

**Town of Coupeville  
Regular Council Meeting  
Tuesday, October 23, 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 Planner Larry Kwarsick, Public Works Director Malcolm Bishop, Town Marshal Dave Penrod, Clerk-Treasurer Judy Thomas

**APPROVAL OF MINUTES**

The minutes of the regular meeting of October 9, 2007 were approved with one addition to the first page, Mayor's Report, first sentence should read: "Mayor Conard responded to comments made by Roxallanne Medley, in a recent issue of the *Whidbey Examiner*, about recycling..."

**ADDITIONS TO THE AGENDA**

Mayor Conard asked that an Executive Session be added to the Agenda, at the end of New Business for approximately ten minutes, to discuss potential property acquisition, with possible action to follow.

**MAYOR'S REPORT**

- Mayor Conard explained that the Council has scheduled the Budget Workshop for 5:30 p.m. on Tuesday, October 30, 2007 at the Island County Hearings Room but we were informed today that the room will not be available until after 6:00 p.m. She asked if Council would like to change the time or the location of the meeting. Council agreed to change the meeting place to the Coupeville Rec Hall, located at 901 Alexander Street, and the meeting will begin at 5:30 p.m.
- She responded to an inquiry about putting the complete Council Agenda Packet on the Town's website. She explained that a complete copy of the Council Agenda packet is available at the Coupeville Library and Town Hall prior to the Council meeting; and people may not be aware of that so we will make a note of that on the Agenda, when we email the Agenda & Minutes. She is not ruling out putting it on the website but the challenge is that each item would need to be scanned, labeled and attached to the agenda and it would take about 1 to 1-1/2 hour for each packet. She is not against that but we are a little short of staff time.
- There will be a meeting of the Neighborhood Emergency Team (NET) on Thursday, October 25th. She noted that there are still some neighborhoods that need more coverage.
- Members of the Town Council had planned to attend the AWC Regional meeting on October 18th but cancelled their plans due to the power outage caused by the windstorm. Puget Sound Energy estimated the power to be out for several hours, although it came on within an hour.
- Members of Ebey's Reserve held a meeting with members of the community, last night, to begin planning for the 30th Anniversary of Ebey's Reserve.

- Work on the Front Street Lift Station Phase 1 will begin next week. Business owners have been notified that parking will not be available in front of the museum.
- Rob Harbour will begin the planting of trees and shrubs on the berm along Highway 20; and he has a boy scout who will be working on that as his Eagle project.
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### **AUDIENCE INPUT**

Duncan Kelso, Coupeville, asked about the paving of Wilkes Street and when it would be done. Mr. Bishop responded that the paving would be done as soon as the additional work was completed and hopefully in the next few weeks. Mayor Conard suggested that Mr. Kelso call Mr. Bishop for an update.

### **NEW BUSINESS**

**Set Public Hearings - 2008 Revenue Sources - 2008 Property Tax - 2008 Budget - Staff recommends a motion to set Public Hearings on November 27, 2007 for the 2008 Revenue Sources, the 2008 Property Tax Levy and the 2008 Budget.**

Council Action: A motion was made by Councilmember Clay, second by Councilmember Binder, to set Public Hearings on November 27, 2007 for the 2008 Revenue Sources, the 2008 Property Tax Levy and the 2008 Budget. The motion passed 5-0.

**Resolution No. 07-07 approving the Final Plat of the Coupeville Reserve - Staff recommends adopting Resolution No. 07-07 approving the final plat of the Coupeville Reserve**

Mr. Kwarsick explained that this is the final plat for a 15-lot subdivision, which includes a 3/4 of an acre of open space. The project includes all public utilities and street improvements to portions of Town streets, on NE 3rd and NE 4th streets. Future land owners will provide \$1,000 for maintenance of open space. The developer will provide a surety bond to include all the systems as represented in the staff report. All aspects have been reviewed by Public Works Director Malcolm Bishop and Town Engineer Ryan Goodman.

Councilmember Clay congratulated the developer and stated that it was a good example of how the Town and developer worked together to meet the needs of the town. He noted the project started in 2005, and it includes low impact standards and each house design will have to have Design Review Board approval; and includes tree restoration and replanting of trees at a 3 to 1 ratio; and shared driveways to limit impervious surfaces.

