

***Town of La Conner***  
Town Council Meeting  
August 25, 2009 – 6:00 p.m.

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

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

Councilmember Johnson moved to excuse the absence of Councilmember Brunisholz and Hubbard. Seconded by Councilmember Wright. Carried 3-0.

Also present: Administrator Doyle, Finance Director Taylor, and PW Director Lease.

**Approval of Agenda:**

**Councilmember Johnson moved to approve the agenda as amended. Seconded by Councilmember Wright. Carried 3-0.**

**Approval of Minutes:**

**Councilmember Wright moved to approve the minutes of the August 11, 2009 regular town council meeting as amended. Seconded by Councilmember Johnson. Carried 3-0.**

**Approval of Accounts Payable:**

**Councilmember Johnson moved to approve checks 7730 through 7765 and manual checks 200941 through 200944 dated August 25, 2009 in the amount of \$52,908.52 as presented. Seconded by Councilmember Wright. Carried 3-0.**

**Approval of Payroll:**

**Councilmember Johnson moved to approve payroll warrants 1666 through 1671 and direct deposits for the payroll period August 1 through August 15, 2009 in the amount of \$22,113.07 as presented. Seconded by Councilmember Wright. Carried 3-0.**

**Community Comments:** Time was given for members of the audience to address the council regarding issues that are not on the agenda.

David Tracey, 503 S Third Street, stated that he felt the council was operating behind a veil of secrecy and back door politics with a total disregard for public involvement. He stated that the purpose of publishing the council agenda is to allow the public to become involved. The council needs to follow the agenda and not make last minute changes without notice to the public.

Mark Pederson, 211 Douglas Street, complimented council on their swift decisions and actions.

**Administrator Report:** Mr. Doyle's reported that the Draft Compost Facility Evaluation was attached to his report for council review. He stated that the Utilities Committee has met and discussed the evaluation and asked council to forward any comments to him.

**Revenue/Expenditure Report:** Councilmember O'Donnell suggested that the remaining funds in Fund 205 be transferred to Fund 103 since the Harbor Lease Bonds have been paid in full. Finance Director Taylor stated she would bring the issue to the Finance Committee.

Councilmember Wright inquired about the disbursement of Hotel Motel Taxes this year. Ms. Taylor stated that the council adopted a resolution setting forth the disbursement on a pro-rata basis, and other funds would not make up the shortfall this year.

**Mayor's Report:** Mayor Hayes stated that Kevin Renz would like to present a proposal for the Solid Waste Transfer Station at the September 8 council meeting.

**Council Committee Reports:**

Councilmember O'Donnell: stated that the Town did not receive the grant from DOE for Flood Damage Prevention.

Councilmember Wright: reported that the Utilities Committee reviewed the draft contract with Shelter Bay, it will be sent to Shelter Bay and the council for their review. He stated that they reviewed the draft Compost Facility Evaluation and concluded that facility needs more room, they also looked at ways to improve the composting process.

**Disposition of Turkeys:** Mayor Hayes thanked Councilmember Johnson for her leadership in proposing a viable solution to the turkey population. Mayor Hayes stated that he felt it was outrageous that there was not any public input allowed and the turkeys are a big tourist attraction. He stated that the Precious Life Animal Sanctuary in Sequim has offered to take the turkeys and this is the avenue the administration is pursuing. Discussion followed on other options available for the turkeys, and then Mayor Hayes opened the meeting to take public comments.

Mary Wallup, 801 Whatcom, stated that she has experienced significant damage to her property and is concerned about public health and safety. She stated that the decision to protect the turkeys was not well thought out and the residents were not considered.

Bob Brewer, stated he has lived in La Conner a short time, but has visited for many years. When he has out of town company and cannot show them the turkeys, he doesn't feel he has shown them La Conner.

Benjamin Janicki, Mount Vernon, stated he has raised turkeys for ten years and feels seven would be a good number for the town. He recommended keeping two males and five females and he would be willing to take some of the turkeys.

Steve Krom, 616 S Third Street, stated normally the turkey population is controlled by nature, and the turkeys are in three groups, not a group of eighteen. He feeds the turkeys regularly and was the person who contacted King 5 News regarding the council decision.

Yvette German, Sedro Woolley, stated she loves the turkeys and that they are an asset.

