

**Town of Coupeville
Regular Council Meeting
Tuesday, November 10, 2009
6:30 p.m.**

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

Council Action: A motion was made by Councilmember Hughes, second Councilmember Binder to excuse Councilmember Jim Phay. The motion passed 4-0.

STAFF PRESENT: Public Works Director Malcolm Bishop, Consulting Engineer George Bratton, Clerk Treasurer Judy Thomas

APPROVAL OF AGENDA:

Council Action: A motion was made by Councilmember Binder, second by Councilmember Clay, to approve the agenda as submitted. The motion passed as amended 4-0.

APPROVAL OF MINUTES

Regular Meeting of October 27, 2009

The minutes of the regular meeting of October 27, 2009, were approved with two corrections as follows: 1) Page 1, Approval of the minutes, correct spelling on last name, should read, “Katherine Molten Moulton...”; 2) Page 4, first paragraph, second sentence should read, “...asked if maybe the church could provide a better turnaround at this spot.”

MAYOR’S REPORT

- Mayor Conard explained that earlier this year George Bratton, Malcolm Bishop and herself had prepared a grant application to the Public Works Board to construct the 6,600 ft. waterline connection from the Keystone Hill Road Well to the water treatment facility. The total amount requested was \$524,178; which was not approved on the first round but two of the grants awardees were unable to accept the grants and the Town’s grant application was picked up on the second round. However, they can only fund \$514,000. This was great news. The plans for this project are near ready and will go to bid very soon. Connecting to that well will mean providing 250 gallons per minute.
- Due to some resignations and upcoming term expirations, there are some vacancies on boards and commissions. We will be advertising, to fill the vacancies, in the Whidbey Examiner, posting the openings on the website, and sending out an email announcement to everyone who receives the Agendas & Minutes. The positions that have become available, or will become available, are: Planning Commissioner Barbara Cope resigned; Planning Commissioner Chet Baker’s term will expire in March 2010; Civil Service Commissioner Rick Widdison’s term expires December 31st, plus one vacant position on the Civil Service Commission; Parks and Recreation Board Member Carol Orazem resigned; Library Board Member Kristi Etzel’s term expires December 31st. We will advertise and allow four to five weeks for the applicants to apply; and then interview the applicants. She will send emails to Council members notifying them of who has applied, in case they are interested in lobbying for any of the applicants.
- New Deputy Marshal Chris Peabody has accepted the position and will arrive on December 11th, 2009,

- Town Maintenance employee Jack Robinson has given notice of resignation and will be taking a job with the City of Oak Harbor.
- Tomorrow, November 11th is Veteran's Day and there will be a ceremony honoring the veterans at the Island County veteran's memorial at noon.
- Thursday, November 12th the Central Whidbey Chamber of Commerce will host a 'Meet Your Legislators' meeting at the Coupeville Rec Hall.
- The Ebey's Forever Conference was last weekend (November 5th and 6th) and was a great conference.
- A citizen expressed concerns about some maple trees near 9th Street and Haller Street, with branches leaning over his house. We hired an arborist to assess the situation and he recommends that three trees be removed, due to disease. The trees are located in the Town's right-of-way and are the Town's responsibility. We've talked with the homeowner and we will take the trees out, and when we plant some other trees the homeowner has agreed to water them.

AUDIENCE INPUT

Gary Piazzon, Coupeville, discussed climate disasters that have occurred and noted that there were warnings that could have diverted these disasters. He spoke about a book by Lester Brown titled *Plan B 4.0* which is Mr. Brown's plan to restoring the world, mobilizing to save civilization. He spoke about climate changes and that we have 10 years to reduce green house gases by 80%. He discussed the plan and four goals described in the book.

PUBLIC HEARINGS

Resolution 09-05 adopting the 2009 to 2014 Water System Plan, including water use efficiency goals

Mayor Conard explained that Council has reviewed the plan in a Council workshop and explained the procedures of the public hearing.

George Bratton explained that the Town is required to submit a Water System Plan for review and approval by the Washington State Department of Health (WA DOH). The plan must be updated and submitted to WA DOH for approval every six years. The purposes of the Water System Plan are to provide: 1) An inventory of the major water system facilities; 2) A summary of the improvements made to the system from 1997 to 2008; 3) An evaluation of the present system; 4) Recommendations for improvements necessary for the system to comply with the WA DOH guidelines; 5) Budget-level cost estimates for recommended system improvements; 6) A report on the status of the various management and operation programs required by the WA DOH.

