

Town of La Conner
Town Council Meeting
November 10, 2009 – 5:00 p.m.

The meeting of the La Conner Town Council was called to order at 5:03 p.m.

Present: Mayor Hayes, Councilmembers Brunisholz, Hubbard, O'Donnell, and Johnson.

Also present: Town Administrator Doyle, Finance Director Taylor, PW Director Lease, Fire Chief Taylor, Plant Operator Wynn, and Sergeant Wise.

Councilmember O'Donnell moved to excuse the absence of Councilmember Wright. Seconded by Councilmember Johnson. Carried 4-0.

Approval of Agenda:

Councilmember Johnson moved to amend the agenda by deleting the Executive Session for this meeting. Seconded by Councilmember Hubbard. Carried 4-0.

Approval of Minutes:

Councilmember Hubbard moved to approve the minutes of the October 27, 2009 regular town council meeting. Seconded by Councilmember Brunisholz. Carried 4-0.

Approval of Accounts Payable:

Councilmember Johnson moved to approve checks 7994 through 8067, 200947 through 200948, dated November 10, 2009 in the amount of \$136,762.75 as presented. Seconded by Councilmember Hubbard. Councilmembers Hubbard and Johnson votes aye, Councilmembers O'Donnell & Brunisholz voted nay. Mayor Hayes voted aye and the motion passed.

Approval of Payroll:

Councilmember Hubbard moved to approve payroll warrants 1714 through 1727 and direct deposits for the payroll period October 16 through October 31, 2009 in the amount of \$36,726.53 as presented. Seconded by Councilmember Johnson. Carried 4-0.

2010 Budget Workshop: Finance Director Taylor presented a 2010 budget decisions report for council on the following:

1. Varying amounts of co-pays for Council medical, dental, and vision.
2. Council medical, dental and vision plans available to council as a separate group.
3. Savings regarding elimination or reduction of staff hours.
4. Continue paying a portion of the 2010 Bond payments with Hotel Motel taxes in Funds 206 and 210.
5. Increase property taxes by using all of the banked capacity for the Town.
6. Using the remainder (\$139,432) of transferred funds to the general fund in 2009 to cover budget shortfall.

Discussion followed on offering a flat amount for medical coverage, eliminating council coverage, and medical co-pay's for councilmembers. Staff will research if individual councilmembers can purchase medical benefits through the Town's medical plan.

Councilmember elect Stuart Welch stated he feels medical coverage for council is an extravagant perk. Councilmember elect Cindy Tracey agreed and stated the employees should keep the current medical coverage.

Council discussed the pro's and con's of reducing staff, operation of the sewer plant, and using compost money for bond payments.

Kelly Wynn, Sewer Treatment Plant Operator presented his 2010 budget to the council. Discussion followed on the new front end loader, remodeling the sewer office and lab, a 1.4% increase in the sewer contract, capital projects, and investigating a new site for public works. It was agreed to move the purchase of a mixer to capital expense.

Community Comments: Wayne Stapleton, 14021 Dodge Valley Road, introduced himself and stated he will be video taping the council meetings and placing them on a website unedited.

Marci Plank, stated the Tulip Summit in April 2010 will be in the Skagit Valley and supports their request for the use of Maple Hall at no cost.

Kane Stokes, 14 Caledonia Street, stated that the skaters in La Conner will be holding a fundraiser for the skateboard park in December and invited the council and community.

Revenue/Expenditure Report: Ms. Taylor stated that four CD's matured and the Town received approximately \$35,000 in investment interest in October. The Town has renewed three CD's at lower interest rates. Ms. Taylor reported that the Town received \$154,800 on November 2 for the ARRA Maple Avenue Resurfacing.

Department Head Reports:

- **Planning:** Mr. Doyle stated that the vacation provisions on First Street have expired. An applicant would have to submit a new vacation petition to start the process again.
Mr. Doyle stated he met with the solar manufacturer regarding the energy project at the compost facility. They discussed further details, utility incentive rates, and other programs available. The project in La Conner is a demonstration project for a variety of installations that could occur in the Town, cost issues and how financially viable the project could be. He stated there are three incentive programs available now and he is working with PSE staff to develop a kiosk with informational material.
- **Public Works:** There were no questions on the report included in the council packet.
- **Water-Wastewater:** There were no questions on the report included in the council packet.
- **Fire Department:** There were no questions on the report included in the council packet.
- **Sheriff's Report:** There were no questions on the report included in the council packet.

Council Committee Reports:

Councilmember O'Donnell: stated that on Monday there will be a Comprehensive Flood Hazard Management meeting, but there will not be any discussion of hydrology.

