 – 325, 355 and 375 C Street.

At 6:01 p.m., Chair Iverson inquired if staff had any additional comments on Issue Nos. 1 – 3. Mr. Bertrand commented that the Industrial zoning designation is the only designation within the municipal code which provides for sight and noise abatement. [Clerk’s Note: FHMC Title 17.48.050 and 17.52.050 provide for additional barriers

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

designated to substantially mitigate sights and sounds.] Chair Iverson inquired if there were additional comments from the audience. Hearing none, Chair Iverson opened the public hearing to comments from the Council and Commission.

Councilmember Lacher inquired why staff determined the reclassification of industrial for Issue No. 2 when the original request was for reclassification to commercial. Mr. Bertrand stated that the reclassification will help make the currently undeveloped lots viable and usable in the future. Mrs. Olshefsky responded that after making the request for commercial reclassification they learned that they could request industrial reclassification; and that industrial reclassification would be more advantageous to the proponents.

Commissioner Menjivar inquired if a conditional use permit could be issued to the owner for Issue No. 2 rather than reclassifying the zoning. Mr. Bertrand answered in the negative.

At 6:06 p.m., Chair Iverson inquired if there were any other comments from members of the audience, staff of members regarding Issue Nos. 1-3. Hearing none, Chair Iverson requested testimony on Issue Nos. 4 and 5.

The following testimony was received regarding Issue No. 4 – Capital Facilities Improvement Summary:

Administrator Fitch noted revisions required to correlate the Summary with the Six Year Transportation Improvement Plan.

No other public testimony was taken regarding Issue No. 4.

The following testimony was received regarding Issue No. 5 – Economic Development Element

Ralph Hahn, Economic Development Council (EDC) President, explained the scope of work the EDC was given by the Council for developing the document; purpose and requirement of the document; and the described the efforts by the EDC to develop a cooperative countywide tourism promotion plan between the County, Town, Port of Friday Harbor and local resorts.

No other public testimony was taken regarding Issue No. 5.

At 6:09 p.m., Chair Iverson inquired if there were additional comments from the audience. Hearing none, Chair Iverson opened the public hearing to comments from the Council and Commission.

Councilmember Lacher and Commissioner Mills requested that Mr. Hahn explain Policy Nos. ED-2, ED-3, ED-8, ED-10 and ED-11. Mr. Hahn explained the meaning and terminology used for these policies. Discussion followed regarding countywide tourism promotion planning.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

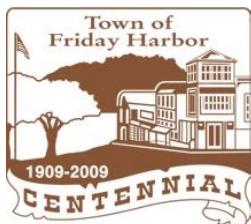
At 6:29 p.m., Chair Iverson closed the public testimony portion of the hearing and requested that Mayor Jones conclude the Town Council portion of the hearing.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, July 16, 2009 at 12:00 p.m.

**Moved by IIIg, seconded by de Freitas, to adjourn the meeting at 6:31 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on July 16, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, July 16, 2009 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

Mayor Jones called the regular session of the Town Council to order at 12:01 p.m.

#### **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Councilmember IIIg and Attorney Eaton were not present.

Mayor Jones conducted the flag salute.

#### **EXCUSED ABSENCES**

Mayor Jones asked the Council if they wished to excuse Councilmember IIIg. Council unanimously approved her absence.

#### **ANNOUNCEMENTS/SCHEDULE CHANGES**

No announcements were forthcoming.

#### **PUBLIC ACCESS TIME**

Debbie Pigman, Executive Director of Chamber of Commerce, reported on the activities during the 2009 Fourth of July holiday weekend and upcoming events scheduled for July 2009.

#### **ACTION AND DISCUSSION ITEMS**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Employee Recognition

At 12:02 p.m., Mayor Jones invited Mike Deegan, Water Department Leadman, to report on recent cost saving measures that certain Town Water Department personnel have engaged. Mr. Deegan provided a general overview of Water Department functions and introduced Jason Miniken, Cross-Connection Specialist, to describe an apparatus that he designed for the mandated purpose of dechlorination of discharge water. Briefly, one new commercial dechlorinator unit would cost approximately \$1,300. Mr. Miniken's device was built using discarded water meter parts. It was said that "the overall cost was for a dechlorination tablet". Mayor Jones presented Mr. Miniken with Certificate of Appreciation for "outstanding performance and presenting cost saving solutions for the Town". The Council and Administrator Fitch thanked Mr. Miniken.

### Relay For Life

At 12:06 p.m., Mayor Jones proclaimed that July 25th and 26th, 2009 be observed as RELAY FOR LIFE DAYS in the Town of Friday Harbor, and encouraged Friday Harbor business owners to help promote awareness of the event by "Painting the Town Purple" on July 23rd, 2009.

### Emergency Management Report

At 12:08 p.m., Emergency Management Director, Brendan Cowan, reported on recent items that the SJC Department of Emergency Management (DEM) has been engaging. Included was an update on the recent results from a local survey that canvassed residents and local suppliers for "stock on hand" in case of an emergency. Survey results showed that residents and grocery stores had enough stock on hand to maintain self-sufficiency for 1-2 weeks. The main area of concern was shortage of fuel and drinking water should the County experience an extended loss of power or disruption of deliverables from the mainland. Discussion and inquiry followed regarding the findings of said survey. The Council thanked Mr. Cowan.

### Fire Department Report

At 12:16 p.m., Fire Chief, Vern Long, reported on the response to emergency calls year-to-date and statistics for overall department participation for volunteers. Discussion and inquiry followed regarding the call for bids for a new engine pumper (see draft Resolution No. 1730) and Fire Department roofing replacement.

### Resolution No. 1730

Concurrently with the Fire Department Report, Mayor Jones introduced discussion of draft Resolution No. 1730, authorizing the Mayor to execute an interlocal agreement with Eastside Fire and Rescue (EFR) for the purchase of a fire engine. Chief Long explained that the purpose of the interlocal agreement was to utilize EFR's bidding capacity for the acquisition of a new fire engine. Administrator Fitch explained that the agreement does not contractually commit the Town to any procurement of goods or services. Mayor Jones suggested that the issue be discussed during the proposed budget work session. Discussion and inquiry followed regarding purchasing options, new requirements for engine specifications relating to safety, insurance ratings, status of current equipment, alternative purchasing programs and merging of San Juan Island and Town fire departments. Councilmember Brooks thanked the fire department

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

volunteers for the services rendered to the community during the 2009 Fourth of July festivities.

**Moved by Lacher, seconded by Brooks, to adopt Resolution No. 1730, as stated above. Motion passed 3-1 with Monin opposed and Illg absent.**

### Resolution No. 1731

At 12:48 p.m., Mayor introduced draft Resolution No. 1731, authorizing conditional private use of a portion of West Street by the American Lung Association (ALA) of Washington State. Administrator Fitch explained the particulars of the resolution and Scott Hale, Lakedale Resort General Manager, explained the particulars of the 2009 "Trek Tri-Island" event. Councilmember Brooks expressed her desire that that all events that are held in the public right-of-way prohibit alcohol consumption. Discussion followed regarding the sale of alcohol.

**Moved by Lacher, seconded by de Freitas, to adopt Resolution No. 1731, as stated above. Motion passed 3-1 with Brooks opposed and Illg absent.**

### Sewer Replacement Project Update

At 12:58 p.m., Mayor Jones introduced Steve Anderson, Vice President of Brown & Caldwell Engineering, to explain an issue associated with the Sewer Replacement Project that was discovered three months after completion of construction and provide potential solutions to address the issue. Briefly, residents identified a localized odor problem in the vicinity of the gravity sewer line downstream of the new pump station and force main near Culver Avenue and Martin Street. Mr. Anderson explained the available options for alleviating the design flaw and stated that Brown and Caldwell Engineering would pay for the fix. Mr. Anderson and Administrator Fitch recommended "Design Alternative 1B" which removes and replaces the existing 8-inch sewer with a minimum 10-inch sewer on the current grade. The removed 8-inch sewer would be used to mitigate stormwater in the same area which would highly benefit residents in that area. **Council consensus to move forward with the recommendation.** The Council thanked Mr. Anderson.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ADMINISTRATOR'S REPORT

At 1:13 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Centennial Celebration - Clerk Taylor distributed the current Centennial budget and updated the Council regarding the Town's 2009 fair booth, time capsule project and reframing of mayor photographs.
- Warbass Way - Town received a recent report that the rock wall located at 620 Warbass Way has shifted slightly. Town obtained cost estimates from Boundary Water, Inc. to establish monitoring stations based on recommendation contained in the geotechnical report by PanGeo, Inc. in 2008. Concurrently, Town obtained a cost estimate from PanGeo, Inc. to geo-probe Spruce Street. The items will be discussed during the evening meeting of July 16, 2009.
- Affordable Housing - Town received a letter from Percich Limited Partnership regarding the Island Meadows apartment complex, located on Tucker Avenue, indicating that they are applying for a request to prepay their USDA/Rural Housing Loan in January 2010. If the request is approved the requirements of RCW 59.28 to provide subsidized housing will expire. Discussion followed regarding affordable housing and the development of a housing authority.
- WSF "Touring Watches" - Town received a letter from the US Coast Guard (USCG) stating that the currently practiced touring watches are no longer justified but the USCG continues to work with WSF to develop an alternative solution.
- 2008 Utility Rate Study - Financial Consultant Services has provided an estimate to re-evaluate the Town utility rate structure. The scope of work is to reconstruct the rates based on the court ruling of Wade vs. Seattle regarding fees associated with fire hydrants; and if the Council approves, suspending a rate increase for the year 2010 due to the current economic climate.
- Sewer Replacement Project - Town will receive a change order for additional anchors to secure the line.
- State Audit - The exit interview for the annual State Audit is scheduled on Wednesday, July 22, 2009 at 2:00 p.m.

### PAYMENT OF CLAIMS

Moved by de Freitas, second by Lacher, approve the payment of Claim Warrant Nos. 32836 through 32906 in the amount of \$182,333.85. **Motion passed 4-0 with Illg absent.**

### APPROVAL OF MINUTES

Moved by Brooks, seconded by Monin, to approve the minutes of **July 2, 2009 and July 9, 2009 as corrected.** **Motion passed 4-0 with Illg absent.**

### FUTURE AND NON-AGENDA ITEMS

Mayor Jones announced that the Town Council will hold an executive session during the evening session of July 16, 2009.

Councilmember de Freitas requested that the Council discuss the option of offering the consumer confidence report on water quality and other similar documents electronically

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

rather than by hardcopy. Administrator Fitch stated that it is mandatory that every user be delivered a hardcopy.

Mayor Jones announced that the public hearing regarding the banning of Styrofoam food containers is scheduled for August 6, 2009.

### **CITIZEN RESPONSE**

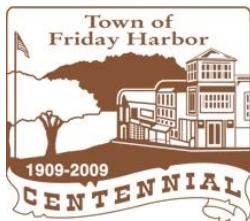
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, July 16, 2009 at 5:30 p.m.

**Moved by de Freitas, seconded by Brooks, to adjourn the meeting at 1:38 p.m.  
Motion passed unanimously.**

\* \* \* \* \*

These minutes were approved on August 6, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Thursday, July 16, 2009 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Councilmember Illig was not present.

Mayor Jones conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Jones asked the Council if they wished to excuse Councilmember Illig. Council unanimously approved her absence.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted agenda was revised to include an executive session.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### **PUBLIC ACCESS TIME**

Robert Low, 595 Spruce Street, pursuant to the afternoon session, stated that it is not the appropriate time to consider the purchase of a new fire engine when the Town does not have enough funding to properly equip the existing engines. Mr. Low requested that the Council discuss the merging of the SJI and Town fire departments.

Mayor Jones requested that comments regarding 1021 Guard Street be held until the allotted agenda time.

### **PUBLIC HEARINGS**

#### Annexation Request Application No. 22

At 5:35 p.m., Mayor Jones opened the public hearing relating to the petition for annexation of approximately 4 acres of land [Tax Parcel No. 351421003] known as the Country Village Annexation, located in the Friday Harbor Urban Growth Area (FHUGA); and to consider the zoning for said parcel.

Mayor Jones read the rules for public conduct of said hearing; and explained that because both matters were legislative in nature, the appearance of fairness doctrine did not apply.

Mayor Jones inquired if any Councilmember wished to excuse themselves from participation in the proceedings due to a conflict of interest or any other reason. The Council answered in the negative. Councilmember Brooks stated for the record that she had financial dealings with the petitioner through her employer, Islanders Bank. Mayor Jones inquired if any member of the public wished to place on the record any information which they believed to be an indication of a conflict of interest regarding himself or any Councilmember. No public comments were forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Full list of Exhibits as follows:

Public Hearing – Exhibit List		
Exh. :	Title:	Submitted by:
A	Map of proposed area	Town Staff
B	Letter supporting annexation from Steve Buck, Jr.	Town Staff

At 5:38 p.m., Mayor Jones requested that Michael Bertrand, Land Use Administrator, present the staff report. Mr. Bertrand entered Exhibit A and Exhibit B into the record; explained the analysis of "need" to annex said property; and Staff recommendation based on the attachments contained therein. In summary, roadways leading to the subject property have been properly studied with recommended improvements completed at this time; all utilities were studied stubbed into the existing Browne Street during the original subdivision; all other improvements and requirements have been completed. Town Staff's recommendation is to approve the annexation with zoning of single family residential.

Robert Ross, proponent, was not inclined to speak regarding said annexation application.

At 5:43 p.m., Mayor Jones invited the members of the public to speak regarding the request for annexation. The following individuals testified:

At 5:44 p.m., David Eden, abutting property owner, testified that he was not opposed to the annexation of said parcel. Mr. Eden noted that he was concerned about tree removal.

At 5:45 p.m., Mayor Jones hearing no other public testimony or comments from staff closed the public testimony portion of the public hearing and opened the hearing to Council deliberations.

Each Councilmember concurred that the request for annexation has been thoroughly analysed and staff recommendations was appropriate.

**Moved by Lacher, seconded by Brooks, to adopt staff recommendations concerning Annexation Request Application No. 22 and direct staff to prepare an ordinance for adoption. Motion passed 4-0 with Illg absent.**

### **ACTION AND DISCUSSION ITEMS**

#### Land Use Issue - 1021 Guard Street

At 5:48 p.m., Mayor Jones introduced discussion regarding a possible land use compliance issue resulting from activities at 1021 Guard Street, a.k.a. Downtown Dog. The issue was brought forth due to numerous complaints received regarding incessant barking from dogs at said dog day care and grooming business.

Mayor Jones invited members of the public to comment.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 5:49 p.m., Jim Smith, 1016 Guard Street, a.k.a. Discovery Inn, requested that the Council consider interim regulations to require additional noise abatement.

At 5:51 p.m., Dr. Michelle Loftus, (DMV), 525 Boyce Road, a.k.a. Animal Inn Boarding Kennel, stated concerns about the "rate of injury of pets" and rumored "unlicensed veterinary care given" to canines at Downtown Dog. Dr. Loftus requested that the Town impose regulations on these types of businesses that are consistent with the American Kennel Association.

At 5:56 p.m., Dr. Roy Persinger, (DMV), owner of 1021 Guard Street, stated that he works closely with Downtown Dog and has not observed any violations or inappropriate veterinary care given to animals at the business. Dr. Persinger stated that pet owners are able to purchase antibiotics at pet care stores and administer them to their own pets.

Mayor Jones reminded the audience that discussion was to examine possible land use violations and asked staff to comment.

At 5:59 p.m., Land Use Administrator Mike Bertrand stated that professional standards of a business or practice are out of the Town's jurisdiction to regulate and that staff examined current land use regulations to find that at present said business is not in violation with any sign, noise, land use or licensing regulation. Staff is researching alternative solutions such as requiring a conditional use permit. Discussion followed.

Councilmember Lacher stated that it is appropriate for the Council to regulate land use issues and not the "industry oversight" for ethical practices stated by Dr. Loftus. Councilmember Monin concurred and requested that staff work on alternative land use regulations for the placement of these types of facilities, perhaps by limiting the allowable zoning. Councilmember de Freitas concurred with the other Councilmember statements. Councilmember Brooks concurred with the other Councilmember statements and stated that sufficient (legal) proof has not been presented that this business is a nuisance in the area. Councilmember Monin rebutted that Jessica Ray, Downtown Dog owner, stated in an email that "the yard stays quiet for 90% of the day," which proves that the Town should be cautious to where it allows these types of facilities. Attorney Eaton cautioned the Council that local government is limited in their authority to regulate the professional conduct or industry standards for businesses.

At 6:11 p.m., Milene Henley, former owner of Animal Inn, stated that she is sympathetic to the noise issue, but that Downtown Dog is providing a needed service for pet owners and requested that we be patient while they work through their "learning curve".

Mayor Jones thanked the audience for their comments. No action was taken.

### **FUTURE AND NON-AGENDA ITEMS**

The schedule for upcoming meetings in August was discussed. Councilmember Brooks will attend the AWC Budget Conference in lieu of Councilmember Lacher.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Per inquiry, Administrator Fitch stated that discussion regarding the 2008 Utility Rate Study and Warbass Way and Spruce Street geo-technical monitoring will be deferred until the budget work session.

Administrator Fitch announced that the Town has been named in a lawsuit between JS&S Construction (Contractor) vs. Lawson Construction (Sub-contractor). Said lawsuit is a dispute over labor and materials. The Town is currently holding retainage for the project and therefore named in the action.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:23 p.m., Mayor Jones introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld distributed the latest version of the draft WSF Fall Sailing Schedule, which attempts to address the "touring watch" issue; explained proposed WSF fare increases; and listed the meeting schedule for the SJC Council. Councilmember Brooks inquired if the Critical Areas Ordinance (CAO) will effect the Town. Councilmember Rosenfeld advised that constituents attend the upcoming CAO workshops.

### **CITIZEN RESPONSE**

Mr. Rosenfeld announced that he supports the merging of the SJI and Friday Harbor fire departments. Discussion followed.

### **EXECUTIVE SESSION**

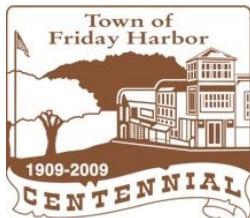
At 6:41 p.m., Mayor Jones announced that the Council would be holding an executive session regarding real estate in accordance with the provisions of RCW 42.30.110(c); which was estimated to last 20 minutes. Participants: Town Council, Mayor Jones, Treasurer Picinich, Attorney Eaton, Administrator Fitch, and Clerk Taylor. The session ended at 7:13 p.m. for an actual session time of 23 minutes. No action was taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, August 6, 2009 at 12:00 p.m.

**Moved by Lacher, seconded by de Freitas, to adjourn the meeting at 7:14 p.m.  
Motion passed 4-0 with Illg absent.**

\* \* \* \* \*

**These minutes were approved on August 6, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**Thursday, August 6, 2009 – Town Council Chambers – Afternoon Session**

## **CALL TO ORDER**

Mayor Pro-tem Lacher called the regular session of the Town Council to order at 12:00 p.m.

## **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Clerk, Amy Taylor and Attorney, Don Eaton. Mayor David Jones was not present.

Mayor Pro-tem Lacher conducted the flag salute.

## **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

## **ACTION AND DISCUSSION ITEMS**

### Planning Commission Recommendations

At 12:05 p.m., Mayor Pro-tem Lacher introduced discussion of the July 9, 2009 Planning Commission recommendations regarding the Town of Friday Harbor 2002 Comprehensive Plan. Land Use Administrator Michael Bertrand summarized recommendations made by the Planning Commission regarding three land use reclassification requests and two text change requests. Discussion followed regarding the Economic Development Element of the Plan. [Clerk's Note: Said recommendations were accepted by Ordinance No. 1397.]

### Ordinance No. 1397

Concurrently with the approval of the Planning Commission recommendations, Mayor Pro-tem Lacher introduced discussion of draft Ordinance No. 1397, amending the 2002 Town of Friday Harbor Comprehensive Plan and Comprehensive Plan Land Use Map and repealing Ordinance No. 1362 in its entirety. Said ordinance includes the Planning Commission's recommendations for land use reclassifications and text revisions to Comprehensive Plan Table 6-1, Summary of Capital Facilities Improvements and incorporates an Economic Development Element. No discussion followed.

**Moved by de Freitas, seconded by Monin, to adopt Ordinance No. 1397 as stated above. Motion passed unanimously.**

### Ordinance No. 1398

At 12:08 p.m., Mayor Pro-tem Lacher introduced discussion of draft Ordinance No. 1398, amending portions of Ordinance No. 1163 and Friday Harbor Municipal Code 13.20.030 regarding sewer connections. Attorney Eaton explained that said ordinance provides for State approved Large On-Site Sewage Systems (LOSS) in lieu of connecting to the Town Sewer System in certain circumstances. Said Ordinance is pursuant to the adopted Developer Agreement for the Buck Property Annexation. Discussion followed regarding the proposed language contained therein relating to the number of parcels that may request exemption from connecting to the Town Sewer System. **Council consensus to**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**direct staff to amend the proposed language of draft Ordinance No. 1398.**  
[Clerk's Note: See August 6, 2009 evening session for adoption of Ordinance No. 1398.]

