

Town of La Conner
Town Council Meeting
February 9, 2010 – 6:00 p.m.
Upper Maple Center

The regular meeting of the La Conner Town Council was called to order at 6:00 p.m.

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

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

Approval of Agenda:

Councilmember Welch moved to approve the agenda as presented. Seconded by Councilmember Hubbard. Carried 5-0.

Approval of Minutes:

Councilmember Hubbard moved to approve the minutes of the January 26, 2010 town council meeting. Seconded by Councilmember Tracey. Carried 5-0.

Approval of Accounts Payable:

Councilmember Hubbard moved to approve checks 8540 through 8590 and EFT 1312010 dated February 9, 2010 in the amount of \$54,168.53 as presented. Seconded by Councilmember Wright. Carried 5-0.

Approval of Payroll:

Councilmember Hubbard moved to approve payroll checks 2009, 2011 through 2022 and direct deposits for the payroll period of January 15 through January 31, 2010 in the amount of \$36,557.55 as presented. Seconded by Councilmember Welch. Carried 5-0.

Community Comments:

Dan O'Donnell, 328 N 3rd Street, read a list of complaints regarding under billing the tribe in 2009; a lack of notification that utility rates were increasing; the website was out of date; the sewer department operated at a loss in 2009; and the compost fund balance should be used to lower his sewer rates. Mr. O'Donnell presented Administrator Doyle with his comments for the Public Hearing on the UDC Amendments.

Joy Lewis, 609Tillinghast, stated she preferred to have barrels of flowers in Gilkey Square versus trees for shade. She stated the City of Anacortes has beautified their round about and suggested that La Conner do the same. Mayor Hayes stated it has been planted with tulips.

Chamber Report: Marci Plank stated the Chamber will be holding monthly networking luncheons. The first one will be held on March 3rd at the Waterfront Café from 11:45 to 1:00 p.m. She stated that new La Conner brochures will be distributed at visitor centers along the I-5 corridor and Vancouver, B.C., and a

new membership brochure for the Chamber is being created. Ms. Plank stated there are two new businesses in La Conner – San Juan Toffee and Vahalla Village Norse Pantry.

Department Head Reports:

- **Revenue/Expenditure Report January 2010:** Ms. Taylor stated that the revenues for January were 7% and expenditures 4%. She stated that sales tax revenues were down significantly, hotel motel taxes were at 6.37%. She stated investment interest rates are still low but some banks are willing to take public funds for Certificates of Deposit again.
Councilmember Welch inquired about reviewing, prioritizing, and adjusting the budget due to declining revenues, with the possibility of deferring projects in 2010. It was the consensus of the council that the Finance Committee will review monthly the revenue and expenditures.
- **Public Works:** Public Works Director Lease stated the sculptures will be installed by February 17th. Councilmember Wright commented that Town Hall looked better with the interior painting and installation of new lighting fixtures by the Public Works crew.
- **Fire Department:** Fire Chief Taylor invited everyone to the annual Oyster Stew feed on February 24th at the fire station.
- **Sheriff's Department:** Councilmember Welch thanked Sergeant Wise for the Clallam County prescription program flyer for residents to return unused medicine. The program is handled through the local pharmacy, and he will talk to the pharmacist in La Conner.
- **Water Wastewater:** Operator Wynn stated he needed to schedule a tour of the plant for the councilmembers. Staff agreed to coordinate the tour.
- **Planner:** Administrator Doyle stated that he has issued a single family residence building permit on Myrtle Street. He stated he will bring a developer's agreement to the council for renovations on the Station House. The street side will be remodeled and a residential portion will be added to the business.

Mr. Doyle stated that the Planning Commission is working on the shoreline master program, and he has applied for a \$40,000 grant from DOE and additional funds will be available in 2011. He stated that La Conner will be pooling resources with Skagit County and other jurisdictions due to limited funds from DOE on issues such as critical areas and salmon habitat.

Mr. Doyle stated the Planning Commission held a public workshop on multi-modal transportation issues that the Town of La Conner will be able to accommodate in the future.

He stated the lighting project at Town hall came about through the energy analysis by the Resource Conservation Manager on improving lighting and saving money. The lighting fixtures were purchased from Mary Davis lighting and fit very well with the historical content of the building.

Mayor's Report: Mayor Hayes stated that \$267,000 of stimulus money is available for rural areas, and Skagit County has applied for the stimulus money also.

Council Committee Reports:

Councilmember Brunisholz: stated he met with Administrator Doyle regarding flood control and FEMA flood maps. Administrator Doyle reported that FEMA has retracted the maps and will be re-issuing them. FEMA is proceeding with a model ordinance for communities that are required to have flood insurance and all of the assumptions regarding La Conner's hydrology are incorrect. He stated he has new data from the USGS survey that will favorably mitigate concerns for La Conner. Mayor Hayes stated he and John will be traveling to Washington D.C. in March to address the issues.

Councilmember Hubbard: inquired about publicly thanking the three business owners who served as jurors for the sculpture show. She asked when the issue of taxing the gross revenues of the utilities will be brought to council. Mayor Hayes stated it will be in the near future, and we will be receiving clarification from the State Auditor's Office.

Councilmember Welch: stated he will schedule a Facilities meeting with Councilmember Tracey soon. He stated that he and Councilmember Wright had a Utilities Committee meeting on February 9, 2010. The committee discussed the Shelter Bay Agreement and infiltration and inflow with Mr. Kelly Wynn within the three zones in La Conner.

