

**Town of Coupeville
Regular Council Meeting
Tuesday, February 13, 2007
6:30 p.m.**

COUNCILMEMBERS PRESENT: Mayor Nancy Conard, Councilmembers Dianne Binder, Bob Clay, Molly Hughes, and Jim Phay. A motion was made by Councilmember Clay, second by Councilmember Phay, to excuse Councilmember Bronson. The motion passed 4-0.

STAFF PRESENT: Public Works Director Malcolm Bishop, Town Planner Larry Kwarsick, Town Marshal Lenny Marlborough, Clerk Treasurer Judy Thomas

APPROVAL OF MINUTES

The minutes of the regular meeting of January 23, 2007 were approved, as submitted.

ADDITIONS TO THE AGENDA

Mayor Conard asked that an executive session be added at the end of the meeting to discuss potential property acquisition, with no action to follow.

MAYOR'S REPORT

- Mayor Conard and Joe Black went to the Plum Creek Seed Farm and selected about 30 trees, between two and five feet high, to be replanted near the Broadway to Birch Trail, as previously discussed in the landscaping plan for Krueger Farm Open Space.
- She noted that the laptops and projector were delivered by Cascade Computers Inc. earlier this month. They also installed the firewall software to allow staff to work from home in the event of an emergency.
- She spoke about legislation supporting the Clean Air/Clean Fuels 2007 Bill and asked if Council wishes to support this bill and if so, she will put it on the agenda for the next Council meeting.
- Last week, she received notification from the State Department of Transportation that the Town has been selected for a pilot project to install a UPS (uninterrupted power source) for the stop light at the intersection of Highway 20 and Main Street. It may take up to six months for it to be installed but she was excited about this solution to this unsafe situation during a power outage. Department of Transportation has also offered to loan emergency lights to use in the interim.

AUDIENCE INPUT

Gary Piazzon spoke about the importance of trees to the environment and asked the Council to consider implementing a tree ordinance. Mayor Conard asked him to provide information on the subject, and if he would be interested in assisting with the process for his request, and he agreed.

Buell Neidlinger expressed concern that there are plans for 65 new lots to be created in the Town and there are only 23 water hookups. Mayor Conard explained that the Town has resources to provide water as it is needed. The new well at Ft. Casey will be on line very soon and will add ERU's.

PRESENTATION**WSU Beach Watchers proposal for Wharf Discovery Center**

Kristen Cooley and Graham Johnson, from Island County Beach Watchers, explained that they are working to develop a long term plan to create an exhibit in the breezeway at the Coupeville Wharf. Beach Watchers acquired an underwater camera, projection microscope and other equipment to view sea life in Penn Cove. The plan will focus on sea life in Penn Cove, Saratoga Passage, the 1970's whale captures, and the whale pods of today. The Puget Sound Action Team has agreed to contribute \$6,450 towards construction of the physical structure and printing of information. In addition to this contribution, Beach Watchers needs funding for signage and printing of brochures and requested participation from the Town of Coupeville. Councilmember Binder explained that printing of brochures would be an allowable expense from the State's 2% Tourism funds and suggested they may also want to contact Island County Tourism for additional funds.

NEW BUSINESS**Approval of Preliminary Plat 06-01 Laurens Woods, a 20-lot subdivision on six (6) acres - Staff recommends approval of PP 06-01 Laurens Woods.**

Mr. Kwarsick explained that the Planning Commission held a public hearing on PP 06-01, at their meeting on January 2, 2007, and there was no public input. This subdivision will divide a six-acre parcel into 20 lots, ranging in size from approximately 7,200 to 10,000 square feet per lot. This subdivision will allow for looping of streets by connecting Faris and Albion Streets via a new street named Cook Street. Also included in the proposal is the designation of a 30 ft. buffer on the west side of the parcel. All building permits will need to be approved by the Design Review Board to maximize development standards. Staff recommends approval of Preliminary Plat 06-01, based on the following 7 (seven) findings and 28 (twenty-eight) conditions:

