

**MINUTES OF THE COUNCIL OF THE TOWN OF FRIDAY HARBOR  
1989**

Town Council Meeting January 5, 1989 @ 12:40 PM

Mayor Cahail presiding.

Members present: Councilmember Athearn, Councilmember Dickinson, Councilmember Geneste, and Councilmember Nash

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

The Council examined and discussed the outstanding claims and warrants.

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

Maintenance Supervisor Reitan presented the Maintenance Supervisor's report.

Councilmember Geneste recommended the Council investigate Storm Water Management.

Issues concerning downtown lot sizes and parking were referred to the Land Use Committee.

The Council discussed the advisability of lifting the Water Use Restrictions. Removal of restrictions was determined to be premature at this time.

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

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council Meeting January 5, 1989 @ 7:30 PM

Mayor Cahail presiding.

Members present: Councilmember Athearn, Councilmember Dickinson,

Councilmember Geneste, Councilmember Nash

Others present: Town Administrator Fitch, Treasurer Picinich,

Attorney Eaton, Fire Chief Miner

Fire Chief Miner presented the Fire Chief's report at 7:40 PM. He noted upcoming planned maintenance on the Fire Hall. Response vehicle #4 is being prepared to respond to petroleum

spills. Previous spills may have been washed into the storm sewer system. Members of the Fire Department staff reported on acquisition of surplus government fire fighting equipment.

At 7:50 PM Town Administrator Fitch introduced Ordinance #750, an ordinance accepting the final James R. & Judy L. Cumming Short Plat. Attorney Eaton said Right-of-Way dedication can be accomplished by a declaration on the face of the plat as well as by deed.

Councilmember Nash moved and Councilmember Dickinson seconded to approve Ordinance #750.

Town Administrator Fitch read the applicable minutes from previous council meetings concerning the above mentioned Short Plat. The motion to approve Ordinance #750 passed unanimously.

At 8:00 PM Town Administrator Fitch introduced Resolution #705, a resolution to execute a Bordertown Law Enforcement contract. Town Administrator Fitch noted compensation had increased to \$2427.00.

Councilmember Nash moved and Councilmember Geneste seconded to approve Resolution #705. The motion passed unanimously.

Proposed Ordinance #742, an ordinance establishing fees and charges for certain publications and services, was given a second reading. Council added 'nonrefundable' to Section 2.

Councilmember Nash moved that the second reading be considered the final reading and that Ordinance #742 be approved. Councilmember Dickinson seconded the motion. The motion passed unanimously.

Proposed Ordinance #743, an ordinance amending Ordinance #535 and Chapter 12.12 Friday Harbor Municipal Code, concerning charges for processing requests for vacations of Town streets and alleys, was given a second and final reading.

Councilmember Geneste moved and Councilmember Dickinson seconded to approve Ordinance #743. The motion passed unanimously.

Proposed Ordinance #744, an ordinance amending Ordinance #579 and Chapter 15.12 Friday Harbor Municipal Code, adjusting the fee for sign permits, was given a second reading.

Proposed Ordinance #745, an ordinance amending Ordinance #461 and Chapter 18.12 Friday Harbor Municipal Code, concerning application fees for filing a Substantial Development Permit was given a second and final reading.

Council discussed the necessity of increasing the fee. The Council reworded certain phrases concerning gender.

Councilmember Nash moved and Councilmember Dickinson seconded to approve, with corrections, Ordinance #745. The motion passed unanimously.

Proposed Ordinance #746, an ordinance amending Ordinances #486, #531, and #532, and Chapters 16.04 and 16.08 Friday Harbor Municipal Code, concerning application fees for various land use actions was given a second reading.

Attorney Eaton advised that proposed Ordinance #746 would necessitate amending Ordinance #486. Town Administrator Fitch noted that public hearings at the Planning Commission had been held.

Proposed Ordinance #747, an ordinance amending Ordinances #486 and #533 and Chapter 17.04 Friday Harbor Municipal Code, concerning certain application fees for various land use actions was given a second and final reading.

Councilmember Geneste moved and Councilmember Nash seconded to adopt Ordinance #747. The motion passed unanimously.

The Council decided to reconsider proposed Ordinance #746. Reference to Ordinance #486 was deleted from the title and 'additional' added to the text of the proposed ordinance.

Councilmember Nash moved and Councilmember Athearn seconded to adopt Ordinance #746 with revisions. The motion passed unanimously.

Proposed Ordinance #748, an ordinance amending Ordinance #659 and Chapter 12.02 Friday Harbor Municipal Code, concerning permit fees for construction, alteration, or repair work performed in the public right of way was given a second and final reading.

Councilmember Dickinson moved and Councilmember Nash seconded to adopt Ordinance #748. The motion passed unanimously.

Proposed Ordinance #749, an ordinance amending Ordinance #701 and Chapter 16.16 Friday Harbor Municipal Code, concerning boundary line adjustment application fee was give a second and final reading.

Councilmember Geneste moved and Councilmember Nash seconded to adopt Ordinance #749. The motion passed unanimously.

At 8:50 PM, Ordinance #752, an ordinance amending Ordinances #675, #689, and Chapter 8.04 Friday Harbor Municipal Code, adjusting the rates for refuse collection and disposal services provided by the Town, was introduced by Town Administrator Fitch and given first reading.

Ordinance #753, an ordinance amending Ordinances #658, #727, and Friday Harbor Municipal Code Table I, Article II, concerning sewer user charges, was introduced by Town Administrator Fitch and given first reading.

Ordinance #755, an ordinance amending Ordinance #616 and Friday Harbor Municipal Code Table I, Article I, concerning water rates, was introduced by Town Administrator Fitch and given first reading.

Town Administrator Fitch presented the Administrator's Report.

He asked the Council to schedule work sessions on the Comprehensive Land Use Plan.

Council decided to meet Wednesday, January 11th, 1989 at 9:30 AM to work on the Land Use ordinance.

Town Administrator Fitch reported that no meeting had been held concerning the proposed joint Town/County Solid Waste Management Plan. He also reported on the status of the Sidewalk Reconstruction Plan.

At 9:20 PM Councilmember Athearn presented the Sewer Committee Report.

Ordinance #754, an ordinance amending Ordinances #600, #636, #658, and Chapter 13.20 Friday Harbor Municipal Code, concerning sewer connection fees, was introduced by Councilmember Athearn and given first reading.

Councilmember Dickinson moved and Councilmember Nash seconded to adjourn at 9:29 PM to reconvene Wednesday, January 11th, 1989 at 9:30 AM to work on the Land Use ordinance. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council Meeting - January 11, 1989 5 9:35 AM

Reconvened from January 5, 1989.

Councilmember Geneste moved and Councilmember Roberts seconded to appoint Councilmember Dickinson Mayor Pro-tem.

Members present: Councilmember Athearn, Councilmember Dickinson, Councilmember Geneste, and Councilmember Roberts.

Others present: Town Administrator Fitch, Attorney Eaton.

Attorney Eaton explained the authority and background of the Comprehensive Land Use Plan.

The Council discussed various aspects and ramifications of the current Land Use Ordinance and possible modifications.

At 11:45 AM; Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn to reconvene to Monday, January 16, 1989 or Tuesday, January 17, 1989 contingent on the availability of Planning Official Verburg. The motion passed unanimously.

Edith V. Dickinson, Mayor Pro tem

Steven Dubail, Town Clerk

Town Council Meeting - January 17, 1989 @ 7:15 PM

Reconvened from January 11, 1989.

Councilmember Roberts moved and Councilmember Athearn seconded to appoint Councilmember Geneste Mayor Pro-tem.

Members present: Councilmember Athearn, Councilmember Dickinson, Councilmember Geneste, and Councilmember Roberts.

Others present: Town Administrator Fitch, Attorney Eaton.

Mayor Pro-tem Geneste asked each of the Councilmembers in turn to delineate their concerns and intentions for revising the Land Use Ordinance.

Planner Verburg presented various land use zoning strategies.

Mayor Pro-tem Geneste reviewed and explained the history and rationale of the current land use plan.

Council examined the current Land Use Map, discussed projected future development vectors and the impact of the plan on development since its adoption.

At the next work session, Councilmembers will consider advisability of adding additional zones.

The Council determined that Councilmembers unable to attend scheduled work sessions shall listen to the tapes of missed work sessions before the next work session.

Town Administrator Fitch requested that Council review Friday Harbor Municipal Code **§17.44.040(6)** (Parking) and Friday Harbor Municipal Code **§17.32.050(A)** (Lot coverage) and inform staff of the intent.

At 9:55 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

E. A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - January 19, 1989 @ 7:30 PM

Councilmember Geneste moved and Councilmember Dickinson seconded to appoint Councilmember Roberts Mayor Pro-tem. The motion passed unanimously.

Members present: Councilmember Athearn, Councilmember Dickinson, Councilmember Geneste, and Councilmember Roberts

Others present: Town Administrator Fitch, Treasurer Picinich

At 7:45 PM Treasurer Picinich introduced Resolution #707, a resolution designating San Juan County Bank as the Town's banking depository.

Councilmember Dickinson moved and Councilmember Athearn seconded to approve Resolution #707. The motion passed with Councilmember Geneste abstaining due to potential conflict of interest.

Treasurer Picinich introduced Resolution #708, a resolution authorizing the Treasurer to cancel four outstanding warrants, which have not been presented for payment within one year.

Councilmember Geneste moved and Councilmember Dickinson seconded to approve Resolution #708. The motion passed unanimously.

Treasurer Picinich introduced Resolution #709, a resolution authorizing an Interfund Loan.

Councilmember Dickinson moved and Councilmember Geneste seconded to approve Resolution #709. The motion passed unanimously.

At 7:50 PM Town Administrator Fitch gave second and final reading to Ordinance #754, an ordinance amending Ordinances #600, #636, #658, and Chapter 13.20, Friday Harbor Municipal Code concerning sewer connection fees.

The Council discussed draft Ordinance #754 and an affiliated memo.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #754.

The motion passed unanimously.

Town Administrator Fitch presented a memo and supporting worksheets clarifying draft Ordinance #753, an ordinance amending Ordinances #658, #727, and Friday Harbor Municipal Code Table I, Article II, concerning sewer user charges.

The Council reviewed the proposed ordinance. Town Administrator Fitch gave draft Ordinance #753 a second and final reading.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #753. The motion passed unanimously.

Town Administrator Fitch gave a second and final reading to draft Ordinance #755, an ordinance amending Ordinance #616 and Friday Harbor Municipal Code Table I, Article I, concerning water rates.

Councilmember Geneste moved and Councilmember Dickinson seconded to adopt Ordinance #755. The motion passed unanimously.

At 8:30 PM Town Administrator Fitch gave second and final reading to draft Ordinance #752, an ordinance amending Ordinances #675, #689, and Chapter 8.04, Friday Harbor Municipal Code adjusting the rates for refuse collection and disposal services provided by the Town.

The Council discussed the increased costs associated with solid waste handling and the need to encourage recycling.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #752. The motion passed unanimously.

At 8:45 PM Town Administrator Fitch reported on the January 17, 1989 "Main Street" meeting.

Nancy Larsen presented a report pertaining to her survey of town signs, sign permits, and Sign Ordinance compliance.

Council inspected in detail the report documentation and elicited background information concerning compliance and public attitudes.

Councilmember Geneste requested the Council's intentions concerning non-conforming signs.

Councilmember Athearn expressed concern that Town regulations are not being adequately disseminated.

The Council discussed various methods of notification and enforcement.

The Council examined and discussed the final 1988 claims and warrants. Councilmember Geneste moved and Councilmember Dickinson seconded to approve payment. The motion passed unanimously.

Mayor Pro-tem Roberts inquired if the Council wished to lift the water restrictions as enacted by Ordinance #733 and invoked by Resolution #685. The Council discussed the recovery of the reservoir and the imminent activation of Water Augmentation Project II.

Town Administrator Fitch presented Resolution #710, a resolution declaring that a water emergency no longer exists and revoking the provisions of the Town's Water Conservation Plan.

Councilmember Geneste moved and Councilmember Dickinson seconded to approve Resolution #710. The motion passed unanimously.

At 10:30 PM Councilmember Geneste moved and Councilmember Dickinson seconded to adjourn to reconvene January 26, 1989 at 7:30 PM in the Conference Room for a work session on the Comprehensive Plan. The motion passed unanimously.

Gary W. Roberts, Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - January 26, 1989 @ 7:30 PM

The Council meeting was reconvened from the January 19, 1989 regularly scheduled meeting with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts. Others present: Town Planner Verburg.

Council continued deliberation concerning revisions to the Land Use Ordinance.

Councilmembers delineated their perceptions of current land use under the Plan and addressed their individual projections and aspirations for the direction of future development.

Councilmember Nash presented his view that the intention of zoning was to protect the people.

Planner Verburg defined realistic goals and unrealistic expectations concerning planning.

Councilmember Roberts expressed his concern for protecting the character of the Town.

Councilmember Geneste addressed various aspects of downtown parking and mentioned the topic of a public parking area.

Mayor Cahail inquired of Planner Verburg concerning regulation resulting in a detrimental effect.

Planner Verburg responded that minimum standards frequently become defecate maximum standards.

The Council discussed possible modifications and additions to the Land Use Ordinance concerning density and permitted uses.

Mayor Cahail suggested staff revise the Planning Commission's draft Land Use Ordinance. Staff to note problems, inconsistencies, and administrative difficulties and make recommendations for Council's use.

The Council agreed to deal with inconsistencies, conflicts, clarifications, and other specific problems of the draft, submitted by the planning commission, that the Council has tentatively approved in past work sessions.



Councilmember Dickinson mentioned other specific conflicts; lot size, etc.

Councilmember Roberts reiterated the problems with parking. He also suggested Council review the current draft and if there are no major problems, consider adopting.

Planner Verburg requested clarification concerning a perceived conflict in downtown parking requirements in Section 17.44.040 (Parking) and Section 17.32.05 (Lot Coverage) - Friday Harbor Municipal Code.

Councilmember Nash stated that the intent was to not require parking in the core area; thus the allowance of 100% lot coverage.

Council extensively discussed core area parking issues.

Mayor Cahail summarized a letter from the Port of Friday Harbor conveying the Port Commission's position that all businesses provide parking for the resident population of employees in order that onstreet and other public parking be available for business customers.

At 10:20 PM, the Council interpreted the Code to require one (1) parking space per employee. (Per Section 17.44.040 B(6) - FHMC)

Councilmember Geneste moved and Councilmember Dickinson seconded to adjourn at 10:25 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - February 2, 1989 @ 12:30 PM

Councilmember Dickinson moved and Councilmember Roberts seconded to appoint Councilmember Geneste Mayor Pro-tem. The motion passed unanimously.

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts.

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

Council examined and discussed the claims, payroll, and warrants.

Councilmember Roberts moved and Councilmember Dickinson seconded to pay the bills. The motion passed unanimously.

Council discussed traffic circulation on Jensen Alley. Councilmember Athearn requested Council's intentions concerning Jensen Alley.

Maintenance Supervisor Reitan recommended Jensen Alley be declared one-way from Tucker Avenue to Culver Avenue. Culver Avenue to remain open for two-way traffic.

Town Administrator Fitch suggested that affected landowners be notified before the Council makes a decision.

Mayor Pro-tem Geneste requested Council's intentions. Councilmember Nash asked Town Administrator Fitch to contact landowners for input and inform them of pending Council action.

At 1:15 PM, Maintenance Supervisor Reitan presented his report:

The Town reservoir is at 69 inches below the spillway. Supervisor Reitan anticipates decreased reservoir recovery during the cold weather.

The Augmentation Project II lines have been flushed in preparation for putting the project online.

The water filter media change has been rescheduled to February 20th.

Maintenance Supervisor Reitan has ordered a pressure reduction valve to moderate flow when Augmentation Project II is pumping.

The wastewater treatment plant lost a power breaker. Replacement is expected in two weeks. They are hauling sludge to the Friday Harbor Sand & Gravel land reclamation project site.

The incinerator is off-line for refractory replacement. Four loads of refuse have been hauled to the Orcas Island solid waste facility.

Maintenance Supervisor Reitan remarked on the outstanding effort being expended by the crew to help the populace during the cold weather.

Councilmember Dickinson thanked the solid waste collection crew for their performance.

Maintenance Supervisor Reitan noted the lack of a flow meter on the AUG 1 I project. Currently there is no way to accurately determine how much water is pumped up to the lake.

Mayor Pro-tem Geneste requested Maintenance Supervisor Reitan inquire about obtaining a flow meter and the need for same.

Town Administrator Fitch asked the Council's intentions concerning Augmentation Project II inaugural activities.

The Council indicated they would like to have it online before deciding.

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

E. A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

TOWN COUNCIL - February 2, 1989 @ 7:30 PM

Councilmember Nash moved and Councilmember Dickinson seconded to appoint Councilmember Geneste as Mayor Pro-tem.

Members present: Athearn, Dickinson, Geneste, & Nash

Others present: Town Administrator Fitch, Treasurer Picinich, Town Attorney Eaton, & Fire Chief Miner.

The minutes of the previous meeting were read and approved as amended.

At 7:55 PM, Fire Chief Miner presented the Fire Chief's report. He noted the increased chance of chimney fires and difficulties with equipment due to the extreme cold. He informed the Council that a countywide fire drill on the ferry is scheduled for February 27, 1989 at Friday Harbor.

At 8:00 PM, Treasurer Picinich introduced and read draft Ordinance #756, an ordinance amending Ordinance #600 and Chapter 13.20 of the Friday Harbor Municipal Code, regarding distribution of proceeds from the monthly sewer user charges.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #756 as corrected by Attorney Eaton. The motion passed unanimously.

Councilmember Dickinson presented the Land Use Committee report concerning the Port parking lot at 775 Spring Street.

Town Administrator Fitch presented background information regarding use of the lot.

Councilmember Nash felt a porous parking lot surface material may be more appropriate than blacktop in certain circumstances.

Steve Simpson - Port of Friday Harbor Administrator, presented the Port's intentions for use of the lot. He indicated that within two years the Port would be putting the lot to a "higher and better" use.

The Council and Port Administrator Simpson discussed various interpretations of the Parking Ordinance.

Town Attorney Eaton gave his interpretation of the applicable sections of the code. He indicated that if the lot didn't create dust or mud, it met the intent of the code. The specific intention needed to be clarified by Council.

Council decided to table the matter to a future meeting. Town Attorney Eaton illustrated day to day administrative processes using the above-mentioned issue.

At 8:40 PM, Councilmember Geneste presented the Water Committee status report concerning Fire Sprinkler service to the San Juan County Fairgrounds Main Building.

Town Administrator Fitch presented input from various interested parties. Fire Chief Miner and Fire District #3 Chief Glen Potter responded to specific questions from Council.

The Council discussed various aspects of providing service in matters of public welfare and protection.

Council decided to table the matter pending staff investigation.

Town Attorney Eaton will have a target date for an updated draft Land Use Ordinance by the next regularly scheduled meeting.

At 9:10 PM, Town Administrator Fitch introduced and gave first reading to draft Ordinance #757, an ordinance amending Ordinance #616 and Table I, Article I of the Friday Harbor Municipal Code, regarding distribution of proceeds from the monthly water unit charge and the monthly charge rate for metered water.

Treasurer Picinich introduced draft Ordinance #758, an ordinance to establish a capital cumulative reserve fund and repeal Ordinance #717.

Councilmember Dickinson moved and Councilmember Nash seconded to adopt Ordinance #758. The motion passed unanimously.

Councilmember Nash moved and Councilmember Dickinson seconded to adjourn at 9:20 PM. The motion passed unanimously.

E. A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council February 16, 1989 @ 7:30 PM

The regularly scheduled meeting of the Town Council was held with Mayor Cahail presiding.

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

The minutes of the previous meeting were read and approved as amended.

Town Administrator Fitch explained a proposed motion amending the minutes of the January 26th 1989 Council meeting. Attorney Eaton provided further clarification. Council discussed the proposed motion.

Councilmember Nash moved and Councilmember Dickinson seconded that the corrected minutes of the January 26, 1989 meeting of the Town Council, previously approved at the February 2, 1989 meeting, be further corrected as follows: That the second to last paragraph of said corrected minutes be amended, by deleting therefrom the word "onsite". The motion passed unanimously.

Councilmember Roberts requested that Council consider and clarify their intentions concerning onsite/offsite parking requirements at the next Land Use work session.

At 7:55 PM, Council began consideration of the proposed renaming of Mullis Street.

Town Administrator Fitch provided background information and noted the presence of interested citizens in the audience.

Mayor Cahail asked for public input.

Mrs. Don Wilson read a prepared statement in support of retaining the name Mullis Street.

Cindy Mullis made a statement in support of retaining the name Mullis Street.

Councilmember Nash made a statement in support of retaining the name Mullis Street. At 8:10 PM, Councilmember Dickinson moved and Councilmember Nash seconded that "that street that goes south from Spring Street, through the Mullis Short Plat to the county line, shall be known as Mullis Street". The motion passed unanimously.

Town Administrator Fitch gave second and final reading to draft Ordinance #757, an ordinance amending Ordinance #616 and Table I, Article I of the Friday Harbor Municipal Code, regarding distribution of proceeds from the monthly water unit charge and the monthly charge rate for metered water.

Council discussed the ramifications of the proposed amendment.

Councilmember Roberts moved and Councilmember Athearn seconded to adopt Ordinance #757. The motion passed unanimously.

Town Administrator Fitch reported on the DOE Stormwater work session he attended on January 26, 1989.

Town Administrator Fitch requested Council stop by the Town Administrator's office to discuss the Core Area Parking interpretation memo.

At 8:45 PM, Town Administrator Fitch introduced draft Resolution #711, a resolution authorizing the Mayor to accept a proposal from Schreiber Corporation to provide two new aeration drops (diffusers) in the Town wastewater treatment plant.

Council addressed the necessity of acquiring the proposed diffusers.

Councilmember Athearn moved and Councilmember Geneste seconded to adopt Resolution #711. The motion passed unanimously.

Town Administrator Fitch reported the surplus equipment sale bid opening on February 15, 1989 generated \$2380.00 for the Town.

Councilmember Geneste presented the Water Committee report. Concerning the request for water for fire sprinklers at the San Juan County Fair main building; the committee was waiting on a report from the Town Fire Marshal.

Town Administrator Fitch explained and asked for Council's consideration of the revised proposed Downtown Sidewalk Expansion plan. He noted the presence of interested citizens in the audience.

Councilmember Nash expressed concern regarding the impact of the proposed plan on downtown traffic circulation.

Mayor Cahail requested public input.

Various citizens expressed their views regarding the proposal and the state of downtown sidewalks in general.

Mr. Vein Howard indicated that his organization would be willing to provide all necessary material, excluding benches, if the Town could provide labor.

Councilmember Roberts suggested providing a three-dimensional delineated mock-up of the proposal.

The Council and citizens discussed various aspects of the proposal. Mayor Cahail requested that the proposed mock-up be installed for a trial period.

Councilmember Nash reported on an impaired site distance problem with the sidewalk on Spring Street between the Inter-West Savings Bank corner and Springtree Restaurant sidewalk. He suggested removing one parallel parking space, adjusting the location of the two remaining parallel parking spaces to allow an increased setback, and adding one diagonal parking space. He also proposed relocating the appropriate portion of the painted centerline of Spring Street North.

Councilmember Roberts suggested the Town begin applying the 20-foot crosswalk setback requirement.

Attorney Eaton noted possible Town liability with non-complying crosswalk setback distances.

Council discussed parking setbacks from sidewalks, intersections, and other parking restricted areas.

Attorney Eaton suggested an inventory of existing parking restricted (yellow) zones.

Council requested that said inventory be conducted.

Councilmember Roberts presented the Refuse Committee Report. He outlined a proposed letter of agreement for a Joint Solid Waste Management Plan with the County.

Council discussed aspects of cost sharing with the County.

Mayor Cahail requested Town Administrator Fitch obtain projected costs from the County.

Councilmember Dickinson presented the Land Use Committee report concerning the Port parking lot at 775 Spring Street. Councilmember Dickinson reported that the legal interpretation of Friday Harbor Municipal Code Section 17.44.040 (Ord. 584 §3, 1983; Ord. 486 §6(D), 1979) is that this ordinance is for purposes of monitoring parking lots, not a construction guide. The property can be used as a grass or otherwise surfaced lot unless a mud or dust condition occurs at which time the ordinance will be applied.

Council intends to continue consideration of Jensen Alley redirection at the scheduled March 2nd, 1989 meeting.

Council discussed status of the proposed Sign Ordinance update. Council discussed Financial Disclosure Statements.

Councilmember Roberts moved and Councilmember Geneste seconded to adjourn to Executive Session to discuss pending litigation at 10:43 PM for 30 minutes. The motion passed unanimously.

At 11:15 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to adjourn from Executive Session. The motion passed unanimously.

At 11:16 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to continue the meeting to Wednesday, February 22, 1989 at 7:30 PM to discuss the updated draft Shoreline Master Program.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council meeting February 28, 1989 @ 7:30 PM

The meeting was continued from the February 16th, 1989 meeting;  
Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts.

Others present: Town Administrator Fitch, Attorney Eaton, & Planner Verburg.

Mayor Cahail introduced the purpose of the meeting: to review  
Department of Ecology proposed changes to the draft Shoreline Master Program.

Planner Verburg gave an initial explanation of minor wording changes designed to clarify intent.

Planner Verburg gave an overview of the significant differences from the originally submitted draft.

Council examined changes and additions in definitions, terminology, and intent.

Council discussed the public access component in the proposed changes.

Councilmember Roberts suggested the Council keep in mind the onshore view perspective during considerations.

Councilmember Roberts moved and Councilmember Geneste seconded to adjourn at 10:59 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - March 2, 1989 @ 12:40 PM

The regularly scheduled meeting of the Town Council was held with Mayor Cahail presiding.

Members present: Athearn, Dickinson, and Geneste

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

Council examined the outstanding claims.

Council requested a member of the Fire Department staff be present at the first of the month "bill paying" council session.

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

At 1:15 PM, Maintenance Supervisor Reitan presented the Maintenance Supervisor's report:

He reported on methods used in discovery and determination during the recent malfunction in the waste water system marine line.

He noted the hired jetter encountered extreme resistance from a "soap-like" or "grease-like" substance in the approximate vicinity of the service sewer connections from three upland restaurants. Approximately 800 lineal feet of marine sewer line were cleaned.

Councilmember Athearn noted that the crew was to be commended for their outstanding effort. Special recognition was due to Ken McCutcheon and Rod Whitfeldt.

The water treatment plant media change is scheduled for March 7, 1989.

Augmentation project II is ready to go online.

