

TOWN COUNCIL MINUTES

October 19, 2009

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, and Tom Whitson. Mike Quinn had an excused absence. Town Administrator Eric Faison, Building Official Tom Phillips, and Clerk-Treasurer Joyce Bielefeld were also present.

APPROVAL OF MINUTES: *Councilmember Saltonstall* moved to approve the minutes of October 5, 2009. *Councilmember Mitchell* seconded the motion. Approval was postponed until a quorum of Councilmembers attending the October 5 meeting was present.

APPROVAL OF VOUCHERS: *Councilmember Anderson* moved to approve Claims Warrants #7096 through #7111 for the total amount of \$43,767.64. Councilmember *Saltonstall* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS: David Sadick relayed the concerns of Dr Prema Ragu, Dr. John LaCambra and Hank & Sherry Peltow, residents of Soundview, with boundary hedges/living fences that block their sound and mountain views. He reported their attempts to work with the property owners to the west of their property where the hedges are located to identify a reasonable solution such as trimming hedges have been unsuccessful. On behalf of the group of residents, he submitted a proposal that would allow living fence/boundary hedges to a certain height to avoid obstruction of sound and mountain views.

Town Administrator Eric Faison explained this would be a new code provision related to view protection. He suggested having the Town Attorney provide advice to the Council before proceeding.

Glen Johnstone, 23918 115th Place W, explained trees on the bluff portion of the Paramount property are eliminating his view.

John LaCambra, 23824 114th Avenue W, expressed concern with trees on the bluff portion of the Paramount property and recommended the Town develop an ordinance regulating trees blocking views before development begins.

It was the consensus of the Council to obtain advice from the Town Attorney prior to scheduling discussion on a future agenda.

COUNCIL REPORTS: **Councilmember Anderson** reported Mayor Nichols, Mr. Faison and he attended the audit meeting. The auditor was very complimentary toward the Town and staff. The audit report did not contain any findings for the Town.

Councilmember Anderson reported on the Edmonds City Council meeting with Fire District 1 Commissioners, advising the Edmonds Council may make a decision regarding whether to contract for fire service with Fire District 1 by mid/late November. The meeting also included a presentation by Edmonds Firefighters Union who spoke in favor of contracting for fire service with Fire District 1. He summarized this was a critical issue to the Town as Woodway because

we currently contract for fire protection with Edmonds. Mayor Nichols relayed Fire District 1 has indicated they want to complete their negotiation with Edmonds before starting negotiations with Woodway.

Councilmember Saltonstall relayed a neighbor's complaint that pumpkins have been stolen from gate posts on Woodway Park Road. He reported on the Olympic View Water District meeting to discuss the Town's concerns regarding communication and coordination.

Councilmember Mitchell reported Mayor Nichols and she attended the Snohomish County Cities meeting that included a presentation by Jake Johnson, a federal lobbyist for local northwest organizations including the City of Mountlake Terrace.

Councilmember Mitchell reported the Washington Cities Insurance Authority (WCIA) Board meeting included training on Employee/Municipality/Elected Officials Use of Social Media. They encouraged municipalities to develop a policy regarding the use of social media. The meeting also included discussion of flooding in the Kent Valley from the Howard Hanson Dam as WCIA also represents Auburn, Kent, Tukwila and Redmond. WCIA is moving their offices in the Kent Valley due to potential flooding.

MAYOR REPORT: Mayor Nichols reported review of 2010 budget will begin at the next Council meeting.

TOWN ADMINISTRATOR'S REPORT

Mr. Faison expressed his thanks to staff, particularly Clerk/Treasurer Joyce Bielefeld, for the clean audit the Town received.

PRELIMINARY DISCUSSION – INTERLOCAL AGREEMENT WITH OLYMPIC VIEW WATER DISTRICT

Mayor Nichols explained the topic of an Interlocal Agreement arose in July when Town Council met with the Olympic View Water Commissioners. Building Official Tom Phillips explained in the Interlocal Agreement he developed between the City of SeaTac and the Highline Water District, SeaTac agreed to provide information regarding backflow prevention devices and the District agreed to document the devices and ensure annual inspections were conducted. Mayor Nichols asked Mr. Phillips if he felt an Interlocal Agreement would be useful for Woodway. He indicated affirmative as it clarifies roles/responsibilities between water districts and municipalities.

