

**Town of Coupeville
Regular Council Meeting
Tuesday, January 24, 2012
6:30 p.m.**

PRESENT: Mayor Nancy Conard, Councilmembers Dianne Binder, Bob Clay, Larry Cort, Jackie Henderson, and Molly Hughes.

STAFF PRESENT: Town Planner Larry Kwarsick, Town Marshal Lance Davenport, Clerk Treasurer Judy Thomas

CHANGES AND APPROVAL OF THE AGENDA

Mayor Conard suggested the following two changes to the agenda: 1) add an item under New Business to appoint Jackie Henderson to the LEOFF Board; 2) delete Discussion, item #7 Proposed Ordinance No. 702 related to parking.

Council Action: A motion was made by Councilmember Clay, second by Councilmember Henderson, to approve the Agenda as amended. The motion passed 5-0.

APPROVAL OF MINUTES

The minutes of the Regular Meeting of January 10, 2012 were approved as submitted with one typographical correction on page 3, last paragraph should read, ‘..., second by Councilmember Clays, to confirm...’

MAYOR’S REPORT

- Mayor Conard attended the FEMA workshop about earthquake preparedness. They discussed the earthquake in Japan and what areas in Washington would be most affected by an earthquake and tsunami.
- Tomorrow, January 25th, she will be attending several meetings: Council of Governments, Regional Transportation Policy Organization, and Sustainable Whidbey Coalition.
- Thursday, January 26th is the Council Workshop from 3:00 to 9:00 pm.
- Friday, January 27th she will attend a meeting at Ebey’s Reserve with Mark Preiss, Helen Price Johnson, along with representatives from Washington State Parks and the National Park Service.
- Tuesday, January 31st she, Larry Kwarsick and possibly Helen Price Johnson will meet with Windermere Real Estate staff to discuss the new Design Guidelines; and the disclosure statements that are required on housing sales within the Reserve.
- The annual Sound Waters Conference is scheduled for Saturday, February 4th.
- She is working on the final details on the Holbrook barn and expects that it will be moved in the next couple weeks
- She received the first draft of the agreement with Island Disposal on curbside recycling.
- She noted that tonight’s vouchers include several Park Impact Fee refund payments.
- She recognized the exceptional work done by Town Staff Larry Smith, Kelly Riepma, and Dan Dalton during last week’s snow storm. They all worked very hard and long hours. Also, she recognized the Deputies for helping people around town; and Town Hall staff who all made it to work. Great work by everyone and she really appreciates every ones efforts.

NEW BUSINESS**Approval of Ordinance No. 700 approving work plan and establishing salary for Mayor for term ending December 31, 2015**

Mayor Conard explained that this ordinance goes back to 2002 and Ordinance No 624. This is her third plan of administration and she is proposing the same as in the past. Also, since 2006, the Council has approved the salary to be the same as the managers.

Council Action: A motion was made by Councilmember Clay, second by Councilmember Cort, to approve Ordinance 700, approving the plan for administration of Town Government and adjusting the salary for the mayor for the term ending December 31, 2015. *Discussion:* Councilmember Clay recalled when this was initially approved and he is pleased with the work she has done. The motion passed 5-0.

ORDINANCE NO. 700

An ordinance of the Town of Coupeville, Washington, establishing an adjusted salary for Mayor for term ending December 31, 2015, and repealing Ordinance No. 670.

Approval of Employment Agreement with Town Marshal -- Mayor Conard recommends approval of the employment agreement for Town Marshal Lance Davenport.

Mayor Conard noted for clarification, the following two corrections: Page 1, top of the page, should read, 'END DATE: ...or terminated consistent with Section 7 8'; Page 2, second paragraph, last sentence, should read, '... or a qualifying event, ~~the Town will provide this allocation can revert back to Town provided~~ employee medical and dental coverage.'

Council Action: A motion was made by Councilmember Henderson, second by Councilmember Hughes, to approve the employment agreement for Lance Davenport, as provided. The motion passed 5-0.

