

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, January 06, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEUDLE CHANGES

Mayor Lacher noted that Town was invited to attend a conference call with Governor Gregoire regarding Washington State Ferries in the afternoon.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### DEPARTMENT REPORTS

#### Fire

At 12:07 p.m., District #3 Fire Chief, Steve Marler, distributed written information regarding types of services provided to the community and for the volunteer fire fighters for the fourth quarter of 2010. Chief Marler reviewed the training schedule and volunteer reassignments to other fire stations located on San Juan Island. Discussion and inquiry followed regarding logistical issues such as fleet maintenance. Mayor Lacher thanked Chief Marler.

#### System Administration

At 12:13 p.m., System Administrator, Steven Dubail, distributed a fourth quarter department report for year 2010 and annual water usage report. Mr. Dubail reported on email retention, website updates, power outages, and system maintenance. Discussion followed regarding installation of a panic alarm system for the Council Chambers. Mayor Lacher thanked Mr. Dubail.

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### Emergency Management

At 12:21 p.m., Emergency Management Director, Brendan Cowan, distributed a fourth quarter department report for year 2010 and commented on the recent inclement weather event. Discussion and inquiry followed regarding preparedness education, oil spill response and the local Roadway Situation Reporting system. The Mayor and Council thanked Mr. Dubail.

### Community Development

At 12:26 p.m., Land Use Administrator, Michael Bertrand, distributed a compilation of building permits issued in year 2010. Mr. Bertrand noted that approximately \$148,650 was collected in land use fees for the year. Mr. Bertrand reported on upcoming public meetings and hearings by the Planning Commission for the Shoreline Management Plan update, Comprehensive Plan review, and reclassification requests. Mayor Lacher noted that there was a vacant position on the Planning Commission. Mayor Lacher thanked Mr. Bertrand.

### Utilities

At 12:33 p.m., Street Leadman, Dave Smith, reported on the recent inclement weather events. Mr. Smith noted that Town has restocked its supply of sand in anticipation of another forecasted snow storm. No discussion followed. Mayor Lacher and Council thanked Mr. Smith and the Town crews for their response during the recent snow storm.

## **ACTION AND DISCUSSION ITEMS**

### SJC Economic Development Council (EDC)

At 12:38 p.m., Mayor Lacher introduced Victoria Compton, EDC Executive Director, to present the 2010 Annual report. Ms. Compton thanked the Town for its continued support and summarized the Annual Report; which included 2010 accomplishments, 2011 objectives and goals, and scope of work for the 2011 contractual period. Jim Hooper, EDC President, reported on continued efforts to improve business support, broadband and transportation. Discussion followed regarding partnering with a regional transportation organization. Mayor Lacher and Council thanked Ms. Compton.

### Resolution No. 1831

At 12:52 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1831, authorizing the Mayor to execute an agreement with the SJC Economic Development Council to promote economic development within the Town of Friday Harbor for 2011. No discussion followed.

**Moved by Starr, seconded by de Freitas, to adopt Resolution No. 1831, authorizing the Mayor to execute an agreement with the SJC Economic Development Council to promote economic development within the Town of Friday Harbor for 2011. Motion passed unanimously.**

## **ADMINISTRATOR'S REPORT**

At 12:53 p.m., Administrator Fitch presented the Town Council with an update of the following:

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- 620 Warbass Way - The engineers from PanGeo Inc. assessed the safety of the segment of the wall on Warbass Way where two large rocks at the base of the wall have become dislodged. In summary, PanGeo concluded that the condition of the wall does not represent an immediate safety threat to vehicles or pedestrians. PanGeo recommends repairing the wall in a two step process over the next two months. The first step will involve shoring the rock that is currently arching over the void space from the dislodged rock. The second step is the construction of a buttress below the wall to provide lateral and vertical support to the toe of the wall. Town staff should be able to complete both steps. Proposals for permanent remedial actions will be presented for consideration. Discussion followed regarding parking, current traffic flows, and methods and costs for emergency repairs to the wall on Warbass Way. **Council consensus to obtain proposals for monitoring and repair of the portion of wall located at 620 Warbass Way.**
- Regional Transportation Planning Organization (RTPO) - The Port of Friday Harbor, County and Town meet once per year as an informal RTPO to vote on the distribution of the federal funding distributed to our area for projects (see presentation by the Economic Development Council). Recent projects in Town that were funded include the A/C overlay on Mullis Street and Front Street traffic circle at the Port of Friday Harbor.
- Employee Retirement - Wastewater Treatment Plant Lab Technician, Kevin Kirk, notified the Town that he will retire in February 2011. Mr. Kirk has worked for the Town for thirty three years.
- Affordable Housing Presentation - A presentation will be coordinated with SJC Affordable Housing Coordinator, Angela Lausch to review current affordable housing statistics and programs.
- Water Sales - Town experienced a loss in sales for bulk (tanker) water in 2010.
- Refuse Utility - Town has not received additional information from Skagit County regarding our inquiry of joining their Consortium for tipping Town refuse.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by de Freitas, to affirm the payment of Payroll Warrant Nos. 14884 through 14956 in the amount of \$234,969.47 and approve the payment of Claim Warrant Nos. 34937 through 34985 in the amount of \$108,646.94. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by de Freitas, seconded by Starr to approve the minutes of **December 16, 2010 as submitted.** Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher distributed an opinion from the Attorney General's Office dated December 16, 2010 regarding the use of hotel motel excise tax funding (lodging tax) authorized by RCW 67.28 for a permanent farmers market.

Mayor Lacher distributed written information regarding Governor Gregoire's public announcement regarding Washington State Ferries.

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### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:28 p.m. The next regular meeting is scheduled for Thursday, January 6, 2011 at 5:30 p.m.

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**These minutes were approved on January 20, 2011. 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 6, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

At 6:45 p.m., Councilmember Menjivar requested to be excused from the meeting early as he was on-call. Council unanimously approved his leaving the meeting.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher requested that audience members hold their comments regarding regulation of dangerous dogs until the scheduled agenda time for the topic.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

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### ACTION AND DISCUSSION ITEMS

#### Dangerous Dog Regulations

At 5:32 p.m., Mayor Lacher introduced discussion of regulation of dangerous dogs and explained the rules for addressing the Council to the audience.

Administrator Fitch explained that Town has received a request from the County Prosecutor's Office dated December 29, 2010 and other correspondence from the public to update Town regulations regarding dogs. While the Town municipal code protects people and their domestic animals from dogs that are not licensed or are running at large, current codes do not protect against dangerous or potentially dangerous dogs that attack people or other animals. Administrator Fitch requested that the Council examine if they want to amend the current municipal code relating to regulation of dogs; if so, to what degree; and to provide staff with appropriate direction for the drafting of an ordinance for consideration.

Attorney Cunningham summarized her memorandum dated January 3, 2011, which focused on the regulation of dogs that may injure people, including "dangerous" and "potentially dangerous" dogs. The memo did not review ordinances that generally regulate dogs or dog licensing. Attorney Cunningham explained that the Town may use its police powers to implement regulations that are more stringent than State law such as regulating dangerous dogs in a manner stricter than State law; ban dangerous or breed specific dogs from Town limits; and/or contract for additional animal control services and citation enforcement.

In conclusion, Attorney Cunningham recommended that the Town amend Chapter 6.04 of the Friday Harbor Municipal Code to be consistent with State law and the County's recently-updated Ordinance No. 12-2009, to allow for uniform enforcement by local law enforcement officials.

At 5:40 p.m., Mayor Lacher accepted public comment from the audience. Public comments were received from: Shaun Klein, 548 Byron Road; Virginia Beaudoin, 520 Maple Street; Kim Ryan, 700 Hunt Street; Kathleen Zuideme, 738 Nash Street; Susan Key, 515 Spruce Street, Gayle Bodorff, 2626 Roche Harbor Road, Tom Carter, 545 Hemlock Way; Bobby Ross, Friday Harbor; and Patricia Benton, Friday Harbor. Those commenting shared accounts of their personal experiences including dog attacks on themselves or others; endorsed potentially dangerous and dangerous dog regulations; and suggested additional limitations for dogs classified as potentially dangerous and dangerous dogs, including restricted areas, mandatory confinement, infractions and penalties. One comment endorsed breed specific legislation.

At 6:11 p.m., Mayor Lacher inquired if there was additional public comment from the audience. Hearing none, Mayor Lacher opened the discussion to Council questions with Undersheriff Jon Zerby.

Mr. Zerby defined "Potentially Dangerous" and "Dangerous" dogs; commented that currently the Sheriff's Office has nineteen dogs within the County classified as potentially dangerous and zero dogs classified as dangerous; and provided an overview of the "ladder of penalties" and procedure that can be taken through court action. Mr. Zerby

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noted that often an offending dog is euphonized by the owner prior to the time the dog is classified as dangerous.

Councilmember Hushebeck inquired about impoundment of dogs. Mr. Zerby explained that the Humane Society (Animal Shelter) currently impounds and evaluates the dog's behavior.

Councilmember Monin requested that Mr. Zerby describe the timeframe for declaring a dog dangerous. Mr. Zerby stated that depending on the situation an owner can be served a citation within two days. The dog owner then has a fifteen day appeal period with the Sheriff's Department for citations before proceeding through the court system.

Councilmember de Freitas inquired what elevates the classification from potentially dangerous to dangerous. Mr. Zerby stated that the classification changes upon "severe injury to a human" as defined by law.

Councilmember Starr inquired if the current County Code is sufficient to mitigate dog related incidents. Mr. Zerby replied that deviating too far from County Code will result in sporadic enforcement of regulations.

At 6:23 p.m., Mayor Lacher opened the discussion to Council deliberation. Discussion followed regarding consistency between proposed Town regulations and current County Code.

**Council Consensus to direct staff to draft an ordinance that complies with State law regarding dangerous and potentially dangerous dogs that is consistent with San Juan County Code (Ordinance No. 12-2009) to the extent practicable. Said ordinance is to include provisions that allow authorities to impound dogs that harm or attempt to harm people and/or domestic animals; allow enforcement through citations for violations of the municipal code; and adopt definitions and provisions for "potentially dangerous dog" and "dangerous dog".**

### Resolution No. 1832

At 6:49 p.m., Mayor Lacher introduced draft Resolution No. 1832, establishing use policies for Town owned meeting and training room facilities. Administrator Fitch explained that Town owns and operates meeting room facilities in the Town Hall and Fire Station which are frequently used by non-Town entities even though there are no formal policies adopted. The proposed policies will limit use of the Council Chambers and Fire Station Training Room to approved persons and events. No discussion followed.

**Moved by de Freitas, seconded by Menjivar, to adopt Resolution No. 1832, establishing use policies for Town owned meeting and training room facilities. Motion passed unanimously.**

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### Council Retreat

At 6:53 p.m., Mayor Lacher introduced discussion regarding a date and topics for a Council retreat / work session. Mayor Lacher suggested that Council determine topics for the retreat during a future session. No discussion followed. **Council consensus to tentatively schedule Saturday, March 5, 2011 at 12:15 p.m. for a Council retreat / work session.**

### Committee Assignments

At 6:57 p.m., Mayor Lacher introduced discussion of Town representation on regulated boards, committees and commissions. Mayor Lacher inquired if Council wished to adjust or trade their current assignments. Council answered in the affirmative. Councilmember Starr volunteered to fill the vacancy on the SJC Board of Health. Councilmember Monin, Councilmember de Freitas and Mayor Lacher exchanged assignments.

**Council consensus for reassignment to boards, committees and commissions as follows:**

- **SJC Board of Health:** Councilmember Starr,
- **SJC Housing Bank Commission:** Councilmember de Freitas, and
- **SJC Solid Waste Advisory Committee:** Councilmember Monin

### Joint Quarterly Meetings - SJC Council & Port of Friday Harbor

At 7:10 p.m., Mayor Lacher introduced discussion of dates and topics for joint quarterly meetings with the Port of Friday Harbor and San Juan County Council. Clerk Taylor provided compatible dates. Discussion followed regarding potential topics.

**Council consensus to tentatively schedule a joint meeting with the San Juan County Council on Tuesday, February 22, 2011 at 12:00 p.m. at the San Juan County Legislative Hearing Room.**

**Council consensus to tentatively schedule a joint meeting with the Port of Friday Harbor on Thursday, February 3, 2011 or February 17, 2011 at 12:00 p.m. at the Town Council Chambers.**

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 7:18 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on:

- Governor's proposal to regionalize Washington State Ferries,
- Reduction of ferry service,
- Town Council appointments to County boards and commissions, and
- SJC Solid Waste Utility and SJI Transfer Station.

No discussion followed. The Council thanked Councilmember Rosenfeld.

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

Councilmember de Freitas requested an excused absence for the meeting of January 17, 2011.

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### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:34 p.m. The next regular meeting is scheduled for Thursday, January 20, 2011 at 12:00 p.m.

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**These minutes were approved on January 20, 2011. 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 20, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember de Freitas. Council unanimously approved her absence.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ACTION AND DISCUSSION ITEMS

#### Presentation - SJI Chamber of Commerce - Annual Report

At 12:02 p.m., Mayor Lacher introduced Tom Kirschner, SJI Chamber Executive Director, to present their 2010 Annual Report. Mr. Kirschner summarized the Annual Report, which included the Chamber's visitor statistics, staffing, programs, membership, funding and events for 2010. Discussion and inquiry followed regarding the Chamber's upcoming 2011 events and plans to hire an Event Coordinator.

No action was taken. Mayor Lacher and Council thanked Mr. Kirschner.

#### Resolution No. 1833

At 12:15 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1833, authorizing private use of Sunken Park by the San Juan Island Chamber of Commerce for the annual Northwest Cruisers Celebration. The Chamber submitted a request for private use of Sunken Park and control of a certain portion of the public right-of-way on B Street in the Town from 1:00 p.m. to 11:00 p.m. on August 13, 2011 for the annual Northwest Cruisers Celebration. Peg Manning, SJI Chamber President, explained the particulars of the event. Administrator Fitch explained the conditions and provisions provided in the resolution. Inquiry followed regarding alcohol consumption and duration of the event.

**Moved by Hushebeck, seconded by Menjivar, to adopt Resolution No. 1833, authorizing conditional private use of Sunken Park and a portion of B Street by the San Juan Island Chamber of Commerce on August 13, 2011 from 1:00 p.m. to 11:00 p.m. for the annual Northwest Cruisers Celebration. Motion passed 4-0 with de Freitas absent.**

#### Administrative Appeal - 560 Warbass Way

At 12:27 p.m., Mayor Lacher opened the administrative appeal filed by Henry Wendt on January 5, 2011, concerning the administrative decisions made by the Town Administrator in connection with excessive water usage at the Henry Wendt residence located at 560 Warbass Way [Utility Account No. 5-003500.0]. Mr. Wendt has filed his appeal due to the decision of the Town Administrator that the water usage in the amount of 95,000 gallons is correct and the account is due and payable. The Wendt's contend that their water meter was either misread or was a faulty meter altogether and they are seeking relief from the excessive water usage charge.

Administrator Fitch explained that it has been the policy of Councils in the past to allow those that disagree with the Town Administrator's decisions to utilize the appeal process outlined in Title 20 of FHMC as there is not similar language elsewhere to address other types of decisions made on a daily basis by the Town Administrator. Administrator Fitch explained that after review of the evidence, the Council may by majority vote 1) affirm the Town Administrator's decision that the water usage is correct in the amount of 95,000 gallons and the account is due and payable in the amount of \$1,433.67; or 2) Grant relief to the complainant in an amount deemed appropriate.

Administrator Fitch outlined the facts of the situation and explained that if the later decision was made a transfer from the Current Fund to the Water Fund in the amount of the credit would be recommended.

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Mayor Lacher introduced Mr. Henry Wendt to present his appeal. Mr. Wendt testified that the situation began in July/August 2010; the August 20<sup>th</sup> meter was misread and the low-reading alarm in July was faulty; that the two confirmed "leaky" toilets did not occur during the August billing cycle; no evidence of other leaks were found at the residence; and that the Wendt's feel that the billing for August 2010 should be \$297.00.

Per inquiry, Margie Patrick, Wendt's Administrative Assistant, testified that the "leaky" toilets and pressure washing identified occurred during July and was billed for. Discussion followed regarding a potential misread of a water meter. Councilmember Monin stated that a misread would be self-correcting.

Kelle Wilson, Assistant Finance Officer, explained the Town's water meter reading, alarm notification and billing procedures. Mike Wilks, Utilities Superintendent, stated that it was conceivable that there was a misread of the meter in July and that the high reading in August was a result of the leaking toilet coupled with historically high usage in the months of June through September.

Mayor Lacher requested direction for staff. Council discussion followed regarding possibility of a misread water meter, alarm notifications and due diligence on part of the Town.

**Moved by Hushebeck, seconded by Starr, to partially approve the administrative appeal filed by Henry Wendt on January 5, 2011, concerning the administrative decisions made by the Town Administrator in connection with excessive water usage at the Henry Wendt residence located at 560 Warbass Way [Utility Account No. 5-003500.0]; and grant relief to the complainant in the amount of \$602.11 for fifty percent of the contended 95,000 gallons of water usage. Motion passed 4-0 with de Fretias absent.**

The Wendt's thanked the Town for granting partial relief noting the professionalism and helpfulness of staff throughout the situation. Councilmember Monin commented that it was an unfortunate string of events and that the Council's decision should not reflect negatively on staff as they demonstrated proper due diligence in responding to the situation.

Mayor Lacher suggested development of a process for other appeals that are not properly considered by Title 20 of FHMC. **Council consensus to develop administrative policies to address disputed utility billings.**

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### Resolution No. 1834

At 1:02 p.m., Mayor Lacher introduced draft Resolution No. 1834, accepting the bill of sale from Community Property, LLC. for certain improvements to the Town water system. Administrator Fitch provided background on the subject portion of the water system and gifting process. Discussion followed regarding maintenance of the system.

**Moved by Starr, seconded by Menjivar, to adopt Resolution No. 1834, accepting the bill of sale from Community Property, LLC for certain improvements to the Town water system. Motion passed 4-0 with de Freitas absent.**

### Council Retreat

At 1:07 p.m., Mayor Lacher introduced discussion of topics for the Council Retreat on March 5, 2011. The Council selected the following topics:

- Consolidation of fire services / 2011 Fire Cost Analysis
- Long-range planning for parking
- Long-range planning for the Warbass Way
- Attorney General's Opinion regarding use of Hotel Motel Excise Taxes
- Recommendation by the Lodging Tax Advisory Committee for suggested uses of (1<sup>st</sup> 2%) Hotel Motel Excise Taxes

No action was taken.

## **ADMINISTRATOR'S REPORT**

At 1:14 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Scenic Byway Steering Committee - The Council discussed having representation on the Scenic Byway Steering Committee. Councilmember Hushebeck offered to contact the Committee about participating as a Town Representative.
- Scenic Byway Committee - The Council was invited to participate in a meeting of the Scenic Byway Committee on February 15, 2011 at 4:00 p.m. in the Town Council Chambers to review the draft Scenic Byway Corridor Management Plan. The draft Plan is anticipated to be completed February 8, 2011. Councilmember Hushebeck offered to attend.
- 2002 Town Comprehensive Plan - The Council was invited to participate in a joint public hearing with the Planning Commission regarding the 2002 Town Comprehensive Plan. **Council consensus to hold a joint public hearing with the Planning Commission on Thursday, February 24, 2011 at 5:35 p.m. to receive public testimony on 2011 revisions to the 2002 Town Comprehensive Plan.**
- Fire Protection District No. 3 - Administrator Fitch is has been attending monthly District #3 Commission meetings. The Commission made a motion at their January 13, 2011 meeting to authorize staff to draft a maintenance agreement for the service of Town Fire Department apparatus.
- Town Fire Engine No. 11 - Engine No. 11 is being serviced in Everett, WA. The routine maintenance is covered under warranty.

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- Wastewater Treatment Plant (WWTP) - Town will advertise for the WWTP Operator/Lab Technician (Utility Worker II) Position that will be vacant pending employee Kevin Kirk's retirement in February 2011.
- Trihalomethane (THM) Levels - Town measured THM levels at 62.8 ug/L in December 2010 for a 12-month average of 85.5 ug/L. Town will issue a notice to water utility users.
- Granular Activated Carbon (GAC) System - Engineers and the Contractor are discussing revisions to the system. The revisions are expected to result in overall cost efficiencies. The area is graded and ready for construction.
- Wastewater Treatment Plant (WWTP) - The energy audit for the WWTP authorized by Resolution No. 1807 is available for review. The WWTP is currently implementing the recommendations.
- Parking Complaint - A complaint was received regarding parking enforcement on February 17<sup>th</sup>. Discussion followed regarding parking enforcement on holiday weekends.
- Direct deposit - The Finance Office now has the ability to direct deposit payroll warrants for Town employees and officials.
- Forestry Grant - The grant awarded to the Town from the Department of Natural Resources in the amount of \$10,000 to perform a tree inventory within the Trout Lake Watershed will expire in June 2011. Discussion followed regarding the scope and deliverables of said inventory. **Council consensus to decline the Department of Natural Resources grant provided that declining the grant will not affect the Town's ability to apply for grants in the future.**

### PAYMENT OF CLAIMS

Moved by Monin, second by Menjivar, to approve the payment of Claim Warrant Nos. 34986 through 35061 in the amount of \$303,619.48. Motion passed 4-0 with de Freitas absent.

### APPROVAL OF MINUTES

Moved by Monin, seconded by Starr, to approve the minutes of **January 6, 2011 as submitted**. Motion passed 4-0 with de Freitas absent.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher updated the Council regarding her meeting with Senator Murray's regional representative. As part of an outreach program, Senator Murray's office is conducting meeting with all municipalities within the State. Mayor Lacher indicated that affordable housing and aging infrastructure as issues of concern.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:50 p.m. The next regular meeting is scheduled for Thursday, January 20, 2011 at 5:30 p.m.

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

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These minutes were approved on February 3, 2011. 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 20, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember de Freitas. Council unanimously approved her absence.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1455

At 5:31 p.m., Mayor Lacher introduced draft Ordinance No. 1455, establishing regulations concerning dangerous and potentially dangerous dogs within the Town of Friday Harbor and establishing penalties for the violation thereof. Administrator Fitch explained that pursuant to the evening session of January 6, 2011, staff drafted said ordinance that complies with State law regarding dangerous and potentially dangerous dogs that is consistent with San Juan County Code (Ordinance No. 12-2009) to the extent practicable. Said ordinance includes provisions that allow authorities to impound dogs that harm or attempt to harm people and/or domestic animals; allow enforcement through citations for violations of the municipal code; and adopt definitions and

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provisions for "potentially dangerous dog" and "dangerous dog". Attorney Cunningham reviewed draft Ordinance No. 1455, in particular sections differed substantively from SJC Ordinance No. 12-2009. Discussion and inquiry followed regarding definitions, animal control enforcement and monetary penalties listed in the ordinance. Council drafted substantive revisions to said ordinance which included a no more than a six foot leash requirement, additional provisions for potentially dangerous dogs and increased monetary penalties.

**Moved by Starr, seconded by Menjivar, to adopt Ordinance No. 1455 as revised, establishing regulations concerning dangerous and potentially dangerous dogs within the Town of Friday Harbor and establishing penalties for the violation thereof. Motion passed 4-0 with de Freitas absent.**

### WORK SESSIONS

#### Dog Control Regulations

At 6:46 p.m., Mayor Lacher introduced the Council work session regarding dog control. Administrator Fitch explained that the purpose of the work session was to give guidance to staff if the Council desired additional requirements drafted for dog regulations. The Mayor and Councilmembers took turns listing items for consideration.

Mayor Lacher suggested the following:

- Requirement to register selected breeds potentially dangerous;
- "No-go zones" for all dogs;
- Muzzle requirement for potentially dangerous dogs;
- Policy change for parades and other events, including
  - Specific breed ban
  - Maximum leash length
  - Maximum number of dogs allowed in public under control of owner
  - System of penalties for dog related violations;
- Develop a schedule for fees and penalties for dog related activities.

Councilmember Monin suggested the following:

- Review of land use and zoning for kennels and dog-related facilities;
- Establishment and funding of an animal control program;
- Address nuisance issues such as barking/noise and unattended tethered animals on sidewalks and other public right of ways;
- Additional fees for registration of unspayed/unneutered dogs;
- Further discussion of breed specific legislation.

Councilmember Menjivar suggested the following:

- Develop a schedule for fees and penalties for dog related activities;
- Revisit the definition of "At large" contained in Ordinance No. 1455;
- Develop leash law;
- Further discussion of breed specific legislation.

Councilmember Starr suggested the following:

- No breed specific legislation;

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- No "no-go" zones;
- No regulation of dog-related facilities if in proper zoning.

Councilmember Hushebeck suggested the following:

- Muzzle requirement for potentially dangerous dogs;
- Develop stricter potentially dangerous and dangerous dog regulations in lieu of breed specific legislation;
- Review of land use and zoning for kennels and dog-related facilities;
- Develop stricter potentially dangerous and dangerous dog regulations in lieu of "no-go" zones;
- Develop leash law without a mandatory muzzle requirement;
- Examine policies for animals in parades.

**Council consensus to further discuss potential breed specific legislation and policies for parade and other events; and develop leash law requirements.**

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 7:29 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on Washington State Ferries (WSF) and SJC Solid Waste Advisory Committee issues. No discussion followed. Mayor Lacher thanked Mr. Rosenfeld.

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

No future agenda items were forthcoming.

### **CITIZEN RESPONSE**

Kim Ryan, 700 Hunt Street, thanked the Council for adopting Ordinance No. 1455 and requested that consideration be given to tethered unattended dogs in the public right-of-way and penalties thereof.

Virginia Beaudoin, 520 Maple Street, asked for clarification regarding Section 6 of Ordinance No. 1455 and listed examples of how changes to parade policies could have negative effects for certain organizations such as Four-H. Discussion followed regarding the definition of "potentially" dangerous dog.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:58 p.m. The next regular meeting is scheduled for Thursday, February 3, 2011 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on February 3, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, February 3, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **PUBLIC ACCESS TIME**

Mike Kaill commented that asphalt concrete dust and other silts from the Front Street Water Main Replacement Project and sanding of the streets due to inclement weather were entering the harbor with stormwater and causing the health of the aquarium at the Port of Friday Harbor to deteriorate. Mayor Lacher commented on the complexity of the issue and noted other contributing factors.

### **ACTION AND DISCUSSION ITEMS**

#### Historic Planning Review Board

At 12:06 p.m., Mayor Lacher presented Michael Jean Smith, Historic Preservation Review Board (HPRB) member, with a certificate of recognition for her five years of service on the HPRB. Ms. Smith resigned from her position January 2011.

Mayor Lacher asked the Council to affirm the appointment of Elizabeth Anderson to the unexpired term for Position No. 4. The Council indicated approval of said nomination.

**Moved by Monin, seconded by Starr, to affirm the appointment of Elizabeth Anderson on the Town Historic Planning Review Board. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Joint Meeting with the Port Commission

At 12:13 p.m., Mayor Lacher and the Town Council held a joint public meeting with the Port Commission of Friday Harbor to address issues of mutual concern. The Port Commission called their meeting to order. Issues brought forth by the Council and Port Commission (Mike Ahrenius, Barbara Marrett, and Greg Hertel) for discussion were:

- stormwater issues;
- signage at the Port of Friday Harbor;
- public right of way improvements;
- parking challenges;
- Port of Friday Harbor Master Plan;
- shoreline / land use;
- other updates.

The Mayor and Council thanked Port Commissioners Ahrenius, Marrett and Hertel for attending. No action was taken.

### Ordinance No. 1456

At 1:13 p.m., Mayor Lacher introduced draft Ordinance No. 1456, establishing the date, time and place for a meeting of the Town Council of Friday Harbor to take place at a date other than that specified by Ordinance No. 1135. The purpose of said meeting is to attend a public hearing of the Town Planning Commission regarding revisions to the 2002 Comprehensive Plan. No discussion followed.

**Moved by Menjivar, seconded by de Freitas, to adopt Ordinance No. 1456, establishing a special meeting of the Town Council at 5:30 p.m. on February 24, 2011 in the Town Council Chambers, located at 60 Second Street, Friday Harbor, Washington for the purpose of attending the public hearing of the Town Planning Commission to receive public testimony regarding revisions to the 2002 Comprehensive Plan. Motion passed unanimously.**

### Ordinance No. 1457

At 1:15 p.m., Mayor Lacher introduced draft Ordinance No. 1457, establishing the date, time and place for a meeting of the Town Council of Friday Harbor to take place at a date other than that specified by Ordinance No. 1135. The purpose of said meeting is to discuss issues of mutual concern with the San Juan County Council. Councilmember Monin indicated that he may not be available for the meeting. No discussion followed.

**Moved by de Freitas, seconded by Starr, to adopt Ordinance No. 1457, establishing a special meeting of the Town Council at 12:00 p.m. on March 8, 2011 in the San Juan County Legislative Hearing Room, located at 55 Second Street, Friday Harbor, Washington for the purpose of a joint meeting with the San Juan County Council. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ADMINISTRATOR'S REPORT

At 1:25 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Visitors Bureau Agreement - The agreement with the Visitors Bureau to provide a tourism promotion program for 2011 authorized by Resolution No. 1819 will need to be amended in the amount of \$7,600 if the Council desires. This amount equals the unspent funding from the 2010 agreement authorized by Resolution No. 1753 and will not effect the budget.
- 1923 Cadillac Fire Engine - A certified appraisal for the engine is needed for insurance purposes if the Town desires to continue insuring the vehicle. The last appraisal cost \$750.00.
- Homes for Islanders (HFI) - A letter from HFI regarding its affordable housing program was distributed for review.
- State Legislative Priorities - A letter from Senator Kevin Ranker regarding the impact the Governor's budget proposal will have on Washington State Ferries' Level of Service in San Juan County was distributed for review.
- SJC Solid Waste Utility - Administrator Fitch met with SJC Administrator Pete Rose to discuss issues of mutual concern including stormwater treatment at the Sutton Road property. Stormwater treatment improvements at the Sutton Road property are expected to cost the County at least \$260,000. Town can expect a request from the County seeking a long term lease agreement if the County proceeds with the stormwater improvements.
- Town Refuse Utility - Town has not received additional information from Skagit County regarding our continued use of their facility.
- Refuse Packer Vehicle - Town will attempt to bid jointly with the City of Tacoma for purchase of a replacement refuse packer.
- **Wastewater Treatment Plant (WWTP) - A call for bids has been issued for the WWTP Odor Control Improvement Project.**
- Spruce Street Reconstruction Project - A call for bids is expected to be issued in March for the Spruce Street Reconstruction Project. A retaining wall located at 520 Spruce Street will need to be removed or designed around.
- Fire Engine No. 11 - The (E-one) Engine No. 11 has returned from warranty work with the dealer in Everett, WA.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by de Freitas, second by Starr, to affirm the payment of Payroll Warrant Nos. 14957 through 15000 in the amount of \$207,958.79 and approve the payment of Claim Warrant Nos. 35062 through 35125 in the amount of \$112,931.00. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by Monin, to approve the minutes of **January 20, 2011** as submitted. Motion passed 4-0 with de Freitas abstained.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Monin inquired about the Town Clock. Administrator Fitch explained that the north face of the clock needs repair but the other faces are working properly.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmember Hushebeck inquired about concerns brought to the attention of Senator Kevin Ranker regarding the impact that the Governor's budget proposal will have on Washington State Ferries' Level of Service in San Juan County. Discussion followed regarding dwell time for unloading of ferries.

