

TOWN COUNCIL MINUTES

December 8, 2009

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The Council meeting for the month of December 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: *Councilmember Anderson* moved to approve the minutes of November 16, 2009. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

APPROVAL OF VOUCHERS: *Councilmember Mitchell* moved to approve Claims Warrants #7152 through #7186 for the total amount of \$68,181.93. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

Councilmember Mitchell moved to approve Payroll Warrants #10002 through #10032 for the total amount of \$43,130.66. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS: None

COUNCIL REPORTS: **Councilmember Whitson** suggested the Council have further discussion regarding the Town's investment policy in January. Mayor Nichols suggested the Investment Committee meet prior to a Council meeting.

Councilmember Mitchell reported on the November 3 Shoreline Planning Commission meeting. Shoreline is developing a pre-annexation and future service area plan. Mayor Nichols added the plan will establish a view corridor on the site, open space along the water, and mixed use not to exceed 8,250 vehicle trips per day.

Councilmember Saltonstall reported Southwest Snohomish County Communications Agency's (SnoCom) holiday open house will include a dispatch demonstration.

MAYOR REPORT'S/TOWN ADMINISTRATOR'S REPORT

Mayor Nichols thanked the Council for rescheduling tonight's meeting due to Joe Malinowski's memorial service last night. Mr. Malinowski has lived in Woodway since 1963 and was the Town's first Public Works Director. She advised the flag would be flown at half mast for 30 days in his memory.

Mayor Nichols suggested rescheduling the first meeting in January to January 5. She also suggested scheduling the boundary hedges/view protection discussion on the January 19 or the February 1 meeting agenda. She offered to discuss with the parties delaying the discussion until February.

Councilmember Saltonstall requested an excused absence from the January 19 meeting.

Mayor Nichols suggested scheduling a Council retreat in early 2010.

Mayor Nichols reported \$750 had been raised from private donations to purchase an appreciation gift for John Bush for constructing the playground.

If the Council intended to cancel the second December meeting, Mayor Nichols requested the Council establish a procedure for paying invoices.

ACTION: *Councilmember Anderson* moved that barring any action items necessitating a meeting, the regular Town Council meeting of December 21 be cancelled and that the checks usually approved at that meeting be prepared by the Clerk Treasurer, made available to the Town Council and if there were no objections, the Mayor would approve and sign the checks. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

Mayor Nichols reported the Snohomish County Council would be deliberating and possibly taking action tomorrow on the Urban Center zoning text. Mr. Faison and she have been discussing with Snohomish County Councilmembers incorporating a mechanism to allow Snohomish County to work with Woodway, Shoreline and the developer to establish limits on the number of units and building bulk and height. Mr. Faison and she plan to attend the hearing and testify if public comment is taken.

Mayor Nichols reported following a burglary in Town three weeks ago, the homeowner circulated an email to their friends encouraging them to protect themselves. With their agreement, she forwarded their email to residents for whom she has an email address. Police Chief Hansen and she also set up a significant incident procedure that will include email notification of residents. She planned to include an article in the next *Woodway Whisper* article inviting residents to provide their email address so that the *Whisper* and other information could be provided electronically.

Mr. Faison referred to the Town Administrator's report in the Council packet. He reported there are no inexpensive options for the Woodhaven stormwater project.

A brief discussion followed regarding the request by the City of Shoreline, Save Richmond Beach and the Town of Woodway for a stay of the appeal of Snohomish County's designation of Pt. Wells as an Urban Center to allow for a negotiated solution with Snohomish County and the Pt. Wells property owner.

ESA ADOLFSON AGREEMENT FOR SHORELINE MANAGEMENT PLAN – GRANT FUNDING

Mayor Nichols reported the Town received a grant from the Department of Ecology to update the Shoreline Master Plan (SMP). She explained ESA Adolfson was recommended by the Town's Planner Bill Trimm. ESA Adolfson updated the Town's Critical Areas Ordinance and is also updating Shoreline's SMP.

ACTION: *Councilmember Mitchell* moved to authorize the Mayor to sign the contract with ESA Adolfson for consultant services to update the Shoreline Master Plan. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

ORDINANCE 09-516, 2010 BUDGET

Mayor Nichols advised the Town Council held a public hearing and discussed the budget at previous meetings. No changes have been made since the Council's last review.

ACTION: *Councilmember Mitchell* moved to approve Ordinance No. 09-516, Adopting the Budget for Fiscal Year Commencing January 1, 2010 and ending December 31, 2010. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

ORDINANCE 09-517, UTILITY AUDITS

Mr. Faison reported for some time staff has been attempting to perform audits on selected utility providers. Because the providers have been non-responsive, the auditor requested the Town send a letter stating if they did not comply it would be assumed the amount owed was \$50,000 and collection efforts would begin. In discussions with the Town Attorney, he pointed out the existing ordinance did not provide authorization for an audit. This ordinance clarifies the Town has the authority to conduct an audit as well as establishes a penalty for non-compliance.

ACTION: *Councilmember Anderson* moved to approve Ordinance No. 09-517, amending Chapter 3.16 of the Woodway Municipal Code to Allow for Additional Administrative Enforcement Procedures Regarding Public Utility Taxes; and Establishing an Effective Date. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

ARBOR DAY PROCLAMATION

Mayor Nichols reported next week was the deadline for applying for Tree City USA status. This will be Town's fourth year as a Tree City USA. The process for being declared a Tree City includes a proclamation stating the Town's priorities with regard to trees. Mayor Nichols read a proclamation declaring August 22, 2009 as Woodway Arbor Day.

DISCUSSION/APPROVAL OF FIRE/EMS CONTRACT WITH FIRE DISTRICT 1

Mayor Nichols distributed the Fire District 1 contract, advising the Town Attorney reviewed the contract and his comments are included. She summarized the Town would receive the same level of service and the cost would be the same as the Town paid Edmonds last year plus 5%. A brief discussion followed regarding how the 5% increase was determined.

ACTION: *Councilmember Saltonstall* moved to authorize Mayor Nichols to sign the Interlocal Agreement for Fire/Emergency Medical Services between Woodway and Fire District 1 substantially in the form presented. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS: Peter Block pointed out the utility tax rate charged by Puget Sound Energy (PSE) was actually 0.0603%. Mr. Faison explained that was because PSE was collecting tax on the tax, which was allowed. He agreed to research whether the additional amount could be discontinued prospectively.

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

ADJOURNMENT OF PUBLIC MEETING: *Councilmember Saltonstall* moved to adjourn the meeting. *Councilmember Mitchell* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:04 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.)