### Ordinance No. 1399

At 12:22 p.m., Mayor Pro-tem Lacher introduced discussion of draft Ordinance No. 1399, amending a portion of Ordinance No. 1201 and Friday Harbor Municipal Code 16.04.160(A) by establishing a time limit for final approval of phased subdivisions. Attorney Eaton explained that said Ordinance allows for multiple phase subdivisions to be completed in no longer than five year increments and final approval of all subsequent phases no longer than twenty years from the date of the initial preliminary approval of the first phase of the subdivision. Discussion followed regarding the purpose of the Ordinance and current phasing process.

**Moved by Brooks, seconded by Monin, to adopt Ordinance No. 1399 as stated above. Motion passed unanimously.**

### Ordinance No. 1400

At 12:31 p.m., Mayor Pro-tem Lacher introduced discussion of draft Ordinance No. 1400, approving the Petition For Annexation, filed with the Town of Friday Harbor on June 8, 2009, concerning Tax Parcel No. 351421003, known as the Country Village, LLC Annexation. Said Petition for Annexation was approved at the public hearing of July 16, 2009. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Ordinance No. 1400, as stated above. Motion passed unanimously.**

### Ordinance No. 1401

Concurrently with Ordinance No. 1400, Mayor Pro-tem Lacher introduced draft Ordinance No. 1401, establishing zoning for Tax Parcel No. 3514211003, known as the Country Village, LLC Annexation. Said Ordinance designates the zoning for the parcel as single family residential. Discussion followed regarding allocation of taxation of said parcel and possible future annexation of Harborview Place subdivision.

**Moved by IIIg, seconded by Brooks, to adopt Ordinance No. 1401 as stated. Motion passed unanimously.**

### Resolution No. 1732

At 12:39, Mayor Pro-tem Lacher introduced discussion of draft Resolution No. 1732, designating the Journal of the San Juans, formally known as Sound Publishing, Inc., as the source for legal printing and other official publications for the Town of Friday Harbor. Clerk Taylor explained that the agreement provides for legal advertising at a rate of \$6.30 per column inch; classified advertising at a rate of \$1.69 per line; and display advertising at a rate of \$8.49 per column inch for the period of August 1, 2009 through July 31, 2010. No discussion followed.

**Moved by Brooks, seconded by IIIg, to adopt Resolution No. 1732 as stated above. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Letter of Support - SJI Community Radio Station (KSJU)

At 12:39 p.m., Mayor Pro-tem Lacher introduced discussion of a letter of support for SJI Community Radio Station. Administrator Fitch explained that the draft letter provided by the representatives of the station is non-specific as to the location of an antenna tower. The Hillview Terrace Homeowner's Association provided a letter of protest to placement of said antenna on Town property located in the Hillview Terrace subdivision. Mayor Pro-tem Lacher suggested that approval of the letter be postponed until further clarification can be obtained. The Council concurred.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ADMINISTRATOR'S REPORT

At 12:45 p.m., Administrator Fitch presented the Town Council with an update of the following:

- 2010 Budget Request - The SJI Chamber of Commerce has provided a letter of request for funding in the 2010 Town budget.
- State Auditor Exit Conference - The exit conference with the State Auditor took place on July 22, 2009. The State Auditor recommended implementation of a special event policy.
- Regional Fire Chief Conference - Chief Long will be attending the Regional Fire Authority Implementation Workshop. Discussion followed regarding Councilmember Monin and Lacher attending said workshop and public perception of a conflict of interest should Councilmember Monin attend due to his current employment with SJC Fire District No. 3. **Council consensus for Councilmembers Monin and Lacher to attend said work shop.**
- Sales Tax Revenue - Treasurer Picinich forecasted that the Town will receive less sales tax and hotel motel tax revenue than anticipated for the year 2010. Treasurer Picinich noted past sources of sales tax revenue such as large construction projects that have since been completed.
- Future Agenda Item - Presentation materials and a synopsis of David Taylor's request to amend FHMC 17.28.060 relating to access requirements for his parcel of Guard Street was provided.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by de Freitas, second by Monin to affirm the payment of Payroll Warrant Nos. 13881 through 13927 in the amount of \$230,717.04; and approve the payment of Claim Warrant Nos. 32908 through 32985 in the amount of \$258,902.40. **Motion passed unanimously.**

### APPROVAL OF MINUTES

Moved by Brooks, seconded by de Freitas to approve the minutes of **July 16, 2009 as corrected. Motion passed 4-0 with Illg abstained.**

### FUTURE AND NON-AGENDA ITEMS

Mayor Pro-tem Lacher noted that the SJI Library's "100 Book Challenge" contest has ended and that the Town of Friday Harbor team read 77 out of the required 100 books.

Mayor Pro-tem Lacher noted that there is a list of volunteers for the Town Fair booth.

Per inquiry, Administrator Fitch stated that Marguerite Street is temporarily closed while a residence is connected to Town utilities.

Mayor Pro-tem Lacher commented that the Town received compliments regarding the capacity of the Town's water system during the recent record-breaking dry weather and high temperature event.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember Illg inquired about the condition of Trout Lake in regard to algae blooms. Discussion followed regarding "Solar Bees".

Councilmember Brooks provided a brief update on the most recent SJC Marine Resources Committee. Mayor Pro-tem Lacher suggested that the Town schedule a presentation from the SJC Marine Resources Committee regarding the proposed NOAA regulations for whale protection and "½ mile no-go zone" for the west side of San Juan Island. Clerk Taylor extended the County's invitation to attend a special meeting with Representative Larsen on August 10, 2009.

Mayor Pro-tem Lacher reported that the SJC Solid Waste Advisory Committee continues to draft a funding recommendation for the SJC solid waste utility.

### **CITIZEN RESPONSE**

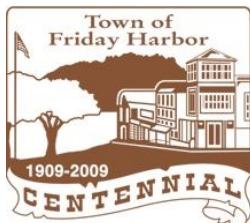
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Pro-tem Lacher requested a motion to adjourn. The next regular meeting is scheduled for Thursday, August 6, 2009 at 5:30 p.m.

**Moved by Monin, seconded by de Freitas, to adjourn the meeting at 1:08 p.m.  
Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on August 20, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Thursday, August 6, 2009 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

Mayor Pro-tem Lacher called the regular session of the Town Council to order at 5:30 p.m.

### **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Mayor, David Jones and Town Attorney, Don Eaton were not present.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Mayor Pro-tem Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEULE CHANGES**

Mayor Pro-tem Lacher read a letter into the record from the Washington Finance Officer's Association announcing that Treasurer Picinich has earned her nineteenth "Professional Finance Officer Award" from the State of Washington for professional excellence.

The posted agenda was revised to include action items carried over from the afternoon session.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **PUBLIC HEARING**

#### 2010-2015 Six Year Transportation Improvement Plan (TIP)

At 5:35 p.m., Mayor Pro-tem Lacher opened the public hearing for the 2010-2015 Six-Year Transportation Improvement Plan.

Glen Gullickson, SJI Resident, read a letter of support into the record. Said letter was entered as Exhibit A.

At 5:36 p.m., Mayor Pro-tem Lacher inquired if there was additional public testimony. Hearing none, Mayor Pro-tem Lacher closed the public input portion of the hearing and opened the hearing to Council questions.

Per Councilmember Brooks' request, Administrator Fitch explained that preliminary design for Tucker Avenue has not yet been completed due to the need for other utility projects that will be constructed in the area. The roadway design can be modified to accommodate bicycle lanes.

At 5:37 p.m., Mayor Pro-tem Lacher closed the public hearing.

#### Resolution No. 1733

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1733; providing for a Six-Year Transportation Improvement Program for the years 2010 through 2015. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1398

At 5:39 p.m., Mayor Pro-tem Lacher re-introduced draft Ordinance No. 1398, amending portions of Ordinance No. 1163 and Friday Harbor Municipal Code 13.20.030 regarding sewer connections. Pursuant to the afternoon session, Administrator Fitch redistributed draft Ordinance No. 1398 and explained the modifications that were made to its language. Discussion followed.

**Moved by de Freitas, seconded by Monin, to adopt Ordinance No. 1398 as stated above. Motion passed unanimously.**

#### Letter of Support - SJI Community Radio Station (KJSU)

At 5:43 p.m., Administrator Fitch stated that representatives from the station rescinded their request for a letter of support because "it (letter of support) was unnecessary for the grant application being submitted" and that station representatives plan to return in October 2009 after they have an opportunity to meet with the Hillview Terrace Homeowner Association. No action was taken.

#### Ordinance No. 1402

At 5:44 p.m., Mayor Pro-tem Lacher introduced draft Ordinance No. 1402, establishing the date, time, and place for a meeting of the Friday Harbor Town Council, to take place on a date other than that specified by Ordinance No. 1135. Council discussed potential dates for the purpose of a budget planning work session. The following actions were taken:

**Council consensus to hold a budget planning work session during the regularly scheduled evening session of August 20, 2009.**

**Moved by Brooks, seconded by Illig, to adopt Ordinance No. 1402, setting a special meeting of the Town Council at 12:00 p.m. on Thursday, August 27, 2009 for the purpose of a presentation by engineering consultants for the Town. Motion passed unanimously.**

#### SJC Council Update

At 5:53 p.m., Mayor Pro-tem Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld provided information on the proposed NOAA regulations for whale protection and upcoming proposal for a ferry fare rate increase. Councilmember Rosenfeld invited the Council to future meetings.

### **PUBLIC HEARINGS (cont.)**

#### Ban on Expanded Polystyrene Food Service Containers

At 5:55 p.m., Mayor Pro-tem Lacher opened the public hearing to consider a ban on expanded polystyrene food service containers.

At 5:56 p.m., Stephanie Buffum Fields, Director of the Friends of the San Juans, urged the Council to ban the use of polystyrene food containers.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 5:59 p.m., SJC Councilmember Howard Rosenfeld stated that the County Council is slated to consider the matter in September 2009.

At 6:00 p.m., Doris Estabrooks, SJI resident, cited the environmental impacts of the use of polystyrene and urged the Council to adopt an ordinance banning the use of polystyrene food containers.

At 6:02 p.m., Sam Jacobson, SJI resident, read an article regarding the effectiveness of the ban on polystyrene food containers in the city of San Francisco, California.

At 6:06 p.m., John McBride, General Manager for King's Marketplace, cited efforts and support on the part of the grocery store to convert to using biodegradable food containers.

At 6:08 p.m., Lori Stokes, member of the SJI Anti-Litter Initiative, stated that the largest component of roadside litter on San Juan Island consists of polystyrene and urged the Council to ban the use of polystyrene food containers.

At 6:10 p.m., Beth Helstein, SJI resident, urged the Council to ban the use of polystyrene food containers.

At 6:12 p.m., Mayor Pro-tem Lacher inquired if there was additional public testimony. Hearing none, Mayor Pro-tem Lacher opened the hearing to Council questions.

Mr. McBride answered Councilmember questions regarding the conversion by the grocery store to alternative products. This included a description of the biodegradable food containers, cost and examples of goods which continue to be shipped in polystyrene. Ms. Buffum Fields clarified that clarified that prepackaged foods are not subject to the ban.

Ms. Buffum Fields answered Councilmember questions regarding enforcement of said ban if implemented. Ms. Buffum Fields stated that enforcement would be a collaboration between the SJC Health Enforcement Officer and general public.

Helen Venada, SJC Waste Reduction & Recycling Coordinator, stated that industry leaders are beginning to coordinate recycling events for polystyrene products.

At 6:25 p.m., Mayor Pro-tem Lacher closed the public input portion of the public hearing and opened it to Council deliberations. Each Councilmember stated their opinion on the proposed ban on polystyrene food containers. The following action was taken:

**Council consensus to support a ban on expanded polystyrene food service containers in the Town of Friday Harbor and direct staff to draft an ordinance for consideration.**

At 6:29 p.m., Mayor Pro-tem Lacher closed the public hearing.

### **ACTION AND DISCUSSION ITEMS (cont.)**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Spruce Street and Nash Street

At 6:31 p.m., Mayor Pro-tem Lacher introduced discussion of street improvements in the Evergreen Subdivision.

Bob Low, 520 Spruce Street and on behalf of the Evergreen neighborhood, requested for various reasons that the southern portion of Nash Street be opened for vehicular use.

Richard Petersen, 475 Greenway, requested that improvements to Spruce Street be scheduled. Mr. Petersen distributed a map depicting approximately a 40 by 400 foot strip of pavement in poor condition.

Doug Brow, 525 Alder Court, commented on the need for stormwater improvements in the Evergreen Subdivision.

Linda Thompson, 435 Greenway, described the conditions of Spruce Street as unsafe and lacking stormwater drainage.

Cinda Sue Dow, 545 Alder Court, described the conditions of Spruce Street as unsafe and requested that improvements to Spruce Street be scheduled.

Mayor Pro-tem Lacher thanked the Evergreen Subdivision residents for their comments and stated that the Town has scheduled a geo-technical study in 2010 to facilitate cost estimates for improvements to Spruce Street. Councilmember Brooks commented on the lack of revenue anticipated in 2010 and suggested that the Evergreen Subdivision residents form a local improvement district. Councilmember Monin commented that Town has a need to develop a dedicated funding mechanism for street improvements. Councilmember Illig commented that Spruce Street was not included on the Six Year Transportation Improvement Plan because it is not eligible for State funding. Councilmember de Freitas commented that it is difficult to determine the level of priority for infrastructure improvements.

Mr. Low stated that the Evergreen Subdivision neighborhood understands the difficulties that the Council was presenting; that requesting the neighborhood contribute more financially is unreasonable; and implored the Council to schedule "easy fixes" such as grading and placing gravel on Nash Street.

Mayor Pro-tem Lacher thanked the Evergreen Subdivision residents. No action was taken.

### 520 Guard Street - Code Amendment Proposal

At 7:01 p.m., Mayor Pro-tem Lacher opened discussion of a land use code amendment proposal by David Taylor. Mr. Taylor provided an engineered drawing by Hart Pacific Engineering depicting the ability to install a driveway with three point turn around; and requested that the Council amend FHMC Title 17.28.060 to allow his parcel a private driveway for off street parking. Mr. Taylor stated that the driveway was needed for his safety and health reasons. Councilmember Brooks requested that the topic be added to a future agenda. No other discussion followed. No action was taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were presented.

### CITIZEN RESPONSE

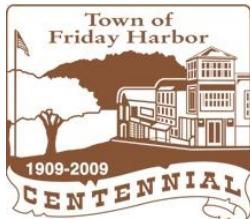
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Pro-tem Lacher requested a motion to adjourn. The next regular meeting is scheduled for Thursday, August 20, 2009 at 12:00 p.m.

**Moved by Illg, seconded by Monin, to adjourn the meeting at 7:26 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on August 20, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, August 20, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Jones proclaimed that we join in recognizing and supporting the goals of Alzheimer's Walk 2009 in the Town of Friday Harbor and urged citizens to encourage the ongoing research into possible causes and potential cures for Alzheimer's Disease by participating in the event on Sunday, August 30, 2009.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1403

At 12:03 p.m., Mayor Jones introduced draft Ordinance No. 1403, restricting the use of expanded polystyrene materials in food service containers, to be codified as Chapter 8.10 of the Friday Harbor Municipal Code. Mayor Jones suggested that the draft Ordinance be postponed in an attempt to adopt uniform legislation with the County. The SJC Prosecuting Attorney will draft an ordinance for SJC Council consideration within the next month. Discussion followed. The majority of the Council expressed that they did not desire to postpone adoption of the Ordinance. Administrator Fitch explained the provisions, exceptions and penalties of the Ordinance.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1403, as stated above. Motion passed unanimously.**

#### Ordinance No. 1404

At 12:16 p.m., Mayor Jones introduced draft Ordinance No. 1404, establishing the date, time, and place for a meeting of the Friday Harbor Town Council, to take place on a date other than that specified by Ordinance No. 1135. Council discussed topics of mutual concern for the third quarter joint meeting agenda with the SJC Council on September 1, 2009 at 12:00 p.m. The following actions were taken:

**Council consensus to request that the Ordinance regarding the ban on polystyrene food service containers and the summer traffic control program be added as agenda items for the joint meeting with the SJC Council.**

**Moved by Illig, seconded by Lacher, to adopt Ordinance No. 1404, setting a special meeting of the Town Council at 12:00 p.m. on Tuesday, September 1, 2009 for the purpose of a joint meeting with the SJC Council. Motion passed unanimously.**

### ADMINISTRATOR'S REPORT

At 12:19 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Warbass Way Retaining Wall - The Town's Civil Engineer recommended that the retaining wall at 620 Warbass Way be underpinned and locally repaired by an experienced stone mason, then monitored for movement. Administrator Fitch noted that the retaining walls on Warbass Way may be considered as an element of the Town's Historical Preservation inventory.
- Centennial Time Capsule - The dedication of the Centennial time capsule on August 20, 2009 has been postponed to a date to be determined.

### PUBLIC HEARINGS

#### 2009 Town Budget Amendments

At 12:26 p.m., Mayor Jones opened the public hearing on the amendments to the 2009 Town Budget. No public input was forthcoming. Administrator Fitch and Treasurer Picinich gave an explanation of said amendments and year-to-date balances which were

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

listed as "Attachment A" to draft Ordinance No. 1405. Discussion followed regarding miscellaneous adjustments to the 2009 budget including contracted services with the SJC Sheriff.

At 12:36 p.m., Mayor Jones inquired if any public input was forthcoming; seeing none, Mayor Jones closed the public hearing on amendments to the 2009 Town Budget. Council thanked Treasurer Picinich and Administrator Fitch for their due diligence when planning and administering the Town's finances.

### Ordinance No. 1405

**Moved by de Freitas, seconded by Lacher, to adopt Ordinance No. 1405, amending certain beginning balances, revenue estimates, expenditure appropriations, and ending cash balances in the 2009 Budget for the Town of Friday Harbor. Motion passed unanimously.**

## **ACTION AND DISCUSSION ITEMS**

### SJC Ferry Advisory Committee

At 12:37 p.m., Mayor Jones introduced Ed Sutton, Chairman of the SJC Ferry Advisory Committee (FAC), to make a presentation regarding "dwelling times" for Washington State Ferries. Mr. Sutton stated that Washington State Ferries, San Juan County and the Town need to work cooperatively to reduce dwell times and address traffic control issues for the loading and unloading of docked vessels. Mr. Sutton anticipated that the San Juan Island runs may have additional tariffs imposed partially because of this issue and implied that it is largely the responsibility of the Town to lessen the impact of traffic once it leaves the dock. Councilmember Lacher and Monin countered this sentiment by stating that the issue was island-wide and that the County withdrew its financial support initially for traffic control services. Robert DeGavre, FAC member, commented that creative solutions exist for said traffic issue. Mr. Sutton stressed the need for cooperative action. The Council thanked Mr. Sutton for his presentation. No action was taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ADMINISTRATOR'S REPORT (con't)

At 1:02 p.m., Administrator Fitch presented the Town Council with an update of the following:

- State Auditor Report - The official report for the 2008 fiscal year is available for review.
- Fire Station Roofing Bid - Town received one bid for said project. The recommendation is to reject the proposal and rebid using alternate specifications. The Council concurred.
- 2009 Town Population Count - The State Office of Financial Management has estimated the population of the Town at 2260 people.
- Budget Work Session - Additional information was distributed for the evening work session regarding budget planning.

### PAYMENT OF CLAIMS

Moved by Lacher, second by de Freitas, to approve the payment of Claim Warrant Nos. 32986 through 33041 in the amount of \$124,842.07. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Lacher, seconded by Monin, to approve the minutes of **August 6, 2009 as submitted**. Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Lacher stated the County has been granted \$55,000 from the State to develop affordable housing action plan authorized by Resolution No. 1719 and requested that the Town continue to discuss the development of a joint housing authority.

Councilmember Lacher stated that the SJC Solid Waste Advisory Committee has almost completed its recommendation for a funding mechanism for the SJC Solid Waste Utility.

Councilmember Lacher requested that the subject of expanding the Town's Historic District be added to a future agenda.

Mayor Jones suggested that a work session be scheduled for the aforementioned ferry issue. Councilmember Monin suggested preparing a statement for the September 1, 2009 joint meeting with the SJC Council. Discussion followed regarding the development of a Regional Transportation Planning Organization and other contributing factors to the dwelling time issue. Land Use Administrator Mike Bertrand stated that the ferry issues under discussion have been thoroughly studied and could be implemented.

### CITIZEN RESPONSE

There were no public access items forthcoming.

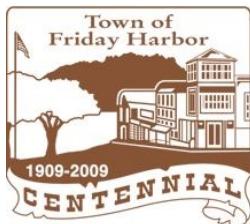
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, September 3, 2009 at 12:00 p.m.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Moved by de Freitas, seconded by Lacher, to adjourn the meeting at 1:22 p.m.  
Motion passed unanimously.

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These minutes were approved on September 3, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:  
Amy Taylor, Town of Friday Harbor Clerk



### SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, August 20, 2009 – Town Council Chambers – Evening Session

#### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

#### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illig, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

#### ANNOUNCEMENTS

The posted agenda was revised to include additional topics for discussion.

#### PUBLIC ACCESS TIME

Mike Akin, Anchor Management Services owner, requested that Town reinstate funding for the traffic control program in the 2010 budget and provided a brief history of the traffic control program.

SJC Councilmember Howard Rosenfeld supported Mr. Akin's comments and updated the Council on on-going Washington State Ferries issues.

