

**Town of Coupeville
Regular Council Meeting
Tuesday, January 8, 2008
6:30 p.m.**

PRESENT: Mayor Nancy Conard, Councilmembers Dianne Binder, Bob Clay, Ann Dannhauer, Molly Hughes, and Jim Phay.

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

OATH OF OFFICE: Mayor Conard and Councilmembers Clay, Hughes, and Dannhauer Clerk Thomas administered the oath of office to Mayor Nancy Conard, and Councilmembers Bob Clay, Ann Dannhauer and Molly Hughes.

APPROVAL OF MINUTES

The minutes of the regular meeting of December 11, 2007 were approved as submitted.

MAYOR'S REPORT

- Mayor Conard explained that there have been several meetings with representatives from Central Whidbey Chamber of Commerce, Coupeville Historic Waterfront Association and Island Transit to find a solution to the problem of not having a car ferry between Keystone and Port Townsend. The concern of most business owners is that most traffic from Port Townsend is by car and without a car they are not coming into Coupeville. The car ferry from Pierce County is expected to begin service between Port Townsend and Keystone the first week in February, and the agencies have been working together to promote a passenger connection with Island Transit to and from the Keystone Ferry terminal.
- She added that a recommendation has been made to the State Legislature to replace the steel electric ferries. The Keystone to Port Townsend partnership meetings for ferry replacement will continue over the next 6 to 12 months, and will rotate between Coupeville and Port Townsend.
- The Climate Protection contract with WSU has been delayed and is expected to begin by the end of January.
- She noted that Gary Piazzon started a group a few months ago for citizens to get involved with climate protection efforts. Cheryn Weisman, who was trained by Al Gore, is working with the group, and the current mission is to serve as a clearing house for climate protection.
- Sound Waters is scheduled for February 2nd. David Dicks, newly appointed Executive Director of the Puget Sound Partnership, will be the keynote speaker at the event and will meet with the Council of Governments on February 1st, in the Island County Commissioner's Hearings room, from 1:00 to 3:00 p.m.
- The Town received preliminary notification for the grant for the reclaimed water feasibility study in the amount of \$173,000. She has met with members of the original planning group to lay out the work plan. She asked Rex Porter to put together a proposal for administering the work plan; they will meet the first week in February to develop the

RFP for consultants. Marshall English, whose specialty is agriculture in drought conditions, has offered to prepare an assessment of crops with irrigation related to reclaimed water; what the current crops are and what new crops could be grown.

- She was disappointed to report that the 2008 Whidbey Island Marathon will not be coming to Coupeville, according to the coordinator of the event, because of safety issues between Holcomb Road and Madrona Way. The marathon will go to Oak Harbor and out to West Beach Road and back. She was assured that although the marathon was not coming to Coupeville, all the B & B's on the island would be filled for the weekend.
- She spoke with Emily Ramsey and learned that the League of Women Voters is starting an observers group who are trained in parliamentary procedure and open meetings act. They will occasionally attend meetings and provide a review to the body, after the meetings.
- She reminded Council that AWC is conducting training for newly elected officials on January 25th, if anyone is interested in attending. Ann Dannhauer is registered to attend.
- A representative from Comcast provided some training on the Channel 10 station, to our volunteer and a high school student today. The student will be providing DVD updates on what is happening at the High School.
- Bill Haro, the traffic consultant, met with Malcolm Bishop last Friday, and looked at several traffic issues around town including the crosswalk on Terry, the width of the road on South Main, and 4th Street NE. He will prepare a report with recommendations to resolve the issues discussed.
- As of today, the donations on the Front Street Property were up to \$350,000, with only \$10,000 to go, to reach the \$360,000 negotiated sale price.
- She discussed scheduling a Council workshop in February; and she and Council agreed on Friday, February 29, 2008, at 12:00 noon.
- She was pleased to announce that Frank and Mary Tippits have purchased their old house on South Main and will be moving back the first of February.

Mayor Conard called for a short recess at 7:00 p.m. and reconvened to regular session at 7:10 p.m.

NEW BUSINESS

Approval of Ordinance No. 670 establishing adjusted salary for Mayor for term ending December 31, 2011

Mayor Conard reviewed the history of Ordinance No. 624, which was adopted in 2002. Ordinance No. 624 established hours, duties, salary and benefits for the mayor. The monthly salary for the mayor to perform the duties as defined in RCW 35.27 is \$500, with a requirement of a minimum of 8 hours per week. In addition, Ord. 624 requires the Mayor to present a plan of administration to the Town Council and allows the Town Council to adjust the mayor's salary based on the approved plan of administration.

