

MINUTES OF THE COUNCIL OF THE TOWN OF FRIDAY HARBOR 1990

Town Council - January 4, 1990 @ 12:30 PM

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

Members present: Athearn, Dickinson, Nash, & Potter Others present: Town Administrator Fitch, Treasurer Picinich, Maintenance Supervisor Reitan, & Acting Fire Chief Galer

Mayor Cahail welcomed newly elected Councilmember Bonnie Potter.

Council reviewed the outstanding claims against the Town and requested clarification of selected claims. Councilmember Athearn inquired as to why the Fire Departments telephone bill was so high in relation to other Town departments. Acting Fire Chief Galer will investigate and report.

At 1:05 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to approve the payroll and pay the bills with the exception of Warrants #1754 & #1801 which were withdrawn in their entirety. The motion passed unanimously.

Maintenance Supervisor Reitan reported on December's main water transmission line fault. He noted that the line is back in operation but will require additional attention when soil conditions permit.

He reported that a D.S.H.S. water treatment plant operator will be in residence for a few days to instruct Town Water Treatment Plant operators in revised treatment procedures.

Town Administrator Fitch noted that similar personnel from the Department of Ecology would be assisting the Solid Waste Facility operators.

Maintenance Supervisor Reitan explained the rationale of acquiring and maintaining certain under utilized pieces of equipment. He also noted that the orange dump truck will be sent away soon for a new exhaust system.

The Town water reservoir is currently 96 inches below the spillway.

Councilmember Athearn inquired as to the utilization schedule of the sewer jetter.

Maintenance Supervisor Reitan noted an ongoing sewer maintenance program with major projects scheduled for appropriate conditions. He remarked that the sewer line under Friday Harbor Grocery is being jettied weekly.

At Councilmember Nash's inquiry, Maintenance Supervisor Reitan explained that before the main water line fault there were 3 valves between the water treatment plant and the water tank, now there are 5.

Maintenance Supervisor Reitan reported that it was not possible that contaminated water from the main line fault was transmitted into Town. He described extensive precautions and procedures

used in flushing the line after the temporary bypass was installed and after repairs were completed.

Mayor Cahail requested that Council consider scheduling a work session at the evening meeting to consider proposed water and sewer rates.

At 1:30 PM Councilmember Nash moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - January 4, 1990 • 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

The minutes of the previous meeting were approved as amended.

Mayor Cahail administered the Oath of Office to Town Clerk Dubail. Subsequently, the Town Clerk administered the Oath of Office to Mayor Cahail, Councilmember Athearn, and Councilmember Potter.

Mayor Cahail notified the Council and asked for confirmation of his appointment of Mr. John Carlson as Municipal Court Judge.

Councilmember Roberts moved and Councilmember Dickinson seconded to confirm the appointment of Mr. Carlson. The motion passed unanimously.

At 7:45 PM, Mayor Cahail opened the Public Hearing for the James W. Slocomb for Mikel Burton request to rezone 320 Carter Avenue from multi-family residential to commercial.

Town Administrator Fitch presented the staff report. He noted that the staff report recommended denial of the request.

Mr. Tim Gambrel, Town of Friday Harbor Planning Commission chairman, summarized the Planning Commission Facts & Findings. The Planning Commission unanimously recommended approval with conditions.

James Slocomb, applicant, spoke in support of his rezone request. He noted that the property in question is within the San Juan

Island Airport Master Plan 60Ldn Noise Contour as indicated on a submitted map.

At 7:55 PM, Mayor Cahail opened the hearing for public comment.

Town Administrator Fitch read into the record a letter of January 2, 1990 from Mr. Lewis Garlick, 410 Carter Avenue, in opposition to the rezone.

Town Administrator Fitch indicated that the staff had no further comments at this time.

Attorney Eaton cited the required criteria to approve or deny a rezone request.

At 8:00 PM, hearing no further public comment, Mayor Cahail closed the public input portion of the hearing, noting that Council reserved the right to reopen the hearing for public input.

At Councilmember Robert's request, Attorney Eaton summarized recent land use action concerning the subject property.

Attorney Eaton clarified the status of previous actions and court decisions concerning the subject property and restated the required criteria to approve or deny a rezone request.

Councilmember Dickinson spoke of changes in the nature of land use in the area around the subject property.

Councilmember Athearn noted that, as stated in the Staff Report, the current commercial area of the Town is sufficient to meet projected needs.

Councilmembers Potter and Roberts expressed concerns with rezoning the subject property to commercial.

At 8:14 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to accept the 4 staff recommendations as stated on pages 6 & 7 of the Staff Report and deny the rezone request. The motion passed unanimously.

At Councilmember Dickinson's request, Attorney Eaton recapped the history of compliance enforcement. He noted terms of a March 23, 1987 court order by Judge Pitt. Attorney Eaton recommended that a statement of facts & findings be sent along with a cover letter to the applicant.

The consensus of Council was that Mr. Slocomb was to have 90 days to comply with the terms of Judge Pitt's order.

At 8:23 PM, Building Official Hodges suggested that the Town consider for adoption the Uniform Code for Building Conservation for application to historic buildings that are on the State or National Register of Historic Buildings. He noted that the UCBC is used as a guideline in conjunction with the UBC. The UCBC establishes life-safety requirements for all existing buildings

that undergo alteration or a change in use. Its provisions offer alternative methods of achieving safety so that the inventory of existing buildings can be preserved.

Mayor Cahail, the Council, Town Administrator Fitch, Building Official Hodges, and Attorney Eaton discussed the ramifications of adoption of the UCBC in part and whole and for specific purposes or buildings.

Mayor Cahail requested that Building Official Hodges research 3 primary points:

- 1) Does the State allow/recommend adoption?
- 2) Can the UCBC be adopted to only apply to buildings on the Historic Register or for specific purposes?
- 3) Must it apply to all buildings?

Building Official Hodges is to report with recommendations at the continued Council meeting next week.

At 8:52 PM, Attorney Eaton reported on the status of the proposed merger of Municipal and District Courts. He noted that "merger" is an inaccurate designation of the proposed action. The Town is proposing to contract with San Juan County District Court for Judicial, Prosecution, and Public Defender services.

At 8:55 PM, Mr. Tim Gambrel reported on the status of the grant application to the State Department of Community Development.

Town Administrator Fitch reported that 28 applications had been received for the Associate Planner position. Interviews of applicants on the short list begin next week.

Administrator Fitch requested Council consider scheduling a work session or an agenda item to review business license requirements for Port commercial tenants.

Attorney Eaton noted that the Shoreline Master Program specifies requirements for over-water commercial activity.

The consensus of Council was that the subject should be the topic of a work session.

Town Administrator Fitch notified the Council of an AWC seminar for newly elected officials to be held in Seattle on January 26, 1990.

Administrator Fitch reported that only 10 businesses have signs which are not yet in compliance with the Sign Ordinance. 5 are initiating variance application procedures. 15 businesses with conforming signs still need to complete permit applications.

Administrator Fitch apprised Council on the status of the downstairs expansion project at Town Hall. He indicated an estimated completion date of February 15, 1990.

Administrator Fitch informed Council that the Rennhack/LaBar liquor license application appeal hearing before a state administrative law judge was scheduled for January 24, 1990 at 9:30 AM in the Town Hall Council Chambers.

Administrator Fitch reported that portions of the draft E.I.S. for the Foxhall subdivision application had been received at Town Hall.

At 9:32 PM, Councilmember Athearn moved and Councilmember Roberts seconded to adjourn to continue the meeting to January 8, 1990 at 7:00 PM for a work session on water and sewer rates. The motion passed unanimously.

H. James Cahail, Mayor
Steven Dubail, Town Clerk

Town Council - January 8, 1990 @ 7:00 PM continued from the January 4, 1990 regular meeting.

The Town Council met for a work session on water and sewer rates, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch

Town Administrator Fitch distributed to Council a memo from Building Official Hodges in regard to consideration of adoption of the UBC.

At 7:15 PM, Council began a work session on proposed water and sewer rates for 1990.

Town Clerk Dubail distributed to Council a proposed water rate schedule and supporting documentation. He noted that the rate analysis was based on recommendations from the American Water Works Association Manual of Water Supply Practices - Water Rates. He stated that per the above mentioned document, that the staff's primary consideration in the derivation of the rate schedules was the establishment of equitable charges to customers based on the cost of providing that service. When a deviation from cost related rates is made, the reason for such modification should be explicitly understood so that the responsibility for such deviation is placed on legal and policy making factors, and the public is not misled into believing that the resulting rates are fully cost related.

The Council discussed the philosophy of rate allocation factors based on in and out of town account location.

Councilmember Nash noted that the Town is required by law to provide water service to in-town residents, out-of-town water service is a privilege.

The Council reviewed the proposed water and sewer rate structure and discussed equitable methods of allocating base and consumption charges.

At 9:30 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to approve - the proposed wastewater rate structure dated 1/6/90 as presented. The motion passed unanimously.

Council continued review of the proposed water rates and discussed the philosophy of out-of-town as a privilege.

At 10:10 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to approve the proposed water rate structure as presented with a 1:1.5 in-town to out-of-town rate allocation factor on the base charge only.

Councilmember Nash expressed support for the 1 to 1.5 allocation factor.

Councilmember Roberts stated support for a 1 to 1 allocation.

Councilmember Athearn noted that the allocation factor is only applied to the base charge, the use charge is applied uniformly.

At 10:15 PM, Councilmembers Athearn, Dickinson, and Nash voted in favor of the motion. Councilmembers Potter and Roberts voted against.

At 10:20 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - January 18, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, Maintenance Supervisor Reitan, & Acting Fire Chief Galer

The minutes of the previous meetings were approved as submitted.

Acting Fire Chief Galer reported that in years up to 1989 there were an average of 66 fire calls per year, there were 132 fire calls in 1989.

The Fire Department will hold a rummage sale at the Town Fire Hall on January 20th, 1990 to raise funds to construct additional storage space in the Fire Hall.

In response to Councilmember Potter's inquiry, Mr. Galer indicated that the Fire Department is averaging 8 1/2 to 10 hours of training per month.

At 7:38 PM, Town Administrator Fitch introduced Bill Carter, State Department of Transportation. Mr. Carter gave a presentation pertaining to ferry terminal traffic channelization. He illustrated for Council proposed alternatives for pedestrian and vehicle flow. Mr. Carter noted that the DOT could fund improvements on city streets adjacent to ferry facilities if such improvements relate to ferry operations.

The Mayor and Council discussed the impact of using East Street to offload passengers and other aspects of the various proposals.

Ms. Lee Sturdivant, Friday Harbor ferry terminal employee, spoke of local operating procedures and problems with portions of the DOT proposals.

Mayor Cahail suggested that the proposed alternatives and the issues raised be forwarded to the Planning Commission for their consideration.

Mr. Carter noted that any of the proposals could be installed in phases. The initial portion could be in place by the first of July. He would like an indication from Council by the first part of March.

At 8:30 PM, the Council reviewed the final 1989 claims against the Town.

Town Administrator Fitch noted an unbudgeted anticipated 1990 expenditure in the Fire Department budget of \$2,200. Said expenditure is the Town's share for the purchase of a new county emergency services dispatch system.

Councilmember Athearn inquired as to why the Fire Department had purchased 4" fire hose in 1989 when it was budgeted for 1990.

Mr. Chris Destaffany, Friday Harbor Fire Department, indicated the vendor had agreed to bill them after the first of the year. Apparently there was some misunderstanding as to what expenditures were authorized.

After questioning Mr. Destaffany on various other expenditures, the Council noted that Fire Department purchasing procedures in the future would be as specified in the Town Administrator's January 9, 1990 memo to the Acting Fire Chief.

At 8:50 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to approve payment of the final 1989 claims. The motion passed unanimously.

Mayor Cahail introduced draft resolution #751, a resolution designating San Juan County Bank as the Town's banking depository.

Councilmember Athearn moved and Councilmember Dickinson seconded to adopt Resolution #751. The motion passed unanimously.

Mayor Cahail introduced draft resolution #752, a resolution authorizing the Treasurer to cancel four outstanding checks issued by the Municipal Court.

Councilmember Athearn moved and Councilmember Potter seconded to adopt Resolution #752. The motion passed unanimously.

Mayor Cahail introduced draft resolution #753, a resolution authorizing an interfund loan from the Current Expense Fund to Fire/Refuse Bond Redemption Fund.

Councilmember Dickinson moved and Councilmember Potter seconded to adopt Resolution #753. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #782, an ordinance imposing a utility tax of 3.9% of the gross receipts for charges for water, sewer, and refuse utility services.

Councilmember Dickinson moved and Councilmember Athearn seconded to approve Ordinance #782. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #783, an ordinance amending Ordinance #616 and Friday Harbor Municipal Code Table I, Article I, regarding distribution of proceeds from the monthly water base charge and the water use charge rate for metered water and repealing Ordinance #757 in its entirety.

After discussion, Councilmember Athearn moved and Councilmember Dickinson seconded to approve Ordinance #783. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #787, an ordinance amending Ordinance #600 and Friday Harbor Municipal Code Chapter 13.20, regarding distribution of proceeds from the monthly sewer user base charge and sewer user charge and: repealing Ordinance #756 in its entirety.

Councilmember Athearn moved and Councilmember Potter seconded to approve Ordinance #787. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #788, an ordinance establishing three accounting departments for Town of Friday Harbor Water Fund #410.

Councilmember Dickinson moved and Councilmember Athearn seconded to approve Ordinance #788. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #789, an ordinance establishing three accounting departments for Town of Friday Harbor Sewer Fund #420.

Councilmember Athearn moved and Councilmember Potter seconded to approve Ordinance #789. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #790, an ordinance amending Ordinance #758 establishing a Capital Cumulative Reserve Fund.

Councilmember Potter moved and Councilmember Dickinson seconded to approve Ordinance #790. The motion passed unanimously.

Mayor Cahail introduced for Council approval the Facts & Findings for the James Slocomb rezone request for 320 Carter Avenue.

At 9:05 PM, Councilmember Dickinson moved and Councilmember Potter seconded to approve the Facts & Findings for the Slocomb rezone request.

Attorney Eaton summarized and explained a submitted redraft of a proposed interlocal agreement between the Town and San Juan County for certain court services to be provided by San Juan County. Mr. Eaton pointed out changes from previous drafts.

Attorney Eaton noted that the Town has not repealed all of the Town criminal ordinances and therefore, the Municipal Court is not "decriminalized".

The consensus of Council was to authorize the Mayor to negotiate with San Juan County for prosecution, defense, and adjudication court services for an amount not to exceed \$12,000.

At 9:45 PM, Mayor Cahail introduced for first reading draft ordinance #784, an ordinance amending Ordinance #675, #689, and Chapter 8.04 Friday Harbor Municipal Code, adjusting the rates for refuse collection and disposal services provided by the Town and repealing Ordinance #752 in its entirety.

Town Administrator Fitch explained the rationale for rate variations from the current rate schedule.

At 9:52 PM, Mayor Cahail introduced for first reading draft ordinance #785, an ordinance amending Ordinance #600, #658, #727, and Friday Harbor Municipal Code Table I, Article II, and repealing Ordinance #778 in its entirety, concerning sewer user charges.

Town Administrator Fitch noted that the proposed rates for sewer services are based on cost of service and a one pipe - one charge philosophy.

At 9:57 PM, Mayor Cahail introduced for first reading draft ordinance #786, an ordinance amending Ordinance #616 and Friday Harbor Municipal Code Chapter 13.04, Table I, Article I, concerning water rates and repealing Ordinance #755 and Ordinance #777 in their entirety.

At 10:00 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to go into executive session to discuss pending litigation for approximately 25 minutes. The motion passed unanimously.

At 10:47 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

Town Administrator Fitch notified the Council that the Town's consulting engineering firm; Kramer, Chin, & Mayo, Inc., is prepared to present the draft Water Comprehensive Plan update. Mr. Fitch will schedule a meeting for February 2nd, 8th, or 9th, as schedules permit.

At 10:55 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - February 1, 1990 @ 12:30 PM

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

Members present: Dickinson, Nash, & Potter

Others present: Town Administrator Fitch, Treasurer Picinich, & Maintenance Supervisor Reitan

Council reviewed the outstanding claims against the Town.

Councilmember Potter moved and Councilmember Dickinson seconded to approve the payroll and pay the claims with the exception of a \$6.00 charge for a Journal advertisement which should be paid by the Firefighters Association. The motion passed unanimously.

At 12:55 PM, Maintenance Supervisor presented the Maintenance Supervisor's report.

Mr. Reitan explained steps underway at the Water Treatment Plant to meet Federal Clean Water Drinking Act requirements.

Mr. Reitan noted:

That the reservoir is currently 62" below the spillway.

That the Town will be in a position in March to request bids for the construction phase of the Second & Guard Street reconstruction project.

A scheduled 2 day maintenance shutdown at the incinerator later this month.

He perceived a need for increased funding in the Street Fund for stormdrains.

The bills for preventative maintenance for several of the trucks will be showing up in March. The noisy GMC dump truck is away getting a new muffler system.

Some park renovation is already underway.

Mr. Reitan notified the Council that Fred Starr, Refuse Department had submitted his resignation. The Town is currently advertising for applicants to fill this position.

At Councilmember Potter's inquiry, Maintenance Supervisor Reitan estimated costs associated with installing a pipeline for Augmentation II water from the Water Treatment plant to the vicinity of Trout Lake.

Councilmember Nash recommended immediately installing fire hose to move Augmentation II water to the lake.

The Mayor noted that it is most likely less expensive to pay the overtime necessary to utilize Augmentation Project II as designed.

Maintenance Supervisor Reitan reported on favorable and less expensive than anticipated, results from December 1989 testing of the water tank.

At 1:15 PM, Rick King & Bob Ploghoft, Friday Harbor Sand & Gravel Company, presented their concerns about the proposed changes in the water rate structure. They asked for a 30-day extension before the new rates are approved. Friday Harbor Sand & Gravel Company would like to work with the Town to develop an alternate method of payment for large industrial users.

Council reviewed 2 letters dated January 26, 1990 addressed to the Town Administrator, and to the Mayor & Town Council from Friday Harbor Sand & Gravel Company.

Town Administrator Fitch recounted Council deliberations concerning special rates for industrial consumers.

The Council discussed various potential ways of modifying the consumption charge for Friday Harbor Sand & Gravel Company.

Councilmember Potter expressed support for business.

Treasurer Picinich noted that even if the Water Rate Ordinance was passed this evening, the Town will lose 3 months of revenue under the new rates that is intended for budgeted expenditures.

Councilmember Nash expressed support for some manner of "in-kind" agreement with Friday Harbor Sand & Gravel Company.

The consensus of Council was to consider a proposal from Friday Harbor Sand & Gravel Company.

Mayor Cahail noted that it is not a question of rates, but of an alternative method of payment.

At 1:45 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - February 1, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Nash, & Potter

Others present: Town Administrator Fitch & Attorney Eaton

The minutes of the previous meetings were approved as read.

Mayor Cahail presented for final reading draft ordinance #784, an ordinance amending Ordinance #675, #689, and Chapter 8.04 Friday Harbor Municipal Code, adjusting the rates for refuse collection and disposal services provided by the Town and repealing Ordinance #752 in its entirety.

Town Administrator Fitch noted current difficulties with designation of account responsibility.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #784. The motion passed unanimously.

Town Administrator Fitch mentioned that a copy of the San Juan County Refuse Rate Study had been delivered to Town Hall by Mr. Ed Stuhr. Councilmember Athearn will convene the Refuse Committee to discuss execution of a study of Town refuse rates with Mr. Stuhr.

Mayor Cahail presented for final reading draft ordinance #785, an ordinance amending Ordinance #600, #658, #727, and Friday Harbor Municipal Code Table I, Article 1L, and repealing Ordinance #778 in its entirety, concerning sewer user charges.

Town Administrator Fitch noted that it would facilitate billing methods to have the ordinance effective with the bills sent out March 1st to coincide with the meter reading cycle.

At 7:50, Councilmember Nash moved and Councilmember Dickinson seconded to adopt Ordinance #785 as written. The motion passed unanimously.

Mayor Cahail presented for second reading draft ordinance #786, an ordinance amending Ordinance #616 and Friday Harbor Municipal Code Chapter 13.04, Table I, Article 1, concerning water rates and repealing Ordinance #755 and Ordinance #777 in their entirety.

Councilmember Dickinson requested that, per the discussion with Friday Harbor Sand & Gravel Company at the 12:30 PM meeting this date, this ordinance be given final consideration at the February 15th meeting.

Consensus of Council was to delay final consideration of the above mentioned draft ordinance to the February 15th meeting.

At 7:55 PM, Mayor Cahail introduced draft resolution #754, a resolution authorizing the Mayor to execute a law enforcement contract with San Juan County for 1990.

Town Administrator Fitch pointed out changes in the draft Intergovernmental Agreement for Police Services & Assistance (contract) as requested by a January 23rd memo from the San Juan County Sheriff and noted in the Town Administrator's January 29th memo to the Mayor and Town Council. Section 7 - Compensation, of said contract was modified to reflect an increase of \$1,150 to bring the total amount of the contract to \$128,890. With Council approval, Mr. Fitch will request Treasurer Picinich submit a amendment to the 1990 budget to reflect same.

After discussion, Councilmember Dickinson moved and Councilmember Potter seconded to adopt Resolution #754. The motion passed unanimously.

At 8:00 PM, Mayor Cahail presented for Council consideration a draft ordinance approving an interlocal agreement with San Juan County for judicial, criminal defense, and prosecuting services.

Attorney Eaton explained the intent of the agreement. He pointed out that the agreement was signed January 24, 1990 by the San Juan County Board of County Commissioners.

After discussion and further clarification by Attorney Eaton, the draft ordinance was designated as draft ordinance #791.

At 8:10 PM, Councilmember Potter moved and Councilmember Athearn seconded to adopt Ordinance #791. The motion passed unanimously.

At 8:12 PM, Town Administrator Fitch presented the Administrators Report. Mr. Fitch noted:

Department of Community Development approval of a grant for the "Vision" study. The study is planned to include a survey of 100% of Town residents and a portion of out-of-town island residents.

Approval of a grant from Department of Ecology for ground water monitoring wells at the Town of Friday Harbor solid waste facility and the County Orcas sanitary land fill.

Also, Department of Ecology grant funding for the Joint Solid Waste Management Plan.

Town Administrator Fitch requested Council consider dates for scheduling 3 public hearings.

Councilmember Nash requested that a work session be scheduled in the near future to consider alternatives in parking lot design.

Attorney Eaton noted that the deliberations on the Percich/Moorhouse Front Street project were a continuation of previous deliberations.

A public hearing concerning the above project is scheduled 7:30 PM, February 22, 1990. A work session on Port business licenses is scheduled for later that evening.

At 8:25 PM, Councilmember Roberts joined the meeting.

Town Administrator Fitch noted receipt of 3 requests for new crosswalks, 2 requests have been forwarded to Councilmember Nash, Street Committee chairman. The request for a mid-street

crosswalk will be considered in conjunction with traffic engineering services from San Juan County Public Works Department.

At 8:30 PM, Mr. Robert Greenway presented a request to have Council reconsider the conditions of his rezone request on property adjacent to the Evergreen Subdivision. Mr. Greenway stated that he felt it was not up to the Town Council to tell people if they could build residences directly adjacent to a Light Industrial zone.

Attorney Eaton explained the process to appeal conditions on a rezone.

The consensus of Council was to request that Mr. Eaton research the procedural options open to Mr. Greenway in regard to lots #10, 11, 12, & 13 of Evergreen Subdivision Phase I and the 50 foot buffer on lots #26, 27, 31, & 32 of Phase It.

Mr. Eaton indicated he would have a response prepared for the February 15th meeting. Mr. Eaton noted that even if another public hearing is not procedurally required, the Council could certainly hold one.

At 8:50 PM, Mayor Cahail notified the Council of his intent to send a letter to a community similar to ours on an island off the NW coast of the Netherlands. A volunteer courier, Mr. Bill Meusing, from Friday Harbor will carry the letter to the Mayor of West Terschelling.

At 8:56 PM, Councilmember Nash moved and Councilmember Potter seconded to adjourn to reconvene at 12:30 PM, February 2, 1990 for presentation of the Draft Comprehensive Water Plan Update by Kramer, Chin, & Mayo, Inc. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - February 2, 1990 @ 12:30 PM

The Town Council met in continued session with Mayor Cahail presiding.

Members present: Athearn, Dickinson, & Potter Others present: Town Administrator Fitch & Treasurer Picinich

Mr. Steve Wagner and Mr. Art Benedict of Kramer, Chin, & Mayo, Incorporated presented the Draft Comprehensive Water Plan Update.

Following the presentation, the Mayor, Town Council, & staff discussed with Mr. Wagner and Mr. Benedict the need for clarification in certain areas of the plan and consideration of alternatives.

Council and staff will review the document and suggest additional modifications to KCM.

Town Administrator Fitch notified the Council the Mr. Steve Deem, DSHS District Engineer, would like to meet with the Council to discuss water treatment.

The consensus of Council was to request a copy of the Draft Comprehensive Water Plan Update be forwarded to Mr. Deem and to schedule the requested meeting.

At 2:45 PM, Councilmember Dickinson Moved and Councilmember Athearn seconded to adjourn to reconvene at 12:30 PM, February 15, 1990 to meet with Mr. Deem. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - February 15, 1990 @ 12:30 PM

The Town Council met in a session continued from the February 2, 1990 12:30 PM meeting, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch & Maintenance Supervisor Reitan.

Mr. Steve Deem, D.S.H.S. District Engineer, presented an overview of the 1986 Federal Clean Drinking Water Act and the State Surface Water Treatment Rule. He briefly explained the requirements and implications for the Town of Friday Harbor.

Mayor Cahail, Council, and the Town Administrator addressed questions to Mr. Deem concerning options available to the Town in regard to water treatment and distribution. Council commented on the increasing difficulty of developing funding sources to meet new State & Federal regulations.

Town Administrator Fitch requested that Council have their comments on the Draft 1990 Comprehensive Water Plan Update prepared for either the March 1st or March 15th meeting.

At 1:25 PM the meeting was recessed for 10 minutes.

At 1:35 PM Town Administrator Fitch introduced a video presentation concerning risk management.

The Council, staff, and Maintenance Leadmen viewed the Association of Washington Cities video "Risk Management for Small Communities".

At 2:25 PM Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - February 15, 1990 @ 1:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch

At 7:35 PM, Acting Fire Chief Galer presented the Fire Chief's report. Mr. Galer reported there have been 23 fire calls this year to date. The fireboat is currently out of service for maintenance. It will be back in service in March. The planned ferry fire drill was postponed for two weeks. Brian McMahan had been hired as Acting Training Officer. Mr. McMahan is also Training Officer for Fire District #3.

At 7:40 PM, Mayor Cahail proclaimed February 1990 as American History Month in the Town of Friday Harbor. Mayor Cahail encouraged all citizens to participate.

Town Building Official Hodges presented the response to his request for interpretation from the State Building Code Council regarding the Uniform Code for Building Conservation, 1987 edition (UCBC), in relation to state statute and the Uniform Building Code (UBC).

Consensus of Council was to pursue adoption of the UCBC to apply only to historic buildings on the National and State Registers.

Mr. Tim Gambrel suggested a design review board be considered. In addition, that the UBC be adopted to also apply to older residences.

Building Official Hodges addressed Mr. Gambrel's concerns and noted provision in the UBC for same.

The Council directed Mr. Hodges to work with the Town Attorney to draft an ordinance adopting the UCBC as stated above.

At 7:50 PM, Mr. Tim Gambrel, Town of Friday Harbor Planning Commission Chairman, reported on Planning Commission recommendations regarding the State Department of Transportation proposal to re-channel ferry traffic. Mr. Gambrel presented Planning Commission proposals for rerouting ferry traffic up East Street. Stop signs on First Street would be reoriented to stop traffic on Spring Street and make First Street a through street. An alternate proposal was for additional personnel to direct pedestrian and vehicle traffic. Mr. Gambrel noted that the Planning Commission recommended a minimum 30-day trial period. Additionally, he indicated that provisions could be made for special vehicles and conditions.

The Council questioned Mr. Gambrel on various details of the proposals.

At 8:00 PM, Town Administrator Fitch joined the meeting.

Members of the Council, Planning Commission, and audience commented on various aspects of the proposals.

Councilmember Roberts mentioned he felt the situation was primarily a ferry system problem.

Councilmember Potter thanked the Planning Commission for the time and effort devoted to developing the proposals.

At 8:15 PM, Mayor Cahail opened the Public Hearing for the Anderson/Wilson Conditional Use Permit application for automotive repair services and light manufacturing at 600 Mullis Street.

Mayor Cahail explained the hearing procedure to be followed.

Town Administrator Fitch presented the staff report. He noted the applicant's cooperation and good faith efforts to comply with SEPA. Mr. Fitch recommended approval of the application with conditions as stated in the staff report.

Mr. Gene Wilson, applicant, spoke of the siting philosophy of the proposal and attempts to mitigate possible impacts. He addressed concerns raised in a letter by an adjacent property owner and explained proposed uses & tenants, traffic flow, construction materials, and landscaping.

At 8:30 PM, Mayor Cahail instructed and asked for comments from the audience.

Mrs. Rosaia Wilson, of Spring Street, spoke in support of the proposal.

Town Administrator Fitch noted that as development plans for the adjacent lot are unspecified at this time, screening of the wall on the south side of the lot was not part of the staff recommendation.

At Councilmember Roberts's inquiry, Mr. Fitch explained that the Conditional Use Permit application is for 2 buildings and an 8-foot high fence. 2 water & sewer hookups will be required.

At 8:40 PM, hearing no further comment, Mayor Cahail closed the public input portion of the hearing.

Councilmember 'Roberts commented that this proposal was what the Council had previously envisioned for the area.

Councilmember Roberts moved to approve the application subject to conditions outlined in the revised SEPA checklist. Councilmember Nash seconded the motion and noted it was a model application by a model applicant. After discussion, the motion passed unanimously. A formal Facts & Finding will be prepared.

At 8:45 PM, Town Administrator Fitch introduced a request for reconsideration of the 2 hour 'time limit parking on "A" Street and on West Street.

Mr. Ralph Walter, of Printonyx, noted that his business has relocated to West Street. He requested 2 hour rather than 72 hour parking on that side of West Street.

Mrs. Bonnie Morrow, owner of the Schuman building, suggested that the 2-hour parking and the 72-hour parking zones be exchanged from one side of the street to the other.

Mr. Jeff Altman, "A" Street, requested that the 2 hour parking be retained on "A" Street.

Mr. Walter suggested that parking in front of the Schuman Building on West Street be 8 hour.

Council discussed the requests.

Councilmember Roberts noted that a long-term solution was the acquisition of an off-street parking lot.

Mr. Bob Greenway commented that a new building would be required to provide off-street parking for employees.

Rose Walter recommended that the 72-hour parking on West Street adjacent to the Schuman building be changed to 8 or 10 hour.

Mr. Bill LaPorte noted that although exchanging the 2-hour parking and the 72-hour parking zones from one side of the street to the other would not increase parking spaces, it would result in 2 happy constituents.

Council will schedule a work session on the subject after a Street Committee report.

At 9:05 PM, Mayor Cahail introduced for final reading draft Ordinance #786, an Ordinance amending Ordinance #616 and Friday Harbor Municipal Code Chapter 13.04, Table 1, Article 1, concerning water rates and repealing Ordinance #755 and Ordinance #777 in their entirety.

At 9:08 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adopt Ordinance #786. The motion passed with all in favor, Councilmember Roberts abstaining because he had been unable to attend the water rate work sessions. Councilmember Roberts noted his support of the new rate structure.

At 9:10 PM, in response to Robert Greenway's request for Council to reconsider the conditions of his rezone request on property adjacent to the Evergreen Subdivision, Attorney Eaton reported that, as no ordinance had been passed formally approving the rezone, the issue could be brought back for Council reconsideration by a motion by Councilmember Nash or Councilmember Roberts. A public hearing would be required. Attorney Eaton noted that if the Council decides to reconsider the conditions of the rezone request, the entire original application is reopened.

Mr. Greenway mentioned a letter he submitted January 18, 1990 requesting reconsideration of specific issues.

At Councilmember Robert's inquiry, Town Administrator Fitch noted that the Town has personal errors & omissions insurance for Councilmembers. The Council had previously discussed and decided that the Town would pay any deductible charges stemming from Council action.

At 9:25 PM, Attorney Eaton explained that Councilmembers are covered for personal liability to the extent of the insurance coverage.

Councilmember Roberts stated he was against reopening the rezone request. He noted Mr. Greenway can reapply for the rezone.

Attorney Eaton noted that if a motion is not made to reopen, the issue dies for lack of a motion.

At 9:29 PM, hearing no motion to reopen, Mayor Cahail declared that the issue was dead.

At 9:30 PM, Mayor Cahail introduced draft Resolution #756, a resolution to authorize conditional private use of a portion of Price Street by the San Juan Aid Unit, Fire District #3.

Mr. Frank Wilson, San Juan Aid Unit, explained the request. Mayor Cahail noted the presence of a new streetlight standard in the vicinity.

Councilmember Roberts moved and Councilmember Potter seconded to adopt Resolution #756. The motion passed unanimously.

At 9:35 PM, Mayor Cahail introduced draft Resolution #755, a resolution authorizing the Mayor to execute a contract modification with Francis Schelm Construction for construction of an addition in the basement of Town Hall.

Town Administrator Fitch explained the reasons for the contract amendment and additional funds for minor upstairs renovation.

Councilmember Roberts moved and Councilmember Dickinson seconded to adopt Resolution #755. The motion passed unanimously.

Councilmember Potter commended the staff for displaying fiscal responsibility.
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The consensus of Council was to proceed with the renovation described in the Town Administrator's February 15th, 1990 memo to the Mayor & Council.

At 9:48 PM, Town Administrator Fitch spoke to the implications of adoption of the draft Town/County Solid Waste Plan.

Council will individually review the above mentioned draft plan.

Town Administrator Fitch noted that he would be away from the office from February 23rd to March 5th.

Council reviewed issues of business licenses for businesses located at the Port of Friday Harbor.

Town Administrator Fitch and Attorney Eaton explained the powers and limitations of a junior taxing district such as the Port of Friday Harbor-.

Town Administrator Fitch reiterated the need for a comprehensive Master Program permit for the Port.

Mayor Cahail suggested not permitting any business activity in the Port until said permit is applied for and approved.

Councilmember Roberts suggested inviting a Port Commissioner to meet with the Council to discuss the issue of Port compliance with the Shoreline Master Program.

Attorney Eaton recommended a letter-to the Port Commissioners from the Mayor and Council outlining the Town's position.

At 10:25 PM, Councilmember Roberts spoke to the need for legislation supporting trees as-buffer zones in developments.

At 10:35 PM, Town-Administrator Fitch noted that the Community Wide Survey group will be meeting in the Town Council chambers at 4:00 PM, Friday February 22, 1990. The survey group has requested that representatives of the Town be present.

Councilmember Potter noted that the Economic Development Council will present a speaker from the Public Works-Trust-Fund in the Town Council chambers at 11:00 AM, Friday March 2, 1990.

At 10:42 PM, Councilmember Roberts moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - February 22, 1990 @ 7:30 PM

Councilmember Dickinson moved and Councilmember Athearn seconded to appoint Councilmember Nash Mayor pro tem. The motion passed unanimously.

Mayor pro tem Nash called the meeting to order.

Members present: Athearn, Dickinson, Nash, & Potter

Others present: Town Administrator Fitch & Attorney Eaton

Attorney Eaton requested that the status of Councilmember Potter to participate in the Percich/Moorhouse Public Hearing be established early in the meeting.

At 7:35 PM, Mayor pro tem Nash opened the Public Hearing for continuation of Council deliberations for the Bill Percich / Dave Moorhouse Shoreline Substantial Development Permit

application for a retail complex to be located on the southwest corner of Front & Spring Streets. Mayor pro tem Nash informed all present as to the procedure that would be followed.

(All input is on tape.)

At Attorney Eaton's inquiry, Councilmember Potter stated that she had listened to all pertinent tape recordings of the previous hearings and thoroughly reviewed all Town files on the application.

At 7:39 PM, Town Administrator Fitch presented the staff report. Administrator Fitch read into the record the response from the applicant's attorney, Mr. John O. Linde dated and received January 26, 1990 to the 16 conditions stated by the Council on October 26, 1989.

Town Administrator Fitch read into the record the proposed list of uses as stated in the above-mentioned response for the applicants. Administrator Fitch noted that the exhibits referenced in the response had been redesigned by the Town so as not to conflict with previously submitted exhibits.

At 8:35 PM, Mayor pro tem Nash requested a statement from the applicants.

Mr. Bill Percich, Friday Harbor, suggested that as questions arise, he could provide clarification on specific issues.

Mr. Charles Jackson, Law offices of John O. Linde, attorney for the applicants, summarized the application and, noting the time already expended in the public hearing process, hoped the Council would have sufficient information to begin deliberations.

At 8:57 PM, Mayor pro tem Nash opened the hearing for comments from the audience. Mayor pro tem Nash instructed those wishing to speak that their initial remarks would be each limited to 5 minutes so that all would get the opportunity to be heard. Time permitting, additional testimony would be permitted after everyone had had an opportunity to speak.

Jim Nollman, San Juan Island, read a prepared statement against the proposal.

Lee Sturdivant, Friday Harbor, asked the Council to request that the applicants clarify various points of public access and some of the listed uses.

At 8:08 PM, Jessica Thayer, San Juan Island, wondered if there was a business need for the proposed structure.

Arthur Johnson, Friday Harbor, noted problems with congestion in the area and proposed transportation alternatives for Friday Harbor.

At 8:12 PM, Scott Schwinge, San Juan Island, spoke against the proposal. He itemized a number of concerns with the project, developers, and the application.

At 8:18 PM, Jack Crawford, Friday Harbor, spoke against the proposal. He felt the project violated the spirit and intent of the law.

At 8:20 PM, Sandy Richard, San Juan Island, expressed concern about the proposed payment for land acquisition in lieu of onsite parking.

