

Town of La Conner
Town Council Meeting
July 27, 2010 – 5:00 p.m.

The meeting of the La Conner Town Council was called to order at 5:00 p.m.

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

Also present: Town Attorney Brad Furlong, Administrator Doyle, PW Director Lease and Finance Director Taylor.

EXECUTIVE SESSION: At 5:03 p.m., Attorney Brad Furlong stated that the council would be going into executive session regarding potential litigation for approximately 1 hour.

At 6:01 p.m. the regular council meeting reconvened, and Mr. Furlong stated that no action had been taken in the executive session.

Approval of Agenda:

Councilmember Hubbard moved to approve the agenda as presented. Seconded by Councilmember Welch. Carried 4-0.

Approval of Minutes:

Councilmember Wright moved to approve the minutes of the July 13, 2010 regular town council meeting. Seconded by Councilmember Tracey. Carried 4-0.

Approval of Accounts Payable:

Councilmember Welch moved to approve checks 9161 through 9226, 201017, 201019 dated July 27, 2010 in the amount of \$82,779.90 as presented. Seconded by Councilmember Hubbard. Carried 4-0.

Approval of Payroll:

Councilmember Hubbard moved to approve payroll warrants 2118 through 2123 and 201018 and direct deposits for the payroll period July 1 through July 15, 2010 in the amount of \$22,290.47 as presented. Seconded by Councilmember Tracey. 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.

Administrator's Report: Administrator Doyle reported he has been working with Bruce McBane of the Mount Vernon Emergency Operations Center, to purchase and install emergency radio equipment for La Conner. Homeland Security will fund the cost of the \$30,000 project at Town Hall. He stated that the Town will be cross training and working with local volunteer HAM operators in the event of an emergency.

Mr. Doyle stated that solar power project is installed and has produced \$500 worth of energy in three weeks. He stated he has received an educational grant with Puget Sound Energy to install display monitors in the kiosks at the Compost Facility that will be wirelessly linked to the schools for educational purposes.

He reported that through a Community Energy Project private individuals will be able to invest in the installation of solar panel rays on public facilities. He is working with solar manufacturers to put together a package that will outline the requirements, cost, and investment for private investors to ensure compliance for energy credits. He stated they will be having another public workshop.

Council Committee Reports:

Councilmember Hubbard: stated that the Finance Committee met and discussed the long standing relationship with the Port of Skagit and the relocation of the Public Works to the Port. PW Director Lease presented the committee with lower revised costs of \$117,000 for the relocation. Ms. Hubbard stated that there is not any available land in Town suitable for public works, and they should be in the new facility by the first of the year. She stated the Port is currently making improvements to the building and the agreement will be brought forth for the council's approval. She reported that the total cost for the repairs to 4th Street to Habitat for Humanity was \$10,533.80, and the Mayor had provided information to the council on his negotiations with the Skagit County Sheriff's Office.

Mr. Doyle stated that the compost needs more curing time to refine the product and make it more valuable. A refined product will have a broader range of application markets.

Mayor's Report: Mayor Hayes recognized Kevin Sunrise's service to the community and recited the proposed resolution thanking Mr. Sunrise.

Councilmember Hubbard moved to approve Resolution No. 457 recognizing and honoring Kevin Sunrise for his contribution of a free food bank to the Town. Seconded by Councilmember Tracey. Carried 4-0.

Contract for Law Enforcement Services 2011-2013: Mayor Hayes stated they have been in negotiations since January with the Sheriff's Office and the police services represent 51% of the general fund budget, which was unsustainable. He stated that the challenge is providing police services without compromising the security of the Town. He stated that he has looked at other communities of similar size and level of service. The Town of Concrete is the most similar to La Conner but provides a lower level of service.

Mayor Hayes introduced Undersheriff Dowhaniuk from the Sheriff's Office who distributed cost estimates for \$325,000 for two full time deputies and a half time Sergeant in 2011 with a 5% increase for the following two years. He said only wages, benefits and equipment repair and maintenance were represented in the cost estimates, but the following services were also included in the La Conner contract: administrative costs, investigations, corrections, special services, prosecution, and court services.

Mayor Hayes stated there is a disparity between the costs represented in the spreadsheet and the current contract that was negotiated in 2007. He stated that if you using that contract as a model the cost for services in 2011 would be \$300, 982 rather than \$325,000.

Undersheriff Dowhaniuk stated that the previous contract was for four officers and a half time Sergeant. If you cut the number of hours in La Conner, it will have to be backfilled by other officers. That contract provided four deputies working the Town and they did not have to bring in someone from outside the Town or to respond to calls. He stated that Skagit County is down eight deputies and do not have the

luxury of always having an officer in zone 1. He stated that his office is proposing \$325,000 for police services in 2011, \$350,563 in 2012, and \$368,091 in 2013.

Discussion followed on an interlocal cooperative agreement with tribal police, the contract with Concrete, and the rising cost of medical benefits.