Ordinance No. 625 approved a plan of administration and authorized a half-time salary. In 2006, Ordinance No. 657 was adopted and continued approval of the plan of administration and a full-time salary for the mayor.

Ordinance No. 670 recommends continuation of the plan of administration that was established in 2002. She has been in this position since 1996 and did it without pay for several years, received a half-time salary from January 2002 through December 2005; and has been paid a full-time salary since January 2006.

Councilmember Dannhauer questioned whether this was a separate position, and was not comfortable with the list of duties; and wanted to see other applicants considered. Mayor Conard explained that this is not a separate job, but the mayor's position with expanded duties as identified in the ordinance.

Councilmember Clay explained that the mayor's salary was \$500; in 2002 the duties were expanded to a half-time position with half-time salary; in 2006 it was made a full-time position with the mayor's plan of administration. He felt that this is the best arrangement for the town, in consideration of the mayor we currently have. She has the abilities to perform the duties of town administrator, and she is an effective mayor with the expanded duties. Councilmember Binder agreed with Councilmember Clay's comments.

Gordon Burton, Coupeville, stated that he did not question Mayor Conard's ability but thought this was an opportunity to make some changes. He presented his version of Ordinance No. 670 with his changes in bold.

Councilmember Hughes explained that this ordinance is to approve the mayor's expanded duties on a paid basis. Approval of the plan of administration must be done at the beginning of each mayor's term; and the purpose is to safeguard the Town in the event of a mayor being elected who is not qualified to be the town administrator. This is how it has been done for the past several years and Mayor Conard does a great job.

Mayor Conard stated that during the election it was clear that if she was re-elected to the mayor's position she planned to continue with the expanded duties.

Council Action: A motion was made by Councilmember Dannhauer, to approve the revised ordinance presented by Gordon Burton. There was no second and the motion died for lack of a second.

Council Action: A motion was made by Councilmember Clay, second by Councilmember Binder, to approve Ordinance No. 670, establishing adjusted salary for Mayor for term ending December 31, 2011. The motion passed 4-1 (Dannhauer).

ORDINANCE NO. 670

An Ordinance of the Town Council of the Town of Coupeville, Washington, establishing adjusted salary for Mayor for term ending December 31, 2011.

Approval of Preliminary Plat 07-01 Krueger Farms Division #3 - *Staff recommends Council approve the Planning Commission recommendation to approve PP 07-01 subject to 12 findings and 12 conditions.*

Mr. Kwarsick explained that this project involves the creation of three single family residential lots and two reserve tracts in Special Planning Areas A and B. The property is comprised of Planning Areas A and B of the Memorandum of Agreement (MOA) zone of Krueger Farms. All three lots are accessed by NW Wilkes Street and are located in Special Planning Area B. Special Planning Area B is for a total of 25 units. With the creation of the three residential lots a total of five residential lots will have been created out of the 25 authorized; and the timing for the remaining 20 units is unknown. This project is subject to Design Review and Special Design Standards. The Planning Commission considered PP 07-01 at a public hearing on December 4, 2007, and received no written or verbal comments. The list of requirements is identified in the staff report. He explained that the Council's options are to approve or disapprove based on recommended specific findings.

Councilmember Dannhauer referred to the Design Standards and Guidelines and asked how infill in the development would provide diversification; whether there would be low-income housing within this development.

Mr. Kwarsick explained that the MOA identifies single family homes, cottage homes and a variety of housing, to achieve land use goals. There will be affordable housing for different income groups.

Councilmember Dannhauer asked whether the new road would be paved, whether there would be rain gardens and whether low impact development standards would be used; and she felt there should be park impact fees charged.

Mr. Kwarsick explained that Wilkes Street had already been paved, low impact development standards have been included along with rain gardens and the developer donated 12 acres of open space to the Town instead of park impact fees, as identified in the MOA.

Councilmember Hughes explained that the MOA is consistent with the Comprehensive Plan; every house plan must go before the Design Review Board, as memorialized in the MOA. Mayor Conard added that the MOA has already been adopted and we must use the standards that are in place.

Council Action: A motion was made by Councilmember Phay, second by Councilmember Binder, upon review of the record, and at the recommendation of the Planning Commission, to approve Preliminary Plat 07-01 Krueger Farms Division #3 based on the following 12 Findings and Conclusions; and 12 Conditions.