7 Findings on PP 06-01:

1. The Town received an application from CAC LAND DEVELOPMENT, L.L.C. a Washington Limited Liability Company on March 14, 2006, for preliminary plat approval to subdivide parcel number R13234-105-0690 into twenty single-family residential building lots.
2. The property is located in the Medium Density Residential zoning district.
3. As a proposed subdivision was reviewed for consistency with Title 16 of the Coupeville Town Code (Development Regulations), the Coupeville Comprehensive Plan, RCW 43.21C.120 (State Environmental Policy Act), and RCW 58.17 (Plats, Subdivisions, Dedications) regarding the fact that "Appropriate provisions have been made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who

only walk to and from school; and that the public use and interest will be served by the platting of such subdivision and dedication”.

4. On March 28, 2006, the Town issued a Notice of Application to neighboring property owners and agencies with jurisdiction. No comment letters were submitted in response to this Notice.
5. The Town issued a Mitigated Determination of Nonsignificance (MDNS - SEPA Threshold Determination) on October 27, 2006 with a 15-day comment period. The comment period on SEPA concluded on November 10, 2006. The SEPA appeal period ended November 27, 2006 with no appeal.
6. Pursuant to RCW 58.17.100 the Planning Commission held a public hearing on the proposal at their regular meeting on January 2, 2007.
7. The Planning Commission finds that the proposed preliminary plat for Laurens Woods can be conditioned for consistency with the “Decision Criteria and Required Findings” listed at CTC 16.16.060(A)(1), and is generally in conformance with the Coupeville Comprehensive Plan.

28 Conditions on PP 06-01:

1. Compliance with the terms and conditions of the Mitigated Determination of Nonsignificance (MDNS - SEPA Threshold Determination) issued on October 27, 2006.
2. Prior to clearing, grading and other ground disturbance associated with the subdivision, construction plans, clearing, grading and drainage plans, utility plans, erosion and sedimentation control plans and street plans shall receive the approval of the town engineer. A preconstruction meeting with Town staff is required prior to the commencement of onsite work.
3. A General Construction Stormwater permit must be obtained from the Washington State Department of Ecology under the Federal Clean Water Act, unless determined to be exempt by the Department of Ecology. A contractor provided certified Erosion and Sediment Control Lead must conduct inspections as required by DOE.
4. Construction plans, clearing, grading and drainage plans, utility plans and street plans shall comply with Town standard construction specifications for water mains, sewers and storm drains and standards specified in Chapter 16.24, Development Regulations.
5. Project engineering plans must be amended prior to final approval consistent with the attached memo from Ryan Goodman, Town Engineer, to Malcolm Bishop, Town Public Works Director, dated November 9, 2006.
6. The payment of the park impact fee in association with the issuance of the future individual building permits shall be noted on the face of the final plat.
7. The open space tract shall be conveyed to the community of lot owners but the plat covenants shall provide a mechanism for the potential conveyance of the open space tract to the Town of Coupeville, at the future discretion of the Town. Plat covenants shall be prepared and recorded at the time of the final plat and must limit the use of the open space to those uses allowed under Town code. The covenants must also include a maintenance responsibility to include a financial mechanism ensuring said maintenance. The covenants shall also include:

- a. Provisions restricting the clearing of the west 20 feet of the plat, which shall also be stated on the face of the final plat; and
- b. A maintenance and operating plan for the community owned storm water control facilities located within the open space tract.

The proposed covenants shall be reviewed and approved by the Town in association with the final plat application.

