



## SUMMARY OF THE MINUTES TOWN COUNCIL

**Thursday, September 19, 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. 1, Steve Hushebeck; Position No. 2, Noel Monin; Position No. 3, and Anna Maria de Freitas.

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

Position No. 4, Felix Menjivar; Position No. 5, Barbara Starr; and Treasurer, Wendy Picinich were not present.

### EXECUSED ABSENCE

Mayor Lacher asked if the Council wished to excuse the absence of Councilmembers Menjivar and Starr. Council unanimously excused their absence.

### FLAG SALUTE

Mayor Lacher conducted the flag salute.

### PUBLIC ACCESS TIME

There were no public access items forthcoming.

### ACTION AND DISCUSSION ITEMS

#### Proclamation - Constitution Week

Mayor Lacher proclaimed September 17th through 23rd, 2013 as Constitution Week in the Town of Friday Harbor, and asked our citizens to reaffirm their commitment to the rights and obligations of citizenship; and pay special attention to the Constitution of the United States. Minnie Kynch and Sharon Bishop, "Daughters of the Revolution", accepted the proclamation and explained that they will be doing educational outreach during the week.

#### Department Report - Public Works

At 12:04 p.m., Mayor Lacher requested that Public Works Director, Wayne Haefele, provide a brief report regarding utilities. Mr. Haefele reported the following:

- Water line breaks - The two recent water line breaks were not related. Locations of the breaks were at the Marble Street/Tucker Avenue intersection and on Scenic Place. The causes of the breaks were not due to aging infrastructure.
- Water Comprehensive Plan - Town received the approval from the State for its Water Comprehensive Plan Updates.
- Spring Street Water Sewer Main Replacement Project - The project is moving forward. Night work is anticipated in order to disrupt businesses as little as possible. The public will be notified.
- Mullis Street Pedestrian Improvements - Status of the project was reported.

46 **PUBLIC HEARING**

47 2013 Town Budget Amendments

48 At 12:14 p.m., Mayor Lacher opened the public hearing on the amendments to the 2013 Town Budget.  
49 Administrator Wilson gave an explanation of said amendments and year-to-date balances which were  
50 listed as "Attachment A" to draft Ordinance No. 1517. No public input was forthcoming. Discussion and  
51 inquiry followed regarding various adjustments to the 2013 budget including expenditures for capital  
52 and utility funds.

53  
54 At 12:32 p.m., Mayor Lacher inquired if any public input was forthcoming. Hearing none, Mayor Lacher  
55 closed the public hearing on amendments to the 2013 Town Budget. Administrator Wilson thanked  
56 Treasurer Picinich for her due diligence when planning and administering the Town's finances. Mayor  
57 Lacher noted that Treasurer Picinich won another professional excellence award.

58  
59 Ordinance No. 1517

60 **Moved by Hushebeck, seconded by de Freitas, to adopt Ordinance No. 1517, amending**  
61 **certain beginning balances, revenue estimates, expenditure appropriations, and ending**  
62 **cash balances in the 2013 Budget for the Town of Friday Harbor. Motion passed 3-0 with**  
63 **Menjivar and Starr absent.**

64  
65 **ACTION AND DISCUSSION ITEMS (cont.)**

66 SJI Scenic Byway Report

67 At 12:36 p.m., Mayor Lacher introduced Liz Illg, Scenic Byway Project Coordinator, to provide an  
68 update on the project. Ms. Illg acknowledged and thanked all of the volunteer and stakeholder efforts  
69 for making the Byway a reality. Ms. Illg provided an update on signage and SJI Shuttle Project.  
70 Discussion followed regarding the benefits of a public transportation benefit district. Mayor Lacher and  
71 the Council thanked Ms. Illg. No action was taken.

72  
73 WA State Initiative 501 - Legalized Marijuana

74 At 1:06 p.m., Mayor Lacher introduced discussion of draft ordinances *concerning proposed zoning*  
75 *regulations for marijuana retail, production and processing.* Town Attorney Cunningham provided an  
76 update on timeline, rules and enforcement issues at the State and Federal level; and explained the  
77 ordinance being proposed by staff.