#### PUBLIC HEARINGS

##### Amendment to FHMC Title 17, Land Use Regulations

At 5:39 p.m., Mayor Jones opened the public hearing for amendments to the Friday Harbor Municipal Code (FHMC) regarding Title 17 relating to height limitations and Planned Residential Developments.

Mayor Jones stated that the public hearing was legislative in nature and read the rules of public conduct into the record.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 5:40 p.m., Mayor Jones asked Land Use Administrator Mike Bertrand to present the staff report. Mr. Bertrand entered no exhibits into the record; explained the Planning Commission's recommendations; and identified the relevant text changes to Title 17.

At 5:43 p.m., Mayor Jones opened the public hearing to audience comments. Hearing none, Mayor Jones opened the hearing to Council questions. Councilmembers sought clarification and inquired about the verbiage of the following sections: FHMC 17.36.020; 17.66.040; and 17.66.050.

At 5:52 p.m. Mayor Jones inquired if any public input was forthcoming; seeing none, Mayor Jones closed the public hearing on amendments to FHMC Title 17. For action see draft Ordinance 1406.

### **ACTION AND DISCUSSION ITEMS**

#### 520 Guard Street - Code Amendment Proposal

At 5:53 p.m., Mayor Jones introduced discussion of a land use code amendment proposal by David Taylor to allow for the ability to install a driveway with three point turn around at 520 Guard Street by amending FHMC Title 17.28.060. Mayor Jones explained that the issue was added to the agenda in an attempt to "put the issue to rest" and invited Councilmember Brooks to provide information and make a motion. Councilmember Brooks stated that the proposal had merit because of 1) Mr. Taylor's safety and health reasons; and 2) because Mr. Taylor has provided an engineered drawing that depicts the ability to install a driveway with three-point turn around. Councilmember Brooks stated that the Council could impose a sunset condition that allows Mr. Taylor a driveway through the duration of his ownership of the parcel.

Mayor Jones requested Council discussion of the topic.

Councilmember de Freitas had no comment. Councilmember Illig inquired if the property was zoned professional services. Administrator Fitch answered in the affirmative. Councilmember Monin inquired if Mr. Taylor had known the property did not allow for a private driveway prior to purchase. Mr. Taylor answered in the affirmative. Councilmember Lacher commented that the Council discussed and declined the issue during the last cycle of Title 17 changes, noting that one concern at that time was that the proposed amendment would allow for other potential driveway access from Guard Street should parcel owners choose to divide their properties. Councilmember Lacher suggested that Mr. Taylor approach the County, abutting property owner, for use of one of their parking stalls. Mr. Taylor stated that it was unfeasible. Mayor Jones allowed Mr. Taylor to comment on his proposal. Mayor Jones requested a motion.

**Moved by Brooks, (no second), to amend FHMC Title 17.28.060 to include the following: Vehicular access to any properties located between Culver Avenue and Guard Street that abut only on Guard Street shall be allowed from Guard Street as long as the following conditions (not listed) are met. Motion failed for lack of a second.**

#### Ordinance No. 1406

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 6:08 p.m., Mayor Jones introduced draft Ordinance No. 1406, Amending Friday Harbor Municipal Code Title 17, Land Use Regulations concerning height limitations and Planned Residential Developments. Land Use Administrator Mike Bertrand explained the particulars of said ordinance and answered additional questions relating to definitions contained therein.

**Moved by Brooks, seconded by de Freitas, to adopt Ordinance No. 1406 as presented. Motion passed unanimously.**

### ACTION AND DISCUSSION ITEMS

#### Budget Planning Work Session

At 6:11 p.m., Mayor Jones introduced the work session to discuss budget process and expectations for the 2010 Town budget cycle. Mayor Jones explained the outcome of the discussion would assist the administration in preparing a draft 2010 budget for consideration during the budget process and funding priorities for the remainder of 2009. Administrator Fitch and Treasurer Picinich explained and made funding projections for various funds. Among the listed items for consideration, the Council was asked to consider amending the 2009 Water, Sewer & Stormwater budgets to allow for analysis of the effects of a rate freeze for 2010; revise water user fees by deleting charges for fire hydrants; and funding a portion of the land to house a year round Farmer's Market. **Council consensus to not implement a rate freeze for the year 2010; proceed with a study to delete charges for fire hydrants; and continue to discuss funding a portion of land to house a year round Farmer's Market if said funding becomes available.**

### FUTURE AND NON-AGENDA ITEMS

Councilmember Monin inquired about raising the salaries of elected officials. Discussion followed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### CITIZEN RESPONSE

There were no public access items forthcoming.

### EXECUTIVE SESSION

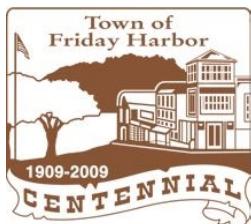
At 6:59 p.m., Mayor Jones announced that the Council would be holding an executive session regarding potential sale or lease of real estate in accordance with the provisions of RCW 42.30.110(c); which was estimated to last 10 minutes. Participants: Town Council, Mayor Jones, Treasurer Picinich, Administrator Fitch, and Clerk Taylor. The session ended at 7:13 p.m. for an actual session time of 12 minutes. No action was taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, September 3, 2009 at 12:00 p.m.

**Moved by Lacher, seconded by de Freitas, to adjourn the meeting at 7:14 p.m.**  
**Motion passed unanimously.**

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These minutes were approved on September 3, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:  
**Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, August 27, 2009 – Town Council Chambers – Special Session**

### CALL TO ORDER

Mayor Pro-tem Monin called the special session of the Town Council to order at 12:05 p.m.

### ROLL CALL

Councilmembers: Monin, de Freitas, and Illig.

Others Present: Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Mayor Jones; Councilmembers Lacher; Councilmember Brooks; and Attorney, Don Eaton were not present.

Mayor Pro-tem Monin conducted the flag salute.

### WORK SESSION

Presentation - Trout Lake Dam Structural Stability

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 12:08 p.m., Mayor Pro-tem Monin introduced Guy Lund and Chad Gillan, structural engineers from URS Corporation to make a presentation regarding the structural stability analysis of the Trout Lake Dam. URS Corporation was contracted by the Town to develop said analysis pursuant to the Washington State Department of Ecology Dam Safety Office notification that the Downstream Hazard Rating for Trout Lake Dam had increased to "High" Hazard Class 1C. Mr. Lund and Gillan provided a power-point presentation which summarized key elements of the report including historical background, project understanding, evaluation criteria, methods of analysis and structural results. Mr. Lund reported that the main finding of the analysis is that Trout Lake Dam is structurally sound. Said report will act as the "Analysis of Record" until the Dam receives load or structural changes. Discussion and inquiry followed the presentation regarding other findings of the analysis and possible heightening of the Dam. The Council thanked Mr. Lund and Mr. Gillan.

### **CITIZEN RESPONSE**

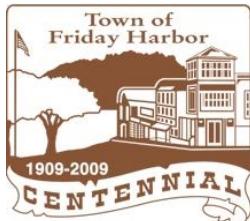
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Pro-tem Monin requested a motion to adjourn. The next regular meeting is scheduled for Thursday, September 3, 2009 @ 12:00 p.m.

**Moved by de Freitas, seconded by Illig, to adjourn the meeting at 1:13 p.m.  
Motion passed unanimously.**

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These minutes were approved on September 3, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:  
Amy Taylor, Town of Friday Harbor Clerk



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Tuesday, September 1, 2009 – SJC County Hearing Room – Joint Session**

### **CALL TO ORDER**

The Town Council and SJC Council met in special session with Mayor Jones presiding. Mayor Jones called the meeting to order at 12:01 p.m.

### **ROLL CALL**

Council members: Lacher, Monin, de Freitas, Illig, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton; and Treasurer, Wendy Picinich were not present.

### **WORK SESSIONS**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 12:02 p.m., Mayor Jones and the Town Council held a joint public meeting with the SJC Council to address issues of mutual concern.

Council attended a presentation by the SJC Marine Resources Committee, Economic Development Council and SJC Parks and Recreation Department regarding the National Oceanographic & Atmospheric Association's (NOAA) proposed rules for the protection of southern resident Orca Whales. The proposed regulations as currently written would prohibit vessels from approaching any whale closer than two hundred yards away and forbid all vessels from intercepting or parking in the path of a whale. Said regulations include kayaks and non-motorized vessels. In addition, the proposed regulations would create a half-mile-wide "No-Go-Zone" along the west side of San Juan Island from May 1<sup>st</sup> through September 31<sup>st</sup>, with limited exceptions for commercial fishing and access to personal property. **Council consensus to coordinate a joint public meeting with the County regarding said issue prior to the closing of NOAA's comment period on October 27, 2009.**

Other issues of mutual concern brought forth for discussion by the SJC Council, Town Council and Mayor were as follows:

- Update on the Town's recent ban on expanded polystyrene food service containers and status of the County's proposed ordinance for a similar ban;
- Update on recent meetings Washington State Ferries and proposed fare increases and tariffs for San Juan Island sailings; and
- Suggestion to coordinate the expenditure of Town and County Hotel Motel Tax funding to ensure that funding is granted in a manner that does not overlap and development of a long range plan to ensure that both sources of funding are expended to their maximum investment capacity.
- Suggestion to add discussion of a joint Town and County Housing Authority to the next quarterly meeting agenda.

The Town thanked the County for their invitation. No action was taken.

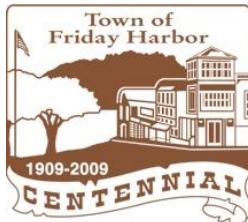
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, September 3, 2009 at 12:00 p.m.

**Moved by Illig, seconded by de Freitas, to adjourn the meeting at 1:02 p.m.  
Motion passed unanimously.**

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**These minutes were approved on September 3, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:  
Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, September 3, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

Ann Monin, 525 Carter Avenue, requested that the Council take into consideration the protection and preservation of habitat for the Island Marble Butterfly species present on San Juan Island, specifically during future development of the recently annexed Buck Property. The Mayor thanked Mrs. Monin. Land Use Administrator Mike Bertrand provided additional information on said issue relating to the Buck Property.

### ACTION AND DISCUSSION ITEMS

#### Resolution No. 1734

At 12:08 p.m., Mayor Jones introduced discussion of draft Resolution No. 1734, authorizing the Mayor to execute and agreement with John E. Jensen to provide code compliance services. Administrator Fitch explained that if approved, Mr. Jensen will receive \$45.50 per hour for the 2009-2010 contract period. Said agreement is identical to the 2008-2009 agreement with the exception of additional language concerning a thirty (30) day termination clause for services. Councilmember Illg requested that discussion of code violation related issues be added to a future agenda. No discussion followed.

**Moved by Monin, seconded by Lacher, to adopt Resolution No. 1734 as stated above. Motion passed unanimously.**

#### Resolution No. 1735

At 12:11 p.m., Mayor Jones introduced discussion of draft Resolution No. 1735, authorizing the Mayor to execute a contract with Financial Consulting Solutions Group to perform a fire cost analysis of the Town water utility rates. Administrator Fitch explained that said contract reviews and revises, as necessary, the June 2008 Water, Sewer & Stormwater Utility Rate Study so as to conform with a recent Washington State Supreme Court case confirming that water utility rates should not include the cost of fire hydrants in their water user rates. Discussion and inquiry followed regarding current

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

rate policies for the water utility; source of funding for said study; and postponement of utility rate increases in 2010.

**Move by IIlg, seconded by Lacher, to amend the scope of work of said agreement for a fire cost analysis of the water utility user rates to include an analysis of utility rate freeze forecast. Motion failed 3 -2 opposed.**

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1735 as stated above. Motion passed 3 - 1 with Lacher opposed and IIlg abstaining.**

### Resolution No. 1736

At 12:43 p.m., Mayor Jones introduced draft Resolution No. 1736, authorizing the Mayor to execute a contract with the engineering firm of PanGeo, Inc., for geotechnical services on Spruce Street. Administrator Fitch explained the particulars of said contract. PanGeo, Inc. will collect samples and assess sub-surface conditions of Spruce Street in order to make recommendations for pavement design for roadway reconstruction. Discussion and inquiry followed regarding stormwater drainage in the sub-division.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1736, as stated above. Motion passed unanimously.**

### Resolution No. 1737

At 12:48 p.m., Mayor Jones introduced draft Resolution No. 1737, authorizing the Mayor to execute a contract with the engineering firm of Boundary Water, Inc., to install roadway stability monitoring points along Warbass Way. Administrator Fitch explained the particulars of said contract. Installation of said monitoring points is a recommendation of the 2007 roadway stability study of Warbass Way. No discussion followed.

**Moved by Lacher, seconded by IIlg, to adopt Resolution No. 1737, as stated above. Motion passed unanimously.**

### Resolution No. 1738

At 12:51 p.m., Mayor Jones introduced draft Resolution No. 1738, authorizing the Mayor to execute Amendment No. 1 to the agreement between the Town of Friday harbor and the engineering firm of Brown and Caldwell to provide additional design services and construction plans for the Sewer Main Replacement Project. Administrator Fitch explained particulars of said amendment. The Amendment is for additional design services that are necessary to mitigate complications resulting from construction that have resulted in odor emissions and operational difficulties that were unanticipated. Discussion followed regarding construction costs and use of the existing eight inch sewer piper for stormwater conveyance. A letter to home and business owners in the area has been issued.

**Moved by Lacher, seconded by de Freitas, to adopt Resolution No. 1738 as stated above. Motion passed unanimously.**

### Budget Planning Work Session

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Due to time constraints, Mayor Jones cancelled the budget planning work session.

### ADMINISTRATOR'S REPORT

At 1:01 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Department of Ecology (DOE) Complaint - A letter of complaint was received by DOE regarding odor in the area of the Waste Water Treatment Plant. DOE issued ERTS # 6194196. Town believes that the odor issue presented is attributed to processing operations rather than the conveyance system. A response will be issued for said complaint. Discussion and inquiry followed.
- Sales Tax - A spreadsheet of Town's sales tax receipts was distributed.
- Johns Street Sewer Main Extension Project- Town will hold a bid opening on September 23, 2009 for said project. The description and schedule for the project was provided.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Joint Town and County Solid Waste Management Plan - The County has inquired if the Town would participate in combining and updating the Solid Waste Management Plan for the Town and County. SJC Solid Waste Manager, Ed Hale, outlined the County's requirements for compliance. Discussion followed.
- SJI Anti-Litter Initiative - Correspondence has been received from the Initiative inviting a member of the Council to participate in meetings.
- Fire Engine No. 7 - The Engine experienced mechanical difficulties in route back to Friday Harbor from off-island maintenance. A small fire while occurred from brake failure. The Anacortes Fire Department and Public Works Department is assisting with repairs and storage of the Engine until the braking failure can be repaired. Discussion followed regarding equipment.

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by Illg, second by Lacher to affirm the payment of Payroll Warrant Nos. 13928 through 13974 in the amount of \$217,410.04 and approve the payment of Claim Warrant Nos. 33042 through 33094 in the amount of \$105,171.28. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Lacher, seconded by de Freitas, to approve the minutes of **August 20, 2009; August 27, 2009; and September 1, 2009 as submitted**. Motion passed unanimously.

### **FUTURE AND NON-AGENDA ITEMS**

Mayor Jones requested that the Council receive a monthly update regarding the aforementioned Island Marble Butterfly issue.

Councilmember Lacher requested that the Town and County continue to discuss the issue of funding the Traffic Control Program.

Councilmember Lacher suggested that the Town issue a letter to NOAA requesting that they extend the comment period for the Southern Resident Killer Whale Protection Proposal. Discussion followed. **Council consensus to draft a letter for consideration.**

Councilmember Monin requested that the joint Town and County Solid Waste Management Plan topic be added to a future agenda.

Per inquiry from Councilmember Lacher, Administrator Fitch stated that the discussion regarding a joint Town and County Housing Authority may occur on September 17, 2009. Councilmember Brooks stated that she and several County representatives will be attending a housing conference in Spokane, WA later in September.

Councilmember Illg noted that the SJC Council will attend a Puget Sound Partnership meeting on September 16, 2009 @ 1:00 p.m. Discussion followed regarding attendance.

Councilmember Illg and Mayor Jones will attend the ribbon-cutting ceremony for the Home Trust Sun Rise Affordable Housing Project on September 12, 2009.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember Lacher noted that new fish have hatched at the Spring Street Aquarium. Administrator Fitch noted that the Town continues to monitor for detergents and water quality at the stormwater outfall.

Councilmember Monin requested that Town issue a letter thanking the City of Anacortes for their assistance.

Councilmember Illg requested that the Mayor issue a letter or certificate of appreciation to Debbie Pigman, Executive Director of the SJI Chamber of Commerce in relation to her retirement from the Chamber.

### CITIZEN RESPONSE

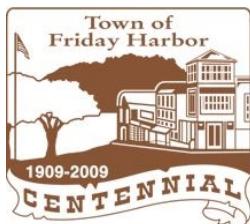
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, September 03, 2009 at 5:30 p.m.

**Moved by Brooks, seconded by Lacher, to adjourn the meeting at 1:40 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on September 17, 2009. The original document is retained by the Clerk in the Town Council's permanent records.**  
**Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, September 3, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Don Eaton (late); and Clerk, Amy Taylor.

Mayor Jones conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised to include an executive session

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### **PUBLIC ACCESS TIME**

SJC Councilmember Howie Rosenfeld provided an update on issues of mutual concern. Councilmember Rosenfeld spoke about Washington State Ferries (WSF) issues, including participation in upcoming State Transportation Commission meetings; fare increases; and traffic control program. Discussion followed regarding the traffic control program, interlocal agreement with WSF for maintenance of the emergency generator located on East Street; proposal for protection of Southern Resident Killer Whales; and upcoming meeting schedule for the County. The Council thanked Mr. Rosenfeld.

### **ACTION AND DISCUSSION ITEMS**

#### Budget Planning Work Session

At 5:46 p.m., Mayor Jones introduced the work session to discuss budget process and expectations for the 2010 Town budget cycle. Mayor Jones explained the outcome of the discussion would assist the administration in preparing a draft 2010 budget for consideration during the budget process and funding priorities for the remainder of 2009. Councilmembers randomly inquired about and discussion ensued regarding line items of interest, utility rate structures, traffic control program, fire department needs, Chamber of Commerce, staffing, sales tax revenue decline, projected tax revenues, capital reserves, capital improvement projects, potential impacts of pending legislation, and protection and use of the watershed. Staff will submit preliminary department budgets by September 14, 2009. No action required or taken. Mayor Jones and Administrator Fitch asked that the Council continue to consider said items for discussion and adjustment during future work sessions.

### **ADMINISTRATOR'S REPORT**

At 6:58 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Joint Town and County Housing Authority - A presentation by SJC Health and Community Services has been scheduled on September 17, 2009 regarding development of a joint Town and County Housing Authority.
- Department of Ecology (DOE) Letter - A letter of complaint was received by DOE regarding odor in the area of the Waste Water Treatment Plant. The Town's letter of response was distributed.
- Whale Protection Proposal Letter - A letter to NOAA regarding a request to extend the comment period for the Whale Protection Proposal was distributed and signed by the Council.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

### **EXECUTIVE SESSION**

At 6:59 p.m., Mayor Jones announced that the Council would be holding an executive session regarding potential litigation in accordance with the provisions of RCW 42.30.110(i); which was estimated to last 10 minutes. Participants: Town Council, Mayor Jones, Treasurer Picinich, Attorney Eaton, Administrator Fitch, and Clerk Taylor.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

The session ended at 7:30 p.m. for an actual session time of 31 minutes. No action was taken.

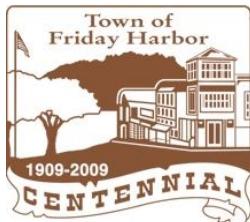
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, September 17, 2009 at 12:00 p.m.

**Moved by Brooks, seconded by de Freitas, to adjourn the meeting at 7:31 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on September 17, 2009. The original document is retained by the Clerk in the Town Council's permanent records.**

**Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, September 17, 2009 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, Illig, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Town Administrator, C. King Fitch; and Attorney, Don Eaton were not present.

Mayor Jones conducted the flag salute.

#### **PUBLIC ACCESS TIME**

Glen Gullickson, SJI resident, requested that the Town Council install adequate infrastructure and bicycle lanes on Tucker Avenue; and establish a volunteer position for a "Bicycle Coordinator" to interface with other municipalities to determine how their towns accommodate bicycle ridership. Mayor Jones thanked Mr. Gullickson.

Joy Sevier, Board President of the SJI Chamber of Commerce, thanked the Town Council and Lodging Tax Advisory Committee (LTAC) for the opportunity to submit an application for 2010 Hotel Motel grant funding.

#### **ACTION AND DISCUSSION ITEMS**

##### Joint Housing Authority

At 12:04 p.m., Mayor Jones introduced discussion of a proposed joint Town and County Housing Authority. Angie Lausch, SJC Health and Community Services Housing

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Coordinator, distributed Kitsap County Ordinance No. 86-1981, which created the Bremerton-Kitsap County Housing Authority. Ms. Lausch introduced John Smith, former Executive Director for the Skagit County Housing Authority, to share his expertise concerning said topic. Mr. Smith described the scope of his former position and housing assistance available through housing authorities. Discussion and inquiry followed regarding the need and steps for development of housing authority in SJC, implementation costs, restrictions and regulations, governing authority, and taxable funding sources such as real estate. Mayor Jones suggested that the Joint Planning Policy Group (JPPG) examine the need for a joint housing authority. Councilmember Lacher described the mission of the JPPG and suggested that the topic may be better addressed by the SJC Housing Bank Commission. The Council thanked Mr. Smith and Ms. Lausch.