Grace Swan, Friday Harbor, spoke against the proposal. She felt another commercial building was unnecessary. "The island was already too crowded."

At 8:25 PM, Irene Warner, Roche Harbor, spoke against the proposal. She requested clarification on handicapped access provisions and spoke in favor of the democratic process.

Jim Guard, Shoreline Defense Fund, San Juan Island, spoke against the proposal and instructed the Council as to their duties. He requested additional information on design and noted an apparent lack of handicapped parking and access. He felt the proposal did not meet all the requirements of the Shoreline Master Program and that an upland site was more appropriate for the project.

At 8:38 PM, Bill Percich, applicant, noted sincere attempts to design a viable, aesthetically pleasing project that was responsive to the Town's needs.

Glenn Ranson, Friday Harbor, spoke in support of the project. Howard Smith, Friday Harbor, spoke in support of the project.

Lee Sturdivant, Friday Harbor, inquired as to how specific the details of the project were.

Scott Schwinge expressed additional concerns with the proposal. Mr. Schwinge cautioned of possible future litigation because of perceived procedural and ethical problems and alleged improprieties on the part of the Town Council and staff.

Grace Swan again expressed her feeling that the building was unnecessary.

Jim Guard read the remainder of his earlier statement. He noted that "commercial space is not why most of us chose to live here".

At 8:50 PM, hearing no further comments from the audience, Mayor pro tem Nash asked Town Administrator Fitch if he had any further public input.

Town Administrator Fitch read into the record a letter from Mr. Peter Eglick & Associates, attorneys on behalf of the Shoreline Defense Fund, expressing numerous concerns with the proposal.

Town Administrator Fitch read into the record a letter from Tracy Hornung, Friday Harbor, against the project.

At 9:03 PM, Attorney Eaton summarized previous Council action and outlined options open to the Council.

Mayor pro tem Nash asked if there was any additional, non-repetitive testimony.

Attorney Eaton explained the intent and purpose of the public hearing process. He noted that the Council must base their decision on the law, not popular sentiment. Mr. Eaton offered to meet with interested parties at any reasonable time and place to explain his understanding of the public hearing process.

Councilmember Dickinson requested that Attorney Eaton respond to questions raised as to Councilmember Roberts stepping down for perceived Appearance of Fairness concerns.

Mr. Eaton gave a synopsis of the intent and applicability of the Appearance of Fairness doctrine and noted that Councilmember Roberts chose to step down.

At 9:17 PM, Mayor pro tem Nash asked the Council if they had any further questions.

Councilmember Athearn requested that Mr. Percich respond to previously raised design and access questions.

Mr. Percich clarified details in regard to the above inquiries and additional questions about the type of businesses proposed for the project.

Attorney Eaton noted that the Council could limit the type of businesses allowed in the building. Additionally, Mr. Eaton explained the Council has a great deal of control over the design and use of the building.

Upon inquiry from the audience, Attorney Eaton and Mayor pro tern Nash explained that the public input portion of the hearing was not closed.

At 9:27 PM, at Councilmember Dickinson's request, Mr. Percich explained particulars of the site plan and exterior details.

At 9:31 PM, at Councilmember Potter's inquiry, Mr. Percich indicated an interior design change may be required to allow elevator access to level "2 1/2" of the building.

It was stated that the building would be required to comply with the Friday Harbor Municipal Code 27-foot height limit.

At Councilmember Dickinson's inquiry, it was noted that the Council's approval of building plans was not allowed for by current Town of Friday Harbor codes.

At Mayor pro tern Nash's inquiry as to how the number of 15 employee parking spaces had been arrived at, Mr. Percich noted that it was difficult to determine the exact number of people to be employed until the tenant list is finalized.

Mayor pro tern Nash remarked that the concept of payment in lieu of parking had been discussed at the Planning Commission and Council level for the past 10 or- 12 years.

At 9:45 PM, Councilmember- Potter expressed concern as to whether alternate upland sites had been adequately investigated and of the long-term benefits of the project to the community.

Mr. Percich noted that commercial locations close to the water in this area were rarely vacant. Long term benefits to the community included public viewing decks, public restrooms, and aesthetic considerations.

Mr. Guard expressed his contention that the entire building is not handicapped accessible.

Sandy Richard inquired as to hours of availability of public access areas.

Attorney Eaton recommended that said hours be specified.

Jessica Thayer inquired if Council will explain the reasons for their decision when they make one.

Mayor pro tem Nash expressed reservations about SEPA in general.

Lee Sturdivant remarked on the reoccurrence of commercial vacancies near the waterfront and stated that we should "take back the waterfront".

Councilmember Athearn stated that the Council would cite specific laws when making their decision. Pertinent sections are outlined in the staff report.

Roger Bennett, of Seattle & Friday Island, stated that a decision based on economics is a contravention of Federal law. He felt the Town should maintain any public rest rooms provided. He would be willing to contribute to parking.

At 10:06 PM, hearing no further public input and noting that the Council reserved the right to reopen the hearing for public input at a later date, Mayor pro tem Nash closed the public input portion of the hearing.

Attorney Eaton noted that the next step is Council deliberation.

The Council discussed the advisability of beginning deliberations at this meeting or continuing the meeting to a later date.

At 10:12 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn to reconvene the meeting to February 26, 1990 at 7:30 PM in the Town Council chambers. The motion passed unanimously.

Albert M. Nash, Mayor pro tem
Steven Dubail, Town Clerk

Town Council - February 26, 1990 @ 7:30 PM

The Town Council met in continued session from the February 22, 1990 7:30 PM Public Hearing, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, & Potter
Others present: Attorney Eaton

At 7:35 PM, Council continued with deliberations for the Bill Percich & Dave Moorhouse Shoreline Substantial Development Permit application. Mayor Cahail, after acceptance as chairperson, informed the audience that the public input portion of the hearing had been closed and that Council had reserved the right to re-open for public input if necessary.

Council reviewed the list of conditions they had presented to the applicants on October 26, 1989 and that the applicants on January 26, 1990, response to those conditions.

Council determined which of the above conditions they wished to review in detail and which substantially met the Council's intent.

The applicant's response to Conditions #4, 11, 12, 14, & 16 were felt to warrant further review.

Council reviewed Condition #4, list of uses. The submitted list is divided into three areas: 1) water related uses, 2) water enjoyment uses, and 3) water activities support related uses. The Council discussed the suitability of each use.

Councilmember Athearn cited current Master Program Section 5.07, Policy #1; "Commercial development on the shorelines should consist of uses which are water dependent and/or uses which will provide an opportunity for substantial numbers of people to enjoy the shorelines". She noted duplication of listed uses.

Mayor Cahail remarked that too specific a list of uses could be interpreted as an endorsement, and also could result in enforcement problems.

Council determined to eliminate 5 items from the submitted list. More may be deleted later.

At 8:15 PM, Council reviewed Condition #11, the sign plan. Councilmember Potter felt the applicants' response was not specific in addressing the sign requirements of the Master Program.

Attorney Eaton noted that any development in Town must comply with all applicable ordinances.

At 8:18 PM, Council reviewed Condition #12, the parking plan. Councilmember Nash noted the suggestion of payment of a fee in lieu of on-site parking. By his determination; acquisition and improvement of a suitable site would result in substantially higher costs than the in-lieu payments proposed by the applicants. Councilmember Nash would like to see a parking plan or a more realistic payment proposal.

Councilmember Potter noted that providing a parking plan was mandatory.

Councilmember Athearn noted that other proposals had been turned down by the Shoreline Hearings Board for lack of an acceptable parking plan.

At 8:28 PM, the Council reviewed Condition #14, usable space. Councilmember Nash remarked that the usable space condition had resulted in the applicants proposing to limit the number of businesses in the building to 12.

Councilmember Athearn noted the applicants proposal resulted in a net reduction of 7% of usable space. She recommended that if Council accepts the 8,500 square foot size, none of the public space be used for any commercial purpose.

At 8:35 PM, Council reviewed Condition #16, long term benefits to the public. Councilmember Athearn felt the burden of proving over-riding public need was on the applicant. Additionally, that the areas out of compliance were serious areas of concern.

At Mayor Cahail's inquiry, Attorney Eaton stated that revision by the applicant to the response to conditions would necessitate further public hearings.

Council noted that, although a portion of the lot is within the shoreline, it is not a waterfront lot.

Councilmember Nash commented that historically the Town has had a commercial waterfront.

Councilmember Potter expressed her concern that the applicants had not met several of the requirements.

At 8:50 PM, at Councilmember Athearn's inquiry, Attorney Eaton stated that if the Council should choose to grant the applicant more time to respond to the conditions, the same requirements initially imposed would apply.

Councilmember Nash and Councilmember Dickinson indicated willingness to grant the applicants additional time.

Councilmember Athearn expressed concern with the applicant's response to Condition #16, long term benefit to the public.

Councilmember Athearn and Councilmember Potter felt the questions had been asked repeatedly and the application should be denied. Parking, public necessity and long term benefits to the public were the main areas of concern.

Councilmember Dickinson noted that the application did meet a number of the conditions.

At 8:58 PM, Councilmember Nash moved that the applicants be given 60 days to provide more detailed information in response to Conditions #11, 12, 14, & 16.

After consideration, Councilmember Dickinson seconded the motion.

Following discussion Councilmember Nash and Councilmember Dickinson voted in favor of the motion. Councilmember Athearn and Councilmember Potter voted against the motion.

Mayor Cahail stated that, not having been present at the February 26, 1990 Public Hearing, he could not vote on the motion at this time. He would vote after he had reviewed the taped record of that meeting.

Council determined to continue the meeting to 12:15 PM, March 1, 1990. Mayor Cahail's vote would be the first order of business.

At 9:07 PM, Councilmember Potter moved and Councilmember Nash seconded to adjourn to continue the meeting to 12:15 PM, March 1, 1990. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - March 1, 1990 @ 12:15 PM

The Town Council met in a session continued from the February 26, 1990 meeting, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, & Potter

Others present: Treasurer Picinich, & Attorney Eaton

Mayor Cahail informed the audience of the reason for the continued meeting; a tie vote on Councilmember Nash's motion of February 26, 1990 at 8:58 PM to give the applicants of Shoreline Substantial Development Permit application #41 (Percich / Moorhouse Front Street Project) 60 days to provide more detailed information in response to Condition #11 - Sign Plan, Condition #12 - Parking Plan, Condition #14 - Usable square footage, & Condition #16 - Overriding public benefit, Long term benefit to the public, & Alternate upland sites.

Mayor Cahail stated that as he was not present at the February 22, 1990 Public Hearing, he had deferred voting on the motion until he had reviewed the tapes of that meeting. Mayor Cahail stated that he had reviewed said tapes.

At 12:20 PM, Mayor Cahail voted in favor of Councilmember Nash's motion to grant the applicants additional time to respond as stated above.

Attorney Eaton noted that the request for more detailed information could contain a request for additional information on other pertinent subjects as well as in regard to the above stated conditions.

Mayor Cahail, Council, and Attorney Eaton discussed the procedure for Council to follow in requesting additional information.

Attorney Eaton recommended that arty additional information requested be so stated by motion.

Councilmember Athearn requested additional information as specified by the current Shoreline Master Program, Section 3.03 Economic Development, Policy #3, "Anyone who seeks to establish a commercial or industrial activity within any shoreline area should bear the burden of demonstrating that the upland areas are not feasible for the proposed use and that the proposed use will be compatible with the Master Program".

At 12:36 PM, Councilmember Athearn moved and Councilmember Dickinson seconded that Section 3.03, Policy #3, Shoreline Master Program be addressed by the applicants. Councilmembers Athearn, Dickinson, and Potter voted in favor of the motion, Councilmember Nash voted against.

At 12:38 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - March 1, 1990 @ 12:40 PM

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

Members present: Athearn, Dickinson, Nash, & Potter

Others present: Treasurer Picinich, & Maintenance Supervisor Reitan

The Council reviewed the claims against the Town and requested clarification of specific items.

Councilmember Nash moved and Councilmember Dickinson seconded to approve the payroll and pay the bills. The motion passed unanimously.

At 1:05 PM, Mayor Cahail noted receipt today of a letter from Doris M. Jeffries in regard to the Percich/Moorhouse Substantial Development Permit application #41. The letter was not distributed to the Council as the public input portion of the hearing is currently closed.

Treasurer Picinich introduced draft ordinance #792, an ordinance establishing the bond requirement for the Town Treasurer in the amount of \$100,000 and repealing Ordinance #2 in its entirety.

Councilmember Athearn moved and Councilmember Potter seconded to adopt Ordinance #792. The motion passed unanimously.

At 1:10 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - March 1, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Treasurer Picinich, & Attorney Eaton

The minutes of the previous meetings were approved as amended.

Councilmember Nash presented the Facts & findings for the Larry Anderson / Gene & Kelle Wilson Conditional Use Permit application #26 to construct 2 commercial buildings and an 8 foot high fenced storage yard at 600 Mullis Street.

Councilmember Dickinson moved and Councilmember Potter seconded to approve the Facts & Findings as presented. The motion passed unanimously.

At 7:40 PM Mr. Don Galt, representing the Friday Harbor Athletic Club, presented a request to have the water & sewer connection charges and the building permit fees waived for a 24' X 48' building to be constructed on San Juan School District property at the Friday Harbor Elementary School adjacent to the unimproved portion of Grover Street. The purpose of the structure is to provide facilities for minor league sports programs and provide a meeting place for other youth oriented programs and organizations.

Attorney Eaton, noting a conversation with Mr. Galt earlier in the week, stated that government entities are prohibited by the State Constitution from giving away money, goods, or services. One possible method to accommodate Mr. Galt's request was for the Town to pay the connection and building permit fees from the Parks fund to the appropriate department funds.

The Council discussed the option suggested by Mr. Eaton. Councilmember Nash expressed support for Mr. Galt's proposal.

Councilmember Dickinson noted that there may be additional costs associated with putting the main line in service beyond the connection fees.

Mr. Galt stated that local contractors would donate and install a thrust block for the end of the pipeline. Also, a holding tank would be used to hold any gray water generated.

Councilmember Potter inquired as to the status of Parks funds previously committed to the Argyle Street Park project.

Lee Sturdivant, San Juan Island Parks Commission, said a letter would be forthcoming clarifying the Commission's position and the status of the Town commitment.

The Council discussed which fees were included in this proposal.

At 8:00 PM, Councilmember Dickinson moved that the Town of Friday Harbor support the Friday Harbor Athletic Club by paying the Building Permit fees from the Parks budget and direct staff to research the cost, status, and ramifications of acquiring, activating, and connecting to the 8"

water main. Councilmember Nash seconded the motion. All Councilmembers voted in favor of the motion, Councilmember Roberts abstaining.

At 8:04 PM, Council considered continuing deliberation of a request to change the 2-hour time limit parking on "A" Street and on West Street.

Councilmember Potter commented that switching the parking signs from side to side on West Street would result in 2 happy constituents.

The Council decided to table the matter pending a report from the Town Administrator.

At 8:08 PM, Council continued deliberations regarding the Planning Commission and DOT proposal to re-channel ferry traffic.

At Councilmember Potter's inquiry, Town of Friday Harbor Planning Commission member Bill LaPorte noted that most of the plan, such as the realignment of stop signs on First & Spring Streets, was essential.

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Mr. Bill Carter, DOT, commented on DOT's perceptions of the proposal. He expressed reservations about a 3-way stop on First & Spring Streets.

Mr. Rick Keisler, DOT, expressed full support for the proposal. He noted a desired result of implementation was separating pedestrian from vehicle traffic.

Mr. Frank Boling, Town of Friday Harbor Planning Commission, asked if DOT would help defray costs.

Mr. Carter stated the DOT could help with costs to First & East Streets. Additionally, DOT could loan appropriate signs for a trial period.

Lee Sturdivant, ferry terminal employee, inquired about the possible necessity of additional personnel.

Councilmember Nash noted that disembarking vehicle traffic would absolutely have to be prevented from turning right on Front Street.

It would be necessary to eliminate the staging of priority trucks on East Street or the parking on East Street to provide two-lane traffic flow on East Street. Priority trucks could possibly be staged at the upper DOT lots on Front Street.

Lee Sturdivant noted problems with using the upper DOT parking lots.

Mr. Bill LaPorte reported on his survey of large truck ferry users. None anticipated problems with the proposal. Mobile homes and oversize vehicles may require special routing.

Mr. Bill Carter recommended 2 stop signs on Spring Street, First Street to be a through street. He also spoke of plans to immediately remove stoplights on East Street and replace them with stop signs.

Councilmember Potter thanked the Department of Transportation representatives for their support and the Friday Harbor Planning Commission for their efforts.

Councilmember Nash indicated support of the project with DOT participation.

Councilmember Roberts expressed reservations with routing ferry traffic up Argyle Avenue; he felt the traffic should be routed back to Spring Street. He also had concerns with the width of "A" Street.

Mr. Bill Carter noted that the DOT is spending approximately 20 million dollars per year on terminal renovation. In about 10 years re-siting the Friday Harbor terminal may be viable. He also commented on the lack of a public transit system in the county.

The consensus of Council was to implement a 30-day trial of the Planning Commission proposal as soon as possible.

Mr. Carter suggested a 90-day enabling ordinance if one is necessary.

Mr. Craig Goring, Friday Harbor Planning Commission, spoke of the diffusion effects of the proposed vehicle routing.

Mayor Cahail thanked the Planning Commission for all their efforts and noted that the Planning Commission's advice is very beneficial to the Council.

At 8:45 PM, Council discussed the draft 1990 Solid Waste Management Plan for the San Juan Islands. This plan is a joint project of the Town of Friday Harbor and San Juan County.

The Council discussed various possibilities for future solid waste management and recycling.

Councilmember Athearn noted that if the draft plan is adopted the recommendations contained therein become the Town's.

Helen Winters, San Juan County Health Department, expressed reservations with the order of priorities presented in the draft Plan.

Councilmember Roberts suggested a policy statement supporting waste reduction and recycling.

Mayor Cahail requested that Council write down any comments they wished to submit concerning the draft Plan.

Helen Winters noted that a State goal is a 50% recycling rate by 1994, the Plan proposes 30%.

Town Clerk Dubail is to coordinate a paper-recycling plan for Town Hall and review Town and County refuse rates with Ms. Winters.

At 9:25 PM, Council commented on the 1990 draft Town of Friday Harbor Comprehensive Water Plan Update prepared by Kramer, Chin, & Mayo, Inc.

Comments from the Council include:

Incorporation of a chart indicating fire flow by location, moving the proposed standpipe to within the Town limits.

The need for an in-place generator at the Water Treatment Plant. A system to notify, by phone, appropriate personnel of malfunctions at the Water Treatment Plant.

Expressed concern that on page 12, Section 5.2 - Sources of Supply, Paragraph 4, indicates that alternate sources of supply are not feasible.

Town Clerk Dubail noted possible inaccuracies and omissions in the Water Supply System Computer Model maps (Figures 8 & 8a). He also suggested requesting verification of the original 1983 data.

Treasurer Picinich noted problems with the presentation of the financial statements in the draft Plan.

Councilmember Nash commented that the Council must decide the order of priority of an additional storage tank and transmission line.

Mayor Cahail noted that the Town can annex land for utility purposes.

Brian McMahon, San Juan County Fire District #3 and Friday Harbor Fire Department inquired as to the status of the Town/County Mutual Aid agreement. He also commented on possible problems with the Town backup fire truck.

Mr. McMahon expressed concern that a new Town Fire Chief had not been named.

Mayor Cahail indicated the decision on a new Fire Chief had been made and would be announced within the next few days. The interlocal agreement with the County would soon be finalized.

Mayor Cahail distributed to Council a memo received from the Town of Friday Harbor Planning Commission concerning the role of the Planning Commission.

At 9:50 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - March 15, 1990 0 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

At 7:42 PM, the minutes of the previous meetings were approved as submitted. Councilmember Nash reiterated DOT assurances of material support for implementation of the ferry traffic rerouting trial period.

Mr. Peter Risser, Station Captain - Friday Harbor Fire Department presented the Fire Chief's report. The Fire Department has 16 members. There have been 7 fire calls since the last report, 2 of the calls were for Rescue 4.

Mr. Risser noted upcoming training sessions for various Fire Department personnel including training for dealing with hazardous materials. All of the ladders have been tested and passed, 1990 is the last year of legal service for the ladders on Engine #5.

Mr. Risser reported on Community Service activities with the clothing and food banks. Upcoming activities include the annual Easter Egg hunt.

At 7:52 PM, Town Administrator Fitch introduced to the Council Mr. Otto Miller, new Town Planner. Mr. Fitch commented that Mr. Miller has been introduced to the Planning Commission.

Mr. Miller spoke briefly concerning his background and general views on planning.

The Mayor and Council welcomed Mr. Miller.

At 7:55 PM, Mayor Cahail opened the Public Hearing for the Church of Jesus Christ of Latter-day Saints Conditional Use Permit application to add an addition of approximately 6,000 square feet to an existing 3,500 square foot structure located at 1013 Lampard Road.

Mayor Cahail explained the hearing procedure to be followed.

Town Administrator Fitch presented the staff report. He remarked that this is the second conditional use application for this type of use on the property. Mr. Fitch noted the inclusion in the staff recommendation of mitigating measures concerning replacement of disturbed landscaping and storm water run off detention.

At 8:03 PM, Mr. David L. Clark, PE, Area Physical Facilities representative for the LDS, spoke to the need for additional space due to an increasing congregation. Mr. Clark noted that a 00013~

2.5 acre size is adequate to handle the anticipated congregation growth until such time as the congregation may be divided into two groups.

At 8:06 PM, Mayor Cahail instructed the audience on comment procedure and opened the meeting for public input.

No comments were forthcoming from the audience.

Town Administrator Fitch noted water use by facilities of this nature do not have a significant impact on the overall system usage. Trip generation projections will not necessitate requiring improvements to Lampard Road.

At Councilmember Robert's inquiry, Town Administrator Fitch noted that the County Health Department would review the project septic requirements prior to the Town issuing a building permit.

Councilmember Dickinson inquired about parking at the facility.

Mr. Clark responded that the LDS facility has 51 existing parking spaces and an additional 12 are planned.

At 8:13 PM1 hearing no further comment, Mayor Cahail closed the public input portion of the hearing.

Council discussed the application.

At 8:15 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to approve the LDS Conditional Use Permit with the conditions stated in the staff report. The motion passed unanimously.

A formal Facts & Findings will be prepared.

At 8:17 PM, Mayor Cahail opened the Public Hearing for the Molly J. Boyd Shoreline Substantial Development Permit application to construct a dock and moorage for private use to serve two single family residences located at 602 & 610 Warbass Way.

At 8:20 PM, Town Administrator Fitch presented the staff report. Mr. Fitch noted the proposed pier is intended to serve 2 lots.

At 8:24 PM, Mr. Tom Starr, KSM, agent for the applicant, noted efforts to design a dock similar to adjacent docks.

Mr. Mike Anderson, 600 Warbass Way, adjoining property owner, endorsed the project.

Mr. Jim Capron, 620 Warbass Way, neighbor, spoke in support of the project.

Ms. Molly Boyd, proponent, expressed willingness to answer any questions.

At 8:27 PM, after discussion with Planner Miller and Attorney Eaton, Town Administrator Fitch noted differences between site drawings in the original and revised submittals.

Attorney Eaton and Mr. Starr discussed aspects of the intent of joint use and possible conflicts with a perceived expansion of a non-conforming use on the site due to an existing structure located on 2 tax parcels.

Town Planner Miller defined concerns with expanding an existing non-conforming use. He noted possible remedies which include either reducing the dock so it is exempt under the SMP or removing a lot line.

Attorney Eaton and the applicants discussed ramifications of the lot division.

Mr. Starr stated the applicants would be willing to stipulate as a condition of the permit, that when a subsequent building permit was applied for the existing non-conforming use would be brought into compliance.

At 8:54 PM, Councilmember Athearn moved and Councilmember Potter seconded to continue the public hearing to the April 5th regularly scheduled meeting. The public input portion of the hearing to remain open. The motion passed unanimously.

At 8:55 PM, Mr. Skip Allen, 2500 Bailer Hill, made a presentation on behalf of a group of local fisherman regarding the placement of a fish hatchery on the Town lot adjacent to the Town Waste Water Treatment facility.

Mr. Allen stated the group would volunteer to finish the remainder of the property as a Town park. He noted the availability of State grant funds for the project.

Mr. Allen's project would use the outflow from the Wastewater Treatment Plant to provide continuous flow through the hatchery. Mr. Allen noted similar projects were in operation at other secondary treatment plants on the West Coast.

The Council requested Mr. Allen provide additional information on the proposal. Town Administrator Fitch will review the submitted information.

At 9:16 PM, Town Clerk Dubail reported on the status of proposed changes to the Town address system to coordinate said system with the County address system. Mr. Dubail suggested a autumn target date for implementation, consecutive with County address revisions. Additionally, he suggested that comments be solicited from the public and affected agencies. He noted the need for a consistent, unambiguous address system to facilitate emergency services access.

The Council directed Clerk Dubail to proceed with implementation efforts and provide a sample adopting ordinance and cost analysis for the project.

Town Clerk Dubail presented a request by Mr. Mark Smith, owner of the Town & Country Mobile Home Park, for an adjustment of the sewer rate ordinance for charges for mobile home parks. Mr. Dubail referred to his memo to the Council of March 11, 1990 outlining Mr. Smith's request and alternative rate calculation methods.

Consensus of Council was to not alter the current sewer rate structure.

At 9:38 PM, Town Administrator Fitch reported on the status of the Second/Guard Street Reconstruction project. He noted progress in utility placement and mentioned that several old utility lines are being discovered as work progresses. Street construction should commence by the end of May or early June, and should be completed by the July 4th weekend.

Mr. Fitch announced a Department of Ecology Public Hearing for the Town Shoreline Master Program scheduled for Monday, April 2, 1990 at 7:00 PM in the Town Council Chambers.

Councilmember Roberts inquired as to the status of the Council at said hearing. Staff will attempt to get clarification from the Department of Ecology.

Town Administrator Fitch presented a request by letter from Mr. James W. Slocomb asking the Council to reconsider denial of his rezone for 320 Carter Avenue.

Attorney Eaton specified that one of the Councilmembers who voted in the majority on the motion to deny the rezone could move to reopen the matter.

At 9:51 PM, consensus of Council was to let their previous decision regarding the rezone request stand. They did not wish to reconsider the matter.

Town Administrator Fitch informed Council that staff needed additional time to prepare information on the Friday Harbor Athletic Club request for the Town to waive water & sewer connection fees for a proposed clubhouse on School District property adjacent to the unimproved portion of Grover Street.

Councilmember Athearn noted that previous discussion of fees did not include determination of responsibility for monthly utility charges.

Town Administrator Fitch recommended that time limit parking on "A" Street remain as it is. Time limit parking on the northeast block of West Street could be exchanged side to side as Councilmember Potter suggested at the March 1, 1990 meeting.

The Council discussed implementation of 12 hour rather than 24-hour parking. Councilmember Nash recommended initial adoption of 12 hour parking on West Street.

Town Administrator Fitch suggested changing the determination of parking and traffic requirements to an administrative function. Consensus of the Council was that the suggested change was appropriate.

At 10:00 PM, Councilmember Potter commended the office staff and in particular, Utility Clerk Brenda Keith, for gracious handling of customer comments on the new utility rates.

Town Administrator Fitch announced that on Tuesday March 20th at 9:00 AM, Mr. Clark Gross of Skagit County Medical Bureau would be available in the Town Council Chambers to address questions about current and possible additional medical coverage.

Mr. Fitch noted that Tuesday, April 22nd is Earth Day, a Council proclamation of same may be appropriate.

Town Administrator Fitch mentioned a letter received from the Planning Commission concerning their role. He noted the Council had received a copy of the letter.

The Council discussed the role of the Planning Commission. Town Administrator Fitch noted he and Planner Miller will be attending Planning Commission meetings.

Councilmember Dickinson and staff will draft a response to the Planning Commission letter.

Town Administrator Fitch informed the Council that San Juan County had requested 4 modifications to the Inter-governmental Agreement for Police Services & Assistance. Mr. Fitch noted that the proposed modifications do not change the specified compensation.

Councilmember Roberts moved and Councilmember Athearn seconded to authorize the Mayor to sign said modified contract. The motion passed unanimously.

The Council and Administrator Fitch discussed implementation of the ferry traffic rerouting proposal. It was decided, for the trial period, that no additional directional signage be erected past First Street.

Per DOT recommendation, a 2-way stop on Spring Street at First Street would be safer than a 3-way stop.

Town Administrator Fitch noted that initial implementation costs were projected at approximately \$2,000. Mr. Fitch noted that funds from the Street Fund budget would be utilized for the beginning costs, an additional allocation will be necessary to fund implementation of previously planned loading zones.

Town Administrator Fitch will endeavor to have the redirection project in place by April 1st.

At 10:30 PM, Councilmember Dickinson moved and Councilmember Potter seconded to go into executive session to discuss 2 items of pending litigation. The motion passed unanimously.

At 11:00 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 11:01 PM, Councilmember Roberts moved and Councilmember Potter seconded to continue the meeting to April 2, 1990 at 7:00 PM for a Department of Ecology public hearing on the Town of Friday Harbor Shoreline Master Program. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - April 2, 1990 @ 7:00 PM

The Town Council met in continued session from the March 15, 1990 meeting, Mayor Cahail presiding.

Members present: Athearn, Dickinson, & Potter

Others present: Town Administrator Fitch, & Attorney Eaton

The meeting had been continued from the March 15th meeting as a contingency for the Department of Ecology Public Hearing, to be held this date, regarding revisions to the Town's Shoreline Master Program.

After discussion with the Department of Ecology hearings officer, Mikel McCormick, DEPARTMENT OF ECOLOGY representative, Barry Wenger, it was determined that the Department of Ecology hearing would proceed outside the framework of a Council meeting.

At 7:01 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, T Clerk

Town Council - April 5, 1990 @ 12:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Maintenance Supervisor Reitan & Fire Chief Galer

The Council reviewed the claims against the Town and requested clarification of specific items.

At 12:55 PM, Maintenance Supervisor Reitan presented the Maintenance Supervisor's report.

Mr. Reitan noted the reservoir level is 23" below the spillway and that we've had 2" less rain year to date than last year. Water Leadman Wilks is on medical leave for approximately 1 month.

Mr. Reitan reported on progress in utility replacement on Second Street and West Street. He noted that the pipe and fittings required for scheduled work on Caines Street and Warbass Way was included in the pipe bid request for the Second/Guard Street project.

Mr. Reitan stated that, with the growth in Town, the Town will need to have Augmentation Project II online next year.

Mr. Reitan reported:

That 3 pumps and 1 clarifier were down for maintenance at the Waste Water Treatment Plant.

The signage for the ferry traffic re-direction project had used the entire 1990 sign budget.

Councilmember Athearn requested that the Planning Commission receive a report of the ferry traffic re-direction project implementation costs.

Maintenance Supervisor Reitan mentioned the theft of over \$100 worth of traffic cones and flags. He noted it is an ongoing problem.

Mr. Reitan reported on the repair of a Street Department dump truck exhaust system and refuse truck hydraulic system.

Councilmember Nash instructed staff to bill the Department of Transportation for street painting on Front Street.

At 1:08 PM, Councilmember Roberts moved and Councilmember Nash seconded to pay the bills and approve the payroll. The motion passed unanimously.

Town Administrator Fitch introduced draft resolution #757, a resolution authorizing the Mayor to execute a contract with Skagit County Medical Bureau for medical insurance for Town Employees for 1990. Mr. Fitch noted anticipated premium increases.

At 1:11 PM, Councilmember Athearn moved and Councilmember Potter seconded to adopt Resolution #757. The motion passed unanimously.

Councilmember Roberts inquired of Maintenance Supervisor Reitan as to ongoing safety training for Town employees.

Maintenance Supervisor Reitan replied that lifting was not the cause of recent injury claims.

At 1:13 PM, Town Administrator Fitch introduced draft resolution #761, a resolution authorizing the Mayor to accept a proposal from Pacific Water Works Supply, Inc., in the amount of \$23,579.24, to provide pipe and fittings for a water main.

At 1:18 PM, Councilmember Nash moved and Councilmember Roberts seconded to adopt Resolution #761. The motion passed unanimously.

At 1:19 PM, Tim Osborne and Tamara Nack, Gray & Osborne, Engineers, presented for review the drawings of the 2nd/Guard Street project. They requested guidance from the Council in regard to design and cost estimates.

Mr. Osborne noted various construction alternatives for scaling the project back to reduce costs. He mentioned the necessity of building the project to comply with State specifications.

Don Geise, PE, Area Engineer for the State Transportation Improvement Board (TIB), noted the TIB prefers to have a project scaled back rather than have a substandard project built.

Mr. Osborne recommended a Request For Proposal for a 2 part project with an owner-option bid for the second part. Additionally, he estimated an approximate 90-day construction period. TIB consideration for approval is scheduled for April 27, 1990.

Town Administrator Fitch noted the cost and time benefits of closing the affected streets to travel during construction.

Mr. Osborne projected an additional cost of approximately \$50,000 to use ATB to allow travel before project completion. Complete street closure would allow for an approximate 80-day construction period, lower/upper closure would necessitate a 90 day period.

At 2:02 PM, the Council and audience moved to the Town Hall conference room to view and comment on project drawings. (Tape stopped)

At 2:37 PM, after explanation and review of the drawings, the Council and audience returned to the Council Chamber. (Tape started)

Mr. Osborne recommended that the Town Attorney review the draft construction documents. Mr. Osborne stated that State sales tax is not applicable to the bid price for road construction projects. He noted the construction period might be shorter depending on the performance of the selected contractor.

Councilmember Roberts moved and Councilmember Potter seconded to go forward with the bid process for the 2nd/Guard Street Project. The motion passed unanimously.

Councilmember Roberts indicated that, at the evening Council meeting, he wished to discuss activity by Mr. Robert Greenway at the Evergreen Park.

Councilmember Athearn moved and Councilmember Roberts seconded to adjourn at 2:45 PM. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - April 5, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

At 7:35 PM, Mayor Cahail proclaimed the week of April 8 - 14, 1990 to be Earthquake Awareness Week in Friday Harbor.

Mayor Cahail proclaimed the Month of April 1990 to be Environmental Awareness Month in Friday Harbor.

At 7:38 PM, Town Administrator Fitch presented the Facts & Findings for the Church of Jesus Christ of Latter-Day Conditional Use Permit for 1013 Lampard Road.

Councilmember Athearn moved and Councilmember Potter seconded to approve the Facts & Findings. The motion passed unanimously.

At 7:40 PM, Town Administrator Fitch read a letter from Mr. Jack Horn, Friday Harbor, received April 4, 1990, describing conditions in small towns in other parts of the country and encouraging thoughtful planning for growth.

At 7:44 PM, Mayor Cahail opened the continued Public Hearing for the Molly J. Boyd Shoreline Substantial Development Permit application #46 to construct a dock at 602 & 610 Warbass Way.

Mayor Cahail noted that the public input portion of the hearing was still open.

Town Administrator Fitch reported that the staff had met with the applicants agent, Tom Starr, KSM, Mr. Fitch noted the receipt at Town Hall this date at 4:30 PM of correspondence regarding the application.

Mr. Starr informed the Council that the property owner had decided to remove 1 property line with the condition that the property line remain if all applicable permits are not obtained.

Mr. Starr spoke of the applicants' attempts to obtain joint use of the proposed dock. "All the neighbors have docks."

Town Administrator Fitch noted receipt of 4 letters from adjacent property owners stating as above.

Attorney Eaton commented on the application and stated it was unclear if property owners without docks had been approached to share in joint use of the proposed dock. Town Planner Miller concurred with Attorney Eaton's observation.

At 7:53 PM, specifying that Council reserves the right to reopen the public input portion of the hearing and hearing no further public comment, Mayor Cahail closed the public input portion and opened the hearing for Council deliberation.

Councilmember Nash displayed a historical photograph of the shoreline in question.

Council and staff discussed details of the application and permit procedure. Attorney Eaton stated that a written agreement is required for joint use.

At 8:00 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to reopen the hearing for public input. The motion passed unanimously.

Councilmember Roberts requested clarification from Attorney Eaton in regard to joint use.

Attorney Eaton responded that conditions for future joint use could be specified in the permit. He recommended further discussions between staff and the applicant if conditions for future joint use are to be considered.

The Council discussed ramifications of requiring future joint use as a condition.

At 8:08 PM, Mayor Cahail again closed the public input portion of the hearing with the same condition as previously specified.

Councilmember Nash noted the proposed dock does not protrude into the waterway as much as certain adjacent docks.

At 8:12 PM, Councilmember Nash moved and Councilmember Dickinson seconded to approve the application with the condition that if all necessary permits are obtained the lot line will be removed before a building permit is issued. The motion passed unanimously.

A formal Facts & Findings will be prepared.

At 8:15 PM, Mayor Cahail opened the Public Hearing for a Shoreline Substantial Development Permit application #42 by Richard Gutherie dba San Juan Marina to construct a 957 square foot addition for boat display. The roof or second floor is to be used for outdoor dining.

Town Administrator Fitch presented the staff report. He noted the extended time period involved between construction and submission of a completed application.

Town Administrator Fitch presented Exhibit "A", a modified Port of Friday Harbor Waterfront & Marina plan. He noted the general staff recommendation for approval of the application with conditions.

Richard Gutherie, proponent, spoke of the need for a permit and noted proposed changes and additions to the Marina shoreline and facilities.

At 8:28 PM, Mayor Cahail opened the hearing for public input.

Mr. Steve Simpson, Port Director, Port of Friday Harbor, defined "waterfront" in the area as "break of the slope". He noted a long-term goal of the Port is to have a public walkway along the waterfront.

Mr. Roger Bennett, of Seattle & Brown Island, spoke in support of the application.

Town Administrator Fitch expressed the need for the applicant to erect a minimum of 2 signs informing the public of areas of public access. He suggested public benches, of the type the Town is currently installing, be required on the viewing deck. The conveyance documents are to be prepared by the applicant for review by the Town Attorney. The Shoreline Substantial Development Permit to be subject to the current Town sign ordinance and the existing and pending Shoreline Master Program. Mr. Fitch some existing signs would have to be reduced in size or removed, including the "Shell" sign on the end of the pier.

