

TOWN COUNCIL MINUTES

February 1, 2010

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The first Council meeting for the month of February was called to order by Mayor Carla Nichols at 7:00 p.m. at Woodway Town Hall. Councilmembers present were Bill Anderson, Kent Saltonstall, Elizabeth Mitchell, Mike Quinn and Tom Whitson. Town Administrator Eric Faison; Police Chief Doug Hansen; Planner Bill Trimm; Amie Broadsword, PACE Engineering; and Clerk-Treasurer Joyce Bielefeld were also present.

APPROVAL OF MINUTES: Following minor amendments, *Councilmember Mitchell* moved to approve the minutes of January 19, 2010 as amended. *Councilmember Quinn* seconded the motion. The motion carried (4-0-1), Councilmember Saltonstall abstained.

APPROVAL OF VOUCHERS: *Councilmember Mitchell* moved to approve Claims Warrants #7241 through #7260 for the total amount of \$38,497.37. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

Councilmember Anderson moved to approve Payroll Warrants #10070 through #10100 for the total amount of \$44,936.45. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS: None

COUNCIL REPORTS: Councilmember Mitchell reported the SnoCom meeting included an announcement that they are under budget as well as a discussion regarding upcoming labor issues. She also reported on Richmond Beach Community Club's meeting regarding Pt. Wells. She suggested Woodway residents be informed of their meetings in the future.

Councilmember Anderson requested an excused absence for the next meeting. He reported at the recent Emergency Services Coordinating Agency (ESCA) meeting that the Board approved joining MyStateUSA on behalf of their member cities for \$500/year. In the event of a hostage situation, hazardous material spill, etc., MyStateUSA will call phone numbers in the area where the event is occurring to warn residents of the situation. When the service is utilized, the cost to the city where the calls are made would be \$0.16/call.

MAYOR REPORT: **Mayor Nichols** referred to a calendar of agenda items for the remainder of the year and requested Councilmembers inform staff of any vacation plans.

Mayor Nichols reported the public forum held by Richmond Beach Community Club regarding Pt. Wells last week included a panel consisting of Paramount's Land Use Attorney and their Environmental Director; Shoreline's Planning Director, Transportation Director and Economic Development Director; representatives from the Department of Ecology (DOE) and Save Richmond Beach; and the Shoreline Fire District Fire Chief.

The Shoreline representatives described the subarea plan they are preparing and their plans to amend their Comprehensive Plan to include Pt. Wells. Paramount reported they hired the architectural firm Perkins+Will who developed Dockside Green in Victoria, BC. Paramount reported they do not yet have a project timeline but recognize traffic is a big issue and are interested in reducing the number of vehicle trips via increased transit or possibly a Sound Transit stop. The DOE

representative addressed the processes for cleanup. Mayor Nichols provided staff a summary of the documents distributed by Shoreline Planning Director Joe Tovar.

Mayor Nichols reported the Snohomish County Council extended the February 3 hearing regarding Pt. Wells to April 21. The County also extended the deadline for their decision on the land use change to May 12. Snohomish County hired the Urban Land Institute to address several topics raised at the public hearings.

Mayor Nichols reported on a meeting Mr. Faison and she had with Snohomish County Councilmember Mike Cooper where they relayed the Town's concern with the possibility of tall buildings such as towers on the Pt. Wells and the Town's interest in establishing some limitations on development such as unit count and/or building height.

Mayor Nichols relayed her plans to email the residents, who provided their email addresses at the neighborhood meetings, a summary of the issues associated with Pt. Wells.

Discussion followed regarding Dockside Green and the amount of developable land at Pt. Wells.

TOWN ADMINISTRATOR'S REPORT

Mr. Faison distributed information in response to Councilmember Anderson's request at the last meeting for 2009 year end figures and after purchasing the CDs as directed by the Council. He reported the original 2009 year end estimate was \$1.75 million; the actual is \$1.6 million which reflects additional expenses reported in the 2009 budget amendment.

Discussion followed regarding whether to direct staff to invest in additional CDs, the upcoming Fire District 1 quarterly payment and the schedule for the Town to receive property tax receipts.

ACTION: *Councilmember Anderson* moved to instruct the Clerk Treasurer to invest \$250,000 in a 6-month CD with a minimum yield of 1.25%. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

Chief Hansen reported as a result of a Woodway Officer's investigation, suspects in the mail theft on 115th have been identified and charges filed in Superior Court for felony identify theft. He also reported a lead in a burglary on Chinook as a result of circulating a video of a vehicle filmed by a Woodway resident's security camera to surrounding cities.

