

TOWN COUNCIL MINUTES

November 16, 2009

CALL TO ORDER, FLAG SALUTE, ROLL CALL

The second Council meeting for the month of November 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. Councilmember Mike Quinn had an excused absence. Town Administrator Eric Faison, Planner Bill Trimm; Ken Nilsen, PACE Engineering, 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 November 2, 2009 as amended. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

APPROVAL OF VOUCHERS: *Councilmember Anderson* moved to approve Claims Warrants #7131 through #7151 for the total amount of \$100,135.93. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS: None

COUNCIL REPORTS: **Councilmember Whitson** reported he was reviewing the Town's investment policies and planned to report to the Council regarding options for further discussion.

Councilmember Saltonstall reported the Town received its 2010 SnoCom assessment, approximately \$29,000. He reported the Olympic View Water District Commission meeting included a presentation by their bond counsel; Olympic View is considering a 30-year bond at a 4-5% interest rate.

MAYOR REPORT: **Mayor Nichols** suggested cancelling the second December meeting if the Council adopted the budget at the December 7 meeting. She relayed the December 7 Council meeting would include recognition of former Councilmember Schillberg and a short holiday dessert reception would follow the meeting.

Mayor Nichols invited Councilmembers to donate to a fund to recognize John Bush for the work he donated to design and build the playground. She also planned to email residents who have provided their email addresses to the Town to invite them to donate.

Mayor Nichols announced her plans to attend the City of Shoreline Planning Commission's December 3 public hearing regarding Pt. Wells. Shoreline has completed an amendment to their comprehensive plan which includes land use policies for Pt. Wells.

Mayor Nichols reported Fire District 1 has successfully negotiated a contract with Edmonds. Town Administrator Faison and she met with Fire District 1 who reviewed several formulas for determining the cost of a contract with Woodway. Fire District 1 offered to provide fire and EMS to Woodway in 2010 at the 2009 cost charged by Edmonds plus 10%. She informed Fire District 1 that the Council would be discussing the matter at their December 7 meeting.

Discussion followed regarding whether the 10% increase was negotiable, the basis for the 10% increase and researching alternates for fire service and EMS during the next year.

Mayor Nichols reported the Olympic View Water District draft Interlocal Agreement will be presented to the Council in January. She suggested the first Council meeting in January include a discussion regarding views and boundary hedges to determine whether the Council was interested in pursuing regulation.

TOWN ADMINISTRATOR'S REPORT – None

ORDINANCE 09-515, TRANSFER OF CONTROL OF FRANCHISEE – VERIZON NW

Greg Sayre, Associate General Counsel, Frontier Communications, reported Frontier was excited about taking over Verizon's operations in Washington. He described Frontier's current operations, explaining their business model is based on local involvement which includes general managers who live and work in the area. Once a General Manager is appointed for this area, he/she will contact the Mayor and offer a 24 hour contact number. He assured Frontier would meet all the obligations of the current franchise and he looked forward to an excellent partnership with Woodway.

Elana Zana, Ogden Murphy Wallace, recalled one of Council's concerns in the past was the cost of the transfer; Verizon and Frontier have agreed to reimburse up to \$75,000 of the consortium's costs and negotiations are ongoing for reimbursement of costs over \$75,000. As a result Woodway's cost will be significantly less than the original projection of \$2200. With regard to the financial, technical and legal capabilities of Frontier, she acknowledged there were no guarantees. River Oaks, the consultant hired by the consortium, recommends approval of the transfer. If Frontier is not able to secure the necessary funding, the franchise will not be transferred.

Mr. Sayre and Ms. Zana responded to questions regarding the declining number of land line telephones, future need for land lines for data transmission, and customer service standards in the franchise agreement.

ACTION: *Councilmember Anderson* moved to approve Ordinance 09-515, Transfer of Control of Franchisee from Verizon to Frontier. *Councilmember Mitchell* seconded the motion. The motion carried unanimously.

PUBLIC HEARING – EMERGENCY SERVICES COORDINATING AGENCY (ESCA) EMERGENCY MITIGATION PLAN

Mayor Nichols opened the public hearing at 7:39 p.m.

Planner Bill Trimm explained ESCA is responsible for preparing Emergency Mitigation Plans for its member jurisdictions. The Plan identifies hazards and the risks associated with those hazards. Federal Emergency Management Agency (FEMA) requires Plans be updated every five years; Woodway's Plan was last updated in 2004. The required FEMA process includes a public hearing and a motion to forward the Plan to FEMA. Following FEMA's review and certification of the Plan, a resolution will be presented to the Council adopting the Plan. Once the Plan is certified, the Town is eligible for mitigation funds related to hazard mitigation in the Town.