Maintenance at the solid waste facility is proceeding as scheduled.

Town Administrator Fitch informed the Council that the 1989-population estimate work session is scheduled for March 10th.



Councilmember Geneste moved and Councilmember Dickinson seconded to adjourn at 1:35 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - March 2, 1989 @ 7:30 PM

The regularly scheduled meeting of the Town Council was held with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, Nash, and Roberts Others present: Town Administrator Fitch, Attorney Eaton, Fire Chief Miner

The minutes of the previous meeting were read and approved as amended.

At 7:50 PM, Fire Chief Miner presented the Fire Chief's report:

He reported there had been 2 large structure fires in the previous period. The Gollywobbler Restaurant and a residence at Hillview Terrace. Origin of the Gollywobbler fire is, at this time, undetermined.

He noted a countywide fire drill was held on the ferry. Results were favorable.

Rescue 4 is close to operational.

Council inquired about training procedures for new volunteers and aspects of the on-ferry drill.

Council requested clarification concerning certain expenditures by the Fire Department.

At 8:00 PM, Mayor Cahail opened the Public Hearing for the Ed Pinnow Conditional Use application.

Mayor Cahail introduced the procedure for the Public Hearing. Town Administrator Fitch began the Staff Report concerning the application.

Town Administrator Fitch read the findings of the Planning Commission and introduced Planner John Verburg. Planner Verburg presented the balance of the Staff Report.

At 8:25 PM, Proponent - Edward Pinnow presented his comments on, and proposed modifications to the Planning Commission's recommendations.

At 8:40 PM, Mayor Cahail asked for input from the audience.

Mr. Gordon Banry, 955 Guard Street, Friday Harbor, made a statement in support of Mr. Pinnow's proposal.

Attorney Eaton provided clarification of public hearing procedure, i.e. Council may vote to reopen meeting, during the same session, for additional input.

Council questioned proponent on various aspects of the proposal.

Town Administrator Fitch noted that Mr. Pinnow has been very cooperative in trying to comply with the Land Use ordinance during the application process.

At 8:55 PM, Attorney Eaton gave additional clarification concerning Conditional Uses in a Light Industrial zone.

John Verburg, Lopez Island presented his views on intense uses and mitigation requirements.

At 9:05 PM, Mayor Cahail, after asking if there was any further input from the audience, declared the public input portion of the meeting closed.

(All input is on tape.)

Council began discussion of the application.

At 9:10 PM, Councilmember Nash moved to approve the application subject to Planning Commission recommended conditions: 1, 2, 4, 6, 9, 10, 12, and applicants site plan presented as Exhibit "B".

Councilmember Athearn seconded the motion.

Council discussed the motion. Specific conditions to be listed on the Conditional Use Permit.

At 9:35 PM, the motion passed unanimously.

Councilmember Roberts thanked Planner Verburg for his professional presentation.

At 9:38 PM, Mayor Cahail introduced a new A,C liquor license application for the Blue Heron Restaurant, formerly known as Mojo's.

Councilmember Dickinson moved and Councilmember Roberts seconded to approve the application. Passed unanimously.

At 9:42 PM, Councilmember Geneste presented the Water Committee Report concerning fire sprinkler water service to the San Juan County Fair main building.

Attorney Eaton introduced draft Ordinance #759, an ordinance amending Ordinance #638 and Chapter 13.12, Friday Harbor Municipal Code, concerning limitations on new water services.

Council discussed the proposed ordinance.

Councilmember Geneste requested that Attorney Eaton's reading be considered the first reading.

David Zeretzke, San Juan County, presented the County's views and indicated that an emergency condition for adoption did not exist at this time.

At 9:53 AM, Town Administrator Fitch presented the administrator's report:

He submitted for Council review the 2nd draft of a letter of agreement for a joint Town/County Solid Waste plan.

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Council examined and discussed same.

Mayor Cahail requested that Councilmembers review and provide the Town Administrator with their comments concerning the above-mentioned draft. Town Administrator Fitch to prepare, for the March 16th, meeting, a resolution to accept the agreement.

Town Administrator Fitch presented the San Juan Advisory Committee progress report.

Redefinition of the scope of the Committee was discussed.

Town Administrator Fitch submitted to the Council a letter from Richard Kneipp concerning parking.

At 10:45 PM, Councilmember Roberts moved and Councilmember Geneste seconded to go into Executive Session to discuss pending litigation, for approximately 10 minutes. The motion passed unanimously.

At 10:55 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adjourn from Executive Session. The motion passed unanimously.

Mayor Cahail inquired if the Council would dispense with reading of the minutes provided that the draft minutes were available to Councilmembers in advance. The Council indicated accord with the suggestion.

At 11:05 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn to reconvene for a work session on the draft Shoreline Master Program to Thursday, March 9, 1989 at 7:30 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - March 9, 1989 @ 7:55 PM

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Town Administrator Fitch, Attorney Eaton

Councilmember Geneste moved and Councilmember Roberts seconded to appoint Councilmember Dickinson, Mayor Pro tem. The motion passed unanimously.

Planner Verburg reported on his discussions with Barry Wenger, Department of Ecology, regarding proposed alterations to the draft Shoreline Master Program.

Council continued examination and discussion of the draft Shoreline Master Program.

Council will resume examination of the draft Shoreline Master Program at Section 6.11 - 'Forest Management' during the next regularly scheduled meeting, March 16, 1989 @ 7:30 PM.

At 11:12 PM, Councilmember Geneste moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

Edith V. Dickinson, Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - March 16, 1989 @ 7:30 PM

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts Others present: Town Administrator Fitch, Attorney Eaton

Councilmember Geneste moved and Councilmember Roberts seconded to appoint Councilmember Nash, Mayor Pro tem. The motion passed unanimously.

Councilmember Dickinson moved and Councilmember Athearn seconded to approve the minutes of the previous meeting. The motion passed unanimously.

At 7:35 PM, Town Administrator Fitch explained the format and read into the record, the Facts & Findings from the March 2, 1989, Edward Pinnow Conditional Use application Public Hearing.

Council discussed the Facts & Findings and clarified certain conditions.

At 7:45 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to approve the Facts & Findings. The motion passed unanimously.

At 7:48 PM, Mayor Pro tem Nash opened the Public Hearing on the draft Shoreline Master Program.

Planner Verburg introduced and gave an overview of the intent and purpose of the Shoreline Master Program.

Mayor Pro tem Nash requested input from the audience.

Terry Sanders, Friday Harbor, expressed concern over limits to access due to the nature of a business.

Marilyn O'Conner, Port of Friday Harbor, presented a letter from Port Administrator Simpson addressing his concerns with the proposed Shoreline Master Program.

Norm Schwinge, 4865 Victoria View Dr., expressed his support of the proposed Shoreline Master Program.

Planner Verburg summarized principal revisions in the proposed Shoreline Master Program. These included:

- 1) Enhanced flexibility,
- 2) Increased public access,
- 3) Large-scale aquaculture prohibited, small-scale aquaculture is possible.

Al Taylor, county resident, asked for clarification of the status of the relationship between the Port of Friday Harbor and the Town.

Attorney Eaton explained that the Port is a junior taxing district, and that Port land use falls within Town jurisdiction.

At 8:25 PM, Darryl Sorenson, Friday Harbor, expressed concern about:

- 1) Exemptions for normal property and building maintenance.
- 2) Mooring buoys need to be more closely scrutinized and should not be strictly exempt.
- 3) Should marinas be required to provide pump-out facilities?

Roger Bennett, Brown Island, asked about development of his undeveloped property adjacent to the Blue Heron restaurant on Front Street.

Robert Brittain, Friday Harbor, inquired if, in fact, the Town was condemning the above-mentioned property.

Lee Sturdivant, Friday Harbor, expressed support for the proposed Shoreline Master Program.

Darryl Sorenson, Friday Harbor, requested that OHWM (Ordinary High Water Mark) be additionally defined as Mean Higher High Tide.

At 8:42 PM, Terry Sanders, Friday Harbor asked about public access to the waterfront, other than at the Port of Friday Harbor.

At 8:45 PM, Mayor Pro tem Nash, after asking if there was any further input from the audience, declared the public input portion of the meeting closed.

(All input is on tape.)

Town Administrator Fitch introduced draft Resolution #712, a resolution by the Town Council authorizing the Mayor to execute a letter of agreement with San Juan County to develop a joint

Comprehensive Solid Waste Management Plan. He explained changes from the first proposed letter of agreement.

Council discussed the proposed resolution.

Councilmember Geneste moved and Councilmember Roberts seconded to adopt Resolution #712. The motion passed unanimously.

At 8:53 PM, Councilmember Dickinson gave second reading to draft Ordinance #759, an ordinance amending Ordinance #638 and Chapter 13.12, Friday Harbor Municipal Code, concerning limitations on new water services.

Councilmember Dickinson moved and Councilmember Geneste seconded to adopt Ordinance #759. The motion passed unanimously.

At 8:55 PM, Nancy Larson presented the Planning Commissions recommended revision of the Sign Ordinance.

Councilmember Geneste recommended that Council discuss the proposed revised ordinance at the next regularly scheduled Council meeting.

Town Administrator Fitch to have compliance time extension recommendations prepared for the April 6th meeting.

At 9:10 PM, Town Administrator Fitch presented the Administrators report:

- 1) He reported on the Hazardous Waste program. The County is preparing a grant proposal for a pilot project to retrieve household hazardous waste products.
- 2) He introduced a curb, gutter, sidewalk, and storm drain deferral proposal prepared by Building Official, Jim Hodges.
- 3) He reported on a change in the Town's Skagit County Medical insurance coverage. He noted a rate increase from \$3800/month to \$4100/month, effective April 1, 1989. He also notified the Council that a resolution was necessary to authorize the coverage for the 1989/90 time period. He requested feed back from the Council concerning medical insurance coverage.

At 9:30 PM, Town Administrator Fitch summarized the Street Committee report regarding one-way travel on Jensen Alley. The staff recommendation was that the Town consider surveying, maintaining, and prohibiting parking on the alley.

Council decided to have Jensen Alley surveyed to determine the location of the Right of Way before taking further action.

Robert Greenway, Friday Harbor, expressed concern with parking on Jensen Alley. He would like to see the current "No Parking" signs enforced and the alley remain open for bi-directional traffic.

Carmen Brittain, Friday Harbor, requested that her name be removed from a petition to make Jensen Alley one-way and that the Town enforce "No Parking".

Ed Rouleau, Friday Harbor, suggested the problems with Jensen Alley could be alleviated by constructing Jensen Street.

At 9:43 PM, Town Administrator Fitch reported that the San Juan Advisory Committee has proposed an inter local letter of agreement for harbor regulations. He asked to forward said letter to the Town's attorney for review.

At 9:55 PM, Councilmember Geneste moved and Councilmember Roberts seconded to adjourn to reconvene to discuss parking for 30 minutes and continue discussion of the proposed Shoreline Master Program on March 23, 1989 at 7:30 PM. The motion passed unanimously.

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

Town Council - March 30, 1989 @ 7:30 PM

The continued meeting of the Town Council was held with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts Others present: Attorney Eaton, Planner Verburg

Councilmember Roberts requested the Council's views in regard to providing for parking in town. He suggested the Town could purchase appropriate land for parking and possibly assess businesses in a manner similar to business licensing.

The Council discussed various methods of distributing costs equitably throughout the business community.

Attorney Eaton expressed his opinion that some mechanism for assessing businesses for parking could be developed. He indicated that the Council must first decide whether parking was required onsite, or if offsite was permissible.

The Council discussed the practicality of purchasing property and accepting payment into a parking fund in lieu of requiring onsite parking.

Councilmember Athearn suggested that the Planning Commission research the parking issue.

Councilmember Nash mentioned a letter received by the Town, from Richard Kneipp concerning parking. Councilmember Nash suggested that the interested citizens in the audience be asked if they supported further efforts by the Town concerning parking.

Members of the audience expressed their views and support of Council action on parking.

(All input is on tape.)

Mr. John Linde, Mr. Roger Owen, Mr. Richard Kneipp, Mr. Verne Howard, and Mr. Ward Phillips volunteered to assist on a citizens committee to work on parking.

At 8:25 PM, Mayor Cahail suggested Councilmember Roberts head a committee with Councilmember Nash to research practicality and support for a parking project.

At 8:30 PM, the Council recommenced discussion of the draft Shoreline Master Program.

Council will resume discussion at Section 6.19, "Transportation Facilities" during the next work session, to be scheduled at the next regularly scheduled meeting.

At 10:35 PM, Councilmember Geneste moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - April 6, 1989 @ 12:35 PM

The regularly scheduled meeting of the Town Council was held.

Members present: Dickinson, Geneste, & Roberts

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

Councilmember Dickinson moved and Councilmember Roberts seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.

The Council examined the outstanding claims.

Councilmember Roberts requested that the Maintenance Supervisor investigate acquisition of road centerline reflectors.

At 12:50 PM, Maintenance Supervisor Reitan presented his report:

At the Solid Waste Facility repairs and maintenance will be under way for the next 4 to 5 months.

**The new diffusers have been installed at the Wastewater Treatment Facility.**

The Town will need to expand facilities at the Water Treatment Plant to handle turbidity and length of treatment time.



Maintenance Supervisor Reitan noted a large number of comments received on the mockup of the proposed sidewalk expansion on First & Spring and Second & Spring streets. He also noted that the new trucks recently purchased by the Town should begin arriving in May.

At 1:10 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to pay the bills and approve the payroll. The motion passed unanimously.

Councilmember Roberts moved and Councilmember Dickinson seconded to adjourn at 1:13 PM. The motion passed unanimously.

E. A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - April 6, 1989 & 7:30 PM

The regularly scheduled meeting of the Town Council was held, Mayor Cahail presiding.

Members present: Dickinson, Geneste, & Roberts  
Others present: Town Administrator Fitch, Attorney Eaton, Treasurer Picinich

The minutes of the previous meetings were approved as submitted. Mayor Cahail requested that the Council concur with his appointment of Lewis Garlick to the Planning Commission.

At 7:38 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to approve the appointment. The motion passed unanimously. Fire Chief Miner presented the Fire Chief's report:

The Easter egg hunt at Jackson's beach was attended by over 400 children and resulted in the donation of over 400 cans of food.

There have been 35 fire calls this year to date, including 5 fireboat calls.

Chris Destaffany has resigned as Fire Department Training Officer & Assistant Fire Chief. Chief Miner noted the outstanding job performed by Mr. Destaffany.

A pancake breakfast will be held at the Fire Hall May 6th. Rescue vehicle 1#4 will be formally dedicated the same day.

At 7:47 PM, Mayor Cahail opened the public hearing for the Inez Browne Conditional Use Permit application for open storage uses in a Commercial Zone.

Councilmember Roberts indicated that he is an acquaintance and customer of the proponent. He did not feel he could step down because to do so would cause lack of a quorum.

Town Administrator Fitch presented the staff report.

Town Planner John Verburg presented the specifics of the application.

At 8:40 PM, Tom Starr, Krabbe, Starr, & Metke, P.E., representing the proponent, addressed general and specific concerns raised in the staff report.

Mayor Cahail asked for input from the audience.

(All input is on tape.)

Tom Starr stated that he had had no notification that the SEPA comment period had ended.

Mayor Cahail asked if the audience had any further comments. None were forthcoming.

Councilmember Dickinson inquired concerning the proposed drainage plan for the property.

Councilmember Geneste asked where outdoor storage is permitted by the Friday Harbor Municipal Code.

Planner Verburg indicated the Council ought to determine if outdoor storage is a possible Conditional Use in Light Industrial and/or Commercial zones.

Mayor Cahail inquired if the Council had any further questions. None were forthcoming.

At 8:27 PM, Mayor Cahail closed the public input portion of the hearing.

The Council discussed the application.

At 8:45 PM, Councilmember Roberts moved to approve the application with the condition that the Conditional Use be granted for a period not exceeding 5 years. The motion died for lack of a second.

At 8:50 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to continue deliberation of the Inez Browne Conditional Use application to the next regularly scheduled meeting. The motion passed unanimously.

Attorney Eaton noted that if absent Councilmembers wish to participate in discussion of the above application they must listen to the appropriate portion of the tape of the meeting and state for the record that they have done so before participating.

Fred Krabbe, K.S.& M. appealed the Administrator's determination regarding subdivisions and minimum lot size for Light industrial uses.

The Council discussed Mr. Krabbe's interpretation of lot size requirements in Light Industrial subdivisions.

Attorney Eaton provided his interpretation and indicated various options open to the Council.

Mayor Cahail suggested that the Council research the implications of Mr. Krabbe's presentation.

Mr. Sam Pope addressed the Council on the economics of Light Industrial lot sizes. He also noted perceived conflicts between the Platting ordinance and the Land Use ordinance.

The subject was referred to the Land Use committee for review.

At 9:17 PM, a letter from Mr. Robert Greenway was presented appealing the Administrator's determination regarding the need for a new preliminary long plat for Evergreen Subdivision - Phase II.

The Council discussed the time requirements of the preliminary Long Plat addressed in the above-mentioned appeal.

The Council decided to review the situation and ask the proponent to present his case.

At 9:33 PM, Mayor Cahail issued a proclamation declaring April 15th - 23rd as "Cleanup of the Century' Spring Rally Week.

At 9:40 PM, Mayor Cahail introduced draft Resolution #713, a resolution authorizing the Mayor to execute a contract with Skagit County Medical Bureau.

Councilmember Geneste moved and Councilmember Roberts seconded to approve Resolution #713. The motion passed unanimously.

Mayor Cahail introduced draft Resolution #714, a resolution authorizing the Mayor to execute a third contract modification with Richard Lawson Construction for the construction of Water Supply System Augmentation Project No. 2.

Councilmember Dickinson moved and Councilmember Geneste seconded to approve Resolution #714. The motion passed with 2 affirmative votes. Councilmember Roberts abstaining.

Mayor Cahail introduced draft Resolution #715, a resolution authorizing the Mayor to execute an agreement with the Washington State Parks and Recreation Commission for a program to prevent boating accidents through education.

Councilmember Roberts requested that staff notify the Council if operating expenditures exceed the amount budgeted. Councilmember Roberts moved and Councilmember Geneste seconded to approve Resolution #715. The motion passed unanimously. Treasurer Picinich introduced draft Resolution #716, a resolution to authorize an inter fund loan.

At 9:50 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to approve Resolution #716. The motion passed unanimously. Town Administrator Fitch presented a review of the proposed Interlocal agreement with San Juan County regarding harbor regulations.

The Council discussed the proposed agreement.

Attorney Eaton provided explanation of various aspects of the proposed agreement.

At 10:08 PM, the Council reviewed proposed changes to the Town Sign ordinance.

Nancy Larsen answered questions and provided clarification about the proposed ordinance.

Councilmember Geneste requested the staff recommendation concerning the compliance deadline and estimated fee structure.

At 10:50 PM, Mayor Cahail asked the audience if they wished to comment.

Various members of the audience expressed their views and concerns about signs in the community and the proposed ordinance.

The Council decided to continue work on the proposed ordinance.

At 11:35 PM, Town Administrator Fitch presented the public response to the proposed sidewalk expansion plan for First & Spring and Second & Spring streets. There were 104 favorable, and 23 unfavorable responses.

The Council discussed the response from the public.

At 11:42 PM, Mayor Cahail asked if the audience wished to comment.

Members of the audience expressed their views concerning the proposed plan.

The Council decided to table a decision pending deliberation by the full council.

The Council requested that Mr. Verne Howard be contacted for a definite set of specifications for the expansion plan.

At 12:25 AM, Councilmember Roberts moved and Councilmember Geneste seconded to go into Executive session for approximately 5 minutes to discuss property acquisition. The motion passed unanimously.

At 12:38 AM, Councilmember Dickinson moved and Councilmember Roberts seconded to end the executive session. The motion passed unanimously.

At 12:39 AM, Councilmember Dickinson moved and Councilmember Roberts seconded to continue the meeting to April 13, 1989 at 7:30 PM for a work session. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail own Clerk

Town Council - April 13, 1989 • 7:30 PM

The meeting was continued from the April 4th meeting, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Attorney Eaton

At 7:35 PM, Nancy Larsen presented revisions to the proposed sign ordinance.

The Council continued discussion and examination of the above-mentioned proposed ordinance.

The Council decided to continue work on the proposed sign ordinance to a work session on Wednesday, April 19, 1989 at 7:30 PM.

At 8:10 PM, the Council reviewed and amended the suggested interlocal agreement with San Juan County and the Port of Friday Harbor regarding proposed harbor regulations.

Attorney Eaton suggested the three affected agencies jointly obtain a consultant to draft harbor regulations.

At 8:23 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to approve the inter-local agreement as amended. The motion passed unanimously.

At 8:25 PM, Mr. Robert Greenway asked the Council to consider his appeal of the Administrators determination regarding the need for a new preliminary Long Plat for Evergreen Subdivision - Phase II.

The Council agreed to review said appeal at the April 20, 1989 meeting as scheduled.

At 8:35 PM, the Council resumed deliberation of the draft Shoreline Master Program.

The Council decided to revise the Shoreline Master Program by inquiring, section by section, if any Councilmember had a suggested change.

At 10:15 PM, Attorney Eaton requested the Council review the proposed Shoreline Master Program at the April 19th work session.

At 10:17 PM, Mayor Cahail requested the Council's intentions regarding the proposed sidewalk expansion plan mock ups at First & Spring and Second & Spring Streets.

The Council decided to have the mock ups removed.

The council requested an overview of the ramifications of the above-mentioned request by Robert Greenway.

Attorney Eaton explained conflict of interest and appearance of fairness issues for Councilmembers who may be in close proximity to the above mentioned Long Plat. Living in the area is not necessarily a cause for a conflict of interest. Attorney Eaton also explained his interpretation of time requirements and modification procedures as specified by the Washington Administrative Code.

Mayor Cahail notified Councilmembers about the April 15th due date for their 1989 Public Disclosure Commission Financial Affairs Statements.

At 10:35 PM, Councilmember Roberts moved and Councilmember Geneste seconded to adjourn to reconvene for a work session from 7:30 PM to 10:00 PM on Wednesday, April 19, 1989. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - April 19, 1989 @ 7:38 PM

The continued meeting of the Town Council was held with Mayor Cahail presiding.

Members present: Athearn, Geneste, & Nash  
Others present: Town Administrator Fitch, Attorney Eaton

The meeting was scheduled as a work session for the proposed sign ordinance.

Nancy Larsen presented the April 13th draft which addresses concerns raised by Attorney Eaton.

Council continued examination of the proposed ordinance.

At 10:17 PM, Councilmember Nash moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - April 20, 1989 @ 7:30 PM

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

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

The minutes of the previous meetings were approved as presented.

Upon ascertaining that Councilmembers Athearn and Nash had listened to the appropriate portion of the tape of the public hearing for the Inez Browne Conditional Use application, Mayor Cahail asked the Council to continue its deliberation of the application.

Councilmember Nash moved and Councilmember Roberts seconded to approve the Inez Browne Conditional Use request with the following conditions:

1. That there be plantings or a fence with screening on the west side of lot #3 of Loma Vista.
2. That if 50% of the Browne Lumber Company or its successors, inventory and offices are relocated to a new site, the Conditional Use Permit would be canceled.
3. That no storage be allowed within ten feet of the lot line on the west side of lot #3 of Loma Vista.

The motion passed unanimously.

Attorney Eaton presented draft Ordinance #760, an ordinance amending Ordinances #579 and #723, extending the compliance date of the Sign Ordinance to June 14, 1989.

Councilmember Nash moved and Councilmember Dickinson seconded to adopt Ordinance #760. The motion was unanimously approved.

Attorney Tim Kosnof, representing Terry Rennhack and Marilyn La bar of Payless Express, asked that the Council reconsider their recommendation of denial of a EF liquor license at the Payless Express store.

By a four to one decision, the Council decided to stand by their previous action denying the license.

Helen Winters, representing the Recycling Brigade, requested that the Town explore the possibilities of curbside recycling. The Refuse Committee will try to make a recommendation of possible recycling areas within the Town.

Town Administrator Fitch informed the Council that the new Town/County Solid Waste Comprehensive plan will address recycling.

Bill Giesy, representing James Jacobson asked the Council to reconsider the "excessive" monthly sewer and water rates for communal commercial buildings.

Councilmember Athearn reported that both the sewer and water committees are working on the Town's utility rate structure and a report and recommendation will be forthcoming.

Dennis Neal, San Juan County Fire Marshall requested that the Council reconsider their previous decision dis-allowing the installation of a fire flow line on Mullis Street beyond the Town limits. The matter was referred to the water committee.

Fred Krabbe, K.S. & M., representing Robert Greenway regarding Evergreen Subdivision - Phase II, asked the Council to extend the time limitations for final approval on long plats. The Council asked staff to prepare a draft ordinance extending the time period that a preliminary long plat must be completed before final plat approval.

At 11:22 PM, on motion by Councilmember Athearn, seconded by Councilmember Dickinson, the Council went into executive session to discuss possible land acquisition. The motion passed unanimously.

At 12:40 AM, on motion by Councilmember Dickinson, seconded by Councilmember Roberts, the Council adjourned from executive session into regular session. The motion passed unanimously.

At 12:41 AM, Councilmember Geneste moved and Councilmember Roberts seconded to adjourn to reconvene Wednesday, April 26, 1989 at 7:30 PM to discuss parking, the sign ordinance, and the shoreline master program. The motion passed unanimously.

H. James Cahail, Mayor  
Wendy Picinich, Town Treasurer

Town Council - April 26, 1989 @ 7:30 PM

The continued meeting of the Town Council was held with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, & Roberts  
Others present: Town Administrator Fitch, Attorney Eaton

The meeting was scheduled as a work session for the proposed sign ordinance.

Nancy Larsen presented the April 26th draft which incorporates revisions recommended by the Council.

Council continued examination of the proposed ordinance.

Council decided to continue deliberation to the May 4th, 1989 meeting.

At 10:35 PM, Councilmember Geneste moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - May 4, 1989 @ 12:30 PM

The Town Council met in regular session.

Councilmember Nash moved and Councilmember Athearn seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.



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

Town Administrator Fitch introduced Ed Stuhr, the new Solid Waste coordinator.

Mr. Stuhr gave a synopsis of the scope of the project and answered questions from the Council.

The Council examined the outstanding claims.

Town Administrator Fitch introduced draft Resolution #719, a resolution to authorize conditional use of a portion of Sunshine Alley by the Straight of Juan de Fuca Theater Group.

Bruce Williams, Straight of Juan de Fuca Theater Group, explained the need for the above mentioned resolution.

At 1:20 PM, Councilmember Nash moved & Councilmember Dickinson seconded to adopt Resolution #719. The motion passed unanimously.