Council Action: A motion was made by Councilmember Bronson, second by Councilmember Clay, to approve Resolution No. 07-07 approving the Final Plat of the Coupeville Reserve. The motion passed 5-0.

### RESOLUTION NO. 07-07

A RESOLUTION of the Town Council of the Town of Coupeville, Washington, approving the Final Plat of the Coupeville Reserve.

**Confirm appointments to the Design Review Board - Mayor recommends confirming the appointments of Stig Carlson and Lynda Richards to the Design Review Board.**

Mayor Conard explained that Lynda Richards has personal experience owning an historical structure in Town, and she was on the Ebey's Trust Reserve board. She added that Stig Carlson is an architect with experience working in the community.

Councilmembers Hughes, Bronson and Clay agreed with the appointments. Mayor Conard noted that Millie Fonda has been appointed as Chair to the Design Review Board.

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Phay, to confirm the appointments of Stig Carlson and Lynda Richards to the Design Review Board. The motion passed 5-0.

**Approve agreement with WSU Island County Extension for Climate Protection and Sustainable Community Support - Mayor recommends approval of the agreement.**

Mayor Conard explained that the Town may receive up to \$10,000 in grants for this work. She added that Town Attorney Grant Weed will include language citing the RCW on interlocal agreements.

Councilmember Clay suggested including Island County and Ebey's Reserve as partners with the Town in this agreement. Don Meehan, WSU Island County Extension, explained that WSU Island County Extension is funded by Island County.

Councilmember Hughes suggested including Island Disposal in the agreement as they are responsible for solid waste disposal. Mr. Meehan explained that he removed that piece to thin things down and removed vehicle portion and they want to do a good job and they added Task 5; that this will be an ongoing project with monthly reports. Councilmember Hughes suggested quarterly reports, rather than monthly reports.

Council was agreeable to approving the agreement. Mr. Meehan explained that they have begun the hiring process and expect to begin work within the next two months.

Council Action: A motion was made by Councilmember Bronson, second by Councilmember Clay, to approve the agreement with WSU Island County Extension for Climate Protection and Sustainable Community Support. The motion passed 5-0.

**Approval of the contract with Callen Construction Company Inc. for NW Front Street Pump Station Improvements Project - Phase II - Staff recommends approval of the contract to Callen Construction Company, as low bidder for the project**

Mr. Bishop noted that Council recently approved the contract for Phase I with Sturdeweld.

Phase 2 is that portion of the project for a sewer main, some laterals, and two manholes. Scott Wenger, from Telegraph Engineering, prepared the bid specifications and will oversee this project. Mr. Wenger researched the bids and recommends Callen Construction Company, Inc.

Council Action: A motion was made by Councilmember Bronson, second by Councilmember Phay, to approve the contract with Callen Construction Company Inc. for the NW Front Street Pump Station Improvements Project - Phase 2 for an amount not to exceed \$263,247.52. The motion passed 5-0.

**Approval of October Claims Vouchers and September Payroll** - *Staff recommends approval of claims vouchers/warrants #20192 through #20269 for \$162,858.31; and September payroll warrants #11702 through #11739 for \$80,604.32.*

Council asked several questions that were answered by Councilmember Bronson and staff.

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Binder, to approve claims vouchers/warrants #20192 through #20269 for \$162,858.31; and September payroll warrants #11702 through #11739 for \$80,604.32. The motion passed 5-0.

**Cancel Town Council Meeting of November 13, 2007-** *Mayor and two Councilmembers will be attending the NLC Conference.*

Mayor Conard suggested canceling the Council meeting of November 13, 2007, as two of the Councilmembers and herself will be at the National League of Cities Conference.

Council Action A motion was made by Councilmember Clay, second by Councilmember Binder, to cancel the Town Council meeting of November 13, 2007. The motion passed 5-0.

### **EXECUTIVE SESSION**

Mayor Conard called for an executive session for approximately ten minutes to discuss potential property acquisition. Mayor Conard, Councilmembers Binder, Bronson, Clay, Hughes and Phay recessed to executive session at 7:31 p.m. and reconvened to regular session at 7:47 p.m.

