

## **TOWN COUNCIL MINUTES**

**Tuesday, March 22, 2011**

### **CALL TO ORDER, FLAG SALUTE, ROLL CALL**

The Council meeting for the month of March was called to order by Mayor Carla Nichols at 7:00 p.m. at Woodway Town Hall. Council members present were Bill Anderson, Kent Saltonstall, Mike Quinn, Elizabeth Mitchell, and Tom Whitson. Town Administrator Eric Faison, Public Works Director Terrance Bryant, and Building Official Tom Phillips were also present.

**APPROVAL OF MINUTES:** *Councilmember Quinn* moved to approve the minutes of February 22, 2011. *Councilmember Saltonstall* seconded the motion. The motion carried 4-0, with Councilmember Anderson abstaining.

**APPROVAL OF VOUCHERS:** *Councilmember Mitchell* moved to ratify Claims Warrants #7686 through #7697 for the total amount of \$2,180.70. *Councilmember Whitson* seconded the motion. Councilmember Quinn questioned the cost of the Building Inspector voicemail service. Administrator Faison stated that he would check to see if the service is necessary. The motion carried unanimously.

*Councilmember Mitchell* moved to approve Payroll Checks #10368 through #10381 for the total amount of \$41,843.28. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

*Councilmember Anderson* moved to approve Claims Warrants #7698 through #7713 for the total amount of \$25,153.92. *Councilmember Mitchell* seconded the motion. Mayor Nichols clarified that the stormwater utility will pay for the landslide restoration work on Richmond Beach Drive.

Discussion followed about the variance hearing held in February 2011. Mayor Nichols stated she would forward the Town Hearing Examiner's decision report to the Council. The motion to approve the Claims Warrants carried unanimously.

Discussion followed about the report showing budgeted vs. expended costs associated with planning and legal consultation for Pt. Wells. Conclusions were that for the past four years, the expenses for Pt. Wells were under budget. There was concern from Council members that Council needed to be mindful of how much energy and resources were directed to this one issue.

*Councilmember Saltonstall* moved to amend the agenda, adding 10 minutes for an executive session to discuss litigation at the end of the meeting. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS:** None.

### **COUNCIL REPORTS:**

Councilmember Whitson voiced concerns about the impact of a tsunami or earthquake on the Point Wells area.

Councilmember Mitchell reminded Council that she had contacted People for Puget Sound and they had asked if they could help with the Point Wells issue. It was agreed that the Town needs to follow up with this organization.

Councilmember Anderson commented that he appreciated receiving the ESCA severe weather notifications via email and suggested that they be forwarded to all council members. He also commented that he had seen ads on television reminding people to call 911 only for life-threatening emergencies and would like the Council to discuss the nuisance policy and the policy of having residents call 911 for both emergencies and non-emergencies. Mayor Nichols suggested that Police Chief Doug Hansen could come to a future meeting to discuss Woodway's dispatch process.

### **MAYOR'S REPORT:**

Mayor Nichols reminded the Council of the upcoming Regional Fire Authority Planning Committee meeting that will be held Tuesday, March 29, 2011, at the City of Edmonds. Mayor Nichols reported that she and Town Administrator Eric Faison met with Commissioner Chan of Fire District 1 who wanted to introduce himself and stress his commitment on behalf of the Fire District to address Woodway's needs.

Discussion followed about adding an alternate to the Regional Fire Authority Planning Committee. Councilmember Mitchell offered to be the alternate.

**ACTION:** *Councilmember Saltonstall* moved to approve a resolution nominating Mitchell as the alternate to the Regional Fire Authority Planning Committee. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

Mayor Nichols continued by reporting that Representative Ruth Kagi's legislation (HB 1265 limiting residential densities of certain unincorporated portions of urban growth areas) was being revised to accommodate the Department of Ecology's (DOE) concerns about some of the language. DOE did not want to have to negotiate between municipalities and counties regarding SEPA leadership roles.

Mayor Nichols finished her report with a few informational items. She received a copy of the Snohomish County Housing and Community Development action plan. Additional copies are available. She read a note from Jim and Linda Wilmer, thanking the Town for the appreciation plaque received for service on the Planning Commission.

Mayor Nichols shared that she had been contacted by a private company that produces community magazines. They currently publish magazines for some neighboring cities, and will be publishing a monthly magazine for Woodway, with commercial content. This is outside the control of Woodway's town government.