Councilmember Johnson: reported that the Finance Committee met and the items will be discussed during the meeting.

Sunland Topsoils Contract: Administrator Doyle stated that the contract reflects what the council recommended at the October 27 meeting, with the addition of interest being charged to the outstanding amount. Mayor Hayes pointed out several small typographical errors that needed to be changed.

Councilmember Hubbard moved to approve and authorize the Mayor to sign the contract with Sunland Topsoils as amended. Seconded by Councilmember Johnson. Carried 4-0.

LeGro & Associates Professional Service Contract: Administrator Doyle explained this agreement is to obtain surveying services and title clarification for properties that may be in the path of a future flood protection dike.

Councilmember Brunisholz moved to approve and authorize the Mayor to sign the Professional Service Contract with LeGro & Associates. Seconded by Councilmember Hubbard. Carried 4-0.

Sewer Pretreatment Proposal: Councilmember O'Donnell stated that the new owner of the fish processing plant is owned and operated by the Swinomish Tribe. He inquired about what action the council wanted to take. Administrator Doyle reported that this issue was discussed at the last WAB meeting, and that John Petrich will notify the plant of the need for notification when the fish plant is processing. Mayor Hayes agreed to discuss the

issue with the Swinomish Tribe. Councilmembers Brunisholz and Hubbard agreed that the matter should be handled by in-person discussions at both the staff and leadership levels, and not through the proposed agreement.

PUBLIC HEARING – 2010 Preliminary Budget: Mayor Hayes opened the public hearing at 7:14 p.m. There were no comments, and the hearing was closed at 7:15 p.m.

2010 Property Tax Levy: Finance Director Taylor stated that the Town did not levy an increase in property taxes last year, thus the Town has banked capacity.

Councilmember Hubbard moved to approve Resolution No. 443 establishing the 2010 property tax levy for 2.8%. Seconded by Councilmember Brunisholz. Carried 4-0.

Councilmember O'Donnell moved to set the 2010 property tax levy at \$285,775. Seconded by Councilmember Johnson. Carried 4-0.

2009 Budget Amendment: Finance Director Taylor explained that this ordinance closes Fund 301 and transfers the capital reserves to the funds to which they specifically relate. This was a recommendation from the State Auditor's Office during the 2007 audit. Ms. Taylor stated that this amendment would leave the Hotel Motel taxes collected through July 2009 in Funds 206 and 210, and move Hotel Motel taxes from Fund 405 to Fund 123.

Councilmember Johnson moved to approve Ordinance No. 1037 amending the 2009 budget. Seconded by Councilmember Hubbard. Carried 4-0.

Docketed Code Amendments: Administrator Doyle stated staff has reviewed and is proposing some code changes for the council to consider. Councilmember Johnson stated she would prefer increasing the Business License fee to cover the costs of the parking permits.

Councilmember O'Donnell stated he wanted verification of high strength users at the beginning of each year. Mr. Doyle stated that this is a job of the sewer plant operator set forth in the La Conner Municipal Code, and he reviews the sewer user codes.

Councilmember Johnson inquired about the establishment of a sewer facility charge. Mr. Doyle requested the council consider charging according to the Department of Health occupancy certifications rather than the seat count. It was agreed to bring an ordinance back to the council for approval.

Sewer Plant Contract – Fact Finding: Administrator Doyle stated that item number 10 in the Water and Wastewater Services Agreement requires 180 days written notice and mutual agreement for termination of the contract. He stated that the Town Council approved in December 2008 a five year extension of the base contract. He suggested that this discussion be continued in Executive Session at the next council meeting.

Councilmember O'Donnell moved to hold an Executive Session at the November 24th meeting on the Sewer Plant Contract. Seconded by Councilmember Brunisholz. Carried 3-1. Councilmember Hubbard voted nay.

Agreement between EDASC & La Conner:

Councilmember Johnson moved to approve and authorize the Mayor to sign the Agreement between EDASC and the Town of La Conner. Seconded by Councilmember Brunisholz. Carried 4-0.

Miscellaneous:

Mayor/Council Roundtable: Mayor Hayes stated that the 2010 World Tulip Summit is requesting a waiver of fees for the use of Maple Hall on April 14, 2010.

Councilmember Johnson moved to waive the fee for Maple Hall for the Tulip Summit but require the cleaning fees to be paid. Seconded by Councilmember Hubbard. Carried 4-0.

Administrator Doyle stated that Tulip Town (the DeGoede Family) and Roozengarde (the Roozen Family) have donated and planted tulips around La Conner for the Tulip Summit next year.

There being no further business the meeting was adjourned at 7:52 p. m.

Lorraine Taylor, Town Clerk

Ramon Hayes, Mayor