

TOWN COUNCIL MINUTES

June 2, 2008

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The first Council meeting for the month of June was called to order by Mayor Pro Tem Anderson at 7:00 p.m. at Woodway Town Hall. Councilmembers present were Bill Anderson, Robert Schillberg, Kent Saltonstall, Kevin Fiske and Mike Quinn. Mayor Carla Nichols had an excused absence. Town Administrator Eric Faison, Building Official Tom Phillips; and Clerk-Treasurer Joyce Bielefeld were also present.

APPROVAL OF MINUTES: The following amendment was made to the May 19, 2008 minutes: Page 2, paragraph before the last, revise the last sentence to read, "It was agreed to retain the lifetime pet license and raise the fee to \$20 to meet the Town's cost to issue the permit." *Councilmember Saltonstall* moved to approve the minutes of May 19, 2008 as amended. *Councilmember Schillberg* seconded the motion. The motion carried unanimously.

APPROVAL OF VOUCHERS: *Councilmember Saltonstall* moved to approve Claims Warrants #6387 through #6398 for the total amount of \$6,433.31. *Councilmember Quinn* seconded the motion. The Council requested staff report the amount expended on jail fees year-to-date. The motion carried unanimously.

Councilmember Saltonstall moved to approve Payroll Warrants #9449 through #9477 for the total amount of \$44,879.47. *Councilmember Fiske* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS: None

COUNCIL REPORTS: **Councilmember Schillberg** reported the South Snohomish County Cities group planned to hold a dinner meeting at the Lynnwood Convention Center on September 25 with State Legislators representing south county cities and Snohomish County Councilmembers. Each city has been asked to identify specific issues they would present at the meeting to the Legislature and/or County Council.

With regard to the Solid Waste Advisory Committee's discussion regarding pick up of hazardous waste, Councilmember Schillberg reported he spoke with Edmonds Public Works Director who was interested in establishing a one day per month hazardous waste drop-off at the south county transfer station. A fee would be required for Woodway to participate.

Councilmember Saltonstall reported he spent two hours touring the Reserve with members of the Edmonds Bird Festival Committee this weekend; they plan to use the Reserve again this year during the Bird Festival. He also reported on an irrigation system failure in his area; a neighbor's slow leak in their system became a geyser on Friday and flooded a neighboring property. He expressed concern that a great deal of water flowed under Woodway Park Road that the stormwater drainage system did not capture and wanted to ensure Public Works Director Terry Bryant was aware this had occurred in the event a sinkhole developed in the future.

MAYOR PRO TEM REPORT: **Mayor Pro Tem Anderson** reported on the Snohomish County Tomorrow meeting where a new fee schedule for cities was passed. As the fees are based on population, there will be little change to Woodway. He summarized there was not a great deal of discussion at the meeting, primarily reports from Snohomish County staff.

Mayor Pro Tem Anderson reported Town Administrator Eric Faison, Building Official Tom Phillips and he responded to an inquiry regarding an illegal structure in the setback.

TOWN ADMINISTRATOR'S REPORT

With regard to the Woodhaven stormwater project, Mr. Faison reported Amie Broadsword, PACE Engineers, met with the property owner's engineer who developed an option that would place a stormwater pipe down the western Town boundary, a route that would cross Paramount's property to reach Puget Sound. This route was acceptable to Paramount and both engineers feel it would be less expensive than the original plan as this ravine is felt to be more stable. The next step will be a discussion with the property owner regarding co-locating along the sewer utility easement.

Mr. Faison introduced Don Doran, former mayor of Mukilteo and President of Save our Communities (SOC), recalling the Council's request for additional information when a resolution was presented to the Council a few weeks ago regarding whether Paine Field should be used for commercial air travel. He advised Mr. Doran would speak in opposition to expanding commercial air travel at Paine Field; a proponent was invited to speak to the Council but had not yet responded.

Mr. Doran described Allegiant Air's request for 2-3 flights per week from Paine Field to Las Vegas, expressing concern if that were allowed, it would only be the beginning. He pointed out large public investments, whose impacts on air travel have not yet been assessed. He expressed concern with reducing ridership at SeaTac that supports the bonds for those projects. He referred to a letter from the FAA that they have never forced a role change on any airport. He commented on the approximately 10-25% reductions in property values that could be expected as a result of heavy flyover air traffic which would also impact the property tax collected by Snohomish County.

He acknowledged Paine Field was an asset to Snohomish County; the south county cities want to retain Paine Field and the industry it supports and feel it is an ideal location for an aerospace hub to support Boeing and other aerospace companies. In that role, Paine Field promotes family wage jobs versus the uses on Hwy. 99 near SeaTac airport. He concluded if the Puget Sound region needed an airport in South County in the future, the asset was still there; now was not the appropriate time to expand commercial air travel at Paine Field. He advised further information was available on their website: www.socnw.org

ORDINANCE 08-489 – STRUCTURES IN SETBACKS

Mayor Pro Tem Anderson explained at a previous Council meeting, the vote on the ordinance was 2-1; a majority of Council was required to approve an ordinance.

