

Town of La Conner
Town Council Meeting
September 22, 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, Johnson, O'Donnell, and Wright.

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

Approval of Agenda:

Councilmember Johnson moved to amend the agenda by moving the presentation by Chamber on Facility Rentals and adding an Executive Session under the Mayor's report. Seconded by Councilmember Wright. Carried 5-0.

Approval of Minutes:

Councilmember Hubbard moved to approve the minutes of the September 8, 2009 regular town council meeting. Seconded by Councilmember Johnson. Carried 5-0.

Approval of Accounts Payable:

Councilmember Johnson moved to approve checks 7817 through 7869 and manual checks 200945 dated September 22, 2009 in the amount of \$373,615.19 as presented. Seconded by Councilmember Hubbard. Carried 5-0.

Approval of Payroll:

Councilmember Johnson moved to approve payroll warrants 1686 through 1691 and direct deposits for the payroll period September 1 through September 15, 2009 in the amount of \$22,294.56 as presented. Seconded by Councilmember Hubbard. Carried 5-0.

Community Comments: Mark Pederson, 211 Douglas, complimented Code Enforcement Officer, Bill Stokes, on the professional manner and process of relocating the turkeys to the Precious Life Animal Sanctuary in Sequim.

Administrator Report: Mr. Doyle's written report was in the council packet. There were no additional comments or questions on his report.

Mayor's Report:

- a) **Facility Rental** – Marci Plank, Executive Director of the La Conner Chamber of Commerce, urged the Town Council to work together to support local businesses and promote, advertise and market La Conner through the Chamber. Ms. Plank stated that the Chamber has been reducing expenses due to the economy, but will have a shortfall of funding for 2009. She requested that the Council consider relocating the La Conner Visitor Information Center to Maple Hall, and the ideal location would be lower Maple Center to allow them to promote and market Maple Hall.

Council expressed support for helping the Chamber find other accommodations for the Visitor Information Center and would look at available facilities such as, the Garden Club and space adjacent to Town Hall. The Council agreed to immediately disburse \$15,000 to the Chamber and to discuss the issue further at the next council meeting.

- b) **EXECUTIVE SESSION** – Mayor Hayes stated at 6:35 p.m. that the council would go into Executive Session for approximately 30 minutes regarding potential litigation and to review the value of Town property and for the possibility of selling it.

At 6:55 p.m. Mayor Hayes reconvened the regular meeting and stated no action had been taken during the Executive Session.

Councilmember Wright moved to amend the agenda to include amending Ordinance No. 1031 concerning the vacation of a portion of South First Street and extend the deadline date to October 28, 2009. Seconded by Councilmember Hubbard. Carried 5-0.

Amending Ordinance No. 1031:

Councilmember Hubbard moved to amend Ordinance No. 1031 concerning the vacation of a portion of South First Street and extend the deadline date to October 28, 2009. Seconded by Councilmember Johnson. Carried 5-0.

Council Committee Reports:

Councilmember Hubbard: stated that the Finance Committee met on 9/14/09 to discuss a 2009 budget amendment, review the 2010 preliminary budget, and dates for the budget workshops. The Council approved the recommended 2009 Budget Amendment of closing Funds 205 and 426 and transferring the fund balance of \$15,099 to Fund 103. An Ordinance for the budget amendment will be presented at the next council meeting.

Councilmember O'Donnell: emphasized the importance of supporting the correct hydrology for Skagit County. Mayor Hayes stated that stepping down from the Flood Control Committee has been productive. Councilmember O'Donnell requested a meeting of the Utilities Meeting. A meeting was set for Tuesday, September 29, 2009 at 9:00 a.m. at Town Hall.

PUBLIC HEARING – Town Security Cameras: Mayor Hayes opened the Public Hearing at 7:05 p.m. to take public comments.

Elizabeth Theaker, 911 Park Street, stated that she was supportive of the Town installing security cameras.

Stuart Welch, 314 Caledonia, urged the council to consider the long term maintenance cost of the security cameras before making a decision.

Mayor Hayes closed the Public Hearing at 7:15 p.m.