At 1:23 PM, Councilmember Nash moved & Councilmember Roberts seconded to pay the bills and approve the payroll. The motion passed unanimously.

Councilmember Geneste will represent the Town at the May 6th dedication of Rescue Vehicle #4.

At 1:30 PM, Maintenance Supervisor Reitan reported:

That the new truck for the Waste Water department was now in service. The new truck for the Street department had arrived and would be taken to Seattle to be outfitted with a 2 yard dump bed.

Water The Town reservoir has stopped filling. It is currently approximately 17 inches below the spillway. He indicated a possible need for water use restrictions in July and August to insure adequate flow pressure. He is also investigating various water clarification methods.

Solid Waste The cleanup at the solid waste facility is progressing. The recently implemented personnel changes are working out satisfactorily. The pit burner is being rebuilt. The junk cars have been disposed of.

Street The first load of asphalt is on hand, patching is in progress. The repair work on Nichols Street should commence within a couple of weeks.

Maintenance Supervisor Reitan also noted the need for additional standpipes to provide for required fire flow pressure.

At 1:43 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

E. A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - May 4, 1989 @ 7:30 PM

The Town Council met in regular session.

Councilmember Geneste moved and Councilmember Dickinson seconded to appoint Councilmember Nash Mayor Pro tem. The motion passed unanimously.

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts Others present: Town Administrator Fitch, & Treasurer Picinich, Attorney Eaton, & Fire Chief Miner

The minutes of the previous meeting were approved as corrected.

Mayor Pro tem Nash declared May 19th and May 20th, 1989 to be American Legion "Poppy Day".

At 7:40 PM, Fire Chief Miner presented the Fire Chief's report:

Retiring Training officer Chris Destaffany was unable to be present for this meeting.

There had been a second response to fire calls from the Bistro restaurant.

The dedication of Rescue Vehicle #4 would take place during the pancake breakfast Saturday, May 6th, at the Fire Hall.

Fire Chief Miner also noted the continuing training of Department officers.

At 7:45 PM, Town Administrator Fitch introduced a request for a liquor license change of class from A,C,E,F to H by the Electric Company restaurant.

The Council discussed the request.

Councilmember Dickinson moved and Councilmember Athearn seconded to recommend approval. The motion passed unanimously.

At 7:50 PM, Town Administrator Fitch introduced draft resolution #717, a resolution authorizing the increase in the mileage allowance for the use of private automobiles for Town business by Town employees and authorizing reimbursement of other reasonable expenses incurred by Town employees in the exercise of their duties and the course of their employment.

Councilmember Athearn moved and Councilmember Geneste seconded to adopt Resolution #717. The motion passed unanimously.

At 7:55 PM, Treasurer Picinich introduced draft resolution #718, a resolution increasing the petty cash funds.

Councilmember Geneste moved and Councilmember Athearn seconded to adopt Resolution #718. The motion passed unanimously.

At 8:00 PM, Town Administrator Fitch introduced draft ordinance #761, an ordinance establishing time limits for final approval of subdivisions and short plats.

Attorney Eaton explained the proposed ordinance and noted options available to the Council.

The Council extensively examined various aspects and ramifications of the proposed ordinance.

Attorney Eaton clarified the legislative history of the three year time requirement for final approval of subdivisions.

Mr. Robert Greenway expressed his concerns.

At 9:00 PM, Mayor Pro tem Nash inquired as to the Council's intentions concerning draft ordinance #761.

At 9:13 PM, Councilmember Dickinson moved to adopt Ordinance #761. The motion died for lack of a second.

Attorney Eaton suggested revised wording for the proposed ordinance to address concerns raised by Council.

At 9:25 PM, Councilmember Dickinson moved to adopt Ordinance #761 as revised. Councilmember Athearn seconded the motion.

The motion passed by a vote of: Councilmember Dickinson - Aye, Councilmember Athearn - Aye, Councilmember Roberts - No, Councilmember Geneste - No, Mayor Pro tem Nash resolved the tie by an affirmative vote.

At 9:29 PM, Town Administrator Fitch presented the Administrator's report:

A request had been received from the School District for assistance in maintaining community tennis courts.

Requested the Council's intentions regarding the proposed Sidewalk Deferral program.

Requested suggestions and intentions from the Council regarding recycling.

The Council asked for a feasibility report of a collection station.

Inquired if the Council wished to consider a special event recycling permit/fee requirement.

Requested the Council's response to Mr. Richard Kneipp's February 11th, 1989 letter to the Council concerning parking in town.

The Street Committee is waiting for a response from the Chamber of Commerce and interested commercial parties.

Requested response from the Street Committee regarding color coding for restricted parking areas.

Requested status of an inquiry by the Land Use Committee regarding Industrial zones.

Requested the Council consider standards for the Culver Street design.

Requested status of County Fire Marshal Dennis Neal for reconsideration of application for installation of fire hydrant line from Town limits on Mullis Street along Airport Road.

At 10:10 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to deny reconsideration of the application.

After discussion the motion passed. Councilmember Athearn - Aye, Councilmember Dickinson - Aye, Councilmember Geneste - Aye, Councilmember Roberts - No.

At 10:15 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn to executive session for approximately 20 minutes to discuss pending litigation. The motion passed unanimously.

Attorney Eaton advised the Council of the status of three current lawsuits against the Town. Attorney Eaton excused himself after the briefing.

Town Administrator Fitch informed the Council of a claim for damages he had received by Donald and Shyrl Eaton regarding repairs for damage of their property at 615 Argyle Avenue during the Town public works project known as "The Reconstruction of Argyle Avenue". A letter of explanation was included with a release and settlement agreement. General discussion followed.

At 11:14 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to return to regular session.

As a result of this discussion the Council voted 4 to 1 to settle the claim for \$11,808.88.

At 11:15 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn to reconvene on Thursday May 11, 1989 at 7:30 PM for a work session on the proposed sign ordinance. T motion passed unanimously.

Albert M. Nash, Mayor Pro tem  
Steven Dubail own Clerk

Town Council - May 11, 1989 @ 7:30 PM

The Town Council met for a work session concerning the proposed sign ordinance.

Councilmember Geneste moved and Councilmember Athearn seconded to appoint Councilmember Dickinson Mayor Pro tem. The motion passed unanimously.

Members present: Athearn, Dickinson, Geneste, & Roberts

Nancy Larsen introduced the latest updates to the draft sign ordinance.

She noted a suggestion from Attorney Eaton regarding awnings; the Council may wish to consider drafting a separate ordinance to regulate awnings.

The Council reviewed the proposed changes in the draft sign ordinance.

The Council requested that staff determine the variance charge to be specified in §4.2 of the draft sign ordinance.

At 9:45 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

Edith V. Dickinson, Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - May 18, 1989 @ 7:30 PM

The Town Council met in regular session.

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

Members present: Athearn, Dickinson, & Nash

Others present: Treasurer Picinich, Attorney Eaton, & Fire Chief Miner

At 7:40 PM, Fire Chief Miner presented his report:

Rescue vehicle #4 had responded to two fuel spill calls.

There have been six calls this year to date for the fire boat.

Fire Chief Miner presented retiring Training Officer Chris Destaffany with a plaque in recognition of his years of service to the volunteer fire department. Chris will be setting up a department safety program.

Fire Chief Miner informed the Council he is considering retiring after his 65th birthday this coming November.

Mayor Pro tem Nash congratulated Chris Destaffany.

At 7:55 PM, Mayor Pro tem Nash introduced draft Resolution #720, a resolution authorizing the Mayor to execute a law enforcement contract with San Juan County for 1989.

Attorney Eaton requested an additional week to review the proposed contract.

Town Administrator Fitch explained the financial aspects and increased scope of the contract.

The Council discussed the proposed contract and decided to table the matter pending Attorney Eaton's review to the next meeting.

At 8:10 PM, Town Administrator Fitch introduced draft Resolution #721, a resolution authorizing the Mayor to offer for public sale used vehicles and equipment.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Resolution #721. The motion passed unanimously.

At 8:15 PM, Mayor Pro tem Nash proclaimed May 21 through May 27, 1989 as National Public Works Week in the Town of Friday Harbor.  
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Marty Ahart and Jim Guard of the San Juan Island Parks & Recreation Committee presented the committee's plans for a playground at Argyle Avenue Park. They requested a determination from the Town Council regarding a portion of Leslie Avenue, an unopened Town street, for use as parking for the park.

The Council discussed the implications of the proposal.

At 8:55 PM, the Council agreed in principle to the concept of the proposed improvements to the park and the use of a portion of Leslie Avenue.

Attorney Eaton will work with the Parks & Recreation Committee to develop a draft agreement.

Town Administrator Fitch presented the Administrator's report:

Commencing May 22nd, for 10 days, the Town Maintenance Department will lay a new 8 inch water line down Nichols Street and stub out side sewers. No new storm drains are proposed at this time. Beginning June 22nd, an oil and rock surface will be applied. The 40 foot width to be completed by July 1st.

Town Administrator Fitch requested a determination on proposals for a Hydrology study for approximately 250 acres on the West Side of Friday Harbor.

He noted a request from the San Juan Island School District for \$1000 in support for resurfacing of the community tennis courts.

Town Administrator Fitch requested that the Council consider funding a full time cashier position at the Solid Waste Facility. He also requested that the Council consider adjusting the hours to provide more convenient access for the public. He suggested that the facility be closed to the public on Monday and be open to the public from 10 AM to 4 PM, Tuesday through Sunday.

Town Administrator Fitch requested that the Council consider a proposal to construct offices and a records vault in the Town Hall basement at a cost of approximately \$25,000.

Town Administrator Fitch requested clarification of Friday Harbor Municipal Code Section 17.36.030 Cc) - Mobile Home Park Zone Conditional uses; "Any use where public water and sewage facilities are not available."

The Council suggested that Planning Commission member Lew Garlick may recall the intent of said section.

Additionally, Town Administrator Fitch reported that action items at the Solid Waste Facility are nearing completion and that 2 summer employees had been hired through the Private Industry Council.

At 9:35 PM, the Council continued with review of the proposed sign ordinance.

Attorney Eaton requested the Council review and consider Section XIII - Existing Non-conforming Signs for discussion at the next meeting.

At 10:40 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn to reconvene at 7:30 PM on May 25th, 1989. The motion passed unanimously.

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

Town Council - May 25, 1989 @ 7:30 PM

The Town Council met for a work session.

At 7:45 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.

Members present: Athearn, Dickinson, Geneste, & Roberts  
Others present: Town Administrator Fitch, & Attorney Eaton

The Council discussed the proposed 1989 Law Enforcement contract with the San Juan County Sheriff's Department. Attorney Eaton felt that section 6 of the proposed contract regarding Liability and Indemnification was acceptable as drafted.

Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Resolution #720, a resolution authorizing the Mayor to execute a law enforcement contract with San Juan County for 1989. The motion passed unanimously.

Mayor Cahail took over as chairperson at 8:00 PM.

The Council began continued discussion of the proposed sign ordinance.

It was decided that Attorney Eaton would work on Section XIII; "Existing Non-conforming Signs". He plans to have a draft ordinance for 1st reading ready by June 8th, 1989.

Maintenance Supervisor Reitan reported on the deteriorated condition of the Case 450 loader at the Solid Waste facility. After discussion, the Council agreed to proceed with the acquisition of a new piece of equipment.

Councilmember Roberts moved and Councilmember Athearn seconded to proceed with a lease/purchase of a new loader for the Solid Waste facility. The motion passed unanimously.

Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn at 10:25 PM. The motion passed unanimously.

H. James Cahail, Mayor

C. King Fitch, Town Administrator

Town Council - June 1, 1989 @ 12:30 PM

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

Members present: Dickinson, Geneste, & Nash

Others present: Town Administrator Fitch, Treasurer Picinich, Maintenance Supervisor Reitan, & Assistant Fire Chief Galer

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

Mr. Steve Wagner, of Kramer, Chin, & Mayo, made a presentation reviewing the KCM 1983 Comprehensive Water Plan update.

At 2:12 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - June 1, 1989 @ 7:30 PM

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

Members present: Dickinson, Geneste, & Roberts

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



The minutes of the previous meeting were approved as submitted.

At 7:35 PM, Councilmember Nash moved and Councilmember Dickinson seconded to recommend approval of a Class GJ Liquor License application for a special event by the San Juan Island Goodtime Jazz Association. The motion passed unanimously.

At 7:40 PM, Town Administrator Fitch introduced a presentation by the Friday Harbor Motor Inn requesting Council interpretation of the Land Use Ordinance regarding Conditional Use for an elevator shaft.

Mr. Tom Nawrocki, Friday Harbor Motor Inn, & Mr. Bill Walker, project architect, asked for a clarification of the intent of Friday Harbor Municipal Code §17.08.240 Height, specifically, the definition of "appurtenances". They noted that the elevator shaft, which exceeds the 27-foot height requirement and necessitates the interpretation, is required by handicapped access requirements.

Mayor Cahail reminded the Council that the proponents were only asking for a clarification of the intent of the Code, not for approval of the project.

At 8:17 PM, Councilmember Geneste recommended that the question be referred to the Land Use Committee.

Mayor Cahail requested that the Land Use Committee consider not just elevator shafts, but all items they wish to define as "appurtenances".

At 8:19 PM, Town Administrator Fitch introduced a letter of intent from the San Juan Island Chamber of Commerce to sell "safe & sane" fireworks, June 30 - July 4, 1989.

Mr. Charles Tuller, Chamber of Commerce, noted that the proposed booth would be manned by Youth Dynamics, and they would share in any profits.

Council discussed the potential fire hazard and the advisability of "safe & sane" fireworks.

At 8:28 PM, the consensus of Council was for approval, fire conditions permitting.

San Juan Parks & Recreation Commission representatives were not ready at this time to present their request to develop Argyle Park.

At 8:33 PM, draft Resolution #724 was presented, a resolution to authorize conditional private use of a portion of Sunshine Alley by Bill Ament's Dance Classes.

Council discussed the proposed resolution.

Mr. Bill Ament, proponent, was present to answer Council's questions.

At 8:37 PM, Councilmember Nash moved and Councilmember Roberts seconded to adopt Resolution #724. The motion passed unanimously.

At 8:40 PM, the public hearing on proposed amendments to the 1989 Town of Friday Harbor budget began. Treasurer Picinich introduced and explained the proposed amendments.

Council examined and discussed the proposed changes.

At 8:50 PM, Mayor Cahail opened the meeting for public input on the proposed amendments. As no input was forthcoming, Mayor Cahail closed the public input portion of the hearing at 8:51 PM. Having no further questions from the Council, Mayor Cahail closed the public hearing.

At 8:53 PM, Councilmember Dickinson, Land Use Committee chairperson, presented the Committee report on Long Plats for Industrial uses. She noted some perceived discrepancies in lot size and setback requirements between the Land Use and Platting ordinances.

Council discussed potential implications of zoning requirement & philosophy changes in Light Industrial zones.

At 9:23 PM, Mayor Cahail requested Council's intentions regarding the above mentioned report.

Council decided to refer the matter to the Planning Commission. Council discussed the immense workload currently awaiting staff and council action.

At 9:45 PM, Councilmember Roberts moved and Councilmember Geneste seconded to go into executive session for 15 minutes to discuss land acquisition. The motion passed unanimously.

At 10:06 PM, Councilmember Geneste moved and Councilmember Roberts seconded to return to regular session. The motion passed unanimously.

At 10:07 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to adjourn to reconvene Thursday, June 8th, 1989 at 7:30 PM for a work session. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - June 8, 1989 @ 7:35 PM

Members present: Athearn, Dickinson, & Roberts  
Others present: Attorney Eaton

At 7:40 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to appoint Councilmember Roberts Mayor Pro tem. The motion passed unanimously.

Attorney Eaton introduced and explained draft resolution #725, a resolution authorizing the developer of Evergreen Addition to Friday Harbor to proceed with Phase II and Phase III of said development.

Councilmember Dickinson felt, considering the nature of the planned roads in the proposed subdivision, it was not necessary to require curb, gutter, and sidewalks. She also inquired as to the possibility of obtaining a sewer and water hookup for the Town park in the plat.

Mr. Bob Greenway, proponent, indicated that a sewer and water stubout for future service to the park was "not a problem". Upon examination, it was noted that the above mentioned services are shown in the preliminary plat.

Mayor Pro tem Roberts expressed his reservations about approving the plat. He also inquired about Light Industrial use of land in the plat.

Attorney Eaton noted those 2 conditions would have to be met:

1. The pending rezone would have to be finalized.
2. Private covenants on the plat would not limit those lots within the rezone area to single family residential use.

At 8:03 PM, Mayor Cahail assumed the chair.

At 8:06 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to approve Resolution #725. Councilmember Dickinson and Councilmember Athearn voted for adoption, Councilmember Roberts voted against.

Attorney Eaton discussed performance bonds and letter of credit with the Council. He also noted the above mentioned resolution did not constitute final approval of the project.

At 8:20 PM, Mayor Cahail asked Attorney Eaton to review with Council changes to the draft sign ordinance and give said ordinance first reading.

Council discussed the need for enforcement of Town ordinances and the associated difficulties.

Council approved minor alterations and requested Attorney Eaton reword Section V. Attorney Eaton will have the changes prepared in 2 weeks.

Mayor Cahail inquired as to the Council's wishes in regard to holding public hearings at other than regularly scheduled Council meetings.

Council discussed dealing with routine business at the regularly scheduled 12:30 PM meeting, the first Thursday of each month. Also, preliminary discussion of proposed ordinances and resolutions could be held at the 12:30 meeting.

Council discussed the decision making process and the need for more staff time to obtain and compile information. Weekly Council meetings may facilitate deliberation and decisions.

At 9:30 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - June 15, 1989 @ 7:30 PM

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

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Fire Chief Miner

The minutes of the previous meeting were approved as corrected.

At 7:35 PM, Fire Chief Miner reported the Fire Department had responded to 60 call this year, 29 calls this quarter.

At 7:45 PM, Treasurer Picinich introduced draft ordinance #762, an ordinance repealing Ordinance #678 and Ordinance #702 and establishing a Treasurers Trust Fund #633 for the purpose of safekeeping certain funds.

After discussion, Councilmember Roberts moved and Councilmember Geneste seconded to adopt Ordinance #762. The motion passed unanimously.

Town Administrator Fitch introduced and gave first reading to draft ordinance #763, an ordinance amending Ordinance #399 establishing a new rate or reimbursement to the Town of Friday Harbor by the local cable television franchise.

Randy Lindsey, Manager, San Juan Cable, was present to answer questions from the Council.

Council discussed the proposed ordinance and the need for- first and second readings.

At 8:03 PM, Councilmember Roberts moved to adopt Ordinance #763. The motion died for lack of a second.

At 8:08 PM, Treasurer Picinich introduced draft resolution #723, a resolution amending Resolution #410, authorizing a procedure for securing telephone and/or written quotations from vendors.

After discussion, at 8:15 PM, Councilmember Athearn moved and Councilmember- Dickinson seconded to adopt Resolution #723. The motion passed unanimously.

At 8:17 PM, Mayor Cahail opened the Public Hearing to review the Six-Year Transportation Improvement plan and draft resolution #722, a resolution providing for a Six Year Transportation Improvement Program for the years 1990 through 1995.

Town Administrator Fitch explained and the Council discussed the proposed plan. Council requested that the funded Second Street / Guard Street project be returned to the Six Year Program list.

At 8:29 PM, Mayor Cahail opened the hearing for public input. At 8:30 PM, hearing no public comment, the public input portion of the hearing was closed.

At 8:35 PM, Councilmember- Nash moved and Councilmember Roberts seconded to adopt Resolution #722 with the provision that the Second Street / Guard Street project was to be first on the list, the other projects to move down accordingly. The motion passed unanimously.

At 8:36 PM, Mayor Cahail opened the second Public Hearing to amend the 1989 Town budget. Mayor Cahail asked for a modification in the Financial & Records section; Accounts 514.23.10 & 514.23.20 to provide for a merit increase for the Town Clerk.

At 8:42 PM, Mayor Cahail opened the hearing for public input. At 8:43 PM, hearing no public comment, the public input portion of the hearing was closed.

At 8:44 PM, Councilmember Dickinson moved and Councilmember- Geneste seconded to adopt Ordinance #767, including the Mayor's proposed amendment. After discussion, the motion passed unanimously.

At 8:48 PM, Councilmember Athearn requested Council's intentions concerning a June 6, 1989 memo from Municipal Court Judge Higginson notifying the Council that as of April 1st, she had increased the Court Clerk's working hours from 18 per week to 30 per week. Judge Higginson noted in her memo that an additional budget appropriation of \$3,000 was needed.

The consensus of the Council was to remain consistent with the intention of the original 1989 budget.

At 8:50 PM, Town Administrator Fitch introduced draft ordinance #764, an ordinance accepting the final Eustace "Sunny" Vynne short plat and authorizing the Mayor to sign the final plat drawings.

Note was made of the addition of Covenant #10, specifying that covenants #3 through #9 were private covenants, not enforceable by the Town.

At 8:55 PM, Councilmember Nash moved and Councilmember Roberts seconded to adopt Ordinance #764. The motion passed unanimously.

Town Administrator Fitch introduced draft ordinance #765, an ordinance amending Ordinance #579, and Ordinance #723, regarding the regulation of signs. The purpose of the proposed ordinance was to extend the current compliance date for the current Sign Ordinance.

Council discussed the new draft sign ordinance.

At 9:03 PM, Councilmember Roberts moved and Councilmember Athearn seconded to adopt Ordinance #765. The motion passed unanimously.

Councilmember Dickinson presented the Land Use Committee report regarding the definition of "appurtenance" as used in the Land Use Ordinance.

Mayor Cahail requested Council's interpretation of "appurtenance" as used in the Land Use Ordinance.

Council discussed the implications of permitting elevator shafts and other substantial structures to be constructed without a Conditional Use permit.

Town Administrator Fitch noted that the Planning Commission was also reviewing the definition of "appurtenance" and other associated structures that may fall under the definition of "appurtenance". He read from the June 8, 1989 Planning Commission minutes a portion concerning the Planning Commission's action regarding "appurtenances".

At 9:45 PM, the consensus of the Council was that to be consistent with past action; an elevator shaft exceeding the 27-foot height limitation would require a Conditional Use application.

At 9:47 PM, Town Administrator Fitch introduced a presentation by Island Carriages regarding a private use of public right-of-ways and read an excerpt from the June 6, 1986 Council minutes concerning a similar issue.

The proponents presented Council with representative photos of the proposed operation and addressed Council concerns about cleanup and other aspects of operation.

At 10:15 PM, providing the proponents find an upland, private location to park, stage, and transact business, and sign an indemnity agreement with the Town; the Council has no objection to the proposed carriage operation.

At 10:17 PM, Mayor Cahail introduced an application for a new class AC Liquor License by David Curtis, dba Crusoe's Broiler.

Council discussed the applicant and location. At 10:19 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to recommend approval of the application. The motion passed unanimously.

At 10:25 PM, Town Administrator Fitch announced that Treasurer Picinich will be attending the annual conference of the Municipal Treasurers Association of the United States and Canada to receive her certification as a Certified Municipal Finance Administrator.

At 10:29 PM, Councilmember Nash moved and Councilmember Roberts seconded to adjourn to reconvene Thursday, June 22, 1989 at 7:30 PM to complete work on the draft sign ordinance, the Cable television franchise, and draft resolution #726, a resolution to execute an agreement between the Town and Stephen L. Braun, Consulting Engineer for a hydrology study. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - June 22, 1989 @ 7:45 PM

The Town Council met for a work session.

Members present: Athearn, Dickinson, Geneste, & Roberts  
Others present: Town Administrator Fitch, & Attorney Eaton

Councilmember Athearn moved and Councilmember Dickinson seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.

At 7:45 PM, Mayor Pro tem Geneste requested Town Administrator Fitch give second reading to draft ordinance #763, an ordinance amending Ordinance #399 establishing a new rate or reimbursement to the Town of Friday Harbor by the local cable television franchise.

Council discussed franchise fees and the applicability to various utilities and luxury providers.

At 8:00 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adopt Ordinance #763. The motion passed unanimously.

Town Administrator Fitch introduced draft resolution #726, a resolution to execute an agreement between the Town of Friday Harbor and Stephen L. Braun, Consulting Engineer, for a hydrology study for approximately 250 acres on the West Side of Town.

Town Administrator Fitch and Council discussed the need for the above mentioned study and the scope of the various proposals received.

At 8:15 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to approve Resolution #726. The motion passed unanimously.

Town Administrator Fitch introduced draft resolution #727, a resolution to accept a proposal from Seattle Pump Corporation to provide a used, trailer mounted sewer jetter for \$14,593.50.

Council discussed the advisability of purchasing the proposed piece of equipment.

At 8:30 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to approve Resolution #727. The motion passed unanimously.

At 8:31 PM, Council began discussion of the final draft of the proposed new sign ordinance. Attorney Eaton explained the latest revisions.

At 8:38 PM, Mayor Cahail assumed the chair.

Council examined and discussed each revision in the draft sign ordinance. At 9:35 PM, Council gave the completed draft sign ordinance, (#766), a second reading. Council requested that adoption of draft ordinance #766 be included as an agenda item for the regularly scheduled July 6, 1989 meeting.

At 9:38 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to go into executive session for one hour to discuss possible land acquisition. The motion passed unanimously.

At 10:27 PM, Councilmember Geneste moved and Councilmember Roberts seconded to return to regular session. The motion passed unanimously.

At 10:28 PM, Councilmember Geneste moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - July 6, 1989 @ 12:30 PM

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

Members present: Athearn, Dickinson, & Geneste

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

Council reviewed the outstanding claims against the Town.

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

At 1:05 PM, Maintenance Supervisor Reitan presented the Maintenance Supervisor's report. He noted ongoing maintenance and infrastructure upgrade projects.

Councilmember Geneste requested that Maintenance Supervisor Reitan and the Fire Department research etching identification numbers into Town equipment.

At 1:20 PM, Mayor Cahail introduced draft resolution #731, a resolution authorizing the Mayor to accept the bid from N.C. Machinery Company to provide a new Caterpillar #935 track loader.

At 1:22 PM, after discussion, Councilmember Dickinson moved and Councilmember Geneste seconded to approve Resolution #731. The motion passed unanimously.

Mayor Cahail introduced draft resolution #732, a resolution authorizing the Mayor to accept a proposal from Truck Center Corporation to provide a new 1990 GMC single axle dump truck.

Councilmember Geneste moved and Councilmember Dickinson seconded to approve Resolution #732. The motion passed unanimously.



