

# TOWN COUNCIL MINUTES

October 6, 2008

## CALL TO ORDER, FLAG SALUTE, ROLL CALL

The first Council meeting for the month of October was called to order by Mayor Carla Nichols at 7:00 p.m. at Woodway Town Hall. Councilmembers present were Robert Schillberg, Kent Saltonstall, and Mike Quinn. Councilmember Bill Anderson had an excused absence. Town Administrator Eric Faison, Public Works Director Terry Bryant and Clerk-Treasurer Joyce Bielefeld were also present.

**APPROVAL OF MINUTES:** *Councilmember Saltonstall* moved to approve the minutes of September 15, 2008. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

**APPROVAL OF VOUCHERS:** *Councilmember Saltonstall* moved to approve Claims Warrants #6568 through #6591 for the total amount of \$53,056.34. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

*Councilmember Schillberg* moved to approve Payroll Warrants #9567 through #9598 for the total amount of \$46,883.59. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS:** None

**COUNCIL REPORTS:** **Councilmember Schillberg** referred to the letter announcing a meeting on October 16 to discuss fire department consolidation. Mayor Nichols stated Town Administrator Eric Faison and she planned to attend the meeting. Councilmember Schillberg reported the South Snohomish Cities legislative dinner meeting was well attended. The meeting included a speaker regarding economic development in Snohomish County and each city and the Port spoke regarding topics affecting their community.

Councilmember Saltonstall reported he also planned to attend the October 16 meeting regarding fire department consolidation. He reported the September 29 Port Commission meeting included discussion regarding the Port's budget and property taxes. He spoke at the meeting regarding Woodway's concern regarding the taxation of residents without tangible benefit versus Edmonds who receives tax revenue from the Port. The Commission does not plan to raise property taxes and supported a property tax of \$0.08/\$1,000 of assessed value for 2009 which generates approximately \$400,000 in revenue. The Commission offered to provide the Town their budget documents.

Mayor Nichols suggested Port Commissioner Burkhart, the Commission Chair and Executive Director Keuss make a presentation to the Council regarding the Port's charter and budget.

**MAYOR REPORT:** **Mayor Nichols** reported on a Low Income Housing Task Force meeting she attended hosted by Snohomish County Tomorrow. She explained the Snohomish County Comprehensive Plan divided the County's allocation of low income housing units between all cities including Woodway. King County has taken a different approach by allowing cities to contribute to a fund that supports the development of affordable housing.

Mayor Nichols reported she also attended a presentation by Snohomish County planning staff on accelerated annexation projects in Mukilteo, Lynnwood, Marysville, Everett, and Bothell. The State legislature passed a bill providing financial incentives for cities to annex unincorporated areas; the annexing city receives 1% of the sales tax for areas annexed with up to 10,000 population and 2% for annexing areas over 20,000 population. The five annexations represent 114,000 people 46,000 housing units, \$13.5 billion in assessed value and 306 miles of public roads that would be shifted from unincorporated Snohomish County to municipal areas.

Mayor Nichols reported staff and she were working on the 2009 budget. She requested discussion regarding the schedule for reviewing the 2009 budget be added to tonight's agenda.

**ACTION:** *Councilmember Saltonstall* moved to amend the agenda to add a 5-minute agenda item after Appointment of Councilmember to discuss the 2009 budget. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

Mayor Nichols advised she planned to send a letter to Edmonds thanking them for the surplus radar trailer they donated to the Town of Woodway.

## **TOWN ADMINISTRATOR'S REPORT**

Mr. Faison explained Woodway was participating as part of Snohomish County Managers and Administrators in a drafting a countywide legislative agenda. Each city identifies topics and the group will consolidate the list before presenting it to the legislators. He reviewed topics identified on behalf of Woodway:

- Development standards in Urban Unincorporated areas: seek legislative support for an amendment to GMA requiring joint planning between counties and cities and adoption of consistent development regulations for urban unincorporated areas
- Annexation: Seek legislative support for a revision to the Interlocal agreement method of annexation (RCW 35A.14.460-470) to remove the size limitation and referendum provision
- Capital Budget: Request for state budget grant for \$3,000,000 for future Woodway Capital Project.

The Council briefly discussed items proposed for Woodway.

**ACTION:** *Councilmember Schillberg* moved to adopt the proposal as Woodway's legislative agenda. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

## **SNOHOMISH HEALTH DISTRICT UPDATE – JIM SMITH**

Woodway's representative on the Snohomish County Health District Board, Lynnwood Councilmember Jim Smith, explained the Health District Board is comprised of 15 members: the 5 Snohomish County Councilmembers and 10 representatives from cities. In late 2007, the Board passed a balanced budget for 2008; six months later the administration advised they were running out of money and provided a list of programs that would be eliminated including children's programs. He provided several examples of questionable expenditures by the Health District, and explained that the board will be requesting a budget that can be reviewed on a programmatic basis. Mr. Smith feels that the board needs to look first at programs before revenue strategies are discussed.

A brief discussion followed regarding equal weight of all 15 Boardmembers' votes, funding provided by Snohomish County, Snohomish County Executive Reardon's request for funding from cities, and date by which alternate funding source must be identified.