### **Real Estate Option for Front Street Lots**

Mayor Conard explained that the last year, in response to public input, the Town contracted with a consultant to pursue the option to purchase the undeveloped lots on the north side of Front Street. All owners were contacted but none were willing sellers. She has continued conversation with owners of Front Street Holdings, for the two vacant lots between Toby's Tavern and the public deck adjacent to the Knead and Feed. The owner has agreed to grant an option to the Town to purchase the lots under the following conditions:

1. Following Council approval and signature of the option, and payment of \$25, the Town has an option to purchase the property for \$400,000.
2. The option will run until January 4, 2008, at which time it may be extended through July 31, 2008, with payment of \$39,975. This payment is non-refundable and will apply to the purchase price.
3. The full purchase price must be in escrow by August 1, 2008. The owner does not waive any vested rights in the pre-existing development application.
4. She recommends we take this one step at a time. First, she was asking for Council authority to sign the option agreement. This secures the opportunity to seek funding for the purchase of the property.

Second, she proposed to convene a small committee of interested parties to strategize an approach to the community to raise funds. She believes it is in the best interest of the Town to push hard for the next eight weeks, with a goal to raise at least half the money by the required payment of January 4, 2008.

Third, near the end of December, we weigh the interest and the commitment made to date. If the interest is strong, we consider a source for the non-refundable payment.

She sees the Town's role as facilitator of the community process to raise the necessary money to purchase the property. She understands from discussions in executive session that the Council is making no commitment to expending Town funds for the purchase of this property at this point.

We have an opportunity, though, to assess the community's sincere interest and ability to acquire this property and protect it from commercial development.

Marshall Bronson explained that we have discussed this for a long time and the Mayor has worked very hard to acquire property on the north side of Front Street; and this option will require us to find out truly, what the community wants.

Councilmember Clay felt that \$400,000 was too high of a price compared to the value of the property. He understands the feelings of the community but does not want to spend any Town money on this project. However, he would vote in favor of the proposal if we can get community support.

Councilmember Hughes agreed with Councilmember Clay, that the Town does not need to spend tax dollars for waterfront property. She thinks it is the responsibility of the community to step up to the plate.

Councilmember Phay was in favor of the proposal and interested to see if the citizens in Coupeville want to own this.

Doug McFadyen, 806 NW Alexander, commented that the goal from the Town's standpoint was great but it's the wrong lot and too expensive. He thought that if the Town is going to spend the money, he would be more interested in the lot on the eastside of the Windjammer building.

Gary Piazzon agreed with Mr. McFadyen and questioned the negotiation process.

Mayor Conard explained that this option to buy this property was presented by the seller. This was the price that the seller was willing to sell the property to the Town. If we don't like the terms we don't need to purchase it. She added that the seller will not withdraw his shoreline application if the town does not buy the property. Councilmember Hughes added that this property is not for sale to anyone else; this is only an option for the Town of Coupeville to purchase.

Will Jones, Coupeville, stated that if this application goes forward to build a restaurant over the water, and that application gets appealed, then the property would be worth a lot less than \$400,000.

Mayor Conard noted that it was interesting to hear these comments after the public had expressed so much interest in protecting the views. She thought there would be more support.

This is an opportunity to prevent this property from development.

Council Action: A motion was made by Councilmember Bronson, second by Councilmember Binder, to approve Real Estate Option Contract with Front Street Holdings, LTD, for parcels R13233-406-3930 and R13233-406-3900. The motion passed 5-0.

## **STAFF REPORTS**

Ms. Thomas submitted a written report and offered to answer questions. She explained that she has been busy working on the 2008 budget.

Marshal Penrod submitted a written report. He explained that the Deputy Marshal position has not been filled, the two potential applicants have accepted other positions and we will be advertising to fill the opening. He noted that the Town will receive two repeaters for the cars, to increase communications in the field. Island County department of Emergency Management received the grant and they will have equipment installed in the cars.

Mr. Bishop explained that Phase 1 of the Front Street Lift Station Project is underway. There are three new propane tanks on the west side of Rec Hall, to fuel the heating system. They are making room for the generator which will be behind the Rec Hall. The contractor will work along Alexander the next two weeks. He responded to Councilmember Bronson's question about the walking path down by the school, that it will be done in the near future.

Mr. Kwarsick noted that he has received three new applications, all of which are quasi-judicial to the Planning Commission and Design Review Board. One is a conditional use permit to site a crisis respite child care facility from Harbor Haven. The second application is a preliminary plat for Krueger Farms #3 for three residential lots on Wilkes Street and two large lots. The third application is a revision to a pending shoreline and height variance for the other two vacant lots on the north side of Front Street, there is a public over-water observation deck proposed with architecture that meets the Department of Ecology guidelines.