8. **Traffic Maintenance.** If traffic is to be disrupted in any way, the applicant's contractor may be required to submit a plan to the town Public Works Director describing the proposed signing, barricades, etc. Approval of the plan shall be attained before any work is started. Notification twenty-four (24) hours in advance of implementing the plan will be given to the building inspector. Saturday, Sunday and holidays shall not be considered in computing time for notification. The Town reserves the right to limit the amount of disruption. Where access to residences or businesses' affected, special consideration shall be given. The Town may require the contractor to provide advanced written notification to any properties where access is disrupted or denied for a period of more than two hours.
9. **Air Pollution and Noise Control.** The applicant's contractor shall take adequate measures to control dust. These control measures shall be exercised at all times, including weekends and holidays. A permit must be obtained from the Town for fire or smoke generating activity pursuant to the Uniform Fire Code and the Northwest Air Pollution Control Authority. Sounds which create a noise disturbance originating from temporary construction sites as a result of construction activity shall be prohibited between seven p.m. and seven a.m.
10. **Maintenance Bond.** The applicant's contractor shall guarantee that all of the work, materials or equipment furnished by him and deeded to the Town will meet fully all requirements for quality of workmanship, materials, strength, and any and all other requirements whatsoever prescribed in the specifications. In case of failure of any part of the work, materials or equipment under test or otherwise, the applicant's contractor, without delay, shall make such changes, replacements and renewals as may be necessary to meet fully all of the requirements and guarantees of the specifications. The applicant's contractor shall furnish a surety bond to guarantee the work against faulty workmanship or materials for a period of one year following acceptance by the Town of the work.
11. **Insurance--Performance Bond--Proof of Registration.** Prior to commencement of work the applicant's contractor shall submit approved forms for compliance with state law regarding contractor registration. The applicant's contractor shall provide proof of public liability and property damage insurance prior to commencement of work if any work is to be performed within public streets and right-of-ways of if the work performed is done under contract to the Town. A performance bond will be required to insure the completion of certain improvements. If the contractor fails to avail himself within ten (10) days after due notice by certified mail to make the necessary corrections, the Town shall have the right to replace the defective work or equipment by purchase from or contract with any other parties at the expense of the applicant's contractor. Due notice shall mean written notification to the address provided by the contractor and written notice to the contractor's surety. The Town reserves the right to take limited corrective action as may be necessary to protect public health, safety and welfare immediately without notice.

12. As-Built Drawings. As-built drawings of all improvements deeded or conveyed to the Town shall be provided. As-built drawings shall show all approved modifications made during construction. It shall also show precisely the location of all buried utilities, including the measured distance to all sewer tees or wyes and distance from valves to fittings. The location of water and sewer shall be located by showing measured distances to monuments or other approved permanent reference.
13. Testing. Testing shall comply with that specified in the adopted specifications. If additional testing is ordered by the Town to determine if the work is in compliance with the specifications, that testing will be performed at the cost of the Town unless the original test should fail. Additional tests shall be performed by the contractor at his expense after necessary corrective work has been performed. All costs of the original test shall be borne by the contractor.
14. Inspection. All work to be deeded to the Town shall be inspected by a qualified inspector and certificates of inspection provided by the applicant's engineer to the Town. All costs of inspection shall be at the contractor's expense.
15. That the applicant submits and has approved a Large Parcel Erosion Control Plan in accordance with Section 13.20.080(C) of the Town Code. The intent of this plan is to control erosion and sediment runoff during construction and to permanently stabilize soils exposed during construction.
16. That the applicant submit and have approved a final Permanent Stormwater Quality Control Plan and a Stormwater Rate Control Plan, in accordance with Section 13.20.080 of the Town Code and the Puget Sound Water Quality Standards. The preliminary drainage plan as amended herein shall form the basis for drainage improvements. Standardized single family household infiltration system designs and locational parameters shall be developed and included in the final drainage report. These standard plans must be based upon verified soils conditions and percolation rates. A maintenance bond shall be required to guarantee the performance of the constructed system. The Permanent Stormwater Quality Control Plan and a Stormwater Rate Control Plan must also include the accommodation of any subsurface water collected by footing drains.
17. Unless otherwise modified by the decision, the applicant must submit detailed design plans and as-built plans for all public improvements consistent with the requirements of Chapter 16.24 and the standard construction specifications. All work must conform to these standards and performance and maintenance guarantees will be required.
18. The maximum allowable individual lot coverage is 35% of the useable area as defined in the Town code. This restriction shall be noted on the face of the final plat.
19. The requirement for Design Review Board approval of the future building permits and the maximization of tree retention shall be noted on the face of the final plat.
20. All street name and traffic controls \signs will be installed in accordance with Town standards by the applicant.
21. It shall be a plat condition that no clearing is permitted within the open space tract or within areas designated for retention of natural vegetation.