Mr. Gutherie agreed with the Town Administrator. He requested that motorcycles currently using the public viewing deck be policed by the Town. Additionally, he requested that if the "Shell" gas sign is to be removed, the "Texaco" sign on the adjacent fuel dock owned by the Port of Friday Harbor also be required to be removed.

Town Administrator Fitch noted said "Texaco" sign is the subject of an upcoming hearing. The staff recommendation would be consistent.

Councilmember Roberts inquired of Attorney Eaton regarding penalties for after-development permit applications.

Attorney Eaton noted San Juan County has provisions for doubling application fees. The Friday Harbor Municipal Code does not have a similar provision.

Town Administrator Fitch and Attorney Eaton remarked on "miscommunications" between the applicant, Town, and Department of Ecology.

Councilmember Nash asked Mr. Simpson to clarify certain points of the Port's position on the application.

Mr. Simpson noted the burden is on the applicant to re-route public access. The Port's primary concern is public safety.

At 8:50 PM, Mr. Gutherie remarked that the area is not a park, but a working marina. He asked that it be understood with the Town and the Port that the marina operator can control public access on a short-term basis for public safety reasons. Town Administrator Fitch and Mr. Simpson concurred.

At 8:53 PM, Mayor Cahail closed the public input portion of the hearing with the same condition as previously specified.

At 9:02 PM, Councilmember Dickinson moved and Councilmember Nash seconded to approve the application with the conditions recommended by Richard Butler & Associates 12/27/89 report with the addition of a hard surface rather than gravel in the boat display and storage area. Additionally, as conditions of approval it was stipulated that the property conform with the current Town sign ordinance, that public access be noted by signs, that benches be provided for the public, easement be prepared by the applicant, and that public access can be restricted, if necessary, during working hours for safety reasons.

Attorney Eaton recommended that a time period for compliance with the conditions be specified. Town Administrator Fitch suggested October 1, 1990.

Councilmember Dickinson amended her motion to specify compliance with the conditions within 6 months.

All Councilmembers voted in favor of the motion with Councilmember Roberts abstaining.

At 9:05 PM, Town Administrator Fitch introduced draft ordinance #793, an ordinance-amending Ordinance #574 and Chapter 10.04.070 Friday Harbor Municipal Code, concerning time limit parking.

Town Administrator Fitch noted changes from the ordinance currently in effect.

At 9:10 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adopt Ordinance #793. The motion passed unanimously.

At 9:13 PM, Mr. Bill Meursing, Friday Harbor, reported on his goodwill trip to Terschelling, the Netherlands, an island off the north coast of Holland. Mr. Meursing noted similarities and differences between the Town and San Juan Island and Terschelling. He spoke of the possibility of developing a sister-city relationship with Terschelling. He conveyed the Mayor of Terschillings' gratitude for the gift of books and map from the people of the Town of Friday Harbor. Additionally, he noted that he had a videotape of the islands converted to the European VCR format for the people of Terschelling.

Mr. Meursing presented a gift of photographs, maps, and brochures from the people of Terschelling to the people of Friday Harbor. In addition, he presented commemorative coins from Terschelling to the Council and staff.

Mayor Cahail thanked Mr. Meursing for his efforts in representing the Town of Friday Harbor and promoting the sister-city relationship.

Mr. Meursing remarked that the Town should be receiving a letter from the Mayor and Council of Terschelling soon.

The Council asked Mr. Meursing about various aspects of life on and in Terschelling.

Mayor Cahail and Council thanked and applauded Mr. Meursing for being the Town of Friday Harbor's ambassador and hoped he would continue.

At 9:31 PM, Mayor Cahail introduced draft resolution #758, a resolution authorizing the Mayor to execute a grant contract with the Washington State Department of Community Development for the purpose of partially funding a Town Long Range Development Plan.

Councilmember Dickinson moved and Councilmember Roberts seconded to adopt Resolution #758. The motion passed unanimously.

At 9:38 PM, Mayor Cahail introduced draft resolution #759, a resolution authorizing the Mayor to execute a contract with a private consulting firm, Community Development by Design, for the purpose of developing and conducting a user survey of Friday Harbor.

Town Administrator Fitch explained funding particulars of the 2 resolutions. He described how the Town monetary contribution, pledged funds, and in-kind services would be applied as a matching amount.

Councilmember Roberts moved and Councilmember Potter seconded to adopt Resolution #759. The motion passed unanimously.

At 9:48 PM, Marsha McNally, Community Development by Design, presented a status report on the community survey project. She described the survey methodology and stated that 2 survey forms will be mailed to every mailing address on the island. Additionally, she invited all to the "kick-off" event at the Town Fire Station on Saturday April 7th from 12 to 1 PM.

The Council and audience discussed the survey and goals with Ms. McNally.

Councilmember Nash suggested the wastebaskets at the Post Office be checked following the mass survey mailing. Community Development by Design will recruit a volunteer to monitor discarding of surveys at the Post Office.

At 10:25 PM, Mayor Cahail introduced draft resolution #760, a resolution authorizing the Mayor to execute a contract with the Washington State Department of Ecology for installation of ground water monitoring wells at the Solid Waste facility.

Town Administrator Fitch gave a brief description of details of the grant.

At 10:29 PM, Councilmember Roberts moved and Councilmember Potter seconded to adopt Resolution #760. The motion passed unanimously.

At 10:34 PM, the minutes of the previous meetings were approved as submitted.

At 10:35 PM, Councilmember Roberts expressed concern over "demolition" work being carried on at the Evergreen Park site. He stated that any action on park land should require prior Council approval. Councilmember Roberts requested a Council response.

Councilmember Athearn concurred with Councilmember Roberts as to Mr. Greenway's actions, but agreed with the Town Administrator's response in mitigating a potentially "explosive" situation.

Councilmember Roberts stated that Mr. Greenway's "improvements" were unacceptable as outlined in Town Administrator Fitch's memo of 3/29/90 to the Evergreen file. If the staff could design actual improvements to be instituted by Mr. Greenway that would be acceptable.

Mayor Cahail noted that the above referenced memo specified a "usable contour."

Planner Miller remarked that if unstable slopes have been created, Council can require that the slopes be repaired.

Attorney Eaton stated that nobody has the right to go onto public property and alter it without permission. The law would require that the property be returned to its original condition.

Councilmember Roberts noted that "necessary improvements" would require site plans, elevations, and Council approval prior to modification. "The Council should make a response.

Councilmember Nash felt the problem stemmed from a misunderstanding of the separation of legislative and administrative functions.

Town Administrator Fitch noted that the Town crew is doing essentially the same modifications on Town property adjacent to the Wastewater Treatment plant to develop land suitable for park use.

Councilmember Roberts reiterated his position that private use of public land requires prior Council approval. He suggested that Council either require Mr. Greenway return the park to its original condition or require Mr. Greenway to provide a detailed development plan. He noted that Mr. Greenway might have created a drainage problem on the park while alleviating a drainage problem for himself on adjacent property.

Councilmember Athearn noted the need for ordinances to prevent similar future situations and prevent "messes" in future subdivision developments. "We can't let this happen again. The ordinances should be more specific."

Attorney Eaton stated that when the park was dedicated it became public property. Also, development plans should be much more detailed. The location of trees, roads, parking, etc. should be specified. He noted it is a staff function to provide those specific recommendations. The Council should heed and not modify said recommendations without careful consideration.

Planner Miller mentioned the need for strong subdivision ordinances and noted the Town planning staff can provide same.

At 11:17 PM, Councilmember Nash left the meeting.

The Council, with the exception of Councilmember Roberts, affirmed support for the Town Administrator's actions in the above incident.

At 11:25 PM, Treasurer Picinich the Council had received a copy of the Town of Friday Harbor Annual Report submitted to the State.

At 11:27 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to go into executive session to discuss litigation. Attorney Eaton noted that he would be asking the Council to take action upon leaving executive session. The motion passed unanimously.

At 11:47 PM, Councilmember Athearn moved and Councilmember Roberts seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

Mayor Cahill introduced draft resolution #762, a resolution approving an out of court settlement in the matter of Islands West Retirement Center Associates vs. the Town of Friday Harbor.

At 11:49 PM, Councilmember Roberts moved and Councilmember Potter seconded to adopt Resolution #762. The motion passed unanimously.

Attorney Eaton delivered to Town Administrator Fitch Islands West Retirement Center check #2444 for \$85,000.00 signed by Doreen Carter.

The Council and Attorney Eaton discussed a letter to the Journal of the San Juan's expressing personal opinions written by Martha Freehauf, a member of the Town of Friday Harbor Planning Commission and indicating membership in the Planning Commission.

Attorney Eaton commented on potential future appearance of fairness problems.

The consensus of Council was to have Attorney Eaton contact said member and discuss the matter. Attorney Eaton indicated he would do so.

Councilmember Roberts expressed concern over his role of Councilmember vs. his rights as a private citizen.

Attorney Eaton explained that Councilmembers take an oath of office and by such need to scrupulously observe the law.

At 12:00 AM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - April 19, 1990 @ 1:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

The minutes of the previous meetings were approved as submitted.

At 7:35 PM, Town Administrator Fitch introduced and read a petition from residents of Spruce Street requesting a 20 MPH speed limit for Spruce Street.

Mr. Bill Brant, 365 Spruce Street, spoke of the presence of elderly residents on Spruce Street.

Town Administrator Fitch noted the extent of Spruce Street into Evergreen subdivision, I & II . Administrator Fitch also pointed out the provisions of RCW 46.61.415, 'When local authorities may alter maximum limits'.

The Council discussed the traffic situation in the area. Councilmember Roberts noted that by not requiring curb, gutter, and sidewalks in the development, the Town had, in effect, directed pedestrian traffic into the street.

At 7:45 PM, Councilmember Roberts moved and Councilmember Potter seconded to have Town Administrator Fitch prepare a draft ordinance setting a 20-MPH speed limit on all streets in the Evergreen subdivision. The motion passed unanimously.

At 7:48 PM, Mayor Cahail inquired if Ms. April Taylor was present to submit her scheduled presentation regarding San Juan Island Tour & Transit Company (said presentation was postponed from 4/5/90). Ms. Taylor was not present.

Council reviewed the draft Facts & Findings for the Molly J. Boyd Shoreline Substantial Development Permit #46. At Councilmember Dickinson's request, Town Administrator Fitch will include a drawing of the proposed dock in the Facts & Findings.

At 7:54 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to accept the Facts & Findings, noting the location of the proposed dock, and with the above modification. The motion passed unanimously.

Town Administrator Fitch introduced the draft Facts & Findings for the San Juan Marina Shoreline Substantial Development Permit #42.

At 7:57 PM, Councilmember Dickinson moved and Councilmember Athearn seconded accept the Facts & Findings. The motion carried, Councilmember Roberts abstained.

At 7:58 PM, Mayor Cahail again inquired if Ms. April Taylor was present. There was no response.

At 7:59 PM, Council heard a presentation by Mr. Mark Smith, Town & Country Mobile Home Park, regarding the method used to determine sewer utility rates for mobile home parks.

Various residents of the Town & Country Mobile Home Park spoke in support of Mr. Smith's position. Concerns about low and fixed income park residents were mentioned.

Councilmember Roberts suggested that the issue be the topic of a work session.

Councilmember Potter thanked residents of the Town & Country Mobile Home Park for attending the meeting.

The Council assured the residents they would review the matter as soon as possible.

Mayor Cahail noted that all meetings are open to the public and notice is published in the paper.

The Council scheduled the work session for May 2, 1990 at 7:30 PM.

At 8:35 PM, Mayor Cahail again inquired if Ms. April Taylor was present. There was no response.

At 8:36 PM, Town Administrator Fitch presented the Administrator' s report.

He summarized results of the first Sign Ordinance variance request hearing before the Planning Commission and itemized changes to the Sign Ordinance suggested by the Planning Commission.

Planning Commission member Frank Boling explained Planning Commission reasoning behind the suggested alterations.

Councilmember Athearn recommended a joint Council/Planning Commission work session to review the suggestions.

Mr. Boling requested Council take action on Section IV, 4B, Variance Procedures.

The consensus of Council was to take up the matter at the May 2nd work session. The Council extended an invitation to the Planning Commission to attend.

Attorney Eaton mentioned that if a quorum of Planning Commission members is anticipated at the above meeting, the Planning Commission should continue their April 26th meeting to May 2nd.

Town Administrator Fitch noted planned Earth Day cleanup activities at South Beach on Saturday, April 21 from Noon to 2:00 PM. All are invited. A Town staff cleanup team will participate.

Town Clerk Dubail reported on the 1990 Housing Unit & Population Report for the Washington State Office of Financial Management, Forecasting Division. Mr. Dubail explained the methodology used to obtain the estimate. He noted that the estimated population of the Town of Friday Harbor as of April 9, 1990 was 1,699.

Treasurer Picinich reported on her attendance at the Washington Municipal Treasurers Association conference the previous week.

At 9:13 PM Councilmember Roberts moved and Councilmember Potter seconded to appoint Mr. William Appel, Seattle, as acting Town Attorney at no fee to present a draft ordinance.

At Mayor Cahail's inquiry as to the appointment procedure for the Town Attorney, Town Attorney Eaton noted that the Town Attorney is appointed by the Mayor and not subject to Council confirmation per RCW 35.27.070.

Councilmember Roberts withdrew his motion.

Councilmember Potter withdrew her second.

At Councilmember Roberts' request, Mr. William Appel presented for Councilmember Roberts, draft ordinance #794, an ordinance declaring a moratorium on all building permits, sewer and water connections, and subdivision, providing for periodic review thereof, directing the preparation of an integrated comprehensive plan, and declaring an emergency.

Mr. Appel gave a brief review of his background. Mr. Appel noted that at no time did 3 Councilmembers meet with him concurrently, that at one point when a third Councilmember did enter the room one of the other Councilmembers left without finishing their coffee.

At 9:22 PM, Councilmember Roberts moved and Councilmember Athearn seconded to continue the meeting, after the scheduled executive session, to 8:00 AM, Friday April 20, 1990.

Council discussed the motion. Councilmember Athearn noted the rapid growth in the Town.

Councilmember Nash spoke of the code of ethics he felt were imperative of a Councilmember. He noted that he and Councilmember Dickinson had no prior knowledge of the proposed ordinance and stated that the method of introduction "was the most devious, dishonest, and unethical introduction of legislation I've ever seen.

Councilmember Roberts stated he felt a public hearing on the topic would be detrimental to the Town and that "He had the best interests of the Town at heart."

Mayor Cahail asked the Council why it took them so long to get things accomplished.

Councilmember Athearn spoke of previous discussions concerning weekly meetings. She felt the proposed ordinance would give the Council "breathing room" to enact new land use legislation.

Councilmember Roberts felt the problem was the Council's inability to make "hard" decisions.

Councilmember Dickinson asked that a vote be taken on the motion on the floor.

At 9:42 PM, The motion passed, Councilmember Nash, nay.

Attorney Eaton noted that as he was not consulted, and had no knowledge of the proposed ordinance prior to 2:45 PM this date, he would not put himself in a position to offer legal advice to the staff or Council on draft ordinance #794.

Mr. Appel offered his services to the Town and wished to explain the legal implications of pending State legislation.

Councilmember Nash reiterated he felt the issue was "downright dirty pool".

Mayor Cahail noted that the meeting the following morning would be open for public comment.

Councilmember Roberts suggested that public input be limited to one hour.

At 9:50 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to go into executive session to discuss pending litigation.

Town Administrator Fitch noted that the Council may be requested to take action after returning to regular session.

The motion passed unanimously.

At 10:05 PM, Councilmember Roberts moved and Councilmember Athearn seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 10:07 PM, Councilmember Nash moved and Councilmember Potter seconded to authorize Town Attorney Eaton to tender a release of all claims, demands, damages, or causes of action, on account of the Town of Friday Harbor's widening of Argyle Avenue in 1987, to Dennis Harkless and Sherry McCarthy, and authorize the disbursement of \$5,397.01 upon receipt of the signed release. The motion passed unanimously.

At 10:12 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to recess to 8:00 AM, April 20, 1990. The motion passed, Councilmember Nash, nay.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - April 20, 1990 @ 8:00 AM continued from April 19, 1990.

The Town Council met in continued session with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch & Fire Chief Galer

Mayor Cahail informed the audience that although this is not a public hearing, public input may be allowed. He noted that at the April 19, 1990 meeting the draft ordinance had been designated #794, and the introduction of the draft ordinance had been read and was considered the first reading.

Councilmember Roberts summarized events leading to the introduction of draft ordinance #794. He asked that Mr. William Appel, attorney, read the draft ordinance. Mr. Roberts noted that the purpose of the meeting is for Council deliberation. Mr. Appel began to read the draft ordinance into the record.

At 8:10 AM, Councilmember Roberts requested that the phrase "and declaring an emergency" be deleted.

Mr. Appel explained his interpretation of an emergency clause that it was a "belt and suspenders" phrase, was redundant, and could be deleted.

Councilmember Athearn expressed her feeling that a majority plus one vote on the emergency was necessary to indicate consensus of Council.

The above mentioned phrase was not deleted.

Mr. Appel read the remainder of the draft ordinance.

At 8:23 AM, Councilmember Roberts moved to adopt ordinance #794 without revision.

Hearing no second, Mayor Cahail declared the motion dead.

At 8:26 AM, Councilmember Roberts stated "that at this time, Mr. Mayor, I would like to resign from the City Council of the Town of Friday Harbor

At this point Councilmember Roberts left the meeting.

Councilmember Athearn inquired if any in the audience had alternatives for controlling growth.

Mr. Gerry King, Friday Harbor, spoke against the hurried manner in which the proposed ordinance was introduced.

Mr. Frank Boling, Friday Harbor Planning Commission, remarked on the current Town survey in progress and the efforts of the Planning Commission.

Mrs. Martha Freeauf, Friday Harbor Planning Commission, spoke against growth and noted her perception of the cost of infrastructure and growth.

Councilmember Potter spoke in support of some type of short-term moratorium. She commented that the Town needs planning, time to act rather than react.

Mr. Robert Greenway, Friday Harbor, held that the problem had been going on for 12 years. He felt that the draft ordinance was illegal.

Mr. Ralph Stockwood, San Juan Island, felt the burden of plan development was on all members of the Town.

Councilmember Potter explained that she didn't second the motion because the issue needed public input.

Mr. William Percich, San Juan Island, suggested time be scheduled for public input.

Ms. Irene Warner, Roche Harbor, inquired about Robert's Rules of Order.

Mr. Bob Brittain, Friday Harbor, discerned a feeling implicit in the draft ordinance of "I got mine". He remarked that for most people property and a home are major investments. He commented on the need for planning and more Council meetings. He declared the matter should be an issue for public input.

Mr. Tim Gambrel, Friday Harbor Planning Commission, inquired if the purpose of the proposed ordinance was to control growth or evaluate the Town water and sewer systems.

Councilmember Athearn responded that the intent of the ordinance was to gain time to update land use regulations.

Mr. Boling read the second paragraph of his April 20, 1990 letter to the Town Council; "When the Community Development by Design people ... were explaining the proposed survey to the members of the Planning Commission and other interested parties, a question was raised regarding building moratoriums. Their response was that such measures are usually counterproductive and impede the whole planning process more than they help".

Mr. William Giese, Friday Harbor, asked how the proposed ordinance came about.

At 8:42 AM, Mayor Cahail summarized events leading to the introduction of the draft ordinance.

Councilmember Dickinson noted implications of Section 4 of Engrossed Substitute House Bill #2929 as noted on page 2, paragraph 3 of draft ordinance #794.

Councilmember Nash commented on his understanding of the above noted paragraph. He remarked on efforts by the Town, County, and Port District for the last 3 years. He added that he felt the proposed ordinance should have been introduced as a normal piece of legislation. He congratulated Councilmembers Athearn and Potter for not going along with the "subterfuge".

Ms. Athena McIntyre inquired about procedure in modifying an ordinance.

Councilmember Athearn spoke in regard to the emergency provision.

Mayor Cahail stated that Councilmember Roberts position will be filled by appointment of Council.

Ms. Sandy Richard, San Juan Island, felt the issue did need to be discussed.

Councilmember Nash reiterated problems with the method of introduction of the proposed ordinance. He believed the issue should be discussed at an announced meeting.

Mr. Jim Capron, Friday Harbor, surmised that the Council was overworked, they should better utilize the Planning Commission. The Council was "swamped". He felt there would be a lot of public support to help the Planning Commission.

Mr. Boling asked that all complete the Town of Friday Harbor Community Survey.

Ms. McIntyre asked if there is an emergency with the water and sewer systems.

Mayor Cahail responded that the systems are functioning.

Mrs. Linda Browne, Friday Harbor, asked if the Comprehensive Plan update process could be speeded up.

Mayor Cahail inquired if the Council wished to accept the resignation of Councilmember Roberts. Councilmember Dickinson indicated it would be appropriate for Councilmember Roberts to submit his resignation in writing.

Councilmember Potter noted that Councilmember Roberts cared about the Town and should be thanked for his service.

Mr. Robert Starr, Friday Harbor, asserted that the infrastructure of the Town should be upgraded to accommodate growth. He stated that if you "stop people" you get a "dead town".

Mrs. Lee Sturdivant, Friday Harbor, asked if the question of a moratorium and the vacant Council position could be considered in the November election.

Mrs. Sonnie King, Friday Harbor, expressed the view that all were present because "we love it here". She asked for more community input, "both sides should work together", the community should not be divided.

Councilmember Nash spoke of community cooperation during the 1988 moderate water crisis.

At 9:05 AM, Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - May 2, 1990 @ 7:30 PM

The Town Council met in regular session.

Councilmember Dickinson moved and Councilmember Potter seconded to appoint Councilmember Nash Mayor Pro tem for 1 month. The motion passed, Councilmember Athearn, Dickinson and Potter - Aye.

Members present: Athearn, Dickinson, Nash, & Potter

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

Attorney Eaton read RCW 35.27.160 "Mayor-Duties-Powers-Mayor Pro tempore", which provides for a designated Mayor Pro tem.

Mayor Pro tem Nash introduced the first agenda item; a work session on sewer utility rates for mobile home parks.

Town Clerk Dubail presented the staff report on the request by Mr. Mark Smith, owner, Town & Country Mobile Home Park (T&C MHP), for an alternate wastewater rate determination method. Mr. Dubail distributed to Council his May 1, 1990 memo concerning the "one pipe - one charge" philosophy underlying the water and wastewater rate structures.

After discussion, the Council directed staff to prepare revenue projections on the effect of modifying the wastewater utility rate structure for the T&C MHP to allow wastewater base charges to be charged to each of the 64 residential uses to be metered through the existing 2 water meters and 1 wastewater base charge for all T&C MHP commercial uses to be metered through a new 1" commercial meter.

At 8:40 PM, Mr. Frank Boling, Friday Harbor Planning Commission, presented the Planning Commission's suggested changes to Ordinance #766 (Signs).

Attorney Eaton mentioned that variances previously granted by the Planning Commission for prohibited signs are void variances.

Mr. Boling's perception was that the Council would review any variances granted by the Planning Commission.

Mr. Boling and the Council discussed the intent of the Ordinance sections dealing with prohibited signs and variance procedures.

Mr. Boling stated that the Planning Commission requests either deletion of Section XI, PROHIBITED SIGNS, Item 10, Sandwich boards or "A" frame signs, or allow variances for same. He also requested a mechanism be established to permit variances for previously existing prohibited signs, new signs of the same type would still be prohibited.

Town Administrator Fitch noted that the phrase "previously existing" did not come up in Planning Commission discussions.

Mr. Boling concurred.

Town Administrator Fitch and Attorney Eaton noted potential danger to the public inherent with "A" frame type signs in the public R.O.W.

Attorney Eaton recommended not passing an ordinance that is not enforceable.

Mr. Boling asked that barber poles be specifically allowed. Mr. Boling and the Council discussed "traditional" signs.

At 9:00 PM, at Mayor Pro tem Nash's inquiry, the consensus of Council was to allow barber poles.

Planner Miller spoke of safety concerns with non-fixed (sandwich board, "A" frame) signs.

Mary Smith, Friday Harbor Planning Commission, voiced Planning Commission concerns with sandwich boards.

Mr. Boling explained Planning Commission reasoning in granting variances to prohibited signs. He asserted that the Planning Commission variances were "actually null and void ... unless Section XI, #10 is stricken from the ordinance or there's a change to Section VIII wording" to allow the Planning Commission to grant variances to prohibited signs.

Councilmember Potter noted a "Catch 22" situation; first its prohibited, but then we may grant a variance.

Planner Miller remarked that a variance does not allow something that is not already allowed in that zone. It alters the way the ordinance addresses that property because of specific circumstances.

Councilmember Athearn noted that Friday Harbor Municipal Code 17.52, VARIANCES, spells out the conditions for granting a variance.

Attorney Eaton noted that variance procedures were also spelled out in the Sign Ordinance in Section IV,4(C). Mr. Eaton noted that the provisions of the variance criteria are rarely properly applied. Mr. Eaton spoke of the hours of thought and work that went into formulating the Sign Ordinance and cautioned against altering that effort without careful consideration.

Mr. Boling spoke of his interest "in not just living up to the letter of the law but of an interest in justice, and justice is not necessarily served by ordinances".

Town Administrator Fitch pointed out that the staff recommendations were based on Section I, PURPOSE, of the Sign Ordinance.

Planner Miller commented that the purpose of variance criteria was to ensure enforcement was not done in an arbitrary manner.

Mr. Boling suggested the Council follow Robert's Rules of Order in regard to discussion.

Councilmember Dickinson explained established Council procedure in announced work sessions. Mr. Boling stated that the variances issued by the Planning Commission last week were "conditional" variances.

Town Administrator Fitch will prepare a draft ordinance change to allow barber poles.

At 9:50 PM, Mayor Pro tem Nash moved and Councilmember Dickinson seconded to amend Ordinance #766, Section IV 4(b), to read as follows: "That the granting of the variance will not be injurious to property improvements in the vicinity and zone or detrimental to the public welfare". The motion passed unanimously.

At 9:55 PM, Town Administrator Fitch expressed concern with enforcement of Section VIII, GENERAL REQUIREMENTS, Item #5, "No illuminated sign, including vending machines with internal illumination, shall be illuminated unless the enterprise is open for business and then it may remain on only as long as the business is open". He inquired as to the intent of Council.

At 10:00 PM, Councilmember Athearn suggested Planner Miller provide Council with his recommendations in regard to the Sign Ordinance.

Attorney Eaton suggested Council give some thought to "advertising noises".

At 10:05 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Albert M. Nash, Mayor Pro tem

Steven Dubail Town Clerk

Town Council - May 3, 1990 @ 12:30 PM

The Town Council met in regular session with Mayor Pro tem Nash presiding.

Members present: Athearn, Dickinson, Nash, & Potter Others present: Town Administrator Fitch, Treasurer Picinich

The Council reviewed the claims against the Town.

At 12:50 PM, Councilmember Dickinson moved and Councilmember Potter seconded to approve the payroll and pay the bills with the exception of Warrant #02155 in the amount of \$480.08 to Mustang Manufacturing, Inc. for an invoice submitted by the Fire Department. Approved claims totaled \$70,803.03.

Town Administrator Fitch will report on departments with line items over budget at the May 17th meeting.

At 12:54 PM, Town Administrator Fitch introduced draft resolution #763, a resolution authorizing the purchase of a 1965 Kenworth tanker truck for the purpose of hauling sludge.

Council deferred a decision on the resolution until conferring with Maintenance Supervisor Reitan.

At 1:00 PM, Town Administrator Fitch introduced draft ordinance #796, an ordinance amending ordinance #574 and Chapter 10.04.070, Friday Harbor Municipal Code, concerning time limit parking.

Town Administrator Fitch noted that Section A, 4 & 5, and Section E were the only Sections changed from Ordinance #793. Changes were necessitated by an oversight in Ordinance #793.

At 1:07 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adopt Ordinance #796. The motion passed unanimously.

Town Administrator Fitch mentioned that he had been notified that the Town & Country Mobile Home Park had shut down the recreational vehicle holding tank dump station.

At 1:15 PM, Maintenance Supervisor Reitan arrived.

The Council inquired about conversion costs of the proposed sludge truck.

Maintenance Supervisor Reitan stated he anticipated minimal conversion expense.

Councilmember Athearn moved and Councilmember Potter seconded to adopt Resolution #763. The motion passed unanimously.

At 1:18 PM, Mayor Pro tem Nash asked the Council to review Council ordinance consideration procedure. He suggested that ordinances suggested for adoption on the same day as they are introduced require an affirmative vote of 80% of the Council.

The Council and Town Administrator Fitch discussed possible procedures and the relative merits of the Mayor/Council and Council/Manager forms of government available to fourth class municipalities.

Town Clerk Dubail mentioned the concept of "Council Rules" utilized by other municipalities.

Mayor Pro tem Nash inquired about the presentation by Martha Freeauf of a petition in support of a temporary moratorium on further development in Friday Harbor, as scheduled for the May 3, 7:30 PM Council meeting.

Councilmember Dickinson expressed reservations about deviating significantly from the published agenda.

Councilmembers Potter and Athearn concurred.

The Council and Town Administrator Fitch discussed the intent of separation of powers philosophy.

Mayor Pro tem Nash commented that Council should be legislative, not attempt to be executive or administrative.

The Council and Town Administrator Fitch noted changing perceptions of the role of Council.

As to the scheduled presentation of the petition, the consensus of Council was to follow the published agenda.

Town Administrator Fitch noted that any planning decision has a capital component, "every action has a price tag".

Councilmember Athearn mentioned changed state legislation in regard to impact fees.

Councilmember Potter requested that Council consider a series of work sessions or a retreat to discuss goals and a long-range financial plan.

Town Administrator Fitch spoke of the intent of the Town's utility comprehensive plans to provide financial direction.

At 1:57 PM, Maintenance Supervisor reported:

The Town reservoir is currently 24" below the spillway and holding at that level. The reporting station at the Water Treatment plant has received 4" less rainfall during the November through April recovery period than during the previous recovery period.

He noted progress on utility replacement in conjunction with the Second/Guard Street project and increased traffic in the project vicinity.

He remarked on the superb performance of the crew and cooperation among the various utilities.

Mr. Reitan indicated that 2 manholes would be added to the sewer system during the project.

Town Administrator Fitch informed the Council that the Department of Ecology has rendered a 122 item response to the draft Joint Solid Waste Management Plan. A meeting is scheduled in the Council Chamber on May 8th at 1:00 PM to discuss same.

Maintenance Supervisor remarked that the Department of Ecology initially recommended and provided funding for the incinerator.

In regard to the Second/Guard Street project, replacement water mains and service lines are being installed at a depth of 4 feet below grade to the top of the pipe.

At 2:10 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

Albert M. Nash, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - May 3, 1990 @ 7:30 PM

The Town Council met in regular session with Mayor Pro tem Nash presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

A large audience was present.

The minutes of the previous meetings were approved as amended.

At 7:36 PM, Attorney Eaton asked Councilmember Roberts his intentions regarding his verbal resignation of April 20, 1990.

Councilmember Roberts stated that due to public request he withdrew his resignation.

There was a disturbance in the audience.

Attorney Eaton informed the audience that the Council can clear the chamber if the meeting becomes disorderly.

At 7:40 PM, Town Administrator Fitch introduced draft ordinance #795, an ordinance amending Ordinance #574 and Chapter 10.04.075, Friday Harbor Municipal Code, concerning vehicle traffic restrictions.

Draft ordinance #795 was given first reading.

At 7:44 PM, Town Clerk Dubail presented preliminary projections on the effect of modifying the sewer utility rate structure to provide an alternate method of charging the Town & Country Mobile Home Park (T&C MHP).

After discussion, Town Administrator Fitch suggested modifying the wastewater utility rate ordinance for the T&C MHP to allow wastewater base charges to be charged to each of the 64 residential uses to be metered through the existing 2 water meters and 1 wastewater base charge for all T&C MHP commercial uses to be metered through a new 1" commercial meter.

Mr. Mark Smith, owner of the T&C MHP, will perform all necessary piping modifications and pay any applicable fees for the new 1" commercial meter.

Town Administrator Fitch recommended a 3-month trial period of the alternate rate method. The Sewer Use charge of .00770 per gallon would not be raised during the trial period.

Verification of use and the status of the recreational vehicle holding tank dump facility were discussed.

Town Administrator Fitch will prepare a draft ordinance with the above changes for presentation at the May 17th meeting.

At 8:00 PM, Councilmember Dickinson presented a report on harbor jurisdiction discussions with San Juan County. She noted ongoing dialogue with County representatives.

Attorney Eaton spoke of County concerns with the method of determining the jurisdiction line.

A member of the audience expressed anxiety over tempers in the crowded room.

Attorney Eaton requested the audience be as courteous as possible.

At 8:10 PM, Mr. Robert Greenway, Friday Harbor, asked about conflicting newspaper reports concerning meeting that led to the introduction of draft ordinance #794 on April 19, 1990.

Mayor Pro tem Nash inquired as to the status of Town responsibilities in regard to harbor jurisdiction.

Attorney Eaton responded that the process is moving again with the County and presumed a positive resolution of the issue.

Members of the audience requested a larger location for a scheduled presentation of a petition in support of a temporary moratorium on further development in Friday Harbor.

Councilmember Dickinson recommended following the agenda.

Town Administrator Fitch suggested Council move on to the 8:30 PM scheduled agenda item and receive the presentation and, if necessary, schedule a special meeting at a larger location.

At 8:20 PM, Mrs. Martha Freeauf, 725 Guard Street, presented said petition. She indicated there were 320 signatures on the petition. Mrs. Freeauf then read a prepared statement of her concerns.

Council discussed the presentation of the petition.

Councilmember Dickinson suggested a full and separate meeting to discuss the issues expressed. She requested that people come with constructive ideas.

Mrs. Freeauf asked if input could be taken from the public at this time.

Councilmember Potter suggested that adequate public notice of the subject and a larger site would be appropriate.

Mayor Pro tem Nash suggested a public meeting rather than a public hearing.

Attorney Eaton outlined options open to the Council. He recommended that public notice of the meeting be given. Additionally, he recommended a sign-up sheet at the meeting for people wishing to speak.

Ms. Maureen Des Rosiers, Friday Harbor, asked that a proposal to be considered be published.

Mr. Brian Brown, San Juan Island, inquired as to when the results of the community survey would be available.

Town Administrator Fitch replied that the results are scheduled for presentation at the second regularly scheduled June Council meeting, June 21st.

At an inquiry from the audience, Mayor Pro tem Nash stated that if letters received in regard to the above mentioned petition were read into the record this evening, all in attendance should be allowed an opportunity to speak.

Mr. Roger Owen suggested waiting for the survey results.

Mr. Tom Nawrocki offered the Friday Harbor Motor Inn facility for the suggested meeting. He also suggested that the Community Theater might be an appropriate venue.

Town Administrator Fitch suggested presenting the survey results at the same meeting.

The consensus of Council was to schedule the meeting for June 21, 1990.

A member of the audience pointed out that a lot of effort had gone into the survey and it may be inappropriate to schedule the presentation of the survey results and the moratorium discussion for the same meeting.

Mayor Pro tem Nash requested that Town Administrator Fitch works out the mechanics of setting up the meeting and keeps the public informed.

At 8:40 PM, Attorney Eaton requested Council hold an executive session this evening to discuss potential litigation. He would not request the Council to take action, at this meeting, on the item discussed in the executive session.

At 8:41 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn to executive session. The motion passed unanimously.

At 8:50 PM, after a short recess to allow the audience to leave, the Council went into executive session.

At 9:09 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to return to regular session. No action was taken in executive session.

Town Administrator Fitch informed Council of a Transportation Improvement Board (TIB) request for a May 25th Council meeting to award bids for the Second/Guard Street project.

Councilmember Potter noted the upcoming Association of Washington Cities (AWC) convention in Wenatchee, June 12-15.

At 9:13 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

Albert M. Nash, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - May 17, 1990 @ 7:30 PM

The Town Council met in regular session with Mayor Pro tem Nash presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Planner Miller, & Fire Chief Galer

The minutes of the previous meetings were approved as amended. At 7:34 PM, Fire Chief Galer presented the Fire Chief's report.

Mr. Galer reported that fire calls year to date are behind last year. He felt it may indicate that the Fire Department's public education program was having the intended effect.

He noted his attendance at a seminar dealing with retention of volunteer firefighters and fire department budgeting.

Chief Galer mentioned that the next Fire Fighter Association community event is a pancake breakfast on Sunday, May 27th. The Friday Harbor Community Band will play while breakfast is served.

Chief Galer detailed communication problems between the Fire Department and the Water Department. The Fire Department needs to be kept advised of which fire hydrants have been deactivated and which roads are closed. He requested prior notification of the above items.

At 7:38 PM, the Council heard a presentation by April Taylor regarding San Juan Island Tour & Transit Company. This presentation was postponed from the April 19, 1990 meeting. Ms. Taylor recommended that Council not approve more than 1 taxi license in the Town of Friday Harbor until demand warrants. At Administrator Fitch's inquiry, Ms. Taylor stated she is currently running her tour bus as a taxi on an on-call basis. She indicated that the current number and placement of designated bus and taxi zones was sufficient.

At 7:43 PM, Town Administrator Fitch introduced draft resolution #764, a resolution authorizing the Mayor to execute an interlocal mutual aid agreement with San Juan Fire Protection District #3.

Administrator Fitch pointed out changes from the previous year's contract and mentioned on-going discussions with Fire District #3 concerning future agreements.

The Council discussed fire protection funding considerations.

At 7:50 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to adopt Resolution #764. The motion passed unanimously.

Town Administrator Fitch reported that an agreement had not been reached with Fire District #3 concerning the fireboat.

At 7:52 PM, Mayor Pro tem Nash gave second reading to draft ordinance #795, an ordinance amending Ordinance #574 and Chapter 10.04.075 Friday Harbor Municipal Code, concerning vehicle traffic restrictions. The areas primarily affected are in the Evergreen subdivision.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #795. After discussion, the motion passed unanimously.

