

TOWN COUNCIL MINUTES

August 18, 2008

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The second Council meeting for the month of August was called to order by Mayor Carla Nichols at 7:00 p.m. at Woodway Town Hall. Councilmembers present were Robert Schillberg, Kent Saltonstall, Bill Anderson, Kevin Fiske and Mike Quinn. Town Administrator Eric Faison and Clerk-Treasurer Joyce Bielefeld were also present.

APPROVAL OF MINUTES:

July 28, 2008

Several minor amendments were made to the July 28, 2008 minutes.

Councilmember Quinn moved to approve the minutes of July 28, 2008 as amended. *Councilmember Fiske* seconded the motion. The motion carried unanimously.

August 11, 2008

Several minor amendments were made to the August 11, 2008 minutes.

Councilmember Anderson moved to approve the minutes of August 11, 2008 as amended. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

APPROVAL OF VOUCHERS: *Councilmember Anderson* moved to approve Claims Warrants #6490 through #6519 for the total amount of \$48,518.53. *Councilmember Quinn* seconded the motion. The Council requested an explanation of the high number of Edmonds Police Department callouts. The motion carried unanimously.

AUDIENCE COMMENTS: None

COUNCIL REPORTS: **Councilmember Saltonstall** reported a citizen had asked him how much the Town spent annually on gasoline and diesel and informed him of a device that converts raw sugar to alcohol. With minor modifications to engines, the alcohol could then be used as a motor fuel supposedly at a total cost of approximately \$1 a gallon.

MAYOR REPORT: **Mayor Nichols** requested excused absences from the September 2 and 15 Council meetings. She circulated the schedule for barbequing and for staffing the Town's booth at the Community Fair.

Mayor Nichols advised of a notice from Snohomish County Planning and Development Services regarding a Determination of Non-Significance to extend the expiration of the Snohomish County code that established the Urban Center Demonstration program from November 2008 to November 2009. She explained that structure was necessary as the Pt. Wells proposal to change their Comprehensive Plan designation and zoning was under the Urban Centers Demonstration program.

Mayor Nichols referred to a letter from the Snohomish County Health Department describing their financial crisis and suggesting that the cities in the county contribute to their budget at a rate of \$3.74 per resident, or approximately \$4,000 for Woodway. She advised the Snohomish County Council planned to hold a public hearing regarding the Health Department's financial situation on August 25. If the Town agreed to provide funding to the Health Department, it was suggested the Mayor and Council write a letter to major newspapers in Snohomish County stating this was necessary due to funding shortfalls created by the voters' approval I-695. The Council requested the Town's

representative to the Health Department, Lynnwood Councilmember Smith address the Council personally and provide the Council a report regarding the Health Department's financial situation.

TOWN ADMINISTRATOR'S REPORT: Mr. Faison advised Public Works Director Terry Bryant was researching the purchase of a small electric or gas vehicle with a dump bed that could be used when appropriate in place of the Town's large truck. Mr. Faison reported plans to meet with State Representatives Ruth Kagi and Maralyn Chase to discuss the Town's potential legislative agenda. He reported it was clear at the Association of Washington Cities Land Use Committee meeting last week that Shoreline plans to raise the topic of annexation of Pt. Wells with the Legislature again this year.

Mr. Faison advised the cost of the Wachusett storm drainage project was \$112,000, substantially less than the original \$170,000 estimate for that project. He reported the Town's new police car had arrived. He advised Mr. Bryant and he were attending an emergency management course today through Wednesday.

PUBLIC HEARING - VERIZON FRANCHISE

Mayor Nichols opened the public hearing at 7:35 p.m. There were no members of the public present who wished to provide testimony and Mayor Nichols closed the public hearing at 7:36 p.m.

ORDINANCE NO. 08-496, VERIZON FRANCHISE

Mayor Nichols recalled a presentation by the consortium formed to negotiate the Verizon franchise was provided at the August 4 Council meeting. A brief discussion followed.

ACTION: *Councilmember Anderson* moved for approval of Ordinance No. 08-496. adopting the proposed Cable Franchise Agreement between the Town of Woodway and Verizon Northwest, Inc., and authorizing the Mayor to execute the proposed Franchise Agreement on behalf of the Town. *Councilmember Schillberg* seconded the motion. The motion carried unanimously.

DISCUSSION ON BUSINESS LICENSES

Mr. Faison reviewed proposed revisions to the ordinance regarding business licenses including deleting reference to service occupations, adding issuance of permit language, and adding sale of real estate. He explained landscaping remained in the definition of a business to allow enforcement of the requirement to obtain a business for companies performing large landscaping projects.

Discussion followed regarding whether landscaping firms doing multiple lawn maintenance jobs should be required to obtain a license, enforcement of the business license requirement, whether to exempt tree removal from obtaining a business license, the existing \$50 tree permit fee to remove a tree, revenue from business licenses, and the issuance of a tree permit to the homeowner versus the tree service. It was agreed to exempt tree work associated with the removal of hazardous trees from obtaining a business license via the following addition to the ordinance: "The term "business" shall not include any person, company or firm engaged solely in the removal of hazardous trees."