Councilmember Lacher presented letters of support to State Legislators for a new USDA Rural Development Loan application by Mr. William Percich to refinance the Island Meadows Apartments located on Carter Avenue, in order to have the apartment complex retain its current affordable housing designation.

**Moved by Brooks, seconded by Lacher, to sign the letters of support regarding Island Meadows Apartments as stated above. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Lodging Tax Advisory Committee Recommendation

At 12:56 p.m., Mayor Jones introduced discussion regarding the Lodging Tax Advisory Committee (LTAC) recommendation for disbursement of the second two percent (2%) Hotel Motel Tax Grant funding for 2010. Councilmember Illg disclosed that her company occasionally consults with applicants and has contracted with the SJI Visitors Bureau for the year 2010. Councilmember de Freitas disclosed that she is a current member of the board on the Visitors Bureau. Councilmember Brooks, LTAC Chair, explained the makeup of the committee and recommended that the Council approve the LTAC's recommendation for the distribution of \$95,000 from said fund. LTAC Member David Pass explained the process that the LTAC used for their determination. Per inquiry, Mr. Pass explained why certain applications did not receive a recommendation for funding.

**Moved by Lacher, second by \_\_\_\_\_, to approve the recommendation of the Lodging Tax Advisory Committee for the disbursement of \$95,000 for the year 2010 as follows:**

- SJI Chamber of Commerce, Center - \$9,464
- SJI Chamber of Commerce, Promotion - \$3,286
- SJI Visitors Bureau - \$76,249
- SJ Historical Museum - \$1,643
- Whale Museum - \$3,144
- Washington State University Extension Office - \$571
- Art Studio Tour - \$643.

**Motion passed 4-0 with Illg abstaining.**

### Resolution No. 1739

At 1:11 p.m., Mayor Jones introduced draft Resolution No. 1739, authorizing the Mayor to execute an agreement with the engineering firm of Gray & Osborne, Inc. for consulting services regarding an infrastructure capacity analysis for the "Boe Property". Land Use Administrator Mike Bertrand explained the particulars of said agreement. The study is in the amount of \$15,279 to provide consultant services for a supplemental engineering evaluation of the San Juan County Infrastructure Feasibility Study, dated October 2008, in order to assess utility impacts for proposed development in the Friday Harbor Urban Growth Area. The developers of said property will reimburse the Town for all expenses relating to said study. Discussion and inquiry followed regarding low-impact development, alternative strategies for water containment, and permitting processes.

**Moved by Lacher, seconded by de Freitas, to approve Resolution No. 1739, as stated above. Motion passed unanimously.**

### **PAYMENT OF CLAIMS**

Moved by Monin, second by Lacher, to approve the payment of Claim Warrant Nos. 33095 through 33151 in the amount of \$224,588.42. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Brooks, seconded by de Freitas, to approve the minutes of **September 3, 2009 as submitted.** Motion passed unanimously.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### FUTURE AND NON-AGENDA ITEMS

Councilmember de Freitas informed the Council that the San Juan Center (Skagit Valley College Extension Office) is undergoing restructuring and requested that Mick Donahue, Executive Vice President of Operations for the Center, be invited to discuss the future of the facility with the Council. **Consensus to invite Mr. Donahue on Thursday, November 5, 2009 during the noon session.**

Councilmember Illg distributed information from the SJC Board of Health regarding forecasts for the H1N1 (Swine) Flu Pandemic. Mayor Jones requested that discussion be added to the evening session.

Councilmember Brooks inquired if the Council wanted to submit a joint or individual letter to NOAA regarding the proposed regulations for protection of Southern Resident Orca Whales. **Council consensus to discuss during the evening session.**

Councilmember Monin distributed survey highlights from the 2009 AWC Comprehensive State of the Cities Report. Councilmember Lacher noted the potential impacts of Initiative I-1033 on local government.

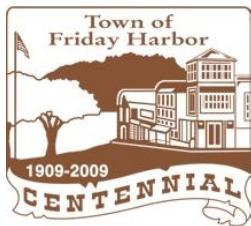
Councilmember Illg updated the Council regarding anticipated staffing changes and budget requests from the SJC Economic Development Council.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, September 17, 2009 at 5:30 p.m.

**Moved by de Freitas, seconded by Lacher, to adjourn the meeting at 1:27 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on October 1, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, September 17, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, and Illg.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; and Clerk, Amy Taylor. Councilmember Carrie Brooks; Town Administrator, C. King Fitch; and Attorney, Don Eaton; were not present.

Mayor Jones conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Jones asked the Council if they wished to excuse Councilmember Brooks. Council unanimously approved her absence.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted agenda was revised to include draft Resolution 1740.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Joint Town and County Solid Waste Plan

At 5:31 p.m., Mayor Jones introduced discussion of a joint Town and County Solid Waste Plan. Councilmember Lacher, SJC Solid Waste Advisory Committee (SWAC) Chair, explained that 1) the County is required to update their current Plan; 2) the County will receive partial grant funding from the Department of Ecology to update said Plan; and 3) the County is inviting the Town to develop a joint Plan. Councilmember Lacher suggested that the Town Council postpone discussion of a joint Plan until Administrator Fitch and Attorney Eaton could be present to participate in discussion of said topic. The Mayor concurred. Councilmember Lacher described the SWAC recommendations to the County for a long-term sustainable rate structure for the County Solid Waste Utility and upcoming SWAC meeting schedule. No discussion followed. No action was taken.

#### Resolution No. 1740

At 5:38 p.m., Mayor Jones introduced draft Resolution No. 1740, authorizing the Mayor to accept a proposal from United Fire Service to provide a fire engine with 1500 GPM pump rating. Briefly, said proposal is in the amount of \$530,105.00, excluding sales tax, for apparatus described above to replace equipment that recently suffered severe maintenance failure. Discussion followed including financing, specifications, environmental emission standards coming into effect, and alternative equipment purchasing. Treasurer Picinich stated that she should determine the appropriate financing should the Resolution be adopted.

**Moved by IIIg, seconded by Lacher, to adopt Resolution No. 1740, as stated above. Motion passed 3-1 with Monin opposed and Brooks absent.**

#### SJI Farmer's Market

At 5:46 p.m., Mayor Jones introduced discussion of funding a permanent year around SJI Farmer's Market. Mayor Jones introduced Lovel Pratt, SJI Agricultural Guild Project Director, to make a presentation. Ms. Pratt explained that the Guild is requesting that the Town partner with the Guild and SJC Land Bank to purchase either the 150 Nichols (Erickson/FH Electric Co.) or 330 Spring Street (Browne Lumber) properties in order to

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

develop a sustainable year around SJI Farmer's Market. The Guild is requesting that Town commit approximately \$400,000 from the first two percent (2%) hotel motel fund for said purchase. Lincoln Bormann, SJC Land Bank Director, outlined the importance of said project and reasons for the Land Bank's participation. Discussion and inquiry followed regarding allowable uses of said funding, project design, siting and deliverables, agricultural tourism and additional uses for the facility such as housing for a Visitor Information Center.

**Moved by Lacher, seconded by de Freitas, to direct the Town Administrator to continue working with the SJI Agricultural Guild and SJC Land Bank to develop a proposal. Motion passed 4-0 with Brooks absent.**

**Council consensus to receive frequent updates on said project.**

### San Juan County Council Update

At 6:13 p.m., SJC Councilmember Howie Rosenfeld provided an update on issues of mutual concern. Councilmember Rosenfeld spoke about Washington State Ferries (WSF) issues, including participation in upcoming State Transportation Commission meetings; fare increases; and traffic control program. Discussion followed regarding said issues and the proposed legislation for protection of Orca Whales.

### Budget Planning Work Session

At 6:28 p.m., Mayor Jones introduced the work session to discuss budget expectations for the 2010 Town budget cycle. Treasurer Picinich requested that the Council withhold further discussion of the Budget until the all departmental budget requests are collected and draft budget is distributed. The Council concurred. Discussion followed regarding capital and emergency reserves. No action was taken.

## **FUTURE AND NON-AGENDA ITEMS**

Councilmember Illig updated the Council on statistics regarding the H1N1 (Swine) Flu Pandemic.

Councilmember Monin updated the Council on the SJC Law and Justice Committee.

## **CITIZEN RESPONSE**

Robert Low, 595 Spruce Street, thanked the Council for approving the geotechnical study of Spruce Street per Resolution No. 1736 and stated his dismay that the Council approved Resolution No. 1740.

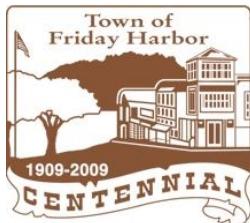
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, October 1, 2009 at 12:00 p.m.

**Moved by Monin, seconded by de Freitas, to adjourn the meeting at 6:56 p.m.  
Motion passed unanimously.**

\* \* \* \* \*

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

These minutes were approved on October 1, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, October 1, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Lacher, Monin, Illig, and Brooks. Councilmember de Freitas arrived late.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised due to time constraints.

### PUBLIC ACCESS TIME

Edith Dickenson, SJI Historical Society Board Member, requested that the Town consider revising the \$50,000 value of on-site improvements applicable in FHMC 12.02.010(A) for requiring right-of-way improvements.

Kevin Loftus, SJI Historical Museum Director, explained that the museum is unable to afford improvements to their facilities if they are required to install curb, gutter and sidewalk as required by FHMC 12.02.010. Mr. Loftus requested that the Town consider increasing the applicable \$50,000 value of FHMC 12.02.010.

Mayor Jones thanked Ms. Dickenson and Mr. Loftus. No discussion followed.

### DEPARTMENT REPORTS

#### Emergency Management Report

At 12:05 p.m., Emergency Management Director, Brendan Cowan, reported on recent items that the SJC Department of Emergency Management (DEM) has been engaging. Included was an update on the H1N1 (Swine Flu) Pandemic and public education for winter preparedness. Inquiry followed regarding public information being distributed. The Mayor thanked Mr. Cowan.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Code Enforcement

At 12:09 p.m., Code Enforcement Officer, John Jensen, distributed a compilation of code compliance cases and enforcement issues since year 2000 to present. Mr. Jensen cited that forty five percent of enforcement infractions related to business licensing and twenty two percent related to sign issues. No discussion followed. The Mayor thanked Mr. Jensen.

### Community Development

At 12:12 p.m., Land Use Administrator, Michael Bertrand, reported on the building permits issued year to date and updated the Council regarding development of the Buck Property. Preliminary plans for fourteen multi-family dwelling units have been submitted by the Home Trust; SEPA process is underway for the parcel; and the developers are working with the State to develop a mitigation plan for the Island Marble Butterfly present on the parcel. The parcel may not undergo further land division processes until a mitigation plan and revised SEPA plan are approved. Discussion and inquiry followed regarding meetings with the Home Trust and low impact development standards. The Mayor thanked Mr. Bertrand.

### System Administration

At 12:21 p.m., System Administrator, Steven Dubail, distributed a third quarter staff report. Mr. Dubail reported on vehicular traffic counts, system maintenance, email retention, website updates and workstation replacement. Discussion followed regarding safe internet usage, updating the website to include information for traveling to Friday Harbor and monitoring traffic counts to map bicycle routes. The Mayor thanked Mr. Dubail.

### Historic Preservation

At 12:31 p.m., Historic Preservation Coordinator, Sandy Strehlou distributed a third quarter staff report. Mrs. Strehlou reported on the Historic Preservation (HP) reviews, HP Manual update, draft HP ordinance changes, centennial celebration activities and website. Discussion followed regarding expansion of the historic district. The Mayor thanked Ms. Strehlou.

### Utilities

At 12:46 p.m., Utilities Superintendent, Mike Wilks, reported on various construction projects and scheduled maintenance items that were budgeted in 2009. Mr. Wilks reported that the Trout Lake Reservoir water level is 53 inches below the dam; Town repaired two significant water leaks; and Trihalomethane sampling measured 103.3 ug/L for the third quarter and 78.8 ug/L for the twelve month average. Discussion and inquiry followed regarding water conservation and street maintenance issues.

### Fire

Fire Chief Vern Long was unavailable to provide a report. The third quarter written report regarding fire response statistics was distributed.

## **ACTION AND DISCUSSION ITEMS**

### Resolution No. 1741

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 12:57 p.m., Mayor Jones introduced draft Resolution No. 1741, authorizing the Mayor to execute a contract for the John Street Sewer Main Extension Project. Administrator Fitch explained that the low responsive bid of \$36,684.95 was received from Mike Carlson Enterprises, Inc. on September 23, 2009. Construction will be scheduled in October 2009. Discussion followed regarding construction disruptions.

**Moved by Lacher, seconded by Brooks, to adopt Resolution No. 1741 as stated above. Motion passed unanimously.**

Resolution No. 1742

At 12:58 p.m., Mayor Jones introduced draft Resolution No. 1742, authorizing the Mayor to execute an agreement with the engineering firm of Brown & Caldwell for consulting services regarding an infrastructure capacity analysis for the "Boe Property". Administrator Fitch explained that the study is in the amount of \$16,363 to provide consultant services for a supplemental engineering evaluation of the San Juan County Infrastructure Feasibility Study, dated October 2008, in order to assess utility impacts for proposed development in the Friday Harbor Urban Growth Area. The developers of said property will reimburse the Town for all expenses relating to said study. No discussion followed.

**Moved by Illig, seconded by de Freitas, to adopt Resolution No. 1742 as stated above. Motion passed unanimously.**

Resolution No. 1743

At 12:59 p.m., Mayor Jones introduced draft Resolution No. 1743, authorizing the Mayor to execute Change Order No. 17 on the contract with Strider Construction, Inc. for the Sewer Replacement Order. Administrator Fitch explained that the change order is in the additive amount of \$18,123.53 for placement of additional marine anchors and changes to pump station controllers. No discussion followed.

**Moved by Brooks, seconded by Lacher, to adopt Resolution No. 1743 as stated above. Motion passed unanimously.**

Ordinance No. 1407

At 1:01 p.m., Mayor Jones introduced draft Ordinance No. 1407, establishing a vendor list process for the purchase of supplies, materials, and equipment and a small works roster process to award public works contracts. Administrator Fitch explained that the recent amendment to RCW 35.23 and RCW 39.04 allows the Town to utilize the small works roster and procedures for public works projects where the estimated cost will not exceed \$300,000. This amount is an adjustment from \$200,000. All other policies remain the same. No discussion followed.

**Moved by Monin, seconded by Illig, to adopt Ordinance No. 1407, as stated above. Motion passed unanimously.**

Resolution No. 1744

Concurrently with Ordinance No. 1407, Mayor Jones introduced draft Resolution No. 1744, establishing a vendor list process for the purchase of supplies, materials, and

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

equipment and a small works roster process to award public works contracts. Administrator Fitch explained that the recent amendment to RCW 35.23 and RCW 39.04 allows the Town to utilize the small works roster and procedures for public works projects where the estimated cost will not exceed \$300,000. This amount is an adjustment from \$200,000. All other policies remain the same. No discussion followed.

**Moved by Monin, seconded by IIlg, to adopt Resolution No. 1744, as stated above. Motion passed unanimously.**

### Wastewater Treatment Plant Improvements

At 1:04 p.m., Mayor Jones introduced discussion of odor control improvements to the Wastewater Treatment Plant. Mayor Jones invited Adrienne and Lloyd Bourne, 750 Harbor Street, to speak. Mrs. and Mr. Bourne testified that the odor emissions generated from the facility are often times unbearable; affecting the quality of life for the neighborhood; and possibly degrading property values in the neighborhood. Mr. Bourne cited the Clean Air Act of Washington and requested that the Town attempt to find a solution to the odor issue. Administrator Fitch explained that various methodologies exist for mitigation of the described odor, including full enclosure of the facility; that the facility will never be "odor-free"; and that preliminary estimates for enclosure of the facility are roughly \$500,000. Discussion followed regarding involving the neighborhood in the solution process and investment in fully enclosing the facility. **Council consensus to arrange a tour of the Wastewater Treatment Plant for interested members of the neighborhood.** The Council thanked Mr. and Mrs. Bourne.

### Farmer's Market Update

At 1:26 p.m., Mayor Jones introduced Lovel Pratt, SJI Agricultural Guild Project Director, to give an update on the permanent year around SJI Farmer's Market project. Discussion followed regarding the proposed location and allowable uses of the Hotel/Motel tax monies per State Law. No action was taken.

### **ADMINISTRATOR'S REPORT**

Postponed until the evening session of October 1, 2009.

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by IIlg, second by Brooks, to affirm the payment of Payroll Warrant Nos. 13975 through 14061 in the amount of \$239,035.09 and approve the payment of Claim Warrant Nos. 33152 through 33203 in the amount of \$106,307.70. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Postponed until the evening session of October 1, 2009.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember de Freitas asked for clarification on the Intent to Purchase a fire engine per Resolution No. 1740. Discussion followed.

### **CITIZEN RESPONSE**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Gordy Petersen, Friday Harbor Center owner, testified in opposition to using Hotel/Motel tax monies for the current proposal for a permanent Farmer's Market.

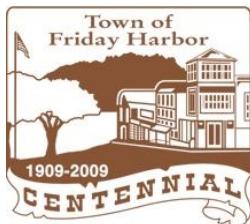
Sharon Kivisto, SJI resident, inquired about plans for the burial and ceremony of the Town Centennial Time Capsule. Council asked Ms. Kivisto to schedule the event giving the Town Administrator at least two weeks notice and Councilmembers will attend if available.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, October 1, 2009 at 5:30 p.m.

**Moved by de Freitas, seconded by Lacher, to adjourn the meeting at 1:45 p.m.**  
**Motion passed unanimously.**

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**These minutes were approved on October 15, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, October 1, 2009 – Town Council Chambers – Evening Session**

#### **CALL TO ORDER**

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

#### **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, Illig, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

#### **ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted agenda was revised due to time constraints.

#### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

#### **ADMINISTRATIVE APPEAL**

325, 335 and 375 C Street

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

The Appeal of Administrative Decision on collection of sewer connection charges and denial of occupancy at 325, 335 and 375 C Street in Friday Harbor was rescheduled to November 5, 2009 at 5:35 p.m. in agreement with the Appellant.

### **ACTION AND DISCUSSION ITEMS**

#### Resolution No. 1745

At 5:33 p.m., Mayor Jones introduced draft Resolution No. 1745, authorizing the Mayor to execute Amendment No. 2 to Grant Agreement No. G0800266 with the Department of Ecology for funding construction of the sewer replacement project. Administrator Fitch explained that the time needed to complete the project was extended due to operational difficulties encountered during the construction of the project and the Department of Ecology has agreed to extend the completion date to November 30, 2009. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1745 as stated. Motion passed unanimously.**

#### Resolution No. 1746

Concurrently with Resolution No. 1745, Mayor Jones introduced draft Resolution No. 1746, authorizing the Mayor to execute Amendment No. 2 to Loan Agreement No. L0800010 with the Department of Ecology for funding construction of the sewer replacement project. Administrator Fitch explained that the Department of Ecology has agreed to extend the completion date to November 30, 2009. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1746, as stated above. Motion passed unanimously.**

### **ADMINISTRATOR'S REPORT**

At 5:39 p.m., Administrator Fitch presented the Town Council with an update of the following:

- AWC Risk Management Services - Property and Liability Insurance premiums have increased fifteen percent for year 2010.
- AWC Employee Benefit Trust - Health Insurance premiums have increased ten percent for year 2010.
- AWC Loss Control Specialist - A site visit is scheduled for Tuesday, October 20, 2009.
- Hanging Flower Baskets - Baskets have been reduced to eighty from one hundred twenty for year 2010.
- Letter of Intent - Letter of Intent to Purchase a Fire Engine was provided. The Town Treasurer will explore financing options.
- SJI Anti-Litter Initiative - The Committee is still seeking a Town volunteer to participate in Initiative meeting. No action was taken.
- Friday Harbor Landfill - Town received correspondence from Department of Ecology that the Friday Harbor Landfill may be a candidate for the Model Toxic Cleanup Program. No decision has been made.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Family Resource Center (FRC) - The fund for the FRC is currently out of money for the Town utility assistance program. Discussion followed regarding a "Round-Up" program for utility billing.
- 620 Warbass Way - PanGEO Inc. has completed a supplemental evaluation of the existing rock wall located at 620 Warbass Way. Findings indicate that the general condition of the rock wall is satisfactory.
- Spruce Street - PanGEO Inc. has completed preliminary evaluation of Spruce Street. Findings are that the water is originating sub-surface. The draft 2010 Budget contains money for A/C overlay patching.
- Trihalomethane (THM) mitigation - Town will invite manufacturers to make a presentation on using activated carbon filters in the water treatment process to mitigate levels of THMs. Discussion followed.
- Correspondence from Constituent - An information packet was received from Kevin and Jennifer Berringer regarding their property located on Guard Street. The packet was distributed to the Council for review.
- Farmer's Market - Town received correspondence from the State Auditor's Office stating that the proposal has to "do a more convincing job of supporting why this is a tourism related facility" in order to expend the first hotel/motel tax monies.
- Solid Waste Grant - Town received correspondence from SJC Solid Waste Department inviting the Town to participate in a joint grant application for various solid waste projects.
- H1N1 (Swine Flu) Pandemic - Steps are being taken to initiate an incident command for response to an outbreak of H1N1. A draft revised personnel policy will be presented for consideration for Town employees during a pandemic event.

