

## ***Town of La Conner***

Town Council Meeting  
May 11, 2010 – 6:00 p.m.  
Upper Maple Center

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

Present: Mayor Hayes, Councilmembers Brunisholz, Hubbard (arrived at 6:09 p.m.), Tracey, Welch and Wright.

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

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### **Approval of Agenda:**

**Councilmember Tracey moved to amend the agenda by moving the Street Closure Request from MONA for discussion during the Mayor's Report. Seconded by Councilmember Welch. Carried 4-0.**

### **Approval of Minutes:**

**Councilmember Wright moved to approve the minutes of the April 27, 2010 Town Council meeting. Seconded by Councilmember Welch. Carried 4-0.**

### **Approval of Accounts Payable:**

**Councilmember Wright moved to approve checks 8875 through 8916 (check #8818 to Waste Management is VOID) in the amount of \$100,921.88 as presented. Seconded by Councilmember Tracey. Carried 4-0.**

### **Approval of Payroll:**

**Councilmember Brunisholz moved to approve payroll checks 2069 through 2080, 201010 and direct deposits for the payroll period of April 16 through April 30, 2010 in the amount of \$38,234.47 as presented. Seconded by Councilmember Welch. Carried 4-0.**

**Community Comments:** Time was given for members of the audience to address the council regarding issues that are not on the agenda. There were no comments.

### **Chamber Report:** Marci Plank reported on the following:

- Representative Barbara Bailey will be at the La Conner Seafood & Prime Rib Restaurant on May 12<sup>th</sup> from noon to 1 p.m. reporting on new legislation that affects small businesses.
- Salon La Rouge will be holding an open house on May 13<sup>th</sup> from 5- 7 p.m.
- The Taste of La Conner will be on Friday, May 14<sup>th</sup> from 4-8 p.m. and also on June 11, 2010.
- Grapes and Plates will be held at Maple Hall on April 28, 2010.

**Department Head Reports:**

- **Revenue/Expenditure Report April 2010:** Ms. Taylor reviewed the monthly treasurer's report and stated that the Town just received \$112,000 in property tax in early May. Ms. Taylor spoke with Cynthia Weed, Bond Counsel, and determined that the levy rate for the Fire Bonds can be increased to cover the bond payment of \$33,000. She stated she will follow-up with Skagit County on the correct process for implementing the increase.

Councilmember Welch inquired if property tax revenues were down due to reduced valuations or because of non-payment. Administrator Doyle stated that assessments in La Conner have not decreased.

Councilmember Wright inquired what the percent of interest the LGIP was paying currently on investments. Ms. Taylor stated that the current rate was .22%.

- **Water Wastewater:** Mr. Wynn reported that the primary goal of acquiring agricultural land was to utilize the compost and generate revenues, and to free up needed space. He stated they are developing a viable agricultural product and they currently they have three compost demonstrations with a nursery, blueberry, and Christmas tree farm.  
Mr. Wynn stated that they have been screening the compost for a month to gain a better product and to provide more space for curing. He stated that he will be purchasing a new screen in 2010. He requested the flexibility to set a price for screened product.

**Councilmember Hubbard moved to approve Ordinance No. 1047 allowing Mayor Hayes, Administrator Doyle, and Mr. Wynn the ability to set a price structure for a more refined compost material. Seconded by Councilmember Wright. Carried 5-0.**

Councilmember Welch requested that Mr. Wynn compare the rate of return for the current screening process versus the purchase of a new screen.

- **Public Works:** 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 Department:** There were no questions on the report included in the council packet.
- **Planner:** Administrator Doyle stated that he has the Skateboard Park Grant completed and submitted for \$135,000 with a 50% match. He reported he will be doing a presentation in Olympia for the grant in July and August.

Mayor Hayes reported that Bill Stokes is heading up the fund raising committee for the skateboard park and they will be meeting on May 12<sup>th</sup> at 6 p.m. at the Garden Club.

**Mayor's Report:** Mayor Hayes thanked the council for funding the commercial of La Conner with the Port of Skagit County.

**Street Closure Request – MONA:** Administrator Doyle stated that the Town had received a Special Events Application and a request to close a portion of South Second Street for the Museum of NW Art's Annual Art Auction on June 19<sup>th</sup>. He stated that it requires a vote of the council to close the street. PW Director Lease recommended that the council approve the request, a lane would be open for emergency access, and flaggers would not be required.

Mr. Greg Robinson stated he has received letters of support from the businesses regarding closing the street, and this event raises approximately 1/3 of their net budget for the year.

**Councilmember Hubbard moved to allow the closure of a portion of South Second Street for June 18 - June 20, 2010 for the Annual Art Auction. Seconded by Councilmember Tracey. Carried 5-0.**

**Skateboard Park:** Mayor Hayes introduced Dan Jensen who is coordinating the volunteers for the Skateboard Park. Mr. Jensen stated they have all the necessary material and equipment to do the civil work except for the concrete and the fence. PW Director Lease stated that the cost of the concrete without labor is approximately \$14,000, the fence \$6,000, and the steel for the rails \$2,700.

Administrator Doyle stated that he is proceeding with the full amount of \$135,000 for the grant and part of the local match can be in-kind. He stated the fence at the park will be closed at night.

**Council Committee Reports:**

**Councilmember Brunisholz:** stated he met Administrator Doyle regarding flood control, and Mr. Doyle is looking for grant opportunities for engineering and design for the ring dike in 2011. It was recommended to budget for engineering in 2011.