### **COUNCIL REPORTS**

Councilmember Hughes explained that the Lovejoy calendar for 2008 is now available from the Chamber of Commerce and you can buy them at several places around town. She attended the Uniquely Whidbey Trade Fair and Coupeville is very lucky to have that event in town; it was well done! It was very well attended and just gets better every year.

Councilmember Binder explained that the Joint Tourism Board has selected Fusion Spark Media, from Langley, to work on the website.

Councilmember Bronson spoke about the Ebey's Reserve meeting last evening which was the first meeting to begin planning for the 30 year anniversary. There were 55 people in attendance and the community is energized; and it should be an exciting year, next year.

Councilmember Clay explained that Island Transit met last week. For the past two months they have been working with four counties to be part of a communications plan. Since 9-11-01 we found out that agencies that needed to talk to each other, couldn't talk to each other. The feds made a lot of money available to improve communications but no way to implement the communications plans. Washington State's communication plan started on the Olympic Peninsula with two bus systems and police departments. With the new plan we will all be able to talk via digital communication. Island County was offered \$400,000 to implement a plan to tie in Island Transit, the Sheriff and other public services. This will give us a better opportunity to communicate in an emergency. The opening of the new Camano Island Transit Station will be on November 12th, at the Camano Island Transit Station.

Councilmember Phay apologized for not attending last night's meeting about the Ebey's Reserve anniversary but he was not feeling well.

**AUDIENCE INPUT**

Sue Cunningham discussed the selection process for the Design Review Board members. She suggested an alternative to the current process would be to create a selection committee; and to post the vacancies.

Gary Piazzon asked about the Coupeville Reserve the 3 to 1 ratio for trees being planted and asked if it was related to species; as small trees do not replace large trees; and old trees produce 60% to 70% more oxygen absorption. Mr. Kwarsick responded that the Town does not have a tree ordinance and through this process the developer volunteered this plan to replace trees on a 3 to 1 ratio; and this is a good direction to provide for replacing trees.

Will Jones asked if replacing side sewers was part of the Front Street Lift Station project. Mr. Bishop responded that the Town is replacing the side sewer at the old fire hall.

Mayor Conard responded to Mr. McFadyen's question about a demonstration project in the Town's municipal parking lot that we have submitted a grant for expansion of the lot and to use pervious material. This will be assessed and engineered for a design to get the work done as soon as possible. If we don't get the grant we have \$10, 0000 in the budget to plan on our own.

Sue Cunningham asked about the side sewers and whether the Town would pay for all the monitoring ports. She offered to help with updating the Town's website.

**DISCUSSION - Historic Preservation Conference - Mark Preiss and Nancy Conard**

Mark Preiss, Manager for Ebey's Reserve, attended the National Historic Preservation Conference. He noted that everyone likes to talk about collaborations but we just do it here. The National Park Service, Ebey's Reserve, Town of Coupeville and Island County have a healthy partnership to work together and spread out the resources. He discussed some the sessions he attended. He explained that Ebey's Reserve will celebrate its 30 year anniversary on November 8, 2008, and will celebrate every year after that.

Mr. Preiss went on to explain some of the highlights of the conference noting that Garrison Keller was the keynote speaker at conference. He talked about historic buildings as historical souvenirs, that they are connectivity to our past and conduit to today. He discussed sustainable and green building and that the greenest building is the one that is already built.

Mayor Conard explained that she was invited as a guest and that the quality of the speakers were the best. One session she attended was a walking tour of a part of St. Paul People, to see what happens when people make exterior improvements and one way to encourage people to restore some of the old buildings is to allow upstairs residential and downstairs commercial; using what you have rather than creating new.

Councilmember Clay congratulated Mr. Preiss on the new energy that he has brought to the Reserve; his new partnerships and that he is making great strides. Mr. Preiss responded that it does feel good, Ebey's is the first national historic reserve in the whole nation, and it happened here.

Mayor Conard noted that the 2007 budget revision includes technical support from Ebey's Reserve to review Design Review Board applications for historic properties.

**ADJOURNMENT – 9:46 p.m.**

Respectfully Submitted:

MAYOR:

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Judy A. Thomas, Clerk Treasurer

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Nancy Conard, Mayor