### **ACTION AND DISCUSSION ITEMS (cont.)**

#### Joint Town and County Solid Waste Plan

At 6:21 p.m., Mayor Jones introduced discussion of a joint Town and County Solid Waste Plan. Administrator Fitch explained that per interlocal agreement [SJC Agreement No. 01SW03 and Town Resolution No. 1242] the Town has already authorized a joint Plan. Term No. 6 of said agreement states that the costs to complete and implement the plan shall be borne by the County. Administrator Fitch explained that the current proposal by the County for a joint Plan is for the Town to participate in its funding the joint plan. Steve Alexander, SJC Solid Waste Manager, concurred with Administrator Fitch's assessment. Discussion and inquiry followed regarding development and funding for the plan. **Council consensus to obtain more information on participating in a joint Solid Waste Plan.**

### **APPROVAL OF MINUTES**

Moved by de Freitas, seconded by Lacher, to approve the minutes of **September 17, 2009 at noon**. Motion passed unanimously.

Moved by de Freitas, seconded by Lacher, to approve the minutes of **September 17, 2009 at 5:30 p.m.** Motion passed 4-0 with Brooks abstaining.

### **ACTION AND DISCUSSION ITEMS (cont.)**

#### San Juan County Council Update

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 6:55 p.m., SJC Councilmember Howie Rosenfeld provided an update on issues of mutual concern. Councilmember Rosenfeld spoke about proposed legislation for protection of Orca Whales and Washington State Ferries (WSF) issues, including traffic control. Discussion followed regarding said issues.

### Budget Planning Work Session

At 7:05 p.m., Mayor Jones introduced the work session to discuss budget goals for the 2010 Town budget cycle. Treasurer Picinich and Administrator Fitch distributed a draft agenda and reviewed the anticipated budget process. Discussion followed regarding line items of interest, current, capital and emergency funds. No action was taken.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember de Freitas requested that the discussion of odor control improvements to the Wastewater Treatment Plant be included in future Town Budget Workshops.

Administrator Fitch inquired if the Council wished to consider revising the \$50,000 value of on-site improvements applicable in FHMC 12.02.010(A) for requiring right-of-way improvements. The issue will be added to a future agenda in year 2010.

Councilmember Lacher invited solid waste related issues that the Council would like presented to the County Solid Waste Advisory Committee. Discussion followed regarding the joint Solid Waste Plan.

### **CITIZEN RESPONSE**

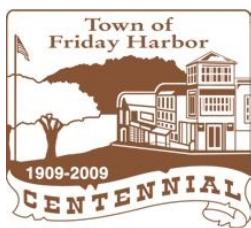
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, October 15, at 12:00 p.m.

**Moved by de Freitas, seconded by Illig, to adjourn the meeting at 7:53 p.m.  
Motion passed unanimously.**

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**These minutes were approved on October 15, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Thursday, October 15, 2009 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

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

### **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks. (Councilmember Illg was excused early.)

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### **ANNOUNCEMENTS**

Mayor Jones announced the intention of the Council to set a date for a public hearing concerning use of hotel motel tax funding for a permanent farmer's market and stated that public access would not be accepted regarding the permanent farmer's market issue.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Sheriff's Report

At 12:05 p.m., Mayor Jones introduced Sheriff Bill Cumming to present the Sheriff's Report. Sheriff Cumming distributed a year-to-date report containing law enforcement statistics, which included preliminary budget for whale protection enforcement. Sheriff Cumming reported on installation of solar powered lighting at the high school crosswalk and status of the Sheriff's boat, courthouse security, proposed budget, radio system, and incident command for the H1N1 flu pandemic. Discussion and inquiry followed regarding the requirement for new radios per federal regulations. Mayor Jones thanked Sheriff Cumming for the report.

#### Ordinance No. 1408

At 12:14 p.m., Mayor Jones introduced discussion of draft Ordinance No. 1408, fixing the date, time, and location for a public hearing before the Town Council at 5:35 p.m., on November 19, 2009 at the Mullis Community Senior Center, located at 589 Nash Street, Friday Harbor, Washington for consideration of providing funding for a permanent Farmer's Market. No discussion followed. Mayor Jones deferred all comments pertaining to the permanent Farmer's Market until said public hearing.

**Moved by Monin, seconded by de Freitas, to adopt Ordinance No. 1408, as stated above. Motion passed unanimously.**

#### Presentation - Water Treatment - Activated Carbon Filtration

At 12:16 p.m., Mayor Jones introduced Troy York, sales representative from the Calgon Carbon Corporation, to make a presentation regarding the use of an activated carbon filter system in the Town's water treatment process. The purpose for consideration of the system is to remove organic compounds, which when they come in contact with Chlorine create harmful Trihalomethanes, and help improve taste and odor of the drinking water. Mr. York explained how activated carbon is manufactured; structure of

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

activated carbon; fundamentals of adsorption; scale and use of carbon filter systems in municipal water treatment applications; and recycling and disposal of spent carbon. Bill Percich, Brown and Caldwell engineer, described the capital and annual operation cost estimates associated with the system. Discussion and inquiry followed. The Council and Mayor Jones thanked Mr. York and Mr. Percich. No action was taken.

### Resolution No. 1747

At 1:00 p.m., Mayor Jones introduced discussion of draft Resolution No. 1747, authorizing establishment of a Town Employee Wellness Program. Kelle Wilson, Town Wellness Coordinator, explained the benefits that will be derived from implementing a wellness program aimed at preventing illnesses, promoting better morale, and reduced employee absenteeism. Ms. Wilson explained other financial incentives for participation such as a possible reduction in insurance benefit costs to the Town and employees. Paula Bey, Wellness Committee Co-Chair, explained that Town will be applying for AWC Wellness Grants to help develop the program. Discussion followed regarding past and current levels of participation in the program.

**Moved by Lacher, seconded by Monin, to adopt Resolution No. 1747, as stated above. Motion passed 4-0 with IIlg absent.**

### Resolution No. 1748

At 1:08 p.m., Mayor Jones introduced discussion of draft Resolution No. 1748, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Wayne Haefele and Associates to provide construction design services for odor control improvements at the Wastewater Treatment Plant. Administrator Fitch explained that the agreement is in the amount of \$29,970.00 to design enclosures for the plant head works and the bio-solids processing area, in order to mitigate odor issues. Administrator Fitch noted that the engineer's estimate to implement said improvements is approximately \$400,000. Discussion followed regarding the need for improvements, recent tour of the facility, and how to fund the improvements. Administrator Fitch cited laws relevant to air quality and conditions of the Town's wastewater treatment plant operating permit.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1748, as stated above. Motion passed 4-0 with IIlg absent.**

## **ADMINISTRATOR'S REPORT**

At 1:27 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Letter from Mr. and Mrs. Berringer - Town has not responded to the correspondence from Mr. and Mrs. Berringer. Some of issues presented in the letter from the Berringers appears to be a civil matter between the Berringers and their neighbors and/or landlords. **Council consensus to have staff draft a response.**
- Stormwater Education - Town received a draft memo regarding stormwater education from Brian Radar, SJC Pollution Prevention Specialist. Mr. Radar will restart educational outreach to local businesses in November 2009. Discussion

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

followed regarding the on going stormwater detergent issue at the Spring Street outfall.

- Water Transmission Main Replacement Project - The preliminary layout design for said project is available for Council review. The project is estimated to cost six to eight million dollars.
- Utility Assistance Program - Utility users will be able to donate funds to the utility assistance program when they make utility bill payments as soon as the billing forms are revised.
- Sewer Replacement Project - The letter of agreement between Brown & Caldwell and Town to resolve capacity problems on a pipeline segment within Martin Street was distributed for consideration.
- Warbass Way - The retention wall repairs located at 620 Warbass Way are estimated to cost \$19,000.
- Personnel Guidelines - Draft revisions to the personnel rules regarding response to a "pandemic event" and "pandemic event leave" were distributed for review. The County is considering similar guidelines.
- Letter to NOAA - A draft letter to NOAA regarding proposed regulations for the protection of resident orca whales was distributed for consideration.

### **PAYMENT OF CLAIMS**

Moved by Lacher, second by de Freitas, to approve the payment of Claim Warrant Nos. 33204 through 33277 in the amount of \$149,031.93. Motion passed 4-0 with Illg absent.

### **APPROVAL OF MINUTES**

Moved by Monin, seconded by Brooks, to approve the minutes of **October 1, 2009 as corrected**. Motion passed 4-0 with Illg absent.

### **FUTURE AND NON-AGENDA ITEMS**

There were no future or non-agenda items forthcoming.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, October 15, 2009 at 5:30 p.m.

**Moved by Brooks, seconded by Monin, to adjourn the meeting at 1:47 p.m.**  
**Motion passed 4-0 with Illg absent.**

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**These minutes were approved on November 5, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:**  
**Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, October 15, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Don Eaton; and Clerk, Amy Taylor.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Update - San Juan Community Hospital Foundation

At 5:32 p.m., Mayor Jones invited Tom Cable, co-chair of SJI Community Hospital Foundation, to provide an update on the proposed critical care integrated medical facility. Mr. Cable reviewed findings of the Foundation's feasibility analysis and terms of the current agreement with Peace Health for construction of said facility. Peter Adler, Senior Vice-President of Peace Health, provided an overview of the Foundation and Peace Health's plans to open a facility by year 2012. The facility will offer full clinical and diagnostic services. Mr. Adler requested that the Council approve the petition for annexation of the Marie K. Boe Trust property. Discussion followed regarding other Peace Health facilities located in Washington and Oregon. The Council thanked Mr. Cable and Mr. Adler for the update.

#### Marie K. Boe Trust - Annexation

At 5:44 p.m., Mayor Jones introduced discussion of a request by the Marie K. Boe Trust to circulate a petition for annexation of Tax Parcel No. 351431004 located on San Juan Valley Road near the Friday Harbor Airport. Land Use Administrator Michael Bertrand explained that Town received a letter of intent to commence with annexation proceedings for the parcel pursuant to RCW 35.13.410 dated September 30, 2009.

**Moved by Brooks, seconded by de Freitas, to allow the request by the Marie K. Boe Trust to circulate a petition for annexation of Tax Parcel No. 351431004, approximately 21 acres, located on San Juan Valley Road. Motion passed unanimously.**

#### Budget Planning Work Session

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 5:48 p.m., Mayor Jones introduced the work session to discuss the 2010 Town budget. Administrator Fitch distributed a draft budget document and budget memo dated October 7, 2009. The budget memo indicated that the draft budget document includes elimination of non-essential programs; a reduction in staffing and services, including elimination of two full time positions and reduction of hours for four employees; and postponement of capital projects. Administrator Fitch explained that several scenarios exist to balance the budget and requested that the Council provide direction for further development of the budget. Discussion followed regarding line items of interest in the current funds.

Councilmember Brooks suggested that Town generate revenue by increasing cable franchise fees and offset energy costs with hydro-electric power at the Trout Lake Dam. Mayor Jones suggested selective logging in the Trout Lake Watershed.

Councilmember Lacher suggested the use of the first 2% hotel motel funding for the Chamber's request. Representatives of the SJI Chamber of Commerce requested that the Town not cut funding to the Chamber. Discussion followed regarding the structure and allowable uses of the funding. **Council consensus to fund the the SJI Chamber of Commerce's request for \$15,000 from the first 2% hotel motel monies, provided that it is an allowable use of the tax.**

Councilmember Brooks inquired why the enterprise funds could not be used to subsidize the utility assistance program. Administrator Fitch explained that these funds are paid by utility users through utility rates and may not be used for other than their intended purpose.

Councilmember Lacher inquired if the Refuse Fund could be used to pay for the anti-litter program. Councilmember Illig suggested that the program be deferred to the Town public works crew.

Administrator Fitch explained that current revenues dictate that Town's level of service needs to be reduced and reinforced that it is the Council's prerogative and duty to determine how that will be achieved. Councilmember Monin stated that the Council would be better served if it first determined which programs and services it is willing to reduce before analyzing the overall budget.

Councilmember Lacher inquired if the Town Administrator's hours should be reduced. Administrator Fitch explained the proposed reduction in personnel hours. Discussion followed regarding the logistical and financial impacts on the Town and to the employees if reductions are implemented. Councilmember Monin inquired about voluntary furloughs by the employees.

Councilmember Monin inquired if the parking enforcement program could be reduced. Administrator Fitch and Land Use Administrator Bertrand explained how the parking program functions and stated that the parking enforcement program should become seasonal if the program is to be reduced.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember de Freitas suggested that the hanging flower baskets be reduced or eliminated. The Council discussed reducing the number of baskets and having the Parks position assume litter control.

The Council discussed dates to hold a work session regarding the draft budget. **Council consensus to continue the meeting.** No other action was taken.

### FUTURE AND NON-AGENDA ITEMS

SJC Councilmember Howard "Howie" Rosenfeld noted that the County approved a letter to submit for the comment period regarding proposed regulations for the protection of resident killer whales.

Administrator Fitch requested a motion to approve the settlement letter dated September 8, 2009 between the Town of Friday Harbor and the engineering firm of Brown and Caldwell formalizing the scope of work and the amount of financial reimbursement by Brown & Caldwell to the Town to resolve the capacity problem of the sewer pipeline segment on Martin Street. **Moved by Lacher, seconded by de Freitas, to authorize the Mayor to sign said letter of agreement. Motion passed 4-0 with IIIg abstaining.**

### EXECUTIVE SESSION

At 7:15 p.m., Mayor Jones announced that the Council would be holding an executive session regarding pending litigation in accordance with the provisions of RCW 42.30.110(i); which was estimated to last 20 minutes. Participants: Town Council, Mayor Jones, Treasurer Picinich, Attorney Eaton, Administrator Fitch, and Clerk Taylor. The session ended at 7:35 p.m. for an actual session time of 20 minutes. No action was taken.

### CITIZEN RESPONSE

There were no public access items forthcoming.

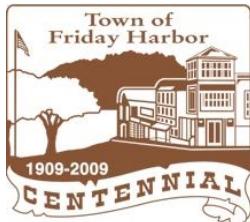
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to continue the meeting for the purpose of a budget work session to November 4, 2009 at 5:30 p.m. The next regular meeting is scheduled for Thursday, November 5, 2009 at 12:00 p.m.

**Moved by IIIg, seconded by de Freitas, to adjourn the meeting at 7:40 p.m. Motion passed unanimously.**

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**These minutes were approved on November 5, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Wednesday, November 4, 2009 – Town Council Chambers – Continued Session**

### CALL TO ORDER

Mayor Jones called the continued session of October 15, 2009 of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Clerk, Amy Taylor; and interested members of Town Staff. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor-elect Carrie Lacher and Council-elect Felix Menjivar were congratulated on the results of the November 2009 election. Both incumbents will take office January 2010.

Mayor Jones announced that no public access would be accepted regarding the permanent Farmer's Market proposal or the scheduled budget planning work session.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Budget Planning Work Session

At 5:32 p.m., Mayor Jones introduced the work session to discuss budget expectations for the 2010 Town budget cycle. Administrator Fitch explained that in the Council's current possession is the preliminary 2010 budget filed with the Town Clerk; and that multiple draft budgets based on the various utility rate increases are in circulation. Administrator Fitch distributed an additional draft budget and memorandum from the Local 1849 containing cost saving suggestions. Discussion and inquiry followed including staffing levels, line items and programs of interest, expected revenues and possible reduction of services. The followed suggestions were made for the next budget work session:

Town staffing:

- All employees for 2010 to accept nine (9) unpaid leave days, in lieu of reduction of hours for five positions;
- No replacement of two retiring employees positions for 2010;

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Represented employees will receive +2.5% cost of living increase per union contract;
- Unrepresented employees will receive +.9% cost of living increase per current CPI-U;
- (Possible) Town Council reduction of number of meetings per year

Revenues:

- +3% increase for Cable Franchise fee
- Selected logging of Trout Lake Watershed
- (Possible) Reduce utility rate increase for water, sewer and stormwater to 50% of the adopted 2008 Utility Rate Study
- Adjust refuse utility rate in April 2010

Other Programs:

- SJI Chamber of Commerce - Fund requested \$15,000 from the first 2% hotel motel tax if an allowable expenditure
- Litter Control Program - Fund program (at a possible reduced rate) through the refuse utility
- Flower Hanging Basket - Reduce hanging basket program and resources. Divert resources to the Litter Control Program
- Parking Control - Present options to have parking control program "break even". Suggestions include seasonal parking, raise parking ticket fees and/or random enforcement

The following actions were taken:

**Council consensus for staff to present a draft budget that reflects a 50% utility rate increase based on the adopted 2008 Utility Rate Study for water, sewer and stormwater.**

**Council consensus to continue to work with the Local 1849 regarding their recommendation for nine unpaid leave days.**

### FUTURE AND NON-AGENDA ITEMS

No items were forthcoming.

### CITIZEN RESPONSE

Roxanna Zalmanek announced that Town will sponsor a "One Warm Coat" drive between November 2nd through 12th, 2009.

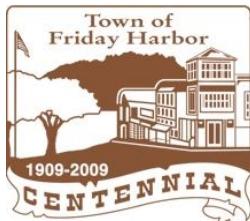
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, November 5, 2009 at 12:00 p.m.

**Moved by Lacher, seconded by Monin, to adjourn the meeting at 6:55 p.m. Motion passed unanimously.**

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# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

These minutes were approved on November 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, November 5, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Don Eaton, and Clerk, Amy Taylor.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

Vernadel Peterson, Executive Director for the SJI Chamber of Commerce, stated that the SJI Lighting Ceremony will take place on December 4, 2009. The centennial banners will be replaced by snowflakes during the holidays.

### ACTION AND DISCUSSION ITEMS

#### Presentation - Skagit Valley College

At 12:03 p.m., Mayor Jones introduced discussion regarding Skagit Valley College/San Juan Center. Mick Donahue, Executive Vice President of Skagit Valley College Services, provided an overview of current facility functions that have been impacted due to the economic downfall. Changes include a reduction in staffing, services and programs and increase of on-line courses. Randy Martin, Executive Director, provided an overview of the Elderhostel Program offered in San Juan County. Discussion followed regarding the Elderhostel Program. The Council thanked Mr. Donahue and Mr. Martin. No action was taken.

#### Presentation - U.S. Census Bureau

At 12:14 p.m., Mayor Jones introduced Tim Tomsen and LaVerne Lamoureau, U.S. Census Bureau representatives to make a presentation regarding the 2010 Census. Ms. Lamoureau explained the purpose and benefits of the Census and requested a resolution of support. Discussion followed regarding the confidentiality of information that will be gathered. The Council thanked Mr. Tomsen and Ms. Lamoureau. **Council consensus to issue a resolution of support.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### Permanent Farmer's Market

At 12:33 p.m., Mayor Jones introduced discussion of the adopted minutes of September 17, 2009 regarding the proposal for a permanent farmer's market. Lovel Pratt, SJI Agricultural Guild Project Director, requested that the Council communicate its intended role in the proposal to purchase 150 Nichols Street for the permanent farmer's market project. The need for clarification arose after staff and proponents of the project had differing perceptions of the direction given by the Council. Clerk Taylor provided a re-written draft of the minutes as follows:

At 5:46 p.m., Mayor Jones introduced discussion of funding a permanent year around SJI Farmer's Market. Mayor Jones introduced Lovel Pratt, SJI Agricultural Guild Project Director, to make a presentation. The feasibility study drafted by the SJI Agricultural Guild cited either the 150 Nichols (Erickson/FH Electric Co.) or 330 Spring Street (Browne Lumber) properties as candidates for a permanent farmers market. The SJC Land Bank currently lists acquisition of 150 Nichols Street in its 2008 Amended Expenditure and Acquisition Plan for historic preservation purposes. Ms. Pratt explained that the Guild is requesting that the Town partner with the Guild and SJC Land Bank to purchase the preferred site of 150 Nichols Street in order to develop a sustainable year around SJI Farmer's Market. The Guild is requesting that Town commit approximately \$400,000 from the first two percent (2%) hotel motel fund for said purchase. Lincoln Bormann, SJC Land Bank Director, outlined the importance of said project and reasons for the Land Bank's participation. Discussion and inquiry followed regarding allowable uses of said funding, project design, siting and deliverables, agricultural tourism and additional uses for the facility such as housing for a tourism related facility.