Councilmember de Freitas commended the Town and Fire Protection District No. 3 staff and volunteers for their efforts in transitioning the departments.

### **CITIZEN RESPONSE**

Roger Bennett, 1 Spring Street, offered to participate financially if the Port, Town and Washington State Ferries construct passenger walkway improvements at the Friday Harbor Terminal. Discussion followed regarding previous designs for an over-the-water passenger walkway from the terminal to Front Street near Mr. Bennett's property.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:50 p.m. The evening session had been cancelled. The next regular meeting is scheduled for Thursday, February 17, 2011 p.m.

\* \* \* \* \*

**These minutes were approved on February 17, 2011. 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 17, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Fire District No. 3 Commissioners: Albert Olson, John Jensen and Bob Jarman; and Fire Chief Steve Marler.

Position No. 4, Felix Menjivar was not present.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted agenda was revised due to time constraints. All items with the exception of consolidation of fire services were postponed until the evening session.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Consolidation of Fire Services

At 12:02 p.m., Mayor Lacher welcomed San Juan Fire Protection District No. 3 commissioners to receive a presentation by Financial Consulting Solution (FCS) Group regarding consolidation of the Town and the District's fire departments. The District called their meeting to order. Administrator Fitch introduced Peter Moy, FCS Group, to make a presentation.

Mr. Moy explained that based on his analysis of the data gathered, an annexation with an interlocal agreement to pay the Town for the District's use or purchase of the Town's fire engines might benefit the Town, its residents, and possibly the District's residents. FCS analyzed four different scenarios, but the critical element in the analysis is whether the District will pay the Town for the use or purchase of the fire engines. Besides the financial aspects of any consolidation, there are several policy questions that the Town should consider as it deliberates what actions, if any, it wants to take. Under the current interlocal agreement with the District, the Town is paying less for fire protection services than it did in 2009, largely due to elimination of staffing.

Mr. Moy's presentation described the objectives of the final draft study; Town Fire Department costs; District Fire Department costs; consolidation alternatives; key policy issues; four consolidation scenarios; operation costs per scenario with cost assumptions; speculated savings and cost changes per department per scenario; and comparison of resident property tax rates per scenario.

Mr. Moy concluded that financial analyses show that Scenarios C and D, consolidation of fire protection services with the District through annexation, can reduce the overall costs for the Town and its residents as well as the District's residents if an alternative tax rate is calculated and used. The key to achieving the overall cost savings for both the Town and the District in these scenarios is development of an interlocal agreement involving District payments for the use of the fire engines in order to help the Town offset its debt service costs for its recently purchased fire engine and revising the District's property tax rates when annexation occurs. Policy considerations besides the financial aspects regarding consolidation that the Town should address in making the decision either to

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

continue its interlocal agreement with the District, to annex into the District, or to form a regional fire authority include governance, service levels, coordination, and Town funding priorities. In addition, while there is a savings specifically for the cost of fire protection services, Town residents may receive benefit from the savings for fire protection services to increase the level of service for other Town services.

For the District, the key policy decision involves determining what property tax rate should be used when annexation occurs. The District would be allowed to apply its existing rate for Town properties plus an annual one percent growth in revenues. If that rate is used, District residents might not see any property tax savings, and savings will be lower for Town residents.

Discussion and inquiry followed regarding Town savings assumptions, financial impacts on Town residents, annexation process and next steps in the consolidation process. At the Council's suggestion, Mayor Lacher requested that Mr. Moy increase the scope of his work to include in his final study a comparison of the Town Fire Department Costs with the assumption that the Town Department has full staffing and a full level of service as was reflected in the 2009 Actual Costs.

The Mayor, Town Council and District Commissioners thanked Mr. Moy for his presentation. The District adjourned their meeting.

**Council consensus for the Mayor and Town Administrator to form a subcommittee with representation from San Juan Fire Protection District No. 3 to continue discussions with Financial Consulting Solution (FCS) Group regarding consolidation of fire protection services.**

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:38 p.m. The next regular meeting is scheduled for Thursday, February 17, 2011 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on March 3, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, February 17, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar was not present.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### WORK SESSIONS

#### Dog Control Regulations

At 5:33 p.m., Mayor Lacher introduced the Council work session regarding dog control regulations. At the January 20, 2011 session the Council directed Attorney Cunningham and staff to compile additional information in order to amend FHMC 6.04, particularly for updating licensing standards and other potential legislation. Attorney Cunningham explained that the purpose of this work session was to present staff research regarding the following and to determine what, if any, additional restrictions the Council desired or require further consideration:

1. Breed specific legislation (BSL);
2. Regulation of dog kennels and dog daycare centers;
3. Leash laws;
4. Restrictions on dogs during Town-permitted parades;
5. Tethering dogs outside business establishments; and
6. Encouraging spaying and neutering of dogs.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Attorney Cunningham summarized her memorandum dated February 11, 2011 as follows:

### Breed specific legislation (BSL)

Attorney Cunningham explained that an ordinance applying BSL would have to meet certain legal standards. To be legally defensible, the regulation should be specific as to breed, satisfy detailed professional standards, and possess a rational basis for regulation. Councilmember Monin inquired if the case law for Yakima, Washington could be applied locally as a rational basis for regulation. Attorney Cunningham answered in the affirmative.

### Regulation of dog kennels and dog daycare centers

Attorney Cunningham explained that regulating facilities like dog kennels and dog daycare facilities is a legislative policy decision and may be regulated through police and zoning authority. Town does not currently have specific standards for such facilities. If directed by the Council, the staff recommendation is to restrict kennels, dog daycare centers, and similar facilities to the light industrial zone and impose standards to try to ensure sanitary conditions, dog safety, humane treatment, and noise control for neighboring properties. Town could also incorporate licensing criteria as a standard for the facilities under its animal control regulations. Other options for these types of facilities include allowing in any zone with appropriate standards for operation; or if appropriate, the Town could ban such facilities within Town limits. Mayor Lacher and Councilmember de Freitas inquired about regulation of noise for neighboring properties and/or adjacent zoning.

### Leash laws

Attorney Cunningham suggested language and a penalty schedule to cause it to be a civil infraction for any owner or custodian of a dog to cause or permit the animal to run or stray away from the premises where the dog is kept; except when while away from the premises and on public property the dog is restrained by owner or custodian of the dog by a leash [not exceeding a specified length]. No inquiry followed.

### Restrictions on dogs during Town-permitted parades

Attorney Cunningham explained that Mayor Lacher proposed regulating dogs in parades and other events for which the Town issues event permits to ensure public safety. To implement such a regulation for dogs only there must be a legitimate and defensible public purpose as in breed specific legislation. Mayor Lacher inquired if leash law requirements would apply to permitted public events such as parades. Attorney Cunningham answered in the affirmative.

### Tethering of dogs

Attorney Cunningham explained that review of statutes from several jurisdictions revealed that nationally there is widespread regulation of dog tethering. Several communities consider tethering inhumane under any circumstance and ban tethering, not necessarily in public places, but as a means of restraint at the dog's premises. Attorney Cunningham suggested language to prohibit tethering in public places of dogs unless the dog is accompanied by and in visual range of its owner or caretaker; and no

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

tethering of dogs that have been declared a dangerous or potentially dangerous dog. No inquiry followed.

### Encouraging spaying and neutering of dogs

Attorney Cunningham recommended language to encourage the spaying and neutering of animals within corporate limits as part of any animal control program developed. Persons not desiring to spay or neuter animals could be required to attain an unaltered animal license. No inquiry followed.

In conclusion, Attorney Cunningham explained that the examples given above provided criteria for making policy decisions for animal control legislation and recommended that before adoption of such legislation the Town should develop an animal control program to fund and enforce potential future legislation.

At 5:57 p.m., Mayor Lacher accepted public comment from the audience. Public comments were received from: Cynthia Cazacopol, 480 Rose Lane; Gayle Bodorff, 2626 Roche Harbor Road; Jeff Cazacopol, 480 Rose Lane; George Mulligan, 488 N. First Street; Pat Reveles, 1870 Lampard Road; Carol Hooper, 163 Island Drive; Toney Martel, 720 Harbor Street; and Keith Rasmussen, 1014 Terra Bella Lane. Those commenting spoke for and against breed specific legislation. Mayor Lacher closed the public comment portion of the discussion and thanked the audience.

At 6:18 p.m., Mayor Lacher opened the discussion to Council deliberation. Councilmembers took turns expressing their opinions regarding each of the above mentioned issues. Action was taken as follows:

**The majority of the Council consensus was to not enact breed specific legislation.**

**Council consensus to direct staff to draft an ordinance that restricts dog care related facilities to certain zoning, such as the light industrial zone; and draft standards for operation to ensure sanitary conditions, dog safety, humane treatment, and noise control for neighboring properties.**

**Council consensus to direct staff to draft an ordinance that imposes a leash law with a maximum length of six feet.**

**Council consensus, at the suggestion of Mayor Lacher, to withdrew consideration of regulating dogs in parades and other events for which the Town issues event permits.**

**Council consensus to postpone discussion of tethering of animals on public and/or private property until an animal control program is developed.**

**Council consensus to postpone discussion of licensing that encourages spaying and neutering of animals residing within the Town until an animal control program is developed.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Mayor Lacher concluded the work session and thanked the public in attendance.

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1458

At 6:59 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1458, establishing a Special Reserve Fund. Treasurer Picinich explained that as with Ordinance Nos. 1446 through 1451 adopted on December 16, 2010, the Washington State Auditor requires that the Capital Cumulative Reserve Fund #150 be restructured into separate accounting funds. All funds in the Capital Cumulative Reserve Fund #150 that has been generated by Real Estate Excise Tax, parking donations, harbor leases and the hotel/motel tax has been transferred to the Special Revenue Reserve Fund #125 and was credited to the corresponding department on December 31, 2010. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Ordinance No. 1458, establishing a Special Reserve Fund. Motion passed 4-0 with Menjivar absent.**

#### Resolution No. 1835

At 7:00 p.m., Mayor Lacher introduced draft Resolution No. 1835, authorizing the Mayor to execute Amendment No. 1 to the agreement with Business Association of San Juan County (dba Visitor's Bureau) to provide a tourist promotion program for the year 2011. Administrator Fitch explained that the Visitor's Bureau rendered a tourism promotion program for 2010 in the surplus amount of \$7,600 and has requested an amendment to the scope of work of the agreement authorized by Resolution No. 1819 to provide for a tourism promotion program for 2011. Said amendment is in the amount of \$7,600 to furnish additional tourism promotion services. No discussion followed.

**Moved by Hushebeck, seconded by Starr, authorizing the Mayor to execute Amendment No. 1 to the agreement with Business Association of San Juan County (dba Visitor's Bureau) to provide a tourist promotion program for the year 2011. Motion passed 3-0 with de Freitas abstained and Menjivar absent.**

#### Letter of Support - Leadership of Ferry Served Communities

At 7:01 p.m., Mayor Lacher introduced consideration of endorsing the position statement by Leadership of Ferry Served Communities (LFSC) regarding impacts of service reductions by Washington State Ferries. SJC Commissioner Howard (Howie) Rosenfeld explained the agenda of the LFSC. LFSC are inviting signatories from ferry served communities to endorse priorities relating to sustainability of the system. LFSC originated in Kitsap County and currently includes representatives system wide. A draft letter was presented for review. Discussion followed regarding local priorities.

**Council consensus to sign a letter of support to the Leadership of Ferry Served Communities endorsing their priorities and requesting to become a signatory of their position statement.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### SAN JUAN COUNTY (SJC) COUNCIL UPDATE

At 7:04 p.m., Mayor Lacher 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), draft WSF Spring Sailing Schedule, proposed statewide transportation legislation and upcoming review of the SJC Charter. Discussion followed regarding revenue for the overall State transportation system.

### PAYMENT OF CLAIMS

Moved by Monin, second by Starr, to approve the payment of Claim Warrant Nos. 35126 through 35185 in the amount of \$178,172.24. Motion passed 4-0 with de Freitas abstained from Claim Warrant No. 35168 (Visitor's Bureau) and Menjivar absent.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **February 3, 2011 as submitted**. Motion passed 4-0 with Menjivar absent.

### ADMINISTRATOR'S REPORT

At 7:24 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Wastewater Treatment Plant Operator - Fourteen applications have been received to date for the anticipated vacancy. The employment posting closes February 28<sup>th</sup>.
- Odor Control Improvement Project - Bids will be received on March 9, 2011 for odor control improvements to the Wastewater Treatment Plant.
- Spruce Street Stormwater Improvement Project - Preliminary plans for improvements to a portion of Spruce Street to control stormwater are available for review. Direction will be needed to finalize the plans due to some of the residential properties located at the portion of Spruce Street that have existing retaining walls. Those walls will need to be removed or designed around.

### 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 Lacher adjourned the meeting at 7:31 p.m. The next special meeting is scheduled for Thursday, February 24, 2011 at 5:31 p.m. The next regular meeting is scheduled for Thursday, March 3, 2011 at 12:00 p.m.

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**These minutes were approved on March 3, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Tuesday, February 24, 2011 – Town Council Chambers – Special Session**

### CALL TO ORDER

Mayor Lacher called the special session of the Town Council to order at 5:33 p.m.

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Clerk, Amy Taylor; Town Planning Commission and Staff. Attorney Cunningham attended remotely via telephone.

Treasurer Picinich and Administrator Fitch were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ACTION AND DISCUSSION ITEMS

#### Planning Commission

At 5:34 p.m., Mayor Lacher and the Town Council attended a joint meeting with the Town Planning Commission for the purpose of attending the public hearing of the Town Planning Commission to receive public testimony regarding proposed revisions to the 2002 Comprehensive Plan and hear a presentation by Mike Bertrand, Town Land Use Administrator, regarding study of dwell-time of ferries at the Friday Harbor terminal.

At 5:35 p.m., Council heard public testimony regarding the proposed revisions which include three proposals for land use reclassifications and text and map amendments to the 2002 Comprehensive Plan. (See Town Planning Commission minutes of February 24, 2011 at 5:30 p.m. for details.)

At 6:13 p.m., Planning Commission Chair, Jeff Iverson, closed the testimony portion of the public hearing and introduced Mr. Bertrand to make a presentation regarding dwell-time of ferries. Mr. Bertrand described the data collected over a three week period in August 2005.

No action presented or taken by the Town Council.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:37 p.m. The next regular meeting is scheduled for Thursday, March 3, 2011 at 12:00 p.m.

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**These minutes were approved on March 3, 2011. 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 3, 2011 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

#### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

#### **PUBLIC ACCESS TIME**

Carrie Brooks, Islanders Bank Vice-President, introduced Brad Williamson, new branch President. Mr. Williamson provided information about his background. The Council thanked Mr. Williamson.

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

##### Affordable Housing Programs

At 12:03 p.m., Mayor Lacher introduced Angela Lausch, SJC Affordable Housing Coordinator, to give a presentation regarding affordable housing programs available in San Juan County. Ms. Lausch reported on the progress being made locally by the Housing Solutions Steering Committee (HSSC). The HSSC is comprised of representatives from various affordable housing providers in the County. Ms. Lausch provided statistics regarding affordable housing, including wages, local cost of living,

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

rental and ownership availability, age demographics, and options for subsidies. Discussion followed regarding homelessness rates and ability for individuals to purchase real estate in the current economy. Ms. Lausch requested that the Council consider what kinds of housing solutions they would like the HSSC to examine or prioritize to help connect islanders to housing they can afford; and to attend one of the three workshops that will be held county-wide in May 2011.

The Council and Mayor thanked Ms. Lausch and requested follow-up information regarding the different affordable housing programs. No action was taken.

### Business License Regulations

At 12:40 p.m., Mayor Lacher introduced discussion regarding amendments to Town Business License Regulations. Administrator Fitch explained that during past budget work sessions the Council had discussed amending the current business fees in order to generate more revenue. Administrator Fitch provided FHMC Title 5 regarding business licensing and explained that Council consideration and direction to staff is needed by the Council if they desire to amend provisions of the current program. Councilmember Starr provided additional information on the fee structures for Mt. Vernon, Anacortes and La Connor. Discussion followed regarding impacts that raising fees would have on large and small businesses.

Administrator Fitch recommended that the Council first determine the Town's objective for licensing businesses, which is currently to maintain information on business, trade, service, commercial, and professional activities occurring within the Town. Treasurer Picinich provided information regarding the types of business that are currently licensed. Discussion followed regarding the need to raise fees, transitioning to a tiered fee schedule and possible uses for additional revenue such as improvements to the streetscape or restoration of Town services that were reduced in recent years.

Council requested additional information for consideration. No action was taken.

### Resolution No. 1836

At 1:10 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1836, authorizing the Mayor to execute an agreement with SCS Engineers for 2011 groundwater monitoring program services at the Friday Harbor Landfill. Administrator Fitch explained the particulars of the agreement. SCS Engineers has offered to perform quarterly landfill gas monitoring and groundwater sample collection, data review, and completion of an Annual Monitoring Report for year 2011, as required by SJC Health and Community Services and the Department of Ecology, in the amount of \$58,830.00. Discussion followed regarding costs associated with the agreement and issuing a request for proposals (RFP) for future monitoring.

**Moved by de Freitas, seconded by Menjivar, to adopt Resolution No. 1836, authorizing and directing the Mayor to execute an agreement on a time and material basis, not to exceed \$58,830.00 with the consulting firm of SCS Engineers for year 2011 groundwater monitoring program services at the Friday Harbor Landfill. Motion pass unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Ordinance No. 1459

At 1:13 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1459, establishing a Stormwater Reserve Fund. Treasurer Picinich explained that as with Ordinance Nos. 1446 through 1451 adopted on December 16, 2010, the Washington State Auditor requires that the Capital Cumulative Reserve Fund #150 be restructured into separate accounting funds. All funds in the Capital Cumulative Reserve Fund #150 that has been generated for future stormwater expenditures have been transferred to the Stormwater Capital Reserve Fund #455 and credited to the corresponding department on December 31, 2010. No discussion followed.

**Moved by Menjivar, seconded by de Freitas, to adopt Ordinance No. 1459, establishing a Stormwater Reserve Fund. Motion passed unanimously.**

### Ordinance No. 1460

At 1:14 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1460, establishing a Street Reserve Fund. Treasurer Picinich explained that as with Ordinance Nos. 1446 through 1451 adopted on December 16, 2010, the Washington State Auditor requires that the Capital Cumulative Reserve Fund #150 be restructured into separate accounting funds. All funds in the Capital Cumulative Reserve Fund #150 that has been generated for future stormwater expenditures have been transferred to the Street Capital Reserve Fund #440 and credited to the corresponding department on December 31, 2010. No discussion followed.

**Moved by Menjivar, seconded by de Freitas, to adopt Ordinance No. 1460, establishing a Street Reserve Fund. Motion passed unanimously.**

## **ADMINISTRATOR'S REPORT**

At 1:19 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Wastewater Treatment Plant Operator - Thirty two applications have been received for the vacancy. So far twelve applicants are highly qualified and administration is attempting to pare down to six applicants to interview. The employment posting closed February 28<sup>th</sup>.
- 1923 Cadillac & 1953 Ford Fire Engine - Appraisal reports for the engines are available for review.
- SJC Solid Waste Utility - Administrator Fitch attended a work session with the SW Sub-committee and provided an update on the status of the utility.
- AWC Risk Management Services Operating Committee - Administrator Fitch attended meetings. Through rate increases and reduced claims, the pool has been able to add \$1.5 million to its reserves. 170 claims are currently open. Discussion followed regarding how the Town's rates are determined. While there Administrator Fitch testified in support of SB-5387 requiring risk pools to meet certain criteria.
- Kennedy/Jenks Consultants - A proposal with the engineering firm of Kennedy/Jenks Consultants to provide technical assistance for implementation of wastewater treatment plant optimization strategies and to provide on-site management and supervision training will be presented for consideration.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

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

Moved by Monin, second by de Freitas, to affirm the payment of Payroll Warrant Nos. 15001 through 15026 and the 2/25/2011 Direct Deposit in the amount of \$200,371.96 and approve the payment of Claim Warrant Nos. 35186 through 35222 in the amount of \$63,640.45. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Monin, seconded by de Freitas, to approve the minutes of February 17<sup>th</sup> and 24<sup>th</sup>, 2011 **as submitted**. Motion passed unanimously.

### **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 Lacher continued the meeting at 1:31 p.m. until Saturday, March 5, 2011 at 12:15 p.m. The next regular meeting is scheduled for Thursday, June 17, 2011 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on March 17, 2010. 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**

**Saturday, March 5, 2011 – Town Council Chambers – Continued Session**

### **CALL TO ORDER**

The Town Council met in continued session with Mayor Lacher presiding. Mayor Lacher called the continued session to order at 12:18 p.m.

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich and Town Administrator, C. King Fitch.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Attorney, Adina Cunningham; and Clerk, Amy Taylor were not present.

### WORK SESSION

The Council discussed the following items as part of their Retreat:

- Consolidation of fire services / 2010 Fire Cost Allocation Analysis;
- Long-range planning for parking;
- Long-range planning for the Warbass Way;
- Attorney General's Opinion regarding use of Hotel Motel Excise Taxes; and
- Recommendation by the Lodging Tax Advisory Committee for suggested uses of (1st 2%) Hotel Motel Excise Taxes

**ADJOURNMENT** – Hearing no objection, Mayor Lacher adjourned the meeting at 4:32 p.m. The next special meeting is scheduled Tuesday, March 8, 2011 and next regular meeting is scheduled for Thursday, March 17, 2011.

\* \* \* \* \*

**These minutes were approved on March 17, 2011. 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 8, 2011 – SJC Legislative Hearing Room – Special Session**

### CALL TO ORDER

The Town Council and SJC Council met in special session with Mayor Lacher presiding. Mayor Lacher called the meeting to order at 12:01 p.m.

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

San Juan County Council: Lovel Pratt, Richard Peterson, Howard Rosenfeld, Richard Fralick, Patty Miller, and Jamie Stephens.

### WORK SESSION

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 12:01 p.m., Mayor Lacher and the Town Council held a joint public meeting with the SJC Council to address issues of mutual concern.

Newly appointed/elected officials and staff were introduced.

Issues brought forth for discussion by the SJC Council, Town Council and Mayor were as follows:

- Revision of Municipal Boundary on San Juan Valley Road;
- Dog control regulations by the Town;
- Status of SJC Solid Waste Utility;
- Review of the SJC Charter;
- Status of the Cattle Point Relocation Project;
- Washington State Ferries; and
- Proposed relocation by the Department of Corrections of an individual classified as a Level 3 sex offender.

No action was taken.

**ADJOURNMENT** – Hearing no objection, Mayor Lacher adjourned the meeting at 1:58 p.m. The next regular meeting is scheduled Thursday, March 17, 2011.

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**These minutes were approved on March 17, 2011. 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 17, 2011 – Town Council Chambers – Afternoon Session**

#### CALL TO ORDER

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

#### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 4, Felix Menjivar.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 5, Barbara Starr was not present.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember Starr. Council unanimously approved her absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised to include an informal presentation by the SJC Department of Emergency Management.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Town Wellness Committee

At 12:02 p.m., Mayor Lacher introduced the Town Employee Wellness Committee to provide an update on the program. The Committee described the mission, building of the program to date, and recapped 2010 activities. The Committee noted that Town has earned its AWC Wellness Award and qualified for the AWC Wellness Grant in the amount of \$680. Discussion followed regarding upcoming activities for 2011.

Mayor Lacher presented the following Town Wellness Committee employees with Certificates of Appreciation for "Outstanding service to the community and their fellow employees and success in instituting and coordinating events for the betterment of the Town of Friday Harbor": Wendy Picinich, Kelle Wilson, Paula Bey, Herb Mason, Jason Miniken and Daniel Frymire. The Council and Mayor thanked the Committee.

#### Emergency Preparedness

At 12:15 p.m., Mayor Lacher introduced David Halloran, SJC Department of Emergency Management, to update the Council regarding local preparedness efforts in light of the most recent global disaster event. The recent event involved the occurrence of an 8.9 scale earthquake and tsunami off the coast of Japan this March 2011. The County and majority of the Pacific Coast from Alaska to Mexico were in range of the tsunami tidal surge at various strengths. Mr. Halloran described what our region expected for effects of the tsunami; reviewed preparedness planning; evacuation practicalities, such as seeking high ground after a major earthquake event; and the local citizen alerting system. Steve Marler, SJC Fire District #3 Fire Chief, described general action plans for San Juan Island in the event of an emergency.

Mayor Lacher noted that disaster preparedness information is available on the Department of Emergency Management website and thanked Mr. Halloran and Chief Marler for updating the Council.

#### Ordinance No. 1461

At 12:40 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1461, amending the Town's Comprehensive Plan Land Use Map and repealing Ordinance No.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

1427 in its entirety. Land Use Administrator, Michael Bertrand, explained the recommendations of the Town Planning Commission per their public hearing of February 24, 2011 for changes to the Comprehensive Plan. The Planning Commission has recommended approving the requests to reclassify 425 Marguerite Place [Tax Parcel No. 351458041] from residential to utility classification; 345 Blair Avenue [Tax Parcel No. 351491010] from non-residential to residential classification; 415, 435, 445, 465, and 475 Tucker Avenue and 620 Larson Street from residential to non-residential classification; and proposed text changes to said Plan as recommended in the staff report dated March 10, 2011. Administrator Fitch commented on the Capital Facilities Plan. Discussion followed regarding the concern from the community for the reclassification of Tucker Avenue.

**Moved by de Freitas, seconded by Menjivar, to adopt Ordinance No. 1427, amending the Figure 3-2 of the 2002 Town of Friday Harbor Comprehensive Plan Land Use Map dated July 1, 2010 and replace with the amended 2002 Town of Friday Harbor Comprehensive Plan Land Use Map dated April 1, 2011 as depicted as Exhibit A; amend Figure 6-1 entitled "Capital Facilities Improvement Summary" and other text changes; and repeal Ordinance No. 1427 in its entirety. Motion passed 4-0 with Starr absent.**

### Ordinance No. 1462

At 12:45 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1462, adopting an interlocal agreement with San Juan County to relocate the Town of Friday Harbor's corporate boundary line. Administrator Fitch and Attorney Cunningham explained that on August 5, 2010, the Town Council adopted Ordinance No. 1435, authorizing the annexation of 1049 San Juan Valley Road, Tax Parcel No. 351491801 where the PeaceHealth medical facility shall be located. As a result of the annexation, the boundary between the Town and the County follows the San Juan Valley Road No. 1 right-of-way currently owned by the County. The development agreement for said annexation requires certain improvements to Town standards to the municipal infrastructure and public right-of-way abutting the property currently maintained by the County. The County has agreed to convey its interests in said right-of-way pursuant to RCW 35.21.790 in order to move the Town's municipal boundary line from the southeasterly edge of the property to the northwesterly edge of the property, and to transfer the County's easement interest in the public road right-of-way to the Town, which will be owned and maintained by the Town in perpetuity. This includes any franchises associated with said easement. Discussion and inquiry followed regarding renaming the road to Spring Street.

**Moved by Hushebeck, seconded by de Freitas, to adopt Ordinance No. 1462, an agreement with San Juan County to relocate the Town of Friday Harbor's corporate boundary line pursuant to RCW 35.21.790. Motion passed 4-0 with Starr absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Resolution No. 1837

At 12:51 p.m., Mayor Lacher introduced draft Resolution No. 1837, authorizing the Mayor to execute a contract with Mike Carlson Enterprises, Inc. for construction of the Odor Control Improvement Project at the Wastewater Treatment Plant. Competitive sealed bids were received on March 9, 2011 from four firms after being duly advertised as a public works project. Administrator Fitch explained that Mike Carlson Enterprises, Inc. submitted the lowest responsive unit price with a base bid contract amount of \$579,262.22, which includes sales tax and that the engineer concurs with said recommendation. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1837, authorizing the Mayor to execute a contract with Mike Carlson Enterprises, Inc. for construction of odor control improvements at the Town Water Treatment Plant. Motion passed 4-0 with Starr absent.**

### Resolution No. 1840

At 12:52 p.m., Mayor Lacher introduced discussion of Resolution No. 1840, 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 inspection services for the Odor Control Improvement Project at the Wastewater Treatment Plant. Administrator Fitch explained that construction inspection services by certified engineers are required and that Mr. Haefele has offered to perform said tasks and other services on a time and material basis, not to exceed \$99,200.00. The duration of the project is estimated to be approximately 120 days. Said agreement is in conjunction with other capital facility project inspections for Town. Discussion followed regarding coordination of project inspections.

**Moved by de Freitas, seconded by Monin, to adopt Resolution No. 1840, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of Wayne Haefele and Associate to provide construction inspection services for the Odor Control Improvement Project at the Wastewater Treatment Plant. Motion passed 4-0 with Starr absent.**

### Resolution No. 1838

At 12:55 p.m., Mayor Lacher introduced draft Resolution No. 1838, authorizing the Mayor to execute an agreement with the engineering firm of Kennedy/Jenks Consultants to provide on-site operator training and optimization services at the Wastewater Treatment Plant. Administrator Fitch explained that the proposal from the Engineer is in the amount of \$5,000 for fourteen hours of onsite plant specific training in both classroom and field exercises for management and operators and up to twelve hours of on-call offsite assistance to staff in the implementation of the optimization audit findings at the wastewater treatment plant. Discussion followed regarding the timeline for consultant services.

**Moved by Menjivar, seconded by de Freitas, to adopt Resolution No. 1838, authorizing the Mayor to execute an agreement with the engineering firm of Kennedy/Jenks Consultants to provide on-site operator training and**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**optimization services at the Wastewater Treatment Plant. Motion passed 4-0 with Starr absent.**

### Resolution No. 1839

At 12:59 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1839, authorizing the Mayor to execute a contract with Boundary Water, Inc. to resurvey roadway stability monitoring points along Warbass Way. Administrator Fitch explained that one of the recommendations of the Warbass Way Roadway Stability Study was to install and monitor roadway stability monitoring points. The engineering firm of Boundary Water, Inc. installed twenty two monitoring points in 2009 and offered a proposal in the amount of \$2,065 to resurvey and compare the data to the previously set points. Discussion followed regarding the scheduling for monitoring the points. Administrator Fitch answered that the recommendation is to monitor the points periodically.

**Moved by Monin, seconded by Hushebeck, to adopt Resolution No. 1839, authorizing the Mayor to execute a contract with Boundary Water, Inc. to resurvey roadway stability monitoring points along Warbass Way. Motion passed 4-0 with Starr absent.**

### **ADMINISTRATOR'S REPORT**

At 1:04 p.m., Administrator Fitch presented the Town Council with an update of the following:

- **Wastewater Treatment Plant (WWTP) Operator - Six WWTP Operator applicants are in the process of being interviewed for the vacant position.**
- Warbass Way - Short-term masonry repairs have been made to the rock wall located at 620 Warbass Way. Photographs were distributed for review. Administrator Fitch suggested that the Council consider the long-term recommendations of the Warbass Way Stability Study after the results of monitoring are completed.
- AWC Retro Refund (Insurance Pool) - Town received an insurance refund check in the amount of \$4,897 for our adjustment in 2010. Recently, 85 participating municipalities have experienced an increase in amount of Labor & Industries related claims.
- AWC Webinar - AWC will host webinars on March 30, 2011 for "Roles and Responsibilities of Elected Officials". The course satisfies certain annually required risk management training for legislators.
- Derelict Vessel Removal - The Town was contacted by the County to inquire about our interest in participating in a derelict vessel removal program for the year 2011 in the amount of \$2000. The County and Department of Natural Resources have renegotiated an amiable agreement. Discussion followed. **Council consensus to budget \$2000 for an interlocal agreement for a derelict vessel removal program with the County and Port through the Department of Natural Resources.**
- Planning Commission (PC) - The PC plans to discuss reducing the number of members due to its inability to recruit volunteers when membership vacancies

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

occur. The PC will forward a recommendation to the Town Council when available.