At 7:55 PM, Mayor Pro tem Nash introduced draft resolution #766, a resolution authorizing the Mayor to execute a project agreement for a proposal for Transportation Improvement Board funding for the Second/Guard Street Project.

Town Administrator Fitch informed Council of the intent of the draft resolution and changes in the amount of matching funds required from the Town depending on the amount of the accepted

construction bid. The funding ratio will be either a 90/10 or 71/29 percent match. The bid deadline is 1:00 PM, May 23rd.

8:00 PM, Councilmember Roberts moved and Councilmember Potter seconded to adopt Resolution #766. The motion passed unanimously.

Mayor Pro tem Nash intro draft resolution #767, a resolution authorizing the Mayor to execute a contract with Gray & Osborne, Incorporated for construction engineering services for the Second/Guard Street Project.

Town Administrator Fitch informed Council of the intent of the resolution and the qualifications of the firm.

Council discussed their perception of the firm and the firm's role in the construction process.

At 8:06 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adopt Resolution #767. The motion passed unanimously.

At 8:08 PM, Town Administrator Fitch introduced draft ordinance #798, an ordinance concerning regulation of signs in the Town of Friday Harbor.

Planner Miller suggested a change in wording to Section 3 of the draft ordinance which changes Section XI, PROHIBITED SIGNS, in Ordinance #766. He suggested Section 3,3 be changed to read:

"Signs which flash, blink, oscillate, or revolve, with the exception that barber poles shall be permitted to revolve".

The Council concurred with the suggested change.

Council discussed the intent of Ordinance #766, Section VIII, GENERAL REQUIREMENTS, subsection 5, "No illuminated sign, including vending machines with internal illumination, shall be illuminated unless the enterprise is open for business and then it may remain on only as long as the business is open.

Councilmember Dickinson remarked that when a vending machine is lit it is open for business.

Town Administrator Fitch noted a change in Section 2 of draft ordinance #798 changing Ordinance #766, Section IV,2,(b) concerning variance procedures.

At 8:16 PM, draft ordinance #798 was considered to have been given first reading.

Town Administrator Fitch introduced draft ordinance #797, an ordinance amending Ordinance #600, #658, #727, and Friday Harbor Municipal Code Table I, Article II, and repealing Ordinance #785 in its entirety, concerning sewer user charges.

Administrator Fitch pointed out changes from Ordinance #785, specifically Section 2(k) and Section 3(c) dealing with the Town & Country Mobile Home Park. Mr. Fitch noted that the changes are case specific for the Town & Country Mobile Home Park.

At Councilmember Roberts's inquiry, Mayor Pro tem Nash indicated that discussion prior to a motion is permissible at the first reading of a draft ordinance.

Town Administrator Fitch stated that any new mobile home park would be required to install a meter per building. He also noted the Council's intent at the May 3rd, 7:30 PM meeting was to try the changes for 3 months and that the trial period was not to commence until the commercial use meter was installed.

Councilmember Athearn commented on the regression from the one pipe - one charge" philosophy.

Draft ordinance #797 was considered to have been given 1st reading.

At 8:26 PM, Town Administrator Fitch presented the Administrator's Report.

He asked the Council to consider continuing the meeting to May 25, 1990 at 1:00 PM for consideration of bid results for the Second & Guard Street Reconstruction Project.

Administrator Fitch reported on the May 8th meeting with the Department of Ecology concerning the draft Solid Waste Management Plan for the San Juan Islands.

At 8:38 PM, Town Administrator Fitch read a letter from the Port of Friday Harbor requesting interpretation of the Shoreline Act by the administrator of the Master Program concerning the possible exemption of the installation of portable restrooms adjacent to the Port Office. The restrooms are intended to serve the Port during maintenance and repair of their restroom facilities and will be removed by the second week of September.

Planner Miller explained his interpretation of exemptions under the Shoreline Management Act (RCW 90.58.030,E(I)). Mr. Miller deemed that the request to be considered exempt was valid.

The Council and staff discussed the request.

At Councilmember Athearn's inquiry, Town Administrator Fitch replied that the unit would be connected to a water meter that incurs a sewer charge.

The consensus of Council was that the exemption determination was an administrative matter.

At 8:47 PM, Town Administrator Fitch introduced draft ordinance #799, an ordinance extending a six-month moratorium on public hearings before the Planning Commission for certain land use matters and repealing Ordinance #772 in its entirety.

Administrator Fitch noted the need for additional time for the Planning Commission to continue work on drafting a new comprehensive plan.

At Councilmember Roberts inquiry, Planning Commission member Martha Freeauf stated nothing substantial had yet been accomplished on a new comprehensive plan. The Planning Commission is waiting for the results of the Community Wide

Survey.

Councilmember Roberts suggested that a time line be drafted for project completion.

Planner Miller remarked that the new Growth Management Act changed the scope of the project. He suggested closer involvement of the Town Planning staff in plan development. Additionally, he felt that 6 months maybe a period too short for completion.

Planner Miller will submit a memo to the Council and the Planning Commission detailing options and procedures.

Councilmember Roberts suggested Council discuss some of the previous land use concerns, particularly multi-family residential density.

Councilmember Dickinson expressed concern with single family residential and multi-family residential use in light industrial zones. She additionally noted that multi-family residential density is a quite an involved subject.

Planner Miller remarked that any legal challenges to land use most likely would be brought through the current comprehensive plan.

Councilmember Roberts asked that the topic be an agenda item.

In regard to draft ordinance #799, other than the effective period, the Council discerned no significant wording change from Ordinance #772.

At 9:05 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to adopt Ordinance #799. The motion passed unanimously.

Town Administrator Fitch presented a brief overview of Substitute House Bill #2929, the Growth Management Act of 1990. He pointed out the increased commitment of staff time and the extremely short compliance deadlines mandated by the Act. Implementation may necessitate changes to the 1990 Town budget.

Administrator Fitch mentioned that the Association of Washington Cities and the Association of Washington Counties are both scrambling to provide information. He expressed the need for the Council to formulate a position and convey same to the County.

Treasurer Picinich will report on transportation funding after attending a seminar next week. She mentioned various potentials funding sources. She summarized a recent legislative provision, which provides for a \$2.00 per month per living unit or employee utility fee to provide funding for streets.

At 9:20 PM, Mr. Dick Grout, San Juan County Planning Director, gave an overview of the history, intentions, and possible implications of the Growth Management Act. He stated that implementation "will cost more money and take more staff". The San Juan County Commissioners will decide whether to "opt out" by July 1, 1990. Mr. Grout will be reporting on the Act to the

County Commissioners by the end of the month. He also noted that proposed Initiative #547 is much more demanding than House Bill #2929.

Planner Miller remarked that the Act is a growth management act, not a growth-limiting act.

At 9:26 PM, Mayor Pro tem Nash mentioned a complaint from a citizen about the traffic situation at the First Street / Spring Street intersection.

Town Administrator Fitch noted that Bob Campbell, ferry agent, will be on the June 7th agenda to present his analysis of the new ferry traffic-unloading pattern.

Treasurer Picinich mentioned that she is researching additional funding for the Second/Guard Street Project.

The scheduled executive session was canceled because of the absence of legal counsel as required by RCW 42.30.110,1(i).

At 9:30 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to continue the meeting to May 25, 1990 at 1:00 PM. The motion passed unanimously

Albert M. Nash, Mayor Pro tem
Steven Dubail, Town Clerk

Town Council - May 25, 1990 @ 1:00 PM

The Town Council met in special session, Mayor Pro tem Nash presiding.

Members present: Athearn, Dickinson, Nash, & Potter

Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Maintenance Supervisor Reitan

Mayor Pro tem Nash stated that the purpose of this special meeting was for Council consideration of the construction bid results for the Second Street/Guard Street Reconstruction Project. Mr. Nash asked Town Administrator Fitch to proceed with the meeting.

Administrator Fitch called attention to a letter from Gray & Osborne, Project Engineers, dated May 24, 1990 regarding differences between the engineer's estimate and the contractor's bid. As stated in the letter, the only bid received was from Lakeside Industries of Anacortes, WA in the amount of \$537,414.98 for Schedules I & II Mr. Fitch introduced Ms. Tamara Nack, Engineer, from Gray & Osborne.

Ms. Nack explained project options open to the Town; primarily to shorten the project, narrow the road sections, or put the project out for re-bid. Ms. Nack noted, it has been her observation that a re-bid usually results in a higher second bid.

Ms. Nack spoke to price discrepancies on bid schedule items; #16, Gravel Borrow, #17, Asphalt Concrete, and #19, Crushed Surfacing.

Maintenance Supervisor Reitan explained construction material measuring procedures. He noted Lakeside Industries had initially responded with a \$55.00/ton price for Asphalt Concrete. He estimated a cost of approximately \$7500 for the Town crew to oil & rock surface Guard Street from Blair Avenue to Tucker Avenue.

Treasurer Picinich stated that the Town needed to acquire approximately \$43,000 to complete Schedule I and "clean up" Guard Street.

Ms. Nack estimated 70 working days for completion of Schedule I.

Various alternate construction and funding scenarios were discussed.

Treasurer Picinich recommended construction of Schedule I with the acquisition of additional financing and suggested that the Town reapply to the TIB to fund construction of Schedule II in 1991.

Town Administrator Fitch explained TIB/Town funding ratios.

Councilmember Dickinson remarked on safety factors at the Guard/Blair/Second Street intersection.

At 1:45 PM, at Councilmember Athearn's inquiry, Ms. Nack indicated that a contingency leeway was built into the project design to provide a "cushion" for unforeseen circumstances.

Maintenance Supervisor Reitan noted the high volume of traffic on, and the critical nature of, Second Street.

Ms. Nack added Gray & Osborne calculate an approximate vehicle volume of 4,600 cars per day on Second Street.

Councilmember Athearn expressed the concern that funds not be transferred out of the Street fund to the Arterial Street fund.

The consensus of the Council was to continue with consideration of the bid.

Ms. Nack pointed out that the contractor has 10 days to sign the contract and a further 10 days after the Notice to Proceed to commence work.

At 1:58 PM, Councilmember Dickinson moved and Councilmember Potter seconded to go into executive session to discuss pending litigation. The motion passed unanimously.

At 2:23 PM, Councilmember Potter moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

Town Administrator Fitch reported that, per a phone conversation in his office while the Council was in executive session, Mr. Charles Gibson, TIB, had authorized commitment of \$317,000 of TIB funds for construction of Schedule I.

Ms. Nack stated modification of the construction-engineering contract to \$32,500 from \$39,800.

Town Clerk Dubail read draft resolution #768, a resolution authorizing the Mayor to execute a construction contract for the reconstruction of certain portions of Second and Guard Streets with Lakeside Industries in the amount of \$373,407.00 to complete construction as specified in Schedule I of the bid documents.

At 2:35 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Resolution #768. The motion passed unanimously.

At 2:36 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to go into executive session at Attorney Eaton's request to discuss pending litigation. The motion passed unanimously.

At 2:42 PM, Councilmember Dickinson moved and Councilmember Potter seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 2:43 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

Albert M. Nash, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - May 31, 1990 @ 1:30 PM

The Town Council met in special session for a Public Hearing for continuation of Council deliberations for the Percich & Moorhouse Shoreline Substantial Development Permit application #41, Mayor Pro tem Nash presiding.

Members present: Athearn, Dickinson, Nash, & Potter

Others present: Town Administrator Fitch, Attorney Eaton, & Planner Miller

At 7:35 PM, Mayor Pro tem Nash opened the Public Hearing.

Town Administrator Fitch presented the staff report. He referred to his memo to the Mayor & Town Council of May 14, 1990 and pointed out that the four exhibits, "5", "T", "U", & "V", referenced therein, are on display in the Council Chamber.

Administrator Fitch then read a memo to the Mayor & Town Council dated May 31, 1990, noting that the memo consisted primarily of excerpts from the staff report prepared by Mr. John Verburg, previous Planning Consultant for the Town.

At 7:55 PM, Mayor Pro tem Nash asked the proponents to speak.

Mr. John Linde, attorney for the applicants, thanked the staff for working with the applicants. He referenced his April 27, 1990 correspondence to the Town, which detailed the applicants' response to the concerns expressed by the Council at the February 22 & February 26, 1990 Council meetings. Mr. Linde pointed out the leasehold provision with potential tenants to require tenants' employees to utilize an off-site parking lot. He noted that the applicants' previous offer, to help develop municipal parking, was still open.

Mr. Linde noted that the April 27 reply contained additional sign plan detail, a reduction in building size, improved building design, additional view deck, and provisions for off-street refuse storage and retrieval.

Mr. Linde spoke to the public benefits to be derived from the project and reiterated that the issue before the Council was not consideration of a park.

At 8:10 PM, Mayor Pro tem Nash instructed the audience and asked for comments.

Scott Schwinge, SJ Island, spoke against the project. Mrs. J. Crawford, 490 Friday Ave., spoke against the project.

Joe Miller, SJ Island, questioned the "shoreline dependency" of the project.

Jim Guard, SJ Island, noted that the Council's job isn't to be the project designer. The Council can accept or reject a proposal without requiring modifications. He felt there was no reason why the building couldn't be at an upland site. He also felt the losses to the public outweighed the benefits. Mr. Guard remarked on the lack of indication in the roof plan of any air handling/conditioning provisions, problems with size, and problems with the design of the parking lot.

Sandy Richard, SJ Island, commented on the proximity of the proposed parking lot to the Pay-less Express store. She felt the customers of Pay-less Express would use the lot. She suggested that the parking lot site be used to build the project.

Norm Schwinge, SJ Island, informed the audience that he had sold the San Juan Inn. He felt the project did not meet the spirit of the SMP, was too large for the site, and the parking lot was over four times too far from the project. He complemented the Council and staff in providing a fair forum for discussion.

Tracy Horning, SJ Island, spoke against the project.

Howard Smith, SJ Island, spoke in favor of the project. He felt that many citizens are in support of the project.

Ted Lehn, SJ Island, spoke in favor of the project. He felt the design related to, and enhanced the community.

Chris Trienens, Friday Harbor, spoke about current empty business locations. She inquired as to the economics of keeping tenants in the building throughout the year. She felt vacant office space detracted from the image of the Town.

At 8:38 PM, at Mayor Pro tem Nash's inquiry, Town Administrator Fitch and Attorney Eaton indicated they had no further comments.

Mayor Pro tem Nash asked the audience for any further, non-repetitive comments.

Mr. Linde expressed that the applicants' engineer designed the parking lot to meet applicable standards. The applicants would revise the design if it were in error.

Jim Guard mentioned lot design standards in other jurisdictions and presented examples.

Scott Schwinge averred that there was no motivation to the landlord to require parking in the proposed lot.

Gary Enersen, SJ Island, commented on the project.

At Councilmember Dickinson's inquiry, Mr. Bill Percich, one of the applicants, responded that the building would house a maximum of 12 shops.

At Councilmember Athearn's inquiry, Mr. Percich responded that the building would have approximately 8,000 square feet of rental space.

Councilmember Potter inquired about delivery access.

Mr. Percich indicated the delivery door shown on the elevation drawing and stated there was an interior-connecting hallway planned.

Councilmember Athearn asked if the applicants had designed the project to be consistent with the goals of the Town of Friday Harbor Comprehensive Plan.

The applicant noted that the goals of the SMP are more specific. He was aware of the Comp. Plan.

At Mayor Pro tem Nash's inquiry, Mr. Linde spoke to methods of enforcing use of the employee parking lot. He mentioned the overall problems with parking in Town.

At Councilmember Athearn's inquiry, Mr. Linde remarked that the parking lot or a comparable provision could be made a condition for an Occupancy Permit.

At Councilmember Potter's inquiry, Town Administrator Fitch cited FHMC 17.44.040, Parking, and added that the Town of Friday Harbor currently permits backing into public thoroughfares.

At 9:00 PM, hearing no further public comment, Mayor Pro tem Nash closed the public input portion of the hearing.

The Council discussed each of the points:

1. Parking Plan. Councilmember Dickinson remarked on the advisability of a remote parking site. Councilmembers Athearn and Potter expressed reservations about the practicality of the proposed parking lot.

Attorney Eaton specified that appropriate wording for the lot be included in the conditions. There will be a requirement that this lot will be made available and remain available to employees of tenants, further, the landlord must have a provision to that effect, and that use of the lot must be permanently dedicated to the building.

2. Sign Plan. The Council indicated that the submitted sign plan was acceptable.

3. Building Size. Councilmember Athearn expressed concern with congestion to Port area access. Additionally, she was concerned with the potential for service vehicles backing on and off the street.

Councilmember Potter commented on the potential impacts of possible tenants. "Who would be in the building?"

The Council discussed the issues.

Mayor Pro tem Nash felt the reduction in building size was adequate.

4. Over-riding Public Necessity or Public Benefit. Councilmember Athearn remarked on a number of points, including alternate upland sites, 24-hour public access, and open space.

Councilmember Dickinson spoke to the availability of providing services for the boating public. She also remarked that the site was "almost upland".

Councilmember Potter noted the site was still within the 200' shoreline zone.

Councilmember Dickinson remarked that at one time the Shorelines Hearing Board ruled a hotel was an appropriate specific use for the site.

The Council discussed the possible uses of the building. Attorney Eaton pointed out that the Council can condition approval of the application to specific uses.

Town Administrator Fitch noted that on January 26, 1990 the applicants submitted a list of use as required by Condition #4 of the Town's preliminary approval.

The applicants agreed to the condition requiring review and approval by the Town Administrator of suggested uses not referenced on the list, if said review and approval were based on facts and conditions.

Mayor Pro tem Nash and Town Administrator Fitch discussed enforcement and notification procedures.

Attorney Eaton commented on the need for formal acceptance of a list of "approved" uses. He recommended that the conditions be very carefully drafted.

Councilmember Potter asked for clarification of commercial development requirements.

Town Administrator Fitch read the appropriate sections from the John Verburg Staff Report.

At 9:56 PM, Councilmember Dickinson moved for approval of Shoreline Substantial Permit #41 with conditions as stated at the February 26, 1990 meeting and additional conditions. Councilmember Athearn seconded the motion.

Town Administrator Fitch requested clarification of the list of approved uses.

Council discussed which items they deleted from the list at the February 26, 1990 meeting.

At an inquiry from the audience, Mayor Pro tem Nash explained a point of order.

Councilmember Potter recommended the list be amended to delete all of the category #2 - Water Enjoyment, and all of category #3

- Water Support uses.

After discussion, the following list of approved uses was arrived at:

WATER RELATED

Fishing supplies - Bait & Tackle
Marine chandlery
Marine electronics
Boat renting, Chartering, & Travel
Marine Hardware
Boat sales - New & Used
Boat rigging & outfitting
Marine sporting goods & sportswear
Marine (boat) surveying
Marine architect
Marine charts & books
Seafood market
Boat maintenance service
Marine repair
Sail shop
Marine upholstery
Dive shop & diving equipment
Marina office

WATER ENJOYMENT

Restaurant
Museum
Aquarium

At 10:20 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to delete the date of February 26, 1990 and insert the date of May 31, 1990. The motion to amend passed unanimously.

Councilmember Nash expressed reservations about allowing 24-hour access to the viewing decks.

Councilmember Nash remarked on the philosophy of use of private property. He asked, "What would you do if it were your property?" Additionally, he commented on the implications of the Shoreline Management Act.

At 10:30 PM, Councilmember Athearn inquired as to the Council's intent in regard to conditions #1 through #13 as specified on pages 19 & 20 of the Verburg Staff Report.

Council and Attorney Eaton discussed the need to amend the motion to concisely specify the conditions.

Attorney Eaton recommended that the staff prepare a succinct list of conditions.

Town Administrator Fitch pointed out that the February 26, 1990 Council minutes indicate that all but conditions 4, 11, 12, 14, & 16 substantially met the Council's intent.'

Attorney Eaton again recommended that the staff prepare a list of conditions.

Planner Miller noted that a SDP is both a land use and land development action. He suggested an amendment to the amended motion to provide for staff review.

At 10:55 PM, Councilmember Dickinson withdrew her amended motion and Councilmember Athearn withdrew her second.

Councilmember Dickinson moved to accept the applicant's parking plan showing the upland parking on Web Street, Lot #5. Councilmember Nash seconded the motion.

Councilmember Nash moved to amend the motion to state that the parking lot and availability be specified in the building permit for SDP #41 and the design and size be approved by the traffic engineer. Councilmember Dickinson seconded. The amendment carried.

The motion to approve the submitted parking plan for Web Street, Lot #5, as amended carried. Councilmembers Athearn, Dickinson, & Nash - Aye. Councilmember Potter - No.

At 11:08 PM, Councilmember Dickinson moved to accept the applicant's building size as shown on Exhibits "5" & "T" including the view deck drawing and the delivery and refuse collection facility. Councilmember Nash clarified that the intent of the motion was to include the specification that a maximum of 12 commercial units be allowed in the building. Councilmember Dickinson concurred. Councilmember Nash seconded the motion. Councilmembers Nash, Dickinson, and Potter - Aye. Councilmember Athearn - No. The motion carried.

At 11:14 PM, Councilmember Dickinson moved that the applicants have met the policies and regulations of the SMP that apply to this site and have met the requirements of item #16, this motion to be enlarged by further itemizing of the policies and regulations. Councilmember Nash seconded the motion.

Councilmembers Dickinson & Nash - Aye. Councilmembers Athearn & Potter - No. The motion died.

The Council and Attorney Eaton discussed various courses of action.

Mayor Pro tern Nash requested an indication of the intent of Council.

The consensus of Council was to have staff draft a concise list of conditions for Council consideration.

At 11:30 PM, Councilmember Potter moved and Councilmember Athearn seconded to continue the meeting for deliberation to Tuesday June 5, 1990 at 12:30 PM. The motion passed unanimously.

Albert M. Nash, Mayor Pro tern

Steven Dubail, Town Clerk

Town Council - June 5, 1990 @ 12:30 PM

The Town Council met in special session continued from May 31, 1990, Mayor Cahail presiding.

The special meeting was for continuation of Council deliberations for Shoreline Substantial Development Permit application #41 (Percich/Moorhouse - Front Street).

Members present: Athearn, Dickinson, Nash, & Potter Others present: Town Administrator Fitch, Attorney Eaton, & Planner Miller

Mayor Cahail called the meeting to order. He stated he had listened to the tapes of the May 31, 1990 meeting and reviewed the exhibits.

Mayor Cahail noted that per the tapes of the May 31st meeting, staff was to prepare a draft motion for approval of the application with conditions.

Staff indicated that the draft motion had been distributed to Council.

Councilmember Nash noted the omission, in the draft motion, of a condition specifying no more than 12 tenants within the structure.

After discussion, paragraph 3 of the draft motion was amended as follows:

#3(a) "That the net rental space within the structure, excluding hallways, bathrooms, common areas, and public areas, shall not exceed Eight Thousand (8,000) square feet." and #3(b) "There shall be no more than Twelve (12) tenants within the structure."

The Council reviewed each of the conditions in turn. Condition #1 - OK, Condition #2 - OK, Condition #3 - amended as noted, Condition #4 - OK, Condition #5 - OK, Condition #6 - OK, Condition #7 - OK, Condition #8 - OK.

Councilmember Nash took exception to the inclusion of no shipping, receiving, etc in Condition #9.

Town Administrator Fitch spoke of his intent to license commercial use of designated loading zones.

At Attorney Eaton's suggestion, Condition #9 was amended to read; "That except for use of designated on-street loading zones no shipping, receiving, or delivery of goods to or from the businesses located upon the premises in the development shall be allowed other than to and from the 'Load/Unload' area depicted on Exhibit T".

Condition #10(a) was amended to require "... a Sixteen (16) car parking lot . . . " , " . . . as approved by the Town Traffic Engineer.

Councilmember Nash questioned the implication of "... no use by employees . . ." in Condition #10(b).

Councilmember Athearn remarked that enforcement of Condition #10(b) was the responsibility of the landlord rather than the Town.

The Council and Town Administrator Fitch discussed use of the lot for parking by other than employees of businesses located in the project and a mechanism to allow modification of the condition upon formal application to the Town by the landlord.

At Attorney Eaton's recommendation, Condition #10(b) was modified as follows:

"Execute and record with the San Juan County Auditor a Declaration of Restrictive Covenant, which shall provide that no use may be made of said Lot #5 other than for parking of automobiles at no charge, which covenant shall state that is shall run with title to the property at Front Street, and, further, shall be valid until September 30, 2038 . .

Councilmember Nash stated that the intent is not to make a public parking lot. The property owner still retains the right to control use.

At Councilmember Nash's inquiry, Attorney Eaton recommended stating in the Substantial Development Permit (SDP) if a condition can be revised.

Councilmember Nash noted that the intent of Condition #10 is to obligate employees to park their cars off the street.

Attorney Eaton recommended the inclusion of the following; "The conditions expressed in this Item #10 (condition #10) may be modified by formal application for revision to SDP #41, so long as the modifications are consistent with the intent and purpose of these conditions."

At Councilmember Athearn's inquiry, Attorney Eaton stated that the above sentence only applied to all of Condition #10.

At 1:23 PM, Councilmember Dickinson moved to approve SDP #41 with the conditions to be read into the record by Attorney Eaton.

Attorney Eaton read the List of Uses (Exhibit 1) and the text of the draft motion, as amended.

At 1:30 PM, Councilmember Nash seconded the motion. Councilmember Nash moved to amend the List of Uses (Exhibit 1) to add as approved uses; "Customs Office, Port Office, Deli, & Pub." Councilmember Dickinson seconded the motion.

The Council discussed the additions.

At 1:35 PM, Councilmembers Nash and Dickinson voted in favor of the motion to amend. Councilmembers Athearn and Potter voted against. Mayor Cahail voted in favor. The amendment carried.

Councilmember Nash remarked on the philosophy of the Shoreline Act. He spoke to the need for access to the shoreline by people who can still drive but can't walk very far. He stated his two major concerns were safety and welfare. He also spoke to the siting of the project and felt the location was an important economic factor.

At 1:41 PM, Councilmembers Dickinson and Nash voted in favor of the motion, as amended, to approve SDP #41. Councilmembers Athearn and Potter voted against.

Councilmember Athearn commented that while the policies in the 1977 Shoreline Master Program (SMP), 3.02(1), 3.03(3,4,7,9), 3.07(Goal & 1) are not mandatory, they should be considered. Additionally, designing a project should not be the role of the Council. Also, the letter of submittal dated December 19, 1988 specified "the proposed building shall consist of approximately 11,000 square feet.. .", this has subsequently reduced to 8,000 square feet, the Determination of Non-Significance dated January 11, 1989 specified a project of 5,600 square feet.

Councilmember Potter also felt the proposed development had not met the criteria of the 1977 SMP, 3.02(1,6), 3.03(3,4,7,9), 5.07(1(a,b)). Also, there was no provisions for handicapped parking, the parking lot was not functionally related, and the project would exacerbate circulation problems with Port destined traffic in the area. She noted that the project was nicely designed but too large for the site. Additionally, Councilmember Potter stated that she felt the Council may owe the developer an apology for dragging out the permit process for over 2 years.

At 1:48 PM, Mayor Cahail spoke to the changing role of Town government. He also noted that the redesign efforts of the Council were for the welfare of the community.

Mayor Cahail voted in favor of the motion, as amended, to approve the application. The motion carried. (complete text follows)

MOTION TO APPROVE SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT NO. 41, SUBMITTED BY BILL PERCICH AND DAVID MOORHOUSE, TO CONSTRUCT A COMMERCIAL PLAZA FOR RETAIL AND PROFESSIONAL SERVICES, AT THE INTERSECTION OF FRONT STREET AND SPRING STREET in the TOWN OF FRIDAY HARBOR, SUBJECT TO THE FOLLOWING CONDITIONS:

1. That the uses permitted in and upon the proposed structure shall be strictly limited to those uses set forth on Exhibit 1 hereto;
2. That the structure to be erected upon the premises shall conform to the location, dimensions, and design set forth on Exhibits S (Elevations) and T (Roof Plan), as presented to the Town Council on May 31, 1990, and shall incorporate a ground floor set back of not less than seven (7') feet along the full length of Front Street and Spring Street, except for the southwesterly thirty-eight (38') feet of Spring Street where the set back shall be not less than Four (4') feet, said set back areas to be incorporated into the public sidewalk/public area requirement of condition #4 below;
3.
 - a. That the net rental space within the structure, excluding hallways, bathrooms, common areas, and public areas, shall not exceed Eight Thousand (8,000) square feet;
 - b. There shall be no more than twelve (12) tenants within the structure.
4. That the offsite and on-site landscaping, public amenities, and public areas depicted on Exhibit T, referenced above, be constructed and completed, at no expense to the Town of Friday Harbor, prior to the occupancy permit being issued by the Town Building Department, and that said amenities and areas remain open and available to the general public, at no charge, at all reasonable hours;
5. That no signs be placed on or about the premises other than as depicted on Exhibits U and V, presented to the Town Council on May 31, 1990;
6. That all utilities serving the facility shall be placed underground;
7. That no construction, other than interior construction and finish work, shall occur upon the premises between May 1 and September 30 of any calendar year, and that reasonable methods to control siltation and the tracking of dirt and other debris onto the street or into other public areas be in place during all construction times, as deemed adequate by the Town Administrator;
8. That trash containment be limited to the site depicted as "Covered Area (Dumpsters)" on Exhibit T referenced above;
9. That except for the use of designated on-street loading zones, no shipping, receiving, or delivery of goods to or from the businesses located upon the premises in the development shall be allowed other than to and from the "Load/Unload" area depicted on Exhibit T referenced above;

10. That, prior to issuance of a building permit for the project on the premises, the applicants shall acquire title to Lot #5, Nichols 2nd Addition, in the Town of Friday Harbor, and, prior to issuance of an occupancy permit for the structure on the premises at Front Street, the owners of said Lot #5 shall:

- a. Complete the construction of a Sixteen (16) car parking lot on said Lot #5, in accordance with a design and to the specifications approved by the Town Traffic Engineer; and
- b. Execute and record with the San Juan County Auditor a Declaration of Restrictive Covenant, which shall provide that no use may be made of said Lot #5 other than for parking of automobiles at no charge, which covenant shall state that it shall run with title to the property at Front Street, and, further, shall be valid until September 30, 2038; and
- c. Execute and deliver to the Town of Friday Harbor a covenant obligating the owner of the structure on the premises at Front Street to include in every lease between said owners and any tenants to be located within said structure a provision which shall require said tenants to require all of their employees to park their automobiles in the parking lot to be constructed on Lot #5 during all working hours, which provision of the lease shall expressly state that such parking shall be made available to the employees at no expense.

The condition expressed in this Item #10 may be modified by formal application for revision to SDP #41, so long as the modifications are consistent with the intent and purpose of these conditions.

EXHIBIT 1

LIST OF USES

The following are the uses that are permitted for the structure to be built under Shoreline Development Permit #41:

Fishing Supplies - Bait and Tackle
Marine Chandlery
Marine Electronics
Boat Renting, Chartering, and Travel
Marine Hardware
Boat Sales - New and Used
Boat Rigging and Outfitting
Marine Sporting Goods and Sportswear
Marine (Boat) Surveying
Marine Architect
Marine Charts and Books
Seafood Market
Boat Maintenance Service
Marine Repair
Sail Shop
Marine Upholstery
Dive Shop and Diving Equipment
Marina Office

Restaurant
Museum
Aquarium
Customs Office
Port Office
Deli
Pub

Such other water related or water enjoyment uses as may be approved by formal revision to Shoreline Development Permit #41.

Mayor Cahail directed the staff to prepare a formal Facts & Findings.

At 1:15 PM, Councilmember Athearn moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - June 1, 1990 @ 12:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Maintenance Supervisor Reitan

The Council reviewed the claims against the Town.

In response to questions about material prices for the Second/Guard Street project, Maintenance Supervisor Reitan commented on Friday Harbor Sand & Gravel Company's material pricing policy.

Maintenance Supervisor Reitan estimated the Town has expended, with the exception of personnel costs, approximately \$55,000 on the Second/Guard Street project.

Councilmember Nash moved and Councilmember Potter seconded to pay the bills and approve the payroll. The motion passed unanimously. Warrant #2211 to Don Eaton for legal services in the amount of \$1,718.35 was not approved because of a billing error. A revised claim will be presented at the evening meeting.

At 1:10 PM, Mayor Cahail opened the first public hearing to amend the 1990 Town budget.

Treasurer Picinich summarized the proposed amendments. The Council reviewed the proposals.

Town Administrator Fitch and Council discussed the advisability of and funding for having the Town Planner attend Council and Planning Commission meetings.

Councilmember Nash suggested any land use issues be scheduled at least one week in advance, that the Council not deviate from the agenda and the need for a Council rule stating such.

At 1:51 PM, Mayor Cahail opened the hearing for public input. Hearing none, Mayor Cahail closed the first public hearing to amend the Town budget.

Maintenance Supervisor Reitan reported that Trout Lake is 31" below the spillway, approximately 1.5" lower than last year at this time.

Mr. Reitan noted that utility work on the Second/Guard Street project is all completed except placement of one manhole. He will have an accurate report on costs for the June 21st Council meeting.

Maintenance Supervisor Reitan noted that in conjunction with the project, provision had been made for new water hookups. He also remarked on the good Town safety record on the project. He reported that the State inspector had required additional safety equipment and shoring in the utility ditches.

Mr. Reitan reported that DOE personnel have been visiting the incinerator to observe operations and emissions. Also, now that the utility portion of the Second/Guard Street project is completed, the Street crew will be painting street and curb markings and repairing potholes.

Maintenance Supervisor Reitan reported that it would cost \$1,000 to provide water and a meter to the Friday Harbor Athletic Club Fieldhouse at the Elementary School playfield. \$800 will come out of budgeted Water Department work on the Grover Street line.

Town Administrator Fitch noted that the Council had decided at a previous meeting to pay the Building Permit fees for the Fieldhouse out of the Parks budget.

Councilmember Roberts asked how much money would be transferred from the Parks budget to pay the water connection fees.

The Mayor and Council directed Town Administrator Fitch to only charge the Labor & Materials charge. Council stated it was their understanding that the Friday Harbor School District, as property owner, would apply for the new water hookup and pay the monthly base charges plus costs for water consumed.

At 2:00 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - June 7, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, & Potter Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Planner Miller

Council approved, as submitted, the minutes of the May 17, 1990 meeting.

Mr. Chris Destaffany, Emergency Services Director for Friday Harbor and San Juan County, reported on the nature and scope of his duties. Mr. Destaffany will be writing a draft Emergency Response Plan for the Town and County. He noted activation of an approved plan in time of emergency provides for additional governmental authority. He will keep Council informed of progress on the draft plan. Mr. Destaffany remarked he now has cellular telephone communication capability. He also noted he is currently using office space in the Friday Harbor Fire Station.

At 7:52 PM, Mayor Cahail opened the second public hearing to amend the 1990 Town Budget and asked for public comment.

At an inquiry from the audience, Mayor Cahail explained the reason for the budget amendment process. Hearing no further comment he closed the hearing.

Councilmember Dickinson moved and Councilmember Potter seconded to adopt Ordinance #800, an ordinance amending the 1990 budget for the Town of Friday Harbor. The motion passed unanimously.

At 7:55 PM, Mr. Rick Kiesser, Area Terminals Manager, Department of Transportation (DOT), presented a video displaying delays in ferry unloading at the Friday Harbor terminal. He spoke to the need to channel pedestrians away from vehicles.

Mr. Bob Campbell, Friday Harbor Terminal Agent, commented on the need for DOT personnel at the First and East Street intersection to direct traffic during ferry unloading. Sheriff Cumming concurred.

Mr. Kiesser stated the DOT opinion was that the recently implemented alternate routing was preferable to the historic route.

Town Administrator Fitch reported on written comments received to date during the trial period. A couple of comments stated near accidents at the First and Spring Street intersection. He also pointed out that the alternate routing resulted in a loss of 16 on-street parking stalls. Mr. Fitch noted that the ferry system is still staging vehicles headed the wrong direction on East Street. He additionally remarked on the need for better visibility of the Stop signs at the First and Spring Street intersection. Education, signage, and better visibility of signage were needed if the alternate route was to stay in place through the summer months. He also noted that the planned implementation of loading zones would result in the loss of an additional 24 parking spaces.

Mr. Kiesser said that the DOT would work with Town Administrator Fitch to address the above noted problems. Town Administrator Fitch will report at the June 21st Council meeting.

Administrator Fitch noted that Town costs to date for the alternate routing is approximately \$4,000.

Mr. Andy Provchy, SJ Island, commented that the alternate routing just moved the problems.

Mr. Bill LaPorte, Planning Commission, felt the goal was to facilitate ferry unloading by separating pedestrians from vehicle traffic. He avowed that the new system could use refinement.

Mr. Kiesser said the state possibly may have funds to assist.

At 8:50 PM Ms. Helen Winters, Program Manager, Hazardous Waste Management Planning, presented an update on the Hazardous Waste Plan. She reported that the time frame of the plan has been moved from 1990/95 to 1991/96. Ms. Winters noted the availability of 75% State grants for implementation of Hazardous Waste Plans.

At 8:55 PM, Town Administrator Fitch introduced a request by American Legion Post #163 asking for relief of construction of curb, gutter, sidewalk, and storm drainage in relation to a remodel project at their facility at First Street. Mr. Fitch referred to his memo of June 4, 1990 to the Mayor & Town Council and stated that the staff recommendation is to deny the request as detailed in the above referenced memo.

Mr. Marty Percich, 1961 Wold Road, American Legion, gave a brief recount of Legion history in Friday Harbor. Mr. Percich stated that if construction of curb, gutter, sidewalk, and storm drainage were required, it would reduce the on-site parking from 20 to 9 stalls. He remarked that the Legion facility provides free additional parking in town during the day. Mr. Percich also noted that the Legion is not constructing a new facility, just remodeling their existing facility.

Councilmember Dickinson spoke to changes in the Town and the need for a more organized parking scheme, particularly in the interest of public safety. She felt requiring construction of curb, gutter, sidewalk, and storm drainage was appropriate.

Town Administrator Fitch commented on problems with allowing on-street parking at "T" intersections.

