

# TOWN COUNCIL MINUTES

October 18, 2010

## CALL TO ORDER, FLAG SALUTE, ROLL CALL

The second 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 Bill Anderson, Kent Saltonstall, Elizabeth Mitchell, Mike Quinn and Tom Whitson. Town Administrator Eric Faison, Public Works Director Terry Bryant and Clerk-Treasurer Joyce Bielefeld were also present.

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

**APPROVAL OF VOUCHERS:** *Councilmember Mitchell* moved to approve Claims Warrants #7521 through #7534 for the total amount of \$29,509.52. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS:** Mayor Nichols explained Snohomish County approved a change in the land use designation for Pt. Wells from Urban Industrial to Urban Center, a new zoning district in Snohomish County. During the past year Snohomish County developed zoning language for that zone which the Snohomish County Council recently approved. Save Richmond Beach (SRB), the City of Shoreline, and Woodway submitted an appeal to the Central Puget Sound Growth Management Hearings Board (GMHB) with regard to the designation of Pt. Wells as an Urban Center.

Rebecca Lacambra commented on the importance of the Council appealing the County's decisions. The reason there are not a lot of residents speaking out is they do not realize the impact that development at Pt. Wells will have on views and traffic. She expressed her willingness to assist with educating Woodway residents.

Glenn Gioseffi, 23841 115<sup>th</sup> Place West, described light and noise from Pt. Wells when the barges come in twice a week. If the site is developed, there will be significantly more light and more noise. He recognized Snohomish County's interest in revenue from property taxes via development of Pt. Wells.

Jay Young, 116<sup>th</sup> Avenue West, read an email from Joe Bundrant, Richmond Beach Drive, encouraging the Town to continue its efforts to appeal the designation of Pt. Wells to the Growth Management Hearings Board. He supported development of the Pt. Wells site if the developer met the county legislators' requirements for an Urban Center that includes being near a major traffic corridor. Richmond Beach Drive is not a major traffic corridor and the addition of 3,000 condominiums would have a significant negative impact on Shoreline, Richmond Beach and Woodway. He was also concerned that the proposed building heights would dramatically change the atmosphere of the community. Mr. Bundrant offered a \$1000 donation to support the cost of the process.

Mr. Young echoed Mr. Bundrant's comments. He relayed comments from other Woodway residents that they are not concerned because they either assume the development will be similar to Pt. Edwards, or they think the development is so big and out of their control that nothing can be done about it.

Joyce Landau, 115<sup>th</sup> Place West, reported she and her husband attended the last developer presentation; she was disappointed that it was a lecture and there was no opportunity for discussion. With regard to the developer's reference to a transportation center, Sound Transit has said they do not plan to locate a station at Pt. Wells. She summarized Pt. Wells is not an Urban Center; it is a cul-de-sac with one way in/out. She urged Council to appeal Snohomish County's designation of the site.

George Stead, North Deer Drive, commented his vision of development at Pt. Wells was mixed use. The development as proposed is the opposite of everything Woodway stands for and he urged the Town to pursue its appeal to the Growth Management Hearings Board. Although many residents feel nothing can be done, this may be the last opportunity for the Town, along with Shoreline and Richmond Beach, to oppose the development.

Ron Cantu, 23126 Wachusett, echoed the comments made by previous speakers, expressing his support for the Town filing a joint appeal with Shoreline and Richmond Beach to the GMHB. He pointed out the proposal ignores a fundamental requirement of the Urban Center designation, that it be adjacent to a major transportation corridor. He referred to a site on 196<sup>th</sup> & Hwy. 99 that is designated Mixed Use Development that is an appropriate location for an Urban Center. He acknowledged some level of mixed use development may be appropriate for Pt. Wells, but there are significant development issues such as police and fire service, wastewater management, and evacuation during a natural disaster. He encouraged Woodway to join with neighboring cities to work with the developer to create a balanced and harmonious development that adds to the beauty of Puget Sound.