**Moved by Lacher, seconded by de Freitas, to direct the Town Administrator to continue working with the SJI Agricultural Guild and SJC Land Bank to develop a proposal. Motion passed 4-0 with Brooks absent.**

**Council consensus to receive frequent updates on said project.**

Discussion followed regarding the intent of the Council. Attorney Eaton explained options for amending the adopted minutes. **Council consensus that the re-written minutes provided a clearer rendition of the discussion that took place on September 17, 2009.**

**Moved by Lacher, seconded by Monin, to amend the adopted minutes of September 17, 2009 as stated above. Motion passed 4-0 with Brooks abstained.**

At 12:50 p.m., Administrator Fitch explained that further direction for staff would be helpful due to budgetary concerns. Discussion followed regarding the Town's potential partnership role in this proposal and concerns relating to parking, traffic and growth issues. **Consensus to continue working with the SJI Agricultural Guild and SJC Land Bank to determine the feasibility of the proposal.**

Resolution No. 1749

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 1:09 p.m., Mayor Jones introduced draft Resolution No. 1749, adopting revisions to the Personnel Guidelines for employees covered by the collective bargaining. Administrator Fitch explained that the amended guidelines include state mandated changes and "pandemic event" leave policies. Inquiry followed regarding voluntary unpaid leave days.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1749 as stated above. Motion passed unanimously.**

### Resolution No. 1750

Concurrently with Resolution No. 1749, Mayor Jones introduced draft Resolution No. 1750, adopting revisions to the Personnel Guidelines for non-represented employees.

**Moved by Brooks, seconded by de Freitas, to adopt Resolution No. 1749 as stated above. Motion passed unanimously.**

### **ADMINISTRATOR'S REPORT**

At 1:14 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Letter of Support - Peace Health has requested a letter of support for their current application to the State for a "Certificate of Need" for the proposed integrated medical center. **Council consensus for the Mayor to issue a letter of support.**
- H1N1 Pandemic - The County is at a "Level 3" for flu response. A situation report was distributed.
- Trout Lake Dam - The Department of Ecology Dam Safety Office concurs that the Trout Lake Dam meets current safety guidelines for extreme conditions.
- Sewer Replacement Project - The replacement of sewer pipe sections and manholes in the vicinity of Jensen Alley, Culver Avenue and Martin Street is underway.
- Water Transmission Main Replacement Project - The preliminary design and budgets for the transmission line is available for review. Several challenges regarding routing and wetland mitigation have been identified.
- Beach Court Trail - Signs for the Trail have been ordered. The Trail is near completion.
- Administrative Appeal - Additional information for the Administrative Appeal by Joel Douglas was distributed.

### **PAYMENT OF CLAIMS AND PAYROLL**

Moved by de Freitas, second by Illg to affirm the payment of Payroll Warrant Nos. 14062 through 14108 in the amount of \$222,906.74 and approve the payment of Claim Warrant Nos. 33278 through 33340 in the amount of \$220,646.63. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Monin, seconded by de Freitas, to approve the minutes of **October 15, 2009 as submitted.** Motion passed 4-0 with Illg abstaining.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### FUTURE AND NON-AGENDA ITEMS

Councilmember Illg inquired if the special work session of November 4, 2009 would be broadcast on public television. Clerk Taylor answered in the affirmative.

### CITIZEN RESPONSE

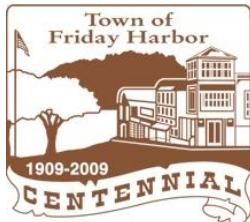
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, November 5, 2009 at 5:30 p.m.

**Moved by Lacher, seconded by de Freitas, to adjourn the meeting at 1:29 p.m.**  
**Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on November 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, November 5, 2009 – Town Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton, and Clerk, Amy Taylor. Treasurer, Wendy Picinich was not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

Administrative Appeal - Joel Douglas / Building Permit No. 57-06

At 5:32 p.m., Mayor Jones opened the administrative appeal filed by Joel Douglas on September 9, 2009, concerning the administrative decisions made by the Town Administrator in connection with development of Montecito Condominium Unit 355-D, located on C Street [Tax Parcel No. 351391120]. Mr. Douglas has filed his appeal under

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

the provisions of Friday Harbor Municipal Code (FHMC), Title 20.20.010(A) due to the decision of the Town Administrator to withhold the occupancy permit for said Unit until sewer connection charges are paid in full.

Mayor Jones read the rules for public conduct of said appeal; and explained that the appearance of fairness doctrine did apply because the issue arises out of a land use permit [Building Permit No. 57-06]. Mayor Jones noted that Council decision must be based only on the evidence provided by Town Staff and by Mr. Douglas and his representatives.

Mayor Jones asked Mr. Douglas' representatives if there was any objection to his or any Councilmember's participation. None was heard. Mayor Jones inquired if any Councilmember wished to excuse themselves from participation in the proceedings due to a conflict of interest or any other reason. The Council answered in the negative.

Full list of Exhibits as follows:

Administrative Appeal – Schedule of Exhibits		
Exh.:	Title:	Submitted by:
A	Transmittal from Douglas dated 09/04/09 - Attachments Listed	Town Staff
	Attachment A - Transmittal from Douglas dated 09/04/09	
	Attachment B - Building Permit 57-06 dated 10/24/06	
	Attachment C - Plumbing Permit P42-06 dated 10/24/06	
	Attachment D - Letter from Hanson dated 04/10/06	
	Attachment E - Transmittal from Hanson dated 04/13/06	
	Attachment F - Sewer Service Application dated 12/01/99	
	Attachment G - Ordinance No. 1121/Sewer Connection Charges	
	Attachment H - Utility Checklist	
	Attachment I - Building Permit Guidelines	
	Attachment J - Letter from Hanson dated 08/19/09	
	Attachment K - Building Permit Application dated 04/16/09	
	Attachment L - Plumbing Permit Application dated 4/16/06	
	Attachment M - Transmittal from Douglas dated 08/29/09	
	Attachment N - Transmittal from Douglas dated 09/03/09	
	Attachment O - Transmittal from Douglas dated 08/24/09	
B	Memorandum from Eaton dated 10/26/09	Town Staff
C	Memorandum from Aramburu dated 11/3/09 - Attachments listed:	Town Staff
	Attachment A - Letter to Hanson dated 4/13/06	
	Attachment A.1 - Letter from Hanson dated 4/13/06	
	Attachment B - Plumbing Permit Application dated 4/16/06	
	Attachment C - Building Permit Application dated 4/16/06	
	Attachment D - Permit Checklist dated 4/16/06	
	Attachment E - Plumbing Permit P42-06 dated 10/24/06	
	Attachment F - Building Permit 57-06 dated 10/24/06	
	Attachment G - Mechanical Permit M35-06 dated 10/24/06	
	Attachment H - Inspection Report 57-06 dated 2/22/07	
D	Memorandum from Eaton dated 11/5/09	Town Staff

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

E	Transmittal from Douglas dated 10/5/09	Town Staff
F	Transmittal from Douglas dated 11/5/09	Town Staff
G	Town Building Permit No. 01-00 dated 01/11/00	Town Staff
H	Sewer Service Application dated 12/01/99	Town Staff
I	Sewer Service Application Form	Town Staff

At 5:33 p.m., Mayor Jones introduced John Gresseth, representative for Mr. Douglas, to present Mr. Douglas' appeal.

John Gresseth, Architect, stated that the legal issues were addressed by J. Richard Aramburu, Attorney for Joel Douglas, in his brief submitted as Exhibit C. Mr. Gresseth reviewed his recollection of the timeline for the project to date. Mr. Gresseth stated that he had met with Town staff to obtain all necessary forms, applications and fees prior to the beginning of the project; that his understanding was that necessary fees has been paid. Mr. Gresseth requested that Attorney Eaton explain statements contained in Exhibit B, Paragraph 2 regarding connection charges for existing Montecito Condominium Units.

Attorney Eaton apologized for the confusion and Administrator Fitch explained that statements contained in Exhibit B, Paragraph 2 relate to Exhibit A, Attachment F in which Mr. Douglas contends that all applicable sewer connection fees were paid in 1999.

Mr. Gresseth explained that the first time he was notified about the required sewer connection charges was in September 2009, four months after the final inspection record. Mr. Gresseth stated that at no time were the developers notified of sewer connection fees or that sewer connection charges were calculated based on the number of dwelling units. Mr. Gresseth stated that the developers should have been informed of all applicable fees prior to the project.

At 5:44 p.m., Mayor Jones requested that Staff present information - refer to Exhibit B.

Attorney Eaton reviewed the procedure for an administrative appeal per FHMC Title 20.20.010(A). Attorney Eaton explained that the Town Council's role during the proceeding are to 1) determine if the Town Administrator correctly interpreted FHMC in relation to sewer connection fees; and 2) determine if the Town Administrator correctly interpreted FHMC in relation to withholding of occupancy permit.

Attorney Eaton stated that the Town is not disputing or admitting that Town failed to inform Mr. Douglas of the applicable sewer connection fees. Attorney Eaton stated that regardless of that fact, the FHMC Title 13.20 requires sewer connection prior to occupancy of any dwelling unit and that all necessary sewer connection fees will be paid prior to sewer use - refer to Exhibit D. Attorney Eaton explained that the estoppel argument does not apply to the issue of sewer connection charges as related to this appeal; part in fact that "silence" does not support waiver of fees - refer to Exhibit C and Exhibit D.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Administrator Fitch explained that payment of sewer connection charges at time of obtaining a building permit is not common practice and that the majority of all building projects pay sewer connection fees following completion of the project in order to avoid accrual of monthly utility charges. This was done during the original Montecito Condominium Units constructed in 1999. Administrator Fitch cited the language contained on the Sewer Service application - refer to Exhibit I.

Attorney Eaton explained that additionally, Town may revoke or suspend occupancy permits if any part of a development is in violation of FHMC.

At 6:04 p.m., Mayor Jones inquired if Mr. Gresseth had additional testimony.

Mr. Gresseth stated that the developer may not have opted to move forward with the project if he had been properly informed of the cost associated with sewer connection charges. Mr. Gresseth stated that no additional plumbing fixtures were added for this project. Mr. Gresseth stated that the Town's actions went beyond "silence" by its failure to notify the developer of sewer connection charges.

Administrator Fitch explained the process for calculating sewer connection charges - refer to Exhibit A, Attachment G.

At 6:09 p.m., Mayor Jones inquired if Mr. Gresseth or Town staff had additional testimony. Hearing none, Mayor Jones opened the appeal to Council discussion.

Councilmember Illg inquired about statements regarding the number of plumbing fixtures contained in the units. Mr. Gresseth explained that older fixtures were replaced by new fixtures for the same fixture count. Gary Hanson, Town Building Inspector, explained that the number of fixtures is relevant only when determining the water meter size, not sewer connection fees.

Councilmember Illg inquired who is responsible for the application process. Mr. Hanson replied that the developer is responsible and staff is available for technical questions. Mr. Gresseth stated that he had met with staff to review the application process.

Councilmember Monin inquired if all the pertinent applications were filled out correctly, noting that Attachment H in Exhibit A seemed incorrect. Mr. Hanson distinguished the difference in application process between new construction and remodels.

Councilmember Brooks inquired what the sewer connection fees and monthly utility charge were between 2006 to date. Administrator Fitch listed the various charges. The sewer connection charges and utility charges per unit if calculated in 2006 to date would equal \$9,384 per unit. The 2009 sewer connection charge for said dwelling unit is \$8,052.

Councilmember Monin inquired if every dwelling unit connected to the Town sewer system is required to pay sewer connection charges. Administrator Fitch answered in the affirmative.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Council discussion followed regarding if Mr. Douglas has been treated in the same manner as other developers in regard to sewer connection charges. Administrator Fitch stated that Mr. Douglas was given contact numbers of several local contractors to discuss this issue and the sewer application process.

Mayor Jones requested a motion. The following action was taken:

**Moved by IIIg, seconded by Lacher, to deny the administrative appeal dated September 4, 2009 by Joel Douglas for decisions made by the Town Administrator in relation to sewer connection charges and occupancy permits for Mr. Douglas' property located at C Street, also known as the Montecito Condominiums. Motion passed unanimously.**

**Moved by Lacher, seconded by de Freitas, to indicate its approval of the Town Administrator's decision to withhold the occupancy permit for Unit 355-D of the Montecito Condominiums until the required sewer connection charge in the amount of \$8,052 is paid. Motion passed unanimously.**

At 6:40 p.m., Mayor Jones concluded the administrative appeal.

### ACTION AND DISCUSSION ITEMS

#### SJC Council Update

At 6:41 p.m., SJC Councilmember Howie Rosenfeld distributed two draft letters regarding the proposed regulations for the protection of whales and the draft Washington State Ferries (WSF) winter sailing schedule. Discussion followed regarding recent meeting with WSF, Victoria Clipper Express and recent pass of the County's levy lid lift. The Council thanked Mr. Rosenfeld.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

There were no public access items forthcoming.

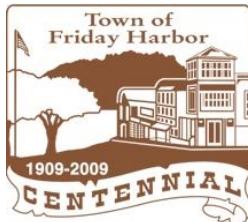
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, November 19, 2009 at 12:00 p.m.

**Moved by Lacher, seconded by IIIg, to adjourn the meeting at 7:02 p.m.  
Motion passed unanimously.**

\* \* \* \* \*

These minutes were approved on November 19, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:  
Amy Taylor, Town of Friday Harbor Clerk

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, November 19, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

There was no public access forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Proclamation - National Adoption Day

At 12:02 p.m., Mayor Jones proclaimed Friday, November 20, 2009 as National Adoption Day in the Town and encouraged Friday Harbor residents to join in this national effort to raise awareness about the importance of adoption. The local courts have specially scheduled Friday, November 20, 2009 to finalize the adoptions of local children.

#### Proclamation - U.S. Census Bureau

At 12:04 p.m., Mayor Jones proclaimed the Town's commitment to partnering with the U.S. Census Bureau for the 2010 Census by supporting their goals and ideals and encouraged Friday Harbor residents to join in this effort to ensure a full and accurate count.

#### Resolution No. 1751

At 12:06 p.m., Mayor Jones introduced discussion of draft Resolution No. 1751, affirming the support of and partnership with the U.S. Census Bureau for the 2010 Census. No discussion followed.

**Moved by Lacher, seconded by Illg, to adopt Resolution No. 1751, as stated above. Motion passed unanimously.**

#### Resolution No. 1752

At 12:06 p.m., Mayor Jones introduced discussion of draft Resolution No. 1752, authorizing the Town Administrator to execute a lease agreement with the Department of Natural Resources (DNR). Administrator Fitch explained that a portion of the Sewer Main Replacement Project pipeline could not be installed in the existing DNR lease area

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

described under Right-of-Way Agreement No. 51033841 dated February 24, 1970. DNR has offered Aquatic Lands Easement No. 51-081376 to accommodate the placement of a portion of the sewer main replacement project within the area described therein. The fee for said Easement is in the amount of \$1,200. Discussion followed regarding the terms of Right-of-Way Agreement No. 51033841 and terms of current agreement.

**Moved by Illg, seconded by de Freitas, to adopt Resolution No. 1752, as stated above. Motion passed unanimously.**

### ADMINISTRATOR'S REPORT

At 12:13 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Sewer Main Replacement Project - Odor emissions are resulting from turbulence in the manholes between Pump Station Nos. 1 and 2. Engineers are determining solutions to the problem. One solution may be a dedicated sewer line from Pump Station No. 2 to the Wastewater Treatment Plant. The work scheduled for Martin Street has been cancelled until a solution is presented.
- Permanent Farmer's Market - A memorandum from Attorney Eaton was distributed regarding the permanent farmer's market. The memorandum dated November 18, 2009 outlines the basic structure of the transaction being proposed for acquisition of the Erickson property.
- Budget Information - Additional information was distributed regarding the 2010 preliminary budget, including a tentative agreement between the Town and Local 1849F for unpaid (furlough) leave.

### PUBLIC HEARING

#### 2010 Revenue Resources

At 12:28 p.m., Mayor Jones opened the public hearing on the Town's 2010 Revenue Resources. No public input was forthcoming. Treasurer Picinich gave an explanation of the anticipated current expense revenue resources for 2010, including a projection of Streamline Sales Tax revenues. The anticipated revenue is in the amount of \$425,000 for 2010. Treasurer Picinich noted that 22% of property in town is tax exempt with the recent annexation of the Buck Property. Discussion and inquiry ensued during Ms. Picinich's presentation. **Council consensus to post the "Revenue Sources" document on the Town website.** Councilmember Monin requested that the budget work sessions for the 2011 Budget begin earlier than September 2010.

At 12:56 p.m., Mayor Jones inquired if any public input was forthcoming. Steve Hushebeck, Planning Commission Member, made suggestions concerning the format of the information that was presented. Mayor Jones closed the public hearing on 2010 Revenue Resources.

#### Ordinance No. 1409 – Setting Revenue Resources

At 12:59 p.m., Mayor Jones requested a motion for approval of draft Ordinance No. 1409.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Moved by de Freitas, seconded by Monin, to adopt Ordinance No. 1409, fixing and levying the amount of Ad Valorem Taxes for the Town of Friday Harbor for the year 2010. Motion passed unanimously.

### **ACTION AND DISCUSSION ITEMS (con't.)**

#### Budget Planning Work Session

At 1:00 p.m., Mayor Jones introduced the work session to discuss the 2010 Town budget. Administrator Fitch distributed preliminary Budget No. 2, containing cost saving suggestions discussed at the budget planning work session held on November 4, 2009. Discussion followed regarding revenues, line items of interest, staffing levels and programs. [Refer to the November 4, 2009 minutes.]

Don Reitan, President of Local 1849F, thanked the Town on behalf of the union for including the staff in the decision making process. Council thanked Mr. Reitan. Councilmember Brooks inquired how employee benefits would be effected from the proposed unpaid furlough days.

**Moved by Lacher, seconded by de Freitas, to accept the tentative memorandum of agreement with the Local 1849F for nine unpaid furlough days. Motion passed unanimously.**

### **PAYMENT OF CLAIMS**

Moved by Lacher, second by de Freitas, to approve the payment of Claim Warrant Nos. 33341 through 33404 in the amount of \$187,993.28. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Illg, seconded by de Freitas, to approve the minutes of **November 4, 2009 and November 5, 2009 as submitted.** Motion passed unanimously.

### **FUTURE AND NON-AGENDA ITEMS**

Clerk Taylor inquired when the Council would like to hold a joint meeting with the County Council. **Council consensus to hold a joint meeting with the County Council on December 15, 2009.**

Councilmember Monin inquired if the Council would like to hold a work session to discuss legislative priorities. **Council consensus to hold a work session regarding legislative priorities in 2010.** Discussion followed regarding the process for filling the anticipated vacancy of Council Position No 1. **Council consensus to advertise the anticipated vacancy through December 2009.**

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

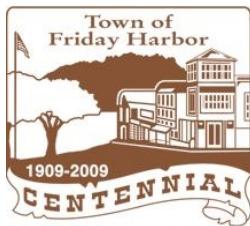
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, November 19, 2009 at 5:30 p.m.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Moved by de Freitas, seconded by Monin, to adjourn the meeting at 1:50 p.m.  
Motion passed unanimously.

\* \* \* \* \*

These minutes were approved on December 3, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest:  
Amy Taylor, Town of Friday Harbor Clerk



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, November 19, 2009 – Mullis Street Senior Center, 589 Nash Street  
– Evening Session**

#### CALL TO ORDER

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

#### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

#### PUBLIC ACCESS TIME

There was no public access forthcoming.

#### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Jones appointed Councilmember Lacher, Mayor-elect, to chair the public forum.

#### PUBLIC ACCESS TIME

There were no public access items forthcoming.

#### PUBLIC MEETING

##### Permanent Farmers Market

At 5:35 p.m., Mayor Pro-tem Lacher, introduced the public forum regarding consideration of providing funding for purchase of a site for a permanent farmer's market. The SJI Agricultural Guild has requested that the Town partner with the SJC Land Bank and Guild to purchase 150 Nichols Street. Mayor Pro-tem Lacher read the rules of the public forum into the record and stated that no action or deliberation regarding the issue would be taken this evening. Mayor Pro-tem Lacher invited the SJI Agricultural Guild to make a presentation. A full schedule of Exhibits follows:

**Public Forum – Exhibit Schedule**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Exh. :	Title:	Submitted by:
A	Staff report dated November 18, 2009	C. King Fitch
B	Letters of support through November 19, 2009	Amy Taylor
C	Letters of opposition through November 19, 2009	Amy Taylor
D	All other correspondence through November 19, 2009	Amy Taylor
E	Letter - Historical Preservation Review Board	Sandy Strehlou
F	Letter - Lodging Tax Advisory Committee	Lori Petersen
G	Letter - Lynn Danaher, private business owner	Lynn Danaher
H	Letter - NW Agricultural Business Center	David Bauermeister

At 5:35 p.m., Mark Madsen, Guild representative, provided a power point presentation regarding the benefits of a permanent farmer's market for the community and local economy.

At 5:43 p.m., David Waldron, Guild representative, described the preliminary design for the proposed site and historical preservation benefits for the building.

At 5:51 p.m., Administrator Fitch read Attorney Eaton's memorandum, Exhibit A, into the record. No other comments were heard from staff.

At 5:58 p.m., Mayor Pro-tem Lacher invited members of the public to speak regarding the proposal and reminded the audience that clapping and yelling would not be permitted.

At 5:59 p.m., Sandy Strehlou, Historical Preservation Coordinator, testified in favor of the proposal and read a letter on behalf of the Historical Preservation Review Board (HPRB) into the record. Said letter is entered as Exhibit E.

At 6:03 p.m., Martha Ahart, P.O. 1609, testified in favor of the proposal.

At 6:06 p.m., David Halpern, 63 Teddy Bear Lane, testified in favor of the proposal.

At 6:09 p.m., Lori Petersen, Lodging Tax Advisory Committee (LTAC) member, testified in favor of delaying the proposal until additional information can be obtained and read a letter on behalf of the LTAC into the record. Said letter is entered as Exhibit F.

