

**Town of Coupeville**  
**Regular Council Meeting**  
**Tuesday, June 26, 2007**  
**6:30 p.m.**

**COUNCILMEMBERS PRESENT:** Mayor Nancy Conard, Councilmembers Dianne Binder, Marshall Bronson, Bob Clay, Molly Hughes, and Jim Phay.

**STAFF PRESENT:** Town Marshal Lenny Marlborough, Town Planner Larry Kwarsick, Clerk Treasurer Judy Thomas

**APPROVAL OF MINUTES**

The minutes of the regular meeting of May 22, 2007 were approved as corrected: Page 1, second paragraph from the bottom of the page, should read, 'Students and faculty of ~~Oregon State~~ University the University of Oregon, along with...'

**MAYOR'S REPORT**

- Mayor Conard reported that the Council of Governments (COG) will meet tomorrow, June 27<sup>th</sup>, with representatives from Puget Sound Energy to discuss ways to conserve energy.
- Renewal of the contract between the Town and Island Disposal is due this Fall. She is negotiating with them to provide recyclable pick up.
- A conference on sustainable communities will be held in Vancouver, Washington on September 26-28, 2007, she hopes to have a Council member or staff attend.
- She received a letter from Washington State Ferries and they plan to give an update on the Keystone - Port Townsend study at the August 14<sup>th</sup> Council meeting.
- The Central Whidbey Chamber of Commerce is considering relocation to the house located on the southeast corner of 4<sup>th</sup> and North Main.
- The parts for repair of the Channel 10 receiver have been received, installed and it is up and running.
- She discussed Whidbey Island Conservation District preparing a draft document for low impact development technical support. The cost would be \$18,755 and would need to be included in the 2007 budget revision.
- The Eagle Scout who has agreed to work on the trail from the Town Park to the beach will start work on that project this Thursday, June 28<sup>th</sup>. Also, there will be a sign placed along the trail stating, 'primitive trail'.
- She received 'Thank You' letters for all the help on this year's Penn Cove Water Festival and the paint for the Library.
- Regarding an update on the Old Fire Hall, the upgrade of the utilities will be included in the Front Street Lift Station project and we will hold off transitioning the property until that work is completed.
- The bids for the Front Street Lift Station came in at more than 50% above the engineers estimate. Ryan Goodman is working with the engineers to revise the project and hopes to get it back out to bid in the next couple of weeks.
- She met with the consulting traffic engineer regarding a ~~dc~~cross walk on Terry Road.
- She and all Council members attended the AWC Conference in Tacoma on June 12-15, 2007, in which they had a great assortment of classes to attend.
- Tomorrow, June 27<sup>th</sup>, the Assessment Center will take place for the Town Marshal position. There are four candidates who will be assessed and the list will be provided to

the Civil Service Commission for certification to approve the top three, who will be scheduled for interviews.

### **AUDIENCE INPUT**

Will Jones, Coupeville, expressed concerns about the Town running out of water and administrative actions taken since June of 2006. He claimed the Town is acting out of order and has approved a project that requires one more ERU than is currently available. He gave a list of dates and actions to Ms. Thomas.

Ann Dannhauer, Coupeville, asked three questions: 1) She wants to see records on a comment about insurance that was discussed at the Council Workshop on June 21<sup>st</sup>; 2) When was Peaceful Valley Park established; 3) Was any park's money used to acquire part of Krueger Farms. Mayor Conard responded that she commented about insurance at the meeting based on verbal conversations. *(Mayor Conard responded to Ms. Dannhauer's other questions via email on June 29<sup>th</sup>, as follows: The one acre undeveloped park at the corner of 7<sup>th</sup> and Wilkes, was deeded to the town with the Peaceful Valley subdivision, in the mid 1990's. You asked if any parks money was used to acquire part of Krueger Farm. There were two acquisitions of open space in Krueger Farm. The Town acquired, at no cost, a bit over 11 acres of open space in the comprehensive plan change which allowed for changes in density and reduction in total build out, in exchange for maintaining the 11 acres in open space. Friends of Krueger Farms purchased over 4 acres, adjacent to the 11 acres. No park funds were used in either transaction.)*

Buell Neidlinger, Coupeville, commented that citizens used to be able to speak twice at council meetings and there is no yellow line on a portion of Coveland. He referred to the 2005-2006 Annual Operations Report and the purchase of the house at 209 Broadway and asked if a realtor was used in the transaction and what was the purchase price of the house. *(Mayor Conard responded in an email to Mr. Neidlinger on June 29<sup>th</sup>, as follows: The purchase price of the house was \$250,000, there was no realtor involved in the sale. Windermere Realty is managing the house as a rental, which was recommended by the State Auditor's office to use a third party to manage the rental. The value of all town owned properties, as listed in the annual report, is the assessed value by the Island County Assessor, and does not necessarily reflect the market value.)*

Gordon Burton, Coupeville, commented that it was good to see Channel 10 up and running. He asked about the status on the Town's webpage, and he spoke about the rain garden at the elementary school. Mayor Conard responded that our consultant is working on the webpage and hopes to have it up in the next couple of weeks.