Mike Russell, Twin Maples, reiterated concerns with traffic from Pt. Wells using Woodway as a shortcut. He expressed interest in being involved in the process.

Mayor Nichols read emails submitted by the following residents: Jennifer & Jim Ange, Algonquin, did not support the Town pursuing litigation with either Snohomish County or the Pt. Wells developer. The property owner/developer has a project in mind as well as a financial bottom line that will drive the project. Snohomish County wants the revenue from development of the project. The most likely avenue to influence the project is to offer the developer something Snohomish County cannot to encourage them to annex to Woodway. They recommended the Town work directly with the developer to address the Town's concerns.

Henry Chang, 238<sup>th</sup> & 115<sup>th</sup>, recommended Woodway appeal the Urban Center designation of Pt. Wells. Development of Pt. Wells as an Urban Center would have a significant impact on Woodway due to increases in traffic, noise, light and crime. The ability to influence the development outweighs the cost of the appeal to the Growth Management Hearings Board. He urged the Council to invest to alter/influence Snohomish County's decision regarding the land use designation of Pt. Wells.

Peter Block expressed concern with impacts on Woodway residents from increased traffic, building heights, light, noise as well as other environmental impacts. He suggested the Town consider working with Shoreline on jurisdictional issues such as possibly sharing tax revenue or mitigation funds. Woodway has recognized the importance of the impact for 20 years as illustrated by the Town's formation of a Pt. Wells Advisory Committee in the early 1990s. Residents have recognized its importance via two Town surveys and support of Pt. Wells as a Brightwater site. Pt. Wells is in Woodway's backyard and in Woodway's Urban Growth Area. Mr. Block encouraged the Town to stay involved to ensure the Town would not be on the receiving end of whatever others decide.

Councilmember Quinn read an email from David and Patty Sadick that stated the Pt. Wells project will have a significant impact on Woodway's quality of life. They supported the Town continuing to pursue options to maintain positions of influence on the project to keep it low, small or non-existent.

Mayor Nichols explained because the appeal is litigation, the Council will discuss it in Executive Session. If the Council makes a decision to proceed, the appeal would be heard by the Growth Management Hearings Board in early spring and a decision issued a few months later. The focus of the appeal is Snohomish County did not follow their own rules when designating Pt. Wells an Urban Center.

A brief discussion followed regarding past efforts to educate residents regarding Pt. Wells via neighborhood meetings, cost of the appeal and associated legal costs, and the Town's unsuccessful efforts to influence the developer in the past. Mayor Nichols summarized Snohomish County is the permitting agency because the property is located in unincorporated Snohomish County.

**COUNCIL REPORTS: Councilmember Whitson** expressed his appreciation for the public's comments regarding Pt. Wells. He pointed out the appeal is a joint effort between Woodway, Shoreline and Save Richmond Beach.

**Councilmember Mitchell** reported the Washington Cities Insurance Authority (WCIA) annual board meeting that Clerk-Treasurer Joyce Bielefeld and she attended also included a presentation regarding retaliation in the workplace. Ms. Bielefeld advised the Town's personnel policies are up-to-date with regard to that topic.

**Councilmember Quinn** relayed other residents' willingness to contribute to a fund to appeal Snohomish County Urban Center designation of Pt. Wells.

**Councilmember Saltonstall** expressed his appreciation for the residents' comments.

**MAYOR REPORT: None**

#### **TOWN ADMINISTRATOR'S REPORT**

Public Works Director Terry Bryan reported on the removal of Port Orford cedar trees on Woodway Park Road due to root rot. There is no cure or resistance to the root rot; once the fungus begins to grow, it spreads and kills a mature tree in 3-5 years. The Red Cedars are not affected and appropriate trees are being replanted in areas where Port Orford cedars are removed.

#### **DISCUSSION ON FIRE SERVICE**

Mayor Nichols reported the Council received information at their last meeting regarding Shoreline's proposal to provide fire service to Woodway. She referred to a matrix comparing Shoreline's proposal to Fire District 1's (FD1) proposal.