- Granular Activated Carbon (GAC) Improvement Project - The tanks that hold the carbon for the GAC Improvement Project at the Water Treatment Plant have been manufactured and are ready to ship to the Town.
- Spruce Street Road Improvement Project - Previously mentioned retaining walls within the public right of way have been flagged with markers to show where they would need to be relocated or designed around. The Town Council will be asked for direction for the final construction designs.
- Media - The Puget Sound Partnership (PSP) and the UW Labs have produced a video regarding the effects of stormwater run-off on the health of marine ecosystems. Town has requested that PSP remove all references to the Town of Friday Harbor and has sought legal counsel as it finds the production derogatory and inflammatory. PSP is in the process of editing it's video and will forward to the Town for consent prior to any release.
- Fire Consolidation Subcommittee - The Committee continues to meet to discuss fire consolidation. Issues continue to include annexation, fleet maintenance and extension of the current agreement.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### PAYMENT OF CLAIMS

Moved by de Freitas, second by Menjivar, to approve the payment of Claim Warrant Nos. 35223 through 35278 in the amount of \$106,625.65 Motion passed 4-0 with Starr absent.

### APPROVAL OF MINUTES

Moved by Monin, seconded by de Freitas, to approve the minutes of March 3<sup>rd</sup>, 5<sup>th</sup> and 8<sup>th</sup>, 2011 as submitted. Motion passed 4-0 with Starr absent.

### FUTURE AND NON-AGENDA ITEMS

There were no items forthcoming.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:40 p.m. The next regular meeting is scheduled for Thursday, March 17, 2011 at 5:30 p.m.

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**These minutes were approved on April 7, 2011. 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 17, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 4, Felix Menjivar.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 5, Barbara Starr was not present.

### EXCUSED ABSENCES

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Mayor Lacher asked the Council if they wished to excuse Councilmember Starr. Council unanimously approved her absence.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Proclamation - Great Island Clean-up Day

At 5:32 p.m., Mayor Lacher proclaimed Saturday, April 7, 2011 as Great Island Clean-up Day and encouraged residents to adopt a portion of street, roadway or beach pick up litter. Stephanie Prima-Sarantopulos, resident, and Tom Kirschner, SJI Chamber President accepted the proclamation and explained that several service groups and volunteers are involved in the effort.

#### Business Improvement District

At 5:38 p.m., Mayor Lacher introduced Edward Williams, business owner, to give a presentation regarding the formation of a local Business Improvement District (BID). Mr. Williams explained that local business owners in the downtown core have been meeting to discuss the formation of a BID, are generally supportive of the concept; and that the purpose of addressing the Council this evening was to provide information and gain preliminary support for the proposal.

The proposal consists of developing a fair and equitable self-assessment by businesses to raise funding for downtown core improvements. These projects would include enhancing the appearance and attractiveness of the Town such as sidewalk and streetscape/frontage improvements. Mr. Williams stated that if the BID is formed, the assessment would be approved by vote of the "contributors" and thereafter mandatory for business owners; and collected by the Town like any other tax. Unlike other taxes, however, the Town would return the assessment to the BID for use such as the County would for a junior taxing district. The BID would be formed similar to a junior taxing district with an elected body, budget and annual scope of services. The assessment would be used for approved projects and other funding that the Town currently includes in its annual budget such as maintaining public restrooms.

Mr. Williams emphasized that the BID concept is an excellent tool to provide unification within a small community such as ours to provide a platform for all parties including the Town Council, EDC, SJI Chamber, Visitors Bureau and business/property owners to openly discuss what is needed for the benefit of the commercial district. Discussion and inquiry followed regarding how a BID would function; projects that a BID could take on; and what will be sought from the Town and other organizations during the development of the final proposal.

Attorney Cunningham provided preliminary information regarding the formation of a BID. Administrator Fitch encouraged the Council to research the formation of business improvement districts. Mayor Lacher and the Town Council thanked Mr. Williams, stated

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

approval of the philosophy of a BID and requested that the Committee return with additional information when ready.

### Town Business License Fees

At 6:33 p.m., Mayor Lacher introduced discussion of regulations concerning annual license fees. Administrator Fitch provided information regarding business license fee structures and suggested that the Council determine the motive for raising fees prior to amending the current program. Discussion followed regarding if a fee increase was necessary, what impacts such an increase may have on the local businesses, and types of fees currently collected. Councilmember Monin suggested that the Council not consider amending the current program until after the committee researching business improvement districts has an opportunity to present their proposal. The Council concurred.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:50 p.m., Mayor Lacher 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 SJC Solid Waste Utility. Discussion followed regarding the current solid waste utility funding shortfall. Mayor Lacher thanked Mr. Rosenfeld.

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

No future agenda items were forthcoming.

### **CITIZEN RESPONSE**

There were no citizen response items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:15 p.m. The next regular meeting is scheduled for Thursday, April 7, 2011 at 12:00 p.m.

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**These minutes were approved on April 7, 2011. 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 7, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 4, Felix Menjivar.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 5, Barbara Starr was not present.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember Starr. Council unanimously approved her absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised. The afternoon session was extended to include acknowledgement of a co-worker. The evening session was cancelled.

A moment of silence was held at the beginning of the meeting to acknowledge the loss of beloved co-worker, Sharon Hammel, who passed away in the early morning of Sunday, April 3, 2011; and to extend our appreciation to the emergency responders who responded to the scene. Co-workers shared their thoughts and condolences.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### DEPARTMENT REPORTS

#### Historical Preservation

At 12:20 p.m., Historical Preservation Coordinator, Sandy Strehlou reported that May is National Historic Preservation Month and listed dates, times and descriptions for several events and tours in the Town historic district. No discussion followed.

#### System Administration

At 12:29 p.m., System Administrator, Steven Dubail distributed a first quarter department report for year 2011. Mr. Dubail reported on website updates, equipment replacement and system maintenance. No discussion followed.

#### Utilities

At 12:34 p.m., Utilities Superintendent, Mike Wilks, reported on the Granulated Active Carbon Filters Project at the Water Treatment Plant, Trihalomethane levels, newly purchased refuse roll-off vehicle, street striping, and Odor Control Improvement Project and operator training at the Wastewater Treatment Plant. No discussion followed.

### ACTION AND DISCUSSION ITEMS

#### Committee Reports

At 12:39 p.m., Mayor Lacher and Councilmembers provided updates on various regulated boards and committees as follows:

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

SJC Solid Waste Advisory Committee - Councilmember Monin - No new events to report.

Lodging Tax Advisory Committee (LTAC) - Councilmember Hushebeck - LTAC has elected to recommend the disbursement of \$110,000 for the 2012 grant cycle. LTAC may recommend a special summer promotion/advertising campaign.

SJC Housing Bank Commission - Councilmember de Freitas - No new events to report.

SJC Law & Justice Council - Councilmember Menjivar - No new events to report.

Implementation and Oversight Committee - Mayor Lacher - The board is a sub-committee of the Puget Sound Partnership (PSP) tasked with identifying areas for conservation. Mayor Lacher provided an overview of the hierarchy of the PSP.

### Resolution No. 1841

At 12:53 p.m., Mayor Lacher introduced draft Resolution No. 1841, authorizing the Mayor to execute an interlocal agreement between the Town of Friday Harbor, San Juan County and the Port of Friday Harbor for a program to remove and dispose of derelict vessels. Administrator Fitch explained the particulars of said agreement. Town shall share in the local cost of removal and disposal of derelict vessels in an amount not to exceed \$2000 for year 2011. The agreement terminates year 2013. Discussion followed regarding budgeting for this item.

**Moved by Menjivar, seconded by de Freitas, to adopt Resolution No. 1841, authorizing the Mayor to execute an interlocal agreement between the Town of Friday Harbor, San Juan County and the Port of Friday Harbor for a program to remove and dispose of derelict vessels. Motion passed 4-0 with Starr absent.**

### **ADMINISTRATOR'S REPORT**

At 12:56 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Radiation Warning - The SJC Health Officer, Dr. Frank James, issued press release regarding radiation exposure. Dr. James reports that measurable amounts of radiation originating from nuclear reactor failures in Japan have been found in rainwater in our region. The press release states that the amounts do not raise health concerns. Dr. James states, "That standard considers that the risk of drinking two liters of contaminated water daily for 70 years would increase the risk of cancer by one person in one million people exposed."
- Spruce Street Storm Drainage Project - It is the recommendation that the retaining walls previously identified as needing to be relocated or designed around be relocated with Town funding. The existing retainage wall/building materials would be reused. The Council concurred.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

- Low Impact Development / Rain Gardens - The unofficial draft engineering drawings for the Spring Street Rain Gardens project depict an area larger than originally described. The proposal was originally presented and approved as the size of street standard "bubbles". Currently, the draft eliminates loading and motorcycle parking at two areas. In addition, PeaceHealth is in the process of submitting site drawings that include rain gardens and other low impact development in the public right of way. Discussion followed regarding requirement for variances and changing of the adopted Town Street Standards to include similar low impact development standards. **Council consensus to have Staff mark the areas for the proposed Spring Street Rain Gardens.**
- Public Facilities Finance Assistance Program (PFFAP) - Town has no projects currently eligible and will not apply to San Juan County for PFFAP funding in 2011.
- AWC Labor Relations/Institute - Administrator Fitch will be attending the annual AWC Labor Relations/Institute conference May 11<sup>th</sup> through May 13, 2011. The conference is attended by labor-related management personnel.
- Employee Retirement - Sharon Snow, Parking Enforcement Officer, is scheduled to retire April 18, 2011.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by Menjivar to affirm the payment of Payroll Warrant Nos. 15027 through 15053 and the March 30, 2011 direct deposit run in the amount of \$218,100.92 and approve the payment of Claim Warrant Nos. 35280 through 35349 in the amount of \$318,050.55. Motion passed 4-0 with Starr absent.

### APPROVAL OF MINUTES

Moved by Menjivar, seconded by Monin, to approve the minutes of March 17, 2011 as submitted. Motion passed 4-0 with Starr absent.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Monin requested that the discussion of revisions to Town Street Standards be added to a future agenda.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher continued the meeting at 1:21 p.m. until Thursday, April 14, 2011 at 5:30 p.m. The next regular meeting is scheduled for Thursday, April 21, 2011 at 12:00 p.m.

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**These minutes were approved on April 21, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, April 14, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Treasurer, Wendy Picinich was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

Johannes Krieger, SJC Marine Resources Committee representative, provided a brief update regarding the Spring Street Rain Garden Project. Mr. Krieger reported that the final draft engineering drawings should be completed for discussion on April 21, 2011. No discussion followed. Mayor Lacher thanked Mr. Krieger.

### ACTION AND DISCUSSION ITEMS

#### Fire Protection Services Agreement

At 5:34 p.m., Mayor Lacher introduced discussion of the interlocal agreement with SJC Fire District #3 for comprehensive fire protection services. Administrator Fitch distributed a preliminary draft agreement and explained that negotiations are continuing between representatives of the District and Town. Both parties are still reviewing concerns and developing provisions for the agreement. The goal of the negotiating team remains to be the development of an equitable agreement that will serve both the Town and District until a long-term relationship can be established through annexation or a long-term interlocal agreement. Administrator Fitch noted that Section 2 of the current interim agreement which expires April 30, 2011 contains a provision to extend said agreement by mutual written agreement of both parties.

Administrator Fitch described the premise of the preliminary agreement. The District has sufficient personnel to provide comprehensive fire protection and related services to the Town, including administrative, training, and incident response services, without sacrificing the level of service provided within the District. The Town would compensate

## **MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011**

the District in the amount of \$20,000 per month said services. Said agreement would remain in effect through 2015 or sooner if Town and District establish a unified fire protection service throughout San Juan Island. The District would in a separate agreement lease/purchase the Town's fire apparatus and facilities at an equitable (yet to be determined) to off-set the Town's current debt service on Engine No. 11.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Administrator Fitch explained that although the parties see cooperative advantages and opportunities for more efficient delivery of fire protection services within their respective jurisdictions by a long-term agreement or annexation, it may be difficult, given the current economic recession, to convince the voters to approve a ballot proposition calling for annexation of the Town into the District. Discussion followed regarding taxation and future legislative authority for both types of relationship.

Attorney Cunningham reviewed the preliminary agreement with the Council and provided her legal opinion on her and the negotiating team's reasons for certain addition and revision of terms contained therein. Discussion and inquiry followed regarding the various provisions and ability to terminate said relationship if ever warranted.

Administrator Fitch suggested that the Council consider extending the current interim agreement by 30-45 days to allow the negotiating team to make final revision to the preliminary agreement for Council consideration. **Council consensus that the Town desires to continue exploring a long-term relationship with Fire Protection District #3.** Administrator Fitch stated that staff will draft for consideration an amendment to the current interim agreement to extend the term of the agreement forty-five (45) days to allow the Town and District pursue a more comprehensive and long-term service agreement for the benefit of the Town's residents.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:59 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the proposed agreement for fire protection services between the Town and District; voter redistricting of San Juan County; election of the SJC Charter Review Committee; and Washington State Ferries (WSF) issues. No discussion followed.

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

Councilmember Menjivar requested that the Council schedule the SJC Public Works/GIS Department for a presentation regarding the SJC mobile mapping project. The County is in the process of data collection using GPS technology. The Town is invited to participate in the project which is scheduled to begin during this summer.

### **CITIZEN RESPONSE**

There was no citizen response access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:18 p.m. The next regular meeting is scheduled for Thursday, April 21, 2011 p.m.

\* \* \* \* \*

**These minutes were approved on April 21, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, April 21, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Attorney, Adina Cunningham and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and were not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmembers de Freitas and Menjivar. Council unanimously approved their absence.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted agenda was revised. Action for Resolution No. 1843 was postponed until the evening session.

### **PUBLIC ACCESS TIME**

John McWright, Valmart (King's Market) Manager, commented on the Spring Street Rain Garden Project and sidewalk bump-outs at the intersection of First and Spring Street. Mr. McWright stated that the project serves as a valuable civic model for future stormwater mitigation but was concerned regarding the maneuverability of large commercial vehicles caused by the narrowing of the intersection.

David Lloyd, Waldron Island resident, commended the Council for considering the placement of the rain gardens for stormwater mitigation.

### **ACTION AND DISCUSSION ITEMS**

#### National Historic Preservation Month

At 12:05 p.m., Mayor Lacher proclaimed May 2011 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 Kevin

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Peterson, Historic Preservation Review Board member. Mr. Peterson stated that the lower Argyle Avenue neighborhood has earned the 2011 "Partners in Preservation" Award for rehabilitation of the historic buildings between Spring and Malcolm Street.

### Historic Preservation Review Board (HPRB) Nominations

At 12:08 p.m., Mayor Lacher presented a Certificate of Appreciation to Kevin Peterson for his service to the Town on the HPRB since June 2006. Mr. Peterson submitted his resignation effective April 30, 2011. Mayor Lacher asked the Council to affirm the appointment of Victoria Williams to vacancy being created by Mr. Peterson's resignation and reappointment of members David Waldron and Elizabeth Anderson to the Town Historical Preservation Review Board. Terms of the appointments begin immediately and expire March 31, 2013. The Council indicated approval of said nominations.

**Moved by Monin, seconded by Starr, to affirm the appointment of Victoria Williams, David Waldron and Elizabeth Anderson on the Town Historical Preservation Review Board. Motion passed 3-0 with de Freitas and Menjivar absent.**

### Community Development Report

At 12:17 p.m., Mayor Lacher introduced Land Use Administrator, Michael Bertrand, to present an update on his recent trip for land use conferences on Nantucket Island, Maine. While visiting Nantucket, Mr. Bertrand was given a tour of the municipality by their local planning director. Mr. Bertrand described similarities and differences between our municipalities including land use and economic issues including population, housing, water quality, solid waste, parking, and ferry service. Discussion and inquiry followed. Mayor Lacher thanked Mr. Bertrand.

### Spring Street Rain Garden Project

At 12:31 p.m., Mayor Lacher introduced Johannes Krieger to give an update on the proposed Spring Street Rain Garden Project. Mr. Krieger explained that the engineers have designed the outside radius of the proposed gardens within the size of the adopted standards for sidewalk bump-outs and are seeking to reduce them further. The MRC and other partners are trying to ensure the project is favorably accepted by the community by addressing traffic and design issues. If the Town approves the proposal, the MRC anticipates that it can begin construction of the project by May 3, 2011 and complete the project before Memorial Day weekend. Discussion followed regarding any large commercial vehicle's ability to negotiate the corners at the intersection of First and Spring Street. Mr. Krieger explained that the most feasible compromise would be to further adjust the radius of garden as close to the curb as possible. No action was required or taken. The final plans for approval will be presented to the Council once complete. Mayor Lacher thanked Mr. Krieger for updating the Council.

### Tree Trimming

At 12:56, Mayor Lacher introduced discussion of the request by Nancy Cates and Gerald Gordon, owners of Friday's Crab House, located at 65 Front Street, to trim the street tree located within the Front Street right-of-way that is causing view blockage at their business. The Town maintenance crew has pruned the tree back in accordance with the health and structure of the tree. Mike Wilks, Utility Superintendent explained that

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

additional pruning beyond what has been accomplished is at the discretion of the Council. Mr. Gordon and Ms. Cates provided photographs of the tree as a sapling and explained that the current size of the tree obstructs the view of the boardwalk and restaurant and impinges on the sidewalk when in bloom. Discussion and inquiry followed regarding additional pruning; relocation and replacement of the tree with a different variety of ornamental foliage; damage that the root system may cause to the existing sidewalk; and if the tree had historical significance. Mr. Gordon and Ms. Cates stated that they would donate to the cost of replacing the tree with an ornamental variety that would only grow to a certain height, such as a Japanese Maples. **Council consensus that the request to prune the tree was not unreasonable and for staff to determine the feasibility of additional pruning and/or relocation, possibly replacement, of the tree.** Mr. Gordon and Ms. Cates thanked the Council.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Resolution No. 1842

At 1:09 p.m., Mayor Lacher introduced draft Resolution No. 1842, authorizing the Mayor to execute Change Order No. 1 on the contract with Faber Brother Construction, Inc. for construction of a Granular Activated Carbon Adsorption System at the Water Treatment Plant. Wayne Haefele, Project Engineer, explained that said Change Order is in the deductive amount of \$3,277.05 for cost effective efficiencies. No discussion followed.

**Moved by Starr, seconded by Hushebeck, to adopt Resolution No. 1842, authorizing the Mayor to execute Change Order No. 1 on the contract with Faber Brother Construction, Inc. for construction of a Granular Activated Carbon Adsorption System at the Water Treatment Plant. Motion passed 3-0 with de Freitas and Menjivar absent.**

### Resolution No. 1843

Due to Councilmember Monin's desire to recuse himself from discussion due to remote conflict of interest in said agreement, Resolution No. 1843 was rescheduled for consideration at April 21, 2011 at 5:30 p.m. [Clerk's Note: "Recusal" would have resulted in lack of meeting quorum.]

### **PAYMENT OF CLAIMS**

Moved by Monin, second by Starr, to approve the payment of Claim Warrant Nos. 35350 through 35413 in the amount of \$495,724.18. Motion passed 3-0 with de Freitas and Menjivar absent.

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

No future agenda items were forthcoming.

### **CITIZEN RESPONSE**

Roger Bennett, 1 Spring Street, commented that if Town were to consider double lane ferry loading in the future it would require a minimum of 12 feet per lane. Mr. Bennett noted that reducing the radius of the proposed rain garden by 2 feet would still allow future double lane ferry unloading.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:20 p.m. The next regular meeting is scheduled for Thursday, April 21, 2011 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on May 5, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, April 21, 2011 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Attorney, Adina Cunningham were not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmembers de Freitas. Council unanimously approved her absence.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Resolution No. 1843

At 5:32 p.m., Mayor Lacher introduced draft Resolution No. 1843, authorizing the Mayor to execute Amendment No. 1 to the interlocal agreement with San Juan Island Fire District No. 3 for interim fire protection services. Section 2 of said agreement contains a provision to extend the agreement by mutual written agreement. The current agreement is successful and therefore the Town and District desire an amendment to the scope of work to extend the term of the agreement 45 days while the Town and District pursue a more comprehensive and long-term service agreement for the benefit of the Town's residents. The current interim agreement expires on April 30, 2011. No discussion followed.

**Moved by Menjivar, seconded by Starr, to adopt Resolution No. 1843, authorizing the Mayor to execute Amendment No. 1 to the interlocal agreement with San Juan Island Fire District No. 3 for interim fire protection services. Motion passed 3-0 with de Freitas absent and Monin abstained.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### APPROVAL OF MINUTES

Moved by Monin, seconded by Menjivar, to approve the minutes of **April 7<sup>th</sup> and 14<sup>th</sup>, 2011 as submitted**. Motion passed 4-0 with de Freitas absent.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### PUBLIC HEARINGS

#### Rezone Application No. 61

At 5:35 p.m., Mayor Lacher opened the public hearing to consider Rezone Application No. 61 dated March 18, 2011; a request for a zoning designation change from multi-family residential to utility residential by the Town of Friday Harbor. The subject property is approximately .73 acres in size and identified as Tax Parcel No. 351458041 located at 425 Marguerite Place.

Mayor Lacher asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. There was no response to Mayor Lacher's inquiry if anyone objected to her or any Councilmember's participation in the public hearing process. Council responded in the negative to Mayor Lacher's inquiry regarding personal interest in the properties or issue. Council responded in the negative to Mayor Lacher's 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 Lacher asked Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand entered no exhibits. 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 parcel meets all requirements of the utility zone; and 4) the proposal meets all criteria of the FHMC that are most applicable to this proposal. Additionally, Mr. Bertrand recommended that a barrier should be placed just north for the proposed zone change to mitigate sights and sounds, as required under this zone.

Mayor Lacher asked if the proponents or their agent would like to comment. Mike Wilks, Town Utilities Superintendent, representative for the Applicant, stated that the staff recommendation is consistent with the applicant's request.

At 5:41 p.m., Mayor Lacher opened the public hearing to audience testimony.

John Owens, 480 Hillcrest Place, testified that he did not object to the rezone of the subject property, but was concerned regarding early morning noise from operation of equipment and vehicular traffic at the current Town Shop property, 501 Marguerite Place, extending to the subject property. Mr. Wilks stated that he would speak to his staff to address Mr. Owen's complaint regarding noise in the early morning hours from starting and warming of street and maintenance equipment. Mr. Wilks indicated that staff may be able to start some of the equipment, such as the sweeper, after the vehicle has left the lot.

Mayor Lacher opened the hearing to Council questions. Hearing no Council questions, Mayor Lacher asked if there were additional comment from staff or audience. Hearing none, Mayor Lacher closed the public input portion of the hearing at 5:45 p.m., reserving the right to reopen if needed, and opened Council deliberations. Councilmembers took turns expressing their views of the application.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmember Hushebeck commented that noise should be lesser when the driveway looping the two properties and fence is constructed.

**Moved by Hushebeck, seconded by Menjivar, to adopt the staff report dated April 1, 2011; approve Rezone Application No. 61, a request for a zoning designation change from Multi-family Residential to Utility; and direct staff to prepare Facts and Findings and Conclusions of Law. Motion passed 4-0 with de Frietas absent.**

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

#### SJC Mobile Mapping Project

At 5:48 p.m., Mayor Lacher introduced Greg Sutherland, SJC Mapping Technician, to make a presentation regarding the SJC mobile mapping project. The County has received a rural road safety grant to map assets and hazards within the public right-of-way for county roads using GIS and other geospatial technology. The County has offered to map the approximately sixteen miles of Town streets in the amount of \$1,500 for data collection costs. Mr. Sutherland explained that limitations exist for the technology and preparation work would be needed for the project, but the data could be invaluable to the Town for later use in mapping its assets and infrastructure. It would cost Town \$5,000 to purchase the software to manipulate the collected data or Town may contract with the County for mapping services. The County is scheduled to begin collecting data May 23<sup>rd</sup> through May 27<sup>th</sup>, 2011. Discussion followed regarding preparation work that would include applying paint tone marks, flags and control points; and removal of grass and debris from the roadway. Mr. Sutherland described ancillary uses for the data such as using the information in lieu of site visits. Mr. Wilks indicated that if the Council moved forward with the proposal that staff would need as much time as possible to prepare for data collection. **Council consensus to direct staff to develop a proposal for said project.** The Council thanked Mr. Sutherland for the presentation.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:30 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the County GIS Mapping Project and Washington State Ferries (WSF) issues. Discussion followed regarding Senate and House Bills under consideration by State Legislature.

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

Councilmember Monin suggested holding a work session regarding revisions to the adopted Town Street Standards and other traffic related studies including ferry traffic unloading.

Councilmembers Monin, Hushebeck and Starr expressed interest in attending the annual AWC Conference hosted in Spokane, WA in June 2011.

Councilmember Hushebeck provided bill information for House Bills 1953 and 1071 under consideration by State Legislature regarding real estate excise taxes and street grant programs.

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

## CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:49 p.m. The next regular meeting is scheduled for Thursday, May 5, 2011 at 5:30 p.m.

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**These minutes were approved on May 5, 2011. 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 5, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Proclamation - Poppy Days

At 12:02 p.m., Mayor Lacher proclaimed May 21st through May 30, 2011 as Poppy Days in the Town of Friday Harbor and urged citizens to support their Veterans and the efforts of the American Legion Auxiliary. Said proclamation was presented to members of the American Legion Auxiliary.

#### Student Community Greenhouse Project

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 12:06 p.m., Mayor Lacher introduced Ryan Cole and Parker Satin, members of the Friday Harbor High School's Community Project Class, to make a presentation regarding the Student Community Garden Project. Mr. Cole explained that the Class decided to build a greenhouse for their Community Project that would benefit the community and school lunch program. The location of the greenhouse will be the County owned property adjacent to the High School at 115 Spring Street. What produce that is sold from the greenhouse will go to the school's Chef 1.0 lunch program. No discussion followed. The Mayor and Council thanked Mr. Cole and Mr. Satin and encouraged them to complete the project.

### Spring Street Rain Garden Project

At 12:17 p.m., Mayor Lacher introduced Johannes Krieger to provide an update on the proposed Spring Street Rain Garden Project. Mr. Krieger explained that the engineers have completed the designs and if approved construction will commence on Monday, May 9<sup>th</sup>, 2011 by Mike Carlson Enterprises. The scope of the project was scaled back to only include the garden located at 80 First Street (Herb's Tavern) due to funding, window for construction and public concern for large commercial vehicle's ability to negotiate the corners at the intersection of First and Spring Street. Mr. Krieger stated that the demonstration garden that was proposed for the corner of 100 Spring Street (Caldwell Banker) received enough resistance from certain vendors regarding traffic and design issues that the MRC and other partners felt that it would be best to postpone installation at this time. Mr. Krieger stated that the construction portion of the project will be completed before Memorial Day weekend. Mr. Krieger requested that the Council move to approve the Spring Street Rain Garden Project as presented. Administrator Fitch explained that the aging infrastructure located in Spring Street will eventually be replaced and that if approved the rain garden will eventually be disturbed. Discussion and inquiry followed. Mr. Krieger explained that the experimental garden will be monitored to gauge its effectiveness in purifying stormwater runoff. Administrator Fitch advised the Council to anticipate constituent comment as safety fencing and block barriers will be placed to cordon off the construction area. The Council thanked Mr. Krieger.

**Moved by Menjivar, seconded by de Freitas, to approve the Spring Street Rain Garden Project, as presented, located at 80 First Street South. Motion passed unanimously.**

### Resolution No. 1844

At 12:31 p.m., Mayor Lacher introduced draft Resolution No. 1844, authorizing the Mayor to execute a contract with the consulting firm of Clair Company, Inc. for third party development plan reviews of the Peace Island Medical Center Project. Land Use Administrator Mike Bertrand, explained that PeaceHealth has submitted development plans to the Town for construction of the Peace Island Medical Center Project. The Town Building Department has a need for plan review services for the hospital's structural, fire and life safety, mechanical, and plumbing disciplines and systems as they differ from that of other allowable structures. Tasks are to be performed on a time and material basis not to exceed \$29,500. These services will be paid from the plan review fees collected for the project. Discussion and inquiry followed regarding PeaceHealth's

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

desire to install rain gardens and other low-impact development in lieu of standard curb, gutter and sidewalk in the public right-of-way.

**Moved by Starr, seconded by Hushebeck, to adopt Resolution No. 1844, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the consulting firm of Clair Company, Inc. for third party development plan review services for the Peace Island Medical Center Project. Motion passed unanimously.**

### Fire Protection Services Contract

At 12:30 p.m., Mayor Lacher introduced discussion of the interlocal agreement with SJC Fire District #3 for comprehensive fire protection services. Administrator Fitch distributed a preliminary draft agreement #3 and explained that negotiations are continuing between representatives of the District and Town. Both parties are still reviewing concerns and developing provisions for the agreement. The goal of the negotiating team remains to be the development of an equitable agreement that will serve both the Town and District until a long-term relationship can be established through annexation or a long-term interlocal agreement. Administrator Fitch explained that the negotiating team is still in the process of determining what is "equitable". District #3 Fire Commissioner Bob Jarman recommended that a separate lease agreement be developed for each piece of apparatus (Engine No. 7, Engine No. 11, m/v Confidence and misc. apparatus) and commented that District desires to adopt the comprehensive agreement as soon as possible as it views the current arrangement with the Town as subsidiary. Discussion and inquiry followed regarding the equipment lease agreements. The next meeting by the negotiating team is scheduled for Friday, May 6, 2011 at 11:00 a.m. No action was taken.