22. Five hundred gallons per minute for fire flow is required so long as the square footage of individual residences does not exceed 2,400 square feet. Residences greater than 2,400 square feet (which includes attached garages) require 1,500 gallons per minute or be constructed with a residential sprinkler system. All homes over 5,000 square feet must be sprinkled. This requirement shall, be noted on the face of the final plat.
23. Plat development shall be in compliance with the plans submitted by the applicant, which are on file with the Coupeville Planning Department. Any proposed changes must be reviewed and approved by the Town.
24. The requirement for street lighting normally associated with the Class C street standard does not appear to be applicable to residential subdivisions served by local access streets and staff recommends that such be waived.
25. All construction debris shall be disposed of at a Town-approved site.
26. The applicant and all contractors employed by the applicant are required to stop work and immediately notify the Town Planner and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.
27. A public pedestrian way within that portion of the Faris Street right-of-way lying southerly of Cook Street shall be constructed at the applicant's expense connecting Cook Street with the NPS parcel.
28. In association with the submittal of individual home plans the owner/applicant shall include in the required DRB application low impact storm water controls to include rain water catchments/reuse, rain gardens, and infiltration.

Council Action: A motion was made by Councilmember Clay, second by Councilmember Binder, to approve Preliminary Plat 06-01, subject to the 7 findings and 28 conditions, as noted above. The motion passed 4-0.

Approval of Binding Site Plan 06-02 Krueger Commons - *Upon review by the Design Review Board of January 16, 2007, Staff recommends Council approval of BSP 06-02.*

Mr. Kwarsick explained that the Binding Site Plan 06-02 for Krueger Commons is a proposal for five 4-plex condominiums that will be located along the extension of Wilkes Street, between 6th Street NW and 1st Street NW. It will be built in two phases, the first being three structures and phase two will be the remaining structures. This was approved by the Design Review Board at their meeting of January 16, 2007, and staff recommends approval based on the following eight findings and twenty-six conditions:

8 Findings on BSP 06-02:

1. The Town received an application from Cascadian Holdings, LLC on July 13, 2006, for preliminary site plan and design approval to subdivide parcel number R13233-164-3100 into 20 attached residential condominium units.
2. The property is located in the MOA zoning district.

3. As a proposed binding site plan, it was reviewed for consistency with Title 16 of the Coupeville Town Code (Development Regulations), the Coupeville Comprehensive Plan, RCW 43.21C.120 (State Environmental Policy Act), and RCW 58.17 (Plats, Subdivisions, Dedications).
4. The project fulfilled the requirements of the Town concurrency management program under CTC 16.06.090. Available capacity shall be the basis of the concurrency test for water supply, power, sanitary sewer, septic systems, stormwater management and fire flow. Available and planned capacity shall be the basis of the concurrency test for streets, solid waste collection, public transit, fire protection, law enforcement, ambulance, library services, schools and parks.
5. On October 13, 2006, the Town issued a Notice of Completion on the application for binding site plan approval.
6. On December 8, 2006 the Town issued a Notice of Application with SEPA to neighboring property owners and agencies with jurisdiction. The comment period on the application and SEPA concluded on December 22, 2006. The SEPA appeal period ended January 2, 2007. The prior MDNS issued for Krueger Farms Division #2 on April 15, 2005 is binding on this and future developments in the MOA zone. A single comment email was submitted in response to this Notice, and was made a part of the written record.
7. The Design Review Board finds that the proposed binding site plan for Krueger Commons can be conditioned for consistency with town standards and is generally in conformance with the Coupeville Comprehensive Plan.
8. The Design Review Board held a public hearing on the proposals at their January 16, 2007. Following discussion with staff, the applicants and interested members of the public, the DRB passed a recommendation of approval with 26 conditions on the binding site plan approval.