The Council and Legion members discussed the situation.

At 9:15 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to accept the Town Administrator's recommendation to deny the request. The motion passed unanimously.

Councilmember Athearn asked that the curb, gutter, and sidewalk deferral plan become an agenda item.

Town Administrator Fitch added that the Town Street Standards ordinance should be revisited and that a \$25,000 value on improvements should be re-evaluated.

At 9:18 PM, Councilmember Dickinson reported on SJ Advisory Committee discussions regarding harbor jurisdiction lines. She referred to a May 11, 1990 memo from Carol Morris, SJ County

Prosecuting Attorney's Office, to Doug Corliss, BOCC, addressing the issue and suggesting a procedure for establishing a boundary.

Mayor Cahail suggested a draft petition, as outlined in the above referenced memo be prepared stating costs to be equally shared by the Town, County, and Port.

Councilmember Dickinson will present the draft petition to the SJ Advisory Committee.

At 9:25 PM, Council gave second reading to draft ordinance #798, an ordinance amending Ordinance #766 concerning regulation of signs in the Town of Friday Harbor. Town Administrator Fitch pointed out in Section 4, amending Section XII, EXEMPTIONS, of Ordinance #766, the deletion of the phrase "but shall be subject to all other requirements and prohibitions of this chapter as noted".

Council concurred with the change.

At 9:30 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adopt Ordinance #798. The motion passed unanimously.

Council gave second reading to draft ordinance #797, an ordinance amending Ordinance #600, #658, #727, and FHMC Table I, Article II and repealing Ordinance #785 in its entirety, concerning sewer user charges. The draft ordinance specifically modifies sewer user charges for the Town & Country Mobile Home Park (T&C MHP).

Town Administrator Fitch pointed out that Mr. Mark Smith, owner of the T&C MHP, has paid in full to connect a 1" commercial meter. Upon passage of the draft ordinance, new sewer charges would take effect retroactive to May 15, 1990.

At 9:34 PM, Councilmember Potter moved and Councilmember Athearn seconded to adopt Ordinance #797. The motion passed unanimously.

Attorney Eaton noted that the subject of the scheduled executive session was discussion of the Labar/Rennhack Liquor License claim.

At 9:35 PM, Councilmember Dickinson moved and Councilmember Potter seconded to go into executive session. The motion passed unanimously.

At 10:06 PM, Councilmember Potter moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously.

At 10:09 PM, Councilmember Potter moved and Councilmember Athearn seconded to authorize the Town Attorney and Town Administrator to accept the offer of Mr. Rennhack to settle in the amount of \$7,000 on the condition Mr. Rennhack sign a release form acceptable to the Town Attorney and the Town Administrator. The motion passed unanimously.

Councilmember Dickinson moved and Councilmember Potter seconded to approve payment of the revised bill from the Town Attorney in the amount of \$1,668.35 with warrant #2294. The motion passed unanimously.

At 10:12 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - June 21, 1990 @ 7:30 PM

The Town Council met in regular session.

Members present: Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, Fire Chief Galer, & Planner Miller

At 7:32 PM, due to Mayor Cahail's delayed arrival, Councilmember Nash moved and Councilmember Roberts seconded to appoint Councilmember Dickinson, Mayor Pro tem. The motion passed unanimously.

At 7:33 PM, Mayor Cahail arrived.

At 7:35 PM, the minutes of the May 25, 1990 - 1:00 PM, May 31, 1990 - 7:30 PM, June 5, 1990 - 12:30 PM, June 7, 1990 - 12:30 PM, June 7, 1990 - 7:30 PM meetings were approved as submitted.

Fire Chief Galer reported on the history of the Friday Harbor Fire Department and fire departments in general.

He observed that 75% of the firefighters in Washington State are volunteers and that firefighting is acknowledged to be one of the most hazardous professions.

Chief Galer reported on the varied functions of the Fire Department including firefighting, the clothing bank, Red Cross, fire prevention education, and other community services. He remarked that a fire department is where people typically look for help when either a personal or community wide disaster strikes.

Chief Galer presented examples of the fire prevention education program; a fully equipped firefighter in bunker gear and self-contained breathing apparatus, a Fire Safety Santa, and the Fire Department Easter Bunny. He noted that one of the leading reasons for child fatalities in residential fires is that children are frightened of the sight of a fully equipped firefighter and frequently hide. The above are all used to acquaint children both with firefighting personnel and personal fire safety.

Chief Galer reported on the detection and reporting of a recent fire that highlighted the positive effect of fire prevention education.

The Council and audience applauded Chief Galer and his department for the presentation and their efforts.

At 7:50 PM, Mayor Cahail opened the Public Hearing for the application by Jack Mager to short plat lot #16, Gould's Second Acre Addition, 740 Guard Street, into two parcels.

Mayor Cahail instructed the audience on the procedure that would be followed.

Planner Miller presented the Staff Report. He noted the staff recommended approval with one condition as specified in the written report and on the face of the preliminary plat.

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At 7:57 PM, Mr. Jeff Iverson, surveyor and agent for the applicant, spoke briefly on the intent of the subdivision.

Mr. Bob VanHorn, property owner of a parcel in the vicinity, asked about changes in traffic volume and what was planned for the property.

Mayor Cahail noted that the land is currently zoned as Multifamily Residential, and that the use would be consistent with the zoning. A zoning change would require further Council action.

Attorney Eaton requested that the condition specified on the face of the preliminary plat be changed to clarify the intent.

The Council inquired about various aspects of the proposal.

Planner Miller noted that restrictions on the face of a plat are subordinate to zoning.

Councilmember Roberts asked if a 20-foot wide improved surface access was sufficient for fire apparatus access.

Planner Miller responded that the access as shown on the face of the plat met requirements and that the road is a private road.

Mr. Iverson noted the purpose of the subdivision was to give the applicant the flexibility to sell the developed portion separately from the undeveloped portion.

At 8:12 PM, hearing no further comment, Mayor Cahail closed the public input portion of the hearing, reserving the right to reopen the hearing for input at a later time if necessary.

Councilmember Dickinson moved to accept preliminary Short Plat #25 with the conditions stated in the staff report and on the face of the preliminary plat. Councilmember Potter seconded. After discussion the preliminary plat was approved unanimously.

At 8:17 PM, Planner Miller reported on his assessment of the intent and implications of Substitute House Bill #2929, the Growth Management Act of 1990 (GMA). He noted that the GMA will help provide guidance for revision of the Comprehensive Plan and recommended that the Town recommend that the County not "opt" out of the Act.

At 8:30 PM, Attorney Eaton directed his presentation on the GMA more toward the legal aspects and evolving nature of the Act. He noted it is a County decision to "opt" in or out. He briefly remarked on provisions in the Act for "Urban Growth Areas" and impact fees. Mr. Eaton commented that enacting impact fees would be a lengthy, exacting task. Also, one of the less desirable effects of the Act may be to exacerbate development pressure in and adjacent to Town residential areas.

Town Administrator Fitch noted that the County has set a July 3rd deadline for a recommendation from the Town.

The Council inquired on various aspects of the Act.

Mayor Cahail noted provisions in the Act to encourage the Town and the County to work together.

At 9:02 PM, Councilmember Potter recommended that the Council send a letter to the County supporting a decision to not "opt" out.

The Council continued discussion of the implications of the Act.

At 9:11 PM, Councilmember Potter moved that the Town send a letter of support to the Board of County Commissioners recommending not opting out of 5HB2929 (GMA). Councilmember Roberts seconded.

Councilmember Nash expressed reservations about the Act and felt more time for investigation was needed before a decision. The motion passed unanimously.

At 9:15 PM, Mr. Dan Liedecker and Mr. Tom Luft of San Juan Sanitation made a presentation regarding a proposed curbside recycling project in Friday Harbor.

Mr. Liedecker requested that, as of July 1, 1990, San Juan Sanitation be permitted to begin pick up of recyclable materials at commercial establishments on a test basis. The recycling truck will be on San Juan Island Tuesdays and Fridays. The pilot program would cost each customer \$2.15 per pick up.

Mr. Liedecker stated that San Juan Sanitation would pick up recyclable glass, aluminum, & paper from businesses and commercial establishments as a pilot project. He noted that the transfer station at the Town of Friday Harbor solid waste facility could be phased out as the San Juan Sanitation facility to be built on airport property came online. Also, Mr. Liedecker noted that some of the alternatives open to Friday Harbor and San Juan County are, to close the incinerator and Orcas landfill and haul solid waste to Bellingham for composting, or hauling to the Snohomish County transfer station for long haul to eastern Washington.

Councilmember Roberts endorsed the proposal and noted that nobody is required to participate.

Attorney Eaton remarked that to allow a private utility to pick up recyclable materials from the Town ROW may require a franchise agreement.

Mr. Liedecker felt that House Bill 1671 "opened up" the in-town pick up of recyclable materials from commercial establishments. He added that he was in favor of a franchise agreement if needed.

Mr. Eaton will research the issue and report to the Town Administrator.

Additionally, Mr. Liedecker noted that the paper recycling facility at Mark & Pak and the glass recycling facility at the Port are both open for use by the public.

At 9:40 PM, Mayor Cahail presented for Council reviews the draft Findings of Fact and Conclusions for Shoreline Substantial Development Permit #41, the Percich/Moorhouse Front Street project.

Councilmember Roberts excused himself from the discussion and left the room.

Attorney Eaton explained the process used to draft the Findings of Fact and Conclusions.

The Council will review the draft and bring it up for consideration at their next meeting.

At 9:45 PM, Town Administrator Fitch reported on communications with the Department of Transportation (DOT) regarding ferry unloading. Mr. Fitch informed the Council that the ferry traffic pattern is scheduled to revert to the old pattern on June 28th. The DOT is proposing to study several issues for the 1991/92 biennium, a Park & Ride lot, a pedestrian holding area off-shore of the Blue Heron restaurant on Front Street, a overhead pedestrian unloading ramp, and preliminary research into relocating the ferry terminal.

Town Administrator Fitch commented on his discussions with Mr. William Carter, DOT, regarding other aspects of ferry traffic impact on Town streets.

Town Administrator Fitch recapped the difficulties realized with the alternate ferry traffic routing. The major difficulties are; a potentially hazardous situation at the First Street/Spring Street intersection due to driver confusion, loss of on-street parking, and potential deterioration of First Street due to increased use by heavy vehicles.

Councilmember Potter felt there was a need for a Yield or Stop sign at Front & Spring Street.

Mayor Cahail noted that any change in the downtown traffic flow should be for the benefit of the residents of Friday Harbor.

At 9:57 PM, Town Administrator Fitch reminded the Council of the need for their comments on the draft Hazardous Waste Plan and the draft Solid Waste Plan.

Councilmember Roberts noted that the Solid Waste Advisory Committee (SWAC) recommendations should be in by the end of July.

Councilmember Nash commented that there is a "point of resistance" to higher refuse fees that results in midnight dumping

Councilmember Roberts remarked that the point of the Plan is not to increase cost but to reduce pollution.

Treasurer Picinich noted that per the Town's previous meeting with the DOE regarding solid waste and the incinerator, DOE stated that they don't care what it costs the ratepayers.

At 10:05 PM, Town Administrator Fitch informed the Council that the Futures Committee would be presenting the Community Wide Survey results at a community meeting Monday, June 25th at the Community Theater. Also, he has tentatively scheduled a public forum meeting, as previously promised by Council, on the building moratorium question, for July 12th or 19th at the Community Theater.

After discussion the meeting was scheduled for July 12, 1990.

At 10:08 PM, Treasurer Picinich reported on Engrossed Substitute Senate Bill #6358 modifying Transportation Tax rates & distribution. She recommended that the Town not consider implementing a Street Utility tax until additional information about the bill was available.

As a non-agenda item, Ms. Debra Winder, Pelican Way, owner of Bella's Yacht Dogs, a hot dog vending cart, asked for a variance from location setback requirements for Temporary Merchants & Vendors. (FHMC 5.08.040)

The Council discussed the request to relocate from a site at Churchill Square off "A" Street to private property in front of King's Marine at First & Spring Street.

Attorney Eaton noted that the applicable ordinance (#654) does not have a variance provision. Additionally, the 20-foot setback requirement was arrived at so as not to impede vehicle and pedestrian flow.

Ms. Winder commented on the time critical nature of her business.

Attorney Eaton recommended that, if the Council so wishes, the solution is to amend the ordinance.

Planner Miller commented that an appropriate enabling ordinance could be drafted.

Attorney Eaton remarked that the intent of the ordinance was to keep all aspects of the business at least 20 feet back from the public ROW.

The Council discussed the implications of the request. The consensus of Council was not to revise the subject ordinance.

At 10:35 PM, Councilmember Roberts requested that Councilmembers Dickinson and Nash reconsider their decision not to approve payment of the attorney's fees for the Councilmembers involved in the recent Recall Sufficiency Hearing.

Councilmember Roberts spoke about the involved Councilmembers actions and the ramifications of the Council's decision on future Councils.

The Council discussed the request and requested clarification of various points.

Councilmember Roberts noted that, if the three Councilmembers had been previously agreed to pass the "moratorium" ordinance, they would have had a majority and could have passed the ordinance at the Thursday, April 20th Council meeting. Their intent was to get the topic open for discussion and possible action in a timely manner.

Councilmembers Dickinson and Nash took exception to the manner in which the draft ordinance was introduced.

Councilmember Roberts asked that the other Councilmembers base their decision on law, not opinion.

The Council discussed the group dynamics of functioning as a Council.

At 10:55 PM, Councilmembers Dickinson and Nash indicated they did not wish to reconsider their decision.

Councilmember Roberts requested that the Council meet every week. The alternate week meetings would be solely for Council workshops.

Councilmember Potter supported the idea and noted the large number of items that get introduced and then rescheduled to a time uncertain.

At 10:58 PM Councilmember Dickinson moved and Councilmember Nash seconded to adjourn. The motion carried.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - July 5, 1990 @ 12:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Maintenance Supervisor Reitan, & Fire Chief Galer

The Council reviewed the June claims and requested clarification of certain items. Councilmember Athearn inquired about the 106% expenditure in Street Department overtime. Maintenance Supervisor Reitan will check with Leadsman Gates and report.

At 12:57 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to approve the payroll and pay the bills. The motion passed unanimously.

Mr. Steve Wagner & Mr. Art Benedict, Kramer, Chin, & Mayo, Inc. (KOM), presented the 1990 Comprehensive Water Plan Update to the Town. Mr. Wagner gave an overview of the history, status, and future of the water system, Mr. Benedict presented a more in-depth analysis in relation to the Plan.

Mr. Wagner and Mr. Benedict stated that construction of the new 1 million gallon storage tank and piping and upgrading the water treatment plant were critical projects that needed to be started as soon as possible.

The Mayor, Council, and Town Administrator discussed various aspects of the Plan with Mr. Wagner and Mr. Benedict.

Councilmember Nash suggested investigation of siting a new filter plant closer to Town.

Town Administrator Fitch distributed a letter from Piper, Jaffray, & Hopwood, Inc. concerning financing of water system improvements.

Treasurer Picinich commented on the need for a Town Capital Improvement Plan.

Council thanked Mr. Wagner and Mr. Benedict for the presentation.

At 2:33 PM, Maintenance Supervisor Reitan presented the Maintenance Supervisor's report. He noted that there was 3 inches more water in the reservoir this year than last year at this time. Also, the wastewater treatment plant is functioning well.

At 2:36 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, T n Clerk

Town Council - July 5, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Planner Miller

The minutes of the June 21, 1990 meeting were approved as submitted.

At 7:33 PM, Mayor Cahail introduced draft ordinance #801, an ordinance accepting the final Victoria Crossing Short Plan and authorizing the Mayor to sign the final plat drawings.

Town Administrator Fitch commented that accepting a final short plat by ordinance is not required by statute and would like the practice discontinued.

The Council discussed the advisability of making final short plat approval an administrative matter. At 7:38 PM, Councilmember Nash moved and Councilmember Potter seconded to approve Ordinance #801. The motion carried with Councilmember Athearn abstaining because she was absent at the meeting where the short plat application was presented.

At 7:40 PM, Treasurer Picinich presented for consideration a Public Works Trust Fund 1991 Capital Improvement Planning Program loan application for a \$12,000 0% interest loan to fund preparation of a Storm Drainage Comprehensive Plan.

The Council discussed the proposed application.

At 7:45 PM, Mayor Cahail opened the Public Hearing for the Edward Pinnow Conditional Use Permit application for 315 & 325 Carter Avenue.

Planner Miller presented the Staff Report. Planner Miller recommended approval of CUP#27 with the conditions stated in the Staff Report with the inclusion of additional two provisions, #5 & #6 as follows:

5. Outdoor storage of light industrial/light manufactured materials on site shall be prohibited.
6. This permit will allow light industrial or light industrial manufacturing uses to be located internally in the two existing shop buildings located on the northwest and northeast corners of the site. The existing dimensions of these structures will not be altered. If substantive complaints regarding noise are received, the hours of authorized use of these buildings may be limited to the hours of 8 AM to 5 PM, Monday through Saturday, or other noise control measures as required by the Town Council following a Town Council meeting.

The proponent, Mr. Ed Pinnow, addressed various points in the Staff Report.

Planner Miller pointed out that a "grandfathered" use limits the applicant much more than a conditional use.

At 8:04 PM, Mayor Cahail opened the hearing for public input.

Mr. Dick Robinson, 365 Carter Avenue, adjacent property owner asked, if the Conditional Use Permit was for both buildings, why was landscaping only required for the new building?

Additionally, as the operator of a Bed & Breakfast on the adjacent property, he expressed concern over noise potential.

Mr. Pinnow indicated that he would extend the landscaping to screen both shop buildings and the parking area. Additionally, Mr. Pinnow mentioned that some fiberglass boat repair does take place outside.

The Council discussed the application with the applicant and staff.

At 8:15 PM, hearing no further comment, Mayor Cahail closed the public input portion of the hearing.

Councilmember Roberts expressed concern about possible future use that may be incompatible with neighboring properties.

Town Administrator Fitch and Council discussed the Town mechanism to place the required sidewalk on the East Side of Carter Avenue. The Town of Friday Harbor Construction Standards does provide for payment in lieu of construction for topography considerations.

At 8:22 PM, Councilmember Roberts moved to accept the recommendation of staff to grant Conditional Use Permit #27. Councilmember Nash seconded.

The Council discussed the staff report and the additional two conditions.

At 8:28 PM, the motion passed unanimously.

At 8:29 PM, Council discussed the draft Findings of Fact & Conclusions for Substantial Development Permit #41, the Percich/Moorhouse Town Square Project.

Planner Miller pointed out that these are the Findings of Fact & Conclusions, not the Conditions.

Councilmember Dickinson moved and Councilmember Nash seconded to accept the Findings of Fact & Conclusions for Substantial Development Permit #41. Councilmembers Dickinson & Nash voted in the affirmative; Councilmembers Athearn & Potter voted against the motion. Councilmember Roberts abstained. The motion carried with an affirmative: vote by Mayor Cahail.

At 8:35 PM, Town Administrator Fitch asked for input from the Council concerning the 1991-96 Six- year Transportation Improvement Plan.

Councilmember Roberts suggested cleaning up the Warbass Way right of way. Council decided that the Warbass Way cleanup should become a 1991 maintenance item.

Town Administrator Fitch pointed out efforts to coordinate, where appropriate, the Town 6 year Plan with the San Juan County 6 year Plan.

Council and staff discussed various proposals for the new plan.

At 9:03 PM, Mayor Cahail introduced draft resolution #770, a resolution to authorize the conditional private use of portions of Court Street & East Street by the San Juan Island Goodtime Jazz Association.

Town Administrator Fitch pointed out changes in location of planned Jazz Festival activities from last year.

Councilmember Roberts expressed reservations about the inclusion of the phrase "the Town Council finds that it is beneficial to the general welfare-of the residents of the Town of Friday Harbor in the resolution. -

At Councilmember Potter's inquiry, Mr. Lynn Pearson of the Jazz Association noted that a large number of temporary restroom facilities would be provided.

Neighborhood impacts of the jazz site at Argyle & Malcolm were discussed. Councilmember Potter requested that the time conflict on Sunday between the planned Jazz Festival activities at Argyle & Malcolm and services at the adjacent Kingdom Hall be resolved.

At 9:14 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adopt Resolution #770. The motion carried with Councilmember Roberts voting No.

Mayor Cahail informed the audience that due to the absence of the Town Attorney the scheduled Executive Session was canceled.

Town Administrator Fitch noted that per the May 3rd Council minutes, the Public Meeting planned for July 12th should be advertised, has a sign-up sheet for speakers, and be in a large forum. The San Juan Community Theater has been retained for the meeting.

Councilmember Roberts commented that-the intent of the meeting was to discuss-the concept of a building moratorium in Friday Harbor. Additionally, people should be encouraged to 'present constructive ideas and that it be very clear that people need to sign up beforehand if they wished to speak.

Council and staff discussed procedures for the meeting. Previously prepared statements and questions will be accepted. The meeting will be recorded.

At 9:33 PM, in reference to the Draft Hazardous Waste Plan, Councilmember Nash took exception to the inclusion of ethanol and other alcohol's as a hazardous waste.

Councilmember Roberts suggested that Council meets much more frequently; at least once a week beyond regularly scheduled Council meetings. The Mayor and Council discussed the idea.

Councilmember Athearn noted the backlog of issues that need to be addressed. "The Council needs to set objectives."

Councilmember Roberts felt there were issues that should be addressed by elected officials, not staff or consultants.

The Council discussed holding work sessions on Mondays between 5 PM and 7 PM.

At 10:03 PM, Councilmember Nash moved and Councilmember Potter seconded to continue the meeting to Monday, July 9, 1990 at 5 PM for a 2-hour work session. The motion passed unanimously.

H. James Cahail, Mayor
Steven Dubail, Town Clerk

Town Council - July 9, 1990 @ 5:00 PM

The Town Council met for a work session, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch & Planner Miller

The Council the status of the Town water and sewer systems in relation to the previously proposed building moratorium ordinance, questions in the Community Wide Survey, correspondence, and newspaper articles.

Councilmember Roberts suggested that each Councilmember make a list of their concerns to compare and use for future topics of discussion.

The Council discussed aspects of Town policy including medical insurance for employees with and without dependents, salaries, truck routes, the address system, land use ordinance/platting ordinance lot sizes, parks, and curb, gutter & sidewalk requirements.

The Council and staff discussed land use requirements and review procedures.

Mayor Cahail and Council discussed aspects of the Planning Commission including the possibility of an out-of-town member.

The Council and staff discussed the role and requirements of Council members.

At 7:00 PM, Councilmember Dickinson moved and Councilmember Nash seconded to continue the meeting to July 12, 1990 at 7:30 PM at the San Juan Community Theater for a public meeting on growth controls within Friday Harbor. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - July 12, 1990 @1:30 PM

The Town Council met at the San Juan Community Theater for a public meeting on growth controls within Friday Harbor, Mayor Cahail presiding. The meeting was continued from the July 9, 1990 meeting.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Planner Miller

Mayor Cahail introduced the reason for the meeting, an opportunity for the public to ask questions and comment the proposed building moratorium in Friday Harbor.

Previously submitted letters on the above topic were read into the record by-the Town Clerk or, when present, by the author. (The originals of all letters read are on file.)

Mayor Cahail requested that comments be limited to five minutes so that everyone who signed up to speak would have an opportunity to be heard. Mayor Cahail reiterated that the purpose of the meeting was to discuss the moratorium issue. He then called on each person who signed up to speak. (All input is on tape.)

After the initial public comments Town Administrator Fitch spoke of extensive on-going planning for essential services.

At 8:50 PM, Mayor Cahail noted that all of the Council's actions are done in the public interest. Mayor Cahail then asked the Councilmembers to comment if they choose to do so.

Each Councilmember briefly spoke the issues raised and associated concerns.

Mayor Cahail remarked on the need for ways of facilitating the flow of information be town government and residents.

The Council and audience discussed the submission of written questions and how best to respond to them.

At 9:22~PM, Councilmember Roberts moved-that-the Council hold regular two hour Town Council meetings every Tuesday at 5:30 PM in addition to their other regular meetings Councilmember Potter seconded the motion.

Councilmember Nash moved to amend the motion to read "at the day and time as agreed at the previous special meeting."

The motion to amend died for lack of a second.

The Council discussed the status and procedures of the proposed meetings continued meetings or regularly scheduled meetings. Mayor Cahail noted that a budget amendment might be required because of additional meeting costs.

At 9:34 PM, the motion carried with Councilmembers Athearn, Dickinson, Potter, and Roberts voting in favor of the motion. Councilmember Nash voted against the motion.

Written questions were collected from the audience and responded to.

Mayor Cahail thanked everyone for attending.

At 10:05 PM, Councilmember Roberts moved and Councilmember Nash seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - July 17, 1990 @ 5:30 PM

The Town Council met for a work session, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Potter, & Roberts

Others present: Town Administrator Fitch & Planner Miller

Mayor Cahail noted that items for attention included making of list of topics of Council concern and discussion of the July 13, 1990 memo from staff in regard to additional regular Council meetings.

The Council discussed the intent of the work session meetings and ways to minimize the need of extra staff time and the associated staff overtime costs for it. The Council indicated they did not intend to reimburse themselves for the additional meetings.

The Council discussed continued and regularly scheduled meetings, conducting the Thursday meetings in an expedient manner, dealing with items previously tabled for future consideration, and acting on issues of concern pointed out by the Community Wide Survey.

Councilmember Potter proposed that the Council work on compiling a list of concerns as the Mayor had initially suggested.

The following topics for discussion were brought forth:

Control growth and slow down tourism

Review the Land Use Compendium

Solid waste and recycling

An out-of-town resident on the Planning Commission. The advisability and selection criteria for same.

Overhead walkway at the ferry terminal

Financing for Town projects - B & O taxes, Hotel/Motel tax, and other means

Parking

Parks

1991 Budget

Liquor licenses

Uniform Code for Building Conservation

Attorneys for special projects

Sidewalk deferral program

Jensen Alley R.O.W.

Sewer system regulations

The Larsen street petition

Port Business Licenses

Staff medical insurance

Sewer extensions beyond the Town limits

Out-of-town water hookups - change and/or expansion of use

Annexation

Code City - advantages & disadvantages

Moratorium

Planner Miller suggested using the Comprehensive Plan to set objectives, policies, and goals. Many of the concerns of the Council could be addressed through the Comprehensive Plan and associated ordinances.

The Council discussed evaluation and implementation of completed studies such as the Comprehensive Water Plan. Additionally, the Council discussed procedures for writing the new Comprehensive Land Use Plan and associated land use ordinances.

The primary topic for the next work session will be possible issues for land use consideration.

The Council will give advance notice of which staff members should attend each work session. The Town Administrator, Town Planner, and Town Clerk will attend the next work session.

The Council discussed scheduling of future work sessions. At 7:40 PM, Councilmember Potter moved-and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - July 19, 1990 @ 7:48 PM

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

Members present: Dickinson, Potter, & Roberts Others present, Town Administrator Fitch, Treasurer Picinich, Planner Miller, & Attorney Eaton

The minutes of the July 5, 1990 at 12:30 PM, July 5, 1990 at 7:30 PM, July 9, 1990 at 5:00 PM, and July 12, 1990 at 7:30 PM meetings were approved as amended.

Fire Chief Galer reported there have been 11 fire calls this month, the fire hazard is high; permits are required for all fires.

Chief Galer noted preparation for a review in October by the Washington State Fire Rating Bureau.

Chief Galer informed the Council of plans to have a-practice burn of the Betty Ackley house at Ackley's Corner, Sunday July 22nd. He also mentioned that Mr. -Paul Whittier has-donated a new, larger engine-for the fireboat. The new engine-is scheduled to be installed in October.

Mayor Cahail remarked-on the possible fire hazard of dry grass and-brush on undeveloped lots in Town. -

At 7:55 PM, Mayor Cahail requested Council confirmation of the appointment of Mr. Gene Wilson to Planning Commission position #1 and the reappointment of Mrs. Mary Smith to Planning Commission position #7.

Councilmember Potter moved and Councilmember Dickinson seconded to confirm the appointment of Mr. Wilson and Mrs. Smith to the Planning Commission. The motion passed unanimously.

At 8:00 PM, Anette Frahm, Puget Sound Water Quality Authority(PSWQA), presented a summary of the draft 1991 Puget Sound Water Quality Management Plan. Ms. Frahm also commented on proposals for additional funding sources.

The Council discussed various aspects of the draft plan with Ms. Frahm.

At Councilmember Robert's inquiry, Attorney Eaton noted that a stormdrain- utility could be set up before a stormdrain plan is completely in place. Town Administrator Fitch pointed out the City of Seattle had implemented a KOM Stormwater Plan in 1988.

At 8:20 PM, Mayor Cahail opened the Public Hearing on the annual 6-Year Transportation Improvement Plan and introduced a resolution to accept it.

Town Administrator Fitch summarized the need for, and essentials of, the proposed plan. Mr. Fitch noted that development of item #10, First Street Spring Street to end, would allow for significant on-street parking without requiring the Town to purchase additional property. Mr. Fitch read two letters concerning street improvements into the record. Administrator Fitch also read an excerpt from the March 19, 1981 Council minutes concerning construction of a Port outlet road.

At 8:35 PM, Councilmember Nash joined the meeting.

Mr. Steve Simpson, Port Director, expressed support for a Port outlet road.

Attorney Eaton asked Mr. Simpson if the Port had considered whether a through road might increase traffic through the Port.

Mr. Simpson suggested that a one-way road might mitigate the situation.

At 8:40 PM, hearing no further comments, Mayor Cahail closed the public input portion of the hearing.

The Council discussed the proposed 6-Year Plan.

At 8:45 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adopt Resolution #769, a resolution providing for a six-year transportation improvement program for the years 1991 through 1996. The motion passed unanimously.

Treasurer Picinich introduced for consideration both a Public Works Trust Fund (PWTF) 1% interest rate loan application for a storm water drainage system and a PWTF loan application for improvements to the Town's domestic water system. Only one of the applications may be submitted.

Treasurer Picinich explained the application requirements, funding levels, and intent of each application.

The Council discussed the merits of each application. Treasurer Picinich and Town Administrator Fitch provided clarification of various particulars.

Mayor Cahail, Town Administrator Fitch, and Treasurer Picinich noted Department of Social & Health Services (DSHS) improvements to the domestic water system. Treasurer Picinich explained the funding scenario based on the loan application, a DSHS grant application, and Town funds currently in reserve.

At 9:10 PM, Councilmember Potter moved and Councilmember Roberts seconded to adopt Resolution #772, a resolution to submit a loan application to the Washington State Public Works Trust Fund to help fund improvements to the domestic water supply system. The motion passed unanimously.

At 9:13 PM, Treasurer Picinich introduced discussion of the requirements for a Capital Improvement Plan for the Town's water, sewer, and refuse systems.

The Council discussed provisions for presentation of non-agenda items.

At 9:25 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to approve Resolution #771, a resolution to authorize conditional private use of a portion of Front Street by the San Juan County Fair Board. The motion passed unanimously.

Town Administrator Fitch introduced a variance request by J. W. Vanderbeek concerning a previously approved residential water connection off Pear Point Road. The variance request included an engineered drawing of a 600' 1" PVC water line and a 5/8"-3/4" water meter. Councilmember Roberts moved and Councilmember Dickinson seconded to approve the request. After discussion the motion passed unanimously.

Town Administrator Fitch requested the Council consider a change in the time limit parking that would be site specific to Second Street. He proposes implementing 2 hour parking on both sides of Second Street from Spring Street to Blair Avenue. The request is prompted by reconstruction and the need to make provision for signs in the new sidewalk.

After discussion, the consensus of Council was to consider a draft ordinance.

Town Administrator Fitch noted a request for 1 hour time limit parking in the business area. Town Administrator Fitch will research and report on the issue.

Town Administrator Fitch noted a tentatively scheduled presentation and round table discussion at the Community Theater on August 9th by Mr. Karl Kehde on building communities cooperatively.

Town Clerk Dubail informed the Council of a request by the Skagit Valley College Site Selection Committee for an endorsement by the Town for higher education on San Juan Island. He will present a draft resolution for the August 2nd, 7:30 PM meeting.

Town Administrator Fitch noted a request by a community member to investigate Town participation in acquisition of an alternate site for the San Juan County Fairgrounds. He also pointed out that research in a site for the new water tank should begin soon.

At 9:47 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to go into executive session for approximately 25 minutes to discuss pending litigation. The motion passed unanimously.

At 11:03 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to return to regular session. No action was taken in executive session.

At 11:08 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

TOWN COUNCIL - TUESDAY JULY, 24, 1990 0 5:30 PM

The Town Council met in regular session. Mayor Cahail was absent.

Members present: Athearn, Potter and Nash
Others present: Town Planner Miller

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Councilmember Athearn nominated Councilmember Nash to preside as Mayor Pro tem. Councilmember Potter seconded the motion; it was unanimously passed.

Roll call was at 5:30 PM. As there were no minutes, business at hand (land use) commenced. The work session topic was "possible issues for land use consideration".

Councilmember Roberts entered at 5:33 PM to say he would not be able to attend the meeting due to personal reasons.

There were two handouts at the meeting. One was a draft dissertation for the Council to study from Town Planner Otto Miller concerning the Comprehensive Plan and consisting of what a Comprehensive Plan is, as well as, policies, objectives and goals that need to be addressed.

The second handout was a memo from Town Administrator C. King Fitch containing a Comprehensive Plan update scope of work and cost proposal from Community Development by Design which included a work schedule to be completed within a six month time frame.

Town Planner Miller commented that the Comprehensive Plan could not be written in six months because necessary information from the State is not available. In addition, it was his opinion that the \$75,000.00 would be better spent writing the Comprehensive Plan in-house for future interpretation, clarification and continuity. He continually stressed that the Comprehensive Plan should be simply written for all to understand and should cover all issues dealing with just how we want the Town to be.

Councilmember Athearn presented a copy of a Comprehensive Plan previously written for Friday Harbor that had not been adopted and suggested updating and/or modifying it. Town Planner Miller supported this idea recommending input from the Planning Commission and the Council at each step of the way.

Councilmember Potter questioned needing an assistant in the Department of Community Development (DOD) to help accomplish daily responsibilities while performing the task of writing the Comprehensive Plan. Town Planner Miller concurred and said that State funding may become available for this.

Discussion continued on how to write the Comprehensive Plan, what it should address and zoning issues including:

conditional uses down zoning grandfathering industry and tourism height limits emergency fund for litigation moratoriums
property rights variances density
GMA
low income housing loans
violation and enforcement
examples and comparisons of other jurisdictions ordinances floating homes
lot sizes bed and breakfasts contract rezone granny units modular homes and trailers buffers services

At 7:10 PM Council decided to tackle one issue at a time and begin with "single family zoning considerations" at the next work session which they scheduled for Tuesday July 31, 1990 § 5:00 PM. If time allows, they will continue with "multi-family zoning considerations".

At 7:15 PM Councilmember Potter moved to adjourn the meeting. Councilmember Athearn seconded the motion; it passed unanimously.

H. James Cahail, Mayor

Andrea Avery, Deputy Town Clerk

Town Council - July 31, 1990 @ 5:00 PM

The Town Council met for a work session.

Councilmember Nash moved and Councilmember Dickinson seconded to appoint Councilmember Athearn Mayor Pro tem. The motion passed unanimously.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts
Others present: Planner Miller

The Council discussed Single Family zoning alternatives including various minimum lot sizes, open space, planned unit development, performance zoning options, and low income/affordable housing development.

A "design review" committee for certain projects was considered.

Councilmember Dickinson asked that the Council keep in mind the costs and increased staff time of the conditional approval process.

Criteria for permitting bed & breakfast establishments in SFR zones was discussed.

Members of the Council expressed concern with the implications of pyramid zoning.

The Council liked the idea of zoning to allow a single-family living unit on the second floor of a commercial, with on-site parking.

Input from the Council and the Planning Commission to the Planner will be necessary for development of a new Comprehensive Plan.

At 6:10 PM Councilmember Dickinson left the meeting due to a previous engagement. - -

Planner Miller and Council discussed the intent of "primary use" and "accessory use" of lots in SFR zones. Planner Miller noted accessory uses" were possible without development of the "primary use

Council discussed conditional approval of structures higher than 27 feet in designated areas. They also discussed pre-zoning of areas exterior and adjacent to, the Town Limits.

Councilmember Potter was excused from attending Council meetings from August 4th through August 25th, as she will be out of town.

The next work session will be Tuesday, August 7, 1990 at 4:30 PM. The topic for the work session will be continued discussion of Single Family zoning considerations.

The Council expressed concern with housing costs.

Councilmember Potter commented on an Orcas group working on affordable housing alternatives.

The Council reiterated their desire that the new comprehensive plan "come from within".

At 6:58 PM, Councilmember Potter moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - August 2, 1990 @ 12:30 PM

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

Members present: Athearn, Dickinson, Nash, & Potter Others present: Town Administrator Fitch, Treasurer Picinich, Maintenance Supervisor Reitan, & Fire Chief Galer

The Council reviewed the July claims and requested clarification of certain items.

Councilmember Athearn inquired as to why the Labarr/Rennhack Inc., settlement was charged against Legislative budget line item 511.30.49. Treasurer Picinich responded that the above was done at the direction of the State Auditor. Councilmember Athearn requested information explaining the reasoning behind the above disposition.

Councilmember Athearn also inquired about progress on investigating staff medical insurance alternatives.

Town Clerk Dubail responded that the Deputy Town Clerk is preparing requests for information to be sent to various insurance providers, no further staff discussion have taken place.

Councilmember Athearn expressed concern about the impact of Jazz Festival activities on Town services.

The development of a Town policy regarding Jazz Festival type activities was discussed. Councilmember Athearn will research the issue.

At 1:05 PM, Councilmember Dickinson moved and Councilmember Nash seconded to approve the payroll and pay the bills. The motion passed unanimously.

Maintenance Supervisor Reitan reported that the Town reservoir level is 1 inch higher than at this time last year.

He is waiting to hear from KCM & DSHS regarding planned modifications to the Water Filter Plant.

