Langley City Council Minutes  
September 15, 2014

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

MOTION: To approve the Agenda as amended. The report from the Parks and Open Space Commission was removed. Councilman Gill suggested a discussion instead of an action on the Gun Initiative resolution, two members wanted to leave the action item and two others also asked for discussion vs. action. Motion - Neff, 2nd - Allen. Motion carried.

MOTION: To move the new business item on the gun resolution to a discussion item instead of action and move it up on the agenda after approval of the consent agenda. Motion - Gill, 2nd – Allen. Motion carried with Neff and Sundberg against.

MOTION: To approve the Consent Agenda. Motion - Gill, 2nd - Neff. Motion carried.

CONSENT AGENDA
a. Approval of council meeting minutes of 8-18-14
b. Approval of claims warrants Nos. 32272-32297 in the amount of $36,956.81 (9/2/14) and Nos. 32298-32322 in the amount of $20,381.98 (9-15-14)
c. Approval of payroll warrants Nos. 32217-32243 (8/15/14) in the amount of $50,445.45 and Nos. 32244-32271 (8/31/14) in the amount of $54,147.46
d. Confirmation of the Mayor’s appointment of Katy Shaner to the Historical Preservation Commission

Councilman Neff stated that she is for the resolution in support of I-594, has not read the entire initiative, but is in favor of keeping convicted felons, domestic abusers and mentally ill way from guns. Sundberg is interested in our country’s history and has researched the 2nd amendment to the constitution and finds it has little rights to individuals not in a militia to bear dangerous arms. Seriously impaired persons should not have access to guns, thinks this is within his duty. Robin Black stated she has not fully read the entire initiative and is not ready to form an opinion. She does believe in background checks, but needs further information. Councilman Allen has not read the full initiative and wants to read it and hear from the public on their thoughts, and is not ready to make a decision. Thomas Gill has read the initiative, and sees it as a duplication of efforts, numerous background checks are required in this state, gun shows are required to have licensed federal arms dealers complete the sales and obtain background checks. This bill will not prevent anyone from stealing or obtaining a gun illegally. It only adds a layer of bureaucracy. Mr. Gill is more in favor of solutions to the problems like requiring gun safes, locking devices, etc. He feels this initiative is not well written.

Mike McInerney was a teacher for 25 years, is a federal firearms licensee and dealer, and opposed to the initiative. He stated that the 2nd amendment has been found to be an individual right. He stated that this initiative is not designed to reduce crime, and creates overwhelming obstacles to legal gun owners. It is already illegal to sell arms to criminals and those not entitled to own them. This will overwhelm the Department of Licensing, burdens law enforcement with background checks on gun purchasers. Makes it
illegal to gift or loan a gun, for training, defense classes, etc. It also makes it illegal to deliver a gun to anyone for cleaning, hunting, target shooting, etc. Terry Metzen concurred with Mr. McInerney, and claimed that it puts a budgetary burden on police departments. He stated that this is not the right law; one can’t get in a gun show without a concealed weapons permit. Brian Lawson an Iraq veteran, feels the gun show loophole does not really exist, feels the initiative is a burden on law enforcement, is not about registration, but more about transfers of firearms of any type. Grandpa cannot take grandkids to a shooting range for training until they can legally own a gun at eighteen. This means that no one can use anyone else’s gun for any reason. Pam Fix from Oak Harbor is in support of 594, feels it keeps families safer. Data released by FBI show that background checks work. OFM’s fiscal note states that 13,400 new background checks handled digitally by the State Patrol will have negligible budgetary affects. Eileen Jackson, nurse clinical specialist in community health said that she is concerned that we are polarized over something that is designed to kill. The role of the state is to protect the common good. This is a small step, but we must have control over who can have weapons. Chief Marks stated that he is against the limitations on transfers of guns, finds that gun shows have even more stringent regulations, and there is not a loophole there. This is another unfunded mandate that would require police to sign off on the backgrounds. It is Chief Marks’ opinion that criminals usually steal their firearms or obtain them illegally. Legal firearms should be secured and protected.

RECOGNITION/APPRECIATION
Mayor McCarthy presented Jeff Arango with a Mayor’s Excellence Award. Jeff was invited to speak at a forum in Buenos Aires on community planning about the Second Street project.

PUBLIC HEARING - Zoning Overlay District and Development Code Amendments.
Mayor McCarthy opened the hearing at 6:45 PM. Jeff Arango, City Planning Director gave an overview of the amendments. This includes retail uses in the Neighborhood Business District. Planning Advisory Board did not support retail in that district, but felt if the City was to go ahead, it would be best with an overlay zone that encompasses the Langley Building Supply building and the two lots next to it. This is consistent with the public comments that we have received. Jessie Brighton stated that the area was built for retail uses and has had retail sales there historically for many years and is for it. Pam Schell agrees, supports the use of retail in the neighborhood business districts. The area already could have restaurant, health club, office, just not retail sales. The City has undesirable conditions for chain and big box stores. Ross Chapin wanted to register his appreciation for the thoughtful consideration of these issues. He feels the mixed use adds to the vitality of the city. Victoria Locke wanted to express her support of the overlay district. Summer Eberheart was also in support. Tom Marek is in favor of overlay. Ursula Roosen-Runge stated that she is in support of the overlay. She has concerns about the makeup of the Design Review Board in the new regulations. They only require two members to be residents of Langley. The rest must have professional expertise, which she feels keeps out many locals with significant experience. The public hearing was closed at 7:06 PM.

