

MINUTES OF THE TOWN COUNCIL OF FRIDAY HARBOR 1994

Town Council - January 6, 1994 @ 12:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

Mr. Jim Slocomb and Mr. Ray Slocomb presented Mayor LaPorte with a personalized gavel.

Maintenance Supervisor Reitan reported that the reservoir is 170 " below the spillway and still going down. There has not been enough water in AUG I to warrant starting the pumps. The AUG II water line construction project is going well. The AUG II pumps will need different impellers at a cost of approximately \$5,000 each. The smaller water tank is full, the big tank should be full by Sunday, January 9th. Friday Harbor Sand & Gravel pit is back in operation. Phase I of the water treatment plant project is nearing completion. The maintenance crew are instituting additional water conservation measures at the wastewater treatment plant and other Town facilities. Maintenance Supervisor Reitan noted that there has been a rash of vandalism of street signs.

At Mayor LaPorte's inquiry, Maintenance Supervisor Reitan estimated that if the Town received "normal" first and second quarter rainfall there would be enough water in the reservoir to supply the Town through the third quarter of 1994. The Council and staff discussed various aspects of the situation.

Mayor LaPorte thanked Maintenance Supervisor Reitan for his report.

Fire Chief Galer reported that his department had 162 response calls in 1993 including 98 in town, 49 out of town, 15 marine, and 16 where Fire District #3 responded to town. The Council discussed various operational details with Fire Chief Galer.

Mayor LaPorte thanked Fire Chief Galer for his report.

At 12:52 PM, Dan McDonald, KCM Engineering, gave a presentation regarding drought relief measures. He reviewed the recommendations in his September 15, 1993 letter, his September 28, 1993 memo, and the results of action to date regarding the water shortage response. He distributed copies of said correspondence to the Council. He also distributed lake level and rainfall charts.

Mr. McDonald graphically illustrated relative water use by the various customer classes. He used same to explain the comparative merits of various water resupply proposals.

Mr. McDonald stated that the objective now is not to try to additionally reduce consumption but to increase supply. He stated that the only economically feasible way to transport water was by pipeline or barge. He recommended that the Town look for

on-island water sources of 5 million gallons or more to pipe to AUG I or AUG II. He suggested that irrigation pipe could be used to transport on-island water.

Mr. McDonald commented on an offer from the City of Anacortes to sell water to the Town for \$100.00 per 1 million gallons. He outlined projected costs to prepare for and transport water to the island by barge.

Mr. McDonald spoke to the need to decide on a course of action in a reasonable time frame. He also suggested that costs could be reduced by utilization of private sector resources. Mr. McDonald outlined variations of the barging scenario in combination with on-island sources. He also spoke of a possible State source for drought relief funding.

The Council, staff, and Mr. McDonald discussed various options including research into ground water sources. The potential for demand reduction was discussed. Contacting large users was suggested.

The Council discussed the effect of Friday Harbor Sand & Gravel Company barging in water for their own industrial use.

The adverse public perception of visible water users such as the car wash and irrigating public athletic fields was stressed.

At Councilmember Robinson's inquiry, Mr. McDonald was of the opinion that a program of offering low-consumption fixtures would be advantageous.

At Councilmember Boothman's inquiry, Mr. McDonald noted the status of his September 28, 1993 recommendations.

At 2:03 PM, the Council thanked Mr. McDonald for his presentation.

The Council and staff briefly discussed the amount of water available in various on-island impoundments. Councilmember Robinson mentioned the option of desalinization. Mayor LaPorte, the Council, and staff discussed various aspects of the topic.

At 2:12 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to approve claims warrants #7175 through #7253 in the amount of \$66,452.84 and payroll warrants #3337 through #3400 in the amount of \$89,629.60. The motion passed unanimously.

Mayor LaPorte announced that he intends to appoint Ms. Cindy Mullis and Mr. Jim Slocumb to the Planning Commission.

At 2:14 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - January 6, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson

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

The minutes of the December 16th and December 30th, 1993 meetings were submitted. Councilmember Lackey moved and Councilmember Dickinson seconded to accept said minutes as submitted. The motion passed unanimously.

San Juan County Commissioner Tom Starr congratulated Mayor LaPorte on his election and stated that he looked forward to working with the Town.

Mitzi Johnson, Hillview Terrace III, invited all present to attend a meeting at San Juan County Public Works on 1/11/94 at 5:30 PM regarding the siting of a proposed solid waste transfer facility.

With the concurrence of the Council and the interested party (the Port of Friday Harbor), Mayor LaPorte revised the agenda so that the Town's planning consultant, Sandra Western-Butler, Butler & Associates, could make her presentation regarding recommending, by Resolution #918, the Friday Harbor Interim Urban Growth Area (UGA) boundaries, and still catch the 7:50 PM ferry.

Ms. Butler explained the legislative and planning history and the Growth Management Act (GMA) requirement to recommend an Interim UGA. She informed the Council of a pending annexation request south of Rose Lane. She suggested that the boundary map referred to in draft Resolution #918 be amended to include said area.

At 7:45 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #918 with the inclusion of the area as recommended above. The motion passed unanimously.

Port of Friday Harbor Commissioner Greg Hertel asked that the Town consider granting the Port a franchise to make private use of a portion of Front Street from July 25 through August 1, 1994 to facilitate handling vehicles and pedestrian traffic during the Jazz Festival.

The Council and Commissioner Hertel discussed various aspects of the request. The Council would like to see a detailed request with provisions for designated short-term and commercial parking. The Council expressed support for the concept. Steve Simpson, Port Director, spoke of the Port's desire to try to accommodate other businesses at the Port during the Jazz Festival.

Attorney Eaton noted that, following receipt of the requested information, the request may be adopted by resolution at the 1/20/94 meeting.

At 8:00 PM, Mayor LaPorte opened the Public Hearing to consider a Shoreline Substantial Development and Variance Permit application for construction of a private moorage dock at 520 Warbass Way by Peggy & Edward Strickland. Hearing no objection to his or any Councilmember's participation, Mayor LaPorte instructed the meeting in the procedure that would be followed and asked Warren Jones, Permit Coordinator, to present the staff report.

Mr. Jones explained the particulars of the application.

Mr. Jack Cory, representing the applicants, offered to answer any questions and noted that the proposed dock would be smaller than others in the vicinity.

Councilmember Robinson and Attorney Eaton discussed the intent and practice of joint 2Duse docks.

At 8:12 PM, Mayor LaPorte opened the hearing for public comment.

Mr. Jones noted that adjacent property owners had been notified.

At 8:13 PM, hearing no comment from the public, Mayor LaPorte closed the public input portion of the hearing noting that the Council reserves the right to reopen the hearing for public input at a later time or date. He then opened the hearing for Council deliberation.

At 8:14 PM, following discussion, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt the Findings of Fact and Conclusion prepared by staff and to approve the application. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #917, a resolution authorizing the Mayor to accept the December, 1993 Visioning Report - Town of Friday Harbor Comprehensive Plan.

Town Administrator Fitch explained the particulars of same.

At 8:23 PM, following discussion and minor revisions, Councilmember Dickinson moved and Councilmember Wilson seconded to adopt Resolution #917. Following additional discussion the motion passed unanimously.

Mayor LaPorte presented draft resolution #911, a resolution authorizing the Mayor to execute a contract for hauling, storage, and utilization of sludge/biosolids with San Juan Organics, Inc.

Town Administrator Fitch explained the particulars of same and noted ongoing technical discussions.

The Council and staff reviewed and discussed sections of the draft contract.

Mr. Kif Brown, San Juan Organics, Inc., explained the impact of the new Federal "503" regulations regarding biosolids. He also explained sludge classification terminology, land application requirements, and his reservations about certain provisions of the draft contract.

The Council requested that the technical details be resolved and that the draft resolution be presented for consideration at the 1/20/94 meeting.

The meeting had a break from 8:53 PM to 9:02 PM.

Mayor LaPorte introduced draft ordinance #928, an ordinance vacating a portion of Leslie Avenue and replatting portions of Douglas Addition and Lawson's 1st Addition to the Town of Friday Harbor.

Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Ordinance #928.

Councilmember Wilson stepped down for appearance of fairness reasons as he is a property owner in the area.

At Councilmember Boothman's inquiry, Permit Coordinator Jones explained the particulars of the issue.

Following discussion, the motion passed unanimously, 4 to 0.

Mayor LaPorte introduced draft resolution #919, a resolution authorizing the Mayor to accept a proposal from Whitewater Engineering to provide a 70KW electrical generator.

Administrator Fitch explained the particulars of same.

At 9:08 PM, Councilmember Lackey moved and Councilmember Boothman seconded to adopt Resolution #919. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #920, a resolution authorizing the Mayor to execute a law enforcement contract with San Juan County for the calendar year 1994.

Administrator Fitch explained the particulars of same.

Following discussion, at 9:12 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to adopt Resolution #920. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #921, a resolution authorizing the Mayor to execute an intergovernmental agreement with the San Juan County Health Department for Public Health Services for the calendar year 1994.

Administrator Fitch explained the particulars of same.

At 9:15 PM, Councilmember Lackey moved and Councilmember Robinson seconded to adopt Resolution #921. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #922, a resolution designating the public park on Argyle Avenue as the Cahail Public Park.

Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #922. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #923, a resolution designating Key Bank of Washington, San Juan Branch, as the Town's banking depository.

Councilmember Wilson moved and Councilmember Dickinson seconded to adopt Resolution #923. The motion passed unanimously.

Administrator Fitch reported that the Town has received the State Audit Report and that the Town is in compliance.

Mayor LaPorte commended Treasurer Picinich on her outstanding effort.

Administrator Fitch reported that the Town has received an engineering estimate for the proposed Front Street parking lot of \$163,000 for construction.

The Council and staff discussed the proposed project and the need for additional parking. Mayor LaPorte felt that the lot should be designated for longer than two-hour parking. The Council indicated that they wished to proceed with the project.

At 9:31 PM, the Council held a work session to discuss emergency drought relief measures.

At 10:36 PM, Councilmember Lackey moved and Councilmember Robinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - January 20, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

Mayor LaPorte informed the Council that the Town had received correspondence from the Deputy Clerk for the Board of County Commissioners and from the Association of Washington Cities.

Mayor LaPorte proclaimed the month of February 1994 as American History Month in the Town of Friday Harbor.

Councilmember Lackey moved and Councilmember Wilson seconded to approve as written the minutes of the January 6th, 12:30 PM and 7:30 PM Council meetings. The motion passed unanimously.

Councilmember Lackey moved and Councilmember Boothman seconded to confirm Mayor LaPorte's appointment of Cindy Mullis to Planning Commission position #3 and Jim Slocomb to Planning Commission position #4. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #924, a resolution authorizing the Town Administrator to execute a Boundary Line Adjustment to adjust the boundary line between the Town and San Juan County.

Permit Coordinator Warren Jones explained the particulars of same and informed the Council of the provisions of RCW 35.13.340 which was designed for this type of situation. He noted that the subject property is split by the Town boundary line. The roadway easement will remain.

Councilmember Dickinson moved and Councilmember Boothman seconded to adopt Resolution #924. The motion passed unanimously.

At 7:41 PM, Mayor LaPorte presented draft resolution #911, a resolution authorizing the Mayor to execute a contract for hauling, storage, and utilization of sludge/biosolids with San Juan Organics, Inc.

Attorney Eaton explained the particulars of the revised agreement. The Council discussed various provisions of the draft agreement with the staff.

At 7:57 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adopt Resolution #911. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #925, a resolution authorizing the Mayor to execute a letter of agreement between the Town of Friday Harbor and San Juan County for the operation of the San Juan Island Refuse Transfer Station.

Administrator Fitch explained the particulars of same.

At 8:02 PM, Councilmember Lackey moved and Councilmember Robinson seconded to adopt Resolution #925. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #926, a resolution to authorize conditional private use of a portion of Front Street by the Port of Friday Harbor.

Port Commissioner Greg Hertel explained the particulars of the proposal.

Mayor LaPorte requested the Council consider requiring reimbursement to the Town of perhaps \$1,000.00.

Councilmember Robinson expressed reservations regarding the proposed fee. The Council and staff discussed the impact on the subject area and the philosophy behind the proposed fee.

At 8:15 PM, Councilmember Lackey moved to adopt draft resolution #926. The motion died for lack of a second.

Councilmember Dickinson moved and Councilmember Boothman seconded to adopt Resolution #926, specifying compensation to the Town in the amount of \$1,000.00. The motion carried with Councilmember Robinson voting noe, all others aye.

At 8:18 PM, the Council heard a presentation by Fire Chief Rick Galer requesting that the Town consider creating and funding a 3/4 time Fire Department Administrator position and a 1/4 time Assistant Building/Fire Inspector position. Chief Galer suggested a possible funding scenario for 1994. He recommended that the Fire Chief position remain a volunteer position.

Mayor LaPorte noted receipt of a number of letters of support for the concept from individuals and organizations in the community.

At Councilmember Dickinson's inquiry, Building Official Jim Hodges responded that he felt that the Chief's proposal was within the scope of the Building Department.

Councilmember Wilson commented on the above mentioned letters. Councilmember Boothman spoke of the support for Chief Galer by members of the Town of Friday Harbor Fire Department. Councilmember Robinson spoke of the necessity for annual fire inspection of commercial facilities, disaster planning, and the need to meet other legal requirements. He also noted that a chief is expected to attend 6 to 8 weeks of training a year. He recommended that the Council talk to other fire administrators and indicated that he supported a paid position with well defined performance criteria.

Mayor LaPorte and Councilmember Robinson discussed various aspects of analyzing whether it would be financially beneficial to have an arrangement for fire protection services with Fire District #3.

The Council further discussed various financial and operational aspects of the proposal. Mr. John Burke commented on the allocation of tax revenue.

Following discussion, Mayor LaPorte asked the Council to research and consider the issue and be prepared to take action on it at their 2/3/94 meeting.

At 9:47 PM, the Mayor stipulated there would be a short recess. The meeting reconvened at 9:57 PM.

The Council heard a presentation from Steve Wagner, Vice President, KCM Engineering, regarding drought relief measures, water supply options, and a recommended work program. Mr. Wagner distributed a packet of materials to the Council and used same to illustrate various topics during his presentation.

Mayor LaPorte, the Council, and staff discussed various aspects of KCM's recommendations. Mr. Wagner responded to questions from the Council and audience.

Councilmember Wilson spoke of the potential for developing ground water sources in the vicinity of Trout Lake. An exploratory well could be drilled and tested for approximately \$9,000.00.

At 10:25 PM, Mayor LaPorte thanked Mr. Wagner for his presentation.

Administrator Fitch did not offer an Administrator's report.

Councilmember Robinson reported on a meeting with the Port of Friday Harbor and San Juan County regarding discussion of possible acquisition of the Friday Harbor Sand & Gravel Company property. The group will meet again 1/31/94.

Mayor LaPorte and the Council discussed various factors regarding the property.

At 10:40 PM, Councilmember Lackey moved and Councilmember Boothman seconded to approve payment of claims warrants #7261 through 7306 in the amount of \$25,584.34. The motion passed unanimously.

At 10:41 PM, Mayor LaPorte declared the meeting adjourned and continued to January 25th, 1994 at 7:30 PM for a work session on the water situation.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - January 25, 1994 @ 7:30 PM

The Town Council met in a session continued from 1/20/94, Mayor LaPorte presiding.

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Mayor LaPorte introduced the subject of the work session: Council discussion of drought relief measures.

Councilmember Boothman distributed his report regarding water conservation. He explained the results of his research and outlined his recommendation.

Mayor LaPorte informed the Council that he has contacted the top single family residential December 1993 water users.

The Council and staff discussed the conservation measures suggested in Councilmember Boothman's report. Discussion followed on developing and implementing the next tiers of water use restrictions and the impact of same on the various classes of water users. The staff will work with Councilmember Boothman to draft the Severe and Critical Water Emergency Condition criteria and legislation.

Councilmember Robinson suggested the need for programs to educate the commercial and industrial business community on water conservation measures.

The Council and staff discussed the philosophy of various water conservation methods. Councilmember Boothman suggested sending water advisory notices to all water customers.

Administrator Fitch described plans to distribute conservation information literature to all Town water customers.

The Council requested that staff prepare a cumulative water consumption curve by customer class for 1993 and an average year-round average water use figure for typical family residences.

At 9:30 PM, Mayor LaPorte stipulated there would be a short recess. The meeting reconvened at 9:46 PM.

Mayor LaPorte introduced draft resolution #927, a resolution authorizing an inter-fund loan in an amount not to exceed \$25,000.00 from the Current Expense Fund to the Fire/Refuse Bond Redemption Fund to be repaid by May 31, 1994. Treasurer Picinich explained the particulars of same.

Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #927. The motion passed unanimously.

Mayor LaPorte illustrated for the Council a possible alternative for pumping water from the dead storage at Trout Lake reservoir.

The Council discussed the need for a capacity analysis of Trout Lake. Jim Slocomb, Island Carto-Technical, showed the Council a recent study of Briggs Lake reservoir at Roche Harbor.

The Council requested staff proceed with; 1) obtain proposals for the Trout Lake capacity data acquisition project, 2) direct the Town Maintenance Supervisor to inventory existing capability and identify needed preparations for the dead storage pumping project and report to Council at their 2/3/94 afternoon meeting, 3) obtain construction cost estimates from KCM Engineering for the proposed backwash pumping modifications.

Administrator Fitch informed the Council that Department of Health (DOH) approval is required of any new water sources such as wells, desalination, or barging.

The Council and staff discussed the advisability of initiating action toward developing water barging RFP's. Discussion continued on water supply options, including desalination, the acquisition of other surface water, and wells.

Councilmember Wilson spoke of the option of developing ground water sources in San Juan Valley and/or in the vicinity of Trout Lake for municipal use. The Council discussed the advisability of further research into ground water.

At 11:04 PM, Councilmember Boothman moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - February 3, 1994 @ 12:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Maintenance Supervisor Reitan reported that Trout Lake reservoir is 174 3/4 inches below the spillway. He distributed a map to the Council of the results of an underwater inspection of the lake by a diver. He stated that a "tight line" siphon from the interior dam to the reservoir outlet would require approximately 3,000 feet of 8" or 10" pipe. Maintenance Supervisor Reitan estimated that the installation cost would be \$24,000 to \$30,000. He distributed photographs of the current situation at the reservoir.

Maintenance Supervisor Reitan reported that the new AUG II line, from the treatment plant to the reservoir, has been completed. The crew will be doing the required replacement of the AUG II pump impellers.

Mayor LaPorte, the Council, and Maintenance Supervisor Reitan discussed various aspects of installing a siphon line at the reservoir. Mayor LaPorte asked Maintenance Supervisor Reitan to attend the evening meeting for a planned Council discussion on the drought situation.

Mayor LaPorte thanked Maintenance Supervisor Reitan for his report.

Fire Chief Galer reported that there have been 15 fire calls so far this year. The department currently has 21 firefighters and 3 recruits. The fire boat is out of service for maintenance. Fire Chief Galer estimated that if bids for the new fire truck are let next month the Town should take delivery sometime in 1995.

Mayor LaPorte thanked Fire Chief Galer for his report.

The Council reviewed the claims.

Mayor LaPorte asked the Council if they had any objection to rescheduling the regularly scheduled Thursday 12:30 PM meeting to Thursday at Noon.

Following discussion, Councilmember Robinson moved and Councilmember Boothman seconded to request staff to draft ordinance to effect same. The motion passed unanimously.

At 1:06 PM, the Council took up discussion of compensation for the Fire Chief. Mayor LaPorte gave a summary of the situation and proposed that the Town retain Rick Galer as a volunteer chief, spend up to \$8,000 for a vehicle for the chief's use, and compensate the volunteer chief \$24,000 plus benefits per year. The chief would not be under the Building Department but would conduct courtesy fire inspections.

Councilmember Boothman requested a written job description for the chief's position.

Councilmember Robinson inquired about performance standards.

Councilmember Dickinson mentioned equal opportunity considerations.

Administrator Fitch referred to the Friday Harbor Municipal Code regarding the chief's position and explained position creation and hiring recommendations from MRSC. He noted that the 1994 budget, wage & salary ordinance, and Ordinance #707 would need to be amended to provide for additional compensation of the volunteer fire chief position. Administrator Fitch also commented on the definition of "volunteer" or "employee" and additional benefit concerns.

Councilmember Wilson felt that the chief should be compensated for use of his personal vehicle for fire department activities and noted that the chief gets paid for each call that he responds to. He also spoke of the perception of "adequate compensation" for a volunteer position.

Councilmember Boothman and Councilmember Wilson discussed fire inspection and building code requirements.

At 1:33 PM, Councilmember Robinson moved and Councilmember Boothman seconded to table the issue until the evening meeting. The motion passed unanimously.

Councilmember Lackey moved and Councilmember Robinson seconded to approve payment of claims warrants #7319 through 7431 in the amount of \$139,708.30, and payroll warrants #3406 through 3442 in the amount of \$78,162.93. The motion passed unanimously.

At 1:35 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - February 3, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

Councilmember Lackey moved and Councilmember Robinson seconded to accept the minutes of the January 20, 1994 7:30 PM and January 25, 1994 7:30 PM meetings as amended. The motion passed unanimously.

Mr. Bill Carli distributed and read a list of suggestions regarding bed & breakfast (B&B) operations and offered additional observations on the subject.

At 7:42 PM, Mayor LaPorte opened the public hearing to review portions of the Comprehensive Plan and Land Use regulations, including definitions and requirements for Conditional Use and Variance applications.

Permit Coordinator Warren Jones reviewed the history of the issue before the Planning Commission and Council, the public hearings, and other actions that have resulted in the current (9/08/93) draft document. Mr. Jones summarized the major revisions.

