

**TOWN COUNCIL MINUTES**  
**Monday, April 20, 2015**

**CALL TO ORDER, FLAG SALUTE, ROLL CALL**

Mayor Nichols called the second Council meeting for the month of April to order at 7:00 p.m. at Woodway Town Hall, 23920 113<sup>th</sup> Place West. Councilmembers William Anderson, Tom Howard, Elizabeth Mitchell, and Tom Whitson were present. Councilmember Kent Saltonstall had an excused absence. Town Administrator Eric Faison, Clerk Treasurer Joyce Bielefeld, Public Works Director Terry Bryant, Police Chief Doug Hansen, and Planner Bill Trimm were also present.

**ACTION:** *Councilmember Anderson* moved to amend the agenda and place the discussion on speed limits as item two. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

**APPRECIATION FOR SERVICE – MARK MARSH**

Chief Hansen presented former Assistant Chief Mark Marsh with a plaque and commended him for his years of service.

Chief Hansen introduced the new Assistant Chief Cole Langdon.

A short reception followed the presentation.

**DISCUSSION ON SPEED LIMITS:**

Mayor Nichols, Councilmembers, and staff discussed reducing the speed limits on some of the Woodway Roads. It was agreed that public comments on the subject would be requested in the next newsletter.

**COMPREHENSIVE PLAN DISCUSSION:**

Planner Bill Trimm explained the process he and the Planning Commission have completed to update the Comprehensive Plan. He stated the emphasis was on incorporating recent changes in state law into Woodway's plan. In summary, the vision and goals were updated to include the Town's adopted Municipal Urban Growth Area's Subarea Plan. Mr. Trimm stated the policies that are in the current Parks and Recreation element were also included in the Plan amendments. The amendment reflects updated traffic growth projections and proposes to incorporate the concept of shared lanes for bicycles. The revised Plan also includes an amendment that allows manufactured homes, which is a requirement based on a new state law. The last revision is in the subdivision regulations; it gives an applicant five years to obtain final plat approval.

Planner Bill Trimm stated the required public hearing on the Comprehensive Plan was held in January 2015, and the Council may hold another public hearing although it is not required. The plan needs to have final approval by June 30, 2015.

Mayor Nichols requested the Council discuss Chapters one through four at the next meeting and the remainder of the Chapters at the second meeting in May.

A Public Hearing to take public comment on the Comprehensive Plan was scheduled for June 1, 2015.

**APPROVAL OF MINUTES:**

*Councilmember Mitchell* moved to approve the minutes of April 6, 2015. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

**APPROVAL OF VOUCHERS:**

*Councilmember Whitson* moved to approve Claims Checks #9488 through 9503 including EFT's for the amount of \$31,258.39. *Councilmember Howard* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS:** None.

**COUNCIL REPORTS:**

Councilmember Howard reported that he attended a SNOCOM retreat led by Markin Solutions. He stated that the main topic was a SWAT analysis of strength, opportunities, and threats. Other topics discussed were criteria for new members, long range technology, and interlocal agreements.

Councilmember Mitchell reported she attended the Snohomish County Cities and Towns dinner and an update was given on the Puget Sound Regional Council. She stated that a survey had been done for the region, and traffic congestion was identified as the leading issue.

Councilmember Anderson stated that a resident reported to him that she had called 911 using her cell phone and was immediately transferred to a cell tower across Puget Sound. He expressed concern about compatibility between cell phones and the 911 system.

Councilmember Anderson announced that the ESCA Housing Committee met. He reported that the annual \$50,000 grant from Microsoft will not continue and, subsequently, the loss of the grant means that Woodway's annual cost will increase by \$500.

**MAYOR'S REPORT:**

Mayor Nichols announced Snohomish County Cities and Towns needs a delegate to represent their organization on the County's Boundary Review Board. She stated that the delegate cannot be an elected official currently holding an office. She commented that former Councilmember and Woodway resident Henry Veldman is interested in the nomination. Councilmember expressed support for Mr. Veldman's candidacy.