Mayor Nichols reported the community security meetings, where Chief Hansen described the 911 system and answered residents' questions, were well attended. She commended Chief Hansen for his constructive information and proactive security measures

POLICE SERVICES CONTRACT

Chief Hansen reviewed changes to the Interlocal Agreement with Edmonds, including an increase in the callout rate by \$12.50/call to \$137.50/call and adding a charge in the amount of the Edmonds Police Department's average hourly rate if an officer is on scene for more than 15 minutes. Both increases were included in 2010 budget. A brief discussion followed regarding the frequency of Edmonds police callouts.

Mayor Nichols suggested scheduling as a future agenda item a presentation by Chief Hansen regarding community cameras.

ACTION: *Councilmember Saltonstall* moved to approve the agreement for police services with Edmonds. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

BLUFF DRAINAGE IMPROVEMENTS – CLEARING AND GRADING PERMIT #09-104

Mayor Nichols explained the code requires any work in the critical areas is subject to the criteria in the Critical Areas Ordinance and that it be reviewed and approved by Town Council.

Amie Broadsword, PACE Engineering, introduced Bo McFadden, GeoEngineers, Inc. the geotechnical engineer retained by the Teals, and Dennis Stettler, Landau Associates, whom PACE consulted with for geotechnical expertise. Ms. Broadsword reviewed the project description provided by GeoEngineers and their proposal to install horizontal drains to relieve ground pressure and reduce bluff retreat. She reviewed the project description as well as a project description update that described a landslide.

Ms. Broadsword reviewed the criteria in the Critical Areas Ordinance and the opinion of Town staff with regard to conformance with criteria. She reviewed staff's recommendation: based upon the Findings and Conclusions, staff recommends to the Town Council the approval of the Clearing and Grading application for the Teal residence bluff drainage improvements (plans dated January 27, 2010) with the following conditions: 1) a performance bond shall be required prior to issuance of Clearing and Grading permit by the Town, and 2) the mitigation plan comments on sheet 1.0 shall be depicted on a separate sheet illustrating the aerial extend (plan view) of the generalized vegetation enhancement plan.

Discussion followed regarding the distance between the slide and BNSF tracks, exemption in the code for an emergency, and the requirement for Council review.

ACTION: *Councilmember Saltonstall* moved to approve the bluff drainage improvements at the Teal residence. *Councilmember Anderson* seconded the motion.

Ms. Broadsword and Mr. McFadden responded to Council questions regarding the mechanics of the horizontal drains, the maintenance program, and the length of time horizontal drains have been used.

The motion carried unanimously.

ORDINANCE 10-520 – CONDITIONAL USE

Planner Bill Trimm explained when the Town was considering the purchase of Rosary Heights, the staff discovered that the code did not include a process for establishing conditions for public facilities. A Conditional Use Permit (CUP) allows consideration of any detrimental impacts and an opportunity to impose conditions. The Planning Commission reviewed a draft amendment last summer to add a new section to title 14 to provide for conditional uses and to amend each zone district to include a new section to list the uses that would be allowed within the approval of a conditional use permit.

Following a public hearing in November 2009, the Planning Commission passed a resolution establishing Section 14.48 Conditional Use Permit and amending the existing code to establish public facility uses in zone districts. A brief discussion followed.

ACTION: *Councilmember Saltonstall* moved to adopt Ordinance 10-520, an ordinance amending WMC Title 14 regarding adding a new Chapter entitled 14.48 Conditional Use Permits and amending Chapters 14.20, 14.24, 14.28, 14.32 and 14.36 to include conditional uses for each respective zoning district. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

INVESTMENT POLICY

Mayor Nichols suggested postponing this discussion until the next meeting to allow staff to provide a revised policy. The Council briefly discussed criteria for diversification. Mayor Nichols requested Councilmembers submit any additional questions/comments to staff.

AUDIENCE COMMENTS: None

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

Observing there were no ballot drop-off locations in the area, Councilmember Quinn suggested staff research whether Town Hall could be drop-off location. Mr. Faison explained the intent was to limit drop-off locations and to encourage citizens to mail ballots.

Councilmember Mitchell announced the Snohomish Conservation District plant sale at the Evergreen State Fairgrounds on March 5 and 6.

Mayor Nichols explained when the Tree Ordinance was approved, the intent was to allow routine tree maintenance such as trimming and topping on properties with view corridors to maintain views. A brief discussion followed regarding the decision not to regulate topping/trimming and the need to clarify replacement requirements for removal of a hedge. Mayor Nichols advised amendments to the Tree Ordinance would be scheduled on a future agenda.

ADJOURNMENT OF PUBLIC MEETING: *Councilmember Anderson* moved to adjourn the meeting. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:42 p.m.

Respectfully Submitted,

APPROVED BY THE TOWN COUNCIL

Joyce Bielefeld, Clerk Treasurer

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.)