



SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, July 18, 2013 – Council Chambers – Afternoon Session

CALL TO ORDER

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

ROLL CALL

Councilmembers: Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; and Position No. 4, Felix Menjivar. Position No. 5, Barbara Starr attended the second half of the session.

Others Present: Mayor, Carrie Lacher; Town Administrator, Duncan Wilson; and Clerk, Amy Taylor.

Position No. 1, Steve Hushebeck; and Treasurer, Wendy Picinich; were not present. Attorney, Adina Cunningham was available by telephone for the scheduled executive session.

EXECUSED ABSENCE

Mayor Lacher asked if the Council wished to excuse the absence of Councilmember Hushebeck. Council unanimously excused his absence and Councilmember Starr for the first half of session.

FLAG SALUTE

Mayor Lacher conducted the flag salute.

ANNOUNCEMENTS/SCHEDULE CHANGES

The evening session of the Town Council was cancelled.

PUBLIC ACCESS TIME

There were no public access items forthcoming.

SJC COUNCIL UPDATE

At 12:03 p.m., San Juan County Councilmember, Bob Jarman provided the Council with an update on issues of mutual concern. Mr. Jarman discussed the County's disbursement of lodging tax funds; solid waste transfer station lease; and County involvement in an EIS for the Gateway Coal Project (regional railway-to-barge transport of raw coal). Discussion followed regarding the SJC Solid Waste Advisory Committee. The Council and Mayor thanked Mr. Jarman.

DEPARTMENT REPORTS

Sheriff Report

At 12:07 p.m., SJC Sheriff, Rob Nou, distributed a quarterly report detailing activities of the department from April through June, 2013. Sheriff patrols in town provided 1593 hours of policing services, representing the 3.0 FTE that the Sheriff is contracted to provide. Emphasis remains on traffic safety, including DUI arrests, speed, cell phone use and safety belts. Vandalism and theft have been infrequent. Discussion followed regarding good samaritans at the skate park. Mayor Lacher and the Council thanked Sheriff Nou.

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Emergency Management

At 12:15 p.m., Department of Emergency Management (DEM) Director, Brendan Cowan, suggested that the Department provide additional Emergency Preparedness Training for Town elected officials and staff. Discussion followed regarding the agenda and topics for such training. Mr. Cowan provided a list and requested that the Council select topics which they are most concerned for refresher training. Mayor Lacher and the Council thanked Mr. Cowan.

Fire

At 12:18 p.m., District 3 Fire Chief, Steve Marler, distributed written information regarding types of services provided to the community and for the volunteer fire fighters for the second quarter of 2013. Chief Marler reviewed the training schedule for volunteers and incidents by area and type. Chief Marler stated that District 3 is exploring several options for streamlining services. No discussion followed. Mayor Lacher and the Council thanked Chief Marler.

Historic Preservation

At 12:28 p.m., Historic Preservation Coordinator, Sandy Strehlou, distributed a written report for the first half of 2013. Ms. Strehlou updated the Council on the progress of the Front Street Kiosk and SJI Scenic Byways committee. No discussion followed. Mayor Lacher and the Council thanked Ms. Strehlou.

Public Works

At 12:35 p.m., Public Works Director, Wayne Haefele, reported on the upcoming construction schedules and capital improvement projects. Other activities include updating equipment, emergency response plans and cross-training for plant staff. Mayor Lacher complimented the Town Gardener and Maintenance Staff for the neat, clean and attractive appearance of Town. Discussion followed regarding reliance on local stations for fuel during an emergency; and installation of Town-owned storage tanks for bulk fuel. Mayor Lacher and the Council thanked Mr. Haefele.

ACTION AND DISCUSSION ITEMS

Mullis Street Pedestrian Improvement Project

At 12:47 p.m., Mayor Lacher introduced discussion regarding the award of bid for construction of the Mullis Street Pedestrian Improvement Project. Administrator Wilson explained that only one bid was received for the portion Mullis from Market Street to Spring Street. Administrator Wilson requested that the Council approve the Engineer’s recommendation and award the bid to Richard Lawson Construction and direct staff to proceed with preparation of construction documents. No discussion followed.

Moved by Monin, seconded by de Freitas, to award the Mullis Street Pedestrian Improvement Project from Market Street to Spring Street to Richard Lawson Construction in the amount of \$129,756.25 pursuant to their submitted bid. Motion passed 3-0 with Hushebeck and Starr absent.

Standardizing Contract Forms

At 12:50 p.m., Mayor Lacher introduced discussion of standardizing contract forms. Administrator Wilson asked the Council to consider adoption of a policy to allow staff to enter into agreements for items in the adopted budget for up to a certain amount. Currently, all contracts, including budgeted items are directed to the Council for approval. Allowing such a policy would give the Administrator and Public Works Director some discretion to streamline operations. Discussion followed regarding an appropriate amount and types of agreements and purchases that the Council would be comfortable to approve. **Council consensus to bring forward policy and forms for consideration.**

94 Resolution No. 1966

95 At 12:54 p.m., Mayor Lacher introduced discussion of draft Resolution No. 1966, *authorizing the Mayor*
96 *to execute an agreement for administering a utility reimbursement program.* Administrator Wilson
97 explained that the purpose of the resolution is to contract with the Family Resource Center pursuant to
98 recently adopted Ordinance No. 1512. Discussion followed regarding promotion of the program.
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100 **Moved by de Freitas, seconded by Monin, to adopt Resolution No. 1966, authorizing the**
101 **Mayor to execute an agreement with the Family Resource Center pursuant to Ordinance**
102 **No. 1512 for administering the utility reimbursement program. Motion passed 3-0 with**
103 **Hushebeck and Starr absent.**