### **NEW BUSINESS**

**Acceptance of Deed and Dedication of Street Right of Way Deed - NW Wilkes and NW 1<sup>st</sup> Streets** - *Staff recommends accepting the deed for road right-of-way and authorizes the Mayor to sign and record the deed.*

Mr. Kwarsick explained that the deed is necessary to fulfill the development of Krueger Farms and is related to the Krueger Commons 20-unit condominium project that will provide interconnectivity to Wilkes Street.

**Council Action:** A motion was made by Councilmember Bronson, second by Councilmember Clay, to accept the Deed and Dedication of Street Right of Way Deed - NW Wilkes and NW 1<sup>st</sup> Streets. The motion passed 5-0.

**Approve waiver for Boy Scout Day Camp** - *Staff recommends waiving Town Code to allow archery & BB gun instruction during Cub Scout Day Camp for July 16-20, 2007.*

Marshal Marlborough explained that this application is the same as in previous years and is a well organized, monitored and chaperoned day camp for Boy Scouts.

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Phay, to approve the waiver of the Coupeville Town Code to allow archery & BB gun instruction during Cub Scout Day Camp for July 16-20, 2007. The motion passed 5-0.

**Approval of contract with Weed, Graafstra and Benson, Inc. to provide Town Attorney services for the Town of Coupeville** - *Mayor recommends approval of contract (Grant Weed will be present to introduce himself and his firm.)*

Mayor Conard explained that Town Attorney Dale Roundy recently shared his wish to retire his position as the Town Attorney. After consulting with other communities and attorneys, she and members of Town staff interviewed Grant Weed of Weed, Graafstra and Benson, Inc. His firm specializes in municipal law and all agreed, in addition to the firm's excellent professional qualifications, they would be a good match to our needs.

Grant Weed explained that he performed legal work for the Town in 1994 and noted that four of the five partners, in this firm, specialize in municipal law.

Council Action: A motion was made by Councilmember Bronson, second by Councilmember Clay, to authorize Mayor to sign retainer agreement, designating Weed, Graafstra and Benson, Inc., PS, as Town Attorney, effective July 1, 2007. The motion passed 5-0.

**Approval of Statement of Understanding with Island County Red Cross to use Rec Hall for emergency shelter**

Mayor Conard explained that we have been working with the Red Cross, and that the Rec Hall was used as an emergency shelter last winter, but this agreement is required by the Red Cross to officially sanction a facility as a shelter.

Council Action: A motion was made by Councilmember Clay, second by Councilmember Binder, to approve the Statement of Understanding with the Red Cross for use of the Rec Hall as a Mass Care Shelter. The motion passed 5-0.

**Appointment of Mayor Pro-Tem** -- *Council appoints Mayor Pro-Tem every six months.*

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Bronson, to appoint Bob Clay to the position of Mayor Pro-Tem for the period July 1 through December 31, 2007. The motion passed 4-0-1 (Clay abstained).

**Approval of June Claims Vouchers and May Payroll** - *Staff recommends approval of June 26, 2007 claims vouchers/warrants #19767 through #19841 for \$289,418.95; and May payroll warrants #11553 through #11589 for \$85,084.71.*

Councilmember Clay asked what the \$110,000 in transfers from the General Fund was for, and Ms. Thomas responded that it was approved in the budget but she would check and respond by email in the morning. *(Ms. Thomas responded on June 27<sup>th</sup> that: \$35,000 was transferred to Street Fund 101 for Annual Street Projects; \$25,000 was transferred to Capital Fund 105 for Rec Hall Kitchen; and \$50,000 was transferred to Capital Fund 105 for Johnson Building Demolition.)*

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Binder, to approve June 26, 2007 claims vouchers/warrants #19767 through #19841 for \$289,418.95; and May payroll warrants #11553 through #11589 for \$85,084.71. The motion passed 5-0.

### **STAFF REPORTS**

Ms. Thomas submitted the Treasurer's report for May and added that staff has been quite busy with lots going on, and she hopes to fill the Utility Clerk vacancy soon.

Marshal Marlborough provided the Marshal's Office activity report for May and noted that crime is down, with the second lowest numbers in the past 11 years. He added that a new law will go into effect on July 22<sup>nd</sup> requiring all motorcyclists to get an endorsement on their driver's licenses and those without the endorsement will be fined.

