

**Town of La Conner**

Town Council Meeting  
May 23, 2023 – 6:00 p.m.

The meeting of the La Conner Town Council was called to order at 6:00 p.m. by Mayor Hayes.  
Present: Councilmembers Taylor, Carlson, Dole, Chamberlain and Wohleb.  
Also present: Administrator Thomas, Finance Director DeGoede, and Planner Davolio.

**This was a hybrid meeting held in person and electronically on Zoom. Information to join was posted at Town Hall, the published Agenda in the La Conner Weekly News, and on the Town Website.**

**Public Comments:**

Resident Debbie Aldrich suggested an Environmental Impact Statement for both the small houses project behind Pioneer Market and the Jenson property

Resident Linda Talman spoke in support of a community garden at the Jenson Property and discussed the need to educate the public on ADU’s as an option for affordable housing. However, they must be regulated to avoid vacation rental use.

Resident William Smith is concerned vacation rentals of small houses would undermine the affordability the small houses would bring; He also would like future uses and ownership incorporated in the Town regulations for the small homes.

Planner Davolio noted the Planning Commission will begin discussions on long-term and short-term rental regulations at the first meeting in June.

Resident Jim Matthews is also in support of a community garden at the Jenson property and suggested a second public comment as an Agenda item towards the end of the meeting,

**Councilmember Carlson requested removing his name as present in the minutes. He was not present at the May 9, 2023 meeting.**

**Consent Agenda:**

Approval of Agenda  
Approval of the Minutes of the May 9, 2023 Council Meeting

Accounts Payable:	Checks 26054 - 26095	\$228,578.70
	<u>Electronic Pmts.</u>	<u>2018112 Excises Tax</u>
		\$7,341.76
	<b>Total Accounts Payable</b>	<b>\$235,920.46</b>
Payroll of May 19, 2023:	Checks 5721 - 5726	\$3,202.61
	Payroll Auto Tax Payment #2018111	\$7,430.08
	<u>Payroll Auto Deposit</u>	<u>\$22,267.36</u>
	<b>Total Payroll</b>	<b>\$32,900.05</b>

**Councilmember Wohleb moved to approve the Consent Agenda with the requested change of removing Councilmember Carlson’s name as present. Motion seconded by Councilmember Dole. Motion carried 5/0.**

**Administrator’s Report:**

After Council discussions, the Council retreat was set for Monday, July 24, 2023.

**Mayor’s Report:**

Mayor Hayes congratulated Marna Hanneman and Councilmembers Taylor and Wohleb on the outcome of the election registrations. He also noted he will be going to the Governor’s office soon to discuss the needs of the Town.

**Council Committee Reports:**

**Arts Commission:** Councilmember Taylor reported the Arts Commission is looking for Hotel Motel funding for upcoming restoration and repair of art in Town and possibly storage during the winter. Recently the Art Walk Brochure was completed and is being distributed. The Arts Commission will be taking the summer off and will resume their meetings in September 2023.

**Emergency Management Commission:** Councilmember Dole reported they are moving forward on the short-term plans for the upcoming flood season. One proactive plan is to set ecology blocks on the South end of Town,

**Communication Committee:** Councilmember Chamberlain shared the meeting at the library went well. The citizens that did show up came ready to listen and share on topics related to the Comprehensive Plan and other items of interest. Door hangers will be distributed throughout Town to encourage public participation with the Comprehensive Plan.

**Parks Commission:** Councilmember Wohleb reported the repair of the kiosks should be done soon, they are still waiting on the County permits for the Waterfront Park Pavilion and discussions are ongoing on replacing the trees in Town.

Councilmember Wohleb also shared the Skagit Valley Clean Energy Cooperative Gala was a success. It involved a solar presentation, meet and greet with installers followed by music. Future events will focus on information.

**Center Street Project:**

Planner Davolio met with the applicants. They completed the borings for soil samples and will submit their building permits by the end of June. Due to a 500 square foot area of soil found to be contaminated, they requested to start digging early to remove it. It will be allowed with the conditions of verifying the utility locations first and an engineer must be on site.

**Jenson Property:**

The Mayor reminded the citizens, the property was considered a long-term project at the time of purchase. We neither have the time nor the resources to do anything with it at this time.

**Moratorium on Adult Business Regulations in La Conner:**

Planner Davolio explained this will amend Chapter 5 of the La Conner Municipal Code, Licensing of Businesses, by adding regulations for adult businesses. One is limiting locations to our industrial zones, which are the far North end of Town owned by the Port, and the far South end of Town. The second is to set the regulations required of business owners and employees of adult businesses. The Planning Commission has reviewed the document presented tonight and forwarded it on to Council with their recommendation of approval for State review.

**PUBLIC HEARING –Adult Businesses and Regulations:**

**6:41 p.m. Mayor Hayes opened the Public Hearing.**

**Resident Jim Matthews** referred to a past gun business that was allowed to open but a cannabis business was denied. Could something like that happen to an adult business?

**Resident Glen Johnson** suggested sending them out of Town limits.

**Resident Linda Talman** questioned why the County doesn't have the burden of regulating these businesses and why the Port has the right to deny these businesses.

Planner Davolio stated the Port has the right as a property owner to deny a business. Because of specific State Laws, we can't ban these businesses, so we need to identify areas for use. As for the County, they have no regulations for adult businesses.

**6:49 p.m. Mayor Hayes closed the Public Hearing.**

**Councilmember Chamberlain moved to approve the Planning Commission's recommendation for the Adult Business Regulations to move forward for State Review. Motion seconded by Councilmember Wohleb. Motion carried 5/0.**

**Tiny Homes Project - Ellis:**

Greg Ellis presented his Small Homes Project to be located behind Pioneer Market. He made a few modifications to be more conducive for solar. The homes are between 200 and 400 square feet and planned for long-term affordable housing. He has provided a parking space per home, but could also create sixteen angled parking spaces along Whatcom.

It was the consensus of the Council to refer the project to the Planning Commission for review and recommendation.

**Fish Slide:**

Administrator Thomas explained the slide is in disrepair despite the efforts of volunteers and staff. It has been inspected by several contractors who have either refused to do it, or if so, won't offer any warranty on the repairs. There is no way to guarantee the repair of the slide. We have three options 1) continue repairs as we are at an unknown cost and risk 2) seal the inside of the slide with unknown structure stability and cost of ongoing repairs and 3) remove the slide at a cost of \$1,600. One other idea was to have it coated with a fiberglass coating and painted, but that would require maintenance as well. Recently there was an audit of the Town Parks Facilities by our insurance carrier, WCIA, who considered the slide a risk for injury, even if it was refurbished, due to future probable failures in the concrete.

Council discussions included acknowledging the sentimental attachment to the slide and recognizing the efforts of volunteer's time spent repairing it. However, because of continual costs and the safety issues, it was the consensus of the Council to remove the Fish Slide.

**There being no further business the meeting ended at 7:17 p.m.**



Maria DeGoede, Finance Director



Ramon Hayes, Mayor