26 Conditions on BSP 06-02:

1. Compliance with the terms and conditions of the Mitigated Determination of Nonsignificance (MDNS - SEPA Threshold Determination) issued on December 8, 2006. For clarification, paving of the entire Wilkes Street extension is required and paving for NW 1st Street shall commence at the easterly boundary of Compass Mental Health property, unless the existing surface is damaged by construction, under which circumstance, the entire road will be resurfaced.
2. Prior to clearing, grading and other ground disturbance associated with the subdivision, construction plans, clearing, grading and drainage plans, utility plans, erosion and sedimentation control plans and street plans shall receive the approval of the town engineer. A preconstruction conference with Town Staff must be held with the applicant's contractor and Town staff prior to initiating construction.
3. A General Construction Stormwater permit must be obtained from the Washington State Department of Ecology under the Federal Clean Water Act, unless determined to be exempt by the Department of Ecology. A contractor provided certified Erosion and Sediment Control Lead must conduct inspections as required by DOE.

4. Construction plans, clearing, grading and drainage plans, utility plans and street plans shall comply with Town standard construction specifications for water mains, sewers and storm drains and standards specified in Chapter 16.24, Development Regulations.
5. The preliminary engineering plans for the project have been reviewed and approved. Prior to construction or final approval, whichever comes first, the final project engineering plans must be approved by Ryan Goodman, Town Engineer and Malcolm Bishop, Town Public Works Director, including State approval if necessary.
6. Building permits for Phase 1 must be submitted in conjunction with the review and approval of the final binding site plan.
7. Approximately 6,500 square feet of open space is allocated to the extension of Wilkes Street. An equivalent area of either Tract A or the northwest corner of the project (which is contiguous to the Town's open space) must be conveyed to the Town.
8. The applicant must, in coordination with and the cooperation of the adjacent owner, provide the Town of Coupeville with a deed in a form acceptable to the Town of Coupeville for all street right-of-way outside the boundary of the project parcel. Said right-of-way must be accepted by the Town prior to final project approval or the commencement of off-site construction, whichever comes first. The right-of-way and constructed road must be surveyed and appropriately monumented.
9. The private driveway access shall include a directory of unit addresses and in addition each unit will display the address consistent with Town standards. The addresses will be assigned prior to final site plan approval and be included on the face of the final site plan.
10. The final binding site plan must contain the following certificates pursuant to CTC 16.18.040:
 - a. All development and use of the land described herein shall be in accordance with this binding site plan, as it may be amended with the approval of the city, town, or county having jurisdiction over the development of such land, and in accordance with such other governmental permits, approvals, regulations, requirements, and restrictions that may be imposed upon such land and the development and use thereof. This binding site plan shall be binding upon all now or hereafter having any interest in the land described herein.
 - b. The final site plan shall include a statement that the binding site plan has been made with the free consent and in accordance with the desires of all parties with ownership interest. If the binding site plan is subject to dedication, the certificate or a separate written instrument shall contain the dedication of all streets and other areas to the public, and individual(s), or to any corporation, public or private as shown on the certificate, in a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having ownership interest in the lands divided and recorded.
 - c. A certificate is required giving a full and correct description of all lands divided as they appear on the binding site plan, including a statement that the division has been made with the free consent and in accordance with the desires of the owners. If the binding site plan is subject to a dedication, the certificate or a separate written instrument shall also

contain the dedication of all streets and other areas to the public, to an individual or individuals, religious society or societies or to any corporation, public or private as shown on the binding site plan and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of the road. The certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the land divided and recorded as part of the final binding site plan. The town shall have an easement for access along and over access ways and parking areas to allow police, building, fire and utility department personnel to inspect and observe such property, buildings and activities on the property as well as for providing emergency and law enforcement services and easements for utilities over and under such access ways.