The Wastewater Treatment Plant is operating more efficiently.

The Town Warbass Way ROW does not include the bank on the landward side of the street. Any brush trimming on that side must be done by hand.

Noted "adjustments" made to Town equipment to comply with State safety regulation violations.

Commented on installation of a 4-way Stop on Spring Street at Blair Avenue and Caines Street.

The Grover Street water main has been extended to the Friday Harbor Athletic Club site and is ready to be energized.

Councilmember Dickinson commented on foliage growth blocking sight distance at certain intersections in Town. Maintenance Supervisor Reitan will rectify the situation.

Councilmember Potter noted the obscured nature of the "Do Not Enter" sign at First and East Streets at the ferry terminal.

Councilmember Potter thanked the Maintenance Supervisor and the Solid Waste department for their excellent efforts during the Jazz Festival.

The Council, Town Administrator Fitch, and Maintenance Supervisor Reitan briefly discussed the draft Wastewater System Capital Improvement Plan.

Councilmember Potter inquired if the Town's engineering expenditures justified hiring a staff engineer.

At 1:30 PM, Town Administrator Fitch introduced draft resolution #776, a resolution authorizing the Mayor to execute a letter of agreement with San Juan County for development of monitoring wells at the Friday Harbor landfill.

After discussion, Councilmember Potter moved and Councilmember Dickinson seconded to adopt Resolution #776. The motion passed unanimously.

Town Administrator Fitch reminded the Council of the August 9th presentation by Karl Kehde at the Community Theater.

Town Administrator Fitch asked for the Council's comments concerning the proposal as noted in his July 23, 1990 memo for writing a new Comprehensive Plan by Community Development by Design. Administrator Fitch noted that DCD grants are available to help fund the project. Also, the proposal deadline would fit into the previously set six-month time frame.

The Council expressed concern about having the Comprehensive Plan executed by an outside agency.

Town Administrator Fitch introduced draft resolution #778, a resolution authorizing the Treasurer to initiate an Interfund loan from the Current Expense fund to the Arterial Street fund.

At 1:45 PM, Councilmember Athearn moved and Councilmember Nash seconded to adopt Resolution #778. The motion passed unanimously.

Town Clerk Dubail introduced draft ordinance #803, an ordinance establishing fees and charges for certain publications and services provided by the Town.

Councilmember Potter moved and Councilmember Dickinson seconded to approve Ordinance #803.

Councilmember Athearn moved and Councilmember Dickinson seconded to amend the motion to specify in the ordinance that the list of prices be publicly posted at Town Hall. After discussion, the motion to amend passed unanimously.

At 1:54 PM, the motion to adopt Ordinance #803, as amended, passed unanimously.

At 1:55 PM, Councilmember Nash moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - August 2, 1990 @ 1:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Planner Miller

The minutes of the July 17th, 19th, and 24th meetings were approved as amended.

Mayor Cahail asked if the audience had any non-agenda items to present. There were none.

Mayor Cahail requested Council consider confirmation of his appointment of Mr. Keith Guard to Planning Commission position #5.

Councilmember Dickinson endorsed the appointment.

Councilmembers Potter and Roberts expressed reservations about having another person affiliated with the real estate industry on the Planning Commission.

Councilmember Nash endorsed the appointment.

At 7:41 PM, Councilmember Nash moved and Councilmember Dickinson seconded to confirm the appointment of Mr. Guard to the Planning Commission.

Councilmember Athearn indicated she felt that Mr. Guard would have the best interests of the community at heart.

Councilmembers Athearn, Dickinson, and Nash were in favor of the motion. Councilmembers Potter and Roberts voted against it. The motion passed.

Treasurer Picinich introduced draft resolution #773, a resolution authorizing the Treasurer to initiate an Interfund loan from the Current Expense Fund to the Fire/Refuse Bond Redemption Fund.

Councilmember Dickinson moved and Councilmember Potter seconded to adopt Resolution #773. The motion passed unanimously.

At 7:45 PM, Mayor Cahail opened the Public Hearing for review of the 1990 Comprehensive Water Plan Update.

Frank Whorley, 834 Pelican Way, asked that the Town consider improvements to provide for increased water pressure in the Hillside area.

Town Administrator Fitch remarked that site selection criteria for the new water tank should consider areas other than the KCM proposed Beaverton Valley site. The site should be selected to help alleviate current system problems.

Mr. Whorley additionally expressed concern with possible low fire flow in the area.

Council and Town Administrator Fitch discussed alternate water tank siting considerations.

Town Administrator Fitch noted that the majority of the latest revisions, approximately 20 items, were correction of typographic errors or cosmetic corrections.

At 8:08 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adopt Resolution #775, a resolution authorizing the Mayor to accept the 1990 Comprehensive Water Plan Update.

Councilmember Roberts expressed reservations about the long-term implications of the Plan.

The motion passed unanimously.

At 8:11 PM, Mayor Cahail opened the Public Hearing for review of the draft Capital Improvement Plan for the Town Wastewater Treatment Facility.

The Council discussed the draft plan.

Councilmember Dickinson moved and Councilmember Potter seconded to adopt Resolution #777, a resolution approving a Wastewater Capital Improvement Plan for the years 1991 through 1995.

At Councilmember Nash's inquiry, Mayor Cahail and Treasurer Picinich noted that any capital improvements suggested in the plan are subject to Town budget constraints.

The motion passed unanimously.

At 8:17 PM, Mayor Cahail introduced a letter to petition the County to determine harbor boundaries.

Councilmember Dickinson asked that it be clarified that the three affected agencies, the Town, County, and Port, share the implementation costs. Also, that the Town suggest the County adopt the previously agreed upon lines.

Town Administrator Fitch noted that the Board of County Commissioners does have the final "say so" at to where the lines go. The Council discussed various implications of the line siting.

At 8:29 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to send said letter to the BOCC. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #802, an ordinance amending Ordinance #574 and Chapter 10.04.070 FHMC concerning time limit parking, for first reading.

Town Administrator Fitch informed the Council of a proposal to change certain sections of time limit parking in Town to one hour. He noted he has asked for input from the Sheriff and the Maintenance Supervisor.

The Council and Town Administrator Fitch discussed the implications and methods of informing the public of the proposal. Councilmembers will disseminate the information. Consensus of Council was to table the issue for future consideration.

Town Administrator Fitch noted that the Second Street reconstruction project should be completed in 4 to 5 weeks.

Town Clerk Dubail introduced draft resolution #774, a resolution by the Council endorsing the siting of a higher education facility on San Juan Island.

Marilyn Campbell, of Skagit Valley College, was present to answer questions from the Council. Mrs. Campbell provided background information and a brief overview of SVC operations.

The Council discussed the benefits of higher and continuing education.

At 8:50 PM, Councilmember Potter moved and Councilmember Nash seconded to adopt Resolution #774. The motion passed unanimously.

The Council discussed the need for public restrooms in Town.

Treasurer Picinich noted that a "Business Improvement District" comparable to a L.I.D. could be set up to fund restrooms, parking, and similar amenities.

Steve Simpson, Port Director, spoke of the Port history with public restrooms. He noted that the Port facility is not large enough, nor in the proper location to serve the general public. Mr. Simpson suggested that utilization of Hotel/Motel Tax funds should be investigated. Mr. Simpson would like an elected Town official to work with a Port Commissioner and other interested parties on the subject.

Councilmembers Nash and Potter expressed interest in working on the project.

At Councilmember Dickinson's inquiry, Planner Miller noted that if the selected site was within the shoreline, the Councilmember(s) involved would not be able to sit for the Shoreline Permit process.

At 9:12 PM, Mayor Cahail distributed an unnumbered draft ordinance regarding the qualifications for Planning Commission membership. The intent of the draft ordinance was to provide a framework for consideration of selection criteria for a possible out of Town member for the Planning Commission. He asked that the Council consider whether said member should work in Town, own property and/or a business in Town.

Town Administrator Fitch remarked that the Port of Friday Harbor Airport & Seaplane Base Draft Final Plan was available in his office for review.

At 9:15 PM, Councilmember Nash moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

TOWN COUNCIL - AUGUST 7, 1990 @ 4:30 PM

The scheduled work session of the Friday Harbor Town Council died for lack of a quorum.

Members present: Ruth Athearn
Others present: Planner Miller

Andrea Avery, Deputy Town Clerk

Town Council - August 14, 1990 S 4:30 PM

The Town Council met for a work session.

Councilmember Nash moved and Councilmember Athearn seconded to appoint Councilmember Dickinson Mayor Pro tem for the meeting. The motion passed unanimously.

Members present: Athearn, Dickinson, & Nash

Others present: Planner Miller

Mayor Pro tem Dickinson noted that the purpose of the work session was to continue discussion of possible Single Family Zoning considerations.

Planner Miller remarked that he had attended the Thursday and Friday presentations by Mr. Karl Kehde concerning "Cooperative Community Development."

Councilmember Nash noted that he and Councilmember Athearn had attended a portion of the Thursday presentation and suggested the Council discuss it.

Councilmember Athearn asked that a request be made to Mr. Eaton for a status' report on the sidewalk deferral program. She also inquired about the staff medical insurance program, Code City options, and business licensing for "festival type activities" and Port businesses.

Councilmember Nash suggested that Planner Miller report on the Karl Kehde presentations.

Planner Miller explained the planning/development concepts proposed by Mr. Kehde. Mr. Miller noted the relation of the process described by Mr. Kehde to current Town land use procedures.

The Council and Planner Miller discussed the implications of the Kehde methods.

Planner Miller noted that enabling/amending ordinances could be written. He cautioned against permitting projects in an arbitrary manner.

Councilmember Dickinson suggested that Associate Planner Miller be appointed Town Planner. An appropriate nomenclature change should be made in the Wage & Salary Ordinance.

Councilmember Nash spoke to the possibility and legality of drafting enabling legislation on a project by project basis. He also mentioned conflicts of fire-access requirements with possible substandard roads in a planned unit development.

The benefits and drawbacks of sidewalks and trails in residential settings were discussed.

At 5:27 PM, Councilmember Athearn indicated that she had to leave the meeting due to a previously scheduled commitment.

At 5:30 PM, Councilmember Nash moved and Councilmember Athearn seconded to adjourn. The time & date of the next work session will be discussed at the August 16, 1990 regular meeting.

The

motion passed unanimously.

Edith V. Dickinson, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - August 16, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, & Nash

Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Planner Miller

The minutes of the July 31, August 2, and August 7 meetings were approved as amended.

Mayor Cahail requested Council confirmation of his appointment of Mr. Gary Boothman to Position #3 on the Planning Commission.

At 7:40 PM, Councilmember Dickinson moved and Councilmember Nash seconded to approve the appointment of Mr. Boothman to the Planning Commission. The motion passed unanimously.

Town Administrator Fitch noted that the paving of Second Street should take place at the end of the month. Also, Building Official Hodges has requested a change order to construct a handicapped access ramp to the front door of the Town Hall Business office. Administrator Fitch will get a change order number from the engineers.

At 7:45 PM, Mayor Cahail opened the Public Hearing for the Lynn Kleis Shoreline Substantial Development Permit #27 (SDP#27) and instructed the audience in the procedures to be followed.

Planner Miller presented the staff report.

Mr. Tom Starr, KSM, representing the applicants, explained the details of the proposal. Mr. Starr averred that the application was accepted by Town Staff prior to DOE acceptance of the current Shoreline Master Program (SMP). Mr. Starr said that the application was submitted March 3, 1990, discussed with the Town Planner in April, and confirmed by Administrator Fitch's correspondence of May 10, 1990. Mr. Starr also remarked on perceived problems with the specified 3 foot minimum depth. He would like to work in the spirit of the current SMP and present a revised proposal in a few weeks.

There were no comments from the audience.

Planner Miller deferred questions of vested rights to Mr. Eaton.

The Council addressed questions concerning the length of docks in the vicinity to Mr. Starr. Councilmember Nash and Mr. Starr scaled two adjacent docks on the 1982 Chickering-Greene topographic map at 65 feet and 105 feet in length.

The applicants currently have a boat that draws 7 feet and plan on acquiring a boat that draws 9+ feet.

Councilmember Nash inquired at to design specifications of the proposed pier.

Attorney Eaton felt that the Town Administrator's letter of May 10, 1990 to Mr. Starr indicates that the application was in process as of that time.

Councilmember Dickinson inquired as to the ultimate use of the property.

Mr. Starr stated that an application for a single-family residential building permit should be received by the Town within 2 to 3 weeks.

Mr. Don Hoff, friend of the applicant, responding to Councilmember Nash's inquiry, said that one of the applicant's children might wish to use the dock.

Councilmember Athearn said she would prefer having a building permit application in process.

Planner Miller remarked that if the proposed residential structure exceeds the 27-foot height limit a Public Hearing would be necessary.

Attorney Eaton remarked on primary and accessory uses.

Council and staff discussed their interpretation of primary and accessory use regulations.

The applicant stated there was absolutely no commercial use anticipated for this dock.

Councilmember Dickinson asked that it be made completely clear under which SMP this application should be considered.

At 8:30 PM, the Public Hearing was held open and continued to the September 6, 1990 Council meeting.

At 8:35 PM, Mr. Tom Cowan, Board of County Commissioners, San Juan County (BOCC), made a presentation concerning establishing a Citizens Conservation Land Bank and methods for acquiring and managing open space and conservation areas in San Juan County.

Commissioner Cowan explained the intent and major sections of the proposed County ordinance.

The Council questioned Mr. Cowan on specific items in the proposal.

Commissioner Cowan noted that the primary intent of the land bank is to preserve open-space. "Growth is the primary cause of erosion of open space. Growth caused-by land sales will help fund the land bank through the Real Estate Excise Tax. This tax is levied on the purchaser not the seller of the property." Mr. Cowan noted that although the State enabling legislation makes this a County project, cities and towns are involved in the process.

The County will adopt a Land Bank ordinance on September 6, 1990 for inclusion in the November general election.

The Council thanked Commissioner Cowan for his presentation.

At 9:08 PM, draft ordinance #802, an ordinance amending Ordinance #574 and Chapter 10.04.070 Friday Harbor Municipal Code, concerning time limit parking, was given second and final reading.

Councilmember Dickinson moved and Councilmember Nash seconded to adopt Ordinance #802. The motion passed unanimously.

At 9:11 PM, Nancy Larsen presented a status report on establishing loading zones in the commercial zone.

Ms. Larsen explained options to provide loading zones while not permanently reducing on-street parking.

The Council inquired about various aspects of the plan.

Ms. Larsen reported that the Town currently has 702 parking spaces in the area defined in the 1981 Traffic Study with the addition of two streets.

Town Administrator Fitch noted that the FHMC allows the Town Administrator to designate loading zones. Provision needs to be made for delivery vehicles, without losing on street parking and keeping delivery vehicles out of parking restricted areas such as crosswalks.

Town Administrator Fitch asked the Council to give consideration to the proposal.

At 9:42 PM, Mayor Cahail introduced draft Resolution #779, a resolution authorizing the Mayor to submit a grant application for Transportation Improvement Board funding to rebuild Guard Street from Blair Avenue to Tucker Avenue.

Town Administrator Fitch explained the details and funding of the project. He noted changes to channel stormwater from Guard Street and Blair Avenue.

At 9:55 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to adopt Resolution #779. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #804, an ordinance adopting current building and other uniform codes and repealing, in their entirety, the following ordinances of the Town of Friday Harbor: 489, 571, 623, 630, 651, 673, 691, 706, 709, and 713.

Attorney Eaton noted the purpose of the ordinance is to adopt the Uniform Code for Building Conservation (UCBC) for certain buildings and other uniform codes and regulations. Adoption of the UCBC is to facilitate reconstruction of the Old County Courthouse.

Building Official Hodges briefly explained the purpose of WAC 5118, Water Conservation Performance Standards.

At 10:05 PM, draft ordinance #804 was considered to have been given first reading.

The Council heard a request by Mr. Robert Greenway concerning water and sewer connection charges for Evergreen Subdivision, Phase II. Mr. Greenway felt he was being "charged twice" for infrastructure costs. He remarked that the people who impact the system should pay for the service.

Attorney Eaton explained how connection fees is established. He pointed out that State law specifies the method for setting connection fees. Mr. Eaton noted that the purpose of the connection fee is to buy the new user's share of previously installed infrastructure, excluding that in subdivisions.

Planner Miller remarked that the system doesn't stop at the edge of the subdivision.

The Council will consider the request.

Councilmember Athearn pointed out the provisions of Section 10 of Ordinance 616. She suggested that the applicable ordinance be amended to remove any ambiguity.

At 10:32 PM, the consensus of Council was that the connection fees for Evergreen Subdivision, Phase II shall be the published Water/Sewer Connection Fees.

Town Administrator Fitch and Town Clerk Dubail presented the 1990 Sewer User Charges for Council discussion.

Administrator Fitch reviewed the rate design criteria under which the current rate structure was designed.

Town Clerk Dubail distributed a cost overview of the sewer rate structure and reviewed how the design criteria were implemented.

The Council and staff discussed at length the sewer user fee impacts for single family residential accounts.

Town Administrator Fitch and Attorney Eaton recommended irrigation meters be considered as an alternative.

Town Clerk Dubail commented that obtaining the required revenue for the wastewater system should be kept in mind.

At 11:15 PM, Town Administrator Fitch mentioned a memo from Helen Winters concerning the proposed Solid Waste Manager Position with San Juan County.

At 11:16 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - September 6, 1990 @ 12:30 PM

The Town Council met in regular session.

Members present: Athearn, Dickinson, & Potter

Others present: Town Administrator Fitch, Treasurer Picinich, Maintenance Supervisor Reitan, Fire Chief Galer, & Attorney Eaton

At 12:33 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to appoint Councilmember Potter Mayor Pro tem. The motion passed unanimously.

Maintenance Supervisor Reitan reported that the Town reservoir level is just above 6 feet below the spillway and that there have been 4 main water line breaks in the last month.

Mr. Reitan recounted how one of Al Sundstrom's cows ended up trapped in the marsh where last December's water transmission line break occurred. He explained the involved extraction efforts by the Town crew. The cow is doing fine.

Mr. Reitan noted:

That street pothole repair before winter is the current priority.

Plans to fix up the Town lot across the street from the Wastewater Treatment Facility.

Changes in personnel; T.J. Granum has resigned from the Water Department and Tom Swan has resigned from the Solid Waste Department.

Maintenance Department expenditures have been in relation to received revenues if less than projected revenues.

At Mayor Pro tern Potter's inquiry, Maintenance Supervisor Reitan commented on storage at the Town landfill of potentially contaminated soil for the Little Store gasoline tank leak. Mr. Reitan stated he authorized storage of the material on plastic sheeting pending a DOE investigation.

At 12:55 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to pay the bills and approve the payroll. The motion passed unanimously.

The Council and Town Administrator Fitch discussed continuing Town participation in Solid Waste Advisory Committee meetings.

Councilmember Athearn informed the Council that services for past mayor Ralph Rich will be Monday at St. David's church.

The Council discussed budgeting procedures.

The Council discussed the advisability of continuing the Tuesday work sessions. It was noted that Councilmember Roberts has been unable to attend the work sessions.

At 1:20 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to go into executive session to meet with Mr. Marty Irks, and Mr. Dan McDonald of Kramer, Chin, & Mayo, Inc. to discuss pending litigation. The motion passed unanimously.

At 1:35 PM, Mayor Cahail joined the meeting.

At 2:46 PM, Councilmember Dickinson moved and Councilmember Potter seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 2:47 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - September 6, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, & Potter

Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Fire Chief Galer

The minutes of the August 8th, 4:30 PM & the August 16th, 7:30 PM meetings were approved as submitted.

Mayor Cahail asked for a moment of silence in memory of former mayor Ralph Rich. Mr. Rich passed away September 4, 1990 in Friday Harbor.

Dr. Chris Clarke spoke against the change in time limit parking on Second Street enacted by Ordinance #802. Dr. Clarke distributed a letter describing his concerns. The Council will consider the issue at their September 20th meeting.

At 7:40 PM, Fire Chief Galer presented the Fire Chief's report. He spoke about hazardous waste incidents in the last few weeks, and noted the current situation with the gasoline tank leakage at the Little Store.

Chief Galer informed the Council that the Fire Department had ordered a new sniffer. The Fire Fighters Association will hold a rummage sale on September 8 to cover half of the cost.

Chief Galer reported that 5 firefighters have moved off the island since his last report. There are currently 11 active fire fighters. The department will initiate a recruiting drive this weekend.

At 7:45 PM, Mayor Cahail continued the Public Hearing for the Lynn Kleis Shoreline Permit application #47 & SEPA #51. Mayor Cahail noted the hearing had not been closed for public input.

Town Administrator Fitch presented the revised staff report as prepared by Planner Miller.

Administrator Fitch noted Town Hall is in receipt of a variance and conditional use permit application for a single family residence on the subject property.

Mr. Tom Starr, KSM, agent for the applicant, responded to the revised staff report. Mr. Starr expressed concern as to whether there would be enough water for his client's boat at Mean Lower Low Water (MLLW). He offered to reduce the overall length of the dock to 91 feet. Mr. Starr felt the staff report was in error in respect to the depth under the dock at MLLW.

At 8:04 PM, Mayor Cahail closed the public input portion of the hearing. He noted that the Council reserves the right to re-open the hearing for public input at a later time.

The Council discussed the revised staff report and the issues raised by Mr. Starr.

At 8:13 PM, Councilmember Potter moved to approve the application with the conditions stated in the revised staff report. The motion died for lack of a second.

Council discussed the length of dock necessary to obtain a 10 foot minimum depth at MLLW.

Councilmember Dickinson moved to approve SDP #47 with Conditions 1 & 2 as stated in the staff report amended to read, ". . .shall be the shortest length required necessary to obtain a minimum depth of 14 feet at MLLW or a maximum length of 92 feet in length seaward of the Ordinary High Water Mark, whichever is the shortest-length.": Councilmember Athearn seconded the motion.

The motion carried, Councilmembers Athearn and Dickinson voting aye, Councilmember Potter, no.

A formal facts & findings will be prepared for the next meeting.

At 8:30 PM, Ms. Helen Winters presented a status report on the Household Hazardous Waste Plan. She asked the Town to consider helping to fund a new County Hazardous Waste Manager position. The proposed position is currently to be funded at 1/2 time. Ms. Winters also spoke about 75%-25% State grants available for Hazardous Waste program funding.

At 8:35, Mayor Cahail presented draft ordinance #804, an ordinance adopting current building and other uniform codes, for second and reading. Town Clerk Dubail noted a change in the draft ordinance from the first reading; at the request of the Building Official, Section 2 had been changed to include the adoption of Sound Transmission Control Standards.

Councilmember Dickinson moved and Councilmember Potter seconded to adopt Ordinance #804. The motion passed unanimously.

Treasurer Picinich introduced draft resolution #780, a resolution authorizing an interfund loan of \$50,000 from the Current Expense Fund to the Arterial Street Fund.

(note: draft resolution-#780 was introduced in error as draft resolution #782.)

Councilmember Potter-moved and Councilmember Athearn seconded to approve Resolution #180. The motion passed unanimously.

At 8:40 PM, Mayor Cahail proclaimed September 17th as Citizenship Day and the week of September 17-23 as Constitution Week.

Town Administrator Fitch mentioned that staff had read the recently distributed Community Wide Survey Data Appendix. He noted the outpouring of opinions and emotion concerning the future of the Town and urged the Council to read and consider the responses.

The Council briefly-discussed the survey.

At 8:46 PM, Town Administrator Fitch presented a status report on his informational efforts in the community regarding Commercial Loading Zones. Administrator Fitch noted that Nancy Larsen has sample ordinances and parking study maps available.

Town Administrator Fitch reported receiving a call from the Public Works Trust Fund (PWTF) concerning the Town's low interest loan application for water supply improvements. The application was for \$670,000. The PWTF indicated the application was accepted as complete and were prepared to recommend approval to the PWTF board. Treasurer Picinich authored the application.

The Mayor and Council thanked Treasurer Picinich for her outstanding job in preparing the application.

Administrator Fitch read a letter from Mr. Roger Owen concerning parking and a letter from Mr. John Dickinson concerning taxes.

Administrator Fitch distributed a letter from Mr. George Post, chairman of the Solid Waste Advisory Committee (SWAC) concerning Town participation in reviewing and commenting on the Draft Solid Waste Management Plan. Mr. Fitch noted that the Town's representative, Councilmember Roberts has been unable to attend the most of the SWAG meetings and requested Council consider designating an alternate representative. Councilmember Athearn will attend.

Town Administrator Fitch asked for direction from Council concerning sewer use charges for single family residential accounts. The staff and Council discussed the situation and various possible alternatives. Staff is to investigate alternate sewer rate scenarios for single family use.

The consensus of Council was to authorize the Town Administrator to make adjustments to individual residential sewer bills if he determines a definite irrigation use.

At 9:20 PM, Council discussed an unnumbered draft ordinance regarding qualifications for Planning Commission membership. The discussion was primarily focused on allowing a non-resident of the Town to serve on the Planning Commission.

The draft ordinance was assigned number 805 and given first reading with Section 2(b) amended to specify an out-of-town person.

At 9:30 PM, Councilmember Potter moved and Councilmember Dickinson seconded to go into executive session for 30 minutes to discuss litigation. The motion passed unanimously.

At 10:00 PM Councilmember Dickinson moved and Councilmember Athearn seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

Councilmember Athearn inquired as to how many more SFR water hook-ups in Town can be provided for with the existing sources and system. Staff will look into the matter.

At 10:10 PM, Councilmember Athearn moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - September 20, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Attorney Eaton, & Planner Miller

The minutes of the September 6th, 12:30 PM and 7:30 PM meetings were approved as corrected.

Mr. Darryl Roberts, Friday Harbor, made a non-agenda item presentation concerning cruise ships. He asked the Council to give consideration to the issue of cruise ships docking in Friday Harbor. He felt cruise ship promotion would accelerate growth and expressed concern with passenger impacts on the Town infrastructure. Mr. Roberts noted that the cruise service is not directed toward island resident use. He also mentioned that the Washington State Utilities and Transportation Commission is the licensing agency.

Mr. Don Galt, Friday Harbor, spoke in favor of tourism and the proposed cruise ship service. He felt tourism is our major industry.

Mr. Dick Kneipp, Port Commissioner, made a statement regarding the Port Commission's understanding of the facts pertaining to the issue. He felt any letter from the Town to the Washington State Utilities and Transportation Commission would be premature.

Mr. Terry Rennhack, SJ Island, felt the proposed service would be good for the economy of the Town.

Mayor Cahail thanked the citizens for their input.

Councilmember Dickinson requested that the Port Commission keep the Town informed on the issue. Mr. Kneipp stated they would.

At 7:51 PM, the Council considered for adoption the Findings & Conclusions of the Lynn Kleis SDP #47. -

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt the Findings & Conclusions. Councilmembers Dickinson, Athearn, and Nash voted in the affirmative. Councilmember Potter - no. Councilmember Roberts - abstain. The motion carried.

Councilmember Athearn requested that action on future permits of this type be held until the Planner is present.

At 7:54 PM, the Council heard a presentation by Mrs. Lee Sturdivant, Friday Harbor, regarding growth and availability of water.

Mrs. Sturdivant asked each of the Councilmembers their views on the subject.

Councilmember Dickinson noted that a specific number of allowable new living units could not be arrived at due to the large number of variables involved in projecting specific future land uses.

The Council discussed the issue with Mrs. Sturdivant. The Council noted the complexity of projecting land use and density. Mrs. Sturdivant was referred to the 1990 Water Comprehensive Plan update for the-Town's current -water projections.

Councilmember-Roberts commented on the indications of the draft Island Wide Survey results concerning growth and water.

Councilmember Nash pointed out the many variables of the situation, noting that the next 2 agenda items, if passed, could change the potential demand -on the water system.

Councilmember Roberts remarked on how difficult it is to predict the future.

Councilmember Nash felt that as you increase the price of water consumption will drop. He also noted reduced consumption during drought conditions.

Mrs. Sturdivant thanked the Council for listening and asked them to seriously consider the future water situation.

Mayor Cahail assured Mrs. Sturdivant that the Council did take her concerns seriously, and have been and would continue work on the subject.

Councilmember Dickinson thanked the staff for their effort in preparing a memo and supporting documentation on the subject for the Council.

At 8:15 PM, Mayor Cahail opened the Public Hearing for the Gambrell/Jensen request to rezone 301 Tucker Avenue from multifamily residential to professional services and instructed the audience on the hearing procedures to be followed.

Planner Miller presented the staff report. He noted the lot was in use for professional services prior to the Town's original zoning ordinance, and continues as professional services. The area may have been "mis-zoned".

Mr. Tim Gambrell, Friday Harbor, proponent, concurred with the staff report. He felt it was a "house keeping" matter and commented he would also like to rezone the adjacent lot (#13) to professional services.

Planner Miller and Attorney Eaton explained the appropriate procedures to follow.

At 8:25 PM, Mayor Cahail opened the hearing for public input.

There was no input from the audience.

Attorney Eaton explained the criteria for granting a rezone.

Mr. Gambrell spoke of changes in the neighborhood such as the expanded WasteWater Treatment Facility and the new "Pig War" museum.

Planner Miller noted that the rezone request was in the public interest and compatible with surrounding uses.

Councilmember Dickinson asked for clarification as to the ownership of the property.

Mr. Gambrell stated that the county assessor's rolls indicate the owners are Gambrell, Gambrell, and Jensen. Two of which were present.

The applicant, Council and Attorney Eaton discussed the commercial and/or professional service aspects of newspaper publishing. If it is considered a commercial use it is a nonconforming use that cannot be expanded.

At Councilmember Robert's inquiry, Planner Miller summarized the parking requirements for the professional service zone.

At 8:35 PM, Mayor Cahail inquired of Council if they wanted to continue with the request for a 1-lot rezone or follow steps to allow consideration of a 2 lot rezone.

Planner Miller noted the benefit of the rezone must be for the community, the property owner may derive only incidental benefit.

The consensus of the Council was to proceed with the 1-lot rezone request.

At 8:39 PM, Mayor Cahail closed the public input portion of the hearing. He noted that the Council reserves the right to reopen the hearing for public input at a later time or date.

The Council discussed the application.

At 8:45 PM, Councilmember Nash moved and Councilmember Athearn seconded to accept Findings 1-6 and Conclusions 1-4 of the staff report and approve the rezone.

The Council continued discussion of the application.

Planner Miller asked that the Council consider modification of Conclusion #2 regarding the transitional zone.

At 8:49 PM, the motion passed unanimously.

Councilmember Dickinson moved and Councilmember Nash seconded that the Town take the necessary steps for rezoning lot #13 of Gould's Acre Addition from multi-family residential to professional services.

After discussion the motion passed unanimously.

At 8:53 PM, Mayor Cahail opened the Public Hearing for the Gambrell/Jensen request to rezone 512 Guard Street from multifamily residential to professional services and instructed the audience on the hearing procedures to be followed.

Planner Miller presented the staff report. He noted the lot was in use for professional services prior to the Town's original zoning ordinance, and continues as professional services.

Mr. Tim Gambrell, Friday Harbor, proponent, concurred with the staff report and noted land uses in the neighborhood.

At 9:00 PM, Mayor Cahail opened the hearing for public input.

Town Administrator Fitch read a letter from Barbara & Tom Duffy requesting that their property at 525 Jensen Alley and 520 Guard Street be rezoned to professional services.

At Mayor Cahail's inquiry, the consensus of Council was to consider just the Gambrell/Jensen rezone for 512 Guard Street at this time.

At 9:07 PM, Mayor Cahail closed the public input portion of the hearing. He noted that the Council reserves the right to reopen the hearing for public input at a later time or date.

Councilmember Potter moved and Councilmember Dickinson seconded to grant the rezone of lot 19, Block 5, Gould's Acre Addition from multi-family residential to professional services and accept Findings 1-5 and Conclusions 1-4 of the staff report. The motion passed unanimously.

Councilmember Roberts requested that if a rezone application comes in for 1 lot and staff recommends rezoning adjacent lots the Council be asked before the public hearing if they wished to proceed with the recommended additional rezone.

At 9:15 PM, Mayor Cahail presented for second and final reading draft ordinance #806, an ordinance amending Ordinance #582 and FHMC Section 2.24 regarding the qualifications of Planning Commission membership. The proposed ordinance provides for an out of town Planning Commission member.

Councilmember Roberts moved and Councilmember Athearn seconded to adopt Ordinance #806. The motion passed unanimously.

The provisions of the ordinance become effective upon the next vacancy on the Planning Commission.

At 9:19 PM, Councilmember Dickinson moved and Councilmember Potter seconded that steps be taken to initiate a rezone of the remaining lots between Jensen Alley & Guard Street between Culver Avenue & Tucker Avenue from multi-family residential to professional services. The motion passed unanimously.

At 9:20 PM, Council discussed a request to repeal Ordinance #802, an ordinance amending Ordinance #574 and FHMC Chapter 10.04.070 concerning time limit parking. The primary change enacted by Ordinance #802 is the expansion of 2-hour time limit parking up Second Street on both sides of the street to Blair Avenue.

Dr. Chris Clarke presented Town Administrator Fitch with a signed statement in opposition to the parking restrictions.

Administrator Fitch noted that new sidewalks are currently being installed on Second Street and it is the appropriate time to make provisions for signage.

Councilmember Nash asked for additional time to consider the request.

Ms. Karla Bernard, Chamber of Commerce, felt the ordinance does not solve the parking problem, it just moves the problem. She asked that Council address the larger parking situation in town.

Dr. Clarke spoke against time limit parking on upper Second Street. He felt there wasn't enough public input before passage of the ordinance. Also, that there was no current problem with parking in the area.

Councilmember Roberts noted that the Council must attempt to deal with future as well as current parking situations.

Mr. Harlan Anderson, San Juan County Bank, spoke in support of the current ordinance and noted particular safety concerns.

Mr. Dick Kneipp, felt there was a parking problem in the area and in the entire Town. "The Town should buy a parking lot."

The Mayor and Council responded to the issues raised.

At 9:48 PM, Councilmember Athearn suggested there were more pressing problems (such as water) facing the Town and, as previously suggested, asked the merchants to address the problem.

Councilmember Roberts felt the merchants could not solve the problem alone, the Town needed to acquire parking.

The consensus of Council was to let Ordinance #802 stand.

At 9:50 PM, Mr. Sam Buck, Jr. asked the Council for an indication of their feelings as to the "highest & best use" for the properties adjacent to West Street park and the old Unocal tank farm site. He asked if it was practical for the land to become a park. If not, what would the Council like to see developed on the site?

The location of current publicly owned land and the policies and goals of the Shoreline Master Program were pointed out.

Mr. Steve Simpson, Port Director, spoke about Port discussions concerning an egress road from the Port and the possibility of a park in the area. He noted a joint Town/Port park project might be feasible for the area.

Mr. Buck inquired as to what kind of business would be economically feasible in the area. He would like to have an indication as to what would be the best use and benefit the Town, a restaurant or a hotel.

Councilmember Nash suggested Mr. Buck review the hearings on the various "Front Street" proposals.

The Council and Mr. Buck discussed various scenarios for a park, road, and commercial development in the area.

Mr. Buck felt a goal should be set for the property.

At 10:15 PM, Councilmember Roberts suggested that people be "let know" that the property is for sale and perhaps it could be bought and developed as a park.

Mr. Simpson asked that the Town consider budgeting for and working with the Port to develop a master plan for the area.

At 10:20 PM, Mr. Jeff Iverson, surveyor for the Portofino condominium project at the East End of Franck Street spoke of a "cloud on the title" due to overlapping property lines. He noted similar difficulties with adjacent properties have been resolved in a mutually beneficial manner.

Staff is to work with Mr. Iverson to find a solution to the situation.

At 10:25 PM, Town Administrator Fitch asked Council to continue the meeting to next week to consider expending funds at the Solid Waste Facility.

On the subject of cruise ships, Councilmember Roberts noted the "mandate" of the draft Community Wide Survey results is to not promote tourism. He recommended that the Town express to the Port Commissioners that the Town does not support having cruise ships dock in Friday Harbor.

The Council discussed the impact of cruise ships.

Mr. Gambrell pointed out that Seattle and Victoria are the terminal destinations, Friday Harbor is a stopover.

Councilmember Roberts asked that the Tuesday work sessions be continued. Due to work commitments he will be unable to attend any work sessions until after January 1st.

The Council further discussed the issues of availability of water and their views on controlling growth.

At 10:55 PM, Councilmember Athearn moved and Councilmember Nash seconded to adjourn and continue the meeting to September 25, 1990 at 4:00 PM. The motion passed unanimously.

H. James Cahail, Mayor
Steven Dubail, Town Clerk

Town Council - September 25, 1990 @ 4:00 PM

The Town Council met in a meeting continued from the September 20, 1990 regularly scheduled meeting.

Councilmember Potter moved and Councilmember Athearn seconded to appoint Councilmember Dickinson Mayor Pro tem. The motion passed unanimously.

Members present: Athearn, Dickinson, & Potter
Others present: Treasurer Picinich

Mayor Pro tem Dickinson noted that the single purpose of the meeting was for consideration of draft resolution #781.

At 4:05 PM, Councilmember Potter moved and Councilmember Athearn seconded to adopt Resolution #781, a resolution authorizing the Mayor to execute a contract with a private engineering firm, Environmetrics, Inc., for the purpose of inspecting the condition and analyzing the operation of the Town's municipal waste incinerator. The motion passed unanimously.

There being no further business, at 4:06 PM, Councilmember Potter moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

Edith V. Dickinson, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - October 4, 1990 @ 12:30 PM

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

Members present: Athearn, Dickinson, & Nash

Others present: Town Administrator Fitch, Treasurer Picinich, Maintenance Supervisor Reitan, & Fire Chief Galer

The Council reviewed the claims against the Town.

Maintenance Supervisor Reitan reported that the Town reservoir level is 82" below the spillway. At Augmentation Project I, the water is going over the spillway. The Water Department will activate the pumps to check the status of the system.

Mr. Reitan noted that the major maintenance effort recently has been the repair of potholes. Also, that the Town is in the process of replacing an old galvanized water main on Warbass Way.