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105 Ordinance No. 1513

106 At 1:01 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1513, *relating to the salaries*
107 *of non-represented personnel.* Administrator Wilson explained that to maintain parity between
108 represented and non-represented personnel the Town Council opted to provide non-represented
109 personnel a total 1.5% cost of living increase retroactively to January 1, 2013. The Town found that
110 it's not able to make such payments retroactively. This Ordinance repeals recently adopted Ordinance
111 No. 1511 and increases salaries for non-represented personnel prospectively the difference of said pay.
112 No discussion followed.
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114 **Moved by de Freitas, seconded by Monin, to adopt Ordinance No. 1513, adjusting the cost**
115 **of living increase for non-represented personnel and repealing Ordinance No. 1511.**
116 **Motion passed 3-0 with Hushebeck and Starr absent.**

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118 Ordinance No. 1514

119 At 1:01 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1514, *amending FHMC*
120 *Section 13.05.030(C) to create a tank water rate for public entities using tanks not exceeding 200*
121 *gallons.* FHMC 13.05 provides a rate for water taken by the tank load. This Ordinance would provide a
122 governmental rate of \$10 for smaller tanks where the water is used for public purposes by public
123 entities. Administrator Wilson explained that the tanker fee and quantities currently sold is prohibitive
124 for small users such as IslandRec, who have requested to fill their portable tanks for events and parks.
125 Discussion followed regarding availability and restrictions for private use during disasters and
126 emergencies.
127

128 **Moved by de Freitas, seconded by Monin, to adopt Ordinance No. 1514, amending FHMC**
129 **Section 13.05.030(C) to create a tank water rate for public entities using tanks not**
130 **exceeding 200 gallons Motion passed 3-0 with Hushebeck and Starr absent.**
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ADMINISTRATOR’S REPORT

At 1:05 p.m., Administrator Wilson presented the Town Council with an update of the following:

- Marijuana moratorium - The Administrator asked if the Council would consider a moratorium until the State makes determinations on regulations. This would avoid vesting issues until such time as Town is ready to address zoning issues. Discussion followed regarding avoidance of the issue. The Council emphasized that they would only consider a short-term moratorium so that local regulations could be drafted. **Council consensus to draft a moratorium for consideration.**
- Sunshine Alley - The Administrator asked if the Council would consider occasional closure of Sunshine Alley for events at the Brickworks Plaza. Discussion followed regarding use by other business owners abutting Sunshine Alley. **Council consensus to draft a policy for consideration.**
- Maintenance Bond Policy - The Administrator asked if Council would consider imposing a new policy for owner/contractor improvements in the public right of way. The purpose of a maintenance bond was described. The new policy would allow an agreement instead of a cash or bond that guarantees owner/contractor repair any deficiencies that occur within one year of installation. **Council consensus to finalize a policy for consideration.**
- Blair Street - The Administrator asked the Council to consider financing of design of Blair Street Improvement Project from Spring Street to Park Street up to the local match required for a Transportation Improvement Grant. If Town opts to finance now, there is a hi probability that the Transportation Improvement Board will grant funds to complete both phases of the improvement project as one project. Discussion followed regarding the estimated for engineering. **Council consensus to finalize a budget for consideration.**
- Banners - New banners have been ordered.
- Memorial Park - The irrigation and fountain at the Park have been repaired.
- Remembrance Day - Town will be creating a new program for September 11th Remembrance Day.
- Whale Museum - The Museum will be installing a new sign.
- Front Street - New railings have been installed.

PAYMENT OF CLAIMS

Moved by Monin, seconded by Menjivar, to approve the payment of Claim Warrant Nos. 38221 through 38250 in the amount of \$52,067.58. Motion passed 4-0 with Hushebeck absent.

APPROVAL OF MINUTES

Moved by de Freitas, seconded by Menjivar, to approve the minutes of **July 11, 2013 as submitted.** Motion passed 4-0 with Hushebeck absent.

EXECUTIVE SESSION

At 1:40 p.m., Mayor Lacher announced that the Council would be holding an executive session regarding potential lease of real estate in accordance with the provisions of RCW 42.30.110(1)(c); which was estimated to last 20 minutes. Participants: Town Council, Mayor Lacher, Administrator Wilson, Attorney Cunningham (by telephone) and Clerk Taylor. The session ended at 2:15 p.m. for an actual session time of 35 minutes. No actions were taken during Executive Session.

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ACTION AND DISCUSSION ITEMS (cont.)

SJI Transfer Station

At 2:15 p.m., Mayor Lacher introduced discussion of the SJI Transfer Station lease. Administrator Wilson thanked the Council for the opportunity to discuss the proposed terms of the lease and requested that if the Council has sufficient information to direct staff accordingly.

Moved by de Freitas, seconded by Starr, to direct staff to continue negotiations with San Juan County to finalize a draft lease for Council consideration. Motion passed 4-0 with Hushebeck absent.

FUTURE AND NON-AGENDA ITEMS

No future agenda items were presented.

CITIZEN RESPONSE

No citizen response was presented.

ADJOURNMENT – Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 2:16 p.m. The next regular meeting is scheduled for Thursday, August 1, 2013 at 12:00 p.m.

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These minutes were approved on August 1, 2013. The original document is retained by the Clerk in the Town Council’s permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk