

## MINUTES OF THE TOWN COUNCIL - 2012

**Thursday, January 05, 2012 – 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; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas; and Attorney, Adina Cunningham were not present.

### **EXCUSED ABSENCE**

Mayor Lacher asked if the Council wished to excuse Councilmember de Freitas. The Council concurred.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEUDLE CHANGES**

Mayor Lacher announced that the Council would hold an executive session during the evening session.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **DEPARTMENT REPORTS**

#### Sheriff

At 12:03 p.m., SJC Sheriff, Rob Nou, distributed a fourth quarter report and provided an update on recent activity of the Sheriff's Department. Sheriff Nou noted that extra attention is currently being directed to drug and driving-under-the-influence infractions. Discussion and inquiry followed regarding the prosecution of arrests. Mayor Lacher thanked Sheriff Nou.

#### Emergency Management

At 12:19 p.m., Department of Emergency Management (DEM) Director, Brendan Cowan, thanked the Council for leasing the vacant training officer space in the fire station to DEM. Mr. Cowan listed the department's goals for 2012 which include updates to the SJC Emergency Management Plan. No discussion followed. Mayor Lacher thanked Mr. Cowan.

#### Fire

At 12:22 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 2011. Chief Marler reviewed the training schedule for volunteers and incidents by area and type. Discussion and inquiry followed regarding logistical issues such as cross training and response time. Administrator Fitch stated that Town desires to restrict access vehicular access to the undeveloped lots on Roman Court due to certain activities taking place and requested that Sheriff Nou and Chief Marler inspect the area. Chief Marler and Sheriff Nou responded that restricting access was acceptable so long as fire and police could maintain their access for protection. Mayor Lacher thanked Chief Marler.

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### System Administration

At 12:13 p.m., System Administrator, Steven Dubail, distributed a fourth quarter department report for year 2011. Mr. Dubail reported on email retention, system maintenance and security, fifth grade fieldtrips, software training, and traffic counts. Discussion followed regarding training for GIS software. Mayor Lacher thanked Mr. Dubail.

### Community Development

At 12:42 p.m., Land Use Administrator, Michael Bertrand, distributed a compilation of building permits issued in year 2011. Mr. Bertrand noted that approximately \$273,857.70 was collected in building department and land use related fees for the year. Mr. Bertrand reported on upcoming public meetings and hearings by the Planning Commission for the Shoreline Management Plan update and Comprehensive Plan review. The Council declined to hold a joint public hearing with the Planning Commission regarding the Comprehensive Plan updates. Mr. Bertrand described a request by a local business to install an additional disabled parking space near the south east side of the Spring Street and Argyle Avenue intersection. Discussion and inquiry followed regarding the placement of the proposed parking space. Mayor Lacher thanked Mr. Bertrand.

### Historic Preservation

At 12:47 p.m., Historic Preservation (HP) Coordinator, Sandy Strehlou, distributed a fourth quarter department report for year 2011. Ms. Strehlou reported on local events, HP ordinance changes, board members, website, walking tours and goals for 2012. No discussion followed. The Mayor thanked Ms. Strehlou.

### Utilities

At 12:56 p.m., Administrator Fitch, reported on the water level of Trout Lake, Trihalomethane (THM) levels, Spruce Street Storm Drainage Project, Warbass Way catch basin installation, generator maintenance, and other scheduled improvements. Discussion followed regarding the marked decrease THM levels.

## **ACTION AND DISCUSSION ITEMS**

### Resolution No. 1880

At 1:00 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1880, authorizing the Mayor to execute Change Order No. 4 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 proposals have an additive value of \$66,066.46 and introduced Wayne Haefele to describe the changes. Mr. Haefele explained difficulties encountered during construction of the project that resulted in the change order which included electrical work, biofilter replacement, and additional temporary and permanent ducting. The Council thanked Mr. Haefele for explaining the modifications so thoroughly.

**Moved by Monin, seconded by Starr, to adopt Resolution No. 1880, authorizing the Mayor to execute Change Order No. 4 on the contract with Mike Carlson Enterprises, Inc. for the Odor Control Improvement Project at the Wastewater Treatment Plant. Motion passed 4-0 with de Freitas absent.**

## **ADMINISTRATOR'S REPORT**

At 1:11 p.m., Administrator Fitch presented the Town Council with an update of the following:

- AWC Loss Control Visit/Survey - Requested changes have been met and/or funds have been budgeted for completion.
- AWC Retro Rating Program - The Pool currently has several claims and Town will receive an assessment of \$4,151.

## MINUTES OF THE TOWN COUNCIL - 2012

- Fire Engine No. 5 - Town and District #3 have determined that Engine No. 5 is no longer necessary for overall fire protection and have decided to decommission and return it to the Friday Harbor Fire Fighters Association.
- Fire Support Vehicle No. 1 - The vehicle will be transferred to the Town Shop as an asset for public works use.
- Request for equipment - Gray's Harbor has issued a request to municipalities for equipment and mutual aid. Town and District will see if there is any gear that can be donated as we work through the consolidation process for the departments.
- Washington State Ferries - WSF is scheduled to meet with various stakeholders on January 12<sup>th</sup> in the Town Council Chambers regarding pedestrian safety improvements at the Friday Harbor Terminal.
- SJC Safety Project - Town is scheduled to meet with SJC on January 12<sup>th</sup> to discuss replacement of reflective signs throughout the County.
- State Auditor Exit Interview - The Auditor is requesting to schedule an exit interview on January 19<sup>th</sup> at 2:00 p.m. Councilmember Hushebeck and Menjivar volunteered to attend on behalf of the Council.
- Town Wellness Committee - Wendy Picinich, Paula Bey and Kelle Wilson have resigned from the Town Wellness Committee. They will begin seeking replacements.
- Solid Waste Work Session - Administrator Fitch requested that the Council finalize the time of the work session during the evening session.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by Menjivar, to affirm the payment of Payroll Warrant Nos. 15246 through 15271 in the amount of \$224,505.94 and approve the payment of Claim Warrant Nos. 36316 through 36375 in the amount of \$215,580.34. Motion passed 4-0 with de Freitas absent.

### APPROVAL OF MINUTES

Moved by Starr, seconded by Hushebeck, to approve the minutes of **December 15, 2011 as submitted**. Motion passed 3-0 with Menjivar abstained and de Freitas absent.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Monin requested that discussion be added to a future agenda for installation of a disabled parking space on Spring Street. Administrator Fitch provided additional information regarding the request.

Mayor Lacher, the Town Council, and all in attendance wished Administrator Fitch a "Happy 65<sup>th</sup> Birthday".

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:37 p.m. The next regular meeting is scheduled for Thursday, January 5, 2012 at 5:30 p.m.

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**These minutes were approved on January 19, 2012. 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 - 2012

**Thursday, January 5, 2012 – 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; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas; and Attorney, Adina Cunningham were not present.

### **EXCUSED ABSENCE**

Mayor Lacher asked if the Council wished to excuse Councilmember de Freitas. The Council concurred.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

Mayor Lacher announced that the Council would hold an executive session during the evening session.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Committee Reports

At 5:32 p.m., the Council provided updates on various boards and committees as follows:

Solid

Waste Advisory Committee - Councilmember Monin reported that there were no new developments and that the SWAC will resume regular meetings on January 24, 2012. No discussion followed.

Board of Health - Councilmember Starr reported that Dr. John Geyman was recommended for the BOH; granting was received for the Infant Toddler Project; and loans are now available for upgrades to onsite sewage treatment systems. No discussion followed.

Law & Justice Council - Councilmember Menjivar reported that there were no new developments and that the L&J will resume regular meetings in January 2012. No discussion followed.

Lodging Tax Advisory Committee - Councilmember Hushebeck reported that LTAC will resume meetings in January 2012. Councilmember Hushebeck and Starr provided an overview of recent training sessions provided through the State regarding allowable uses of hotel motel funding. No discussion followed.

#### Solid Waste Work Session

At 5:48 p.m., Mayor Lacher introduced discussion regarding structure of the Council retreat / work session on solid waste management planning. Mayor Lacher suggested that the Council attempt to limit the session to reviewing draft goals and methodology for the Town Solid Waste Management Plan

## MINUTES OF THE TOWN COUNCIL - 2012

and not enter into broader discussion with the County or private vendors regarding the use of the Sutton Road Property. Discussion followed regarding attendees of the meeting and expectations of the Consultant. Administrator Fitch stated that the work session would be an appropriate venue to discuss additional goals such as banning plastic bags.

**Council consensus to hold a work session regarding solid waste management planning on Saturday, January 14, 2012 at 12:00 p.m. through 5:00 p.m.**

Joint meeting w/ SJC

At 6:05 p.m., Mayor Lacher introduced discussion of date and topics for a joint meeting with the SJC Council. Mayor Lacher noted that the SJC Council was interested in discussing solid waste issues.

**Council consensus to hold joint meeting with the SJC Council on Thursday, February 2, 2012 at 12:00 p.m. in the Town Council Chambers to discuss solid waste issues.**

Joint meeting w/ Port

At 6:08 p.m., Mayor Lacher introduced discussion of topics for a joint meeting with the Port of Friday Harbor. Mayor Lacher inquired if there was a desire to meet or topics of interest. Councilmember Monin stated that he did not feel it was urgent to hold a meeting but desired to discuss a partnership with the Port to install curb, gutter and sidewalk connecting the pedestrian entrance to the airport located on Mullis Street to the existing sidewalk near Market Street. Discussion followed regarding the last joint meeting with the Port. Councilmember Hushebeck inquired if there was a need to discuss Shoreline Master Plan updates. Administrator Fitch stated that the Port has already been working with Town staff regarding SMP. No action was taken.

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

At 6:13 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented that his constituency now includes Brown Island and Turn Point with redistricting of the County; and urged the Town Council to continue holding joint meetings with the County. No discussion followed.

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

Councilmember Menjivar inquired if other Councilmembers are planning to attend the AWC sponsored elected official training in February 2012. Councilmembers Monin and Starr will register to attend the February 9<sup>th</sup> training workshop. Councilmembers Menjivar, Monin and Starr announced that they would travel to the conference together and stated that no Town business would be discussed.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

### **EXECUTIVE SESSION**

At 6:35 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 Patricia Buchanan. The session ended at 7:19 p.m. for an actual session time of 44 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:20 p.m. The next special meeting is scheduled for Saturday, January 14, 2012 at 12:00 p.m. and the next regular meeting is scheduled for Thursday, January 19, 2012 at 12:00 p.m.

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## MINUTES OF THE TOWN COUNCIL - 2012

These minutes were approved on January 19, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, January 5, 2012 – 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; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas; and Attorney, Adina Cunningham were not present.

### **EXCUSED ABSENCE**

Mayor Lacher asked if the Council wished to excuse Councilmember de Freitas. The Council concurred.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

Mayor Lacher announced that the Council would hold an executive session during the evening session.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Committee Reports

At 5:32 p.m., the Council provided updates on various boards and committees as follows:

Solid Waste Advisory Committee - Councilmember Monin reported that there were no new developments and that the SWAC will resume regular meetings on January 24, 2012. No discussion followed.

Board of Health - Councilmember Starr reported that Dr. John Geyman was recommended for the BOH; granting was received for the Infant Toddler Project; and loans are now available for upgrades to onsite sewage treatment systems. No discussion followed.

Law & Justice Council - Councilmember Menjivar reported that there were no new developments and that the L&J will resume regular meetings in January 2012. No discussion followed.

Lodging Tax Advisory Committee - Councilmember Hushebeck reported that LTAC will resume meetings in January 2012. Councilmember Hushebeck and Starr provided an overview of recent training

## MINUTES OF THE TOWN COUNCIL - 2012

sessions provided through the State regarding allowable uses of hotel motel funding. No discussion followed.

### Solid Waste Work Session

At 5:48 p.m., Mayor Lacher introduced discussion regarding structure of the Council retreat / work session on solid waste management planning. Mayor Lacher suggested that the Council attempt to limit the session to reviewing draft goals and methodology for the Town Solid Waste Management Plan and not enter into broader discussion with the County or private vendors regarding the use of the Sutton Road Property. Discussion followed regarding attendees of the meeting and expectations of the Consultant. Administrator Fitch stated that the work session would be an appropriate venue to discuss additional goals such as banning plastic bags.

**Council consensus to hold a work session regarding solid waste management planning on Saturday, January 14, 2012 at 12:00 p.m. through 5:00 p.m.**

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### Joint meeting w/ Port

At 6:08 p.m., Mayor Lacher introduced discussion of topics for a joint meeting with the Port of Friday Harbor. Mayor Lacher inquired if there was a desire to meet or topics of interest. Councilmember Monin stated that he did not feel it was urgent to hold a meeting but desired to discuss a partnership with the Port to install curb, gutter and sidewalk connecting the pedestrian entrance to the airport located on Mullis Street to the existing sidewalk near Market Street. Discussion followed regarding the last joint meeting with the Port. Councilmember Hushebeck inquired if there was a need to discuss Shoreline Master Plan updates. Administrator Fitch stated that the Port has already been working with Town staff regarding SMP. No action was taken.

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

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

Councilmember Menjivar inquired if other Councilmembers are planning to attend the AWC sponsored elected official training in February 2012. Councilmembers Monin and Starr will register to attend the February 9<sup>th</sup> training workshop. Councilmembers Menjivar, Monin and Starr announced that they would travel to the conference together and stated that no Town business would be discussed.

## **CITIZEN RESPONSE**

There were no public access items forthcoming.

## **EXECUTIVE SESSION**

At 6:35 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

## MINUTES OF THE TOWN COUNCIL - 2012

Attorney Patricia Buchanan. The session ended at 7:19 p.m. for an actual session time of 44 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:20 p.m. The next special meeting is scheduled for Saturday, January 14, 2012 at 12:00 p.m. and the next regular meeting is scheduled for Thursday, January 19, 2012 at 12:00 p.m.

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### Saturday, January 14, 2012 – 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 12:00 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; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas; and Attorney, Adina Cunningham were not present.

#### EXCUSED ABSENCE

Mayor Lacher asked if the Council wished to excuse Councilmember de Freitas. The Council concurred.

#### WORK SESSION

##### Solid Waste Management Planning

At 12:01 p.m., Mayor Lacher welcomed Michelle Nicholls, Resource Manager; Dan Venchiarutti, Project Manager and John Richards, Engineering Director from SCS Engineers to provide sample goals and objectives for consideration of the Town's Solid Waste Management Plan (SWMP). Others in attendance included Mike Wilks, Utilities Superintendent; Pete Rose, SJC Administrator; Frank Mulcahy, SJC Public Works Director; Ed Hale, SJC Utilities Manager; and Lovel Pratt, SJC Councilmember.

The Council discussed the following items as part of their work session regarding solid waste management planning:

- Review of SWMP purpose and process
- Identify SWMP goals and objectives
- Review methodology for selecting options
- Discuss and prioritize issues of importance
- Determine next steps in process

Discussion followed regarding concepts for the collection, transfer, disposal, and recovery of Town's solid waste. No action was taken.

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Mayor Lacher accepted public comment from the following: Mr. Mulcahy, Mr. Hale and Ms. Pratt.

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

**ADJOURNMENT** – Hearing no objection, Mayor Lacher adjourned the meeting at 4:15 p.m. The next regular meeting is scheduled Thursday, January 19, 2012 at 12:00 p.m.

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**These minutes were approved on January 19, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

### Thursday, January 19, 2012 – 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; and Clerk, Amy Taylor.

Position No. 3, Anna Maria de Freitas was not present. Attorney, Adina Cunningham attended the executive session by telephone.

#### EXCUSED ABSENCE

Mayor Lacher asked if the Council wished to excuse Councilmember de Freitas. The Council concurred.

#### ANNOUNCEMENTS/SCHEDULE CHANGES

The posted agenda was revised. An executive session was scheduled during the afternoon session and evening session was rescheduled due to cancellations.

Mayor Lacher read a thank you note from Linda and Gary Thompson, 435 Greenway, into the record regarding recently completed Spruce Street Storm Drainage Improvements project.

#### PUBLIC ACCESS TIME

There were no public access items forthcoming.

#### ACTION AND DISCUSSION ITEMS

##### Committee Report

At 12:02 p.m., Mayor Lacher introduced Susan Key, SJC Stormwater Citizens Advisory Committee (SCAC) member, to provide an update on committee activities. As a resident in the Evergreen Subdivision, Ms. Key thanked the Council for recent improvements to Spruce Street. Ms. Key reported that the SCAC is currently tasked with public outreach, existing basin drainage planning, developing a new stormwater fee structure, and reviewing the Eastsound and Lopez Village drainage plans, revisions

## MINUTES OF THE TOWN COUNCIL - 2012

to the State stormwater manual, and SJC Voluntary Stewardship Program. Councilmember Hushebeck inquired about grant funding opportunities. The Mayor and Council thanked Ms. Key. No action was taken.

### Chamber of Commerce

At 12:08 p.m., Mayor Lacher introduced Tom Kirschner, Executive Director of the SJI Chamber of Commerce, to present the 2011 Annual report. Mr. Kirschner thanked the Town for its continued support and summarized the Annual Chamber Report; which included 2011 budget, accomplishments, membership, events, and statistics on visitation; and described upcoming 2012 objectives, which include continued work with Washington State Ferries, Economic Development Council, Port of Friday Harbor and local Business Improvement District. Discussion followed regarding holiday decorations and Chamber Award recipients. Mayor Lacher and the Council thanked Mr. Kirschner. No action was taken.

### Resolution No. 1885

At 12:26 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1885, authorizing the Mayor to offer for public sale such used vehicles and equipment deemed surplus. Administrator Fitch explained that Fire Support Vehicle No. 1 will be included as surplus equipment instead of transferring the vehicle to the Town Shop as an asset for public works use. Other items include miscellaneous fire equipment and firewood rounds from a tree that was removed from Town property. No discussion followed.

**Moved by Hushebeck, second by Starr, authorizing the Mayor to offer for public sale such used vehicles and equipment deemed surplus. Motion passed 4-0 with de Freitas absent.**

### **ADMINISTRATOR'S REPORT**

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

- Inclement Weather Event - Mike Wilks, Utilities Superintendent reported on the January 15<sup>th</sup> through 19<sup>th</sup> storm event. The County received 6-8 inches of snow and mixed sleet is predicted through the weekend. Town experienced no power outages or water pipe freezing issues to date. However, ice caused the two water-meter reading employees to be involved in a single car accident in Hillview Terrace neighborhood. The employees did not receive serious injuries and the Town truck is receiving estimates for repair.
- Traffic Sign Replacement - Town continues to meet with the County regarding the federal grant to replace current directional traffic signs with highly reflective traffic signs. It's estimated that Town will require 270 signs to meet federal regulations.
- State Auditor Exit Interview - The exit interview with the State Auditor has been tentatively rescheduled to February 2, 2012 at 2:00 p.m.
- "Great Island Cleanup Day" meeting - Lori Stokes is seeking Town sponsorship and participation in the second annual Great Island Cleanup Day. Councilmember Starr volunteered to attend the meeting scheduled on February 13, 2012.
- Mullis Street sidewalk - The Port of Friday Harbor has reported that they desire to work with the Town to install curb, gutter and sidewalk connecting the pedestrian entrance to the airport located on Mullis Street to the existing sidewalk near Market Street and pilot/passenger waiting area, but said improvements are dependent on funding from HB2260 monies.

### **PAYMENT OF CLAIMS**

Moved by Monin, second by Hushebeck, to approve the payment of Claim Warrant Nos. 36376 through 36418 in the amount of \$168,945.07. Motion passed 4-0 with de Freitas absent.

### **APPROVAL OF MINUTES**

## MINUTES OF THE TOWN COUNCIL - 2012

Moved by Starr, seconded by Monin, to approve the minutes of **January 5, 2012 and January 14, 2012 as submitted**. Motion passed 4-0 with de Freitas absent.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Hushebeck stated that due to the weather, the Economic Development Council was unable to finalize their final scope of work for their 2012 agreement, but should be able to do so before the February 2, 2012 session. No discussion followed.

### CITIZEN RESPONSE

There were no public access items forthcoming.

### EXECUTIVE SESSION

At 12:52 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 15 minutes. Participants: Town Council, Mayor Lacher, Administrator Fitch, Treasurer Picinich, Clerk Taylor and Attorney Cunningham (by telephone). The session ended at 1:07 p.m., for an actual session time of 15 minutes. No action was taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:08 p.m. The next regular meeting is scheduled for Thursday, February 2, 2012 at 12:00 p.m.

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**These minutes were approved on February 2, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, February 2, 2012 – 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; Clerk, Amy Taylor; Utilities Superintendent, Mike Wilks; and Refuse Department Leadman, Dave Smith.

San Juan Councilmembers and Staff: Richard Peterson, Howard Rosenfeld, Richard Fralick, Patty Miller, Jamie Stephens, Ingrid Gabriel, Pete Rose, and Frank Mulcahy.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL - 2012

### WORK SESSION

At 12:01 p.m., Mayor Lacher and the Town Council welcomed the SJC Council to hold a joint public meeting to address issues of mutual concern. Mayor Lacher invited the SJC Council to convene their meeting. County Council Chair Patty Miller called the County Council meeting to order.

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

- SJC Solid Waste Utility - Mr. Rose introduced Frank Mulcahy who gave an update on the progress of solid waste handling services, route-collected pick-up and the status of the transfer station on Orcas Island. Chair Patty Miller furthered the discussion regarding the potential of partnering with the Town on Request for Proposals (RFP) relating to third party handling of solid waste services on San Juan Island. Discussion followed regarding preserving the self-haul option at the Sutton Road Transfer Station by contracting with a third party to manage solid waste handling and fund capital improvements. No action was taken.
- Washington State Ferries - Mr. Rosenfeld introduced correspondence addressed to all members of the Washington State House and Senate Transportation Committees in support of a sustainable transportation funding package. Mr. Rosenfeld provided an update on other proposals before the legislature regarding ferries. The SJC Council voted unanimously to approve said letter. **Moved by Hushebeck, seconded by Menjivar, to approve said letter to all members of the House and Senate Transportation Committees. 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 adjourned the meeting at 1:11 p.m. The next regular meeting is scheduled for Thursday, February 2, 2012 at 5:30 p.m.

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These minutes were approved on February 16, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, February 2, 2012 – 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.

## MINUTES OF THE TOWN COUNCIL - 2012

### 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; and Clerk, Amy Taylor.

Councilmember Monin and Attorney 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 Monin. Council unanimously approved his absence.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### SJC Economic Development Council (EDC)

At 5:31 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 their Annual Report; which included 2011 accomplishments, 2012 objectives and goals, and scope of work for the 2012 contractual period. Tom Schramm, consultant to EDC, reported on the SJC Broadband Initiative study. Mr. Schramm and Ms. Compton noted that broadband will require improved residential service county-wide and that rural areas are behind the typical internet speed due to the high cost of installation per user. The EDC is coordinating with partners such as Opalco for these county-wide improvements. Discussion followed regarding 2012 goals and types of broadband infrastructure. Mayor Lacher and Council thanked Ms. Compton and Mr. Schramm.

#### Resolution No. 1884

At 6:05 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1884, authorizing the Mayor to execute an agreement with the SJC Economic Development Council to promote economic development within the Town of Friday Harbor for 2012. No discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Resolution No. 1884, authorizing the Mayor to execute an agreement with the SJC Economic Development Council to promote economic development within the Town of Friday Harbor for 2012. Motion passed 4-0 with Monin absent.**

#### Resolution No. 1886

At 6:06 p.m., Mayor Lacher introduced draft Resolution No. 1886, authorizing the Mayor to execute an agreement with SCS Engineers for 2012 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 2012, 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.

## MINUTES OF THE TOWN COUNCIL - 2012

**Moved by de Freitas, seconded by Starr, to adopt Resolution No. 1886, 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 2012 groundwater monitoring program services at the Friday Harbor Landfill. Motion pass 4-0 with Monin absent.**

### Town Wellness Committee

At 6:08 p.m., Mayor Lacher introduced discussion of Town Wellness Committee appointments. The following Town employees volunteered to serve on the Committee for year 2012: Amy Taylor, Sabrina Schaffer and Allan Brown. Member Daniel Frymire volunteered to continue with his current appointment on the Committee. Treasurer Picinich distributed the 2011 Wellness Report for Council review. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to appoint employees Amy Taylor, Sabrina Schaffer and Allan Brown to the Town Wellness Committee. Motion passed 4-0 with Monin absent.**

### Plastic Bag Ban

At 6:09 p.m., Mayor Lacher introduced discussion of banning of single-use plastic bags within the Town. Councilmember Starr referenced the recent press release by local grocers in support of proposed statewide ban (HB2404) and suggested that Town explore a similar ban while the State considers the legislation. HB2404 is a measure that proposes to require retail stores to provide checkout bags that are made of reusable cloth or plastic, or that meet the definition of a recycled paper bag and imposes a reasonable charge on customers to recoup costs. Mayor Lacher explained that grocers such as King's Market and Market Place would already be in compliance; and stated that Town resources would be required for drafting such an ordinance. Discussion followed regarding the regulation of business in Town; if Town truly has a litter issue it needs to mitigate; and statewide ban. Mayor Lacher suggested that the Town draft a letter of support for HB 2404 and see if the statewide ban is enacted in 2012. The Council concurred. Councilmember Starr volunteered to draft said letter with Clerk Taylor.

## ADMINISTRATOR'S REPORT

At 6:24 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Email Archiving - The System Administrator is continuing to work through issues related to migrating the current email server to one that supports archiving. Instruction were provided to Councilmembers for their home computers.
- Nichols Street - The Agricultural Guild requested and is in the process of making sidewalk improvements within the Nichols Street right-of-way.

## PAYMENT OF CLAIMS AND PAYROLL

Moved by Hushebeck, second by Menjivar, to affirm the payment of Payroll Warrant Nos. 15272 through 15309 in the amount of \$220,724.11 and approve the payment of Claim Warrant Nos. 36421 through 36487 in the amount of \$253,081.96. Motion passed 4-0 with Monin absent.

## APPROVAL OF MINUTES

Moved by Hushebeck, seconded by Menjivar, to approve the minutes of **January 19, 2012 as submitted**. Motion passed 4-0 with Monin absent.

## FUTURE AND NON-AGENDA ITEMS

Administrator Fitch noted that Town received a letter from the SJC Prosecuting dated February 2, 2012 requesting that the Town and County renegotiate its agreement for "court services" fees.

## MINUTES OF THE TOWN COUNCIL - 2012

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:43 p.m. The next regular meeting is scheduled for Thursday, February 16, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on February 16, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, February 2, 2012 – 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; and Clerk, Amy Taylor.

Councilmember Monin and Attorney 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 Monin. Council unanimously approved his absence.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### SJC Economic Development Council (EDC)

At 5:31 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 their Annual Report; which included 2011 accomplishments, 2012 objectives and goals, and scope of work for the 2012 contractual period. Tom Schramm, consultant to EDC, reported on the SJC Broadband Initiative study. Mr. Schramm and Ms. Compton noted that broadband will require improved residential service county-wide and that rural areas are behind the typical internet speed due to the high cost of installation per user. The EDC is coordinating with partners such as Opalco for these county-wide improvements. Discussion followed regarding 2012 goals and types of broadband infrastructure. Mayor Lacher and Council thanked Ms. Compton and Mr. Schramm.

## MINUTES OF THE TOWN COUNCIL - 2012

### Resolution No. 1884

At 6:05 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1884, authorizing the Mayor to execute an agreement with the SJC Economic Development Council to promote economic development within the Town of Friday Harbor for 2012. No discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Resolution No. 1884, authorizing the Mayor to execute an agreement with the SJC Economic Development Council to promote economic development within the Town of Friday Harbor for 2012. Motion passed 4-0 with Monin absent.**

### Resolution No. 1886

At 6:06 p.m., Mayor Lacher introduced draft Resolution No. 1886, authorizing the Mayor to execute an agreement with SCS Engineers for 2012 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 2012, 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.

**Moved by de Freitas, seconded by Starr, to adopt Resolution No. 1886, 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 2012 groundwater monitoring program services at the Friday Harbor Landfill. Motion pass 4-0 with Monin absent.**

### Town Wellness Committee

At 6:08 p.m., Mayor Lacher introduced discussion of Town Wellness Committee appointments. The following Town employees volunteered to serve on the Committee for year 2012: Amy Taylor, Sabrina Schaffer and Allan Brown. Member Daniel Frymire volunteered to continue with his current appointment on the Committee. Treasurer Picinich distributed the 2011 Wellness Report for Council review. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to appoint employees Amy Taylor, Sabrina Schaffer and Allan Brown to the Town Wellness Committee. Motion passed 4-0 with Monin absent.**

### Plastic Bag Ban

At 6:09 p.m., Mayor Lacher introduced discussion of banning of single-use plastic bags within the Town. Councilmember Starr referenced the recent press release by local grocers in support of proposed statewide ban (HB2404) and suggested that Town explore a similar ban while the State considers the legislation. HB2404 is a measure that proposes to require retail stores to provide checkout bags that are made of reusable cloth or plastic, or that meet the definition of a recycled paper bag and imposes a reasonable charge on customers to recoup costs. Mayor Lacher explained that grocers such as King's Market and Market Place would already be in compliance; and stated that Town resources would be required for drafting such an ordinance. Discussion followed regarding the regulation of business in Town; if Town truly has a litter issue it needs to mitigate; and statewide ban. Mayor Lacher suggested that the Town draft a letter of support for HB 2404 and see if the statewide ban is enacted in 2012. The Council concurred. Councilmember Starr volunteered to draft said letter with Clerk Taylor.

## ADMINISTRATOR'S REPORT

## MINUTES OF THE TOWN COUNCIL - 2012

At 6:24 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Email Archiving - The System Administrator is continuing to work through issues related to migrating the current email server to one that supports archiving. Instruction were provided to Councilmembers for their home computers.
- Nichols Street - The Agricultural Guild requested and is in the process of making sidewalk improvements within the Nichols Street right-of-way.

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

Moved by Hushebeck, second by Menjivar, to affirm the payment of Payroll Warrant Nos. 15272 through 15309 in the amount of \$220,724.11 and approve the payment of Claim Warrant Nos. 36421 through 36487 in the amount of \$253,081.96. Motion passed 4-0 with Monin absent.

### **APPROVAL OF MINUTES**

Moved by Hushebeck, seconded by Menjivar, to approve the minutes of **January 19, 2012 as submitted**. Motion passed 4-0 with Monin absent.

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

Administrator Fitch noted that Town received a letter from the SJC Prosecuting dated February 2, 2012 requesting that the Town and County renegotiate its agreement for "court services" fees.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:43 p.m. The next regular meeting is scheduled for Thursday, February 16, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on February 16, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, February 16, 2012 – 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; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar and Treasurer, Wendy Picinich were not present.

### **FLAG SALUTE**

## MINUTES OF THE TOWN COUNCIL - 2012

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.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

#### Shoreline Substantial Development Permit No. 91

At 5:35 p.m., Mayor Lacher opened the public hearing to consider Shoreline Substantive Development Permit No. 91; an application for the removal of approximately 3,700 square feet of wooden docks and to replace with low environmental impact aluminum docks. The property is identified as Tax Parcel No. 351349051-76 known as Cannery Village Marina. The Cannery Village Marina is a private marina providing access to Cannery Village Condominiums and the Town of Friday Harbor. The Marina includes approximately 26 vessel slips.

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 Marina. No shoreline or upland work is proposed. The Project includes the complete replacement of the existing wood floats with new welded aluminum floats. The existing floats are no longer serviceable and have become hazardous.

Staff evaluation and recommendation is that the Town Council should approve Shoreline Substantial Development Permit No. 91 (and SEPA Checklist No. 280) 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 5:37 p.m., Mayor Lacher opened the public hearing to audience testimony.

Jim Guy, Authorized Agent for Cannery Village Marina Association, stated that he agreed with the Town staff recommendation and was available to answer questions from audience or staff.

Kathleen Nelson, Cannery Village Condominium Unit #D307, inquired (if approved) about work hours and construction schedule of the project.

## MINUTES OF THE TOWN COUNCIL - 2012

Fred Schaller, Cannery Village Condominium Unit #19, stated that working hours were a concern to other Association members, however the Association is amiable to compromise on the allowable working hours to accommodate factors such as tides.

Jim Guy stated that working hours are Monday through Saturday, 7 a.m. through 7:00 p.m. The Marina anticipates 2-3 months needed to acquire and finalize permits and 2-3 weeks needed for construction. The Contractors anticipate minimal noise required for replacement of the docks.

Mayor Lacher asked for additional public testimony. Hearing none, she asked if Attorney Cunningham and staff if they wished to make additional comments. None were forthcoming.

Mayor Lacher opened the hearing to Council questions.

Mayor Lacher asked if Association residents would be given notice before construction. Mr. Guy answered in the affirmative.

Councilmember Monin inquired if the construction schedule anticipated factors such as vessel traffic for Washington State Ferries. Mr. Guy answered in the affirmative.

Attorney Cunningham noted that the Applicant is currently in the process of applying for necessary Army Corps. permits to satisfy a portion (section 10 - work in navigable waters) of the application.

No additional questions were forthcoming. Mayor Lacher asked for additional audience comments. Hearing none, Mayor Lacher closed the public input portion of the hearing at 5:43 p.m., reserving the right to reopen if needed, and opened Council deliberations. None was forthcoming.

**Moved by Starr, seconded by de Freitas, to adopt the Staff Report dated February 7, 2012; and direct staff to prepare Findings of Fact, Conclusions of Law and Decision regarding the application for Shoreline Substantial Development Permit No. 91; an application to remove and replace approximately 3,700 square feet of wooden dock with low environmental impact aluminum floats. Motion passed 4-0 with Menjivar absent.**

### Conditional Use Permit Application No. 67

At 5:58 p.m., Mayor Lacher opened the public hearing to consider Conditional Use Permit Application No. 67; a request by Coldwell Banker Real Estate and Wolf Hollow Wildlife Rehabilitation Center, requesting that a wall within the Town right-of-way be designated for commemorative ceramic tiles, located adjacent to the ramp on First Street.

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 described the background of the application, staff evaluation and recommendation, and applicable permitting process. Staff evaluation and recommendation per the staff report dated February 7, 2012, is that the Town Council should approve Conditional Use Permit No. 67 and allow the proposed mural to be installed on the subject property as conditioned. Said staff report concludes that the application,

## MINUTES OF THE TOWN COUNCIL - 2012

as currently written, meets the requirements for granting said permit as regulated by Titles 14 and 17 of the Friday Harbor Municipal Code.

Conditions of Conditional Use Permit Application No. 67 include that installation of ceramic tiles must commence within two years from the date of said permit; the applicant is required to go before the Historic Preservation Review Board; and must execute a maintenance agreement for said project.

At 6:06 p.m., Mayor Lacher opened the public hearing Council questions.

Councilmember Monin inquired if there were any additional concerns. Mr. Bertrand answered that there would be an unprecedented use of the public right-of-way (ROW), however this area of the ROW will not restrict the public.

Councilmember de Freitas inquired about the precedence. Mr. Bertrand answered that the content of the commemorative ceramic tiles should be considered.

Councilmember Hushebeck inquired about the schedule for the project. Mayor Lacher suggested that the Applicant share that information. (See below.)

At 6:09 p.m., Mayor Lacher opened the public hearing to audience testimony.

Laurie Connelly, representative for Wolf Hollow, entered Exhibit A (Email of listed conditions titled "Commemorative wall benefiting Wolf Hollow" dated January 4, 2012) into the record and stated that the owners of the Coldwell Banker building had submitted this list of additional conditions for installation of the commemorative tile project on the wall. The list states that tiles would need to be installed at the same time instead of as a continuous ongoing project. Ms. Connelly estimated that once 200 tiles were collected it would require up to 2 weeks to install the project. The Wolf Hollow Board and owners of the Coldwell Banker building will screen tiles for content. The building owner desires a maintenance agreement be in place prior to the project.

Brief discussion followed regarding the terms of a maintenance agreement. Ms. Connelly inquired if contact information for Wolf Hollow and Coldwell Banker could be placed on a centerpiece tile as conditioned by Exhibit A. Mr. Bertrand stated that he would have to investigate. Attorney Cunningham clarified that Exhibit A was not considered an amendment to Conditional Use Permit Application No. 67.

Administrator Fitch stated concerns that the proposal as presented, the Town Council would have no authority or control over the potential content of the material on the wall in the public right-of-way. Attorney Cunningham concurred. Discussion followed regarding acceptable "content" and possible use of the tiles for advertising purposes. Administrator Fitch explained that if Council desires to adopt new regulations, the Town would have the right to franchise use of the public right-of-way for a fee for advertising activities.

At 6:23 p.m., Mayor Lacher closed the public input portion of the hearing, reserving the right to reopen if needed. Mr. Connelly requested that she be able to address the question of placing contact information on the proposed tiles. Mr. Lacher asked for Council consent and reopened the public input portion of the hearing at 6:24 p.m.

Ms. Connelly stated that the intent of placing business information, such as the proposed centerpiece tile describing what Wolf Hollow does and how to contribute, was intended as an ongoing way of generating awareness for the organization rather than an advertisement for how people could donate to Wolf Hollow. Ms. Connelly stated that she understood concerns regarding "advertising" for businesses that may purchase the ceramic tiles.

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor Lacher explained that she shared the concerns stated by the Council regarding "unintended consequences". Mayor Lacher noted that the issue was akin to allowing business information on the interpretive signage at the Spring Street Rain Garden. Mayor Lacher suggested that the Council continue their public hearing until Staff could return with additional information. The Council concurred.

Mayor Lacher continued the public hearing at 6:28 p.m., to Thursday, March 1, 2012 at 5:35 p.m. No action was taken.

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

Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on Washington State Ferries, upcoming meetings and ongoing testimony to the Legislature. No discussion followed.

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

Administrator Fitch noted that Town has received several draft chapters of the Town Solid Waste Management Plan that will be provided to the Council following review by staff.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**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, March 1, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on March 1, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk.**

**Thursday, March 1, 2012 – 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.

## MINUTES OF THE TOWN COUNCIL - 2012

### ACTION AND DISCUSSION ITEMS

#### Business Improvement District

At 12:02 p.m., Mayor Lacher introduced Ed Williams, local business owner and member of the Friday Harbor Business Association, to provide an update regarding the proposed Friday Harbor Business Improvement District (BID). Mr. Williams explained that the purpose of the BID is to create a partnership between the business community and Town to help manage and maintain less critical issues and projects such as annual flower baskets. Other core functions could include keeping sidewalks and curbs clean, removing graffiti, and enhancing the appearance and attractiveness of the district. The Association is continuing with their goal to organize local businesses and property owners in an attempt to assess themselves to raise money for downtown core improvements and beautification. The suggested amount of the assessment would be \$100.00 annually to be paid in conjunction with the annual Town business license renewal. To date, the Association has received approximately 40 letters of support from local businesses in the downtown core. When the Association receives support from at least 60% or approximately 240 businesses, the Association will approach the Town to initiate the legislative process. Paul LeBaron, local business owner, stated that the BID concept is generally being received by local business owners. Discussion and inquiry followed regarding the difference between a BID and local Chamber of Commerce and attracting tourism. Mayor Lacher thanked Mr. Williams. No action was taken.

#### Findings of Fact - Shoreline Substantial Development Permit No. 91

At 12:18 p.m., Mayor Lacher introduced discussion of adoption of Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit Application No. 91 and State Environmental Protection Act (SEPA) No. 280 by the Cannery Village Marina Association to remove and replace approximately 3,700 square feet of wooden dock with low environmental impact aluminum floats. Said parcel is identified as Tax Parcel No. 351349051-76, and adjacent to 100-241 Warbass Way. Staff was directed to prepare Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit Application No. 91 per the public hearing of February 16, 2012. No discussion followed.

**Moved by de Freitas, seconded by Monin, to adopt Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit Application No. 91 by the Cannery Village Marina Association to remove and replace approximately 3,700 square feet of wooden dock with low environmental impact aluminum floats. Motion passed unanimously.**

#### Resolution No. 1889

At 12:19 p.m., Mayor Lacher introduced draft Resolution No. 1889, establishing employee use of Town wireless communication devices. Administrator Fitch explained that Town needs to update its existing policies and procedures for the purchase and use of cell phones by Town employees and reimbursement by employees for limited personal use of wireless devices provided by Town for accountability purposes. In addition to adhering to written policies, employees will now be required sign an Assigned User Agreement outlining the employee's responsibilities and liabilities. Discussion followed regarding related policies such as social media use.

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1889, establishing employee use of Town wireless communication devices. Motion passed unanimously.**

### ADMINISTRATOR'S REPORT

At 12:28 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Utility Worker II - Town has advertised for and received 39 applications for the Water Treatment / Distribution position. Several applicants were from outside Washington State.

## MINUTES OF THE TOWN COUNCIL - 2012

- Peace Island Medical Center - PeaceHealth has submitted a water, sewer and stormwater extension contract for system improvements and plans for construction of curb, gutter and sidewalk within the public right-of-way at the Peace Island Medical Center.
- Annual Groundwater Monitoring Report - SCS Engineers, consultant, has submitted the annual groundwater and landfill gas monitoring results at the FH Landfill located on Sutton Road. The report is available for review and has been submitted to SJC Public Health and WA Department of Ecology as required by law.
- AWC Labor Relations Institute Conference - Mayor Lacher requested the Council to approve expenditures to send Duncan Wilson, the new Town Administrator, to the conference in her place. Mr. Wilson estimates 22 working hours to attend. Discussion followed regarding upcoming union negotiations and the value of sending Mr. Wilson and Attorney Cunningham to the conference. **Council consensus to authorize conference fees and reimbursement to Mr. Wilson for approximately 22 hours of time spent at the AWC Labor Relations Institute Conference.**

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by Menjivar, to affirm the payment of Payroll Warrant Nos. 15310 through 15345 and the February 29, 2012 Direct Deposit Run in the amount of \$201,651.60 and approve the payment of Claim Warrant Nos. 36541 through 36585 in the amount of \$91,944.34. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Starr, seconded by de Freitas, to approve the minutes of **February 16, 2012 as corrected.** Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Menjivar requested that HB 2728 and SB 6521 be scheduled for discussion. Said bills allow increased flexibility for securing local revenue including an increase in sales tax for law and justice purposes.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 12:40 p.m. The next regular meeting is scheduled for Thursday, March 1, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on March 15, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, March 1, 2012 – 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.

## MINUTES OF THE TOWN COUNCIL - 2012

### 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.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher announced that she spoke with Duncan Wilson, new Town Administrator, and he has agreed to take her place at the AWC Labor Relations Institute in April 2012.

Mayor Lacher announced that Councilmember Starr has agreed to act as Mayor Pro-tem during the April 19, 2012 meetings of the Town Council.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARINGS

#### Conditional Use Permit Application No. 67

At 5:35 p.m., Mayor Lacher opened the continued public hearing to consider Conditional Use Permit Application No. 67; a request by Coldwell Banker Real Estate and Wolf Hollow Wildlife Rehabilitation Center, requesting that a wall within the Town right-of-way be designated for commemorative ceramic tiles, located on the building access ramp on First Street.

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 additional information. Mr. Bertrand entered the following exhibits into the record: Exhibit B - Planning Department Memo dated February 24, 2012; Exhibit C - Mock wording on tile designs dated February 28, 2012; and Exhibit D - Picture of existing building exterior wall. Mr. Bertrand explained that after reviewing additional information presented during the February 16, 2012 public hearing that the following recommendations should apply if the conditional use permit is approved: 1) No advertisements, such as websites, shall be part of wall; 2) executed maintenance before installation of tiles; 3) tiles should conform to specific content; and 4) applicant shall apply and be required to go before the HPRB for any additional requirements that they might have concerning aesthetics. Said conditions are in addition to the staff evaluation and recommendation per the staff report dated February 7, 2012.

At 5:40 p.m., Mayor Lacher opened the hearing to public input. Hearing no comment from the applicant or public, Mayor Lacher opened the hearing to Council questions.

## MINUTES OF THE TOWN COUNCIL - 2012

Councilmember Hushebeck inquired about the color, size and finish of the proposed tiles. Mr. Bertrand stated that the tiles shall match the current look of the existing building exterior wall.

Councilmember Hushebeck stated that the "mock" examples (Exhibit C) were too interpretive. Discussion followed regarding of narrowing the wording to fifteen standard design templates, such as "In Memory Of"; allowance of religious references; and location. Attorney Cunningham advised that requiring categories is acceptable but the Council should refrain from censorship.

Dave Smith, Streets Leadman, commented that the location of the commemorative wall is narrow and view of the wall will be frequently blocked by parked vehicles.

At 6:02 p.m., hearing no further Council questions or comments from staff or the public, Mayor Lacher closed the public input portion of the hearing an opened the hearing to Council deliberations.

Councilmember Monin stated support for the proposal if the applicant was able to clearly define the proposal. Councilmember Monin noted his disappointment in the time and resources its taking to consider this project.

Councilmember de Freitas stated that the applicants should not be able to install the project before a maintenance agreement is in place.

Councilmember Menjivar stated that he wanted a sample tile presented to the Council before making a final decision. Councilmembers concurred.

Mayor Lacher noted that the Council appeared to be inclined to continue the public hearing and restated the opinions of the Council. Mayor Lacher noted that it was unfortunate that the applicant was not present to answer Council questions. Clerk Taylor requested a motion (in lieu of consensus) to close the public hearing. Council discussion followed regarding the wording for a motion.

**Moved by Menjivar, seconded by Hushebeck, to continue the public hearing to March 15, 2012 at 5:35 p.m., to present to the Council a revised set of no more than ten sample categories and a tile sample.** Discussion followed regarding the specificity of the motion and amendments. Clerk Taylor requested that the motion be withdrawn and restated to provide clear direction for the record and staff. Motion withdrawn by Menjivar and Hushebeck.

**Moved by Menjivar, seconded by Hushebeck, to continue the public hearing to March 15, 2012 at 5:35 p.m.; and direct staff to work with the applicants to provide additional information for consideration, specifically to include: 1) a revised set of no more than ten sample categories and/or wording templates to be used as messages on the tiles; 2) physical tile(s) characterizing the correct size, shape, color, silk-screening and/or engraving of said tiles; and 3) other information as may be required to facilitate approval of the proposal.** Motion passed unanimously.

## MINUTES OF THE TOWN COUNCIL - 2012

### SAN JUAN COUNTY (SJC) COUNCIL UPDATE

At 6:16 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the following: 1) State bills under consideration for transportation funding and flex spending sales tax proposals; 2) SJC proposal to increase sales tax per RCW 82.14.450 for law and justice purposes; 3) draft SJC solid waste request for proposals for Orcas and Lopez Islands; and 4) draft SJC level of solid waste service ordinance. Discussion followed regarding solid waste issues. Mayor Lacher thanked Mr. Rosenfeld.

### WORK SESSION

#### Solid Waste Management Plan

At 6:26 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan, Chapters 1-6. The purpose of the work session was to review and provide feedback to the Consultants for this portion of the preliminary draft so that they can begin drafting the remaining chapters. Administrator Fitch explained that the Consultants are currently focusing on the State mandated portion of the Plan. Edits to the goals will affect the direction taken and options provided in later drafts. Additional chapters of the Plan will be distributed to the Town Council and Planning Commission as they are made available by the Consultants. Consultants have requested that edits and concerns be noted by both parties as the process moves forward.

Per inquiry, Administrator Fitch described options for transfer and disposal of special wastes and recycling; and tonnage needed to sustain a facility at the Sutton Road property. Administrator Fitch recommended that the Town begin trial runs with recycling and special wastes to off-island facilities, such as Tri-County Recycling, to determine additional financial and logistical information. **Council consensus to try trial runs to off-island facilities.** Several edits to the Plan were identified. No action was taken on the draft Plan.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher noted current vacancies on the Town Planning Commission.

Councilmember Menjivar requested that discussion of the County's proposed increase of sales tax for law and justice purposes 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 adjourned the meeting at 7:23 p.m. The next regular meeting is scheduled for Thursday, March 15, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on March 15, 2012. 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 - 2012

**Thursday, March 15, 2012 – 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.

Councilmember Monin left the meeting at 1:00 p.m.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEUDLE CHANGES**

Mayor Lacher has earned the Certificate of Municipal Leadership (CML) Award from the Association of Washington Cities. The award recognizes the Mayor's advocacy on behalf of the Town at AWC events, conferences and legislative efforts. Mayor Lacher is the only current Town elected official to have earned this award, and the first official to have done so since 2008 when former Mayor David Jones earned the certificate.

Councilmember Starr urged the Council and staff to participate in the Great Island Cleanup on April 21, 2012.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Historic Preservation Review Board

At 12:05 p.m., Mayor Lacher introduced discussion of Historic Preservation Review Board reappointments. Sandy Strehlou, Historic Preservation Review Board Coordinator, notified the Council that David Waldron has resigned from the Board and Matt Shildneck and Nina LeBaron are seeking reappointment. Ms. Strehlou stated that the Board has one possible candidate to fill Mr. Waldron's position. Mr. Shildneck and Ms. LeBaron's current terms on the Board expire March 31, 2012 and are seeking reappointment for the two year terms. Ms. Strehlou provided a brief update regarding preservation.

**Moved by Monin, seconded by Starr, to reappoint Matt Shildneck and Nina LeBaron to the Historical Preservation Review Board. Motion passed unanimously.**

#### Resolution No. 1890

At 12:09 p.m., Mayor Lacher introduced draft Resolution No. 1890, authorizing the Mayor to terminate a renewal lease with option to purchase agreement for one used Spartan Van Pelt fire truck with the Friday Harbor Firefighter's Association. Administrator Fitch explained that pursuant to Resolution No. 1631 adopted on April 3, 2008, the Town renewed the lease agreement for said engine with the Association. District No. 3 has notified the Town that it does not currently have a need to use the additional fire engine. In accordance with Section 6 of the agreement, it is in the public's best interest

## MINUTES OF THE TOWN COUNCIL - 2012

to terminate the lease effective April 15, 2012. Discussion followed regarding the lease amount paid to date.

**Moved by de Freitas, seconded by Menjivar, adopt Resolution No. 1890, authorizing the Mayor to terminate the renewal lease with option to purchase agreement for one used Spartan Van Pelt fire truck with the Friday Harbor Firefighter's Association. Motion passed unanimously.**

### Ordinance No. 1480

At 12:13 p.m., Mayor Lacher introduced draft Ordinance No. 1480, repealing Ordinance No. 1108 and Chapter 2.13 of the Friday Harbor Municipal Code concerning the Town of Friday Harbor Fire Department. Administrator Fitch explained that with the ordinance no longer applies due to the current interlocal agreement with District No. 3 for comprehensive fire protection services. Mayor Lacher inquired if the Town needed to draft language in its place. Administrator Fitch explained that no additional language was required.

**Moved by Hushebeck, seconded by de Freitas, to adopt Ordinance No. 1480, repealing Ordinance No. 1108 and Chapter 2.13 of the Friday Harbor Municipal Code concerning the Town of Friday Harbor Fire Department. Motion passed unanimously.**

### Solid Waste Management Plan

At 12:16 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan, Chapters 1-9. The purpose of the work session was to review and discuss next steps for development of the Plan. Administrator Fitch explained that the Council is now tasked with identifying needs and issues of current waste management for the Town. The feedback will then be forwarded to the Consultant to develop options within each of the sections for Chapters 2-6. Discussion followed regarding the public participation process and role of the Town Solid Waste Advisory Committee that is suggested to be composed of the Mayor and Town Council, with advice and input by the Planning Commission. Administrator Fitch explained that the Town will begin engaging the public to identify needs, issues and options. He will also attend the next Planning Commission meeting to get their input into the Plan. Mayor Lacher suggested that the Town could circulate a community-wide survey to help identify needs and public opinion. No action was taken.

## ADMINISTRATOR'S REPORT

At 12:50 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Town Water System Plan - Brown & Caldwell Engineering are in the process of updating the Plan. Town will update recent consumption and financial information for the Plan rather than relying on 2010 data. The Town continues to move forward with necessary projects that are listed in the adopted Town Capital Facilities Plan. Discussion followed regarding the status of the Water Transmission Line Project and Trout Lake Dam improvements.
- Sunday/Hunt/Grover Street Intersection - Town received a request to install a controlled intersection and crosswalk at Sunday Drive, Grover and Hunt Street. Town has forwarded traffic counts to a traffic consultant to develop a proposal to determine if a controlled intersection is warranted. Geralyn Reinhart, P.E. estimates the study to cost \$2,250. Discussion followed regarding the procedure for installing controlled intersections. Administrator Fitch explained rationale for engaging Ms. Reinhart for this request. **Council consensus to move forward with the proposal from Geralyn Reinhart, P.E. to perform a traffic engineering study at the Sunday/Hunt/Grover Street intersection.**
- Traffic Sign Replacement Grant - The Town was contacted by the County in regard to the federal grant to replace existing traffic control signage with new reflective signage. The Council

## MINUTES OF THE TOWN COUNCIL - 2012

opted at their February 16, 2012 session to not participate in said grant due to complications and unintended consequences that would result from federal requirements of this particular grant. The State has reconsidered the Town's status and indicated that the Town is still eligible to participate in the program under certain conditions. Administrator Fitch recommended that the Town continue to opt out of the grant program and budget the funds necessary for signage replacement for those same reasons. The Council concurred.

- Homes for Islanders - A draft letter of support was presented for Homes for Islanders for a 523 Technical Assistance Grant to develop 21 additional self-help homes in Friday Harbor. **Council consensus to sign said letter.** Discussion followed regarding the availability of affordable housing.

### PAYMENT OF CLAIMS

Moved by Hushebeck, second by Menjivar, approve the payment of Claim Warrant Nos. 36586 through 36637 in the amount of \$89,390.21. Motion passed 4-0 with Monin absent.

### APPROVAL OF MINUTES

Moved by de Freitas, seconded by Starr, to approve the minutes of **March 1, 2012 as submitted.** Motion passed 4-0 with Monin 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 1:22 p.m. The next regular meeting is scheduled for Thursday, March 15, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on April 4, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, March 15, 2012 – 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; and Position No. 4, Felix Menjivar.

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

Position No. 2, Noel Monin; and Position No. 5, Barbara Starr were not present.

### FLAG SALUTE

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

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

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARINGS

#### Conditional Use Permit Application No. 67

At 5:32 p.m., Mayor Lacher opened the continued public hearing to consider Conditional Use Permit Application No. 67; a request by Coldwell Banker Real Estate and Wolf Hollow Wildlife Rehabilitation Center, requesting that a wall within the Town right-of-way be designated for commemorative ceramic tiles, located on the building access ramp on First Street.

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 additional information. Mr. Bertrand deferred to Laurie Connelly, Applicant, to enter the following exhibits into the record: Exhibit E - Photograph of tile size and color displayed at existing wall and new mock designs; Exhibit F - Example of laser engraving from vendor; and Exhibit G1 - Color photocopy of (physical tile); and Exhibit G2 - sample tile. Ms. Connelly described the exhibits presented. Ms. Connelly explained that Wolf Hollow would like to address the Council's concerns regarding the proposal by limiting the mural to the following components: 1) the Wolf Hollow centerpiece tile listing the name of the Center and its mission statement; 2) etchings of native species of animals; and 3) names of donors. Mayor Lacher thanked Ms. Connelly. Discussion followed regarding engraving techniques.

At 5:40 p.m., Mayor Lacher opened the hearing to public input. Hearing no further comment from the applicant or public, Mayor Lacher asked staff for further comment.

Mr. Bertrand clarified that the commemorative tiles will be 3" x 7" in grey tone, as shown in Exhibit G-2 dated March 15, 2012 and only depict the donor's name (i.e., "John Doe" or "The Jones Family") in black engraved lettering. All previous conditions listed in the staff report dated February 7, 2012 shall apply to the proposal. Mr. Bertrand noted that the Applicant has met the requirement to go before the Historic Preservation Review Board for approval. Discussion followed regarding the physical appearance, such as color and size, of the tiles.

At 5:45 p.m., hearing no further Council questions or comments from staff or the public, Mayor Lacher closed the public input portion of the hearing and opened the hearing to Council deliberations.

Councilmembers Menjivar and Hushebeck took turns commenting on the proposal. Mayor Lacher noted that the Applicant appeared to address the concerns of the Council.

**Moved by Hushebeck, seconded by Menjivar, to approve Conditional Use Permit Application No. 67 as conditioned, for installation of a commemorative mural tile wall**

## MINUTES OF THE TOWN COUNCIL - 2012

**within the First Street right-of-way located at 105 Spring Street commonly known as the Coldwell Banker Building; and direct staff to prepare findings of facts, conclusions of law and decision. Motion passed 3-0 with Monin and Starr absent.**

### ACTION AND DISCUSSION ITEMS

#### Sales Tax Increase - Criminal Justice

At 5:52 p.m., Mayor Lacher introduced discussion of a proposition to voters to impose sales and use tax in accordance with RCW 82.14.450 for criminal justice and other public safety purposes. Administrator Fitch explained that the purpose of the discussion was to understand the contents of RCW 82.14.450; explore appropriate uses of the funding; and determine fiscal impacts should the levy be put before the voters.

RCW 82.14.450 allows the County to submit a ballot proposal to a countywide vote for a sales tax increase of up to 0.3 percent. Sales of motor vehicles or leases of motor vehicles for up to the first 36 months are exempt from the tax. If passed by the voters, at least one-third of the money levied must be spent for "criminal justice purposes, fire protection purposes, or both" with no restrictions on type of use for the remaining two-thirds. Sixty percent of the funds would be distributed to the county, with the remaining forty percent "distributed to cities on a per capita basis". Town would then spend its portion received in accordance with the uses stated in the ballot measure. The total rate of this tax may not exceed 0.3 percent. Therefore, if a county is levying this tax at a rate of 0.3 percent, then no city in that county may levy this tax. However, if a county is levying this tax at a rate of less than 0.3 percent, a city in that county may submit a ballot measure to the voters to impose this tax at a rate not exceeding 0.1 percent. Fifteen percent of the proceeds of any tax levied by the city must be given to the county. If a county adopts a resolution or ordinance to levy this tax after a city in the county has done so, then the county must give a credit against the county tax for sales within the city to the extent that the sum of the city and county tax rates would not exceed 0.3 percent.

Treasurer Picinich provided the example that based on sales tax generated in 2011, a County-wide levied .3 percent sales use tax would equal approximately \$1,114,000 with a 60/40 split between the County equaling approximately \$668,000 and Town equaling \$445,000.

Councilmember Hushebeck inquired if the County envisioned that additional funding would replace current funding for existing programs and services. SJC Councilmember Rosenfeld explained that while the tax may be used to supplant existing funding, the County has many public safety uses for additional revenue. If the County desires to pursue the ballot measure a resolution from both the Town and County Councils stating the intended uses of the tax will be required. Mr. Rosenfeld explained that one challenge will be making the measure attractive to voters. Treasurer Picinich noted that a large portion of the funding would be generated in the Town. Discussion followed.

Mr. Rosenfeld inquired if the Town would be willing to pledge additional support to the Sheriff's department and public safety programs managed by the County as a condition of the proposed tax. Councilmember Menjivar stated that it wasn't a good idea to base the level of service for existing or new programs solely on taxes that have a sunset clause.

Mayor Lacher inquired if the County would expect the Town to share in administration costs. Attorney Cunningham explained her preliminary findings are that it would be considered a County measure if the County were to ask for the full .3 percent because the Town would be precluded from placing a similar measure. However, the Town would want to work closely with the County for intended uses of the tax because Town would be required to use its share of the revenue as stated in the ballot measure.

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor Lacher inquired if it was the County's intent to supplant funding if the measure was passed. Mr. Rosenfeld answered that the County has only discussed the fact that they may use the funding in that manner.

Administrator Fitch asked which counties have had success in passing this measure. Treasurer Picinich answered that 6 counties currently collect sales tax pursuant to RCW 82.14.450. Administrator Fitch stated that the County's favorable sales tax rate is known to attract large "one-time-sales" such as yachts; and questioned how the proposed sales tax may conflict with the County's ability to attract "one-time-sales". Administrator Fitch suggested that the Councils should consider this issue as a potential impact. Discussion followed regarding the current tax rate.

Sheriff Nou stated that any significant future cuts to the County current budget will inevitably impact the current level of service for public safety programs and services. Sheriff Nou stated that it is important the Town and County unanimously support any measure placed on the ballot. Mayor Lacher thanked Sheriff Nou.

Mayor Lacher asked staff if they had anything to add. Treasurer Picinich stated that she preferred if Town not pursue a separate ballot measure. The Council concurred.

Administrator Fitch suggested that the proposed measure may be more attractive to voters if the tax rate was lowered to that which would bridge the current budget shortfall for public safety; and dedicate all of the revenue generated to fund only public safety, in addition to leaving existing funding intact, rather than attempting to levy the maximum allowable tax with the perceived intent that the resulting funding would be used elsewhere in the budget. Mr. Rosenfeld stated that both scenarios were allowable and County has not yet discussed how it would use the additional funding. Administrator Fitch inquired if the current public safety programs and services have experienced budget cuts equaling the \$600,000. Mr. Rosenfeld explained that shortfalls going forth would potentially equal that amount.

Mayor Lacher asked if there were any more comments.

Councilmember Menjivar, who also serves as a deputy in the Sheriff's Office, requested that the Council notify him if it appears that he is developing a conflict of interest as this process moves forward. Mayor Lacher stated that discussion of the topic will be scheduled as more information is made available. No action was taken.

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

At 6:39 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on recent meetings of the Charter Review Commission, Ferry Advisory Committee and Washington State Ferries (WSF); and proposed transportation bills by the State legislature. Discussion followed. No action was taken.

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

There were no future agenda items forthcoming.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:50 p.m. The next regular meeting is scheduled for Thursday, April 5, 2012 p.m.

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## MINUTES OF THE TOWN COUNCIL - 2012

These minutes were approved on April 4, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, April 5, 2012 – 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**

The posted agenda was revised.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Town Planning Commission Nomination

At 12:01 p.m., Mayor Lacher asked the Council to affirm the appointment of Stacey Smith to the vacant position on the Town Planning Commission. Ms. Smith introduced herself to the Council. The Mayor thanked Ms. Smith for volunteering.

**Moved by Monin, seconded by Starr, to affirm the appointment of Stacey Smith to the vacant position on the Town Planning Commission. Motion passed unanimous.**

#### Historic Preservation Review Board Nomination

At 12:03 p.m., Mayor Lacher asked the Council to affirm the appointment of David Harsh to the vacant position on the Town Historic Preservation Review Board. Mr. Harsh introduced himself to the Council. The Mayor thanked Mr. Harsh for volunteering.

**Moved by Starr, seconded by de Freitas, to affirm the appointment of David Harsh to the vacant position on the Town Historic Preservation Review Board. Motion passed unanimous.**

### **DEPARTMENT REPORTS**

#### Sheriff

At 12:06 p.m., SJC Sheriff, Rob Nou, provided an update on recent activity of the Sheriff's Department. Sheriff Nou noted that attention is currently being directed to domestic violence cases, and drug and driving-under-the-influence infractions. Sheriff Nou discussed concerns regarding State budget cuts

## MINUTES OF THE TOWN COUNCIL - 2012

and the State initiative for liquor privatization. Discussion and inquiry followed regarding fencing beneath the staircase and overhangs at Sunken Park for safety reasons. Mayor Lacher thanked Sheriff Nou.

### Fire

At 12:14 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 first quarter of 2012. Chief Marler reviewed the training schedule for volunteers; incidents by area and type; and logistical issues such as cross training and response time. Chief Marler reported the pumper on Fireboat Confidence is failing and will likely require replacement. No discussion followed. Mayor Lacher thanked Chief Marler.

### Emergency Management

At 12:25 p.m., Department of Emergency Management (DEM) Director, Brendan Cowan, reported on recent education sessions for emergency preparedness. Mr. Cowan noted that the department's Assistant Director position will be cut to part time due to a decline in the availability of grant funding. No discussion followed. Mayor Lacher thanked Mr. Cowan.

### Historic Preservation

At 12:31 p.m., Historic Preservation (HP) Coordinator, Sandy Strehlou, distributed a first quarter department report for year 2012. Ms. Strehlou reported on board members, current design reviews, local events, website, recent historical research and progress of the SJI Scenic Byways. Ms. Strehlou requested that the proposal for security and safety fencing at Sunken Park be forwarded to the Board for review. Mayor Lacher stated that fencing needs to be installed for security and safety reasons regardless of the Board's recommendation. No discussion followed. The Mayor thanked Ms. Strehlou.

### System Administration

At 12:42 p.m., System Administrator, Steven Dubail, distributed a first quarter department report for year 2012. Mr. Dubail reported on system maintenance and security, email migration, software, website and traffic counts. No discussion followed. Mayor Lacher thanked Mr. Dubail.

## **ACTION AND DISCUSSION ITEMS**

### Findings of Fact - Shoreline Substantial Development Permit No. 91

At 12:50 p.m., Mayor Lacher introduced discussion of adoption of Findings of Fact, Conclusions of Law and Decision regarding Conditional Use Permit Application No. 67 by Coldwell Banker Real Estate and Wolf Hollow Wildlife Rehabilitation Center for installation of a mural within the First Street right-of-way located at 105 Spring Street commonly known as the Coldwell Banker building. Said parcel is identified as Tax Parcel No. 351350201 and the existing ramp adjacent to the Coldwell Banker building located on the corner of Spring Street and First Street. Staff was directed to prepare Findings of Fact, Conclusions of Law and Decision regarding Conditional Use Permit Application No. 67 at the public hearing on March 15, 2012. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to adopt Findings of Fact, Conclusions of Law and Decision regarding Conditional Use Permit Application No. 67 by Coldwell Banker Real Estate and Wolf Hollow Wildlife Rehabilitation Center for installation of a mural within the First Street right-of-way located at 105 Spring Street commonly known as the Coldwell Banker building. Motion passed unanimously.**

### Equipment - Audio Visual System

At 1:10 p.m., Mayor Lacher introduced discussion of a budget request for upgrades to the existing audio/visual recording system in the Town Council Chambers. Steve Dubail, System Administrator, and Clerk Taylor explained the hardware and software options. AV CaptureAll offered a quote of (Option A)

## MINUTES OF THE TOWN COUNCIL - 2012

\$5,000 for basic a/v system; (Option B) \$11,000 for advanced system; and (Option C) \$5,000 for addition of ceiling mounted projector system and screen. Discussion and inquiry followed regarding the components of the three options and audio quality. The Mayor thanked Mr. Dubail and Clerk Taylor. **Council consensus for staff to request a modified proposal for Option B.**

### Ordinance No. 1481

At 1:20 p.m., Mayor Lacher introduced draft Ordinance No. 1481, concerning Town water service procedures and amending Ordinance No. 1212. Administrator Fitch explained that the purpose of the ordinance is to provide a process for billing for water service, terminating water service and resolving billing disputes regarding water use. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Ordinance No. 1481, concerning Town water service procedures and amending Ordinance No. 1212. Motion passed unanimously.**

### Ordinance No. 1482

In conjunction with Ordinance No. 1481, Mayor Lacher introduced discussion of draft Ordinance No. 1482, concerning private water line specifications, and amending Ordinance No. 1081. Administrator Fitch explained that the purpose of the ordinance is to adopt private water line specifications and to resolve disputes of possible excessive water consumption. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Ordinance No. 1482, concerning private water line specifications, and amending Ordinance No. 1081. Motion passed unanimously.**

### Ordinance No. 1483

In conjunction with Ordinance No. 1481, Mayor Lacher introduced discussion of draft Ordinance No. 1483, concerning Town water meters and amending Ordinance No. 1080. Administrator Fitch explained that the purpose of the ordinance is to provide a process for testing potentially faulty water meters to resolve disputes of possible excessive water consumption. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Ordinance No. 1483, concerning Town water meters and amending Ordinance No. 1080. Motion passed unanimously.**

## ADMINISTRATOR'S REPORT

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

- Joint meeting with SJC Council - The County inquired if there were any issues that the Town would like to discuss for a joint quarterly meeting. Councilmember Menjivar suggested that discussion of a proposition to voters to impose a sales and use tax in accordance with RCW 82.14.450 for criminal justice may be appropriate for discussion. No other topics of interest were forthcoming. No action was taken.
- Sidewalk repair - The Town will be replacing approximately 30' of the existing sidewalk near 155 Spring Street, near the SJI Chamber of Commerce entrance, the week of April 16<sup>th</sup>.
- Friday Harbor Fire Station - Administrator Fitch has been continuing to clear out the equipment and storage lockers in the Station. Mike Bertrand, Land Use Administrator, is currently working on buildings plans to access the training room and attic in order to expand the Town administrative offices and Council Chambers into the upstairs of the Station.
- FH Landfill Closure Account - SCS Engineering has forwarded a proposal to update the Town's adopted landfill closure plan. Discussion followed regarding the purpose of updating the plan. A resolution for consideration will be presented on April 19<sup>th</sup>.
- Town Administrator - Duncan Wilson has requested that his employment agreement be amended to change his date of hire from June 1, 2012 to May 16, 2012, solely for administrative purposes to facilitate Mr. Wilson's relocation to Friday Harbor. Discussion

## MINUTES OF THE TOWN COUNCIL - 2012

followed. Council consensus to direct the Town Attorney and Mr. Wilson to draft said amendment for consideration on April 19<sup>th</sup>, 2012.

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

Moved by Menjivar, second by Monin to affirm the payment of Payroll Warrant Nos. 15346 through 15384 in the amount of \$225,880.28 and April 2, 2012 direct deposit; and, approve the payment of Claim Warrant Nos. 36638 through 36698 in the amount of \$129,824.72. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Approval of the March 17, 2012 minutes were postponed until the evening session.

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

There were no future agenda items forthcoming.

### **CITIZEN RESPONSE**

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:43 p.m. The next regular meeting is scheduled for Thursday, April 5, 2012 at 5:30 p.m.

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**These minutes were approved on April 19, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, April 5, 2012 – 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 (via telephone); and Clerk, Amy Taylor.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

## MINUTES OF THE TOWN COUNCIL - 2012

### ANNOUNCEMENTS/SCHEDULE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

Roger Bennett, 1 Spring Street, requested that the stone bench on Front Street in front of his property abutting the ferry terminal be removed or relocated to allow greater visibility and access to his deck. Mr. Bennett stated that he has plans to lease a portion of the deck if possible. Administrator Fitch stated that the Town Council invested \$5,000 in 2006 to repair the current field stone bench. Administrator Fitch stated that staff and Mr. Bennett have been in contact numerous times and that this and Mr. Bennett's future requests will now be responded to in writing.