### Resolution No. 1845

At 12:50 p.m., Mayor Lacher introduced draft Resolution No. 1845, accepting the Front Street Water Main Replacement Project. Administrator Fitch explained that the project proceeded as anticipated with the exception of weather affecting the schedule for paving. The engineering firm of Wayne Haefele and Associates has indicated that the project has been completed in compliance with the contract plans and specifications. Administrator Fitch recommended that the project be accepted in order to release the project retainage to Mike Carlson Enterprises, Inc. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1845, accepting the project known as the Front Street Water Main Replacement Project. Motion passed unanimously.**

### SJC Mobile Mapping Project

At 12:51 p.m., Mayor Lacher introduced discussion regarding the SJC Mobile Mapping Project. The County received a rural road safety grant to map assets and hazards within the public right-of-way for county roads using GIS and other geospatial technology. The County has offered to map the approximately sixteen miles of Town streets in the amount of \$1,500 for data collection costs. Administrator Fitch explained that while the proposal sounds interesting and it may still be pursued in the future, it is the recommendation of staff not to pursue the proposal at this point due to timing, lack of

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

personnel and preparation required. Discussion followed regarding the software required to manipulate collected data. **Council consensus to not move forward with the proposal at this point in time.**

### ADMINISTRATOR'S REPORT

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

- 2010 Census Data - Mr. Bertrand explained that according to current 2010 Census data, Town's urban growth rate is lower (.8% per year) than the adopted Town 2002 Comprehensive Plan rate (1.4% per year). Discussion followed regarding how urban growth rate affects Town planning documents and fiscal forecasting.
- Granulated Active Carbon (GAC) Filter Project - The construction schedule for the GAC Project at the Water Treatment Plant was reviewed. The project is anticipated to be completed in June 2011.
- **Odor Control Improvement** - The construction schedule for the Odor Control Improvement Project at the Wastewater Treatment Plant was reviewed. The project is anticipated to be completed in July 2011.
- Spruce Street Stormwater Project - Gray and Osborne anticipate having the engineering drawings for the project completed in June 2011.
- **Town Personnel changes**- Sabrina Shaffer has been transferred from the Parking Enforcement Department to the Parks Department and Matt Pranger has transferred from the Wastewater Department to the Parking Enforcement Department. Mr. Pranger's former position as Utility Worker is now vacant.
- Refuse Truck Operator - Town received 15 applications for said position. Town is considering making this seasonal position permanent.
- Town Refuse Utility - To date the tipping rates at Skagit County Refuse Station average \$145 per ton for the Packer vehicle and \$220 per ton for the new Roll-off vehicle. Discussion followed regarding status of joining the Consortium and draft Town Solid Waste Management Plan.
- Tree trimming - Mike Wilks, Utilities Superintendent, shared cost proposal information from Greenman Landscaping for additional trimming of the tree in front of Friday's Crab House, located at 65 Front Street pursuant to Council direction on April 21, 2011. Discussion followed regarding removal of the tree. **Council consensus to contact the owner's of Friday's Crab House to discuss the proposal to trim said tree and return to Council for discussion.**
- Warbass Way Survey - The engineering firm of Boundary Water, Inc. have resurveyed the established monitoring points and found that there has been no shifting of the roadbed. Town will notify the neighborhood of the findings and poll those residents regarding the parking and travel lane recommendations contained in the Warbass Way Roadway Stability Study.
- **Sewer Replacement Project** - Brown and Caldwell will be added to the June 16<sup>th</sup>, 2011 agenda to present the Town with a reimbursement check in the amount of \$32,000 for their portion of the redesign of the sewer main located near Martin Street.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

- AWC Conference - Council discussed who will attend the AWC Conference in June. Councilmember Starr and Menjivar will attend.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by Menjivar to affirm the payment of Payroll Warrant Nos. 15054 through 15077 and the April 28, 2011 Direct Deposit Run in the amount of \$202,921.97 and approve the payment of Claim Warrant Nos. 35414 through 35469 in the amount of \$131,306.66. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Starr, seconded by Hushebeck to approve the minutes of **April 21, 2011 as submitted**. Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

The Council discussed upcoming excused absences. Due to lack of a quorum the evening session of May 19, 2011 has been cancelled.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:30 p.m. The next regular meeting is scheduled for Thursday, May 5, 2011 at 5:30 p.m.

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**These minutes were approved on May 19, 2011. 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 5, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Treasurer, Wendy Picinich was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Proclamation - 2011 Children's Festival

At 5:33 p.m., Mayor Lacher proclaimed Yasmin Sarah, essay winner of the 2011 "Mayor for a Day Contest" of the 2011 Island Rec's Children's Festival, the Master of Ceremonies for the Costume Parade on Saturday, May 7, 2011. Ms. Sarah swore an oath of office to perform the duties of the office of "Mayor of the 2011 Children's Festival" and "Master of Ceremonies for the Costume Parade".

#### Town Street and Storm Drainage Standards

At 5:37 p.m., Mayor Lacher introduced discussion of process to revise the Town's adopted Street and Storm Drainage Standards.

Administrator Fitch explained that the adopted 1997 Town Street Standards is a technical manual and "living document" which provides technical advice and direction for urban development. Revisions to the document, including implementation of low impact development (LID) standards, would follow the same process as any other Town planning document. Administrator Fitch explained that the Council should be aware that implementation of LID standards and other revisions will be challenging, conflict with the goals of other adopted Town documents, and could have a significant fiscal impact for both Town and developers, such as the overall commitment to maintain and mandate LID and possibility of unintended consequences.

Administrator Fitch stated that the engineering firm of Gray and Osborne drafted the current standards and the firm is available to facilitate work sessions to guide the Council through determining the process and desired revisions. Gray and Osborne provided examples for consideration.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Administrator Fitch requested that the Council take the time necessary to identify their objectives and advised that implementation of LID is currently voluntary. Discussion and inquiry followed regarding current standards and challenges that staff may anticipate if LID standards are phased in.

**Council consensus to schedule a work session with the engineering firm of Gray and Osborne to facilitate determination of a process for revisions to the adopted 1997 Town Street and Storm Drainage Standards.**

Findings of Fact - Rezone Application No. 61

At 6:25 p.m., Mayor Lacher introduced discussion of adoption of Findings of Fact, Conclusions of Law and Decision regarding Rezone Application No. 61 by the Town of Friday Harbor to rezone real property currently zoned Multi-family residential to Utility located at 425 Marguerite Place. Said parcel is identified as Tax Parcel No. 351458041. Staff was directed to prepare Findings of Fact, Conclusions of Law and Decision regarding Rezone Application No. 61 per the public hearing of April 21, 2011. No discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Findings of Fact, Conclusions of Law and Decision regarding Rezone Application No. 61 by the Town of Friday Harbor to rezone real property currently zoned Multi-family residential to Utility located 425 Marguerite Street. Motion passed unanimously.**

Ordinance No. 1463

Concurrently with adoption of Findings of Fact, Conclusions of Law and Decision for Rezone Application No. 61, Mayor Lacher introduced draft Ordinance No. 1463, approving the rezone of real property [Tax Parcel No. 351458041] located at 425 Marguerite Place from Multi-family residential to Utility. No discussion followed.

**Moved by Starr, seconded by Hushebeck, to adopt Ordinance No. 1463, approving the rezone of real property [Tax Parcel No. 351458041] located at 425 Marguerite Place from Multi-family residential to Utility. Motion passed unanimously.**

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:28 p.m., Mayor Lacher 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), draft WSF Summer Sailing Schedule, SJC Solid Waste Utility and upcoming meetings. Discussion followed.

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

No future or non-agenda items were forthcoming.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:45 p.m. The next regular meeting is scheduled for Thursday, May 19, 2011 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on May 19, 2011. 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 19, 2011 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 2, Noel Monin; and Position No. 4, Felix Menjivar were not present.

#### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

#### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmembers Monin and Menjivar. Council unanimously approved their absence.

#### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

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

##### Proclamation - Kid's to Parks Day

At 12:03 p.m., Mayor Lacher proclaimed Saturday, May 21, 2011 as National Kids to Parks Day in the Town of Friday Harbor. The proclamation was presented to Mike Vouri, San Juan Island Park Ranger. Mr. Vouri thanked the Mayor and distributed information regarding the "Junior Ranger Program" and prairie restoration program for the SJI American Camp.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Resolution No. 1846

At 12:15 p.m., Mayor Lacher introduced consideration of draft Resolution No. 1846, authorizing the conditional private use of a portion of Court Street by Anchor Management Services, Inc. Administrator Fitch explained that said conditional private use is for a temporary parking area to stage vehicles waiting to board Washington State Ferries vessels from June 19, 2011 through September 24, 2011. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1846, authorizing the 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 from June 19, 2011 through September 24, 2011. Motion passed 3-0 with Monin and Menjivar absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Fire Protection Services Contract

At 12:20 p.m., Mayor Lacher introduced discussion of the interlocal agreement with SJC Fire District #3 for comprehensive fire protection services and first reading of draft Resolution No. 1847, authorizing the Mayor to execute said agreement. Administrator Fitch distributed preliminary draft agreement #5 and explained that negotiations are continuing between the District and Town. Both parties are still reviewing concerns and developing provisions for the agreement. Administrator Fitch explained that execution of the interlocal and separate lease agreements for each piece of apparatus (Engine No. 7, Engine No. 11, m/v Confidence and misc. apparatus) could be as early as the Council meeting on June 2<sup>nd</sup> , 2011. Discussion and inquiry followed regarding the equipment lease agreements. No action was taken.

### Fire Department Report

At 12:30 p.m., District #3 Fire Chief, Steve Marler, distributed written information regarding types of services provided to the community and for the volunteer fire fighters for the 1st quarter of 2011. Chief Marler reviewed the emergency calls received sorted by time, location and type. Discussion followed regarding the recent injury sustained by volunteer fire fighter, Harry See, during a training exercise on the m/v Confidence. The Council thanked Chief Marler.

## **ADMINISTRATOR'S REPORT**

At 12:45 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Traffic Beacon - The Town is working with the Sheriff's Department for placement of a flashing traffic beacon on the 600 block of Park Street near the public middle school and several private schools. The traffic beacon would be similar to the light located at the intersection of Grover Street and Argyle Avenue. The Sheriff's Department has applied for a grant to fund the project.
- **Wastewater Treatment Plant (WWTP)** - The headworks building associated with the Odor Control Improvement Project at the WWTP has reached the stage of being weather-tight.
- Water Treatment Plant - The Granulated Activated Carbon (GAC) Project is nearing completion. The manufacturer will be contacted to charge and test the filters.
- Solid Waste Management Plan - SCS Engineers is in the process of gathering additional information for the draft plan.
- SJI Transfer Station - The County is in the process of working with the Department of Ecology to extend their deadline for stormwater improvements for the drop-box facility on Sutton Road. The County intends place a measure on the November 2011 ballot for a parcel fee to fund operations for the Solid Waste Utility.
- AWC Labor Relations Institute - The conference underlined new regulations relating to the Americans with Disabilities Act and other labor laws.
- Spring Street Rain Garden Project - Signage for the project is being designed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

- Planning Commission - The Planning Commission has voted to recommend that the Town Council consider amendment of FHMC 2.24.020 and reduce the number of Planning Commission members from seven to five.

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

#### Joint Quarterly Meeting

At 1:03 p.m., Mayor Lacher introduced discussion of topics for the joint meeting with the San Juan County Council. The list of suggested topics was shortened to the following: SJC Solid Waste Utility and SJC Budget. Administrator Fitch provided a brief update on the current status of the SJC Solid Waste Utility and Town's refuse hauling to Skagit County. The Council expressed interest in alternating the location and date of future joint meetings between the Town Council Chambers, during regularly scheduled Thursday sessions and the County Legislative Hearing Room on County Council regularly scheduled Tuesday sessions, annually and/or as mutual business requires. Clerk Taylor was asked to contact the County Council and request that the meeting be rescheduled for June 16<sup>th</sup> in the Town Council Chambers.

### **PAYMENT OF CLAIMS**

Moved by de Freitas, second by Starr, to approve the payment of Claim Warrant Nos. 35470 through 35528 in the amount of \$213,361.55. Motion passed 3-0 with Monin and Menjivar absent.

### **APPROVAL OF MINUTES**

Moved by Hushebeck, seconded by Starr, to approve the minutes of May 5, 2011 as submitted. Motion passed 3-0 with Monin and Menjivar absent.

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

Councilmember Hushebeck inquired if the Council or Mayor desired to issue a letter of support requested by the SJC Scenic Byways Committee for a grant for a community shuttle program. The draft letter states that Town would participate in the project by offering technical assistance. Administrator Fitch advised against the Council committing staff to work on public projects and proposals without consulting with the appropriate department heads because doing so takes a Town employee away from their daily proscribed duties.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:39 p.m. The next regular meeting is scheduled for Thursday, June 2, 2011 at 12:00 p.m.

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**These minutes were approved on June 2, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, June 2, 2011 – Town Council Chambers – Afternoon Session

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar and Town Administrator, C. King Fitch were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised to include discussion of the lease purchase agreement for miscellaneous fire apparatus during the evening session.

### PUBLIC ACCESS TIME

Johannes Krieger, SJC Marine Resources Committee Member, provided an update on the status of the Spring Street Rain Garden Project. Construction was completed on schedule; however there have been concerns stated by interested parties, including Town staff, regarding public safety. Mr. Krieger inquired if the Council desired a railing or other type of barrier installed on the downhill portion facing Spring Street (like the railing located at the intersection of Front and Spring Street) to prohibit pedestrians from accidentally stepping into the garden. Mayor Lacher urged the Council to add this topic to a future agenda since direction/action seemed to be required. Mayor Lacher invited Council and Town Staff to comment. Gary Hansen, Town Building Inspector, stated that he believed that installing an additional visible or physical barrier would help pedestrians notice that there was an incline at the edge of the curb. Councilmember Hushebeck inquired why a railing or barrier was not included in the original design. Discussion followed regarding suggestions of metal railing, raised curb, additional plantings, and/or placement of signage as possible visual barriers. **Council consensus to add discussion to the June 16, 2011 agenda.** No other action taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ACTION AND DISCUSSION ITEMS

#### Resolution No. 1847

At 12:20 p.m., Mayor Lacher introduced draft Resolution No. 1847, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for comprehensive fire protection services. Attorney Cunningham summarized the particulars of the agreement. Said agreement for comprehensive services include administrative, training and incident response services within the Town for the period of July 1, 2011 through December 31, 2015. The annual fire protection fee paid by the Town shall be the assessed valuation of taxable properties within the Town of Friday Harbor plus the assessed valuation of any new construction as determined by the County Assessor, multiplied by the District's adopted annual tax levy rate, plus one percent. The annual fee shall be paid in twelve equal monthly installments. For calendar year 2011, the Town's assessed value is agreed by both parties to be \$554,774,372.00 and the District's annual tax levy rate to be \$0.043286. The 2011 annual fire protection fee shall therefore be \$240,140.00 and the monthly fee shall be \$20,011.00. For the ensuing years, prior to the January fire protection fee payment, the amount will be adjusted for the year upon any change in the Town's assessed valuation and/or the District's adopted annual tax levy rate, based on the previously stated formula. In addition to the Town's fee for comprehensive services, the Town and District shall execute four interlocal agreements containing leases, with options to purchase, the following fire protection equipment: Engine No. 7, Engine No. 11, m/v Confidence, and miscellaneous fire equipment. Discussion followed regarding the fees associated with the interim agreement for fire related services.

**Moved by de Freitas, seconded by Starr, to adopt Resolution No. 1847, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for comprehensive fire protection services. Motion passed 3-0 with Monin recused from discussion and Menjivar absent.**

[Clerk's Note: Councilmember Monin recused himself due to a remote conflict of interest in accordance per RCW 42.23.040(2). Mr. Monin is employed by District No. 3.]

#### Resolution No. 1848

At 12:30 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1848, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town the fire apparatus known as Fire Engine No. 7. Attorney Cunningham explained that the Town and District have negotiated the fair market value of each of the pieces of the equipment and determined that, with the value that the Town will receive for fire protection services rendered by the District to the Town and the condition of the each piece of equipment, the price set forth in their respective payment schedules is fair value for the lease purchase agreement. The Town and District have deemed Engine No. 7 to have a seventeen year useful life and the lease term for Engine No. 7 shall run through 2017 with a total payment buyout cost of \$78,000. Discussion followed regarding adoption of the lease purchase agreement for miscellaneous fire apparatus which was recently inventoried by employees of the District.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**Council consensus to discuss the lease purchase agreement for miscellaneous fire equipment during the evening session.**

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1848, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town the fire apparatus known as Fire Engine No. 7. Motion passed 3-0 with Monin recused from discussion and Menjivar absent.**

[Clerk's Note: Councilmember Monin recused himself due to a remote conflict of interest in accordance per RCW 42.23.040(2). Mr. Monin is employed by District No. 3.]

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Resolution No. 1849

Concurrently with adoption of Resolution No. 1848, Mayor Lacher introduced discussion of draft Resolution No. 1849, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town the fire apparatus known as Fire Engine No. 11. (Refer to Resolution No. 1848.) Attorney Cunningham explained that in addition to the general terms contained in each of the equipment lease purchase agreements, this agreement requires, and Town is waiting for, authorization from Key Bank Corporation to enter into the lease because Engine No. 11 is currently being financed by Key Bank. Discussion followed regarding the adoption of the agreement without first acquiring authorization from the financing institution. Attorney Cunningham explained that Key Bank Corporation indicated verbal approval, however in some event they decline, the resolution and agreement would become null and void.

**Moved by Starr, seconded by Hushebeck, to adopt Resolution No. 1849, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town the fire apparatus known as Fire Engine No. 11; subject to receiving written consent from Key Bank Corporation to enter into said interlocal agreement. Motion passed 3-0 with Monin recused from discussion and Menjivar absent.**

[Clerk's Note: Councilmember Monin recused himself due to a remote conflict of interest in accordance per RCW 42.23.040(2). Mr. Monin is employed by District No. 3.]

### Resolution No. 1850

Concurrently with adoption of Resolution No. 1848, Mayor Lacher introduced discussion of draft Resolution No. 1850, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town the fire apparatus known as Fireboat Confidence. (Refer to Resolution No. 1848.) No discussion followed.

**Moved by de Freitas, seconded by de Freitas, to adopt Resolution No. 1850, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town the fire apparatus known as Fireboat Confidence. Motion passed 3-0 with Monin recused from discussion and Menjivar absent.**

[Clerk's Note: Councilmember Monin recused himself due to a remote conflict of interest in accordance per RCW 42.23.040(2). Mr. Monin is employed by District No. 3.]

### Resolution No. 1851

At 12:45 p.m., Mayor Lacher introduced draft Resolution No. 1851, authorizing the Mayor to execute Change Order No. 1 on the contract with Mike Carlson Enterprises, Inc. for the Odor Control Improvement Project at the Wastewater Treatment Plant. Don Reitan, Sewer Department Leadman, provided an update on construction of the headworks building at the Wastewater Treatment Plant. The project is anticipated to be completed in July 2011. No discussion followed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Moved by Starr, seconded by de Freitas, to adopt Resolution No. 1851, authorizing the Mayor to execute Change Order No. 1 in the amount of \$28,101.00 on the contract with Mike Carlson Enterprises, Inc. for the Odor Control Improvement Project at the Wastewater Treatment Plant. Motion passed 4-0 with Menjivar absent.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ADMINISTRATOR'S REPORT

No Administrator's Report was scheduled.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by Starr, to affirm the payment of Payroll Warrant Nos. 15078 through 15099 and May 27, 2011 Direct Deposit Run in the amount of \$205,149.80 and approve the payment of Claim Warrant Nos. 35529 through 35561 in the amount of \$82,108.88 Motion passed 4-0 with Menjivar absent.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by Starr, to approve the minutes of **May 19, 2011 as submitted**. Motion passed 3-0 with Monin abstained and Menjivar absent.

### 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 Lacher adjourned the meeting at 12:49 p.m. The next regular meeting is scheduled for Thursday, June 2, 2011 at 5:30 p.m.

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**These minutes were approved on June 16, 2011. 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 2, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Attorney, and Clerk, Amy Taylor.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Position No. 4, Felix Menjivar; Town Administrator, C. King Fitch and Town Attorney, Adina Cunningham were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### ANNOUNCEMENTS/SCHEUDLE CHANGES

Mayor Lacher announced that the lease purchase agreement for miscellaneous fire equipment would be postponed to a later date.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Summer Tourism Promotion

At 5:32 p.m., Mayor Lacher introduced discussion of recommendations relating to a summer tourism promotion campaign. Councilmember Hushebeck explained that it was the recommendation of the Lodging Tax Advisory Committee that the Town solicit a proposal from the Visitor's Bureau to begin a special summer advertising campaign in an amount up to \$45,000. Said amount is the equivalent of the funding used for the 2010 summer advertising campaign.

Deborah Hopkins, Visitors Bureau Executive Director, indicated that the Visitors Bureau has begun to develop an integrated multi media marketing campaign using television, radio and print similar to the 2010 advertising campaign. Discussion followed regarding the hotel/motel fund, proposal, branding associated with Friday Harbor and the relationship between the Visitors Bureau and SJI Chamber of Commerce.

**Moved by Hushebeck, seconded by Starr, to accept the recommendation of the Lodging Tax Advisory Committee and solicit a proposal from the Visitor's Bureau to begin a special 2011 summer advertising campaign in an amount up to \$45,000. Motion passed 4-0 with Menjivar absent.**

**Moved by Hushebeck, seconded by Starr, to direct staff to develop for consideration an agreement or amended scope of services to the current agreement with the San Juan Island Visitors Bureau to provide for a special summer promotional campaign for year 2011. Motion passed 4-0, Menjivar absent.**

#### Council Retreat

At 6:35 p.m., Mayor Lacher introduced discussion of topics and date for a Council Retreat. Mayor Lacher and Councilmembers opted to discuss the following topics:

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

- Budget - Update from Treasurer Picinich regarding projected revenue and expenditures for year 2012; and redirection of current expenses for fire protection services.
- Town Solid Waste Utility - Long term vision of the Town Solid Waste Utility.
- Procedure for disbursement of hotel/motel funding.

Mayor Lacher inquired about the date of the Retreat. Discussion followed regarding holding an extended regular session rather than an additional special session. **Council consensus to tentatively schedule the Council Retreat on Thursday, August 4, 2011 from 12:00 p.m. to 5:00 p.m. in the Town Council Chambers.**

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:47 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the San Juan County Solid Waste Utility, recent meetings with Washington State Ferries (WSF) and upcoming meeting schedule. Discussion followed regarding the proposal to institute a parcel fee to fund the Utility.

### **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 Lacher adjourned the meeting at 7:11 p.m. The next regular meeting is scheduled for Thursday, June 16, 2011 at 12:00 p.m.

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**These minutes were approved on June 16, 2011. 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 16, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

Mayor Lacher 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 - 2011**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

San Juan County Council: Lovel Pratt, Richard Peterson, Howard Rosenfeld, Richard Fralick, Patty Miller, and Jamie Stephens.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

No announcements were forthcoming.

### **WORK SESSION**

At 12:01 p.m., Mayor Lacher 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 as follows:

- San Juan County Solid Waste Utility; and
- Consolidation of services.

SJC Council Chair Pratt called their special meeting to order at 12:04 p.m. and introduced SJC Solid Waste Subcommittee Chair, Patty Miller, to review and compare possible funding models for the SJC Solid Waste Utility. Several proposed models included imposing a parcel fee on developed parcels within the Town. Ms. Miller noted that there was a strong feeling among the County Council that a ballot measure for mandatory parcel fees on all developed properties within the County, though least appealing to the Town, may have enough momentum to pass. Town Councilmembers expressed their disapproval of imposing a County fee on Town developed parcels because the County would be charging for services already provided by the Town through an established refuse utility base rate.

Ms. Miller stated that the County desired that Town return to using the County Solid Waste disposal system. Ms. Miller and Mr. Rosenfeld inquired if Town would consider returning for the convenience, if a reduced tipping rate and/or new lease agreement could be negotiated. Discussion and inquiry followed regarding the Utility's legacy debt and future operation. Ms. Miller noted that the public hearing for consideration of the draft SJC Ordinance to impose parcel fees is scheduled for July 12, 2011 at the San Juan County Legislative Hearing Room.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 12:43 p.m., San Juan County Administrator, Pete Rose, suggested that the Town could find cost efficiencies if they consolidate certain services with the County when appropriate. Town currently consolidates, among others, law enforcement, dispatch, court and health services. Other areas that the Town and County may be able to collaborate include road maintenance and mapping services.

The Mayor thanked the County Council for attending the joint meeting.

No action was taken.

### **PUBLIC ACCESS TIME**

Sharon Kivisto, Press, commented that if a parcel fee is imposed onto Town residents, the Town could allow the County to take over solid waste handling for the Town to avoid "double-charging".

Elizabeth Anderson, Historical Preservation Review Board (HPRB) member, read a letter into the record regarding the Spring Street Rain Garden Project. The HPRB supports the submitted proposal to raise the level of the substrate, soil and cobble to alleviate safety concerns. The HPRB supports the proposal that eliminates the need for railings and bench, however, if the Council prefers these elements, they recommend that historically compatible street furnishings and pedestrian elements be considered.

Dan Drahm, Boundary Water Engineering, stated that Boundary Water would prefer the use of their company name on the proposed interpretive signage for the Spring Street Rain Garden Project. Mr. Drahm stated that while the stakeholders understand the policy for not using the company names, several of them donated significant time and resources to the project.

Mike Carlson, Mike Carlson Enterprises, concurred with Mr. Drahm's statements regarding the signage for Spring Street Rain Garden Project.

### **ACTION AND DISCUSSION ITEMS**

#### Sewer Replacement Project

At 1:06 p.m., Mayor Lacher introduced Steve Anderson, Vice-President of Brown and Caldwell Engineering, to make a presentation regarding making reimbursement for a portion of the Sewer Replacement Project. Mr. Anderson presented the Council with a reimbursement check in the amount of \$35,790 as payment for their responsibility in the redesign of the segment of the project located in Martin Street.

In addition, Mr. Anderson noted that the Granulated Activated Carbon Filter Project at the Water Treatment Plant was nearing completion; that Brown and Caldwell continue to strive to be good stewards of the Town's public funds; and that the Firm extends their dearest condolences on the loss of our co-worker, Sharon Hamel, this spring.

The Mayor and Council thanked Mr. Anderson.

#### Spring Street Rain Garden Project

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 1:10 p.m., Mayor Lacher introduced discussion of the Spring Street Rain Garden Project regarding the installation of a handrail or other physical barrier for safety purposes. Johannes Krieger, SJC MRC Member, stated that if deemed necessary by the Council that the proposal to raise the level of the substrate, soil and cobble to alleviate safety concerns seems preferable to installation of street furniture and/or railings. Staff concurred. Discussion and inquiry followed regarding safety standards for crosswalk access. **Council consensus for staff to work with stakeholders to raise the level of substrate, soil and cobble in the Spring Street Rain Garden to alleviate safety concerns.**

Mayor Lacher introduced discussion of the signage that will be installed at the location. Staff indicated that the stakeholders, including the contractors and engineers, have requested that their company names be allowed on the interpretive signage that is proposed for the location. Mr. Fitch noted that the sign is viewed by staff as temporary signage and that the companies that contributed to the installation of the rain garden volunteered significant time and resources. Discussion followed regarding the appropriateness of allowing such a request. **Council consensus to allow company names to be listed on the proposed interpretive signage.** The Council thanked Mr. Krieger and other stakeholders for their participation in the project.

Administrator Fitch inquired about the expectations for the ownership and maintenance of the Spring Street Rain Garden. Mr. Fitch stated that issues still exist since the garden is located in the Town public right-of-way, funded by the Department of Ecology, constructed by the County, and maintained by volunteer efforts. Administrator Fitch indicated that a temporary water service to the garden was needed until the plantings matured and inquired if the Town or County was going to pay for the water used. Discussion and inquiry followed regarding the execution of an interlocal agreement for two years at which time the ownership of an establish demonstration rain garden would transfer to the Town. **Council consensus that the Town install a temporary water service to the rain garden and to provide water for the plants until they have matured.**

### ADMINISTRATOR'S REPORT

The Administrator's Report was postponed until the evening session.

### PAYMENT OF CLAIMS

Moved by Monin, second by Menjivar, to approve the payment of Claim Warrant Nos. 35562 through 35622 in the amount of \$259,465.03 Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by de Freitas, seconded by Starr, to approve the minutes of June 2, 2011 as submitted. Motion passed 4-0 with Menjivar abstained.

### FUTURE AND NON-AGENDA ITEMS

No future or non-agenda items were forthcoming.

### CITIZEN RESPONSE

There were no public access items forthcoming.

# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:46 p.m. The next regular meeting is scheduled for Thursday, June 16, 2011 at 5:30 p.m.

\* \* \* \* \*

These minutes were approved on July 7, 2011. 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 16, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher announced that an executive session in accordance with RCW 42.30.110(i) regarding potential litigation would be held after regularly scheduled agenda items.

Mayor Lacher confirmed that topics for the work session/retreat tentatively scheduled August 4, 2011 from 12 p.m. to 5 p.m., would include 1) Hotel Motel funding; 2) 2012 budget outlook; and 3) committee assignments.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

Shoreline Substantial Development Permit No. 90

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 5:35 p.m., Mayor Lacher opened the public hearing to consider Shoreline Substantive Development Permit No. 90 & SEPA Checklist No. 278; an application for proposed repairs, replacements, and reconstruction of portions of the Friday Harbor Marina [Docks C, E and F with minor improvements completed throughout other areas of the marina.] The property is identified as Tax Parcel No. 351353003 located at 200/204 Front Street North. The Friday Harbor Marina is a public marina providing access to the adjacent Town of Friday Harbor.

Mayor Lacher asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. There was no response to Mayor Lacher's inquiry if anyone objected to her or any Councilmember's participation in the public hearing process. Council responded in the negative to Mayor Lacher's inquiry regarding personal interest in the properties or issue. Council responded in the negative to Mayor Lacher's inquiry regarding personal gain or loss of financial benefit. Council responded in the negative to Mayor Lacher's inquiry regarding communication with opponents or proponents regarding said permit. Council answered in the affirmative regarding hearing and considering the matter in a fair and objective manner.

Mayor Lacher asked Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand entered no exhibits into the record; and described the background of the application, staff evaluation and recommendation, and applicable permitting process.

All work proposed for this Project will be completed waterward of the Mean Higher High Water line within the Port of Friday Harbor Marina. No shoreline or upland work is proposed. The Project includes the repair, replacement and reconstruction listed in the staff report dated June 6, 2011.

Staff evaluation and recommendation is that the Town Council should approve Shoreline Substantial Development Permit No. 90 and SEPA Checklist No. 278 as it is in the best interest of the Town and the general public to complete said improvements. The staff report concluded that the application meets the requirements for granting said permit as regulated by Title 19 of the Friday Harbor Municipal Code and other ecological best practices by removing harmful materials from the marine environment.

At 5:40 p.m., Mayor Lacher opened the public hearing to audience testimony.

Bob Freehauf, Port of Friday Harbor Facilities Manager, stated that said project is listed as a priority in the adopted in the Port's Capital Facilities Improvement Plan.

Mayor Lacher asked for additional public testimony. Hearing none, she asked if Attorney Cunningham or staff wished to make additional comments.

Mr. Bertrand entered Exhibit A, email from Rene Beliveau, SJC Director of Community Development and Planning, acknowledging that the Town should be legal agency for permitting and that a separate additional permit will not be required by the County, into the record. Mr. Bertrand noted that the Port has two years from the date of being fully permitted to complete said improvements.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Mayor Lacher opened the hearing to Council questions. No questions were forthcoming. Mayor Lacher asked for additional audience comments. Hearing none, Mayor Lacher closed the public input portion of the hearing at 5:42 p.m., reserving the right to reopen if needed, and opened Council deliberations. None was forthcoming.