Mayor Cahail introduced draft resolution #733, a resolution authorizing the Mayor to accept a proposal from Western States Electric, Incorporated to provide ten Hapco series 20 street lighting standards.

Councilmember Dickinson moved and Councilmember Geneste seconded to approve Resolution #733. The motion passed unanimously.

At 1:30 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn until 7:30 PM, July 6, 1989 for the regularly scheduled meeting. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - July 6, 1989 @ 7:30 PM

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

Members present: Athearn, Dickinson, Geneste, Nash & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton & Fire Chief Miner

At 7:35 PM, the Council approved the minutes as submitted.

Fire Chief Miner presented the Fire Chief's report. He noted increased fire activity. He presented a plaque to Frank Wilson in recognition of 21 years of service to the community in the Fire Department.

Fire Chief Miner informed the Council he would be retiring as Fire Chief, effective December 31, 1989. He thanked the Council for their support.

Mayor Cahail thanked the Fire Department for their dedication and protection of the community.

At 7:42 PM, Town Administrator Fitch intro draft resolution #734, a resolution authorizing the Mayor to execute a lease purchase agreement between the Town of Friday Harbor and N.C. Machinery Company for the purchase of a new Caterpillar #935 track loader as authorized in Resolution #731.

Councilmember Geneste moved and Councilmember Roberts seconded to approve Resolution #734. The motion passed unanimously.

At 7:45 PM, Council began review of the proposed contract with Fire District #3 concerning the operation of the fireboat "Lucy T".

Fire District #3 Chief Glen Potter responded to Council inquiries concerning response to calls that occur within the District's jurisdiction.

Council discussed various aspects of fireboat operations.

At 8:01 PM, Councilmember Nash moved and Councilmember Roberts seconded to adopt Resolution #735, a resolution authorizing the Mayor to execute an agreement between the Town of Friday Harbor and San Juan Fire Protection District #3 regarding the operation of the fireboat "Lucy T". The motion passed unanimously.

At 8:10 PM, Mayor Cahail opened the meeting for public comment on draft resolution #729, a resolution for an interlocal agreement with San Juan County and the Port of Friday Harbor to establish certain harbor regulations.

At Councilmember Nash's request, Town Administrator Fitch explained paragraph 6 of the proposed agreement concerning funding for patrol and enforcement activities within the harbor.

Hearing no comment from the audience, Mayor Cahail closed the public input portion of the meeting at 8:15 PM.

Council discussed the proposed agreement and draft resolution #729. Attorney Eaton spoke to the advisability of holding a joint public hearing with the County on the matter.

At 8:17 PM, Councilmember Nash moved and Councilmember Dickinson seconded to approve Resolution #729. The motion passed unanimously.

Mayor Cahail introduced draft resolution #728, a resolution to authorize conditional private use of portions of Court Street, East Street, Lois Street, and Elsworth Avenue by the San Juan Island Goodtime Jazz Association.

Town Administrator Fitch presented the Council with a letter from the Jazz Association concerning refuse collection.

Councilmember Athearn moved and Councilmember Geneste seconded to approve Resolution #728.

Councilmember Roberts took exception to a phrase in the resolution stating "the Town Council finds that it is beneficial to the general welfare of the residents of the Town of Friday Harbor to authorize limited, conditional use of certain portions of the public property for said purposes

The motion passed unanimously.

At 8:21 PM, Mayor Cahail introduced a new application for a class EF liquor license from Rennhack & La Bar, Incorporated.

Councilmember Nash spoke of precedents set and moved to indicate approval of said application.

The motion died for lack of a second.

Mr. T. Rennhack, proponent, addressed the Council concerning the proponents adherence to all applicable RCWs and Town Ordinances. He requested Council's specific reasons for denying the request.

Ms. M. La Bar, proponent, noted the decreased number of liquor licenses in town and approval of new and changed licenses by the Council since the proponent's original application. She also noted a change in the nature of business at the proposed location.

Mr. T. Rennhack again requested that the Council cite specific Ordinances and RCWs in support of denial.

Councilmember Athearn spoke to the intention of the Council to restrict places selling liquor to the Core area.

Councilmember Dickinson spoke of Council philosophy to keep that type of activity from spreading from the Core area.

Councilmember Geneste and Councilmember Roberts concurred.

Attorney Eaton expressed his opinion that the Council's actions were within the intent of State statutes

Mr. T. Rennhack again requested specific reasons and a written copy of same to take to court in Thurston County.

At 8:42 PM, Councilmember Nash moved and Councilmember Athearn seconded to answer question #1 "Do you approve of applicant?" on the liquor license application, affirmative. The motion passed unanimously.

The consensus of the Council was to indicate disapproval of the location, (question #2).

Attorney Eaton suggested Council consider question #3, "If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken?"

At 8:47 PM, Councilmember Roberts moved and Councilmember Athearn seconded to indicate disapproval of the location. The motion passed with all in favor with the exception of Councilmember Nash.

Councilmember Dickinson moved and Councilmember Roberts seconded to indicate that the Council requests a hearing before the Liquor Board before final action was taken. The motion passed with all in favor with the exception of Councilmember Nash.

Council directed Attorney Eaton to prepare a statement of facts upon which their objections were based to forward to the Liquor Board with a copy to the applicants.

At 8:52 PM, Council began final deliberation of draft ordinance #766, an ordinance regulating signs in the Town of Friday Harbor.

Councilmember Roberts moved and Councilmember Dickinson seconded to adopt Ordinance #766.

Mr. Dave Marshall, Seattle, Commercial designer, spoke about sign ordinances and backlit awnings.

Mr. Don York, Don's Deli & Grocery, asked that signs that did, in good faith, comply with the existing Sign Ordinance, be grandfathered in for the new sign ordinance.

Mrs. Betty Moyer, Moyer's Jewelry, asked the Council to give the new sign ordinance further thought.

Attorney Eaton and the Council discussed the issues raised and addressed specific concerns.

The motion on the floor was amended to provide for currently complying signs that may become non-complying under the new ordinance. Section XI I I was to be amended to read:

A.) Existing signs with permits issued on or before July 6, 1989, but which do not comply with the provisions of this ordinance shall be allowed to continue in use until July 31, 1995.

B.) Non-conforming signs for which no valid permit was issued on or before July 6, 1989, shall meet the following deadlines:

(The balance of the Section remained as drafted.)

Councilmember Geneste moved and Councilmember Dickinson seconded to adopt the' proposed amendment to the motion. The motion passed unanimously.

At 10:00 PM, the original motion passed unanimously as amended.

Town Building Official Jim Hodges intro draft resolution #730, a resolution authorizing the Mayor to execute a loan application with the Washington State Energy Office for a loan to purchase and install a heat pump at Town Hall.

The Council discussed the need for said modification the Town Hal 1.

At 10:08 PM, Councilmember Roberts moved and Councilmember Geneste seconded to approve Resolution #730. The motion passed unanimously.

Town Administrator Fitch presented the Administrator's report on the creation of loading zones within the Core business area.

Councilmember Roberts recommended that the Council face the issue, insure pedestrian safety, and bring crosswalk and traffic control sign setbacks into compliance.

The Council reviewed the July 3, 1989 memo from Nancy Larsen concerning crosswalk setbacks and loading zones. Council discussed the perceived need for action and possible solutions.

At 10:25 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to mark all appropriate clearances per State 1aw.

The Council discussed the motion. The motion passed with Councilmember Nash abstaining.

Council continued with discussion of the need to designate loading zones in Town. Members of the audience provided additional input on the problem. Councilmember Roberts noted that the Council's primary concern was public safety.

Town Administrator Fitch recommended the Council consider an ordinance for standardized color coding for street marking. Also, that the Council considers designated loading zones.

The Council decided to take up the matter in a work session.

At 10:50 PM, Councilmember Geneste presented the Water Committee report on the status of review of proposals for an update of the Water Comprehensive Plan. He noted the acquisition of software for computer analysis of flow in pipe networks (KyPipe). He also noted extensive review of the proposals received.

The Water Committee recommended the Town retain the engineering firm of Kramer, Chin, & Mayo for the Water Comprehensive Plan update.

Councilmember Roberts expressed reservations about being "locked in" to one engineering firm. The Council discussed the Committee's recommendation. Town Administrator Fitch was directed to prepare a resolution to accept the recommended proposal.

At 11:00 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to approve a contract for a Water Comprehensive Plan update with Kramer, Chin, & Mayo, not to exceed \$25,000. The motion passed unanimously.

Councilmember Dickinson moved and Councilmember Roberts seconded to go into executive session to discuss pending litigation for 60 minutes. The motion passed unanimously.

At 12:16 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously.

No action was taken in the executive session.

At 12:20 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to adjourn to reconvene at 7:30 PM, July 13, 1989 for a work session on the draft Shoreline Master Program. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council SPECIAL MEETING - July 12, 1989 @ 7:30 PM

The Town Council met for an appeal hearing of a SEPA determination for the Bill Percich/Dave Moorhouse proposed commercial/retail complex at the corner of Front St. and Spring St., Mayor Cahail presiding.

Members present: Athearn, Dickinson, & Roberts

Others present: Town Administrator Fitch, Attorney Eaton, & Planning Consultant Verburg

At 7:45 PM, Mayor Cahail introduced the purpose of the special session and named the appellants.

Mayor Cahail asked Town Administrator Fitch to give his report as the Responsible Official concerning the Determination of Nonsignificance (DNS).

Town Administrator Fitch presented the staff report delineating chronology, procedures, and respondents. He introduced John Verburg, Town of Friday Harbor Planning Consultant.

Mr. Verburg presented the detailed aspects of the staff report.

Town Administrator Fitch read into the record the staff's position on four of the major issues the appellants planned to speak to.

At 8:03 PM, Mayor Cahail gave instructions as to how each appellant was to proceed. He noted that two additional public hearings on the project would be held at a later date.

The three Councilmembers present indicated they were prepared to hear the proceedings.

Appeals were made by the following:

1. Debra J. Gottesman was heard on the following issues:
  - a. Parking & traffic circulation
  - b. Non-point pollution & surface runoff
2. N. W. Schwinge was heard on the following issues:
  - a. Traffic circulation
  - b. Parking
  - c. View obstruction
3. Scott Schwinge was heard on the following issues:
  - a. Solar impact
  - b. Structure height
  - c. View obstruction
  - d. Traffic circulation
  - e. Parking
4. Lee Sturdivant was heard on the following issues:

- a. Traffic circulation
- 5. Jim Guard was heard on the following issues:
  - a. View obstruction
  - b. Traffic congestion & circulation
- 6. Irene H. Warner was heard on the following issues:
  - a. View obstruction
- 7. Anne Hart Pope was heard on the following issues:
  - a. Parking
  - b. View obstruction

(All input is on tape.)

At 9:04 PM, Mayor Cahail requested staff's response, if any, to the appellants comments. Town Administrator Fitch indicated that staff had no additional response at this time.

Mayor Cahail inquired if the appellants had any further pertinent comments. Hearing none, he asked Council if they had any questions of appellants or staff.

Mayor Cahail instructed Council to make their decision based only on the information presented.

Jim Hodges, Town Building Official, addressed concerns about construction details and procedures. He noted the entire building would be required to be accessible to the handicapped.

At 9:18 PM, Mayor Cahail asked if Council had any further questions. Hearing none, he asked if the Town Administrator wished to change his determination.

Town Administrator Fitch stated that he did not.

Mayor Cahail closed the input portion of the meeting and inquired if Council wished to make a decision at this meeting or at a future date.

Attorney Eaton clarified for Council the DNS appeal process and what factors were allowable for consideration in their decision. He noted the Friday Harbor Municipal Code requires that Council give substantial weight to the Town Administrator's decision.

At 9:30 PM, Councilmember Roberts expressed his concerns with the proposed project.

Mr. John Linde, Attorney, stated for the record that the procedure precluded any response from the proponents. He cited specific sections from the Washington Administrative Code he felt the Council should consider before making a determination.

Attorney Eaton indicated that the proponents should be allowed to express their concerns with the procedure.

Mayor Cahail instructed the Council about procedural and legal constraints.

Town Planning Consultant Verburg, after stating his qualifications as an unbiased, professional planner addressed specific concerns raised.

Councilmember Athearn cautioned that perhaps the Council was attempting to consider issues outside the DNS.

Attorney Eaton provided his perceptions of the intention of the SEPA process.

At 10:08 PM, Councilmember Athearn moved to uphold the Town Administrator's determination. Councilmember Dickinson seconded.

Council discussed concerns about acquiring environmental information.

At 10:10 PM, Councilmember Athearn and Councilmember Dickinson voted in favor of the motion. Council Roberts voted against.

Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn at 10:12 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - July 13, 1989 @ 7:30 PM

The Town Council met for a work session on the draft Shoreline Master Program.

Members present: Athearn, Dickinson, & Geneste Others present: Attorney Eaton

Councilmember Athearn moved and Councilmember Dickinson seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.

Helen Winters, San Juan County, was present to request that Council authorize Town of Friday Harbor financial support of \$2880.00 in matching funds for a joint Town/County Household Hazardous Waste Roundup project.

Council discussed the proposal. At 8:15 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to agree in principal to appropriate \$2880.00 from the Refuse budget (430) Account #537.20.41 contingent upon a formal agreement with San Juan County. The motion passed unanimously.



Council continued review of the draft Shoreline Master Program. Attorney Eaton reviewed previous Council discussion on the subject. In particular, uses located upland of Front Street.

Council stressed the need for enforcement. Also, that a shoreline permit is for both a use as well as a structure. That when the use is changed the permit is invalid.

The Council requested all Councilmembers review pg. XXXIV, Policies, 2. In particular whether "Water-related" and "Water-enjoyment" should be deleted.

Council discussed the advisability of requiring a permit for the installation of mooring buoys, that the emphasis should be on docks.

Attorney Eaton will investigate regulations concerning mooring buoys.

Council requested that Planner Verburg be present for the next work session.

At 9:19 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

E.A. Geneste, Jr., Mayor pro tem  
Steven Dubail, Town Clerk

Town Council - July 20, 1989 @ 7:30 PM

Councilmember Geneste moved and Councilmember Roberts seconded to appoint Councilmember Dickinson Mayor Pro tem. The motion passed unanimously.

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

The minutes of the previous meetings were read and approved as amended.

Emergency Services director Chris Destaffany explained the duties of the Department of Emergency Services.

Mayor Pro tem Dickinson presented draft resolution #737, a resolution supporting a grant application to the Referenda 26 and Referenda 39 grant program for waste reduction and recycling and for an educational waste reduction and recycling school presentation program.

Ron Loewn, San Juan County Public Works director, explained the waste reduction/recycling program.

Councilmember Roberts moved and Councilmember Athearn seconded to approve Resolution #737. The motion passed unanimously.

Mr. Robert Greenway requested a change of his Evergreen Phase II preliminary plat.

Mayor Pro tem Dickinson moved and Councilmember Athearn seconded that the cul de sac in Evergreen Phase II subdivision be located as on the drawing presented to the Town Council on July 20, 1989, labeled Exhibit "A". The motion was approved on a two to one vote with Councilmember Geneste abstaining. Councilmember Roberts voting no.

Treasurer Picinich presented draft resolution #738, a resolution authorizing the Treasurer to make an interfund loan. Councilmember Geneste moved and Councilmember Athearn to adopt Resolution #738. The motion passed unanimously.

The Council requested that the Town Administrator offer a professional service contract for the revision of the Town's Land Use Ordinance and Comprehensive Plan.

Attorney Eaton reported that he is working on a preliminary interlocal agreement between the Parks and Recreation District and the Town for the redevelopment of Argyle Avenue Park.

At 9:35 PM, Councilmember Athearn moved and Councilmember Geneste seconded to adjourn from regular session into executive session to discuss litigation and possible land acquisition. The motion passed unanimously.

At 10:20 PM, Councilmember Athearn moved and Councilmember Roberts seconded to adjourn from executive session to regular session. The motion passed unanimously.

No action was taken in executive session.

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

Edith V. Dickinson, Mayor pro tem  
Wendy J. Picinich, Town Clerk pro tem

Town Council - August 3, 1989 @ 12:30 PM

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

Members present: Athearn, Dickinson, Geneste, & Nash  
Others present: Town Administrator Fitch, Treasurer Picinich, & Maintenance Supervisor Reitan

The Council examined the outstanding claims against the Town. Maintenance Supervisor Reitan presented his report on current and upcoming projects and activities in the utility departments.

He noted that the Town reservoir is currently 55.125 inches below the spillway. He also reported on a break in the Pear Point water line in front of the Vic Reynolds residence.

At 1:00 PM, Councilmember Geneste moved and Councilmember Nash seconded to pay the bills. The motion passed unanimously.

At 1:05 PM, Town Administrator Fitch introduced draft resolution #739, a resolution to authorize conditional private use of a portion of Front Street by the San Juan County Fair Board.

Councilmember Dickinson moved and Councilmember Geneste seconded to adopt Resolution #739. The motion passed unanimously.

Mr. Richard Lawson, Lawson Construction Company, was present to request Council consider reimbursing him for sales tax paid on the Water Augmentation II project.

Council requested staff research the situation.

Council discussed reconvening to discuss the issue on Wednesday, August 9, 1989 at 7:30 PM.

At 1:20 PM, Lee Sturdivant introduced Mr. Jerry Clark, Arborist, City of Seattle. Mr. Clark presented a slide show and talk on the Seattle Street Tree program and aspects applicable in Friday Harbor.

At 2:30 PM, Council held a general discussion on annexation procedures.

At 2:52 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - August 3, 1989 @ 7:30 PM

The Town Council met in regular session.

Councilmember Dickinson moved and Councilmember Athearn seconded to appoint Councilmember Geneste Mayor Pro tem

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

The minutes of the July 12th, 13th, and 20th meetings were approved as amended.

Mayor Pro tem Geneste proclaimed that the week of August 7 through August 13, 1989 be known as Municipal Treasurer's Week.

Town Administrator Fitch introduced Mr. Barry Wenger, Department of Ecology. Mr. Wenger was present to review the proposed Shoreline Master Program.

Attorney Eaton gave a synopsis of Council and Department of Ecology action on the proposed Shoreline Master Program. Specifically, Water Related, Dependent, Oriented, and Enjoyment uses.

The Council and Attorney Eaton extensively discussed the above mentioned and other aspects with Mr. Wenger.

Mr. Wenger outlined the a number of the benefits of having a subsequent Waterfront Design Plan. He noted that a Resolution of Intent to Adopt should accompany the final submittal of the proposed Shoreline Master Program.

At 9:40 PM, Mayor Pro tem Geneste introduced a request by Robert Buck and Barbara Buck for annexation of the Kwan Lamah property.

Town Administrator Fitch inquired as to Council's intent for proceeding with the request.

Attorney Eaton outlined general annexation procedures.

At 9:55 PM, Council requested further information from staff. Specifically; is the property contiguous with the Town, potential impact on Town services and zoning. Attorney Eaton will research the legal aspects. Further discussion is to take place during the next regularly scheduled meeting.

Mr. Dave Jones, 460 Maple Street, requested Council consider allowing him to install approximately 450 feet of 1 1/2 inch water line to serve his property. The meter will be placed in the public R.O.W.

Councilmember Dickinson moved and Councilmember Roberts seconded to allow Mr. Dave Jones to connect a 1 1/2 inch water line, 450 in length, at his expense, for Lot P, Belaire, Tax Parcel #351391312, as specified by a licensed engineer. The motion passed unanimously.

At 10:10 PM, Town Administrator Fitch requested Council consideration of extension of the 2 hour parking zones.

Council discussed possible ramifications of extending and enforcing 2-hour parking zones.

The Council requested that Town Administrator Fitch bring an Ordinance to extend the 2-hour parking zone, for Council's consideration within 30 days.

Town Administrator Fitch reported that the "Main Street Program" is on hold until the new Shoreline Master Program is approved.

Town Administrator Fitch requested Council review the draft response to the Puget Sound Water Quality Management Plan questionnaire. A public hearing on the response will be held August 17, 1989.

At 10:35 PM, Councilmember Dickinson presented the Land Use Committee report on the Port of Friday Harbor Seaplane Master Program.

At 10:45 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to go into executive session to discuss pending litigation and property acquisition for 30 minutes. The motion passed unanimously.

At 11:20 PM, Councilmember Roberts moved and Councilmember Athearn seconded to return to regular session. The motion passed unanimously. No action was taken in the executive session.

At 11:21 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn to reconvene on Wednesday, August 9, 1989 at 7:30 PM for a work session on the proposed Shoreline Master Program and the Water Augmentation Project I I sales tax issue. The motion passed unanimously.

E.A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - August 9, 1989 @ 7:30 PM

The Town Council met for a work session with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Town Administrator Fitch & Attorney Eaton

Mayor Cahail requested Town Administrator Fitch review for Council the contract with Kramer, Chin, & Mayo (KCM) for contract administration of the Water Augmentation II project. The project has been accepted as completed.

Richard Lawson Construction, contractor for the project, has paid the applicable sales tax for the project. The contract documents and the bid documents do not specifically address which party is liable for sales tax. At issue, was the intent to award the bid for the bid amount plus sales tax, or was sales tax included in the bid price.

At 7:40 PM, Mr. Dan McDonald, KCM, discussed the issue of specifying tax liability per Page 00700-18, Section 31. Taxes, in the construction specifications.

Attorney Eaton gave his considered legal opinion that, per the construction specifications, the contractor is responsible for payment of sales tax.

Mr. Richard Lawson, Richard Lawson Construction, stated that the state Department of Revenue required him to pay \$25,864.00 tax on the full contract price, not the contract price less sales tax. He is asking for reimbursement of sales tax paid.

Council discussed the issue.

At 8:15 PM, Councilmember Athearn noted that she did not recall any specific intention of the Council regarding sales tax. Councilmember Roberts concurred. He felt that the problems came from inadequately prepared contract documents.

Mr. Lawson stated that he contracted with the Town of Friday Harbor and not KCM.

Mayor Cahail, after requesting the intent of Council, expressed to Mr. Lawson that the consensus of Council was that all monies they had contracted to pay had been paid.

(All input is on tape.)

At 8:25 PM, Council took up discussion of the draft Shoreline Master Program.

At 10:20 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn to executive session to discussion pending litigation. The motion passed unanimously.

At 11:30 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to return to regular session. The motion passed unanimously.

No action was taken in executive session.

At 11:37 PM, Councilmember Roberts moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - August 17, 1989 @ 7:30 PM

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

Members present: Athearn, Dickinson, Geneste, & Roberts  
Others present: Town Administrator Fitch, & Fire Chief Miner

The minutes of the previous meeting were approved as amended. Council noted that at the August 3, 1989, 7:30 PM meeting, the minutes of the July 12th, July 13th, and July 20th meetings were approved as amended.

At 7:40 PM, Fire Chief Miner presented his report. He reported that the Fire Department had responded to a call by the Town Fire Marshal to extinguish a permitted burn at Mr. Greenway's Evergreen phase II subdivision because of changing atmospheric conditions.

At 7:45 PM, Mayor Cahail asked Town Administrator Fitch to introduce the draft Town response to the Puget Sound Water Quality Stormwater Management Plan questionnaire. Planning Consultant John Verburg provided additional information on considerations that went into his preparation of the draft Town response.

At 8:03 PM, Mayor Cahail opened the meeting for public input on the above mentioned questionnaire. Hearing no public comment, Mayor Cahail closed the public input portion of the meeting.

Council commented on the questionnaire and provided clarification of Town policy on certain specifics. Council directed that the questionnaire be submitted as presented.

At 8:08 PM, Mr. Juan Ramos, representing the Friday Harbor Community Action Committee, made a presentation regarding a downtown tree-planting program as proposed in the David Kinderfather print dated June 14, 1989. He requested the Council consider implementation of utility billing "Round-up" program to provide a means for people to contribute funds.

Mayor Cahail and the Council inquired of Mr. Ramos as to the particulars of the proposed program and the projects the money would be applied to.

The Council directed the Town Clerk to research implementing the proposed "Round-up" program.

Mayor Cahail recommended that Town Administrator Fitch develop procedures for review and approval of proposed street beautification projects.

Town Administrator Fitch noted that Councilmember Nash had expressed reservations about potentially reducing driveable road surface in Town.

At 8:30 PM, Councilmember Roberts moved and Councilmember Athearn seconded to approve the "David Kinderfather" plan for sidewalk improvement in downtown Friday Harbor. The motion passed unanimously.

At 8:33 PM, Council continued discussing a request by Robert & Barbara Buck for annexation of the Kwan Lamah property. Said discussion began at the August 3, 1989, 7:30 PM meeting.

Councilmember Geneste reported that Attorney Eaton has determined that the property the Town is requested to consider for annexation is not contiguous with the Town.

Attorney John Carlson, representing the applicants, stated that at the time of the initial application he was unaware that the property was not contiguous. The applicants would reconsider their request.

The consensus of the Council was that they could not consider the request as submitted.

At 8:45 PM, Mayor Cahail stepped down for the next agenda item. Said item concerns Orcas Power and Light Company with which Mayor Cahail is affiliated.

Councilmember Dickinson moved and Councilmember Roberts seconded to appoint Councilmember Geneste Mayor Pro tem for this item. The motion passed unanimously.

Mayor Pro tem Geneste requested Town Administrator Fitch introduce draft resolution #740, a resolution authorizing the Mayor to grant an easement for utility purposes over, under, and across a parcel of land owned by the Town of Friday Harbor.

Town Administrator Fitch explained the proposed resolution.

Councilmember Roberts moved and Councilmember Dickinson seconded to adopt Resolution #740. The motion passed unanimously. Town Clerk Dubail presented a report on the status of the Town address system.

The Council recommended that Town Clerk Dubail pursue investigation with San Juan County Assessor Dosset, of potential integration of the Town and County address systems.

At 9:15 PM, Town Administrator Fitch introduced draft ordinance #768, an ordinance amending Ordinance #574 and chapter 10.04.070 Friday Harbor Municipal Code, concerning time limit parking.

Town Administrator Fitch explained the conditions necessitating the consideration of said proposed ordinance.

Draft ordinance #768 was given first reading.

Public concern was voiced over the need for a public impound lot.

At 9:25 PM, Town Administrator Fitch introduced draft ordinance #769, an ordinance amending Ordinance #574 and chapter 10.04.050 Friday Harbor Municipal Code, regarding prohibited stopping, standing, or parking areas within the Town of Friday Harbor.

Councilmember Roberts requested clarification as to the Town's instructions to the Sheriff's Department concerning parking on both sides of Argyle Avenue. Town Administrator Fitch responded that he had been in contact with Sheriff Cumming and they had arrived at a workable solution to the situation.

At 9:30 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to adopt Ordinance #769. The motion passed unanimously.