ACTION: *Councilmember Saltonstall* moved for approval of Ordinance No. 08-497, relating to business licenses, with the proposed change. *Councilmember Anderson* seconded the motion. The motion carried (4-1), Councilmember Fiske opposed.

ORDINANCE NO. 08-492, AMENDING PERSONNEL POLICIES

Clerk-Treasurer Joyce Bielefeld reviewed revisions to the personnel policies including the addition of "public safety employees" to the definitions section, exempting public safety employees from vacation and sick leave benefits, the addition of the definition of public safety employees in Section 8.11 (Benefits for Part-Time and Temporary Employees), adding a sentence to paragraph 17 in Section 10.1 "On duty public safety employees may carry weapons," and revising the notice of resignation from two weeks to four weeks.

As a result of discussion, the following additional revisions were made to the ordinance:

- "On duty" was deleted from paragraph 17 in Section 10.1.
- "If possible" was added to the sentence regarding notice of resignation.
- Section 2 of the ordinance was revised to read: "The Mayor may from time to time with notice to the Council amend, rescind or add to provisions of the Personnel Policies Manual. "

ACTION: *Councilmember Anderson* moved for approval of Ordinance No. 08-492 as amended, amending Chapter 2.52 of the Woodway Municipal Code and adopting the Town of Woodway Personnel Policies and Procedures as amended. *Councilmember Schillberg* seconded the motion. The motion carried unanimously.

DISCUSSION AND RESOLUTION ON ALLEGIANT AIR FLIGHTS OUT OF PAINE FIELD

Mayor Nichols explained staff drafted the proposed resolution as a result of Council direction.

ACTION: *Councilmember Schillberg* moved for approval of Resolution No. 08-331, opposing commercial air passenger and other incompatible air service at Paine Field located within Snohomish County. *Councilmember Saltonstall* seconded the motion.

ACTION: *Councilmember Schillberg* moved to amend the motion by inserting "majority of the" in the second and fifth whereas and in the sentence "now therefore, so that the sentences read, "...the majority of the Town Council..." *Councilmember Anderson* seconded the motion. The amendment carried unanimously.

The Council also added "citizens" following "representing over 115,000" in the third whereas.

Discussion followed regarding a lack of transportation infrastructure in Snohomish County to service commercial air traffic and concern with continued opposition to commercial air travel at Paine Field without any consideration of flight paths, take-off/landing restrictions, noise abatement requirements, better transit alternatives, etc.

The motion as amended carried (4-1), *Councilmember Quinn* opposed.

DISCUSSION - PORT OF EDMONDS

Mayor Nichols advised the Council packet contained the questions originally posed by *Councilmember Saltonstall* regarding the Port as well as historical documents regarding the establishment of the Port in 1948 and the legal boundaries of the Port District (the southern border of Snohomish County). The following responses were provided to the questions *Councilmember Saltonstall* posed:

- *At the time of the vote was Port tenancy for boat moorage available only to residents of the Port District?* Port Commissioner Burkhardt explained preference was initially given to residents of the district; the federal government required this be discontinued and all American citizens have equal access to the facility because the Army Corp of Engineers constructed the north breakwater.

- *Why are parts of Edmonds not in the Port of Edmonds District tax base?* Commissioner Burkhart answered the citizens would be allowed to vote on their inclusion.
- *Are there Edmonds residents not paying taxes to the Port of Edmonds who nevertheless benefit from Edmonds' share of the Port's leaseholder and sales taxes?* Yes, because Edmonds has grown but the Port's boundaries have not changed.
- *Would areas annexed by Woodway automatically become part of the Port's tax base?* Mayor Nichols advised Pt. Wells was already part of the Port District.
- *What benefits do Woodway residents derive from membership in the District?* Mayor Nichols referred to a letter from Port Executive Director Chris Keuss' outlining the benefits.

Discussion followed regarding the Port as a separate legal entity regardless of the existence of the Town, concern that the benefits cited by Mr. Keuss were intangible benefits available to anyone outside the Port District boundaries, a request that Port Commissioners identify direct benefits to Woodway residents, availability of moorage space, a suggestion to increase moorage fees to cover more of the Port's overhead, and Port tenants' payment of leasehold tax in lieu of property tax.

Commissioner Burkhart pointed out Edmonds received tax benefits from the Port due to State law; she suggested changing this be explored with the Town's State Representatives. She referred to an *Edmonds Beacon* article that described the public process for establishing the Port's budget and the schedule of public meetings. Mayor Nichols suggested the Council review the Port's budget and develop a position.

DISCUSSION ON REGIONALIZING FIRE SERVICES

The Council discussed pros and cons of a proposal to investigate a regional Fire Authority independent of city budgets and requested Mayor Nichols continue discussions regarding the topic.

AUDIENCE COMMENTS: None

GENERAL COUNCIL DISCUSSION – Council Choice of Topics

ADJOURNMENT OF PUBLIC MEETING: *Councilmember Saltonstall* moved to adjourn the meeting. *Councilmember Quinn* seconded the motion. The motion carried unanimously. The meeting was adjourned at 9:00 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.)