**Moved by Menjivar, seconded by de Freitas, to adopt the Staff Report dated June 6, 2011; and direct staff to prepare Findings of Fact, Conclusions of Law and Decision regarding the application for Shoreline Substantial Development Permit No. 90 and SEPA Checklist No. No. 278; an application for proposed repairs, replacements, and reconstruction of portions of the Friday Harbor Marina. Motion passed unanimously.**

### **ACTION AND DISCUSSION ITEMS**

#### Resolution No. 1852

At 5:49 p.m., Mayor Lacher introduced draft Resolution No. 1852, amending the interlocal agreement for law enforcement services and assistance with San Juan County to include animal control officer and related law enforcement services. Attorney Cunningham explained that said amendment appoints the Sheriff to act as the Town's animal control officer and County as the Town's regulatory authority pursuant to Ordinance No. 1455 and Chapter 6.05, Friday Harbor Municipal Code regarding dangerous and potentially dangerous dogs on an interim basis for the fee of \$200 for each declaration of a dangerous or potentially dangerous dog and \$500 for each civil appeal of a declaration of a dangerous or potentially dangerous dog. Discussion followed regarding the Sheriff's responsibility to ensure safety to Town and County residents. Attorney Cunningham stated that while the Sheriff has a responsibility to all residents to ensure their safety, he does not have a responsibility to perform civil administrative procedure for Town residents outside of his normal contracted services.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1852, amending the interlocal agreement for law enforcement services and assistance with San Juan County to include animal control officer and related law enforcement services. Motion passed 4-0 with Menjivar abstained for conflict of interest.**

### Resolution No. 1853

At 6:09 p.m., Mayor Lacher introduced draft Resolution No. 1853, authorizing the Mayor to execute an equipment lease/purchase agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town of equipment known as miscellaneous fire apparatus. Administrator Fitch explained that while Town staff has been diligently working through the inventory associated with the agreement, the document is still not ready for adoption. Administrator Fitch requested that Resolution No. 1853 be postponed until July 7, 2011. The Council concurred. No action was taken.

### Resolution No. 1854

At 6:11 p.m., Mayor Lacher introduced draft Resolution No. 1854, authorizing the Mayor to execute Amendment No. 2 to the agreement between the Town of Friday Harbor and the Business Association of San Juan County (dba Visitor's Bureau) to provide a summer tourist promotion program for the year 2011. Pursuant to the evening meeting of June 2, 2011, the Town Council directed the Visitor's Bureau to submit a proposal in an amount up to \$45,000 to provide for said program. Deborah Hopkins, Visitor's Bureau Executive Director, explained that if approved, the Bureau would utilize \$21,000 on a mid-June through August online campaign and \$24,000 on a July through August television campaign. No discussion followed.

**Moved by Starr, seconded by Monin, to adopt Resolution No. 1854, authorizing the Mayor to execute Amendment No. 2 to the agreement between the Town of Friday Harbor and the Business Association of San Juan County (dba Visitor's Bureau) to provide a summer tourist promotion program for the year 2011. Motion passed unanimously.**

### Resolution No. 1855

At 6:15 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1855, authorizing private use of Front Street by the Rotary Club of San Juan Island for a street dance on July 4, 2011. Administrator Fitch explained that said private conditional use is an annual request by the Rotary. No discussion followed. Administrator Fitch noted that the Rotary still needs to submit additional insurance and liquor licensing information prior to holding the event.

**Moved by de Freitas, seconded by Hushebeck, to adopt Resolution No. 1855, authorizing private use of Front Street by the Rotary Club of San Juan Island for a street dance on July 4, 2011. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Spruce Street Storm Drainage Improvement Project

At 6:18 p.m., Mayor Lacher introduced discussion and approval of the Spruce Street Storm Drainage Improvement Project. Administrator Fitch explained that the final drawing were displayed for review; and outlined the anticipated schedules for bidding, award of contract, construction and completion. The engineering cost estimate for the Project is \$350,000 with a completion estimate of 40 working days. A change order with Gray and Osborne Engineering is anticipated for completion of the construction design because the Council had authorized use of approved funding for the firm to investigate wetland mitigation for storm drainage when the Council was considering its direction for the project. Discussion followed regarding the asphalt concrete overlay completion before fall.

**Moved by Monin, seconded by de Freitas, to approve the engineering designs for the Spruce Street Storm Drainage Improvement Project as submitted. Motion passed unanimously.**

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:29 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld announced times and dates for upcoming meetings and that in consideration of the Council's extended agenda that he would submit a written update to the Council. The Mayor and Council thanked Mr. Rosenfeld.

### **ADMINISTRATOR'S REPORT**

At 6:32 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Granulated Active Carbon (GAC) Filter Project - The engineer has inspected the project and the Town is waiting for final approval which is anticipated on June 20, 2011.
- Park Street Pedestrian Crosswalk Safety Lighting - Under-Sheriff Jon Zerby has informed the Town that the County was successful in receiving the previously mentioned grant to purchase and install safety lighting in school zone crosswalks. Said lights are similar to the flashing safety lights located at the intersection of Grover Street and Argyle Avenue.
- Brickworks Project - The Agricultural Guild has submitted a funding request in the amount of \$250,000 for the Brickworks Project (farmer's market) located at 150 Nichols Street for renovation of the on-site building. Discussion followed regarding whether to have a presentation regarding the request. Council consensus to invite the Guild to explain their request.
- Event Permit - A tentative request for an event permit was received for use of Sunken Park to host a concert on July 4, 2011. The event would not require Council approval since it is a non-alcoholic event.
- SJC 6-Year Transportation Improvement Plan (TIP) - The County has forwarded their draft TIP for 2012 through 2017. The proposed design and construction of the Pear/Turn Point Connector Road has been omitted. Town has not received a request for subdivision of the Buck Property to date. Unless the developers make

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

provision for a connector road, staff would have to recommend denial until such time that a viable alternative is achieved.

### **CITIZEN RESPONSE**

Ginny Beaudoin, 520 Maple Street, stated that the Sheriff's Department is currently unable to declare a neighboring dog dangerous and asked the Mayor, Council and Attorney Cunningham what she is to do about the situation. Ms. Beaudoin emphasized that said dog has already been documented by the Sheriff's Department attacking other people and pets in the neighborhood. Attorney Cunningham advised Ms. Beaudoin that the Town adopted the agreement designating the Sheriff as animal control officer for the Town. As soon as the County executes the agreement, the Sheriff's Department can begin the administrative procedure for designating the dog dangerous.

### **EXECUTIVE SESSION**

At 6:50 p.m., Mayor Lacher 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 30 minutes. Participants: Town Council, Mayor Lacher, Treasurer Picinich, Administrator Fitch, Attorney Cunningham and Clerk Taylor. The session ended at 7:30 p.m. for a actual session time of 50 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:31 p.m. The next regular meeting is scheduled for Thursday, July 7, 2011 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on July 7, 2011. 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 7, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Others Present: Mayor, Carrie Lacher; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Treasurer, Wendy Picinich was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

The posted agenda was revised. The administrative items from the evening session were consolidated with the afternoon session and evening session cancelled.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Proclamation - 2011 Inter-tribal Canoe Journey

At 12:01 p.m., Mayor Lacher proclaimed that the Town of Friday Harbor is proud and honored to welcome the participants of the 2011 Inter-Tribal Canoe Journey on July 22<sup>nd</sup> through July 24<sup>th</sup> and urged all our citizens to join in the festivities and celebration of song for this special event. Stephanie Buffum-Field presented the history and itinerary for the event. The San Juan Islands are the only non-tribal landing sites along the Journey.

#### WellCity Awards

At 12:06 p.m., Councilmember Menjivar and Starr presented the Town Wellness Committee with WellCity Awards from the Association of Washington Cities (AWC). The Town of Friday Harbor earned the 2011 WellCity Award by meeting WellCity standards and demonstrating that the program follows best practices in promotion of workplace and personal health. Town is among 82 members that received the recognition this year by the AWC Employee Benefit Trust and the distinction merits a 2% discount on Town's health insurance premiums for employees and spouses in 2012. Mayor Lacher and the Council thanked Committee Members Kelle Wilson, Wendy Picinich, Paula Bey, Daniel Frymire, Herb Mason and Jason Miniken for their diligence in implementing our program.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### DEPARTMENT REPORTS

#### Sheriff

At 12:09 p.m., SJC Sheriff, Rob Nou, provided an update on recent activity of the Sheriff's Department. Sheriff Nou commented on the increased Deputy presence in Town, enforcement of the dangerous dog ordinance, status of the local murder/arsen case, and July 4<sup>th</sup> weekend. Discussion and inquiry followed regarding recent dog related incidents in the Hunt and Maple Street neighborhoods. The Mayor and Council thanked Sheriff Nou.

#### Fire

At 12:20 p.m., District #3 Fire Chief, Steve Marler, distributed written information regarding types of services provided to the community for the second quarter of 2011. Chief Marler reviewed the service calls by type and noted that officers are undergoing factory training for Engine 11. Discussion followed regarding said training and the recent injury of a fire fighter during a training exercise on the fire boat. Mayor Lacher thanked Chief Marler.

#### Department of Emergency Management

The department report for Emergency Management was rescheduled.

#### Historic Preservation

At 12:31 p.m., Historic Preservation (HP) Coordinator, Sandy Strehlou, distributed a second quarter department report for year 2011. Ms. Strehlou reported on local events for May 2011 National Historic Preservation Month, HP ordinance changes, board members, website, and Scenic Byways Program. No discussion followed. The Mayor thanked Ms. Strehlou.

#### System Administration

At 12:40 p.m., System Administrator, Steven Dubail, distributed a second quarter department report for year 2011. Mr. Dubail reported on email retention, website updates, system maintenance and security, and traffic counts. Discussion followed regarding use of certain internet social media. Mayor Lacher thanked Mr. Dubail.

#### Community Development

At 12:48 p.m., Administrator Fitch distributed a compilation of building permits issued in year 2011. To date, approximately \$152,808 was collected in land use fees for the year. No discussion or inquiry followed.

#### Utilities

At 12:49 p.m., Administrator Fitch, reported on the water level of Trout Lake, Granulated Activated Carbon filtration project at the Water Treatment Plant, odor control improvements at the Wastewater Treatment Plant, purchasing of equipment and improvements to the Town property at 425 Marguerite Place. Discussion followed regarding the improvements which include installation of a driveway connecting the Town Shop properties. Mayor Lacher and Council thanked Administrator Fitch.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ACTION AND DISCUSSION ITEMS (cont.)

#### Resolution No. 1856

At 12:57 p.m., Mayor Lacher introduced draft Resolution No. 1856, authorizing the Mayor to execute a purchase agreement to provide liquid propane gas. Administrator Fitch explained the particulars of said purchase agreement. Town received competitive sealed bids from two firms on June 24, 2011 after being duly advertised. Vander Yacht Propane was the lowest cost proposal and has offered to provide said propane gas fuel according to Town specifications for an initial cost of \$1.835 per gallon from August 1, 2011 through July 31, 2012. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Resolution No. 1856, authorizing the Mayor to accept the proposal of and execute a purchase agreement with Vander Yacht Propane to provide propane fuel for an initial cost of \$1.835 per gallon. Motion passed unanimously.**

#### Resolution No. 1857

Concurrently with introduction of Resolution No. 1856, Mayor Lacher introduced draft Resolution No. 1857, authorizing the Mayor to execute a purchase agreement to provide motor fuels. Administrator Fitch explained the particulars of said purchase agreement. Town received competitive sealed bids from two firms on June 24, 2011 after being duly advertised. Petro San Juan was the lowest cost proposal and has offered to provide said unleaded and diesel motor fuels according to Town specifications for an initial cost of \$3.1975 per gallon for unleaded gasoline, \$3.2604 per gallon for No. 2 diesel fuel, and \$3.2654 per gallon for off-road diesel from August 1, 2011 through July 31, 2012. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Resolution No. 1857, authorizing the Mayor to accept the proposal of and execute a purchase agreement with Petro San Juan to provide unleaded and diesel motor fuels for an initial cost of \$3.1975 per gallon for unleaded gasoline, \$3.2604 per gallon for No. 2 diesel fuel, and \$3.2654 per gallon for off-road diesel. Motion passed unanimously.**

#### Resolution No. 1858

Concurrently with introduction of Resolution No. 1856, Mayor Lacher introduced draft Resolution No. 1858, authorizing the Mayor to execute a purchase agreement to provide motor fuels. Administrator Fitch explained the particulars of said purchase agreement. Town received a competitive sealed bid from one firm on June 24, 2011 after being duly advertised. Island Petroleum Services was the lowest cost proposal and has offered to provide said B-20 bio-diesel motor fuel according to Town specifications for an initial cost of \$3.757 per gallon from August 1, 2011 through July 31, 2012. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Resolution No. 1858, authorizing the Mayor to accept the proposal of and execute a purchase**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**agreement with Island Petroleum Services to provide B-20 bio-diesel motor fuel for an initial cost of \$3.757 per gallon. Motion passed unanimously.**

### Resolution No. 1859

At 12:58 p.m., Mayor Lacher introduced draft Resolution No. 1859, authorizing the Mayor to execute Amendment No. 1 to the contract with the engineering firm of Gray & Osborne, Inc. for design of stormwater improvements on Spruce Street. Administrator Fitch explained that by passage of Resolution No. 1765 on January 7, 2010, the Town Council authorized the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc. to provide plans and specifications for stormwater improvements and reconstruction of a portion of Spruce Street located within the Evergreen Subdivision Phase II. During the design process, the Town Council instructed the engineering consultants to perform additional analysis relating to downstream wetland concerns. The Engineer performed said tasks on a time and material basis in the amount of \$6,835.00. No discussion followed.

**Moved by de Freitas, seconded by Menjivar, to adopt Resolution No. 1859, authorizing the Mayor to execute Amendment No. 1 to the contract with the engineering firm of Gray & Osborne, Inc. for design of stormwater improvements on Spruce Street. Motion passed unanimously.**

### Resolution No. 1860

At 1:01 p.m., Mayor Lacher introduced draft Resolution No. 1860, authorizing the Mayor to execute Change Order No. 2 on the contract with Mike Carlson enterprises, Inc. for the Odor Control Improvement Project at the Wastewater Treatment Plant. Administrator Fitch explained that the Change Order has an additive value of \$13,090 for additional concrete landings and other cost efficiencies. Discussion and inquiry followed regarding the supplier credit for failed concrete.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1860, authorizing the Mayor to execute Change Order No. 2 on the contract with Mike Carlson enterprises, Inc. for the Odor Control Improvement Project at the Wastewater Treatment Plant. Motion passed unanimously.**

### Resolution 1853 - 1:04 pm

At 1:04 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1853, authorizing the Mayor to execute an interlocal agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town of Equipment know as miscellaneous fire service equipment. Administrator Fitch explained that during the inventorying process Town located additional equipment at the Town's storage facility at the Friday Harbor Landfill property. The Town and District have negotiated the value of the equipment and determined that, with the value that the Town will receive for fire protection services rendered by the District to the Town and its residents, and the condition of the miscellaneous equipment in the marketplace, that the equipment is to be valued at \$39,000. Town and District assume that minor adjustments may be made to the inventory list. Administrator Fitch noted that the primary item of value contained on the inventory is the fire hose, while the other items tend to be ancillary. No discussion followed.

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1853, authorizing the Mayor to execute an equipment lease/purchase agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase, from the Town of miscellaneous equipment. Motion withdrawn.

Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1853, authorizing the Mayor to execute an equipment lease/purchase agreement with San Juan County Fire Protection District No. 3 for the lease, with option to purchase from the Town of miscellaneous equipment, granting the Town Administrator and District Fire Chief discretion to make minor adjustments as necessary to the list of inventory. Motion passed 4-0 with Monin abstained due to conflict of interest.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### 2011 Association of Washington Cities (AWC) Conference

At 1:10 p.m., Mayor Lacher introduced Councilmember Menjivar and Starr to provide an update on the recent AWC annual conference. Councilmembers Menjivar and Starr reported that the conference was very educational in the areas of elected official responsibilities, budget, and public records; and that they were provided the opportunity for networking with other cities and town; and toured the facilities. Discussion followed regarding the methods that Spokane is using to revitalize its downtown core.

### **ADMINISTRATOR'S REPORT**

At 1:21 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Town Six Year Transportation Improvement Plan (TIP) - The draft TIP for years 2012 through 2017 was distributed for review. Discussion followed regarding the priority and scope of the listed projects. **Council consensus to extend the scope of work for the reconstruction of Tucker Avenue from Guard to Larson Street north to University Way.** The Public Hearing to consider the TIP is scheduled for July 21, 2011 @ 5:35 p.m.
- County Six Year Transportation Improvement Plan (TIP) - A draft letter regarding the County TIP for years 2012 through 2017 was distributed for review. The letter requests that the County reinstate the Pear Point Road to Turn Point Road Connector as a priority. **Council consensus to sign said letter as amended.**
- State Auditor - The State Auditors will be conducting the Town's annual audit from July 11<sup>th</sup> through July 25<sup>th</sup>, 2011. Councilmembers are invited to the entrance interview on the afternoon of Tuesday, July 13, 2011.
- Spring Street Rain Garden - The interpretive signage for the garden has not yet been installed.

### **PAYMENT OF CLAIMS**

Moved by Monin, second by Starr affirm the approval of Payroll Warrant Nos. 15100 through 15128 and June 30, 2011 Direct Deposit Run in the amount of \$218,627.52 and approve the payment of Claim Warrant Nos. 35623 through 35688 in the amount of \$196,257.58. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Menjivar, seconded by Monin, to approve the minutes of **June 16, 2011 as submitted.** Motion passed unanimously.

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

Councilmember Lacher reminded the Council that the evening session of August 4<sup>th</sup>, 2011 would be cancelled due to the extended meeting/retreat during the afternoon. Councilmember Monin volunteered to provide refreshments.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:39 p.m. The next regular meeting is scheduled for Thursday, July 21, 2011 at 12:00 p.m.

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**These minutes were approved on July 21, 2011. 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, August 18, 2011 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Town Administrator, C. King Fitch; and Attorney, Adina Cunningham.

Treasurer, Wendy Picinich and Clerk, Amy Taylor were not present.

#### **EXECUTIVE SESSION**

At 12:03 p.m., Mayor Lacher announced that the Council would be holding an executive session regarding potential litigation in accordance with the provisions of RCW 42.30.110(1)(i); which was estimated to last 60 minutes. Participants: Town Council, Mayor Lacher, Administrator Fitch, Attorney Cunningham and Attorney Patricia Buchanan. The session ended at 1:03 p.m. for an actual session time of 60 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:04 p.m. The next regular meeting is scheduled for Thursday, July 21, 2011 at 12:00 p.m.

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**These minutes were approved on July 21, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, July 21, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher announced that the scheduled Executive Session was cancelled.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### DEPARTMENT REPORT

#### Emergency Management (DEM)

At 12:01 p.m., Emergency Management Assistant Director, Dave Halloran provided update on DEM activity. In June, local and regional stakeholders attended a real-time national preparedness training exercise near Whidbey Island Naval Station for emergency oil spill response. Two hundred twenty five participants practiced the Northwest Area Contingency Plan for a worst case scenario oil spill in our area. The goal of the exercise was to coordinate response actions with tribal, local, state and federal governments and with the private sector. Mr. Halloran described the activities that took place and oil disbursement techniques that would be used if a spill were to occur. Discussion and inquiry followed regarding the amount of product that travels through the shipping lanes in Juan de Fuca Straights to the Cherry Point Refinery and south Sound areas. Mayor Lacher and Council thanked Mr. Halloran. No action was taken.

### ACTION AND DISCUSSION ITEMS

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Resolution No. 1862

At 12:20 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1862, designating the Journal of the San Juan Islands, 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 \$8.00 per column inch; classified advertising at a rate of \$1.69 per line; and display advertising at a rate of \$9.40 per column inch for the period of August 1, 2011 through July 31, 2012. Discussion and inquiry followed regarding the paper's rate schedule. Administrator Fitch noted that the annual bidding process was not used because Sound Publishing, Inc. is the sole source of supply for services that meet the State requirements for legal printing and other official publications.

**Moved by Starr, seconded by Menjivar, to adopt Resolution No. 1862, designating the Journal of the San Juan Islands, formally known as Sound Publishing, Inc. as the source for legal printing and other official publications for the Town of Friday Harbor. Motion passed unanimously.**

### Resolution No. 1865

At 12:24 p.m., Mayor Lacher introduced draft Resolution No. 1865, authorizing the Mayor to execute an agreement with the San Juan Island Park & Recreational District regarding the "Touch a Truck" event. Clerk Taylor explained that the purpose of the agreement is for the District to organize the fourth annual special event for children and families and provide indemnification for the Town to participate in the event by providing trucks, other vehicles and personnel. Discussion followed regarding the date of the event.

**Moved by Hushebeck, seconded by Monin, to adopt Resolution No. 1865, authorizing the Mayor to execute an agreement with the San Juan Island Park & Recreational District regarding the "Touch a Truck" event. Motion passed unanimously.**

### Resolution No. 1863

At 12:26 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1863, authorizing the Mayor to execute a contract with Richard Lawson Construction, Inc. for construction of the Spruce Street Stormwater Drainage Improvement Project. Administrator Fitch explained that one sealed bid was received on July 12, 2011 after being duly advertised as a public works project. It is the recommendation of the consulting engineers, Gray & Osborne, Inc., that the bid proposal submitted for \$338,997.00 is a responsible bid from a qualified firm. Administrator Fitch noted that the proposal was lower than the engineering estimate and distributed a sample of the roadway construction fabric (building material) that will be used under the roadbed to help preserve the long term integrity of the pavement. Discussion and inquiry followed regarding the funding for the project and construction schedule.

**Moved by Monin, seconded by Menjivar, to adopt Resolution No. 1863, authorizing the Mayor to execute an agreement for construction of the Spruce Street Stormwater Drainage Improvement Project. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Resolution No. 1866

At 12:33 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1866, authorizing the Mayor to execute Amendment No. 1 to the agreement between the Town of Friday Harbor and the engineering firm of Wayne Haefele and Associates to provide construction inspection services for the Granular Activated Carbon Adsorption System at the Town Water Treatment Plant. Administrator Fitch explained that the actual construction period for the project exceeded the estimated time needed for inspection services. The engineering firm of Wayne Haefele and Associates has offered to provide the additional services needed on a time and material basis in an amount not to exceed \$9,000 for the final weeks of construction and closeout of the project. No discussion followed.

**Moved by de Freitas, seconded by Starr, to adopt Resolution No. 1866, authorizing the Mayor to execute Amendment No. 1 to the agreement on a time and material basis, not to exceed Forty one thousand and 00/100 dollars (\$41,000.00), with the engineering firm of Wayne Haefele and Associates, Inc. to provide construction inspection services for addition of a granular activated carbon contact system to the Town's water treatment plant. Motion passed unanimously.**

### **ADMINISTRATOR'S REPORT**

At 12:35 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Trihalomethane Levels (THM) - The level of THM's measured 15 ug/L for the second quarter of as a result of activation of the granular activated carbon contact system.
- Sales Tax - The Sales Tax report for June's receipts (April collections) included an additional \$55,045.64 that was generated from past reporting periods. The majority of the amount is attributed to the Department of Revenue's "amnesty program" where if a person paid their past due taxes by a certain date, the State waived the interest and penalty fees. This one time collection is a boast to the Current Fund but is not an indication of changes in the economy.
- Regional Transportation Planning Organization (RTPO) funding - The Town, Port and County met to discuss our area's share of Surface Transportation Program (STP) federal funding totaling \$940,000. The group voted to fund the study and design of the Cattle Point Reclamation Project and the Mt. Baker Road Project utilizing the 2009, 2010 and 2011 allocations.
- AWC Workers' Compensation Retro Program - Town's membership with the Program is supported by Staff. Like the risk management services through AWC, the program offers proactive claims management services, safety training and refunds for members with reduced claims; and effects the premiums they paid to L&I. Discussion followed regarding Staff's use of program services. **Council consensus to continue the Town's membership in the AWC Workers' Compensation Retro Program.**
- Friday Harbor Ferry Terminal Improvements - The WSDOT has funded \$302,000 of State funding to design and construct pedestrian safety improvements at the

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Friday Harbor Ferry Terminal. WSDOT will coordinate with the Town as they work to develop a request for proposals for design and installation of non-invasive improvements such as striping, signage and maybe moveable barrier to stop pedestrians from intermingling with offloading vehicle traffic.

### **PAYMENT OF CLAIMS**

Moved by Monin, second by Starr to approve the payment of Claim Warrant Nos. 35689 through 35766 in the amount of \$354,916.71. Motion passed 4-0 with de Freitas abstained.

### **APPROVAL OF MINUTES**

Moved by Starr, seconded by de Freitas, to approve the minutes of **July 7, 2011 and July 18, 2011**. Motion passed unanimously.

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

Mayor Lacher announced that the Executive Session scheduled for the evening has been cancelled.

Mayor Lacher inquired if any of the Councilmembers were interested in attending the open house for the nearly completed Homes for Islander's "Country Village I" project located off Lampard Road. Councilmember Hushebeck volunteered to attend.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 12:54 p.m. The next regular meeting is scheduled for Thursday, July 21, 2011 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on August 4, 2011. 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 21, 2011 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar; and Attorney, Adina Cunningham were not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### **ANNOUNCEMENTS/SCHEUDLE CHANGES**

The posted agenda was revised. The Executive Session was cancelled.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **PUBLIC HEARING**

#### 2012-2017 Six Year Transportation Improvement Plan (TIP)

At 5:35 p.m., Mayor Lacher opened the public hearing for the 2012-2017 Six-Year Transportation Improvement Plan (TIP).

Mayor Lacher 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.

Administrator Fitch explained that State law requires that all cities, towns, counties, and transit agencies create and adopt a Six Year Transportation Improvement Program (TIP) every year outlining all the major transportation-related projects that Town plans to accomplish over the next six years. The draft TIP lists various improvements to: Tucker Avenue from Guard to University Way; Grover Street from the elementary school to Islanders Subdivision; First Street from East Street to Spring Street; First Street from Spring Street to Court Street; and the Spring Street/Argyle Avenue Intersection.

At 5:36 p.m., Mayor Lacher opened the hearing to public comment. Hearing none, Mayor Lacher opened the hearing to Council questions.

Councilmember Monin inquired about funding of the listed street improvements. Administrator Fitch stated that the Town can seek funding from the Public Works Trust Fund or State roadway improvement grants but anticipates that little to no funds will be made available to the Town due to the current economy. The Street Fund generates its revenue through gas taxes and transfers from the Current Fund. However, Town continues to set aside monies so it can eventually acquire the local match that is necessary for grant funding.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 5:39 p.m., Mayor Lacher hearing no other public testimony, comments from staff or Council closed the public testimony portion of the hearing and opened the hearing to Council deliberations. No discussion followed.

### Resolution No. 1864

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1864; providing for a Six-Year Transportation Improvement Program for the years 2012 through 2017. Motion passed 4-0 with Menjivar absent.**

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 5:41 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the proposed SJC Solid Waste Parcel Fee, Turn Point to Pear Point Connector Road and Washington State Ferries (WSF) including fall sailing schedule, proposed fare increases, and traffic control program. No discussion followed.

### **ACTION AND DISCUSSION ITEMS**

#### Brickworks Project (Permanent Farmers Market)

At 5:51 p.m., Mayor Lacher introduced members of the SJ Islands Agricultural Guild to make a presentation regarding a funding request for support of the Brickworks project located at 150 Nichols Street. Guild members Bruce Gregory-Howe, Susie Wampler, David Bauermeister (Northwest Agricultural Business Center), Richard Hobbs and Peter Kilpatrick presented the vision and business plan for the Brickworks project and funding request for Phase II building renovations and other capital improvements in the amount of \$250,000.

The business plan included a complete description of the project including a summary of goals, organization profile, market analysis, management, financing, and development plans and schedule. The Ag. Guild envisions a renovated barn-like indoor-space, paved outdoor plaza and associated green space, and amphitheatre suitable to host various tourist-related and community events.

The goals of the project include creating a year-round home for the Farmers Market while revitalizing the Nichols Street and Sunshine Alley areas of downtown core; offer economic development opportunities for farmers, seafood harvesters, artisans, and food purveyors who sell at the Market, as well as for the surrounding merchants who will benefit from increased foot traffic; increase the availability of local products to visitors and residents; serve as an on-going educational facility and community gathering place; and preserve and restore the downtown last historic industrial building.

At 6:13 p.m., Mayor Lacher thanked the Ag. Guild for their presentation and opened discussion to Council questions. Discussion and inquiry followed regarding project funding, parking and traffic in the adjacent areas. Mayor Lacher inquired as to what tangible benefit Town would derive from investing in Phase II of the project, as opposed to the funding proposal for Phase I that included partial ownership in the site. Further discussion and inquiry followed, including possible partnerships between the Town and

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Ag. Guild. Historical Preservation Coordinator, Sandy Strehlou suggested that purchase of a historic preservation easement could serve as a tangible investment and benefit.

Mayor Lacher suggested that the Council add discussion of the proposal to the agenda for the Council Retreat scheduled on August 4, 2011. The Council concurred and thanked the Ag. Guild for their presentation. No action was taken.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE (cont.)**

At 7:02 p.m., SJC Councilmember Howie Rosenfeld continued to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the SJC Six Year Transportation Improvement Plan and classification of the Turn Point to Pear Point Connector Road; and SJC Solid Waste Utility. No discussion followed. Mayor Lacher and the Council thanked Councilmember 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 Lacher adjourned the meeting at 7:10 p.m. The next regular meeting is scheduled for Thursday, August 4, 2011 at 12:00 p.m. Council will hold a special session for a work session retreat immediately following.

\* \* \* \* \*

**These minutes were approved on August 4, 2011. 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 4, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised. The Executive Session was cancelled.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

No action or discussion items forthcoming.

### ADMINISTRATOR'S REPORT

At 12:08 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Water Transmission Line Replacement Project - A status report provided by Brown & Caldwell Engineering was reviewed for work performed between May through June 2011. The Engineers are continuing to determine the extent of wetland mitigation and permitting required for the project, however anticipate submittal of a 60% plans and specifications document for Town review near the end of August. The document will be accompanied by a set of questions directed at various issues and details that will require direction from the Town. The Council will need to begin a timely dialogue of those issues that include funding, permitting, easement acquisition and other details such as resolve of certain design items like service connections to existing customers and placement of maintenance features. Councilmember Monin inquired about the sub-contracted "surveying errors" mentioned in the written report.
- "Trek Tri-Island" Event - The American Lung Association (ALA) of the Mountain Pacific has cancelled their request for private use of a portion of West Street for their third annual Trek Tri-Island event on September 19, 2011. The ALA has secured a private location.
- Town Warrants - An additional warrant for professional services was added to the batch of Claim Warrants for Peggy Sue McRae, Historic Preservation Review Board Recording Secretary.
- AWC Employee Benefit Trust - A renewal agreement for employee medical benefits through the Trust was forwarded to the Town for review. The agreement requires a three year commitment. Discussion followed regarding the insurance pool, current policy and enrollment of Town elected officials in the policy. **Council consensus to continue with the Trust.**

### PAYMENT OF CLAIMS

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Moved by Monin, second by de Freitas, to affirm the payment of Payroll Warrant Nos. 15129 through 15152 and July 29, 2011 Direct Deposit Run in the amount of \$213,682.26 and approve the payment of Claim Warrant Nos. 35767 through 35819 in the amount of \$240,304.15. Motion passed 5-0 with Monin abstaining from Claim Warrant No. 35807 [SJC Fire Protection District No. 3 for fire protection services] due to a remote conflict of interest.