Councilmember Wright moved to draw up a three year contract with the Skagit County Sheriff's Office for police services in the amounts of \$325,000 in 2011, \$350,563 in 2012 and \$368,091 in 2013. Seconded by Councilmember Hubbard. Carried 4-0.

Dan O'Donnell, 328 N Third Street, inquired about the "restart fund" in the amount of approximately \$140,000 in the original 2001 contract that was not in the 2008-2010 contract.

Councilmember Welch stated he did ask the Undersheriff about the equipment given to Skagit County when the Town first contracted with them, and basically they stated it was junk but Larry Yonally got medical benefits for the rest of his life.

Flood Control: Administrator Doyle stated that FEMA has reissued the maps and they are in the process of scheduling technical and public workshops. The Town of La Conner has scheduled the public workshop with FEMA on August 12th at Maple Hall at 6 p.m.

Ordinance – Policy for Public Notice of Hearings and Meeting Agendas: Finance Director Taylor stated she had made the changes the council requested at the previous meeting, but the Town Attorney has not reviewed the ordinance yet.

Councilmember Hubbard moved to table the Ordinance until the Town Attorney has reviewed it. Seconded by Councilmember Wright. Carried 4-0.

Agreement – Town of La Conner & Skagit County Historical Museum: Administrator Doyle stated that placing the stone sculptures at the Historical Museum came about due to the redesign of Gilkey Square by a landscape design consultant. He stated it was a unanimous decision by the Parks Commission to move the sculptures to the Historical Museum. Then they proposed this action to the Arts Commission (who has the responsibility to site art work), and they agreed to relocate the stone sculptures to the Historical Museum. Since the sculptures will be located on private property, it necessitated an agreement regarding the Historical Museum's responsibilities.

Councilmember Welch stated that he preferred spreading the sculptures through out the Town and make them more accessible to the public. Councilmember Wright reported that the original design for these pieces of art was never completed at Gilkey Square due to excessive cost.

Councilmember Wright moved to approve placement of the stone sculptures at the Skagit County Historical Museum at 501 S Fourth Street. Seconded by Councilmember Tracey. Carried 3-1. Councilmember Welch opposed.

Golf Cart Zones – Allowing local governments to create: Code Enforcement Officer Stokes stated that Shelter Bay and the tribal land are interested in creating a golf cart zone. He stated that golf carts are not required to have head lights and brake lights. The Town will require a valid Washington State license, registration with the Town of La Conner, and daylight hours of operation.

Councilmember Welch moved to approve Ordinance No. 1050 and create a golf cart zone within the Town of La Conner. Seconded by Councilmember Tracey. Carried 4-0.

Ordinance – South First Street Vacation: Administrator Doyle stated that per the Council’s directive, he has drafted an ordinance vacating a portion of South First Street. He stated the vacated right-of-way is less than in the original petition, and he required La Conner Associates LLC to provide a survey to determine the square footage and legal description.

Councilmember Hubbard moved to approve Ordinance No. 1051 as amended vacating a portion of South First Street. Seconded by Councilmember Tracey. Carried 4-0.

International Building Codes: Administrator Doyle stated that the International Building Codes are revised every three years and all jurisdictions are required to adopt them. He stated that Skagit County has already adopted the IBC. This ordinance adopts the IBC and amendments that relate to issues in Skagit County. Councilmember Welch inquired about fill on a lot less than three feet in depth in “9b”. Mr. Doyle stated that any fill over 100 cubic yards triggers a SEPA review and fill is not a good defense against an earthquake. He stated it is safer to have a foundation or pier piles for stability depending on the soil configuration.

Mayor Hayes called a 5 minute break at 7:15 p.m.

PUBLIC HEARING – Mayor Hayes opened the public hearing on the International Building Codes at 7:20 p.m. There were no public comments and the Public Hearing was closed at 7:21 p.m.

Councilmember Welch expressed concern for the amendments to items that he does not have complete information on. Administrator Doyle recommended that the ordinance be passed without the amendments and staff will review and follow-up with the amendments at a later date.

Councilmember Hubbard moved to approve Ordinance No. 1052 adopting the current edition of the International Building Code without the amendments. Seconded by Councilmember Welch. Carried 4-0.

Agreement – Grant between the Town of La Conner & Puget Sound Energy:

Councilmember Wright moved to approve the Memorandum of Agreement between Puget Sound Energy (Renewable Energy Education Program) and the Town of La Conner for a grant in the amount of \$12,000. Seconded by Councilmember Hubbard. Carried 4-0.

Mayor Council/Roundtable: Mayor Hayes relayed the passing of former Mayor Everton and resident Donna Blades.

Community Comments: Dan O’Donnell stated that Ordinance No. 1051 vacating a portion of S First Street does not have a plan for public access and does not comply with the RCW’s.

Miscellaneous: Councilmember Wright inquired about the dredging of the channel. Mayor Hayes stated that we are waiting for federal funding and container shipping triggers funding. The Port of Skagit requests funding for dredging every three years and has been successful.

There being no further business the meeting was adjourned at 7:32 p.m.

Lorraine Taylor, Town Clerk

Ramon Hayes, Mayor