### ACTION AND DISCUSSION ITEMS

#### Committee Reports

At 5:36 p.m., the Council provided updates on various boards and committees as follows:

Solid Waste Advisory Committee - Councilmember Monin reported that there were no new developments and that the SWAC will hold a regular meeting on April 19, 2012.

Lodging Tax Advisory Committee - Councilmember Hushebeck reported that LTAC Committee Member Jim Smith passed away. The next meeting of LTAC is scheduled on April 18, 2012 to continue discussions regarding use of the first two percent hotel motel tax funding and determine 2013 grant cycle allocations.

Housing Bank Commission - Councilmember de Freitas reported that HBC has recently met to discuss annual affordable housing grant allocations. The next meeting is scheduled May 2012.

Board of Health - Councilmember Starr reported that the BOH met February 15, 2012. Dr. James reported to the BOH that his staff has been providing an extraordinary level of service considering funding cuts that the department has received. Councilmember Starr reported on local statistics regarding communicable diseases.

Water Resource Management Committee - Administrator Fitch explained the purpose and importance of the committee, history of Town's current and pending water rights and distributed the annual WRMC report. Administrator Fitch urged the Council to appoint a replacement on the committee prior to his retirement.

Law & Justice Council - Councilmember Menjivar reported that the LJC continues to discuss the courthouse security plan and law and justice sales use tax.

#### Sales Tax Increase - Criminal Justice

At 6:07 p.m., Mayor Lacher introduced continued discussion of a proposition to voters to impose sales and use tax in accordance with RCW 82.14.450 for criminal justice and other public safety purposes. [See minutes of March 15, 2012.] Councilmember Menjivar asked if the Council was supportive of the proposition and if so, where in the budget the Town Council would apply the sales use tax if approved. SJC Councilmember Rosenfeld provided a County Council update and timeline regarding the issue. Discussion followed regarding other cities and counties that imposed said tax; current Town property and sales use tax assessments; and concerns regarding the imposition of additional tax. No action was taken.

#### Special Summer Tourism Promotion

At 6:43 p.m., Mayor Lacher introduced Deborah Hopkins, SJI Visitors Bureau Executive Director, to present a proposal to utilize \$55,000 to conduct 2012 summer (July-August) marketing campaign to

## MINUTES OF THE TOWN COUNCIL - 2012

promote visitation to Friday Harbor. Ms. Hopkins stated that a summer marketing campaign is in the best interest of the Town due to the economy and competing Washington and Pacific Northwest destinations. The campaign would utilize television, radio and print ads and website development. Discussion followed regarding deliverables of the proposal.

**Moved by Menjivar, seconded by Hushebeck, to approve distribution of \$55,000 for proposal of summer 2012 lodging tax destination and amend the agreement with the SJI Visitors Bureau. Motion passed 4-0 with de Freitas abstained.**

### Solid Waste Management Plan

At 7:13 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan. Administrator Fitch explained that there was confusion regarding if the Town Planning Commission (PC) were members of the Solid Waste Advisory Committee (SWAC) or working as an advisory body to SWAC regarding land use related items contained in the Plan. Mr. Fitch explained that due to their current work load, the PC preferred to act in an advisory capacity to the SWAC. **Council consensus that the Town Solid Waste Advisory Committee is composed of the Mayor and Town Council.**

Administrator Fitch stated that the Engineer's estimates regarding population do not coincide with the Town Planning Commission's projected population estimates for the Town Comprehensive Plan. Discussion followed regarding how population estimates are determined. **Council consensus to use the Town Comprehensive Plan estimates for population growth for the Solid Waste Management Plan.**

### APPROVAL OF MINUTES

Moved by Menjivar, seconded by Hushebeck, to approve the minutes of March 15, 2012 as submitted. Motion passed 3-0 with Monin and Starr abstained.

### SAN JUAN COUNTY (SJC) COUNCIL UPDATE

At 7:35 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Items/issues included SJC Charter Review Commission, Washington State Ferries, Transportation Commission, and Bureau of Land Management. Discussion followed regarding submission of comments on the US Navy's Environmental Impact Statement for their targeting ranges because of the recent death of the resident orca whale.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

Mayor Lacher and Councilmember Menjivar announced that they would not be attending the meetings of April 19<sup>th</sup>, 2012.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:52 p.m. The next regular meeting is scheduled for Thursday, April 19, 2012 p.m.

\* \* \* \* \*

**These minutes were approved on April 19, 2012. 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 - 2012

**Thursday, April 19, 2012 – Town Council Chambers – Afternoon Session**

### **CALL TO ORDER**

Councilmember Starr explained that Mayor Lacher was absent and requested that she act as Mayor Pro-tem for the session. **The Council concurred.**

Mayor Pro-tem Starr 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: Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 2, Noel Monin; Position No. 4, Felix Menjivar; Mayor, Carrie Lacher; and Treasurer, Wendy Picinich were not present.

### **FLAG SALUTE**

Mayor Pro-tem Starr conducted the flag salute.

### **EXCUSED ABSENCES**

Mayor Pro-tem Starr asked the Council if they wished to excuse Councilmembers Monin and Menjivar. Council unanimously approved their absence.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

Mayor Pro-tem Starr announced that the regularly scheduled evening meeting of the Town Council was cancelled. A draft ordinance is scheduled for consideration that, if passed, will call to order a special meeting of the Town Council on Thursday, April 26, 2012 at 5:30 p.m. for the purpose of work sessions to discuss the Town Solid Waste Management Plan and a proposition to voters to impose a sales and use tax in accordance with RCW 82.14.450 for criminal justice and other public safety purposes.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

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

At 12:03 p.m., Mayor Pro-tem Starr proclaimed Saturday, April 21, 2012 as Great Island Clean-up Day and encouraged residents to adopt a portion of street, roadway or beach and remove any litter. Lori Stokes, SJI resident, accepted the proclamation and explained that several service groups and volunteers are involved in the effort. Mayor Pro-tem Starr thanked Ms. Stokes for leading the effort.

#### Resolution No. 1891

At 12:06 p.m., Mayor Pro-tem Starr introduced discussion of draft Resolution No. 1891, authorizing the Mayor to execute an agreement with SCS Engineers for review and update of the Annual Post-Closure Care Costs for the Town of Friday Harbor Landfill. Administrator Fitch explained that currently the Post-Closure fund contains approximately \$360,000. SCS Engineers has prepared this proposal to assist the Town in maintaining compliance with the WAC 173-304 standards for financial assurance for

## MINUTES OF THE TOWN COUNCIL - 2012

landfill post-closure care at the Friday Harbor Landfill located on Sutton Road. The scope of services includes reviewing the Post-Closure Care Plan, and evaluating and updating, as necessary, the post-closure cost estimate and financial assurance plan. The scope of services to be performed will be compensated in the lump sum amount of \$5,250.00. Discussion and inquiry followed regarding if the Town anticipated other assumptions from the report such as revising Town refuse rates. Administrator Fitch explained that at this time the Town only anticipates updating the post-closure financial plan.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1891, authorizing the Mayor to execute an agreement with SCS Engineers for review and update of the annual post-closure care costs for the Friday Harbor Landfill. Motion passed 3-0 with Monin and Menjivar absent.**

### Resolution No. 1892

At 12:10 p.m., Mayor Pro-tem Starr introduced discussion of draft Resolution No. 1892, authorizing the Mayor to execute Amendment No. 1 to the agreement between the Town of Friday Harbor and the Business Association of San Juan County (dba Visitors Bureau) to provide a tourist promotion program for the year 2012. Councilmember de Freitas stated that she was a board member of the Visitors Bureau. Attorney Cunningham advised the Council that discussion possibly violated conflict of interest statutes. Mayor Pro-tem Starr rescheduled discussion of the resolution for the next regular meeting of the Town Council.

### Resolution No. 1893

At 12:14 p.m., Mayor Pro-tem Starr introduced discussion of draft Resolution No. 1893, authorizing the Mayor to accept a proposal to provide annual emergency generator maintenance. Administrator Fitch explained that competitive sealed bids were received from 3 firms on April 18, 2012 after being duly advertised. EC Power Systems has offered to provide said service according to Town specifications for an initial cost of \$6,801.00. Administrator Fitch recommended approval of the proposal. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1893, authorizing the Mayor to accept a proposal to provide annual emergency generator maintenance. Motion passed 3-0 with Monin and Menjivar absent.**

### Resolution No. 1894

At 12:17 p.m., Mayor Pro-tem Starr introduced discussion of draft Resolution No. 1894, authorizing the Mayor to offer for public sale such used equipment and items deemed surplus. Administrator Fitch stated that many of the items have little value with the exception of the Fire Hose Testing Pump. The pump will be offered with a minimum bid of \$1,000.00. Most of the items are assets of the Town fire department. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1893, authorizing the Mayor to offer for public sale such used equipment and items deemed surplus. Motion passed 3-0 with Monin and Menjivar absent.**

### Ordinance No. 1484

At 12:17 p.m., Mayor Pro-tem Starr introduced discussion of draft Ordinance No. 1484, authorizing the Mayor to execute the first amended employment agreement between the Town of Friday Harbor and Duncan C. Wilson for the position of Town Administrator. Administrator Fitch explained that the purpose of the First Amended Employment Agreement is to correct certain scrivener's errors and change his date of hire from June 1, 2012 to May 16, 2012, solely for administrative purposes and to facilitate Mr. Wilson's relocation to Friday Harbor. The Town Council adopted an Employment Agreement with Mr. Wilson pursuant to Ordinance No. 1476 which the First Amended Employment

## MINUTES OF THE TOWN COUNCIL - 2012

Agreement replaces and supercedes. Said amendment has no monetary value. No discussion followed.

**Moved by de Freitas, seconded by Hushebeck, to adopt Ordinance No. 1484, approving the first amended employment contract with Duncan C. Wilson to serve as the Town Administrator. Motion passed 3-0 with Monin and Menjivar absent.**

### Resolution No. 1895

At 12:19 p.m., Mayor Pro-tem Starr introduced discussion of draft Resolution No. 1895, authorizing the Mayor to execute Amendment No. 1 to the agreement between the Town of Friday Harbor and the engineering firm of Brown and Caldwell to complete a Comprehensive Water System Plan Update. Administrator Fitch explained that WAC 246-290-100(10) requires that water purveyors update their water system plans at least every six years. Town entered into an agreement with the engineering firm of Brown and Caldwell in 2009 to perform said updates to the 2003 Comprehensive Water System Plan (WSP). Significant changes to the areas served by the Town's water system have occurred due to the annexation of various properties since 2009. Brown and Caldwell has offered an amendment to their agreement in the amount of \$27,250 to update current water consumption data for years 2009 through 2011; such that the WSP will be effective until 2017. Administrator Fitch explained the benefits of updating the WSP to include the annexations. Discussion and inquiry followed regarding if there was a need to update the 2008 Utility Rate Study.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1895, authorizing the Mayor to execute Amendment No. 1 to the agreement between the Town of Friday Harbor and engineering firm of Brown and Caldwell to update the Town Water System Plan. Motion passed 3-0 with Monin and Menjivar absent.**

### Equipment - Audio Visual System

At 12:24 p.m., Mayor Pro-tem Starr introduced discussion of a budget request for upgrades to the existing audio/visual recording system in the Town Council Chambers. At the April 5, 2012 afternoon session the Council requested modified options for consideration. Steve Dubail, System Administrator explained the hardware options. AV CaptureAll offered a quote of (Option D) \$10,434.57 for an advanced system with two fixed cameras and wired microphone system; or (Option E) \$11,833.67 for an advanced system substituting fixed cameras with programmable zoom cameras for closer video; or (Option F) \$19,804.46 for an advanced system with two fixed cameras and wireless microphone system. Discussion and inquiry followed regarding the components of the three options and audio quality. System Administrator Dubail noted that these proposals do not include a new or upgraded computer for the Council Chambers or monthly \$199 subscription for software and webhosting of video for Council meetings. Council consensus that a motion was not needed for upgrade or replacement of the Council Chamber computer.

**Moved by Hushebeck, seconded by de Freitas, to purchase Option D, wired microphone system with two fixed cameras [Quote #1204102] in the amount of \$10,434.57; and subscribe to the Legislative/Executive meeting package through AV CaptureAll. Motion passed 3-0 with Monin and Menjivar absent.**

### Ordinance No. 1485

At 12:31 p.m., Mayor Pro-tem Starr introduced draft Ordinance No. 1485, establishing the date, time and place for a meeting of the Town to take place at a time other than that specified by Ordinance No. 1135. Administrator Fitch explained that Mayor Lacher and Councilmembers Monin and Menjivar's presence was desired for the work sessions to discuss the Town Solid Waste Management Plan and a proposition to voters to impose a sales and use tax in accordance with RCW 82.14.450 for criminal justice and other public safety purposes. No discussion followed.

## MINUTES OF THE TOWN COUNCIL - 2012

Moved by de Freitas, seconded by Hushebeck, to adopt Ordinance No. 1485, establishing a special meeting of the Town Council on Thursday, April 26, 2012 at 5:30 p.m. for the purpose of work sessions. Motion passed 3-0 with Monin and Menjivar absent.

### ADMINISTRATOR'S REPORT

At 12:34 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Ferry Terminal Improvements - The Washington State Department of Transportation has requested to present the concept drawings for the proposed Ferry Terminal Pedestrian & Safety Improvement Project located within the Front Street and East Street right of way on May 3rd. Any improvements at that location would be subject to the Town's shoreline permitting process.
- Trihalomethane Levels (THMs) - THMs have been gradually increasing over the past year indicating that the granulated activated carbon filters are due to be recharged. THMs for the past 12 months average 15.2 ug/L for 2<sup>nd</sup> quarter of 2011; 24.2 ug/L for 3<sup>rd</sup> quarter of 2011; 29.1 ug/L for 4<sup>th</sup> quarter of 2011; and 40.4 for 1<sup>st</sup> quarter of 2012.
- Public Facilities Financing Assistance Program (PFFAP) - The County has issued a request for proposals for grants funded by the PFFAP, also known as HB2260 funds. Town automatically receives its local share of funding leaving \$194,000 for the grant program. The Port of Friday Harbor may have an eligible project for its pilot waiting area located on Mullis Street. Administrator Fitch recommended that the Town ask the Port to include in its proposal the curb, gutter and sidewalk improvements on Mullis Street from their location to existing sidewalk; and for Town to not apply for funding this grant cycle in order to increase the availability of funds for the Port. **The Council concurred.**
- Grover/Hunt/Sunday Intersection - The Engineer released preliminary findings regarding the multi-way stop evaluation at Grover Street/Hunt Street and evaluation of speed and volume issues on Hunt Street in response to concerns raised by area residents that school related traffic may be cutting through the neighborhood and traveling at excessive speeds. The preliminary report concludes that a multi-way stop, along with a review of speed and volume issues, as outlined in the Manual on Uniform Traffic Control Devices, indicates that the volumes necessary to consider the installation of a multi-way stop at the Grover/Hunt Street intersection are not present, and significantly below the minimum volume needed to warrant such an installation. Furthermore, traffic volume data showed that despite complaints, the majority of drivers are traveling at or below the legal speed limit.
- 1 Spring Street Field Stone Bench - A memo was distributed recommending that the field stone bench located at 1 Spring Street remain intact. The property owner adjacent to the bench requested that it be removed / relocated from its present location at the April 5, 2012 session.

### PAYMENT OF CLAIMS

Moved by de Freitas, second by Hushebeck, to approve the payment of Claim Warrant Nos. 36697 through 36741 in the amount of \$80,426.00. Motion passed 3-0 with Monin and Menjivar absent.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **April 5, 2012 as submitted.** Motion passed 3-0 with Monin and Menjivar absent.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL - 2012

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Pro-tem Starr adjourned the meeting at 12:52 p.m. A special meeting is scheduled Thursday, April 26, 2012 at 5:30 p.m. and the next regular meeting is scheduled for Thursday, May 3, 2012 at 12:00 p.m.

\* \* \* \* \*

These minutes were approved on May 3, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, April 26, 2012 – Town Council Chambers – Evening Session**

### **CALL TO ORDER**

Mayor Lacher called the special 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 (by telephone); 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**

#### Sales and Use Tax

At 5:35 p.m., Mayor Lacher introduced continued discussion of a proposition to voters to impose sales and use tax in accordance with RCW 82.14.450 for criminal justice and other public safety purposes. [See minutes of March 15, 2012 and April 5, 2012.] Administrator Fitch provided an update on the recent County Council discussions and explained that due to time constraints the County has scheduled a public hearing on May 18, 2012 to consider a draft ordinance providing for said proposition on the general election ballot. Councilmember Menjivar asked if the Council was supportive of the proposition and if so, where in the budget the Town Council would apply the sales use tax if approved. Attorney Cunningham stated that the Town must clearly state its intended uses of the funding regardless of Town's support of the proposition. Discussion followed regarding support of the measure and uses of the funding if passed. Following discussion, Councilmember Hushebeck volunteered to testify during the County's public hearing on behalf of the Town.

**Moved by Menjivar, seconded by Starr, that the Town Council support a proposition to voters to impose a sales and use tax in accordance with RCW 82.14.450 for criminal justice and other public safety purposes. Motion withdrawn.**

**Moved by Menjivar, seconded by Starr, that the Town Council support Proposition No. 1 by San Juan County for three tenths of one percent sales and use tax as described in RCW**

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82.14.450 as revised to read for Town of Friday Harbor for criminal justice and public safety purposes, and public works projects. [Clerk's note: Proposition revised to read "...and for use by the Town of Friday Harbor for criminal justice and public safety purposes, and public works projects."]

**Motion passed 3-2 with no abstention and Monin and de Freitas opposed.**

### Solid Waste Management Plan

At 6:52 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan. Administrator Fitch and Councilmember Monin provided an update on recent County discussions regarding the SJI Transfer Station. The County has made the request for proposals for San Juan Island a priority and has requested that Town work with the County in its development. Administrator Fitch suggested that the Council move discussion of continued leasing of the Sutton Road property a priority. Discussion and inquiry followed. **Council consensus to direct staff to begin work with the County to develop a proposal for leasing of the Sutton Road Property.** Administrator Fitch inquired which dates may work for the Council to hold a work session/retreat regarding the Solid Waste Management Plan. **Council consensus to tentatively schedule May 19<sup>th</sup>, 2012 at 12:00 p.m.**

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

Administrator Fitch noted that the Friday Harbor Business Improvement District (BID) is requesting to be scheduled to discuss formation of the BID. Administrator Fitch inquired if the Council still preferred the petition method formation. The Council concurred.

### **CITIZEN RESPONSE**

Roger Bennett, 1 Spring Street, commented on the proposed sales and use tax.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:59 p.m. The next regular meeting is scheduled for Thursday, May 3, 2012 at 12:00 p.m.

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**These minutes were approved on May 3, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, May 3, 2012 – 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.

## MINUTES OF THE TOWN COUNCIL - 2012

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

No public access was forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Proclamation - Historic Preservation Month

At 12:01 p.m., Mayor Lacher proclaimed May 2012 as National Historic Preservation Month in the Town and called upon the citizens of Friday Harbor to recognize and participate in the observance. Elizabeth Anderson, HPRB Member, spoke regarding the importance of historic preservation, upcoming events in May, and dedication of HPRB and staff to their mission. Mayor Lacher thanked Ms. Anderson.

#### Ferry Terminal Improvements

At 12:05 p.m., Mayor Lacher invited Washington State Department of Transportation to make a presentation regarding the proposed Ferry Terminal Pedestrian and Safety Improvement Project located within the Front Street and East Street right-of-way. Administrator Fitch reminded the Council that WSDOT was only presenting concept drawings and seeking the Council's consensus to continue to move forward. Any improvements at that location would be subject to the Town's shoreline permitting process and require a quasi-judicial hearing before the Council. At this time no permit has been requested, therefore the Appearance of Fairness doctrine does not apply. Land Use Administrator, Mike Bertrand has worked closely with WSDOT over the past several months to address land use and other issues that should lessen the impacts of the proposed improvements on the surrounding areas, should the project move forward.

Attorney Cunningham had no comments to add regarding appearance of fairness issues.

Becky Spangler, WSDOT Engineer, presented the concept drawings, including reconstruction of sidewalk, ramp and center median. Discussion and inquiry followed regarding replacement of existing ramps, utility issues, budget, traffic, parking, relocation of trees, timeline and ADA compliance. Ms. Spangler noted that if improvements are constructed WSDOT would likely seek a memorandum of understanding for maintenance of the area.

**Council consensus for the Pedestrian and Safety Improvement Project to move forward with the appropriate permitting processes.** The Mayor and Council thanked the WSDOT staff for the presentation.

#### Sales and Use Tax for Criminal Justice Programs

At 12:50 p.m., Mayor Lacher introduced continued discussion of a proposition to voters to impose sales and use tax in accordance with RCW 82.14.450 for criminal justice and other public safety purposes. [See minutes of March 15, 2012, April 5, 2012 and April 26, 2012.] Administrator Fitch and Attorney Cunningham explained that recent changes to the latest draft Ordinance are being circulated by the County; and suggested changes to its language that Town will propose at the County's public hearing on May 8, 2012. Mayor Lacher invited SJC Councilmember Peterson to speak regarding the County's budget. Mr. Peterson distributed financial information and explained that the County needs to generate additional funding to maintain its current programs. Prosecuting Attorney Randy Gaylord explained language changes to the County's current draft ordinance. Discussion and inquiry followed. No action was taken. Mayor Lacher and the Council thanked Mr. Peterson and Attorney Gaylord.

#### Resolution No. 1892

At 1:23 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1892, authorizing the Mayor to execute Amendment No. 1 to the agreement between the Town of Friday Harbor and the Business

## MINUTES OF THE TOWN COUNCIL - 2012

Association of San Juan County to provide a tourist promotion program for the year 2012. Councilmember Hushebeck commented that hotel motel tax appears to be trending well this year compared to recent years. No other discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Resolution No. 1892, authorizing the Mayor to execute Amendment No. 1 to the agreement between the Town of Friday Harbor and the Business Association of San Juan County to provide a tourist promotion program for the year 2012. Motion passed unanimously.**

### ADMINISTRATOR'S REPORT

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

- Hunt/Grover/Sunday Drive Intersection Traffic Analysis Study - The final report is available for review. Town staff will not modify the intersection unless directed otherwise by the Council.
- Wastewater Discharge Monitoring Permit - Town has received its annual discharge monitoring permit.
- Sunken Park - The Everett High School Choir has taken an event permit to use Sunken Park on Saturday, May 19, 2012 for a concert.
- Browne Property - The Browne Lumber property on Spring Street will host a music festival over Labor Day weekend.
- Peace Island Medical Center - Peace Island is scheduled for a pre-construction meeting on May 7<sup>th</sup> to discuss connecting their water, sewer and stormwater extensions to the Town system. Currently their improvements are located on private property.
- Water Transition Main Project- Town will meet with Engineers to discuss the Water Transmission Main Replacement Project. Town has nearly paid its current debt on other water projects. It may be appropriate to consider another due to the currently favorable bidding and interest environment.
- Granulated Activated Carbon Filters - The media in the GAC filters will need to be replaced soon.
- Sunken Park Fence - The fence at the Park is completed.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by de Freitas, to affirm the payment of Payroll Warrant Nos. 15385 through 15418 and direct deposit run in the amount of \$201,151.85 and approve the payment of Claim Warrant Nos. 36742 through 36783 in the amount of \$106,078.19. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by Starr, to approve the minutes of April 19, 2012 **as submitted**. Motion passed 3-0 with Monin and Menjivar abstained.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher announced that the evening agenda was revised. The presentation by school students was cancelled.

### CITIZEN RESPONSE

Roger Bennett, 1 Spring Street, commented on the presentation regarding the Pedestrian and Safety Improvements.

Margarite Bennett, 1 Spring Street, commented on the Town's historic preservation program, water access at the Ferry Terminal, and proposal for additional sales and use tax.

## MINUTES OF THE TOWN COUNCIL - 2012

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:48 p.m. The next regular meeting is scheduled for Thursday, May 3, 2012 at 5:30 p.m.

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**These minutes were approved on May 17, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, May 3, 2012 – 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. 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**

No public access was forthcoming.

### **PUBLIC HEARINGS/MEETINGS/WORK SESSIONS**

#### Shoreline Substantial Development Permit No. 92

At 5:35 p.m., Mayor Lacher opened the public hearing to consider Shoreline Substantive Development Permit No. 92; an application to expand the existing float design, but to retain the existing fixed pier and ramp. The property is identified as Tax Parcel No. 351391211 known as the Friday Island Homeowners Association Community Dock located at 614 Warbass Way. The Dock is a private dock providing access to and from Brown Island from Warbass Way on San Juan Island. The upland parcel is used for access and limited parking. No structures are located on the parcel. The proposal states that the existing dock system as it exists is no longer able to accommodate the expanding needs of the Brown Island residents due to lot expansion and added number of commuter boats traveling between Brown Island and San Juan Island.

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

## MINUTES OF THE TOWN COUNCIL - 2012

proponents regarding said permit. Council answered in the affirmative regarding hearing and considering the matter in a fair and objective manner.

Mayor Lacher stated that Land Use Administrator, Mike Bertrand, was unavailable for the public hearing and introduced Administrator Fitch to present the staff report. Administrator Fitch explained that additional testimony and exhibits were anticipated from the Applicant that will change the context of the staff report dated April 24, 2012. Mr. Fitch recommended that the Council continue the public hearing, with the public testimony portion remaining open, to May 17, 2012 at 5:35 p.m., to allow Mr. Bertrand an opportunity to review the new information, present the staff report and additional information accordingly.

At 5:37 p.m., Mayor Lacher invited the Applicant to describe the proposal.

Tracy Betcher, Jen-Jay Inc. - Authorized Agent for Friday Island Homeowners Association, entered Exhibit A - Friday Island Community Dock Modification; and Exhibit B - Addendum to Biological Evaluation; into the record. Ms. Betcher restated the purpose of the dock expansion [see staff report]. Ms. Betcher explained that the purpose of Exhibit A was to provide clarification and correct the written description in the staff report to align with project drawings in the staff report. Per the request of the adjacent property owner, Capron's Landing, a reduction in size of the proposed floats to allow for greater accessibility has been agreed upon. Exhibit B amends the written description of work submitted by Jen-Jay to include a smaller "F"-shaped configuration.

Ms. Betcher stated that she was available to answer questions from audience or staff.

Mayor Lacher inquired if Attorney Cunningham wished to comment. Hearing none, Mayor Lacher stated that the public hearing would be continued and opened the public hearing to audience testimony.

Roger Bennett, 491 Golf Course Road, testified in approval of the proposal and questioned why the applicant was not required to have pump-out facilities.

Sherry Harrison, part-owner of Capron's Landing, testified that reconstruction of the dock would hinder access to Capron's Landing, even with the proposed reduction in size. Ms. Harrison stated concerns regarding public access.

Rick Thomsen, Capron's Landing resident, testified that Brown Island residents do not use the existing dock to its capacity and that expansion would be unnecessary. Mr. Thomsen inquired how much increased growth is anticipated on Brown Island.

Paul Upchuch, 610 Warbass Way, testified that reconstruction and increased development on Brown Island will cause safety issues on Warbass Way due to increased traffic and parking.

Hector Sear, 17 Friday (Brown) Island, testified in response to previous testimony. Mr. Sear stated that the modified proposal will improve access to Capron's Landing; that Brown Island currently has six parking spaces at the dock and its own parking lot; and that the current dock configuration poses its own safety issues because boats are required to "raft" to each other.

Rick Thomsen, Capron's Landing resident, retestified that Brown Island residents do not use the existing dock to its capacity and that expansion would be unnecessary. Mr. Thomsen inquired how much increased growth is anticipated on Brown Island.

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor Lacher asked for additional public testimony. Hearing none, she asked Attorney Cunningham and staff if they wished to make additional comments. None were forthcoming. Mayor Lacher opened the hearing to Council questions. Hearing none, Mayor Lacher recommended continuation of the public hearing. The Council concurred.

At 5:59 p.m., Mayor Lacher continued the public hearing, with open public testimony, to Thursday, May 17, 2012 at 5:35 p.m. Mayor Lacher thanked all those in attendance.

### **ACTION AND DISCUSSION ITEMS**

#### Front Street Field Stone Bench

At 6:01 p.m., Mayor Lacher introduced discussion of the relocation of a field stone bench located within the Front Street right of way adjacent to 1 Spring Street. Administrator Fitch referred to the staff report dated April 18, 2012 which explained that Roger Bennett, owner of 1 Spring Street, requested that Town remove or relocate a large field stone bench adjacent to his property. In 2006 the Town Council felt the bench, if refurbished, offered a public amenity and budgeted \$5,000 to repair the bench in its present location. The bench seating area generally does not cause disruption to the pedestrian traffic in the area and continues to provide a place to enjoy the Town's waterfront area. It is staff's recommendation that the public seating area be allowed to remain at its current location.

Mayor Lacher invited the Roger Bennett to address the Council. Mr. Bennett stated that he desired to lease a portion of his deck and the bench hinders his ability to provide the needed access; and that in his opinion the bench violated ADA access requirements. Councilmember Monin inquired where the ADA access was blocked in relation to the building. Discussion and inquiry followed regarding the location and size of the bench. Mr. Bennett stated that the bench was originally constructed as a wall and safety barrier for the steep slope to the waterfront and now that the deck is constructed the wall is not necessary. Mr. Bennett requested that the Council consider the economic viability of the location and relocate or remove all or a portion of the bench to provide greater access to the deck. Discussion followed regarding applicable permits and use of the property. Attorney Cunningham cautioned the Council to refrain from making a decision regarding use without following established policy and permitting requirements. No action was taken.

Mayor Lacher continued discussion of the field stone bench until May 17, 2012 so that Land Use Administrator, Mike Bertrand, could present information regarding the appropriateness of the request for the subject property.

#### Business Improvement District

At 6:41 p.m., Mayor Lacher introduced discussion of the proposed Friday Harbor Business Improvement District (BID) by local business owners (Association). Administrator Fitch explained that the Association is following the "petition method" for establishment of the BID. RCW 35.87A.030 provides an initiation petition may be presented to the legislative authority containing (1) A description of the boundaries of the proposed area; (2) The proposed uses and projects to which the proposed special assessment revenues shall be put and the total estimated cost thereof; and (3) The estimated rate of levy of special assessment with a proposed breakdown by class of business and multifamily residential or mixed-use project if such classification is to be used. The initiating petition shall also contain the signatures of at least sixty percent of the persons who operate businesses and residential operators in the proposed area which would pay the proposed special assessments.

Ed Williams, local business owner, provided an update regarding the Association's progress. The petition has 25% or 124 signatures from current in-town business owners. Mr. Williams explained the reasoning for the Association attempting to designate entire town as the boundaries of the BID. Councilmember Starr stated that as a non-retail business owner located outside of the downtown core, she objected to all businesses being assessed for proposed improvements. Discussion and inquiry

## MINUTES OF THE TOWN COUNCIL - 2012

followed regarding next steps in the petition process. Administrator Fitch stated that using this method for establishment, the Town is unable to move forward legislatively without a completed petition. Mr. Williams thanked the Council and stated that the Association will continue to gather signatures and return to Council. No action was taken.

### Solid Waste Management Plan

At 7:28 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan. Administrator Fitch suggested that due to the late hour, the Council postpone the work session until May 17, 2012 and instead attempt to address questions from the County regarding the disposition of the Sutton Road transfer station/site. The Mayor and Council concurred. Discussion followed regarding the County's inquiries. No action was taken.

Administrator Fitch provided an update that Michelle Nichols, SCS Engineers, will likely be unavailable through the summer due to health issues. SCS Engineers has offered to assign another engineer or terminate the Town's agreement if the Town desired to contract the services of a different consultant. Administrator Fitch asked if the Council desired Elizabeth Anderson's services to assist with completion of the plan. Ms. Anderson, local planner, recently completed the County's Solid Waste Management Plan. Administrator Fitch stated that he would bring back more information. No action was taken.

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

At 8:10 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on County personnel issues. No discussion followed.

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

Clerk Taylor inquired if the Council desired to attend the Department of Transportation meeting regarding a reservation system for Washington State Ferries at the County Legislative Hearing Room on June 7<sup>th</sup>. **Council consensus to attend said meeting.**

### **CITIZEN RESPONSE**

Marguerite Bennett, 1 Spring Street, commented on the request to remove the field stone bench on Front Street.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 8:20 p.m. The next regular meeting is scheduled for Thursday, May 17, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on May 17, 2012. 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 - 2012

**Thursday, May 17, 2012 – 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.

### **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**

Mayor Lacher announced that the Council would hold an executive session pursuant to RCW 42.30.110(1)(c) to consider the minimum price at which real estate will be offered for sale or lease; following the posted agenda.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### "Discover Historic Friday Harbor" Map

At 12:01 p.m., Mayor Lacher introduced Emily Reed and the Historic Preservation Review Board to present the "Discover Historic Friday Harbor Sites Map". Sandy Strehlou, Historic Preservation Coordinator, presented the schedule for historic preservation month events in May. Ms. Reed launched the updated map. Mayor Lacher thanked Ms. Reed and the Historic Preservation Review Board. No action was taken.

#### Proclamation - Poppy Days

At 12:09 p.m., Mayor Lacher proclaimed May 19<sup>th</sup> through May 28<sup>th</sup>, 2012 as Poppy Days in the Town of Friday Harbor and urged citizens to support their Veterans and the efforts of the American Legion Auxiliary.

#### Carter Avenue Ball Fields

At 12:14 p.m., Mayor Lacher introduced Brent Snow, School Board Member, to make a presentation on behalf of SJI School District (SJISD) and Friday Harbor Athletic Association concerning the required Carter Avenue right-of-way improvements in conjunction with Conditional Use Permit No. 62 for the community play fields. Mr. Snow updated the Council on the current status of the project, including outstanding conditions that must be met before any portion of the facility can be utilized; and asked if the Town would consider contributing to the project.

## MINUTES OF THE TOWN COUNCIL - 2012

Among other things, Conditional Use Permit No. 62 requires the construction of the sidewalk per Town standards from Guard Street to Larson Street on the west side of Carter Avenue. The SJISD received a bid of \$178,384 to construct the improvements as conditioned in the permit. Mr. Snow requested that the Council consider an alternative approach for construction of curb, gutter and sidewalk improvements. The possible alternative approach would be to utilize the existing east and west side sections of completed sidewalk and connect them with a crosswalk. The alternative would save the project approximately \$76,000 by eliminating the need for a retaining wall at 960 Carter Avenue.

Discussion and inquiry followed regarding the requests. Mayor Lacher reminded the Council that to date the Town has contributed approximately \$52,000 towards improvements associated with the project. Administrator Fitch explained that a revision to Conditional Use Permit No. 62 would be required to approve the request for an "alternative approach" because the sidewalk improvements, as originally designed, are a condition of the permit. Administrator Fitch advised the Council to be cautious about discussing the request due to past public testimony and because a quasi-judicial hearing would be required to make amendments to the permit. Mr. Snow was directed to work with the Planning Department if the SJISD wished to amend said condition.