The Council and staff discussed various aspects of the proposed revisions including the definition of "bed & breakfast" operation, and minimum lot size. The Council provided a revised definition for bed & breakfast operations.

At 8:25 PM, Mr. Jim Slocomb noted that reduction in the minimum lot size would result in increased demand for municipal services.

Mr. Alan Vaines asked if, regarding a B&B, it was a total of 5 sleeping rooms or 5 sleeping rooms for rent.

Building Official Jim Hodges noted that the above question could be addressed for each application in the Conditional Use Permit process.

Administrator Fitch suggested additional wording changes and clarifications. Council and staff discussed same.

At 8:43 PM, Councilmember Boothman moved and Councilmember Lackey seconded to continue the public hearing to the next regularly scheduled meeting.

At 8:45 PM, Mayor LaPorte opened the Public Hearing to consider a conditional use application by James W. Slocomb to construct and utilize two shop buildings on a light

industrial zoned site for light industrial and light manufacturing purposes, and instructed the meeting in the procedure that would be followed.

Councilmember Wilson, as owner and operator of an industrial facility, stepped down for conflict of interest reasons.

Councilmember Boothman noted that he had heard the issue when he was a Planning Commission member.

Councilmember Robinson noted that he is a neighbor of the applicant but his property was in a different zone and he had a different business situation.

Hearing no objection to his or any Councilmember's participation, Mayor LaPorte asked Warren Jones, Permit Coordinator, to present the staff report.

Mr. Jones summarized the staff report of 1/26/94 and the Findings of Fact & Conclusions of Law dated 2/3/94. The staff recommendation was for the Council to adopt same and approve the application subject to the stated conditions.

Mr. Jim Slocomb, applicant, noted that he wishes to utilize two existing buildings for light industrial use and that he may wish to construct additional buildings.

Mr. Jones stated that the intent of the staff report is to recommend approval of the proposed uses in the existing buildings if they meet applicable codes or to approve utilization of new complying structures.

The Council, staff, and applicant discussed the intent of the application and staff report.

At 9:00 PM, Mayor LaPorte opened the hearing for public comment.

Administrator Fitch noted that the application appears to ask for approval of the proposed use and the building/site plan.

Mr. Jones spoke of the conditions of the existing concomitant agreement on the property and noted that the intent was that the property could be utilized for light industrial use prior to new construction if the existing buildings meet other applicable codes and conditions.

Attorney Eaton suggested consideration of additional wording in the conditions to address the proposed buildings.

The Council and staff discussed various aspects of the application.

At 9:17 PM, Councilmember Robinson expressed reservations as to his ability to continue to hear and discuss the application in an impartial manner.

At Councilmember Boothman's inquiry, Mr. Jones stated that a time constraint condition had intentionally not been specified.

At 9:22 PM, Mayor LaPorte closed the public input portion of the hearing, noting that the Council reserves the right to reopen the hearing for public input at a later time or date, and opened the hearing for Council deliberation.

Councilmember Robinson indicated that, as the discussion of the application progressed, he felt that his appropriate course of action was to step down for conflict of interest reasons. At 9:23 PM, he stepped down and left the room.

The Council and staff discussed various options for proceeding with consideration of the application.

Councilmember Boothman moved to adopt the Findings of Fact & Conclusions as they apply to the existing buildings only. The motion died for lack of a second.

At 9:31 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to approve Conditional Use Permit #36 to allow light industrial use of existing buildings and the proposed buildings as shown in Exhibit A. Following discussion the motion passed with Councilmembers Lackey and Dickinson in the affirmative, Councilmember Boothman opposed, and Councilmembers Robinson and Wilson excused.

At 9:35 PM, Councilmembers Robinson and Wilson rejoined the meeting.

Mayor LaPorte opened the public hearing to consider a conditional use application by Ray G. Bolinger to utilize two existing shop buildings on a light industrial zoned site for light industrial and light manufacturing purposes, and instructed the meeting in the procedure that would be followed.

Councilmember Wilson, as owner and operator of an industrial facility, stepped down for conflict of interest reasons.

Hearing no objection to his or any Councilmember's participation, Mayor LaPorte asked Warren Jones, Permit Coordinator, to present the staff report.

Mr. Jones summarized the staff report of 1/26/94 and the Findings of Fact & Conclusions of Law dated 2/3/94. He noted that the Planning Commission unanimously recommended approval. The staff recommendation was for the Council to adopt same and approve the application subject to the stated conditions.

At 9:42 PM, Mayor LaPorte opened the hearing for public input.

Hearing none, Mayor LaPorte closed the public input portion of the hearing, noting that the Council reserves the right to reopen the hearing for public input at a later time or date, and opened the hearing for Council deliberation.

Councilmember Robinson moved and Councilmember Lackey seconded to accept the Findings of Fact & Conclusions of Law as prepared by staff and approve Conditional Use Permit #38. The motion passed unanimously, Councilmember Wilson excused.

The meeting recessed from 9:45 to 9:50 PM.

Mayor LaPorte introduced draft resolution #928, a resolution to authorize conditional private use of a portion of Front Street by the Port of Friday Harbor.

Port Commissioner Greg Hertel explained the particulars of same.

At 9:52 PM, following discussion, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #928. The motion passed unanimously.

Port Commissioner Hertel suggested holding a future joint Council/Port Commission meeting.

Mayor LaPorte introduced draft ordinance #930 (originally numbered 929 in error), an ordinance amending Ordinance #675 and Chapter 13.28 Friday Harbor Municipal Code, adjusting the rates for refuse collection and disposal services provided by the Town and repealing Ordinance #896 and Ordinance #920 in their entirety.

Administrator Fitch explained the particulars of same.

At 9:56 PM, Councilmember Lackey moved and Councilmember Wilson seconded to adopt Ordinance #930. The motion passed unanimously.

At 9:57 PM, the Council took up discussion regarding emergency drought measures.

Councilmember Wilson introduced Mr. Al Mauldin, Martel Well Drilling. Mr. Mauldin told the Council about two wells in the False Bay area that reliably produced up to 100 gallons per minute. He spoke of other wells in the San Juan Valley area and how production varied depending on location. Mr. Mauldin repeatedly recommended no more than 120 to 160 days of continuous withdrawal from a well for municipal use and that the well would need to be closely monitored. The Town could not expect year-round use. He provided preliminary cost estimates (\$8,100 + 700 closure) for a 6" diameter test well.

The Council and staff discussed various aspects of the topic with Mr. Mauldin. He recommended that the optimum location for a test well or wells would be in San Juan Valley.

The Council and staff discussed the logistical aspects of obtaining and distributing ground water. Councilmember Robinson noted that the Town needs a long term rather than a short term solution.

Following discussion, the Council asked Maintenance Supervisor Reitan to research availability and costs of acquiring and installing an auxiliary chlorination unit suitable for use with a well. Maintenance Supervisor Reitan stated that chlorinators were readily available.

At Councilmember Dickinson's inquiry, Administrator Fitch stated that the Department of Ecology (DOE) can expedite permitting for acquisition and withdrawal of ground water if an emergency condition exists and the Department of Health (DOH) concurs.

At 10:38 PM, Councilmember Wilson moved and Councilmember Lackey seconded to move forward with efforts to acquire ground water, including research into DOE and DOH requirements, site selection, and property leasing. The motion passed unanimously.

The Council also requested that the staff proceed with the proposed bathymetry survey of Trout Lake reservoir.

The Council and staff discussed financial considerations for the various proposed water projects. The discussion will be continued to 2/8/94 at 7:30 PM.

At 10:45 PM, Mayor LaPorte reopened the discussion continued from the afternoon meeting of compensation for the fire chief.

Mayor LaPorte and the Council discussed various aspects of the issue.

At 11:07 PM, Councilmember Wilson moved and Councilmember Dickinson seconded to keep the compensation and duties of the fire chief position "as-is" until the next budget cycle. The motion passed with Councilmembers Dickinson, Lackey, and Wilson in the affirmative, Councilmembers Boothman and Robinson opposed.

At 11:10 PM, Councilmember Wilson moved and Councilmember Robinson seconded to adjourn and continue the meeting to 2/8/94 at 7:30 PM. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - February 8, 1994 @ 7:30 PM

The Town Council met in a session continued from 2/3/94, Mayor LaPorte presiding.

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Mayor LaPorte opened the work session on drought relief measures.

The Council reiterated that at the last session on the topic they had requested that staff obtain estimates for ground water research, location, and acquisition.

Councilmember Boothman distributed a summary by customer class of 1993 average monthly water usage which exceeds the usage of 80% of that customer class, a list of

suggested low cost tools for reducing water usage, and a draft letter to high water users.

Mayor LaPorte, Council, and staff reviewed and discussed same as well as the feasibility of water reclamation and reuse.

Councilmember Boothman reported on conservation information and water saving devices he has obtained from the City of Seattle Water Department and similar devices available through OPALCO. Various Councilmembers will test the devices at home and report back to the Council.

Councilmember Boothman noted that videos on water conservation are available.

Mayor LaPorte, the Council, and staff discussed methods for categorizing and contacting upper tier water users. Administrator Fitch reminded the Council of the costs associated with the current conservation information mailing and proposed projects.

The Council discussed a surcharge/secondary billing for water use over the 80% threshold after a first month notice and the wording and amount of same. The Council felt that a comprehensive information campaign for all customer classes would be most effective. 7,000 gallons per month was discussed as a SFR customer class threshold. Councilmember Lackey noted that thresholds need to be established for the other customer classes. Councilmember Wilson expressed agreement with a SFR surcharge if similar surcharges were concurrently implemented for the other customer classes.

Mayor LaPorte and the staff will work on determining non-SFR thresholds.

The Council discussed the water supply and water revenue situation in regard to the Friday Harbor Sand & Gravel Company operation.

At Councilmember Robinson's suggestion, the Council and staff discussed water use and conservation efforts at the Port of Friday Harbor, the University of Washington Marine Laboratories, and the local schools. Councilmember Robinson will research same.

Mayor LaPorte and Mr. Skip Metzger, San Juan Island B&B Association, discussed the effects of a water shortage on the business sector.

At 9:38 PM, Councilmember Robinson moved and Councilmember Lackey seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Duball, Town Clerk

Town Council - February 17, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Treasurer Picinich & Attorney Eaton

Town Administrator Fitch was excused.

Councilmember Lackey moved and Councilmember Boothman seconded to approve the minutes of the 2/3/94 12:30 PM, 2/3/94 7:30 PM, and 2/8/94 7:30 PM meetings, as amended. The motion passed unanimously.

As a non-agenda item, Mr. Eugene "Skip" Metzger remarked on the distribution to the Council of the San Juan Island Bed & Breakfast Association's definition of "bed & breakfast".

Mayor LaPorte proclaimed Saturday February 19th, 1994 as Matthew T. Wilson Day in Friday Harbor. Mr. Wilson recently attained the rank of Eagle Scout. Mr. Wilson will be presented with the original of the proclamation.

Mayor LaPorte noted the presence in the audience of, and welcomed, San Juan County District #3 Commissioner Tom Cowan.

The Council heard a presentation by Ed Stuhr, SJC Public Works, regarding the proposed San Juan Island refuse transfer station. Mr. Stuhr noted that the Board of County Commissioners had recently voted to close the County landfill on Orcas Island and begin long-hauling solid waste to a landfill in Klickitat County. He displayed for the Council site, building plan, and access proposals for a County long-haul transfer facility to be located at the Town of Friday Harbor Solid Waste Facility property. Mr. Stuhr distributed to the Council a San Juan County Transfer/Recycling Station Conceptual Site Plan Report. He noted that the project will be funded by bonds and spoke of provisions for establishment of a disposal district.

At Councilmember Robinson's inquiry, Mr. Stuhr estimated the cost of the transfer facility at approximately \$450,000.00.

Mayor LaPorte thanked Mr. Stuhr for his presentation.

At 7:51 PM, Mayor LaPorte opened the public hearing for modification of Shoreline Substantial Development Permit #41 for construction of wooden decks for food and beverage service at the Town Square commercial complex. Mayor LaPorte stepped down for appearance of fairness reasons and left the meeting.

Councilmember Wilson moved and Councilmember Robinson seconded to appoint Councilmember Dickinson Mayor Pro tem. The motion passed unanimously.

Mayor Pro tem Dickinson instructed the hearing in the procedure that would be followed. Hearing no objection to her or any Councilmember's participation, Mayor Pro tem Dickinson asked Attorney Eaton to provide a summary of the history of the project.

Attorney Eaton explained the conditions of the permit, including the strict limit on the permitted amount of commercial space.

Mayor Pro tem Dickinson asked Sandra Western-Butler, planning consultant for the Town, to present the staff report.

Ms. Butler reiterated that the application is to modify the original permit for a substantially different use. She informed the Council of restraints on the scope of action allowed under a modification request. She recommended denial of the application as the proposal changes the use and potentially increases impacts. She noted that the request exceeds the 8,000 square foot limit for commercial space specified by the current permit.

Charles Jackson, Law Offices of John O. Linde, representing the applicant and the building owners, spoke of the conclusions of law of the Shoreline Hearings Board reversal of the Town of Friday Harbor denial of a previous request for modification of this permit. He also pointed out the other than anticipated use of retail space adjacent to the area in question. Mr. Jackson spoke of "recreational" use of the area by patrons of the San Juan Brewing Company operation and gave a proposal for a plastic "lexan" barrier between patrons and the public right-of-way. He stated that the space would not be leased to the "brew pub" and would not result in additional commercial space. Mr. Jackson asked the Council to approve the application with one of three options; 1) service with alcohol allowed, 2) service without alcohol, or 3) "take-out" use only. He stated that the area would always be available to the public. Mr. Jackson presented letters and a petition in support of the modification (marked Exhibit C and D, respectively).

At 8:15 PM, Mayor Pro tem Dickinson opened the hearing for public comment.

Lisa McCormick, 940 Park Street, an employee of San Juan Brewing Company, spoke in support of the application.

Ms. Butler stated that the issue is whether the request is appropriate as a modification or should it be a new application. The staff position is that the request exceeds the Town's authority for modification.

At 8:20 PM, hearing no further public input, Mayor Pro tem Dickinson closed the public comment portion of the hearing noting that the Council reserves the right to reopen the hearing for public comment at a later time or date, and opened the hearing for Council deliberation.

The Council discussed various aspects of the request, especially public access concerns.

At 8:28 PM, Councilmember Lackey moved and Councilmember Boothman seconded to deny the request for modification of Shoreline Substantial Development Permit #41.

Following discussion, at 8:34 PM, the motion carried with Councilmembers Boothman, Dickinson, and Lackey in favor, Councilmember Robinson opposed, Councilmember Wilson abstained.

Mayor LaPorte rejoined the meeting.

At 8:36 PM, Acting Fire Chief Cindy DeStaffany reported Fire Department activity for the year to date. She gave a detailed report on training hours, types of response, and vehicle and facility use by month. She asked the Council to authorize \$700 to \$1,800 for Administrative/Professional Services for computer program development and training of Fire Department personnel to use same.

The Council discussed various operational procedures with Acting Chief DeStaffany.

Mayor LaPorte asked Acting Chief DeStaffany to present the above funding allocation request in writing.

The Council complimented Acting Chief DeStaffany on her report.

Acting Fire Chief DeStaffany noted distribution to the Council of a memo from members of the Friday Harbor Fire Department asking the Council to continue to consider creation of a paid fire chief position. Chief DeStaffany commented that there was "a great deal of uneasiness next door about the department's ability to protect the Town."

Mayor LaPorte suggested formation of a committee of two Councilmembers and one non-officer fire fighter to research the issue. Following discussion, Councilmembers Lackey and Robinson agreed to be the Council representation on said committee. The committee will report to the Council at the April 21st Council meeting.

Mayor LaPorte and the Council thanked Acting Chief DeStaffany for her report.

At 8:50 PM, Ted Elfving distributed to the Council a Notice of Intent (to circulate a petition) to Annex approximately 14 acres along Mullis Road and asked the Council to take action on the Notice.

Councilmember Dickinson, as a property owner in the area, asked to be excused from the process and stepped down.

Attorney Eaton explained the annexation procedure and options.

Following discussion, at 9:02 PM, Councilmember Robinson moved and Councilmember Boothman seconded to approve the Notice of Intent as specified. The motion passed unanimously.

At 9:04 PM, Mayor LaPorte reopened the public hearing on draft Ordinance #932, an ordinance amending the Comprehensive Plan and Land Use regulations.

Permit Coordinator Jones noted that the point of the definitions contained therein is to facilitate administration of land use regulations.

The Council discussed various definitions including items excluded from height calculations.

At 9:15 PM, Councilmember Boothman moved and Councilmember Wilson seconded to delete the phrase "and required fire resistant parapets" from 17.08.240. Following discussion, the motion failed with Councilmembers Boothman and Wilson in favor, Councilmembers Dickinson, Lackey, and Robinson opposed.

Councilmembers Boothman and Wilson requested that consideration of the draft ordinance be carried over to a future agenda for a work session. The Council requested that Building Official Hodges and Permit Coordinator Jones be present at said work session.

At 9:20 PM, Mayor LaPorte introduced the draft Findings & Conclusions for the James W. Slocomb Conditional Use Permit #36. Councilmembers Robinson and Wilson did not participate in consideration of same.

Permit Coordinator Jones explained the particulars of same.

At 9:23 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt the revised Findings & Conclusions for the James W. Slocomb Conditional Use Permit #36. Following discussion, the motion passed unanimously, Councilmembers Robinson and Wilson, excused.

Mayor LaPorte introduced draft resolution # 929, a resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of KCM, Inc. to complete a capacity analysis of the Trout Lake reservoir.

The Council discussed various aspects of same.

Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #929. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #930, a resolution authorizing the Mayor to execute a contract in the amount of One hundred eighty-nine thousand two hundred forty-seven and 28/100's dollars (\$189,247.28) excluding State sales tax, with W.A. Rouleau & Son, Inc., for the construction of the First Street Extension and Parking Plan.

The Council discussed various aspects of same.

In response to an inquiry from the Council, Tom Metke, KSM, engineer for the project, spoke of "hold harmless" provisions in the contract.

At 9:30 PM, following discussion, Councilmember Boothman moved and Councilmember Robinson seconded to adopt Resolution #930. The motion passed unanimously.

Mayor LaPorte introduced draft ordinance #931, an ordinance amending Ordinance #650 and Chapter 2.04 Friday Harbor Municipal Code, to set the time of the regular afternoon meeting to twelve noon on the first Thursday of each month.

Councilmember Robinson moved and Councilmember Dickinson seconded to adopt Ordinance #931. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #931, a resolution authorizing the Mayor to submit a grant application for Centennial Clean Water funding for developing a Watershed Management Plan.

Following discussion, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #931. The motion passed unanimously.

At 9:35 PM the Council took up discussion of water conservation rates and drought relief measures.

Mayor LaPorte reported that he was reviewing a draft letter to SFR (single family residential) accounts that exceeded the 7,000 gallon per month use threshold notifying them of the proposed 100% water use charge surcharge. He is working on equivalent measures for the MFR (multi-family residential), COM (commercial), P.A.(public authority), and IND (light industrial) customer classes. He informed the Council that he has called a meeting of large commercial water users to discuss conservation methods to be held at the Inn at Friday Harbor Suites on 2/24/94 at 5:00 PM.

Skip Metzger noted that the above mentioned meeting had been discussed at the Chamber of Commerce meeting today. He anticipated good attendance at the meeting.

The Council discussed the impact of the proposed water surcharge on SFR customers. Councilmember Boothman reported receipt of water conservation devices, the availability of an water conservation education program for the elementary school, and a poster project for the middle school. He also noted that a water audit manual and conservation literature was available from the Seattle Water Department.

Councilmember Wilson reiterated his concerns over the proposed SFR water surcharge. Councilmember Robinson proposed water audits for COM operations.

The Council discussed toilet retrofitting programs and the need for water use reduction at the various marinas and the port.

Councilmember Wilson reported an offer from Carl King to allow the Town to use his property near Augmentation Project II to research ground water availability. An existing well on the property could be tested for \$1,000. It may be possible to divert water from the test to AUG II.

At 10:06 PM, Councilmember Wilson moved and Councilmember Boothman seconded to authorize an expenditure not to exceed \$1,000 to test the existing well on the Carl King property.

Following discussion, the motion passed unanimously.

The Council and staff discussed anticipated desalination proposals and other desalination operations in the hemisphere.

At 10:15 PM, Mayor LaPorte reported on his visit this date to the Klickitat County landfill.

Councilmember Lackey moved and Councilmember Dickinson seconded to approve payment of claims warrants #7435 through 7501 in the amount of \$82,097.36. The motion passed unanimously.

At 10:21 PM, Councilmember Lackey moved and Councilmember Robinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - March 3, 1994 @ 12:00 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch

Maintenance Supervisor Reitan reported that Trout lake is 163 3/4 inches below the spillway. He estimated that approximately 2.3 million gallons have been pumped from AUG I since November and that 9 million gallons have been pumped from AUG II. The Phase I pump station at the water treatment plant is in operation. He estimated that the cost for the proposed Trout Lake siphon line would be \$55,000. Maintenance Supervisor Reitan notified the Council of the need to purchase a 440 volt generator for use at the water treatment plant. He commented on the growing workload at the water and wastewater treatment plants due to increased state and federally mandated monitoring and testing requirements. Maintenance Supervisor Reitan reported that San Juan Organics is currently hauling the Town's sludge. The price is \$.02 per gallon over the proposed contract price. He stated that things are going well in the other departments.

At 12:15 PM, Mayor LaPorte thanked Maintenance Supervisor Reitan for his report.

Administrator Fitch introduced Steve Deem, District Engineer, NW Drinking Water Operations, Washington State Department of Health (DOH).