**DISCUSSION ON SNOHOMISH COUNTY PUD TREES:**

Public Works Director Terry Bryant shared a PowerPoint presentation showing the dangerous conditions that some of the trees are causing near the power lines and why they need to be removed. A total of 88 trees have been identified by PUD for removal;

25 are in the Town's rights-of-way, and 63 are on private property (30 of which are leaning alders in the Deer Creek Watershed).

Mayor Nichols announced Snohomish County PUD representatives will be attending the May 18 Council Meeting as follow up to their meeting with the community last January. PUD's progress towards improving electrical services will be discussed.

**TREE PRESERVATION ORDINANCE:**

The Mayor, Council, and staff discussed the current tree preservation ordinance and opinions on tree topping. There was interest by the Council in updating the current tree preservation ordinance, but there was concern about the prospect of over-regulating. Some of the Councilmembers' discussions related to: harsher penalties for a second tree cutting offense; regulating more logically the size and type of species of replanted trees; and topping of trees. Staff will return to Council at a future Council meeting with recommended proposed changes to the regulations.

**ORDINANCE 15-562, AMEND FEE SCHEDULE:**

Ordinance 15-562 amends the municipal code to delegate to the Mayor the authority to set all fees and charges for the Town, providing that the Town Council may, by ordinance, amend such fees. This ordinance removes the existing arrangement that requires legislative action every time a fee is adjusted.

**ACTION:** *Councilmember Mitchell* moved to approve Ordinance 15-562, amending the fee schedule. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

**RESOLUTION 15-377, RELATED TO EMERGENCY SERVICES COORDINATING AGENCY (ESCA):**

A resolution is required to allow the Town's designated representative to the Board of Directors of the Emergency Services Coordinating Agency (ESCA) to vote to dissolve ESCA. The local ESCA organization would be dissolved effective the end of 2015 with emergency management services shifted to Snohomish County Department of Emergency Management.

**ACTION:** *Councilmember Whitson* moved to approve Resolution 15-377, related to Emergency Services Coordinating Agency (ESCA). *Councilmember Howard* seconded the motion. The motion carried unanimously.

**AUTHORIZE MAYOR TO SIGN AT&T MOBILITY SETTLEMENT AGREEMENT:**

Town Administrator Eric Faison explained that this settlement agreement involves a request for refund of taxes allegedly paid in error. In November 2010, AT&T filed a refund request with the Town seeking recovery of \$12,302 in alleged overpayments. AT&T alleged that a portion of the revenues it received from its Town customers were due to providing internet access. Federal law prohibits a city from imposing taxes on providing internet access. Similar requests were made with 139 other Washington cities.

Under the terms of the agreement, Woodway would pay the sum of \$1,110.97 for a full release of all claims. This is less than ten percent of the original claimed amount.

**ACTION:** *Councilmember Anderson* moved to authorize the Mayor to sign the AT&T mobility Settlement Agreement. *Councilmember Howard* seconded the motion. The motion carried unanimously.

**AUTHORIZE MAYOR TO SIGN SETTLEMENT AGREEMENT-CITY OF EDMONDS-POINT EDWARDS, BUILDING 10:**

**ACTION:** *Councilmember Mitchell* moved to authorize the Mayor to sign the Settlement Agreement regarding City of Edmonds, Point Edwards - Building 10. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS:** None

**GENERAL COUNCIL DISCUSSION-CHOICE OF SUBJECTS:**

Councilmember Anderson requested the purchase of one or two more speed signs be discussed in next year's budget negotiations.

**EXECUTIVE SESSION:**

Mayor Nichols recessed to Executive Session at 9:11 pm for approximately 20 minutes to discuss potential litigation.

Mayor Nichols reconvened the meeting at 9:33 pm.

**ADJOURNMENT:**

*Councilmember Mitchell* moved to adjourn the meeting. *Councilmember Anderson* seconded the motion. The motion carried unanimously. The meeting was adjourned at 9:33 pm.

Respectfully Submitted,

**APPROVED BY THE TOWN COUNCIL**

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Joyce Bielefeld, Clerk Treasurer

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Carla Nichols, Mayor

(These minutes accurately reflect what was said at the Council Meeting. Publication does not vouch for the veracity of these statements.)