Councilmember Roberts, chairperson of the Solid Waste Committee, reported on the status of the Solid Waste Citizens Advisory Committee meetings. He noted the intent of the Committee to find solutions, not just meet State requirements.

Ed Stuhr, Town/County Solid Waste Coordinator, noted that the next committee meeting will be held Monday, August 28, 1989 at Town Hall.

Town Administrator Fitch remarked on the interaction and exchange of ideas and information with Town Solid Waste Department personnel. He also noted practical possibilities of recycling.

At 9:35 PM, Town Administrator Fitch presented the report on the right-of-way survey of Jensen Alley requested by Council.

Council reviewed the survey prepared by San Juan Surveying.



Members of the audience, primarily residents and landowners of property abutting Jensen Alley, provided additional input. In particular, they stressed the need to enforce current "No Parking" regulations on Jensen Alley to ensure emergency services access.

Councilmember Dickinson recommended that Jensen Alley remain open to two-way traffic with enforcement of; no parking on either side within the 20 foot right-of-way, the 20 Mph posted speed limit, and suggested the addition of "Local Access Only" signs. Council concurred.

Councilmember Geneste moved and Councilmember Roberts seconded to reconvene August 24, 1989 at 7:30 PM for a work session on the draft shoreline master program. The motion passed unanimously.

At 10:18 PM, Councilmember Geneste moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail Town Clerk

Town Council - August 24, 1989 •@ 7:30 PM

The Town Council met for a work session, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Town Administrator Fitch, Attorney Eaton Council resumed review of the draft Shoreline Master Program. Revisions suggested by Mr. Eaton were noted and evaluated.

At 10:00 PM, Council requested that the Mayor initiate research into the feasibility of acquiring a part-time professional fire chief.

The Council discussed preliminary budget expectations and potential revenue generating measures.

The Council considered recommended upgrades and staffing considerations for the water treatment plant.

At 10:30 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to go into executive session to discuss pending & potential litigation. The motion passed unanimously.

At 11:20 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to return to regular session. The motion passed unanimously.

Councilmember Roberts moved and Councilmember Athearn seconded to take all necessary steps, including filing of a lawsuit, to obtain an easement or prescriptive easement across the property located at 310 Jensen Street, Tax Parcel #351155023, for the pedestrian trail from Front Street to Harbor Street. The motion passed unanimously.

At 11:25 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - September 7, 1989 @ 12:30 PM

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

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Maintenance Supervisor Reitan

Mayor Cahail requested the Council consider confirmation of his appointment of Mr. William LaPorte to the Planning Commission.

The Council asked Mr. LaPorte to express his views about residential & commercial development.

After responding to Council inquiries, Mr. LaPorte gave a brief resume of his background.

At 12:38 PM, Councilmember Nash moved to confirm the appointment of Mr. LaPorte to the Planning Commission.

Not hearing a second to the motion, Mayor Cahail inquired as to the intentions of Council.

The Council requested additional time to review the appointment.

Councilmember Roberts suggested that a procedure be setup so that Councilmembers could meet the appointees beforehand.

Mayor Cahail requested that Mr. LaPorte contact Town Administrator Fitch when he is available to meet with individual Councilmembers.

Mayor Cahail asked the Council how they wished to proceed with Planning Commission appointments.

The determination of Council was that they be notified of candidates for appointment prior to the confirmation meeting. They would like time to individually meet and review each appointment.

At 1:00 PM, Council examined the outstanding claims against the Town. Staff members provided clarification on specific items.

The Council discussed various development permit fees and the actual processing costs incurred.

Councilmember Geneste moved and Councilmember Roberts seconded to pay the bills and approve the payroll. The motion passed unanimously.

At 1:28 PM, Maintenance Supervisor Reitan presented his report. The reservoir is currently 75 inches below the spillway. He reviewed the history of the water system and treatment facility. He noted that research is currently underway into additional filtering and chemical injection methods at the water treatment plant. He invited the Council to visit the plant and inspect the new pilot filter.

Larson Street and Harbor Street West are scheduled to receive an oil & rock surface. The asphalt plant should be available around September 15th. Driveways on Argyle Avenue will be surfaced back 8 to 10 feet from the roadway. Property owners may request that their driveway not be resurfaced.

At 1:40 PM, Ed Stuhr, Solid Waste Management Plan Coordinator, presented his report. Planning is progressing on time and on budget. The next Advisory Board meeting is scheduled for September 12, 1989. The Advisory Board has met 3 times to date. Public meetings are being held to solicit public input on waste management and recycling. Grant proposals have been submitted. Town Administrator Fitch added that the Hazardous Waste Round-up is Saturday, September 9, 1989. The San Juan Island collection point is at the OPALCO yard.

Mr. John Carlson, attorney for the Kwan Lamah annexation proponents requested clarification of agenda timing and the annexation hearing process.

Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn at 1:52 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - September 7, 1989 S 7:30 PM

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

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

The minutes of the previous meetings were approved as submitted.

Town Administrator Fitch introduced Mr. Greg Martin, new Town Land Use Consultant. Mr. Martin has contracted to provide services up to 160 hours per month.

At 7:45 PM, Mayor Cahail opened the hearing for an appeal by Donald Galt of a SEPA Determination of Significance for Foxhall, a 72 unit subdivision.

(All input is on tape.)

Mayor Cahail described the appeal hearing procedure.

Town Administrator Fitch presented the staff summary of the project, described the purpose of the appeal, and presented the staff position in support of the Determination of Significance.

At 8:07 PM, Mr. Don Galt, 3460 Beaverton Valley Road, appellant, presented testimony in support of his appeal of the SEPA Determination of Significance. Mr. Galt introduced changes in the initial number of units proposed, development phases, and traffic flow planning. Mr. Galt addressed concerns raised in the staff report and the Responsible Official's position statement.

Mr. Galt asked for approval of 24 lots as an initial phase, not 72 lots as proposed. The first phase of the development to be known as Phase I. He requested that an Environmental Impact Statement not be required.

At 8:20 PM, Mr. Fred Krabbe, Krabbe, Starr, & Metke, PS, engineer for the appellant, expressed concern with Town land development approval process procedures. He indicated that modifications to the project could and would be made as needs and the Town required. He requested that the Council consider approval of 24 lots as Phase I. A new proposal, with applicable fees, would be submitted for each subsequent phase. Mr. Krabbe stated that the proponent would be willing to place a water storage tank on a high point on the property to provide adequate fire flow for the project.

At 8:35 PM, Mr. Vaughn Mason, 2435 Douglas Road, owner of the property for which the development is proposed, noted that the property had been properly annexed into the Town. He requested that the property be treated the same as any other similarly zoned property in the Town. He felt that an Environmental Impact Statement was a "good tool to slow things down

At 8:38 PM, Bill Mason, 1717 Bailer Hill Road, noted that the property was part of his grandfather's property. His grandfather came to the island with Captain Pickett. "Five generations of his family had paid taxes on the property, even before Washington was a state." He asserted that an Environmental Impact Statement was only to delay things.

At 8:40 PM, having no further statement from the staff, the Council directed inquires concerning the proposal to the staff, the appellant, and the engineer for the appellant.

Town Administrator Fitch noted that the appellant first proposed the 24-unit plan the day before this meeting.

Councilmember Dickinson asked for clarification on the new proposal.

Mr. Krabbe again stated that each phase would be a new submittal.

Mayor Cahail requested definition of the intent and scope of the hearing.

Attorney Eaton replied that the Town Administrator had determined that the project might have probable significant, adverse, environmental impact as defined by SEPA. The purpose of the hearing was to decide if the Town Administrator was correct in his determination.

The Council discussed various aspects of the proposal and the Town Administrator's determination. The purpose of an Environmental Impact Statement and the relationship of the proposed phases to the total project was examined.

At 9:05 PM, Mr. Krabbe presented information regarding water, traffic, stormdrains, sewer, and economic impacts. He stated that he wanted the application to be considered as a 24 unit development, not as 72 units.

Attorney Eaton gave his opinion that if the proponents wished to formally submit a proposal for 24 units that the staff would then have to perform a new evaluation.

Mr. Galt expressed his reservations about the SEPA process.

At 9:20 PM, Mayor Cahail asked the Town Administrator if he wished to change his determination based on information presented.

Town Administrator Fitch explained the principles and philosophy of the State Environmental Policy Act (SEPA) and noted the complexity and difficulty of making each determination.

In view of the requirements of SEPA and information provided by the Environmental Checklist, he did not wish to change his determination.

At 9:25 PM, Councilmember Roberts moved and Councilmember Athearn seconded to deny the appeal of the Town Administrator's determination to require a Draft Environmental Impact Statement.

The motion passed with Councilmember Nash voting against, all other Councilmembers in favor.

At 9:32 PM, Mayor Cahail informed the Council that William Carli had requested a 90-day postponement of his request to rezone 685 Argyle Avenue from single family residential to multi-family residential.

Councilmember Geneste moved and Councilmember Dickinson seconded to approve the request for postponement. The motion passed unanimously.

Mayor Cahail introduced a rezone request by David Ellingson to rezone 735 Argyle Avenue from single family residential to multifamily residential.

Mayor Cahail noted that he is an adjacent property owner.

Councilmember Roberts noted that he is a property owner within 300 feet of the property to be considered.

The proponent stated that he had no objection to Mayor Cahail and Councilmember Roberts taking part in consideration of his request.

Attorney Eaton explained that anyone at the hearing may challenge the impartiality of the Mayor or any Councilmember. The challenged person may decide to step down or not.

Mr. Frank Boling challenged Councilmember Roberts on appearance of fairness.

At 9:45 PM, Councilmember Roberts stepped down for the rezone hearing.

Town Administrator Fitch presented the staff report. A DMNS has been issued for the property. Said DMNS is primarily concerned with storm water run off. He advised that the Planning Commission had recommended denial of the rezone request.

At 9:50 PM, Mr. Dave Ellingson, proponent, presented his request for rezone and addressed concerns raised by the staff report.

(All input is on tape)

Mayor Cahail opened the hearing for public input.

Marilyn O'Connor, 804 Argyle Avenue, communicated her concerns about the proposed rezone's potential impact on a single-family neighborhood. She inquired as to the Town's ability to provide services to additional multi-family uses.

At 10:13 PM, hearing no further public comment, Mayor Cahail closed the public input portion of the hearing.

Attorney Eaton noted that the issue is not how the property is to be used, but how it is to be zoned. He also stated that the Council can do rezones with conditions.

The Council questioned staff and the proponent on various aspects, procedures, and impacts of the proposal.

At 10:20 PM, the consensus of the Council was to continue deliberation, and reserve the right to reopen the hearing for public input, to the next regularly scheduled meeting on September 21, 1989.

At 10:27 PM, Mayor Cahail introduced and requested Council confirmation of Ms. Martha Freeauf and Mr. Frank Boling as appointees to the Planning Commission.

The Council discussed the Planning Commission's functions with the proposed appointees.

Councilmember Dickinson moved and Councilmember Nash seconded to approve Ms. Freeauf's and Mr. Boling's appointments to the Planning Commission.

At 10:38 PM, Town Administrator Fitch introduced a revised request by Robert and Barbara Buck for annexation of Kwan Lamah and adjacent property.

Mr. John Carlson, attorney for the applicants, requested that the Council favorably consider, upon review of the benefits, his client's request.

Attorney Eaton outlined the procedures to be followed for consideration of an annexation.

The Council's first step is to indicate whether they want to consider the application. He noted that the Council needed to consider what zoning and public indebtedness the property would assume if annexed.

The Council discussed the ramifications of the proposed annexation.

At 10:53 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to not consider, at this time, the Buck annexation request. The motion passed unanimously.

Councilmember Geneste moved and Councilmember Athearn seconded to deny the associated request from the Bucks for Town sewer service. The motion passed unanimously.

At 10:55 PM, Council resumed deliberation of draft ordinance #768, an ordinance amending Ordinance #574 and Chapter 10.04.070, Friday Harbor Municipal Code, concerning time limit parking.

Town Administrator Fitch requested that the Council not make a decision at this meeting in light of a petition, received this day, with 14 signatures against said proposed ordinance.

Mayor Cahail asked if members of the audience wished to address the Council in regard to the proposed ordinance.

The following provided input:

Dr. Chris Clarke, Office at Second Street & Court Street  
Mr. Chas. Tuller, President, SJ Is. Chamber of Commerce  
Mr. Glen Campbell, Owner, Driftwood Drive-in  
Mr. Sherm Lackey, 321 Price Street

(All input is on tape)

The consensus of Council was to give draft ordinance #768 a second reading and further deliberation.

Councilmember Nash requested that those concerned with the proposed ordinance consider suggesting alternatives.

At 11:25 PM, Town Administrator Fitch notified the Council that Ms. Wendy Picinich, Town Treasurer was awarded the Municipal Treasurers Association Certified Municipal Finance Administrator credential. Less than 300 CMFA's have been awarded to date in the United States and Canada.

The Council congratulated Treasurer Picinich on her outstanding achievement.

At 11:30 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

James Cahail, Mayor

Steven Dubail, Town Clerk

Town Council - September 21, 1989 @ 7:30 PM

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

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

Consideration of the minutes of the previous meeting was postponed until later in the meeting.

Mayor Cahail informed the Council that Fire Chief Miner had retired, effective immediately. Assistant Fire Chief Rick Galer had been appointed Acting Fire Chief.

Acting Fire Chief Galer requested that the Council consider approval of a reallocation of funds in the Fire Department budget. He reported there have been 98 fires this year. An adjustment in the budget of approximately \$2,000 is required. Mayor Cahail indicated that the Fire Department could not exceed their total appropriation.

Acting Fire Chief Galer noted that fire #96 - a mobile home fire at the Town & Country Trailer Court, had been reported by a 4 year old boy. The boy had been rewarded by the Fire Department with a ride in the fire truck, a badge, and a tour of the fire station. A press release for the paper was planned.

At 7:40 PM, Mr. Robert Mueller, #295 Marguerite Place, addressed the Council concerning traffic conditions along Marguerite Place.

The Council discussed Mr. Mueller's concerns. Attorney Eaton informed the Council he had previously researched lowering the speed limit below 20 MPH. The Town did not have the authority by RCW to do so. Maintenance Supervisor Reitan suggested that improved directional signs might help reduce traffic volume.

Councilmember Roberts suggested that a radar speed display might be effective in alerting drivers to excessive speed. Sheriff Cumming noted that his department was aware of the situation. Radar display boards have been effective in other communities.

At 7:55 PM, Mayor Cahail opened the Public Hearing for the Friday Harbor Motor Inn request for a Conditional Use Permit to exceed the 27 feet height limit to accommodate an elevator penthouse.

Town Administrator Fitch presented information regarding the proposal.

Mr. Bill Walker, architect for the proponent, explained the proposal and the design requirements that necessitated an elevator penthouse in excess of 27 feet.

Tom Nawrocki, General Manager, Friday Harbor Motor Inn, noted that state law recommends handicapped access rooms above the first floor, thus necessitating the elevator.



Mr. Ted Lehn, Island Design Center, Architect, spoke in support of the proposal.

Town Administrator Fitch noted that the project is in a commercial zone and that additional parking has been provided for.

The Council addressed questions about the design to the applicant. Councilmember Athearn inquired as to the exact amount of excess height. Town Administrator Fitch and the applicant responded that 32 feet was the maximum amount.

At 8:18 PM, Mayor Cahail closed the public input portion of the hearing.

Councilmembers Nash and Dickinson remarked on the Council's previous actions on the proposal. Councilmember Roberts voiced concern about the scale and aesthetic features of the proposal. The Town Council met in regular session with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, & Roberts

Others present: Town Administrator Fitch, Attorney Eaton, Maintenance Supervisor Reitan, & Acting Fire Chief Galer

The Council reviewed the outstanding claims against the Town. The Council requested clarification of certain items.

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

Maintenance Supervisor Reitan reported that Harbor Street and Larsen Street will receive an oil & rock surface next week. Pothole repair and street patching is underway.

Mr. Reitan explained the design and function of the new pilot filter at the water filter plant. Funding for the pilot filter and associated pumps was provided by postponing certain other planned tasks.

He is awaiting direction from Council before commencing planned incinerator repairs.

Councilmember Geneste inquired as to inspection time requirements for the Town water tank. Maintenance Supervisor Reitan indicated that the inspection could be put off until the first of the year.

Councilmembers expressed concern with the lack of street waste receptacle collection on weekends. The Council discussed the feasibility of requiring the Department of Transportation to address refuse control at the ferry landing and parking area. Maintenance Supervisor Reitan will have the weekend duty Waste Water Treatment Plant personnel collect the excess refuse.

Mayor Cahail inquired as to repair plans for Price Street.

At 1:45 PM, -Mayor Cahail asked Attorney Eaton to introduce the final draft-of the-Shoreline Master Program. Attorney Eaton explained minor revisions, clarifications, & corrections.

The Council examined and discussed the proposed changes.

Attorney Eaton noted that associated maps needed to be updated. He recommended inclusion of an explanatory diagram.

At 2:36 PM, Councilmember Geneste moved and Councilmember Roberts seconded to adopt the Shoreline Master Program as Ordinance No. 770 to include a reduced version of the Shoreline Designated Environments Map with Trout Lake, a wetlands diagram, and typographical corrections. The motion passed unanimously.

At 2:40 PM, Town Administrator Fitch introduced draft resolution #741, a resolution by the Council of the Town of Friday Harbor authorizing the Mayor to accept a Stephen Braun hydrology study for the west side of Town.

Town Administrator Fitch introduced draft resolution #742, a resolution by the Council of the Town of Friday Harbor authorizing the Mayor to execute a project agreement for preliminary proposal for Urban Arterial Board funding to rebuild a portion of Second Street and Guard Street.

Town Administrator Fitch requested Council review drawings for Franck & Maple Streets, Culver Avenue, and upper Guard Street.

Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn at 3:10 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - October 5, 1989 @ 7:30 PM

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

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Town Administrator Fitch & Attorney Eaton

The minutes of the previous meeting were approved as submitted.

Mr. Chris Destaffany, Director of Emergency Services - SJ County/Town of Friday Harbor, presented an overview of the role of Emergency Services, an outline of proposed action, and the need for a formal Emergency Response Plan. He requested direction from the Council and noted the lack of a state approved Response Plan.

Mayor Cahail requested Council provide Mr. Destaffany with written suggestions, requests, and inquiries concerning the Town's role in formulating a response plan.

At 7:50 PM, Town Administrator Fitch presented a request for extension of time be James Slocomb regarding his Rezone Application for 320 Carter Avenue.

The consensus of Council was to grant the request.

Town Administrator Fitch gave a presentation regarding possible funding sources for a new Town development plan.

Town Administrator Fitch inquired as to Council's intentions concerning possible long range planning and planning grant acquisition.

Councilmember Roberts suggested that a long-range plan for the Town would be better developed utilizing local people and resources.

Councilmember Athearn surmised that the proposed revision of the Land Use Ordinance would be of little use without a viable updated Comprehensive Plan.

Mayor Cahail remarked on the need for a consistent set of planning ordinances and guidelines.

Council will express their intentions at the October 19th Council meeting.

At 8:15 PM, the Council began review of a re-draft of proposed ordinance #768, an ordinance concerning extension of 2 hour parking zones.

Town Administrator Fitch informed the Council of citizen input concerning the proposed ordinance. A letter was read from Martha Ahart, 380 Argyle, in support of the ordinance.

Councilmember Dickinson suggested that the use of a property be included in consideration when designating time limit parking.

Dr. Chris Clarke, addressed the Council with his concerns and suggestions in regard to parking. He felt a definition of the perceived parking problem would be conducive to finding a workable solution.

The Council discussed Dr. Clarke's concerns and observations.

At 8:40 PM, Town Administrator Fitch presented for approval, Facts & Findings for the Friday Harbor Motor Inn Conditional Use Permit to exceed the 27-foot height limit.

Councilmember Dickinson moved and Councilmember Athearn seconded to approve the Facts & Findings as submitted. The motion carried with Councilmember Geneste abstaining.

Attorney Eaton advised Councilmember Roberts that, as a dissenting voter for the Conditional Use Application, he could submit a minority opinion finding.

At 8:48 PM, Town Administrator Fitch presented for approval, Facts & Findings for the Foxglove Shoreline Permit to build a 4 unit residential complex.

Councilmember Roberts moved and Councilmember Dickinson seconded to approve the Facts & Findings as submitted. The motion carried with Councilmember Geneste abstaining.

At 8:50 PM, Town Administrator Fitch presented the Administrator's Report. He noted a visit by Steve Deem, DSHS Water Supply engineer. Mr. Deem approved of the Town's corrective and upgrade actions at the water filter plant.

Department of Ecology Air Program representatives were here for a follow-up visit at the solid waste facility. They approved of improved operating and monitoring procedures. Additionally, they indicated that the Town's incinerator was obsolete and could not be brought into operating compliance with new air quality standards. They also noted problems with ash disposal.

Town Administrator Fitch mentioned that the Town of Friday Harbor has the lowest refuse rates in the state, per the Association of Washington Cities 1989 Tax & User Fee Survey.

Town Administrator Fitch requested that Councilmembers review the above mentioned survey and consider alternate and additional funding sources.

Councilmember Roberts suggested that conservation and recycling could mitigate the need for increased fees.

At 9:05 PM, Town Administrator Fitch requested that Council consider draft resolution #741, a resolution authorizing the Mayor to accept a Hydrology Study by Stephen L. Braun Engineering for the west side of Town.

Councilmember Geneste moved and Councilmember Roberts seconded to adopt Resolution #741. The motion passed unanimously.

Town Administrator Fitch requested that Council consider draft resolution #742, a resolution authorizing the Mayor to execute a project agreement for preliminary proposal for Urban Arterial Board funding to rebuild Second Street from its intersection with Spring Street to Blair Avenue and Guard Street from Blair Avenue to Tucker-Avenue.

Councilmember Roberts expressed concern with streetlight placement in the sidewalk. Town Administrator Fitch expressed a need for an 8-foot sidewalk width rather than a 5-foot width. Councilmember Athearn noted that wheelchair access is not possible on the upper Argyle Avenue sidewalk.

At 9:20 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to adopt Resolution #742. The motion passed unanimously.

At 9:23 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to go into executive session to discuss pending litigation. The motion passed unanimously.

At 10:05 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously.

No action was taken in the executive session.

At 10:10 PM, Councilmember Athearn moved and Councilmember Roberts seconded to adjourn to reconvene October 12, 1989 at 7:00 PM in the upstairs meeting room of the Town Fire Hall for a Public Hearing on the Percich/Moorhouse Shoreline Substantial Development Permit application. The motion passed unanimously.

H. James Cahail, Mayor  
Steve Dubail, Town Clerk

Town Council - October 12, 1989 @ 7:00 PM

The Town Council met in special session in the upstairs meeting room at the Town Fire Hall, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Nash, & Roberts Councilmember Geneste had stepped down for appearance of fairness reasons.

Others present: Town Administrator Fitch & Attorney Eaton

At 7:04 PM, Mayor Cahail opened the public hearing for the Percich/Moorhouse Shoreline Substantial Development Permit to construct a commercial complex on the corner of Front and Spring Streets.

The Mayor indicated that if this meeting is continued to a later date, it will be held in the Town Hall Council Chamber.

Mayor Cahail asked the audience if anyone had any objection to him serving as chairperson for this meeting. There were no objections.

Mayor Cahail then asked the audience if anyone had any objections to any of the Councilmembers hearing this application.

Scott Schwinge asked for clarification of a possible real estate transaction that Councilmember Nash may have pending with the applicants.

Mayor Cahail asked if there were other comments. Hearing none, he polled the Council as to, if any of them had any interest in the property, stood to gain or lose financially as a result of the hearing, and could hear and consider it in a fair and objective manner. At that point, Councilmember Roberts announced that he had proposed to the Council in executive session public condemnation of the property. The consensus of Council had been to not consider condemnation of the property. Additionally, he had been contacted by a member of the San Juan Island Parks & Recreation Commission.

John O. Linde, attorney for the applicants, asked Mr. Roberts to step down due to an appearance of fairness regarding the contact with the Parks Commission.

Attorney Eaton clarified the issue of the appearance of fairness doctrine for the audience.

Several members of the audience came forward to either support or oppose the suggestion that Councilmember Roberts step down on an appearance of fairness.

At 7:20 PM, Councilmember Roberts stepped down on an appearance of fairness.

Scott Schwinge again requested clarification of Councilmember Nash's contact with the proponents of the project.

Councilmember Nash explained that several months ago he had received an offer to purchase a lot that belongs to his family to be used as a possible parking lot for the subject project. He never responded to the offer and hence no offer is pending on any property that he owns. Mr. Schwinge indicated satisfaction with the explanation.

Attorney Eaton explained the conflict of interest issue for the audience.

Several members of the audience came forward to question the integrity of the public hearing procedure. There was some concern that Mr. Schwinge may have challenged Councilmember Nash on an appearance of fairness or conflict of interest.

At 7:30 PM, Attorney John Linde assured the Town Council that the applicants will not purchase the Nash property for parking for the proposal.

Attorney Eaton again clarified the issue that Councilmember Nash cannot step down on an appearance of fairness issue due to the fact that it would cause a lack of quorum and the public hearing could not take place.

Councilmember Nash did not step down and at 7:40 PM Mayor Cahail continued the public hearing.

Town Administrator Fitch presented the staff report as prepared by John Verburg & Associates which recommended denial of the application as submitted. However, if 13 conditions could be met by the applicants, the basic project concept and use could be acceptable to our existing ordinances.

At 7:43 PM, Diane Joy, former chairperson of the Planning Commission, presented the Commission's Finding of Facts which recommended approval of the application if 14 specific conditions were met.

At 7:51 PM, Hans Angelin, design architect for the project, presented the proposal and indicated that the 14 conditions specified by the Planning Commission could be incorporated into the basic design.

At 8:05 PM, Mayor Cahail opened the hearing to the general public for comment.

(All public input is on tape.)

