

Langley City Council Meeting Minutes

August 17, 2015

Mayor McCarthy called the meeting to order at 5:30 PM. Present were City Council Members Thomas Gill, Jim Sundberg, Robin Black, Bruce Allen and Rene Neff. Also present were Stan Berryman, Public Works Director; Michael Davolio, Planning Director; Dave Marks, Chief of Police and Debbie Mahler, Clerk/Finance Director. Mayor McCarthy led the flag salute.

MOTION: To approve the agenda as amended. Recognition for Callahan McVay was moved to the next meeting. Island County Community Health Survey presentation was moved up to Commission and Board reports. Ethics Board formation and confirmation of the Mayor's appointment of Chair was moved up after Commission and Board reports. Motion - Allen, 2nd - Neff. Motion passed.

MOTION: To approve the consent agenda. Motion - Allen, 2nd – Neff. The consent agenda was approved with all in favor.

CONSENT AGENDA

- a. Approval of council meeting minutes of 8/3/15
- b. Approval of claims warrants Nos. 33520, 33547-33581 in the amount of \$29,250.78
- c. Approval of payroll warrants Nos. 33431-33460 (7-15-15) in the amount of \$41,212.85 and Nos. 33521-33545 (7-31-15) in the amount of \$74,074.23.
- d. Liquor license applications – WICA Special Occasion, 2nd St. Wine Shop, Braeburn

Mayor McCarthy made a statement regarding the conduct of meetings.

COMMISSION AND BOARD REPORTS

Mary Anderson from the Island County Community Health Board spoke representing the Board. Every three years they do a community health assessment. They have done the assessment and are looking at the data now. They are now going to citizens with a survey on-line about health issues in Island County. Next phase will be to do focus groups in early September with different agencies, seniors, and other groups. www.surveymonkey.com/r/islandhealth opens on the 24th.

There are now four members of the Ethics Board – Bob Frause, Monica Guzman, Fred Herzon and Sharon Betcher. The Mayor appointed Bob Frause as chair of the Board. There are still two open positions, one of each gender who live within the city limits.

MOTION: To waive the two reading requirement and adopt Ordinance No. 1019 amending Langley Municipal Code Chapter 1.24 Ethical Conduct and Ordinance Nos. 994, 998B, & 1000 Motion – Allen, 2nd - Gill. Motion carried unanimously.

CITIZEN COMMENTS

John Norby a 40 year Langley resident asked if the meeting with the attorney representing the postal service resolved the issues. Mayor McCarthy explained that there were several issues discussed and the postal service and they will get back to us with ideas on several modifications, such as a gate. John Norby also asked if anyone from the EPA has contacted the city regarding the detention pond behind Northview. Mayor McCarthy told him that no one from the EPA has contacted the City. John stated that the City would be hearing from his attorney.

Janice Kleiner said she apologized if she was out of line at the last meeting and stated that she would like to make some comments when the Dog House issue is discussed.

STAFF REPORTS

Community Planning – Michael Davolio passed out the timeline for the Comp Plan update. Michael has added one monthly 6 pm PAB meeting for the public to review and comment on the progress during the update.

MOTION: To invite the PAB and County planning officials to a joint workshop to discuss the urban growth boundary and joint planning area at 6 PM on September 17th. Motion – Allen, 2nd – Black. Motion carried with all in favor.

Public Works – Stan Berryman reported the Northview retention pond – contractor is there today and trying to find the inlet and outlet. Cascade shrubs were pruned today enhancing the view. Will be cutting hazardous trees at entry to the Cemetery as well next week. The Second Street Plaza LED lights are working again. The rain garden landscaping on 2nd street was pruned. With donations from Kathleen Stevens in memory of her mother, a substantial number of new lavender plants have been added at Third and Park Streets. The firehouse roof leak is being fixed.

Police – Chief Marks reported a noise complaint was received at Mo’s Pub on August 8th and an infraction was issued. Friday, Officer Adkins was stopped at a red light in his patrol vehicle on highway 525 and a driver came up from behind, didn’t even put on his brakes and hit Officer Adkins. The driver was arrested for DUI. The new police vehicle came into service today. Robin Black – trash around Mo’s Pub after wedding events there.

MOTION: To accept citizen comments on Mo’s noise issue. Motion - Gill, 2nd - Allen. Motion carried. Victoria Locke a neighbor on Second Street, stated it is not about the music, its bad behavior, loads of people and vehicles outside that create the disturbance.

Finance – Debbie Mahler distributed financial reports and revenue graphs for the month of July. Debbie also distributed materials for the budget workshop scheduled for tomorrow. She passed out the current fiscal policies contained in the budget and a former set of policies from an earlier budget. Debbie asked that the Council consider going back to the simpler budget policies. She feels the newer policies are more elaborate, but are not necessarily better. She feels the simpler policies are easier to know and follow.