ACTION: *Councilmember Saltonstall* moved to adopt Ordinance No. 08-489, an ordinance amending Title 14 of the Woodway Municipal Code related to Structures and Uses that are allowed in certain zoning districts and structures that are allowed in certain setbacks, providing for severability and establishing an effective date. *Councilmember Quinn* seconded the motion.

Mr. Faison identified sections in the ordinance that should be shown as strikethrough: Section 2, second paragraph under Q, Section 5 paragraph R, Section 6 paragraph N, and Section 7 paragraph M.

Mayor Pro Tem Anderson advised he would vote no because of his interest in protecting the setbacks, not giving preferential treatment to any one particular zone and his feeling that the ordinance showed favoritism to large lots over smaller lots. Councilmember Schillberg advised he would vote no due to the limited violations on large lots in the past and because he did not feel a change was necessary.

The motion as amended carried (3-2), Council members Anderson and Schillberg opposed.

DISCUSSION ON RV/VEHICLES IN SETBACKS

Mayor Pro Tem Anderson referred to the list the Public Works crew compiled of properties with RVs, boats, trailers, etc. in the setback. Mr. Faison commented there likely were more because although staff could see vehicles on smaller lots, vegetation often obstructs their view onto larger lots.

Discussion followed regarding possibly creating a worse situation if smaller lots were forced to move these items out of the setback onto the interior of their property, a preference to adopt a neighborly approach whereby residents talk to each other about an offending vehicle, notifying all residents of the public hearing if the Council decided to discuss this further, the Council historically not revising an ordinance until there had been a call for action by the community, and a suggestion to identify RVs of a certain size as structures and address where they were stored via the structures in the setback regulations.

The Council agreed to table this item until Mayor Nichols' return and to talk with their neighbors regarding whether storage of RVs, boats, trailers, etc. in the setbacks was a problem.

(Councilmember Quinn excused himself and left the meeting at 8:02 p.m.)

DISCUSSION ON FEE SCHEDULE

Mayor Pro Tem Anderson relayed the Council's concern with requiring a permit for replacing a water heater, fence and roof. Building Official Tom Phillips agreed there previously had not been a requirement to obtain a permit for a fence. After construction of 6-foot walls in close proximity to the right-of-way, the Council created the fence ordinance and required a permit. Mayor Pro Tem Anderson relayed the Council's concern with requiring a permit to replace an existing wood fence. Mr. Phillips responded the Council could allow existing legal fences to be replaced like-for-like without a permit. He commented the fence permit also facilitated Public Works' input regarding the location of fence to ensure it was not in the right-of-way.

With regard to water heaters, Mr. Phillips explained a permit was required for safety reasons and code requirements, such as installing an expansion tank to prevent water from flowing back into the water system. The Council requested a list of hot water heater permit requests submitted in the past few years. Mr. Phillips advised most cities required a permit for water heater. He advised Woodway did not have to require a permit; the Town could still have code requirements with regard to installation of a water heater but could exempt water heaters from a permit.

Regarding roof replacement, Mr. Phillips advised the Town could exempt roofs from a permit. He noted in the consortium of cities he is involved with (14 cities via eGov Alliance), and the inspectors agreed they encountered enough problems with roof replacements that the cities should continue to require a permit. He noted Woodway's code currently exempted like-for-like roof replacement from obtaining a permit.

Mayor Pro Tem Anderson identified some of the changes that were made to the fee schedule recommended by staff:

- Accept staff's recommendation regarding the maximum \$150 fee for a fence permit and not require a permit for like-for-like fence replacement. Revisions to the fence ordinance will also be required.
- Increase the lifetime animal license fee to \$20 to meet the Town's cost to issue the permit.

- Accept the Fire Marshal's recommendation for a \$150 fire sprinkler permit fee.
- Public Works Director Terry Bryant will provide a recommendation regarding a fee for asphalt cuts.

Mayor Pro Tem Anderson advised staff will revise the ordinance and schedule it on a future agenda for adoption.

AUDIENCE COMMENTS: None

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

Mayor Pro Tem Anderson requested an excused absence from the next meeting. He reminded the second meeting in June would be held on June 23.

ADJOURNMENT OF PUBLIC MEETING: *Councilmember Saltonstall* moved to adjourn the meeting. *Councilmember Schillberg* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

APPROVED BY THE TOWN COUNCIL

Joyce Bielefeld, Clerk-Treasurer

Bill Anderson, Mayor Pro Tem

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