78  
79 The Liquor Control Board is in the process of adopting rules in compliance with Initiative 502. I-502  
80 requires that no facility for marijuana retailing, processing or growing be located within 1,000 feet of  
81 the perimeter of any "elementary or secondary school, playground, recreation center or facility, child  
82 care center, public park, public transit center, library, or any game arcade admission to which is not  
83 restricted to persons aged twenty-one years or older." These buffers significantly limit the areas in  
84 which marijuana facilities may be located in the Town of Friday Harbor. Due to the nature of growing  
85 and processing marijuana, the Town may also exercise its zoning authority and police powers to  
86 ensure that such operations comply with standard zoning requirements and health and safety  
87 concerns, and as such, may be allowed as a conditional use under FHMC 17.52.030.

88  
89 Attorney Cunningham explained that the Council and staff have reviewed the zones outside of these  
90 buffers and concluded that the light industrial area may be the best zone in which to allow facilities for  
91 marijuana facilities, so long as consistent with other uses for that zone. Discussion followed regarding  
92 allowing facilities in non-residential zoning (which would include professional services and commercial)  
93 and relying on 1,000 foot buffers. Administrator Wilson noted that the buffers are subject to change  
94 as businesses relocate and properties are rezoned.

95  
96 **Council consensus to accept the premise of limiting recreation marijuana facilities**  
97 **pursuant to I-502 to the light industrial zone; and direct staff prepare a final draft**  
98 **ordinance for consideration at public hearing.**  
99

#### 100 **ADMINISTRATOR'S REPORT**

101 At 1:52 p.m., Administrator Wilson presented the Town Council with an update of the following:

- 102
- 103 • AWC Employee Benefit Trust - The Town's insurance provider has opted to self-insure. Town
- 104 expects a zero percent increase if it remains with the Trust.
- 105 • Stormwater issues - Editorials have recently appeared in the newspaper regarding Town
- 106 stormwater.
- 107 • Day of Caring Event- Fourteen United Way volunteers repainted the Sunshine Alley Restrooms.
- 108 • Blair Avenue - Town has submitted the TIB application for Blair Avenue.
- 109 • Solid Waste Management Plan - The consultant is in process of incorporating the State's
- 110 comments. Adoption of the SWMP is anticipated in November.
- 111 • Code Enforcement Training - Surena Schumacher will begin training for code enforcement this
- 112 fall.
- 113 • Utility Assistance Program - Town received anonymous donations for over \$3,000 for the Life
- 114 Ring Program in September.
- 115 • Nuisance Ordinance - The proposed nuisance ordinance should be presented in November.
- 116 • SJI Transfer Station - The County has not yet presented a lease for the Sutton Road property.
- 117 • Water Transmission Main Replacement Project - Senator Ranker will attempt to help Town
- 118 secure State funding for the Project.
- 119 • Front Street Kiosk - Town received signage. Staff will install in September / October.
- 120

#### 121 **PAYMENT OF CLAIMS**

122 Moved by Monin, seconded by Hushebeck, to approve the payment of Claim Warrant Nos. 38394  
123 through 38434 in the amount of \$109,828.44. Motion passed 3-0 with Menjivar and Starr absent.  
124 Councilmember de Freitas noted abstention from the warrant issued to the Visitors Bureau.

#### 125 126 **APPROVAL OF MINUTES**

127 Approval of the September 5, 2013 minutes was postponed until October 3<sup>rd</sup>, 2013.  
128

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

130 Mayor Lacher noted gave a brief update on recent Ferry Community Partnership meetings and recent  
131 Town Hall meeting regarding Washington State Ferries.

#### 132 133 **CITIZEN RESPONSE**

134 San Juan County Councilmember Rick Hughes commented on issues of mutual concern.  
135 Councilmember Hughes commented on the status of I-502, Washington State Ferries, and the statue  
136 of SJC Tourism Plan. No discussion followed. The Mayor and Council thanked Mr. Hughes.  
137

138 **ADJOURNMENT** – Hearing no further business and no objection, Mayor Lacher adjourned the  
139 meeting at 2:15 p.m. The next regular meeting is scheduled for Thursday, September 19, 2013 at 5:30  
140 p.m.

141  
142

\* \* \* \* \*

143 **These minutes were approved on October 3, 2013. The original document is retained by**  
144 **the Clerk in the Town Council’s permanent records. Attest: Amy Taylor, Town of Friday**  
145 **Harbor Clerk**