Christian Nelson spoke against the proposal.  
A.J. Pierre spoke in support of the proposal.  
Norm Schwinge spoke against the proposal and noted that the 14th condition set by the Planning Commission was not added at the request of the adjoining property owners.  
Marty Percich spoke in support of the proposal.  
Jim Guard spoke against the proposal.  
Hans Angelin spoke in support of the proposal.  
Scott Schwinge spoke against the proposal.  
John Carlson, attorney for the property owners spoke in support of the proposal.  
Jean Taylor spoke against the proposal.  
C. Roger Bennett spoke in support of the proposal.  
Alex Taylor spoke against the proposal.  
Athena McEntyre spoke against the proposal.  
Ed Carlberg spoke against the proposal.  
Warren Jones spoke in support of the proposal.  
Fred Ellis spoke against the proposal.  
Ray Rutledge spoke in support of the proposal.  
Viola Hilfiker spoke against the proposal.  
Grace Swan spoke against the proposal.  
Marshall Sanborn spoke against the proposal.  
Paul Ahart spoke against the proposal.  
Stacey Brem spoke against the proposal.  
Jessica Thayer spoke against the proposal.  
John Stamey spoke against the proposal.  
Beth Helstein spoke against the proposal.  
John Linde, attorney for the applicants, spoke in support of the proposal.  
Sandy Richard spoke against the proposal.  
Kathryn Carlson spoke against the proposal.  
Joe Fanjul spoke against the proposal.  
Dale Marble spoke against the proposal.  
Ray Pullen spoke in support of the proposal.  
Jim Fox spoke against the proposal.

At 10:00 PM, Mayor Cahail asked if there was any additional non-repetitive input from the public.

John Linde again spoke in support of the proposal.  
C. Roger again spoke in support of the proposal.  
Athena McEntyre again spoke against the proposal.

At 10:12 PM, Town Administrator Fitch indicated that 13 letters had been received at Town Hall. The Council did not wish them to be read into the record at this time but would review them at a continued hearing. Town Administrator Fitch indicated that 9 letters supported the proposal and 4 letters were opposed to the proposal.

Attorney Eaton reminded the Council of the requirements of the Shoreline Master Program that affect this development.

At 10:20 PM, Mayor Cahail allowed the Council to ask questions of the applicant, staff, or attorney. Councilmember Nash asked the applicant how many businesses would be in the commercial complex. Bill Percich estimated that 10 separate businesses would be housed in the buildings, but if one tenant, such as Ray Rutledge of Wind n' Sails, a sailboat charter firm, requested 20% of his available square footage, then only 5 businesses total would be housed in the complex.

Councilmember Nash inquired about parking on site. Mr. Percich assured him that there would be no parking spaces on site.

Councilmember Nash then made inquiry about where delivery vans were going to park. Mr. Percich answered that they would park on Front Street in front of the complex.

Attorney Linde also answered for the applicant stating that an upland off site parking plan was part of this proposal as suggested by both Planner John Verburg and Engineer Fred Krabbe.

Jean Taylor, from the audience, voiced a concern regarding handicap parking.

At 10:40 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to continue the public hearing to Thursday, October 19, 1989 at 1:00 PM in the Town Council Chambers at Town Hall. The motion passed unanimously.

H. James Cahail, Mayor  
C. King Fitch, Town Administrator

Town Council - October 19, 1989 @ 1:00 PM

The Town Council met for a continuation from October 12th, 1989 of the Percich/Moorhouse Public Hearing, Mayor Cahail presiding. Members present: Athearn, Dickinson, & Nash

Councilmembers Geneste & Roberts had stepped down for appearance of fairness reasons.

Others present: Town Administrator Fitch & Attorney Eaton At 1:00 PM, Mayor Cahail called the meeting to order.

Mayor Cahail informed the audience that the Public Hearing was had not been closed to public input.

Town Administrator Fitch noted that four additional letters concerning the proposal had been received too late for inclusion in the Council review packets.



Town Administrator Fitch read the names of the correspondents of previously received and reviewed letters.

Councilmember Nash requested time to review the four additional letters.

At 1:15 PM, after Council had reviewed the four letters, Mayor Cahail inquired if Council had further questions of the staff, town attorney, proponents, or audience.

Councilmember Nash requested clarification of conditions, as noted on page 18 of the Staff Report. Said conditions were to be addressed by the applicants within three months.

Councilmember Nash asked Mr. John Linde, attorney for the applicants, to address concerns about shipping & receiving areas.

Mr. Linde replied that a loading zone may be requested on Front Street.

Councilmember Nash inquired as to parking provisions for the project.

Mr. Linde stated that the applicants will comply with all Town core area parking regulations and provide off-site employee parking. As an alternative the applicants are willing to contribute to an off-site parking area acquisition fund.

Councilmember Nash asked if the project could be scaled down to accommodate on-site parking.

Mr. Linde replied that Mr. John Verburg, Town Planning Consultant who had reviewed the project; and Mr. Fred Krabbe, engineer of the traffic study for the project had both recommended against on-site parking. Their consensus was that on-site parking could potentially create more-traffic flow and parking problems in the area.

Councilmember Nash asked Attorney Eaton the purpose of the meeting.

Attorney Eaton clarified the application process and the perceived need for additional information.

Councilmember Nash inquired of the applicants if the project could be scaled down to provide 12 on-site parking spaces and a loading zone.

Mr. Linde and Mr. Moorhouse replied that Planning Consultant Verburg had stated that he would recommend denial of the application if on-site parking were provided. Attorney Eaton and Town Administrator Fitch concurred with that summary and mentioned potential problems with traffic flow and congestion.

At 1:40 PM, Mayor Cahail asked if other Councilmembers had questions.

Councilmember Dickinson asked for clarification of provisions for handicapped access.

Mr. Linde noted that specific building details were a Uniform Building Code issue and would be addressed in the detailed drawings when a building permit was applied for.

Town Administrator Fitch provided additional explanation of Friday Harbor Municipal Code parking requirements.

Councilmember Dickinson asked how much consideration to give the provisions of the new Shoreline Master Program in relation to the current Shoreline Master Program.

Attorney Eaton replied that any action taken must be tied to the current Shoreline Master Program.

Mayor Cahail inquired of Attorney Eaton as to the advisability of closing or continuing the Public Hearing at this point.

Attorney Eaton replied it depended on if the Council had further questions of the applicants.

At 1:55 PM, read a prepared statement concerning the history of development in the area.

(The complete statement is on tape.)

Councilmember Nash inquired of the applicants if they desired a yes or no determination at this time.

At 2:10 PM, Mr. Linde responded that the applicants felt that following the Town planning consultant's, Town Administrator s, and the Planning Commission's recommendations would be the appropriate course of action.

Attorney Eaton added that if initial approval of the design concept & use were given and in the event that the additional detail specifications were not acceptable, the Council could deny the application.

Councilmember Athearn asked if an upland site might be more suitable for this project.

Mr. Moorhouse and Mr. Linde noted that the project was on the upland side of Front Street and the building was designed to use less than the maximum allowed building area of the lot.

Mayor Cahail inquired if the Council had any further questions and noted that Council reserved the right to re-open the hearing for public input.

At 2:20 PM, Councilmember Nash voiced concerns about potential traffic grid lock and spoke of the need for an alternate egress route from Front Street.

Mr. Linde noted that a condition of the Port of Friday Harbor expansion permit was to build a road from Front Street to West Street. He again referred to the recommendations of the Town Planning Consultant, Town Administrator, and the traffic engineer.

At 2:22 PM, hearing no further questions, Mayor Cahail closed the public input portion of the hearing and opened the meeting for Council discussion.

(All input is on tape.)

Councilmember Athearn spoke to the need for additional information and the applicant's responsibility to provide same.

Councilmember Dickinson indicated concern with the suitability of the project to the location and the need for verification of water related uses. She felt additional details were necessary.

Councilmember Nash stated that he did not want to deny commercial use on the lot. He indicated a need for a connecting road with Tucker Avenue. He also felt the project was too massive and that parking was a problem.

Councilmember Dickinson indicated that as the Land Use Ordinance designated the site as commercial, she could not oppose commercial use of the site.

Councilmember Athearn summarized the need for additional information from the applicants before a determination was made.

Councilmember Nash indicated reluctance to vote on the application.

Councilmember Athearn noted that this is a proposed commercial development in the shoreline and additional conditions were appropriate.

Attorney Eaton noted the need for Council clarity on consensus of no objection to the basic design and use. He reiterated that the Council is not committing to approval of this project by requesting additional information.

Councilmember Athearn expressed reservations as to short and long term benefit to the community.

Mayor Cahail requested the Council's intentions.

Attorney Eaton observed that the Council could not discuss the project outside of a public meeting. Written input should be placed in a separate file, not forwarded to the Council.

Town Administrator Fitch asked Councilmember Athearn if areas already addressed by the staff need further attention. None was requested.

At 3:00 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to continue the public hearing to October 26, 1989 at 7:30 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail Town Clerk

Town Council - October 19, 1989 at 7:30 PM

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

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts

Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Acting Fire Chief Galer

The minutes of the previous meetings were approved as submitted.

Acting Chief Galer reported 110 fire calls this year to date. He noted the Fire Department had participated in an earthquake procedure inspection and a fire drill at the grade school.

At 7:38 PM, Town Administrator Fitch introduced draft resolution #743, a resolution to execute a contract with Francis Schelm Construction to construct additional office space and a document storage vault in the basement of Town Hall. Administrator Fitch noted that Francis Schelm Construction was the qualified low bidder.

Town Building Official Hodges described the proposed project; which includes approximately 800 square feet of additional office space, handicap access, heating & lighting, and a concrete vault for document and essential record storage.

At 7:45 PM, Councilmember Geneste moved and Councilmember Roberts seconded to adopt Resolution #743. The motion passed unanimously.

At 7:50 PM, Mayor Cahail opened the first Public Hearing to hear proposed amendments to the 1989 Town budget.

Treasurer Picinich presented and described the proposed changes.

The Council examined and discussed the changes. Treasurer

Picinich provided clarification of individual items.

At 8:25 PM, Mayor Cahail asked if there was any input from the audience. Hearing none, he closed the public hearing.

At 8:30 PM, Council heard a presentation from Mr. Fred Krabbe to alter the design of the Evergreen Subdivision Phase II to accommodate storm drainage flows.

Mayor Cahail and Council questioned Mr. Krabbe on the need for, and the effect of, the proposed changes.

Mr. Krabbe stated that the primary purpose of the proposed change was to control siltation. Mr. Krabbe assured the Council that there would be no more runoff now than 5 years ago.

Councilmember Roberts expressed concern with changed runoff patterns due to development. He also felt that the adjacent property owner(s) should be notified of the proposed changes and have the opportunity to respond.

At 8:50 PM, Councilmember Nash moved and Councilmember Dickinson seconded to approve the requested change. After discussion the motion was withdrawn.

At 8:55 PM, Councilmember Nash moved and Councilmember Dickinson seconded to amend the Evergreen Phase II preliminary approval to allow the construction of a silting basin, per Exhibit "A", at the end of Spruce Street with the condition that a 6 foot chain link fence be installed around the entire perimeter of the silting basin. Councilmember Roberts - Nay, all others - Aye.

At 9:00 PM, Town Administrator Fitch presented for second reading the second draft of Ordinance #768, an ordinance-amending Ordinance #574 and Chapter 10.04.070 Friday Harbor Municipal Code, concerning time limit parking. He recommended allowing public input from concerned citizens in the audience. He noted substantive changes and the receipt of public comment since presentation of the first draft.

Mayor Cahail requested comments from the audience.

Mrs. Bonnie Morrow, owner of the Schuman building on West Street, requested that on-street parking on the portion of West Street adjacent to her building be changed to 8 hour.

Tookie Estrada, business owner on Argyle Avenue, spoke of continuing parking problems in Town. She would support finding a long-term solution.

Deanna Anderson, owner of Cogent Technologies which is located in the Schuman Building, noted that she operates a year-round, full time, non-retail, non tourist oriented business. She remarked on the need for 8-hour parking on West Street. She inquired as to the rationale for Town provided bicycle parking in front of the bicycle shop on West Street. She felt the Town needs to determine what type of business it wants to encourage, the present policy supports short term, retail, tourist-oriented businesses and tends to drive long term business away.

Councilmember Roberts stated that off-street parking must be acquired in the commercial area of Town. Pushing cars around with 2-hour parking or into residential areas was not a solution.

Councilmember Athearn expressed interest in pursuing a long-term solution, draft ordinance #768 didn't merit further consideration. Councilmember Dickinson concurred.

Councilmember Roberts noted that acquiring the money for a parking area was not as great a problem as the idea of condemning someone's property for parking.

At 9:30 PM, Mayor Cahail expressed to the audience that the intention of the Council was to do what was necessary to benefit all the people of the Town.

Councilmember Nash requested that the concerned property and business owners on West Street conduct a 2 to 3 week survey of parking in that area.

The consensus of Council was to table draft ordinance #768.

At 9:42 PM, Town Building Official Hodges made a presentation regarding a street improvement deferral program.

Town Administrator Fitch noted the proposal had been presented to Council on May 14th, 1989. There had been no action to date. He explained the requirements the Town 1984 Road Standards place on the Town as well as a developer. He outlined the benefits to the Town of having a deferral agreement as an option.

Council discussed the proposal and the current Friday Harbor Municipal Code requirements. Councilmember Nash expressed concern that previous development agreements had not been adequately monitored.

Town Administrator Fitch reiterated the need for personnel to process land use applications, enforce land use regulations, and pursue reported land use violations.

Town Administrator Fitch and Building Official Hodges noted that Ordinance #659 would need to be amended in addition to approving the deferral agreement.

Attorney Eaton explained the legal ramifications of various deferral methods.

Councilmember Nash expressed his concern that the Town should collect the anticipated construction cost at the time a permit is granted.

Town Administrator Fitch, in conjunction with Building Official Hodges and Attorney Eaton, will have a revised proposal for Council review at the November 2nd, 1989 meeting.

At 10:20 PM, Council continued discussion of possible solutions to developing a long range Town development plan.

Town Administrator Fitch again outlined possible scenarios to achieve said goal.

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Councilmember Athearn suggested turning the development of a long-range plan over to the Planning Commission. She noted the possibility of temporarily relieving the Planning Commission of application hearing and review responsibilities.

Council discussed the advisability and possible time frame of the suggested action. Councilmember Athearn distributed to Council a draft ordinance to accomplish the proposed action.

At 10:30 PM Councilmember Nash left the meeting.

Councilmember Athearn further suggested a 90-day moratorium on accepting new development applications. She noted the tremendous amount of work the staff is currently trying to process.

Attorney Eaton explained that the Town could declare an emergency in regard to accepting new land use applications for a definite period of time. He suggested that a staff study be done to determine the current processing workload.

Councilmember Roberts expressed concern that because of the massive workload critical tasks and review processes were "slipping through the cracks".

Town Administrator Fitch noted the need for the Council to act on Planning Commission recommendations in a timely manner as well as the perceived lack of utilization of staff and Planning Commission reports.

Councilmember Roberts remarked that the Planning Commission is appointed not elected. The Council's job is to represent the people of the Town.

Council discussed the role of the Planning Commission in relation to the Council.

Councilmember Dickinson noted that with new people on the Planning Commission the time may be right to vary the Planning Commission's function.

Councilmember Roberts mentioned that Mr. Gary Boothman and Mr. Bill Brant had expressed interest in seeking appointment to the Planning Commission.

At 10:55 PM, Councilmember Athearn moved and Councilmember Dickinson seconded to adopt Ordinance #772, an ordinance declaring a six-month moratorium on public hearings before the Planning Commission for certain land use matters. The motion passed unanimously.

Council requested that a letter be drafted to the Planning Commission notifying them of the above action.

Councilmember Roberts expressed reservations with using the Fire Hall for public hearings.

Treasurer Picinich explained budget procedures for the 1990 budget and expressed concern with lack of Council communication in regard to her request for proposals and the format of the initial preliminary budget.

Councilmember Roberts remarked on the need for staff investigation and analysis and the lack of staff time to accomplish same.

Councilmember Athearn stated that the maintenance department is authorizing expenditures without regard to budgeted amounts. They are purchasing without Council review or authorization.

Town Administrator Fitch noted that in some instances the men are being requested to perform maintenance task and accomplish projects that were unanticipated.

Treasurer Picinich requested that the Council review the presented budget materials with an eye to the future rather than a comparison with the past.

Councilmember Roberts reiterated public concern with parking enforcement personnel carrying weapons.

At 11:23 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - October 26, 1989 @ 7:30 PM

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

Members present: Athearn, Dickinson, & Nash  
Others present: Town Administrator Fitch & Attorney Eaton

Councilmembers Geneste and Roberts had stepped down for appearance of fairness reasons.

The Mayor introduced the subject of the meeting; the Bill Percich/Dave Moorhouse Shoreline Substantial Development Permit application, and then turned the matter over to the Council for their deliberations.

Councilmember Nash explained that over 255 parking spaces had been developed within the shoreline in the last 50 years. He also presented some background information regarding the width of Town streets. Mr. Nash noted that his drugstore has 5 parking spaces on site and he rents 2 additional spaces within 100 feet of the store.

Mr. Nash commented that the applicant for this shoreline proposal had submitted information on the SEPA checklist that 15-20 people would work at the project when completed. Six months later their legal counsel submitted information stating those 10 employees will be located within the project.

Councilmember Nash expressed concern that some day Front Street will need to be extended out of the Port to the west. This would be required if the DOT ferry terminal stays where it is currently located. Mr. Nash recalled when a ferry hit the fuel pier and expressed concern that it could happen again in the future. He wanted the Council to think about how we would get emergency vehicles down to the waterfront.

Councilmember Athearn expressed concern that she needed more information on the issue of employee parking.

Councilmember Dickinson had concerns about Section 3.02 of the Shoreline Master Program regarding the long-term benefits to the general public that the proposal would have. She noted that the application presently meets several of the items in this section of the master program.

At 8:10 PM, Councilmember Nash was prepared to present a motion approving the basic use and design of the project, but wanted to add several conditions. He verbalized his thoughts and Attorney Eaton asked for a brief recess so that a properly phrased motion could be drafted.



At 8:20 PM, the Council recessed for approximately 20 minutes while Attorney Eaton and Administrator Fitch prepared a draft motion for Councilmember Nash.

At 8:35 PM, Attorney Eaton read the draft motion into the record. It reads as follows:

To indicate general approval of the basic use and design of the project and to adopt Conditions #1 through #13 in the Recommendation section of the staff report prepared by John Verburg & Associates, except that Condition #12, concerning parking, shall be modified such that the parking plan to be submitted shall require one parking space for every 410 square feet of commercially used space within the project, whether rented, leased, or owned, excluding hallways, public areas, bathrooms, common areas, and other similar areas, and which parking spaces shall be located within a distance from the site which shall encourage usage by employees and customers of the project.

AND FURTHER, to add Conditions #14 and #15 as follows:

#14, that the development shall contain no more than 6,600 square feet of commercially usable space, whether rented leased, or owned, excluding hallways, public areas, bathrooms, common areas, and other similar areas;

#15, that a plan for shipping, receiving, and delivery of goods to and from the commercial businesses in the development shall be submitted for review, which plan shall provide for replacement of an equal amount of any public on-street parking that may be lost as a result of utilizing the public right of way for such deliveries or loading, and which additional parking shall be located within a distance from the site which shall encourage usage by employees and customers of the project.

Councilmember Nash concurred that this was his motion and Councilmember Dickinson seconded said motion.

A general discussion followed and Councilmember Dickinson cited Section 3.03 entitled "Economic Development" of the Town Shoreline Master Program and that some of the requirements within that section would be satisfied if the conditions of the staff report were met. She also commented that various conditions of the new Shoreline Master Program would also be satisfied.

Councilmember Athearn expressed concern that within Section 3.02 entitled "Shoreline Use", policy #1 dealing with long term benefits to the public be addressed. The applicant had not addressed this policy. She also noted that policy #4 of Section 3.03 dealing with the need to demonstrate an overriding public necessity for, or public benefit derived from the proposal needs to be shown by the applicant. Councilmember Athearn moved-and Councilmember Dickinson seconded to amend the main motion with the above as condition #16.

At 8:55 PM, the amendment to the main motion was passed unanimously.

At 8:56 PM, the main motion was passed unanimously. At 9:00 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor

C. King Fitch, Town Administrator

Town Council - November 2, 1989 @ 12:30 PM

The Town Council met in regular session.

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

Councilmember Roberts moved and Councilmember Athearn seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.

Council reviewed the outstanding claims against the Town. The Council requested clarification on specific claims.

Councilmember Roberts asked for additional information on insurance deductible thresholds.

Councilmember Roberts moved and Councilmember Dickinson seconded to pay the bill with the exception of Warrant #1640 in the amount of \$90.65 which is to be paid by the Firefighters Association. The motion passed unanimously.

At 1:03 PM, Mayor Pro tem Geneste opened the second Public Hearing to amend the 1989 Town Budget. Hearing no input from the audience, Mayor Pro tem Geneste closed the Public Hearing.

Council discussed the proposed modifications.

Councilmember Roberts suggested that the actual cost of processing a permit application be directly charged to the applicant. The application would not be considered until costs were paid in full.

At 1:12 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to adopt Ordinance #773, an ordinance amending the 1989 budget for the Town of Friday Harbor. The motion passed unanimously.

Maintenance Supervisor Reitan presented the Maintenance Supervisor's report. Mr. Reitan noted legal predicaments experienced by employees of other municipalities when they violated State regulations.

Mr. Reitan used various components of equipment to illustrate maintenance difficulties and expense. Councilmember Roberts discussed with Maintenance Supervisor Reitan alternate approaches to equipment maintenance and operation. Councilmember Dickinson inquired as to the reason for high replacement parts costs. Mr. Reitan pointed out that parts suppliers rarely warehouse parts, that they must come from the manufacturer. He suggested that for future equipment purchases acquisition of parts blueprints be specified.

Mr. Reitan requested indication of Council's intentions regarding paving a portion of Jensen Alley.

Council deferred the decision pending a report from Town Administrator Fitch on the final cost of the Mullis Street project.

At 1:40 PM, Treasurer Picinich presented the Council with the proposed 1990 budget.

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

E.A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - November 2, 1989 Q 7:30 PM

The Town Council met in regular session.

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Town Administrator Fitch & Attorney Eaton

Councilmember Dickinson moved and Councilmember Roberts seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.

Council deferred review of the minutes of the October 12, 1989, 7:00 PM meeting, the October 19, 1989, 1:00 PM meeting, and the October 26, 1989, 7:30 PM meeting due to the absence of Councilmember Nash. Councilmember Nash, Councilmember Athearn, and Councilmember Dickinson were the members present at the three above noted meetings.

Councilmember Roberts requested that the tape of the October 12, 1989, 7:00 PM meeting be reviewed to verify the sequence of events in respect to his decision to step down for appearance of fairness concerns.

The minutes of the October 19, 1989, 7:30 PM meeting were approved as submitted.

At 7:38 PM, Council took up discussion of a request to transfer a Class EF liquor license at the Little Store from Rennhack & Labar, Inc. to D.F. & K.D. Moorhouse. Mayor Pro tem Geneste asked Mr. Moorhouse if he would be the operator of the above mentioned business. Mr. Moorhouse indicated he would.

Councilmember Dickinson moved and Councilmember Athearn seconded to indicate on the application approval of the applicant. The motion passed unanimously.

At 7:41 PM, Councilmember Dickinson presented the Land Use Committee Report on status of proposed changes to the Long Plat Subdivision Ordinance.

The general consensus was that the Town land use and parking ordinances required review, and an updated Comprehensive Plan was needed before the Council could consider changes to the Long Plat Ordinance.

Councilmember Roberts inquired of Attorney Eaton if the Town could require covenants to address such issues as design, parking, etc.

Attorney Eaton noted the need for a binding site plan ordinance to provide a mechanism for staff to guide a developer with design before Council review. A binding site plan would go into much greater detail on a proposal.

Councilmember Roberts felt a form of design review would benefit a developer as well as the Town.

The Council and Attorney Eaton discussed the general scope and function of a design review type of ordinance.

Town Administrator Fitch commented that effective use of the Light Industrial Conditional Use process could mitigate Light Industrial impacts as evidenced by previous Planning Consultant John Verburg's site planning for the recently constructed Ed Pinnow buildings on upper Guard Street.

The Council and Attorney Eaton discussed the extent and limitations of Town involvement in land development design.

Councilmember Athearn introduced the concept of addressing the Mullis Street area as another type of zone with specified permitted uses. Additionally, it was suggested that current Light Industrial zoned property be given a new Commercial II zoning classification.

The Council discussed the philosophy of land use.

At 8:10 PM, Town Administrator Fitch reported on the status of the Evergreen Phase II subdivision. He noted that the applicant had submitted additional information but that certain items required for acceptance of the subdivision by the Town were incomplete at this time. He requested that Council review the submitted documentation in preparation for consideration of accepting the subdivision.

Attorney Eaton advised Council about private restrictive covenants on a plat. He noted the need to be clear as to the consequences of requiring enforceable covenants.

The Council discussed the intent of covenants. Town Administrator Fitch remarked on the difficulty for the Town of enforcing covenants.

Councilmember Roberts inquired, as Evergreen is a phased project, do the current landowners in Phase I have a vested interest in Phase II?

Councilmember Dickinson remarked that the Town is not in a financial position to take on covenant enforcement tasks. Additionally, the philosophy of doing same should be carefully considered.

Town Administrator Fitch noted possible conflicts with proposed street names in the subdivision and existing street and road names.

Councilmember Roberts inquired as to how street address numbers would be determined for the new subdivision. He recommended adoption of the County address number system. The Council directed staff to prepare said plan for presentation as soon as possible.

Town Administrator Fitch explained possible funding scenarios for asphaltting a portion of Jensen Alley this year. The Council decided to wait for final expense figures for the Mullis Street project, to be forthcoming from the San Juan County Public Works Department Friday. Consideration would be given the Jensen Alley project at the proposed November 7 budget work session.

The Council decided to hold 1990 Budget work session on Tuesday, November 7th, and Wednesday November 8th at 7:00 PM.

At 8:50 PM, Town Administrator Fitch introduced to Council a draft inter-local agreement with SAN JUAN Island Parks & Recreation District for joint development and operation of Argyle Avenue Park. Attorney Eaton explained the concept and application of the proposed agreement.

Mayor Pro tem Geneste requested consideration of the proposed agreement be an agenda item at the next regular meeting.

The Council discussed aspects of pedestrian access to the park.

At 9:15 PM, Councilmember Roberts moved and Councilmember Athearn seconded to go into executive session to discuss current and pending litigation. The motion passed unanimously.

At 10:00 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 10:01 PM, Councilmember Dickinson moved and Councilmember Roberts seconded to continue the meeting to Tuesday, November 7, 1989 at 7:00 PM for a budget work session. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - November 7, 1989 0 7:00 PM continued from the November 2, 1989 meeting.

The Town Council met for a budget work session, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Maintenance Supervisor Reitan.

At 7:05 PM, Mayor Cahail requested Council consideration of a proposed inter-local agreement with SJ Island Parks & Recreation District for joint development and operation of Argyle Avenue Park.

Town Administrator Fitch and Maintenance Supervisor Reitan explained various aspects of design, development, and construction of the project.