Approval of Interlocal Agreement with Island County for the provision of water quality monitoring services of the Phytoremediation Project – Mayor Conard recommends approval of the Interlocal Agreement.

Mayor Conard referred to the presentation in 2011 about the monitoring services of the phytoremediation project and explained that this Interlocal Agreement will formalize the agreement with Island County to continue to provide water quality monitoring services for the project. The budget for the project was approved last year.

Council Action: A motion was made by Councilmember Clay, second by Councilmember Binder, to approve the Interlocal Agreement with Island County for the provision of water quality monitoring services. The motion passed 5-0.

Approval of Cabaret License Application for Ciao Restaurant – Marshal Davenport recommends approval of the Cabaret License.

Mayor Conard explained that this application was reviewed by Marshal Davenport and he has provided a staff report recommending approval of the cabaret license.

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Cort, to approve the Cabaret License Application filed by Mark Laska DBA 'Ciao', in accordance with Coupeville Municipal Code 5.12. The motion passed 5-0.

Approval of January 24, 2012 Claims Vouchers/Warrants - *Staff recommends approval of the January 24, 2012 claims vouchers/warrants #24622 to #24701 for a total of \$162,145.33.*

Several questions were asked and answered about the vouchers and no changes were suggested.

Council Action: A motion was made by Councilmember Henderson, second by Councilmember Hughes, to approve the January 24, 2012 claims vouchers/warrants #24622 to #24701 for a total of \$162,145.33. The motion passed 5-0.

Approval of appointment to the LEOFF Board

Mayor Conard had asked for a volunteer from the Town Council to serve on the LEOFF Board at the last Council meeting and Councilmember Henderson has volunteered to serve on the Board.

Council Action: A motion was made by Councilmember Cort, second by Councilmember Hughes, to approve the appointment of Jackie Henderson to the LEOFF Board. The motion passed 5-0.

STAFF REPORTS

Ms. Thomas provided a written report noting that the December financial reports will be included in the February Staff Report. She added that she has been working on year end processing and closing 2011.

Larry Kwarsick explained that last month there were two trainings for County and Town Staff on the Ebey's Design Guidelines; plus the first training for the Historic Preservation Commission (HPC) and a second HPC training scheduled for January 26th. Following the January 26th HPC training, they will have their first HPC meeting with seven applications to be considered. He continues to work on the Transportation and Facilities plans. Mayor Conard thanked Mr. Kwarsick for the excellent training on the Design Guidelines.

Marshal Davenport submitted a written report and explained that next month there will probably be a slightly different report. Councilmember Henderson asked some questions about some of the calls on the Complaint Summary, and whether officers provided any information about resources. He explained what is required by law and will have to check to see if that is being followed, and will get back to her. He agreed with Mayor Conard's comments and noted that the Deputies did an outstanding job during the snow storm. Councilmember Henderson complimented Deputy Kuschnerit on helping an older gentleman who needed some assistance.

COUNCIL REPORTS

Councilmember Hughes attended the League of Women's Voters meeting in Oak Harbor; and all the representatives discussed their plans for 2012. Ebey's Forever Fund - A fund raiser letter was mailed in December in an effort to reach their goal for 2011 of \$10,000; and the response was great and they received donations exceeding their goal. The CHWA received \$10,000 in B&O taxes (from the B&O Main Street program). The new CHWA director is very familiar with the B&O program and she will be meeting with local businesses to explain the program and how to participate. She met with Marion Atwood, from the Greenbank Farm, and they want to partner with the Gifts from the Heart Food Bank (GFTH) and are looking at ways that they can grow (food) for the food bank; and help the food bank with education opportunities.

Councilmember Binder reported from the Island County Joint Tourism Commission (ICJTC) on revenue through November 2011: overall for the County was up 15.3%; Coupeville was down by 1.3%; Langley was up 39.5%, unincorporated Island County is up 22.5% and Oak Harbor was

down 6.6%, but as a whole (for the county), tourism revenue is up. On the project side, Island County will have a tourism display on 'The Ways of Whales' meeting and the Sound Waters Conference. The Washington Tourism Alliance is kicking off its first tourism campaign, 'Take a Washington Adventure.' They are doing a lot of work on the website, with revamping and updating; and still continuing to get about 9,000 hits per month. Through the end of November, they sent out 13,995 information packets for 2011. There was an article on Coupeville in *Sunset Magazine* and Northwest Back Roads broadcasted the feature on Coupeville, again last week.

Councilmember Cort added to Mr. Kwarsick's comments about the HPC training, that it is a great group. He discussed his part of the training which includes constitutional rights of due process and equal protection, and all the requirements of a quasi-judicial decision making body. He added that Jack Williams, one of the preeminent trainers in design review, will be the trainer at the January 26th training.

Councilmember Clay attended the Central Whidbey Fire District open house about a levy they will be proposing, which provided an opportunity to learn about all they do. At the last Island Transit Board meeting of the year they provided statistics for the year and ridership reached an all time high in 2011 with 1,340,000; which also increases costs but they are still within their budget. Sales Tax revenue was a little under \$300,000. On the new Island Transit building construction project they have advertised for a construction management firm and they evaluated eight companies, and made a selection. They also advertised for constructing the facility with bids due by the end of February. Last Wednesday they had a pre-construction meeting and had a good turnout (even with the snow). He was pleased with the article in *Sunset Magazine* and the pictures of Ebey's Landing. Tomorrow he will be attending a ferry meeting in Port Townsend on the WSF (Washington State Ferries) reservation system; so far it looks like an excellent product; and they will be using it before June on the Port Townsend/Coupeville ferry run.

Councilmember Henderson discussed a program that she works with, the Island County Veteran's Assistance Program which provides emergency funds to indigent vets and their families. She handed out a brochure. Most of what they do is help connect Vets to the services that are available. Last year they helped about 300 vets with emergency food and rent. She told a couple of examples of how this program helped Vets and explained that funding for the program comes from a tax.

DISCUSSION

Proposed Ordinance No. 701 amending the Town Code to allow Electric Vehicle Charging Stations

Larry Kwarsick explained that new legislation requires that standards for electric charging stations be developed. He discussed some different options for charging stations and how some units can affect the life of the battery. The Planning Commission had a public hearing and is recommending the draft ordinance. He suggested the Town Council hold a public hearing to adopt the ordinance, since it is a new code.

Consideration of waiver of Park Impact Fee

Larry Kwarsick explained that this is an initial discussion to consider waiving the impact fee for the property where the Holbrook barn is currently located. In consideration of the recent donation of the barn (value of structure, moving and placement is approximately \$20,000), would the Council consider waiving the park impact fee of \$1,427, on the building permit application, plus future park impact fees by this same person. He asked the Council to consider

the potential to waive the \$1,427 and an additional credit up to \$20,000 (for future development). Council discussed the proposal and they were leaning toward waiving, only the \$1,427 at this time.

Big Rock

Mayor Conard explained that this lot is fully developed and no more construction could occur on this lot. She explained current development regulations that would not allow the current density if the buildings were demolished and replaced. She does not believe there is any risk of anything happening to the Big Rock but there has been some discussion that the rock should be in public ownership. There was discussion about purchasing a conservation easement. Councilmember Clay could not figure out why the Town should spend public funds to purchase the rock; it is a privately owned piece of property, and he sees no need to do anything with the Big Rock. Councilmembers Hughes, Henderson, Cort, and Binder all agreed with Councilmember Clay's comments, that there was no benefit to owning the rock.

Mayor Conard called for a recess at 8:37 pm and Council will reconvene in Executive Session.

EXECUTIVE SESSION – Potential Real Estate Acquisition and Disposition

Mayor Conard called for executive session to discuss potential real estate acquisition and disposition. Mayor Conard, Councilmembers Binder, Clay, Cort, Henderson and Hughes recessed to executive session at 8:45 pm. for approximately 20 minutes and reconvened to regular session at 9:05 pm. No action was taken.

ADJOURNMENT: 9:05 pm

Respectfully Submitted:

MAYOR:

Judy A. Thomas, Clerk Treasurer

Nancy Conard

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