Jamie Gravelle, Emergency Coordinator, ESCA, explained when preparing the Plan, ESCA used the Town's existing plans/documents. She assured the Plan did not commit the Town to any new projects.

Discussion followed regarding projects and actions in the Mitigation Plan that are already in the Town's planning documents and the rating of natural hazards and risks.

There were no members of the audience present who wished to provide testimony to the Council. The Council requested the reference to Chevron Pt. Wells on page 345 be changed to Paramount.

Mayor Nichols closed the public hearing at 7:49 p.m.

WOODWAY UPDATE TO CHAPTER III OF THE 2009 ESCA MITIGATION PLAN AND FORWARD THE PLAN TO FEMA

ACTION: *Councilmember Saltonstall* moved to forward the ESCA 2009 Mitigation Plan Update to FEMA. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

Mayor Nichols announced Ms. Gravelle plans to conduct three Neighbors Helping Neighbors training sessions this spring. The presentations will describe what residents need to have in their preparedness kits and ways to help themselves and their neighbors in an emergency/disaster. A recent article in the *Woodway Whisper* invited residents to volunteer their home for the training.

ORDINANCE 09-513 – AMENDING CHAPTER 13, RELATED TO PROCESSING OF SHORT PLATS

Mayor Nichols explained the Planning Commission reviewed this previously and recommended approval but it was never forwarded to the Council for consideration and approval.

Mr. Trimm explained under the current process for short plats (4 or fewer lots), the Planning Commission approves the short plat and then the applicant can record it with Snohomish County. This can be problematic as the applicant can record the short plat before the infrastructure has been installed or bonded and approved by Town Engineer. The recommendation is to adopt a process for short plats that is similar to the process used for long plats; the Planning Commission conducts a public hearing and issues a preliminary plat approval with conditions. Once the conditions are met or bonded for, the applicant returns to the Planning Commission for final plat approval.

ACTION: *Councilmember Whitson* moved to approve Ordinance 09-513, amending Chapter 13.32, related to processing of Short Plats to include a Preliminary and Final Approval. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

PUBLIC HEARING – 2010 BUDGET

Mayor Nichols opened the public hearing at 7:59 p.m.

There were no members of the public present and Mayor Nichols closed the public hearing at 8:00 p.m.

Mayor Nichols explained no changes had been made to projected revenues since the budget was presented to the Council previously. She highlighted the following expenditure revisions:

- 1) The amount in the Public Safety budget for the fire contract was increased
- 2) \$2000 was added in Land Use and Planning budget for educational signage in the Woodway Reserve

Following discussion regarding the amount proposed by Fire District 1 to provide fire and EMS service to the Town in 2010, the Council directed the Mayor to request Fire District 1 maintain the same cost as the Edmonds contract with Woodway and limit the increase to 5%.

Mayor Nichols reported the Council would finalize the budget at their next meeting.

RESOLUTION 09-345 – PROPERTY TAX

Mayor Nichols explained the Council held a public hearing at their November 2 meeting; the resolution establishes the property tax rate for 2010. She explained the levy rate combined the property tax and EMS levy, an amount approved by the voters.

ACTION: *Councilmember Mitchell* moved to adopt Resolution No. 09-345, establishing property tax rates for 2010. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

DISCUSSION ON STORMWATER PROJECTS

Mayor Nichols referred to the stormwater update summary, explaining the Town has completed 8 of the 13 projects listed in the Stormwater Comprehensive Plan. The Town plans to continue in a pay-as-you-go manner to allow the Stormwater Utility to accumulate funds.

Mayor Nichols reported staff applied for federal stimulus funds for the Twin Maples Phase II, modified low impact stormwater project. She invited Councilmembers to contact Congressman Jay Inslee, State Senator Darlene Fairley, and State Representatives Maralyn Chase and Ruth Kagi to describe the importance of these projects to the Town.

ORDINANCE 09-514 – AMEND COMPENSATION FOR POLICE CHIEF

Mayor Nichols explained the 2010 preliminary budget included compensation changes and the code establishes salary range for each staff. If the Council approves the 2010 budget, the salary range for Police Chief needs to be revised.

ACTION: *Councilmember Anderson* moved to adopt Ordinance 09-0514, amending Chapter 2.16 Compensation of Officers and Employees, to amend compensation for Police Chief. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

AUDIENCE COMMENTS – None

GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS

A brief discussion ensued regarding methods for inviting residents to donate to the fund to recognize John Bush.

ADJOURNMENT OF PUBLIC MEETING: *Councilmember Saltonstall* moved to adjourn the meeting. *Councilmember Anderson* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:33 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.)