Mr. Deem explained regulatory requirements for development of ground water sources and/or reverse osmosis seawater systems. He explained the state water right application and review process under normal and emergency conditions. Mr. Deem outlined drought relief measures available through the Washington State Department of Ecology (DOE) per 173-166 WAC. Any relief measures would only be permitted for the period of the drought.

At Councilmember Wilson's inquiry, Mr. Deem stated that DOH has the authority to declare a moratorium on new building permits for the duration of a drought. He noted that DOH does not anticipate invoking same in the Town of Friday Harbor situation.

Mr. Deem also noted that funding for municipal water supplies is apparently not provided for under the state drought relief measures. A formal declaration by the Town of an emergency situation is not required to petition DOE for emergency consideration of a water right application.

At 12:27 PM, Councilmember Wilson left the meeting to respond to a pager call.

Mayor LaPorte, the Council, and staff discussed various aspects of the regulatory environment with Mr. Deem. He noted that, regarding water quality, the mixing of surface and ground water sources may be a significant issue. Mr. Deem explained water chemistry issues and treatment methods.

Mayor LaPorte, the Council, staff, and Mr. Deem discussed various aspects of ground water utilization. Treatment of ground water may include chlorination, oxidation reduction, and filtration.

Mr. Deem was of the opinion that an attempt by the Town to develop ground water "may not be money well spent." He felt that there was not sufficient ground water on San Juan Island to develop for municipal purposes. Mr. Deem predicted that a ground water right application by the Town would most likely be challenged.

Vicki Heater, San Juan County Department of Health, commented that many local wells are not recharging. She also noted that water rights on San Juan Island are quite confused.

Mayor LaPorte thanked Mr. Deem for his presentation.

At 12:50 PM, Administrator Fitch introduced Brad Bogus, of the Town's engineering consulting firm of KCM, Inc.

Mr. Bogus reported that Phase I of the improvements to the Water Treatment Plant are almost complete. He is working with the contractor and equipment supplier to resolve a problem with a remote control raw water valve. He is preparing, in conjunction with Rachel Dietzman of KSM, a "punch list" of items to be fixed. The list will be forwarded to the contractor next week.

Mr. Bogus estimated that the design for Phase II would be forwarded to DOH for review by the end of the month. He expected that the construction bid for same would be awarded the first part of June 1994 with a 6 month construction period. The preliminary estimated cost is \$600,000.

Mr. Bogus explained the anticipated utilization of the recent hydrographic survey of Trout Lake and that he will forward the reservoir capacity analysis to the Town by the end of the month.

At Administrator Fitch's inquiry as to state-wide compliance with the Surface Water Treatment Rule (SWTR), Mr. Deem felt that the Town of Friday Harbor was "just behind the main pack". He predicted that federal water treatment mandates would not be relaxed. He also stated that the Town's current compliance efforts would not become obsolete.

The Council and staff discussed various water supply issues with Mr. Deem and Mr. Bogus.

Mayor LaPorte thanked Mr. Deem, Mr. Bogus, and Ms. Heater for their presentations and participation.

At 1:11 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to approve payment of claims warrants #7506 through 7559 in the amount of \$69,621.52 and payroll warrants #3448 through 3484 in the amount of \$73,193.01. The motion passed unanimously.

Councilmember Robinson requested that time be allocated on a future agenda for his report on the proposed joint governmental acquisition of the Friday Harbor Sand & Gravel Company property. He will have a draft interlocal agreement for Council review.

At 1:15 PM, Councilmember Lackey moved and Councilmember Robinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - March 3, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Attorney Eaton

Councilmember Lackey moved and Councilmember Dickinson seconded to accept the minutes of the 2/17/94 7:30 PM meeting as amended. The motion passed unanimously.

Mayor LaPorte reported that, following meetings with the Town of Friday Harbor fire fighters, he had appointed Cynthia L. DeStaffany as Fire Chief.

At Mayor LaPorte's request, Town Clerk Dubail administered the oath of office to Chief DeStaffany.

As a non-agenda item, Mike Tavenner, representing homeowners in the area of the First Street Extension and Parking project, addressed the Council. He referred to his letter of 2/28/94 to the Town and asked for consideration of reduction of the number of parking spaces and for other modifications.

Nourdine Jensen felt he had not been given sufficient notice of the particulars of the project. He expressed specific concerns and asked the Town to consider same.

At Mayor LaPorte's request, Warren Jones, Permit Coordinator, noted the prior transmittal of an explanatory memo and project drawings to the property owners.

Mr. Jensen complimented the Town on record keeping regarding the project but felt he should have been consulted more frequently.

Tom Metke, KSM, engineer for the project, addressed stormwater management concerns. He estimated a cost of \$10,000 to revise the stormwater flow direction.

Administrator Fitch pointed out that all the utility companies had been kept informed of the status of the project. Mr. Jensen is on the OPALCO Board of Directors.

Mr. Metke and Administrator Fitch explained provisions to provide acceptable access to the adjacent properties.

The Council discussed various aspects of the project with the staff.

Mayor LaPorte informed Mr. Jensen that the Town would provide a curb cut during project construction if Mr. Jensen so requested.

Councilmember Robinson commented on access and drainage concerns. He felt that the stormwater flow should be revised.

Councilmember Dickinson noted that the project is on public property and should be utilized to benefit the public while not unduly burdening the adjacent property owners.

Councilmember Wilson felt the issues raised could be resolved and suggested moving the cul-de-sac for a net loss of 2 parking spaces.

The Council discussed the inadvisability of designating on-street parking for private use.

Mayor LaPorte noted stated support for the project by the citizen's parking committee. Mr. Skip Metzger, committee chair, expressed continued support for the project.

At 8:16 PM, Councilmember Robinson moved and Councilmember Lackey seconded to continue with the project with a revision of the stormwater flow direction, a change in the design grade of the cul-de-sac, the addition of a curb cut, and clarification of the situation of the access to the steps of Mr. Jensen's rental house.

Councilmember Boothman asked Mr. Metke to explain the effect of the above changes on the project. Mr. Metke used the current project construction drawings to illustrate same.

At Councilmember Boothman's inquiry, Administrator Fitch noted that money would have to be borrowed to supplement existing funds for the project.

Councilmember Lackey pointed out that the project has been in the planning stage for approximately four years.

At 8:22 PM, the motion passed unanimously.

Mayor LaPorte introduced draft resolution #932, a resolution authorizing the Mayor to execute a lease agreement with San Juan Archers for a portion of land lying within the Town watershed known as Trout Lake.

Attorney Eaton explained the particulars of the draft resolution and associated lease. He suggested revisions and clarifications to the proposed lease.

Sam DeFilipps, San Juan Archers, addressed the points raised by Attorney Eaton.

The Council and staff discussed various aspects of the proposal with Mr. DeFilipps. The Council directed staff to revised the proposed lease for Council consideration.

At 9:00 PM, Mayor LaPorte declared a 5 minute recess.

At 9:05 PM, Mayor LaPorte called the meeting back to order.

Mayor LaPorte introduced draft ordinance #953, an ordinance granting Final Plat approval to Phase I of the Foxhall Subdivision.

It was noted that the proponent, Mr. Don Galt, was not present and that there were certain details regarding the plat that were yet to be resolved.

Councilmember Wilson moved and Councilmember Robinson seconded to defer consideration of draft ordinance #953 to the 3/17/94 meeting.

Administrator Fitch noted submittal of the draft Declaration of Protective Covenants for Foxhall. He explained in detail the proposed Streets, Curbs and Sidewalks Improvement Contract prepared by the developer. Administrator Fitch noted that the proposed Streets, Curbs and Sidewalks Improvement Contract is a new development concept for Friday Harbor.

The Council and staff discussed the philosophy and implementation of the proposed SC&SIC. Attorney Eaton noted that the Council must adopt an enabling ordinance to provide authority to implement same.

At 9:27 PM, following additional discussion, the motion to defer consideration of draft ordinance #953 to the 3/17/94 meeting passed unanimously.

The Council took up discussion of draft ordinance #932, an ordinance revising the Land Use Ordinance. The discussion was continued from the 2/17/94 meeting. Present as requested by Council were Permit Coordinator Jones and Building Official Hodges. The Council and staff continued with discussion of various aspects of the proposed ordinance.

At 10:35 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to adopt Ordinance #932 with Section 17.44.080(A) as revised. Concerns raised during the Council discussions are to be referred to the Planning Commission.

The motion passed with Councilmembers Boothman, Dickinson, and Lackey voting in the affirmative, Councilmembers Robinson and Wilson, opposed.

Councilmember Dickinson suggested that the Council may wish to schedule a future joint work session with the Planning Commission on land use regulations.

At 10:42 PM, Mayor LaPorte declared the meeting adjourned and continued to 3/10/94 at 12:00 noon for a work session on the water situation.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - March 10, 1994 @ 12:00 PM

The Town Council met in continued regular session with Mayor LaPorte presiding.

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

At Mayor LaPorte's request, Administrator Fitch asked for direction from the Council regarding investigation of ground water sources, in particular, the well on the Carl King property across from AUG II. He informed the Council of correspondence and phone calls received and a neighbors meeting held regarding possible Town extraction of ground water in San Juan Valley.

Councilmember Wilson reported on well test procedures at the King Property. He also reported his attendance at the above mentioned neighbors meeting of Hidden Meadows homeowners. He stated that the objective of the testing is to help determine if there is sufficient ground water to extract for municipal purposes and if extraction of same

would adversely affect other wells in the area. He noted that the King well was drilled in approximately 1922.

Mayor LaPorte and Councilmember Wilson discussed the possibility of a letter to the above property owners regarding results of well testing. Mayor LaPorte and Administrator Fitch discussed regulatory requirements for well testing. At Mayor LaPorte's inquiry, Councilmember Wilson stated that Martel Welldrilling is getting ready to test the King well.

Denny Martel noted that there is a San Juan County ordinance requiring a pump test prior to use of a well without a well log such as the King well.

The Council discussed various issues regarding ground water research and potential utilization.

Mayor LaPorte stated that if any wells in the area were adversely affected by the testing program the Town would cease testing activity.

In response to an inquiry by Frank Klingberg, property owner in the area of the King property, Mayor LaPorte and Councilmember Wilson assured Mr. Klingberg that the goal of the Town at this point was research not utilization and that the Town would follow all applicable regulations. If ground water resources were eventually found to be feasible for municipal use, such use would only to supplement the Town's existing supply. Mayor LaPorte reiterated the firm desire of the Town to not adversely affect other wells in the area.

Dodie Gann, property owner in the area, suggested that the Town pursue some other alternative such as desalination to augment the Town's water supply.

Mayor LaPorte assured her that the Town was looking into many approaches to solving the problem.

Mr. Martel responded to an inquiry from Chris Pope regarding well testing and monitoring procedures.

Councilmembers Robinson and Dickinson stated financial support of the testing program only to the previously appropriated amount.

At 12:36 PM, Jim Slocomb presented the results of the hydrographic survey of Trout Lake reservoir. He pointed out that the internal dam apparently does not extend entirely across the lake.

Mayor LaPorte, the Council, and staff discussed various aspects of the analysis.

Mayor LaPorte thanked Mr. Slocomb for his presentation.

Mayor LaPorte asked the Council to sanction the creation of a 3 member citizen committee to research desalination. Following discussion the Council expressed support for the formation of same.

At 12:51 PM, Mayor LaPorte introduced Tom Duncan, Offshore Marine Laboratories, purveyors of desalination technology.

Mr. Duncan explained basic reverse osmosis (r/o) technology, various development scenarios, and installation and operation cost estimates. He also suggested consideration of small systems for specific users such as the Port of Friday Harbor.

At 1:05 PM, Councilmember Lackey left the meeting due to a work commitment.

The Council discussed various aspects of the desalination technology with Mr. Duncan.

Mayor LaPorte thanked Mr. Duncan for his presentation.

Mayor LaPorte noted attending a meeting the previous Monday at San Juan County Public Works regarding drafting an interlocal agreement for acquisition of the Friday Harbor Sand & Gravel Company property. The Port of Friday Harbor would be the initial purchasing agency.

Councilmember Robinson reported on meeting with the Port, School, and Public Works regarding same. No firm plans or prices are being discussed at this time. He noted increasing citizen and organizational opposition to the proposed acquisition. He did not see a need for Town of Friday Harbor participation at this time.

The Council discussed various aspects of the acquisition proposal. Following discussion the Council indicated that they did not wish to pursue the matter.

At 1:33 PM, Councilmember Robinson left the meeting due to a work commitment.

At 1:39 PM, Councilmember Boothman moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - March 17, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

At 7:30 P.M. the Mayor asked if there were any non agenda items to be presented by the audience

At 7:35 P.M., Mayor LaPorte presented Resolution #932, a resolution authorizing and directing the Mayor to execute a lease agreement with the San Juan Archers for a portion of land lying within the Town watershed known as "Trout Lake".

San Juan Archers President Larry Phillips explained his group's proposal. Attorney Eaton highlighted the changes made in the agreement. Councilmember Boothman expressed his concerns about leasing the property.

Councilmember Dickinson moved and Councilmember Lackey seconded the motion to adopt Resolution #932. The motion was unanimously approved.

At 7:47 P.M. Mayor LaPorte opened the public hearing on the Blomgren Conditional Use Application #37 to conduct a bed and breakfast operation in an existing single family dwelling at 520 Lawson Place. All input is on tape.

Councilmember Robinson excused himself from the hearing because of a possible conflict of interest.

Permit Coordinator Jones presented the staff report and the planning commission's recommendations.

At 8:00 P.M. the hearing was opened to for input from the public. Betty Rice, owner of the Wharfside Bed & Breakfast expressed her concerns that there are already enough B&B's on San Juan Island trying to make a living. At 8:05 P.M. the public input portion of the hearing was closed and the Council began its deliberations.

Councilmember Boothman suggested that condition B be amended to require that all bathroom fixtures be fitted with water saving devises.

Councilmember Dickinson moved and Councilmember Boothman seconded the motion to adopt the finding of facts and conclusion of law regarding Conditional Use Permit #37 as amended. The motion was unanimously approved.

Councilmember Robinson returned to the meeting.

At 8:10 P.M. Mayor LaPorte opened the public hearing on the Mahan Rezone Application #43 to rezone .44 acres of land located at 555 Park Street from Multifamily Residential to Professional Services Commercial. All input is on tape.

Councilmember Robinson excused himself for a possible conflict of interest.

Attorney Eaton explained the criteria to base a rezone approval; there must be a significant change of use in the surrounding property since it was originally zoned and the rezone is in the best interest of the community.

Permit Coordinator Jones presented the staff report and the Planning Commission's recommendations.

At 8:17 P.M. the hearing was opened to public input. Being no input from the public, the public portion of the hearing was closed at 8:21 P.M. and the Council began its deliberations.

Councilmember Lackey moved that the zoning be changed to Professional Services Commercial all the way to Marguerite Place. The motion died for lack of a second.

Councilmember Wilson moved and Councilmember Lackey seconded the motion to approve Rezone Application #43. The motion was unanimously approved.

Councilmember Robinson rejoined the meeting.

At 8:25 P.M. Mayor LaPorte opened the public hearing on the Carli Rezone Application #44 and Conditional Use Application #39 to rezone 1.19 acres of Single Family Residential property to Multifamily Residential and to conduct a bed and breakfast operation in an existing single family dwelling at 685/665 Argyle Avenue. All input is on tape.

Councilmembers Robinson and Wilson excused themselves from the hearing due to a possible conflict of interest.

Councilmember Boothman explained that he had a telephone conversation with Nyland Davis who supports the rezone and conditional use request.

Permit Coordinator Jones presented the staff report and the planning commission's recommendation.

Attorney John Linde, representing the applicants, addressed the Council.

At 8:42 P.M. the hearing was opened to the public. Being no public input, the public portion of the hearing was closed at 8:44 P.M. and the Council began its deliberations.

Councilmember Lackey requested that condition D on the Conditional Use Applications #39 be amended to required that all bathroom fixtures be fitted with water saving devices.

Councilmember Boothman moved and Councilmember Lackey seconded the motion to accept the finding of facts and the conclusion of law of Rezone Application #44 and Conditional Use Application #39 as amended. The motion was unanimously approved.

At 8:48 P.M. Councilmembers Robinson and Wilson returned to the meeting.

At 9:00 P.M. Paul "Tag" Myser made a presentation to the Council requesting a transit bus space be reserved for Island Transportation Services, a Washington Utilities and Transportation Commission licensed passenger carrier.

Administrator Fitch explained Chapter 12.28 Friday Harbor Municipal Code regarding private use of public property. Attorney Eaton explained the purpose of Chapter 12.28 and Ordinance #647

Mayor LaPorte asked that the request be tabled to the April 2, 1994 Council meeting to allow Town staff to prepare a recommendation.

At 9:35 P.M., the Council recessed for a short break.

At 9:45 P.M., the Council meeting reconvened.

Mayor LaPorte reported that a committee to study desalinization methods has been formed. Jim Slocumb, Joe Gruber and Lance Crosby have been appointed to serve on this committee.

At 9:50 P.M. Mayor LaPorte presented Ordinance #933, granting Final Plat approval to Phase 1 of the Foxhall Subdivision.

Administrator Fitch recommended that Ordinance #933 not be adopted at this time. He reported that condition #14, the addition of a water booster pump station was no longer needed since the installation of the Town's new water tank.

There was a question on the requirement to install a sidewalk on the OPALCO side of Larson Street. Attorney Eaton proposed that a "late comer" ordinance for sidewalks be prepared.

Councilmember Robinson moved and Councilmember Dickinson seconded a motion that a sidewalk on the south side of Larson Street not be required as part of phase 1 of the Foxhall subdivision. The motion was unanimously approved.

Attorney Eaton will develop a sidewalk "late comer" ordinance and will review the Town's present water and sewer "late comer" ordinances.

At 10:25 P.M. Mayor LaPorte excused himself from the discussion on the findings of fact and conclusions of law on the application to modify Substantial Development #41.

Councilmember Dickinson moved and Councilmember Robinson seconded to appoint Councilmember Wilson Mayor Pro Tem. The motion was unanimously approved.

Councilmember Dickinson moved and Councilmember Lackey seconded the motion to approve the findings of fact and conclusions of law of the modification of Substantial Development Permit #41. The motion was unanimously approved.

Mayor LaPorte returned to the meeting.

At 10:40 P.M. Mayor LaPorte introduced Resolution #933 authorizing the Mayor to execute a contract with Skagit County Medical Bureau for employee medical coverage for 1994.

Staff requested that the adoption of Resolution #933 be postponed until more research on medical coverage could be completed.

At 10:45 P.M. the Town Administrator presented his report.

At 11:40 P.M. Councilmember Lackey moved and Councilmember Wilson seconded a motion to approve the payment of claims, #7563 to #7628. The motion was unanimously approved.

At 11:45 P.M. Councilmember Lackey moved and Councilmember Dickinson seconded the motion to adjourn the meeting to Tuesday March 22, 1994 at 7:30 P.M. to discuss water issues and employee medical insurance coverage. The motion was unanimously approved.

Wm. J. LaPorte, Mayor
Wendy J. Picinich, Clerk pro tem

Town Council - March 22, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Mayor LaPorte remarked on the water conservation meeting he and Councilmember Boothman held with members of the business community and the difficulty of categorizing various businesses.

Councilmember Boothman distributed a draft conservation request/use threshold notification letter intended for single family residential (SFR) customers to the Council. He also distributed an analysis of the average 1993 multi-family residential (MFR) water use per residential unit.

At Councilmember Wilson's inquiry, it was stated that the proposed program as per the above draft letter would not be initiated until an equivalent program could be concurrently implemented for the non-residential customer classes.

Mayor LaPorte and the Council discussed the characteristics of SFR and MFR water use. It was suggested that the proposed threshold for MFR accounts be set at the same level as that for SFR accounts.

The Council directed staff to purchase 1,000 toilet dams. Mrs. Fitch suggested that the Town sell same to water customers. It was noted that the Town's cost is \$1.69 per set.

At Administrator Fitch's request, Maintenance Supervisor Reitan explained the chlorination process at the Wastewater Treatment Plant (WWTP). He stated that a new \$5,000 "flash mixer" would use no fresh water and would be "state of the art". He remarked that the odor control mist system is the second largest user of water at the WWTP.

At 8:11 PM, Councilmember Robinson moved and Councilmember Wilson seconded to approve reallocation of Sewer Operating (Equipment) funds to allow purchase of a new waterless chlorine mixer for the WWTP. Maintenance Supervisor Reitan recommended that some other planned Wastewater Department purchases be postponed until 1995. The motion passed unanimously.

The Council and Maintenance Supervisor Reitan discussed financing options for the proposed reservoir siphon pipeline project. Maintenance Supervisor Reitan noted that today the reservoir is 139 1/8" below the spillway. The Council and staff discussed various aspects of the proposed siphon project. At the Council's inquiry, Treasurer Picinich noted that the algae bloom in December cost the Town approximately \$44,000.00.

The Council and staff discussed the need for public restrooms or "port-a-potties" downtown during the tourist season. Mayor LaPorte suggested that the Town could capitalize a restroom project and the local Chamber of Commerce or other business community group could maintain same.

At 8:35 PM, Councilmember Boothman read a letter from a water conservation representative (water auditor). He reported on his research on the topic. He noted that a training manual has been ordered from the American Waterworks Association (AWWA). The Council discussed various aspects of the topic. Maintenance Supervisor Reitan suggested that Councilmember Boothman may wish to contact the Rural Water Association for information regarding water conservation.

The Council discussed private distribution channels for toilet dams.

The Council discussed further distribution of the 2/24/94 water conservation questionnaire and other water conservation information. The Council also discussed ways to encourage and acknowledge conservation.