### APPROVAL OF MINUTES

Moved by Starr, seconded by Hushebeck, to approve the minutes of **July 21, 2011 as amended**. Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher announced that she received a letter from the Washington Finance Officers Association (WFOA) stating that Treasurer Picinich has earned her twenty first (21<sup>st</sup>) Washington Professional Finance Officer Award from the WFOA for excellence and best accounting practices. The Professional Finance Officer Recognition program "provides an opportunity for members to be recognized for their continued professional development and achievements in the governmental finance arenas."

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 12:32 p.m. The next regular meeting is scheduled for Thursday, August 18, 2011 at 12:00 p.m.

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**These minutes were approved on August 18, 2011. 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 4, 2011 – Town Council Chambers – Special Session**

### CALL TO ORDER

The Town Council met in special session with Mayor Lacher presiding. Mayor Lacher called the special session to order at 12:42 p.m.

### ROLL CALL

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch and Town Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### WORK SESSION

The Council discussed the following items as part of their Retreat:

- Low Impact Development Standards
- Solid Waste Updates
- Council roles and responsibilities
  - Organization Chart & Staff Responsibilities
  - Committee Assignments
  - Email, Social Media & Public Records
- 2012 Budget Planning
  - Council Priorities
  - Identifying Challenges
  - Opportunities for County/Town Department Collaboration
  - Fire Protection Services
  - LTAC Hotel Motel Tax Funding Proposal
  - Request for Hotel Motel Tax Funding (Brickworks Phase II - Building Renovations)

**ADJOURNMENT** – Hearing no objection, Mayor Lacher adjourned the meeting at 5:15 p.m. The next regular meeting is scheduled Thursday, August 18, 2011.

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These minutes were approved on August 18, 2011. 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 18, 2011 – Town Council Chambers – Afternoon Session

### CALL TO ORDER

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

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

An evening session of the Town Council was not scheduled.

Mayor Lacher announced that the scheduled Executive Session was estimated to last sixty minutes.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Resolution No. 1861

At 12:02 p.m., Mayor Lacher introduced draft Resolution No. 1861, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc. for construction management services for stormwater improvements on Spruce Street. Administrator Fitch explained that the Town authorized the agreement for construction of said project and now needs to secure the services of an engineer for construction management and inspection services. Gray & Osborne, Inc. has offered a contract to furnish those required services on a time and material basis not to exceed \$54,100.00. Project construction is to begin in September and the Contractor has estimated a completion date of thirty (30) business days. No discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Resolution 1861, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc. for construction management services of stormwater improvements and reconstruction of a portion of Spruce Street. Motion passed unanimously.**

#### Ordinance No. 1464

At 12:05 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1464, reducing the number of members and revising the powers and duties of the Planning Commission and repealing Ordinance No. 1162 in its entirety. Administrator Fitch explained that RCW 35.63.020 outlines the manner of appointment for three to twelve members on municipal Planning Commissions. In recent years the Town has been experiencing difficulties finding qualified candidates to fill vacancies on the Commission. The Commission and Planning Department staff has recommended a reduction in the number of members from seven to five. Land Use Administrator, Mike Bertrand, explained that in addition, with the merging of fire protection services with San Juan County Fire Protection District #3 requires a revision to the powers and duties of the

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Commission. The Commission shall annually review the average response time of District #3 to determine if the level of service provided meets or exceeds the level of service stated in the Town of Friday Harbor Comprehensive Plan and shall communicate the results of that analysis to District #3 Fire Chief and the Town Council. Administrator Fitch noted that the annual process for review of the Town Comprehensive Plan will begin in September. No discussion followed.

**Moved by Hushebeck, seconded by Monin, to adopt Ordinance No. 1464, reducing the number of the members and revising the powers and duties of the Planning Commission and repealing Ordinance No. 1162 in its entirety. Motion passed unanimously.**

### 2012 Legislative Priorities

At 12:09 p.m., Mayor Lacher introduced discussion of the draft 2012 Legislation Priorities. Administrator Fitch explained that the document provided represents staff's understanding of the Council's legislative goals as was discussed at their August 4, 2011 retreat. Discussion followed regarding low impact development, street standards and process for distribution of hotel motel excise tax funding.

**Council consensus to accept the discussed revisions to the "Plans and Policies" portion of the document.**

### **ADMINISTRATOR'S REPORT**

At 12:23 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Town Solid Waste Management Plan - SJS Engineers has provided sample goals and objectives for Council review. In developing the Plan, SCS Engineers will require direction from the Council regarding their long term planning for the utility. Discussion followed regarding formation of a solid waste advisory committee, Town 2002 Comprehensive plan, and goals provided. **Council consensus to seek alternatives to the formation of a Town solid waste advisory committee.**
- SJC Six Year Transportation Improvement Plan (TIP) - The County forwarded a memo stating that design of a turn-around on Turn Point Road will be added to the TIP as a temporary alternative to the Turn Point/Pear Point Connector Road. Large fuel trucks and other vehicles that arrive via barge landing lack the ability to travel eastward toward Pear Point Road and are forced to travel westward toward Warbass Way. Easement acquisition would be required.
- Granulated Activated Carbon Adsorption System (GAC) - A local journalist is writing an article regarding the GAC Project at the Water Treatment Plant. Staff has requested that they postpone the article until additional treatment samples can be collected, but they may run the article anyway.
- **Odor Control Improvements Project** - The odor control improvements at the Wastewater Treatment Plant are anticipated to be completed by the end of August.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

- Town Clock - The east face of the Clock will be repaired on Friday, August 19<sup>th</sup>. The repair shop stated that damages appeared to be caused by a lightning strike.
- Refuse Packer - Town received its new refuse packer truck.
- County Solid Waste Utility - The County is in the process of reviewing alternatives to the ballot measure should it not pass in November. "Plan B" is a zero transfer station model with an option to allow self hauling to a commercial packer vehicle.
- Friday Harbor Landfill - A groundwater monitoring well at the site sampled traces of vinyl chloride exceeding the State thresholds.
- Hotel Motel Excise Tax - Councilmember Hushebeck provided an update on the progress of the Lodging Tax Advisory Committee regarding the process for distribution for the first 2% hotel motel excise tax. Staff met with representatives of the Brickworks Project to explain the intent of the funding.

### **PAYMENT OF CLAIMS**

Moved by Monin, second by de Freitas, to approve the payment of Claim Warrant Nos. 35820 through 35886 in the amount of \$180,939.99. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Starr, seconded by Hushebeck, to approve the minutes of **August 4, 2011** as submitted. Motion passed unanimously.

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

Mayor Lacher inquired if the Council wished to discuss insurance benefits for Town elected officials. Elected officials are eligible to enroll in Town benefits through AWC for medical provided that fifty percent of the officials opt for the program and for dental provided that seventy five percent of the officials opt for the program.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

### **EXECUTIVE SESSION**

At 1:03 p.m., Mayor Lacher announced that the Council would be holding an executive session regarding potential litigation in accordance with the provisions of RCW 42.30.110(1)(i); which was estimated to last 60 minutes. Participants: Town Council, Mayor Lacher, Administrator Fitch, and Attorney Cunningham. The session ended at 2:06 p.m. for an actual session time of 63 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 2:07 p.m. The next regular meeting is scheduled for Thursday, September 1, 2011 at 12:00 p.m.

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**These minutes were approved on September 1, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, September 1, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 2, Noel Monin; and Position No. 4, Felix Menjivar; were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmembers Monin and Menjivar. Council unanimously approved their absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher announced that Councilmember Menjivar was unable to attend due to his employment.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Resolution No. 1867

At 12:01 p.m., Mayor Lacher introduced draft Resolution No. 1867, accepting the project known as the Water Treatment Plant Granular Activated Carbon Adsorption System (GAC). Administrator Fitch explained that the GAC was completed and the engineers have certified that it has met all specifications and certifications and now ready for Town to accept. The Contractor's retainage shall be released pending required documentation from State agencies. No discussion followed.

**Moved by de Freitas, seconded by Starr, to accept the project known as the Water Treatment Plant Granular Activated Carbon Adsorption System. Motion passed 3-0 with Monin and Menjivar absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### AWC Insurance Benefits

At 12:02 p.m., Mayor Lacher introduced discussion of insurance benefits for Town elected officials. Elected officials are eligible to enroll in Town benefits through AWC for medical coverage provided that fifty percent of the officials opt for the program and for dental coverage provided that seventy five percent of the officials opt for the program. Administrator Fitch explained that AWC offers various program and outlined the "AWC HealthFirst Plan" option. Discussion followed regarding available COBRA options, benefits offered to Port of Friday Harbor Commissioners, and the Council's ability to dissolve any benefit plan in the future if warranted.

Mayor Lacher stated concerns that offering benefits could possibly change the public perception and dynamic for running for elected positions of the Town. Mayor Lacher explained that because elected officials only receive a modest stipend for up to four meetings per month, their services are generally perceived by the candidates and public as performing a civic duty. Mayor Lacher cautioned that some may argue that those prospective public servants are running for personal benefits if Town contributes to a plan for elected officials. Discussion followed regarding fiscal impacts for the Town if elected officials opt for benefits.

### **Council consensus for the Town Administrator to acquire additional information for the "AWC HealthFirst Plan" option.**

### **PUBLIC HEARING**

#### 2011 Town Budget Amendments

At 12:25 p.m., Mayor Lacher opened the public hearing on the amendments to the 2011 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 listed as "Attachment A" to draft Ordinance No. 1465. Discussion followed regarding miscellaneous adjustments to the 2011 budget **including expenditures for the Wastewater Treatment Plant.**

At 12:26 p.m., Mayor Lacher inquired if any public input was forthcoming. Hearing none, Mayor Lacher closed the public hearing on amendments to the 2011 Town Budget. Council thanked Treasurer Picinich and Administrator Fitch for their due diligence when planning and administering the Town's finances.

#### Ordinance No. 1465

**Moved by Hushebeck, seconded by Starr, to adopt Ordinance No. 1465, amending certain beginning balances, revenue estimates, expenditure appropriations, and ending cash balances in the 2011 Budget for the Town of Friday Harbor. Motion passed 3-0 with Monin and Menjivar absent.**

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

#### Solid Waste Objectives

At 12:30 p.m., Mayor Lacher introduced discussion of revised draft solid waste goals and objectives. Administrator Fitch explained that SCS Engineers has forwarded for consideration a sample list of goals and objectives that more closely align with the

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

capital facilities and solid waste sections of the Town Comprehensive Plan. Discussion followed regarding the meaning of several listed goals including "special waste", limitations of the current services, and providing recycling depositories in the downtown core in addition to the community garbage cans located at various intersections. **Council consensus to obtain additional information for consideration.** The Town Planning Commission is scheduled to discuss the sample solid waste goals and objectives in conjunction with other amendments to the Comprehensive Plan on September 22, 2011.

### ADMINISTRATOR'S REPORT

At 12:46 p.m., Administrator Fitch presented the Town Council with an update of the following:

- AWC Risk Management Control Visit - The annual "loss control" visit is scheduled September 20<sup>th</sup>, 2011. The inspection is part of the risk management services offered through AWC. Among other things, they will inspect public record requests and other exposures.
- Wastewater Discharge - The Wastewater Treatment Plant experienced a failure of the ultra-violet disinfection treatment system and had to switch to the backup treatment system. Because of that the WWTP marginally exceeded the limit for chlorine in discharge for five days.
- Odor Control Improvement Project - The project is complete with the exception of a special piece of ductwork to be installed. The Contractor technically met the deadline for completing the project. The manufacturer is anticipated to ship the part within the next two weeks at which time the WWTP can resume drying sludge.
- Spruce Street Storm Drainage Improvement Project - The pre-construction meeting was held on August 30, 2011. Start of the project was delayed by the Contractor until September 13, 2011. The onus of maintaining the roadway through the winter and spring shifts to the Contractor if they miss their opportunity (required weather conditions) for laying asphalt. The project is now anticipated to be completed mid-October.
- Refuse Packer - Town took possession of the new refuse packer. The extra yardage makes a notable difference in efficiency. Town may use the older packer for co-mingled recycling depending the results of the Town Solid Waste Management Plan. Discussion followed regarding recyclables that Skagit County is willing to accept.
- Planning Commission - Mayor Lacher has accepted Jeff Iverson's request to be reappointment to the Town Planning Commission. A term of five years instead of six years was recommended to achieve appropriate staggering of terms because of the recently amended five member model. **Moved by Hushebeck, seconded by de Freitas, to affirm the reappointment of Jeff Iverson to the Town Planning Commission. Motion passed 3-0 with Monin and Menjivar absent.**

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Hushebeck, second by Starr, to affirm the payment of Payroll Warrant Nos. 15152 through 15175 and the August 30, 2011 direct deposit run in the amount of

## **MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011**

\$122,202.85 and approve the payment of Claim Warrant Nos. 35887 through 35936 in the amount of \$325,118.18. Motion passed 3-0 with Monin and Menjivar absent.

### **APPROVAL OF MINUTES**

Moved by de Freitas, seconded by Starr, to approve the minutes of **August 18, 2011 as submitted**. Motion passed 3-0 with Monin and Menjivar absent.

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

Mayor Lacher introduced a response letter for Council consideration regarding the SJI Agricultural Guild's request for funding for Brickworks capital improvements. It was brought to the attention of the Mayor that the Ag. Guild is in need of a definitive and immediate answer on the initial request of \$250,000 from the hotel motel excise tax reserve fund and that other funding being sought by the Ag. Guild could be contingent upon the Town's financial participation. The letter responds to the inquiry that it is the Mayor's considered opinion that the request will be denied by the Council for several critical reasons.

Councilmember Starr inquired about a recent email from a visitor who received a parking infraction. The email offered suggestions to change the current parking program. Discussion followed. Councilmember Starr volunteered to respond.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:07 p.m. The next regular meeting is scheduled for Thursday, September 1, 2011 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on September 15, 2011. 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 1, 2011 – Town Council Chambers – Evening Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 2, Noel Monin was not present.

#### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

#### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmember Monin. Council unanimously approved his absence.

#### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

#### **ANNOUNCEMENTS/SCHEDULE CHANGES**

Mayor Lacher distributed a letter to the SJI Agricultural Guild for review.

Mayor Lacher distributed information regarding healthcare benefits for elected officials. Administrator Fitch answered inquiries from the afternoon session regarding healthcare

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

benefits for elected officials including COBRA, Port of Friday Harbor Commissioners and opting out of the plan if established.

### **PUBLIC HEARING**

#### Rezone No. 62

At 5:35 p.m., Mayor Lacher opened the public hearing to consider Rezone Application No. 62 dated June 7, 2011; a request for a zoning designation change from single-family residential to professional services by Tim and Debbie Daniels. The subject property is approximately .32 acres in size and identified as Tax Parcel No. 351151069 located at 435 Tucker Avenue.

Mayor Lacher asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. There was no response to Mayor Lacher's inquiry if anyone objected to her or any Councilmember's participation in the public hearing process. Council responded in the negative to Mayor Lacher's inquiry regarding personal interest in the properties or issue. Council responded in the negative to Mayor Lacher's 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.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Mayor Lacher asked Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand entered no exhibits into the record; and described the background of the application, staff evaluation and recommendation, and applicable municipal code. 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 residential classification of the subject property on the Amended 2002 Comprehensive Plan Land Use Map; 3) the parcel meets all requirements of the non-residential zone; and 4) the proposal meets all criteria of the FHMC that are most applicable to this proposal.

Mayor Lacher asked if the proponents or their agent would like to comment. Tim Daniels, Applicant, stated that the staff recommendation is consistent with his request and that the Daniels' desire to use the small ancillary unit located on the property for vacation rental.

At 5:46 p.m., Mayor Lacher opened the public hearing to audience testimony.

Tom Westhoven, 180 Harbor Street, testified that he neighbors the property and was in favor of the rezone application.

At 5:46 p.m., Mayor Lacher asked if there was additional comments from staff or audience. Hearing none, Mayor Lacher opened Council questions. Councilmember Starr and de Freitas inquired about the long-term plans for the subject property.

At 5:49 p.m., Mayor Lacher closed the public input portion of the hearing reserving the right to reopen if needed, and opened the hearing to Council deliberation. No deliberation was heard.

**Moved by Menjivar, seconded by de Freitas, to adopt the staff report dated August 19, 2011; approve Rezone Application No. 62, a request for a zoning designation change from Single-family Residential to Professional Services; and direct staff to prepare Facts and Findings and Conclusions of Law and Decision. Motion passed 4-0 with Monin absent.**

### ACTION AND DISCUSSION ITEMS

#### Findings of Fact - Shoreline Substantial Development Permit No. 90

At 5:52 p.m., Mayor Lacher introduced discussion of adoption of Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit Application No. 90 and State Environmental Protection Act (SEPA) No. 278 by the Port of Friday Harbor to repair, replace and reconstruct portions of the Friday Harbor Marina proposed for docks C, E, and F with minor work also completed throughout other parts of the marina. Said parcel is identified as Tax Parcel No. 3511353003. Staff was directed to prepare Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit Application No. 90 per the public hearing of June 16, 2011. No discussion followed.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Moved by Hushebeck, seconded by Menjivar, to adopt Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit Application No. 90 by the Port of Friday Harbor to repair, replace and reconstruct portions of the Friday Harbor Marina proposed for docks C, E, and F with minor work also completed throughout other parts of the marina. Motion passed 4-0 with Monin absent.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### SAN JUAN COUNTY (SJC) COUNCIL UPDATE

At 5:54 p.m., Mayor Lacher 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), SJC Solid Waste Utility and SJC Critical Areas Ordinance. Mr. Rosenfeld requested that the Council consider a match contribution to other municipalities in the amount of \$2,500 to update a ferry related financial impact study (HOVEE). Discussion and inquiry followed regarding the current solid waste utility funding model. Mayor Lacher thanked Mr. Rosenfeld.

### WORK SESSION

#### Budget Planning Work Session

At 6:19 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2012 Town budget cycle. Administrator Fitch explained that the outcome of the discussion would assist administration in preparing a preliminary draft 2012 budget for consideration during the budget process and distributed the 2012 Budget Calendar prepared by Treasurer Picinich.

In addition to prioritizing essential services, Councilmembers and Mayor listed their other items as follows:

Mayor Lacher - 1) Update video and audio system in Town Council Chambers including wireless lapel microphones; 2) additional funding for sidewalk repairs; 3) increased budget for Council training including AWC labor negotiation; and 4) increased budget for legal services including labor negotiation and potential litigation.

Councilmember Monin - [Excused Absence]

Councilmember Hushebeck - 1) Examine proposed utility rate increases; and 2) review new legislation affecting excise taxes.

Councilmember Menjivar - 1) Install overhead projector and screen in Town Council Chambers.

Councilmember Starr - 1) Examine health care benefits for Town elected officials.

Councilmember de Freitas - 1) Examine proposed utility rate increases.

In general, the Council concurred with each others funding priorities. Discussion and inquiry followed regarding Town contribution for health care benefits.

Mayor Lacher suggested that Council plan for additional budget requests from outside agencies. Administrator Fitch noted that also in the 2012 Budget are line items providing for public works related projects such as annual GAC filter recharging at the Water Treatment Plant and that the Town has a contractual arrangement with employees to provide for a minimum 2.5% COLA for 2012.

No action was taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### FUTURE AND NON-AGENDA ITEMS

Administrator Fitch requested that the Lodging Tax Advisory Committee bring forward the recommendation for disposition of the 1<sup>st</sup> 2% hotel motel excise tax. Councilmember Hushebeck stated that the LTAC will meet on September 8<sup>th</sup>, 2011. Mayor Lacher invited the LTAC for a joint meeting if needed.

Administrator Fitch noted that the correspondence from the visitor that received a parking ticket is not unusual and maps that depict the parking areas are widely available to visitors.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:57 p.m. The next regular meeting is scheduled for Thursday, September 15, 2011 at 12:00 p.m.

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These minutes were approved on September 15, 2011. 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 15, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Treasurer, Wendy Picinich was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ANNOUNCEMENTS/SCHEDULE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

Fred Schaller, Cannery Village Condo Association President, stated that the Association has become alarmed at the amount of erosion that is occurring at the Cannery Village Condominiums, specifically in front of Building A located beneath Warbass Way, caused by suspected storm water drainage under the parking lot that fronts the area. In their geotechnical report, Western Geotechnical Consultants, Inc. has recommended that excavating the ditch on Warbass Way to bedrock and installing a cut-off trench would drastically reduce the amount of seepage the Condominiums are receiving. Mr. Schaller requested that the Town consult with the Association regarding what steps could be taken to stop the erosion.

### ACTION AND DISCUSSION ITEMS

#### SJC Economic Development Council (EDC)

At 12:05 p.m., Mayor Lacher introduced Victoria Compton, EDC Executive Director, to present the 2011 Annual report. Ms. Compton thanked the Town for its continued support and summarized the Annual Report; which included 2011 accomplishments to date, 2012 objectives and goals, and scope of work for the 2011 contractual period. Jim Hooper, EDC President, reported on continued efforts to improve business support, broadband and transportation. Ms. Compton requested that the Council continue its support of the EDC in the amount of \$10,000 for 2012. Discussion and inquiry followed regarding goals and objectives for 2012. No action was taken. Mayor Lacher and Council thanked Ms. Compton.

#### Presentation - SJI Chamber of Commerce

At 12:19 p.m., Mayor Lacher introduced Tom Kirschner, SJI Chamber Executive Director, to present a request for financial support in the amount of \$15,000 to staff the Visitor's Information Center for 2012. Mr. Kirschner summarized the Chamber's visitor statistics, staffing, programs, membership, funding and events to date. Discussion and inquiry followed regarding the Chamber's Visitors Information Pamphlet. No action was taken. Mayor Lacher and Council thanked Mr. Kirschner.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Budget Request - Ferry Related Financial Impact Study

At 12:31 p.m., Mayor Lacher introduced discussion of the request to participate jointly in a ferry related financial impact study. The Economic Development Association of Skagit County retained E.D. Hovee & Company, LLC. to provide an economic benefit assessment of the Anacortes to Sidney, B.C. ferry route in July 2007. San Juan County, Skagit County and Anacortes have requested that Town participate in updating said report in the amount of \$500. The updated report will include San Juan Islands sailings. Discussion followed regarding purpose and use of the report.

**Moved by de Freitas, seconded by Starr, to approve the expenditure of \$500 to participate in updating the financial impact study by Ed Hovee & Company dated July 18, 2007. Motion passed unanimously.**

### Resolution No. 1868

At 12:39 p.m., Mayor Lacher introduced draft Resolution No. 1868, accepting the bill of sale from Ten Cubed, LLC. for certain improvements to the Town water system. Administrator Fitch stated that Ten Cubed, LLC installed thirty three lineal feet of water main in the public right of way located at 305 Blair Avenue for future fire suppression if needed and desires to gift the improvements in accordance with the approved extension policy. No discussion followed.

**Moved by Menjivar, seconded by de Freitas, to adopt Resolution No. 1868, accepting the bill of sale from Ten Cubed, LLC. for certain improvements to the Town water system. Motion passed unanimously.**

### Ordinance No. 1467

At 12:41 p.m., Mayor Lacher introduced draft Ordinance No. 1467, amending Ordinance No. 945 and Chapter 10.04 of the Friday Harbor Municipal Code concerning speed reduction. Said Ordinance was withdrawn.

## **ADMINISTRATOR'S REPORT**

At 12:54 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Solid Waste Management Plan - "Special Waste" was defined as those materials that require or are chosen for special handling and precautions prior to recycling and/or disposal. They often are subject to special programs including electronics, dead animals, waste dirt, used oil, construction debris, yard waste, etc.
- Odor Control Improvement Project - The initial startup of the odor control improvements did not render the desired results. The staff reported that the sludge dryer continued to emit foul odor. The staff and engineer speculate that factors such as condensation and the sludge dryer being off-line for a year may be attributing to the problem and are researching solutions. Modifications may include rerouting the ducting through the carbon filter prior to the bio-filter to provide extra scrubbing of the air.
- Department of Emergency Management (DEM) - DEM has contacted the Town to inquire about possibly leasing the training officer and/or fire chief office space located in the Town Fire Station. Discussion followed regarding rental rates.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### **Council consensus to discuss a possible lease with the Department of Emergency Management.**

- Friday Harbor Landfill - Town received a letter dated September 12, 2011 from San Juan County notifying Town of their intent to renew the lease for the Friday Harbor Landfill located on Sutton Road. The letter further indicates the County's openness to revisions to the lease that would address other issues including reduced tipping fee, market rate payment for lease and proper environmental risk responsibility for each agency.

### **PAYMENT OF CLAIMS**

Moved by Monin second by Menjivar to and approve the payment of Claim Warrant Nos. 35937 through 35974 in the amount of \$198,010.30. Motion passed unanimously.

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

Mayor Lacher announced that Town received a certificate of achievement from the National League of Cities congratulating the Town on achieving its WellCity Award through the Association of Washington Cities.

Mayor Lacher wished Matt Shildneck, Planning Commission and Historical Preservation Review Board member, a speedy recovery from his recent medical issues.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:07 p.m. The next regular meeting is scheduled for Thursday, September 15, 2011 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on October 6, 2011. 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 15, 2011 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Treasurer, Wendy Picinich, was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

Mayor Lacher announced that an Executive Session was scheduled to discuss potential litigation.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **APPROVAL OF MINUTES**

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **September 1, 2011 as submitted**. Motion passed 3-0 with Monin and Menjivar absent.

### **ACTION AND DISCUSSION ITEMS**

#### Findings of Fact - Rezone Application No. 63

At 5:33 p.m., Mayor Lacher introduced discussion of adoption of Findings of Fact, Conclusions of Law and Decision regarding Rezone Application No. 62 by Tim and Debbie Daniels to rezone real property located at 435 Tucker Avenue currently zoned Single-family Residential to Professional Services. Said parcel is identified as Tax Parcel No. 35151069. Staff was directed to prepare Findings of Fact, Conclusions of Law and Decision regarding Rezone Application No. 62 per the public hearing of September 1, 2011. No discussion or inquiry followed.

**Moved by de Freitas, seconded by Starr, to adopt Findings of Fact, Conclusions of Law and Decision regarding Rezone Application No. 62 by Tim and Debbie Daniels to rezone real property located at 435 Tucker Avenue to Professional Services zone. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Ordinance No. 1466

At 5:37 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1466, rezoning Lot 36 of Gould's 2nd Acre Addition to Friday Harbor [Tax Parcel No. 35151069] located at 435 Tucker Avenue, Friday Harbor, San Juan County, Washington. No discussion or inquiry followed.

**Moved by Hushebeck, seconded by Menjivar, to adopt Ordinance No. 1466, rezoning Lot 36 of Gould's 2nd Acre Addition to FH [Tax Parcel No. 35151069] located at 435 Tucker Avenue, Friday Harbor, San Juan County, Washington. Motion passed unanimously.**

### **WORK SESSION**

#### Budget Planning Work Session

At 5:38 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2012 Town budget cycle. Mayor Lacher noted that no formal action was anticipated. Items for discussion included healthcare benefits for elected officials and requests by the SJI Chamber of Commerce and Economic Development Council for budgetary support. Discussion followed regarding the scope of work for each entity in addition to prioritizing other essential services as follows:

1.) SJI Chamber of Commerce - The Council commented that the Chamber was providing a necessary service for visitors and acknowledged that adequate staffing of the Visitors Center is an ongoing issue.

**Council consensus to include the request by the SJI Chamber of Commerce in the amount of \$15,000 in the preliminary budget for consideration.**

2.) SJC Economic Development Council - The Council commented that the business community benefits from the general services provided by the EDC.

**Council consensus to include the request by the Economic Development Council in the amount of \$10,000 in the preliminary budget for consideration.**

3.) Healthcare Benefits for Elected Officials - Mayor Lacher commented that the topic was worthy of discussion regardless of whether the Council opts for benefits. Councilmember Monin and Menjivar commented that while they already have full benefit packages through their employers, they recognize that the Council works largely in the volunteer capacity and would appreciate further discussion on this topic. Councilmember Starr commented that Councilmembers could be considered Town employees and it may be an appropriate action if the budget can withstand absorbing the costs for benefits. Mayor Lacher requested a definition of what the "budget could withstand" and cautioned that the Council will have to defend its actions, including putting other necessary projects on hold. Councilmember de Freitas commented from an employer standpoint that the discussion of healthcare benefits is a complicated and emotionally charged issue and that further discussion is warranted. Discussion followed regarding increasing the Council stipend in lieu of opting for health care benefits. Administrator Fitch referred the Council to AWC's website to research various healthcare programs and potential costs. **No action was taken.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

4.) Increase of Town insurance premiums - Administrator Fitch noted that Town can expect increases in premiums and wages for 2012, including approximately 12% increase for Labor and Industry insurance, 4% increase for liability and property insurance, 11% increase for employee healthcare insurance, and that by contract a minimum 2.5% increase for cost of living adjustments for represented employees.

5.) Other requests - In addition to several department requests including various street and sidewalk repairs, equipment, and training, Administration recommends that Council increase the budget for legal services, and travel/training. A new item for the water utility will be replacement of the GAC system filters.

6.) Utility Rate Increases - Council discussed the recommended schedule for utility rate increases in the adopted **2008 Water, Sewer and Stormwater Utility Rate Study** and revenue needed for a healthy capital replacement program. Due to the local economy, the Council froze the recommended utility rate increases for 2009, implemented half of the recommended 2009 rate increase in year 2010, and froze the recommended utility rate increase for 2011.

**Council consensus to implement the second half of the 2010 utility rate recommendations contained in the adopted 2008 Water, Sewer and Stormwater Utility Rate Study for year 2012.**

7.) Miscellaneous - Councilmember Monin inquired if Town had the necessary funding, perhaps through an Interfund load, to retire the loan through KeyBank Corporation for the Fire Engine No. 11. Councilmember Monin suggested that the scheduled interest paid to the bank in the amount of approximately \$4,000 per month may be better served as interest paid to one of Town's capital reserves. [Treasurer's Note: Interest amounts to \$1,600 per month.]

Mayor Lacher concluded the budget work session. No formal action was taken.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:38 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on Washington State Ferries (WSF) issues. No discussion followed.

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

Administrator Fitch stated that the Notice to Proceed was issued for the Spruce Street Storm Drainage Project.

Councilmember Starr requested that the Council issue a letter of support for the SJI Ag. Guild for the Brickworks Project (permanent farmers market). The Guild is seeking funding from the SJI Community Foundation for capital improvements. Discussion followed regarding the use of hotel motel excise taxes.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### EXECUTIVE SESSION

At 6:50 p.m., Mayor Lacher announced that the Council would be holding an executive session regarding potential litigation in accordance with the provisions of RCW 42.30.110(1)(i); which was estimated to last 45 minutes. Participants: Town Council, Mayor Lacher, Administrator Fitch, and Attorney Cunningham. The session ended at 7:35 p.m. for an actual session time of 45 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:36 p.m. The next regular meeting is scheduled for Thursday, October 6, 2011 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on October 6, 2011. 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 6, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar, was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Mayor Lacher announced that Utilities Superintendent, Mike Wilks will have been working with the Town thirty five years as of September 16, 2011. Mayor Lacher thanked Mr. Wilks for his years of service to the Town.

