



SUMMARY OF THE MINUTES TOWN COUNCIL

Thursday, April 17, 2014 – Council Chambers – Evening Session

CALL TO ORDER

Mayor Lacher called the regular session of the Town Council to order at 5:30 p.m.

ROLL CALL

Councilmembers: Position No. 2, Noel Monin; Position No. 3, Anna Maria de Freitas; Position No. 4, Farhad Ghatan; and Position No. 5, Barbara Starr.

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

Position No. 1, Steve Hushebeck, Treasurer; Wendy Picinich; and Attorney, Adina Cunningham were not present.

EXECUSED ABSENCE

Mayor Lacher asked if the Council wished to excuse the absence of Councilmember Hushebeck. Council unanimously excused his absence.

FLAG SALUTE

Mayor Lacher conducted the flag salute.

PUBLIC ACCESS TIME

No public access was forthcoming.

PUBLIC HEARING

Conditional Use Permit Application No. 68

At 5:31 p.m., Mayor Lacher opened the public hearing to consider Conditional Use Permit Application No. 68; a request by School District 149, to modify the previous Conditional Use Permit No. 62 for the Community Ball Fields, located at 565 Carter Avenue, [Tax Parcel Nos. 351161001 and 351192304].

Since the approval of CUP #62 granted in 2005, some development has taken place on the property. All of the conditions of the CUP are valid however the applicant is requesting the following changes: 1) relocate the required sidewalk on Carter Street, and install a new mid-block crosswalk; 2) to construct a 24' x 60' pump house/maintenance building, and 3) to relocate the family playground to an area next to the Community Ball Field Club House. The existing conditions for the development of the community sports fields with associated parking, restrooms and concessions is still a valid permit.

Mayor Lacher asked if any Councilmember wished to excuse themselves from participating. Council answered in the negative. There was no response to Mayor Lacher's inquiry if anyone objected to her or any Councilmember's participation in the public hearing process. Council responded in the negative to Mayor Lacher's inquiry regarding personal interest in the properties or issue. Council responded in the negative to Mayor Lacher's inquiry regarding personal gain or loss of financial benefit. Council responded in the affirmative to Mayor Lacher's inquiry regarding communication with opponents or proponents regarding said permit; and disclosed contact. Mayor Lacher and the Council received a group email relating to the proposal. Council answered in the affirmative regarding hearing and considering the matter in a fair and objective manner.

48 Mayor Lacher asked Land Use Administrator, Mike Bertrand, to present the staff report. Mr. Bertrand
49 entered Exhibit A, Letter recommending modifications by the Town Engineer; and Exhibit B, Staff
50 Report dated April 7, 2014, into the record. Mr. Bertrand described the background of the application,
51 staff evaluation and recommendation, and applicable permitting process. Staff evaluation and
52 recommendation per the staff report dated April 7, 2014, is that the Town Council should approve
53 Conditional Use Permit No. 68 and allow the changes as conditioned. Staff Report concluded that the
54 application meets the requirements for granting the permit as regulated by Title 17 of the Friday
55 Harbor Municipal Code and conforms to the goals of Town Comprehensive Plan.

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57 Mayor Lacher asked the proponents if they would like to comment. Brent Snow, Proponent, urged the
58 Council to approve Conditional Use Permit No. 68 and provided a thorough overview of the request.
59 Mr. Snow entered Exhibit C, site map; and Exhibit D, drawing of sidewalks; into the record.

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61 Councilmember Starr asked Mr. Snow why a continuous sidewalk isn't proposed for the opposite side
62 of street. Mr. Snow stated that there are figurative and physical blocks including right of way
63 acquisition issues and costs.

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65 At 5:50 p.m., Mayor Lacher opened the public hearing to audience testimony.

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67 Kevin Holmes, 710 Koho Drive, testified that the School has done a good job communicating to
68 adjacent neighborhoods and addressing concerns.

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70 Lee Sturdivant, 745A Larson Street, testified in agreement that the School has done a great job
71 communicating to adjacent neighborhoods and expressed concerns regarding not having a continuous
72 sidewalk the entirety of Carter Avenue.

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74 Bob Vynne, 524 Carter Street, requested that the application be conditioned to include protections for
75 the neighbors by requiring a tree buffer.

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77 Gary Covington, 1011 Terra Bella Lane, inquired if the requested changes are budgeted.

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79 Greg Zervas, 385 Carter Avenue, testified against the proposal for sidewalk with mid-block crosswalk
80 stating safety reasons.

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82 Mayor Lacher asked for additional public testimony. Hearing none, she asked Staff wished to make
83 additional comments. Mayor Lacher opened the hearing to Council questions. Mayor Lacher closed the
84 public input portion of the hearing, reserving the right to reopen if needed, and opened Council
85 deliberations. Councilmembers took turns expressing their views of the application.