The Mayor thanked Mr. Snow for the update and presentation. No action was taken.

### Ordinance No. 1486

At 12:38 p.m., Mayor Lacher introduced draft Ordinance No. 1486, establishing the date, time and place for a meeting of the Friday Harbor Town Council, to take place at a time other than that specified by Ordinance No. 1135. The Town Council will attend a special meeting at 5:00 p.m. on June 7, 2012 in the County Legislative Hearing Room, located at 55 Second Street for the purpose of attending a community meeting by Washington State Department of Transportation regarding ferry reservation systems. No discussion followed.

**Moved by Hushebeck, seconded by Monin, to adopt Ordinance No. 1486, establishing the date, time and place for a meeting of the Friday Harbor Town Council, to take place at a time other than that specified by Ordinance No. 1135. Motion passed 4-0 with Starr absent.**

### **ADMINISTRATOR'S REPORT**

At 12:41 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Water Main Break(s) - Town recently experienced two significant, unrelated water main breaks. An estimated 200,000 gallons of water was lost. Water has been tested and is safe, however users will experience a slight discoloration in their water until the system settles. Mayor Lacher complimented the Town crew for their hard work.
- AWC Annual Conference - The annual conference is scheduled June 19<sup>th</sup> through 21<sup>st</sup>. Since none of the Councilmembers are planning to attend, Clerk Taylor will apply for a small city scholarship for Duncan Wilson's registration fees.
- Residential Recycling Program - Town is developing a new co-mingled recycling program. Phase I will implement the single-family residential plan. Town will launch a multi-family and commercial recycling program in the near future. Co-mingled recycling, with the exception of Styrofoam, will be available by request starting July 2012.
- Spring Street Improvements - Town staff are currently making improvements to the sewer connections on lower spring street.
- Port of Friday Harbor - Port of Friday Harbor has submitted a funding request for Town contribution towards curb, gutter and sidewalk improvements adjacent to their Visitor Aircraft and Lounge Facility Project on Mullis Street. The funding request asks that Town provides

## MINUTES OF THE TOWN COUNCIL - 2012

funding to pay for half of the cost of the additional sidewalk installation. The estimate for the sidewalk improvement is \$40,000. Discussion followed. No action was taken.

- Spring Street Bump-out - Town received a letter suggesting that Town eliminate all bump-outs that impede the traffic right-of-way.
- Spring/Mullis Street Crosswalk - Town received a request for a crosswalk at the intersection of Spring and Mullis Street. Discussion followed. **Council consensus to consider the issue when the Peace Island Medical Center and EMS facilities are completed on upper Spring Street.**

### PAYMENT OF CLAIMS

Moved by Monin, second by de Freitas, approve the payment of Claim Warrant Nos. 36784 through 36838 in the amount of \$76,699.20. Motion passed 4-0 with Starr absent.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **April 26<sup>th</sup> and May 3<sup>rd</sup>, 2012 as submitted.** Motion passed 4-0 with Starr absent.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher will include discussion of the composition of the Lodging Tax Advisory Committee on a future agenda.

### CITIZEN RESPONSE

Susie Wakefield, part-time resident, spoke in support of the Carter Avenue community ball fields.

### WORK SESSION

#### Solid Waste Management Planning

At 1:04 p.m., Mayor Lacher introduced discussion of the Solid Waste Management Plan. The Council expressed that they need more guidance in drafting the goals and objectives. Administrator Fitch explained the anticipated process for the May 19<sup>th</sup> work session. SCS Engineers will be present to review Chapter 4 through 6 of the Plan. Discussion followed regarding concepts for the recycling, collection, transfer, disposal, and recovery of Town's solid waste. Administrator Fitch addressed questions from the County regarding the disposition of the Sutton Road transfer station/site. Discussion followed regarding the County's inquiries. No action was taken.

### EXECUTIVE SESSION

At 1:40 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)(c); which was estimated to last 15 minutes. Participants: Town Council, Mayor Lacher, Administrator Fitch, Treasurer Picinich, Attorney Cunningham and Clerk Taylor. The session ended at 2:03 p.m. for an actual session time of 23 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 2:04 p.m. The next regular meeting is scheduled for Thursday, May 17, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on June 7, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, May 17, 2012 – Town Council Chambers – Evening Session**

## MINUTES OF THE TOWN COUNCIL - 2012

### 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; 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. 3, Anna Maria de Freitas; and Position No. 5, Barbara Starr 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 Starr. Council unanimously approved their absence.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

#### Shoreline Substantial Development Permit No. 92

At 5:35 p.m., Mayor Lacher opened the continued public hearing to consider Shoreline Substantive Development Permit No. 92; an application to expand the existing float design, but to retain the existing fixed pier and ramp. The property is identified as Tax Parcel No. 351391211 known as the Friday Island Homeowners Association Community Dock located at 614 Warbass Way. The Dock is a private dock providing access to and from Brown Island from Warbass Way on San Juan Island. The upland parcel is used for access and limited parking. No structures are located on the parcel. The proposal states that the existing dock system as it exists is no longer able to accommodate the expanding needs of the Brown Island residents due to lot expansion and added number of commuter boats traveling between Brown Island and San Juan Island.

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 directed Land Use Administrator, Mike Bertrand, to present the staff report and additional information accordingly. Mr. Bertrand entered into the record Exhibit C - Email from the Cannery Landing Marina Owners Association supporting modified application; and Exhibit D - Friday Island Homeowners' Association (FIHA) written response dated May 16, 2012 to concerns raised at the May 3, 2012 public hearing. Mr. Bertrand presented the revised staff report dated May 11, 2012.

## MINUTES OF THE TOWN COUNCIL - 2012

Due to public testimony and attempts to compromise with Capron's Landing Marina, the FIHA has proposed to modify their original proposal defined in the staff report dated April 24, 2012 to allow for greater accessibility per request of the adjacent moorage owners. The "F" shaped finger floats will be modified by reducing the size of the two finger floats as follows: 1) the outer finger float at 8'x42' for an eight foot length reduction; and 2) the inner finger float at 8'x16' for a fourteen foot length reduction. The proposal for size reduction was made in cooperation with Capron's Landing Marina will allow a 75' clearance between the two dock systems. The agreed upon 75' clearance exceeds 'optimal' distance for marina boat traffic which is based on length of boat multiplied by 1.75.

All work proposed for the Project will be completed waterward of the Mean Higher High Water line within the Marina. No shoreline or upland work is proposed. The project proposes to retain the existing fixed pier and ramp, but to expand the existing float design.

Staff evaluation and recommendation is that the Town Council should approve Shoreline Substantial Development Permit No. 91 (and SEPA Checklist No. 281) as modified and conditioned in the staff reports dated April 24<sup>th</sup> and May 11<sup>th</sup>, 2012, as it is in the best interest of the Town and the general public to complete said improvements. Mr. Bertrand noted that development should not impair or degrade existing or planned public access and enjoyment, however Town Staff recommends that landscaping take place upland of the project so that the public may adequately enjoy views from the street level and without needing to travel down the steep slope to the docks.

At 5:42 p.m., Mayor Lacher invited the Applicant to describe the proposal.

Hector Cyre, Association representative, testified that the staff recommendation to enhance the view with landscaping was acceptable to the Association.

At 5:43 p.m., Mayor Lacher opened the public testimony portion of the hearing.

Linda Goring, Capron's Landing Marina representative, affirmed that the Marina was supportive of the proposal as modified and that the Marina appreciated the willingness of the FIHA to work with the Marina to address their concerns.

Marguerite Bennett, 491 Golf Course Road, testified in support of the proposal.

Tracy Betcher, Jen-Jay, Inc., provided an update and timeline regarding the outstanding permitting required for the project.

Roger Bennett, 491 Golf Course Road, made inquiry regarding the existing easement.

Hector Cyre, Association representative, testified that the existing easement is exclusive to Warbass Way Marina and is not purposed for public access.

At 5:47 p.m., Mayor Lacher asked for additional public testimony. Hearing none, she asked Attorney Cunningham and staff if they wished to make additional comments. None were forthcoming. Mayor Lacher opened the hearing to Council questions. Hearing none, Mayor Lacher asked if the Town was required to mandate the FIHA to landscape. Mr. Bertrand explained that staff's recommendation applies to the areas closer to the shoreline.

## MINUTES OF THE TOWN COUNCIL - 2012

At 5:50 p.m., Mayor Lacher closed public testimony and opened the hearing to Council deliberations.

Mayor Lacher stated that it was encouraging to see the neighboring marinas cooperate and compromise with each other in regards to this proposal. The Council concurred.

Councilmember Monin stated that Town should remain conservative when "recommending and requiring" property owners to make improvements such as landscaping. Councilmember Monin stated that while landscaping would be welcomed and enhance public shoreline viewing, it should not be a condition of the permit. Councilmember Menjivar concurred.

**Moved by Monin, seconded by Menjivar, to adopt the staff reports dated April 24<sup>th</sup>, and May 11<sup>th</sup>, 2012, as modified by the Town Council (removal of the recommendation to landscape the upland of marina) ; and direct Staff to prepare Findings of Fact, Conclusions of Law and Decision regarding the application for Shoreline Substantial Development Permit No. 92 and SEPA Checklist No. 281, a proposal to expand the existing float design, but to retain the existing fixed pier and ramp. Motion passed 3-0 with de Freitas and Starr absent.**

### ACTION AND DISCUSSION ITEMS

#### Front Street Field Stone Bench

At 6:01 p.m., Mayor Lacher introduced discussion of the relocation of a field stone bench located within the Front Street right of way adjacent to 1 Spring Street. Administrator Fitch stated that the discussion has not changed in context from the May 3, 2012 evening session (see minutes). Mayor Lacher inquired how the Council would like to proceed. Councilmember Monin stated that Roger Bennett should have an opportunity to address the Council.

Mr. Bennett stated that over the years Pier 1 has added thirty feet of bench at 1 Spring Street and requested that the field stone bench be removed or relocated. Mr. Bennett stated that he would pay the cost for relocating.

Mayor Lacher asked Attorney Cunningham and staff if they had any comments. Hearing none, Mayor Lacher opened the discussion to Council questions.

Councilmember Monin asked what the Town policy was for accepting private assistance for public works projects. Administrator Fitch explained that for liability reasons monetary contributions are accepted, however the work would be performed by a licensed contractor or Town staff.

Councilmember Hushebeck asked if staff knew what the intended use of the deck would be that facilitated the request to remove the field stone bench. Land Use Administrator, Mike Bertrand, referred to the May 11, 2012 letter to Mr. Bennett. Mr. Bertrand explained that per Conditional Use Permit No. 57, all uses of the deck shall be approved in writing by the Town Administrator; and that if uses authorized by the CUP are discontinued for a period of more than 2 years the permit shall become null and void. No written authorized uses have been issued by the Town Administrator.

Councilmember Monin asked for clarification that no further revisions to the CUP are allowable and that a new permit would need to be issued in order to make use of the deck. Mr. Bertrand answered in the affirmative and stated that the standard permitting process would apply.

Mayor Lacher asked when the bench was built. Administrator Fitch and Mr. Bennett stated that the bench was built circa late 1980's to early 1990's. Mayor Lacher stated that the bench has a historical aspect.

## MINUTES OF THE TOWN COUNCIL - 2012

Councilmember Hushebeck stated that the bench does have an historical aspect because it was there before most of the activities took place in the 1990's, however the situation is presenting itself that the location of the bench may be inhibiting business.

Councilmember Monin stated that if a permitted use for the deck was in place he would consider removing all or a portion of the wall; however if there was not a permitted use the wall should remain intact.

Mr. Bennett stated that he was not informed that the Town planned to refurbish the bench, in 2006 he objected to the bench, and that the bench obstructs the sidewalk. Mr. Bennett stated that he objected to the Town's interpretation of the Conditional Use Permit No. 57. Mr. Bennett stated that the Town does not have the authority to condition uses that are not listed in the permit. Mr. Bennett stated that as far as he was concerned he has consistently and continually used the deck. Mr. Bennett provided a history of the improvements and activities at the location.

Mayor Lacher stated that discussion of the legality of the permit and Mr. Bennett's other questions should occur at a future session. [Mayor Lacher recessed the discussion for five minutes for SJC Council Update. See minutes below.]

Mayor Lacher asked the Council how they would like to proceed.

Councilmember Menjivar requested clarification regarding process.

Attorney Cunningham advised that because the issues Mr. Bennett brought forth concerning Conditional Use Permit No. 57 are quasi-judicial in nature, the Council should limit discussion to the field stone bench. Issues relating to the permit will require a separate public hearing or administrative review depending on how Mr. Bennett would like to proceed. The Council concurred.

Councilmember Monin restated that he would be inclined to remove the bench "in the spirit of helping local business" if Mr. Bennett had a readily allowable use for the deck. Councilmember Monin stated that the field stone bench should not be removed until such time.

Councilmember Menjivar stated that the location of the bench limits available uses of the deck notwithstanding allowable uses of Conditional Use Permit No. 57.

Councilmember Hushebeck agreed with Councilmember Monin and Menjivar. Councilmember Hushebeck disagreed with Mr. Bennett's comment regarding formal notification that the Town intended to refurbish the bench in 2006, stating that the bench was in its present location 22 years prior to the request and is actively used for public enjoyment.

Mayor Lacher asked staff for recommendation on how best to proceed. Administrator Fitch and Attorney Cunningham stated that, in short, the issue of the bench was legislative in nature and other issues regarding uses of the deck were quasi-judicial in nature.

Mayor Lacher asked if the Council was ready to take action regarding the field stone bench.

**Council consensus that the field stone bench remain intact until the issues regarding use of the deck are resolved; and depending on the outcome Council will reconsider the removal or relocation of said bench.**

## MINUTES OF THE TOWN COUNCIL - 2012

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

At 6:20 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the SJC Charter review process, County personnel issues and Washington State Ferries. Discussion followed.

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

No future agenda items were forthcoming.

### **CITIZEN RESPONSE**

Marguerite Bennett, 1 Spring Street, distributed before and after photographs of the refurbished field stone bench located on Front Street. Mrs. Bennett stated that Conditional Use Permit No. 57 should be rewritten to avoid further confusion regarding allowable uses of the public viewing deck. Mrs. Bennett stated her frustration over the issue of the field stone bench.

Roger Bennett, 1 Spring Street, stated his intent to come back before the Council regarding the Town's interpretation of Conditional Use Permit No. 57.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher continued the meeting at 7:00 p.m. until Saturday, May 19, 2012 at 12:15 p.m. for the purpose of a Council work session. The next regular meeting is scheduled for Thursday, June 7, 2012 at 12:00 p.m.

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**These minutes were approved on June 7, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Saturday, May 19, 2012 – 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 12:00 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; and SCS Engineers, Michele Nichols and Liza McDaniel.

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

### **EXCUSED ABSENCE**

Mayor Lacher asked if the Council wished to excuse Councilmember Menjivar. The Council concurred.

## MINUTES OF THE TOWN COUNCIL - 2012

### WORK SESSION

#### Solid Waste Management Planning

At 12:15 p.m., Mayor Lacher welcomed Michelle Nicholls, Resource Manager; and Liza McDaniel, Engineer from SCS Engineers to provide sample goals and objectives for consideration of the Town's Solid Waste Management Plan (SWMP). The Mayor, Council and Consultants reviewed Chapters 4-6 of the Plan. Discussion followed regarding concepts for the collection, transfer, disposal, and recovery of Town's solid waste. No action was taken.

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

**ADJOURNMENT** – Hearing no objection, Mayor Lacher adjourned the meeting at 4:35 p.m. The next regular meeting is scheduled Thursday, June 7, 2012 at 12:00 p.m.

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**These minutes were approved on June 7, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, June 7, 2012 – 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. [Councilmember Starr left the meeting at 12:35 p.m.]

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

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher announced that Duncan Wilson, (new) Town Administrator, was present for his first meeting of the Town Council of Friday Harbor.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Shoreline Substantial Development Permit No. 92

At 12:06 p.m., Mayor Lacher introduced discussion of adoption of draft Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit No. 92 and SEPA Checklist No. 281 to expand the existing float located at 614 Warbass Way for the Friday Island Homeowners Association. Councilmember de Freitas asked if she was required to abstain from voting because she

## MINUTES OF THE TOWN COUNCIL - 2012

was absent from the continued public hearing, but had read all the materials and listened to the testimony. Staff answered in the negative. No discussion followed.

**Moved by Hushebeck, seconded by Starr, to adopt Findings of Fact, Conclusions of Law and Decision regarding Shoreline Substantial Development Permit No. 92 and SEPA Checklist No. 281 to expand the existing float located at 614 Warbass Way for the Friday Island Homeowners Association. Motion passed unanimously.**

### Hotel Motel Excise Tax

At 12:07 p.m., Mayor Lacher opened discussion of recommendation by the Lodging Tax Advisory Committee (LTAC) for distribution of hotel motel excise tax to provide for tourism promotion programs, events and facilities. Councilmember Hushebeck explained that the LTAC is requesting that the Town Council allocate \$130,000 of hotel motel excise taxes for its 2013 Hotel Motel Grant Program as currently written. The current grant cycle is scheduled to begin early July. Councilmember Hushebeck explained that the amount requested was based on collection trends in 2011. Additionally, the LTAC submitted a list of recommendations dated June 1, 2012 for the future distribution of the collective hotel motel excise tax fund. Recommendations include combination of both the hotel motel excise tax funds as a "Collective 4%" fund; distribution of future revenues; and development of a master tourism plan for the Town. The letter further requested that the LTAC be allowed to revisit the allocation amount for the 2013 grant cycle if the recommendations are accepted. Discussion and inquiry followed regarding the Committee's individual recommendations, restructuring of the committee, and changing criteria for the grant program. Mayor Lacher suggested that the Council focus on the allocation request for the current grant program and schedule additional Council discussion for other recommendations through the summer. The Council concurred.

**Moved by Monin, seconded by Menjivar to allocate \$130,000 from the 2<sup>nd</sup> 2% Hotel Motel Excise Tax Fund for the 2013 Tourism Promotion Grant Program. Motion passed 4-0 with Starr absent.**

### Mullis Street Sidewalk Improvements

At 12:35 p.m., Mayor Lacher introduced discussion of funding request by the Port of Friday Harbor for curb, gutter and sidewalk improvements adjacent to the proposed Visitor Aircraft and Lounge Facility Project on Mullis Street. The Port is planning to construct a small restroom and lounge facility in the visitors aircraft tie-down area adjacent to Mullis Street; and wishes to construct a pedestrian link to serve people arriving by private plane. The request concerns approximately 350' of the west side of Mullis Street connecting this site to the downtown core which does not have pedestrian improvements. The Port is requesting that the Town provide funding for half of the cost of installation of said improvements estimated to total \$40,000, of which the Town would 50/50 match.

Mayor Lacher suggested that the request would be an appropriate use of hotel motel excise tax funding. The Council concurred. Mayor Lacher noted that County staff has recommended approval of the Port's application for the project through its HB2260 grant program. The public hearing for the 2012 Public Facilities Financing Assistance Program through the County is scheduled June 26, 2012. Discussion followed regarding the appropriateness of using hotel motel excise tax if the project moves forward. Councilmember Monin requested that project drawings and specifications be provided before committing to right-of-way improvements. Mayor Lacher suggested continuing discussion until July. The Council concurred.

### Solid Waste Management Planning

At 12:41 p.m., Mayor Lacher introduced discussion of the draft Solid Waste Management Plan (SWMP). Michelle Nicholls, Resource Manager from SCS Engineers joined the discussion via telephone to provide sample goals and objectives for consideration of the Town's Solid Waste Management Plan. The

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor, Council and Consultant reviewed Chapters 6-8 of the Plan. Discussion followed regarding concepts for the collection, transfer, disposal, and recovery of Town's solid waste. Minor revisions were made but no action was taken on the final plan. Administrator Fitch requested the Ms. Nichols provide the Town with an updated draft of Plan. Mayor Lacher thanked all in attendance and concluded the work session.

### ADMINISTRATOR'S REPORT

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

- Granulated Active Carbon (GAC) Filters - The Water Department has recorded a steady rise in Trihalomethane levels over the past year. Staff recommendation is to recharge the GAC filters at the Water Treatment Plant within the next month. Town has requested a proposal from the manufacturer. Anticipated cost for recharging one filter is \$45,000.
- 2012 Summer Arts Fair - Town is processing the event permit for the SJI Chamber of Commerce sponsored Summer Arts Fair, which is scheduled July 21<sup>st</sup> through 22<sup>nd</sup>, 2012 on Court Street. The Chamber's event permit will authorize use of Court Street on Friday, July 20<sup>th</sup> for removal of vehicles and set up. Discussion followed regarding if these types of events will be encouraged to move closer to the permanent farmers market in Sunshine Alley or on Nichols Street.
- Town Personnel - The Town Administrators have been meeting frequently to brief Mr. Wilson on current policies, procedures and issues. Utilities Superintendent Mike Wilks is expected to submit a letter of resignation this summer in anticipation of his retirement. [Mr. Wilks has been employed by the Town for 35 years come September.]
- Odor Control Improvements - The final component in the odor control system is called a bio-cube. The bio-cube acts as a filter to cut down on the amount of smoke that is generated resulting from heating the significant amount of grease and cooking oils that are collected in the sewer system. The bio-cube for odor control at the Wastewater Treatment Plant is scheduled to be completed by June 30th.

### PAYMENT OF CLAIMS AND PAYROLL

Moved by Monin, second by Hushebeck, to affirm the payment of Payroll Warrant Nos. 15419 through 15451 in the amount of \$215,501.84 and approve the payment of Claim Warrant Nos. 36839 through 36892 in the amount of \$163,088.02. Motion passed 4-0 with Starr absent and de Freitas abstaining from Claim Warrant No. 36874 for the SJI Visitors Bureau.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by Hushebeck, to approve the minutes of **May 15<sup>th</sup> and May 19<sup>th</sup>, 2012 as submitted. Motion withdrawn.**

Moved by Hushebeck, seconded by Monin, to approve the minutes of May 15, 2012 afternoon session, as submitted. **Motion passed 4-0 with Starr absent.**

Moved by Hushebeck, seconded by Monin, to approve the minutes of May 15, 2012 evening session, as submitted. **Motion passed 3-0 with Starr absent and de Freitas abstained.**

Moved by Hushebeck, seconded by Monin, to approve the minutes of May 19, 2012 work session, as submitted. **Motion passed 3-0 with Starr absent and Menjivar abstained.**

## MINUTES OF THE TOWN COUNCIL - 2012

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher announced that the Town Council would hold a special meeting at 5:00 p.m. on June 7, 2012 in the County Legislative Hearing Room, located at 55 Second Street, Friday Harbor, Washington for the purpose of attending a community meeting.

### CITIZEN RESPONSE

There were no public access items forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:31 p.m. The next special meeting is scheduled Thursday, June 7, 2012 at 5:00 p.m. The next regular meeting is scheduled for Thursday, June 21, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on June 21, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, June 7, 2012 – SJC Legislative Hearing Room – Special Session**

### CALL TO ORDER

Mayor Lacher called the special session of the Town Council to order at 5:00 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 Administrators, C. King Fitch and Duncan Wilson.

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

### ACTION AND DISCUSSION ITEMS

#### Community Meeting - Washington State Ferries

Per Ordinance No. 1486, the Town Council held a special meeting at 5:00 p.m. on June 7, 2012 in the County Legislative Hearing Room, located at 55 Second Street, Friday Harbor, Washington for the purpose of a quorum of the Council attending a community meeting hosted by the Washington State Department of Transportation regarding a vehicle reservation system for the San Juan Islands ferry routes. No regular business for the Town of Friday Harbor was discussed. No action was taken.

**ADJOURNMENT** – Mayor Lacher adjourned the meeting at 6:55 p.m. The next regular meeting of the Town Council is scheduled for Thursday, June 21, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on June 21, 2012. 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 - 2012

**Thursday, June 21, 2012 – 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 (left before end of meeting).

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

Town Administrator Duncan Wilson was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

No announcements were forthcoming.

### **PUBLIC ACCESS TIME**

Roger Bennett, 1 Spring Street, proposed installation of movable wooden benches for a seating area in lieu of the existing field stone bench. Mr. Bennett distributed photographs. Mayor Lacher explained that Mr. Bennett's request would be considered at a later time.

### **PUBLIC HEARINGS/MEETINGS/WORK SESSIONS**

#### Administrative Appeal - Pier 1 Port / SSDP Permit No. 57, Revision 1

At 12:07 p.m., Mayor Lacher opened the administrative appeal filed by Roger Bennett, Pier 1 Port, Inc., on May 21, 2012, concerning the administrative decisions made by the Town Administrator in connection with conditional uses of the deck located at 1 Spring Street [Tax Parcel No. 351393001]. Mr. Bennett has filed his appeal under the provisions of Friday Harbor Municipal Code, Title 20.20.010(A) due to the decision of the Town Administrator.

Mayor Lacher read the rules for public conduct of said appeal; and explained that the appearance of fairness doctrine did apply because the issue arises out of a land use permit [SSDP No. 57, Rev. 1]. Mayor Lacher noted that the Council decision must be based only on the evidence provided by Town Staff and by Mr. Bennett and his representatives.

Mayor Lacher asked Mr. Bennett if there was any objection to his or any Councilmember's participation. None was heard. Mayor Lacher inquired if any Councilmember wished to excuse themselves from participation in the proceedings due to a conflict of interest or any other reason. The Council answered in the negative.

At 12:10 p.m., Mayor Lacher asked Mr. Bennett to present his appeal. Mr. Bennett entered no exhibits into the record. Mr. Bennett stated that he disagreed with decision of the Town Administrator in his response letter dated May 11, 2012 to Mr. Bennett's letter dated April 5, 2012. The letters addressed the following issues: request for curb cut on Front Street; verbal statements by staff regarding use of the public viewing deck; and expiration of the conditional use permit for lack of approved use. Mr. Bennett stated that the questions he posed in his correspondence were only partially answered.

## MINUTES OF THE TOWN COUNCIL - 2012

Additionally, Mr. Bennett questioned what constituted public access and how public access is calculated.

At 12:16 p.m., Mayor Lacher requested that staff respond. Land Use Administrator Mike Bertrand stated that SSDP No. 57, Revision No. 2 addresses Mr. Bennett's question of what and how public access is calculated.

Attorney Cunningham reviewed the administrative appeal procedure and advised the Council on their legislative role in this decision making process. Ms. Cunningham stated that Mr. Bennett's questions regarding public access should be answered by staff at the executive level. Attorney Cunningham reviewed the issues addressed in the letters as follows:

1.) Mr. Bennett received an interpretation regarding the allowance curb cut and did not appear to contest the decision. 2.) While Mr. Bennett did not approve of the tone in which staff replied to Mr. Bennett's inquiry, the interpretation of code and answer he received did not appear to be contested; and 3) additional questions posed by Mr. Bennett regarding public access are not addressed by the Administrator and therefore not part of the administrative appeal.

Discussion followed regarding the three issues that Mr. Bennett brought forth. The Council concurred that Mr. Bennett seemed to be seeking clarification rather than contesting decisions made by the Administrator.

**Moved by Starr, seconded by de Freitas, to deny the appeal of administrative decision filed by Roger Bennett, Pier 1 Port, Inc., on May 21, 2012, concerning the administrative decisions made by the Town Administrator in connection with conditional uses [SSDP No. 57, Revision 1] of the deck located at 1 Spring Street [Tax Parcel No. 351393001]. Motion passed unanimously.**

**Council consensus to redirect staff to work with Mr. Bennett regarding his questions.**

### ADMINISTRATOR'S REPORT

At 12:38 p.m., Administrator Fitch presented the Town Council with an update of the following:

- Town Capital Facilities Plan - The draft Capital Facilities Plan was distributed for review. The Town Council was invited to attend a joint public meeting in August with the Planning Commission for consideration of the Plan and other amendments to the Town's Comprehensive Plan. The draft Plan contains no significant changes.
- Claim Warrant - **Council consensus to approve payment of the claim warrant to reimburse new Town Administrator, Duncan Wilson, for additional moving expenses in the amount of approximately \$200 over the amount provided for in his employment agreement.**
- Public Access TV - **Council consensus to post all meetings of Town boards and committees online.**
- Odor Control Improvement Project - The final phase of the project, installation of the bio-cube filter, is scheduled to be completed by June 30, 2012.
- PeaceHealth Water Main Extension Project - Engineering drawings for the project are available for review. Construction is scheduled to begin early July.
- Water Transmission Line - Draft engineering drawings for the project are available for review.

## MINUTES OF THE TOWN COUNCIL - 2012

### ACTION AND DISCUSSION ITEMS

#### SJC Transfer Station - Condition of RFP

At 12:45 p.m., Mayor Lacher introduced discussion of draft conditions for a possible lease renewal with SJC for use of the Sutton Road solid waste facility. Administrator Fitch explained that at the Council's direction, the Town has been meeting with the County to draft conditions for the SJI request for proposals (RFP). It was envisioned by the County that the future lease agreement would contain a provision to allow the County to "sublease" to a private contractor for services. Administrator Fitch recommended that the Council not approve the draft RFP conditions as currently written. Administrator Fitch and SJC Public Works Director, Frank Mulcahy, explained each of the draft conditions listed in the document. Discussion followed regarding priorities, financing of improvements, garbage self haul, timeline, compliance issues and indemnification contained in the draft document provided. The Town Council made revisions as needed to the individual conditions. Attorney Cunningham advised that any approval of the conditions and final lease agreement between the Town and County is contingent on the Town and County mutually agreeing to all terms in the lease agreement in light of conditions and risks at the time the lease is finalized for approval.

**Moved by Menjivar, seconded by Starr, to deny approval of the draft RFP conditions as currently written; and direct staff to work with San Juan County to revise condition Nos. 5, 8 and 12; and direct legal staff to begin drafting a new lease agreement. Motion passed unanimously.**

Attorney Cunningham reported that William Joyce of the firm Joyce, Ziker & Parkinson, PLLC has offered a proposal to review and comment on the scope of work offered by SCS Engineers for the site assessment at the Sutton Road Transfer Station and final Environment Impact Study (EIS). The EIS will help ensure that the County will take care of its obligations to clean the site should they vacate the Sutton Road location.

### PAYMENT OF CLAIMS

Moved by Monin, second by Hushebeck, approve the payment of Claim Warrant Nos. 36893 through 36945 in the amount of \$141,318.19. Motion passed unanimous.

### APPROVAL OF MINUTES

Moved by de Freitas, seconded by Menjivar, to approve the minutes of **June 5, 2012 as submitted**. Motion passed 4-0 with Starr abstained.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

Sharon Kivisto, local journalist, inquired if the Town was going to include a provision in the lease agreement and/or SJC request for proposals stating that the selected contractor may not subcontract out its responsibilities. Ms. Kivisto commented that Anacortes is currently engaged in several lawsuits related to waste disposal due it.

Marguerite Bennett, Pier 1 Port, Inc., inquired how to get the answers to the questions that Roger Bennett posed during the Administrative Appeal. Administrator Fitch explained that the information is available at the Planning Department.

**ADJOURNMENT** – Mayor Lacher adjourned the meeting at 1:55 p.m. The next regular meeting of the Town Council is scheduled for Thursday, June 21, 2012 at 5:30 p.m.

\* \* \* \* \*

## MINUTES OF THE TOWN COUNCIL - 2012

These minutes were approved on July 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

**Thursday, June 21, 2012 – 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; Town Administrator, C. King Fitch; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Treasurer, Wendy Picinich and Town Administrator, Duncan Wilson were not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

Mayor Lacher announced that the Council would hold a social gathering following adjournment of the meeting in honor of Administrator Fitch's last meeting. The public was welcome to attend.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Resolution No. 1896

At 5:32 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1896, authorizing private use of Front Street by the Rotary Club of San Juan Island for a street dance on July 4, 2012. 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 Monin, seconded by Menjivar, to adopt Resolution No. 1896, authorizing private use of Front Street by the Rotary Club of San Juan Island for a street dance on July 4, 2012. Motion passed unanimously.**

#### Town Six Year Transportation Improvement Plan (TIP) 2013 - 2018

At 5:35 p.m., Mayor Lacher introduced discussion of the draft Town Six Year Transportation Improvement Plan (TIP) for years 2013 through 2018. Administrator Fitch distributed the draft TIP for review and discussed the priority and scope of the listed projects. The Public Hearing to consider the TIP is scheduled for July 19, 2012 @ 5:35 p.m. No action was taken.

## MINUTES OF THE TOWN COUNCIL - 2012

### Town Public Works Director

At 5:40 p.m., Mayor Lacher introduced discussion of the Town Public Works Director position. Administrator Fitch explained that Town has received a letter of retirement from Mike Wilks after 35+ years of employment. Administrator Fitch recommended approval of the Finance Officer's request that the description be amended to require coordination between the Public Works Director and Finance Officer when securing Public Works related grants and loans to help finance projects for the betterment of the Town. The Council concurred. Administrator Fitch noted that the budget will likely require a budget amendment for said position.

**Moved by Starr, seconded by Menjivar, to accept the Public Works Director position description as amended, and direct the Town Administrator to begin the recruitment process. Motion passed unanimously.**

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

At 5:46 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld thanked the Council for attending the June 7, 2012 community meeting with WA Department of Transportation regarding the proposed ferry reservation system for San Juan Islands routes and congratulated Administrator Fitch on his pending retirement. No discussion followed.

### **RECOGNITION OF SERVICE**

#### Recognition of Service - Administrator C. King Fitch

At 5:56 p.m., Mayor Lacher presented Administrator Fitch with a proclamation in recognition of his tenure as Town Administrator. Town Council members each expressed their admiration and appreciation for the services he has rendered to the Town during his tenure as Town Administrator. Administrator Fitch thanked the Mayor and Council for their warm regards and family for their support over the years. [Clerk's Note: The proclamation will be inserted into the official minutes.]

## MINUTES OF THE TOWN COUNCIL - 2012



[From left to right: Adina Cunningham, Steve Hushebck, Carrie Lacher, King Fitch, Barbara Starr, Anna Maria de Freitas, Amy Taylor, Felix Menjivar, and Noel Monin]

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

Sharon Kivistö, SJIslander.com, congratulated Administrator Fitch on his upcoming retirement.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:15 p.m. The next regular meeting is scheduled for Thursday, July 5, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on July 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**

**Thursday, July 5, 2012 – 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 - 2012

### 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, Duncan Wilson; and Clerk, Amy Taylor.

Attorney Cunningham was absent.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

There were no announcement forthcoming.

### PUBLIC ACCESS TIME

Ron Carlson, 204D East Street, on behalf of the Cannery Village Condo Association requested that Town participate in FEMA's National Flood Insurance Program (NFIP). Mr. Carlson stated that condo owners are experiencing difficulties with lending institutions because Town does not participate in the NFIP program currently.

### ACTION AND DISCUSSION ITEMS

#### WellCity Award

At 12:04 p.m., Mayor Lacher presented the 2011-2012 Wellness Committee with the WellCity Award. The Town of Friday Harbor earned the 2011-2012 WellCity Award by meeting WellCity standards and demonstrating that the program follows best practices in promotion of workplace and personal health. The Town is one of 84 cities and quasi-judicial entities that have earned the designation. Town will receive a 2% premium discount for its Regence insurance premiums in 2013. Mayor Lacher and the Council thanked Committee Members Kelle Wilson, Wendy Picinich and Paula Bey (Daniel Frymire, and Herb Mason were absent from the meeting) for their diligence in implementing our program.