MAYOR’S REPORT

Mayor McCarthy attended a meeting of the Impaired Driving Impact Panel of Island County. All students in drivers education and those sentenced by the court for certain driving violations must attend these meetings. On the 8th of August, the Mayor went to Coupeville and presented a key to the city in the name of Lolita/Tokitae the orca whale that resides in Miami Beach SeaWorld. She was captured 45 years ago off of Coupeville. The 2nd Street rain garden was trimmed. The vegetation in the garden got too tall and fell over. KPG Engineering is looking at the possibility of different plantings and are replacing 3 vine maples that have died. A meeting was held with a legal representative of the Post office concerning the Third Street entrance to the parking lot. They have expressed a willingness to keep the 3rd Street opening, but are looking at the possibility of a gate that can be closed during their vehicle load times. The Chamber has exciting activities planned for the Christmas season holidays. The “Here for You” program has 58 businesses listed in their brochure that goes out to all hotels, B&B’s, etc. it lists all participating businesses and their open hours. There will be an annual training for supervisors on August 24th on workplace violence. That training will then be given to staff by their supervisors.

UNFINISHED BUSINESS

At the last meeting there was a long dialogue with the Kleiners regarding the Dog House. A lot of statements were made. Mayor McCarthy put together a chronology of events concerning the Dog House since the time the Kleiners purchased it. Mayor McCarthy also responded to the statements made in writing. He did not feel that some things had been characterized correctly. Mayor McCarthy read his response into the record. A checklist of the remaining steps to be accomplished was generated and given to the Kleiners.

Michael Davolio stated that he was advised by the city attorney that requirements for a street vacation on property adjoining the waterfront were much more stringent than a regular street vacation. Because of that, he started looking at other alternatives and that is when he presented the idea of an elevator that would be on the property owned by the city and attached to the Doghouse. The Kleiners seemed to be interested in the idea at the time, but before he did any further research or had a chance to bring it up with the Council, it was rejected by the Kleiners.

City Attorney Jeff Taraday went through the requirements of vacating right-of-way on land abutting the waterfront. He went through the different conditions that would have to be met, and how the city could do that.

MOTION: To allow Duane Weston to speak. Motion – Gill, 2nd – Sundberg. Motion was approved. Duane stated that he thought the city had already gone through a public hearing process. It was explained that a public hearing was set, but the Kleiners withdrew their request and did not attend the hearing.

MOTION: To pass Resolution No. 774 setting a date for a public hearing to consider a partial street vacation with the final whereas clause in the resolution removed. Motion - Gill, 2nd - Allen. Motion carried unanimously.

MOTION: To hear comments from Mr. Weston again. Motion – Allen, 2nd – Black. Motion carried. Mr. Weston asked when the public hearing would occur. The

hearing is set for the next Council meeting on Tuesday, September 8th.

MOTION: To allow Mrs. Kleiner to comment. Motion – Gill, 2nd – Allen. Motion was approved. Mrs. Kleiner clarified her understanding of the vacation process.

MOTION: To waive the two reading requirement and adopt Ordinance No. 1019 Amending LMC 1.24 Ethical Conduct and Ordinance Nos. 994, 998B, & 1000 Motion - Gill, 2nd - Allen. Motion was unanimously approved.

Open government/council podcasts discussion – Mayor McCarthy explained that the City received a request from a citizen to put all audio of council meetings on the City’s website. Cheryl has been researching this issue and found that are website is not capable of hosting the large audio files and there would be a lot of costs involved in adding that capability. Cheryl also looked at other digital recording equipment that would be easier to use, and transcription services. Councilman Gill explained that the city has room on its account with Whidbey Tel and that the audio can be stored there and linked from the city website. It would require a small time commitment to do that and would lessen the time needed for public disclosure requests for meeting audio. This would require staff training that Mr. Gill could do. Consensus was to proceed in this fashion.

MOTION: To allow comment from Vance Tillman. Motion - Neff, 2nd - Gill. Motion carried. Mr. Tillman asked if podcasts would be downloadable to a cd or other media. Councilman Gill said that was possible.

MOTION: To bring to a first reading, Ordinance No. 1020 amending the Noise Ordinance Chapter 8.10 Langley Municipal Code and Ordinance Nos. 947 and 984. Motion - Allen, 2nd – Gill. Motion carried. This was a housekeeping amendment to have the penalty in the ordinance match the penalty in the fee resolution.

COUNCIL REPORTS

Robin Black reported that the Chamber is planning for classic white lights throughout town for Christmas, gingerbread house making for kids, the deck the doors contest, a tree lighting ceremony, a holiday parade, and a stay open late night for the stores, etc. The Port is using their golf cart to transport boaters up the hill into the downtown when they can. They don’t have a lot of man power because they have been very busy. They have driven more than 100 people up to town on the golf cart. There were 10,000 people at the Ragnar race event this year. The Port is reporting many boats of over 38 ft coming to the marina. Island County Tourism is up 17%, lodging up 37%. Robin also reported that she received an email from a friend that works for Job Source in Mountlake Terrace. They had a terminal disabled veteran in the community that had a last wish to be out on the water again. Robin was able to connect with ADA in Oak Harbor and the veteran was able to go out on a boat. She also has a friend who is a TV producer, (Deadliest Catch) who is doing a new tv series on Dungeness crab. Harbormaster Duncan and some of our

local Langley commercial crabbers are going to be on the show. Robin also introduced Ursula Shoudy who is running for a council position and was in the audience.

Jim Sundberg said the Island Transit program is improving, money in the transportation bill will be coming to over a two year period to cover routes that connect inter-county routes. Thomas Gill attended the fair all four days and thought it was quite a success. The on-street parking needs to be regulated and coordinated better next year.

Meeting was adjourned at 8:08 PM.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/City Clerk