Discussion followed regarding the Town's responsibility as outlined in the State Plumbing Code, whether the Town should require a plumbing permit for premise isolation devices, whether other cities have an Interlocal Agreement with the water district, and State law that requires Olympic View have written coordination with Town.

Mayor Nichols suggested Mr. Phillips draft an Interlocal Agreement using SeaTac's as a template that addressed each entity's responsibilities and clarifying that the Town would inform Olympic View of the installation of any backflow prevention devices and that Olympic View would document and track annual inspections.

ACTION: *Councilmember Saltonstall* moved that Woodway not require a plumbing permit for installation of premise isolation devices at or near the property line in cases where the water purveyor provides inspection and approval of the device. *Councilmember Anderson* seconded the motion. A brief discussion followed regarding whether to delay this motion until the Interlocal Agreement was complete. The motion carried (3-0-1), Councilmember Mitchell abstained.

DISCUSSION – PT. WELLS

Joe Tovar, Planning Director, Shoreline, advised the images prepared by Fourfold Architecture were available on Shoreline's website. The images utilize a digital base contour map and illustrate buildings in hypothetical locations at 65, 90, 180 foot heights. This was an attempt by Shoreline to illustrate the buildings' mass and how they would be perceived from offsite. He offered to make the digital file available to Woodway, suggesting Woodway could work with Fourfold Architecture to prepare images from additional vantage points. He also offered the digital file to Paramount.

Scott Becker, Fourfold Architecture, explained a 3D model of the site was overlaid on photographs taken from three viewpoints to illustrate buildings at 65, 90 and 180 foot heights. The photos were taken from the bluff on Dogwood Lane, the top of 238th, and from 198th/Richmond Beach Drive. Information from the charrette was also used to prepare the models. He explained they are also preparing another scenario that illustrates buildings with a step-down design.

Discussion followed regarding additional vantage points in Woodway, reduced visibility of buildings closer to the bluff, reducing the number of buildings on site but allowing higher buildings to accommodate density, the railroad right-of-way, design guidelines developed by the Town for Pt. Wells, and concepts identified at the charrette.

Mr. Tovar advised a summary of the charrette will be available later this week and Shoreline's proposed zoning will be available on their website tomorrow.

Mr. Tovar and Mr. Becker responded to audience comments regarding whether Paramount was interested in 180 foot buildings, ownership of the upper bluff and waterfront area of Pt. Wells, impact of the Shoreline Management Act on alternatives and placement, required shoreline setback, and who attended the charrette. It was reported that all of Shoreline's conceptual drawings assume that development would be outside the required shoreline buffer area as detailed in the Shoreline Management Act.

3RD QUARTER FINANCIAL REPORT

Mayor Nichols reviewed budget versus actuals for revenues and budget versus actual in expenditures for General Government, Public Safety, Public Works & Lands, Land Use & Planning, Building & Municipal Services, and described variances.

INTERLOCAL AGREEMENT FOR JAIL SERVICES

Mayor Nichols advised this item had been postponed to a future meeting as Police Chief Hansen was unable to attend tonight's meeting.

ORDINANCE 09-510 – AMENDING CHAPTER 16.12.35, TREE PRESERVATION - EXEMPTIONS

Mayor Nichols relayed the request to amend the tree ordinance to correct a botanical name.

ACTION: *Councilmember Anderson* moved to approve Ordinance 09-510. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

In response to a comment that some replacement trees in the Town were not being maintained, Mr. Faison agreed to research the matter and report to the Council.

AUDIENCE COMMENTS: None

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

Mayor Nichols announced the Art of Critical Decision Making DVD was available for viewing.

The Council briefly discussed the topic of view protection raised under Audience Comments. Mayor Nichols suggested having the Town Attorney attend the next meeting to discuss this matter.

Councilmember Anderson thanked Mayor Nichols for the letter to Washington State Department of Transportation regarding the removal of the ferry lane striping on SR 104.

Councilmember Mitchell commented her internet research of zoning codes found several citations of 50 acre urban centers with 500 units; most urban centers are 25 acres. Mr. Faison responded the Town is emphasizing to Snohomish County that Pt. Wells is a unique urban center.

An Executive Session to discuss potential litigation was tentatively scheduled prior to the November 2 Council meeting.

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 8:50 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.)