Findings and Conclusions:

1. The Town received an application for preliminary plat approval from Stuurmans Enterprises Inc. on October 11, 2007. The applicant is seeking approval for preliminary plat approval to subdivide the parcel into 5 lots.
2. A Notice of Complete application was issued on October 16, 2007.
3. The project was reviewed by the Design Review Board on October 16, 2007.
4. The property is located in the MOU zoning district and comprises Planning Areas A and B of the Memorandum of Agreement (MOA) zone. The MOA zoning allows for a mixed density residential development to include single family residences, cottages and high density.

5. On October 19, 2007, the Town issued a Notice of Application with a 30-day comment period to neighboring property owners and agencies with jurisdiction. A number of comment letters were submitted in response to this Notice, and were made a part of the written record.
6. The Town issued a Mitigated Determination of Nonsignificance (MDNS) on October 19, 2007 with 15-day comment and 30 day appeal periods.
7. As a proposed subdivision the application 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).
8. The Planning Commission held a public hearing on the proposal at their regular meeting on December 4, 2007.
9. Following public testimony and due deliberation, the Planning Commission found that the proposal can be conditioned to ensure consistency with the Decision Criteria and Required Findings” listed at CTC 16.16.060(A)(1), restated below and is generally in conformance with the Coupeville Comprehensive Plan.
 - a. The proposal is consistent with the subdivision design standards listed in Section 16.16.070 of this chapter;
 - b. The public use and interest will be served by the subdivision;
 - c. Adequate potable water supplies and sewage collection and treatment facilities exist to serve the proposed subdivision;
 - d. The proposal is in conformity with any applicable federal, state and local laws, ordinances, and adopted plans;
 - e. Appropriate provisions are made for, but not limited to, the public health, safety and general welfare for 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, sidewalks and safe walking conditions for school children who walk to and from school;
10. The Planning Commission found that the proposed lot sizes and special building setbacks are appropriate and necessary in this project and of a scale and scope necessary to reconcile conflicts between the Coupeville Development Regulations for the Medium Density Residential zone lot size and setback standards and the provisions of this MOA. The single family lot sizes provide for appropriate transitional densities and housing types, especially considering the adjacent higher density land uses and/or zoning districts;
11. The project is consistent with the Findings required under Town Code 3.36.060 (as follows) and the Town’s previous acceptance of the MOA open space, a component of parks under the Comprehensive Plan, satisfies the park impact fee requirements for this project and future projects within the MOA zone. The Whidbey Camano Land Trust and the Friends of Krueger Farms purchased a 4.3 acres parcel which was conveyed to the Town at a cost of \$280,000. The applicant donated a 12 acre parcel to the Town under the MOA. Based upon the value of the 4.3 acre parcel the value of the 12 acres is \$781,391. The MOA provides for 108 residential units and the potential park impact fee collected would be \$93,960. The value of the donated land is 8 times the value of the park impact fees. The required findings to accept the donation in lieu of the payment of park impact fees are:
 - a. That the land dedication and/or facilities improvement have a rational connection with the Anticipated impacts on parks and recreation facilities caused by development;

- b. That the land dedication and/or facilities improvements better meet the community's need for parks and recreation facilities than would payment of funds to mitigate the park and recreation impacts of the development;
 - c. That the developer has provided sufficient documentation to determine the fair market value of the land dedication and/or facility improvements; and
 - d. The land and its future use as developed recreational land or open space should integrate positively with the parks, recreation and open space element goals and policies.
12. With appropriate buffering and/or screening the applicant's proposed joint accesses can be accomplished in a manner that minimizes the disturbances to adjacent residential properties.

Conditions:

1. The applicant must comply with the conditions of the MDNS;
2. The front and rear yard setback for proposed lots 1,2, and 3 are reduced from the standards to 10 feet;
3. Access to proposed lots 1, 2 and 3 may be located along the east boundary of subject lots provided that screening and buffering of the access is installed along the east boundary of the lots. The DRB applications and building permits for these homes must include buffering detail;
4. All surface water runoff from the project shall be controlled and directed into the existing stormwater detention and water quality ponds;
5. All future construction of residential units will be subject to the approval of the Design Review Board consistent with the special standards adopted for the MOA zone by the Design Review Board.
6. 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 guarantees may be required.
7. 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.
8. Plat development shall be substantially 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.
9. 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.
10. All construction debris shall be disposed of at a Town-approved site.
11. 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.
12. 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. Except where noted above, all construction plans shall comply with the adopted Town of Coupeville specifications.

The motion passed 4-1 (Dannhauer).

Jim Phay noted that he has watched this development since it began and was very pleased with the development of this area.