### DEPARTMENT REPORTS

#### Community Development

At 12:07 p.m., Land Use Administrator, Mike Bertrand explained that participation in FEMA's National Flood Insurance Program (NFIP) is voluntary. The purpose of participation of local governments enables property owners in that jurisdiction to purchase federal insurance protection against losses from flooding. Specifically, communities that agree to manage flood hazard areas by adopting minimum regulatory standards may participate in the NFIP. If a community chooses not to participate in the NFIP, property owners in that jurisdiction are not able to purchase federally backed flood insurance. In addition, federal grants, loans, disaster assistance, and federal mortgage insurance are unavailable for the acquisition or construction of structures in the floodplain shown on the NFIP maps. Similarly, if a community chooses not to participate in the NFIP, property owners are not subject to the federal flood insurance purchase requirements. However, a lender is still required to inspect any flood maps to determine flood hazard risk and provide notice of such risk. A lender may require a borrower to obtain flood insurance even in the absence of a federal purchase requirement.

Town has not participated historically due to requirements to implement the program. Town is currently in contact with FEMA and seeking inclusion in the program. Coincidentally, FEMA is in the process of updating NFIP maps and will soon conduct the necessary resurveying of the areas in San Juan County and Town that FEMA will include. Town already has many of the requirements such as building codes adopted. Discussion followed regarding if the Town could do anything to mitigate Mr.

## MINUTES OF THE TOWN COUNCIL - 2012

Carlson's difficulties with his lender. Administrator Wilson offered to execute a letter stating that Town is currently seeking inclusion in the program. No action was taken.

Mr. Bertrand reported on upcoming 2012 amendments to the Town Comprehensive Plan and invited the Council to attend a joint public hearing with the Planning Commission. The public hearing on the application by Washington State Ferries (WSF) for a Shoreline Substantial Development Permit for the Front Street Pedestrian Improvement Project is scheduled August 16, 2012. Mr. Bertrand noted that the hearing for WSF is quasi-judicial in nature. Mayor Lacher thanked Mr. Bertrand.

### Sheriff

At 12:14 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, types and frequency of calls reported to the Sheriff's Office and July 4<sup>th</sup> weekend. Discussion and inquiry followed regarding recent incidents and security related to Sunken Park. The Mayor and Council thanked Sheriff Nou.

### Fire

At 12:28 p.m., District #3 Fire Chief, Steve Marler, distributed written information regarding types of services provided to the community for the second quarter of 2012. Chief Marler reviewed the service calls by type. Chief Marler noted that there were no significant firework related incidents on July 4<sup>th</sup> and that the rescue unit was to be relocated to the Friday Harbor station. Discussion followed regarding training and the fire boat. Mayor Lacher thanked Chief Marler.

### Emergency Management

At 12:39 p.m., Emergency Management Director, Brendan Cowan, stated that he often coordinates with FEMA and offered his support in facilitating the Town's inclusion in FEMA's National Flood Insurance Program. Mr. Cowan reported on recent activity of the Department. SJC Emergency Responders are participating in a variety of exercises through the summer, including a simulation of an oil spill at the Cherry Point Refinery in September. No discussion followed. Mayor Lacher thanked Mr. Cowan.

### Historic Preservation

At 12:46 p.m., Historic Preservation (HP) Coordinator, Sandy Strehlou, distributed a second quarter department report for year 2012. Ms. Strehlou reported on local events for May 2012 National Historic Preservation Month, HP ordinance changes, board members, website, and Scenic Byways Program. No discussion followed. The Mayor thanked Ms. Strehlou.

### Utilities

At 12:57 p.m., Utilities Superintendent, Mike Wilks, reported on projects and maintenance of the Town Utilities. Mr. Wilks noted that the PeaceHealth Water Main Extension Project and Town's recycling program began on July 2, 2012. No discussion followed. Mayor Lacher thanked Mr. Wilks.

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

### Mullis Street Sidewalk Improvements

At 1:02 p.m., Mayor Lacher introduced discussion of a funding request by the Port of Friday Harbor for curb, gutter and sidewalk improvements adjacent to the Visitor Aircraft and Lounge Facility Project (VALF) on Mullis Street. The Port is planning to construct a small restroom and lounge facility in the visitors aircraft tie-down area adjacent to Mullis Street; and wishes to construct a pedestrian link to serve people arriving by private plane. The request concerns approximately 350' of the west side of Mullis Street connecting this site to the downtown core which does not have pedestrian improvements. The Port is requesting that the Town provide funding for half of the cost of installation of said improvements estimated to total \$40,000, of which the Town would 50/50 match. During the

## MINUTES OF THE TOWN COUNCIL - 2012

afternoon session of June 7, 2012 the Council reached a consensus that the funding may be an appropriate use of hotel motel excise tax.

Marilyn O'Connor, Port Director, reported that the Port was successful with their grant application through the County's Public Facilities Financing Assistance Program for the VALF. Ms. O'Connor inquired if the Council was interested in jointly pursuing the additional improvement while the equipment was mobilized. Ms. O'Connor stated that the estimate of \$40,000 neglected to include engineering and surveying costs and that the Port planned on breaking ground in Spring 2013.

Councilmember Monin requested that Council consider the continuation of the curb, gutter and sidewalk improvements to the intersection of Spring and Mullis Street. Councilmember Monin further requested that consideration of a crosswalk to existing sidewalk on the opposite side of the street and lighting standards be discussed if said improvements are not continuous. Administrator Wilson stated that grant funding for transportation may be available for the improvements in addition to use of hotel motel excise tax funding.

Mayor Lacher noted the timing of the request and suggested that the item receive final decision during the 2013 Town budget work sessions beginning September. The Council concurred. Mayor Lacher and the Council thanked Ms. O'Connor. No action was taken.

### Joint Town and County Meeting

At 1:11 p.m., Mayor Lacher introduced discussion of agenda items for the joint quarterly meeting with the San Juan County Council. Mayor Lacher inquired if the Council wished to hold a meeting. **Council consensus to postpone the meeting until substantive items are available for discussion.**

### Ordinance No. 1487

At 1:12 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1487, fixing salaries of officials and non-represented personnel. Administrator Wilson explained that the Ordinance adjusts the salaries of only the Town Administrator and Clerk with all other positions and conditions of Ordinance No. 1478 remaining in effect. No discussion followed.

**Moved by de Freitas, seconded by Starr, to adopt Ordinance No. 1487, fixing salaries of officials and non-represented personnel. Motion passed unanimous.**

### Committee Reports

At 1:15 p.m., the Town Council reported on the following committees:

Lodging Tax Advisory Committee - Councilmember Hushebeck noted that a request for proposals (RFP) will be issued in July for the Town's Hotel Motel Excise Tax Grant Program for tourism promotion.

Solid Waste Advisory Committee - Councilmember Monin reported that there was no recent activity that the Council has not already been previously briefed. All activity currently is regarding the drafting of County RFPs for third party operation of their solid waste stations.

Housing Bank Commission - Councilmember de Freitas reported that there was no recent activity. Councilmember Starr noted that the owners of Harborview Apartments are investigating their options for keeping the units "affordable" now that their federally backed loan is retired and the requirement will soon be lifted.

Board of Health - Councilmember Starr reported that County Health is currently focused on promotion of whooping cough vaccinations and summer water safety.

## MINUTES OF THE TOWN COUNCIL - 2012

Law & Justice Council - Councilmember Menjivar reported that L&J is currently awaiting the ballot measure in November for the proposed criminal justice sales tax.

### Water Resources Management Committee

At 1:22 p.m., Mayor Lacher introduced discussion of the vacancy on the SJC Water Resources Management Committee for a Town representative. Administrator Wilson stated that he would fill the appointment (formerly held by C. King Fitch) until the Town hires a Public Works Director. No action was taken.

## ADMINISTRATOR'S REPORT

At 1:24 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Criminal Justice Sales Tax - It was noted that in upcoming months Councilmembers may express their individual opinions and publically support or object to the proposed sales tax for criminal justice.
- Water rights - The Lang family on Turn Point Road has contacted the Town to confirm that their water rights are still available.
- SJC Budget - SJC Administrator Pro-tem Gene has contacted the Town to express that the County's upcoming budget cuts will not affect Town's contracted services such as law enforcement.
- AWC Conference - Town has received a modest small cities grant through RSMA for street and sidewalk repair. The Council was encouraged to recommend projects.
- Sunken Park - The Calvary Church will occupy Sunken Park for an event on July 14<sup>th</sup>.
- Seasonal Position/Public Works - **Council consensus to approve the hiring of a seasonal/temporary employee in an amount not to exceed \$3000-\$4000 for the summer months to provide basic landscaping and maintenance as needed for Town facilities.**
- Utility II Position/Water Treatment Plant - Town has selected the applicant preferred for hire for the Utility II position available in the Water Treatment Plant. An offer may be made pending the ability of the applicant to transfer their out-of-state certifications to Washington State.
- Landfill Closure Plan - Town will likely be required by the Department of Ecology to extend its timeline for financial assurance an additional ten years for the landfill closure.
- Peace Island Medical Center - The water extension project for the hospital is underway.
- SJI School District - The school district has been ranked #9 in the State.

## PAYMENT OF CLAIMS

Moved by Menjivar, seconded by Monin, to affirm the payment of Payroll Warrant Nos. 15452 through 15487 and June 29, 2012 direct deposit run in the amount of \$266,963.15; and approve the payment of Claim Warrant Nos. 36946 through 36998 in the amount of \$183,021.70. Motion passed unanimously.

## APPROVAL OF MINUTES

Approval of minutes were postponed until the evening session of July 5, 2012.

## FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

## CITIZEN RESPONSE

Ron Carlson, 204D East Street, on behalf of the Cannery Village Condo Association inquired about the FEMA's National Flood Insurance Program (NFIP). Mr. Wilson explained he would be in contact as soon as additional information is received.

## MINUTES OF THE TOWN COUNCIL - 2012

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 2:04 p.m. The next regular meeting is scheduled for Thursday, July 5, 2012 at 5:30 p.m.

\* \* \* \* \*

These minutes were approved on July 19, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, July 5, 2012 – 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, Duncan Wilson; 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.

### **PUBLIC HEARING**

#### 2013-2018 Six Year Transportation Improvement Plan (TIP)

At 5:32 p.m., Mayor Lacher opened the public hearing for the 2013-2018 Six-Year Transportation Improvement Plan (TIP).

Administrator Wilson 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. In order for projects to be eligible for grant funding they require inclusion on the TIP. 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. Administrator Wilson explained that grant funding may be available for smaller improvement projects and requested that the hearing be continued to allow for additional research and projects to be included.

At 5:36 p.m., Mayor Lacher stated the rules for public conduct of said hearing. The hearing was legislative in nature, therefore the appearance of fairness doctrine did not apply. The hearing was opened to public comment. Hearing none, Mayor Lacher opened the hearing to Council questions.

The Council commented on the projects listed and areas in Town that need improvements. Discussion followed regarding funding of the listed street improvements.

## MINUTES OF THE TOWN COUNCIL - 2012

At 5:39 p.m., Mayor Lacher hearing no other public testimony, comments from staff or Council continued the public hearing with public testimony portion open to Thursday, July 19, 2012 at 5:35 p.m.

### **ACTION AND DISCUSSION ITEMS**

At 5:40 p.m., Mayor Lacher introduced discussion of recommendations of the Lodging Tax Advisory Committee (LTAC) regarding use of hotel motel excise tax. Councilmember Hushebeck explained that current laws regarding the use of hotel motel excise tax are due to sunset in year 2013 and it is unknown how new rules will affect future expenditures of the special excise tax. Discussion followed regarding the recommendation by the LTAC to amend the Town's current tourism grant program to include year round promotion. The Council concurred that the recommendation deserved consideration. The Mayor suggested that the Council take adequate time considering each of the recommendations and consider another special summer promotion campaign, if needed. Administrator Wilson emphasized that the Council has the opportunity to shape tourism in Town.

#### SJC Transfer Station - Condition of RFP

At 6:20 p.m., Mayor Lacher introduced discussion of revised draft conditions for the County's request for proposals for use of the Sutton Road solid waste facility. Administrator Wilson explained that at the Council's direction, the Town has been meeting with the County to revise the draft conditions for the SJI request for proposals (RFP) and recommended approval as redrafted by staff. Discussion followed regarding individual conditions.

**Moved by de Freitas, seconded by Starr, to approve the draft conditions dated July 2, 2012 for the SJC request for proposals for use of the Sutton Road solid waste facility. Motion passed unanimous.**

#### Solid Waste Management Plan

At 6:25 p.m., Mayor Lacher introduced discussion for final drafting of the Town Solid Waste Management Plan. Administrator Wilson inquired of the Council how they would like to proceed with completion of the plan now that most substantive issues are completed. SCS Engineers continues to be under a contractual arrangement for completion of the SWMP. However, the Project Engineer now has limited availability due to health issues. SCS Engineers has offered to either assign a different project manager with the understanding that it may be a "long-distance relationship" or amend or terminate the contract. Town has the option of contracting with the local planner who drafted the County's SWMP and is familiar with Town issues. Discussion followed regarding the advantages of having a planner that is familiar with both the relationship between the Town and County and site.

**Council consensus to request and consider a proposal from Elizabeth Anderson, local planner, for completion of the Town's Solid Waste Management Plan.**

### **APPROVAL OF MINUTES**

Moved by Hushebeck, seconded by Menjivar, to approve the minutes of **June 21, 2012 as submitted**. Motion passed 4-0 with Starr abstained.

### **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 request for a joint letter of thanks to Senator Murray and Representative Larsen; proposed sales tax for public safety; and Washington State Ferries. Discussion followed. **Council consensus to sign joint letters to Senator Murray and Representative Larsen thanking them for recent legislation affecting San Juan County.**

## MINUTES OF THE TOWN COUNCIL - 2012

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

No citizen response was forthcoming.

### EXECUTIVE SESSION

At 7:01 p.m., Mayor Lacher announced that the Council would be holding an executive session regarding personnel issues in accordance with the provisions of RCW 42.30.110(1)(f) and RCW 42.30.110(1)(g); which was estimated to last 30 minutes. Participants: Town Council, Mayor Lacher, Administrator Wilson, Treasurer Picinich, Attorney Cunningham and Clerk Taylor. The session ended at 7:28 p.m. for an actual session time of 27 minutes. No actions were taken.

**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, July 19, 2012 at 12:00 p.m.

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**These minutes were approved on July 19, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, July 19, 2012 – 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, Duncan Wilson; and Clerk, Amy Taylor.

Treasurer, Wendy Picinich; and Attorney, Adina Cunningham, were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### SJI Scenic Byways Corridor Management Plan

At 12:01 p.m., Mayor Lacher introduced Liz Illg, SJI Byways Project Coordinator, to make a presentation by the SJI Scenic Byway Partnership regarding the SJI Scenic Byways Corridor Management Plan (CMP). Ms. Illg presented the purpose of the CMP and thanked Town Historic Preservation Coordinator, Sandy Strehlou, for her help on behalf of the Town in developing the plan.

## MINUTES OF THE TOWN COUNCIL - 2012

Ms. Illg explained that over the last two and a half years SJC Parks, Land Bank, and Public Works departments have worked collaboratively in partnership with the National Park Service, the Visitors Bureau, the Friends of Moran, the Town of Friday Harbor Historic Preservation Program, the Orcas Island Chamber of Commerce, the County Agricultural Resources Committee, Orcas Pathways, Friends of the San Juans and Washington State Ferries to develop this in-depth comprehensive plan. The CMP substantially defines a unified tourism management approach and fulfills a major requirement for pursuing National Scenic Byway designation. The plan also retains the byway's eligibility for future byway funding as well as providing a prioritized road map for capital investments from other sources.

The CMP draws from many existing planning documents as well as public testimony, and strives to bring consensus to proposed projects and approaches to tourism. Several sections speak to the kinds of visitors that are drawn to the islands, and how to improve their experience once they are here. Since two thirds of the Byway is along County roads, County standards for rights of way, bicycle and pedestrian accommodations and signage were incorporated into the CMP. The action plan identifies projects along the Byway that are widely recognized as desirable features, both to enhance visitor experience and to reduce the impact of visitors on residents.

Ms. Illg stated that the resulting CMP is the result of many hours of collaboration between entities and welcomed questions regarding the plan. Mayor Lacher asked what the following steps were for implementation of the CMP. Ms. Illg stated that the Partnership, through its Steering Committee, will begin moving forward with approval, funding and implementation of individual elements such signage and development of information and interpretive displays along byways.

Ms. Illg noted that Partners will eventually need to look towards funding for the coordination of the CMP after 2013 and suggested that grant funding for economic development be considered.

Discussion and inquiry followed regarding implementation of the CMP. Mayor Lacher and the Council thanked Ms. Illg. No action was taken.

### Resolution No. 1898

At 12:35 p.m., Mayor Lacher introduced draft Resolution No. 1898, authorizing the Mayor to execute a purchase agreement to provide liquid propane gas. Administrator Wilson explained the particulars of said purchase agreement. Town received competitive sealed bids from two firms on July 13, 2012 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 \$0.972 per gallon from August 1, 2012 through July 31, 2013. No discussion followed.

**Moved by de Freitas, seconded by Starr, to adopt Resolution No. 1898, 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 \$0.972 per gallon. Motion passed unanimously.**

### Resolution No. 1899

At 12:45 p.m., Mayor Lacher introduced draft Resolution No. 1899, authorizing the Mayor to execute a purchase agreement to provide motor fuels. Administrator Wilson explained the particulars of said purchase agreement. Town received competitive sealed bids from two firms on July 13, 2012 after being duly advertised. Petro San Juan was the lowest cost proposal according to Town specifications and has offered to provide said unleaded and diesel motor fuels for an initial cost of \$3.1766 per gallon for unleaded gasoline, \$3.3765 per gallon for No. 2 diesel fuel, and \$3.3815 per gallon for off-road diesel from August 1, 2012 through July 31, 2013. Island Petroleum Services provided the lowest cost proposal for diesel for an initial cost of \$3.2543 per gallon for Diesel #2 and \$3.2493 for Off-Road

## MINUTES OF THE TOWN COUNCIL - 2012

Diesel, however was unable to meet the specification requirement for a two-card lock system for fueling. Said system allows for identification of the employee and vehicle receiving fuel. For auditing purposes, staff recommended the award of bid to Petro San Juan. 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. 1900

Concurrently with introduction of Resolution No. 1899, Mayor Lacher introduced draft Resolution No. 1900, authorizing the Mayor to execute a purchase agreement to provide motor fuels. Administrator Wilson explained the particulars of said purchase agreement. Town received a competitive sealed bid from one firm on July 13, 2012 after being duly advertised. Island Petroleum Services was the lowest cost proposal and has offered to provide said B-20 bio-diesel motor fuel for an initial cost of \$3.449 per gallon from August 1, 2012 through July 31, 2013. Administrator Wilson noted that the bid does not currently meet all of the specifications and Town has waived the requirement to provide a two-card lock system for fueling. No discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Resolution No. 1900, authorizing the Mayor to accept the proposal of and execute a purchase agreement with Island Petroleum Services to provide B-20 bio-diesel motor fuel for an initial cost of \$3.449 per gallon. Motion passed unanimously.**

### Resolution No. 1901

At 12:45 p.m., Mayor Lacher introduced draft Resolution No. 1901, authorizing the Mayor to execute an agreement with the San Juan Island Park & Recreational District regarding the "Touch a Truck" event. Administrator Wilson explained that the purpose of the agreement is for the District to organize the fifth 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. The event is currently scheduled for October 12, 2012. Discussion followed regarding last year's participants.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1900, authorizing the Mayor to execute an agreement with the San Juan Island Park & Recreational District regarding the "Touch a Truck" event. Motion passed unanimously.**

### Solid Waste Management Plan

At 12:50 p.m., Mayor Lacher introduced discussion of options to finalize the draft Town Solid Waste Management Plan. Administrator Wilson explained that he is actively working with Elizabeth Anderson, local planner, to develop an actuate cost proposal. Ms. Anderson is in the process of reviewing the plan to determine the consultant hours needed for completion. Administrator Wilson requested an additional two weeks for a cost proposal for consideration.

Mayor Lacher inquired how the delay would affect the County's timeline for current issues at the Sutton Road solid waste facility. Administrator Wilson explained that the County anticipates releasing their Request for Proposals for the Sutton Road solid waste facility by the end of July. Discussion followed regarding the County's progress.

**Council consensus to continue developing a proposal for consideration from Elizabeth Anderson, local planner, for completion of the Town's Solid Waste Management Plan.**

## MINUTES OF THE TOWN COUNCIL - 2012

### ADMINISTRATOR'S REPORT

At 12:55 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Trout Lake Watershed Management - Fire Chief Marler met to discuss fire suppression, general forestry practices at the watershed and liabilities associated with the reservoir. Discussion followed regarding how to minimize risks and grant funding opportunities.
- Committee Update - Water Resources Management Committee update was given on recent committee discussions, including that CenturyTel is anticipating coordination with the County and Town during the project to install fiber in the San Juan Valley Road right-of-way.
- Fire District No. 3 - It was requested at the regular Fire Commission meeting that Town increase its focus on performing "fire, life & safety inspections" for Town businesses. Administrator Wilson and the Commission also discussed the possibility of refitting Town hydrants with different fire hose couplings to provide better compatibility with District equipment; and potential of delaying the ballot measure for annexation of Town into District No. 3 until the local economy shows greater improvement.
- Transportation Improvement Board (TIB) - WSDOT representatives are scheduled to visit and make site inspections for street projects included in the Town 6-Year Transportation Improvement Plan. The purpose of the assessments are to determine the eligibility of the Town's projects for TIB grant funding. Projects assessments include the curb, gutter and sidewalk improvements for Blair and Mullis Street.
- Inclement Weather Event - Town experienced power outage on Friday, July 13<sup>th</sup> in connection with the recent thunder storms. No significant emergency incidents occurred.
- Carter Avenue Ball Fields - Don Galt, Friday Harbor Athletic Association President, met to give a tour and provide an update on the progress of the Carter Avenue Ball Fields.
- Odor Complaint - Town received another complaint from a neighborhood resident regarding odors emanating from the Wastewater Treatment Plant.
- Town Water Transmission Line Replacement Project - Project specifications are 100% complete and available for review. Engineers are currently analyzing construction issues such as easement acquisition.
- Social Media - Town is developing a facebook page for posting notices.
- United Way of Washington - United Way has contacted the Town for volunteering opportunities in the Town.
- 

### PAYMENT OF CLAIMS

Moved by Monin, seconded by Starr, to approve the payment of Claim Warrant Nos. 37000 -37057 through in the amount of \$118,522.47. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **July 5, 2012 as amended**. Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Monin and Menjivar discussed attending the AWC Municipal Budgeting and Fiscal Leadership workshop on August 16th through August 17<sup>th</sup>. The Council concurred with their attendance. Councilmember Starr requested an excused absence on August 16, 2012. The Council consented to her absence. Discussion followed concerning rescheduling the regular August 16<sup>th</sup> sessions due to lack of quorum. **Council consensus to hold a special meeting on Tuesday, August 14, 2012 at 12:00 p.m.**

Councilmember de Freitas noted the congestion on Front Street due to unloading of ferries. Discussion followed regarding vehicular and pedestrian traffic issues in the area. No action was taken.

## MINUTES OF THE TOWN COUNCIL - 2012

### CITIZEN RESPONSE

No citizen response was forthcoming.

**ADJOURNMENT** – Mayor Lacher adjourned the meeting at 1:30 p.m. The next regular meeting of the Town Council is scheduled for Thursday, July 19, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on August 2, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, July 19, 2012 – 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; Town Administrator, Duncan Wilson; and Clerk, Amy Taylor.

Treasurer, Wendy Picinich; and Attorney, Adina Cunningham, were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PUBLIC HEARINGS

#### 2013-2018 Six Year Transportation Improvement Plan (TIP)

At 5:31 p.m., Mayor Lacher opened the continued public hearing for the 2013-2018 Six-Year Transportation Improvement Plan (TIP). Mayor Lacher stated the rules for public conduct of said hearing. The hearing was legislative in nature, therefore the appearance of fairness doctrine did not apply.

Administrator Wilson explained that the purpose of continuing the public hearing was to include additional transportation related projects that may be eligible for Transportation Improvement Board grant funding on the Six Year Transportation Improvement Plan (TIP). The draft TIP lists various improvements to: Blair Avenue from Guard Street to Park Street; Mullis Street from Spring Street to Market Street; 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. Administrator Wilson reviewed the additional projects for Blair Avenue and Mullis Street improvements; and noted that a representative from the Department of Transportation will make site assessments for projects listed on the TIP to determine their eligibility for grant funding through the Transportation Improvement Board.

## MINUTES OF THE TOWN COUNCIL - 2012

At 5:54 p.m., Mayor Lacher opened the hearing public comment. Hearing none, Mayor Lacher opened the hearing to Council questions.

The Council commented on the projects listed and areas in Town that need improvements. Discussion followed regarding funding of the listed street improvements.

At 6:04 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 deliberation. Hearing none, Mayor Lacher closed the public hearing.

### Resolution No. 1987

**Moved by Menjivar, seconded by Starr, to adopt Resolution No. 1897, providing for a Six Year Transportation Improvement Program for the years 2013 through 2018. Motion passed unanimously.**

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

At 6:06 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; proposed SJC Criminal Justice Sales Tax; SJI Transfer Station; and County critical areas ordinance review. Discussion followed regarding the extension granted to the County by the Department of Ecology for operation of the SJI Transfer Station. Discussion followed regarding the extension for the SJI Transfer Station.

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

Administrator Wilson reviewed the scheduling of the public hearing for the special meeting on Tuesday, August 14, 2012.

### **CITIZEN RESPONSE**

No citizen response was forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:23 p.m. The next regular meeting is scheduled for Thursday, August 2, 2012 at 12:00 p.m.

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**These minutes were approved on August 2, 2012. 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 - 2012

**Thursday, August 2, 2012 – 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, Duncan Wilson; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

There were no announcement were forthcoming.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Professional Finance Officer Award

At 12:01 p.m., Mayor Lacher and the Council applauded Treasurer Picinich for achieving the Professional Finance Officer Award from the Washington Finance Officers Association for the 22<sup>nd</sup> year. Treasurer Picinich thanked the Council for supporting continuing education.

#### Resolution No. 1902

At 12:04 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1902, authorizing the Mayor to execute an agreement with Elizabeth Anderson, AICP, to complete a Solid Waste Management Plan (SWMP) for the Town of Friday Harbor. Administrator Wilson explained that SCS Engineers has exhausted its agreement authorized by Resolution No. 1825. Ms. Anderson has offered a proposal in the amount of \$75.00 per hour for an estimated total of \$5,025 to complete said Plan. Administrator Wilson recommended approval of the professional services agreement. Discussion followed regarding Ms. Anderson's credentials and benefits of a local planner to complete the SWMP.

**Moved by de Freitas, seconded by Monin, authorizing the Mayor to execute an agreement with Elizabeth Anderson, AICP, to complete the Solid Waste Management Plan for the Town of Friday Harbor. Motion passed unanimously.**

#### Resolution No. 1903

At 12:11 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1903, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the law firm of Joyce, Ziker and Parkinson, PLLC for review of documents concerning a limited environmental site assessment for the Sutton Road solid waste facility. Administrator Wilson explained that the law firm was contracted to for document review services on a time and material basis not to exceed \$4,000. No discussion followed.

## MINUTES OF THE TOWN COUNCIL - 2012

**Moved by Monin, seconded by Hushebeck, to adopt Resolution No. 1903, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the law firm of Joyce, Ziker and Parkinson, PLLC for review of documents concerning a limited environmental site assessment for the Sutton Road solid waste facility. Motion passed unanimously.**

### Ordinance No. 1488

At 12:11 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1488, adding a chapter to Title 2 of the Friday Harbor Municipal Code (FHMC) concerning bonding requirements for Town officials. Administrator Wilson explained that the clerk, treasurer, and marshal of Towns are required to be bonded by RCW 35.27.120 for performance of their respective duties. Amounts of those bonds are approved by the Council as determined by ordinance. Bonding requirements were previously codified as FMHC 2.16 but removed because it was thought that Town's risk management insurance covered those bonding requirements. AWC-RSMA has since notified the Town that bonding is still a requirement. Discussion and inquiry followed regarding which company would carry the bond.

**Moved by Hushebeck, seconded by de Freitas, to adopt Ordinance No. 1488, adding a chapter to Title 2 of the Friday Harbor Municipal Code (FHMC) concerning bonding requirements for Town officials. Motion passed unanimously.**

### Ordinance No. 1489

At 12:14 p.m., Mayor Lacher introduced draft Ordinance No. 1489, amending Chapter 15.04 of Friday Harbor Municipal Code (FHMC) concerning State Building Code regulations. Administrator Wilson explained that Town has no areas with flood plains; however, the Town is currently attempting to join FEMA's National Flood Insurance Program. The purpose of Town's participation is to enable property owners to purchase federal insurance protection against losses from flooding. Without this insurance, most banks are unable to lend because the loans cannot be sold on the open market. In order to participate, Town must agree to manage flood hazard areas by adopting minimum regulatory standards which are proscribed in State building codes, specifically the International Building Code (IBC), 2009 addition, Appendix G. Administrator Wilson recommended adoption of Ordinance No. 1489 to adopt Appendix G to regulate flood hazard areas, regardless of participation in FEMA's National Flood Insurance Program. Mayor Lacher inquired if Cannery Landing had been notified regarding Town's status. Administrator Wilson answered in the affirmative. No discussion followed.

**Moved by Starr, seconded by Menjivar, to adopt Ordinance No. 1489, amending Chapter 15.04 of Friday Harbor Municipal Code concerning State Building Code regulations. Motion passed unanimously.**

### Ordinance No. 1490

At 12:18 p.m., Mayor Lacher introduced draft Ordinance No. 1490, establishing the date, time, and place for a meeting of the Friday Harbor Town Council, to take place at a time other than that specified by Ordinance No. 1135. Administrator Wilson explained that the Council is unable to hold their regular meeting on Thursday, August 16, 2012 due to lack of quorum. The Washington State Department of Transportation/Washington State Ferries Division has time constraints associated with their application for Shoreline Substantial Development Application No. 94, a proposal to better facilitate the movement of pedestrians and vehicles exiting the ferry as well as local traffic; and have requested that the Council consider the matter in August. Discussed followed regarding the Council's respective schedules for meeting availability.

**Moved by de Freitas, seconded by Starr, to adopt Ordinance No. 1490, authorizing a special meeting of the Town Council at 12:10 p.m. on August 14, 2012 in the Town Council Chambers, located at 60 Second Street, Friday Harbor, Washington for the purpose of**

## MINUTES OF THE TOWN COUNCIL - 2012

**holding a public hearing regarding a request for a Shoreline Substantial Development Permit (SSDP No. 94). Motion passed unanimously.**

### ADMINISTRATOR'S REPORT

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

- FH Landfill Financial Assurance Plan - The Plan was reviewed and accepted by the SJC Department of Health. Town is in the process of requesting that landfill monitoring be conducted on a semi-annual basis. If approved, Town anticipates saving in excess of \$30,000 from quarterly monitoring costs associated with the landfill.
- FH Landfill - The County previously conducted LIDAR (contour) mapping of San Juan Island in 2009. Town will approve an expense for mapping of the landfill from this data. Said mapping will allow engineers to establish a baseline for any future degradation of the property.
- San Juan Foundation (SJF) - The TA met with Charlie Anderson, SJF President, for a tour of hospital facilities and to discuss development and utility issues.
- SJI Transfer Station - The Phase 2 Environmental Site Assessment has been completed. The document is currently under review of the law firm of Joyce, Ziker and Parkinson. (See Resolution No. 1903.)
- Blair Street Reconstruction Project - Representative from the Transportation Improvement Board (TIB) conducted site visits for proposed street improvements on Friday, July 25, 2012. The highest scoring of Town projects continues to be the Blair Street Reconstruction Project because of its location in front of the school and post office. Discussion followed regarding available TIB grant funding. Administrator Wilson explained that there is approximately \$5M available for small cities and towns during the next grant cycle.
- Downtown Core - The Streets department will be focusing on the appearance and cleanliness of the downtown core in anticipation of heavy tourist activity in August. Overtime has been authorized as needed through the middle of month. Discussion followed regarding daily trash pick-up and maintenance of the Town street sweeper and other equipment. Councilmember Starr noted the importance of businesses taking joint responsibility in the Town's appearance.
- Town banners - A request will come to the Council regarding for seasonal public banners. Discussion followed regarding the importance of Town having a welcoming persona during the shoulder seasons to attract visitors. Councilmember Monin suggested that Town consider investing towards historical style light standards in the downtown core.
- Shoreline Management Plan (SMP) - The draft SMP is available for review. Public comment will be accepted through November 30<sup>th</sup>.
- Barge Landing Notice - A barge landing notice was issued for sand and gravel unloading at Jackson's Beach. The majority of the product will be transported to Lawson's Gravel Pit via Beaverton Valley Road.

### PAYMENT OF CLAIMS

Moved by Monin, seconded by Menjivar, to affirm the issuance of Payroll Warrants 15488 through 15521 and the July 31, 2012 direct deposit run in the amount of \$211,509.97; and approve the payment of Claim Warrant Nos. 37059 through 37097 in the amount of \$166,367.55. Motion passed 4-0 with de Freitas abstained.

### APPROVAL OF MINUTES

Moved by Hushebeck, seconded by Starr, to approve the minutes of **July 19, 2012 as submitted.** Motion passed unanimously.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Starr requested that the topic of the Turn Point / Pear Point connector be scheduled for discussion.

## MINUTES OF THE TOWN COUNCIL - 2012

### CITIZEN RESPONSE

No citizen response was forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:05 p.m. The next regular meeting is scheduled for Thursday, August 2, 2012 at 5:30 p.m.

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These minutes were approved on August 14, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, August 2, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Sewer Regulations

At 5:31 p.m., Mayor Lacher introduced discussion of the creation of "grease trap" regulations. The Town has been experiencing significant problems in our sewer collection and treatment system as a result of grease and oils being introduced. Most of the grease is from restaurants within the Town while there is occasional oils and grease dumped by residential users.

Discharge of the fats, oil and grease (FOG) is prohibited by FHMC Section 13.20.110(B). The justification for the provision is the problems these materials cause in our sewerage system. Issues with FOG begin with decreased pipe capacity and, therefore, requirement that piping systems be cleaned more often. Station #1 and #5 are regularly in need of repair as a result of the grease accumulations. The thick coat sits atop the holding tank and eventually damages or destroys the floats and level transducers within the pump stations; and eventually becomes part of the solids which are dried in the baking process and produce additional smoke and odor. Overall, this is a significant

## MINUTES OF THE TOWN COUNCIL - 2012

problem which adds thousands of dollars to both the operations and capital costs of the utility and the ratepayers.

The most effective manner to reduce the inflow of FOG is to mandate the installation of Grease Traps in restaurants in Town. These traps are used to segregate the FOG from the other materials entering into the sewerage system. Administrator Wilson explained that before fully investing time and energy into creating a new ordinance and recycling/disposal services, the Administration would like input from the Council regarding the level of support for initiation of this program.