Administrator Fitch recommended that the Town determine what actually constitutes a water audit before taking action to obtain a contractor and offer services of same. He suggested that any water audit program by performance oriented.

At 9:20 PM, Mayor LaPorte introduced draft resolution #933, a resolution authorizing the Mayor to execute a contract with Skagit County Medical Bureau.

Administrator Fitch and Treasurer Picinich explained the particulars of same.

Councilmember Robinson moved and Councilmember Lackey seconded to adopt Resolution #933. Following discussion, the motion passed unanimously.

Mayor LaPorte introduced draft resolution #934, a resolution authorizing the Mayor to execute a grant agreement with the Washington State Department of Ecology (DOE) for funding closure of the Friday Harbor landfill.

Administrator Fitch explained the particulars of same.

At 9:33 PM, following discussion, Councilmember Lackey moved and Councilmember Dickinson seconded to adopt Resolution #934. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #935, a resolution recommending that San Juan County enter into a contract with Friberg Construction Company for the reconstruction of Guard Street from Blair Avenue to Tucker Avenue.

Administrator Fitch explained the particulars of same.

At 9:49 PM, following discussion, Councilmember Lackey moved and Councilmember Wilson seconded to adopt Resolution #935. The motion passed unanimously.

Treasurer Picinich presented an overview of Town financing history, options, and opportunities.

The Council and staff discussed the pending required and anticipated water projects and the need for timely implementation of same.

Administrator Fitch advised the Council, that, without Council objection, the bond attorney will move forward with preparing the bond ordinance for water project financing. The Council indicated concurrence.

Treasurer Picinich outlined unbudgeted Council approved 1994 water operating expenditures.

Treasurer Picinich mentioned a staff request to acquire a "plain paper" fax machine. Council approved purchase of same, not to exceed \$1,800.

Council noted receipt of 3/22/94 memo from Maintenance Supervisor Reitan regarding water pumped and released through AUG 11.

Administrator Fitch asked Council to give consideration to changing applicable land use ordinances to reflect ongoing water conservation requirements.

Administrator Fitch noted that the Council may wish to give consideration to formulating water restrictions for the next water emergency stage. He stressed the need for plenty of notice of same to the community.

At 10:27 PM, Councilmember Boothman moved and Councilmember Lackey seconded to adjourn and continue the meeting to 3/24/94 at 7:00 PM so Councilmembers may attend the scheduled Planning Commission public meeting to view and discuss the proposed alternatives for the Friday Harbor Comprehensive Plan/Environmental Impact Statement, and to further continue the meeting to 3/31/94 at 7:30 PM to hear a presentation by San Juan County Public Works regarding the proposed refuse transfer station at the Town of Friday Harbor Solid Waste Facility site. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - March 24, 1994 @ 7:00 PM

The continued Town Council meeting of March 22, 1994 was continued so that the Council could attend the Planning Commission public meeting to view and discuss the proposed alternatives for the Friday Harbor Comprehensive Plan/Environmental Impact Statement. The Town Council meeting did not have a quorum.

Members present: Boothman & Lackey
Others present: Town Administrator Fitch

Steven Dubail, Town Clerk

Town Council - March 31, 1994 @ 7:30 PM

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

Members present: Boothman, Lackey, Robinson, & Wilson

Councilmember Dickinson and Town Administrator Fitch excused due to illness.

Mayor LaPorte introduced Ed Stuhr, San Juan County Public Works Solid Waste Manager. Mr. Stuhr gave a presentation regarding the proposed San Juan County refuse transfer station at the Town of Friday Harbor Solid Waste Facility site. He informed the Council that the Board of County Commissioners (BOCC) had recently voted to close the Orcas Landfill and long haul county refuse to an eastern Washington landfill. The County would like long hauling to commence by 4/9/94. The San Juan County long haul operation will function under Skagit County's contract with Rabanco. Mr. Stuhr noted that the Orcas Island transfer station is nearing completion and is well under budget. He also outlined the County's proposed \$150/ton retail refuse disposal rate.

At Mayor LaPorte's inquiry, Mr. Stuhr illustrated for the Council the draft site plan and design of the proposed transfer station. The plan would utilize the existing access road at the Town of Friday Harbor Solid Waste Facility site.

The Council questioned Mr. Stuhr on various aspects of the proposal. Mr. Stuhr noted that San Juan County needs a lease agreement with the Town of Friday Harbor.

Robert Erickson, Town of Friday Harbor Solid Waste Facility Leadman, reported that, following a recent visit, the Department of Ecology (DOE) representative is "happy with the incinerator" and indicated that he felt it was in compliance. Mr. Erickson pointed out that the footprint of the Town landfill closure may be in conflict with the proposed San Juan County Transfer Station siting plan.

It was noted that both plans were prepared by SCS Engineers.

Mr. Stuhr felt there would not be a conflict.

San Juan County will be approaching the Town of Friday Harbor for a lease agreement and building permit. Ron Loewen, San Juan County Public Works Director, indicated that San Juan County would like to begin construction of the transfer station "sometime this summer."

The Council and Mr. Stuhr discussed attributes of the site and potential impacts on neighboring properties.

At Mayor LaPorte's inquiry as to compensation for use of the site, Mr. Loewen spoke of the County's perception of the mutual benefits of the proposed facility.

Mayor LaPorte advised the County representatives that the Council would carefully consider the terms of any proposed lease agreement.

It was pointed out that the Town has been quite adamant regarding exceeding the 27 foot building height limit.

Mr. Loewen estimated that SCS Engineers would have a draft plan and application prepared within the next two weeks. He indicated that he would initiate lease negotiations with Town Administrator Fitch within the same time frame.

Mayor LaPorte, the Council, and staff discussed the 4/9/94 termination date for introducing material into the ashfill, the "solid waste" classification of the Town's ash, the need for additional ash testing, and hours of operation.

Mrs. Chris Coulter, 560 Terrace Lane, spoke highly of Mr. Loewen's and Mr. Stuhr's responsiveness to neighbor's concerns.

Mr. Terry Coulter, 560 Terrace Lane, thanked San Juan County and the Town of Friday Harbor for their efforts and suggested that the Town be flexible regarding building height limits.

Mayor LaPorte thanked Mr. Stuhr and Mr. Loewen for their presentation.

Mayor LaPorte noted receipt of a letter from Robin Wohlhueter, President of the Washington Municipal Clerks Association (WMCA), notifying the Town that Town Clerk Dubail had been re-elected Treasurer of the WMCA.

Mayor LaPorte informed the Council that Mike Deegan of the Town's Water Department had earned a Water Distribution Specialist II classification.

Mayor LaPorte introduced draft resolution #936, a resolution authorizing an interfund loan from the Current Expense Fund to the Capital Reserve Hotel/Motel Tax Fund in an amount not to exceed \$15,000.00 to be repaid by June 1, 1994.

Councilmember Lackey moved and Councilmember Boothman seconded to adopt Resolution #936. Following discussion, the motion passed unanimously.

Mayor LaPorte and the Council discussed agenda items for the 4/7/94 evening meeting, including water conservation and possibly a presentation by the Firefighters Fire Chief Review committee.

Certain Town crew members will be receiving training as water conservation auditors next week.

Councilmember Robinson distributed to Council a proposed list of criteria for Severe and Critical Water Emergency conditions.

Councilmember Boothman suggested that he and Councilmember Robinson be considered a subcommittee for water conservation.

At 8:43 PM, Councilmember Robinson moved and Councilmember Lackey seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - April 7, 1994 @ 12:00 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch

Maintenance Supervisor Reitan submitted a memo as his Maintenance Supervisor's Report as he was off island attending a "Managing multiple priorities" workshop.

Fire Chief Destaffany reported that, since her last report in February, there have been 22 response calls, 12 in Town. There have been no fire boat calls since her last report. She reported on her department's ongoing training program including joint drills with Fire District #3. A 16 hour recruit training class begins this weekend. She reported on scheduled drills and other fire department activity.

Mayor LaPorte and Chief Destaffany discussed the rescheduled Fire District #3 practice burn of the "Boy Scout" building at the Fairgrounds.

Chief Destaffany responded to questions from the Council.

Mayor LaPorte thanked Chief Destaffany for her report.

Building Official Hodges reported that he has issued 22 building permits so far this year. He also briefed the Council on his research into setting up a low water volume toilet retrofit program. He reported on very favorable recent test results of ash from the Town incinerator. Building Official Hodges responded to various questions from the Council regarding the proposed toilet retrofit program.

At 12:22 PM, Councilmember Robinson joined the meeting.

The Council directed Building Official Hodges to continue research into the toilet retrofit program, put together a proposal, and report back to the Council in two weeks.

Mayor LaPorte thanked Building Official Hodges for his report.

Mayor LaPorte informed the meeting that this evening's scheduled 7:35 PM agenda item, a presentation by the Fire Chief Review Committee, had been rescheduled to the 4/21/94 meeting.

Administrator Fitch introduced Marion Melville, San Juan County District Court Clerk.

Ms. Melville gave a presentation regarding Town parking ticket processing and collection procedures. She noted that San Juan County is on the State court computer system and that State procedures and protocols are utilized. All unpaid parking tickets are assessed an additional \$25.00 charge at the State level. Locally, a reminder post card is mailed after 30+ days, after 65+ days all unpaid San Juan County District Court accounts are turned over to a contract collection agency. Ms. Melville outlined the extensive mitigation procedures instituted at the District Court level to deal with parking concerns.

The Council and staff discussed various aspects of the process with Ms. Melville.

Mayor LaPorte thanked Ms. Melville for her presentation.

Administrator Fitch noted receipt of correspondence from:
Dave Landes - Evergreen Public Finance,
Susan Irely, Griffin Bay Bookstore - complaint regarding construction on First Street

Port of Friday Harbor - conversion of existing out-of-town water service and new sewer service connection for planned Skagit Valley College building at the airport.

Administrator Fitch reported on a 3/25/94 meeting with the producers of the film "Free Willy II" who are planning to shoot in Friday Harbor in July and wish to make private use of the public right-of-way during filming on Front Street and lower Spring Street.

At 1:04 PM, Administrator Fitch left the meeting to attend the Landfill Closure project pre-bid conference.

Councilmember Wilson moved and Councilmember Lackey seconded to approve payment of claims warrants #7634 through 7696 in the amount of \$44,130.06 and payroll warrants #3489 through 3550 in the amount of \$90,070.35. The motion passed unanimously.

At 1:09 PM, Councilmember Dickinson moved and Councilmember Wilson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - April 7, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Attorney Eaton

Councilmember Lackey moved and Councilmember Wilson seconded to approve the minutes of the 3/4/94 12:00 & 7:30 PM, 3/17/94 7:30 PM, 3/22/94 7:30 PM, and 3/24/94 7:00 PM meetings as amended. The motion passed unanimously.

Susie Campbell, 749 Fir Street, owner of Susie's Mopeds, suggested that the Town cause "porti-potties" to be placed near Sunken Park for use by park patrons and summer visitors.

Mayor LaPorte and the Council discussed the issue with Ms. Campbell. Mayor LaPorte suggested that she talk with the Chamber of Commerce as to the need for same at other locations.

Hans Albrecht, Project Manager, Gene Bouma Inc. (GBI), developer of the Gerard Park and Village Green housing projects, requested relief from the Water Emergency Conservation Plan Moderate Emergency Condition lawn watering restrictions (FHMC 13.16.045(B)(1)). He stated that GBI had just installed 100 shrubs and trees and 20,000 square feet of sod at the above projects. GBI has received a warning letter from the Town regarding watering of same. Mr. Albrecht stated that the lawn and landscaping are required by the terms of their FmHA loan and asked to be allowed to

continue "minimum spot hand watering of the lawn for another 30 days. He noted that the Town had approved the building permits and landscaping plans after the Moderate (Water) Emergency Condition was in effect.

The Council discussed the feasibility of utilizing alternative sources of irrigation water with Mr. Albrecht. Mr. Albrecht expressed concern about the additional cost of acquiring and distributing same.

Administrator Fitch noted the Moderate (Water) Emergency Condition does not require changes to landscaping plans in association with development permit applications.

At 7:56 PM, Councilmember Robinson moved and Councilmember Lackey seconded to allow spot hand watering with a spring loaded nozzle of the Gerard Park and Village Green housing project lawns for a maximum of 1/2 hour per day for a maximum of 30 days from the date the sodded lawn was first installed.

At Councilmember Boothman's inquiry, Attorney Eaton advised that Friday Harbor Municipal Code Chapter 13.16 should be modified by ordinance to accomplish the intent of the above.

Councilmember Lackey withdrew his second to the motion. Councilmember Robinson withdrew the motion.

Councilmember Robinson moved to direct the Town Attorney to prepare a draft ordinance to allow spot hand watering with a spring loaded nozzle of lawns for a maximum of 1/2 hour per day for a maximum of 30 days from the date a sodded lawn was first installed for any permits that were approved with landscaping plans showing lawns since the Moderate (Water) Emergency Condition was triggered to date. Councilmember Boothman seconded the motion.

Upon review of the Town Building Permit Log Book, Administrator Fitch estimated that no more than 10 building permits may fall under the above specified category.

At 8:11 PM, the motion passed with Councilmembers Boothman, Dickinson, Lackey, & Robinson voting in the affirmative, Councilmember Wilson - opposed.

Councilmember Robinson noted that the intended applicable period of the above motion was for plans submitted between 5/1/93 and 4/7/94 only.

Councilmember Boothman introduced Cynthia Hubbard, 6th grade science teacher. She presented the Council with the water conservation posters made by members of her two science classes. The Council is to pick their favorite poster. The winner will receive a \$100 savings bond donated by Key Bank.

Councilmember Boothman introduced Al Dieteman, Seattle Water Department Water Conservation Specialist. Mr. Dieteman will teach a water conservation audit class to members of the Town Water Department crew.

At 8:22 PM, Mayor LaPorte presented for Council discussion Administrator Fitch's memo of 4/6/94 regarding water use restrictions.

Mayor LaPorte, the Council, and staff discussed when water use restrictions should be imposed. Following discussion, the Council concurred with the new drought stage criteria as proposed in the above referenced memo.

Mayor LaPorte, the Council, and staff then discussed what the water use restrictions should be for the Moderate and Severe Emergency Conditions as proposed in the above referenced memo.

Councilmember Robinson recommended that the Council also address Critical Emergency Condition criteria.

Mayor LaPorte suggested that a positive response was to find ways to augment the water supply so that the Town populace would not be subjected to the Critical Emergency Condition.

The Council and staff discussed various aspects of the proposed water audit program, a water rate surcharge for all customer classes, and various use thresholds. The need for public education was stressed.

The Council asked staff to draft water conservation legislation for consideration at the next meeting.

The Council and staff developed revised wording for the proposed water use restriction ordinance, draft ordinance #934.

The Council reviewed the 6th grade water conservation posters and selected the winning poster and one for honorable mention.

At 10:43 PM, Councilmember Lackey moved and Councilmember Robinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - April 21, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

Approval of the draft minutes of previous meetings was held over to the May 5th evening meeting to give Council the opportunity to review same.

Councilmember Lackey reported the findings of the Fire Chief Review Committee as presented in their proposal to the Council received 4/15/94. Their proposal included the suggestion that a full time fire chief position be created for at least one year. As requested by the Mayor, the committee has not developed a job description or performance criteria.

The Council discussed various aspects of the findings and proposals. It was noted that the committee assumed that funding was available for one year. Treasurer Picinich pointed out that both the suggested amount and the sources for same were not certain nor had they been verified with her by the committee.

Administrator Fitch commented on the employee selection process and possible required benefits.

Mayor LaPorte stated that if the decision is to fund the fire chief position, he will appoint same per state law and that the chief will report to and be supervised by the Town Administrator.

Martin Adams, Friday Harbor Fire Department and committee member, noted that the funding suggestions are possibilities not certainties.

Councilmember Robinson asked for an indication from the Council as to whether they wished the committee to proceed with the review.

Councilmembers Dickinson and Wilson requested a cost justification for the proposed paid position, ie what necessitates a paid full time position?

Mayor LaPorte thanked the committee for their report.

Mayor LaPorte opened the public hearing to review a request by Island Transportation Services for private use of a portion of the public right of way to operate a bus and taxi service, and instructed the meeting in the procedure that would be followed.

Administrator Fitch presented and summarized the particulars and recommendations of the 4/18/94 staff report. He pointed out that the bus stop is for an attended vehicle, it is not a parking space and that an unattended vehicle could be cited. Mr. Fitch noted receipt of an additional two applications to make use of a portion of the public right of way to operate bus and taxi services, and distributed copies of same.

Mayor LaPorte asked for input from the applicant.

Paul "Tag" Myser, Island Transportation Services, presented his views on the location and allocation of downtown bus stops and taxi zones. He stated he did not want a bus stop adjacent to Circle Park as is proposed in the staff report.

Mayor LaPorte opened the hearing for input from the audience.

Mike Aiken, Aeronautical Services - ferry terminal agent, stated that he was speaking both as terminal agent and for Washington State Ferries, commented on vehicle and pedestrian traffic flow problems in the area and supported siting a bus stop in front of Circle Park. He suggested a limited number of "first-come, first-serve" taxi spaces on Front Street by Sea Biscuits restaurant and the continued use of the median on East Street as a staging area for taxis waiting for a taxi space, as he proposed, on Front Street.

Following Council discussion with Mr. Aiken, Mayor LaPorte noted that he hoped to have a major traffic plan for the area ready to present to the Council this fall.

Bill Dingle, Kirkland, stated that he and an associate were planning a scheduled year-round transportation service on the island utilizing "airporter" type buses. He requested that more than one service be allowed to use the proposed bus stop.

Ranney Munro, Rose Transportation, commented that Mr. Dingle's company recently purchased Primo Taxi Company. Mr. Munro presented his views on how to best arrange bus and taxi areas.

Dan Ward, Dinner Island, Primo Taxi, asked for shared use of the proposed bus stop and briefly explained their planned bus service.

Paul Myser informed the Council about the various types of bus permits available and expressed concern about scheduling conflicts regarding a shared bus stop. He also stated that the Circle Park location was a tough spot for him to get a bus into.

At 8:27 PM, Administrator Fitch reiterated the reasoning behind the staff recommendations.

The Council and staff discussed various aspects of the issue. Councilmember Dickinson stressed that a parking space should not be for one specific user.

At Councilmember Boothman's inquiry, Mr. Myser expressed concern about scheduled bus services sharing a bus stop.

The Council and staff continued discussion.

At 8:40 PM, noting other scheduled agenda items, Councilmember Dickinson moved and Councilmember Lackey seconded to continue the public hearing to 7:45 PM on 5/5/94. The motion passed unanimously.

Patricia Fay, Location Manager for Free Willy II Productions, Inc., explained the proposed filming schedule in Friday Harbor and requested private use of a portion of the public right of way for approximately 3 days. She also asked the Council for permission to plan filming in Friday Harbor and to use the name "Friday Harbor" as the name of the town in the movie. She stated they will be putting up a sign at the ferry terminal with wording to the effect of: "Thank you for visiting Friday Harbor" and that the sign would be donated to the Town upon completion of filming.

Councilmember Wilson expressed concern over use of the name "Friday Harbor" in the movie. Councilmember Robinson spoke in support of the use.

Mayor LaPorte and the Council discussed various aspects of the issue.

Councilmember Boothman asked if compensation for use of the public right of way had been considered.

Ms. Fay stated that same was up to the Town.

Mayor LaPorte and the Council discussed determining an appropriate charge. Councilmember Boothman suggested using Parking Ordinance "fee-in-lieu-of" charge to calculate same.

Mayor LaPorte asked staff to draft a resolution for Council consideration to allow use of the name "Friday Harbor" as the name of the town in the movie, the requested private use of a portion of the public right of way, and to provide for the above suggested fee.

Ms. Fay and her associate asked that the production company be allowed to make use of vacant property at the end of Malcolm Street for approximately two months to set up a tent and trailers for manufacturing sets and for office space.

Following discussion with the Town Attorney, the Council indicated approval of the requested use.

At 9:16 PM, the Council heard a presentation by David Landes, Evergreen Public Finance, regarding issuance of revenue bonds for water system improvements.

The Council and staff discussed various aspects of the planned bond issue with Mr. Landes.

Mayor LaPorte thanked Mr. Landes for his presentation.

Treasurer Picinich noted that once the purpose of the bond issue is stated the Town may not use the money for some other purpose.

Treasurer Picinich informed the Council that by mid-year she will present proposed budget amendments.

At 9:43 PM, the Council took a short recess.

At 9:52 PM, the meeting reconvened.

Mayor LaPorte intro draft resolution #938, a resolution authorizing the Mayor to execute a contract with the engineering firm of SCS Engineers Inc. for construction services during closure of the Friday Harbor Landfill and Ashfill.

Administrator Fitch explained the preliminary results of the Landfill Closure bid opening this date and possible funding scenarios for same.

The Council and staff discussed the closure project and the draft resolution.

At 10:03 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #938. The motion passed unanimously with Councilmember Boothman abstaining.

Mayor LaPorte introduced draft resolution #939, a resolution authorizing the Mayor to execute an agreement with Envirometrics, Inc., a private engineering firm, for the purpose of inspection of the Town's municipal waste incinerator and assistance in ash analysis.

Administrator Fitch explained the particulars of same.

At 10:08 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #939. The motion passed unanimously.

At Mayor LaPorte's request, Councilmember Robinson moved and Councilmember Dickinson seconded that the Council endorse a letter of recognition to Solid Waste Department Leadman Robert Erickson and his crew. The motion passed unanimously.