At 6:13 p.m., Richard Foote, SJC Farmer's Market Association member, testified in favor of the proposal.

At 6:16 p.m., Roger Sandwith, A91 Golf Course Road, testified in support of a permanent farmer's market and opposition of the proposal as presented.

At 6:20 p.m., Matt Shildneck, HPRB member, testified in favor of the proposal.

At 6:23 p.m., Mike Adams, 107 Glayds Lane, testified in support of a permanent farmer's market and opposition of the proposal as presented.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 6:25 p.m., Gordy Petersen, 124 Blackberry Lane, testified in support of a permanent farmer's market and opposition of the proposal as presented.

At 6:43 p.m., Roger Bennett, \_\_\_\_\_, testified in support of a permanent farmer's market and in favor of delaying consideration of the proposal until additional information can be obtained.

At 6:31 p.m., Jan Osborn, 470 Sutton Road, testified in support of a permanent farmer's market and opposition of the proposal as presented.

At 6:33 p.m., Alayne Sundberg, 2553A Cattle Point Road, testified in favor of the proposal.

At 6:34 p.m., Ralph Hahn, Economic Development Council president, testified in favor of the proposal.

At 6:38 p.m., Lynn Danaher, PO Box 2627, testified in support of a permanent farmer's market and opposition of the proposal as presented. Ms. Danaher read a letter into the record. Said letter is entered as Exhibit G.

At 6:45 p.m., Felix Menjivar, Councilmember-elect, testified in support of a permanent farmer's market and in favor of delaying consideration of the proposal until additional information can be obtained, if needed.

At 6:47 p.m., Sam Pope, 569 Hidden Meadows Lane, testified in favor of the proposal.

At 6:50 p.m., David Bauermeister, NW Agricultural Business Center, testified in favor of the proposal and read a letter on behalf of the Center into the record. Said letter is entered as Exhibit H.

At 6:53 p.m., Ron Zee, 5658 Westside Road, testified in favor of the proposal.

At 6:55 p.m., Suzanne Pingree, 258 Otter Lane, testified in favor of the proposal.

At 6:57 p.m., Amy Wynn, 525 Rose Lane, testified in support of a permanent farmer's market and in favor of delaying consideration of the proposal until additional information can be obtained.

At 7:00 p.m., Maureen Marinkovich, 252 Treeline Drive, testified in support of a permanent farmer's market; opposition of the proposal as presented; and in favor of delaying consideration of the proposal until additional information can be obtained.

At 7:02 p.m., Joel Thorsen testified in support of the proposal.

At 7:06 p.m., Elizabeth Florenza, 615B Harrison Street, testified in support of a permanent farmer's market and in favor of delaying consideration of the proposal until

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

additional information can be obtained. Ms. Florenza stated concerns regarding the proposal.

At 7:08 p.m., Madden Surbaugh, 49 Journeys End Way, testified in favor of the proposal.

At 7:12 p.m., Hawkins Pingree, 258 Otter Lane, testified in favor of the proposal.

At 7:16 p.m., Peggy Wier, 52 Knight's Lane, testified in favor of the proposal.

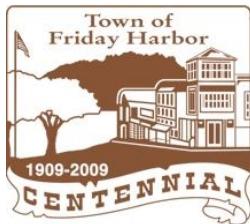
At 7:19 p.m., Mayor Pro-tem Lacher, invited additional public testimony. Hearing none, Mayor Pro-tem Lacher noted that written testimony will continue to be collected; closed the public input portion of the forum; and thanked the audience for their participation. Mayor Pro-tem Lacher redirected leadership of the meeting to Mayor Jones.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, December 3, 2009 at 12:00 p.m.

**Moved by Illg, seconded by Lacher, to adjourn the meeting at 7:21 p.m.**  
**Motion passed unanimously.**

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**These minutes were approved on December 3, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Wednesday, November 25, 2009 – Town Council Chambers – Special Session**

#### CALL TO ORDER

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

#### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Attorney, Don Eaton. Clerk, Amy Taylor was not present.

#### EXECUTIVE SESSION

At 12:01 p.m., Mayor Jones announced that the Council would be holding an executive session regarding pending litigation in accordance with the provisions of RCW 42.30.110(i); which was estimated to last 15 minutes. Participants: Town Council,

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

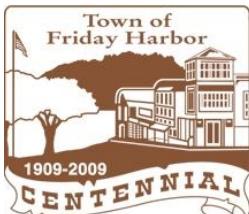
Mayor Jones, Treasurer Picinich, Attorney Eaton, and Administrator Fitch. The session ended at 12:20 p.m. for an actual session time of 20 minutes. No action was taken.

**ADJOURNMENT** – Having no further business and no objection, Mayor Jones requested a motion to adjourn the meeting. The next regular meeting is scheduled for Thursday, December 3, 2009 at 12:00 p.m.

**Moved by de Freitas, seconded by Monin, to adjourn the meeting at 12:21 p.m. Motion passed unanimously.**

\* \* \* \* \*

**These minutes were approved on December 3, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, December 3, 2009 – Town Council Chambers – Afternoon Session**

#### CALL TO ORDER

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

#### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor. Attorney, Don Eaton was not present.

Mayor Jones conducted the flag salute.

#### PUBLIC ACCESS TIME

There were no public access items forthcoming.

#### ACTION AND DISCUSSION ITEMS

##### Resolution Nos. 1753 through 1758

At 12:01 p.m., Mayor Jones introduced the following draft resolutions for consideration:

Resolution No. 1753 – Authorizing the Mayor to execute an agreement with Business Association of San Juan County (dba Visitor's Bureau) to provide tourism promotion programs for 2010 in an amount not to exceed \$76,249.00.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Resolution No. 1754 - Authorizing the Mayor to execute an agreement with The Whale Museum to provide tourism promotion programs for 2010 in an amount not to exceed \$3,144.00.

Resolution No. 1755 - Authorizing the Mayor to execute an agreement with San Juan Island Chamber of Commerce to provide tourism promotion programs for 2010 in an amount not to exceed \$27,750.00.

Resolution No. 1756 – Authorizing the Mayor to execute an agreement with the San Juan Historical Museum to provide tourism promotion programs for 2010 in an amount not to exceed \$1,643.00.

Resolution No. 1757 – Authorizing the Mayor to execute an agreement with the Washington State University Extension Office to provide tourism promotion programs for 2010 in an amount not to exceed \$571.00.

Resolution No. 1758 - Authorizing the Mayor to execute an agreement with Dan Wyatt and Mary Sly to provide tourism promotion programs for 2010 in an amount not to exceed \$643.00.

No discussion followed.

**Moved by Monin, seconded by Lacher, to adopt said Resolution Nos. 1753 through 1758, as stated above, per the recommendation of the Town Lodging Tax Advisory Committee and Town Council action taken September 17, 2009. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### 2010 Bail Schedule

At 12:03 p.m., Mayor Jones introduced discussion of the draft 2010 Bail Schedule. Councilmember Monin thanked staff for attempting to make the parking enforcement program self-sustaining. Discussion followed regarding allowable fee increases for various parking infractions per the Washington Court Rules Book.

**Moved by Monin, seconded by de Freitas, to adopt the 2010 Bail Schedule, increasing fines for overtime parking infractions from \$22.00 to \$25.00. Motion passed unanimously.**

### 2010 Fee Schedule

At 12:06 p.m., Mayor Jones introduced discussion of the draft 2010 Fee Schedule for services, publications, and applications. Administrator Fitch explained that the staff is recommending only one revision in the draft 2010 Fee Schedule which creates a fee for special parking permits at \$5.00 per parking space per day. No discussion followed.

**Moved by Lacher, seconded by Monin, to adopt the 2010 Fee Schedule for services, publications, and applications, and create a charge for Special Parking Permits. Motion passed unanimously.**

### Resolution No. 1759

At 12:08 p.m., Mayor Jones introduced discussion of draft Resolution No. 1759, authorizing the Mayor to execute a Memorandum of Understanding (MOU) concerning unpaid furlough days with Local 1849F for the current union agreement for the period of January 1, 2010 through December 31, 2010. Administrator Fitch explained that the MOU has no changes from the tentative agreement presented during the November 19, 2009 budget work session. Councilmember Lacher thanked the Town employees for agreeing to the acceptance of nine unpaid furlough days for 2010.

**Moved by Lacher, seconded by de Freitas, to adopt Resolution No. 1759, as stated above. Motion passed unanimously.**

### AWC State Legislative Priorities

At 12:11 p.m., Mayor Jones introduced discussion with the Deborah Hopkins, SJI Visitors Bureau Executive Director, regarding 2010 Legislative Priorities relating to expanded uses of hotel motel tax funding. Ms. Hopkins explained that the Association of Washington Cities (AWC) plans to ask State Legislature to consider "unrestricting" or "broadening" uses for lodging tax fund. Ms. Hopkins requested that the Council reject the proposal if given the opportunity. Discussion followed regarding current regulation and use of the funding. The Council thanked Ms. Hopkins. No action was taken.

## WORK SESSIONS

### Budget Planning Work Session

At 12:25 p.m., Mayor Jones introduced the work session to discuss the 2010 Town budget. Administrator Fitch distributed replacement pages for Preliminary Budget No. 2, containing changes discussed at the budget planning work session held on November 19, 2009 and an updated sales tax revenue spreadsheet. Discussion followed regarding

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

increase of the water, sewer and stormwater enterprise funds by 50% of the adopted 2008 Utility Rate Study recommendations versus the full recommended amount in said Study; and methods by which Town would recoup the difference in revenues over the ensuing years.

**Council consensus to accept 2010 Preliminary Budget No. 2, as revised on December 3, 2009, for public hearing on December 3, 2009 at 5:50 p.m.**

### ADMINISTRATOR'S REPORT

At 12:49 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Trout Lake - The water level at the Trout Lake Reservoir measures five inches below the spillway of its dam. November 2003 was the last time with a comparable measurement.
- Wastewater Treatment Plant (WWTP) - Town continues to receive complaints regarding plant odor. The most recent one from 720 Harbor Street. Don Reitan, Sewer Department Leadman, provided an update on current mitigation measures, including improvements to the WWTP facility. Other mitigation measures include design of an enclosure for the facility and proposed dedicated pressure sewer line from Culver Avenue to the WWTP facility.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Lacher, second by de Freitas to affirm the payment of Payroll Warrant Nos. 14109 through 14155 in the amount of \$215,469.49; and approve the payment of Claim Warrant Nos. 33408 through 33456 in the amount of \$102,436.75. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Illig, seconded by Lacher to approve the minutes of **November 19, 2009 as submitted. Motion passed unanimously.**

Moved by Lacher, seconded by Freitas, to approve the minutes of **November 25, 2009 as submitted. Motion passed unanimously.**

### FUTURE AND NON-AGENDA ITEMS

Councilmember Brooks requested that representatives from OPALCO Electric Cooperative be invited to present new options for energy savings and sustainability. Councilmember Monin explained that OPALCO offers a program which includes "net" metering and "buy back" metering. Discussion followed regarding energy generation to offset Town's cost for energy consumption.

Councilmember Illig announced that Victoria Compton will be taking over for Bill Watson as Executive Director for the Economic Development Council.

Councilmember Illig inquired if the Town would consider participation in a proposed "Sustainable Forestry Project". If implemented, said project includes selected logging. Discussion followed regarding benefits of broader management of the Trout Lake

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Watershed. **Council consensus to receive further information as the proposal develops.**

Councilmember Illg presented an update on the Scenic Byway Committee.

Councilmember Lacher provided information on a program known as "Citti' Slow International". Said program promotes self-sustainability and healthier lifestyles in communities through food preparation; i.e., encouragement of locally grown and prepared cuisine versus processed foods.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

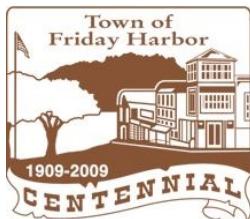
## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, December 3, 2009 at 5:30 p.m.

**Moved by Monin, seconded by Freitas, to adjourn the meeting at 1:07 p.m.**  
**Motion passed unanimously.**

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These minutes were approved on December 17, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



### SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, December 3, 2009 – Town Council Chambers – Evening Session**

#### **CALL TO ORDER**

Mayor Jones called the regular session of the Town Council to order at 5:30 p.m.

#### **ROLL CALL**

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Don Eaton; and Clerk, Amy Taylor.

Mayor Jones conducted the flag salute.

#### **ANNOUNCEMENTS**

The posted agenda was revised. The Executive Session item was cancelled.

Mayor Jones announced that public access would not be accepted regarding issues listed on the current agenda.

#### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

#### **PUBLIC HEARINGS/MEETINGS/WORK SESSIONS**

##### Public Hearing - Rezone Application No. 58

At 5:31 p.m., Mayor Jones opened the public hearing to consider Rezone Application No. 58, a request for a zoning designation change from Professional Service to Light Industrial by Darren & Sheila Olshefsky, James & Diane Olshefsky, and Roy & Barbara Persinger, located at 1021, 1023 1025, and 1027 Guard Street. Said parcels are identified as Tax Parcel Nos. 351151109, 351151110, 351151111 and 351151045.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Mayor Jones asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. There was no response to Mayor Jones' inquiry if anyone objected to his or any Councilmember's participation in the public hearing process. Council responded in the negative to Mayor Jones' inquiry regarding personal interest in the properties or issue. Council responded in the negative to Mayor Jones' inquiry regarding personal gain or loss of financial benefit; and communication with opponents or proponents regarding said application. Council answered in the affirmative regarding hearing and considering the matter in a fair and objective manner.

Mayor Jones asked Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand entered Exhibit A, Letter of Opposition - Dossett; Exhibit B, Letter of Opposition - Sundstrom; and Exhibit C, zoning map depicting subject property; into the record. Mr. Bertrand described the background of the application; subject property; and staff evaluation. Staff evaluation and recommendation is that the Town Council approve the application based on the following criteria: 1) the request is consistent with the adopted 2002 Comprehensive Plan; 2) the request is consistent with the classification of the subject property on the Amended 2002 Comprehensive Plan Land Use Map; 3) the parcels meet all requirements of the Light Industrial zone; and 4) the proposal meets all criteria of the FHMC that are most applicable to this proposal.

Mayor Jones asked if the proponents or their agent would like to comment. Diane Olshefsky, 890 Guard Street, urged the Council to approve the application; and asserted that Harbor Rentals Saw Shop intends to be a good neighbor. Ms. Olshefsky stated that all necessary sight and noise mitigation would take place prior to the company's intended use of the property, which is outdoor storage of rental equipment.

Mayor Jones opened the public testimony portion of the hearing.

Ron Vincellette, 1034 Harborview Place, testified in objection to the proposed zoning designation change from professional services to light industrial. Mr. Vincellette stated that he was not conflicted with the Olshefsky's intended use of the property; however, was concerned about possible future uses of the property if zoned light industrial and sold by the current owners. Mr. Vincellette urged the Council to find a way to comply with the Olshefsky's request for outdoor storage without rezoning the property from professional service.

Lynda Sundstrom, 1030 Harborview Place, testified in objection to the proposed zoning designation change from professional services to light industrial. Ms. Sundstrom agreed with Mr. Vincellette's comments and added additional concerns regarding future property values in the area should a use be established that is unfavorable to residential zoning. Ms. Sundstrom urged the Council to find a way to comply with the Olshefsky's request for outdoor storage without rezoning the property from professional service.

Mayor Jones asked for additional public testimony. Hearing none, he asked if Attorney Eaton or Staff wished to make additional comments. Attorney Eaton had no comment. Mayor Jones opened the hearing to council questions.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Councilmember Illg inquired about the approximate measurement of the elevation and slope of the property. Mr. Bertrand stated that he was not able to access that information at this point in time.

Councilmember Brooks inquired if a conditional use permit or variance was possible. Mr. Bertrand answered in the negative due to how the current FHMC is written.

Councilmember Illg requested that Ms. Olshefsky elaborate on the intended use of the property. Ms. Olshefsky stated that her company intended to store "wheeled" outdoor equipment, such as chippers and trailers, at the property.

With Mayor Jones' permission, Ms. Sundstrom inquired why a variance or conditional use permit was unallowable. Attorney Eaton and Mr. Bertrand described the current definitions and allowable uses for such per FHMC.

Ms. Sundstrom stated that complete sight mitigation would be nearly impossible because of the properties that are considerably elevated above and overlooking 1021, 1023 1025, and 1027 Guard Street. Ms. Sundstrom restated her concerns regarding future uses of the property should the Olshefsky's sell said property.

Per Mr. Vincellette's inquiry, Attorney Eaton explained that the Council needs to base its decision regarding Rezone Application No. 58 on existing code regulations.

Mayor Jones closed the public input portion of the hearing, reserving the right to reopen if needed, and opened Council deliberations. Councilmembers took turns expressing their views of the application.

**Moved by Illg, seconded by Monin, to adopt the staff report dated November 18, 2009; approve Rezone Application No. 58, a request for a zoning designation change from Professional Services to Light Industrial; and direct staff to prepare Facts and Findings and Conclusions of Law. Motion passed unanimously.**

### 2010 Town Budget

At 6:05 p.m., Mayor Jones opened the hearing on the draft 2010 Town Budget. Public input was as follows:

Mike Atkin, Washington State Ferries Terminal Manager and Anchor Management Owner, implored the Council to reinstate the Town's original commitment of \$12,300 for the summer traffic control program.

Sandy Strehlou, Historical Preservation Coordinator, requested that funding for the Historical Preservation Recording Secretary be reinstated for meeting facilitation purposes.

Vern Long, Fire Chief, requested that Council reconsider the reduction of funding for bunker gear for safety purposes. Discussion followed regarding purchase of additional fire hose for the new fire engine.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

Richard Petersen, on behalf of the Evergreen Subdivision, requested that funding that has been allotted for patching (A/C Overlay) of a portion of Spruce Street be redirected to design a permanent repair for said portion of roadbed. Mr. Petersen stated that he would approach the neighborhood regarding the development of a Local Improvement District in order to help facilitate the cost of the repairs.

Robert Low, on behalf of the Evergreen Subdivision, thanked the Council for its consideration of Spruce Street; reiterated Mr. Petersen's request; and added that the neighborhood would appreciate it if the Town use resources to patch the larger and unsafe potholes.

Discussion followed regarding the redirection of funding for the requested items. Administrator Fitch explained the timeline for adoption of the 2010 Town budget and suggested that the Council reconsider the requests in early 2010.

At 6:34 p.m., Mayor Jones closed the public hearing on the 2010 Town Budget.

### **ACTION AND DISCUSSION ITEMS**

#### First reading of draft Town Utility Ordinances

At 6:34 p.m., Mayor Jones introduced discussion of draft utility Ordinance Nos. 1410 through 1413. Administrator Fitch explained that the purpose of a first reading of proposed utility rate increase ordinances is to allow the public an opportunity to comment. Final consideration for adoption is scheduled on December 17, 2009. Councilmember Lacher noted that proposed rates represent 50% of the recommended 2010 rates per the adopted 2008 Utility Rate Study. No discussion followed. No action was taken.

#### Permanent Farmer's Market

At 6:36 p.m., Mayor Jones introduced discussion regarding purchase of property at 150 Nichols Street to site a permanent Farmer's Market facility and stated that audience comment would be taken after Council had an opportunity to discuss the proposal, time permitting.

Administrator Fitch explained that the purpose of the discussion was to allow staff the opportunity to report on the current progress of negotiations for the proposal; and Council the opportunity to discuss and give further direction regarding said proposal.

[Clerk's Note: There is unanimous support for finding a permanent home in Town for the Farmer's Market; recognition of the historic value of the existing structure and opportunity for its permanent preservation; interest in the idea of developing the property as a focal point for the downtown core; and desire to take advantage of the financial participation of the Land Bank. The difficulty that the Town is experiencing is how to achieve these goals without risking findings by the State Auditor's Office (SAO), because the property, if acquired with Hotel Motel funds, must be more than a farmer's market, a restored historical building, a Town Commons, and feasible financial arrangement. It must be above all else, operated as a tourism related facility in the opinion of the SAO. If the initial or any ensuing annual audits by SAO finds otherwise, it

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

could result in a "finding" which could force the Town to reimburse the hotel motel fund and/or affect the Town's future borrowing abilities with financial institutions.]

Attorney Eaton reported that staff continues to work with representatives of the SJC Land Bank and Agricultural Guild to develop mutually acceptable ways that the risks and uncertainties can be eliminated or reduced before the Council has to decide whether to commit to participation in the project. The current deadline for that decision by the Town Council is December 17, 2009. Attorney Eaton outlined the Land Bank and Guild's roles in the proposal. Attorney Eaton focused on the complications of using hotel motel funds, which exposes the Town to formal "findings" by the State Auditor's office and consequences thereof; restrictions the proposed historical easement presents, which would impose conditions that will interfere with development the property in perpetuity; and potential options for an "exit strategy" or "safety net" should the project be found less than feasible at a future date. Attorney Eaton noted that staff has not thoroughly explored the lease agreement with the Guild or how Town regulations would effect development of the property.

Per inquiry from Councilmember Illig, Attorney Eaton expanded on elements of historical easement relating to appearance and restoration of the structure.

Per inquiry from Councilmember Monin, Administrator Fitch explained that the number of parking stalls depicted on the conceptual drawing will change once final building plans are submitted.