Brian Scheuch, 703 Fourth Street, stated there is a citizen's group that is upset about the council process regarding the turkey issue. He stated it was never placed on the agenda and the public did not know about it. He feels it is ethically wrong to bring personal issues to council and run them through without public knowledge. He said if this council does not fix this loop hole, the citizen's group is going to address it with the next town council.

Bud Moore, 715 S Third, stated the turkeys first came to town four years ago when two peeked in his windows. He felt the turkeys are good for publicity, but also cause problems roosting on chimneys and roofs. He stated originally the council decided they would annually review the number of turkeys in a public meeting. Mr. Moore offered to help the Code Enforcement Officer capture the turkeys.

Heather Hogus, Hotel Planter, suggested making a long term plan and educating the town on turkey behavior.

Councilmember O'Donnell stated that Will Honea, Deputy Prosecutor for Skagit County, who lives east of Sedro Woolley called and stated he would be willing to take some turkeys and not harm them. Mr.

O'Donnell stated that his concern with the turkeys was the result of a letter from Dr. Jim Kruger regarding the spread of salmonella by turkeys.

Councilmember Johnson stated she was sorry people feel that they are not heard, and she gets comments all day at work.

Bill Stokes, Code Enforcement Officer, stated that Fish & Wildlife have stated that the turkeys are considered feral domestic animals, and can be captured and relocated in an area provided they cannot fly away. He stated that the Precious Life Animal Sanctuary has a full acre fenced and netted for the turkeys. He discussed how they would capture and pick the turkeys chosen for relocation. Mr. Stokes suggested that residents need to stop feeding the turkeys.

Councilmember Wright stated that the problem is quantity and the need to limit the number to seven. He stated it is responsibility of the Administration and the Code Enforcement Officer to come up with a solution for the turkeys. Council agreed the turkey population needs to be reviewed annually.

**Flood Control:** Mayor Hayes stated he and Councilmember O'Donnell met with the Drainage District Commissioners and they are willing to work with the Town on the dike and to possibly allow it to move onto their easement.

Councilmember O'Donnell stated that the draft final Feasibility Study is out and it will cost \$14.6 million to complete by fall 2012. He stated the Town is facing a 10.68 base flood elevation, and recommended improving the rate by hiring Doris McCleod.

**WA Loop Change Order & Project Acceptance:** PW Brian Lease stated that the increase in costs was due to having to change the water and drain lines from the original plans. He stated that the bid for the project came in substantially under engineer estimates, and one cost for \$2,000 with Verizon will be billed for reimbursement. Mr. Lease stated that Evan Henke will be submitting the additional charges to WSDOT for reimbursement.

**Councilmember O'Donnell moved to accept the Change Order #1 for the WA Loop Project. Seconded by Councilmember Johnson. Carried 3-0.**

**Councilmember Johnson move to authorize the Mayor to sign the Project Acceptance for WA Loop Project. Seconded by Councilmember O'Donnell. Carried 3-0.**

**Approval of Accounts Payable:**

**Councilmember Wright moved to approve checks number 7766 through 7767 in the amount of \$181,596.79. Seconded by Councilmember Johnson. Carried 3-0.**

**Miscellaneous:**

**Mayor/Council Roundtable – Anacortes Water**

Councilmember O'Donnell inquired why the Town has not received the reconciliation for the purchase of water in 2007 from the City of Anacortes. Administrator Doyle spoke with Fred Buckenmeyer and reported that Anacortes is in litigation with a sub-contractor. Mr. Doyle will follow up and meet with Mr. Buckenmeyer regarding the 2007 reconciliation.

Councilmember O'Donnell stated the Utilities Committee discussed sampling and meter reading by Calhoun Street to test BOD and TSS regarding the tribe's effluent.

**Councilmember O'Donnell moved allow the WWTP Plant Operator to read the Calhoun meter randomly versus twice per month. Motion failed due to lack of a second.**

**Councilmember O'Donnell moved to allow the WWTP Plant Operator to change the Caledonia Meter activity to telemetry. Motion failed due to lack of a second.**

Councilmember O'Donnell requested the administration to pursue a statutory warranty deed for the property behind the Spirit Wheel. Administrator Doyle stated that the Town Attorney Furlong recommended waiting until the street vacation occurs.

Councilmember O'Donnell suggested having a salmon bake on Native American Day with the Swinomish Tribe.

There being no further business the meeting was adjourned at 7:23 p.m.

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Lorraine Taylor, Town Clerk

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Ramon Hayes, Mayor