Mayor LaPorte introduced draft ordinance #935, an ordinance accepting the bill of sale from the Port of Friday Harbor for certain improvements of water and sewer facilities and accompanying draft resolution #937, a resolution authorizing a reimbursement agreement with the Port of Friday Harbor for installation of water and sewer mains adjacent to Spring Street.

Administrator Fitch explained the particulars of same.

At 10:15 PM, following discussion, Councilmember Robinson moved and Councilmember Wilson seconded to adopt Ordinance #935 and Resolution #937. The motion passed unanimously.

Mayor LaPorte introduced draft ordinance #937, an ordinance changing the location of a certain land use zoning boundary on property bordering Park Street, commonly known as 555 Park Street, designated as tax parcel #351491004, and the northern 143 feet of tax parcel #351491006, and containing a total of approximately .54 acres. Said property shall be designated as Professional Service Commercial zone as defined in Land Use Ordinance #932.

Administrator Fitch explained the particulars of same.

Councilmember Boothman moved and Councilmember Lackey seconded to adopt Ordinance #937. The motion passed unanimously.

Mayor LaPorte introduced draft ordinance #936, an ordinance designating 4 hour time limited parking on a portion of First Street.

Administrator Fitch explained the particulars of same.

Council and staff discussed various time limited parking intervals, the perceived effect of same, and other aspects of the subject.

Councilmember Robinson moved and Councilmember Lackey seconded to adopt Ordinance #936 with Section 2(B) amended to specify an 8 hour rather than 4 hour limit.

Council and staff continued with the discussion of the benefits of various time limits.

At 10:36 PM, the motion passed unanimously.

Mayor LaPorte introduced draft resolution #940, a resolution authorizing an Interfund Loan from the Current Expense Fund (001) to the Capital Reserve Hotel/Motel Tax Fund (150) in an amount not to exceed \$85,000.00 with a repayment date of 6/30/94.

Treasurer Picinich explained the particulars of same.

Councilmember Lackey moved and Councilmember Wilson seconded to adopt Resolution 940. The motion passed unanimously.

Town Clerk Dubail reported that the preliminary Population Estimate Calculations for April 1, 1994 show an estimated Town population of 1,761.

At Administrator Fitch's recommendation, the Council rejected all bids received for a trailer mounted generator.

Administrator Fitch reported receipt of a 4/12/94 letter from Bernice Wotton regarding the possibility of a Town water connection for the proposed new senior center at the SJC Fairgrounds.

Administrator Fitch reported receipt of a letter from San Juan Archers requesting the Town annex a portion of the Town watershed property where San Juan Archers have recently been granted a lease by the Town. The Council directed staff to research annexing some or all of the Town owned watershed property not already annexed.

Administrator Fitch informed the Council that a two year sludge hauling contract has been signed with San Juan Organics.

The Council directed staff to proceed with a pilot sludge composting project.

Administrator Fitch reported receipt of a request from the Port of Friday Harbor to convert a number of existing out-of-town SFR water hookups on Port property to a hookup for the proposed Skagit Valley College building. He advised that granting the

request would require an ordinance change. The Port also has the option to utilize water from existing wells if, according to SJC Public Health, the Town gives them permission to establish a water system in the Town's service area.

Following discussion, the Council declined to allow conversion of the existing SFR water hookups and to not allow the Port to establish a water system within the Town's service area. The Council indicated that a request to connect the proposed Skagit Valley College building to the Town **sewer** system should not be a problem.

At 11:07 PM, the Council took up discussion of proposed drought relief regulations.

Council, Attorney Eaton, and staff reviewed a draft ordinance imposing a moratorium on the issuance of water availability certificates, new water connections, the installation of larger water meters, and the extension of existing water mains, and discussed the anticipated impacts of same.

At Mayor LaPorte's inquiry, the Council indicated they would like a report from the Desalination Committee at their 5/5/94 meeting.

The Council discussed scheduling a public hearing on the proposed moratorium at their 6/2/94 meeting.

At 11:47 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to approve payment of claims warrants #7699 through 7757 in the amount of \$133,397.66. The motion passed unanimously.

At 11:48 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - May 5, 1994 @ 12:00 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Town Administrator Fitch excused to attend his daughter's graduation from college.
Treasurer Picinich excused due to the recent demise of her father.

Maintenance Supervisor Reitan reported that Trout Lake Reservoir was 142 " below the spillway. Phase I improvements to the water treatment plant are coming online. Overtime expenditures in the Water Department should decrease. Maintenance Supervisor Reitan reported on the status of AUG II and other ongoing projects. The West Street and First Street projects are progressing well. **Jerry Gates of the Wastewater Department will be maintaining the parks and other Town owned green**

areas. Maintenance is proceeding at the Solid Waste Facility and the Wastewater Treatment Plant. Maintenance Supervisor Reitan informed the Council of the possibility of relining the marine sewer main. He will research and report on the feasibility of the process.

Mayor LaPorte and the Council question Maintenance Supervisor Reitan about large overtime expenditures and other aspects of maintenance operations. The new chlorine injector is to be installed at the Wastewater Treatment Plant next week. Maintenance Supervisor Reitan noted that W.A. Rouleau & Son have donated water from Three Corner Lake for the Town to use to water Town flower baskets and beds this summer.

Mayor LaPorte thanked Maintenance Supervisor Reitan for his report.

At 12:15 PM, Fire Chief Destaffany reported that the Fire Department had used 2.5 gallons of water while putting out a chimney fire. One half of the April calls were from in town. She reported on training activities, hydrant testing, and maintenance activities.

Mayor LaPorte thanked Fire Chief Destaffany for her report.

At 12:23 PM, Jim Slocomb, Chairperson of the Desalination Research Committee, presented the committee's 5/5/94 Interim Report. He commented on apparent discrepancies between the recent KCM water shed report and the committee's findings. Mr. Slocomb delineated preliminary cost estimates and regulatory concerns. He pointed out that DOH will not pre-approve the installation and will require independent 3rd party testing and certification. DOH will also require significant analysis and planning regarding any possible failure that could introduce toxic compounds to the output stream. DOE will require an application for a water right and that DOE has recently stated that sea water is no longer considered an inexhaustible resource.

Mayor LaPorte and the Council discussed various aspects of the Interim Report. At the Council's inquiry as to an approximate desalination project construction lead time, Mr. Slocomb estimated 6 to 9 months from the project initiation date excluding regulatory delays.

The Desalination Research Committee will research additional issues regarding desalination.

At 1:04 PM, Mayor LaPorte and the Council thanked Mr. Slocomb for his presentation and the Desalination Research Committee for their efforts.

Vicki Heater, SJC Health, Drinking Water Program, invited interested Council and staff to a meeting with Dennis Campbell, DOH, to discuss reverse osmosis systems in the Commissioners' Conference Room, Friday 5/13/1994 from noon to 3:00 PM.

At 1:06 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to approve payment of claims warrants #7766 through 7842 in the amount of \$79,292.76 and payroll warrants #3555 through 3590 in the amount of \$77,426.19. The motion passed unanimously.

At Councilmember Boothman's request, Mayor LaPorte stated that the Council would go into executive session and return to regular session by 1:30 PM.

At 1:08 PM, Councilmember Wilson moved and Councilmember Boothman seconded to go into executive session to discuss potential real estate acquisition. The motion passed unanimously.

At 1:24 PM, Councilmember Wilson moved and Councilmember Boothman seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 1:25 PM, Councilmember Lackey moved and Councilmember Wilson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - May 5, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Attorney Eaton

Mayor LaPorte expressed the sympathy of the Town to Treasurer Picinich and her family regarding the recent death of her father.

Councilmember Lackey moved and Councilmember Wilson seconded to accept the minutes of the March 31, 1994 7:30 PM, April 7, 1994 12:00 PM, April 7, 1994 7:30 PM, and April 21, 1994 7:30 PM Council meetings as amended. The motion passed unanimously.

Andy Provchy was present to complain about time limited parking enforcement tire marking procedures. He asked the Council to review the issue.

Martin Adams, Friday Harbor Fire Department, asked the Council to consider setting a date for further consideration of establishing a paid fire chief position.

Mayor LaPorte asked the Fire Chief Review Committee to report at the 5/19/94 Council meeting and the Council would consider their recommendations at the 6/2/94 Council meeting. The Council discussed and requested that the committee draft job qualifications, a job description, and prepare an analysis of establishing a paid part or full time fire chief position.

At 7:48 PM, Greg Hertel, Port Commissioner, presented a request by the Port of Friday Harbor to convert existing residential use water services or to consider other options to serve the proposed Skagit Valley College facility at the airport. Commissioner Hertel referred to his 5/5/94 letter to the Mayor and Town Council which details the various proposed options.

The Council discussed the potential impacts of the various options.

Steve Simpson, Port Director, stated that the Port's goal is to use no more than 50% of the amount of water they used 2 years ago. Commissioner Hertel noted that the Port has instituted major water conservation programs.

Attorney Eaton outlined suggested procedural steps to follow to allow implementation of Option #2 of the 5/5/94 Port letter.

Councilmember Wilson spoke of the goals of the Growth Management Act and the intent of designating an Urban Growth Area.

Mr. Simpson pointed out that an airport business park is part of the original Airport Plan. He also noted that the Port has formally asked the Town to annex the remainder of the airport.

The Council asked Attorney Eaton to draft appropriate legislation to accomplish "Option 2", as above, with conditions.

At 8:14 PM, Councilmember Robinson left the meeting for health reasons.

Mayor LaPorte opened the continued Public Hearing for the request by Island Transportation Services for private use of public way to operate a bus and taxi service, and outlined the procedure that would be followed.

Paul "Tag" Myser, Island Transportation Services, commented on Administrator Fitch's 5/2/94 memo to the Council and San Juan Transit Inc.'s 4/23/94 letter to Administrator Fitch.

At Mayor LaPorte's inquiry, Mr. Myser stated that he was not looking for exclusive use of a bus stop. He wanted it available to any UTC licensed transit bus, if one exists. He stated he planned to operate 3 months out of the year. A charter bus could use the space if no transit bus wanted to use the space. Mr. Myser presented a page from a 12/91 DOT Design Manual regarding minimum bus zone dimensions.

The Council and the applicant discussed various bus parking and logistic scenarios.

Art Lumkes, White Whale Tours, noted that Primo Taxi operates 365 days a year, Mr. Myser proposes to operate 90 days per year - priority should be given to the year-round business. He was opposed to a bus stop on Front Street; "buses hide everything."

Andy Provchy spoke of the need for space for the public to pick-up their kids at the ferry terminal. He asked that the Council "please consider the locals."

Dan Ward, San Juan Transit, stated that his company intends to operate 365 days per year. He spoke of planned, scheduled service and the benefit to the community. Mr. Ward requested shared use of any bus stop and supported the location of same adjacent to Circle Park. He felt the area could be used efficiently.

At Councilmember Wilson's inquiry as to Mr. Myser's intended days of operation; Mr. Myser stated that he felt that there was not a "need and necessity" for year round scheduled service. He indicated that his intent at this point was to operate for approximately 3 months out of the year.

Dan Ward noted that more than one UTC permitted carrier is allowed. He noted that neither Island Transportation Services or San Juan Transportation Service is a UTC permitted carrier at this time.

An answer was not forthcoming to Mayor LaPorte's inquiry to Mr. Myser as to whether Island Transportation Services is a UTC permitted carrier.

At Councilmember Wilson's inquiry, Attorney Eaton stated that a Shoreline Substantial Development Permit was not required to site a bus stop within the Shoreline.

Mayor LaPorte closed the public input portion of the hearing, noting that the Council reserves the right to reopen the hearing for public input at a later time or date, and opened the hearing for Council deliberation.

Mayor LaPorte and the Council discussed various aspects of the application and the traffic and parking situation in the East Street/Front Street area, including providing for handicapped access to a transit service by making use of a parking space on a level portion of Front Street.

At 9:11 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to allocate the downhill one-half (1/2) of the Northwest side of the East Street median strip for stops for UTC licensed transit operations, the uphill one-half (1/2) of said median strip for passenger loading and unloading, and the first two (2) parking spaces on the Northwest side of East Street for taxi stand use only, and to authorize the Town Administrator to modify the above specified locations as necessary. The motion passed unanimously.

Councilmember Dickinson moved and Councilmember Boothman seconded to deny the request by Island Transportation Services for private use of the public ROW. Private use of the public ROW to benefit one business was found in this case to not be in the best interest of the public.

At 9:13 PM, Mayor LaPorte introduced draft resolution #941, a resolution authorizing use of the name "Friday Harbor" and private use of a portion of the public right-of-way for the filming of the "Free Willy II" motion picture.

Patricia Fay, Location Manager, Free Willy II Production Company, stated that the provisions of the proposed resolution met the needs of her company as scheduled at this time. Mayor LaPorte and Ms. Fay discussed the particulars of the draft resolution.

Councilmember Wilson expressed opposition to the use of the name "Friday Harbor" in any manner in the film. He spoke of current problems with water and other limited resources.

The Council discussed the concerns raised by Councilmember Wilson and other citizens regarding use of the name "Friday Harbor" in the film.

Mayor LaPorte spoke in support of use of the name "Friday Harbor".

Councilmember Wilson moved and Councilmember Boothman seconded to adopt Resolution #941 with Section 3 amended to read "That the Free Willy II Motion Picture Production Company is not authorized to use the name "Friday Harbor" in the motion picture being filmed, nor shall they allow the name to appear in any way in the film. This does not prohibit them from indicating in the credits that portions of the film were shot in the San Juan Islands." The motion passed unanimously.

At 9:30 PM, Mayor LaPorte introduced draft ordinance #939, an ordinance authorizing the issuance of 1.25 million dollars in water revenue bonds for improvements to the water system.

Town Clerk Dubail introduced Ms. Cynthia M. Weed, Bond Attorney with the law firm of Preston, Thorgrimson, Shidler, Gates, & Ellis. Ms. Weed addressed Council inquires regarding timing of the proposed bond issue and uses of the bond proceeds. She stated that the Council may amend the uses stated in the bond ordinance.

The Council discussed various aspects of the proposed ordinance with Ms. Weed. Ms. Weed indicated that a delay of a week in adopting the bond ordinance would not be a problem.

The Council indicated that they wished to discuss the issue with Treasurer Picinich before taking action.

Mayor LaPorte thanked Ms. Weed for her presentation.

At 9:48 PM, the Council began discussion of drought relief measures including information obtained by Councilmember Boothman regarding greywater recycling. He distributed a draft letter to Mr. Tim Pope of Greywater Management expressing support for the concept.

Councilmember Lackey moved and Councilmember Boothman seconded to send the above letter on Town letterhead, with Councilmember Robinson's signature, as drafted, to Mr. Pope. The motion passed unanimously.

The Council discussed various water conservation issues. Councilmember Wilson reported on the Carl King property well test results.

At 10:17 PM, Councilmember Boothman moved and Councilmember Wilson seconded to adjourn and continue the meeting to 5/12/94 PM at 7:30 to consider authorizing the issuance of 1.25 million dollars in water revenue bonds for improvements to the water system. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - May 12, 1994 @ 7:30 PM

The Town Council met in regular session continued from 5/5/94.

Members present: Boothman, Dickinson, Lackey, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Councilmember Dickinson moved and Councilmember Lackey seconded to appoint Councilmember Wilson Mayor Pro tem. The motion passed unanimously.

Councilmember Robinson was excused for medical reasons.

Mayor Pro tem Wilson introduced the topic of the continued meeting; consideration of draft ordinance #939 - authorizing the issuance of 1.25 million dollars in water revenue bonds for improvements to the water system.

Administrator Fitch informed the Council that the draft ordinance has been revised as requested and is complete.

Treasurer Picinich outlined the planned projects to be funded. The Council and staff discussed various aspects of the intended projects. Treasurer Picinich noted that the 1.25 million dollars will not all be available to the Town, the bond costs will be deducted. A required reserve fund will also be set up.

Following discussion, at 7:58 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Ordinance #939. The motion passed unanimously.

Administrator Fitch distributed the draft Trout Lake Capacity Analysis prepared by KCM.

Administrator Fitch distributed and commented on recommendations from SCS Engineering regarding the Landfill Closure construction bids.

Administrator Fitch reported on progress toward initiating a pilot sludge composting project.

At 8:18 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Eugene D. Wilson, Mayor Pro tem
Steven Dubail, Town Clerk

Town Council - May 19, 1994 @ 7:30 PM

The Town Council met in regular session.

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

Councilmember Dickinson moved and Councilmember Boothman seconded to appoint Councilmember Lackey Mayor Pro tem. The motion passed unanimously.

Councilmember Boothman moved and Councilmember Dickinson seconded to accept the minutes of the May 5, 1994, 12:00 & 7:30 PM and May 12, 1994, 7:30 PM meetings as amended. The motion passed unanimously.

At Mayor Pro tem Lackey's inquiry, the majority of the large audience indicated they were present, as a non-agenda item, regarding use of the name "Friday Harbor" in the movie "Free Willy II."

Steve Demerest, Chamber of Commerce Board Member and member of the Bed & Breakfast Association, spoke in support of movie production in the San Juans. He felt that denying use of the name "Friday Harbor" in the movie "Free Willy II" was a disservice to the community and requested that the Council rethink the issue.

Mark Day-Vincent spoke in support of the Council decision to deny use of the name "Friday Harbor" in the movie "Free Willy II."

At Councilmember Dickinson's inquiry, Attorney Eaton commented on legal aspects regarding denying use of the name "Friday Harbor" in the movie "Free Willy II."

Councilmembers Wilson, Dickinson, and Boothman indicated that they wished to let their previous decision stand.

Councilmember Robinson commented that it may have been better to have not addressed the issue but that the Council had made the decision.

After the room had cleared, as a non-agenda item, Steven Quick-Ruben, Attorney, notified the Council of his organizations desire to build an "affordable" multi-family housing project. He requested a letter, for tax credit purposes, from the Town regarding the need for "affordable" multi-family housing in Friday Harbor.

Administrator Fitch explained that the past practice had been for the Mayor to sign same but that in this instance the Mayor wished to get an indication of the Council's feelings on the matter.

The Council, staff, and Mr. Quick-Ruben discussed various aspects of the proposed project, including water conservation and the market for "affordable" multi-family housing.

The Council cited the current water shortage and differing definitions of what constitutes "affordable" multi-family housing in indicating disapproval of the request at this time.

At 7:57 PM, Brad Bogus, PE, KCM, summarized the draft Trout Lake Capacity Analysis prepared by his firm. He stated that when full the lake has 368 million usable gallons and 100 million gallons below the outlet structure. He estimates that the Town will use approximately 118 million gallons by the end of the year. With loss, leakage, and evapo-transpiration the total will be approximately 155 million gallons, resulting in, at best, a 13 million gallon surplus at the end of the year. Mr. Bogus spoke of various sustainable yields depending on utilization of the augmentation projects and other options. He recommended that the Council carefully review Joe Gruber's 5/3/94 written comments on the draft report. Mr. Bogus recommended installation of a transmission line (siphon line) in Trout Lake to allow use of the dead storage or as an alternative outlet in the event of another algae bloom.

The Council and Mr. Bogus discussed various aspects of the draft report. At Councilmember Wilson's inquiry, Mr. Bogus estimated that 50 million of the 100 million dead storage would be usable. Councilmember Boothman and Mr. Bogus discussed drought and recovery scenarios. At Councilmember Wilson's inquiry, Mr. Bogus recommended that the Town have the infrastructure in place and be prepared to utilize the dead storage by October of this year.

The Council thanked Mr. Bogus for his presentation.

Mayor Pro tem Lackey postponed the 7:55 agenda item, draft resolution #942 - authorizing the Mayor to execute a change order with Seaboard Construction for improvements to the water treatment plant, until later in the meeting.

At 8:30 PM, the Council heard a presentation by Ron Loewen, Director of San Juan County Public Works, regarding a proposed interlocal agreement for use of Town property to site a solid waste transfer station. Mr. Loewen stated that the Town would pay the same refuse fees as county residents minus the Orcas Landfill closure debt service portion of said fees. The Town would receive the same services as county residents. The Town would continue to have use of the recycling facility, a future construction debris site, and any educational programs.

The Council, staff, and Mr. Loewen discussed various aspects of the proposed agreement.

Mitzi Johnson and Bill Matheson, area residents, commented on the proposed agreement.

The Council and staff discussed scheduling of construction of the above facility, the planned closure of the landfill, additional conditions, and the term of the proposed agreement.

The Council indicated that staff was to proceed with development of the agreement.

At 9:00 PM, Mayor Pro tem Lackey introduced draft resolution #942, a resolution authorizing the Mayor to execute Change Order #4 on the contract with Seaboard Construction for the construction of Phase I improvements to the water treatment plant.

Brad Bogus, KCM, explained the particulars of same and responded to Council questions. He noted that Phase I is now operational.

The Council and staff discussed the increased costs of the project and funding sources for same.

At 9:12 PM, Councilmember Robinson moved and Councilmember Dickinson seconded to adopt Resolution #942. The motion carried; Councilmembers Dickinson, Robinson, Wilson - aye, Mayor Pro tem Lackey and Councilmember Boothman - abstain.

Mayor Pro tem Lackey introduced draft resolution #943, a resolution authorizing the Mayor to execute a contract with Friberg Construction for closure of the Town's solid waste landfill and ashfill.

Administrator Fitch explained the particulars of same.

At 9:17 PM, following discussion, Councilmember Dickinson moved and Councilmember Wilson seconded to adopt Resolution #943. The motion passed unanimously, Mayor Pro tem Lackey - abstain.

Mayor Pro tem Lackey noted that the scheduled 8:25 PM agenda item, a presentation by Friday Harbor Fire Chief Review Committee was canceled.

Mayor Pro tem Lackey introduced draft ordinance #940, an ordinance authorizing the Port of Friday Harbor to convert existing residential use water services to service a Skagit Valley College facility.

