



TOWN COUNCIL MEETING

AGENDA

Island County Hearing Room

September 9, 2014

6:30 pm

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CHANGES AND APPROVAL OF AGENDA

APPROVAL OF MINUTES

Regular Meeting of August 26, 2014

MAYOR'S REPORT

AUDIENCE INPUT - See NOTE

PRESENTATION

Staff from Island County Human Services, Affordable Housing

PUBLIC HEARING

1. Ordinance 714 prohibiting smoking and tobacco use in Town Parks and on Town trails.

NEW BUSINESS

1. **Authorization to accept donation of parcels R13233-396-4260 and R13233-396-4320**
– Staff recommends authorization for the Mayor to accept the donation of parcels R13233-396-4260 and R13233-396-4320 from Haigh and Sally Fox, and to commit to the Town an easement protecting the waterfront view as requested.

AUDIENCE INPUT - See NOTE

ADJOURN

NOTE: Audience Input - This is time set aside for members of the public to speak to the Council about subjects of concern or interest, or items not already set aside for a public hearing. Questions presented may not be answered immediately if all information is not available, but will be responded to as soon as possible. To ensure your comments are recorded properly, you need to state your name and address clearly into the microphone. Please limit your comments to 5 minutes. Input requiring more lengthy comment is best submitted in writing.

NOTE: Persons with disabilities requiring elevator access to the Hearing Room, please call twenty-four (24) hours prior to the scheduled event to Clerk-Treasurer (360) 678-4461, ext 7.

**Town of Coupeville
Regular Council Meeting
August 26, 2014
6:30 pm**

Mayor Conard called the Regular Meeting of the Coupeville Town Council to order at 6:30 pm.

PRESENT: Mayor Nancy Conard, Councilmembers Bob Clay, Diane Binder, Molly Hughes, Pat Powell and Jackie Henderson.

STAFF PRESENT: Utilities Superintendent Willy Larue and Clerk Treasurer Kelly Beech.

CHANGES AND APPROVAL OF THE AGENDA

A correction was made to item number two under new business:

Approval of August 26, 2014 Claims Vouchers/Warrants and July Payroll – Staff recommends approval of the August 26, 2014 claims vouchers/warrants #~~30000~~ #26756 to #30041 for a total of ~~\$100,908.27~~ \$110,908.27; and July 2014 payroll warrants #14872 to #14899 for a total of \$71,895.87.

Council Action: A motion was made by Councilmember Bob Clay, second by Councilmember Jackie Henderson, to approve the Agenda as corrected. The motion passed unanimously.

APPROVAL OF MINUTES

The following correction was made to the minutes of August 12, 2014, under the “New Business” section:

Council Action: A motion was made by Councilmember Jackie Henderson, second by Councilmember Bob Clay, to approve ~~the Agenda as amended~~ Resolution 14-12 Surplus of Dodge Dakota V08. The motion passed unanimously.

The minutes of the Regular Meeting of August 12, 2014 were approved as corrected.

MAYOR’S REPORT

- Mayor Conard provided copies of the Emergency Preparedness packets created by the NET team to councilmembers and explained that the packets would start going out to residents in September. The distribution will begin at a neighborhood meeting in the Albion area of Coupeville.
- Mayor Conard reminded councilmembers of the upcoming non-profit fair and verified how each of the councilmembers is planning on participating. She also solicited input from the councilmembers on what kinds of materials they wanted to have available for residents at the Town’s booth during the event. The fair will be on Saturday, September 8th during the Coupeville Farmer’s Market.
- Mayor Conard reminded the councilmembers of the upcoming Public Records Act/Open Public Meetings Act training provided by MRSC and hosted by the Town. So far, approximately 50 participants have signed up to attend the training, from 8 different local agencies and municipalities. The training will be on Tuesday, September 9th in the Rec Hall.