Mr. Kwarsick explained that the utility infrastructure is complete on the Churchill & Wallen 15-lot subdivision; the final engineering plan was received on the 20-lot Lauren's Woods subdivision and construction will begin in a couple of weeks; and Krueger Commons is seeking building permits for second phase of that project.

### **COUNCIL REPORTS**

Councilmember Hughes explained that she and Councilmember Binder attended the University of Oregon presentation on Ebey's Landing. The first annual Wharf Fest was a great success and the museum had four times the visitation of any other weekend. She attended the Central Whidbey Chamber of Commerce (CWCC) meeting and they will be selling fireworks June 28<sup>th</sup> to July 4<sup>th</sup>; the theme for the 2008 calendar is buildings designed by Lovejoy and they should be out by July. Channel 10 is operational and is receiving community announcements for the posting on the channel. She noted that hours for donations to the Food Bank are the same in the summer and the theme for July is 'Freedom from Hunger'; and Food Bank donations are being accepted at Prairie Center, this summer.

Councilmember Binder explained that the tourism board is working on plans and goals to establish clear visions. Governor Gregoire signed an agreement with the Prime Minister of British Columbia to work cooperatively on the 2010 Olympics.

Councilmember Bronson noted that the CWCC has a new website and it is outstanding. He spoke about the meeting on June 25<sup>th</sup> with farmers, and noted that there was a lot of good input and steps to move forward to retain the farms and countryside.

Councilmember Clay explained that Island Transit met on June 15<sup>th</sup> and they are still working toward purchasing property for Park & Ride lots; and they have a new support building on Camano Island. The Law & Justice Board will meet at noon tomorrow, and on July 11<sup>th</sup> they will present a mental health initiative, which hopefully will be approved; and if successful the Commissioners need to know that this initiative is supported. He added that the AWC Conference was great for communication and networking, lots of informative opportunities and he felt it was very worthwhile.

Councilmember Phay attended the Wharf Fest and felt it was a wonderful addition to events in Coupeville. He offered the Post Office as a site for a food donations 'food drop' for the Food Bank.

**AUDIENCE INPUT**

John Kohlmann, Coupeville, expressed concerns about the Town's water conservation policy and asked that the Town not increase the water rates during the summer. He asked if the Wilkes Road extension would have sidewalks, as the sidewalks in Peaceful Valley are non-adjacent walkways. He spoke about the parking lot behind the Post Office and noted that there are some recreational vehicles and a commercial vehicle parked there, and asked if there was a parking ordinance on this. Marshal Marlborough responded that they are working on that and Mayor Conard added that the sign needs to be changed to read 'No Overnight Parking', instead of 'No Camping.'

Peggy Burton was surprised to hear about a new attorney and asked who serves the cities of Langley and Oak Harbor, and asked why was the new attorney selected. Mayor Conard responded that Oak Harbor has an attorney on staff and there are no other firms specializing in municipal law on the island.

**RECESS:** Mayor Conard called for a recess at 8:25 p.m. and reconvened to regular session at 8:40 p.m.

**DISCUSSION****Stormwater for Farm Irrigation**

Mayor Conard explained that Town staff has met with a variety of partners to develop a plan to use Town stormwater for irrigation of farm fields. She displayed maps of the area between Penn Cove and Ebey's Landing and explained how stormwater drainage could be collected and disbursed for irrigation to the farms in the area. She explained that the Town is interested in creating a stormwater drainage pond to the east of South Main street; start a feasibility study to determine the reasonable potential and what farmland could be served from these retention ponds; and research what the regulations and requirements would need to be followed to treat and redirect the stormwater to the farmland; a Stormwater Utility would need to be established and managed by the Town or another agency. The study is estimated to cost between \$40,000 and \$50,000. The National Park Service and Island County are interested in this proposal and funding may be available through the Centennial Fund for Clean Water and the Puget Sound Action Team.

Councilmember Bronson explained that if we don't do this, the Town will need to do something to treat stormwater very soon and it will cost a lot more than what is being proposed.

Councilmember Clay noted that this type of proposal has been in effect at the golf course in Oak Harbor for several years and he explained that there are seven lakes around the golf course that are used to irrigate the golf course.

Karen Bishop and Len Engle spoke favorably of this proposal and how it will benefit everyone.

Council consensus was to support Mayor Conard's efforts to continue to rally for support to proceed with this proposal.

**ADJOURNMENT** - 9:45 p.m.

Respectfully Submitted:

MAYOR:

---

Judy A. Thomas, Clerk Treasurer

---

Nancy Conard, Mayor