Attorney Eaton explained the particulars of same.

Council and staff discussed the conditions stated in the draft ordinance.

At 9:27 PM, noting that the previous discussion on the subject had been considered the first reading of the proposed ordinance, Councilmember Dickinson moved and Councilmember Boothman seconded to adopt Ordinance #940. The motion passed unanimously, Mayor Pro tem Lackey - abstain.

Mayor Pro tem Lackey introduce draft resolution #944, a resolution accepting the bid for issuance of 1.25 million dollar bond for improvements to the Town water system.

Treasurer Picinich explained the particulars of same.

At 9:30 PM, Councilmember Robinson moved and Councilmember Wilson seconded to adopt Resolution #944. The motion passed unanimously, Mayor Pro tem Lackey - abstain.

The Council continued discussion regarding drought relief measures. Councilmember Robinson requested that the Council consider approval of various public information devices regarding a water conservation PR campaign. The Council concurred. The need for a PR campaign was stressed.

Councilmember Wilson recommended that money be allocated to install the recommended transmission line in Trout Lake. The Council concurred.

The Council discussed various possible public information projects.

Councilmember Robinson suggested requiring installation of water conserving fixtures within a specified time frame by members of the Public Authority (P.A.) water customer class. The Council and staff discussed same.

Councilmember Robinson spoke of his and Councilmember Boothman's research into "zero footprint" water conservation trade-off or retrofitting ordinances in use by other communities. The Council asked Attorney Eaton to review the matter. The Council also indicated that they wished to proceed with citizen development of a coordinated PR campaign.

At 10:02 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to approve payment of claims warrants #7846 through 7912 in the amount of \$157,653.76. The motion passed unanimously, Mayor Pro tem Lackey - abstain.

The Council discussed a complaint regarding the commercial raising of chickens in Town.

At 10:11 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to go into executive session to discuss pending litigation and property acquisition. The motion passed unanimously, Mayor Pro tem Lackey - abstain.

At 11:25 PM, Councilmember Dickinson moved and Councilmember Wilson seconded to return to regular session. The motion passed unanimously, Mayor Pro tem Lackey - abstain. No action was taken in executive session.

At 11:26 PM, Councilmember Robinson moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously, Mayor Pro tem Lackey - abstain.

Sherman A. Lackey, Mayor Pro tem
Steven Dubail, Town Clerk

Town Council - June 2, 1994 @ 12:00 PM

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

Members present: Boothman, Dickinson, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Mayor LaPorte proclaimed the week beginning June 5, 1994 as National Safe Boating Week in the Town of Friday Harbor.

Maintenance Supervisor Reitan reported that Trout Lake reservoir is 151 3/4" below the spillway, it was 94" below the spillway last year at this time. There has been an approximate 2 million gallon reduction in flow through the water treatment plant over May of last year. Planning has started for installation of the reservoir siphon line.

Maintenance Supervisor Reitan reported on various other projects. The new chlorinator has been installed at the Wastewater Treatment Plant. The clarifier has been cleaned and repaired. Street striping and yellow zone repainting is nearly complete. The Town is hauling water donated by W. A. Rouleau & Son, Inc. from Three Corner Lake for Town street basket and tree irrigation. San Juan County is taking on solid waste processing at the Town Solid Waste Facility. A new Fairground fire main has been installed from Argyle Avenue through the fairground to Dougherty Lane.

At 12:22 PM, Councilmember Wilson joined the meeting.

The Council thanked Maintenance Supervisor Reitan for his report.

Fire Chief Destaffany reported that there were 12 incident calls in May; 8 in town, 3 in the district, and 1 at the Port. She reported on various incidents and details of ongoing training programs.

Mayor LaPorte thanked Chief Destaffany for her report.

At Mayor LaPorte's inquiry, Maintenance Supervisor Reitan stated that the maintenance department pickup truck he is preparing would be ready to be transferred for fire department use by 6/15/94.

Councilmember Robinson, as a member of the Fire Chief Review Committee, reported on recent committee activity including efforts toward acquiring financing for a compensated chief position and submission of a draft position description.

Building Inspector Hodges reported that 7 building permits had been applied for in April, 3 of which were for new single family residences, 5 permits had been applied for in May, 1 for a new commercial/residential use. He is continuing his research into low flush toilet retrofitting programs.

The Council and Mr. Hodges discussed the previously proposed "zero footprint" water conservation program.

Mayor LaPorte thanked Building Inspector Hodges for his report.

Permit Coordinator Jones reported that he was processing applications for 3 annexations, 2 buildings over 4,000 square feet (SEPA), 1 shoreline substantial development permit, 4 boundary line adjustments, and 2 variances: 1 sideline and 1 height. He is working with several proposals on parking as well as over height designed projects, sign applications, mobile home moving permits, and several temporary parking permits. Mr. Jones reported on his attendance at a stormwater management workshop held in Anacortes put on by Puget Sound Water Quality Authority. He mentioned that Department of Ecology would like the Town to adopt, by January 1995, by ordinance, a requirement to use a stormwater technical manual such as the King County manual, the DOE manual, or a combination of the two.

The Council and staff discussed differing local conditions from those used to arrive at the methodology employed in developing the above manuals.

Mayor LaPorte thanked Permit Coordinator Jones for his report.

At Mayor LaPorte's inquiry, the Council indicated that they wished to continue with monthly reports from the Planning and Building Departments.

Ms. Lee Sturdivant gave a presentation regarding a proposed water conservation public information campaign.

The Council, staff, Ms. Sturdivant, and members of the audience discussed various methods of conveying water consumption and conservation information.

The Council and staff discussed engineering for hanging a water conservation banner or other banners across Spring Street between the Coldwell Banker building and the King's Marine building.

At 1:25 PM, following discussion, Councilmember Boothman moved and Councilmember Robinson seconded to authorize an expenditure of up to \$1,000 from the Water Operating fund for drought publicity services. The motion passed unanimously.

The Council and staff discussed draft ordinance #934, an ordinance amending Chapter 13.16 of the Friday Harbor Municipal Code concerning water use regulations.

At 1:42 PM, Councilmember Dickinson moved and Councilmember Wilson seconded to approved payment of claims warrants #7916 through 7977 in the amount of \$124,603.49 and payroll warrants #3594 through 3629 in the amount of \$80,117.28. The motion passed unanimously.

Mayor LaPorte declared the meeting adjourned at 1:43 PM.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - June 2, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Councilmember Lackey moved and Councilmember Dickinson seconded to approved the minutes of the 5/19/94 meeting as submitted. The motion passed unanimously.

As there were no persons forthcoming to present non-agenda items, Mayor LaPorte moved forward to the next scheduled item; presentation by the Desalination Research Committee of their Final Report.

Jim Slocomb, Desalination Research Committee Chairperson, noted minor changes from the interim report previously received by the Council. Mr. Slocomb spoke of regulatory uncertainties and concerns.

At 7:42 PM, Councilmember Boothman joined the meeting.

The Council and Mr. Slocomb discussed various aspects of the Report. The projected capital and maintenance/operational costs, ongoing standby costs, and a possible rate structure were estimated.

Mayor LaPorte presented the members of the committee; Jim Slocomb, Lance Crosby, and Joe Gruber, with a certificate of appreciation and thanked them for their outstanding efforts.

At 8:00 PM, Mayor LaPorte opened the public meeting regarding declaration of a Severe Drought Condition and further restrictions to domestic water use, including, but not limited to, a moratorium on new water system connections, and read for the benefit of the large audience Section 4(c) of draft ordinance #934.

The Mayor stated that the Town was in a severe emergency water condition and asked for comments and suggestions from the audience.

Ed Weed asked if the gravel pit (Friday Harbor Sand & Gravel Co.) was still using Town water. If so, why?

Mayor LaPorte noted that the pit is currently in operation, employs 22 people, and that the owners have stated that they will close the operation by the end of the year.

Mrs. Lenore Phaneuf, 1017 Park Street, asked if the new water tank was now operating properly. She noted that it had overflowed in the past and washed out a culvert in her driveway.

Mike Wilks, Water Department Leadman, responded that the automatic control system isn't quite working correctly yet.

John Vejvoda spoke in support of acquiring a desalination plant for the Town.

Al Nash noted that Augmentation Project II (AUG II) is finally in operation. He suggested that other surface water sources may be available. Mr. Nash spoke of other practical alternatives for water conservation.

Mary Lumkes, Chamber of Commerce, was in favor of acquiring a desalination plant for the Town.

Emily Orr asked if new water connections would be allowed. Administrator Fitch referred to the provisions of Section 1 of the draft "water moratorium" ordinance.

Ed Weed suggested that the gravel pit be given a date to discontinue use of Town water.

Tracy James inquired about when the Council might take action on a water moratorium and other water use restrictions.

The Council and staff explained the provisions of the proposed ordinances.

Vonda Sheiman asked how long it would take to build a desalination plant assuming the regulatory hurdles could be overcome? Mayor LaPorte estimated actual construction would take approximately 6 months to 1 year.

The Council commented on the feasibility of barging water.

Jerri Van Horn asked if wells would be allowed in Town if they were not connected to the Town system.

Administrator Fitch explained the general requirements for same and concerns about cross-connection with the Town water system.

Councilmember Robinson commented on the Town's ongoing fixed water system costs.

Hugh Lawrence expressed concern over the stratification of the populace through increasing utility costs. He stressed that milfoil and duckweed were turning surface water sources into swamps.

Frank Donovan suggested exploring the availability of state or federal grants. Mayor LaPorte pointed out that the Town needs to first decide on a course of action.

Dick Wade suggested that each individual should be able to decide how they wished to conserve to achieve a specified water use level.

At Mayor LaPorte's request, Port Director Steve Simpson responded to Jerri Van Horn's questions regarding water conservation at the port facility and at the airport.

Bob Van Horn asked if further conservation might be beneficial. Perhaps the 7,000 gallon per month SFR threshold was too high. Victor Smith also felt that the 7,000 threshold may be too high.

Councilmember Robinson spoke of the intent of the various conservation programs and that under the possible Critical Emergency criteria water rationing was a very real possibility.

Various members of the audience offered suggestions for water conservation. The need to inform visitors of the water situation was stressed.

The Council and audience discussed various aspects of desalination and other water sources.

Administrator Fitch informed the audience of the Town's historic and current water planning efforts. He stressed the costs associated with providing water and acquiring and developing alternative sources. He spoke of the tremendous burden of the ever increasing unfunded federal and state mandates.

Al Nash suggested that the Town personally contact large water users.

The Council will continue the meeting to Tuesday, June 7th at 7:30 PM to consider draft ordinance #934 and associated draft ordinances.

Mayor LaPorte thanked the audience for attending and participating.

Cleave Vandersluys spoke of the planning efforts that led to AUG II.

At 9:33 PM, Mayor LaPorte introduced draft resolution #945, a resolution authorizing the Mayor to execute an agreement with San Juan County for operation of the existing refuse transfer station.

Administrator Fitch explained the particulars of same.

Following discussion, Councilmember Robinson moved and Councilmember Lackey seconded to adopt Resolution #945. The motion passed unanimously.

At 9:43 PM, Mayor LaPorte presented draft ordinance #941, an ordinance authorizing partial reimbursement to developers for street improvement projects.

Administrator Fitch explained the particulars of same.

Following discussion, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Ordinance #941. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #946, a resolution authorizing an interfund loan from the Current Expense fund to the Capital Reserve Hotel/Motel Tax fund in an amount not to exceed \$55,000.00.

Administrator Fitch explained the particulars of same.

Mayor LaPorte requested that future interfund loan resolutions state the reason for the loan.

Councilmember Lackey moved and Councilmember Dickinson seconded to adopt Resolution #946. The motion passed unanimously.

The Council and staff discussed a May 27, 1994 letter from the Washington State Department of Transportation regarding the desire by Washington State Ferries to take on approximately 4,500 gallons of water per day for the period June 12, 1994 through September 28, 1994.

The Council indicated that they did not wish Washington State Ferries to obtain the above requested water from the Town of Friday Harbor at this time.

At 9:57 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adjourn and continue the meeting to June 7, 1994 at 7:30 PM. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - June 7, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch

Councilmember Boothman presented Certificates of Appreciation and savings bonds provided by Key Bank to Aspen LaRievre and Collin Brennan, winners of the Town's water conservation poster contest.

Vicky Heater, San Juan County Public Health, reported that per her discussion with Department of Ecology this date, water rights are not currently required for salt water extraction, though they may well be in the future. The Department of Health (DOH) is interested in reverse osmosis desalination but has reservations when the process is used to supplement existing systems.

Ms. Heater and Councilmember Robinson discussed utilization of gray water recycling systems. The Mayor and Council commented on various aspects of such systems. The Council and Ms. Heater discussed DOH permitting procedures and the need for a pilot test plant.

Mayor LaPorte thanked Ms. Heater for her presentation.

At 7:56 PM, noting the public input received at the 6/7/94 7:45 PM public meeting, Mayor LaPorte presented draft ordinance #934 and asked for Council deliberation regarding declaration of a Severe Drought Condition and further restrictions to domestic water use, including, but not limited to, a moratorium on new water system connections.

The Council extensively discussed the philosophy of, and various mechanisms for, legislating additional water conservation. Implementing the associated restrictions of the Severe (water) Emergency Condition were considered.

Councilmember Robinson reported on progress on installing a water conservation banner over Spring Street, the water status board for outside of Town Hall, and other public information efforts of the citizen PR committee.

At 8:50 PM, Councilmember Boothman moved and Councilmember Dickinson seconded to adopt Ordinance #934.

Following discussion, Councilmember Boothman moved and Councilmember Dickinson seconded to amend the motion to adopt Ordinance #934 to reflect desired modifications to the draft ordinance. The motion to amend passed unanimously.

At 8:58 PM, the motion, as amended, passed unanimously.

The Council took a short recess.

At 9:06 PM, the meeting reconvened.

The draft ordinance regarding new conservation water rates, first introduced at the 4/7/94 meeting, was designated draft ordinance #942.

The draft ordinance regarding a water moratorium, first introduced at the 4/7/94 meeting, was designated draft ordinance #943.

The Council and staff discussed various aspects of the draft ordinances. The proposed Hardship Grievance Procedure was discussed. The Council will comprise the grievance committee. Draft ordinance #942 was considered to have been given first reading.

Regarding draft ordinance #943, Administrator Fitch suggested that the Council hold a public hearing prior to taking action.

At 9:43 PM, Councilmember Robinson moved and Councilmember Lackey seconded to hold a public hearing on draft ordinance #943 on 6/23/94 at 7:30 PM. The motion passed unanimously.

The Council will consider adopting a resolution at their 6/16/94 meeting declaring that a Severe Water Emergency Condition exists.

The Council discussed the philosophy and mechanics of supply augmentation.

At 10:00 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - June 16, 1994 @ 7:30 PM

The Town Council met in regular session.

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson

Others present: Town Administrator Fitch & Attorney Eaton

Councilmember Wilson moved with Councilmember Lackey seconding that Councilmember Edith Dickinson should preside as Mayor Pro-Tem. Motion carried unanimously.

Roll called. Mayor Wm. LaPorte and Treasurer W. Picinich were not present.

Mayor Pro tem Dickinson called for any non-agenda items with only one response; Pam Fitch, Friday Harbor, commenting how she liked the beautiful baskets and flowers now hanging in Town.

7:35 PM, Public Hearing opened for Six Year Transportation Improvement Plan. Request for comments from the public by the Mayor Pro tem. No response. Town Administrator Fitch asked to speak. He explained funding, state requirements, order of streets on list and why. July 7th finished product needs to be done to be sent to the State. Questions by Council. Lots of discussion by Council about order of list. Councilmember Boothman wants "B" & "Nichols" area roads to be moved up on road list. Councilmember Wilson wants #10 and #11 interchanged. Hearing closed at 8:05 PM.

8:06 PM, draft ordinance #942 regarding imposing new water drought rates in affect. Councilmember Robinson moved with Councilmember Boothman seconding to approve ordinance #942 as written. Question called. Motion carried unanimously.

8:15 PM, draft resolution #947 to declare a severe drought condition. Councilmember Lackey moved to adopt as written. Councilmember Boothman seconded this motion.

Mayor Pro tem Dickinson asked Dave Moorhouse, Friday Harbor, to speak about what the passing of Resolution #947 means to him. Mr. Moorhouse said he doesn't feel Council is being fair for various reasons. Recycling water isn't economical for him. He stated that putting in a well would be cheaper for him. Councilmember Robinson offered to change draft resolution #947 for Mr. Moorhouse, but Mayor Pro tem Dickinson said she felt it better if Council passed the resolution as written then later the Council may choose to revisit the Moorhouse car wash situation. Resolution #947 adopted unanimously.

Town Administrator Fitch suggested consideration of draft ordinance #946 that would modify the Severe Emergency Condition, Subsection C(4) of Ordinance #934, to provide that "There shall be no washing of any motor vehicle, boat, travel trailer, or airplane other than for safety cleaning of windows MD+IT except at a commercial, washing facility that recycles its wash water MD-IT ." Following discussion, it was moved by Councilmember Robinson and seconded by Councilmember Lackey to adopt Ordinance #946. Motion carried unanimously.

8:32 PM, Ordinance #944 - Establishing the San Juan Island Grange Hall as the physical location for the June 23, 1994 meeting was moved to accept as written by Councilmember Robinson. Seconded by Councilmember Lackey. Motion carried unanimously.

8:34 PM, Ordinance #938 - Regulating the private use of sidewalks, streets, and public property was tabled until after UTC public hearing, after much public comment from Paul "Tag" Myser, Dan Ward, San Juan Transit, and Bill Dingle, Kirkland.

9:03 PM, Ordinance #945 - Readopting Washington State Model Traffic Ordinance (MTO) was moved by Councilmember Lackey and seconded by Councilmember Boothman. Motion carried unanimously.

9:18 PM, Ordinance #933 - Accepting Final Plat of Foxhall Subdivision. Dave Ellingson, KS&M, agent for the applicant, presented the revised drawing. Revision consisted of a description on mylar regarding triangle at end of road to be exempt for utility purposes. Town Administrator Fitch recommended passing the ordinance. Councilmember Robinson had a question to Don Galt about trees being cut unnecessarily. Mr. Galt says that trees are only being cut to clear for building sites. Councilmember Robinson moved to accept Ordinance #933 as written. Councilmember Lackey seconded. Motion passed with 4 yes votes and Councilmember Boothman abstaining.

9:30 PM, Council work session on leasing property for a solid waste transfer station to SJC Public Works. Open discussion with Ron Loewen, San Juan County Public Works Director, explaining the County's proposal and the financial analysis worksheet given to Council. After many questions and lots of discussion Council directed Town Administrator to explore other options before they would come to any decisions.

10:41 PM, Administrator's Report. Town Administrator Fitch told Council he would be coming to them with a change order on the Guard Street project. Council said fine. Town Administrator Fitch reported that the Town was out of toilet dams and shower heads, and asked Council if they wanted to buy more. Council said let's wait and see.

10:55 PM, Claims Warrants. Councilmember Robinson moved to approve payment of claims warrants #7983 through 8047 in the amount of \$81,122.53. Councilmember Lackey seconded. Motion carried unanimously.

11:00 PM, Councilmember Lackey moved to continue meeting to June 23, 1994 at 7:30 PM. Councilmember Robinson seconded. Passed unanimously.

Edith V. Dickinson, Mayor Pro tem
Kelle' C. Wilson, Clerk Pro tem

Town Council - June 23, 1994 @ 7:30 PM

The Town Council met in continued regular session with Mayor LaPorte presiding at the San Juan Island Grange Hall, 152 First Street.

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Attorney Eaton

Mayor LaPorte noted that the purpose of the public hearing was to take testimony and consider draft ordinance #943, an ordinance imposing a moratorium on the issuance of water availability certificates, new water connections, the installation of larger water meters, and the extension of existing water mains. He also noted receipt of a letter dated June 22, 1994 from Joan Castaneda, Walnut Creek, California regarding the proposed moratorium and building permit time extensions. He informed the audience of the availability of a sign-up sheet at the back of the room for those who wished to address the Council.

Mayor LaPorte instructed the audience in the procedure that would be followed and opened the hearing for public comment.

(All input is on tape.)

The Council heard testimony from:

Fred Krabbe - recommended closing the gravel pit.

Bill Percich - exempt single family residential connections from the proposed moratorium.

John Wilson - inquired as to the criteria for lifting the moratorium.

Mayor LaPorte and the Council noted the provisions of the Water Shortage Response Plan.

Jim Slocomb - spoke in support of the proposed moratorium as a short term solution. Noted that Augmentation Project II now works and suggested Town let existing system function and not rush into new large capital projects.

Bob Greenway - spoke of personal economic hardship if the moratorium is enacted. Felt that the Town did not have a water problem but a management problem. He stated he may lose his subdivision if the moratorium ordinance is enacted.

Susea McGearhart - felt that the Town should impose additional water use restrictions.

Florence Enzensperger - stated "We're all in the same boat." and that tourists waste water. She proposed additional restrictions on water use by tourists and transient accommodation establishments. She suggested limited hours of water availability.

John Lackey - asked about Friday Harbor Sand & Gravel and University of Washington water use.

Nourdine Jensen - felt that the Town should commit to augmenting the water supply from some entirely new source within the first six months of the moratorium. Also felt it was imperative that the Town find another source of water.

Dick Wade - suggested use of municipal gray water for irrigation.

The Council responded to the above comments.

Steve Quesenberry - inquired as to the number of new water hookups requested per year. Administrator Fitch responded. Mr. Quesenberry suggested implementation of water fee surcharges, he felt a moratorium may be "too harsh".

Councilmember Boothman noted the provisions of Ordinance #942. Mayor LaPorte and the Council summarized Council deliberations regarding water fee surcharges.