- d. A certification by a licensed surveyor is required, licensed in the state of Washington, that the binding site plan survey is accurate and conforms to the provisions of these regulations and state law.
11. Traffic Maintenance. If traffic is to be disrupted in any way, the applicant's contractor may be required to submit a plan to the Town Public Works Director describing the proposed signing, barricades, etc. Approval of the plan shall be attained before any work is started. Notification twenty-four (24) hours in advance of implementing the plan will be given to the Public Works Director. Saturday, Sunday and holidays shall not be considered in computing time for notification. The Town reserves the right to limit the amount of disruption. Where access to residences or businesses' is affected, special consideration shall be given. The Town may require the contractor to provide advanced written notification to any properties where access is disrupted or denied for a period of more than two hours. The applicant shall require that all contractor's employees use the undeveloped property owned by the applicant for parking and to the degree practicable for construction staging.
 12. Air Pollution and Noise Control. The applicant's contractor shall take adequate measures to control dust. These control measures shall be exercised at all times, including weekends and holidays. A permit must be obtained from the Town for fire or smoke generating activity pursuant to the Uniform Fire Code and the Northwest Air Pollution Control Authority. Sounds which create a noise disturbance originating from temporary construction sites as a result of construction activity shall be prohibited between seven p.m. and seven a.m.
 13. Maintenance Bond. The applicant's contractor shall guarantee that all of the work, materials or equipment furnished by him and deeded to the Town will meet fully all requirements for quality of workmanship, materials, strength, and any and all other requirements whatsoever prescribed in the specifications. In case of failure of any part of the work, materials or equipment under test or otherwise, the applicant's contractor, without delay, shall make such changes, replacements and renewals as may be necessary to meet fully all of the requirements and guarantees of the specifications. The applicant's contractor shall furnish a surety bond to guarantee the work against faulty workmanship or materials for a period of one year following acceptance by the Town of the work.
 14. Insurance--Performance Bond--Proof of Registration. Prior to commencement of work the applicant's contractor shall submit approved forms for compliance with state law regarding contractor registration. The applicant's contractor shall provide proof of public liability and

property damage insurance prior to commencement of work if any work is to be performed within public streets and right-of-ways or if the work performed is done under contract to the Town. A performance bond will be required to insure the completion of certain improvements. If the contractor fails to avail himself within ten (10) days after due notice by certified mail to make the necessary corrections, the Town shall have the right to replace the defective work or equipment by purchase from or contract with any other parties at the expense of the applicant's contractor. Due notice shall mean written notification to the address provided by the contractor and written notice to the contractor's surety. The Town reserves the right to take limited corrective action as may be necessary to protect public health, safety and welfare immediately without notice.

15. As-Built Drawings. As-built drawings of all improvements deeded or conveyed to the Town shall be provided. As-built drawings shall show all approved modifications made during construction and shall be signed by the design engineer. It shall also show precisely the location of all buried utilities, including the measured distance to all sewer tees or wyes and distance from valves to fittings. The location of water and sewer shall be located by showing measured distances to monuments or other approved permanent reference.
16. Testing. Testing shall comply with that specified in the adopted specifications. If additional testing is ordered by the Town to determine if the work is in compliance with the specifications, that testing will be performed at the cost of the Town unless the original test should fail. Additional tests shall be performed by the contractor at his expense after necessary corrective work has been performed. All costs of the original test shall be borne by the contractor.
17. Inspection. All work to be deeded to the Town shall be inspected by a qualified inspector and certificates of inspection provided by the applicant's engineer to the Town. All costs of inspection shall be at the contractor's expense. The applicant's contractor shall provide the Town with a minimum of 48 hours notice of the inspection.
18. That the applicant submits and has approved a Large Parcel Erosion Control Plan in accordance with Section 13.20.080(C) of the Town Code. The intent of this plan is to control erosion and sediment runoff during construction and to permanently stabilize soils exposed during construction.
19. That the applicant shall submit and have approved by the Town the final Permanent Stormwater Quality Control Plan and a Stormwater Rate Control Plan, in accordance with Section 13.20.080 of the Town Code and the Puget Sound Water Quality Standards. While the project relies on an offsite detention and water quality treatment system, a rain garden shall be included in the final plans to address project related storm water quality prior to release from the site. A maintenance bond is required to guarantee the performance of the constructed system. Also the Permanent Stormwater Quality Control Plan and a Stormwater Rate Control Plan shall be amended to include the accommodation of any subsurface water collected by footing drains;
20. Unless otherwise modified by the decision, the applicant must submit detailed design plans and as-built plans for all public improvements consistent with the requirements of Chapter 16.24 and the standard construction specifications. All work must conform to these standards and performance and maintenance guarantees will be required.