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87 **Moved by Starr, by seconded Monin, to approve Condition Nos. 2 & 3 and deny Condition**
88 **No. 1 of Conditional Use Permit Application No. 68, a request modify the existing**
89 **Conditional Use Permit No. 62; and direct staff to prepare Facts and Findings and**
90 **Conclusions of Law. Motion passed 4-0 with Hushebeck absent.**

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93 **ADMINISTRATOR’S REPORT**

94 At 6:24 p.m., Administrator Wilson presented the Town Council with an update of the following:
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- 96 • Water Rights – The Department of Ecology has requested that the Town abandon its 1993
97 application for water rights. DOE sited that the claim is not needed based on existing
98 conditions. Upon investigation, the Town concurs that existing impoundment and consumption
99 rights are adequate provided that DOE provides written evidence of the Town’s use.
- 100 • Spring Street Crosswalk – Staff is investigating the benefits of removing the Spring Street
101 crosswalk adjacent to the Theatre. Benefits would include additional handicapped parking.
- 102 • OPALCO – As a member, the Town is entitled to vote in the upcoming ballot for governing
103 board. **Moved by Ghatan, seconded by de Freitas, for Mayor Lacher to act as proxy
104 and vote on behalf of the Town. Motion passed 4-0 with Hushebeck absent.**
- 105 • Treasurer – Treasurer Picinich has announced a retirement date of June 15, 2014. Discussion
106 followed regarding how best to seek a replacement for the position of Treasurer/Finance
107 Officer.
- 108 • Administrative Executive Assistant – Town received 36 applications at closing for the position.
109 Staff is in the process of reviewing. Council discussed having an interview panel.
- 110 • Light Standards – Staff will bring forward a selection of samples for Council approval.
- 111 • Waterfront stormwater treatment – Town received a grant from Ecology to design stormwater
112 treatment improvements on the waterfront. The grant amount is \$66,000 plus \$10,000 for a
113 monitoring plan.
- 114 • Blair Avenue Project Inspection – A contract will be considered on May 1st to have Janice
115 DeBardi provide inspection services for the Blair Avenue Improvement Project.
- 116 • WWTP Change Orders – Town received three change orders for work requested by Public
117 Works totaling approximately \$6,000 for walkways above the SBR tanks.
- 118 • Spring Street Project – Paving is scheduled to begin the week of April 28th if weather permits.
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120 **ACTION AND DISCUSSION ITEMS**

121 Ordinance No. 1535

122 At 7:10 p.m., Mayor Lacher introduced the first reading of draft Ordinance No. 1535, amending the
123 franchise agreement with Orcas Power and Light Cooperative. Administrator Wilson explained that the
124 OPALCO seeks to amend its franchise to provide for certain communications infrastructure related to
125 the provision of its fiber optic communications network and broadband infrastructure and services,
126 including, but not limited to placement of poles, wires, fiber, conduit, and wireless facilities on the
127 Town’s right of way and real property. Administrator Wilson explained that this was the first reading of
128 the draft Ordinance and that no action was requested from the Council at this time. John Ruminski,
129 OPALCO representative, thanked the Council for considering the request and provided background for
130 the basis of the request. No action was taken.
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132 Resolution No. 2021

133 At 7:17 p.m., Mayor Lacher introduced discussion of draft Resolution No. 2021, *authorizing the Mayor
134 to execute an agreement with Roger Brooks International for development of the Town Tourism
135 Master Plan – Phase I, Branding*. Administrator Wilson explained that Mr. Brooks revised his scope of
136 work to clarify the proposal and deliverables. The Council thanked Mr. Wilson for working with the
137 consultant to finalize the terms of the contract.
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139 **Moved by Ghatan, seconded by Starr, to adopt Resolution No. 2021, authorizing the Mayor
140 to execute an agreement with Roger Brooks International for development of the Town
141 Tourism Master Plan – Phase I, Branding. Motion passed 4-0 with Hushebeck absent.**
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Resolution No. 2022

At 7:25 p.m., Mayor Lacher introduced discussion of draft Resolution No. 2022, adopting a developer agreement for conditional zoning of 825 Argyle Avenue. Land Use Administrator, Mike Bertrand, explained that the Resolution and ordinance amending the zoning designation map finalizes the request to rezone. No discussion followed.

Moved by Starr, seconded by Monin, to adopt Resolution No. 2022, adopting a developer agreement for conditional zoning of 825 Argyle Avenue. Motion passed 4-0 with Hushebeck absent.

Ordinance No. 1534

At 7:26 p.m., Mayor Lacher introduced discussion of draft Ordinance No. 1534, amending the 2014 Zoning Map. Land Use Administrator, Mike Bertrand, explained that the map reflects the Council’s conditional rezoning of the property. No discussion followed.

Moved by Ghatan, seconded by Starr, to adopt Ordinance No. 1534, adopting a 2014 Zoning Map. Motion passed 4-0 with Hushebeck absent.

SJC Theatre 25th

At 7:28 p.m., Mayor Lacher introduced discussion of a request by the San Juan Community Theatre for lodging tax funding to promote its twenty fifth anniversary. Administrator Wilson explained the background of the request and that he recommended SJCT bring it to Council. Discussion followed regarding the Council’s policy for requests outside of the normal grant process.

Moved by Ghatan, seconded by de Freitas, to reimburse the San Juan Community Theatre in an amount not to exceed \$600 of Hotel Motel Excise Tax Funds (1st 2%), with any additional costs borne by the San Juan Community Theatre, to fund two 25th Anniversary & Event Banners plus hanging hardware. Motion passed 4-0 with Hushebeck absent.

FUTURE AND NON-AGENDA ITEMS

No future agenda items were forthcoming.

CITIZEN RESPONSE

No citizen response was forthcoming.

ADJOURNMENT

– Hearing no further business and no objection, Mayor Lacher adjourned the meeting at 7:43 p.m. The next regular meeting is scheduled for Thursday, May 1, 2014 at 12:00 p.m.

These minutes were approved on May 1, 2014. The original document is retained by the Clerk in the Town Council’s permanent records. Attest: Amy Taylor, Town of Friday Harbor Clerk.