- Mayor Conard met with representatives of Congressman Rick Larsen's office and Helen Price-Johnson to continue work on a plan to mitigation that she hopes to present to the Council in the next month or so, for the impact of the Growlers at OLF.
- Mayor Conard shared that she met with Councilmember Molly Hughes and Meriden Huggins to begin work on revising and updating the Town's website.
- Mayor Conard participated in an Agriculture Tour co-hosted by Whidbey Island Conservation District and the Northwest Agricultural Center out of Mt. Vernon. There were quite a few representatives from other conservation districts and elected officials who also attended the event. It was a great opportunity to see some of the things the Whidbey Island Conservation District has assisted with in our area.
- Mayor Conard had two debriefing meetings about the Coupeville Arts & Crafts Festival, one with the Coupeville Chamber, and the other with representatives of the Waterfront Association. She then followed up with Town staff to discuss things that went well and ways to improve the experience next year. Mayor Conard will be meeting with representatives of the Festival Association to share this information with them.
- Mayor Conard and Town Engineer Greg Cane held a meeting for Madrona Way residents living along the portion of Madrona Way schedule for construction this Spring. About half of the residents invited to attend the meeting were present, and some gave suggestions. The Town will be creating an email group to help keep residents informed of the status of the project.
- Mayor Conard attended the monthly Ebey's Trust meeting where the Trust Board discussed their budget for next year.
- Mayor Conard informed the Council that Bonnie Abney, the Town's NET coordinator, is planning the annual COAD (Community Organizations Active in a Disaster) meeting. The annual meeting with local organizations and businesses, helps ensure we have up-to-date contact information among other things.
- Mayor Conard is planning on attending the upcoming Council of Governments meeting, and Transportation Policy Board meeting.
- Mayor Conard will also be meeting with Cheryn Weiser and a couple of other people from Senior Services of Island County to start fleshing out the piloting of the extended senior lunch/activities program.
- Finally, Mayor Conard informed the Council that Coupeville is participating with Island County in the process of updating their Hazard Mitigation Plan, which was last done 5 yrs. ago. The plan is created on a county-wide basis and covers almost everything that could go wrong and what the response plan would look like.

PRESENTATION

Mayor Conard presented Utilities Superintendent, Willy Larue with a placard and letter of congratulations from the State on achieving full compliance with the National Pollutant Discharge Elimination System permit. This is the fourth consecutive year that the Town has received this recognition from the state.

NEW BUSINESS

1. Approval of Special Events Permit Application #14-008 for the Horseless Carriage Club – *Staff recommends approval of Special Events Permit Application #14-008 for the Horseless Carriage Club.*

Questions were asked and answered and no changes were suggested.

Council Action: A motion was made by Councilmember Jackie Henderson, second by Councilmember Bob Clay, to approve Special Events Permit Application #14-008 for the Horseless Carriage Club. The motion passed unanimously.

Approval of August 26, 2014 Claims Vouchers/Warrants and July Payroll – *Staff recommends approval of the August 26, 2014 claims vouchers/warrants #26756 to #30041 for a total of \$110,908.27; and July 2014 payroll warrants #14872 to #14899 for a total of \$71,895.87.*

Questions were asked and answered. Councilmembers requested voiding check number 30029, made out to Sound Publishing, for \$2,214.26 because it included a duplicate invoice that had been paid in a previous month.

Council Action: A motion was made by Councilmember Molly Hughes, second by Councilmember Dianne Binder, to approve August 26, 2014 claims vouchers/warrants #26756 to #30041 for a total of \$110,908.27; and July 2014 payroll warrants #14872 to #14899 for a total of \$71,895.87, with the understanding that check #30041 would be voided. The motion passed unanimously.

DISCUSSION – Smoke and Tobacco Free Policy

The Council discussed options to consider when crafting a Smoke and Tobacco Free policy. Emily Maughan provided examples of signs, copies of ordinances other organizations and municipalities have used when implementing similar policies, and definitions of items that may be covered by this kind of policy. The discussion also included the various options as far as enforcement. The Council gave their recommendations to Mayor Conard. A revised draft of an ordinance will be presented at the next regular meeting based on Council's recommendations.

STAFF REPORTS

Clerk Treasurer Kelly Beech spoke about the ongoing software upgrade, and commented on how much smoother processes are now that the new fiscal software has been installed. She commented on Utility Clerk Shelly Maier's progress and complimented her ability to pick up on the processes explained during the two-day training for the new software, as well as Nanc Garner's support during the transition. Kelly shared that she and Mayor Conard met with representatives of Whidbey Island Bank to discuss some time-saving and cost-saving measures the Town will be implementing. Finally, Kelly went over the information in her staff report and fielded questions from the Council.

Utility Superintendent Willy Larue informed the Council of the outcome of the reservoir cleaning that occurred in August. He was pleased to see such a low accumulation of sediment in the tanks after four years, since our last cleaning. The low level of sediment is testament to the

improved quality of the water the Town provides to residents. The recommendation of the divers was that the Town clean the tanks again in three to four years. The inspection of the reservoir confirmed that the tanks are in great shape. Willy provided a packet about the National Pollution Discharge Eliminations Permit, giving Councilmembers more information about the program and its requirements in order to maintain compliance. Willy informed the Council that we have found a new company to work with on reviewing, maintaining, and improving our telemetry system. Willy then fielded questions from the Council.