**ACTION:** *Councilmember Saltonstall* moved that the Woodway Town Council resolve in support of Councilmember Smith's proposal that the Health Department operations be budget driven rather than program-based during this budget cycle. Motion died for lack of a second.

The Council agreed Mayor Nichols would send a letter to Health District Board Chair John Koster requesting that the Health Department operations be budget driven rather than program-based during this budget cycle and requesting that the Health District Board aggressively review expenditures before alternate revenue sources are considered.

## **QUARTERLY BUDGET AND INVESTMENT REPORT**

Mayor Nichols referred to the Summary of Investments, informing the Council that further information would be provided at the next meeting regarding a CD that will mature in late October. She reviewed quarterly reports, identifying expenditures and revenues that were above and below projections in the areas of General Government, Public Safety, Public Works and Lands, and Building and Municipal Services. At the end of the third quarter, 2008 revenues have been higher than anticipated and expenditures are lower than budgeted.

## **AUTHORIZE BID ACCEPTANCE FOR STORMWATER PROJECT**

Public Works Terry Bryant reported the Chinook and Makah stormwater projects were sent out for bid. The engineer's estimate was \$112,000; the lowest bid was \$55,302, the highest bid was \$72,000. He recommended awarding the bid in the amount of \$55,302.55 to Earthworks Enterprises. Mr. Faison suggested bidding the Woodway Park Road project due to the favorable bidding climate.

**ACTION:** *Councilmember Schillberg* moved to authorize acceptance of the bid with Earthworks Enterprises in the amount of \$55,302.55. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

## **COUNCILMEMBER #5 INTERVIEWS**

Mayor Nichols described the procedure for advertising the position and for interviewing candidates.

The Council interviewed Heather Frank, Cindy Jay and Elizabeth Mitchell. Candidates described how long they have lived in Town and listed the address of their residence. Interview questions inquired as a citizen of Woodway what they expected of Councilmembers, their vision for Woodway in ten years, the most important issues facing Woodway today and which of their character traits would be most useful to the Woodway Town Council.

## **RECESS TO EXECUTIVE SESSION FOR APPROXIMATELY 10 MINUTES TO EVALUATE THE QUALIFICATIONS OF APPLICANTS**

At 9:00 p.m., Mayor Nichols recessed the Council to Executive Session for the reason and time stated. The meeting was reconvened at 9:13 p.m.

### **APPOINTMENT OF COUNCIL POSITION/OATH OF OFFICE**

Mayor Nichols announced the Council needed to confer with the Town Attorney regarding whether a unanimous decision was required because only three Councilmembers were present. If the Council learned from the Town Attorney that a unanimous decision was not required, the Council could hold a special meeting to make its decision. If a majority of the full Council was required, the selection would be made after Councilmember Anderson had had an opportunity to listen to recorded interviews.

It was agreed to continue the meeting pending advice from the Town Attorney. Mayor Nichols noted there was also a vacancy on the Planning Commission. Councilmembers and Mayor Nichols thanked the candidates for applying.

### **DISCUSS SCHEDULE FOR REVIEW OF THE 2009 BUDGET**

Mayor Nichols proposed scheduling a one hour budget workshop to review the nearly complete preliminary budget. Mr. Faison suggested scheduling the budget review as an agenda item at the next Council meeting.

**AUDIENCE COMMENTS:** None

### **GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS**

Councilmember Quinn requested an excused absence from the October 20 meeting.

**CONTINUATION OF PUBLIC MEETING:** *Councilmember Schillberg* moved to continue the meeting to a later date after a legal opinion was obtained. *Councilmember Quinn* seconded the motion. The motion carried unanimously. The meeting was recessed at 9:30 p.m.

### **RECONVENE**

The meeting was reconvened on October 13, 2008 at 7:35 p.m. Mayor Nichols announced that all the Councilmembers who were present on October 6, 2008 were present today.

### **APPOINTMENT OF COUNCIL POSITION/OATH OF OFFICE (Continued)**

Mayor Nichols briefly summarized what had taken place at the October 6 meeting. She relayed the opinion provided by Town Attorney Wayne Tanaka who stated, citing RCW 42.12.070.1, that as long as the matter was properly noticed, a 2-1 vote to appoint a person to a vacant position was valid.

**ACTION:** *Councilmember Saltonstall* moved to appoint Elizabeth Mitchell to the vacant Council position. *Councilmember Quinn* seconded the motion.

Peter Block, Woodway, commented on the importance of representation on the Council from all areas of the Town. Mayor Nichols advised three Council positions as well as the Mayor's

position would be on the ballot in 2009. Mr. Block encouraged the candidates who were not selected to run for office in the future.

Councilmembers commented on the excellent qualifications of all three candidates and encouraged them to seek election to the Council or participate in the Town in other ways.

The motion carried (2-1), Councilmember Schillberg opposed.

Clerk-Treasurer Joyce Bielefeld administered the Oath of Office to Elizabeth Mitchell.

Councilmember Mitchell requested an excused absence from the October 20 meeting. Mayor Nichols offered to review the budget with her upon her return. It was also suggested the information regarding training available from AWC be provided to Councilmember Mitchell.

**ADJOURNMENT OF PUBLIC MEETING:** *Councilmember Schillberg* moved to adjourn the meeting. *Councilmember Quinn* seconded the motion. The motion carried unanimously. The meeting was adjourned at 7:51 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.)