Maintenance Supervisor Reitan delineated projected Town crew involvement times:

Retaining Wall - 160 hours

    Sidewalk - 80 hours

    Connect Utilities - 6 hours

The Council discussed the intended extent of Town involvement.

Town Administrator Fitch noted that the area is to be fenced without cost to the Town. The Town will provide refuse receptacles. The Park District will contribute \$1,000 per year toward park maintenance.

Councilmember Roberts suggested that when the Council is reviewing the landscape design for approval, that foliage with low maintenance and irrigation requirements be considered. Additionally, that ivy or something similar be used to screen the fence. Town Administrator Fitch requested that the Council have their recommendation ready for the meeting on the 16th.

Town Administrator Fitch reported that Mr. Ron Loewen, SJ County Public Works, assured him that the Town will not be billed more than \$57,000 for the remainder of the Mullis Street project.

Town Administrator Fitch requested that Council consider accepting a bid of \$6,500 plus sales tax from Lakeside Industries to install a 2 inch asphalt overlay 15 feet wide for 370 feet on Jensen Alley.

At 7:38 PM, the consensus of the Council was to proceed with the proposed project on Jensen Alley.

At 7:40 PM, the Council began the work session on the 1990 Town budget. Town Administrator Fitch requested that Council begin review of the Current Expense Fund.

Council discussed line items and the advisability of certain projected expenditures.

The consensus of the Council was to leave in the proposed amount to hire a planner/permit coordinator. Town Administrator Fitch is to begin advertising for the position. Closure for applications to be after January 1, 1990 to determine the response from suitable candidates.

At 9:30 PM, Councilmember Athearn recommended that Town Administrator Fitch receive a substantial salary increase.

The Council discussed the philosophy and practicality of developed parks and possible scenarios of staffing for same.

Council and Treasurer Picinich discussed the methodology of revenue projection and the need for alternative revenue sources.

The Council expressed appreciation to the Town Water Department personnel and Maintenance Supervisor Reitan for innovative emergency repairs to pumps in the water distribution system necessitated by a recent power supply phase loss.

At 10:10 PM, Councilmember Roberts moved and Councilmember Athearn seconded to go into executive session to discuss pending litigation. The motion passed unanimously.

At 10:33 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 10:34 PM, Councilmember Athearn moved and Councilmember Roberts seconded to continue the meeting to November 8, 1989 at 7:00 PM for continued review of the budget. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - November 8, 1989 @ 7:00 PM continued from the November 7, 1989 continued meeting.

The Town Council met for a budget work session, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, & Roberts Others present: Town Administrator Fitch, Treasurer Picinich, & Maintenance Supervisor Reitan.

At 7:04 PM, Mayor Cahail introduced for Council review the proposed 1990 Street Fund Budget.

Mr. Mike Greenway inquired as Council's intentions concerning the undeveloped dedicated parkland in the Evergreen subdivision.

Mayor Cahail indicated that Mr. Greenway could be notified when specific budget discussions concerning parks was anticipated. The Council would welcome input from Mr. Greenway at that time.

Council reviewed proposed expenditures and preliminary projected revenues in the Street, Arterial Street, and enterprise funds.

Council decided to schedule the next budget work session for Tuesday, November 14th, 1989 at 7:30 PM.

At 10:05 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to continue the meeting to the above noted date and time. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - November 14, 1989 @ 7:30 PM continued from the November 8, 1989 continued meeting.

The Town Council met for a budget work session.

Members present: Athearn, Dickinson, Geneste, & Nash Others present: Town Administrator Fitch & Acting Fire Chief Galer

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

The Council resumed review of the proposed 1990 Town budget.

Town Administrator Fitch informed the Council that Building Official Hodges, Municipal Court Judge Higginson, and Acting Fire Chief Galer were present to explain their respective budget requests.

Acting Fire Chief Galer presented the Fire Department budget. Council reviewed the proposed expenditures, including options for staffing a part-time or full time fire chief.

At 8:00 PM, Judge Higginson presented the Municipal Court budget requests. Judge Higginson explained proposed expenditures for computer enhancement of court operations. She noted that the Municipal Court already had the necessary hardware, development of appropriate software would facilitate court operations. Judge Higginson additionally noted that the current Municipal Court clerk would tentatively be leaving at the end of December.

Judge Higginson noted an increased workload over last year. She felt a 3/4 time clerk was becoming a necessity. She also remarked that the average national collection rate for this type of court is 50%, the Town of Friday Harbor Municipal Court is approximately 85%.

The Council thanked Judge Higginson for her close to 8 years of service to the Town.

At 8:25 PM, Building Official Hodges presented the proposed 1990 Housing & Community Development budget.

Council reviewed the expenditures and projected revenues. Mr. Hodges explained the staff reorganization to provide for clerical support. Additionally, he explained the expected responsibilities of a part-time deputy inspector and the need for the Building Official to expend additional time on plan review and code compliance enforcement.

The Council inquired as to why there was no projected expenditure for overtime. Mr. Hodges anticipated that with a 1/2 time inspector and clerical help, overtime would not be necessary. He



noted that at current staffing levels, most of the office staff did not have time to process the current workload.

At 9:10 PM, Town Administrator Fitch introduced a request from the Planning Commission regarding hiring a recording secretary for 1990.

Councilmember Nash expressed reservations as to the necessity of providing for a staff planner/permit coordinator.

At 9:20 PM, Town Administrator Fitch introduced a proposal to acquire for the Town approximately 13 11" by 14" framed historical photographs of the Town. He requested that the Council per uses copies of the photographs and express their wishes.

The Council briefly discussed the rationale of staff wage & salary determination and the current step system.

Town Administrator Fitch and the Council discussed the difficulty with completely subsidizing the Street fund out of the Current fund.

Town Administrator Fitch inquired of Council if they wished to hear from County Assessor Paul Dossett concerning Town taxing alternatives.

The Council discussed future mandated major expenditures such as stormwater treatment.

Councilmember Athearn requested that Treasurer Picinich be thanked for providing a listing of the current status of the Capital Reserve funds. She also noted the lack of same.

Council briefly discussed development and funding aspects of the proposed upgrade of Argyle Street Park.

At 10:03 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to adjourn. The motion passed unanimously.

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

Town Council - November 16, 1989 @ 7:30 PM

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

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

The minutes for the Percich / Moorhouse Public Hearings; October 12, 1989 at 7:00 PM were approved as submitted, October 19, 1989 at 1:00 PM were approved as submitted, October 26, 1989 at 7:30

PM were approved as amended.

The minutes for the Regular Town Council meetings; November 2, 1989 at 12:30 PM were approved as submitted, November 2, 1989 at 7:30 PM were approved as submitted, November 7, 1989 at 7:00 PM were approved as submitted, November 8, 1989 at 7:00 PM were approved as amended.

At 7:40 PM, Acting Fire Chief Galer presented the Fire Chiefs report. He reported on hydrant tests in the vicinity of the Elementary School. He noted the need for larger diameter hose to pump water from Argyle Avenue. Proceeds from the Fire Department Halloween haunted house were disbursed as follows:

\$725.00 to the drug fund at the Sheriff's Department.

\$225.00 to the Medical Center.

At 7:44 PM, Mayor Cahail opened the Public Hearing for a request by Susan Campbell for a Variance Permit to violate the setback distance for a single family residence at Lot #28, Top of the Harbor.

Town Administrator Fitch presented the Staff report.

The applicant indicated she did not wish to make a statement. Debra Winder, Pelican Way, Friday Harbor, expressed the opinion that due to the "earthquake hazard it was safer to build on the rock on the property rather than over the cliff".

At 7:50 PM, Mayor Cahail, hearing no further comment, closed the public input portion of the hearing. The Council discussed the application and the consensus of Council was that the application met the conditions for a Variance Permit.

At 7:54 PM, Councilmember Nash moved and Councilmember Geneste seconded to approve the above stated request by Susan Campbell, per the Friday Harbor Planning Commission Facts & Findings. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #775, an ordinance fixing and levying the amount of Ad Valorem taxes for the Town of Friday Harbor for 1990.

Councilmember Geneste moved and Councilmember Athearn seconded to adopt Ordinance #775. The motion passed unanimously.

Town Administrator Fitch requested that Council consider reconvening at 1:00 PM, Friday, November 17th, to hear a presentation from San Juan County Assessor Paul Dossett concerning B & O taxes.

At 8:00 PM, Mayor Cahail introduced draft ordinance #774, an ordinance accepting the final Robert Campbell short plat and authorizing the Mayor to sign the final plat drawings.

Town Administrator Fitch read into the record a required restrictive covenant concerning Lot #3 of the above-mentioned short plat.

The Council reviewed the submitted mylars of the short plat and discussed the indicated utility easement.

Town Administrator Fitch noted that upon approval of the plat, the adjoining property owner and the applicants may be requesting a boundary line adjustment.

Attorney Eaton remarked on a possible conflict with boundary line adjustments in a platted area, a replat may be required. Seeking an easement would be an alternate course of action.

At 8:12 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to adopt and authorize the Mayor to sign Ordinance #774. The motion passed unanimously.

Mayor Cahail presented for Council consideration, draft resolution #744, a resolution authorizing the Mayor to execute an interlocal agreement between the Town of Friday Harbor and San Juan Island Parks & Recreation District.

Town Administrator Fitch gave a brief review of the details of the proposed interlocal agreement. He noted that the Town contribution would be a line item in the 1990 Current fund. Administrator Fitch noted receipt of letters concerning the proposal and the presence of interested citizens in the audience. Administrator Fitch remarked that he had received comments from the public concerning an alternate park site at the Evergreen subdivision.

Councilmember Dickinson indicated interest in reviewing the Evergreen site.

Martha Ahart, San Juan County Parks & Recreation Commission, noted requests to the Park District for a daytime, year around, in-town park for use by preschool children. She noted accessibility problems and possible wetland considerations with the Evergreen site.

Jim Guard, San Juan County Parks & Recreation Commission, agreed in principal with the interlocal agreement. He noted that due to the bid process, specified time constraints may be unrealistic. He read a suggested amendment addressing the above concerns.

Councilmember Nash expressed concern with committing Town funds and personnel to the project until the 1990 Town budget is finalized.

Mayor Cahail suggested and the Council concurred to defer deciding on the issue until further work on the 1990 budget provides a more accurate financial perspective. Additionally, it was suggested that the Parks Commission investigate the Evergreen site.

Martha Ahart stated that she felt "the rug was being pulled out from under the Parks Commission. A lot of volunteer time and energy had been invested over the last year".

Mayor Cahail expressed the viewpoint that considering alternatives in a constructive way was necessary to best utilize the limited funds available.

Allen Mason, John Street, spoke against the Argyle site and in favor of the Evergreen site.

Mary Karen Ryan, Argyle Road, noted that she had to drive her 3-year-old to Roche Harbor to obtain access to a slide and swingset during the daytime. She noted the extensive investment of time and funds already expended in researching various park sites.

At 8:45 PM, the consensus of Council was to defer consideration until later in the budget process. The San Juan County Parks & Recreation Commission would be notified.

At 8:47 PM, Town Administrator Fitch informed the Council of Town methods and requirements concerning acceptance of Phase II of the Evergreen Subdivision. He stated the he could not present an ordinance accepting Phase II as all Town conditions had not been met. He noted that the applicant was close to completion.

Tom Metke, K.S.& M., engineer for the applicant, presented revised prints of the plat indicating progress to date.

Town Administrator Fitch explained Town staff procedures concerning verification requirements. He indicated reported discrepancies and the applicant's actions to remedy and comply.

Mr. Metke and applicant Robert Greenway responded to specific concerns raised by Town Administrator Fitch.

Town Administrator Fitch requested that the Council either require that the applicant perform specified repairs before acceptance or bond to perform same.

Street Department Leadman Jerry Gates reported that the street in the subdivision which failed initial compaction tests had been recompact and he was satisfied with the result.

Town Administrator Fitch noted receipt of a letter from Barry Madden, Facilities Supervisor, Inter-Island Telephone Company, responding to queries by the Town concerning provision for telephone service in the subdivision. Administrator Fitch noted that a restriction on the face of the plat specifies that All utilities are to be underground and installed to the lot lines by the plat".

Mr. Metke and Mr. Greenway responded to questions raised concerning underground utilities. Mr. Greenway stated that his reading of Town Ordinance #255 provided a different perspective on utility installation responsibilities. Mr. Greenway also indicated willingness to post a \$10,000 bond.

Town Administrator Fitch reiterated that he felt a \$16,00 bond would be appropriate.

Various issues concerning materials, utility installation, and testing were discussed.

Mr. Metke stated willingness to certify the capacity of the wastewater system.

The Council requested clarification of various construction and utility details.

Councilmember Dickinson suggested that in light of the current frequency of Council meetings, Council defer acceptance until such time as verification of tests and requirements was presented.

Possible wetland issues in the area were discussed. Town Administrator Fitch is to research and provide clarification.

Mr. Greenway noted that his interest costs were approximately \$300 per day. He would do whatever was necessary to get approval contingent on his posting a bond, providing water tests, sewer capacity certification, and any other issues the Council may specify.

Town Administrator Fitch is to prepare a list of requirements and items to be bonded for Council consideration at the November 17th continued meeting.

Attorney Eaton raised concerns about restrictions specifying utility provisions as stated on the face of the plat.

The Council discussed the intent of the stated restrictions.

Attorney Eaton requested clarification of Council intentions as to who would be responsible to pay for bringing utilities to the lot line, and when.

Councilmember Nash suggested that the developer specify where utilities would be available in the subdivision and who would pay. The same to be clearly specified on the face of the plat.

The Council decided to continue deliberation of the above issues to Tuesday, November 21, 1989 meeting.

At 9:50 PM, Councilmember Dickinson presented the Land Use Committee report requesting the Town consider adoption of a 5-MPH speed limit within the harbor.

Attorney Eaton advised the Council on legal aspects of the above issue. He additionally suggested investigation of the, extent and limits of Town authority in the harbor area.

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

At 10:38 PM, Councilmember Dickinson moved and Councilmember Nash seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 10:40 PM, Councilmember Geneste moved and Councilmember Nash seconded to adjourn and continue the meeting to Friday, November 17, 1989 at 1:00 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - November 17, 1989 @ 1:30 PM

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

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

Paul Dossett, San Juan County Assessor, was present to discuss the current tax assessment for Friday Harbor. Mr. Dossett informed the Council of how the tax levy lid is established and cited RCW 84.55.050 and RCW 84.55.092 regarding raising the current tax levy lids. He explained how new construction is valued and what the 6% limit means.

At 2:00 PM, Councilmember Geneste inquired about special Business and Occupation Taxes. Mr. Dossett indicated that if tourism is our industry and it should be taxed, then a B & O tax is a way to accomplish this. He had checked with the Association of Washington Cities, about 40 - 50 cities and towns in Washington have a B & O tax. A state limit of .2% of 1% is set by RCW 35.21.710. Most of the 40 - 50 cities are at the state limit. He felt, that in general rough numbers, an additional \$72,000 a year could be raised for the current fund. A general discussion of the philosophy of a B & O tax followed.

In 1991, the Town of Friday Harbor will be re-assessed and it would be prudent not to raise the levy lid until then, so that we can take advantage of the increased valuation of the Town.

Mayor Cahail thanked Mr. Dossett for his presentation to the Council.

At 2:40 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn to reconvene on Tuesday, November 21, 1989 at 7:00 PM.

H. James Cahail, Mayor  
C. King Fitch, Town Administrator

Town Council - November 21, 1989 @ 7:00 PM continued from the November 17, 1989 continued meeting.

The Town Council met for a budget work session, Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts Others present: Treasurer Picinich, Attorney Eaton, & Acting Fire Chief Galer

Council began review of the Town Administrator's revised version of the 1990 proposed Town budget.

San Juan County Sheriff Bill Cumming presented the Sheriff's Department proposed contract with the Town for law enforcement and public safety services. Sheriff Cumming noted that 30% to 40% of the Department's calls came from within the Town.

Mayor Cahail inquired as to how many of those calls within the Town concerned individuals who were actually residents of the Town.

The Council resumed review of the proposed budget. Council requested explanation and additional information on specific items in the Current Fund.

Council gave tentative approval to proposed expenditures in the Parks Department section of the Current Fund as presented in the Town Administrators 11/20/89 revised draft budget.

The Council discussed proposed projects in the Street Department. Councilmember Nash noted the need for either additional funding or reduced expenditures.

Councilmember Roberts suggested investigating alternate means of providing public access and steps in the area adjacent to the American Legion Club.

Councilmember Athearn suggested that revenues received in excess of budget projections be transferred to Capital Reserve. She also noted the need for a B & O tax or similar tax to help support the Street Fund.

Mayor Cahail inquired that if a street is damaged for maintenance on a water line, should the Water Fund pay for the repair; should the Town's utility pay for repairs as private utilities are requested to?

At 9:05 PM, Council scheduled the next budget work session for Tuesday, November 28th at 7:30 PM.

Councilmember Dickinson moved and Councilmember Geneste seconded to go into executive session to discuss pending litigation. The motion passed unanimously.

At 9:25 PM, Councilmember Geneste moved and Councilmember Roberts seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

Mayor Cahail requested Council consider additional dates for budget work sessions.

Councilmember Nash left the meeting.

At Councilmember Roberts's request, Attorney Eaton provided clarification of restrictive covenants concerning the 50' buffer zone partially in Evergreen subdivision phase II.

Councilmember Athearn raised a question of restrictions concerning mobile homes in the above mentioned subdivision.

The Council determined that Covenant #7; "No trailer house or mobile structure may be utilized upon any lot either temporarily or permanently either as a trailer house or mobile structure or by conversion to a permanent dwelling, nor shall any tent, shack or temporary shelter be erected on any lot, except during construction period, not to exceed one year, and vehicles belonging to bona fide guests are not to exceed thirty (30) days per year.", should be stated on the face of the plat.

Council discussed the intent and specifications of conditions for final approval.

Councilmember Roberts suggested, and Attorney Eaton concurred, that a letter be sent to the applicant in regard to Council concerns about possible ramifications of the 50' buffer zone between the subdivision and an adjacent approximately 200' wide parcel.

At 9:55 PM, Councilmember Roberts moved and Councilmember Dickinson seconded to adjourn and continue the meeting to November 28, 1989 at 7:30 PM for a budget work session. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - November 28, 1989 @ 7:30 PM continued from the November 21, 1989 continued meeting.

The Town Council met for a budget session with Mayor Cahail presiding.

Members present: Athearn, Dickinson, Geneste, Nash, & Roberts Others present: Acting Fire Chief Galer

At 7:35 PM, Mayor Cahail asked the Council if they wished to consider, at this time, acceptance of Phase II of the Evergreen subdivision.

At the Mayor's request, Town Clerk Dubail informed the Council that, per a meeting this date with the Town Administrator, it was his understanding that the conditions for acceptance for Phase I I as outlined in the Town Administrator's November 17, 1989 memo to the Mayor & Council had not been fulfilled.

The consensus of the Council was to defer consideration of the above matter until said conditions were met.

At 7:38 PM, Council began a work session on the 1990 budget.

Chief Potter, Fire District #3, presented a proposal for a contractual agreement for fire protection for the Town of Friday Harbor.

Mayor Cahail and the Council questioned Chief Potter on administrative and operational details of Fire Department and Fire District functions.

Chief Potter noted a perceived duplication of effort and services by the respective departments.

The consensus of Council was to continue deliberation and give the matter further review at a later date.

At 8:06 PM, Treasurer Picinich presented a revised proposed 1990 budget for the current and street funds.



Treasurer Picinich noted the inclusion of a proposed utility tax of not more than 5% of utility revenues.

The Council reviewed and discussed changes in the proposed budget.

Councilmember Roberts requested Treasurer Picinich to investigate availability of Hotel/Motel Tax monies for Town Park use.

The Council discussed the need for, and advisability of the proposed internal utility tax.

Councilmember Athearn suggested asking the Planning Commission to prepare a traffic study after completion of the Comprehensive Plan update.

The Council inquired as to the uses of the new dump truck and when the old, noisy dump truck would be surplus.

The Council discussed recycling concerns and the advisability of having the service provided by an independent party.

The Council indicated that projected water, wastewater, and solid waste rates for 1990 were necessary before a decision could be reached on the current and street funds.

The Council discussed the proposal from Fire District #3. Councilmember Nash felt that the morale of the personnel of the Friday Harbor Fire Department should be a large consideration.

The consensus of Council was to give further consideration to the Fire District #3 proposal.

At 9:40 PM, Councilmember Roberts moved and Councilmember Geneste seconded to go into executive session to discuss pending litigation. The motion passed unanimously.

At 10:20 PM, Councilmember Geneste moved and Councilmember Roberts seconded to return to regular session. The motion passed unanimously. No action was taken in executive session.

At 10:22 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to adjourn to reconvene for a budget work session at 7:00 PM, Tuesday, December 5th, 1989. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - December 5, 1989 @ 7:00 PM continued from the November 28, 1989 continued meeting.

The Town Council met for a budget work session with Mayor Cahail presiding.

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

At 7:05 PM, Mayor Cahail inquired of the Town Administrator if all the details for consideration of acceptance of Phase II of Evergreen subdivision were complete.

Town Administrator Fitch reported on the completion status of the required items. Administrator Fitch referred to items listed in his November 17, 1989 memo to the Mayor and Town Council as well as a December 5, 1989 letter addressing construction progress from Krabbe, Starr, & Metke.

Attorney Eaton spoke to changes in restrictions and notes on the plat concerning utility availability within the subdivision. Attorney Eaton noted changes in draft ordinance #776, accepting the final plat.

Mr. Greenway noted preparations for providing a bond for uncompleted work and his willingness to submit a cash deposit in lieu of the bond.

The Council discussed the offer and suggested rewording of the draft ordinance. They also discussed the appropriateness of requiring a \$10,000 bond or cash deposit to guarantee completion of required construction.

Mr. Tom Metke, K.S. & M., spoke to the design capacity of the wastewater lift station in the subdivision and capacity to serve future connections.

The consensus of Council was that the \$10,000 construction completion deposit was appropriate.

Councilmember Roberts noted that the rezone status of adjacent property owned by the applicant had possibly changed.

The applicant indicated that he did not wish to address the above-mentioned issue at this time.

Attorney Eaton addressed Councilmember Roberts questions about a 50-foot buffer zone.

At 7:30 PM, Councilmember Nash moved and Councilmember Dickinson seconded to adopt Ordinance #776, an ordinance accepting the final plat of the Evergreen Addition, Unit Two, to the Town of Friday Harbor. All members voted to adopt with Councilmember Roberts abstaining.

Councilmember Roberts, noting an unexpected commitment, asked to be excused for the remainder of the meeting.

At 7:38 PM, the Council resumed work on the 1990 Town budget.

Town Administrator Fitch spoke of changing revenue requirements in all aspects of Town operations and responsibilities.

Town Administrator Fitch requested a policy decision from the Council as to whether alternate and additional sources of revenue should be sought, or if cutting of expenditures was the path to take in meeting revenue requirements.

Town Administrator Fitch noted staff efforts to present an equitable rate structure. He requested that Council review the suggested rate schedules with an understanding that the rates attempt to charge users in relation to the use of the system.

Town Clerk Dubail presented a suggested methodology for deriving cost of water service and use rates based on methodology recommended by the American Water Works Association "Manual of Water Supply Practices - Water Rates MI". Clerk Dubail noted that the suggested rate structure was determined by cost of service factors, modifications were a Council policy decision.

The Council reviewed the suggested rate structure and examined the impact on individual and classes of service.

At 9:20 PM, Treasurer Picinich distributed and explained a revised water fund budget.

The Council discussed the advisability of the proposed 5% utility tax and the propriety of initiating a tax on the water fund.

Councilmember Geneste mentioned that the Council may wish to reconsider the proposed Second & Guard Street reconstruction project.

Treasurer Picinich noted that the Second & Guard Street project is funded primarily from the arterial street & capital reserve funds.

Mayor Cahail noted that if the Town declines the Transportation Improvement Board funding for the project, the funds will not be again available.

Councilmember Geneste suggested that the project be reappraised after the engineering study is completed.

Treasurer Picinich reminded the Council of the scheduled December 7, 1989 budget public hearing.

At 9:53 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - December 7, 1989 @ 12:30 PM

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

Members present: Athearn, Dickinson, Geneste, & Nash

Others present: Town Administrator Fitch, Treasurer Picinich, & Maintenance Supervisor Reitan, Acting Fire Chief Galer

The Council reviewed the outstanding claims against the Town.

Councilmember Athearn remarked on accountability for overspending individual budget line items.

Councilmember Athearn inquired as to the status of bird screen installation at the wastewater treatment plant.

Maintenance Supervisor Reitan spoke about continuing difficulties with obtaining the services of a fencing contractor.

At 1:03 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to pay the bills and approve the payroll. The motion passed unanimously.

At 1:05 PM, Councilmember Nash joined the meeting.

Town Administrator Fitch introduced Mr. Ed Stuhr, joint Town/County Solid Waste Plan Coordinator.

Mr. Stuhr presented a status report on the draft Solid Waste Management Plan and outlined the steps in the technical review and adoption process. Mr. Stuhr requested that the Council consider a proposed application for a Department of Ecology 50% Ground Water Monitoring Well grant as described in his December 6, 1989 memo to the Town Administrator. Mr. Stuhr noted that the proposal suggests that the required wells be in place by December 1990. In response to the Town Administrator's inquiry, Mr. Stuhr indicated that he would possibly be available to function as grant administrator. Mr. Stuhr noted that the time period for the Solid Waste Plan does not start until its approval.

At 1:20 PM, Maintenance Supervisor Reitan presented the Maintenance Supervisor's report.

He reported that:

As of approximately April 15, 1990 the solid waste facility will no longer be burying sheetrock and roofing.

The Town reservoir is a 100 inches below the spillway. 1,000,000 gallons had been pumped from Augmentation Project I.

The state is pushing for the chemical injection system at the water treatment plant to be brought online.

The upgrade of the Scenic Place water main is complete.

A SEPA report and soil analysis is now required for each sludge disposal site. Costs have risen accordingly. He noted that the Town has been requesting a permit from the County for over a year.

Mr. Reitan remarked on the strain of trying to comply with new state and federal requirements in water treatment, wastewater treatment, and solid waste disposal.

At 1:38 PM, Treasurer Picinich distributed a revised draft 1990 budget.

Town Administrator Fitch requested the Council's intentions regarding enforcement of the Sign Ordinance.

Councilmember Nash suggested that owners of expensive nonconforming signs be given an additional time period for compliance.

Town Administrator Fitch noted that there have been two 1-year extensions already.

Councilmember Athearn recommended enforcement of the ordinance.