Mayor Conard shared Marshal Norrie's staff report with the Council and gave a brief explanation on his reporting method. Mayor Conard also shared with the council that the new speed trailer is operational and collecting data. As more data is collected, the Marshal will be able to provide a report that can be used to study traffic patterns in Town limits. Mayor Conard also shared with the Council that the agreement the Town has with the Island County Sheriff's Office includes the understanding that Coupeville deputies may be filling overtime shifts in the county. She commented that Coupeville officers would fill those shifts in Coupeville Police vehicles because vehicles are assigned to individual employees, but would be wearing their Island County Sheriff's uniform. Our officers recently participated in a joint DUI enforcement operation in Oak Harbor, and in joint-enforcement operations they would be in Coupeville Police cars and wearing Coupeville Police uniforms.

COUNCIL REPORTS

Councilmember Jackie Henderson reported that she attended the Friends of Ebey's dinner and tour of the fields. The tour guides were knowledgeable and the whole experience was very educational.

Councilmember Bob Clay shared that Island Transit held a public hearing to approve their 6-year Transportation Package, and that the meeting that usually drew 1 or 2 attendees had 55 people attending this year. Everyone who attended had an opportunity to comment. Councilmember Clay also commented that the State Auditor's Office began their audit and that with the specific areas the Transit Board has requested they review, the audit results may not be available for a few months. Councilmember Clay informed the Council that attendance is up this year at the Jacob Ebey House, and he mentioned that he believes a lot of the success this year can be attributed to the efforts made by Sherrye Wyatt and the folks at Whidbey & Camano Islands Tourism. Finally, Councilmember Clay shared the status of the Coupeville Boys and Girls Club's capital campaign to build a new facility.

Councilmember Pat Powell shared with the Council the result of the Whidbey Camano Land Trust's 30th anniversary celebration at Fort Casey. The event was sold out, with 250 people in attendance. The Land Trust has protected over 1000 acres in Ebey's Reserve, most of that farmland, and they are working on adding another 600 acres to that total. All of the protected lands have a component of an easement for future trails.

Councilmember Dianne Binder handed out a statistical report showing tax revenue collected in Island County over the past 7 years, and shared that Sherrye Wyatt of Whidbey & Camano Islands Tourism has been very busy working with travel writers to help promote the island. Whidbey Island was recently featured in Sunset magazine's Weekend Trips for Fall Escapes edition and Life magazine's Dream Destinations edition. Councilmember Binder then shared information from the most recent UAC meeting.

Councilmember Molly Hughes has been working on materials for the non-profit fair and recently started working with Meriden Huggins on revising and upgrading the Town's website. Councilmember Hughes informed the Council that through the Food Bank's Meals 2 Kids program, in cooperation with the Coupeville Elementary School, the food bank supplied 1300 bags of food to Coupeville children in need over the last school year, and they are gearing up to offer the program again this year. They plan on sending the first bags home the second week of September. Finally, Councilmember Hughes reminded the Council that the annual BBQ and free concert will be on September 7th at Coupeville Town Park, and encouraged all to attend.

ADJOURNMENT: 8:10pm

Respectfully Submitted:

MAYOR:

Kelly Beech, Clerk Treasurer

Nancy Conard

A complete audio recording of this meeting is available upon request from the Clerk-Treasurer.



MEMORANDUM

Date: September 5, 2014

To: Town Council

From: Nancy Conard, Mayor *NC*

Re: Ordinance 714, Prohibiting Tobacco and Smoke Free Tobacco in Town Parks

The council heard a proposal from Island County Health Department, offering their assistance in developing Town Code to prohibit tobacco use in Town parks. The council reviewed a first draft of an ordinance at the last council meeting. Input from that meeting was used to develop the attached Ordinance 714.

Smoking any substance is a health risk, and there is no risk-free level of exposure to second hand smoke. Enacting this ordinance encourages our local residents in maintaining lifestyles.

Ordinance 714 is self-explanatory, prohibiting smoking and use of smoke free tobacco in Town parks or on Town trails. Although violation of the Code may result in a civil infraction subject to a fine not to exceed \$100, our primary enforcement tool will be placement of "Smoke-Free" signs in our parks and on our trails, as well as publicizing the ordinance on the Town's website.