### **PUBLIC ACCESS TIME**

Richard Petersen, 475 Greenway, thanked the Council for authorizing the Spruce Street Storm Drainage Project and requested that the Council connect the concrete block retainage wall located at 525 Alder Court. Currently the concrete block retainage wall jogs where it abuts to an existing railroad tie retainage wall, then continues again after the railroad ties. Mr. Petersen also requested that the Council consider asking the citizens of Friday Harbor to support a property tax levy of \$.05 dedicated to the Street Utility for street maintenance and repair.

Lee Sturdivant, 745A Larson Street, spoke in favor of health care benefits for Town elected officials.

### **DEPARTMENT REPORTS**

#### Sheriff

At 12:09 p.m., SJC Sheriff, Rob Nou, distributed a third quarter report and provided an update on recent activity of the Sheriff's Department. Sheriff Nou requested that the Council let him know if there are other items of interest that should be reported quarterly. Councilmember Starr requested that Sheriff Nou begin providing updates on any "crime trends" that are being seen in Town. The Mayor and Council thanked Sheriff Nou.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Department of Emergency Management

At 12:19 p.m., Department of Emergency Management (DEM) Director, Brendan Cowan, (in lieu of a formal report) requested that the Council consider leasing the currently vacant training officer space in the fire station to DEM. Mr. Cowan listed the practical and political reasons of why the arrangement would be beneficial to both DEM and the Town. Discussion and inquiry followed regarding fair market value and length of lease, and current use of the Station. Administrator Fitch stated that at this time, Town staff nor Fire District #3 has any opposition to the proposal. **Council consensus for staff to develop a proposal for consideration.**

### System Administration

At 12:25 p.m., System Administrator, Steven Dubail, distributed a third quarter department report for year 2011. Mr. Dubail reported on email retention, system maintenance and security, fifth grade fieldtrips, **reporting systems for the Wastewater Treatment Plant** and traffic counts. Discussion followed regarding security. Mayor Lacher thanked Mr. Dubail.

### Community Development

At 12:34 p.m., Land Use Administrator, Mike Bertrand, distributed a compilation of building permits issued in year 2011. To date, approximately \$206,000 was collected in building permit fees for the year. Mr. Bertrand reported on planning review of the Shoreline Master Plan, progress of the PeaceHealth project, and upcoming public hearings. No discussion or inquiry followed. Mayor Lacher thanked Mr. Bertrand.

### Historic Preservation

At 12:37 p.m., Historic Preservation (HP) Coordinator, Sandy Strehlou, distributed a third quarter department report for year 2011. Ms. Strehlou reported on local events, HP ordinance changes, board members, website, and walking tours. Discussion followed regarding qualifications for board members. The Mayor thanked Ms. Strehlou.

### Utilities

At 12:41 p.m., Utilities Superintendent, Mike Wilks, reported on the water level of Trout Lake, **Granulated Activated Carbon filtration project at the Water Treatment Plant**, **odor control improvements at the Wastewater Treatment Plant**, upcoming equipment surplus sale, maintenance by volunteers of Sunken Park, and "Touch-A-Truck" event. Discussion followed regarding prolonging the use of the flower hanging baskets and snowflake street lighting. Mayor Lacher and Council thanked Mr. Wilks.

## **ACTION AND DISCUSSION ITEMS**

### Friday Harbor Landfill - Lease Renewal

At 12:51 p.m., Mayor Lacher introduced discussion of the letter of intent dated September 12, 2011 by San Juan County to renew its lease for a portion of the FH Landfill property located on Sutton Road. Administrator Fitch explained that the current lease agreement contains a provision for renewing the lease for twenty years at the option of the County. As was reported by SJC Councilmember Rosenfeld on September 1, 2011, it is the County's intent to use a portion of the site whether the upcoming vote on the unincorporated properties per-parcel user charge is approved or fails in the November 8<sup>th</sup> election. Administrator Fitch noted that a second private waste

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

management company has requested to meet with the Town to discuss potential private sector use of the Town's property; and to address potential benefits to Town and other issues for use of the Town property. Administrator Fitch introduced SJC County Administrator Pete Rose to present the County's proposal.

Mr. Rose explained that use of the site is necessary if the ballot measure is approved. Should the parcel user charge fail, it is the County's intent to make a portion of the leased area available for "drop off" refuse and recycling service. This would entail self-haulers depositing refuse directly into staged packer vehicles. Following adoption of the SJC Solid & Hazardous Waste Management Plan, it is likely that some portion of the site may continue to be used for periodic household and business hazardous waste collection round-ups. Recycling options would remain open to Town residents. Mr. Rose noted that while not optimal for the Town, this use of the site would leave the Town and its citizens no worse off than they are today.

Mr. Rose explained that the County desires to eliminate other issues that represent challenges between the Town and County. The County is open to revisions to the arrangement including: a tipping fee that assures the Town is not contributing to the Orcas landfill legacy costs; market rate payment for leased land; provisions for "quiet enjoyment" of Town operations on the site; and proper environmental risk responsibility for each agency.

Administrator Fitch inquired if the County envisions use of the "shelf" area located on the west side of the Landfill. Mr. Rose stated that the County does not anticipate use and would vacate the area, however, would appreciate flexibility to the proposed future additions to the leased area so long as they don't interfere with existing Town and County operations. Mr. Rose clarified that use of the easement/drop-off area would still be needed for access to the hazardous waste area and possibly storage.

Mayor Lacher inquired if the lease would assume Town's participation in the County disposal system. Mr. Rose answered that the provision for "fair market payment" does not assume that the Town would participate in the system; however the County desires to draw the Town back to tipping refuse at the site. Administrator Fitch clarified that Town participation in the system would be by separate agreement.

Administrator Fitch acknowledged that the timing of request is awkward yet understandable. The Town Council decided in December 2010 to delay action to resume negotiations with the County pending the results and adoption of the Town Solid Waste Management Plan. However, a number of County assumptions are predicated on continued use of the site beyond 2014. Attorney Cunningham explained that from a legal perspective the Council is unprepared to make an educated determination for use and lease of the site due to several unknown variables.

Councilmember Monin requested an update regarding the County's environmental compliance issues at the site. Mr. Rose stated that County funds have been budgeted to cover the tipping floor and treat stormwater run-off.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Administrator Fitch inquired if the site will be classified as a transfer station if the County stages packer vehicles as stated above. Mr. Rose stated that the County is working through those issues.

Administrator Fitch inquired about long term planning and siting of a SJI Solid Waste facility. Mr. Rose stated that the County owned site (Sundstrom Property) is now properly zoned and the long-term siting depends on the County's updated Solid & Hazardous Waste Management Plan. Discussion followed regarding the Utility's funding.

Mayor Lacher thanked Mr. Rose for the letter of intent and explained that it would be difficult for the Town to come to a decision before January 2012. Councilmembers concurred and added that election results and viable financial data would be beneficial for further negotiations. **Council consensus to postpone discussion until after the November 8<sup>th</sup>, 2011 General Election.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Brickworks Project (Permanent Farmers Market)

At 1:20 p.m., Mayor Lacher introduced discussion of a draft letter of support for a grant funding application for the SJI Agricultural Guild's Brickworks Project (Permanent Farmers Market). Councilmember Starr explained that funding being sought by the guild may be influenced by Town's financial or other participation such as said letter. Mayor Lacher suggested revisions to the letter. **Council consensus to sign said letter of support for a grant funding application for the SJI Agricultural Guild's Brickworks Project (Permanent Farmers Market).**

### **ADMINISTRATOR'S REPORT**

At 1:24 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Odor Control Improvements - Mr. Wilks requested that Cypress trees be planted on the south edge of the lot adjacent to the Wastewater Treatment Plant to aid in screening the new improvements.
- Warbass Way - Cannery Landing - Mr. Wilks reported that Gray & Osborne Engineering researched a catch basin design to address the concerns brought up by the Cannery Village Condo Association regarding stormwater runoff from Warbass Way. Administrator Fitch explained that it is sometimes difficult to solve stormwater complains, as in the case of Linder and Nelson Street, unless private property owners are willing to acquiesce and grant Town easements to properly place catch basins and drainage pipe.
- Spruce Street Storm Drainage Project - Connecting the concrete block retainage walls and eliminating the railroad tie retainage wall located at 525 Alder Court will cost approximately \$7,000 for materials (without labor) for 236 square feet of material. Discussion followed regarding aesthetics, reasons for the design and cost of the project. **Council consensus to discuss as a future agenda item.**

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

Moved by Monin, second by Starr, to affirm the payment of Payroll Warrant Nos. 15176 through 15201 and the September 30, 2011 Direct Deposit in the amount of \$217,449.54 and approve the payment of Claim Warrant Nos. 35975 through 36038 in the amount of \$194,968.24. Motion passed 5-0 with Menjivar absent.

### **APPROVAL OF MINUTES**

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **September 15, 2011 as submitted.** Motion passed 5-0 with Menjivar absent.

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

Mayor Lacher noted that the Council was invited to attend the 5<sup>th</sup> grade fieldtrips to the Water Treatment Facility, Trout Lake Reservoir, and Water Treatment Facility.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:45 p.m. The next regular meeting is scheduled for Thursday, October 6, 2011 p.m.

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**These minutes were approved on October 20, 2011. 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 6, 2011 – Town Council Chambers – Evening Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Councilmember Noel Monin, Position No. 2, was not present.

#### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

#### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmember Monin. Council unanimously approved his absence.

#### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

#### **PUBLIC HEARINGS**

##### Variance Application No. 27

At 5:35 p.m., Mayor Lacher opened the public hearing to consider Variance Application No. 27 dated June 29, 2011; a request for a variance to the adopted Town of Friday Harbor Street & Storm Drainage Standards in portions of Spring Street by PeaceHealth Peace Island Medical Center. The subject property is approximately five acres in size in the light industrial zone and identified as Tax Parcel Nos. 351491801 & 351491802

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

located at 1009 & 1049 Spring Street. The Applicant submitted an application requesting a variance to allow 1) the existing drainage ditch and rain gardens in lieu of a piped stormwater system, and 2) provide an accessible crushed rock sidewalk in lieu of concrete.

Mayor Lacher asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. There was no response to Mayor Lacher's inquiry if anyone objected to her or any Councilmember's participation in the public hearing process. Council responded in the negative to Mayor Lacher's inquiry regarding personal interest in the properties or issue. Council responded in the negative to Mayor Lacher's 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 Lacher asked Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand entered Exhibit A, email revising the Applicant's original variance proposal by reducing the number of rain gardens and withdrawing their request to install crushed rock sidewalks in lieu of concrete, into the record; and described the background of the application, staff evaluation and recommendation, and applicable municipal code. Staff evaluation and recommendation is that the Town Council approve the revised application with the following conditions: 1) an agreement be made with PeaceHealth for the maintenance and liability of the rain gardens; 2) all of the rain garden filtration take place in the area in front of the proposed EMS facility; 3) impose reasonable conditions to insure that the variance, if granted, will meet the criteria set forth in FHMC Chapter 17.84; and 4) such bonds or other security devices as may be reasonably necessary to insure continued compliance with the conditions of the variance. Attorney Cunningham stated that the Council should eventually adopt ordinances to recognize low impact development standards.

Mayor Lacher asked if the proponents or their agent would like to comment. Jim Barnhart, Agent, stated that the staff recommendation is consistent with PeaceHealth's revised request.

At 5:43 p.m., Mayor Lacher opened the public hearing to audience testimony. Hearing none, Mayor Lacher asked if there was additional comment from staff. Hearing none, Mayor Lacher opened the hearing to Council questions. Councilmember Menjivar inquired about the location of the rain gardens. Councilmember Hushebeck inquired about why PeaceHealth opted to not install alternate sidewalk materials.

At 5:47 p.m., Mayor Lacher closed the public input portion of the hearing, reserving the right to reopen if needed, and opened the hearing to Council deliberation. No deliberation was heard.

**Moved by Menjivar, seconded by Starr, to adopt the staff report dated September 28, 2011 with modifications; approve revised Variance Application No. 27, a request for a variance to the adopted Town of Friday Harbor Street & Storm Drainage Standards in portions of Spring Street; and direct staff to**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

prepare Facts and Findings and Conclusions of Law and Decision for consideration. Motion passed 4-0 with Monin absent.

### WORK SESSION

#### Budget Planning Work Session

At 5:50 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2012 Town budget cycle and invited Sheriff Nou to present the costs for annual law enforcement services. Mayor Lacher noted that no formal action was anticipated. Other items for discussion included healthcare benefits for elected officials and funding for the street utility. Treasurer Picinich distributed a preliminary draft document dated October 1, 2011. Discussion and inquiry followed regarding line items and fiscal priorities of interest as follows:

- 1.) Law Enforcement Services - Sheriff Nou requested that Town's proportion for annual law enforcement services for 2012 be \$268,000. Like the Town, the Sheriff's Department has experienced annual increases in personnel costs, employee benefits and liability insurance. Costs associated with animal control for dangerous and potentially dangerous dogs shall remain the same as 2011.
- 2.) Healthcare Benefits - Mayor Lacher requested that Council discuss and eventually vote on the issue of providing healthcare benefits for elected officials prior to adoption of the budget. Mayor Lacher explained that other municipalities have voted against adoption of their total budget due to disagreement with specific budget line items rather than the document as a whole. Discussion followed regarding raising the stipends for meetings and that providing an option for healthcare may be appropriate but implementation untimely. **Council consensus to discuss raising the stipend for meeting attendance.** The issue will be added to a future agenda.
- 3.) Street Utility - Council noted the need to develop a sustainable funding source for the street utility. No action was taken.
- 4.) Preliminary Budget - Council reviewed revenue and expenditures for the Current Fund. No action was taken. Administrator Fitch requested that Council review the Budget prior to the next work session and forward any questions they may have.

### SAN JUAN COUNTY (SJC) COUNCIL UPDATE

At 6:47 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the SJC Solid Waste Utility and Washington State Ferries (WSF) issues including the recent request for funding, "Connecting Washington" campaign and upcoming meetings. Discussion followed regarding the upcoming ballot measure for SJC Solid Waste Utility user fees.

### FUTURE AND NON-AGENDA ITEMS

There were no future agenda items were forthcoming.

### CITIZEN RESPONSE

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:28 p.m. The next regular meeting is scheduled for Thursday, October 20, 2011 at 12:00 p.m.

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These minutes were approved on October 20, 2011. 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 20, 2011 – Town Council Chambers – Afternoon Session**

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar was not present.

#### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

#### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

#### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

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

##### Committee Reports

At 12:02 p.m., updates on various regulated boards and committees were presented as follows:

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

SJC Marine Resources Committee (MRC) - Citizen Krieger - Reported that the rain garden at the corner of Spring and First Street appears to be functioning properly. The interpretive sign still needs to be installed. The general public seems to accept the placement of the garden now that the plants have established themselves. No discussion followed. Mayor Lacher thanked Mr. Krieger.

SJC Solid Waste Advisory Committee (SWAC) - Councilmember Monin - The Committee opposes the upcoming vote on November 8th for the unincorporated properties per-parcel user charge and instead endorses "Plan B".

SJC Board of Health (BOH) - Councilmember Starr - The Committee is in the process of reviewing information on local wells regarding contamination. To date nine cases of pertussis have been identified in the County. Due to the high risk of contagion, vaccinations are recommended .

SJC Housing Bank Commission (HB) - Councilmember de Freitas - No current events to report. The Commission is seeking a replacement for the Affordable Housing Coordinator position.

Lodging Tax Advisory Committee (LTAC) - Councilmember Hushebeck - The Committee has finalized its recommendations for the second two percent (2%) Hotel Motel Tax Grant funding for year 2012; and continues to discuss recommendations for the first two percent Hotel Motel excise tax.

### 2011 Hotel Motel Tax Disbursements

At 12:11 p.m., Mayor Lacher introduced discussion regarding the Lodging Tax Advisory Committee (LTAC) recommendation for disbursement of the second two percent (2%) Hotel Motel Tax Grant funding for year 2012. Councilmember de Freitas disclosed that she is a voting member of the Visitors Bureau Board of Directors. Councilmember Hushebeck and Starr described the process that the LTAC used for their determination and recommended that the Council approve the LTAC's recommendation for the distribution of \$110,000 from said fund.

**Moved by Monin, second by Hushebeck, to approve the recommendation of the Lodging Tax Advisory Committee dated October 5, 2011 for the disbursement of \$110,000 for the year 2012 as follows:**

- SJI Chamber of Commerce - \$16,792
- SJI Visitors Bureau - \$87,217
- SJ Historical Museum - \$1,189
- Whale Museum - \$3,102
- Skagit Valley College - \$576
- Art Studio Tour - \$1,126

**Motion passed 3-0 with de Freitas abstaining and Menjivar absent.**

### Budget Request - Community Development

At 12:29 p.m., Mayor Lacher introduced Land Use Administrator, Mike Bertrand, to present budget requests for a project management and tracking software system named

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

"SmartGov Community" by Paladin Data Systems; and funding for the Historical Preservation Recording Secretary.

Mr. Bertrand explained that Town received a demonstration for SmartGov software. Set-up and operation cost for one to five licenses for the initial year is \$23,980 and \$12,000 for subsequent years. Discussion and inquiry followed regarding the internal use and capabilities of the software.

The Historic Preservation Department is requesting that \$2,300 be added to the 2012 budget for recording services provided by contract services. No discussion followed.

No action was taken. Mayor Lacher thanked Mr. Bertrand.

### Resolution No. 1870

At 12:48 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1870, authorizing Change Order No. 3 on the contract with Mike Carlson Enterprises, Inc. for the Odor Control Improvement Project at the Wastewater Treatment Plant. Administrator Fitch explained that the Change Order has an additive value of \$6,280 for additional landscaping and retainage wall, bio-filter demolition and other cost efficiencies. No discussion followed. Administrator Fitch noted that two more minor change proposal requests are anticipated in addition to the request for Cypress trees to be planted on the south edge of the lot adjacent to the Wastewater Treatment Plant to aid in screening the new improvements.

**Moved by Starr, seconded by de Freitas, to adopt Resolution No. 1870, authorizing the Mayor to execute Change Order No. 3 on the contract with Mike Carlson enterprises, Inc. for the Odor Control Improvement Project at the Wastewater Treatment Plant. Motion passed 4-0 with Menjivar absent.**

### Resolution No. 1869

At 12:52 p.m., Mayor Lacher introduced draft Resolution No. 1869, authorizing the Mayor to offer for public sale such used vehicles and equipment deemed surplus. Administrator Fitch explained the process for deeming items surplus. A date for sealed bids for surplus equipment is scheduled for November 16, 2011 at 2:00 p.m. Discussion followed regarding surplus of Engine No. 6. Administrator Fitch noted that Councilmembers are prohibited from bidding on surplus items.

**Moved by Monin, seconded by Hushebeck, to adopt Resolution No. 1869, authorizing the Mayor to offer for public sale such used vehicles and equipment deemed surplus. Motion passed 4-0 with Menjivar absent.**

### **ADMINISTRATOR'S REPORT**

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

- Landfill Lease - A copy of the Town's response letter was distributed regarding the County's intent to renew its lease at Friday Harbor Landfill.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

- SJC Resolution No. 43-2011 - The County has adopted a resolution summarizing the anticipated changes to the San Juan County Solid Waste System pending the vote on the per-parcel user charge.
- Property & Liability Insurance Premiums - The Town's premiums for 2012 have decreased by 4.3%.
- Trihalomethane (THM) Levels - THM levels for the 3<sup>rd</sup> quarter measure 24.2 ug/L for a 12-month average of 41.3 ug/L.
- Harbor View Apartments - The owners of Harbor View Apartments have notified the Town, in accordance with RCW 59.28, of their intent to prepay their USDA/Rural Housing federally funded loan. If approved, the earliest date the owners would payoff the loan is November 1, 2012. Currently, the Apartments provide 20 federally assisted affordable housing units. Councilmember Starr requested that the Town draft a letter to the owners urging them to remain "permanently affordable". The Council concurred.
- Town Fire Station - The FH Firefighters Association have agreed to vacate the Town Fire Station by November 1, 2011. Town will renovate the upstairs office area with new paint and carpet. A lease rate of \$190 per month has been negotiated with San Juan County Department of Emergency Management for use of the currently vacant training officer space in the fire station.
- Spruce Street Storm Drainage Project - The Engineer estimates that the project is 40% complete in financial terms. Another layer of base and top course rock needs to be spread before asphalting. The Engineer estimated that the project is \$7,000 under the bid amount. Requests have been received from the neighborhood to 1) asphalt the pedestrian pathway behind the curb, currently scheduled to be graveled, estimated to cost \$6,000; 2) connect the concrete block retainage wall located at 525 Alder Court estimated to cost \$11,000; and 3) extend curb and gutter on Rose Lane approximately one hundred feet estimated to cost \$10,000. Town has already placed additional drainage on Greenway. Staff recommendation is to determine what the current scope of work is costing before considering the additional requests. If the current scope of work for the project is completed under budget, staff recommends a change order for asphalt of the pedestrian pathway. Currently, asphalt of the roadway is scheduled for October 28<sup>th</sup>. Discussion followed regarding the requests, mobilization costs, weather conditions, and pedestrian safety. No action was taken.
- Town Yardwaste Program - Town received a service request from a non-residential property for the yardwaste program. The current program only provides for residential properties. Discussion followed regarding why non-residential properties are not included in the current program. **Council consensus to examine as a component of the Town Solid Waste Management Plan.**
- Town Fee Schedule - A revised fee schedule was distributed for review. Clerk Taylor explained that revisions were made to address distribution of electronic documents as public records. **Moved by de Freitas, seconded by Starr, to approve the Town Fee Schedule for Applications, Services and Publications dated October 20, 2011. Motion passed 4-0 with Menjivar absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

- Miscellaneous documents - A revised zoning map was distributed for the Friday Harbor Municipal Code books.

### PAYMENT OF CLAIMS

Moved by Starr, second by Monin, to approve the payment of Claim Warrant Nos. 36039 through 36102 in the amount of \$214,916.03. Motion passed 4-0 with de Freitas abstaining Claim Warrant No. 36081.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **October 6, 2011 afternoon session as submitted**. Motion passed 4-0 with Menjivar absent.

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **October 6, 2011 evening session as submitted**. Motion passed 3-0 with Monin abstained and Menjivar absent.

### FUTURE AND NON-AGENDA ITEMS

Administrator Fitch noted that one claim will be added to the annual risk insurance analysis for the Town. A claim for a pedestrian "trip and fall" on the corner of Spring Street and Argyle Avenue is anticipated.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:26 p.m. The next regular meeting is scheduled for Thursday, October 20, 2011 at 5:30 p.m.

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**These minutes were approved on November 3, 2011. 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 20, 2011 – Town Council Chambers – Evening Session

### CALL TO ORDER

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

### ROLL CALL

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### **ANNOUNCEMENTS**

Mayor Lacher announced that SJC Councilmember Howard "Howie" Rosenfeld was unavailable to provide an update.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Findings of Fact - Variance Application No. 27

At 5:31 p.m., Mayor Lacher introduced discussion of adoption of Findings of Fact, Conclusions of Law and Decision regarding Variance Application No. 27 by PeaceHealth Peace Island Medical Center to the adopted Town of Friday Harbor Street & Storm Drainage Standards to install rain gardens in the public right of way located at 1009 & 1049 Spring Street. Said parcels are identified as Tax Parcel Nos. 351491801 & 351491802. Staff was directed to prepare Findings of Fact, Conclusions of Law and Decision regarding Variance Application No. 27 per the public hearing of October 6, 2011. No discussion or inquiry followed.

**Moved by de Freitas, seconded by Hushebeck, to adopt Findings of Fact, Conclusions of Law and Decision regarding Variance Application No. 27 by PeaceHealth Peace Island Medical Center to the adopted Town of Friday Harbor Street & Storm Drainage Standards to install rain gardens in the public right of way located at 1009 & 1049 Spring Street. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 5:34 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2012 Town budget cycle. Mayor Lacher noted that no formal action was anticipated. Items for discussion included revenues, meeting stipend for elected officials and requests by Town departments support as follows:

- 1.) SmartGov - Councilmember Starr and Hushebeck expressed concerns regarding purchase of a "subscription" for use of the SmartGov service rather than software that the Town owns. Councilmember de Freitas stated that Town should remain cautious in spending, especially since next years costs are unknown with new administration; and that the cost benefits of this product are unknown. Councilmember Monin stated that he would rather the Council consider hiring additional personnel rather than the annual subscription if the purpose of acquiring the product is to support currently unmet planning and zoning needs of the Department. Mayor Lacher suggested that the Council allocate \$15,000 (or other appropriate amount) to begin addressing Community Development Department needs in June with the new Town Administrator. **Council consensus to address Community Development Department's planning and zoning needs in June 2012.**
- 2.) Historical Preservation Department - Recording Secretary Services - Mayor Lacher explained that that the funding was eliminated during the previous budget cycle. The Council discussed the need for support staff and concurred that the request for recording services is reasonable, however Town would be better served by allowing a Town employee the opportunity for extra hours. **Council consensus to provide recording services by Town staff, provided that staff is available and in-house services are more economical.** Treasurer Picinich offered staff support from the Utilities Clerk if she is agreeable.
- 3.) Salary/stipend for elected officials - Council discussed increasing the meeting stipend for elected officials in lieu of providing healthcare benefits. Discussion followed regarding the disconnection between the current stipend and the volume of work that Town elected officials perform. **Council consensus to draft an ordinance for consideration to provide a modest increase to the current stipend.**
- 4.) Liquor Excise Tax Revenues - Councilmember Monin inquired if Council saw benefit in increasing the contribution of Liquor Excise Tax Revenues for countywide community outreach programs. Treasurer Picinich explained how the revenues are distributed. Treasurer Picinich noted that the use of the revenues may change if certain liquor related initiatives are adopted in the November election.
- 5.) Fire Station Renovations - Councilmember Monin suggested that Town begin a fund for capital improvements for the Fire Station and Council Chambers. Treasurer Picinich stated that Town has been saving funds for several years. Currently, the fund holds approximately \$189,000.
- 6.) Council Chambers - A/V System - Town is still seeking a proposal for upgrades to the A/V system in the Council Chambers.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Mayor Lacher noted that Administrator Fitch was unavailable for the November 17<sup>th</sup> budget work session and requested that the Council forward any questions they may have in advance. Mayor Lacher concluded the budget work session.

### FUTURE AND NON-AGENDA ITEMS

There were no future agenda items were forthcoming.

### CITIZEN RESPONSE

There were no public access items forthcoming.

### EXECUTIVE SESSION

At 6:23 p.m., Mayor Lacher announced that the Council would be holding an executive session regarding qualifications of an applicant for public employment in accordance with the provisions of RCW 42.30.110(1)(g); which was estimated to last 20 minutes. Participants: Town Council, Mayor Lacher, and Attorney Cunningham. The session ended at 6:49 p.m. for an actual session time of 26 minutes. No action was taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:53 p.m. The next regular meeting is scheduled for Thursday, November 3, 2011 at 12:00 p.m.

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**These minutes were approved on November 3, 2011. 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 3, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### FLAG SALUTE

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Mayor Lacher conducted the flag salute.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Letter - Affordable Housing

At 12:02 p.m., Mayor Lacher introduced discussion of the draft letter urging the owners of Harbor View Apartments to maintain their units as affordable housing. Wood Development Group, Inc., Owners, have notified the Town of their intention to pre-pay their USDA/Rural Housing federally funded loan. Said letter requests that the Owners notify the Town if their request is approved. Administrator Fitch explained that the Owner desires to keep the units affordable, however they may have to seek cost-sharing arrangements with other non-profits organizations to do so. The Owner has stated that they are currently having difficulty keeping the low income units occupied. Discussion followed regarding Homes for Islanders and SJ Community Home Trust projects.

#### **Council consensus to sign said letter.**

#### Telephonic Participation

At 12:06, Mayor Lacher introduced discussion of a policy for attendance and telephonic participation for meetings of the Town Council of Friday Harbor. Currently, there is no specific authorization in State law to allow participation of a Councilmember in a meeting by means of a speakerphone and towns often enact specific rules and procedures that allow such attendance. Clerk Taylor distributed sample policies for review. The Town Council, Mayor and Staff reviewed the policy statements within the document and discussed the circumstances, rules and procedures under which a member of the Town Council or other attendee may participate in regular or special meetings and executive sessions by telephone. No action was taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ADMINISTRATOR'S REPORT

At 12:54 p.m., Administrator Fitch presented the Town Council with an update of the following:

- AWC Loss Control Inspection - AWC Risk Management Services Agency has forwarded its final report regarding the survey conducted in September 2011. The Town has sixty days to respond to our progress on completing the recommendations offered in the report. Recommendations include annual performance employee evaluations; update and employee acknowledgement of personnel guidelines; adoption of a "driving-record" policy for Town owned vehicles; and installation of a security fence at the Town Shop.
- Spruce Street Storm Drainage Project - The project is near completion. The layer of top course rock is scheduled to be spread today and paving scheduled on November 8<sup>th</sup> or 10<sup>th</sup> weather depending. The Engineer estimates that the final cost savings is \$6,400 less from the original bid amount that can be used to asphalt the pedestrian pathway behind the curb. The Contractor will be directed to move forward with the change depending on final costs.
- 2002 Town Comprehensive Plan - The comment period for proposed amendments to the 2002 Comprehensive Plan and Land Use Regulations for the 2012 amendment cycle closes December 31, 2011. The Town Capital Facilities Improvement Plan will be updated and forwarded to the Town Council for consideration. This year the Planning Commission will review the comments and proposed amendments and Plan in its entirety. Following a required public hearing, the Planning Commission will forward their recommendations to the Friday Harbor Town Council for consideration and subsequent action.
- Parking - The Parking Enforcement Officer is in the process of conducting a parking study to determine availability in the downtown core. The preliminary results indicate slight to no change from the 2006 Town Parking Availability Study.
- Solid Waste Management Plan - The Consultant has postponed drafting of the Plan until the County per-parcel user charge is determined.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by de Freitas, to affirm the payment of Payroll Warrant Nos. 15202 through 15223 in the amount of \$203,305.96 and approve the payment of Claim Warrant Nos. 36103 through 36142 in the amount of \$154,255.51. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by Monin to approve the minutes of **October 20, 2011 as submitted**. Motion passed 4-0 with Menjivar abstained.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher reminded the Council that Administrator Fitch will not be present at the November 17, 2011 sessions. The Mayor may cancel that evening session.

Councilmember Starr noted that the Council may review and increase the compensation for the Mayor at a later date and requested that it be added to a future agenda.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmember Monin requested that the Council schedule a discussion regarding the Town's contribution of Liquor Excise Taxes for community chemical dependency programs.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:13 p.m. The next regular meeting is scheduled for Thursday, November 3, 2011 at 5:30 p.m.

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**These minutes were approved on November 17, 2011. 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 3, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

Ordinance No. 1467

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 5:32 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1467, amending Ordinance No. 1454 concerning compensation for elected officials. Currently, Ordinance No. 1454 provides Town Councilmembers a stipend of \$85 per meeting for a maximum of 4 meeting per month. If adopted, Ordinance No. 1467 will provide Councilmembers elected to serve prior to 2012 a stipend of \$85 per meeting for a maximum of 4 meetings per month and Councilmembers elected to serve in 2012 or thereafter a salary of \$400 per month plus \$50 per meeting for a maximum of 3 meetings per month. Administrator Fitch distributed the AWC 2011 Salary Survey for Mayors and Town Councilmembers for cities and towns. Councilmember Starr stated that increasing the salary serves to encourage diversity in the candidates running for the Town Council and urged the Council to increase the compensation of Mayor. Discussion followed regarding the population and salaries for elected officials of other municipalities, proposed compensation and salary structure, and salaries of the Mayor and Treasurer. Mayor Lacher stated the she was hesitant to increase the salary of the Mayor.

