

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

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

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

Also present: Finance Director Taylor, PW Director Lease, Attorney Furlong, and Engineer Henke.

Approval of Agenda:

Councilmember Hubbard moved to amend the agenda by adding the Senior's request for waiving the fee of Maple Center for the Health Fair on September 29, 2009. Seconded by Councilmember Wright. Carried 4-0.

Approval of Minutes:

Councilmember Hubbard moved to approve the minutes of the July 14, 2009 regular town council meeting. Seconded by Councilmember Wright. Carried 4-0.

Approval of Accounts Payable:

Councilmember Wright moved to approve checks 7655 through 7687 and 200940 dated July 28, 2009 in the amount of \$75,129.54 as presented. Seconded by Councilmember Hubbard Carried 4-0.

Approval of Payroll:

Councilmember Brunisholz moved to approve payroll warrants 1646 through 1651 and direct deposits for the payroll period July 1 through July 15, 2009 in the amount of \$22,457.75 as presented. Seconded by Councilmember Hubbard. 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 Report: Mr. Doyle's written report was in the council packets since he was on vacation. There were no questions regarding his report.

Mayor's Report: Mayor Hayes reported that he and Councilmembers Brunisholz and O'Donnell visited the area where the gap filler will be. He stated that he felt it was important to bring the Dike Commissioners in on the discussion and suggested that they arrange a meeting.

Councilmember O'Donnell stated there is a grant available for \$90,000 through the Department of Ecology for Flood Damage Prevention, and it is due by July 30, 2009. It was a consensus of the council that Mr. O'Donnell will prepare the grant application and a letter for the Mayor's signature.

Council Committee Reports: None.

Ordinance Amending South First Street Vacation: Attorney Brad Furlong stated council passed Ordinance No. 1006 on March 25, 2009 in response to a petition for a vacation of a portion of South First Street from La Conner Associates. It has since expired due to an appraisal which was found to be insufficient and was not the fault of the applicant. Subsequently, the Town obtained another appraisal which showed the appropriate amount of compensation due to the Town of La Conner for the street vacation.

Finance Director Taylor reported that in Exhibit A of Ordinance No. 1006, the parcel number P74498 and legal description were incorrect. She stated the correct legal description and parcel number is P74496.

Discussion followed on the appraised value of the land, state law regarding fair market value, and that the council cannot say legally if the appraisal is inadequate.

Councilmember Wright moved to table the issue the next council meeting. Seconded by Councilmember O'Donnell. Carried 4-0.

Ordinance Amending LCMC 2.05: Councilmember O'Donnell presented two versions for council's consideration. Finance Director Taylor stated that per the Town Attorney, it is legally mandatory to leave in the current subsections (2)(A) and (2)(B).

Councilmember Brunisholz moved to approve Ordinance No. 1029 (Version A) as amended. Seconded by Councilmember O'Donnell. Carried 3-1. Councilmember Hubbard voted nay.

PUBLIC HEARING: Proposed Code Amendments to Chapter 15.115 - Signs

Planning Commission Chair Stokes stated that this ordinance was an effort to clean up this portion of the code.

At 6:28 p.m. Mayor Hayes opened the public hearing for comments. There were no public comments and the hearing was closed at 6:29 p.m.

Mr. Stokes highlighted the following changes: 1) advertising for non-profit fundraising events will be exempt from a certificate of authorization; 2) only one sandwich board will be allowed per business; 3) permanent signs must be of metal or wood; 3) colors must be selected from the historic palette; and 4) appeals will be heard by the Hearing Examiner.

Councilmember O'Donnell moved that Section 15.115.130 pertaining to appeals being heard by the Town Council not be changed to Hearing Examiner. Motion failed due to lack of a second.

Councilmember Wright emphasized that in the past the Town has been told by the state that we have no authority over a sign posted within a building.

Councilmember Hubbard moved to adopt Ordinance No. 1030 amending Chapter 15.115. Seconded by Councilmember Wright. Carried 4-0.

I & I Study: Mr. Henke stated this was a mini-study and did not include monitoring the flows in the manholes, but reviewed the data that was currently available. Using the six hour blocks of time to monitor, his conclusion was that there is not evidence of a problem with inflow. He stated that the cost to identify and eliminate infiltration and inflow can easily exceed the potential savings of removing it from the collection and treatment system. The problem can also come from the private and public side sewers that are connected to the main line.

He recommended that the Town add Data Recording capability to the existing Tribal Meter. This will allow the Town to be better informed in determining the source of base flows.

Councilmember O'Donnell requested further information from Engineer Henke.

Revised Contract with Intolight/PSE for WA Street Loop Project: Public Works Director Lease stated that the original contract approved by council had incorrect figures in it. The additional costs are \$519.59 and Mr. Lease requested council approve the revised contract.

Councilmember Hubbard moved to authorize the Mayor to sign the revised contract with Intolight/PSE for the WA Street Loop Project. Seconded by Councilmember Wright. Carried 4-0.

Department of Defense – Statement of Support: Mayor Hayes presented the statement of support recognizing that the National Guard and Reserve are essential to the strength of our nation and the well-being of our communities.

Councilmember O'Donnell moved to authorize the Mayor to sign the Statement of Support for the Department of Defense. Seconded by Councilmember Wright. Carried 4-0.

Miscellaneous:

Mayor/Council Roundtable – Mayor Hayes stated the Senior's had requested waiving the fee for Maple Center for a Health Fair on September 29, 2009.

Councilmember Wright moved to approve the waiving of the fee for Maple Center for a Health Fair on September 29, 2009. Seconded by Councilmember Hubbard. Carried 4-0.

Councilmember O'Donnell asked the Mayor if he could use the council boxes at Town Hall for memos to the council. Mayor Hayes replied yes. Councilmember O'Donnell requested to talk with department heads without the Mayor's permission, Mayor Hayes stated that they will discuss it.

There being no further business the meeting was adjourned at 6:57 p.m.

Lorraine Taylor, Town Clerk

Ramon Hayes, Mayor