Councilmember Wright: reported that the infiltration and inflow data is within the state limits. He stated the cost to fix the problem is not economically feasible. Mr. Wright inquired about the generator switch installed at Maple Hall. PW Director Lease stated that the switch can be used with a permanent or portable generator so Maple Hall can be used for an emergency shelter.

Facility Rental Policy: Mayor Hayes stated that during review of the proposed policy, it became apparent that La Conner Performing Arts did not fall within the normal categories with the Town. They use Maple Hall six times a year for arts events. He stated the relationship between LC Performing Arts and the Town came about during Mayor Berg's term. Mayor Hayes stated they met today to discuss the relationship and funding options for the future.

Mona Beach, LC Performing Arts co-president, stated that in 2003 the town was receiving a grant to remodel Maple Hall. She stated Maple Hall provides a venue for performing arts in an above average artistic community, such as La Conner. LC Performing Arts requested a storage area be built for a piano during the remodel. The cost was quoted at \$5,000 and was added into the grant. After a piano was purchased by LC Performing Arts, the Town and LC Performing Arts entered into a contract for maintenance & use of the Steinway piano.

Mayor Hayes stated that the performances are during the off season months, and he would like to keep the rent down for the 2010 – 2011 season because they are booking for that period. Discussion followed on holding the April event in May because of the tulip festival.

Councilmember Brunisholz moved to set the rent at \$75 for Maple Hall for the La Conner Performing Arts 2010 – 2011 season. Seconded by Councilmember Hubbard. Carried 5-0.

Discussion followed on the pros and cons of sectional parking versus parking passes and enforcement. Staff recommended that the event coordinator be responsible for distributing the parking passes provided by the Town. It was agreed that passes for the parking lot would be available for events at Maple Hall.

Mayor Hayes called a 5 minute break at 7:18 p.m.

Councilmember Welch moved to approve the facility rental rates as proposed with the exception of the Monday – Thursday rate for the Garden Club at \$25, and the previously approved exception for the La Conner Performing Arts for the 2010 – 2011 season. Seconded by Councilmember Hubbard. Carried 5-0.

Council medical/dental/vision benefits: Mayor Hayes stated that by law the council cannot increase their compensation. When he offered to forgo his 2010 salary in December 2009, he did not intend for the council to lose their benefits, but contribute a co-pay for benefits. He stated that the council receives \$25 per council meeting, and no compensation for committee meetings. He stated the council salaries for other cities are:

Friday Harbor	\$360 per month	
Burlington	\$600 per month (1 st term)	\$800 per month (2 nd term)
Concrete	\$30 per meeting	

He proposed that the Town contribute \$250 toward medical, dental, and vision benefits each month and receive \$25 per council meeting, for a total of \$300 per month.

Discussion followed on appointing a citizen salary commission to determine council compensation, conflict of interest in the council deciding the issue, and the Mayor's salary being reinstated.

Joy Lewis, 609 Tillinghast, stated that she does not feel the Town is responsible for council health care and supports appointing a salary commission.

Councilmember Brunisholz stated that the council serves the community and should not be a part of the process.

Councilmember Brunisholz moved to reduce the council benefits to \$1.00 for medical, dental, and vision and establish a citizen salary commission retroactive to January 1, 2010. Seconded by Councilmember Welch. Motion failed 2-3. Councilmembers Hubbard, Tracey and Wright voting nay.

Councilmember Tracey said she feels \$300 per month for salary & benefits is comparable to other cities the size of La Conner. Ms. Tracey stated she favors a commission for the next election, not the current councilmembers.

Councilmember Welch moved to maintain the co-pay of \$250 for benefits retroactive to January 1, 2010, and have the Mayor appoint a citizen's salary commission to consider salary and benefits for council as soon as possible. Seconded by Councilmember Brunisholz. Carried 4-1. Councilmember Wright voted nay.

Councilmember Wright moved to reinstate the Mayor's salary retroactively to January 1, 2010. Seconded by Councilmember Hubbard. Carried 5-0.

PUBLIC HEARING – Chapter 15 Code Amendments: Administrator Doyle stated that the amendments to the code were primarily housekeeping items where there were conflicts in the code.

Mayor Hayes opened the public hearing for comments at 8:15 p.m. Mayor Hayes read the comment letter from Mr. O'Donnell recommending changes to Chapter 15.135.050 and 15.135.180(1)(b). There being no further comments, Mayor Hayes closed the public hearing at 8:20 p.m.

Councilmember Hubbard moved to approve Ordinance No. 1040 amending the UDC Code Chapter 15. Seconded by Councilmember Tracey. Carried 5-0.

Fee Schedule for Permit Activities – Chapter 15: Administrator Doyle stated that the resolution updates the fee schedule for permit activities.

Councilmember Wright moved to approve Resolution No. 445 amending the fee schedule for permit activities. Seconded by Councilmember Hubbard. Carried 5-0.

Miscellaneous:

Mayor/Council Roundtable: Mayor Hayes stated that an additional \$267,000 in stimulus money was available. He said Skagit County would be applying for the funds also.

PW Director Lease outlined three scenarios with cost estimates for a sidewalk or bike path along the east side of Morris Street. He stated that the right-of-way is 60 feet and if the Town receives the funding, they will hold informational public workshops for residents.

Councilmember Welch moved to approve scenario “Cb” with a cost estimate of \$272,000 for a 8’ asphalt bike path behind existing curb & gutter, south from the Town limits to Talbott Street. Seconded by Councilmember Brunisholz. Carried 5-0.

There being no further business the meeting was adjourned at 8:42 p.m.

Lorraine Taylor, Town Clerk

Ramon Hayes, Mayor