

Town of La Conner
Town Council Meeting
April 28, 2009 – 6:00 p.m.

Present: Mayor Hayes, Councilmembers Brunisholz, Hubbard, O'Donnell, Johnson, and Wright
Also Present: Town Administrator Doyle, Finance Director Taylor, PW Director Lease

Approval of Agenda:

Councilmember Hubbard moved to amend the agenda by adding under Miscellaneous administrative procedures and the tribe sewer rate. Seconded by Councilmember Johnson. Carried 5-0.

Approval of Minutes:

Councilmember Brunisholz moved to approve the minutes of the April 14, 2009 regular town council meeting as amended. Seconded by Councilmember Johnson. Carried 5-0.

Approval of Accounts Payable:

Councilmember Hubbard moved to approve vouchers 7332 through 7382 dated April 28, 2009 in the amount of \$70,018.67 as presented. Seconded by Councilmember Brunisholz. Carried 5-0.

Approval of Payroll:

Councilmember Wright moved to approve payroll warrants 1584 through 1589 and direct deposits for the payroll period April 1 through April 15, 2009 in the amount of \$23,171.34 as presented. Seconded by Councilmember Hubbard. Carried 5-0.

Community Comments:

Joyce Lewis, 609 Tillinghast, inquired if the sewer rate increase would be in addition to the recent CPI increase, and if Shelter Bay residents pay the same water rates as La Conner residents? Councilmember Hubbard stated the adopted sewer rate would replace the CPI increase. Administrator Doyle stated that the Town is currently re-negotiating the contract with Shelter Bay regarding water rates.

Administrator's Report: Administrator Doyle reported on the following:

Fire Department Explorer Program – Administrator Doyle stated that the Town's code does not have a provision for Explorer Scouts in the Volunteer Fire Department. He will be working with Chief Taylor to draft language to include a Junior Firefighter/Explorer program for council review on May 12th.

Skagit Maple Avenue Playfields – Mr. Doyle stated that the lease agreement with the Hedlin family had expired in 2002, and he would be contacting Little League in regards to their increased use of the field. He recommended that the issue be reviewed by the Facilities Committee to make a recommendation to council on this issue.

Kiosks – Mr. Doyle stated that each kiosk has approximately 75 square feet of space available on them for information and advertising. He stated he will be in contact with the Parks Committee and the Chamber of Commerce to determine what will be allowed on the kiosks.

Mayor's Report:

Mayor Hayes reported that School Superintendent, Tim Bruce, had spoken with the School Board and that they are willing to lease some of the school property to the Town for the skateboard park. He will be meeting next week with Lori Buher regarding design and then discussing it with the Parks Committee.

Mayor Hayes stated that La Conner will receive \$267,000 from the federal government for the Maple Avenue resurfacing and an additional \$129,000 from Skagit County for the project.

Councilmember O'Donnell inquired about the recent audit finding in regards to internal controls and allocation of interest earnings. He stated that the City of Anacortes financials affect the Town of La Conner, and requested that staff research \$400,000 of attorney fees that Anacortes charged to capital expenses and not operations and maintenance. Additionally, he requested the Administrator to review the engineering invoices regarding the Marina Lift Station for validity.

Council Committee Reports: There were no committee reports.

Flood Control: Councilmember O'Donnell stated that in Lewis County a survey revealed that 50% of the responses favored dredging the river, and require tighter controls of construction in the flood plain.

He attended a Flood Advisory Board meeting and the committee would like to get the City of Burlington back in the committee.

Ordinance Adopting Recommendation of the Rate Study: Administrator Doyle stated that the ordinance includes changes to the La Conner code that the council approved at the April 14th meeting. He stated there was one correction on page 5, in Section 11 of the rate chart – it should read “Base Monthly Charge”.

Councilmember Hubbard stated that the Town needs to set aside funds for future capital needs. Councilmember Wright stated that the monthly sewer and water bill does include drainage also, and feels that La Conner's rates are not too high.

Councilmember O'Donnell recommended including Shelter Bay rates and agreement in the ordinance. Administrator Doyle stated that Shelter Bay receives its water by contract and should not be included in the La Conner Code. Discussion followed on reducing meter allowances, and lowering them down over time to avoid sticker shock.

Councilmember Johnson moved to adopt Ordinance No. 1021 approving the recommendations of the water/sewer rate study. Seconded by Councilmember Hubbard. Carried 3-2. Councilmember's Brunisholz and O'Donnell voting nay.

