

Town of La Conner
Town Council Meeting
January 11, 2011 – 4:30 p.m.
Upper Maple Center

The regular meeting of the La Conner Town Council was called to order at 4:35 p.m.

Present: Mayor Hayes, Councilmembers Brunisholz, Hubbard, and Wright.

Also Present: Administrator Doyle, Public Works Director Lease, Finance Director Taylor, Fire Chief Taylor, Sewer Operator Wynn, and Sergeant Wise.

Councilmember Brunisholz moved to excuse the absence of Councilmember Tracey and Welch. Seconded by Councilmember Wright. Carried 3-0. (Councilmember Welch arrived at 4:42 p.m.)

Approval of Agenda:

Councilmember Wright moved to approve the agenda as amended. Seconded by Councilmember Hubbard. Carried 3-0.

Approval of Minutes:

Councilmember Wright moved to approve the minutes of the December 14, 2010 town council meeting. Seconded by Councilmember Hubbard. Carried 3-0.

Councilmember Hubbard moved to approve the minutes of the December 28, 2010 town council meeting. Seconded by Councilmember Wright. Carried 3-0.

Approval of Accounts Payable:

Councilmember Hubbard moved to approve checks 9799 through 9861 dated December 31, 2010 for 2010 expenditures in the amount of \$90,927.28 as presented. Seconded by Councilmember Wright. Carried 3-0.

Councilmember Wright moved to approve checks 9862 through 9865 dated January 11, 2011 in the amount of \$2,721.63. Carried 3-0.

Approval of Payroll:

Councilmember Brunisholz moved to approve payroll checks 2210 through 2221 and direct deposits for the payroll period of December 15 through December 31, 2010 in the amount of \$67,613.54 as presented. Seconded by Councilmember Hubbard. Carried 3-0.

Chamber Report: No report this month.

Department Head Reports:

- Revenue/Expenditure Report December 2010: Finance Director Taylor stated the report for the month of December 2010 showed the revenues received at 101% and expenses at 87% of the budget. Ms. Taylor stated that sales, property and bond taxes were received at projected budget amounts, and hotel motel taxes were at 160%. Discussion followed on using the additional hotel motel funds cautiously in the event of a shortfall, and the possibility of other funding uses for the money.
- Administrator: Administrator Doyle stated that the Town has received a letter from the Department of Revenue approving the proposed Community Solar Project and authorizing the incentive payments from PSE. He is in the final stages of completing the Lease Agreement and getting bid estimates for the finalized sites. Mr. Doyle stated that two individuals are ready to invest when the bids and lease agreement are ready. He stated he hopes to have them for council approval at the next meeting.

Mr. Doyle stated that the draft EIS for the boardwalk is complete and has been mailed out to all parties involved. He stated the EIS is available at Town Hall for review and copies are available for \$15 per copy. Mr. Doyle stated that he will be applying for the shoreline and water permits soon, and all the permits should be ready for the funding cycle this year.

- Public Works: Councilmember Wright commended the PW crew for their efforts on the recent snow removal.
- Water Wastewater: There were no questions or comments on the report. In the council packet.
- Fire Department: Fire Chief Taylor stated that there was one additional Town related call that needed to be added to his report for December.
- Sheriff's Department: There were no questions or comments on the report. In the council packet.

Mayor's Report: Mayor Hayes stated that Code Enforcement Officer Stokes is working diligently but has not been able to capture the remaining turkeys. If there isn't any progress soon, they will consider new plans for capturing the turkeys.

Mayor Hayes stated the Town has been working closely with a resident on Caledonia regarding a significant sewer issue, and several cars have been removed from the property. Mayor Hayes acknowledged Mr. O'Donnell's memo to the council regarding this issue. A volunteer and the church have helped with a repair, but more repair needs to be done.

Administrator Doyle stated that Dave English, Department of Health, has issued a compliance order for the exposed sewer connection and the building department has issued a compliance order for the yard debris with a deadline of December 31, 2010. He stated that the Town cannot intervene on private property to do necessary repairs or clean without first-hand knowledge.

Mayor Hayes stated that the WWTP had a record month in December, double the usual septage processed in December. He stated his vision is to lay the groundwork for a revenue stream for the next 20-30 years. However in the last 6 weeks there has been more of an odor problem and they are taking steps to resolve the issue.

Council Committee Reports:

Councilmember Welch: reported that the Facilities committee met and he has proposed some language for facility rentals regarding the security requirement if drinking or dancing is present. The proposed language to the rental contract is:

If damages exceed the amount of deposit, renter will be notified. Renter agrees to pay by credit card any damages that exceed the amount covered by the damage deposit. If the renters event, attendees necessitate a police response an additional charge of \$500 will be levied against renters deposit.

Sergeant Wise stated that the proposed language was problematic and felt it needed to be clarified as to who could call for a police response and the monetary responsibility. Council agreed that the language needed to be clarified and Mayor Hayes stated he would review the language with the Town Attorney and bring back his suggestions.

Mayor Pro-Tempore:

Councilmember Hubbard moved to appoint Councilmember Welch as Mayor Pro-tem for the next six months. Seconded by Councilmember Wright. Carried 4-0.

Miscellaneous: Councilmember Welch inquired how decreasing property assessments in La Conner will affect property tax collections for the Town. Ms. Taylor stated that it does not affect the Town's property taxes which are based on a simple 1% increase of the total taxes collected in the previous year.

Community Comments: Dan O'Donnell, 328 North Third, stated that in May of 2007 the council approved a Developer Agreement with La Conner Associates. He said that in Section 18 it stated that if the permits expire than the agreement expires. The permits expired on May 29, 2010, and on November 15, 2010, the Hearing Examiner in item 20 agreed the permits expired in his conclusions of law. Mr. O'Donnell asked the Mayor if he will file for the public record a notice of determination of the agreement.

Administrator Doyle stated that he has not reviewed the Hearing Examiner's conclusions for action at this point. Mayor Hayes advised that he will respond to Mr. O'Donnell's comments.

There being no further business the meeting was adjourned at 5:08 p.m.

Lorraine Taylor, Town Clerk

Ramon Hayes, Mayor