**Council consensus to increase the compensation paid to the Mayor to \$800 per month plus \$100 per meeting for a maximum of 3 meeting per month.**

**Moved by Monin, seconded by Menjivar, to adopt Ordinance No. 1467, amending the compensation for certain elected officials and providing a compensation for Councilmembers elected to serve in 2012 or thereafter the salary of \$400 per month plus \$50 per meeting for a maximum of 3 meetings per month. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### First reading of draft Town Utility Ordinances

At 6:04 p.m., Mayor Lacher introduced discussion of draft Ordinance Nos. 1471 through 1473, increasing user fees for the water, **sewer** and stormwater utilities. Administrator Fitch explained that the purpose of today was a first reading of said ordinances, and that consideration of adoption is scheduled for December 15, 2011. The proposed increases are 2.5% for water, 5.5% for **sewer**, and 4% for stormwater over those current utility user fees. The percentage of increase is based on half of the 2009 recommendation contained in the adopted 2008 Town Utility Rate Study. Discussion and inquiry followed regarding the decrease in fees for tank loads of water and new charge for the reading of water sub-meters. Administrator Fitch noted that a companion ordinance will be presented on November 17<sup>th</sup> to revise the definitions concerning **sewer** rates and charges by adding certain customer classes. Discussion followed regarding the customer class for the PeaceHealth Peace Island Medical Center. No action was taken.

### Town 2012 Budget Work Session

At 6:21 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2012 Town budget cycle. Mayor Lacher noted that no formal action was anticipated. Items for discussion included revenues and requests by Town departments as follows:

- 1.) Liquor Excise Tax Revenues - Councilmember Monin inquired if Council saw benefit in increasing the contribution of Liquor Excise Tax Revenues for countywide community outreach programs. Treasurer Picinich explained how the revenues are distributed. Treasurer Picinich noted that the use of the revenues may change if certain liquor related initiatives are adopted in the November election and that the current allocation to Compass Health for programs was not removed from the alternate budget that was prepared to reflect loss of said funding. **Council consensus to increase funding to Compass Health incrementally over the next few years for community outreach programs.** Discussion followed regarding the Governor's State Budget Reduction Alternatives issued in October 2011. The Alternatives attempt to reduce the State's budget by approximately \$2 billion by cutting funding to social programs and reducing and/or eliminating revenue sharing with local governments.
- 2.) Historic Preservation Department - Administrator Fitch distributed a letter from the Historic Preservation Coordinator requesting that the recording secretary services continue to be provided by the current contractor rather than shifting to another Town employee. Councilmember Monin stated that the Council has already opted to fund the request for recording secretary services and suggested that the request be decided as a personnel issue by Mayor Lacher and Administrator Fitch. **The Council concurred.**
- 3.) Brickworks Project - Administrator Fitch distributed a letter from the SJI Agricultural Guild thanking the Council for their letter of support for the Brickworks Project and requesting that the Council consider Nichols Street public right-of-way for future curb, street and gutter improvements.
- 4.) 2012 Property Taxes - Treasurer Picinich reported that the regular property tax levy authorized for 2012 is in the amount of \$440,000. The dollar amount of the increase over the actual levy amount from the previous year is \$9,027, which is a percentage

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

increase of 2.1% of the previous year's levy. The increase is exclusive of additional revenue from new construction, property improvements, annexation and refunds from the State.

5.) Hotel Motel Excise Taxes - Councilmember de Freitas noted that there was an increase in Hotel Motel Excise Taxes collected for the month of September.

Mayor Lacher concluded the work session.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:45 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld listed the scheduled upcoming meetings regarding Washington State Ferries (WSF) issues; and commented on the SJC Solid Waste Utility and development of a wellness program for County employees. No discussion followed.

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

There were no future agenda items were forthcoming.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:59 p.m. The next regular meeting is scheduled for Thursday, November 17, 2011 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on November 17, 2011. 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 17, 2011 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; and Clerk, Amy Taylor.

Town Administrator, C. King Fitch and Attorney, Adina Cunningham, were not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **PUBLIC ACCESS TIME**

Laurie Conway, San Juan Island, stated that Wolf Hollow desires permission from the Town to organize a commemorative tile wall in the public right-of-way on the northeast corner of the Caldwell Bunker building located at 100 Spring Street. Ms. Conway explained that Wolf Hollow would use the wall as means of fundraising. Wolf Hollow would request private donations in exchange for decorated tiles that would be affixed to the wall in a mural-like fashion. Ms. Conway distributed photographs to the Council as a sample. Mayor Lacher thanked Ms. Conway. No action was taken.

### **ACTION AND DISCUSSION ITEMS**

#### Resolution No. 1871

At 12:08 p.m., Mayor Lacher introduced draft Resolution No. 1871, adopting a policy for attendance and telephonic participation of the Town Council. Clerk Taylor explained the changes made to the sample policy provided at the November 3, 2011 meeting. Discussion followed regarding revisions to policy statements. **Moved by Starr, seconded by Menjivar, to adopt Resolution No. 1871, adopting policies for attendance and teleconferencing for meetings of the Town Council of Friday Harbor as amended. Motion passed unanimously.**

### **PUBLIC HEARINGS**

#### 2011 Revenue Resources

At 12:29 p.m., Mayor Lacher opened the public hearing on the Town's 2012 Revenue Resources. Treasurer Picinich gave an explanation of the anticipated current expense revenue resources for 2012, including building permits and new construction, leasehold taxes, and overview of changes for liquor excise tax. With the passage of Initiative 1183 and the Governor's proposed budget reductions, the amount of revenue from liquor sales that Town would receive are unknown. The anticipated revenue from property taxes authorized for 2012 is in the amount of \$440,000. This increase includes the regular property tax levy and \$9,027.75 generated by new construction; the improvement of property within the Town; any increase in the value of State-assessed property; and/or any increase due to annexed property, and applicable refunds. Discussion and inquiry followed during Ms. Picinich's presentation.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 12:44 p.m., Mayor Lacher inquired if any public input was forthcoming. Matt Shildneck, suggested that Town coordinate with the Sheriff's department to enforce parking/traffic violations such as vehicles making U-turns outside of designated intersections and crossing the double center line for a parking spaces. Councilmember Menjivar explained that Town Parking Enforcement Officers may not issue tickets for moving violations. Discussion followed regarding the current bail schedule.

At 12:54 p.m., Mayor Lacher closed the public comment portion of the hearing. Hearing no further Council discussion, Mayor Lacher closed the public hearing.

### Ordinance No. 1468

**Moved by Hushebeck, seconded by Monin, to adopt Ordinance No. 1468, fixing and levying the amount of Ad Valorem Taxes for the Town of Friday Harbor for the year 2012 in the amount of \$440,000. Motion passed unanimously.**

## ACTION AND DISCUSSION ITEMS (CONT.)

### Ordinance No. 1474

At 12:59 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1474, amending Ordinance No. 1089 and Chapter 13.21 of the Friday Harbor Municipal Code. Said Ordinance revises the definitions concerning **sewer** rates and charges by amending FHMC 13.21.010(B)(1)(m) to reflect the current name of the mobile home park located at 500 Roche Harbor Road and adds a new customer class for an existing twenty slip marina located on Warbass Way. No discussion followed.

**Moved by de Freitas, seconded by Menjivar, amending Ordinance No. 1089 and Chapter 13.21 of the Friday Harbor Municipal Code. Motion passed unanimously.**

### Town 2012 Budget Work Session

At 1:00 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2012 Town budget cycle. Mayor Lacher noted that no formal action was anticipated. Items for discussion included line items of interest as follows:

- 1.) Treasurer Picinich explained adjustments made based on the previous work session.
- 2.) Mayor Lacher declined the salary increase for the position of Mayor that was proposed at the November 3, 2011 evening session.
- 3.) Treasurer Picinich reviewed the budget adoption schedule.

No further questions regarding the preliminary budget were received. Mayor Lacher concluded the work session.

## **PAYMENT OF CLAIMS**

Moved by Monin, second by Hushebeck, to approve the payment of Claim Warrant Nos. 36144 through 36206 in the amount of \$232,957.04. Motion passed unanimously.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### APPROVAL OF MINUTES

Moved by de Freitas, seconded by Starr, to approve the minutes of **November 3, 3011 as submitted.** Motion passed 4-0 with Menjivar abstained.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### FUTURE AND NON-AGENDA ITEMS

Clerk Taylor distributed the final bid recommendation for the November 16, 2011 surplus sale for items deemed surplus pursuant to Resolution No. 1869.

The Council requested discussion of installation of signage that discourages U-turns and other violation of the Town traffic code in accordance with FHMC 10.04.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:10 p.m. The next regular meeting is scheduled for Thursday, December 1, 2011 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on December 1, 2011. 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 1, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher welcomed back Administrator Fitch.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ACTION AND DISCUSSION ITEMS

#### Historical Preservation Review Board

At 12:03 p.m., Mayor Lacher announced the appointment of Nina LaBaron to the Historical Preservation Review Board. Ms. LaBaron thanked the Mayor and introduced herself to the Council. No discussion followed.

#### Resolution Nos. 1872 through 1877

At 12:06 p.m., Mayor Lacher introduced the following draft resolutions for consideration:

- Resolution No. 1872 - Authorizing the Mayor to execute an agreement with the Business Association of San Juan County dba: San Juan Islands Visitors Bureau, to provide a tourist promotion program for the year 2012, in an amount not to exceed \$87,217.00.
- Resolution No. 1873 - Authorizing the Mayor to execute an agreement with the San Juan Island Chamber of Commerce to provide a tourist promotion program for the year 2012, in an amount not to exceed \$31,792.00.
- Resolution No. 1874 - Authorizing the Mayor to execute an agreement with the Whale Museum to provide a tourist promotion program for the year 2012, in an amount not to exceed \$3,102.00.
- Resolution No. 1875 - Authorizing the Mayor to execute an agreement with the San Juan Historical Museum to provide a tourist promotion program for the year 2012, in an amount not to exceed \$1,189.00.
- Resolution No. 1876 - Authorizing the Mayor to execute an agreement with Claudia Fullerton to provide a tourist promotion program for the year 2012, in an amount not to exceed \$1,126.00.
- Resolution No. 1877 - Authorizing the Mayor to execute an agreement with Skagit Valley College to provide a tourist promotion program for the year 2012, in an amount not to exceed \$576.00.

Councilmember Hushebeck and Starr explained that the Council approved the recommendation of the Town Lodging Tax Advisory Committee for the disbursement of \$110,000 for the year 2012 on October 20, 2011 for the resolutions listed above. The Council approved an additional \$15,000 from the 1<sup>st</sup> 2% Hotel Motel Excise Tax fund to the SJI Chamber of Commerce for operation of its Visitors Information Center. No discussion followed.

**Moved by Menjivar, seconded by Starr, to adopt Resolution Nos. 1872 through 1877, as stated above. Motion passed 4-0 with de Freitas abstaining.**

### ADMINISTRATOR'S REPORT

At 12:29 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Spruce Street Storm Drainage Project - Resolution No. 1879, authorizing the Mayor to execute Change Order No. 1 to the agreement with Richard Lawson Construction, Inc. for the construction of the Spruce Street Storm Drainage Project was introduced for consideration. Said Change Order in the amount of

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

\$5,770 authorizes the installation of ADA compliant ramps and pedestrian pathway. No discussion followed. **Moved by de Freitas, seconded by Menjivar, to adopt Resolution No. 1879 as stated above. Motion passed unanimously.**

- Friday Harbor Ferry Terminal - Washington State Ferries is scheduled to be in Friday Harbor on December 7, 2011 with other consultants to present the proposed pedestrian improvements to the Terminal. The Council was invited to attend.
- Odor Control Improvement Project - The Project is near complete. Town will now begin finalizing the project which includes releasing retainage.
- Illegal U-turns - Administrator Fitch suggested that the subject of illegal u-turns in the downtown core would be an appropriate subject for the quarterly Sheriff's report and advised against installation of physical barriers or medians on streets with angular parking.
- SJC Department of Emergency Management (DEM) - The lease agreement for approximately 190 square feet of office space in the Town Fire Station will be presented on December 15<sup>th</sup>, 2011 for consideration.

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

#### Capital Facilities Improvement Plan

At 12:20 p.m., Mayor Lacher introduced discussion of the. Administrator Fitch explained the purpose of the Plan. If approved, said draft Plan will be forwarded to the Planning Commission to be included in the amendments to the 2002 Town Comprehensive Plan. Revisions included removal of projects that have been constructed and reduction of funding for future expansion of Town Hall. Discussion followed regarding the scope and cost of the Grover Street Reconstruction Project. **Council consensus to forward the draft 2012 Town Capital Facilities Improvement Plan to the Planning Commission to be included in the proposed 2012 amendments to the 2002 Town Comprehensive Plan.**

#### Resolution No. 1878

At 12:29 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1878, authorizing the Mayor to execute a law enforcement contract with San Juan County for the calendar year 2012. Said agreement authorizes the Sheriff and his deputies to enforce the ordinances of the Town, and other laws, for the annual sum of \$268,000. Administrator Fitch noted that the agreement removes the provision for animal control services for dangerous and potentially dangerous dogs. Attorney Cunningham explained that she and the Prosecuting Attorney's office are in the process of drafting a separate agreement for said services. No discussion followed.

**Moved by Starr, seconded by de Freitas, to adopt Resolution No. 1878, authorizing the Mayor to execute a law enforcement contract with San Juan County for the calendar year 2012. Motion passed 4-0 with Menjivar abstaining.**

#### SJC Solid Waste Utility Update

At 12:33 p.m., Mayor Lacher introduced SJC Administrator Pete Rose and SJC Public Works Director Frank Mulcahy, to provide an update on the SJC Solid Waste Utility after

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

the failing vote of Proposition No. 2 on the November 2011 ballot. Mr. Mulcahy opened discussion on the solid waste transition plan that includes a timeline to change the County's transfer station activities. Discussion followed regarding the Town's role in the transition, classification of the County stations, and adoption of the Town and County's respective solid waste management plans. Mayor Lacher and the Council thanked Mr. Rose and Mr. Mulcahy. Mayor Lacher allowed public comment from Calvin Den Hartog, representing of San Juan Sanitation, who encouraged the Town to consider greater role in the transition of the SJI Transfer Station. Discussion followed regarding holding a work session for solid waste. Mayor Lacher thanked Mr. Den Hartog. No action was taken.

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

Moved by Menjivar, second by Starr, to affirm the payment of Payroll Warrant Nos. 15224 through 15245 and November 30, 2011 direct deposit run in the amount of \$216,367.34 and approve the payment of Claim Warrant Nos. 36207 through 36250 in the amount of \$167,663.24. Motion passed 4-0 with de Freitas abstained.

### **APPROVAL OF MINUTES**

Moved by de Freitas, seconded by Monin, to approve the minutes of **November 17, 2011 as submitted**. Motion passed unanimously.

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

Mayor Lacher noted that the interpretive signage was installed at the Spring Street Rain Garden.

Councilmember Monin requested that the Council avoid reactionary decision making by discussing the Town and County solid waste utilities as soon as possible. The Council concurred. Administrator Fitch noted that the Planning Commission will require direction from the Council regarding portions of the Comprehensive Plan regarding solid waste issues. Discussion followed regarding who should attend the work session.

### **CITIZEN RESPONSE**

Matt Shildneck, Planning Commission and Historic Preservation Review Board Member, requested that the Council allow the Board and Commission to review projects like the Spring Street Rain Garden just as any other permitted project.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:23 p.m. The next regular meeting is scheduled for Thursday, December 1, 2011 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on December 15, 2011. 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 - 2011



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, December 1, 2011 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

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

### **ROLL CALL**

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

Mayor Lacher announced that there would be an executive session pursuant to RCW 42.30.110(1)(i), held after regular business. The update by SJC Councilmember Rosenfeld has been cancelled.

### **PUBLIC ACCESS TIME**

Pam Fitch, San Juan Island, stated that the Town looked lovely with the holiday decorations.

### **PUBLIC HEARINGS**

#### Public Hearing - 2012 Town Budget

At 5:34 p.m., Mayor Lacher opened the public hearing for consideration of the preliminary 2012 Budget for the Town of Friday Harbor. Treasurer Picinich and Administrator Fitch explained that the budget is balanced and includes adjustments from the previous work session.

At 5:35 p.m., Mayor Lacher requested public testimony from the audience. Hearing none, Mayor Lacher requested comments from staff or Councilmembers. Treasurer Picinich explained that the 2012 Budget shouldn't be affected by the recently passed Initiative to privatize liquor sales.

At 5:36 p.m., Mayor Lacher closed the public testimony portion of the hearing and requested Council discussion. Hearing none, Mayor Lacher closed the public hearing for consideration of the preliminary 2012 Budget. No action was taken.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### ACTION AND DISCUSSION ITEMS

#### Second reading of draft Town Utility Ordinances

At 5:38 p.m., Mayor Lacher introduced discussion of draft Ordinance Nos. 1471 through 1473, increasing user fees for the water, **sewer** and stormwater utilities. Administrator Fitch explained that the purpose of multiple readings of said ordinances is to allow the public ample opportunity to comment, and that consideration of adoption is scheduled for December 15, 2011. The proposed increases are 2.5% for water, 5.5% for **sewer**, and 4% for stormwater over those current utility user fees. The percentage of increase is based on half of the 2009 recommendation contained in the adopted 2008 Town Utility Rate Study. Treasurer Picinich commented that she received one user comment. No discussion followed. No action was taken.

#### Town 2012 Budget Work Session

At 5:40 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2012 Town budget cycle. Mayor Lacher noted that no formal action was anticipated. Items for discussion included revenues and requests as follows:

1.) HOVEE Report Update - Administrator Fitch noted that the previously approved request to jointly contribute funds with other municipalities to update a ferry related study has been withdrawn due to lack of support by those other municipalities.

Mayor Lacher concluded the work session.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Starr requested that the Council discuss the ban of plastic bags. Mayor Lacher suggested that it may be an appropriate topic to discuss during the Council's Solid Waste work session.

Administrator Fitch requested that the Council provide potential dates for the Solid Waste work session so that he can coordinate with consultants. Discussion followed regarding the intent of the work session. Potential dates include January 5<sup>th</sup>, 14<sup>th</sup> and 28<sup>th</sup>.

### CITIZEN RESPONSE

There were no citizen response items forthcoming.

### EXECUTIVE SESSION

At 5:49 p.m., Mayor Lacher announced that the Council would be holding an executive session regarding potential litigation in accordance with the provisions of RCW 42.30.110(1)(i); which was estimated to last 35 minutes. Participants: Town Council, Mayor Lacher, Administrator Fitch and Attorney Cunningham. The session ended at 6:54 p.m. for an actual session time of 64 minutes. No action was taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:55 p.m. The next regular meeting is scheduled for Thursday, December 15, 2011 p.m.

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# MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

These minutes were approved on December 15, 2011. 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 15, 2011 – Town Council Chambers – Afternoon Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar and Town Administrator, C. King Fitch were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember Menjivar. Council unanimously approved his absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher stated that the Administrator's Report was cancelled, however Administrator Fitch was available by telephone to answer any inquiries that the Town Council may have.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### 2011 Employee Awards

At 12:02 p.m., Mayor Lacher presented the following Town employees with service awards for five, ten, fifteen, and twenty or more years of service for year 2011:

Mike Wilks, Utilities Superintendent, Town Shop for 35 years;

Paula Bey, Clerk II, Town Shop for 10 years;

Jeff Peacock, Utility Worker I, Street Department for 10 years;

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Shane Mason, Utility Worker I, Water Department for 10 years; and Matt Pranger, Clerk II, Parking Enforcement Officer (formerly Utility Worker I, **Sewer** Department), for 10 years.

Awards included a certificate and letter of appreciation from the Council, along with an engraved key chain.

### Ordinance No. 1475 - 12:05

At 12:05 p.m., Mayor Lacher introduced draft Ordinance No. 1475, distributing property tax revenue. Treasurer Picinich explained that the Council annually adopts an Ordinance fixing and levying the amount of Ad Valorem Taxes for the ensuing year and that said Ordinance distributes 90% of these funds into the Current Expense Fund and 10% into the Street Fund. Councilmember Monin commented that it is important to have this dedicated source of funding for the Street Fund. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to adopt Ordinance No. 1475, distributing property tax revenue. Motion passed 4-0 with Menjivar absent.**

### Resolution No. 1881

At 12:06 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1881, authorizing the Mayor to execute Addendum No. 1 to the agreement between the Town of Friday Harbor and the law firm of Kobayashi Cunningham Law, PLLC to continue to provide legal services to the Town. Attorney Cunningham explained that said Addendum extends the agreement for legal services authorized by Resolution No. 1782 for one year without changing other terms or conditions of the contract. No discussion followed. Attorney Cunningham thanked the Council.

**Moved by de Freitas, seconded by Monin, to adopt Resolution No. 1881, authorizing the Mayor to execute Addendum No. 1 to the agreement between the Town of Friday Harbor and the law firm of Kobayashi Cunningham Law, PLLC to continue to provide legal services to the Town. Motion passed 4-0 with Menjivar absent.**

### Resolution No. 1882

At 12:08 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1882, authorizing the Mayor to execute an agreement with SJC Department of Emergency Management to lease a portion of the Town Fire Station. The Department of Emergency Management has requested to lease approximately 190 square feet of office space at fair market value in exchange for the right to use said space as its location for office activities. The term of the lease is six months with the right to renew for additional terms of six months for up to three years. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Resolution No. 1882, authorizing the Mayor to execute an agreement with SJC Department of Emergency Management to lease a portion of the Town Fire Station. Motion passed 4-0 with Menjivar absent.**

### Resolution No. 1883

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

At 12:10 p.m., Mayor Lacher introduced draft Resolution No. 1883, authorizing the Mayor to execute Amendment No. 1 to the law enforcement contract with San Juan County to include animal control officer and related law enforcement services. Attorney Cunningham explained that said agreement designates the Sheriff (or his designee) as the Town's animal control officer pursuant to Ordinance No. 1455 and authorizes the County to enforce and prosecute violations of FHMC Chapter 6.05 at a rate of \$200 for each declaration of potentially dangerous dog, \$200 for each civil appeal of potentially dangerous dog; \$500 for each declaration of dangerous dog and \$500 for each civil appeal of dangerous dog. The Town and County are in the process of drafting a master contract for said services. Councilmember Hushebeck inquired if costs were comparable to other counties. Attorney Cunningham answered that both declaration and appeal are an approximation of the County's actual cost. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1883, authorizing the Mayor to adopt Resolution No. 1883, amending the Interlocal Agreement for Law Enforcement Services and Assistance with San Juan County, to include animal control officer and related law enforcement services. Motion passed 4-0 with Menjivar absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Ordinance No. 1479

At 12:13 p.m., Mayor Lacher introduced Ordinance No. 1479, amending Ordinance No. 1092 concerning outdoor burning regulations. Said ordinance adopts the current International Fire Code by reference and prohibits outdoor "residential" and "land-clearing" burning as described in Chapter 173-425 WAC within the Town of Friday Harbor. Mayor Lacher noted that Ordinance No. 1479 was not introduced in response to an incident. No discussion followed.

**Moved by Hushebeck, seconded by Starr, to adopt Ordinance No. 1479, amending Ordinance No. 1092 concerning outdoor burning regulations. Motion passed 4-0 with Menjivar absent.**

### Committee Assignments

At 12:15 p.m., Mayor Lacher introduced discussion of assignments on SJC boards and committees. Councilmember Starr's term on the SJC Board of Health and Councilmember Monin's term on the SJC Solid Waste Advisory Committee are due to expire on December 31, 2011. The County has requested confirmation that they desired to be reappointed to their respective positions in 2012. Both Councilmember Starr and Monin volunteered to seek reappointment. No discussion followed.

## **PUBLIC HEARINGS**

### 2011 Town Budget Amendments

At 12:20 p.m., Mayor Lacher opened the public hearing for amendments to the 2011 Town Budget. Treasurer Picinich gave an explanation of said amendments and year end balance which are listed as "Attachment A" to draft Ordinance No. 1469. No public input was forthcoming. No discussion followed. Hearing no public input, Mayor Lacher closed the public hearing at 12:26 p.m. The Council thanked Mayor Lacher, Treasurer Picinich and Administrator Fitch for all of their work that went into the 2011 Town Budget cycle.

### Ordinance No 1469

**Moved by Starr, seconded by Hushebeck, to adopt Ordinance No. 1469, amending certain beginning balances, revenue estimates, expenditure appropriations, and ending cash balances in the 2011 Town Budget per Attachment A. Motion passed 4-0 with Menjivar absent.**

## **PAYMENT OF CLAIMS**

Moved by de Freitas, second by Monin, to approve the payment of Claim Warrant Nos. 36251 through 36315 in the amount of \$138,302.54. Motion passed 4-0 with Menjivar absent.

## **APPROVAL OF MINUTES**

Moved by de Freitas, seconded by Starr, to approve the minutes of **December 1, 2011 as submitted.** Motion passed 4-0 with Menjivar absent.

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

Mayor Lacher read a letter of appreciation from Artstock into the record thanking the Town for disbursing Hotel Motel Grant funding for their event in 2011.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

Councilmember Hushebeck noted that the SJC Economic Development Council (EDC) is in the process of updating their goals and objectives for 2012, which includes drafting an Economic Development Element (EDE) for the County's Comprehensive Plan. During these work sessions, the EDC will review the Town's EDE for possible recommended changes.

Mayor Lacher inquired if the Council desired to have a joint meeting with the SJC Council on February 16, 2012. **Council consensus to tentatively schedule a joint meeting with the SJC Council on February 16, 2012 in the Town Council Chambers to discuss the SJC Solid Waste Utility.**

Councilmember Starr thanked the Local 1849F (Union employees) for inviting the Council to their Town employee Christmas party.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 12:29 p.m. The next regular meeting is scheduled for Thursday, December 15, 2011 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on January 5, 2012. 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 15, 2011 – Town Council Chambers – Evening Session**

### CALL TO ORDER

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

### ROLL CALL

Councilmembers: Position No. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 4, Felix Menjivar; and Position No. 5, Barbara Starr.

Others Present: Mayor, Carrie Lacher; Treasurer, Wendy Picinich; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas and Town Administrator, C. King Fitch were not present.

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher asked the Council if they wished to excuse Councilmember de Freitas. Council unanimously approved her absence.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Ordinance Nos. 1471 through 1473

At 5:32 p.m., Mayor Lacher introduced draft Ordinance Nos. 1471 through 1473 (below) regarding increasing water, **sewer** and stormwater utility user charges. No discussion followed.

**Moved by Starr, seconded by Monin, to adopt Ordinance No. 1471, amending Ordinance No. 1084 and Chapter 13.05 of the Friday Harbor Municipal Code, concerning water rate tables and repealing Ordinance No. 1410 in its entirety. Motion passed 4-0 with de Freitas absent.**

**Moved by Hushebeck, seconded by Monin, to adopt Ordinance No. 1472, amending Ordinance No. 1089 and Chapter 13.21 of the Friday Harbor Municipal Code, concerning **sewer** rate tables and repealing Ordinance No. 1411 in its entirety. Motion passed 4-0 with de Freitas absent.**

**Moved by Monin, seconded by Hushebeck, to adopt Ordinance No. 1473, amending Ordinance No. 914 and Chapter 13.31 of the Friday harbor Municipal Code concerning storm water rates, and repealing Ordinance No. 1412 in its entirety. Motion passed with de Freitas absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Ordinance No. 1477

At 5:36 p.m., Mayor Lacher introduced draft Ordinance No. 1477, fixing 2012 compensation for represented personnel. Said Ordinance represents a 2.5% cost of living increase per the adopted union agreement. No discussion followed.

**Moved by Menjivar, seconded by Starr, to adopt Ordinance No. 1477, fixing 2012 compensation for represented personnel and repealing Ordinance No. 1453 in its entirety. Motion passed 4-0 with de Freitas absent.**

### Ordinance No. 1478

At 5:36 p.m., Mayor Lacher introduced draft Ordinance No. 1478, fixing 2012 salaries for officials and non-represented personnel. Said Ordinance represents a 2.5% cost of living increase. No discussion followed.

**Moved by Menjivar, seconded by Monin, to adopt Ordinance No. 1478, fixing 2012 compensation for officials and non-represented personnel and repealing Ordinance Nos. 1454 and 1467 in their entirety. Motion passed 4-0 with de Freitas absent.**

### Employee Introduction

At 5:37 p.m., Mayor Lacher introduced Duncan Wilson, City Administrator of North Bend, Washington and former municipal law attorney, who has accepted an offer from Mayor Lacher to be appointed Town Administrator following Administrator Fitch's retirement in June 2012. Mayor Lacher cited Mr. Wilson's credentials and references. Mr. Wilson thanked the Mayor and Council for the opportunity to serve as Town Administrator.

### Ordinance No. 1476

At 5:50 p.m., Mayor Lacher introduced draft Ordinance No. 1476, authorizing the Mayor to execute an employment agreement between the Town of Friday Harbor and Duncan C. Wilson for the position of Town Administrator. Said agreement defines the terms and conditions of Mr. Wilson's "at-will" employment for a five year term beginning June 1, 2012 with an initial annual salary of \$110,000. No discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Ordinance No. 1476, authorizing the Mayor to execute and employment agreement between the Town of Friday Harbor and Duncan C. Wilson for the position of Town Administrator. Motion passed 4-0 with de Freitas absent.**

### Ordinance No. 1470

At 5:52 p.m., Mayor Lacher introduced draft Ordinance No. 1470, adopting the budget for the Town of Friday Harbor, Washington for the fiscal year ending December 31, 2012. Treasurer Picinich explained final adjustments to the budget including yearend cash carry-over and funding for 2011 projects that will extend into 2012. No discussion followed.

**Moved by Menjivar, seconded by Starr, to adopt Ordinance No. 1470, adopting the budget for the Town of Friday Harbor, Washington for the fiscal year ending December 31, 2012. Motion passed 4-0 with de Freitas absent.**

## MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR - 2011

### Oath of Office

At 5:54 p.m., Clerk Taylor administered oaths of office for the following elected officials: Treasurer Wendy J. Picinich; Councilmember Steven Hushebeck, Position No. 1; Councilmember Noel Monin, Position No. 2; and Councilmember Barbara Starr, Position No. 5.

### **SAN JUAN COUNTY (SJC) COUNCIL UPDATE**

At 6:00 p.m., Mayor Lacher 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 SJC 2012 Budget. No discussion followed.

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

Mayor Lacher, on behalf of AWC Risk Management Service Agency (RSMA), thanked Administrator Fitch for his years of service to RSMA as a member of the pool and Operating Committee. RSMA provided a plaque as a small token of their appreciation for his work and dedication to the concept of partnerships and insurance pooling.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:05 p.m. The next regular meeting is scheduled for Thursday, January 5, 2012 at 12:00 p.m.

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**These minutes were approved on January 5, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**