Ordinance Amending Parking & Moorage Fees: Councilmember Brunisholz stated he is against offering free parking for local businesses. He felt it was the responsibility of business owners to encourage their employees to park in the lot to keep First Street open for customers. Councilmembers Johnson and Hubbard voiced support for the ordinance and stated the need to support local businesses.

Councilmember Hubbard moved to approve Ordinance No. 1022 authorizing the Mayor to issue permits at no charge to businesses to reduce parking congestion on First Street. Seconded by Councilmember Johnson. Carried 4-1. Councilmember Brunisholz voted nay.

Resolution No. 436 – Local Agency Agreement with WSDOT: Administrator Doyle stated this resolution was necessary to receive ARRA funding for Maple Avenue.

Councilmember Brunisholz moved to approve Resolution No. 436 authorizing a local agency agreement with WSDOT for Maple Avenue resurfacing. Seconded by Councilmember Johnson. Carried 4-0.

Miscellaneous: Mayor Hayes received a request from Leadership Skagit to waive the rental fees for Maple Hall for their graduation ceremony on Wednesday, June 17, 2009.

Councilmember Wright moved to approve the waiver of rental fees of Maple Hall for Leadership Skagit. Seconded by Councilmember Johnson. Carried 5-0.

Mayor Hayes also received a request from the La Conner Neighborhood Church to waive the rental fee for Maple Hall for a Watoto Children's Choir Concert on Thursday, June 4, 2009.

Councilmember Wright moved to approve the waiver of rental fees of Maple Hall for La Conner Neighborhood Church for the concert. Seconded by Councilmember Hubbard. Carried 5-0.

The request by the La Conner Quilt & Textile Museum for a waiver of fees in the Garden Club was discussed. It was the consensus of the council that the issue be tabled until they receive additional information on what will be sold and how the facility will be protected if large items are brought in.

Mayor Hayes called a five minute break at 7:10 p.m.

Councilmember Brunisholz moved to establish a fee schedule for renting Maple Hall and the Garden Club differentiating for the different seasons, weekends, and non-profit organizations. Motion failed due to lack of a second.

Councilmember O'Donnell stated at the April 15th WAB meeting it was agreed that the purchase of a new belt filter press be deferred until 2010, and the \$40,000 in fund 409 be transferred back to Cumulative Reserve plant. Councilmember Wright stated that the Plant Operator, Kelly Wynn, has found a new belt filter press that is a better fit for the Town but the cost is \$300,000.

Councilmember O'Donnell moved to delete the purchase of a belt filter press for \$40,000 in fund 409 during the next budget amendment, and transfer the \$40,000 back to Cumulative Reserve Plant. Seconded by Councilmember Wright. Carried 5-0.

Councilmember O'Donnell stated that the sewer fund transfer back to cumulative reserve affects the tribe sewer rate and inquired how the council felt about changing the rate. Councilmember Wright stated that the annual adjustment review solves the problem and it was not necessary to adjust the tribe sewer rate again.

Councilmember O'Donnell questioned Administrator Doyle's authority to increase the utility rate by .5% after finding an error that was made in the previous year CPI adjustment. He stated that the code implies the Finance Director adjusts the rates, not the Administrator. Mayor Hayes stated that Mr. Doyle handles the day to day operations at Town Hall, and everyone is under his authority. Mr. Doyle stated that during his oversight of Town operations, he became aware that an error had been made in adjusting the CPI rate. He stated that he had shared his findings with Councilmember O'Donnell and Wright, and what he proposed brought the CPI to its correct value.

Mayor Hayes stated that this is an attempt to undermine the authority of the Administrator. Councilmember Hubbard stated at the last meeting Councilmember O'Donnell said he would not forward any more memos to the Administrator. Then Mr. O'Donnell passed a memo to the Mayor, ignoring the

procedure the council approved. The council agreed all memos would initially be sent to the Administrator, and he would follow up appropriately.

Councilmember O'Donnell inquired about the one year Shoreline Permit extension that the Administrator approved for La Conner & Associates. He stated that the code requires the developer to request the extension and there was not one in the file. Mr. Doyle stated he received the request by email.

Mr. O'Donnell also inquired about the reasonable factors upon which the extension was granted. Mr. Doyle stated that due to the economic climate decline, Mr. Vaugh Jolley had lost his investors and requested a year extension to seek new investors.

There being no further business the meeting was adjourned at 7:38 p.m.

Lorraine Taylor, Town Clerk

Ramon Hayes, Mayor