Mr. Reitan commented that the maintenance crew is planning to install a new storm drain through Bob Starr's property on Malcolm Street to the Leonard Boe property. He is also planning to extend the sidewalk on Caines Street to Argyle Avenue.

The Town property on the north side of Harbor Street, across from the Wastewater Treatment Plant will be prepared for seeding.

Mr. Reitan stated that the Town did not dump curb & gutter rubble from the Second Street reconstruction project at the Maurice Liebman property fill site. "The Town didn't have curb & gutter on Second Street". Lakeside Industries, the contractor for Second Street, did dump some concrete rubble. The Town has a letter of permission from the property owner. Most of the fill from the Second Street project went to the gravel pit.

Mr. Reitan noted two new employees have been hired as replacements in the Water and Solid Waste department.

The Council thanked Maintenance Supervisor Reitan for his report.

At 12:52 PM, Councilmember Athearn moved and Councilmember Nash seconded to pay the bills and approve the payroll. The motion passed unanimously.

Town Administrator Fitch pointed out a letter to the Council from Dr. Chris Clarke concerning time limit parking on Second Street.

Councilmember Nash suggested the Council consider removing the new right turn lane at the Second & Spring Street intersection.

Mayor Cahail recommended trying what we've got before considering any action.

The Council discussed maintenance concerns with the proposed street trees.

The Maintenance Supervisor noted that this was the last year for Mr. Clyde Stromberg to be with the Town. He suggested consideration of hiring one "motivated" person to maintain the Town flower beds, parks, planters, and landscaping at Town facilities. This person would be responsible solely for the above mentioned maintenance.

Mayor Cahail commented that Town beautification efforts were an important part of Town responsibilities.

Town Administrator Fitch informed the Council that the timetable for the Growth Management Act deadlines had been released. A legislative information packet would be forthcoming.

At Town Administrator Fitch's inquiry, the Council indicated that the determination of a new Town logo was an administrative matter.

At 1:20 PM, Councilmember Nash moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - October 4, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Planner Miller, & Attorney Eaton

The minutes of the September 20th and 25th meetings were approved as submitted.

Mr. Darryl Roberts, Friday Harbor, made a non-agenda item presentation urging the Council to take action on the issue of cruise ships docking at the Port of Friday Harbor. He said he'd heard of a Port staff report to the Port Commissioners recommending that 1 cruise ship be allowed to dock at a time and that the Port allocates 100' for that use. Mr. Roberts previously appeared before the Council in regard to this topic on September 20th.

Councilmember Roberts suggested the Council write a letter in opposition to granting licenses to the cruise ships.

Councilmembers Potter, Dickinson, & Nash would like to see the Port staff report before deciding on a course of action on the issue. The subject will be an agenda item for the October 18th meeting.

Mr. George Post, chairman of the Solid Waste Advisory Committee (SWAC), asked the Council what options for solid waste disposal, besides incineration, were open for consideration by the Town. Could the Solid Waste facility possibly be used for a transfer station? He also inquired as to the Town's intentions toward encouraging solid waste reduction. Mr. Post commented that some provision needs to be made for staffing at the San Juan County Recycling facility at the Town Solid Waste facility. He also suggested that "the Town should send the message that waste reduction is the appropriate course of action." Additionally, funding needs to be provided for a countywide Solid Waste Coordinator and suggested a Council workshop to discuss the issue. Mr. Post requested an indication of the availability of cooperation for use of the Town Solid Waste facility by the next SWAC meeting to be held on October 22nd.

Mayor Cahail thanked Mr. Post for his presentation and assured him the Council would try to get some response to the SWAC by their next meeting.

At 8:00 PM, Mayor Cahail opened the Public Hearing to rezone several parcels of land that abut Guard Street located between Tucker Avenue & Culver Avenue from multi-family residential to professional services and instructed the audience in the procedure that would be followed.

Planner Miller presented the staff report. He outlined five criteria for making recommendations concerning rezones:

- 1) The request must comply with the Comprehensive Plan.
- 2) The request must be compatible with surrounding land uses.
- 3) The request must be compatible with surrounding zoning.
- 4) That the request is in the public interest of the community and region.
- 5) A change of circumstances has occurred in the vicinity.

Staff recommended approval of the rezone.

Mayor Cahail noted that the Town of Friday Harbor is the proponent for this rezone as a result of information presented at the September 20th Council meeting and opened the hearing for public input.

Mr. John Carlson, Friday Harbor, asked why the Town was proposing the rezone.

Mayor Cahail spoke of changing uses in the area. Planner Miller noted the purpose of the Professional Services Commercial zone as a transition zone and the recommendations of the Comp. Plan for area rather than strip zoning.

At 8:12 PM, hearing no further comments from the audience, Mayor Cahail closed the public input portion of the hearing, noting that Council reserves the right to reopen the hearing for further public input at a later time or date.

At 8:15 PM, Councilmember Dickinson moved to accept the staff findings and conclusions and rezone 590 Guard Street, 580 Guard street, 550 Guard Street, 540 Guard Street, 530 Guard Street, 525 Jensen Alley, 520 Guard Street, and 506 Guard Street from multifamily residential to

professional services commercial. Councilmember Potter seconded the motion. The motion passed unanimously.

At 8:14 PM, Mayor Cahail opened the Public Hearing to rezone 355 Tucker Avenue, a parcel of land that abuts Tucker Avenue located between Guard Street and Harbor Street from multi-family residential to professional services.

Planner Miller presented the staff report. He noted the subject lot abuts the Town Wastewater Treatment plant on the north and an existing intensive professional services commercial use on the south. Staff recommended approval of the rezone.

Mayor Cahail again noted that the Town of Friday Harbor is the proponent.

Mr. John Carlson again asked why the Town is the proponent.

Mayor Cahail explained that the Town of Friday Harbor is the proponent for this rezone as a result of information presented at the September 20th Council meeting and opened the hearing for public input.

At 8:24 PM, hearing no comment from the audience or further input from staff, Mayor Cahail closed the public input portion of the hearing, noting that Council reserves the right to reopen the hearing for further public input at a later time or date.

Councilmember Nash moved to accept the findings and conclusions of the staff report and approve the rezone of 355 Tucker Avenue from multi-family residential to professional services commercial. Councilmember Dickinson seconded the motion. The motion passed unanimously.

At 8:26 PM, Mayor Cahail opened the Public Hearing for the Vaines/Alterman request for rezone of 1021 & 1023 Guard Street from single family residential (SFR) to multi-family residential (MFR).

Mr. John Carlson, attorney for the applicants, asked that Councilmembers Roberts and Potter step down for reasons of appearance of fairness.

Councilmembers Roberts and Potter both indicated they felt they could hear the request in a impartial manner and declined to step down.

Planner Miller presented the staff report. He presented the Council and applicant's representative with a graph showing the percentage of vacant and developed MFR zone land in Friday Harbor. Planner Miller noted that the source data for the graph is approximately 1 year old and that some MFR development has subsequently taken place.

Planner Miller noted physical and use characteristics of the surrounding area. He stated staff was unable to find the public interest component of the request due to the large amount of undeveloped MFR zone land in Town. The staff recommendation was for disapproval of the request.

Mr. Alan Vaines, one of the proponents, spoke of the need for affordable housing in Friday Harbor. He remarked that the owners of the adjacent residences to the west of the subject property have

indicated no objection to his proposal. He also pointed out that there is "a ridge 60' high" on the west boundary of the property.

Mr. Carlson spoke about compatible surrounding uses and read letters of support from property owners in the area. He felt the property was not suitable for SFR use, the surrounding SFR property needs a transition zone. Mr. Carlson asked that the subject property be rezoned to something other than SFR. He also spoke of the goals of the Growth Management Act and noted "intensified" use of land in the area. He stated that one of the proponents Mr. Vaines; is planning an "8 or 10 unit" development on his approximately 1-acre portion of the subject property for middle class, not low income, tenants.

Mr. Bill Guesswein, property owner in the area, spoke about the dangerous situation at the Guard & Park Street intersection. He felt added density would make a hazardous situation worse and recommended against the rezone.

Mr. Bud Phaneuf, 1017 Park Street, also spoke of the hazardous traffic situation in the area. He felt MFR use would add to the problem, SFR would be an appropriate use. He noted he bought his property with the understanding that the surrounding property would be utilized for SFR use.

Joanne Collins, 1020 Harborview, spoke of the bad traffic situation in the area and asked that traffic flow be addressed prior to consideration of a rezone.

Town Administrator Fitch noted that, upon investigation, it would appear that that portion of Guard Street physically might be off the platted public ROW.

Mr. Carlson felt the traffic problem should be addressed separately from the rezone request.

Mr. Vaines remarked that the speed limit in the area, 25 MPH, is the same as the rest of Guard Street.

Mr. Guesswein commented that a driveway from the subject property would access the street in the middle of a corner.

Planner Miller noted that the MFR zone is not a buffer, multifamily residents are not second class citizens. He also noted that this is not a contract rezone.

Mrs. Martha Freeauf, Friday Harbor, felt the sensibilities of single family residents and multi-family residents are the same.

Councilmember Roberts inquired as to why the results of a previous rezone request in the area were not included in the rezone information packet.

Planner Miller replied that he felt the previous rezone results would not have a bearing on this request.

Councilmember Nash indicated he would like to inspect the property before deciding.

Councilmember Dickinson would like the street lines and ROW lines clarified and suggested the hearing be continued pending clarification of the above.

Councilmember Roberts requested clarification of public hearing procedures.

Attorney Eaton replied that once the public input portion of the hearing is closed discussion can take place only among the Council.

Councilmember Roberts felt the traffic situation should be addressed as a separate issue.

Mr. Carlson stated the applicants would like to have the hearing continued so investigation could be made into the traffic situation.

Councilmember Athearn felt that these questions should be addressed prior to the public hearing, none the less a continuance would be appropriate.

Councilmember Potter concurred and expressed reservations as to whether the traffic situation could be addressed by the next meeting.

Attorneys Eaton instructed Council as to the guidelines for further researches either on their own or requested of staff.

Councilmember Dickinson felt the traffic situation did bear on the issue of rezoning the land.

It was noted that the traffic flow was not the only issue.

At Councilmember Nash's request, Attorney Eaton noted some criteria for a rezone; a change of circumstances in the area, and that the rezone would be in the public interest.

At 9:25 Councilmember Dickinson moved and Councilmember Potter seconded to continue the public hearing, with the public input portion to remain open, to 7:45 PM, November 1st, 1990. The motion passed unanimously.

At 9:26 PM, Mayor Cahail opened the Public Hearing for the Jim Capron request for a Shoreline Substantial Development permit to construct a six unit multi-family structure on tax parcel #351391215 that abuts both Warbass Way and Harrison Street.

Planner Miller presented the staff report. He noted the applicant's efforts to meet the intent of the Shoreline Master Program, in particular those pertaining to parking and public access.

Mr. Jim Capron, proponent, explained the intent of the proposal.

Mr. Jim Hitch, president of the PortoBello Condominium Association, asked if the provisions-of View Easement #130969 filed June 25, 1984 with the SJC Auditor would be met by the proposal.

Planner Miller responded that the easement was addressed by Condition #1 of the staff report.

Mr. Harlon Johnson, owner of PortoBello condominium E., expressed concern with preserving his view.

Mr. Garrett Larson, Kirkland, formerly of the architectural firm that designed the project, spoke of the favorable design characteristics of the project.

Councilmember Roberts inquired of the applicant if the proposed site wasn't previously intended for parking for Capron's Marina.

The applicant stated it was not.

Councilmember Nash asked if Planner Miller was satisfied that the view easement would be observed.

Planner Miller stated the permit could be conditioned so that the burden of proof that the view easement is not being impacted is on the developer.

Attorney Eaton noted it is a private view easement. The Town can revoke the permit, as conditioned, if the conditions are violated.

Councilmember Potter asked about provisions for refuse pickup. The applicant noted various possibilities on the site plan.

At 9:54 PM, hearing no further comments, Mayor Cahail closed the public input portion of the hearing.

The Council discussed the proposal.

At 9:56 PM, Councilmember Dickinson moved for acceptance of the findings, conclusions, and conditions of the staff report and approval of Substantial Development Permit application #49. Councilmember Athearn seconded the motion.

Attorney Eaton recommended that condition #1 of the staff report be amended to specify 'design' as well as heights and dimensions as provided.

Councilmember Potter expressed concern over refuse pickup, traffic flow, and fire protection. She recommended inclusion of a sprinkler as recommended-as a condition in the staff report.

The Council discussed parking considerations.

At 10:13 PM, Councilmember Potter moved and Councilmember Roberts seconded to amend the motion to add condition #7: This development shall substantially conform with the description of the "PROPOSAL" on page one (1) of the Staff Report File #SDP 49 heard by the Town of Friday Harbor Town Council October 4, 1990, and shall substantially conform with the plans and drawings received by the Town of Friday Harbor from the applicant May 15, 1990, further described as exhibits "A", "B", & "C" and with the drawings submitted to the Town of Friday Harbor June 12, 1990 by the applicant, further described as exhibits "D" & "E".

The Council discussed the amendment.

At 10:20 PM, the motion to amend the original motion passed unanimously. The amended motion passed unanimously.

At 10:22 PM, Councilmember Dickinson presented a status report on the Town petition to the San Juan Board of County Commissioners regarding harbor line issues. The County and the Port will each pay 1/3 of the costs.

Planner Miller presented a status report regarding progress on revision of the Comprehensive Plan. The Planning Commission is developing draft 90a1s.

At 10:26 PM, draft ordinance #807, an ordinance changing the location of certain land use zoning boundaries bordering Guard Street in Government Lot 7 of Section 11, Township 35N, Range 3 WWM, was given second and final reading.

Councilmember Roberts moved and Councilmember Potter seconded to adopt Ordinance #807. The motion passed unanimously.

At 10:27 PM, draft ordinance #808, an ordinance changing the location of certain land use zoning boundaries bordering Tucker Avenue in the Southwest-Southeast of Section 11, Township 35N, Range 3 WWM, was given second and final reading.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #808. The motion passed unanimously.

At 10:28 PM, Mayor Cahail introduced draft ordinance #809, an ordinance amending Ordinance #659 and Chapter 12.02 of the Friday Harbor Municipal Code relating to the construction of curb, gutter, sidewalk, storm drainage, and street construction within the corporate limits of the Town of Friday Harbor, for first reading.

Treasurer Picinich introduced draft resolution #782, a resolution authorizing an Interfund loan to the Arterial Street Fund from the Current Expense Fund in an amount not to exceed \$50,000, from the Water Operating Fund in an amount not to exceed \$50,000, and the Sewer Operating Fund in an amount not to exceed \$30,000, all to be repaid, with interest, by October 25, 1990.

Councilmember Athearn moved and Councilmember Potter seconded to adopt Resolution #782. The motion passed unanimously.

Mayor Cahail asked the Council if they wished to schedule discussion of a letter from Dr. Chris Clarke concerning time limit parking on Second Street.

The consensus of Council was to discuss the overall issue of parking at a future work session.

The Council discussed irrigation meters and topics for future work sessions.

Councilmember Roberts requested an indication from Mayor Cahail and individual Councilmembers as to whether the Council should work toward limiting growth.

Mayor Cahail felt they should not. Councilmember Potter was in favor of responsible growth. Councilmember Dickinson did not wish to respond at this time. Councilmember Nash felt it was being done. Councilmember Athearn felt that random growth destroys the quality of life, and that we should work to control growth.

Town Administrator Fitch asked the Council to authorize the Mayor to sign a document to define the location of a Town easement on the John L. Dwyer property abutting Margo Lake.

The Council discussed the request. Councilmember Dickinson moved and Councilmember Potter seconded to authorize the Mayor to sign the Mutual Confirmation of Easement Location agreement. The motion passed unanimously.

Town Administrator Fitch asked the Council to consider their input on the Draft Airport & Seaplane Base Master Plan.

At 10:54 PM, Councilmember Nash left the meeting.

At 10:55 PM, Councilmember Potter moved and Councilmember Dickinson seconded to go into executive session to discuss pending and current litigation for 30 minutes. The motion passed unanimously.

At 11:20 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 11:23 PM, Councilmember Athearn moved and Councilmember Potter seconded to adjourn to reconvene for a work session on the draft 1991 Salary & Wage ordinance, not to exceed 2 hours, on Wednesday, October 10th at 8:00 AM. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - October 10, 1990 @ 8:00 AM

The Town Council met for a work session.

Councilmember Athearn moved and Councilmember Dickinson seconded to appoint Councilmember Potter Mayor Pro tem. The motion passed unanimously.

Members present: Athearn, Dickinson, & Potter

Others present: Town Administrator Fitch, Treasurer Picinich, & Maintenance Supervisor Reitan

Mayor Pro tem Potter introduced the topic of the work session the draft 1991 Salary & Wage Ordinance.

Town Administrator Fitch reviewed work to date on the draft ordinance-and recent information on the Growth Management Act.

Mayor Pro tem Potter inquired if risk management information on sidewalk inspection had been requested. Administrator Fitch is waiting to hear back from the Maintenance Supervisor.

The Council and Administrator Fitch reviewed the changes from the current salary & wage ordinance. Administrator Fitch explained the rationale of each suggested change. His September 17th memo to Council outlining the changes was used as the basis for discussion.

The reorganization of Town Hall staffing locations was discussed. Administrators Fitch plans to move all financial functions downstairs and relocate the Department of Community Development upstairs.

Re-designation of the elected Treasurer position was discussed. Options considered include an appointed Clerk/Treasurer and a Town Finance Officer. Town Administrator Fitch inquired if a finance officer position is designated, is it a new position? Staff will research procedures to consolidate/eliminate the elected Treasurer position.

The introduction of a new classification, Maintenance Leadsman Certified in Area, in the draft 1991 Salary & Wage Ordinance was discussed.

Town Administrator Fitch called attention to changes in Section 5(d) of the draft ordinance; approval of the Mayor is no longer specified for advancement for employees in Section 3.

Implementation of the full July Seattle Consumer Price Index (CPI-W) of 6.4% was discussed. The current draft ordinance reflects a 5.3% cost of living allowance (COLA).

Maintenance Supervisor Reitan stated he would be doing job evaluations every 6 months for every man on the crew.

Town Administrator Fitch explained the rationale of budgeting for a potential step increase for each employee. A step increase would then be an administrative matter, removing the necessity of Council pre-approving individual step increases during the budget formulation process or amending the budget for same during the year.

The Council approved of the Administrator's proposal.

At 8:55 AM, Administrator Fitch introduced the topic of staff medical insurance coverage options.

Deputy Town Clerk Avery presented a worksheet comparing coverage and costs of 4 regional insurance companies. The Council will review the information independently.

Councilmember Athearn stated she wished to see the Town provide the best medical coverage possible for its employees. The existence of possible inequities of cost of coverage between employees with and without dependents was discussed. Further consideration of whether the Town should cover dependents was deferred to a work session, to be held as soon as possible, before the full Council.

Town Administrator Fitch spoke to the lack of adequate job descriptions for the majority of Town positions. He also mentioned the lack of a current policy manual and noted he is currently reviewing a draft manual.

Administrator Fitch asked for an indication from the Council as to hiring an outside consultant to write job descriptions or having supervisors instruct their employees to write job descriptions.

The need for accurate job descriptions, evaluation procedures, and the advisability of having a consultant perform the project was discussed. The Council felt money should be budgeted for the project and that the determination of the process was an administrative matter.

A request by the San Juan County Public Health Department that the Town budget for their services for 1991 was discussed.

Councilmember Athearn asked the staff to look into "per call" payments to salaried Fire Department personnel.

At 9:50 AM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

Bonnie C. Potter, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - October 16, 1990 @ 5:00 PM

The Town Council met for a work session, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, & Potter Others present: Treasurer Picinich

Mayor Cahail introduced the topic of the work session discussion of Town employee medical insurance policy.

Treasurer Picinich related the results of her informal poll of other municipalities' policies regarding whether dependents are covered by the cities medical insurance and whether compensation is given to those without dependents. Treasurer Picinich distributed a summary of insurance benefits ranked by city population derived from the 1990 AWC Salary & Benefit Survey.

The Council discussed current and potential insurance premiums and various carriers.

Councilmember Athearn noted she understood that the intended purpose of the meeting was to discuss the Town's philosophy on medical insurance coverage, not particular carriers.

The possibility of having newly hired employees covered under an alternate program was discussed.

Deductible type coverage was discussed.

Councilmember Potter suggested that the staff continue research into comparable plans.

Equalization of insurance costs for employees with and without dependents was discussed.

Wellness incentive programs were discussed.

Councilmember Potter noted there were not many "perks" available to public employees.

The consensus of Council was to retain the current philosophy of 100% funding of medical insurance for current employees and dependents and not institute a compensation package for employees without dependents. An alternative plan of coverage is to be investigated to apply to future hiring and is to be effective beginning January 1, 1991.

Deputy Town Clerk Avery will do the research and report to Council.

At 6:09 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - October 18, 1990 @7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Planner Miller, & Fire Chief Galer

The minutes of the October 4th, 12:30 PM, October 4th, 7:30 PM, and October 10th, 8:00 AM meetings were approved as submitted.

Ms. Consuelo Larrabee, 2810 Hannah Place, asked that if cruise ships are allowed to dock at the Port, only one be allowed at a time and that they be scheduled so island residents could use the service.

Planner Miller presented for Council consideration a draft letter of comment to the Port Commission regarding the Draft Final Report of the Friday Harbor Airport and Seaplane Base Master Plans.

Council discussed the draft letter. At Councilmember Dickinson's suggestion, a request for notice of any future public hearings on the matter will be appended to the letter.

At 7:40 PM, Fire Chief Galer presented the Fire Chief's Report.

The Town Clock is currently undergoing repair. There have been 87 fire calls this year to date, quieter than last year.

Chief Galer reported on a weeklong fire training session hosted by the Friday Harbor Fire Department. The Halloween Haunted House is the next scheduled event. Representatives of the Washington Survey & Ratings Bureau will be in Friday Harbor the middle of November.

At 7:45 PM, Mayor Cahail opened the Public Hearing for the Gene & Susea McGearhart application for a Shoreline Substantial Development Permit to construct a pier structure for private use to be located in Friday Harbor Playgrounds Lot #1-12 and instructed the audience of the procedure that would be followed.

Planner Miller presented the Staff Report. He noted the application was reviewed under the previous Shoreline Master Program.

Planner Miller explained the physical features necessitating the proposed 335-foot pier, float, and ramp structure. He read a possible additional condition suggested by Port Director Simpson; "There shall be 100 foot clearance between the private dock structure and any existing Port structure at the time of development of the approved structure

Mr. Tom Metke, KSM, agent for the applicants, spoke of future possibilities for joint use. He stated the applicants would like to locate the shore end of the pier at the south boundary of the property. Mr. Metke presented a revised site drawing and supporting exhibit. He also noted the history of other dock permit applications in the area.

At 7:55 PM, Mayor Cahail open the hearing for input from the audience.

Susea McGearhart spoke in support of the application.

At Councilmember Nash's inquiry, Mr. Metke explained why the pier is at an angle in relation to the property line; an effort was made to not place the pier in front of Port property and to keep the structure in front of the property as the pier extends from the shoreline. Mr. Metke stated that the proposed pier would be no closer than 100 feet, at its closest approach, to the sewer outfall.

Future public access considerations were discussed.

The Council inquired as to the applicability of construction setbacks to docks. Planner Miller felt the required building setbacks of the zone must be complied with.

At Councilmember Potter's inquiry, Planner Miller noted the provisions of Condition #2; "Building permits and construction of the proposed private pier, ramp, and float structure shall be issued in conjunction with or subsequent to the building permits or construction of the primary use of the property as a single family residence.

Councilmember Roberts inquired about implementation of future joint use. Planner Miller felt it could be done through a civil contract.

Mr. Metke stated that in the County, when there is no joint use, but joint use is a condition, an agreement setting future use conditions is filed with the County Auditor.

At 8:20 PM, hearing no further comment from the audience, Mayor Cahail closed the public input portion of the hearing, noting that Council reserves the right to reopen the hearing for public input at a later time or date.

Councilmember Roberts suggested the permit be conditioned to allow use by owners of adjacent lots 2-12, 13, and 14.

Councilmember Potter-expressed concern over the length of the proposed pier and supported-consideration of a multiple use condition.

Councilmember Dickinson supported provisions for joint use.

Councilmember Nash commented on the shallow water in the area and expressed concern with the orientation of the pier to adjacent properties.

Mr. Metke voiced concern over conditioning for joint use of the dock for more use than space would allow.

Mr. Gary Jones, property owner of lot 2-12, asked that the permit be conditioned to allow joint use by lot 2-12.

The consensus of Council was to continue the public hearing to 8:15 PM at the November 1st Council meeting.

At 8:30 PM, the Council heard a presentation by Mr. Richard Butler, Richard Butler & Associates, and Mr. John Segerson, Economic & Engineering Services, Inc. CEES regarding San Juan Island water-system capabilities. The Council received copies of the Draft San Juan Island Critical Water Supply Service Area Coordinated Water System Plan Regional Supplement. A public hearing on the countywide plan will be held Monday November 5th, 7:30 PM at the Community Theater.

Mr. Butler spoke to the scope and intent of the plan and the structure and goals of the associated committees. He noted that the Town of Friday Harbor is a statutory member of the Water Utility Coordinating Committee.

Mr. John Segerson provided detailed information on the development of the draft plan. The Draft San Juan Island Critical Water Supply Service Area Coordinated Water System Plan Regional Supplement is intended to provide a regional perspective. He noted there is nothing in state law to require a water purveyor to provide [additional] service.

Mr. Segerson spoke of common concerns with source and quality of supply. He remarked that adoption of the Plan is by the County and the Department of Health with Department of Ecology approval. Mr Segerson asked that the Town of Friday Harbor give consideration to working with other island water purveyors for future planning. He also noted that county government is not presently structured to deal with water resource management.

The Council questioned Mr. Butler and Mr. Segerson on various aspect of water supply.

Mr. Segerson recommended that water issues be dealt with at the local level rather than having them "forced to the state."

The Water Utility Coordinating Committee will be considering adoption of the Draft San Juan Island Critical Water Supply Service Area Coordinated Water System Plan Regional Supplement at their November 13th meeting.

At 9:30 PM, a letter from Mr. Frank Boling concerning the wearing of a gun by one of the Sheriffs Department parking enforcement personnel was discussed.

Draft ordinance #809, an ordinance amending Ordinance #659 and Chapter 12.02, FHMC, relating to the construction of curb, gutter, sidewalk, storm drainage, and street construction was given second and final reading.

At 9:32 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adopt Ordinance #809. The motion passed unanimously.

Councilmember Athearn inquired if the above ordinance would precipitate action on the sidewalk deferral program. Town Administrator Fitch explained the current manner in which the standards are applied. The sidewalk deferral program requires further work.

At 9:35 PM, Mayor Cahail introduced draft ordinance #810, an ordinance changing the location of certain land use zoning boundaries bordering Tucker Avenue in the Southwest-Southeast of Section 11, Township 35N, Range 3 WWM.

Councilmember Nash moved and Councilmember Potter seconded to adopt Ordinance #810. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #811, an ordinance changing the location of certain land use zoning boundaries bordering Guard Street in Government Lot 7 of Section 11, Township 35N, Range 3 WWM.

Councilmember Nash moved and Councilmember Dickinson seconded to adopt Ordinance #811. The motion passed unanimously.

Town Clerk Dubail presented a draft ordinance and a staff report on work to date and projected costs regarding proposed changes to the Town address system. The proposed changes are intended to make the Town and County systems compatible.

Town Clerk Dubail reported on information received this date from San Juan County Assessor Paul Dossett reporting that the state is investigating ensuring that county address systems are compatible with an "enhanced" 911 emergency response system. Additionally, Mr. Dossett indicated that the County would not be implementing planned changes to their address system due to difficulties with enabling the system to only affect San Juan Island.

Town Clerk Dubail recommended that it might be advisable to wait for further developments at the state level before tackling the local systems.

At 9:53 PM, the consensus of Council was to table the matter for 6 months pending further indication of State intentions.

Town Clerk Dubail will work with representatives of the various emergency service providers and the County Assessor to provide clarification of "gray" areas in the address systems.

At 9:55 PM, the Port Staff reports to the Port Commissioners, and accompanying letter, concerning cruise ship use of Port facilities was reviewed. Concern was expressed over impacts on the island community. Providing for island resident use of the services was discussed.

Councilmember Roberts referred to the Draft Island Wide Survey results regarding promotion of tourism.

Mr. Darryl Roberts stated that the Chamber of Commerce general membership has not expressed support for cruise ship use of the Port, the C of C executive committee does support the use.

State and private promotion of island tourism was discussed.

Mr. Pete Risser commented that the Port is, in effect, marketing our quality of life. --

Councilmember Potter suggested the Town write a letter to the Port Commission in support of recommendations #2 and 3 of the Port Staff report.

Councilmember Roberts would like wording in the letter discouraging the promotion of tourism.

Councilmember Athearn asked that the off-loading of refuse and the use of water at the Port by cruise ship be addressed in the proposed letter.

Staff will draft a response letter for Council consideration.

At 10:18 PM, Town Administrator Fitch and Council discussed the Council response to the questions raised by Mr. George Post's (SWAC) presentation to the Town Council at the October 4th evening Council meeting.

The Town Administrator's October 8th memo to the Council on the subject was used as a basis for the discussion.

Concern with financial restraints and Town policy in regard to encouraging recycling were discussed.

Mayor Cahail noted there is no one solution to the solid waste disposal problem.

Councilmember Athearn remarked that Solid Waste Leadsman Erickson has some excellent suggestions for improving operations at the Solid Waste facility.

Councilmember Roberts suggested, to encourage recycling, an escalating rate structure for solid waste disposal.

Town policy on possible future uses at the Town solid waste facility was discussed.

Treasurer Picinich reported \$40,000 would be in reserve by the end of 1990 for startup of a recycling program.

Town Administrator Fitch noted that any Town recycling program would not be revenue positive or even revenue neutral. Solid waste rates will eventually need adjustment to help support the program.

Councilmember Nash suggested a trial program.

Councilmembers Athearn and Roberts noted the Town is already in receipt of the draft Solid Waste Management Plan.

Ms. Helen Winters offered information on upcoming State solid waste management programs.

Town Administrator Fitch commented that the Association of Washington Cities User Fee Survey indicates that Town of Friday Harbor solid waste rates are very low. He also remarked that the Town street refuse containers are being filled with household refuse.

Councilmember Potter remarked that Seattle is beginning to charge for refuse pick up by weight.

Susan and Peter Risser suggested some positive steps for reducing the waste stream, providing for recycling, and for the exchange of serviceable goods. The Rissers explained a "free house" concept for the collection and exchange of serviceable goods.

Councilmember Athearn will relay the Council's indications to the SWAC.

Town Administrator Fitch noted a request from Gray & Osborne Engineering for an increase of \$7,300 in fees for engineering services for the Second Street reconstruction project. They anticipate the project will be completed under budget by approximately \$15,000.

Administrator Fitch also informed the Council that San Juan County Bank, at their own expense, will be changing one curb cut in the new sidewalk along Second Street.

At 11:05 PM, Councilmember Nash moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - November 1, 1990 @ 12:30 PM

The regularly scheduled Town Council meeting died for lack of a quorum. Mayor Cahail was present.

Members present: Athearn & Dickinson

Others present: Treasurer Picinich & Maintenance Supervisor Reitan

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - November 1, 1999 @ 7:30 P91

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

Members present: Athearn, Dickinson, Potter, & Roberts

Others present: Treasurer Picinich, Attorney Eaton, & Planner Miller.

The minutes of the October 16th and 18th meetings were approved as amended.

At 7:35 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to pay the bills and approve the payroll. The motion passed unanimously.

There were no non-agenda items presented; from the audience.

The Council heard a presentation by Mr. Skip Allen regarding use of Town property adjacent to the Wastewater Treatment Plant (WWTP) for a fish hatchery. Mr. Allen was concerned about chlorine entering the bay from the sewer outfall. The group he represents would like to build an interpretive center and a fish hatchery-utilizing outflow from the WWTP.

Mr. Rich Kolb, Fisheries Clientele Program Manager for the Department of Fisheries, spoke of funding and construction possibilities and the long-term aspects of his program.

Mr. Allen noted that his volunteer group would accomplish all land preparation and landscaping.

Councilmember Dickinson inquired to what type of formal arrangement for use of the land Mr. Allen was requesting.

Mr. Allen asked that the Town consider some sort of Lease arrangement. At Councilmember Potters inquiry, Mr. Allen stated that his group is ready to formally apply for non-profit status.

Mayor Cahail and the Council discussed the proposal.

Mr. Allen briefly spoke of the environmental, educational, and potential economic benefits of the project.

The consensus of Council was to encourage Mr. Allen and his group to develop a formal project proposal.

At 7:55 PM, Mayor Cahail reopened the Public Hearing for the Vaines/Alterman request to rezone 1021 & 1023 Guard Street from single family residential to multi-family residential. The hearing was continued from the October 4th 7:30PM Council Meeting.

Mr. Alterman, proponent, spoke in favor-of the proposal.

Mr. Vaines, proponent, stated the San Juan County Sheriff's Department has no record of traffic accidents in the immediate vicinity. Mr. Vaines spoke about surrounding land use and the "best" use of the land in question, He displayed drawings depicting a possible multi-family use of the property. He noted his drawings show the platted right of way, not actual road location. The submitted road location sketch prepared by Jeff Iverson, surveyor, and shows the ROW/road relative positions. Mr. Vaines felt the land zoning map does not accurately reflect current land use. He also referred to the draft Community Wide Survey and noted Recommendation #2 by the survey consultants encourages development of affordable housing in the Town and County. Mr. Vaines distributed copies of the County Wide Survey Recommendations to the Council.

Mr. John Carlson, attorney for the applicants, stated the applicants ask to be dealt with under in a manner that is fair & reasonable. The applicants are asking that the land be rezoned for the least offensive use.

Mr. Bill Gesswein, 1020 Harborview Place, pointed out a number of homeowners in the area that were in the audience. He noted that a number the single-family landowners had bought had purchased adjacent empty lots to limit density. Mr. Gesswein also asked what was the maximum number of units that could be built on the property.

Mr. Carl Wills, 1019 Harborview Place, spoke of the potentially hazardous traffic situation in the area. He expressed concerns with increased traffic if the property had multi-family use.

Mr. Dave Eden, 1025 Guard Street, recounted an accident he was recently involved in the area. He felt duplexes might be an appropriate density.

Mr. Bud Phaneuf, 1017 Park Street, spoke of the traffic situation in the area. He stated he bought his lot because of surrounding single-family residential zoning and remarked that he moved from Los Angeles because of apartments being built around him.

Planner Miller and Attorney Eaton had no further comments.

At Councilmember Potter's request, Planner Miller spoke to potential uses of the lot if it were rezoned to multi-family.

At 8:30 PM, hearing: no further comments from the audience, Mayor Cahail closed the public input portion of the hearing.

Councilmembers Roberts, Dickinson, and Athearn commented on the traffic situation in the area.

Councilmember Roberts moved and Councilmember Athearn seconded to accept the finding and conclusions of the staff report and deny the rezone request.

Councilmember Dickinson stated that nothing presented at this time showed the need for additional multi-family residential zoned land or public benefit from the proposed rezone.

Councilmember Athearn noted that the existing zoning across the street is Mobile Home Park and can be developed to a high density.

At 8:38 PM, the motion passed unanimously.

Mayor Cahail opened the Public Hearing for the Gene & Susea McGearhart request for a Shoreline Substantial Development permit to construct a dock for private use on lot #1-12 of Friday Harbor Playgrounds. The hearing was continued from the October 18th Council meeting. Mayor Cahail reopened the hearing for public input.

Town Clerk Dubail noted receipt of a revised dock drawing from KSM received by the Town 10/30/90 and receipt of a letter from Nedell and Jack Crawford regarding the dock application and the public trail.

Attorney Eaton distributed to Council a draft agreement for joint dock use prepared by the law offices of John O. Linde and received by the Town on November 1, 1990.

Mr. Tom Metke, KSM, agent for the applicants, commented on the revised drawing showing the dock location moved from approximately the western side yard to the eastern lot line and which now shows shoreward access stairs. He noted the applicants want a recreational, not commercial, use dock.

Linda Browne, 500 Harbor Street W., asked that buoys be placed in the harbor to mark the end of the proposed dock.

Marsha Jones, a co-owner of lot 12, asked why Mrs. Browne was concerned about looking at another dock. She noted that Mrs. Browne had previously received a dock permit, although the dock was never built. Also, the letter received by the Town concerning the trail across the property should be a separate issue.

Susea McGearhart, applicant, stated that Mrs. Browne could review the submitted plans if she wished to determine the location of the end of the proposed dock. Mrs. Browne responded that it was difficult to visualize the impact on her view from the plans.

Planner Miller noted that paragraph I of the staff report should be revised to read; "The applicant proposes to develop a dock, with shoreward access stairs, which includes a pier, ramp, and floats...."

Planner Miller also suggested additional conditions:

Condition #4: No portion of the dock, stair structure whatsoever, shall encroach upon the public access trail which generally parallels the harbor shoreline in the immediate vicinity, the subject trail is further described by the Town of Friday Harbor vs Jones in the SJ Superior Court cause #89-2-05093-6.

Condition #5: The private dock structure and stairs as proposed, and of which the general location is shown on the plan submitted to the Town of Friday Harbor by KS & M inc. October 30, 1990 may be approved subject to receiving the necessary variance(s) to the side yard setback and residential accessory structure requirements of the single family residential zoning district and/or appropriate access easements of the subject properties.

Mr. Tom Metke felt the stairs to the dock should not require a variance and that the dock is not the type of structure that necessitates setbacks.

At Councilmember Dickinson's inquiry, Attorney Eaton commented on setback requirements and what type of structure would require property line setbacks. Mr. Eaton also commented on the relevance of the trail issue to the Shoreline Substantial Development permit application and the advisability of conditioning the permit to address same.

Mr. Metke noted the proposed stairs do not encroach on the trail and voiced no objection to the proposed condition.