Smoking is already prohibited in and around Town owned buildings and facilities, this ordinance extends the restriction to our remaining public spaces.

The Council Procedures call for two hearings on Ordinances which address Town Code. This will be the first hearing or reading of the Ordinance, and the second is scheduled for September 23. If approved by the Council, the Code becomes effective upon publication.

Recommendation:

Motion to approve first reading of Ordinance 714, prohibiting tobacco and smoke free tobacco in Town Parks.

TOWN OF COUPEVILLE
Coupeville, Washington

ORDINANCE NO. 714

**AN ORDINANCE OF THE TOWN OF COUPEVILLE,
WASHINGTON, PROHIBITING TOBACCO AND SMOKE FREE
TOBACCO IN TOWN PARKS; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Town of Coupeville, encourages and supports local residents in maintaining healthy lifestyles; and

WHEREAS, the Town of Coupeville, recognizes that smoking any substance presents a public health risk and the U.S. Surgeon General has reported that there is no risk-free level of exposure to secondhand tobacco smoke for children and adults; and

WHEREAS, the purpose of town parks and trails are to provide and promote a healthy environment for all citizens, including children and youth; and

WHEREAS, the use of tobacco and other smoking products in parks and on trails sends a dangerous message to youth that using such products is consistent with a healthy environment.

NOW, THEREFORE, be it ordained by the Council of the Town of Coupeville, Washington, as follows:

Section 1. A new Section 12.08.105 is added to the Coupeville Town Code to be known and referred to as "Smoking and Smoke Free Tobacco Specifically Prohibited" Which shall read as follows:

Section 12.08.105 Smoking and Smoke Free Tobacco Specifically Prohibited

- A. Smoking and use of smoke free tobacco is not allowed in Town parks or on Town trails
- B. Smoking is defined as inhaling, exhaling, burning or carrying a lighted or vapor-producing product or using a smoke free tobacco product. Products include but are not limited to, cigarettes (tobacco, clove, bidis, kreteks), chew, electronic cigarettes, cigars, cigarillos, hookahs, and marijuana.
- C. The Town of Coupeville will post and maintain signage in parks and on all Town owned trails indicating that they are "Smoke-Free". The Town of Coupeville shall publicize the "Smoke-Free" ordinance on their website. Voluntary compliance will be encouraged through signage, educational material and public information releases.
- D. Penalty For Violation. Violation of this section shall be a civil infraction subject to a fine not to exceed \$100.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the Town, and shall take effect and be in full force _____

PASSED by the Town Council and **APPROVED** by the Mayor on this ___ day of ____, 2014

MAYOR

Nancy Conard, Mayor

APPROVED AS TO FORM

ATTEST

Grant K. Weed, Town Attorney

Kelly Beech, Clerk-Treasurer

Published: _____



MEMORANDUM

Date: September 5, 2014

To: Town Council

From: Nancy Conard *NC*

Re: Donation of Land from Haigh and Sally Fox

Haigh and Sally Fox own a home at 101 NE Front Street, which is on the market for sale. The home is located on the south side of the street. They also own two lots on the north side of Front Street, on the waterfront, directly opposite the parcel on which their home is located.

A recent review of a survey of their parcels indicates there would be significant challenges in using the north lots for any development. They do, however, want to protect the view for the home.

Haigh and Sally have offered to donate the waterfront parcels to the Town. They ask for a protective easement, restricting any construction or development on the parcels that would obstruct the view, and a restriction prohibiting cars parking on the parcels (parking is not currently allowed on this location).

I have consulted with a variety of folks about this opportunity and believe there is public benefit in the Town having ownership. Generally, public ownership of beach, tidelands and/or beach access is encouraged in our State. While we have no specific plans for this area in our comprehensive plan, I can see nothing negative in owning the land, and there may be other opportunities that surface in the future. This donation is similar to one that occurred a couple of years ago, further east on Front Street. Frankly, I think it may be that we are offered additional opportunities in this area in the future, given the limited development options for most of the waterfront lots on Front Street, east of Main.

I have agreed to have the Town's attorney draft the documents and facilitate the transfer of title of the parcels, as well as creation of the easement as requested by the Fox's, following your approval and authorization

Recommendation:

Motion to authorize the Mayor to sign documents to accept the donation of parcels R13233-396-4260 and R13233-396-4320 from Haigh and Sally Fox, and to commit the Town to an easement protecting the waterfront view as requested.