Approval of the contract with Hokkaido Drilling for the Keystone Hill Well Project - *Staff recommends awarding the contract to Hokkaido Drilling to drill, test and secure Keystone Hill Well 1-07 for a total amount not to exceed \$96,793.13 (includes 10% contingency).*

Mayor Conard explained that two bids were received for this project and this bid was much lower than the other. Mr. Bishop added that we are moving our water source to a better location in the aquifer, with less risk of salt water intrusion and better quality of water.

Councilmember Dannhauer asked if approval of this project would require a budget amendment.

Will Jones, Coupeville, felt that because only \$50,000 was allocated in the 2008 budget for this project that there should be budget amendment done prior to approving the contract and claimed that the Town was approving a project when there was not money in the budget.

Mayor Conard explained as she had at the budget hearing in November that additional funds have been allocated in the Water Capital Expenditure Fund listed under Other Improvements, as place holders in the 2008 budget that will cover the additional expenses for this project.

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Clay, to approve the contract with Hokkaido Drilling to drill, test and secure Keystone Hill Well 1-07 for a total amount not to exceed \$87,993.75.

Council Action: An amendment to the motion was made by Councilmember Binder, second by Councilmember Phay, to correct the amount to not exceed \$96,793.13, which includes a 10% contingency. The amendment to the motion passed 5-0.

The original motion passed 4-0-1 (Dannhauer abstained).

Approval of December 31, 2007 Claims Vouchers and December Payroll - *Staff recommends approval of December 31, 2007 claims vouchers/warrants #20432 through #20495 for \$165,065.23; and December payroll warrants #11811 through #11845 for \$79,009.09.*

Council Action: A motion was made by Councilmember Hughes, second by Councilmember Binder, to approve December 31, 2007 claims vouchers/warrants #20432 through #20495 for \$165,065.23; and December payroll warrants #11811 through #11845 for \$79,009.09. The motion passed 5-0

AUDIENCE INPUT

Will Jones asked what security measures were in place to ensure that police officers didn't use the gas card to fill up their personal vehicles. Mayor Conard explained that fuel is obtained from the Island County fuel station and there is a system in place to verify vehicles and mileage.

DISCUSSION**Schedule for Shoreline Master Plan adoption**

Mr. Kwarsick explained that he has been working with the Department of Ecology (DOE) to finalize the draft Shoreline Master Plan. He received an email from DOE that they had completed review of the final draft. Copies of the draft will be available on the Town's website on Friday, January 18th, with a review period from January 18th to February 18, 2008. There will be a Council workshop at the January 22nd. After all comments have been received and reviewed there will be a public hearing in the latter part of March. All comments should be sent to his attention at Town Hall.

Proposed Library expansion

Mayor Conard explained that members of the Coupeville Library Board and staff from Sno-Isle Regional Library have been discussing an expansion of the existing Coupeville Library and wish to begin conversations with the Town Council, as the Town owns the building and property where it is located.

Jonalyn Woolf-Ivory, Sno-Isle Libraries, explained that the Library Board has been discussing a Library expansion over a year that would include a larger children's area, a meeting room, more reading space, and additional study space. They are not looking at expanding the number of books as the reservation system provides an adequate collection of books within the Sno-Isle Libraries system.

She explained how libraries do their best when they are located inside communities. She explained that architect Stig Carlson has researched the possibilities for expanding the facility and there is space to expand up to 5,200 sq. ft. The local Library Board has looked at the cost for the library expansion and estimates approximately \$2.2 million. They are looking at establishing a Library Capital Facility Area (Library District), then a bond to finance the library facility. This would need to be voted on by the voters who live within the proposed library district. The current library facility is owned and maintained by the Town, and the Town still owes approximately \$70,000 on the loan.

The Town Council will need to decide whether to join with the Library District and how they would like to handle the facility. She explained the option to transfer the ownership of the building and they (Sno-Isle Libraries) would be willing to take on the ownership and guarantee that there will continue to be a library in the Town of Coupeville.

Ms. Woolf-Ivory explained that once the bond passes there would be a representative from the town involved in selecting an architect and Sno-Isle would manage and pay for that process. She added that if the Town is interested then she will come back with a preliminary proposal for Council consideration that will include a resolution and a memorandum of understanding that will establish the relationship with the Library and they would acquire the library. The Library District would be responsible for including verbiage that a library will remain in Coupeville.

ADJOURNMENT – 9:34 p.m.

Respectfully Submitted:

MAYOR:

Judy A. Thomas, Clerk Treasurer

Nancy Conard, Mayor