**Councilmember Welch:** stated the Utility Committee met regarding a resident that was not being billed on a monthly basis for sewer service. He stated the amount owing was considerable and the committee recommends working with the retired resident and take monthly payments. The full council concurred with the Utility Committee recommendation.

Mr. Welch stated most of the councilmembers attended the skateboard fundraising committee meeting and they have placed donation jars around the Town. He spoke with Mr. Vaughn Jolly and has received permission to use his dock on the 4<sup>th</sup> of July for a fund raising location for the skateboard park.

Mayor Hayes stated that donations can be brought to Town Hall, obtain a receipt and the donation would be tax deductible.

**JOINT MEETING – Town Council & Planning Commission:** Linda Talman stated that at the next Planning Commission meeting on May 18<sup>th</sup>, they will clearly delineate the identified pathways around Town.

Planning Commission Chair Stokes reporting the commission is reviewing the following:

- Transportation and multi-modal issues making La Conner a more walking and bike friendly community.
- Preserving the small town atmosphere.
- Climate change – adaptation and mitigation
- Shoreline Master Plan
- Comprehensive Plan – include the possibility of electric vehicles, charging stations, and solar power.

Discussion followed on putting a walking path on the ring dikes and that many of the dikes are privately owned. Sergeant Wise stated that the Bayview dike is primarily on public property. Administrator Doyle emphasized that the primary focus of the ring dike is flood control.

**Flood Control:** Mayor Hayes stated the next step is the design phase and identifying funding sources in the next budget cycle.

**Facility Rental Policy:** Finance Director Taylor stated that the council approved in April a \$75 non-profit rate for Maple Hall for the Skagit Community Band for three performances in 2010. Their performing season is for one date in 2010 and two in 2011. Councilmember Welch reminded Council that Maple Hall is losing money and the Council has already gone through the process of changing the code.

**Councilmember Brunisholz moved to approve Ordinance No. 1048 providing the \$75 non-profit rate for Maple Hall for Skagit Community Band for the 2010 - 2011 performing season with the exception of the April date be changed to March or May. Seconded by Councilmember Hubbard. Carried 4-1. Councilmember Welch voted nay.**

Mayor Hayes called a five minute break at 7:20 p.m.

**Boys & Girls Club Contract:** Administrator Doyle stated that the Parks Commission recommended that the Town develop a parks and recreation program to promote more activity in the parks, such as after school and summer programs. He stated that \$5,000 was budgeted in the 2010 budget and this contract sponsors the after school program. He suggested looking at fee based participation and determine the level of interest in Town.

**Councilmember Brunisholz moved to approve and authorize the Mayor to sign the contract with the Boys & Girls Club of Skagit County. Seconded by Councilmember Hubbard. Carried 5-0.**

**Fire District 13 - proposed contract amendment:** Administrator Doyle referred to his memo outlining Fire District #13 proposed amendment to the Town's contract. He stated the proposal came quickly with no forewarning, does not include any negotiation, creates a financial burden to La Conner and affects our ability to recruit. He stated that Fire District #13 would like to sever the agreement and retain a "tenants in common" with La Conner. He stated that the options per the contract are a six month notice for termination or binding arbitration or mediation.

Mayor Hayes stated that the Town prefers forming a Fire Authority that has proven to be successful in other areas of the state, but Fire District #13 would like to consider that option in the future.

**Councilmember Brunisholz moved to not sign the proposed amendment to the agreement with Fire District #13 and pursue forming a Fire Authority. Seconded by Councilmember Tracey. Carried 5-0.**

**Port of Skagit & Town of La Conner Agreement:** Administrator Doyle stated that he and the Mayor met with the Port on several occasions to discuss entering into a proposed tenant improvement agreement to relocate the Public Works department in the old Bayliner building. The Port of Skagit is drafting the lease agreement and the Town will provide some service elements, such as street sweeping, striping and vector maintenance to lower the monthly lease amount.

**La Conner Associates – Street Vacation Petition:** Administrator Doyle stated that the previous vacation petition and agreement had lapsed. The new petition is a valid petition and is significantly less than expected through the development agreement, and includes only the area where the current building exists. The building encroaches into the right-of-way and is non-conforming. This petition would clear the title on the property and La Conner has not maintained it as a valid right-of-way.

Mr. Doyle requested council to set by resolution a time and place for a public hearing on this proposed street vacation.

**Councilmember Hubbard moved to approve Resolution No. 449 setting the time and place of the Street Vacation Petition for a Public Hearing at the June 8, 2010 council meeting. Seconded by Councilmember Tracey. Carried 4-1. Councilmember Brunisholz voted nay.**

**Miscellaneous:**

Mayor/Council Roundtable: Mayor Hayes stated that the Salary Commission has not come to a decision yet but will meet again on May 14, 2010. The scope of the commission is to determine only the council salary not benefits. Councilmember Hubbard stated that setting a salary for all councilmembers would be more equitable and they could use the salary as they determined.

**Councilmember Hubbard moved that the Town of La Conner contribute \$5.00 per month toward councilmember's health insurance beginning with the month following the Salary Commission's recommendation. Seconded by Councilmember Brunisholz. Carried 4-1. Councilmember Wright voted nay.**

There being no further business the meeting was adjourned at 8:10 p.m.

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Lorraine Taylor, Town Clerk

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Ramon Hayes, Mayor