Mr. Bratton discussed the Recommended Improvements and Six-Year Budget, which is summarized on page v of the Executive Summary. He briefly described the improvements identified in the Six-Year Capital Facilities Plan as: FACILITIES – Wells, Treatment, Storage and Pumping, Telemetry; NEW WATER MAINS – In-Town and Out-of-Town; WATER MAIN REPLACEMENT – In-Town and Out-of-Town; MISCELLANEOUS – Air release valves, and Water Meters. He noted that the current financial plan assumes that all future water system improvements will be financed on a pay-as-you-go basis. Because of the Public Works grant (announced previously in this meeting) that will relieve a great deal of financial demand on the Water Capital Improvement Fund.

Councilmember Hughes asked if we are restricted from increasing rates, since no increase is proposed in the plan. Mr. Bratton explained that it is a plan and it can be changed at any time but the Town would need to notify the state if we are not in compliance; or if something major changes.

Mayor Conard declared the public hearing open at 7:32 p.m.

Gary Piazzon, Coupeville, said George Bratton was doing a great job; and keep up the good work.

There was no more public comment and Mayor Conard declared the public hearing closed at 7:33 p.m.

Council Action: A motion was made by Councilmember Binder, second by Councilmember Hughes, to approve Resolution No. 09-05 adopting the 2009 to 2014 Water System Plan, including water use efficiency goals.

Discussion: Councilmember Dannhauer asked if Island County had a hydro geologist and Mr. Bratton responded that they no longer have one, and the Town contracts with a hydro geologist to review its projects.

Councilmember Binder noted that she has served on the Utility Advisory Committee in which Mr. Bratton has explained much of this and it is a great team working on this.

Councilmember Clay added that we have met in workshop session to review and discuss this plan, and Council was able to go over this plan page by page and was able to ask any questions, and we had a month and a half to mull over the plan and ask questions. He noted that our capital improvements plan is a pay-as-you-go plan; and it feels good to him that the revenue streams have been identified; we do have capital for these projects; and getting a \$500,000 grant to fund a project certainly helps and he thanked Mayor Conard, Malcolm Bishop and George Bratton. Councilmember Dannhauer noted that on the whole it is a great plan but her main concern is the size of the service area and the fact that it goes pretty far out of the town limits; and for that reason it seems to encourage sprawl; and we signed the resolution with the Council of Governments that we'll have policies that will reduce sprawl; and the Island County Comprehensive Plan says to reduce the inappropriate conversion of undeveloped land into sprawling low density development. It has been argued that rural versus town zoning will be key in reducing sprawl by not extending municipal services out to rural zones. The Island County Comp Plan points out that the average county lot size is less than three acres, and rural zoning is five acres; thus traditional zoning actions such as large lot zoning will be ineffectual in preserving rural character.

Councilmember Clay asked Councilmember Dannhauer, do you think that because you provide water to somebody's lot, say five acres or larger, that they will be able to develop at a higher density than that? Because supplying water is not going to change the zone. What we are trying to do is eliminate people putting in their own wells; which is far more significant to protect the environment, even if you did increase the density a little bit. He was not sure about the reasoning; our reasoning is to protect the aquifer, to provide from a utility rather than everyone putting in their own well; and they can now, if we can not provide water service to them.

Councilmember Hughes added that just because the Town can't provide water to someone does not mean that their lots are unbuildable.

Mayor Conard added that the only area that she was aware of that was having any difficulties with water access is Sierra and they have had some moratorium on building, but they are not in our service area. She stated that the density that occurs outside the town limits is governed by zoning, not water availability; and the fact that we have the service area protects our aquifer, and

she was not aware of any areas outside of town that were not able to build because they could not put in their own well.