Bob Greenway - stated he was opposed to the proposed moratorium, the Town should lower the (7,000 gallon surcharge) threshold and raise rates.

At John Wilson's inquiry, Administrator Fitch and Building Official Jim Hodges estimated how many of the recent water connection applications were associated with building permits.

In response to an inquiry from the audience, Administrator Fitch briefly explained out-of-Town water commitments previously entered into in exchange for additional sources of water.

John Lackey - commented on criteria for lifting moratorium.

Florence Enzensperger - felt society needs to reconsider certain water use priorities such as the washing of vehicles.

Ray Slocomb - noted that Jensen Shipyard is in the business of washing boats and that many local businesses that employ and cater to local people are dependent on water.

Bob Parrish - asked the Council what the Town is doing to alleviate the water situation.

At Mayor LaPorte's request, Administrator Fitch summarized Town of Friday Harbor water planning efforts since 1912, state and federal regulations, and the realities of operating a municipal water system in a fiscally responsible manner.

Nourdine Jensen - was concerned that "the Town has all its eggs in one basket."

Bob Greenway - suggested that the Town divert money from other funds to help pay for augmenting the water supply.

Councilmember Dickinson briefly explained the legal constraints of municipal finance.

Councilmember Wilson spoke of unfunded state and federal mandates.

Dick Wade - felt that many of the Town's water conservation regulations resulted in fairly insignificant water savings. He suggested that major water users such as the gravel pit be required to significantly reduce consumption.

Mayor LaPorte spoke of the educational intent of certain of the regulations and also noted the substantial reductions in water use attained by Friday Harbor Sand & Gravel and the Port of Friday Harbor.

Councilmember Robinson noted that the school system has made no effort whatsoever to conserve.

Dick Wade suggested asking Friday Harbor Sand & Gravel to not use water perhaps one day per week.

Mayor LaPorte commented on the good response from the community regarding water conservation. He noted that the Council may wish to consider exempting single family residential connection requests from the provisions of Section 1(A) of draft ordinance #943.

Mary Lumkes, Chamber of Commerce, stated that most tourists do their best to conserve and that they are unfairly blamed.

Bob Greenway - supported exempting single family residential connection requests from the proposed moratorium.

At 9:03 PM, Mayor LaPorte closed the public input portion of the hearing and opened the meeting for Council deliberation.

Councilmember Boothman suggested incorporating a water use offset (retrofit) program into the proposed moratorium ordinance.

Councilmember Robinson noted AUG II is now capable of functioning correctly and that the gravel pit is committed to closing by the end of the year. He spoke of the benefits of the proposed offset program and that the State has approved the Town of Friday Harbor as a test site for a graywater recycling system. He pointed out that the proposed moratorium was intended to provide time for planning and program implementation.

Bob Greenway interjected that the new hotel (Friday Harbor House) has 70 to 80 gallon drainable hot tubs in every rental room.

Councilmember Lackey spoke in support of acquiring additional water supply.

Councilmember Robinson spoke in support of exempting single family residential applications from the proposed moratorium and also supported the changes to Section 1(B) and 1(D) of draft ordinance #943 as recommended in the memo to Council from Attorney Eaton this date.

Mayor LaPorte suggested that the Council consider holding weekly meetings to work toward developing a retrofit program.

Councilmember Boothman suggested reducing the effective period of the proposed moratorium to three months. Councilmember Robinson felt more time may be appropriate.

At 9:25 PM, Councilmember Robinson moved and Councilmember Lackey seconded to adopt the latest revision of draft ordinance #943, which incorporates the changes to Section 1(B) and 1(D) as recommended by Attorney Eaton, with the additional provision that connections to serve single family residences be exempt.

Councilmember Wilson noted that the Council may be considering declaring a critical water situation in the next 3 months.

At 9:31 PM, following discussion, the motion passed unanimously.

At 9:32 PM, Councilmember Robinson moved and Councilmember Lackey seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - July 7, 1994 @ 12:00 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson

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

Maintenance Supervisor Reitan reported that Trout Lake reservoir is 164 " below the spillway, work is progressing at the Water Treatment Plant, work is beginning on the Guard Street reconstruction project. He has called for bids for a trailer mounted generator. Maintenance Supervisor Reitan explained the plans for the Trout Lake siphon line. He hopes to have same installed by August.

At 12:10 PM, Attorney Eaton joined the meeting.

Maintenance Supervisor Reitan summarized activity in the Wastewater, Street, and Solid Waste Departments.

At 12:15 PM, Councilmember Robinson joined the meeting.

Mayor LaPorte thanked Maintenance Supervisor Reitan for his report.

Fire Chief Destaffany reported the Fire Department had 9 calls in June, 70 so far this year. 19 of those calls were responses to Fire District #3, the district responded 8 times within the Town. She summarized response and training activity and mentioned preliminary plans to refill the fire engines with non-potable water from the Town irrigation tanker.

The Council and Chief discussed various aspects of Fire Department operations.

Mayor LaPorte thanked Chief Destaffany for her report.

Building Official Hodges reported that he received 7 building permit applications last month.

The Council and Mr. Hodges discussed various aspects regarding the installation of low-flow fixtures.

Mayor LaPorte thanked Mr. Hodges for his report.

Permit Coordinator Jones reported on land use applications, permit activity, scheduled public hearings, and code enforcement activity.

Mayor LaPorte thanked Mr. Jones for his report.

Mayor LaPorte introduced Mr. Adam Fifield, a new reporter covering the Town for the Island Sounder.

At 12:40 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to go into executive session to discuss potential property acquisition. The motion passed unanimously.

At 1:50 PM, Councilmember Lackey moved and Councilmember Robinson seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 1:52 PM, Councilmember Lackey left the meeting due to a work commitment.

Mayor LaPorte noted that he also must leave the meeting due to previous commitments.

At 1:53 PM, Councilmember Dickinson moved and Councilmember Robinson seconded to appoint Councilmember Boothman, Mayor Pro tem. The motion passed unanimously.

The Council, with the above noted exceptions, took a field trip to the Solid Waste Facility on Sutton Road. They were accompanied by Town Administrator Fitch and Town Clerk Dubail.

Upon return to Town Hall, at 3:02 PM, Councilmember Dickinson moved and Councilmember Robinson seconded to approve payment of claims warrants #8122 through 8198 in the amount of \$119,246.40 and payroll warrants #3633 through 3704 in the amount of \$86,047.24. The motion passed unanimously.

At 3:04 PM, Councilmember Robinson moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

Gary G. Boothman, Mayor Pro tem
Steven Dubail, Town Clerk

Town Council - July 7, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

Councilmember Lackey moved and Councilmember Robinson seconded to approve the minutes of June 2, 1994 at 12:00 PM, June 2, 1994 at 7:30 PM, June 7, 1994 at 7:30 PM, June 16, 1994 at 7:30 PM, and June 23, 1994 at 7:30 PM Council meetings, as amended. The motion passed unanimously.

As a non-agenda item, Mr. John Brash, San Juan Island Parks & Recreation District Board member, reported on plans for renovation of Sunken Park. Mr. Brash presented various alternatives for the travel lane(s)/parking/sidewalk(s) configuration of "B" Street.

The Council, staff, and Mr. Brash discussed various aspects of the situation. The elimination of on-street parking on the east side of "B" Street was suggested. Mr. Brash remarked that the park was intended as a "walk to" rather than a "drive to" destination.

The Council indicated that they may continue consideration of the issue at their July 21st meeting.

Martin Adams, Town of Friday Harbor Fire Department, distributed a letter to the Council dated 7/7/94, and asked the Council to decide whether to fund a full time fire chief position and an "effective" fire department. He asked for a decision as soon as possible and stated that the department would "dissolve" without a paid chief. Mr. Adams additionally stated that members of the department had asked him to present the "ultimatum" to the Council.

At Councilmember Boothman's inquiry, Mr. Adams declined to name specific trade-offs that the department may be willing to effect to make a funded chief position feasible.

Mayor LaPorte, the Council, and Mr. Adams discussed various aspects of the "ultimatum." It was pointed out by the Council that the budget process for 1995 gets underway this month and that that is the forum for this type of request.

At 8:09 PM, Fire Chief Destaffany suggested that a firm deadline for a decision on a funded chief position may placate the firefighters. She confirmed that she intends to resign as chief effective 12/31/94.

Councilmember Robinson commented on the function of the previous Mayoral Fire Chief Committee and the need to decide on a desired level of service. The needs of the Fire Department must be considered along with many others.

Councilmember Wilson reiterated the need for the information originally requested and for a cooperative rather than confrontational attitude with the Fire Department.

At 8:20 PM, following further discussion, Mayor LaPorte suggested disbanding the Mayoral Fire Chief Committee.

Councilmember Robinson recommended obtaining the services of qualified consultants. Mayor LaPorte concurred and stated he would attempt to put together a committee of a caliber similar to the Desalination Committee.

Councilmember Robinson noted that during the course of his research he had been unable to find a community approximately the size of Friday Harbor that had a paid fire chief.

Mayor LaPorte disbanded the Mayoral Fire Chief Committee and will put together a new committee. The deadline for a decision on a paid chief position will be the Town budget deadline, no later than 12/31/94. Mayor LaPorte thanked all the concerned parties for their efforts.

At 8:28 PM, Mayor LaPorte introduced draft resolution #950, a resolution transferring the EMS levy collected to the Hospital District for EMS services.

Administrator Fitch explained the particulars of the proposed resolution.

San Juan County Public Hospital District #1 President & Commissioner Forbes Powell and EMS Chief Frank Wilson were present and responded to inquires from the Council.

Councilmember Dickinson moved and Councilmember Robinson seconded to adopt Resolution #950. Following discussion, the motion passed unanimously.

At 8:33 PM, Mayor LaPorte introduced draft resolution #948, a resolution adopting the Six-year Road Improvement Plan.

Administrator Fitch noted that a public hearing had been held and pointed out the resulting changes to the draft plan.

Councilmember Robinson expressed the desire that provisions for bike lanes be considered in future plans.

Following discussion, Councilmember Robinson moved and Councilmember Lackey seconded to adopt Resolution #948. The motion passed unanimously.

At 8:38 PM, Mayor LaPorte introduced draft resolution #949, a resolution accepting the Trout Lake Capacity Analysis completed by KCM, Inc.

Councilmember Lackey moved and Councilmember Dickinson seconded to adopt Resolution #949. The motion passed unanimously.

At 8:40 PM, Margie Miller, Director - Skagit/Island Head Start, requested a "temporary variance" to waive parking requirements for a new building for the Skagit Valley College Head Start program. The building is located on San Juan Island School District property at the Elementary School adjacent to Grover Street.

Torey Prescott, Lead Teacher, San Juan Island Head Start, related that the program is currently full - 16 students and 3 employees.

Mark Kendziorek, Wee Care Day Care Board President, explained the joint Head Start/Wee Care request. He noted that the project is about 6 months behind schedule. He stated that the school district would allow parking on the school property when required.

Mayor LaPorte and the Council questioned Ms. Miller and Mr. Kendziorek about various aspects of their request.

At Mayor LaPorte's request, Permit Coordinator Jones explained the actual substance of the Town's requests to the Head Start project people and the need for survey and topographic information. Mr. Jones cleared up other apparent misconceptions asserted

by the proponents. He noted that although staff repeatedly asked for survey and topographic information on the site months before the modular was placed, the proponents have not complied to date.

At Administrator Fitch's inquiry, Building Official Hodges stated that a building permit was issued based on information provided by the applicants showing parking on-site.

Ms. Miller stated that there has been a lot of mis-communication between the educational agencies involved.

Councilmember Dickinson suggested that it may be prudent for the required parking to be on-site rather than in the gravel street right-of-way (ROW).

At Mayor LaPorte's inquiry, Permit Coordinator Jones stated that the first 2 plans submitted showed sidewalks, plans 3 & 4 do not. He recommended that the applicants provide survey and topographic information.

Ms. Miller stated that the project administrators had not requested funding for surveys or to excavate for parking.

Administrator Fitch noted that the request is to put the required parking in the public ROW. Town parking regulations are clear on the location, amount, and options regarding required parking.

Attorney Eaton pointed out that, by design, there is not a variance procedure in the parking ordinance.

Following discussion, the consensus of the Council was to deny the request.

At 9:20 PM, the Council took a short recess.

The meeting reconvened at 9:28 PM.

Mayor LaPorte distributed a draft of the letter that would be distributed to residential water accounts with consumption of over 7,000 gallons per month for two consecutive months. The Council took up discussion of the proposed water use offset retrofit program. Councilmember Robinson explained the rationale and methodology used to develop retrofit criteria. Mayor LaPorte and the Council discussed various aspects of the proposed program. The Council asked the staff to continue with research and development of the water use offset retrofit program.

At 10:10 PM, Administrator Fitch introduced and explained the particulars of draft resolution #951, a resolution authorizing the Mayor to execute Change Order #1 on the contract with Friberg Construction Company for the reconstruction of Guard Street from Blair Avenue to Tucker Avenue.

Following discussion, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #951. The motion passed unanimously.

Administrator Fitch referred to a 7/6/94 letter from SCS Engineers recommending that the Council reject all bids for the landfill closure and ask for new bids.

At 10:17 PM, following discussion, Councilmember Lackey moved and Councilmember Wilson seconded to reject all bids for the landfill closure. The motion passed unanimously.

Councilmember Lackey moved and Councilmember Wilson seconded to ask for new bids for the landfill closure project. The motion passed unanimously.

Administrator Fitch and the Council discussed the advisability of soliciting RFP's to update the Comprehensive Water Plan.

The Council discussed a letter from Dr. Hugh Lawrence and a letter from concerned rollerbladers. The Council indicated they wished to meet with both of the above at a future meeting.

At 10:35 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to go into executive session to discuss pending litigation. The motion passed unanimously.

At 11:17 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 11:21 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to adjourn and continue the meeting to 7/14/94 at 7:30 PM for an executive session regarding potential property acquisition. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - July 14, 1994 @ 7:30 PM

Town Council continued meeting.

Members present: none
Others present: Treasurer Picinich

Town Clerk Dubail declared the meeting adjourned for lack of a quorum.

Steven Dubail, Town Clerk

Town Council - July 21, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, & Wilson

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

Councilmember Robinson was excused due to illness.

Councilmember Dickinson moved and Councilmember Lackey seconded to confirm Mayor LaPorte's reappointment of Barbara Cobb to Position #5 on the Planning Commission. The motion passed unanimously.

Councilmember Lackey moved and Councilmember Dickinson seconded to approve the minutes of the July 7, 1994 12:30 PM and 7:30 PM meetings and the July 14, 1994 meeting as amended. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #952, a resolution to authorize conditional private use of portions of Culver Avenue by the San Juan Island Goodtime Classic Jazz Association for bus loading and unloading from Wednesday July 27th to Sunday July 31st, 1994.

Administrator Fitch explained the particulars of same.

Mrs. Natalie Kneipp, Jazz Association, explained the transportation logistics that precipitated the request.

At 7:45 PM, following discussion, Councilmember Lackey moved and Councilmember Wilson seconded to adopt Resolution #952. Councilmembers Lackey and Wilson voting in favor, Councilmembers Boothman and Dickinson - opposed. The motion carried with Mayor LaPorte voting in favor.

At 7:48 PM, Mayor LaPorte opened the Public Hearing to amend the 1994 Town budget.

Administrator Fitch explained that not all funds were ready for review. He asked that the Council consider continuing the hearing for public input to the second meeting in August. The Council concurred.

At 7:52 PM, the Council heard a request by Molly Boyd for vacation of a portion of the public right-of-way at 610 Warbass Way.

Attorney Eaton briefed the Council on legal considerations regarding the request.

The Council, staff, and applicant discussed various aspects of the request and the history of similar requests in the area.

Attorney Eaton noted that the Town does allow structures in the public right-of-way for access to property but hasn't approved structures other than access structures.

Mayor LaPorte, Council, staff, and the applicant continued discussion. It was specifically noted and understood by the applicant that if the street is to be modified the applicant must move the structure.

Administrator Fitch noted that if use of the right-of-way is granted a Variance will be required and that the Planning Commission and the Council would hold public hearings as part of the variance process.

At 8:34 PM, Councilmember Dickinson moved and Councilmember Wilson seconded to indicate the intent of the Town to grant a franchise to Molly Boyd to expand her garage within the public right-of-way as conditioned by a requirement for liability insurance naming the Town as insured and removal of the structure when the right-of-way is needed. The motion carried with all Councilmembers, with the exception of Councilmember Lackey, voting in the affirmative.

Ed Smith, San Juan Island Chamber of Commerce, representing the Visitor Information Service (V.I.S.), made a presentation on behalf of the V.I.S. requesting that the Town allocate a portion of the Hotel/Motel Tax funds to the V.I.S. as requested in Susan Fletcher's letter to the Mayor of April 27, 1994.

Mayor LaPorte noted that the request would be given consideration during the 1995 Town Budget development process. Councilmember Dickinson pointed out that Hotel/Motel Tax funds are presently committed by ordinance to pay for additional parking; currently the recently completed First Street parking area.

Treasurer Picinich remarked that Ordinance #852 may need to be modified if the Council wishes to grant the V.I.S. funding request. Administrator Fitch explained the scope and intent of Section 4 of Ordinance #852.

Councilmember Dickinson expressed the desire to serve residents as well as visitors with facilities such as public restrooms.

Mr. Smith reiterated the request for some funding for the V.I.S. from the Town and asked that same be considered during the Town budget process.

Mayor LaPorte thanked Mr. Smith for his presentation.

At 8:51 PM, Chris Augusztiny on behalf of local rollerbladers, asked that rollerbladers be allowed to use public streets.

Mayor LaPorte and the Council noted that 12.08.040 FHMC only prohibits rollerblading in the Town business district.

Ms. Augusztiny stated that Front Street is the desired area for this activity, streets outside of the business district are not appropriate.

Following discussion, the Council felt that it was still advisable that the rollerbladers use streets outside of the business district as the requested area was deemed too congested and dangerous.

Mayor LaPorte thanked Ms. Augusztiny for her presentation.

At 9:11 PM, the Council took a short recess.

The meeting reconvened at 9:19 PM.

The Council began deliberation regarding designating "B" Street one 2Dway in conjunction with the planned renovation of Sunken Park. John Brash, San Juan Island Parks & Recreation District board member, was present.

Administrator Fitch explained configuration options for "B" Street including one-way traffic flow from Harrison Street to Nichols Avenue or eliminating on-street parking on the east side of the street.

Mr. Brash remarked that the object was to not significantly reduce the usable park area and to allow for a sidewalk on the west side of "B" Street.

The Council and Mr. Brash discussed various aspects of the project. Mr. Brash asked for a timely decision from the Town regarding the configuration of "B" Street.

At Mayor LaPorte's inquiry, Eugene "Skip" Metzger, owner of Tucker House B & B, expressed support for the concept of one-way traffic flow from Harrison Street to Nichols Avenue and was opposed to losing on-street parking on the east side of "B" street.

Mayor LaPorte and the Council discussed the feasibility of constructing a wooden "board walk" rather than a concrete sidewalk on the park (west) side of "B" Street. At Councilmember Boothman's inquiry, Mr. Brash indicated that the new sidewalk would continue along the south side of Harrison Street.

Administrator Fitch recommended that the Council specify a minimum desired travel lane width for "B" Street.

The Council and staff discussed street configuration options and the benefits of same to the public.

Following discussion, the Council determined that thirty-eight feet (38') from the back edge of the sidewalk on the east side of the street to the back edge of the new sidewalk on the west side of the street was required.

At 10:01 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to require thirty-eight feet (38') from the back edge of the sidewalk on the east side of the street to the back edge of the new sidewalk on the west side of the street and that "B" Street be one-way for vehicle traffic from Harrison Street to Nichols Avenue.

At 10:06 PM, following discussion, the motion passed with Councilmembers Boothman, Dickinson, & Lackey in favor, Councilmember Wilson opposed.

At 10:07 PM, the Council took up discussion of the proposed water offset/retrofit conservation program.

Building Official Hodges reported on observed and estimated low-flow fixture water use in residential applications. He also reported on preliminary estimated retrofit costs.

The Council and staff discussed moving forward with developing implementing legislation and whether the program should be publicly or privately administered. Staff will draft an ordinance for Council consideration at their August 18, 1994 meeting.

At 10:22 PM, Mayor LaPorte introduced draft resolution #953, a resolution authorizing an interfund loan from the Current Expense Fund to the Fire/Refuse Bond Redemption Fund in an amount not to exceed \$18,000.00.

Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #953. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #954, a resolution authorizing an interfund loan from the Capitol Projects Fund to the Water (Expansion) Fund in an amount not to exceed \$50,000.00.

Councilmember Lackey moved and Councilmember Dickinson seconded to adopt Resolution #954. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #955, a resolution authorizing an interfund loan from the Current Expense Fund to the Capital Reserve Hotel/Motel Tax Fund in an amount not to exceed \$145,000.00.

Councilmember Lackey moved and Councilmember Dickinson seconded to adopt Resolution #955. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #956, a resolution authorizing an interfund loan from the Current Expense Fund to the Unemployment Compensation Fund in an amount not to exceed \$1,000.00.

Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #956. The motion passed unanimously.

At 10:30 PM, Administrator Fitch reported that in response to a 7/18/94 complaint from Ed & Joyce Gaylord, 585 Harbor Street, the odor suppression system at the Wastewater Treatment Plant is now in operation 24 hours/day.

He reported that the Town has received a half-dozen or so requests to exceed the 7,000 gallon SFR water use threshold.

Mayor LaPorte noted the need to determine criteria for SFR water use surcharge relief. The Council will hold a work session on same on 7/25/94.