Administrator Wilson introduced Kelby Anderson, NW Plumbing, to describe models of grease traps available and his experience locally with installation and maintenance. A grease trap is typically located under the sink or other kitchen fixture to which it is connected. Baffles in the trap interior slow the wastewater down long enough for the grease to separate and rise to the surface. The grease can then be removed and disposed properly. Passive traps must be cleaned manually. Electro-mechanical devices require less manual maintenance and are more efficient because accumulated FOG is automatically removed daily. If the establishment fails to adequately maintain its trap or interceptor, it will eventually encounter a maintenance problem with a plugged building sewer line. The blockage can create a sewer backup situation and ultimately a potential health problem in the establishment. Mr. Anderson recommended that while both types of traps are accepted as industry standards, the electro-mechanical type would be the best management practice. Mayor Lacher and the Council thanked Mr. Anderson for providing the information.

Discussion and inquiry followed regarding cost to businesses for installation and maintenance of traps; disposal methods for FOG; development, inspection and enforcement of a new program; and education for residential and business owners for the current problem. **Council consensus to direct staff to begin developing costs and alternative methods for the separation and disposal of FOG.**

### Life, Health and Safety Inspections

At 6:15 p.m., Mayor Lacher introduced discussion of Life, Health and Safety Inspections for commercial businesses and structures. Administrator Wilson explained that while Town contracts for fire protection services with District 3, it does not contract for prevention or inspection. As a result, Town stopped conducting life, health, safety inspections of Town businesses when it shut down the Town's fire department. This causes a deficiency with fire prevention. The risk level of not conducting these types of inspections is largely dependent upon the type of use each business conducts and the condition of their business location. Because of the zero lot line configurations in our downtown core, fire safety is extremely important.

Administrator Wilson proposed that Town adopt an ordinance mandating annual inspections for all commercial and multifamily structures within the Town. Discussion and inquiry followed regarding the current need for inspection of commercial businesses and structures; implementation and regulation of mandated inspections; phasing and financing of a program; and liabilities associated with contracting for said services. **Council consensus to pursue implementation of mandatory life, health and safety inspection program.**

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

At 6:46 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the SJC Hotel Motel Tax grant program; legislative priorities; budget cuts; SJI transfer station; upcoming Critical Areas Ordinance; and Washington State Ferries. Discussion followed. **Council consensus to sign joint letters to Senator Murray and Representative Larsen thanking them for recent legislation affecting San Juan County.**

## MINUTES OF THE TOWN COUNCIL - 2012

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher commented on political campaign signs.

### CITIZEN RESPONSE

There was no citizen response forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher continued the meeting at 7:01 p.m. until Tuesday, August 14, 2012 at 12:00 p.m. The next regular meeting is scheduled for Thursday, September 6, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on August 14, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

### Thursday, August 14, 2012 – Council Chambers – Continued Session

### CALL TO ORDER

Mayor Lacher called the continued 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; Town Administrator, Duncan Wilson; and Clerk, Amy Taylor.

Position No. 2, Noel Monin; Position No. 4, Felix Menjivar; Treasurer, Wendy Picinich; 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 Monin and Menjivar. Council unanimously approved their absence.

### ANNOUNCEMENTS/SCHEUDLE CHANGES

Mayor Lacher announced that the special session for a public hearing to consider Shoreline Substantial Development Permit Application No. 94 would convene following adjournment of the continued session.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### PAYMENT OF CLAIMS

Moved by Starr, seconded by de Freitas, to approve the payment of Claim Warrants as presented. Motion passed 3-0 with Monin and Menjivar absent. [Clerk's Note: Three pre-write warrants were presented for consideration.]

## MINUTES OF THE TOWN COUNCIL - 2012

### CITIZEN RESPONSE

No citizen response was forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 12:03 p.m. The next special session is scheduled Tuesday, August 14, 2012 following adjournment. The next regular meeting is scheduled for Thursday, September 6, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on September 6, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Tuesday, August 14, 2012 – Council Chambers – Special Session**

### CALL TO ORDER

Mayor Lacher called the continued session of the Town Council to order at 12:03 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; Town Administrator, Duncan Wilson; and Clerk, Amy Taylor.

Position No. 2, Noel Monin; Position No. 4, Felix Menjivar; Treasurer, Wendy Picinich; and Attorney, Adina Cunningham were not present.

### PUBLIC HEARING

#### Shoreline Substantial Development Permit No. 94

At 12:02 p.m., Mayor Lacher opened the public hearing to consider Shoreline Substantive Development Permit No. 94; an application to improve the movement of pedestrians and vehicles exiting the Friday Harbor ferry terminal. The property is located in the Town of Friday Harbor right-of-way on the landward side of Front Street between Spring Street and East Street. The Friday Harbor ferry terminal is a public transportation facility providing pedestrian and vehicle access to the 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 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 - Perspective Drawing, into the record; and described the background of the application, proposed improvements, staff evaluation and recommendation, and applicable permitting process.

## MINUTES OF THE TOWN COUNCIL - 2012

All work proposed for this Project will be completed 80 feet or more landward of the Mean Higher High Water line. The Project includes providing sidewalk, sidewalk bulbs, signage, and markings that direct pedestrian traffic along a route that is clear of off-loading vehicles. This proposal should improve safety by minimizing the intermingling of ferry pedestrian traffic with ferry vehicle traffic as well as local traffic.

Staff evaluation and recommendation is that the Town Council should approve Shoreline Substantial Development Permit No. 94 as it is in the best interest of the Town and the general public to complete said improvements. The staff report concluded that as presented the application meets the requirements for granting said permit as regulated by Title 19 of the Friday Harbor Municipal Code and other best practices.

At 12:10 p.m., Mayor Lacher opened the hearing to Applicant testimony.

Melissa Johnson, WSDOT/WSF Operations Manager, explained that WSF was granted the funding for the purpose of pedestrian improvements; the proposed project only addresses a portion of the issues associated with pedestrian/traffic flow at the FH terminal; and the urgency for approval of the permit application is to meet deadlines associated with other regulatory agencies and construction schedules. Ms. Johnson noted that the project must be completed before the Spring 2013 WSF Sailing Schedule begins.

Becky Spangler, WSDOT/WSF Project Manager, addressed signage and other construction related questions concerning lighting, handrails, building materials and position of informational kiosks and signage.

At 12:27 p.m., Mayor Lacher opened the hearing to public testimony.

Zed Parks, 840 Park Street, and (unofficially) on behalf of local taxi transportation companies, stated concerns regarding the proposed loading area located in front of the ramp on Front Street and width of the median on East Street. Mr. Parks stated that it appeared on the proposal that the parking would be reduced from five to three spots; and commented that pedestrians would be better served by loading at the existing terminal holding area.

Lori Stokes, 241 Warbass Way, testified in support of the proposal and questioned why pedestrians are unloaded from the ferry before vehicles if the issues largely stem from the intermingling of foot traffic with the vehicles.

Victoria Williams, Historic Preservation Review Board member, requested that the HPRB be allowed to coordinate on aesthetics of projects in the downtown core.

Gordon Petersen, 150 First Street, entered Exhibit B - written comments, into the record and testified that he agreed with the stated goals of the proposal but was concerned that exiting his business's forty car garage facility located on East Street will become more difficult if the project were approved. Mr. Petersen requested that the Council allow vehicles exiting the parking garage on East Street in the south west direction to First Street instead of east to Front Street.

At 12:41 p.m., Mayor Lacher offered the Applicant and staff the opportunity to address the issues brought forth during public testimony.

Ms. Johnson responded that the bump-out curb was designed to be mountable by vehicles including large trucks. The size of the bump-out curb design will only take two additional feet. No taking of parking spaces are anticipated.

## MINUTES OF THE TOWN COUNCIL - 2012

Ms. Johnson responded that improvements to the median on East Street were limited to taking footage from East Street or eliminating capacity in the holding lanes. Town staff was consulted and WSF was directed to design with the assumption of taking from East Street.

Ms. Johnson responded that while signage is part of the proposal Town is responsible for providing direction regarding its placement, size and content.

Ms. Johnson responded that off-loading pedestrians on the opposite side of Front Street near the terminal is problematic due to customs and other issues.

Ms. Johnson responded that all ferries off-load pedestrians first is a pedestrian walkway is not available except in the case of an emergency vehicle. Terminal Agent, Zak Akin responded that off-loading pedestrians after vehicles is problematic because there is no effective way to safely segregate the passengers from the moving vehicles while on the ferry.

At 12:48 p.m., Mayor Lacher opened the hearing to Council and staff questions.

Ms. Spangler responded to Administrator Wilson's inquiry that after takings East Street will be left with a 12 foot driving lane and proposed signage could be altered to Town specifications.

Councilmember Starr inquired if mountable bump-outs are safe. Ms. Spangler explained that the purpose of a mountable curb is to reduce the impact on larger vehicles such as semi-trucks. Mr. Akin explained that mountable curbs are not purposed to allow all vehicles to drive over them, however some larger vehicles may be required to allow their tires to pass over the curb to successfully negotiate the turn on Front Street. No driver is suppose to use the turn if it can't successfully negotiate the turn.

Administrator Wilson inquired if the informational kiosk could be moved north to eliminate pedestrians bottlenecking at the bottom of the ramp. Ms. Spangler answered that a single sided kiosk could be located anywhere on the ramp.

At 1:00 p.m., Mayor Lacher asked if there were additional questions from the Council. Hearing none, Mayor Lacher asked for additional comments from audience and staff.

Mr. Petersen commented that the median improvements as proposed would constrict East Street and commented that the median could be narrowed with use of extruded concrete material thereby not affecting the current width of the roadway.

Mr. Park inquired about the proposed configuration of parking. Mr. Bertrand stated that the size of the current spaces are larger than required for parallel parking; and that the spaces may be reduced in size to compensate for any loss. Ms. Spangler stated that in exchange for the loss of one parking spot, Town would be a gaining ADA compliant loading area.

SJC Councilmember Howie Rosenfeld testified in support of the project and complemented the WSDOT/WSF staff and Town for their successful collaboration.

Mr. Bertrand commented that the proposed signage is subject to change.

Mayor Lacher asked for additional comments or questions. Hearing none, Mayor Lacher closed the public testimony portion of the hearing at 1:06 p.m., reserving the right to reopen if needed, and opened Council deliberations.

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor Lacher publicly thanked State Representative Rick Larsen for securing grant funding for the project.

Councilmember Hushebeck stated that he supported the project with modifications to the signage proposal and to reflect realigned parking.

Councilmember de Freitas concurred with emphasis to modifications to the signage proposal.

Councilmember Starr stated that she was sympathetic to the concerns brought forth and concurred with fellow Council statements.

Mayor Lacher thanked the Council and stated that design of streetscapes are currently outside of the scope of the HPRB.

**Moved by Hushebeck, seconded by de Freitas, to adopt the Staff Report dated July 27, 2012; and Findings of Fact, Conclusions of Law and Decision regarding the application for Shoreline Substantial Development Permit No. 94; a proposal to improve the movement of pedestrians and vehicles exiting the Friday Harbor ferry terminal with modifications to the signage proposal and realigned parking and loading zone. Motion passed 3-0 with Monin and Menjivar absent.**

### FUTURE AND NON-AGENDA ITEM.

No future agenda items were forthcoming.

### CITIZEN RESPONSE

Melissa Johnson, WSDOT/WSF Operations Manager, thanked the Council and commented on the positive collaboration between WSF, Scenic Byways and Town. Ms. Johnson noted that WSF may relocate the existing bike racks to the terminal.

**ADJOURNMENT** – Mayor Lacher adjourned the meeting at 1:17 p.m. The next regular meeting of the Town Council is scheduled for Thursday, September 6, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on September 6, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, September 6, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

## MINUTES OF THE TOWN COUNCIL - 2012

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCES

Mayor Lacher noted that Councilmember Menjivar may be required to leave early.

### ANNOUNCEMENTS/SCHEUDLE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Proclamation - Constitution Week

At 12:02 p.m., Mayor Lacher proclaimed September 17th through 23rd, 2012 as Constitution Week in the Town of Friday Harbor, and asked our citizens to reaffirm the ideals of the Founding Fathers, pay special attention to the Constitution of the United States and advantages of American citizenship, and vigilantly protect the freedoms guaranteed to us through this guardian of our liberties. Minnie Kynch and the "Daughters of the Revolution" accepted the proclamation and explained that they will be doing educational outreach during the week.

#### Ordinance No. 1491

At 12:04 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1491, amending Section 2.66.020 of the Friday Harbor Municipal Code relating to the Lodging Tax Advisory Committee. Administrator Wilson explained that the current ordinance provides for members other than the two Councilmembers being owners or employees of businesses which are obligated to collect the additional two percent excise tax. Ordinance No. 1491 would amend membership to two members of the Town Council, two members obligated to collect the tax and three at large. No discussion followed.

**Moved by Monin, seconded by Starr, to adopt Ordinance No. 1491, amending Section 2.66.020 of the Friday Harbor Municipal Code relating to the Lodging Tax Advisory Committee. Motion passed unanimously.**

#### Resolution No. 1904

At 12:08 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1904, accepting a proposal from DiJulio Displays, Inc. to provide decorative street banners and hardware. Administrator Wilson explained that Town could enhance the look of the downtown core by using hotel motel excise tax funding to install street banners to promote the fall tourism season and the Savor the San Juans events, designate those areas of downtown where tourists can find retail products and services and to welcome tourists into those areas. Administrator Wilson explained that there are different price structures depending on how many would be purchased for the size of area to be covered. Discussion followed regarding the removal of hanging flower baskets. Per inquiry, Administrator Wilson explained that the current sign ordinance does not need to be amended to allow for the hanging of non-advertisement banners.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1904, accepting a Proposal No. 1 from DiJulio Displays, Inc. to provide thirty decorative street banners and hardware as set forth in Exhibit A. Motion passed unanimously.**

### PUBLIC HEARING

#### 2012 Town Budget Amendments

## MINUTES OF THE TOWN COUNCIL - 2012

At 12:22 p.m., Mayor Lacher opened the public hearing on the amendments to the 2012 Town Budget. Treasurer Picinich gave an explanation of said amendments and year-to-date balances which were listed as "Attachment A" to draft Ordinance No. 1494. No public input was forthcoming. Discussion followed regarding miscellaneous adjustments to the 2012 budget including expenditures for personnel, street lighting, and Memorial Park improvements.

At 12:25 p.m., Mayor Lacher inquired if any public input was forthcoming. Hearing none, Mayor Lacher closed the public hearing on amendments to the 2012 Town Budget. Administrator Wilson thanked Treasurer Picinich for her due diligence when planning and administering the Town's finances.

### Ordinance No. 1494

**Moved by Menjivar, seconded by de Freitas, to adopt Ordinance No. 1494, amending certain beginning balances, revenue estimates, expenditure appropriations, and ending cash balances in the 2012 Budget for the Town of Friday Harbor. Motion passed unanimously.**

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

#### Ordinance No. 1493

At 12:28 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1493, fixing salaries of officials and non-represented personnel. Administrator Wilson explained that for administrative purposes it is efficient to repeal the current Ordinance in its entirety. Ordinance No. 1493 adds the reclassified position of the Public Works position with no other changes. Administrator Wilson noted that the salary for the position is \$92,600. No discussion followed.

**Moved by Starr, seconded by de Freitas, to adopt Ordinance No. 1493, fixing salaries of officials and non-represented personnel as amended. Motion passed unanimously.**

#### Ordinance No. 1492

At 12:31 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1492, amending the 2002 Town of Friday Harbor Comprehensive Plan. Land Use Administrator, Mike Bertrand, explained that the Planning Commission recommends the proposed changes. Ordinance No. 1492 provides for the annual update to Chapter 6, Capital Facilities Improvements Summary Table and definitions CFE-64 and CFE-70. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to adopt Ordinance No. 1492, amending the 2002 Town of Friday Harbor Comprehensive Plan. Motion passed unanimously.**

#### Public Art - Placement of Sculpture

At 12:42 p.m., Mayor Lacher introduced discussion of placement of an iconic sculpture in the public right of way located at Churchill Square. Lori Stokes, Town resident, explained that the piece was a metal sculpture of a whale tale made by a local artist who has offered to gift it to the Town if private donations could be gathered to cover his costs for materials and production. Currently the piece is located at the sculpture park near Roche Harbor. Ms. Stokes proposed that she would begin seeking donations if the Town Council would agree to its placement at the intersection of First and A Street. Ms. Stokes provided conceptual photographs depicting placement at the location. Discussion followed regarding art in the public right-of-way and development of a policy.

**Council consensus for staff to begin working with Ms. Stokes for placement of the sculpture located in front of Churchill Square in the public right-of-way.**

### **ADMINISTRATOR'S REPORT**

At 12:59 p.m., Administrator Wilson presented the Town Council with an update of the following:

## MINUTES OF THE TOWN COUNCIL - 2012

- New Employees - Administrator welcomed Wayne Haefele, Public Works Director, and Taylor Musburger, Utilities Worker at the Water Treatment Plant.
- SJC Council Joint Meeting - A joint meeting with the County is tentatively scheduled on October 16<sup>th</sup>. Council discussed their meetings schedule for the month of October.
- Water Main Break - Town suffered a significant water main break on September 1<sup>st</sup>. Administrator Wilson thanked staff and emergency responders for the exemplary job they did in controlling the incident. Town lost approximately 300,000 gallons of water during the event which only caused an increase in production. Administrator Wilson explained that while the affected section of line has been repaired, it would be an efficient use of funding to replace the entire segment on Spring Street between First and Second Street. Discussion followed regarding bidding requirements and cost. **Moved by de Freitas, seconded by Starr, to move forward with a small works and selection of a contractor for said improvements. Motion passed unanimously.**
- Port of Friday Harbor - Airport Property - Certain improvements are taking place at the Friday Harbor Airport. A Town water main line and sewer main connection is planned to be moved to the new welcome center.
- Collective Bargaining - Negotiations with Local 1849F for the new collective bargaining agreement is scheduled to begin on September 7<sup>th</sup>.
- Trout Lake Level - The water level of Trout Lake is currently 35.5 inches below the dam spillway.
- Sunken Park - United Way of San Juan County has scheduled cleanup and maintenance of Sunken Park as its annual "Day of Caring" event.
- Memorial Park - Town staff is scheduled to begin maintenance on Memorial Park including trimming of the elms. Discussion followed regarding fixing the tree lights and electrical located at the park in anticipation of the annual tree lighting ceremony.
- Peace Island Medical Center - Peace Health is preparing to begin certain improvements located within the public right-of-way.
- SJC Solid Waste Utility - The County is in the process of developing a selection committee to review their request-for-proposals for solid waste services due on October 1, 2012.
- Wounded Warrior Project - The Wounded Warrior Project has scheduled a parade on September 14<sup>th</sup>. The WWP are a group of veterans will participate in the Soldier Ride. This is a cycling event to help Wounded Warriors restore their physical and emotional well-being with warriors of all ability levels participating using state-of-the-art adaptive hand cycles, trikes, and bicycles to accommodate warriors with various injuries and disabilities, as well as unmodified road bikes for riders not requiring adaptive equipment.

### PAYMENT OF CLAIMS

Moved by Monin, seconded by Menjivar, to affirm the payment of Payroll Warrant Nos. 15522 through 15555 and direct deposit run of 8/31/12 in the amount of \$218,977.59; and approve the payment of Claim Warrant Nos. 37101 through 37171 in the amount of \$141,854.75. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Starr, seconded by de Freitas, to approve the minutes of **August 2, 2012 and August 14, 2012 as submitted.** Motion passed 3-0 with Monin and Menjivar abstained.

### FUTURE AND NON-AGENDA ITEMS

Councilmember Menjivar asked if there was interest in providing resources to improve the tree lighting and infrastructure at Memorial Park. Discussion followed regarding use of hotel motel excise tax funds. No action was taken.

## MINUTES OF THE TOWN COUNCIL - 2012

Administrator Wilson responded to questions regarding the ongoing litter and nuisance problems in the undeveloped areas of Corliss Court. Discussion followed regarding lighting.

### CITIZEN RESPONSE

No citizen response was forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:37 p.m. The next regular meeting is scheduled for Thursday, September 6, 2012 at 5:30 p.m.

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**These minutes were approved on September 20, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

### Thursday, September 6, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

#### FLAG SALUTE

Mayor Lacher conducted the flag salute.

#### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher announced that the Council would hold an executive session pursuant to RCW 42.30.110(1)(b) to consider the selection of a site or the acquisition of real estate by lease or purchase; following the posted agenda.

#### PUBLIC ACCESS TIME

There were no public access items forthcoming.

#### ACTION AND DISCUSSION ITEMS

##### 2003 Sewer Revenue Bonds

At 5:31 p.m., Mayor Lacher introduced discussion of refinancing 2003 Sewer Revenue Bonds. Administrator Wilson explained that in 2003 the Town issued \$2,235,000 in Sewer Revenue Bonds related to the expansion of the Town Wastewater Treatment Facility. As is common with almost all bond issues, the bonds had different interest rates depending upon when each bond matured. It is also common that the Town is not authorized to pre-pay bonds until the expiration of a certain time period; known as callable or pre-payable bonds. The Town's 2003 Sewer Revenue Bonds are callable on May 1, 2013. Administrator Wilson recommended that the Council authorize preparation of the necessary documentation including a Preliminary Official Statement (POS) for refinancing of the bonds

## MINUTES OF THE TOWN COUNCIL - 2012

due to the favorable current interest rates. Assuming that Town will receive a positive POS, it could potentially achieve a savings of between \$196,424 to \$219,632 by refinancing the remaining life of the bonds. Discussion followed regarding if other utility bonds will enjoy the same refinancing opportunity in the near future.

**Moved by Hushebeck, seconded by Starr, to authorize staff to move forward with the necessary documentation, including a Preliminary Official Statement, for refinancing of the 2003 Sewer Revenue Bonds related to the expansion of the Town Wastewater Treatment Facility. Motion passed unanimously.**

### Town Budget Priorities

At 12:37 p.m., Mayor Lacher introduced discussion of Town budgeting priorities. Administrator Wilson explained that the Council is entering budget season and it may be a good time to discuss some of the long range and significant priorities of the Council, especially those that will impact the 2013 Town Budget. Some items that the Council has discussed over the summer season include development of a Tourism Master Plan, economic development, permanent funding for streets, town beautification, sidewalks and walkability, park improvements, governmental relations and town annexation to Fire District 3. Treasurer Picinich noted that the Finance Department is in the process of accepting budget requests for various departments and outside agencies. Additionally, the preliminary budget will be on pending status until other personnel issues, such as collective bargaining with Local 1849F, and outside inflation factors, such as CPI-U, are identified. The Council identified items and issues of interest which should be considered for inclusion in the budget. Discussion and inquiry followed regarding beautification and upgrade of Town parks and funding support for annual community events. No action was taken.

### Turn Point / Pear Point Connector Road

At 6:16 p.m., Mayor Lacher introduced discussion of the Turn Point / Pear Point Connector Road. The Pear Point To Turn Point Route Study dated May 2010 prepared by San Juan County Public Works provides for eight possible routes circumventing and through and around the gravel pit and Buck Property. Administrator Wilson explained that the purpose of the discussion was to evaluate and determine the Town's preference out of the possible alternatives provided by the County for the connector road. Mayor Lacher urged the Council to identify the best available long term options for the Town that also enables compromise and collaboration with the County. Discussion and inquiry followed regarding the best means of serving development and various truck activity necessitated by barge landings in the Pear Point area. **Council consensus that priorities were for the County to build a turn around area and/or roundabout in the near future to divert dump trucks from using Warbass Way; and focus on Alternative 1 with the possibility of phasing in the other alternatives as development occurs.**

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

At 6:34 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on the status of the Turn Point / Pear Point Connector Road and Washington State Ferries. Discussion followed. The Mayor and Council thanked Mr. Rosenfeld.

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

No future agenda items were forthcoming.

### **CITIZEN RESPONSE**

No citizen response was forthcoming.

### **EXECUTIVE SESSION**

## MINUTES OF THE TOWN COUNCIL - 2012

At 6:39 p.m., Mayor Lacher announced that the Council would be holding an executive session pursuant to RCW 42.30.110(1)(b) to consider the selection of a site or the acquisition of real estate by lease or purchase; which was estimated to last 20 minutes. Participants: Town Council, Mayor Lacher, Administrator Wilson, Treasurer Picinich, and Attorney Cunningham. The session ended at 7:03 p.m. for an actual session time of 24 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:04 p.m. The next regular meeting is scheduled for Thursday, September 20, 2012 at 12:00 p.m.

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**These minutes were approved on September 20, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

### Thursday, September 20, 2012 – 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. 4, Felix Menjivar.

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

Position No. 2, Noel Monin; and Position No. 5, Barbara Starr 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 Starr. Council unanimously approved their absence.

#### ANNOUNCEMENTS/SCHEUDLE CHANGES

There were no announcement were forthcoming.

#### PUBLIC ACCESS TIME

There were no public access items forthcoming.

#### WORK SESSION

##### Town Solid Waste Management Plan

At 12:04 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan (SWMP). Elizabeth Anderson, Planning Consultant, proposed a process for completion of the SWMP. SCS Engineers and the Town developed major portions of the SWMP, including moderate risk waste and other elements required by RCW 70.95. The two types of actions that remain to be accomplished

## MINUTES OF THE TOWN COUNCIL - 2012

are: 1) To complete the preliminary draft and revise it in accordance with direction of the Department of Ecology; and 2) Adopt each draft through a public participation process. Ms. Anderson recommended that the Council begin by combining and shortening the list of options contained within each chapter to efficiently organize and streamline the document. Ms. Anderson and the Council reviewed SWMP, Chapter 3 using the suggested methodology to eliminate irrelevant clauses and statements while combining others. Discussion followed regarding simplification of the process. Administrator Wilson stated that additional work session would be scheduled throughout fall. No action was taken.

### ACTION AND DISCUSSION ITEMS

#### Joint Meeting

At 12:51 p.m., Mayor Lacher introduced discussion meeting topics for the scheduled joint meeting with the SJC Council on October 16, 2012 at 11:30 p.m. Administrator Wilson explained that currently items of interest include: 1) introduction of new Administrators; 2) update regarding the County solid waste utility; 3) update regarding the Town solid waste utility; 4) discussion of economic development; 5) discussion of the Turn Point/Pear Point connector road; and 5) discussion of finding new ways to communicate/cooperate. Administrator Wilson inquired if there were any other items of interest at this time. Discussion followed regarding topics. **Council consensus that the meeting topics were sufficient at this time.**

#### Ordinance No. 1495

**Moved by Menjivar, seconded by de Freitas, to adopt Ordinance No. 1495 as amended, establishing a special meeting of the Town Council at 11:30 p.m. on October 16, 2012, in the SJC Legislative Hearing Room, located at 55 Second Street, for the purpose of a joint quarterly meeting with the SJC Council relating to issues of mutual concern. Motion passed 3-0 with Monin and Starr absent.**

### ADMINISTRATOR'S REPORT

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

- 2013 Hotel Motel Excise Tax Grant Program - The Lodging Tax Advisory Committee met on September 19, 2012 to finalize recommendations for disbursement of funds for the hotel motel excise tax grant program for year 2013. Recommendations will be forwarded to the Council on October 4<sup>th</sup>.
- Farm to Market Parade - The second annual Farm to Market Parade was approved for Saturday, October 6<sup>th</sup>.
- Public Art Proposal - Lori Stokes notified the Town that she tentatively found a donor to match half the purchase of the proposed whale tail sculpture at Churchill Square. Ms. Stokes is working with Treasurer Picinich to establish a tax deductible fund for potential donors.
- Island Rec - Administrator Wilson has begun discussions with Island Rec concerning possible collaboration efforts for maintenance and utilization of the public sports fields and parks.
- Sunken Park - United Way completed their Day of Caring event. Town is in the process of other maintenance, including priming the wall and installation of new BBQs at the Park.
- Roman Court - Town Staff has been authorized to help neighborhood volunteers with the clean up efforts at Roman Court. Town will dispose of the refuse free of charge.
- Trout Lake - The level of Trout Lake is 41" below the spillway.
- SJC RFP Selection Committee - Administrator Wilson has been requested to participate on the Selection Committee for proposals concerning the solid waste transfer station on Sutton Road.
- Town Recycle Program - The program is going well with the exception of mechanical issues with the refuse truck. Recyclables will be stored at the Sutton Road site until the truck is fixed.
- FH Landfill Monitoring - Town was given preliminary approval by the Department of Health to reduce monitoring of the Landfill from a quarterly basis to a semi-annual basis.

## MINUTES OF THE TOWN COUNCIL - 2012

- Economic Development Council (EDC) - The EDC met with Administrator Wilson to discuss parking and other economic development issues.
- Street Improvements - Town has requested that St. Frances Parish dedicate the land at the intersection of Marguerite and Spring Street (near the Town Shop), in an effort to make street, gutter and sidewalk improvements at the corner. The Parish informed the Town that the request must be approved by their Archdiocese.
- AWC RSMA - Administrator Wilson will be attending the annual AWC RSMA Conference in South Carolina from October 22<sup>nd</sup> through October 26<sup>th</sup>.
- Street Improvements - Minor street improvements are taking place on Tucker Avenue, Spring Street and Mullis Street.
- Odor Issue - Town may need to install a pump station on Franke Street to address sewer related odor issues. Estimated cost of the improvement is \$40,000.
- Waterline Break - Claims have been submitted to the risk pool related to the water line break on Spring Street in September.
- Street Banners - The seasonal street banners should arrive by September 28<sup>th</sup>.

### PAYMENT OF CLAIMS

Moved by Menjivar, seconded by de Freitas, to approve the payment of Claim Warrant Nos. 37172 through 37224 in the amount of \$114,084.64. Motion passed 3-0 with Monin and Starr absent.

### APPROVAL OF MINUTES

Postponed until the evening session.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

No citizen response was 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, September 20, 2012 at 5:30 p.m.

\* \* \* \* \*

These minutes were approved on October 4, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, September 20, 2012 – Council Chambers – Evening Session**

### CALL TO ORDER

Mayor Lacher called the regular session of the Town Council to order at 5:46 p.m.

### ROLL CALL

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

## MINUTES OF THE TOWN COUNCIL - 2012

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

Position No. 2, Noel Monin; and Position No. 5, Barbara Starr 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 Starr. Council unanimously approved their absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### WORK SESSION

#### 2013 Town Budget

At 5:46 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2013 Town budget cycle. Treasurer Picinich reviewed the budget adoption calendar; and explained that several variables need to be determined before Council can begin balancing the budget. Some include anticipated budget requests, consumer price index changes for Town rates, labor negotiations, contract negotiation with the County, and changes in State legislation. Discussion followed. Mayor Lacher directed staff to schedule ongoing budget work sessions. No action was taken.

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1496

At 5:55 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1496, amending Chapter 12.36 of Friday Harbor Municipal Code relating to regulations for public parks. Administrator Wilson explained that the purpose of the ordinance is to provide for the management and administration of Sunken, Cahail, Memorial, Evergreen, and West Street Parks. Town is in the process of making improvements to certain parks and has since noticed minor vandalism of the facilities immediately following improvements, including litter and defacing of property. Ordinance No. 1496 proscribes park hours, prohibited activities and penalties, in an effort to detour misuse and enhance patronage and public safety. Discussion and inquiry followed regarding enforcement and prosecution for violations.

**Moved by Hushebeck, seconded by de Freitas, to adopt Ordinance No. 1496, amending Chapter 12.36 of Friday Harbor Municipal Code relating to regulations for public parks. Motion passed 3-0 with Monin and Starr absent.**

#### Ordinance No. 1497

At 6:09 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1497, amending Chapter 12.36 of Friday Harbor Municipal Code adopting a new Chapter 8.12 regarding Health and Safety, to be entitled "Fire, Health and Life Safety Inspections." Administrator Wilson explained that the adopted version of the International Fire Code, Section 104 gives the authority for the Town's Inspector to ensure compliance of all applicable codes concerning fire, health and life safety by making inspections inside of business entities. Administrator Wilson recommended adoption because many of the buildings in the downtown core are of wood construction, do not have sprinkler systems and are zero-lot-line, all of which create a greater risk of a rapid spread in a fire event. Discussion followed

## MINUTES OF THE TOWN COUNCIL - 2012

regarding customer service and extending the greatest sensitivity and discretion possible to business owners while conducting said inspections.

**Moved by de Freitas, seconded by Hushebeck, to adopt Ordinance No. 1497, amending Chapter 12.36 of Friday Harbor Municipal Code adopting a new Chapter 8.12 regarding Health and Safety, to be entitled "Fire, Health and Life Safety Inspections." Motion passed 3-0 with Monin and Starr absent.**

### Ordinance No. 1498 - First reading

At 6:22 p.m., Mayor Lacher introduced first reading of draft Ordinance No. 1498, adding a new chapter to Title 8, relating to the maintenance, trimming, removal or destruction of vegetation and weeds on private property and adjoining planting strips and public right-of-ways. Administrator Wilson explained that RCW 35.21.310 provides that Towns may require property owners by ordinance to maintain vegetation on private and abutting public property that is a menace to public health or safety. Currently, nothing in FHMC recognizes the property owner's responsibility to maintain such vegetation that constitutes a fire, health or safety hazard. The purpose of Ordinance No. 1498 is to require the removal of said vegetation growing or which has grown and died upon provide property and the abutting right-of-way, which are a fire hazard or pose other health, safety or welfare concerns before becoming a public hazard or nuisance. Administrator Wilson noted that the purpose of discussion was for an initial reading and not adoption. Discussion and inquiry followed regarding the definitions of "public hazard" and the proposed abatement process. No action was taken.

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

At 6:35 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented on life safety inspections, SJC Board of Health concerns, Washington State Ferries issues and pending State legislation. Discussion followed. The Mayor and Council thanked Mr. Rosenfeld.

### **APPROVAL OF MINUTES**

Moved by Hushebeck, seconded by de Freitas, to approve the minutes of **September 6, 2012 as submitted**. Motion passed 3-0 with Monin and Starr absent.

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

No future agenda items were forthcoming.

### **CITIZEN RESPONSE**

No citizen response was forthcoming.

### **EXECUTIVE SESSION**

At 6:47 p.m., Mayor Lacher announced that there would be a closed session in accordance with the provisions of RCW 42.30.140(4) regarding collective bargaining, which was estimated to last 20 to 30 minutes with adjournment immediately following. [Said session is not an Executive Session and not subject to the Open Public Meeting Act.] Participants: Town Council, Mayor Lacher, Administrator Wilson, Treasurer Picinich, Attorney Cunningham and Clerk Taylor. The session ended at 7:17 p.m. for an actual session time of 30 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:17 p.m. The next regular meeting is scheduled for Thursday, October 4, 2012 at 12:00 p.m.

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## MINUTES OF THE TOWN COUNCIL - 2012

These minutes were approved on October 3, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, October 4, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar was not present. Councilmember Hushebeck was excused from session early.