Mr. Faison reported there is a discrepancy between the number of calls reported by SNOCOM and the number of calls reported by the Edmonds Fire Department. The actual number of calls could be in excess of 70 calls per year. Shoreline's proposal would require payment of \$5,000 per call for calls over 70. Shoreline is not willing to increase the base number of calls above 70.

If the higher call volume is correct, there would no savings via contracting for fire service with Shoreline.

Discussion followed regarding FD1's versus Shoreline's proposal, Fire Department/District's interest in forming a Regional Fire Authority (RFA), and uncertainties with Shoreline's proposal. Given the uncertainties regarding calls for service, other potential charges and the future potential of a RFA, Mr. Faison recommended contracting with FD1.

**ACTION:** *Councilmember Quinn* moved to direct staff to negotiate a contract with FD1. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

## **2011 PROPOSED BUDGET**

Mayor Nichols reported the November 15 Council agenda will include discussion regarding Town Hall.

Mayor Nichols explained since the budget was presented to the Council on October 4, \$5,000 in property tax revenue was added due to the 1% increase and new construction. Public hearings on revenues and the budget will be held at both November Council meetings. She highlighted expenditures in the 2011 budget:

- General Government: \$8,000 for recognition bonuses and \$6,000 for salary level adjustment and benefits increases due to the salary adjustments
- Public Safety: The \$6,000 budget for computers in police vehicles for the New World System will be increased to \$8,000 - \$10,000 as Police Chief Hansen indicated \$6,000 was too low. Mayor Nichols agreed to confer with Chief Hansen regarding budgeting for purchase of the equipment in 2011 when the New World System may not be live until 2012. The budget for fire service will be revised from \$491,000 to \$431,000 due to the Council's decision to contract with FD1.
- Public Works: Expenditures include purchasing garbage cans to install throughout Town. Council suggestions included installing a garbage can at Woodway Park Road & 238<sup>th</sup>, and installing dog waste bag dispensers at certain locations. Funds for low landscape lights on each end of the bridge are a placeholder in the budget. The Council will be consulted before any lights are installed.
- Building & Municipal Services: The Council agreed to discuss whether to reduce the fixed salary of the Building Official during the second quarter of 2011.

A discussion followed regarding revenue from false alarms/penalties and potentially increasing hours for the police officers. Mr. Faison suggested inviting Chief Hansen to the Council's next meeting to discuss whether additional officers or cameras are more effective.

## **CONFIRM PLANNING COMMISSIONER – JOHN ZEVENBERGEN**

Mayor Nichols described Mr. Zevenbergen's background. She explained there are two vacancies on the Planning Board; the second position will be advertised in the Woodway Whisper.

**ACTION:** *Councilmember Mitchell* moved to confirm the Mayor's appointment of John Zevenbergen, Jr. as a Planning Commissioner. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS: None**

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

Councilmember Anderson requested an excused absence from the November 15 Council meeting.

Councilmember Mitchell reported she has been requesting a building inspection. Mr. Faison offered to follow up with the Building Inspector.

Councilmember Mitchell offered to investigate having Valentines Performing Pigs at the Community Fair.

Councilmember Quinn expressed concern with Windows XP as part of New World System as it will not be supported by Microsoft after October 2010. Councilmember Saltonstall suggested SNOCOM's Information Technology staff talk with Councilmember Quinn.

### **EXECUTIVE SESSION: Possible Litigation**

At 8:25 p.m., Mayor Nichols recessed the Council to an approximately 35 minute Executive Session regarding employee performance and potential litigation.

The meeting was reconvened at 9:02 p.m.

**ADJOURNMENT OF PUBLIC MEETING:** *Councilmember Anderson* moved to adjourn the meeting. *Councilmember Quinn* seconded the motion. The motion carried unanimously. The meeting was adjourned at 9:03 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.)