Administrator Fitch reported San Juan County still wishes to pursue a lease of land at the Solid Waste Facility site.

Regarding the 1995 Water Comprehensive Plan Update, the Council and Administrator Fitch discussed the advisability of soliciting RFP's or retaining KCM Engineering. The consensus of the Council was to continue with KCM.

The Council and Administrator Fitch discussed additional administrative matters.

At 11:09 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to go into executive session regarding potential property acquisition. The motion passed unanimously.

At 11:43 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

Councilmember Dickinson moved and Councilmember Wilson seconded to approve payment of claims warrants #8203 through 8269 in the amount of \$59,703.15. The motion passed unanimously.

At 11:45 PM, Councilmember Lackey moved and Councilmember Boothman seconded to adjourn and continue the meeting to 7/22/94 at 1:00 PM for an executive session regarding potential property acquisition. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - July 22, 1994 @ 1:00 PM

The Town Council met in continued regular session.

Members present: Boothman, Dickinson, Lackey, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Mayor LaPorte was not present due to a previous commitment.

Councilmember Robinson was excused for medical reasons.

Councilmember Boothman moved and Councilmember Dickinson seconded to appoint Councilmember Wilson Mayor Pro tem. The motion passed unanimously.

Councilmember Boothman moved and Councilmember Lackey seconded to go into executive session regarding potential property acquisition. The motion passed unanimously.

At 2:12 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 2:13 PM, Councilmember Lackey moved and Councilmember Boothman seconded to adjourn and continue the meeting to 7/25/94 at 7:30 PM for a work session on water conservation. The motion passed unanimously.

Gene D. Wilson, Mayor Pro tem
Steven Dubail, Town Clerk

Town Council - July 25, 1994 @ 7:30 PM

The Town Council met in continued regular session with Mayor LaPorte presiding.

Members present: Boothman, Lackey, & Robinson
Others present: Town Administrator Fitch

Mayor LaPorte noted that the purpose of the meeting was elicit further comments, if any, from the Council on the proposed water offset/retrofit conservation program and to determine criteria for SFR water use surcharge relief.

The Council indicated that they had nothing further to add at this time.

Mayor LaPorte informed the Council that he had delivered a refurbished Town pick-up truck to the Town Fire Department for use as a command vehicle.

Mayor LaPorte, the Council, and staff discussed water surcharge review requests, in particular what is meant by "single family residential." The Council considered raising the surcharge threshold for additional family members. The Council decided against providing for exemptions for agricultural use. The Council considered allowing an additional 50/gallons/person/day for additional family members in a family with more than the 5 members assumed in the 7,000 gallon threshold. Medical exemptions would be considered on a case by case basis.

Mayor LaPorte asked Councilmember Boothman to draft criteria, requirements, and procedures to request relief from the SFR water use surcharge.

The Council indicated that they did not wish to establish an appeal procedure to allow a use or uses which are deemed non-essential per Section 4(C) of Ordinance #946.

The Council discussed requesting a letter of intent from Friday Harbor Sand & Gravel Company which would state FHS&G's planned date of termination of operations. Mayor LaPorte directed staff to draft said letter requesting same.

Administrator Fitch reported that the odor suppression system at the Wastewater Treatment Plant is now operating 24 hours per day and utilizes approximately 88,000 gallons of water per month.

The Council and staff discussed plant loading and effluent water post-treatment. Councilmember Robinson suggested looking into covering/containing components at the WWTP as feasible to help control odor.

The Council approved minor changes to the Residential Water Use Surcharge warning letter.

At 8:50 PM, Councilmember Robinson moved and Councilmember Lackey seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - August 4, 1994 @ 12:00 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch & Treasurer Picinich

Maintenance Supervisor Reitan reported that Trout Lake reservoir is 177 " below the spillway. He noted reduced water flows in relation to last year. Efforts continue to identify water main leaks. The pipe for the Trout Lake siphon line has been ordered and personnel trained on special installation techniques. Maintenance Supervisor Reitan estimated that it would take about a week to install the siphon line. He commented on increased man-hour requirements due to state and federal mandates and additional duties. He noted that the Town has received bids for a 125kV trailer mounted generator. Pond water was used at the Solid Waste Facility to pressure wash the incinerator building and is being used in the ash squelch tank. He has called for bids for a new refuse truck to be delivered in 1995. Street reconstruction is progressing on Guard Street and on Carter Avenue. The odor control system at the Wastewater Treatment Plant is operating 24 hours per day.

At Councilmember Boothman's inquiry, Maintenance Supervisor Reitan estimated that the hours of operation of the odor control system could be reduced after Labor Day due to changing weather conditions and reduced plant loading.

Maintenance Supervisor Reitan summarized other activity in the Wastewater, Street, and Solid Waste Departments.

Mayor LaPorte thanked Maintenance Supervisor Reitan for his report.

Fire Chief Destaffany reported the Fire Department had 19 calls in July, 6 involved actual fires. She summarized incident response and training activity. She mentioned that the State auditor has advised the Fire Fighter's Association to request Council permission to use Town facilities or equipment prior to holding special events. The Town should be compensated for use of Town facilities for functions such as the pancake breakfast held during the Jazz Festival. Also, the Department must take care to publicly differentiate between Department and Fire Fighter's Association activities.

Fire Chief Destaffany asked the Council's permission for the Fire Department to participate in various San Juan County Fair events. At Mayor LaPorte's request, Fire Chief Destaffany will put the specifics of the request in writing for Council consideration at their evening meeting.

At Councilmember Wilson's inquiry, Fire Chief Destaffany responded that 9 members and 10 members out of 19 active Fire Department members had attended the last two regular training sessions respectively. The Department continued to have a good turnout response to alarms.

The Council and Chief discussed various aspects of Fire Department operations.

Mayor LaPorte thanked Chief Destaffany for her report.

At 12:30 PM, Building Official Hodges reported that he had issued no building permits in July. The guard rails by the courthouse parking lot above the new First Street parking area have been installed.

Councilmember Robinson and Building Official Hodges discussed various details of the Carter Street reconstruction project.

Mayor LaPorte thanked Mr. Hodges for his report.

Permit Coordinator Jones reported that he has 15 projects under review. He summarized land use applications, permit requests, scheduled Planning Commission public hearings, and code enforcement activity.

Mayor LaPorte thanked Mr. Jones for his report.

At 12:41 PM, Richard Butler, Butler & Associates, Town planning consultants, presented a report on Growth Management Act (GMA) and Comprehensive Plan update planning. He distributed draft Land Use Capacity & Comprehensive Plan alternatives and a Revised Town of Friday Harbor Comp. Plan/EIS schedule.

Mayor LaPorte, the Council, and Mr. Butler discussed various aspects of the proposed Comprehensive Plan alternatives, the GMA planning process, population growth projections, and state/local concurrency/consistency requirements.

Mayor LaPorte recognized the presence of Laura Arnold, San Juan County Planning Director.

Mayor LaPorte thanked Mr. Butler for his report.

At 1:11 PM, Mayor LaPorte introduced draft resolution #958, a resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and the engineering firm of KCM, Inc., to update the Town's Water System Comprehensive Plan.

Administrator Fitch explained the particulars of same.

At 1:19, Councilmember Dickinson moved and Councilmember Lackey seconded to adopt Resolution #958. At Councilmember Boothman's inquiry, the Council asked for clarification on various items in the proposed Professional Services Agreement. Following discussion, the motion passed unanimously.

At 1:26 PM, Councilmember Lackey moved and Councilmember Wilson seconded to approve payment of claims warrants #8273 through 8340 in the amount of \$63,874.64 and payroll warrants #3708 through 3743 in the amount of \$80,283.03. The motion passed unanimously.

Administrator Fitch asked the Council to review: 1) the draft water use drought charge exemption criteria, 2) a letter from Mary Stone, Attorney, requesting the Council consider allowing a water use previously deemed nonessential, and 3) a letter from Eugene "Skip" Metzger regarding noise.

At 1:36 PM, Councilmember Robinson moved and Councilmember Lackey seconded to adjourn. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - August 4, 1994 @ 7:30 PM

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

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson
Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton

Councilmember Lackey moved and Councilmember Dickinson seconded to approve the minutes of the Council meetings of July 21, 1994 at 7:30 PM, July 22, 1994 at 1:00 PM, and July 25, 1994 at 7:30 PM, as amended. The motion passed unanimously.

Mayor LaPorte introduced draft resolution #959, a resolution authorizing the Mayor to execute a contract with Imco General Construction for closure of the Town's solid waste landfill and ashfill.

Administrator Fitch explained the particulars of same.

At 7:45 PM, following discussion, Councilmember Robinson moved and Councilmember Boothman seconded to adopt Resolution #959. The motion passed unanimously.

Mayor LaPorte presented draft ordinance #947, an ordinance relating to contracting indebtedness; providing for the issuance of \$100,000 par value of a Limited Tax General Obligation Bond, Series 1994B of the Town to provide funds with which to pay a part of the cost of road improvements; in connection with the FlexLine Borrowing Program sponsored by the Association of Washington Cities and the Washington State Association of Counties.

Administrator Fitch and Treasurer Picinich explained the particulars of same.

At 7:51 PM, Councilmember Lackey moved and Councilmember Dickinson seconded to adopt Ordinance #947. The motion passed unanimously.

Mayor LaPorte opened the Public Hearing to consider Variance Application #17 for a height variance for construction of a transfer/recycling building at the Town's Solid Waste Facility, 1330 Sutton Road, by San Juan County. Hearing no objection to his or any councilmember's participation, Mayor LaPorte instructed the meeting in the procedure that would be followed and asked Warren Jones, Permit Coordinator, to present the staff report.

Mr. Jones referred to the staff report dated 7/28/94 and explained the particulars of the application. He reported that the Planning Commission, following their Public Hearing on 7/19/94 voted unanimously to recommend to the Town Council that Variance Application #17 be denied. The staff recommendation also was that the request for a height variance be denied.

At 8:05 PM, Attorney Eaton joined the meeting.

Mayor LaPorte asked for comments from the applicant.

Ron Loewen, San Juan County Public Works Director, stated that San Juan County wished to withdraw the application for a height variance. He noted that the planned facility can be built without an enclosed building. In the future, following evaluation of options with adjacent property owners, San Juan County may wish to reapply for a height variance. He requested a work session with the Council to discuss a land lease for siting the proposed facility.

At 8:10 PM, Councilmember Boothman moved and Councilmember Lackey seconded to close and abandon the public hearing for Variance Application #17. The motion passed unanimously.

Noting available time on the agenda, Mayor LaPorte asked members of the audience if they wished to comment on the siting and design of the proposed transfer/recycling facility.

Lawrence Delay, attorney for some of the neighbors, summarized some State regulations regarding the proposed facility.

Terry Coulter, property owner in the area, stated that the neighbors are not necessarily in opposition to the proposal but do want mitigation of the anticipated impacts.

Mr. Loewen stated that the reason that the County withdrew the application was to allow time for discussions with the neighbors and redesign of the proposed building. County discussions with DOE indicate that the proposed San Juan County operation would be in compliance with State regulations.

Tom Schroeder, 1321-A Sutton Road, felt that alternate sites should be explored. He was of the opinion that the proposed San Juan County activities may not be compatible with current Town solid waste operations. Mr. Schroeder suggested that the whole issue be re-examined.

Mitzi Johnson, property owner in the area, thanked the Town and San Juan County for proposing a work session on the issue. She asked that no modification of Town property by San Juan County be allowed until after the work session and execution of a formal agreement.

Hearing no further comments Mayor LaPorte thanked the audience for their participation.

At 8:30 PM, the Council considered a written request from the Town Fire Department to use various Fire Department equipment to participate in San Juan County Fair events. Councilmember Dickinson asked that written requests be submitted to the Council for future events so that the Council can gain a better understanding of the separation of Fire Department and Fire Fighter's Association activities.

Treasurer Picinich explained the need for clear segregation of Fire Department and Fire Fighter's Association activities.

At 8:38 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to approved the request from the Town Fire Department to use various Town of Friday Harbor Fire Department equipment to participate in San Juan County Fair events. The motion passed unanimously.

Administrator Fitch asked the Council to consider ratification of the proposed criteria for Water Surcharge Exemptions for Single Family Residential Accounts.

Mayor LaPorte, Council, and staff discussed the intent and scope of the exemption criteria. The Council reiterated that commercial, agricultural, and personal choice (large number of house guests, etc.) situations did not merit consideration for exemption.

At 8:56 PM, Councilmember Robinson moved and Councilmember Wilson seconded to accept the list of exemption criteria received 7/26/94 and to allow applicants to address the Council if the Mayor deems same appropriate. The motion carried with Councilmember Boothman abstaining.

At 8:57 PM, Mayor LaPorte opened the Public Hearing to consider Short Plat Application #35 by Arthur F. Lohrey to short plat a 6.8 acre parcel at 630 Turn Point Road into four waterfront lots to be known as the Mariella Short Plat. Hearing no objection to his or any Councilmember's participation, Mayor LaPorte instructed the meeting in the procedure that would be followed and asked Warren Jones, Permit Coordinator, to present the staff report.

Mr. Jones referred to the staff report dated 7/28/94 and explained the particulars of the application. He noted receipt of a letter regarding the application from William R. Eager, property owner in the area. Mr. Jones reported that the unanimous recommendation of the Planning Commission and the recommendation of staff was to relocate the public access easement and to require a public parking space for same as specified in the staff report.

The Planning Commission and staff recommendation is for approval of the preliminary Short Plat of Mariella Estates subject to the suggested conditions in the staff evaluation.

The Council questioned Mr. Jones about various details of the staff report.

At 9:15 PM, David Ellingson, KSM, agents for the applicant, referred to his 7/29/94 letter to Mr. Jones and argued against relocation of the public access easement and the recommended requirement of a public parking space.

Councilmember Boothman noted that the Shoreline Public Accommodation zone was developed for the Kwan Lamah (Mariella) Annexation.

Mayor LaPorte opened the hearing for public input.

Art Lohrey, applicant, spoke of possible future uses of the property and reasons not to relocate the public access easement and require a parking space.

Permit Coordinator Jones spoke of the advisability of providing usable access to the public pedestrian access.

The Council and staff discussed the intent and ramifications of the various public access options.

The applicant noted that the bed & breakfast operation on-site is open to the public.

After further discussion, at 10:09 PM, hearing no further public comment, Mayor LaPorte closed the public input portion of the hearing noting that the Council reserves the right to reopen same at a later time or date.

At 10:10 PM, Councilmember Robinson moved and Councilmember Lackey seconded to accept the application for Preliminary Short Plat #35, and the Findings of Fact and Conclusions of Law with the exception of Conclusion #8 and with the other changes recommended by staff. The motion passed unanimously.

Mayor LaPorte opened the Public Hearing to consider Short Plat Application #36 by Arthur F. Lohrey to short plat a 4.05 acre parcel at 630 Turn Point Road into three waterfront lots to be known as the Lohrey Short Plat. Hearing no objection to his or any Councilmember's participation, Mayor LaPorte instructed the meeting in the procedure that would be followed and asked Mr. Jones to present the staff report.

Mr. Jones referred to the staff report dated 7/28/94 and explained the particulars of the application.

The Planning Commission and staff recommendation is for approval of the preliminary Lohrey Short Plat subject to the suggested conditions in the staff evaluation.

David Ellingson, KSM, requested the option of allowing septic tanks rather than connection to the Town **sewer** system for single family residential uses only on preliminary lots #3 & 4.

Administrator Fitch read the provisions of 13.20.020(A) of the Friday Harbor Municipal Code regarding connection to and use of the sanitary **sewer** system.

At 10:22 PM, Mayor LaPorte opened the hearing for public input.

Art Lohrey, applicant, explained the reasoning behind the request for the septic tank option. He stated that the land would have to "perk" with no negative impacts on the nearby wetland or shoreline.

The Council, staff, and applicant discussed various aspects of the request. Administrator Fitch suggested, and Mr. Lohrey concurred, that the existing **sewer** system could be relocated to the public right-of-way.

At 10:38 PM, hearing no further public comment, Mayor LaPorte closed the public input portion of the hearing noting that the Council reserves the right to reopen same at a later time or date.

At 10:39 PM, Councilmember Dickinson moved and Councilmember Lackey seconded to accept the application for Preliminary Short Plat #36, and the Findings of Fact and Conclusions of Law with the changes recommended by staff. The motion passed unanimously.

At 10:40 PM, the Council took a short recess.

The meeting reconvened at 10:45 PM.

Mayor LaPorte opened the continued Public Hearing to amend the 1994 Town Budget.

Treasurer Picinich explained proposed amendments to the Capital Reserve, Arterial Street, and Water Funds.

Following review, at 11:15 PM, Councilmember Lackey moved and Councilmember Wilson seconded to adopt Ordinance #948, an ordinance amending the 1994 Budget for the Town of Friday Harbor. The motion passed unanimously.

At 11:21 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to go into executive session regarding potential property acquisition. The motion passed unanimously.

At 11:55 PM, Councilmember Dickinson moved and Councilmember Robinson seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 11:56 PM, Councilmember Dickinson moved and Councilmember Wilson seconded to adjourn and continue the meeting to August 11, 1994 at 7:30 PM for a work session and executive session. The motion passed unanimously.

Wm. J. LaPorte, Mayor
Steven Dubail, Town Clerk

Town Council - August 11, 1994 @ 7:30 PM

The Town Council met for a work session.

Members present: Boothman, Dickinson, Lackey, Robinson, & Wilson

Others present: Town Administrator Fitch & Treasurer Picinich

Mayor LaPorte was absent to attend his daughter's wedding.

Councilmember Wilson moved and Councilmember Boothman seconded to appoint Councilmember Robinson Mayor Pro tem. The motion passed unanimously.

Mayor Pro tem Robinson introduced the topic of the work session: issues regarding siting a solid waste transfer and recycling facility at the Town Solid Waste Facility Property.

Administrator Fitch noted that the following documents had been distributed to the Council: Rate Computations for Disposal of Waste from Town of Friday Harbor drafted

by San Juan County, a draft Interlocal Agreement between the Town of Friday Harbor and San Juan County regarding Solid Waste, 1993 and 1994 Town of Friday Harbor Refuse Analysis, and a copy of the Port of Friday Harbor Lease/Rental Policy adopted by Port Resolution #92-007.

Mayor Pro tem Robinson itemized the items for discussion: 1) does the Town of Friday Harbor wish to participate with San Juan County's program to transport solid waste from San Juan Island?, 2) will the Town lease a site at the Town Solid Waste Facility property to San Juan County for a solid waste transfer and recycling facility with or without participation in the County's program?, 3) what type of structure is suitable, with or without Town participation?

The Council discussed the advisability of participating with San Juan County's program for solid waste disposal.

Ron Loewen, San Juan County Public Works Director, explained the current County solid waste transfer/disposal philosophy and policy.

Ed Stuhr, San Juan County Solid Waste Manager, explained the revised proposed per ton disposal cost to the Town of \$130.70 as outlined in Rate Computations for Disposal of Waste from Town of Friday Harbor received 8/11/94. He noted that the previous cost estimate was \$152.00/ton.

The Council and staff discussed the impact of the proposed longhaul costs on rates.

Mr. Loewen reiterated that the County will continue to seek the most cost effective methods of operation.

Council, staff, and Mr. Loewen discussed methods for the Town to regain control, if desired, of its solid waste disposal operation, facility, and rates. Councilmember Boothman suggested that the Town have an agreed upon method of input to County rate revision deliberations.

At 8:25 PM, the consensus of the Council was to indicate their intent to participate with San Juan County for disposal of solid waste from the Town of Friday Harbor.

Regarding lease of a building site to San Juan County: Administrator Fitch recommended, per his research with Municipal Research and Services Center, that the property be professionally appraised, that the Council set a desired rate of return for the lease (perhaps 10% of the property value/year), that the transaction be a strictly cash basis (not barter services for the lease payment), that there be a clause to mutually reappraise the terms during the life of the lease, that a 25 year lease would be preferable to a longer term, and that there be an arbitration clause in the lease. Administrator Fitch noted that regionalization of services is a growing trend.

The Mayor Pro tem, Council, and staff discussed future capacity concerns and positive and negative aspects of employing other sites on the property.

The Council and Mr. Loewen discussed anticipated impacts of the proposed transfer structure, both with and without a building, and associated siting concerns. Mayor Pro tem Robinson expressed the Council's concern over the extent of the planned tree removal. Administrator Fitch noted that Town solid waste cost planning is contingent on continued incinerator operation. Debt service on the incinerator continues to 2012.

At Mayor Pro tem Robinson's invitation members of the audience commented on various aspects of the issue including the investigation of alternate sites, possible impact reduction in a more heavily forested area, concerns over an open air facility, and the need for the proposal to comply with zoning and land use regulations.

At Councilmember Dickinson inquiry, Mr. Loewen stated that San Juan County has not budgeted for property lease payments to the Town. Same have not been considered in the proposed transfer rate offered to the Town.

The Council and staff briefly discussed the philosophy of lease charges from no charge to a 10% rate of return based upon the market value of the property.

The Council stressed their desire to consider a plan with as many trees retained and as low a building as possible.

Audience members expressed the desire that all applicable regulations be met and impacts be mitigated to the extent feasible. The were concerned that a cost effective solution be found.

Mr. Loewen remarked that increased costs are necessarily reflected in rates.

The Council asked the County representatives to present a revised building plan with the following points addressed: that the building be insulated and be as low as possible, that as many trees as possible be retained and that a vegetation plan utilizing native vegetation be devised, and that noise containment concerns be remedied .

At 10:02 PM, Councilmember Dickinson moved and Councilmember Boothman seconded to adjourn. The motion passed unanimously.

Richard S. Robinson, Mayor Pro tem
Steven Dubail, Town Clerk