Per inquiry from Councilmember Lacher, Attorney Eaton stated that conditions to use the property as a tourist related facility could change as State Legislature adopts future legislation regarding use of hotel motel tax funding.

Per inquiry from Councilmember Lacher, Attorney Eaton stated that the County may request an opinion from the Attorney General's Office on behalf of the Town regarding use of the funding, however one could take several months to prepare.

Per inquiry from Councilmember Lacher, Attorney Eaton stated that the farmer's market is not the only function foreseen at the property. Attorney Eaton restated that the property will need to be used as a tourism related facility.

Council discussion followed regarding the logistics of proposal, including financial commitment of the Town, Land Bank and Guild; perpetuity of the easement restrictions; development of the property; risks and unknowns; and contingency plans should the Town choose to opt out of the proposal. Council took turn expressing their views of the proposal.

Councilmember Monin stated that he was not in favor of moving forward with the proposal at this point in time. Councilmember Monin stated that risks outweigh the benefits of the proposal as presented; sufficient time to negotiate mitigation of those issues is not feasible with the current proposal; and that the Council is unable to make an informed decision by the December 17, 2009 deadline. Councilmember Monin

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

suggested that Town should pursue unencumbered ownership and development of property for a similar proposal if there is strong enough interest.

Councilmember Brooks stated that she was not in favor of moving forward with the proposal at this point in time. Councilmember Brooks indicated agreement with Councilmember Monin statements and suggested that Town pursue use of capital reserve funding to facilitate a similar proposal. Administrator Fitch briefly outlined the procedure for doing such.

Councilmember Illig stated that the Council has adopted the ideology that a permanent farmers market shall be housed in the Town per the Comprehensive Plan. Councilmember Monin countered that perhaps "Town should be looking to its own venture rather than being encumbered by many restrictions."

Councilmember de Freitas stated concern that, as proposed, the Town would be accountable for the Guild's ability to run the facility in a tourism related manner, therefore a management entity would be required.

Mayor Jones stated that the proposal represents a unique opportunity for the Council to preserve and revitalize a significantly neglected area within the downtown core; and urged the Council to consider accepting the proposal. Councilmember Monin stated that Town has not completed the proper due diligence to responsibly move forward with the proposal as presented.

Councilmember Lacher stated that she was in agreement with Mayor Jones and Councilmember Illig's comments; and that regardless of the tenants, Town would have to ensure that the property will be used in the best interest of the residents in years to come. Councilmember Lacher commented on the importance of due diligence.

Administrator Fitch requested direction from the Council. Discussion followed whether to continue to pursue the proposal based on the remaining time to negotiate the issues presented.

**Moved by Monin, seconded by Brooks, with friendly amendment by de Freitas, to discontinue efforts to purchase 150 Nichols Street, also known as the Erickson Property; and to continue to develop a proposal for a permanent farmer's market through use of non-encumbered Town funding. Motion failed 2-3 with Lacher, de Freitas and Illig opposed.**

Discussion followed regarding deadline of the current proposal and budget adoption process.

**Moved by de Freitas, seconded by Lacher, to direct staff to continue working with the Land Bank and Agricultural Guild to develop a proposal for the purchase of 150 Nichols Street to site a permanent farmer's market, among other things; and present staff recommendation to Council on December 17, 2009. Motion passed 4-1 with Brooks opposed.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

At 8:23 p.m., Mayor Jones accepted comments from the audience.

At 8:23 p.m., Sandy Strehlou, Historic Preservation Coordinator, cited the Town's mission for historic preservation and to move forward with the proposal. Councilmember Brooks stated that preservation of the building is a separate issue.

At 8:29 p.m., Robert Low, 595 Spruce Street, urged the Council to "slow down" and exercise due diligence.

At 8:31 p.m., David Waldron, 310 Spring Street, urged the Council not to abandon the proposal.

At 8:34 p.m., Cliff Lowe, 185 Nichols Street, stated that there are parking issues on Nichols Street that need to be addressed and urged the Council to take their time in the decision making process.

At 8:36 p.m., Lynn Danaher, PO Box 2627, urged the Council not to rush a decision by December 18<sup>th</sup>, and that other properties are available for the farmer's market. Councilmember Lacher stated that 150 Nichols Street is her preference.

At 8:43 p.m., Steven Robins, Pelindaba Lavender Farm, urged the Council to "commit to finding a way to make the permanent farmer's market happen" through this or another proposal.

At 8:45 p.m., Jim Skoog, 38 Wood Duck Lane, stated that every endeavor contains risks, and urged the Council to move forward with the proposal. Councilmember Monin stated that Town has not been given the proper amount of time to consider the proposal.

At 8:51 p.m., Gordy Petersen, 124 Blackberry Lane, stated that not enough is known to responsibly enter into a proposal.

At 8:54 p.m., Lee Sturdivant, 745 Tarabochia Lane, urged the Council to move forward with the proposal.

### **FUTURE AND NON-AGENDA ITEMS**

No future agenda items.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

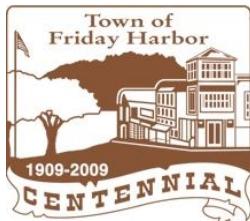
**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, December 17, 2009 at 12:00 p.m.

**Moved by Monin, seconded by Lacher, to adjourn the meeting at 8:57 p.m.  
Motion passed unanimously.**

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# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

These minutes were approved on December 17, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, December 17, 2009 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Lacher, Monin, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Don Eaton; and Clerk, Amy Taylor.

Mayor Jones conducted the flag salute.

### PUBLIC ACCESS TIME

Sharon Kivisto, member of the press, requested that the Council support the permanent farmer's market proposal.

### ACTION AND DISCUSSION ITEMS

#### Employee Awards

At 12:04 p.m., Mayor Jones and Councilmember Lacher presented the following Town employees with service awards for five, ten, fifteen, and twenty or more years of service:

- Frank Chaffee, Training Officer, Fire Department for five (5) years;
- Mike Goff, Utility Worker, Street Department for five (5) years;
- Sharon Hammel, Town Gardener, Street and Parks Department for five (5) years;
- Gary Hanson, Building Inspector, Community Development Department for five (5) years;
- Sandy Strehlou, Historic Preservation Coordinator, Community Development Department for five (5) years;
- Roxanna Zalmanek, Permit Technician, Community Development Department for ten (10) years;
- Frank Byrne, Utility Worker, Water Treatment Department for fifteen (15) years;
- Allen Brown, Utility Worker, Street and Refuse Department for twenty (20) years;

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

- Heath Ray, Utility Worker, Street and Refuse Department for twenty (20) years;
- Wendy Picinich, Finance Officer and Treasurer, Finance Department for twenty five (25) years; and
- Jerry Gates, Utility Worker, Street Department for thirty five (35) years.

### Findings of Fact and Conclusions of Law - Rezone Application No. 58

At 12:09 p.m., Mayor Jones introduced adoption of the draft Findings of Fact and Conclusions of Law for Rezone Application No. 58, a request for a zoning designation change from Professional Service to Light Industrial by Darren & Sheila Olshefsky, James & Diane Olshefsky, and Roy & Barbara Persinger, located at 1021, 1023 1025, and 1027 Guard Street. Said parcels are identified as Tax Parcel Nos. 351151109, 351151110, 351151111 and 351151045. Staff was directed to prepare Findings of Fact and Conclusions of Law for Rezone Application No. 58 per the public hearing of December 3, 2007. No discussion followed.

**Moved by Monin, seconded by IIlg, to adopt the Finding of Fact as stated above. Motion passed unanimously.**

### Ordinance No. 1414

Concurrently with adoption of Finding of Fact and Conclusions of Law for Rezone Application No. 58, Mayor Jones introduced draft Ordinance No. 1414, approving the rezone of 1021, 1023, 1025 and 1027 Guard Street from Professional Service to Light Industrial. No discussion followed.

**Moved by Monin, seconded by Lacher, to adopt Ordinance No. 1414 as stated above. Motion passed unanimously.**

### Resolution No. 1760

At 12:11 p.m., Mayor Jones introduced draft Resolution No. 1760, authorizing the Mayor to execute Change Order No. 18 on the contract with Strider Construction, Inc. for the Sewer Replacement Project. Administrator Fitch explained the particulars of said resolution. Change Order No. 18 is in amount of \$80,414.46. Said Change Order consists of costs associated with redirecting a portion of the sewer line, resizing manholes and replacement piping. Discussion followed regarding pavement restoration on Guard Street that would be disturbed if the engineers choose to use that alignment which will be the subject of a future change order.

**Moved by IIlg, seconded by de Freitas, to adopt Resolution No. 1760 as stated above. Motion passed unanimously.**

### Resolution No. 1763

At 12:16 p.m., Mayor introduced draft Resolution No. 1763, authorizing the Mayor to execute an interlocal agreement with the Washington State Department of General Administration to sell Town owned vehicles, equipment or other property deemed surplus. Administrator Fitch explained that the agreement gives Town access to additional services and a larger customer base for the disposal of equipment that would be considered "specialty items". No discussion followed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

**Moved by Brooks, seconded by Monin, to adopt Resolution No. 1763 as stated above. Motion passed unanimously.**

### ADMINISTRATOR'S REPORT

At 12:19 p.m., Administrator Fitch presented the Town Council with an update of the following:

- School District No. 149 - Submitted a letter thanking Town Staff for the installation of traffic control lighting near the crosswalk on Argyle Avenue and Grover Street, near the elementary school.
- Cable Franchise Agreement - The Town may charge a maximum of five percent (5%) for the cable franchise fee with Windjammer Communications, LLC. Treasurer Picinich adjusted the preliminary 2010 Town Budget accordingly. Randy Lindsey, Cable Systems Manager, spoke to Administrator Fitch, recommending not increasing the current three percent (3%) fee at this point in time.
- Trout Lake - The Lake is at maximum capacity and excess water is currently flowing over the dam's spillway.

### PUBLIC HEARINGS

#### 2009 Town Budget Amendments

At 12:25 p.m., Mayor Jones opened the public hearing for amendments to the 2009 Town Budget. No public input was forthcoming. Administrator Fitch gave an explanation of said amendments and year end balance which are listed as "Attachment A" to draft Ordinance No. 1413. No discussion followed. Hearing no public input, Mayor Jones closed the public hearing.

### ACTION AND DISCUSSION ITEMS (cont.)

#### Ordinance No. 1413

At 12:27 p.m., Mayor Jones introduced draft Ordinance No. 1382, amending the adopted 2009 Budget. No discussion followed.

**Moved by de Freitas, seconded by Brooks, to adopt Ordinance No. 1413, amending certain beginning balances, revenue estimates, expenditure appropriations, and ending cash balances in the 2009 Budget per Attachment A. Motion passed unanimously.**

#### Permanent Farmer's Market

At 12:28 p.m., Mayor Jones introduced discussion regarding purchase of property at 150 Nichols Street to site, among other things, a permanent Farmer's Market facility.

Attorney Eaton explained that the SJC Land Bank, Agricultural Guild and Town have prepared a draft resolution and proposed Memorandum of Understanding (MOU) outlining their respective issues to be considered. The MOU would constitute a non-binding commitment by all parties to move forward with efforts to determine if the property can be obtained and developed in a way that would be satisfactory to all parties. The MOU is contingent upon the Land Bank, Guild and property owner's willingness to provide the Town with additional time to obtain information and evaluate

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

risks if, in turn, the Town is willing to indicate its willingness to commit to a good faith effort to do just that. Among other things, the MOU indicates the Town's willingness to consider making the required financial contribution, using Hotel Motel tax revenue, if certain conditions can be met and if certain arrangements can be made with the Guild to restore the existing historic structure on the Property and to otherwise develop and use the Property for certain purposes. Attorney Eaton reviewed the common goals; process for the acquisition, development, and use of the property; contingencies placed by all parties; and commitments contained in the MOU. Attorney Eaton reiterated that the MOU does not legally bind the Town to purchasing the property.

Discussion and inquiry followed regarding outside funding sources, parking issues and business model for the proposal.

Councilmember Illig thanked staff and commented on the common goals listed in the MOU. Inquiry followed regarding the common goals of the proposed document.

Councilmember Lacher stated her support for the proposal to extend negotiations and to consider the concept of a Town Commons. Councilmember Lacher thanked all parties involved for negotiations to date.

Councilmember Brooks indicated that she would not vote for the proposal unless potential traffic congestion and parking issues are given consideration. Discussion followed regarding parking requirements for the project per municipal code and the Guild's funding contribution. Mayor Jones stated that he has offered to write a business plan for the Guild.

Councilmember Monin stated that he wanted time to interpret the MOU and was not prepared to move forward with the document at that point in time. Discussion followed regarding the cost of legal fees that would be associated with moving forward with the proposed MOU.

Councilmember de Freitas requested that parking issues become a legislative priority for the year 2010.

**Moved by Lacher, seconded by Illig, to adopt Resolution No. 1764, authorizing the Mayor to sign a Memorandum of Understanding between the Town, SJC Land Bank and SJI Agricultural Guild concerning acquisition of certain real property in the Town of Friday Harbor, commonly referred to as "the Erickson Property" to site, among other things, a permanent farmer's market and create a Town Commons. Friendly amendment offered by Brooks to amend the draft Memorandum of Understanding to include consideration of parking and congestion issues. Friendly amendment failed. Motion passed 3-2 with Monin and Brooks opposed.**

Attorney Eaton reviewed the steps following adoption of the MOU. Discussion followed regarding costs associated with the proposal. **Council consensus to direct staff to prepare a budget, including legal fees, associated with the proposal for consideration.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### **PAYMENT OF CLAIMS**

Moved by Monin, second by Lacher to approve the payment of Claim Warrant Nos. 33457 through 33521 in the amount of \$143,491.45. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Monin, seconded by Lacher, to approve the minutes of December 3, 2009. Motion passed unanimously.

### **FUTURE AND NON-AGENDA ITEMS**

Councilmember Ilig requested that the Council make adoption of Low Impact Development standards a legislative priority for year 2010. Councilmember Monin requested that Councilmember Ilig continue to forward information on the subject to the Council.

Councilmember Ilig announced her resignation on the SJC Board of Health (BOH) due to her expiring term as Town Councilmember. The vacancy must be filled by an elected official of the Town. Committee Assignments for year 2010 will be discussed during a future agenda.

### **CITIZEN RESPONSE**

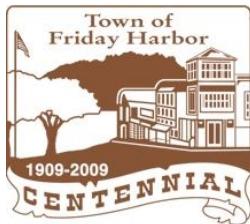
There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, December 17, 2009 at 5:30 p.m.

**Moved by de Freitas, seconded by Ilig, to adjourn the meeting at 1:23 p.m.**  
**Motion passed unanimously.**

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**These minutes were approved on January 7, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**



### **SUMMARY OF THE MINUTES TOWN COUNCIL**

**Thursday, December 17, 2009 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

The Town Council met in regular session with Mayor Jones presiding. Mayor Jones called the regular session to order at 5:30 p.m.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

### ROLL CALL

Council members: Lacher, Wolf, de Freitas, Illg, and Brooks.

Others Present: Mayor, David Jones; Town Administrator, C. King Fitch; Attorney, Don Eaton; Treasurer, Wendy Picinich; and Clerk, Amy Taylor.

Mayor Jones conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

This is the last scheduled meeting for year 2009 and last session before the expiring terms of Mayor Jones and Councilmember Illg. The Council and public are invited to a social following adjournment of the meeting.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1415

At 5:32 p.m., Mayor Jones introduced discussion of draft Ordinance No. 1415, adopting the Town Budget for year 2010. Administrator Fitch explained that the Town Council sets goals, limitations and funding priorities by adoption of the document. No discussion followed.

**Moved by Monin, seconded by Illg, to adopt Ordinance No. 1415, as stated above. Motion passed unanimously.**

#### Resolution No. 1761

At 5:33 p.m., Mayor Jones introduced discussion of draft Resolution No. 1761, authorizing the Mayor to execute an intergovernmental agreement for law enforcement services with San Juan County for the year 2010. Administrator Fitch explained the particulars of the Resolution. The agreement for law enforcement services for year 2010 is in the amount of \$254,383. No discussion followed.

**Moved by Illg, seconded by Monin, to adopt Resolution No. 1761, as stated above. Motion passed unanimously.**

#### Resolution No. 1762

Concurrently with draft Resolution No. 1761, Mayor Jones introduced draft Resolution No. 1762, authorizing the Mayor to execute an intergovernmental agreement for dispatching services with San Juan County for the calendar year 2010. Administrator Fitch explained the particulars of the Resolution. The agreement for dispatching services for year 2010 is in the amount of \$6,352. No discussion followed.

**Moved by Illg, seconded by Monin, to adopt Resolution No. 1762, as stated above. Motion passed unanimously.**

#### Ordinance No. 1410

At 5:36 p.m., Mayor Jones introduced discussion of draft Ordinance No. 1410, increasing the water utility user charge. Administrator Fitch explained that said ordinance

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

represents an increase of 2.5% or half of the recommended rate increase per the adopted 2008 Utility Rate Study. No discussion followed.

**Moved by Lacher, seconded by IIIg, to adopt Ordinance No. 1410, as stated above. Motion passed unanimously.**

### Ordinance No. 1411

At 5:37 p.m., Mayor Jones introduced discussion of draft Ordinance No. 1411, increasing the sewer utility user charge. Administrator Fitch explained that said ordinance represents an increase of 5.5% or half of the recommended rate increase per the adopted 2008 Utility Rate Study. No discussion followed.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1411, as stated above. Motion passed unanimously.**

### Ordinance No. 1412

At 5:38 p.m., Mayor introduced discussion of draft Ordinance No. 1412, increasing the stormwater utility user charge. Administrator Fitch explained that said ordinance represents an increase of 4.09% or half of the recommended rate increase per the adopted 2008 Utility Rate Study. No discussion followed.

**Moved by de Freitas, seconded by Lacher, to adopt Ordinance No. 1412, as stated above. Motion passed unanimously.**

### Ordinance No. 1416

At 5:39 p.m., Mayor Jones introduced discussion of draft Ordinance No. 1416, fixing 2010 compensation for represented personnel. Administrator Fitch explained that said ordinance represents a 2.5% cost of living increase per the adopted union agreement. Mayor Jones thanked all employees for accepting nine (9) unpaid leave (furlough) days for year 2010. No discussion followed.

**Moved by Lacher, seconded by IIIg, to adopt Ordinance No. 1416, as stated above. Motion passed unanimously.**

### Ordinance No. 1417

At 5:39 p.m., Mayor Jones introduced discussion of draft Ordinance No. 1417, fixing 2010 salaries for officials and non-represented personnel. Administrator Fitch explained that said ordinance represents a .09% cost of living increase per the current Cost Price Index (CPI). No discussion followed.

**Moved by Lacher, seconded by de Freitas, to adopt Ordinance No. 1417, as stated above. Motion passed unanimously.**

### SJC Council Update

At 5:41 p.m., Mayor Jones introduced SJC Councilmember Howard (Howie) Rosenfeld, to provide an update on issues of mutual concern. Councilmember Rosenfeld provided the following information: Washington State Ferries (WSF) is requesting a that the Town and Council continue to contribute to the traffic control program; WSF is in the

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009

process of developing a trial reservations system by year 2012 for the San Juan Islands route; the County is discussing mandatory curbside pickup for San Juan Island in an attempt to offset costs for the construction of a new transfer station; the public hearing to consider a ban on the use of expanded polystyrene in San Juan County has been set; and the County needs to provide additional information to help demonstrate the need for a Turn Point to Grover Street connection arterial in hopes of securing federal funding for its construction. Per inquiry from Attorney Eaton, Councilmember Rosenfeld stated that the County did testify that it would construct said arterial. Discussion followed regarding the County's assurances and testimony during the public hearings for consideration of the Buck Property Annexation.

### Recognition of Public Service

At 6:05 p.m., Mayor Jones presented Councilmember Illg with a plaque and token of appreciation for her dedicated service as Councilmember for the Town of Friday Harbor. The Council presented Mayor Jones with a plaque and token of appreciation for his dedicated service as Councilmember and Mayor for the Town of Friday Harbor.

### Oath of Office

At 6:15 p.m., Clerk Taylor administered Oath of Office for the following incumbents per the November 3, 2009 election:

- Noel Monin, Town Council Position No. 2, for an unexpired two year term beginning January 1, 2010 and ending December 31, 2011;
- Anna Maria de Freitas, Town Council Position No. 3, for a four year term beginning January 1, 2010 and ending December 31, 2013;
- Felix Menjivar, Town Council Position No. 4, for a four year term beginning January 1, 2010 and ending December 31, 2013; and
- Carrie Lacher, Mayor of Friday Harbor, for a four year term beginning January 1, 2010 and ending December 31, 2013.

Councilmember Lacher's transition to Mayor opens a vacancy for Town Council Position No. 1. Candidates to fill the anticipated vacancy are currently being sought.

### **FUTURE AND NON-AGENDA ITEMS**

No future or non-agenda items were presented.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Jones requested a motion to adjourn. The next regular meeting is scheduled for Thursday, January 7, 2010 at 12:00 p.m.

**Moved by Monin, seconded by Illg, to adjourn the meeting at 6:21 p.m.  
Motion passed unanimously.**

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**These minutes were approved on January 7, 2009. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2009**