Councilmember Dannhauer responded that part of the strategy in reducing sprawl; and this is in the Island County Comprehensive Plan, 'provide municipal public works facilities only within, and not beyond urban growth areas' and they give a lot of examples. They do say that two exceptions are contemplated, and one of them includes provision of municipal water services by purveyors. Sewer is the thing that remains different... streets, bridges, sidewalks, water storage, treatment facilities, Stormwater, collections and treatment facilities. If we do extend out there is no guarantee that the town will have enough supply of its own water. In one of the chapters it was pointed out that once you commission the Keystone Well (she noted that she may be wrong on this) it said that you would have to decommission the in town wells; even if it provided a lower amount. Mr. Bratton responded that when we start bringing the water from the out of town wells we will abandon some of the in town wells but they could still be available in an emergency.

Mayor Conard explained that in 2006 when we reviewed and revised the service area, we did that with the recommendation of Island County Department of Health, WA DOH, and review by the county hydro geologist and our own hydro geologist. At that time we did an analysis of the zoning of all the service area (both in town and out of town) and presumed that if it was all developed at maximum density, what the demand would be on the aquifer; and the calculation was that there was enough water for all of that area. Mr. Bratton added that we actually shrunk our service area that was adopted in 1991, because it used to go across Penn Cove to include Rolling Hills but we realized we could not service that amount of area with our water rights. Councilmember Hughes noted that the number of water rights available does not mean that is all the water that is available. Mr. Bratton explained water rights and water availability and how they are determined.

Councilmember Hughes asked Councilmember Dannhauer why she was concerned about running out of water. Councilmember Dannhauer responded that she thought that the Town was obligated to serve people in our service area. Mr. Bratton explained that the Town has a first right to serve within our service area. If the applicant is too far from our water main and we can't provide service to them in a timely manner, then the Town would have to grant permission to the applicant to apply with the County to drill a well.

Mayor Conard explained one of the benefits of claiming this as our service area is that we have control over the withdrawal (from the aquifer); and who is pumping water out and under what conditions. That is why the Department of Health was so interested in the Town establishing this water service area because it is better managed.

Councilmember Dannhauer explained that she agrees with supplying water outside the Town limits if it is for a health reasons or a previous agreement.

The motion passed 3-1 (Dannhauer).

Further discussion after the vote:

Councilmember Clay asked Councilmember Dannhauer why she voted no.

Councilmember Dannhauer responded that extending municipal services outside the urban growth area contributes to sprawl, and you'll have late comer's agreements.

Councilmember Clay explained that this Resolution, approving the Water System Plan, has nothing to do with the service area. The service area was approved in 2006; this plan controls what we are going to do in the water system. Councilmember Hughes added that we are not voting on what the water service area should be; that was already done; we are voting on the water plan for the next six years. Councilmember Dannhauer added that it seems that that could

have been changed before developing the plan. Councilmember Hughes questioned why she had not expressed these concerns during the workshop on the water system plan.

Councilmember Dannhauer responded that originally she had to make sure it (extending the water service area beyond the urban growth area) was even legal.

Councilmember Clay asked her how she thought they could do something three years ago that was illegal.

Mayor Conard added that Councilmember Dannhauer is welcome to call her if she has questions, so that we can get answers to her questions, either from George (Bratton) or the Town Attorney; because she wanted to make sure that she (Dannhauer) has all the information she needs.

AUDIENCE INPUT

Gary Piazzon, Coupeville, asked about the tree plan and what had been accomplished by the Tree Committee.

Mayor Conard responded that the Tree Committee identified a number of issues and many of those issues were addressed in the Comp Plan and the development regulations, adopted by the Council last month. Some of the issues are being considered by the Planning Commission in the design guidelines. The recommendations of the Tree Committee will be interspersed in a number of chapters in the Town Code. The remaining recommendations issues will be addressed after Mr. Kwarsick is done with some of the more pressing issues, such as the Design Review Guidelines.

Mayor Conard called for a five minute recess at 8:00 pm and will reconvene to Executive Session for approximately 15 minutes to discuss Potential property acquisition and disposition.

EXECUTIVE SESSION - Potential property acquisition and disposition

Mayor Conard called for executive session to discuss potential property acquisition and disposition. Mayor Conard, Councilmembers Binder, Clay, Dannhauer, and Hughes recessed to executive session at 8:12 pm and reconvened to regular session at 8:30 pm. No action was taken.

ADJOURNMENT: 8:30 pm

Respectfully Submitted:

MAYOR:

Judy A. Thomas, Clerk Treasurer

Nancy Conard, Mayor