

TOWN COUNCIL MINUTES

August 3, 2009

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The first Council meeting for the month of August was called to order by Mayor Carla Nichols at 7:00 p.m. at the Woodway Reserve Pavilion. Councilmembers present were Bill Anderson, Kent Saltonstall, Elizabeth Mitchell, and Tom Whitson. Councilmember Mike Quinn had an excused absence. Town Administrator Eric Faison and Clerk-Treasurer Joyce Bielefeld were also present.

APPROVAL OF MINUTES: *Councilmember Saltonstall* moved to approve the minutes of July 20, 2009. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

APPROVAL OF VOUCHERS: *Councilmember Saltonstall* moved to approve Claims Warrants #6977 through #7001 for the total amount of \$214,293.38. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

Councilmember Anderson moved to approve Payroll Warrants #9880 through #9909. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

Mayor Nichols advised the Census Presentation had been rescheduled to the next Council meeting. She requested the addition of Ordinance 09-508, regarding compensation levels for staff.

ACTION: *Councilmember Anderson* move to amend the agenda to substitute Ordinance 09-508 for the Census Presentation. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS: Elaine Jorgensen objected to Councilmember Quinn's participation and deliberations in the Council's discussions to exercise an option agreement to purchase Rosary Heights when he was also a board member of Rosary Heights. She considered Councilmember Quinn's actions to be a serious conflict of interest.

Councilmember Anderson recalled Councilmember Quinn disclosed early in the discussions regarding Rosary Heights that he was a member of an advisory board for Rosary Heights and inquired whether he would have a conflict of interest. Because of the nature of the discussions, it was determined at that time that Councilmember Quinn's participation would not be a conflict of interest because he would not monetarily benefit from the sale. Councilmember Mitchell pointed out it was the General Council of the Adrian Sisters who made the decision to sell Rosary Heights and approached the Town with an option agreement, not the Rosary Heights Board.

Pat Ikegami asked who approached the Town. Mayor Nichols explained Mr. Faison and she were invited to meet with Sister Mary Kay, Chair of the General Council for Adrian Sisters, who was in town to visit the local sisters. At that meeting, Sister Mary Kay announced a decision had been made to close the Rosary Heights Conference Center at the end of June and they offered to sell the property to the Town.

Vivian Brehm, Berry Lane, inquired how costs for maintenance, insurance, etc. would be paid. Mayor Nichols explained the bond includes \$250,000 for capital projects. The proceeds of the sale of the existing Town Hall property will be added to that fund. General operating costs, utilities, the caretaker, cleaning, etc. will be paid via rental fees. In comparing the current Rosary Heights operating expenses with existing Town Hall expenses, staff estimated operating costs for Rosary Heights to be \$83,000. With a 50% increase in Rosary Heights's current fees, bringing them inline with comparable facilities, revenues are projected to be \$80,000.

Ms. Ikegami pointed out the Town would be operating a business out of Rosary Heights. Mayor Nichols responded that operation of an event center at Rosary Heights would require a code amendment for the R8700 zone. Only municipalities would be eligible for the conditional use.

Ms. Jorgensen asked who was paying for public relations materials being distributed in support of the bond to purchase Rosary Heights. Mayor Nichols assured private volunteers had paid for all materials and the open house. Mr. Faison assured Town staff was not actively engaged in promoting or opposing the purchase of Rosary Heights.

COUNCIL REPORTS: **Councilmember Whitson** provided a website regarding Pt. Wells from Richmond Beach's viewpoint: www.SaveRichmondBeach.org.

Councilmember Mitchell reported she attended the SnoCom Board meeting in Councilmember Saltonstall's absence. The new SnoCom Director, Debbie Grady, was at the meeting and everyone is extremely happy with her selection.

Councilmember Saltonstall reported there are two baby eagles in the nest this year; both are beginning to fly. There have not been any eaglets for the past two years, presumably due to construction in the area.

Councilmember Anderson reported there are rumors the Edmonds Post Office may be closed. He suggested the Town contact the Postal Service to encourage them to retain the heavily used Edmonds Post Office.

MAYOR REPORT: **Mayor Nichols** reported she met with Casey Holt, a member of the SaveRichmondBeach.org group who was interested in the County's processing of the change in the land use designation for Pt. Wells. Ms. Holt relayed that Shoreline is considering raising the height limits in their building codes and SaveRichmondBeach.org is concerned Shoreline is positioning themselves to facilitate development of taller buildings on the site.

Mayor Nichols reminded of the staff appreciation picnic on August 13 at Councilmember Quinn's home.

TOWN ADMINISTRATOR'S REPORT

Mr. Faison commended Public Works Director Terry Bryant who negotiated the removal of 20 trees in the Woodway Reserve for a cost of \$2900; an outstanding price for removal of that many trees.

Clerk-Treasurer Joyce Bielefeld reported the audit began today. It is a compliance audit for which \$2,000 was budgeted. If the Council wants a financial audit, the cost would be \$3000-\$5,000 more. She explained a financial audit is line by line versus a compliance audit that

takes samplings. Mr. Faison explained because the Town has a budget of less than \$2 million, a financial audit is not required. It was the consensus of the Council that a compliance audit would be sufficient.

Ms. Bielefeld advised Councilmembers would be receiving an entrance letter from the auditor explaining the audit but no entrance meeting would be held. Council will be invited to attend the exit meeting at the close of the audit.

PRESENTATION – CENSUS

This item was delayed to a future meeting.

ORDINANCE 09-508, AMENDING CHAPTER 2.16 COMPENSATION OF OFFICERS AND EMPLOYEES

Mayor Nichols explained the code contained information regarding the compensation rate for Building Official and Building Inspector. Because their compensation was changed to a flat rate effective June 1, 2009, a code revision was also required.

ACTION: *Councilmember Anderson* moved for approval of Ordinance #09-508, Amending Chapter 2.16 Compensation of Officers and Employees. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

ACCEPTANCE OF BID FROM B & B CONSTRUCTION IN THE AMOUNT OF \$59,504 FOR NORTH DEER, ALGONQUIN, AND MAKAH ROAD STORMWATER PROJECTS

Mr. Faison advised the low bidder is a company the Town has used previously and was satisfied with their work. The low bid is approximately \$14,000 less than the engineer's estimate. A brief discussion followed regarding the specific projects and alternate bid items.

ACTION: *Councilmember Mitchell* moved to accept B & B Construction's bid for the North Deer, Algonquin and Makah Road stormwater projects in the amount of \$59,504 and authorize Mayor Nichols to sign the contract. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

REPRESENTATIVES TO REGIONAL ORGANIZATIONS

This item was delayed to a future meeting when all Councilmembers were present.

DISCUSSION ON FIRE COVERAGE

Councilmembers discussed Fire District 1 potentially providing fire service to Edmonds.

AUDIENCE COMMENTS: John Low, Quail Lane, inquired about the Council's position on annexation of Pt. Wells. Mayor Nichols responded the Council has not taken an official position regarding annexation of Pt. Wells. The Town has notified Snohomish County and the owner of the Pt. Wells property that the new development should not include more than 800 units and that heights be limited to 65 feet.

Mr. Low commented by not taking a position in favor of annexation, the Town loses control over development on the site as well as gives up the tax base. Discussion followed regarding meetings with the property owner, responsibility of the property owner to make the decision regarding annexation, Snohomish County's interest in developing the property under their jurisdiction, and the Town's efforts to allow cities adjacent to unincorporated urban centers to have input on design guidelines.

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

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 8:11 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.)