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

H. James Cahail, Mayor  
Steven Dubail, Town clerk

Town Council - December 7, 1989 @ 7:30 PM

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

Members present: Athearn, Dickinson, Geneste, & Nash  
Others present: Town Administrator Fitch, Treasurer Picinich, Attorney Eaton, & Acting Fire Chief Galer

Minutes of the November 11th and November 16th meetings were approved as submitted.

Town Administrator Fitch introduced a request by Inez Browne to change Condition #1, "That there be plantings or a fence with screening on the West Side of lot #3 of Loma Vista" of Conditional Use Permit #20. Said Conditional Use Permit was issued May 5, 1989.

The Council reviewed the intent of the condition and requested additional information from Town Administrator Fitch and the applicants.

Councilmembers Dickinson and Athearn felt that as long as the residence known as the "Ethel Dale house" was used for residential purposes, Condition #1 should remain.

Councilmember Nash stated that the Browne's could not expand their use to lots #1 & #2 without additional conditions. He felt that condition #1 could be removed.

Councilmember Geneste noted that screening between residential and industrial uses was the intent of the condition.

Councilmember Athearn inquired of Attorney Eaton if a change of ownership altered the condition.

Attorney Eaton indicated it did not. The question being; is there currently adequate natural screening between the uses? If the natural screening is removed the Browne's would be required to install additional screening.

Councilmember Dickinson moved and Councilmember Geneste seconded to revise Condition #1 of Conditional Use Permit #20 to require screening adjacent to the west side of lot #3. The motion passed unanimously.

At 7:55 PM, Mayor Cahail opened the Public Hearing on the proposed 1990 Town budget and asked for comments from the audience.

The Mayor, Treasurer Picinich, and Town Administrator Fitch responded to inquiries from the audience. Town Administrator Fitch read correspondence in regard to proposed repairs on Caines Street and development of Argyle Street park.

At 8:00 PM, hearing no further input, Mayor Cahail closed the Public Budget Hearing.

Mayor Cahail opened the Public Hearing for the William Carli rezone application for 685 Argyle Avenue from single family residential to multi-family residential.

Mayor Cahail informed the audience that he has an interest in a property one lot away from the applicants property.

Mayor Cahail instructed the Council, applicant, and audience on the procedure to be followed. Hearing no objection to the Mayor or any Councilmember taking part in-the hearing, Mayor Cahail asked Town Administrator Fitch to present the staff report.

Town Administrator Fitch reviewed actions, findings, code requirements, comments, and correspondence concerning the property. He noted that the staff recommendation was to deny the request for reasons outlined in the staff report. Additionally, the Planning Commission supported the recommendations of the staff report and recommended denial as detailed in the Planning Commission facts & finding.

At 8:13 PM, Mr. William Carli, applicant, presented information in support of his request. Mr. Carli noted that the sole purpose of the rezone request was to meet Friday Harbor Municipal Code requirements for the opening and operation of a bed & breakfast (B&B) establishment.

Mr. Carli presented documents showing that his property was initially proposed to be zoned multi-family residential. He indicated that currently there are two residences on his property built before the Land Use Ordinance was enacted.

Mr. Carli noted that he had concurrently applied for and gone through the hearing process to request a Conditional Use Permit to operate a B & B. Although the Town Land Use consultant had recommended denial of the rezone, he had indicated approval of the C.U.P. for a B & B.

Mr. Carli addressed concerns of potential impact on the neighborhood. He read a letter from Mr. David Ellingson, adjacent property owner in support of the rezone and a letter from Harbor Lights B & B supporting a B & B in this location. Mr. Carli proposed various conditions that could be required for acceptance.

At 8:35 PM, Betty Moyer, 600 Harrison Street, spoke in favor of B & B's.

Dennis Harkless, 670 Argyle Avenue, spoke in favor of B & B's, but against a rezone of the property to multi-family residential.

Bob Hollenbach, 685 Argyle Avenue, spoke in favor of the rezone. Grace Swan, 315 Caines Street, spoke in favor of the rezone.

Soni King, 355 Harrison Street, requested clarification of the need for a rezone to allow a B & B, and spoke in favor of the request.

At 8:30 PM, Town Administrator Fitch read a letter from the Duffy House B & B in support of B & B's. Mr. Fitch also read a letter from Bill Brant, 635 Spruce Street, and Mr. Brant stated he was "unalterably opposed".

Attorney Eaton spoke of the criteria to be addressed in consideration of a rezone. He noted that the Land Use Ordinance could be revised to allow B & B's as a conditional use in single family residential zones.

Mayor Cahail inquired if there was any additional input from the audience or if Council wished at this time to query staff, applicant, or audience.

At 8:38 PM, hearing no further questions or comments, Mayor Cahail closed the public input portion of the hearing and noted that the Council reserved the right to reopen the hearing for further public input at a later time.

The Council reviewed and discussed various aspects of the application.

The Council specifically addressed issues of the current amount of multi-family residential zoning and potential limitations of water supply.

Councilmember Nash noted that a B & B in the area apparently was not objectionable, but that a rezone was a major land use action.

Councilmember Athearn pointed out that the Planning Commission is currently reviewing the Land Use Ordinance. The Planning Commission or the Council could consider revisions to provide for B & B's as a conditional use in single family residential zones.

At 8:46 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to accept the recommendation of the Planning Commission and deny the Carli rezone request. The motion passed unanimously.

At 8:48 PM, Mayor Cahail introduced revised draft ordinance # 768, an ordinance amending Ordinance #574 and Chapter 10.04.070 of the Friday Harbor Municipal Code, concerning time limit parking.

Town Administrator Fitch explained changes from the previous draft and noted citizen input for and against changes in Town parking regulations.

At 8:57 PM, Councilmember Nash moved and Councilmember Geneste seconded to adopt Ordinance #768. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #777, an ordinance amending Ordinance #616 and Friday Harbor Municipal Code Table I, Article 1, concerning the means to increase or decrease the cost of metered water and the unit charge rate for said water.

Town Administrator Fitch explained the intent of the proposed ordinance. He noted that the rate determination method was changed, not the rates. He indicated that draft ordinance #778 proposed identical provisions for determining sewer rates.

The Council discussed the content and ramifications of the proposed ordinances and perceived contradictions inherent in the current methods.

At 9:10 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to adopt Ordinance #777 as amended by the removal of the word "operating" from paragraph D. The motion passed unanimously.

At 9:13 PM Councilmember Athearn moved and Councilmember Geneste seconded to adopt Ordinance #778, an ordinance amending Ordinance #658 and Friday Harbor Municipal Code Table I, Article 2, and repealing Ordinance #753 in its entirety, concerning the means to increase or decrease the sewer user charge. The motion passed unanimously.

At 9:14 PM, Town Administrator Fitch presented the Administrator's Report.

Administrator Fitch spoke of business community concerns with the Sign Ordinance. He noted that 42 sign owners are currently in violation. He also noted, that as provided by the ordinance, variance applications would be heard, and could be granted by the Planning Commission.

Administrator Fitch informed the Council of receipt of a petition asking for changes in the Sign Ordinance and noted the presence of interested parties in the audience. He requested indication of Council intentions in regard to the approaching first enforcement deadline. Additionally, he mentioned the excellent response to compliance with the ordinance, initially approximately 300 signs were not in compliance.

Councilmember Athearn indicated that the Town Administrator should proceed with enforcement action.



The Council examined the presented petition and noted that a number of those signing had conforming signs or had brought their signs into compliance.

Councilmember Nash expressed concern over the cost of presently installed signs. He also addressed various points raised in the petition.

Town Administrator Fitch noted that receipt of a variance application and fee would forestall fine enforcement measures pending the outcome of a variance hearing.

Councilmember Nash recommended that the Town call the 42 businesses not in compliance.

At 9:35 PM, the consensus of the Council was to proceed with enforcement.

Attorney Eaton recommended that the Town respond to the attorney indicated in the petition as representing the signatories of the petition. The Council concurred.

Town Administrator Fitch notified the Council that the engineering firm of Grey & Osborne had been selected to provide engineering design services for the Second Street/Guard Street reconstruction project.

At 9:42 PM, Town Administrator Fitch introduced draft resolution # 745, a resolution supporting a grant application to the Department of Ecology grant assistance program for installation of ground water monitoring wells at the solid waste facility.

Councilmember Athearn moved and Councilmember Geneste seconded to adopt Resolution #745. The motion passed unanimously.

At 9:48 PM, Councilmember Geneste moved and Councilmember Dickinson seconded to adjourn to reconvene December 8, 1989 at 1:30 PM for a budget work session. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - December 8, 1989 @ 1:30 PM continued from the December 7, 1989 regularly scheduled meeting.

The Town Council met for a budget work session.

Members present: Athearn, Dickinson, & Geneste

Others present: Town Administrator Fitch, & Treasurer Picinich Councilmember Dickinson moved and Councilmember Athearn seconded to appoint Councilmember Geneste Mayor Pro tem. The motion passed unanimously.

At 1:35 PM, Town Administrator Fitch introduced a new Class EF liquor license application (#076066) from Gordon Thomas Peterson, Orcas Store, Inc., dba Friday Harbor Grocery.

After discussion, Councilmember Dickinson moved and Councilmember Athearn seconded to recommend approval of the applicant and the location. The motion passed unanimously.

At 1:39 PM, the Council resumed review of the proposed 1990 Town budget.

The Council examined and revised the Water budget and discussed current and proposed rate structure.

The Council discussed the budget review.

At 3:25 PM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn to reconvene Monday, December 11, 1989 at 1:30 PM. The motion passed unanimously.

E.A. Geneste, Jr., Mayor Pro tem  
Steven Dubail, Town Clerk

Town Council - December 11, 1989 @ 1:30 PM continued from the December 8, 1989 continued meeting.

The Town Council met for a budget work session.

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

Councilmember Geneste moved and Councilmember Athearn seconded to appoint Councilmember Dickinson Mayor Pro tem. The motion passed unanimously.

Council continued work on the proposed 1990 Town budget. Water rate methodology and philosophy were examined and discussed.

At 3:38 PM, Town Administrator Fitch introduced the methodology he used to derive suggested customer wastewater treatment rates. He noted continuing problems with storm water infiltration in the sanitary sewer system.

At 4:05 PM, Councilmember Athearn moved and Councilmember Geneste seconded to adjourn to reconvene Wednesday, December 13, 1989 at 7:00 PM. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - December 13, 1989 0 7:00 PM continued from the December 11, 1989 continued meeting.

The Town Council met for a budget work session, Mayor Cahail presiding.

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

Town Administrator Fitch introduced a proposal by the Planning Commission for a grant application concerning the Long Range Development Plan. He noted application time constraints.

Mr. Tim Gambrel, Planning Commission Chairman, explained the details of the proposal. He noted that the cost to the Town would not exceed \$6,000, \$5,000 of which was already allocated to the Planning Commission.

Mr. Dave Skinner noted support at the state level as well as potential contributions from the Port, County, and private sector. He mentioned the availability, at no charge, of a meeting room at the Community Theater.

The Town, as lead agency, would be grant administrator for the project.

Mayor Cahail and the Council discussed the proposal and the perceived benefits.

At 7:30 PM, Town Administrator Fitch introduced draft resolution #746, a resolution supporting a grant application to the State of Washington Local Development Matching Fund to create a Town Long Range Development Plan.

Councilmember Dickinson moved and Councilmember Geneste seconded to adopt Resolution #746 subject to approval of the proposal by the Planning Commission. The motion passed unanimously.

At 7:35 PM, the Council resumed work on the proposed 1990 Town budget.

Town Administrator Fitch announced that Councilmember Roberts would not be available to attend council meetings for 30 days.

The Council discussed a proposed water rate structure developed by staff.

The Council discussed the philosophy of the proposed Utility Tax, the out of town rate allocation factor, and the need to decide on Water Fund expenditures.

Councilmember Geneste noted that his calculations indicate that the cost to the Town to produce 1,000 gallons of water is \$2.46.

The Council discussed the effect on revenue generation of various rate allocation factors.

Town Administrator Fitch noted that the point of the discussion was shifting actual cost of service from in-town residential users.

At 9:05 PM, Councilmember Athearn suggested that the Council review Wastewater allocations.

The Council reviewed the proposed expenditures in the Sewer fund.

At 10:05 PM, Treasurer Picinich requested that the Council review the Refuse budget.

Town Administrator Fitch distributed proposed rate schedules and explained the methodology used in their derivation.

The Council discussed the practicality of a Town operated recycling program or the alternative of allowing a private concern provide the service.

The Council discussed their philosophy of recycling.

Mayor Cahail noted that recycling would reduce the impact on the landfill.

Councilmember Nash suggested that the Town study the feasibility of recycling and tentatively plan to initiate a program in July of 1990.

The Council discussed the practicality of franchising a private recycling concession.

At 11:05 PM, the Council agreed that the Water, Sewer, and Refuse expenditure budgets were approved.

Treasurer Picinich inquired as to expenditures for current personnel.

Mayor Cahail suggested that Council establish the personnel rate and adjust revenue requirements accordingly. Mayor Cahail stated that he felt the Council should not consider their employees as "what's left over". The Council concurred.

Councilmember Athearn noted previous approval of a 5.4% cost of living adjustment. Again, the Council indicated agreement.

The general response from Council was that the proposed allocation levels had been agreed to.

The Council will consider expenditures for the Planner/Permit Processor and the Deputy Clerk when they next review the Current Fund.

At 11:10 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adjourn to reconvene Monday, December 18, 1989 at 7:30 PM for a budget work session. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - December 18, 1989 0 7:30 PM continued from the December 13, 1989 continued meeting.

The Town Council met for a budget work session, Mayor Cahail presiding.

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

The Council resumed work on the 1990 budget. At the Town Administrator's request, the Council proceeded with review of the current fund.

Treasurer Picinich explained changes in the presented draft.

At Councilmember Nash's request, the Council explored the history of the Capital Cumulative Reserve fund. Treasurer Picinich produced ordinances detailing the evolution of the fund.

At 8:15 PM, the Council turned their attention to review of the Street fund.

Councilmember Nash expressed concern over increased vehicular and pedestrian traffic on Caines Street, and the need for a sidewalk connecting Argyle Avenue to Spring Street. He indicated that as Price Street is a low volume street, resurfacing could be postponed for another year.

Councilmember Nash suggested that the money saved from Price Street be put into street operating supplies.

At 8:40 PM, after discussion, the consensus of Council was to accept the utility fund tax.

Council discussed the feasibility of levying a B & O tax. Councilmember Nash recommended staff research implementation procedures for a said tax.

Councilmember Athearn noted that the budget reflects acceptance of the previously presented Fire Department option #3.

Mayor Cahail indicated that at this time, that was the case. He noted that the situation with the Fire Department could change.

Councilmember Nash suggested that a request for donations for support of the fireboat be mailed to appropriate island residents.

Councilmember Athearn asked for clarification on the disposition of remaining allocations in the Fire Department 1989 budget.

Town Administrator Fitch noted that he has no direct contact or review of Fire Department purchases.

The Council discussed on going and proposed expenditures in the Fire Department.

At 9:25 PM, after revision, the Council approved allocations in the Current and Street funds.

At 9:30 PM, Council took up review of the Arterial Street fund.

Town Administrator Fitch suggested that in regard to the Second Street/Guard Street reconstruction project; the Council be prepared to scale down the project during the design phase, not after a bid is received. If the bid for the project that the Council wants is higher than anticipated, the Council should be prepared to consider borrowing the difference.

Mayor Cahail noted that the decision should be based on what is in the community's best interest.

At 9:35 PM, the Council approved proposed expenditures in the Arterial Street fund.

At 9:38 PM, the Council returned to review of the Water fund budget.

Treasurer Picinich requested that \$15,000 from the unexecuted Malcolm Street water line project be transferred by ordinance to be used for a 1980 Water bond principal payment contingent on the improvement schedule in the forthcoming 1989 KCM Water Comprehensive Plan update.

Treasurer Picinich noted a need to restructure the 1980 Water bond to provide for an increased payment on the principal.

In the Sewer fund, Treasurer Picinich noted that the 1990 University of Washington sewer charge was revised to \$24,580.00.

Treasurer Picinich pointed out an increased transfer of \$40,000 to Capital Reserve Projects in the Refuse fund. She noted that the utility tax is covered in the proposed rates. Additionally, the State taxes have increased to 6.1%.

Treasurer Picinich presented the Council with projected balances in the Capital Reserve funds. She remarked on increased revenue from the Real Estate Transfer tax.

Councilmember Geneste recommended that a usable, pre-registered purchase order system be established and adhered to.

The Council discussed the feasibility of a line by line budget adoption procedure.

Councilmember Athearn reiterated the need for accountability of Department heads for overspending budgeted line items. She remarked that by RCW, repayment of over spent line items was the Department head's responsibility.

Treasurer Picinich noted that with the increased Water Department budget, double entry bookkeeping was required. A complete and accurate inventory was a prerequisite. Additionally, that timely detailed reports of labor and material expenditures would help alleviate misspending.

Councilmember Nash recommended that a task oriented daily reporting system be used by the Maintenance Department.

Town Administrator Fitch indicated that a similar system is currently in use for new sewer and water installations.

Councilmember Athearn inquired in regard to authorizing the Town Administrator, by ordinance to adjust individual line items within a fund.

The Council discussed the proposal.

At 10:25 PM, the Council approved the budget as revised.

At 10:26 PM, Councilmember Dickinson moved and Councilmember Nash seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - December 21, 1989 @ 7:30 PM

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

Members present: Athearn, Dickinson, Geneste, & Nash

Others present: Town Administrator Fitch, Treasurer Picinich, & Attorney Eaton, & Acting Fire Chief Galer

The minutes of;

the November 21st meeting @ 7:00 PM were approved as submitted, the November 28th meeting @ 7:30 PM were approved as submitted, the December 5th meeting @ 7:00 PM were approved as submitted, the December 7th meeting @ 12:30 PM were approved as submitted, the December 7th meeting @ 7:30 PM were approved as submitted, the December 8th meeting @ 1:30 PM were approved as submitted, the December 11th meeting @ 1:30 PM were approved as submitted, the December 13th meeting @ 7:00 PM were approved as submitted, the December 18th meeting @ 7:30 PM were approved as amended,

At 7:38 PM, Acting Fire Chief Galer reported that there have been 24 fire calls since his last report, 130 calls year to date.

Councilmember Geneste stepped down for appearance of fairness reasons.

At 7:40 PM, Mayor Cahail requested Council consideration of a preliminary proposal submitted by Dave Moorhouse and Bill Percich regarding Shoreline Development permit #41.

Town Administrator Fitch gave a brief review and outlined actions leading to the current proposal.

Mayor Cahail informed the audience that this is not a public hearing. The purpose is to provide applicants and staff with an indication of Council intentions and determine if additional information is required from the applicants and staff.

Attorney Eaton noted that interaction with the audience was not appropriate. Additionally, he noted that the applicant's attorney, Mr. John Linde, was present, although the applicant was not.

Attorney Eaton explained that the staff required an indication of the Council's disposition in regard to the applicant's proposal. He noted proposed alternatives to certain of the conditions specified by Council at the October 26, 1989 meeting.

At 7:55 PM, Councilmember Nash indicated he would be willing to consider the proposed alternatives. He felt there was a need to limit the number of occupants.

Councilmember Dickinson remarked that the applicant's proposal was headed in the right direction.

Councilmember Athearn requested clarification of the proposed delivery and utility access. Attorney Eaton noted that the access is not an alley.

Councilmember Dickinson spoke to the request to consider a change, by ordinance, to revise parking requirements in the core area.

Councilmember Athearn noted that Council had previously discussed, in a general manner, the philosophy of accepting payment for alternate parking in lieu of onsite parking.

Councilmember Nash suggested Council consider developing parking on undeveloped Town land. He also commented that the proposed amounts in lieu of on site parking were unrealistic.

At 8:05 PM, the Council indicated that the applicants should continue with development of their alternative proposal.

Councilmember Geneste rejoined the meeting.

At 8:07 PM, the Council heard a presentation by Town Building Official Jim Hodges regarding renovation of the San Juan County Courthouse.

Mr. Hodges noted the need for guidelines in the above matter. The Uniform Building Code (UBC) is not specific in regard to historic buildings. He presented the 1987 Uniform Code for Building Conservation (UCBC) which does address historic unreinforced masonry buildings (URM's). Mr. Hodges noted that life safety was the major concern. The UCBC allows for maintenance and remodeling of existing buildings. It also addresses archaic construction practices and materials.

Mr. Hodges explained the difficulty, if not impossibility, of bringing buildings such as the old County Courthouse to standards for historic buildings as specified by the UBC. Alternatives are provided in the UCBC. He noted that the recommendation of the Building Code Council, as well as his own recommendation was to either adopt the entire UCBC or none, not to adopt specific portions.



Councilmember Nash asked what was the quickest way to get renovation underway.

Building Official Hodges remarked that the right way was to adopt the whole code, not just a portion.

Mayor Cahail suggested that Mr. Hodges research adoption of the UCBC to apply only to historic buildings.

Mr. Hodges will have information and a recommendation to present at the January 4, 1990 Council meeting.

Councilmember Geneste requested that careful review be given to the proposal with safety as the primary consideration.

At 8:27 PM, the Council began review of a proposal to merge Municipal and District Courts.

Attorney Eaton described changes from the first draft agreement. He noted that the document is not in final form and requested indication of Council intentions.

Mayor Cahail noted that he and Town Administrator Fitch had met with the Board of County Commissioners and that the Board had voted to approve the agreement in principal.

At 8:35 PM, Councilmember Dickinson moved and Councilmember Geneste seconded to agree in concept to the interlocal agreement and direct the Town Attorney to proceed. The motion passed unanimously.

Town Administrator Fitch introduced draft resolution #747, a resolution by the Council of the Town of Friday Harbor authorizing the Mayor to execute an agreement for janitorial services to clean Town Hall.

Councilmember Nash felt it should be a staff decision.

Councilmember Athearn and Councilmember Dickinson remarked that the current contractor, Windjammer Janitorial Services, is doing a good job.

Councilmember Nash moved and Councilmember Geneste seconded to adopt Resolution #747 to accept the qualified low bidder; Complete Maintenance Services. The motion passed on a 3 to 1 vote with Councilmember Athearn voting against.

Attorney Eaton noted that since the contract did not have to be put out for bid the Council did not have to accept the lowest bid.

At 8:45 PM, Town Administrator Fitch introduced draft ordinance #779, an ordinance fixing salaries of officials and wages of Town employees. Administrator Fitch indicated changes from the previous wage and salary ordinance.

Councilmember Dickinson moved and Councilmember Nash seconded to approve Ordinance #779. The motion passed unanimously.

Mayor Cahail introduced draft ordinance #780, and ordinance adopting the 1990 budget for the Town of Friday Harbor.

Treasurer Picinich noted a carry over of funds for completion of the Joint Solid Waste Management Plan.

Town Administrator Fitch read the introductory narrative highlighting changes in philosophy and structure from previous budgets.

At 8:45 PM, Councilmember Geneste moved and Councilmember Nash seconded to adopt Ordinance #780. The motion passed unanimously.

Town Administrator Fitch indicated that preliminary water and sewer rate figures were available for Council review and comment. Time constraints had precluded preparation of final figures.

At 9:00 PM, Town Administrator Fitch distributed to Mayor Cahail and the Council the 1990 Draft Solid Waste Management Plan for the San Juan Islands.

Town Administrator Fitch requested that the Council meet briefly during the week of December 24, 1989 to consider for acceptance a resolution concerning T.I.B funding for the Second and Guard Street reconstruction project, and a resolution to approve Town co-sponsorship of the Household Hazardous Waste Collection Day that took place on September 9, 1989.

At 9:07 PM, Mayor Cahail and the Town Council presented Councilmember Geneste with a plaque in recognition of his years of public service to the Town.

At 9:20 PM, Councilmember Geneste moved and Councilmember Nash seconded to adjourn to continue to Wednesday, December 27, 1989 at 4:00 PM to consider the above mentioned resolutions.

H. James Cahail, Mayor  
Steven Dubail, Town Clerk

Town Council - December 27, 1989 @ 4:00 PM

The Town Council attempted to meet in continued session with Mayor Cahail presiding.

The meeting died for lack of a quorum.

Members present: Dickinson & Nash

Others present: Town Administrator Fitch & Treasurer Picinich Council will attempt to reconvene December 28, 1989 at 8:15 AM.

Teresa Nash, Town Clerk pro tem

Town Council - December 28, 1989 @ 8:15 AM

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

Members present: Athearn, Dickinson, & Nash

Others present: Town Administrator Fitch, & Maintenance Supervisor Reitan

Town Administrator Fitch introduced draft resolution #748, a resolution authorizing the Mayor to execute a contract with Gray and Osborne, Inc. to perform the preliminary engineering for the reconstruction of Second Street and Guard Street project.

Councilmember Nash moved and Councilmember Dickinson seconded to adopt Resolution #748. The motion passed unanimously.

Town Administrator Fitch introduced draft resolution #749, a resolution officially co-sponsoring a household hazardous waste collection day.

Councilmember Dickinson moved and Councilmember Nash seconded to adopt Resolution #749. The motion passed unanimously.

Town Administrator Fitch introduced draft resolution #750, a resolution authorizing the Mayor to execute an intergovernmental contract with the State of Washington Department of Community Development to provide fire protection to State owned property.

Councilmember Nash moved and Councilmember Dickinson seconded to adopt Resolution #750. The motion passed unanimously.

Town Administrator Fitch introduce draft ordinance #781, an ordinance by the Council of the Town of Friday Harbor declaring an emergency situation in relation to the failure of the water main transmission line.

Councilmember Nash moved and Councilmember Dickinson seconded to approve Ordinance #781. The motion passed unanimously.

Maintenance Supervisor Reitan reported that testing of the repaired section of line is planned for today. He noted that further repair work will be required when ground conditions permit.

Town Administrator Fitch noted that San Juan County Public Health Department and KCM had been appraised of, and approved temporary supply and repair procedures employed by the Town.

Mayor Cahail suggested the Council give consideration to building a new pipeline.

Councilmember Nash suggested that an additional standpipe may be the initial priority.

At 8:35 AM, Councilmember Roberts joined the meeting. At 8:40 AM, Councilmember Nash asked to be excused from the meeting.

Maintenance Supervisor Reitan thanked the Council and staff for their support during the water line crisis.

The Council thanked the Maintenance Supervisor and crew for their efforts as well as Town Administrator Fitch for his leadership during the water line crisis.

At 8:43 AM, Councilmember Dickinson moved and Councilmember Athearn seconded to adjourn. The motion passed unanimously.

H. James Cahail, Mayor  
Teresa Nash, Town Clerk Pro tem