

***Town of La Conner***  
Town Council Meeting  
January 26, 2016 – 6:00 p.m.

---

The meeting of the La Conner Town Council was called to order at 6:00 p.m. by Mayor Hayes.  
Present: Councilmembers Brunisholz, Leaver, Stokes, Chamberlain and Bruch.  
Also present: Administrator Doyle, Finance Director DeGoede and Public Works Director Lease.

**Approval of Agenda:**

**Councilmember Stokes moved to approve the agenda as presented. Seconded by Councilmember Leaver. Carried 5-0**

**Approval of Minutes:**

**Councilmember Leaver moved to approve the minutes of the January 12, 2016. Seconded by Councilmember Chamberlain. Carried 5-0**

**Approval of Accounts Payable:**

**Councilmember Stokes moved to approve checks 18161 through 18186 and 201281 in the amount of \$94,113.12. Seconded by Councilmember Brunisholz. Carried 5-0.**

**Approval of Payroll:**

**Councilmember Stokes moved to approve payroll checks 4342 through 4347, 201280, and direct deposits in the amount of \$28,953.74 as presented. Seconded by Councilmember Chamberlain. Carried 5-0.**

**Community Comments:**

No Community Comments.

**Administrator's/Annual Planner's Report:**

Administrator Doyle gave the planner's annual summary for 2015. Permit activity was still slow in 2015 but has picked up with permitting for new single family homes, land use for accessory dwelling units and multifamily. Most of the planning activity was centered on Town projects to include the Waterfront Park, Dike Project and completing the Boardwalk.

Grants pursued this year were the RCO grant for the Conner Waterfront Park in the amount of \$106,000. Army Corps of Engineers Grant in the amount of \$110,000 for the Feasibility Study and Hydrology Analysis for the dike project, the Community Emergency Response Team (CERT) Trailer Grant in the amount of \$8,500 and the TIB Grant for North Third Street engineering for \$109,000.

Code amendments covered Bed and Breakfast land use definitions, parking allowances, street vacations, floodplain uses, utility services, sign ordinance updates and binding site plan updates.

Future development will primarily be redevelopment projects in the Historic District, the continuation of the Waterfront Park and pursuant of TIB Grants for street projects. Administrator Doyle is doing a property and population analysis but estimates the remaining buildable lots at about 40 to 50.

**Mayor's Report:**

Mayor Hayes discussed the area in Town where fiber optic cable already is. He attended a meeting on fiber optic that included Skagit PUD, EDAC and representatives of towns and cities of the area. The question is do we do it public, private/public partnership, or completely private. He feels this would be a positive service and is currently waiting for estimates for our Town to provide the service to our residents. Administrator Doyle explained the Port, the School and the cell towers were the main target for the current installed cable, as well as getting it across the

slew to the reservation. The advantages of fiber optics is consistency, it's fast and almost limitless internet service. Also, the longevity of the cable has a life of 50 to 75 years. Currently, businesses in Town can tie into the existing cable, but at a very high cost of around \$500 a month. Mayor Hayes stated there has to be a demand and the numbers have to work to go forward.

Mayor Hayes is focusing on future economic development for La Conner in retail, what inventory we have now, how many buildable lots and other avenues for property taxes to build revenues.

### **Council Committee Reports:**

#### **Flood/Dike:**

Councilmember Brunisholz reported on the Army Corps of Engineers Hydrology Analysis. It was much better than the report from FEMA. A five foot dike above ground would be sufficient to stop a 100 year flood. There are also options of temporary measures to put on top of the dike if needed. According to the Army Corps of Engineers report, the costs for the dike would be just under one million. Councilmember Bruch also noted the five foot dike would still be sufficient if there was a 100 year flood and a breach like in 1909 when La Conner was flooded. Administrator Doyle confirmed CHS is completing revised drawings for the dike so we can complete the final permitting phase. He can't give an estimated time for the project because it depends on the ESA (Endangered Species Act) review. A portion of the slew is considered a fish habitat and we will probably have to do some kind of biological assessment of that portion.

#### **Art's Commission:**

Councilmember Leaver reported the Art's Alive Committee had their first meeting for 2016. He would like to see the website upgraded to this year. He is looking for longer term sponsorship.

#### **Finance:**

Councilmember Stokes attended the Auditor's Exit Conference. There were no findings. Mayor Hayes noted the Town has not had a finding in eight years, and this year the projected cost of the audit was \$32,000, but will be few thousand less because of the speed they were able to do their work. Councilmember Stokes would like to put on an employee appreciation BBQ.

#### **Parks Commission:**

Councilmember Bruch reported the meeting was canceled due to no quorum. Brian Scheuch and Linda Seales have submitted their resignations. Mayor Hayes will be looking for new members.

### **Safe Routes to School Presentation:**

Justin Mason of Dowl Engineers and Ed Knight, the Planning Director for the Swinomish Tribe, presented an update on the Safe Routes to School project. They were successful in obtaining \$744,000 in grant money for the project. There will be solar signs with flashing lights on the bridge to alert drivers of both pedestrians and bikers. Also, there will be a 20 inch textured stripe for the bikers. On Maple Avenue there will be a buffer bike lane going up the hill towards the bridge with a rumble strip, but bikes would be flowing with traffic down the hill from the bridge. Also, speed reader boards are incorporated in the project.