### **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**

No announcements were forthcoming.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **ACTION AND DISCUSSION ITEMS**

#### Proclamation - Recognition of Utilities Superintendent Mike Wilks

At 12:01 p.m., Mayor Lacher presented Mike Wilks with a proclamation expressing gratitude for the services that Mr. Wilks has rendered during his thirty six year tenure; and wishing Mike, and his wife Beth, the very best retirement on behalf of his coworkers and the citizens of Friday Harbor. Treasurer Picinich presented Mr. Wilks with a plaque in his honor. Mr. Wilks thanked Mayor Lacher and the Council. Mr. King Fitch and Administrator Wilson commended Mr. Wilks. Mr. Wilks began his employment with the Town on September 14, 1976 and is retiring on October 5, 2012.

### **DEPARTMENT REPORTS**

#### Emergency Management

At 12:07 p.m., Department of Emergency Management (DEM) Director, Brendan Cowan, updated the Council on upcoming training and preparedness exercises, including oil spill and inclement weather events. No discussion followed. Mayor Lacher thanked Mr. Cowan.

#### Community Development

## MINUTES OF THE TOWN COUNCIL - 2012

At 12:10 p.m., Land Use Administrator, Michael Bertrand, distributed a compilation of current building permits. Mr. Bertrand reported that approximately ten new construction permits are anticipated by the building department; update on the Peace Island Medical Center project; and upcoming public hearings. No discussion followed. Mayor Lacher thanked Mr. Bertrand.

### Historic Preservation

At 12:12 p.m., Historic Preservation (HP) Coordinator, Sandy Strehlou, reported on local events and outreach, HP ordinance changes, design review and incentives, and discussion concerning signage in the historic district. No discussion followed. The Mayor thanked Ms. Strehlou.

### Fire

At 12:17 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 third quarter of 2012. Chief Marler reviewed the training schedule for volunteers and incidents by area and type. Chief Marler stated that District #3 is exploring several options for streamlining services. These include abandoning use of the Town Station, transferring equipment to the Mullis Street Station, and overhauling the entire fleet including surplus of lease/purchase Town equipment. Discussion followed regarding surplus of Engine No. 11. Chief Marler explained that sale of said equipment would benefit both the Town and District by retiring the debt and acquiring uniform and compatible equipment. In addition, new equipment will help improve the Town and District's fire insurance rating. Mayor Lacher thanked Chief Marler.

### System Administration

At 12:40 p.m., System Administrator, Steven Dubail, distributed a third quarter department report for year 2012. Mr. Dubail reported on system maintenance and security, offsite security cameras, new finance software, email retention and backups, and website. No discussion followed. Mayor Lacher thanked Mr. Dubail.

### Public Works

At 12:46 p.m., Public Works Director, Wayne Haefele, reported on his department's current budget, recent waterline breaks, and upcoming maintenance projects. Mr. Haefele described the condition of the ageing waterlines suggested that the Council focus on replacing portions as soon as possible. No discussion followed. Mayor Lacher thanked Mr. Haefele.

## **WORK SESSION**

### 2013 Town Budget

At 12:54 p.m., Mayor Lacher introduced the work session to discuss budget expectations and priorities for the 2013 Town budget cycle. Mayor Lacher initiated discussion regarding Town's annexation into Fire District No. 3. Discussion followed regarding public education and outreach before any ballot measure. Administrator Wilson reviewed the 2013 budget requests from various departments and anticipated revenues. Discussion followed regarding a hold on utility rate increases and property tax levy. No action was taken.

## **ADMINISTRATOR'S REPORT**

The scheduled Administrator's report was postponed until the evening session.

## **PAYMENT OF CLAIMS**

Moved by Monin, seconded by Starr, to approve the payment of Claim Warrant Nos. 37225 through 37255 in the amount of \$77,587.20; and affirm the payment of Payroll Warrant Nos. 15556 through 15592 and the 9/29/12 Direct Deposit Run in the amount of \$227,065.08. Motion passed 3-0 with Hushebeck and Menjivar absent.

## MINUTES OF THE TOWN COUNCIL - 2012

### APPROVAL OF MINUTES

Moved by de Freitas, seconded by Monin, to approve the minutes of **September 20, 2012 as amended**. Motion passed 2-0 with Hushebeck and Menjivar absent and Starr abstained.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

No citizen response was 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, October 4, 2012 at 5:30 p.m.

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**These minutes were approved on October 18, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

### Thursday, October 4, 2012 – 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. 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, Duncan Wilson; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 1, Steve Hushebeck; 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 Hushebeck and Menjivar. Council unanimously approved their absence.

### ANNOUNCEMENTS/SCHEUDLE CHANGES

There were no announcement were forthcoming.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

Budget Request - SJI Chamber of Commerce

## MINUTES OF THE TOWN COUNCIL - 2012

At 5:32 p.m., Mayor Lacher introduced discussion of a budget request for staffing the Visitors Information Center and annual 4<sup>th</sup> of July fireworks display by the SJI Chamber of Commerce. Administrator Wilson noted that any funds contributed would be from the special hotel motel excise tax fund. Tom Kirschner, Executive Director, requested funding for daily operation and staffing in the amount of \$15,000 and described the scope of services for said contribution. The Chamber also requested \$5,000 towards the 2013 fireworks display and described challenges that the Chamber has had in the last few years in organizing the event. Discussion and inquiry followed regarding if requested funding for the display could be used in the form of a match/incentive program rather than a general contribution. Mayor Lacher suggested that the special hotel motel excise tax could be used similarly for annual holiday tree lighting. The budget request will be discussed during the next scheduled Town Budget Work Session. No action was taken. Mayor Lacher thanked Mr. Kirschner.

### Budget Request - SJC Economic Development Council

At 5:51 p.m., Mayor Lacher introduced discussion of a budget request by the SJC Economic Development Council (EDC). Administrator Wilson explained that the EDC is requesting that the Town contribute \$10,000 for business support, educational programming and development opportunities for the EDC Executive Director. Administrator Wilson noted that a final scope of services has yet to be developed if the expenditure is approved for the 2013 budget. Discussion followed regarding current services. The budget request will be discussed during the next scheduled Town Budget Work Session. No action was taken.

### Lodging Tax Advisory Committee

At 5:57 p.m., Mayor Lacher introduced discussion of the appointment of Victoria Compton, Executive Director for the SJC Economic Development, to the Town Lodging Tax Advisory Committee pursuant to Ordinance No. 1491. No discussion followed.

**Moved by Monin, seconded by de Freitas, to appoint Victoria Compton, Executive Director for the SJC Economic Development, to the Town Lodging Tax Advisory Committee. Motion passed 3-0 with Menjivar and Starr absent.**

### LTAC Recommendation

At 5:59 p.m., Mayor Lacher introduced discussion of the Lodging Tax Advisory Committee (LTAC) recommendation regarding 2013 Hotel Motel Tax Grant disbursements. Administrator Wilson and Councilmember Starr described the process that LTAC used to determine the recommended funding amounts. Administrator Wilson described how the members voted and suggested that the Council consider a weighted average instead of the LTAC's straight average by eliminating the highest and lowest recommendation for each application. Council discussed the merits of the applications and how the weighted average would affect the recommended amounts.

**Moved by Starr, seconded by Monin, approve disbursement in the amount of \$131,787 of the second two percent (2%) Hotel Motel Tax Grant fund for year 2013 as follows:**

- SJI Chamber of Commerce - \$20,937
- SJI Visitors Bureau - \$97,750
- Whale Museum - \$6,375
- Art Market - \$825
- Pacific Island Research Institute - \$4,012
- Art Studio Tour - \$1,075
- Skagit Valley College - \$812

**Motion passed 2-0 with de Freitas abstained and Hushebeck and Menjivar absent.**

## MINUTES OF THE TOWN COUNCIL - 2012

### ADMINISTRATOR'S REPORT

At 6:24 p.m., Administrator Wilson presented the Town Council with an update of the following:

- SJC Solid Waste Utility - The SJC Selection Committee met to discuss the proposals submitted for operation of the SJC Solid Waste Utility. Cimarron submitted a proposal to operate a utility similar to what exists and ChemTec submitted a proposal for a high efficiency burning unit. The Committee will evaluate the proposals on October 5<sup>th</sup>.
- SJI Tree Lighting Ceremony - The SJI Chamber of Commerce is proposing to make the Ceremony a weekend event. Town will discuss tree lighting plans with the Chamber.
- AWC RSMA Conference - Administrator Wilson will be at the annual conference the week October 18<sup>th</sup> through 26<sup>th</sup>.
- Sunken Park - Town received the no-smoking signage for the Park.
- Trout Lake - Water level was measured at 45 inches below the dam spillway.
- Spring Street Water Main Replacement Project - Town has solicited for bids for repair of the aged water line on Spring Street from First to Second Street.
- SJC Transfer Station - The County received its extension from DOE for operation of the transfer station located on Sutton Road.
- Banner Program - Councilmember Starr suggested that the seasonal banners be lowered. Discussion followed.

### SJC COUNCIL UPDATE

At 6:35 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, SJC 2013 Budget concerns, Washington State Ferries issues and pending State legislation. Discussion followed. The Mayor and Council thanked Mr. Rosenfeld.

### FUTURE AND NON-AGENDA ITEMS

Mayor Lacher reminded the Council that there is a special joint meeting scheduled with the SJC Council on October 16<sup>th</sup>, 2012 to discuss issues of mutual concern.

### CITIZEN RESPONSE

No citizen response.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:56 p.m. The next regular meeting is scheduled for Thursday, October 18, 2012 at 5:30 p.m.

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**These minutes were approved on October 18, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, October 16, 2012 – Council Chambers – Special Session**

### CALL TO ORDER

Mayor Lacher called the special session of the Town Council to order at 11:30 p.m.

### ROLL CALL

## MINUTES OF THE TOWN COUNCIL - 2012

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; Town Administrator, Duncan Wilson; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar and Treasurer Picinich were not present.

### EXCUSED ABSENCES

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

### ANNOUNCEMENTS/SCHEDULE CHANGES

During the session, Mayor Lacher announced that Councilmembers Menjivar was unavailable and de Freitas and Monin would need to be excused by 12:45 at which point the Council would loose quorum.

### WORK SESSION

At 11:30 p.m., the Town Council held a joint session with the San Juan County to discuss issues of mutual concern. Issues discussed included:

- Introduction of new Administrators;
- Update regarding County solid waste utility;
- Update regarding Town solid waste utility;
- Discussion of economic development;
- Discussion of the Turn Point to Pear Point connector road;
- Discussion of finding new ways to cooperate/communicate;
- Discussion of intergovernmental contracts; and
- Discussion of Lodging Tax Use for Tourism Master Plan.

No action was taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:00 p.m. The next regular meeting is scheduled for Thursday, October 18, 2012 at 5:30 p.m.

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These minutes were approved on October 18, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk

**Thursday, October 18, 2012 – 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 - 2012

Councilmembers: 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, Duncan Wilson; Attorney, Adina Cunningham; and Clerk, Amy Taylor.

Position No. 1, Steve Hushebeck; Position No. 4, Felix Menjivar; were not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### EXCUSED ABSENCE

Mayor Lacher asked the Council if the wished to excuse the absence of Councilmembers Hushebeck and Menjivar. The Council unanimously excused their absence.

### ANNOUNCEMENTS/SCHEDULE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

Jim Cox requested on behalf of local service organizations that the Town Council consider amending the municipal code to allow service organizations the ability to post additional signage in the downtown. Mayor Lacher thanked Mr. Cox.

### PUBLIC HEARINGS/MEETINGS/WORK SESSIONS

#### Shoreline Substantial Development Permit No. 93

At 5:35 p.m., Mayor Lacher opened the public hearing to consider Shoreline Substantive Development Permit No. 93; a proposal for additions, replacements, remodels, and to expand current uses. The property is identified as Tax Parcel No. 351354001 known as 1 Spring Street. The parcel is located on the seaward side of Front Street. The proposal consists of a Shoreline Substantial Development Permit with a variance and conditional use proposed as follows:

- To enlarge the overland existing ice cream shop and restaurant;
- To slightly reduce the existing second story;
- To construct a public walkway, trail, boardwalk below the existing building;
- To construct stairs to Spring Street on Town right-of-way;
- To construct a covered porch and sunroom;
- To construct a small building on sidewalk level deck, and
- To remove existing umbrellas and place an awning for the ice cream shop.

Other major elements of this proposed project listed by the applicant are:

- To construct a boat house/pier under existing building;
- Install a private boat lift using davits or monorail;
- Replacement of piling & posts with steel or concrete filled plastic culvert; and
- Stairways of wood, with possible steel grating in Town right-of-way on Spring Street.

Mayor Lacher asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. Mayor Lacher inquired if anyone objected to her or any Councilmember's participation in the public hearing process. The Applicant expressed concern that Councilmember de Freitas owns and operates a competing business. 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

## MINUTES OF THE TOWN COUNCIL - 2012

said permit. Council answered in the affirmative regarding hearing and considering the matter in a fair and objective manner.

Mayor Lacher introduced Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand entered Exhibit A - Site Drawings into the record; and described the background of the application, staff evaluation and recommendation, and applicable permitting process.

Staff evaluation and recommendation is that the Town Council should approve Shoreline Substantial Development Permit, Variance and Conditional Use Permit No. 93, and SEPA Checklist No. 283 subject to Staff's evaluation set forth in the Staff Report dated October 12, 2012 and additional recommendations on the advice of legal counsel. [The Town is continuing to research previous litigation and findings concerning this property from the late 1990's.] No public comment was received by the Town. Additionally, the Town of Friday Harbor, as lead agency, has determined that this proposal does not have a probable significant adverse impact on the environment.

Mayor Lacher inquired if Attorney Cunningham wished to comment. Attorney Cunningham explained the difference between a Conditional Use Permit and Variance, reasons for loss of the Applicant's previous conditional use permit, and requested that the Applicant supplement his application with reasons why he needed said variance to alter the existing building.

At 5:55 p.m., Mayor Lacher invited the Applicant to describe the proposal. Mr. Roger Bennett described his proposal and explained he reasons for wanting to enlarge the overland existing ice cream shop and restaurant; and to slightly reduce the existing second story. Mr. Bennett explained that the alterations were necessary and that he did not believe that he could get further return on his investments without them.

Mayor Lacher opened the public hearing to audience testimony. None were forthcoming. Before Mayor Lacher opened the hearing to Council questions she asked staff for further comment. Attorney Cunningham requested that Council conduct deliberations in closed session.

Councilmember Starr inquired if the proposed boardwalk would be built in such a way to prevent pedestrians from falling in the water. Mr. Bennett answered in the affirmative.

Discussion and inquiry followed between Attorney Cunningham and Mr. Bennett about the criteria portion of the Application.

Hearing no other comments from the Applicant or staff, the Council entered into closed session for deliberations.

Following closed session, Mayor Lacher explained to the applicant that contrary to staff recommendation, legal counsel has advised that a portion of the application was not allowable by existing code. Attorney Cunningham explained that the building was defined as a "non-conforming" building and current code sites that alterations are prohibited. Therefore, in her legal opinion, making alterations to the second story may not be applied for.

At 6:12 p.m., Mayor Lacher asked if Mr. Bennett wished to move forward with the application as written, or have the public hearing continued in order to allow Mr. Bennett an opportunity to review and possibly amend the application. Mr. Bennett indicated that he wished to continue the public hearing to review the application, and that he did not agree with Attorney Cunningham's interpretation of the municipal code. Mayor Lacher provided Mr. Bennett with possible meeting times for the continuation.

## MINUTES OF THE TOWN COUNCIL - 2012

Marguerite Bennett, 491 Golf Course Road, stated that the entire process has been confusing and frustrating. Mrs. Bennett spoke about the possible economic benefits to allowing enhancements on the property.

**Mayor Lacher continued the public hearing to Thursday, November 15, 2012 at 5:35 p.m.**  
No action was taken.

### ACTION AND DISCUSSION ITEMS

#### Resolution No. 1905

At 6:44 p.m., Mayor Lacher introduced draft Resolution No. 1905, authorizing the Mayor to execute a contract for the construction of the Spring Street Water Main Replacement Project. Richard Lawson Construction, Inc. was the successful bidder in the amount of \$79,498.82. The project will reconstruct approximately two hundred eighty four lineal feet of water distribution main on the Spring Street alignment and install new asphalt concrete overlay. Construction is estimated to last 2-3 weeks with minimal disruption in the downtown core. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1905, authorizing the Mayor to execute a contract with Richard Lawson Construction, Inc. for the construction of the Spring Street Water Main Replacement Project. Motion passed 3-0 with Hushebeck and Menjivar absent.**

#### Resolution No. 1906

At 6:47 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1906, authorizing the Mayor to execute an agreement with SCS Engineers for regulatory compliance support services at the Friday Harbor Landfill. Quarterly landfill gas monitoring and groundwater sample collection, data review and completion of an annual monitoring report are required by SJC Health Department and State Ecology as conditions of the FH Landfill Closure. Said agencies, after review of the reports, have offered conditions for a reduced monitoring program to satisfy regulatory compliance with state and local codes. Conditions include compiling past groundwater quality data, proposing a statistical evaluation method, and updating the facility's Sampling and Quality Assurance Plan. SCS Engineers have offered a work order to perform said tasks in the amount of \$6,320.00. No discussion followed.

**Moved by de Freitas, seconded by Starr, to adopt Resolution No. 1906, authorizing the Mayor to execute an agreement with SCS Engineers for regulatory compliance support services at the Friday Harbor Landfill. Motion passed 3-0 with Hushebeck and Menjivar absent.**

### PAYMENT OF CLAIMS

Moved by Monin, seconded by Starr, to approve the payment of Claim Warrant Nos. 37257 through 37323 in the amount of \$130,902.68. Motion passed 3-0 with Menjivar and Hushebeck absent.

### APPROVAL OF MINUTES

Moved by Starr, seconded by Monin, to approve the minutes of **October 4, 2012 as amended.** Motion passed 3-0 with Menjivar and Hushebeck absent.

### SJC COUNCIL UPDATE

At 6:49 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 issues. No discussion followed. The Mayor and Council thanked Mr. Rosenfeld.

### FUTURE AND NON-AGENDA ITEMS

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor Lacher will include Council discussion of the request to allow off-premise service club signage on a future agenda.

Mayor Lacher distributed the request by the SJC Council to consider creation of a joint tourism plan on a future agenda.

### CITIZEN RESPONSE

No citizen response was 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, November 1, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on November 1, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, November 1, 2012 – 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, Duncan Wilson; and Clerk, Amy Taylor.

Attorney, Adina Cunningham was not present.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

The evening session of the Town Council was not scheduled.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### DEPARTMENT REPORT

#### Sheriff Report

At 12:02 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 noted that extra attention is currently being directed to vehicular violations and infractions. Discussion followed regarding Town's efforts at Sunken Park to enhance safety for patrons and recent instances of vandalism. Mayor Lacher thanked Sheriff Nou.

## MINUTES OF THE TOWN COUNCIL - 2012

### ACTION AND DISCUSSION ITEMS

#### Ordinance No. 1498

At 12:19 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1498, amending Friday Harbor Municipal Code 13.20 and Ordinance No. 1431 relating to sewer service disconnections. Clerk Taylor explained that the Ordinance amends reference to Section 115 of the 2009 International Building Code to Section 116. No discussion followed.

**Moved by Monin, seconded by Hushebeck, to adopt Ordinance No. 1498, amending Friday Harbor Municipal Code 13.20 and Ordinance No. 1431 relating to sewer service disconnections. Motion passed unanimously.**

#### Resolution No. 1907

At 12:21 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1907, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the law firm of Beery Elsner & Hammond to provide legal services. Attorney Cunningham notified the Town that she would be joining the new firm as an associate as of October 16, 2012. The proposed engagement agreement scope of work and fee schedule for legal services performed by Attorney Cunningham is identical to the current agreement; and names Attorney Cunningham as lead associate. Administrator Wilson suggested one minor amendment regarding insurance liability. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1907, authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the law firm of Beery Elsner & Hammond to provide legal services, as amended. Motion passed unanimously.**

#### Resolution No. 1908

At 12:24 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1908, accepting the bills of sale from PeaceHealth for certain improvements to the Town water and sewer systems. Administrator Wilson explained that PeaceHealth has completed installation of improvements to the Town water and sewer systems on private property off of Franklin Drive. PeaceHealth desires to gift said improvements to the Town under certain conditions in accordance with the approved water, sewer and stormwater system extension policy. Construction for the improvements has been inspected to date and come with a one year warranty period. No discussion or inquiry followed.

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1908, accepting the bills of sale from PeaceHealth for certain improvements to the Town water and sewer systems. Motion passed unanimously.**

#### Resolution No. 1909

At 12:27 p.m., Mayor Lacher introduced draft Resolution No. 1909, accepting utility easements from the Port of Friday Harbor for access to the Town water and sewer systems. Administrator Wilson explained that a portion of the improvements completed and gifted by PeaceHealth are located on the adjacent private property owned by the Port of Friday Harbor. It is necessary for the Town to obtain permanent utility easements to access said improvements from time to time for necessary construction, repairs and maintenance. The utility easements contain contractual language for additional expectations due to the complicated nature of the arrangement between the Port, PeaceHealth and the Town. No discussion or inquiry followed.

**Moved by Menjivar, seconded by de Freitas, to adopt Resolution No. 1909, accepting utility easements from the Port of Friday Harbor for access to the Town water and sewer systems. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL - 2012

### Service Club Signage

At 12:33 p.m., Mayor Lacher introduced discussion regarding allowance of off-premise service club signage. Jim Cox, on behalf of local service organizations, requested that the Council authorize a minor modification of the sign ordinance to authorize the placement of service club logos in a prominent location near the ferry landing. A location for this purpose on private property with good visibility from the ferry landing that will not impact safety or impede the flow of traffic. Discussion followed regarding the allowance of service signage and the possibility of incorporating the request as part of the scheduled Washington State Ferries pedestrian improvement project in the form of welcome or kiosk signage. **Council consensus to direct staff to draft an ordinance for consideration to allow placement of off-premise service club signage.**

### ADMINISTRATOR'S REPORT

At 12:49 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Annual Town Audit - The State Auditors conducted the annual audit in October. An exit interview will be scheduled. No significant issues by the Auditors are anticipated.
- Town bond rating - Town received a preliminary rating of "AA-". Presentation of the final rating is scheduled November 15<sup>th</sup>.
- Blair Street Improvements - Town is waiting for TIB grant results to be released.
- Memorial Park - Town is working on replacing the damaged street standards located at Memorial Park.
- Spring Street Water Main Replacement Project - Construction update was provided.
- Halloween Parade - The Elementary School's application has been approved for the annual Halloween Parade on October 31, 2012 at 1:00 p.m.
- Peace Island Medical Center - PeaceHealth is nearing completion. The Grand Opening is scheduled November 17<sup>th</sup>.
- SJC Solid Waste Facility - The Committee is in the process of reviewing the RFP's for operation of the Sutton Road Transfer Station.
- Public Health / Solid Waste Issue - Since medical waste removal is no longer available on San Juan Island, it was observed that there are no designated areas for people to safely dispose of used syringes. An example would be for diabetic patients using insulin.
- AWC RSMA - Administrator Wilson attended the annual risk management conference in South Carolina.
- Executive Sessions - Three executive sessions are currently scheduled on November 15, 2012.
- Granulated Carbon Filter Replacement - A contract for medium replacement at the Water Treatment Facility will be presented for review.
- Spring Street Rain Gardens - Town will look into who is responsible for care of the Gardens.

### PAYMENT OF CLAIMS

Moved by Menjivar, seconded by Monin, to affirm the payment of Payroll Warrant Nos. 15593 through 15627 and direct deposit run of October 31, 2012 in the amount of \$256,701.01; and approve the payment of Claim Warrant Nos. 37324 through 37357 in the amount of \$134,234.01. Motion passed unanimously.

### APPROVAL OF MINUTES

Moved by Starr, seconded by de Freitas, to approve the minutes of **October 16<sup>th</sup> and 18<sup>th</sup>, 2012 as submitted.** Motion passed 3-0 with Hushebeck and Monin abstained.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

## MINUTES OF THE TOWN COUNCIL - 2012

### CITIZEN RESPONSE

No citizen response was forthcoming.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher continued the meeting at 1:08 p.m. to Saturday, November 3, 2012 at 12:15 p.m. for the purpose of a budget work session. The next regular meeting is scheduled for Thursday, November 15, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on November 15, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Saturday, November 3, 2012 – Town Council Chambers – Continued Session**

### CALL TO ORDER

The Town Council met in continued session with Mayor Lacher presiding. Mayor Lacher called the special session to order at 12:15 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; and Town Administrator, Duncan Wilson.

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

### EXCUSED ABSENCE

Mayor Lacher asked if the Council wished to excuse Councilmember Menjivar. The Council concurred.

### WORK SESSION

#### 2013 Town Budget Planning

At 12:15 p.m., Mayor Lacher and the Town Council held a work session to discuss the 2013 Town Budget. Discussion followed regarding line items of interest and budget strategies. No specific items of interest were scheduled for discussion. No action was taken.

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

**ADJOURNMENT** – Hearing no objection, Mayor Lacher adjourned the meeting at 3:00 p.m. The next regular meeting is scheduled Thursday, November 15, 2012 at 12:00 p.m.

\* \* \* \* \*

**These minutes were approved on November 15, 2012. 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 - 2012

**Thursday, November 15, 2012 – Council Chambers – Afternoon Session**

### **CALL TO ORDER**

Mayor Lacher called the regular session of the Town Council to order at 12:00p.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, Duncan Wilson; and Clerk, Amy Taylor.

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

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **EXCUSED ABSENCE**

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

### **ANNOUNCEMENTS/SCHEDULE CHANGES**

No announcements were forthcoming.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **WORK SESSION**

#### Town Solid Waste Management Plan

At 12:02 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan (SWMP). Elizabeth Anderson, Planning Consultant, and the Council reviewed the key concepts of the SWMP, Chapters 3 and Chapter 4 pursuant to the September 20, 2012 session. Discussion and inquiry followed for each section reviewed. No action was taken. The next work session is tentatively scheduled December 6, 2012.

### **PUBLIC HEARINGS**

#### 2012 Revenue Resources

At 12:29 p.m., Mayor Lacher opened the public hearing on the Town's 2013 Revenue Resources. Treasurer Picinich distributed an explanation of the anticipated current expense revenue resources for 2013, including building permits and new construction, leasehold taxes, and overview of changes for liquor excise tax. Mayor Lacher suggested that the Council forgo taking the 1% increase in property tax revenue from the previous year. The anticipated revenue from property taxes authorized for 2013 is in the amount of \$436,648. This increase includes the regular property tax levy and \$14,000 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. Administrator Wilson reviewed the revenue resources with the Council, including the anticipated public safety excise sales tax. Discussion followed regarding the Town's right to preserve the untaken increase pursuant to RCW 84.55.092.

## MINUTES OF THE TOWN COUNCIL - 2012

Mayor Lacher opened the hearing to public comment. Hearing none, Mayor Lacher closed the public hearing.

### Ordinance No. 1468

**Moved by Starr, seconded by de Freitas, to adopt Ordinance No. 1499, fixing and levying the amount of Ad Valorem Taxes for the Town of Friday Harbor for the year 2013 in the amount of \$436,649 for regular property tax levy and \$14,000 for new construction and improvements. Motion passed 4-0 with Menjivar absent.**

### WORK SESSION

#### 2013 Town Work Session

At 12:45 p.m., Mayor Lacher opened the work session regarding 2013 Town Budget. Mayor Lacher and the Town Council discussed items of interest with Administrator Wilson and Treasurer Picinich. No action was taken.

### ADMINISTRATOR'S REPORT

At 1:30 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Fire Apparatus - Locations for various District leased engines were listed.
- Peace Island Medical Center - A construction update was provided for the hospital project. The grand opening is scheduled November 17, 2012.
- Sunken Park - A maintenance update was provided.
- Memorial Park - An update was provided for the annual tree lighting ceremony. Town plans to contribute approximately \$800 for additional replacement lighting.
- Site Plan Review Ordinance - Staff is developing a formal site plan review process. An ordinance will be required to implement.
- Greenhouse Gas Policy - Town is drafting a greenhouse gas policy for review by the Council. Said policy will provide Town with greater eligibility for TIB grants.
- Parking Meters - Town is looking into the purchase of handheld parking enforcement devices for monitoring time-limited parking and ticketing in the downtown core.
- Town website - Town is looking into updating the look of the current website.
- Evergreen Park - Tree removal is scheduled at Evergreen Park for safety reasons.
- Water Transmission Line funding - Town is looking into various funding options for said project.
- I-502 Marijuana Initiative - Various webinars and training sessions are being scheduled by MRSC and AWC to address upcoming legalization of marijuana.
- Shop Local Campaign - Town is encouraging the shop local campaign.
- Spring Street Rain Gardens - Town is currently testing the rain gardens to measure if they are removing pollutants from the stormwater.
- St. Frances Catholic Church - Town is in discussions with the Church concerning the dedication of real estate at the intersection of Spring Street and Marguerite Place for installation of pedestrian safety improvements. Town desires to install curb, gutter and sidewalk but does not own the needed right-of-way. The Church has indicated that it would consider dedicating property needed under certain conditions.
- Town Shop - Comments have been received concerning the newly installed "barbed-wire" like fencing at the Shop. Mayor Lacher suggested that something less intimidating may be appropriate for Town's rural character.

### PAYMENT OF CLAIMS

Moved by Monin, seconded by de Freitas, to approve the payment of Claim Warrant Nos. 37358 through 37407 in the amount of \$90,988.01. **Motion passed 4-0 with Menjivar absent.**

### APPROVAL OF MINUTES

## MINUTES OF THE TOWN COUNCIL - 2012

Approval of minutes was postponed until the evening session.

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

Councilmember de Freitas inquired if the Council desired to draft a joint letter with the SJC Council concerning coal exportation through the Juan de Fuca Straight. Administrator Wilson stated that he would provide samples for consideration.

Councilmember Hushebeck provided an update on the upcoming SJ Leadership sessions.

### **CITIZEN RESPONSE**

Marc Florenza, newly elected SJC Councilmember, introduced himself to the Council.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 1:59 p.m. The next regular meeting is scheduled for Thursday, November 15, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on December 6, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, November 15, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham and Clerk, Amy Taylor.

Position No. 4, Felix Menjivar was not present.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **EXCUSED ABSENCE**

Mayor Lacher asked if the Council wished to excuse the absence of Councilmember Menjivar. The Council unanimously excused his absence.

### **ANNOUNCEMENTS/SCHEUDLE CHANGES**

Mayor Lacher announced that the session would be continued to Monday, December 3, 2012 at 12:00 p.m. for the purpose of a public hearing regarding the 2013 preliminary Town Budget. The public testimony portion may be continued to a later date as needed.

### **PUBLIC ACCESS TIME**

## MINUTES OF THE TOWN COUNCIL - 2012

There were no public access items forthcoming.

### PUBLIC HEARING

#### Shoreline Substantial Development Permit No. 93

At 5:35 p.m., Mayor Lacher opened the continued public hearing to consider Shoreline Substantive Development Permit No. 93; a proposal for modifications to the deck and additional uses of the deck. The property is identified as Tax Parcel No. 351354001 known as 1 Spring Street. The parcel is located on the seaward side of Front Street. The amended proposal consists of a Shoreline Substantial Development Permit with a conditional use proposed as follows:

- To construct a public walkway, trail, boardwalk below the existing building;
- To construct stairs to Spring Street on Town right-of-way;
- To construct a covered porch and sunroom;
- To construct a small building on sidewalk level deck, and
- To remove existing umbrellas and place an awning for the ice cream shop.

Other major elements of this proposed project listed by the Applicant are:

- To construct a boat house/pier under existing buildings;
- Install a private boat lift using davits or monorail;
- Replacement of pilings & posts with steel or concrete filled plastic culvert; and
- Stairways of wood, with possible steel grating in Town right-of-way on Spring Street

Mayor Lacher asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. 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 introduced Land Use Administrator, Mike Bertrand, to present the amended staff report dated November 7, 2012. Mr. Bertrand described the background of the application, staff evaluation and recommendation, and applicable permitting process. Mr. Bertrand explained that pursuant to the public hearing of October 18, 2012, the applicant submitted a letter dated October 19, 2012 withdrawing from this application the proposal for expansion of the Pier One building on the restaurant level as found on the submitted drawings in the original application. Mr. Bertrand explained that a preliminary draft of Findings of Fact Conclusion and Decision were prepared for Council review should the Council move forward with no changes to the current staff report or proposal.

Staff evaluation and recommendation is that the Town Council should approve Shoreline Substantial Development Permit and Conditional Use Permit No. 93, and SEPA Checklist No. 283 subject to Staff's evaluation set forth in the Staff Report dated November 7, 2012. No other public comment was received by the Town. Additionally, the Town of Friday Harbor, as lead agency, has determined that this proposal does not have a probable significant adverse impact on the environment.

At 5:38 p.m., Mayor Lacher invited the Applicant to comment. Mr. Roger Bennett stated that he was in favor of moving forward with the application as amended and reflected in the November 7, 2012. Mr. Bennett stated that he had reservations with specific terminology contained in the application, specifically "conditional use permit (CUP)".

Mayor Lacher opened the public hearing to audience testimony. None were forthcoming. Hearing no other comments from the Applicant or staff, the Council entered into deliberations.

## MINUTES OF THE TOWN COUNCIL - 2012

Moved by Hushebeck, seconded by Starr, to approve the Findings of Fact, Conclusions of Law and Decision for Shoreline Substantial Development Permit No. 93 as presented. Motion was withdrawn.

Moved by Hushebeck, seconded by Starr, to approve the application for Shoreline Substantial Development Permit No. 93; and Findings of Fact, Conclusions of Law and Decision, as presented and subject to attorney review. Motion passed 4-0 with Menjivar absent.

### APPROVAL OF MINUTES

Moved by Monin, seconded by de Freitas, to approve the minutes of **November 1, 2012 as submitted**. Motion passed 4-0 with Menjivar absent.

### ACTION AND DISCUSSION ITEMS

#### Town Investment Grade Rating

At 5:43 p.m., Mayor Lacher introduced Jim Nelson of Martin Nelson & Company, regarding the Town's investment grade rating (Standard & Poor's bond rating) and underwriting of the refunding of the 2003 Sewer Revenue Bonds. Standard & Poor's Rating Services assigned its 'AA-' long-term rating on the Town of Friday Harbor for 2012 sewer revenue refunding bonds. The rating is based on review of the system's financial operations and stability. The proposed advance refunding of the 2003 Sewer Revenue Bonds (callable maturities 2013 through 2023) for interest cost savings will be financed over eleven years to match the original maturity date. The average annual savings for the 2003 Bonds are \$24,455 per year, for a total net savings of \$269,000. The Town is timing the proposed sale of the refunding bonds near the historic low interest rates of 1.82%. Mr. Nelson explained that Town is the smallest municipality in Washington to receive such a favorable rating which is usually reserved for municipalities over 300,000. Key factors for the rating grade include Town's strong cash balance, debt service coverage, amount of outstanding debt; experience in managing the utility; and strength of the local economy. Mayor Lacher commented on Treasurer Picinich and staff's commitment to the financial wellbeing of Town. No discussion or inquiry followed. The Town Council and Mayor thanked Mr. Nelson. No action was taken.