21. Improvements to all public streets shall be in accordance with the engineering plans approved by the Town.
22. All street name and traffic controls signs will be installed in accordance with Town standards by the applicant.
23. The final binding site plan must include as a separate sheet the landscaping and general site improvements represented in the application.
24. Site plan development shall be in compliance with the plans submitted by the applicant, which are on file with the Coupeville Planning Department. Any proposed changes must be reviewed and approved by the Town. If the infrastructure is not completed before the request for final site plan approval the applicant shall post a financial guarantee in a form acceptable to the Town in an amount based upon an engineer's estimate for public works construction, i.e. the payment of prevailing wages. The financial guarantee shall be at the engineer's estimate plus 25%. The financial guarantee shall run for one year from the date of recording of the final site plan and may be extended at the discretion of the town to accommodate subsequent project phases. At the conclusion of Phase 1 the Town may consider a reduction in the financial guarantee provided a new engineer's estimate is submitted and the bond amount covers the costs of installing the remaining project improvements plus 25%.
25. All construction debris shall be disposed of at a Town-approved site.
26. The applicant and all contractors employed by the applicant are required to stop work and immediately notify the Town Planner and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Binder, to approve BSP 06-02 subject to the above 8 findings and 26 conditions. The motion passed 4-0.

AUDIENCE INPUT

Gary Piazzon spoke about the recent Planning Commission public hearing that was held the day after New Year's Day and suggested that, in the future, they may want to consider re-scheduling public hearings and noticing that would occur during the holidays. He also suggested renaming 'open space' to 'green space.'

DISCUSSION - Choices for police vehicles

Mayor Conard spoke about the previous discussion on hybrid police vehicles and the goal to reduce our dependence on fossil fuel. After considerable research and discussion it was determined that there currently are no hybrids available that meet our needs for a police vehicle. Another possibility that was not discussed was the Volkswagon Passat, which is diesel powered (could use biodiesel), but ergonomically it would not work for our officers.

Marshal Marlborough explained that Dodge used to produce great police vehicles and just started police package production again in 2006. He added that the vehicle that best meets our performance requirement, is the most fuel efficient, and meets all our needs for a police vehicle

is the 6-cylinder Dodge Charger. He suggested that until there is a more environmentally friendly vehicle, that the Town enter into a lease agreement for a 2007 Dodge Charger. This would be a two-year lease with an option to purchase; and, we could be released from the lease at any time prior to the end of the two years. He felt that there will be more hybrid vehicles available in the next two years, and/or it would give the department adequate time to evaluate the vehicle and determine whether this is the direction for future police vehicle purchases.

EXECUTIVE SESSION

Mayor Conard called for executive session for approximately one hour to discuss potential property acquisition. Mayor Conard, Councilmembers Binder, Clay Hughes and Phay recessed to executive session at 8:48 p.m. and reconvened to regular session at 10:00 p.m. No action was taken.

ADJOURNMENT - 10:00 p.m.

Respectfully Submitted:

MAYOR:

Judy A. Thomas, Clerk Treasurer

Nancy Conard, Mayor