Mr. Eaton advised that pending litigation should not be an issue in considering the application.

At Councilmember Potter's inquiry, Mr. Gearhart stated that access to the lot will be from Beach Court, an unopened Town street, and that the street will be opened at the owners expense.

Planner Miller noted that according to ordinance and the Shoreline Management Act anything man built is a structure.

At Attorney Eaton's inquiry, Mr. Metke stated that lateral extensions on a cove shoreline result in pie shaped boundaries.

Mr. Eaton suggested an additional condition to the permit to keep the entire dock within the above-mentioned boundaries as they extend into the harbor cove area. Additionally, Mr. Eaton expressed reservations in regard to the submitted draft joint use agreement.

Councilmember Roberts asked that Attorney Eaton review the draft joint use agreement with regard to multiple use.

The Council would also like additional information the proposed stairway.

Marsha Jones asked how a monetary amount for an easement for multiple use could be determined.

Gene Gearhart stated that the covenants of the plat prohibit crossing adjacent property.

At 9:15 PM, the consensus of Council was to continue the hearing, with the public input portion to remain open, to November 15, 1990 at 7:45 PM.

Mr. Frank Boling, Friday Harbor, expressed concern about an armed Sheriff's Department parking enforcement officer and possible liability to the Town.

Mayor Cahail informed Mr. Boling that the Town contracts with the Sheriff's Department for parking enforcement. The conduct and equipment of the enforcement officers is a policy question for the Sheriff's Department.

Attorney Eaton noted the existence of an indemnity clause in the Town/County law enforcement contract.-

Deputy Scott Brennan of the Sheriff's Department provided information on the qualifications of the officer in question. He noted she is a state certified reserve deputy.

At 9:23 PM Treasurer Picinich introduced draft Ordinance #812, an ordinance fixing and levying the amount of Ad Valorem taxes for the Town of Friday for 1991. Treasurer Picinich commented on the small return on the Town assessed valuation.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #812. The motion passed unanimously.

Councilmember Athearn noted that Ordinance #799, a six month moratorium on public hearings before the Planning Commission, expires this date.

Planner Miller reviewed Planning Commission progress to date on the Town Long-Range Plan. He felt a 3 month extension of the moratorium would be appropriate.

The Council would like to see a draft of the new comprehensive plan in 3 months. Planner Miller did not think that was possible without hiring additional help.

The Council discussed the current role of the Planning Commission.

Draft ordinance #813, an ordinance extending a six month moratorium on public hearings before the Planning Commission for certain land use matters and repealing Ordinance #772 in its entirety was introduced. This ordinance extends the above moratorium for 3 months to expire on February 1, 1991.

Councilmember Athearn moved and Councilmember Potter seconded to adopt Ordinance #813. The motion passed unanimously.

The "street tree" project was discussed. Town Clerk Dubail, reported on community/Town staff discussions and development work on the project to date. A meeting with community representatives has been scheduled for 4:00 PM, Wednesday November 7th in the Council chamber. The Council discussed continuing the Council meeting to that date.

Councilmember Roberts expressed support for the tree project and suggested a portion of the Parks budget be used to help the project.

A letter to the Port Commissioners concerning cruise ship use of Port facilities was approved and signed by the Council and Mayor.

Mayor Cahail reported on a visit to the Town by residents of our sister city, Terschilling, The Netherlands.

Treasurer Picinich distributed the draft 1991 Town budgets.

At 9:50 PM, Councilmember Potter moved and Councilmember Roberts seconded to go into executive session to discuss pending and potential litigation. The motion passed unanimously.

At 10:14 PM, Councilmember Roberts moved and Councilmember Potter seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 10:15 PM, Councilmember Roberts moved and Councilmember Potter seconded to continue the meeting to November 7, 1990 at 4:00 PM to discuss street trees. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, own Clerk

Town Council - November 7, 1990 @ 4:00 PM

The Town Council meeting continued from November 1, 1990 died for lack of a quorum.

Members present: Dickinson & Potter

Others present: Town Administrator Fitch

The Town Clerk announced that the meeting would attempt to convene November 8, 1990 in the Town Hall conference room for a budget work session.

Steven Dubail, Town Clerk

Town Council - November 8, 1990 @ 7:00 PM

The Town Council met in the Town Hall conference room for a work session on the draft 1991 Town budget, Mayor Cahail presiding. (This meeting was not recorded on tape)

Members present: Athearn, Dickinson, Potter, & Roberts Others present: Town Administrator Fitch, & Treasurer Picinich

Councilmember Roberts inquired about information sources regarding a recent article in the Journal of the San Juan's about attendance by Councilmembers at Council meetings.

Mayor Cahail suggested Councilmember Roberts contact the writer of the story and express his concerns.

Councilmember Roberts explained why he had been unable to attend all of the Council meetings. He noted that he had previously notified the Council he would be unable to attend daytime Council meetings. He and his wife had recently become parents for the first time and he also has a business commitment through the first of the year on Brown Island.

Councilmember Dickinson expressed her feeling that Councilmembers have made a commitment to attend to ensure a quorum.

Mayor Cahail suggested Councilmembers notify the Town Clerk if they will be unable to attend a specific meeting. The Town Clerk can then determine if it will be possible to obtain a quorum.

Town Administrator Fitch suggested that the Town Clerk poll the Councilmembers at roll call as to whether the absence of a Councilmember is excused.

The consensus of Council was that all Councilmembers will inform the Town Clerk if they will be unable to attend a specific meeting. The Town Clerk will then determine if it will be possible to obtain a quorum. The Town Clerk will poll the Councilmembers during roll call as to whether they wish to excuse the absence. The Town Clerk is to inform the effected Councilmember by the minutes or other timely means as to whether the absence is excused or not.

At 7:35 PM, the Council began review of the draft 1991 budget. Councilmember Roberts felt proposed refuse fund expenditure to repair the incinerator should be a Council decision.

Town Administrator Fitch stated that any major repair proposal would come before the Council. Treasurer Picinich noted funds are being held in reserve for repairs.

Councilmember Roberts suggested the Town consider time & materials charges for certain Town services. The philosophy and methodology of determining user fees was discussed. Setting a base charge per application to include a certain amount of staff service was suggested.

Town Administrator Fitch noted that actual costs for processing an application are not recovered that a portion is considered public service.

Councilmember Roberts commented on upcoming 1990 and 1991 sign ordinance deadlines.

At 8:00 PM, Mr. Frank Wilson, San Juan Aid Unit Chief, presented the proposed 1991 Aid Unit budget. He noted that 16% of the revenue comes from the Town of Friday Harbor. Mr. Wilson also presented a January through October EMS activity report. Mr. Wilson will report EMS activity quarterly.

Escalating fuel costs discussed.

Presentation of the San Juan County Sheriff's contract proposal for 1991 law enforcement services was discussed.

At 8:35 PM, Councilmember Potter requested that the proposed Tuesday November 13th budget work session be moved to Wednesday November 14th due to a conflict with a scheduled meeting at the Friday Harbor Elementary School. She noted that she, Treasurer Picinich, and Town Clerk Dubail all had children that would be effected by the topic of the meeting.

Councilmember Athearn noted that the Town has been receiving additional law enforcement service by having an armed reserve deputy performing parking enforcement tasks. The matter will be discussed with Sheriff Cumming when he presents his contract proposal.

The Council commented on the duties of the Fire Department Secretary and the need for a new radio for the Fire Chief's car. The Fire Department operating supply requests were reviewed.

Town Administrator Fitch noted that Washington Survey & Rating Bureau surveyor considered the fire boat an asset when conducting the recent rating survey of the Town. Funding responsibilities and alternatives for ownership and operation of the fire boat were discussed. Billing per call was suggested.

Town Administrator Fitch noted that the Survey representative had indicated that an additional one million gallons of water storage in town and a ladder truck would be necessary to upgrade the Town's fire insurance classification rating.

In reference to the Planning budget, Administrator Fitch explained the rationale for proposing development of a Waterfront Plan. The Plan would be a joint effort with the Port and County. This would enable application for a CZM matching grant.

Town Administrator Fitch noted the Town's intention to bring short course- training sessions to the Planning Commission.

1991 Park plans were reviewed.

Treasurer Picinich noted that no monies were put aside in the Current Fund for 1991 property acquisition. She also mentioned a gambling tax as a possible source of revenue for the Current Fund. The estimated yearly revenue from such would be approximately \$45,500. The Town would be the collecting agency.

Councilmember Roberts suggested trying to acquire Hotel/Motel Tax funds to help possibly provide parking and/or public restrooms. Town Administrator Fitch noted the funds are specifically intended to promote tourism.

At Treasurer Picinich's inquiry, the consensus of Council was to pursue implementation of a Gambling Tax.

At Councilmember Robert's inquiry Town Administrator Fitch noted that Washington cities in tax rates.

Treasurer Picinich mentioned other possible small sources of revenue, including Poll Taxes and Admissions Taxes. Administrator Fitch commented on the low revenue return for small cities due to administration costs and use requirements.

Councilmember Roberts suggested not accepting state funds for road instead collecting a poll tax from ferry users.

Town Administrator Fitch and Treasurer Picinich noted the need for raising the property tax lid. The 1991 proposed budget is an "austere" budget. The Town will not be able to offer as many services as in the past.

Councilmember Roberts remarked that very few people realize that the Current Fund is primarily funded by Sales Tax.

Councilmember Potter mentioned the possibility of producing a Town newsletter.

At 10:10 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to adjourn to November 14th at 7:00 PM for a budget work session. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - November 14, 1991 @ 7:00 PM

The Town Council met for a work session on the draft 1991 budget, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, Potter

Others present: Town Administrator Fitch, & Treasurer Picinich

Town Clerk Dubail informed the Council that Councilmember Roberts had notified the Town Clerk's office that he would be unable to attend the meeting. The Council discussed whether to excuse Councilmember Roberts absence. Councilmember Dickinson voted to not excuse the absence. Councilmembers Athearn, and Potter, voted to excuse the absence. Councilmember Nash abstained. Councilmember Robert's absence is excused.

Town Administrator Fitch noted scheduled budget proposal presentations by Fire Chief Galer and San Juan County Sheriff Cumming. Administrator Fitch distributed a draft Gambling Tax Ordinance and a letter from Karla Bernard, SJI Chamber of Commerce, and Town Nawrocki, manager, The Inn at Friday Harbor, concerning Town collection and use of Hotel/Motel Tax monies.

At Councilmember Nash's request, the Council reviewed specific budget items in the Current Fund. Councilmember Nash complemented Treasurer Picinich on the clear format of the draft budget.

The Council resumed review of the Street Fund. At Councilmember Nash's suggestion, the estimated revenue from the Capron Fund was increased by \$9,700 to \$105,000.

At 7:38 PM, Sheriff Bill Cumming presented his 1991 law enforcement budget proposal. He noted 40% of the case calls are from within the Town of Friday Harbor and explained that he felt the Town is getting a "good deal" on the total law enforcement package. He stated that the actual costs are much higher than his budget request. Sheriff Cumming plans to add an officer for 1991. He also noted that, at this time, the Port of Friday Harbor does not pay for law enforcement services.

Councilmember Nash remarked that Town of Friday Harbor residents are also County residents and pay a good portion of taxes to the County.

Sheriff Cumming noted his request includes law enforcement, parking enforcement, dispatch, and jail services.

Enactment of a Gambling Tax by the County as well as by the Town was mentioned.

Sheriff Cumming informed the Council that parking enforcement officers would not be armed. The parking personnel may be re-uniformed in the future.

The Council will try to have a definite budget amount to Sheriff Cumming by the end of November. Councilmember Dickinson suggested the Port be contacted regarding payment for law enforcement services.

At 8:15 PM, Fire Chief Galer explained that the Fire Department does not try to bill for some costs and services.

Councilmember Potter described her background in fire service as a volunteer and a purchasing agent. She felt the Fire Chief was underpaid and the Fire Department needs the proper equipment to do their job. She noted a detailed explanation of requested items is helpful.

The Council expressed concern about the lack of financial support for the fireboat from other agencies and the community.

Chief Galer suggested that effort be put into solicitation of funds to help support the fire boat.

Councilmember Athearn inquired about mutual aid contracts for the fireboat. Maintenance and equipment expenditures on the fireboat were discussed.

The Fire Department public education program was reviewed. At 9:00 PM Councilmember Roberts joined the meeting.

The proposed exterior painting of the fire station and repairs on the clock tower were discussed.

At 9:10 PM, Town Administrator Fitch introduced the concept and purpose of producing a Town newsletter. He also mentioned upcoming deadlines in the Sign Ordinance. Administrator Fitch

introduced Ms. Nancy Larsen who presented an overview of the newsletter proposal. She noted a newsletter needs a clear goal and format.

Mayor Cahail expressed support for the project. He also spoke of an in-house newsletter for employees.

Councilmember Potter commented on current and proposed equipment and software necessary for production of a newsletter.

At 9:38 PM Ms. Larsen spoke about the 1990 Sign Ordinance deadline and location of signs. There are 29 possible violations according to her 1989 survey. She felt the 1991 deadline and size of signs may be a difficult situation.

Councilmember Roberts suggested a public response form on the back of the utility bills.

Town Administrator Fitch noted comments from the business community concerning expression of Town support for American forces in the Middle East. He suggested postcards of Friday Harbor that could be filled out by residents when they pay their utility bill and then bulk mailed. The consensus of Council was to proceed with the project.

At 9:55 PM, Councilmember Potter noted a request by proponents of the street tree project for permission from the Council to begin soliciting donations for procurement, installation, and maintenance of the trees. Councilmember Potter will ask for a decision from Council at the November 15th meeting.

Mayor Cahail asked the Council to consider continuing the November 15th meeting for a budget work session.

At 10:00 PM, Councilmember Nash moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town-Council - November 15, 1990 @ 7:30 PM

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

Members present: Athearn, Dickinson, Nash, Potter & Roberts

Others present: Town Administrator Fitch, Town Treasurer Picinich, Town Planner Miller & Town Attorney Eaton.

At 7:30 PM, Mayor Cahail gave Council time to go through bills before calling the meeting to order at 7:47 PM.

Minutes from the 11/1/90 (12:30 PM & 7:30 PM), 11/7/90 (4:00 PM) and 11/8/90 (7:00 PM) were approved as presented.

Mayor Cahail called for non-agenda items. Councilmember Potter said she and Councilmember Dickinson met with a citizen's committee headed by Kerwin Johnson, David Skinner and Steve Schramm who requested permission from the Council to begin fund raising for 16 trees to be planted in the core area of Town. In response to Councilmember Robert's question, Councilmember Potter confirmed that the Town would be the recipient of and accountable for the money that would be raised.

Town Administrator Fitch, explaining the proposal, said that the Town's share of the project would be to "jackhammer" the diamonds out of the bubbles costing the Town approximately \$600.00 labor. The balance of the work purchasing the trees (3 1/2 diameter trunk size, red ash), digging the hole, planting and 3 years of maintenance would be done by private contractors, and paid for by private funds solicited privately.

Councilmember Nash said he was not in favor of the project, citing trash, cleanup and visibility.

Councilmember Dickinson said she favored the project, citing beauty and stability.

Discussion followed on what would be around the base of the trees, ie, grates, grass, cement collars or flowers.

In reference to a request from Gray & Osborne for additional funds for their construction engineering project which the Council chose not to provide. Town Administrator Fitch clarified that the funds were eligible for a 90:10 match with TIB translating to a TIB share of \$6,300.00 and a Town share of \$700.00. Mayor Cahail granted Town Administrator Fitch permission to deliver a full presentation of this issue in the near future.

At 7:59 PM, Lake Union Air was called for their scheduled presentation to request private use of a public right-of-way. No Lake Union Air representative showed up.

At 8:00 PM, Councilmember Athearn moved to pay the bills. Councilmember Potter seconded the motion. It passed unanimously.

At 8:01 PM, Mayor Cahail opened the continued public hearing on the joint use dock application by McGearhart and Gearhart. Councilmember Nash said he missed the previous portion, had not heard the tape and elected not to participate.

Attorney John Linde spoke on behalf of the applicant commenting on Condition 7 of the staff report relating to lots entitled to use of the dock, and Condition 4 of the staff report relating to the public access trail which parallels the harbor shoreline in the immediate vicinity of the proposed dock.

(8:07 PM Town Treasurer Picinich arrived at the meeting.)

Upon request from the Mayor, Town Planner Miller mentioned a letter from Linda Brown. He presented a modified drawing of the dock and access stairs, which he received on November 13,

1990. He did not make a recommendation, but did offer 2 sets of findings and conclusion's to support either way the Council chose. Regarding Condition 7, he told Council that staff drafted a letter to the owner of Lot 13 informing him that the proposal came in under the old Shoreline Master Program.

Mr. Bob Brittain spoke about the trail and land use.

Town Attorney Eaton replied that Mr. Brittain's points were irrelevant to the issue at hand. He continued with comments on Condition 7 and Lot 13.

Town Planner Miller brought up another point saying the Town needs to know what the proposed stairs look like so that they will know what they are approving or denying.

Discussion continued on maximum length, stairs vs. ladders, persons contacted of changes, future changes, commercial use, mooring buoys, old vs. new Shoreline Master Program, shallow bay, precedence, length, congestion and anchoring boats. Mayor Cahai1 closed the public portion of the hearing at 8:37 PM.

Councilmember Roberts moved to deny the application as it stood with 2 users. The motion died for lack of a second.

Councilmember Dickinson moved to approve the application with changes to Conditions 5 & 7 and the addition of a Condition 8. The motion was declared dead for lack of a second.

Councilmember Roberts made a motion to deny the permit as is proposed. Councilmember Potter seconded it. Councilmember Dickinson voted against the motion. Councilmembers Athearn, Potter and Roberts voted for the motion. Councilmember Nash abstained. The motion passed.

At 8:51 PM, Mr. Tom Nawrocki, representing the citizens of the Town of Friday Harbor and the Chamber of Commerce, requested that the Town of Friday Harbor make application to receive the 2% money that can be received back from the hospitality industry and trailer parks within the Town limits, and he stated his reasons. He further said he would like to see the monies spent to manage not promote the tourist industry by creating a park style information center. Council discussion followed.

Ms. Karla Bernard, President of the San Juan Chamber of Commerce, said that petitioning for the money would allow us to determine how the monies are spent.

Don Eaton commented on limitations and legalities. Council agreed to investigate the issue.

At 9:15 PM, Mr. Ted Hope, owner of San Juan Fitness Center, requested a reduction of sewer user fees for the center so that the club can continue swimming programs for the kids and begin some programs for senior citizens. Discussion followed on ordinance, precedence and choosing from a variety of good causes. Council decided to discuss this at a budget work session.

At 9:35 PM, Andrea Avery, Deputy Town Clerk, presented a supplemental insurance program called MeDVEA (Medical Dental Vision Expense Account) and offered to answer questions regarding her memo of 10/26/90. There were no questions.

At 9:45 PM, Councilmember Dickinson moved to go into executive Session. Councilmember Roberts seconded the motion. It passed unanimously. Council authorized Town Administrator Fitch and Town Treasurer Picinich to negotiate for acquisition of a parcel of land.

At 10:35 PM, Councilmember Dickinson moved to return to regular session. Councilmember Potter seconded the motion. It passed unanimously.

Council decided to continue the meeting on Monday, November 19, 1990 § 7:00 PM. Councilmember Nash is to be given a reminder call.

At 10:40 PM, Councilmember Potter moved to adjourn the meeting and Councilmember Roberts seconded it. The motion passed unanimously.

H. James Cahail, Mayor

Andrea Avery, Deputy Town Clerk

Town Council November 19, 1990 @ 7:00 PM

The Town Council met for a work session on the draft 1991 budget, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts
Others present: Town Administrator Fitch & Treasurer Picinich

The Council resumed review of the draft budget beginning with the Street Fund. It was noted that the Street Utility Worker I position was reduced to a half time position. The effected person will also work half time in the recycling program.

Councilmember Dickinson commented on requests by various neighborhoods for provision of streetlights. She asked that, if possible, money be set aside for future installations.

Town Administrator Fitch will request that OPALCO install a street light on an existing pole on Park Street.

Mayor Cahail mentioned the potential of a LID program for areas that want streetlights.

Repair and maintenance of sidewalks was discussed.

Councilmember Nash expressed reservations over the need for sub-base construction for the Second Street project.

Water use projections and revenues were discussed-.

County fire assessment charges and DNR charges for annexed land at the Town reservoir and the Solid Waste facility were discussed. Treasurer Picinich clarified the matter.

Plans for surveying and posting the Town watershed were mentioned.

Town Administrator Fitch spoke about a planned-leak detection project in the Evergreen subdivision.

Connection cost accounting problems were mentioned.

At 8:40 PM, Councilmember Roberts left the meeting due to a prior engagement.

Councilmember Potter asked if provision would be made to accurately record peak hourly flows at the water treatment plant. Administrator Fitch noted new instrumentation will be included in the treatment plant renovation. According to Maintenance Supervisor Reitan it is not possible to modify the existing instrument.

A transfer of funds for repairs to the water main through Sundstrom's field is planned for construction in conjunction with County road construction in the area in 1992.

Treasurer Picinich noted that the proposed contract amounts received from KCM for preliminary and design engineering for the water treatment plant and the new water tank are double what KCM had previously stated. She has already applied for grant funds based on the initial figures provided by KCM.

Town Administrator Fitch mentioned that the Town might wish to request proposals (RFP) from other engineering firms. He also noted that constantly changing regulations at the State and Federal levels make deciding on a water treatment method a difficult process.

The Council and Administrator Fitch discussed the advisability of continuing with KCM. Hiring a Town engineer was considered as a possible alternative.

Town Administrator Fitch informed the Council that he has requested a proposal for phased engineering for preliminary and design engineering from KCM. The first phase is reflected in the draft water budget for water treatment, both phases for the new 1 million-gallon storage tank.

Administrator Fitch noted a determination needs to be made fairly quickly if the Town is going to continue to issue building permits due to fire flow problems in certain areas of Town.

Administrator Fitch will present the KCM contracts for Council consideration at the first Council meeting in December.

Metering-individual water uses at the-University of Washington facility and on Brown Island were discussed.

Town Administrator Fitch remarked that Capital Improvement Plans will be required for all major Town functions.

At 9:50:PM, Councilmember Roberts rejoined the meeting. Councilmember Potter complimented Town Administrator Fitch and Treasurer Picinich on emphasizing transfers of funds to reserves.

Councilmember Nash commented on support in the business community for a Business & Occupations tax if a portion of the tax was earmarked to provide parking.

The Council discussed implementation of a B & O tax. Town Administrator Fitch noted that the tax would also be on professional services and be implemented by ordinance.

The uses of Hotel/Motel tax revenues were discussed. Mayor Cahail suggested the State Legislature be approached through the Association of Washington Cities to change the law to allow the use of Hotel/Motel tax revenue to provide facilities to accommodate tourists.

Town Administrator Fitch reported that he should have the consulting engineer's report on the incinerator this week.

The Council plans to review the Refuse Fund and discuss recycling at their Thursday work session; Mayor Cahail noted the recycling collection station at the Port seems to function well, "recycling is catching on". Collection, storage, and transportation concerns for recyclable materials were discussed.

At 10:22 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adjourn and continue the meeting to Thursday November, 29, 1990 at 7:00 PM for a budget work session. The motion passed unanimously.

H James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council November 29, 1990 @ 7:00 PM

The Town Council met for a scheduled executive session and a work session on the draft 1991 budget, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts

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

At 7:05 PM, Councilmember Dickinson moved and Councilmember Potter seconded to go into executive session to discuss possible land acquisition. The motion passed unanimously.

At 7:23 PM Councilmember Potter moved and Councilmember Nash seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

The Council viewed a video of recent flooding in Town, water flow at Augmentation Projects I & II, and the Town reservoir and spillway at Trout Lake. Water began flowing over the spillway early Sunday November 27th.

At 7:55 PM, Council resumed review of the draft budget with the Refuse Fund. The recycling component of the Refuse budget was discussed in detail.

At Councilmember Nash's inquiry, Town Administrator Fitch explained that the Town is not projecting an increase in refuse fees for 1991. Administrator Fitch noted that the retrieval of recyclables would be at no charge to the customer for the first year of the program.

Councilmember Potter remarked that customers have expressed a willingness to pay for pick up of recyclables. Councilmember Roberts concurred and recommended that the Town-expeditiously start a recycling program.

At 8:20 PM, Ms. Helen Winters presented to Council a petition with approximately 250 signatures expressing support for a recycling program. She noted that the Recycling Brigade has \$2,000 to donate to the Town for recycling containers. Additionally, Ms. Winter provided suggestions for initiating a recycling program.

Mayor Cahail commented that public awareness and education is an important component of a recycling efforts.

Town Administrator Fitch spoke of planned provisions for scales at the Solid Waste Facility.

The alternatives of a hazardous waste roundup or Town storage of hazardous waste were discussed. Ms. Winters noted that the 5-year Hazardous Waste Management Plan would be before the Council for adoption in December.

Town Administrator Fitch mentioned that the lower test wells at the Solid Waste Facility have been drilled.

Treasurer Picinich noted that the Town still owes approximately \$198,000 on the incinerator. Administrator Fitch commented that the Refuse budget reflects the intent to not limit the Town's refuse disposal options. Also, refuse fees for disposing of certain materials such as construction refuse will most likely increase.

At 8:50 PM, the Council reviewed the Capital Cumulative Reserve Fund. At Councilmember Robert's inquiry, Administrator Fitch noted that the proposed Port outlet road is to be completely funded by the Port as stated in their Substantial Development Permit. The proposed steps from the East End of Court Street to the Port were discussed. Councilmember Roberts suggested incorporating the proposed steps into the Port's road project.

Treasurer Picinich pointed out a new Capital Reserve category Study Reserve, to fund the future Water Comprehensive Plan Update.

In response to a previous inquiry, Administrator Fitch said that according to the Maintenance Supervisor the Caines Street water line was installed about 1940.

At 9:20 PM, the Council discussed the Fire Department budget and the fireboat. Councilmember Roberts suggested transferring the fireboat to the County rather than decommissioning the boat.

Town Administrator Fitch stated that TIB funds scheduled to be received by the Town in the fourth quarter of 19-90 will be received in the first quarter of 1991. The State ran out of money.

In response to Councilmember Athearn's inquiry, Administrator Fitch noted that storm drains are needed but storm drain construction is funded by the Current Fund, storm drains are not an enterprise fund.

At 7:20 PM, Mayor Pro tem Nash asked members of the audience if they had some issue to bring before the Council.

Fire Chief Galer itemized his revised fire boat budget proposal of \$4811.00. He remarked that it was a "bare bones" budget.

Mr. Kim Smith, Tanbark Marine, spoke in support of the fireboat.

Bart Mathews, Port Harbormaster, noted that the Port has not been asked for further donations to support the fireboat. He felt the fireboat is a valuable asset for the Town and suggested requesting funds from the County. Mr. Mathews pointed out that the Port supplies moorage for the fireboat at no cost to the Town.

Nordine Jensen, Jensen Shipyard & town resident, stated that the fireboat is something the community "had to have." "The fire boat is a necessity."

Peter Risser, Friday Harbor Fire Department & waterfront resident suggested requesting additional funding for the fireboat from sources such as the yacht club and the power squadron.

Chris Destaffany, Friday Harbor Fire Department & Emergency Services Director noted the fireboat is used to fight fires that the Fire Department would have to respond to anyway. The fireboat can be a more efficient, and possibly economical, method to respond to fires. Additionally, if water mains are ruptured water to fight fires can be supplied by the fireboat for a portion of Town.

Susan Risser, Friday Harbor Fire Department, noted that the fireboat has saved a sinking boat at the Port.

Craig Goring, Friday Harbor Fire Department, spoke in support of the fire boat.

Councilmember Potter expressed support for the fire boat and Council concern about economic support from the community.

Mayor Pro tem Nash said, that with the concurrence of the Council, the Town would keep the fireboat. The Town will attempt to acquire funds from other agencies and organizations to help support the fireboat. He felt that future-operating requirements might necessitate increased allocation of funds.

Fire Chief Galer spoke of the large amount of fireboat maintenance provided by Mr. Paul Whittier and noted that that may not be the case in the future.

At Councilmember Athearn's inquiry, Chief Galer stated that the Fire Department currently has 18 volunteer firemen.

At 7:50 PM, Peter Risser asked if the Town has the right to charge a licensing fee to businesses, which store and sell hazardous materials.

At 8:00 PM, the Council reviewed the Fire Department budget. Proposed expenditures for equipment and operating supplies were discussed.

Mayor Pro tem Nash expressed that the Fire Department is a "good outfit" and noted a relationship between dollars and morale.

Councilmember Potter suggested a portion of any funds cut from the Fire Department budget be set aside for future acquisition of a truck and a computer.

Town Administrator Fitch suggested that if the Council is going to reduce the Fire Department budget, the Council reduces the bottom line, specify the amount to transfer to reserve, and have the Fire Chief allocate the remaining funds.

Mayor Pro tem Nash suggested that the Fire Department budget bottom line be modified to \$83,600. The Council concurred. The Council specified that \$1,000 of the \$83,600 be added to the Transfer to Capital Reserve for the new fire truck.

At 8:30 PM, Mayor Pro tem Nash spoke of projected revenues anticipated from Capron Funds. Town Administrator Fitch will research whether the revenues are based on price per gallon or number of gallons. He will also research the license fee portion of the revenue.

Town Administrator Fitch spoke of the effort put out by the crew, without complaint, during the recent sewer system malfunction.

At 8:40 PM, the Council discussed the San Juan County Sheriff's budget request for law enforcement services.

At 8:50 PM, Councilmember Roberts joined the meeting.

Mayor Pro tem Nash recommended saving money toward the development of a parking lot. Utilization of the DOT lots was discussed.

Town Administrator Fitch will advertise for RFP's for preliminary engineering for modifications to the Water Treatment plant and preliminary and design engineering for the new water tank.

The Council approved a proposed 1991 \$600 expenditure for an additional Council table.

Town Administrator Fitch notified the Council of a sewer system failure due to the extended power outage at pump station #2. The crew did an outstanding job and the pump station is now online.

At 9:24 PM, Councilmember Potter moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

Albert M. Nash, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - December 6, 1990 @ 12:30 PM

The Town Council met in regular session.

Members present: Athearn, Dickinson, Nash, & Potter
Others present: Town Administrator Fitch

Councilmember Dickinson moved and Councilmember Nash seconded to appoint Councilmember Athearn Mayor Pro tem. The motion passed unanimously.

Councilmember Roberts's absence was excused.

The Council reviewed the claims against the Town.

Administrator Fitch reported that according to Maintenance Supervisor Reitan all Town systems are "up and running."

At 12:47 PM, Councilmember Dickinson moved and Councilmember Potter seconded to pay the bills and approve the payroll. The motion passed unanimously.

Town Administrator Pitch reported that the cost to have a public response form printed on the back of the utility bills would be \$221.00.

At 12:50 PM, Ms. Tamara Nack, Gray & Osborne Engineering (G & O), presented a request for an increase of design services, construction engineering services, and construction costs of \$7,300 for the Second Street reconstruction project. The TIB would pay 90% of this cost. Ms. Nack noted the project is substantially complete and under budget.

At 1:05 PM, after discussion, Councilmember Potter moved and Councilmember Dickinson seconded to approve the additional claim from G & O for \$7,300 with the understanding that the TIB will pay 90%. The claim to be submitted for payment at the December 12, 1990 Council meeting. The motion passed unanimously.

Town Administrator Fitch distributed to Council a letter from Barbara & Tom Duffy requesting lower, utility rates for low income senior citizens and low income disabled citizens.

Administrator Fitch distributed to Council a request from concerned citizens that the taxi space at First Street and Spring Street be relocated due to a change in the taxi service base of operations. The Council discussed the request and will give the matter further consideration at a later date.

The Council decided to not have a response form printed on the back of the utility bills due to the small space available.

Councilmember Nash expressed reservations about certain Second Street reconstruction items at Spring Street and Second Street.

G & O will add item #8 to the Recommendation for Semi-final Pay Estimate letter to cover Councilmember Nash's concerns.

At 1:20 PM, Councilmember Dickinson moved and Councilmember Potter seconded to adjourn. The motion passed unanimously.

Ruth C. Athearn, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - December 6, 1990 @ 7:30 PM

The Town Council met in regular session.

Members present: Athearn, Dickinson, Nash, Potter, & Roberts

Others present: Town Administrator Fitch, Planner Miller, & Attorney Eaton

Councilmember Dickinson moved and Councilmember Athearn seconded to appoint Councilmember Nash Mayor Pro tem. The motion passed unanimously.

The minutes of the November 14th, 15th, 19th, and 29th Council meetings were approved as amended proposes a restroom and associated drain field. The project would have wash down facilities and a holding tank for wash down water.

Mr. Liedecker spoke of plans for a materials exchange for still usable goods. The space required for same would be "minuscule". The proposed facility would cover approximately 2 acres and employ 2 to 3 people. Some of the extra space would be used to stockpile materials depending on market conditions. The facility can operate as a drop site for recycling programs. Mr. Liedecker also spoke of his intent for long-haul pilot projects.

Mr. Liedecker explained his rationale for the \$5,000 per acre purchase price as specified in the information packet supplied to Council. He anticipates a 15 year commitment to the facility and noted the facility is not intended to accept hazardous waste.

Attorney Eaton commented that sale of non-contiguous municipal property may mean the property would no longer be within the corporate limits of the Town.

At Mayor Pro tem Nash's inquiry, Administrator Fitch referred to Nancy Larsen's memo of 12/6/90, which contains her preliminary research in Town sale, or leasing of real estate.

Mr. Eaton noted the property is unzoned land.

Councilmember Roberts suggested the Council devote a work session to reviewing Mr. Liedecker's proposal and the associated issues.

Mayor Pro tem Nash inquired about SJ Sanitation's current refuse rates. Mr. Liedecker stated they charge \$3.05 per can.

The Council asked Mr. Liedecker about specific aspects of his solid waste and recycling proposals. Mr. Liedecker felt the facility could come online at a \$82.00 per compacted ton price. The Town currently charges \$62.50 per compacted ton. Mr. Liedecker stated his firm would be willing to share any legal research costs with the Town.

Council will set a date for the above mentioned work session at their January 3, 1991 meeting.

At 9:03 PM, Town Administrator Fitch distributed a revised (12/6/90) letter of recommendation for semi-final acceptance of the Second Street Reconstruction Project from Gray & Osborne Engineering.

At 9:08 PM, Councilmember Potter moved and Councilmember Dickinson seconded to accept the Semi-final Pay Estimate subject to the 8 items specified in the above referenced letter and accept the Second Street Reconstruction Project. The motion passed unanimously.

Town Administrator Fitch inquired as to the Council's intentions regarding the request for Council consideration of special utility rates per the Duffy letter distributed to Council at the 12/6/90 12:30 PM meeting. The Council discussed the request and will independently review sample enabling ordinance and the applicable ROWs.

In regard to the draft budget, Mayor Pro tem Nash suggested a \$2,500 reduction in projected revenue from Capron Funds.

Council directed staff to prepare a draft ordinance adopting the 1991 Town Budget for consideration at their December 20th meeting.

At 9:20 PM, Councilmember Potter moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Albert M. Nash, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council - December 27, 1990 @1:00 PM

The Town Council met in regular session, Mayor Cahail presiding.

The meeting was rescheduled from December 20th due to inclement weather.

Members present: Athearn, Dickinson, Nash, & Potter

Others present: Town Administrator Fitch, Treasurer Picinich, & Fire Chief Galer

Councilmember Roberts's absence was excused.

Mayor Cahail introduced draft ordinance #815, an ordinance adopting the budget for the Town of Friday Harbor for the fiscal year ending December 31, 1991.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #815. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #814, an ordinance fixing salaries of Town officials and employees.

Councilmember Potter moved and Councilmember Dickinson seconded to adopt Ordinance #814. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #816, an ordinance accepting the final Mullis Park Short Plat and authorizing the Mayor to sign the final plat drawings.

Planner Miller pointed out a change in Note #6; "Paragraph 16.08.130 A and B," was changed to read "Paragraph 16.08.140 A and B.". Planner Miller also remarked that the Restrictions cited on the center, left-hand side of the plat is superfluous.

Councilmember Dickinson moved and Councilmember Potter seconded to adopt Ordinance #816. The motion passed unanimously.

Following a report of the staff review of the Town & Country Mobile Home Park sewer user charges as revised by Ordinance #797, the consensus of Council was to continue with the alternate rate method.

Mayor Cahail introduced draft resolution #184, authorizing the Mayor, or his designated representative, to be the authorized representative for obtaining federal and/or state emergency or disaster assistance funds.

Councilmember Nash moved and Councilmember Potter seconded to adopt Resolution #784. The motion passed unanimously.

At 1:10 PM, the minutes of the December 4th and December 6th meetings were approved as submitted.

Fire Chief Galer reported there have been 132 fire calls year to date; 48 for the fourth quarter, and 20 during the recent storm.

Chief Galer itemized Fire Department community relief activities during the previous storm and noted the Fire Station will be manned 24 hours during the upcoming storm.

The Council expressed their appreciation of the Fire Department's efforts on the communities behalf.

At 1:20 PM, Town Administrator Fitch reviewed with Council a claim for flood damages from San Juan Fitness Center.

At 1:22 PM Councilmember Potter left the meeting due to another commitment.

The consensus of Council was to recommend that San Juan Fitness Center contact the Federal Emergency Management Agency (FEMA) and the Washington State Department of Community Development (DCD) for disaster recovery assistance.

At 1:25 PM, Planner Miller explained his proposed amendment to the FHMC Chapter 16.16 to provide for the removal as well as adjustment of boundary lines. The proposal is detailed in his December 20th memo to Town Administrator Fitch.

At 1:30 PM, Administrator Fitch referred to Maintenance Supervisor Reitan's December 26th memo to the Town Administrator and Town Clerk recommending waiver of sewer use charges resulting from high water consumption caused by broken pipes and consumers leaving the water running to avoid frozen pipes.

The consensus of Council was that Town Administrator Fitch will make the appropriate determinations for effected accounts.

At 1:32 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor
Steven Dubail, Town Clerk

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