UNFINISHED BUSINESS

MOTION: To adopt Ordinance No. 1004 amending LMC Chapter 2.40 re Design Review Board, Section 15.01.725 Land Clearing, Chapter 16.04 Environmental Policy and Title 18 Zoning Code. Motion - Allen, 2nd - Neff. Motion passed unanimously after a vote on a possible amendment.

MOTION: To amend the ordinance to remove the retail district overlay district to add retail business as a permitted use in entire NB zone. Motion – Gill, 2nd – Allen. Jeff recommended to not pass the amendment at this time, but to remand that issue to the Planning Advisory Board and get more public comment if
the Council wants to go ahead with it. Several audience members thought that this idea should also wait. Mr. Callison thought this issue should also be addressed separately at another time. Bob Waterman also felt the community should have input into the issue before encompassing the whole zone. Motion failed with Thomas Gill in opposition.

CITIZEN COMMENTS
Kelly Baugh wanted to know if there was any expansion of the port happening. Ed Halloren, Port Commissioner stated they are doing an assessment of the facility in and out of water, will then make permit applications for further expansion. Walt Blackford, President of Senior Services of Island County stated that Senior Services have never had any financial support for the services they provide to Langley. Sharon Weiser, Executive Director stated they served 29,000 meals on wheels, 78,000 all together. They assist seniors with most any issue; financial, legal, care advice. Senior Services of Island County is the last private, non-profit, providing these services in the state. We are looking at 40 to 45% of the county being seniors in the next few years. They provide case management service, an adult day care program, medical transportation (96,000 miles last year), a state benefits advisors program – have highly trained volunteers. The Center had 45,191 volunteer hours last year and saw 8000 people last year. They serve over 6,000 meals per year at Brookhaven here in Langley. Sharon and Walt asked that the Council consider funding the center in the 2015 budget.

Victoria Locke lives across the street from Mo’s Pub and finds it an incompatible after hours use adjacent to a neighborhood. Shuttle services are delivering people to the Pub at late hours. She asked the council to restrict serving outside after ten and the doors closed at that time and that the shuttle services be curtailed. Mayor McCarthy suggested a public meeting in the near future on this issue. Councilman Gill said he witnessed this weekend that he could hear full conversations from Mo’s at the front door of City Hall. He could also hear patrons at the Prima on First Street. A workshop on the issue was scheduled for Tuesday October 14th at 5:30.

STAFF REPORTS
Community Planning – Jeff Arango reported that the public hearing on the moratorium on demolition of historic buildings was held by the Planning Advisory Board and the recommendations will be forwarded along with a proposed ordinance to the council in October. Langley lift view analysis has been posted and got lots of public comments. Have had some very good feedback, from a bridge engineer and others. Discussion ensued for some time on developing a scale model to help alleviate mis-perceptions.

Public Works – Stan Berryman reported that overlays on Sixth and Park have been completed. He is working on a grant for an overlay/rebuild next year on First Street and Park to Third. A chip seal was done on Island View Lane. A Japanese Knotweed expert is coming in to remove the weed on 1st street. He has applied for grant for a ductless heat pump at the Library. Wood chipping has been done at the treatment plant to make compost.

Police – Chief Marks reported the department bought two new bikes and have new bike patrols. The Department was audited by WA State Patrol, Access division last week on their use of the Access software. They were the 1st agency in the state audited and they passed with flying colors. Chief Marks, acting on a tip, told our local banks two days in advance that a robbery was going to occur and to tighten their security. The robbery did take place in Clinton. He is working with the FBI and they hope to apprehend the criminals soon.
Finance – Debbie Mahler passed out revenue graphs and financial reports for the month of August. She reported that there have been many real estate sales in Langley which is reflected in the real estate excise tax report. The revenue from that source for August was almost as much as the entire first half of the year. Debbie also reported that she will be leaving the office tomorrow afternoon to drive to Yakima for the WA Finance Officer’s conference.

MAYOR’S REPORT
Mayor McCarthy reported that the monthly economic development sector emphasis this month is on mail and financial services. The monthly networking lunch will be on September 30th from Noon to 1 PM. On September 2nd a business development forum on local bank financing was held at City Hall. There were nine people in attendance. Future business development seminars in November will be – “Langley a place to shop” and on December 9th – “good customer service in Langley”. Future social media offerings will be offered on video and Hangout, Paypal, square and Infusionsoft. The “Why Not Whidbey” Kickstarter campaign came in short of its goal. The Mayor has been contacted by “Communities of Distinction” a company that produces films narrated by Terry Bradshaw. You pay to have a video shot in the community and played on the Discovery Channel and other networks. You then get the video back to use in other ways.

Mayor McCarthy has been working on a Human Resource Project with the City Attorney’s office. They have developed an employee orientation and annual training checklist and process. Tomorrow morning at 9 am, he will be meeting with South Whidbey Parks and Rec department to discuss mutual collaboration.

Friendship Force Tokyo brought 18 visitors to the City on the 8th of September. The Mayor presented them with keys to the City. A vintage car event was held in Langley on September 9th from 11 am to 1 pm. Helen Price Johnson will hold a meeting on substance abuse and local crime on 9-23 at the high school.

COUNCIL REPORTS
Thomas Gill reported that the new plantings at the library have been installed. Councilman Sundberg reported that there was an extra transit board meeting held last week. They are trying to find a way to ease the service reductions. He is also attending all the community meetings about the transit service. Para transit is the most pressing need. Rene Neff reported that “Arts Alive” was very well attended last Saturday night. Artists were very happy with the event.

Meeting was adjourned at 8:24 PM.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/City Clerk