**ADMINISTRATOR'S REPORT:**

Public Works Director Terrance Bryant reported that he received an email from the president of the Woodway Highlands Home Owners Association (HOA) requesting replacement of the wood in the picnic tables and benches in the public areas of the neighborhood. The Town will maintain the picnic tables and benches in the parks and the HOA will take care of the park benches on Willowick Lane. The president also asked if the Town could address the stormwater problem in the northern native growth protection area and if the Town has any plans to overlay the roads in the Woodway Highlands. Mr. Bryant replied that the Town will continue to fix potholes and do light maintenance, but an overlay is not warranted right now as the asphalt has about 10 years of life left.

Town Administrator Eric Faison asked the Council to consider how much time the Town should cover when residents and permit applicants need assistance from the Town's engineers or planners for basic questions about code requirements. Mr. Faison explained that in many municipalities, in-house staff provides this information without a fee. Since Woodway has to contract for these services, the Town needs to identify what would be a reasonable program. A limit of 1.5 to 2 hours was suggested by the Town's engineering firm (PACE). This item will be on a future agenda; Ken Nilsen of PACE Engineers was requested to come to a future meeting to answer questions.

**DISCUSSION ON ZONING CODE – SECTION 14:**

Based on the request from the Council following the last meeting, Tom Phillips, the Town's Building Official, wrote an ordinance updating the fence regulations. The changes include clarifying the definition of a fence and moving the dog run/shelter regulations from the fence section to a separate section that allows them as a secondary use.

As part of his research on this issue, Mr. Phillips identified several inconsistencies. He also submitted a memo discussing the secondary uses allowable in Woodway. He suggested that the Council take a comprehensive look at Title 14 and do a general update rather than just focusing on the issue of fences.

Council members asked several questions regarding how property inspections are conducted outside the context of an open permit.

After some discussion, the Council decided to initiate a general Title 14 update for an upcoming meeting and not act on the proposed ordinance. They also requested that Mr. Phillips add a column to his memo with his recommendations.

**AUDIENCE COMMENTS:** None.

**GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS:** None.

## **TOWN HALL DISCUSSION:**

The discussion commenced with Councilmember Saltonstall outlining three approaches to financing the Town Hall rebuild or remodel project: accumulate a cash fund, borrow, or assume that future town revenue will be enough to cover the expenses.

Councilmember Anderson requested that if the Council decides to put the project on hold to build up the Town's savings, that the Council make a timeline based on the projection of future REET revenues.

Town Administrator Eric Faison clarified the amount of money potentially available for Town Hall remodel/rebuild under various scenarios. These amounts are available from funds that can only be used for capital projects (not police or fire services) and would not require a tax increase.

The Town has approximately \$780,000 on hand for this project if the Council elects not to bond. This money is from a variety of sources, including cash in the Capital Reserve fund, interfund loans, and stormwater funds. He explained that given current cash levels, without bonding or relying on projected revenues, the only option would be to remodel.

Discussion followed about the differences between a 5-year bank loan and a bond; the main differences being interest rates and time frames.

Mayor Nichols reminded the Council that if they decide to wait to rebuild, they would still need to consider moving forward with the remodel. The cost for the remodel is estimated at \$700,000-800,000, which might be one-half of the cost of a new facility. She also commented that she does not feel that a large building would fit with Woodway's character; the 4,800 s.f. option would be more appropriate.

Discussion followed about the possibility of issuing private bonds to Woodway residents. Woodway would need to hire a lawyer, get a tax opinion, and make sure it would be a tax-exempt bond. A first step would be to send an inquiry letter to all residents to determine if there was sufficient private interest.

The consensus of the Council was to build a new Town Hall and to finance the project without a tax increase. The Council determined that it was more fiscally responsible to direct resources towards a new structure complying with current codes as well as provide the residents with a facility that would meet Woodway's future needs. The Council will determine the scale of the project and the overall cost as they work with the architect. They directed Mr. Faison to work with the architect to prepare a cost estimate addressing a more detailed, size-appropriate floor plan.

The Council asked Building Official Tom Phillips about the federal requirements for an elevator in a two-story Town Hall. He will research the question and report back to the Council.

**EXECUTIVE SESSION:** Litigation

At 8:25 p.m., Mayor Nichols recessed the Council to an approximately 10 minute Executive Session regarding litigation.

The meeting was reconvened at 8:35 p.m.

**ADJOURNMENT OF PUBLIC MEETING:** *Councilmember Quinn* moved to adjourn the meeting. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:37 p.m.

Respectfully Submitted,

**APPROVED BY THE TOWN COUNCIL**

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Joyce Bielefeld, Clerk Treasurer

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Carla A. Nichols, Mayor

(These minutes accurately reflect what was said at the Council Meeting. Publication does not vouch for the veracity of these statements.)