Council discussion followed on the mobility of the cameras at different sites around the Town, the cost of maintenance, and agreed to investigate different options. The Council decided to table the issue until the October 13th meeting until staff can obtain more information.

I & I Study: Councilmember O'Donnell expressed concern about the accuracy of the data base used in the CHS study and noted that the infiltration and inflow distort the distribution between the Town of La Conner and the Swinomish Tribe and is not favorable to the Town. He reported that a ten percent

reduction in I & I would increase the Tribe's relative percentage and result in a savings of \$34,000 per year to the Town ratepayers.

Administrator Doyle stated that there is not a correlation between infiltration and inflow with tidal changes and incidental rainfall. He stated that Evan Henke, Engineer, and the Plant Operator, Kelly Wynn do not believe La Conner's sewer system has a significant I & I problem.

General council discussion followed on I & I and corrective measures currently underway by the staff, and Council requested a report with the results and repair measures to be taken.

Flood Control: Councilmember O'Donnell reported that he had attended the Skagit County Comprehensive Flood Hazard Management Plan meeting on September 21 and learned that the consultant for the group had been let go and a select subcommittee would draft the plan themselves. The delivery date is estimated to be late November.

Triton Lease Agreement: Mayor Hayes briefly reviewed the lease agreement with Triton America, LLC, to use the premises for the purpose of operating a marina with related facilities and a marine boat manufacturing, sales and industrial-oriented business activities.

Discussion followed on when the lease begins (when signed by both parties) and when the term of the twenty year lease begins (on February 1, 2011 or the date a certificate of occupancy is issued),

Councilmember Brunisholz moved to authorize the Mayor to sign the lease agreement with Triton America, LLC. Seconded by Councilmember Johnson. Carried 5-0.

Sponsorship Agreement with Destination/Starr Maps for Advertising: Administrator Doyle stated that the Town has historically advertised the Town of La Conner with them.

Councilmember Hubbard moved to authorize the Mayor to sign the Sponsorship Agreement with Destination/Starr Maps for Advertising. Seconded by Councilmember Johnson. Carried 5-0.

2010 Preliminary Budget: Administrator Doyle stated that this is the first draft of the preliminary budget and the council will be getting revisions as the Finance Committee reviews the budget. Councilmember Brunisholz objected to the proposed elimination of one position in the Public Works staff, and the Mayor concurred.

Council Budget Workshops: Councilmember Hubbard stated that the Finance Committee recommended having two budget workshops on 10/27/09 and 11/10/09 for two hours each from 5-7 p.m. prior to council meetings. Council concurred with the dates for the budget workshops.

Maple Avenue Repair – Contract Award: PW Director Lease reported that the Town experienced a major water main break that damaged a portion of the newly paved section of Maple Avenue by Lakeside Industries. The PW crew has repaired the water main, but the roadway is now uneven and bumpy and will deteriorate quickly. Mr. Lease stated that he requested quotes from Lakeside and C. Johnson Construction for the paving repair. The Town Engineer, Evan Henke recommends awarding the repair to Lakeside Industries in the amount of \$22,335, which will ensure that all the warranty provisions for both areas remain in place.

Councilmember Wright moved to approve and authorize the Mayor to sign the contract with Lakeside Industries for the Maple Avenue Repair. Seconded by Councilmember Brunisholz. Carried 5-0.

Miscellaneous:

Mayor/Council Roundtable – Mayor Hayes responded to Councilmember O'Donnell's request for direct access to department heads. He referred to his February 2008 memo which states the protocols by which councilmembers may contact staff via written requests submitted to the Town Administrator, John Doyle. Mayor Hayes stated there needs to be a clear chain of command so that the Mayor and the Administrator are kept fully informed. A department head can send an email to a councilmember, but a councilmember cannot send an email to a department head. He also requested that if a department head communicates by email to councilmembers, that the Mayor and Administrator be copied on the memo.

Councilmember O'Donnell disagreed and rejected the Mayor's recommendations and protocols.

There being no further business the meeting was adjourned at 8:45 p.m.

Lorraine Taylor, Town Clerk

Ramon Hayes, Mayor