There were concerns of the traffic on Maple Avenue, mainly the speeding logging trucks. On the Swinomish side there will be a raised crosswalk installed on Pioneer Parkway and a 4-way stop at the Snee Oosh and Pioneer Parkway intersection, to slow down traffic and deter logging trucks from taken that route. There were discussions to add another raised crosswalk on Maple Avenue by the ball field and possibility a second one by the apartments or Caledonia Street. With all these obstacles, it may encourage the logging trucks to go the truck route to Highway 20.

### **Union Contract:**

Administrator presented the 2016 through 2019 Union Contract. It was discussed at the last meeting.

**Councilmember Brunisholz moved to approve the Mayor to sign the Union Contract for 2016 through 2019. Seconded by Councilmember Stokes. Carried 5-0.**

**PUBLIC HEARING – Capital Facility Plan**

Mayor Hayes opened the Hearing at 6:57 p.m.

No Community Comments.

Mayor Hayes closed the Hearing at 6:57 p.m.

Administrator Doyle discussed the six year plan that accompanies the budget every year. It is the ongoing editable element of our Comprehension Plan that sites capital projects. As projects are completed and years pass, they are dropped off and new ones are added. This is for the next six years and is reflective with the current budget Council just approved. It is essential to have it updated for future grant applications. If our projects are not listed, our applications are screened out. There were discussions on the maintenance and replacement of the water tank and the start of the AC Trans Main.

**Councilmember Chamberlain moved to approve Resolution 516 for the 2016 Capital Facility Plan as presented. Seconded by Councilmember Bruch. Carried 5-0.**

**2016 Tribal Rates:**

Administrator Doyle explained this is done every year in compliance with the tribe's contract. The rate is computed by a spreadsheet prepared by the Town Engineer, Evan Henke. It accounts for the costs of the plant, pipe costs relative to where the tribe and WWTP join, and other costs such as amenities, maintenance and legal fees related to the plant. 2016's rate is lower than before because the projects have been dialed down. The 2016 rate will be 0.4114 per 100 gallons.

**Councilmember Stokes moved to approve the 2016 Swinomish Tribe Rates. Seconded by Councilmember Brunisholz. Carried 5-0.**

**Code Amendments:**

Administrator Doyle noted the amendments include the 2016 Water Rates and an increase of cost for parking in the Town lot to \$4.00. Councilmember Brunisholz did not agree with the rate increase for parking and felt it should stay below \$4.00. It was explained there were more costs than expected in transaction fees to the Town from the new meter and there has not been an increase for years. Also, there is now overnight parking for a few select business vehicles, but that does not apply to any other parking.

**Councilmember Stokes moved to approve the Code Amendments for the 2016 water rates and increase to parking fees of the Town Parking Lot to \$4.00. Seconded by Councilmember Chamberlain. Carried 4-1 with Councilmember Brunisholz voting nay.**

**Community Comments:**

No Community Comments.

**Mayor/Council Roundtable:**

Councilmember Brunisholz discussed the possibilities adopting ban on plastic bags and/or charging for a paper bag. Mayor Hayes will follow up with it. Also, Councilmember Brunisholz noted the trees behind the market do not look good and hopes they are only there during the construction. Mayor Hayes will look at it.

Councilmember Leaver would like the La Conner Post Office to resume the recycle bin service. Mayor Hayes noted they lost their funding for the bins. Councilmember Leaver noted Mount Vernon Post Office still has theirs. There was discussion the possibility of the Town paying for the recycle bins. It was decided it would be an issue of the Post Office. Mayor Hayes will have a discussion with them and report back to Council.

There was discussion on the vandalism in the Morris Street Restrooms. It was decided to lock them up at 3:30 every day until spring.

Councilmember Bruch will be in Olympia tomorrow for training and to meet with our legislatures regarding the McCleary funds and the tax issues. Sandy Stokes with the La Conner Weekly News asked him to inquire why Norma Smith and Bill Hayes voted against a bill to study the McClarey funding.

Mayor Hayes updated Council on the tax situation. When the 9<sup>th</sup> Court Circuit of Appeals decision came down regarding the Great Wolf Lodge issue, it didn't say as a county you couldn't tax non-tribal structures on tribal land, it took issue with the mechanism of imposing the taxes through property tax. It also suggested there are alternate options for taxation. This came out in July of 2013, and The Department of Revenue did not release this information until March of 2014. They had two options, one to inform the legislature and move forward with a bill to put the taxing mechanisms in place, or they could send out a property tax advisory to the counties and stay silent. They choose to stay silent and encouraged, on the County level, to leave it up to the property owners to either contest or dispute it to give the system time to deal with it in an adequate way. The Department of Revenue was lobbied heavily during that time but there was no support from them at all.

Sandy Stokes from the La Conner Weekly News explained there could have been a leasehold excise tax in Lieu of property tax. Mayor Hayes is waiting for a phone call from Norma Smith for further information.

There being no further business the meeting was adjourned at 7:11 p.m.

---

Maria DeGoede, Finance Director

---

Ramon Hayes, Mayor