#### Ordinance No. 1500

Concurrently with the Town's investment grade rating, Mayor Lacher introduced Cynthia Weed, K&L Gates, LLP (bond counsel) to present Ordinance No. 1500, authorizing the issuance of sewer revenue refunding bonds of the Town in the aggregate principal amount of \$1,520,000 to provide for the refunding of certain outstanding sewer revenue bonds; providing the terms and covenants of the bonds; reserving the right to issue revenue bonds on a parity with the bonds herein authorized upon compliance with certain conditions; authorizing the appointment of an escrow agent and the execution of an escrow agreement; authorizing a preliminary official statement; and authorizing the sale of such bonds. Ms. Weed provided an overview of the terms, covenants, representations and warranties set forth in the ordinance. No discussion or inquiry followed. The Town Council and Mayor thanked Ms. Weed.

**Moved by Hushebeck, seconded by Starr, to adopt Ordinance No. 1500, as stated above. Motion passed 4-0 with Menjivar absent.**

### SJC COUNCIL UPDATE

At 5:58 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 and the SJC Solid Waste Utility. No discussion followed. The Mayor and Council thanked Mr. Rosenfeld.

### FUTURE AND NON-AGENDA ITEMS

## MINUTES OF THE TOWN COUNCIL - 2012

Clerk Taylor noted that the Local 1849F has extended an invitation to the Mayor, Town Council and non-represented personnel and their families for the annual yearend holiday party and potluck on Saturday, December 8, 2012. Councilmember Starr encouraged the Town Council to participate.

### CITIZEN RESPONSE

No citizen response was received.

### EXECUTIVE SESSION

At 6:48 p.m., Mayor Lacher announced that the Council would be holding four (4) executive sessions regarding the following: 1) real estate acquisition in accordance with the provisions of RCW 42.30.110(1)(B) estimated to last 15 minutes; 2) real estate acquisition in accordance with the provisions of RCW 42.30.110(1)(B) estimated to last 15 minutes; 3) contract negotiation for law & court services in accordance with the provisions of RCW 42.30.110(1)(D) estimated to last 20 minutes; and 4) negotiations for the collective bargaining agreement in accordance with the provisions of 42.30.140(4)(B). Participants: Town Council, Mayor Lacher, Administrator Wilson, Treasurer Picinich, Attorney Cunningham and Clerk Taylor. The session ended at 8:15 p.m. for an actual session time of 1 hour 27 minutes. No actions were taken.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher continued the meeting at 8:17 p.m. to Monday, December 3, 2012 at 12:00 p.m. for the purpose of a public hearing. The next regular meeting is scheduled for Thursday, December 6, 2012 at 12:00 p.m.

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**These minutes were approved on December 6, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, December 20, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

## MINUTES OF THE TOWN COUNCIL - 2012

### ACTION AND DISCUSSION ITEMS

#### 2012 Employee Awards

At 12:04 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 2012:

Keri Talbott, Clerk II, Finance Department for 10 years;  
Bill Crosby, Utility Worker I, Sewer Department for 10 years;  
Kasey Anderson, Utility Worker I, Street & currently Water Department for 5 years;  
Sabrina Shaffer, Utility Worker I, Parking Enforcement & currently Parks Department for 5 years; and  
Amy Taylor, Town Clerk for 5 years.

Awards included a certificate and letter of appreciation from the Council, along with an engraved key chain.

#### Planning Commission Appointment

At 12:15 p.m., Mayor Lacher recommended appointment of former member, Stacey Smith, to the Planning Commission. Mayor Lacher explained that Ms. Smith resigned briefly due to personal issues and is now seeking reappointment to her former position on the Planning Commission. No discussion followed. **Council consensus to affirm the Mayor's appointment of Stacey Smith to the Town Planning Commission.**

### PUBLIC HEARINGS

#### 2012 Town Budget Amendments

At 12:17 p.m., Mayor Lacher opened the public hearing for amendments to the 2012 Town Budget. Treasurer Picinich gave an explanation of said amendments and year end balance which are listed as "Attachment A" to draft Ordinance No. 1504. No public input was forthcoming. No discussion followed. Hearing no public input, Mayor Lacher closed the public hearing at 12:20 p.m. The Council thanked Mayor Lacher, Treasurer Picinich and Administrator Wilson for all of their work that went into the budget cycle.

#### Ordinance No. 1501

**Moved by Starr, seconded by Hushebeck, to adopt Ordinance No. 1501, amending certain beginning balances, revenue estimates, expenditure appropriations, and ending cash balances in the 2012 Town Budget per Attachment A. Motion passed unanimously.**

### ACTION AND DISCUSSION ITEMS (cont.)

#### Ordinance No. 1504

At 12:20 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1504, establishing a process for site plan reviews. Administrator Wilson explained that site plan review is intended to ensure that development projects carried out in given zoning districts are executed in a manner consistent with existing ordinances and applicable standards of the development code concerning public utilities, traffic, facilities, services and design, and provide unified site design, access, landscaping, screening, building placement and parking lot layout. Said Ordinance adds a new chapter to Title 15, Building and Construction, of the Friday Harbor Municipal Code to be codified as Chapter 15.06 relating to site plan review; amends Chapter 12.02 relating to construction standards; and amends Chapter 20.16 relating to administrative approval of development permits in the Town. Discussion followed regarding compatibility of said standards with existing comprehensive planning policies.

**Moved by Monin, seconded by Starr to adopt Ordinance No. 1504, establishing a process for site plan reviews. Motion passed unanimously.**

#### Resolution No. 1917

## MINUTES OF THE TOWN COUNCIL - 2012

At 12:26 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1917, establishing greenhouse gas reduction policies. Said resolution commits Town to develop policies regarding greenhouse gas emission reduction as well as other factors of sustainability in an Energy and Sustainability Element of the Comprehensive Plan, and to develop incentive programs, operations plans, and amendments to municipal regulations as necessary to effectively carry out said policies. Administrator Wilson explained that State agencies consider whether cities receiving capital funds have adopted policies to reduce greenhouse gas emissions as part of the granting process. Councilmember Monin commented that the onus is on the Town to set a good example since Town influences the community's emissions by exercising power over land use, transportation, construction, waste and energy management, as well as directly contributes to emissions through its own operations. No discussion followed.

**Moved by de Freitas, seconded by Menjivar, to adopt Resolution No. 1917, establishing greenhouse gas reduction policies. Motion passed unanimously.**

### Resolution No. 1918

At 12:29 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1918, authorizing the Mayor to execute a grant agreement with the Washington State Transportation Improvement Board (TIB) for funding improvements to a portion of Mullis Street. TIB has offered a grant of \$138,150 to assist the Town in its efforts to install curb, gutter and sidewalk improvements from Market Street to Spring Street. Concurrently, Town will make other improvements from Market Street to the Airport in cooperation with the Port of Friday Harbor to provide a continuous pedestrian link to Spring Street. [See Resolution Nos. 1920 and 1921.] No discussion followed.

**Moved by de Freitas, seconded by Hushebeck, to adopt Resolution No. 1918, authorizing the Mayor to execute a grant agreement with the Washington State Transportation Improvement Board (TIB) for funding improvements to a portion of Mullis Street. Motion passed unanimously.**

### Resolution No. 1919

At 12:35 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1919, authorizing the Mayor to execute a grant agreement with the Washington State Transportation Improvement Board (TIB) for funding improvements to a portion of Blair Avenue. TIB has offered a grant of \$607,880 to assist the Town in its efforts to install curb, gutter and sidewalk improvements from Park Street to Guard Street. Administrator Wilson explained that matching funds for the project were of a collaboration of between the Town, School District 149 and adjacent Parcel Owner monies. No discussion followed.

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1919, authorizing the Mayor to execute a grant agreement with the Washington State Transportation Improvement Board (TIB) for funding improvements to a portion of Blair Avenue. Motion passed unanimously.**

### Resolution No. 1920

At 12:38 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1920, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. The Port of Friday Harbor is constructing a Visitor Aircraft and Lounge Facility Project on Mullis Street and has proposed that the Town and Port jointly fund additional curb, gutter and sidewalk improvements on Mullis Street from Market Street to the Airport to enhance pedestrian safety while the equipment for the Facility is mobilized. Gray & Osborne has offered a contract in the amount of \$17,750 for design and specifications. Administrator Wilson explained that this portion of the project is not covered by the grant monies received from the Transportation Improvement Board pursuant to Resolution No. 1918. No discussion followed.

## MINUTES OF THE TOWN COUNCIL - 2012

**Moved by Starr, seconded by de Freitas, to adopt Resolution No. 1920, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. Motion passed unanimously.**

### Resolution No. 1921

At 12:42 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1921, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. Administrator Wilson explained that pursuant to Resolution No. 1918, Town received grant funding for improvements between Market Street and Spring Street. Gray & Osborne offered a contract in the amount of \$18,560 for design and specifications. No discussion followed.

**Moved by de Freitas, seconded by Monin, to adopt Resolution No. 1921, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. Motion passed unanimously.**

### Resolution No. 1922

At 12:43 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1922, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Blair Avenue. Administrator Wilson explained that pursuant to Resolution No. 1919, Town received grant funding for improvements Blair Avenue between Park Street and Guard Street. Gray & Osborne offered a contract in the amount of \$78,000 for design and specifications. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1922, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Blair Avenue. Motion passed unanimously.**

### Resolution No. 1923

At 12:46 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1923, authorizing the Mayor to execute Amendment No. 1 to the agreement with Elizabeth Anderson, AICP, to complete a Solid Waste Management Plan for the Town of Friday Harbor. Administrator Wilson explained that tasks associated with completion of said Plan were underestimated. Said agreement extends the scope of work an additional fifty hours with a completion date of March 31, 2013. No discussion followed.

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1923, authorizing the Mayor to execute Amendment No. 1 to the agreement with Elizabeth Anderson, AICP, to complete a Solid Waste Management Plan for the Town of Friday Harbor. Motion passed unanimously.**

## **ADMINISTRATOR'S REPORT**

At 12:49 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Whale Tail Sculpture - Fundraising for the public art were raised. Town has drafted a purchase agreement to complete transaction and installation of the sculpture.
- Employee Benefits - Town is attempting to make employee benefits unilateral for all employees. To do so means Town would contribute approximately \$250 per month for dental coverage for non-represented personnel. **Council consensus to offer dental coverage to non-represented personnel.**
- Friday Harbor Fire Station - District has notified the Town that it anticipates being completely vacated from the Town Station by February 15, 2013. Discussion followed regarding parking configuration on West Street and use of the building.

## MINUTES OF THE TOWN COUNCIL - 2012

- Town Council Retreat - The Retreat is tentatively scheduled February 9, 2013. Staff is looking into venue options including Roche Harbor.
- Fire Station Lease - The Department of Emergency Management's lease is due to automatically renew unless Town declines. **Council consensus to continue to lease office space located at the Town Fire Station to the Department of Emergency Management.**
- Stormwater issue - Michael Kaill, private citizen, has recently published a newspaper editorial alleging that Town does not follow construction standards for stormwater control. Administrator Wilson listed reasons why the letter is inaccurate.
- Meetings Schedule - Various meetings with local agencies were summarized.

### PAYMENT OF CLAIMS

Moved by Monin, seconded by Menjivar, to approve the payment of Claim Warrant Nos. 37463 through 37523 in the amount of \$211,504.21. Motion passed unanimously.

### APPROVAL OF MINUTES

Postponed until the evening session.

### FUTURE AND NON-AGENDA ITEMS

Administrator Wilson presented a resolution and purchase agreement for the whale tail public art sculpture for consideration during the evening session.

### CITIZEN RESPONSE

No public access was forthcoming.

**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, December 20, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on January 3, 2013. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, December 6, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham and Clerk, Amy Taylor.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

# MINUTES OF THE TOWN COUNCIL - 2012

## PUBLIC ACCESS TIME

There were no public access items forthcoming.

## ACTION AND DISCUSSION ITEMS

### Historic Preservation Report

At 12:05 p.m., Mayor Lacher introduced Sandy Strehlou, Historic Preservation Coordinator, and Elizabeth Anderson, Historic Preservation Review Board Member, to provide an update on the National Trust for Historic Preservation Conference which they attended in November. Ms. Strehlou thanked the Council for sending Town representation to the Conference that was held in eastern Washington. Ms. Strehlou and Ms. Anderson reported on highlights of the Conference, which included workshops regarding federal tax credits applied to rural towns; appropriate public art in historic districts; and "green building" and retrofitted building features (such as windows and landscaping) on historic sites. Ms. Strehlou provided a brief update on the proposed Historic Landmark Ordinance for the Town. Discussion and inquiry followed regarding green building. Mayor Lacher thanked Ms. Strehlou and Ms. Anderson. No action was taken.

## WORK SESSION

### Town Solid Waste Management Plan

At 12:19 p.m., Mayor Lacher introduced discussion of the draft Town Solid Waste Management Plan (SWMP). Elizabeth Anderson, Planning Consultant, and the Council reviewed the key concepts of the SWMP, Chapter 5 and Chapter 6 pursuant the November 15, 2012 session. Discussion and inquiry followed for each section reviewed. No action was taken. The next work session is tentatively scheduled January 3, 2012.

Ms. Anderson presented the Council with a progress report on the draft plan. At this point, a significant amount of Chapters 3 through 6 has been completed. Ms. Anderson explained that major challenges were present while working on the original draft which had made it necessary to revise and correct each chapter beyond what was proposed in the agreed upon scope of work. Ms. Anderson presented a detailed description and revised estimate to complete the remaining portions of the SWMP given the extra tasks. Discussion and inquiry followed regarding the remaining tasks to be completed before submitting the SWMP to the Department of Ecology for review. **Council consensus to extend the current agreement for an additional fifty hours per Ms. Anderson's proposal.**

## ACTION AND DISCUSSION ITEMS (cont.)

### Resolution Nos. 1910 through 1916

At 12:59 p.m., Mayor Lacher introduced the following draft resolutions for consideration:

- Resolution No. 1910 - 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 2013, in an amount not to exceed \$97,750.00.
- Resolution No. 1911 - Authorizing the Mayor to execute an agreement with the San Juan Island Chamber of Commerce to provide a tourist promotion program for the year 2013, in an amount not to exceed \$35,937.00.
- Resolution No. 1912 - Authorizing the Mayor to execute an agreement with the Whale Museum to provide a tourist promotion program for the year 2013, in an amount not to exceed \$6,375.00.
- Resolution No. 1913 - Authorizing the Mayor to execute an agreement with the Friday Harbor Art Market to provide a tourist promotion program for the year 2013, in an amount not to exceed \$825.00.
- Resolution No. 1914 - Authorizing the Mayor to execute an agreement with Pacific Island Research Institute to provide a tourist promotion program for the year 2013, in an amount not to exceed \$4,012.00.

## MINUTES OF THE TOWN COUNCIL - 2012

- Resolution No. 1915 - Authorizing the Mayor to execute an agreement with Claudia Fullerton to provide a tourist promotion program for the year 2013, in an amount not to exceed \$1,075.00.
- Resolution No. 1916 - Authorizing the Mayor to execute an agreement with Skagit Valley College to provide a tourist promotion program for the year 2013, in an amount not to exceed \$812.00.

No discussion followed.

**Moved by Menjivar, seconded by Starr, to adopt Resolution Nos. 1910, as stated above. Motion passed 4-0 with de Freitas abstaining.**

**Moved by Menjivar, seconded by de Freitas, to adopt Resolution Nos. 1911 through 1916, as stated above. Motion passed unanimously.**

### Greenhouse Gas Policies

At 1:02 p.m., Mayor Lacher introduced discussion concerning establishment of a greenhouse gas policy. Administrator Wilson and Mike Bertrand, Land Use Administrator, provided a draft policy for consideration and explained that in addition to making a positive environmental statement, all state agencies pursuant to RCW 70.235.070 must consider whether cities receiving capital funds have adopted policies to reduce greenhouse gas emissions. This affects the Town's rating for grant applications when applying for state funding. Mr. Bertrand explained the policy presented complies with the Town's Comprehensive Plan. Discussion and inquiry followed regarding elements of the policy and how it could effect day-to-day operations of the Town. Councilmember Monin noted that the onus is partially on local government to address the sources of global warming. A resolution to adopt said policies is tentatively scheduled for consideration on December 20, 2012. No action was taken.

### Site Plan Review Process

At 1:13 p.m., Mayor Lacher introduced discussion concerning establishment of a Site Plan Review Ordinance. Administrator Wilson explained that the purpose of such an ordinance is to require developers to first get their site plan and all utility improvements approved prior to applying for building permits. Site plan review is intended to ensure that development projects carried out in given zoning districts are executed in a manner consistent with existing ordinances and applicable standards of the development code concerning public utilities, traffic, facilities and services. If this policy proceeds to be approved by the Council as an ordinance change, it will also require changes to the Town Fee Schedule and to Title 20, Development Code Administration. Discussion and inquiry followed regarding current standards. No action was taken.

## **ADMINISTRATOR'S REPORT**

At 1:23 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Community Foundation
- Climate Solutions/Coal Issues
- Spring Street Waterline Replacement Project
- .03% Public Safety Sales Tax
- Public Art / Sculpture
- Brickworks
- Hotel Motel Excise Tax
- Local Event Schedule
- Grant Funding
- Fire Life Safety Inspections
- Tree Lighting Ceremony
- Council Retreat

## MINUTES OF THE TOWN COUNCIL - 2012

- Trout Lake Reservoir

### **PAYMENT OF CLAIMS**

Moved by Menjivar, seconded by de Freitas, to affirm the payment of Payroll Warrant Nos. 15630 through 15662 and November 29, 2012 direct deposit run in the amount of \$216,941.88; and approve the payment of Claim Warrant Nos. 37408 through 37462 in the amount of \$196,539.01. Motion passed unanimously.

### **APPROVAL OF MINUTES**

Moved by Monin, seconded by Starr, to approve the minutes of **November 17, 2012 as submitted**. Motion passed 4-0 with Menjivar abstained.

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

No future agenda items were forthcoming.

### **CITIZEN RESPONSE**

No citizen response was 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, December 6, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on December 20, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, December 6, 2012 – 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, Duncan Wilson; Attorney, Adina Cunningham (by telephone) and Clerk, Amy Taylor.

### **FLAG SALUTE**

Mayor Lacher conducted the flag salute.

### **PUBLIC ACCESS TIME**

There were no public access items forthcoming.

### **PUBLIC HEARING**

2013 Town Budget

## MINUTES OF THE TOWN COUNCIL - 2012

At 5:31 p.m., Mayor Lacher opened the public hearing for consideration of the preliminary 2013 Budget for the Town of Friday Harbor. Mayor Lacher requested public testimony from the audience. Victoria Compton, EDC Director, thanked the Council for consideration of funding in 2013. Hearing no other public testimony or comments, Mayor Lacher closed the public hearing. No action was taken.

### WORK SESSION

#### 2013 Town Budget

At 5:33 p.m., Mayor Lacher introduced the work session for the 2013 Town Budget. Treasurer Picinich provided an update on the preliminary budget and expected amendments for the 2012 budget. Discussion followed regarding revenues and re-evaluations of properties. No action was taken. Mayor Lacher closed the work session.

### ACTION AND DISCUSSION ITEMS

No action items were forthcoming.

### FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

### CITIZEN RESPONSE

No citizen response was forthcoming.

### EXECUTIVE SESSION

At 5:44 p.m., Mayor Lacher announced that the Council would be holding a closed session regarding negotiations for the collective bargaining agreement in accordance with the provisions of 42.30.140(4)(B). Participants: Town Council, Mayor Lacher, Administrator Wilson, Treasurer Picinich, Attorney Cunningham and Clerk Taylor. The session ended at 7:07 p.m. for an actual session time of 1 hour 8 minutes. Council came out of closed session to discuss parody between represented and non-represented personnel. No action was taken.

**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, December 20, 2012 at 12:00 p.m.

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**These minutes were approved on December 20, 2012. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

**Thursday, December 20, 2012 – 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 - 2012

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

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

No announcements were forthcoming.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### 2012 Employee Awards

At 12:04 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 2012:

Keri Talbott, Clerk II, Finance Department for 10 years;

Bill Crosby, Utility Worker I, Sewer Department for 10 years;

Kasey Anderson, Utility Worker I, Street & currently Water Department for 5 years;

Sabrina Shaffer, Utility Worker I, Parking Enforcement & currently Parks Department for 5 years; and Amy Taylor, Town Clerk for 5 years.

Awards included a certificate and letter of appreciation from the Council, along with an engraved key chain.

#### Planning Commission Appointment

At 12:15 p.m., Mayor Lacher recommended appointment of former member, Stacey Smith, to the Planning Commission. Mayor Lacher explained that Ms. Smith resigned briefly due to personal issues and is now seeking reappointment to her former position on the Planning Commission. No discussion followed. **Council consensus to affirm the Mayor's appointment of Stacey Smith to the Town Planning Commission.**

### PUBLIC HEARINGS

#### 2012 Town Budget Amendments

At 12:17 p.m., Mayor Lacher opened the public hearing for amendments to the 2012 Town Budget. Treasurer Picinich gave an explanation of said amendments and year end balance which are listed as "Attachment A" to draft Ordinance No. 1504. No public input was forthcoming. No discussion followed. Hearing no public input, Mayor Lacher closed the public hearing at 12:20 p.m. The Council thanked Mayor Lacher, Treasurer Picinich and Administrator Wilson for all of their work that went into the budget cycle.

#### Ordinance No. 1501

**Moved by Starr, seconded by Hushebeck, to adopt Ordinance No. 1501, amending certain beginning balances, revenue estimates, expenditure appropriations, and ending cash balances in the 2012 Town Budget per Attachment A. Motion passed unanimously.**

### ACTION AND DISCUSSION ITEMS (cont.)

#### Ordinance No. 1504

At 12:20 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1504, establishing a process for site plan reviews. Administrator Wilson explained that site plan review is intended to ensure that development projects carried out in given zoning districts are executed in a manner consistent with

## MINUTES OF THE TOWN COUNCIL - 2012

existing ordinances and applicable standards of the development code concerning public utilities, traffic, facilities, services and design, and provide unified site design, access, landscaping, screening, building placement and parking lot layout. Said Ordinance adds a new chapter to Title 15, Building and Construction, of the Friday Harbor Municipal Code to be codified as Chapter 15.06 relating to site plan review; amends Chapter 12.02 relating to construction standards; and amends Chapter 20.16 relating to administrative approval of development permits in the Town. Discussion followed regarding compatibility of said standards with existing comprehensive planning policies.

**Moved by Monin, seconded by Starr to adopt Ordinance No. 1504, establishing a process for site plan reviews. Motion passed unanimously.**

### Resolution No. 1917

At 12:26 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1917, establishing greenhouse gas reduction policies. Said resolution commits Town to develop policies regarding greenhouse gas emission reduction as well as other factors of sustainability in an Energy and Sustainability Element of the Comprehensive Plan, and to develop incentive programs, operations plans, and amendments to municipal regulations as necessary to effectively carry out said policies. Administrator Wilson explained that State agencies consider whether cities receiving capital funds have adopted policies to reduce greenhouse gas emissions as part of the granting process. Councilmember Monin commented that the onus is on the Town to set a good example since Town influences the community's emissions by exercising power over land use, transportation, construction, waste and energy management, as well as directly contributes to emissions through its own operations. No discussion followed.

**Moved by de Freitas, seconded by Menjivar, to adopt Resolution No. 1917, establishing greenhouse gas reduction policies. Motion passed unanimously.**

### Resolution No. 1918

At 12:29 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1918, authorizing the Mayor to execute a grant agreement with the Washington State Transportation Improvement Board (TIB) for funding improvements to a portion of Mullis Street. TIB has offered a grant of \$138,150 to assist the Town in its efforts to install curb, gutter and sidewalk improvements from Market Street to Spring Street. Concurrently, Town will make other improvements from Market Street to the Airport in cooperation with the Port of Friday Harbor to provide a continuous pedestrian link to Spring Street. [See Resolution Nos. 1920 and 1921.] No discussion followed.

**Moved by de Freitas, seconded by Hushebeck, to adopt Resolution No. 1918, authorizing the Mayor to execute a grant agreement with the Washington State Transportation Improvement Board (TIB) for funding improvements to a portion of Mullis Street. Motion passed unanimously.**

### Resolution No. 1919

At 12:35 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1919, authorizing the Mayor to execute a grant agreement with the Washington State Transportation Improvement Board (TIB) for funding improvements to a portion of Blair Avenue. TIB has offered a grant of \$607,880 to assist the Town in its efforts to install curb, gutter and sidewalk improvements from Park Street to Guard Street. Administrator Wilson explained that matching funds for the project were of a collaboration of between the Town, School District 149 and adjacent Parcel Owner monies. No discussion followed.

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1919, authorizing the Mayor to execute a grant agreement with the Washington State Transportation**

## MINUTES OF THE TOWN COUNCIL - 2012

**Improvement Board (TIB) for funding improvements to a portion of Blair Avenue. Motion passed unanimously.**

Resolution No. 1920

At 12:38 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1920, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. The Port of Friday Harbor is constructing a Visitor Aircraft and Lounge Facility Project on Mullis Street and has proposed that the Town and Port jointly fund additional curb, gutter and sidewalk improvements on Mullis Street from Market Street to the Airport to enhance pedestrian safety while the equipment for the Facility is mobilized. Gray & Osborne has offered a contract in the amount of \$17,750 for design and specifications. Administrator Wilson explained that this portion of the project is not covered by the grant monies received from the Transportation Improvement Board pursuant to Resolution No. 1918. No discussion followed.

**Moved by Starr, seconded by de Freitas, to adopt Resolution No. 1920, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. Motion passed unanimously.**

Resolution No. 1921

At 12:42 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1921, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. Administrator Wilson explained that pursuant to Resolution No. 1918, Town received grant funding for improvements between Market Street and Spring Street. Gray & Osborne offered a contract in the amount of \$18,560 for design and specifications. No discussion followed.

**Moved by de Freitas, seconded by Monin, to adopt Resolution No. 1921, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Mullis Street. Motion passed unanimously.**

Resolution No. 1922

At 12:43 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1922, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Blair Avenue. Administrator Wilson explained that pursuant to Resolution No. 1919, Town received grant funding for improvements Blair Avenue between Park Street and Guard Street. Gray & Osborne offered a contract in the amount of \$78,000 for design and specifications. No discussion followed.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1922, authorizing the Mayor to execute a contract with the engineering firm of Gray & Osborne, Inc., for design of improvement on a portion of Blair Avenue. Motion passed unanimously.**

Resolution No. 1923

At 12:46 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1923, authorizing the Mayor to execute Amendment No. 1 to the agreement with Elizabeth Anderson, AICP, to complete a Solid Waste Management Plan for the Town of Friday Harbor. Administrator Wilson explained that tasks associated with completion of said Plan were underestimated. Said agreement extends the scope of work an additional fifty hours with a completion date of March 31, 2013. No discussion followed.

**Moved by Hushebeck, seconded by Starr, to adopt Resolution No. 1923, authorizing the Mayor to execute Amendment No. 1 to the agreement with Elizabeth Anderson, AICP, to complete a Solid Waste Management Plan for the Town of Friday Harbor. Motion passed unanimously.**

## MINUTES OF THE TOWN COUNCIL - 2012

### ADMINISTRATOR'S REPORT

At 12:49 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Whale Tail Sculpture - Fundraising for the public art were raised. Town has drafted a purchase agreement to complete transaction and installation of the sculpture.
- Employee Benefits - Town is attempting to make employee benefits unilateral for all employees. To do so means Town would contribute approximately \$250 per month for dental coverage for non-represented personnel. **Council consensus to offer dental coverage to non-represented personnel.**
- Friday Harbor Fire Station - District has notified the Town that it anticipates being completely vacated from the Town Station by February 15, 2013. Discussion followed regarding parking configuration on West Street and use of the building.
- Town Council Retreat - The Retreat is tentatively scheduled February 9, 2013. Staff is looking into venue options including Roche Harbor.
- Fire Station Lease - The Department of Emergency Management's lease is due to automatically renews unless Town declines. **Council consensus to continue to lease office space located at the Town Fire Station to the Department of Emergency Management.**
- Stormwater issue - Michael Kaill, private citizen, has recently published a newspaper editorial alleging that Town does not follow construction standards for stormwater control. Administrator Wilson listed reasons why the letter is inaccurate.
- Meetings Schedule - Various meetings with local agencies were summarized.

### PAYMENT OF CLAIMS

Moved by Monin, seconded by Menjivar, to approve the payment of Claim Warrant Nos. 37463 through 37523 in the amount of \$211,504.21. Motion passed unanimously.

### APPROVAL OF MINUTES

Postponed until the evening session.

### FUTURE AND NON-AGENDA ITEMS

Administrator Wilson presented a resolution and purchase agreement for the whale tail public art sculpture for consideration during the evening session.

### CITIZEN RESPONSE

No public access was forthcoming.

**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, December 20, 2012 at 5:30 p.m.

\* \* \* \* \*

**These minutes were approved on January 3, 2013. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk**

Thursday, December 20, 2012 – Council Chambers – Evening Session

## MINUTES OF THE TOWN COUNCIL - 2012

### 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, Duncan Wilson; and Clerk, Amy Taylor.

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

### EXCUSED ABSENCE

Mayor Lacher asked if the Council wished to excuse Councilmember Menjivar. The Council unanimously excused his absence.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### ANNOUNCEMENTS/SCHEDULE CHANGES

Mayor Lacher read a thank you card from the local Boy Scout Troup.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Resolution No. 1926

At 5:33 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1926, authorizing the Mayor to execute a purchase agreement with Micajah Bienvenu for public art. Administrator Wilson explained that Micajah Bienvenu, local artist, desires to sell the Town for use as public art a metal sculpture of a whale's tail titled "Fluke". A private citizen conducted a fundraiser for the purchase of the artwork in the amount of \$26,950.00 including tax, which money was largely donated anonymously to the Town for such purpose. The agreement is set in such a way that Town will purchase the artwork with said monies and install the artwork in the public right-of-way on A Street for public enjoyment at no cost to the Town. No discussion followed.

**Moved by Hushebeck, seconded by de Freitas, to adopt Resolution No. 1926, authorizing the Mayor to execute a purchase agreement with Micajah Bienvenu for public art. Motion passed 4-0 with Menjivar absent.**

#### Ordinance No. 1502

At 5:34 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1502, establishing a Capital Projects Fund. Treasurer Picinich explained that said Ordinance establishes a new fund in the 2013 Town Budget to account for Real Estate Excise Tax revenues and expenditures. The first quarter percent real estate excise tax and the second one quarter percent real estate excise tax shall be accounted for separately in the Capital Projects Fund. All funds in the Special Revenue Fund #125 that have been generated by said tax shall be transferred and all interest earned on investments of this fund will be apportioned between each quarter percent. Administrator Wilson explained that adoption of the Ordinance will help the Town account for the proceeds of this specific revenue source that is legally restricted to expenditure for specific purposes. No discussion followed.

## MINUTES OF THE TOWN COUNCIL - 2012

**Moved by Monin, seconded by de Freitas, to adopt Ordinance No. 1502, establishing a Capital Projects Fund #315 in the Town Budget. Motion passed 4-0 with Menjivar absent.**

### Ordinance No. 1503

At 5:35 p.m., Mayor Lacher introduced draft Ordinance No. 1503, adopting the budget for the Town of Friday Harbor, Washington for the fiscal year ending December 31, 2013. Treasurer Picinich explained final adjustments to the budget including yearend cash carry-over and funding for 2013 projects. Administrator Wilson explained that Town has finally negotiated final costs for law enforcement and court services with the County. Administrator Wilson thanked Treasurer Picinich and staff for the work that went into development of the Budget. Mayor Lacher commented on upcoming public works projects. No discussion followed.

**Moved by Hushebeck, seconded by Starr, to adopt Ordinance No. 1503, adopting the budget for the Town of Friday Harbor, Washington for the fiscal year ending December 31, 2013. Motion passed 4-0 with Menjivar absent.**

### Resolution No. 1924

At 5:39 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1924, adopting a Post Issuance Compliance Policy. Pursuant to the adoption of Ordinance No. 1500 to refinance Town's sewer bonds, the Town desires to adopt a policy to guide the Town in meeting its obligations under applicable statutes, regulations and documentation associated with publicly offered and privately placed securities of the Town. Administrator Wilson explained that said policy isn't mandatory but is recommended by Bond Counsel. No discussion followed.

**Moved by Starr, seconded by de Freitas, to adopt Resolution No. 1924, adopting a Post Issuance Compliance Policy. Motion passed 4-0 with Menjivar absent.**

### Resolution No. 1925

At 5:41 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1925, authorizing the Mayor to execute Amendment No. 2 to the San Juan County Sheriff's Office Agreement for Law Enforcement, including Animal Control Officer Services. The Town of Friday Harbor and San Juan County annually enter into interlocal agreement for law enforcement services. In years 2011 and 2012, the "standard" service agreement for law enforcement services has been amended to include costs associated with animal control pursuant to Ordinance No. 1455 adopted in January 2011. The current agreement for services expires on December 31, 2012. Administrator Wilson explained that the Town Attorney has recommended that the language contained in the terms and conditions contained in the law enforcement contract be brought up to date; and the Prosecuting Attorney's Office recommends that, while included in 2013, animal control services be a separate agreement. The County and Town have finalized discussions regarding costs for said services. Administrator Wilson recommended approval of Resolution No. 1925 due to the variables mentioned above, to extend the current agreement until January 31, 2013 to allow the additional time needed to properly draft the agreements with the understanding that, once adopted costs associated with the 2013 contract would become retroactive to January 1, 2013. Discussion followed regarding Animal Control Services and the need to finalize regulation of animals in the Town.

**Moved by Monin, seconded by de Freitas, to adopt Resolution No. 1925, authorizing the Mayor to execute Amendment No. 2 to the San Juan County Sheriff's Office Agreement for Law Enforcement, including Animal Control Officer Services. Motion passed 4-0 with Menjivar absent.**

## APPROVAL OF MINUTES

## MINUTES OF THE TOWN COUNCIL - 2012

Moved by Hushebeck, seconded by Monin, to adopt the summary of the minutes from December 3, 2012 and December 6, 2012 as amended. Motion passed 3-0 with de Freitas abstained and Menjivar absent.

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

At 5:45 p.m., Mayor Lacher introduced SJC Councilmember Howie Rosenfeld to provide an update on issues of mutual concern. Councilmember Rosenfeld commented animal control officer services, Washington State Ferries, Capron funds and the transportation element of the SJC Comprehensive Plan. Discussion followed.

Mayor Lacher presented SJC Councilmember Rosenfeld with a plaque of appreciation for his many years of civic duty and in serving the citizens of Friday Harbor. Councilmember Rosenfeld's term with San Juan County will expire December 31, 2013. The Council applauded Mr. Rosenfeld.

### **CITIZEN RESPONSE**

Liz Illg, 365 Spruce Street and former Town Councilmember, thanked and applauded Mr. Rosenfeld; complimented Town on placement of the holiday lighting; commented on use of the first two percent hotel motel excise tax on projects such as the Brickworks; and commented on local transportation issues including scenic byways and transportation element of the Town Comprehensive Plan.

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

Mayor Lacher thanked the Council and Staff for all of their hard work in 2012.

**ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 6:16 p.m. The next regular meeting is scheduled for Thursday, January 3, 2013 at 12:00 p.m.

**HAPPY NEW YEAR!!!**

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These minutes were approved on January 3, 2013. The original document is retained by the Clerk in the Town Council's permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk