

## **Langley City Council Meeting Minutes September 21, 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. The Parks and Open Space Board report was removed from the agenda and under new business, the approval of a food truck application was added. Motion - Allen, 2<sup>nd</sup> - Black. Motion carried.

**MOTION:** To approve the consent agenda. Motion – Allen, 2<sup>nd</sup> – Gill. The consent agenda was approved with all in favor.

### **CONSENT AGENDA**

- a. Approval of council meeting minutes of 9-08-15
- b. Approval of claims warrants Nos. 33690-33718 in the amount of \$22,476.52
- c. Approval of payroll warrants Nos. 33582-33604 (8/15/15) in the amount of \$40,854.14 and Nos. 33606-33630 (8/31/15) in the amount of \$72,951.02

### **RECOGNITION/APPRECIATION**

Kalakala Mercantile Company – Amanda Moore, Drew Christie (building owners- Don and Sandy Izett) – Facility improvements. Mayor McCarthy presented a facility improvement award for the remodeling. Drew is world famous for his animations that he sells to Vanity Fair and other entities. Amanda and Drew started business in the Langley Village and then took over the Izett Building where Mona's Chocolate used to be.

### **CITIZEN COMMENTS**

Marianne Edain stated that she feels the City's website is out of date and needs to be updated. Frank Rose Chairman of the Langley Arts Commission stated that they will be rotating the art in the Second Street Plaza in January and the Arts Commission has recommended two new sculptures for the displays. He asked for Council approval of the two recommended sculptures and showed the artists work.

**MOTION:** To approve the sculptures recommended by the Arts Commission. Motion – Allen, 2<sup>nd</sup> – Black. Motion carried unanimously.

John Norby stated that he requested public information in June from the Mayor and Stan Berryman and the requests were denied. John got the information he requested from public works from the County. John also suggested that the work that was done on the detention pond at Northview could have been done in house with existing public works staff. Mayor McCarthy stated that John Norby had requested a copy of a letter that the Mayor sent him giving him an accommodation for removing over 100 tires from city property. He requested a copy of the letter and Mayor McCarthy could not remember sending a letter and could not find a copy of the letter. He thinks that he gave the thank you verbally at a meeting.

### **STAFF REPORTS**

Community Planning – Michael Davolio reported that he has two short plat applications – one on the property next door to City Hall and one on Minnie Lane. He is working with the Design Review Board on the issue of wayfinding signs and will be bringing the information forward to the Council in the next few works. He is also working with Debbie to get the costs in the budget. It will be paid for by vendors whose businesses are featured on the signs. This will help to show the location of businesses that are not so easy to see. Signs will be pedestrian oriented. At the upcoming PAB meetings, they will be working on land use designations and utility elements and housing elements for the Comprehensive Plan.

Public Works – Stan Berryman reported that the public works crew assisted Barton Cole to clean out vegetation in the creek behind the Second Street Village. The treatment plant is getting electrical upgrades. Public works also added signage at Third Street going out of town; a slow children sign and another speed limit sign. The rest of the invasive knotweed has been eradicated. Stan has gone out to bid to replace a 22 year old pickup truck that public works uses. PSE did tree trimming on the Plum Trees at the entrance to town. They did quite a whack job and Stan will have an arborist look at trees for damage.

Police – Dave Marks reported that the Police Department has updated its agreement with ACCESS and their maintenance agreement for the emergency AED units. Officer Black will be attending an equivalency academy next month because his training was out of state.

Finance – Debbie Mahler reported that the monthly financial reports are not ready for last month as she has been working to put the information into the budget document, but the Council will have those numbers next week. It has been a very busy last few weeks for her department and her deputy treasurer will be gone for the next two weeks. We have had many public disclosure and information requests, extra meetings and minutes, cemetery activity, and various other issues come up lately along with budget preparation.

## **MAYOR'S REPORT**

Mayor McCarthy reported that he attended an Emergency Preparedness Workshop given by PSE on September 9, 2015. The meeting was well attended. A bunny meeting was held at City Hall on September 9, 2015. Another workshop regarding the bunnies is coming up at the Fairgrounds October 6<sup>th</sup>. An expert falconer, Steve Layman will be addressing the committee. The committee includes the City, Fairgrounds, and Schools. There was a well attended community potluck held in the Second Street Plaza on September 9, 2015. Meeting Recordings are now being posted as MP3 Files on our web site.

Another candidate was interviewed for the Ethics Board a few days ago and we are doing background checks now and will bring a recommendation forward when it is done. The Ethics Board had their first meeting on September 14<sup>th</sup>. He also attended an EDC Meeting on the 16<sup>th</sup> and a Fairgrounds Meeting on the 15<sup>th</sup>. At the South Whidbey Parks Future Vision Meeting on the 17<sup>th</sup> they did were talking about forming a metropolitan parks district in the future. Mayor McCarthy attended a Compass Health meeting in Everett last week regarding mental health and substance abuse counseling. The Mayor updated and distributed the strategic priorities list.

## **UNFINISHED BUSINESS**

**MOTION:** to amend proposed ordinance 1021 vacating a portion of Anthes Avenue to add Section 3 that clearly identifies the date of the vacation to read: This ordinance shall become effective upon the City's receipt of a statutory warranty deed from the owners of the property described in exhibit b but no

earlier than five days after publication of a summary of this ordinance and change Section 1 to from “agrees to vacate” to “hereby vacates”. Motion – Sundberg, 2<sup>nd</sup> – Neff. Motion carried with all in favor.

**MOTION:** to allow Kleiners to speak. Motion - Neff, 2<sup>nd</sup>- Gill. Motion was approved. Mr. Kleiner asked if this amendment was going to move this to another meeting. He thought the amendment seemed good, but he would have liked the information sooner.

**MOTION:** To adopt Ordinance 1021 vacating a portion of Anthes Ave. Motion - Allen, 2<sup>nd</sup> - Neff. Motion was unanimously approved.

## **NEW BUSINESS**

UGA boundaries – Robin Black prepared and distributed a talking points document regarding the planned growth area for Langley. This included issues that Robin would like addressed so that the Council can make an informed decision. Because of the conflicting responses from PAB and the City Planner, she wants more information and to understand the rationale of both recommendations so that the Council can make an informed decision. Thomas Gill appreciated Robin’s hard work, and stated that he took umbrage with the county’s assumptions that we have available land within the city sufficient for what the county predicts for growth, do we really need to do redevelopment? The County is basically saying that we need to redevelop the land within the City. People don’t want to see high density. Jim Sundberg believes the County is suggesting that we will have little growth and if the available land within the City is sufficient to accommodate that, we don’t need redevelopment. If it falls short, it does require intensification of current uses and that could mean the addition of ADUs and doesn’t necessarily mean sacrificing older buildings. Do we have the available land that the County thinks we have? He thinks the planning rules at the county level have been improved in the last few years and the County may be open to protecting lands that we designate in our joint planning area as forest, conservation resources. Thomas Gill wants to make sure there are options – alternative housing, etc. If we shrink the UGA is the county flexible with options for properties taken out of the UGA. There are two sizable properties to ask about. The Joint Planning Area (JPA) is subject to negotiation. We want to support mutual agreements, but want to know when and how an exception is put in place if we differ in the predictions the county has. The County doesn’t want our efforts to jeopardize their process. Michael Davolio thanked Robin for her talking points. Michael stated the UGA is way too big because we relied on county predictions of population 20 years ago. In his review of county wide planning policies and county growth projections, he questions their data. If we want to maintain a greenbelt around the city then the County needs to need to rezone to one unit per 20 acres instead of the current one to five acres. There is still a lot of discussion to be had on these issues.

**MOTION:** To allow public comment on the issue. Motion - Neff, 2<sup>nd</sup> – Gill. Motion carried. Gail Fleming wants to make sure the Council gets a copy of the Growth Management Guidebook. Councilmember Gill downloaded the guide and distributed it to all. Steve Erickson of WEAN reviewed GMA requirements. He stated that the State office Financial Management sets population forecast ranges for each county. The Counties then determine how that will be divided up within the county, once they have done that, provides the population

target. Each city does land capacity analysis, however county has authority to ultimately designate urban growth boundaries. Feels it is late in the game to suggest changes.

Sharon Emerson wanted to know if Robin's discussion points would be put on the website. Robin would like to make some edits first to the draft and then put it on the website. Gail Fleming wants to make sure the PAB gets a copy when it is complete.

**MOTION:** To approve the application of the Big Wierzboski to have a Food Truck at WICA during Djanofest to extend the license thru the month of September, Motion- Allen, 2<sup>nd</sup> – Black. Motion carried with all in favor. DRB review was not required, but Michael had them review it anyway, and they recommended approval. The license previously granted expired on September 8<sup>th</sup>. Code allows Council to extend the license. Joe reported that WICA approached him to locate there during the DjanoFest.

## **COUNCIL REPORTS**

Thomas Gill reported that he will miss the next substance abuse coalition meeting. Mayor has recommended him as chair when his term ends. Councilman Sundberg reported Island Transit Board is exploring a fare on inter-county collector routes. The Legislature is giving \$250,000 a year to continue those routes provided they study charging fares for the routes. The Legislature is providing a \$2 million grant for interconnector routes with Skagit County. Bruce Allen reported that the HUB and Ryan's House are beginning discussions about combining the organizations and making a larger organization. They already serve the same people. Renee Neff is attending the cemetery board meeting next week. One quarter to one third of the visitors to Island Shakespeare visitors came from over 50 miles away. The lost three days of performances due to storms, but had over 3,000 people attend the season.

At the last two meetings we have had individuals say inappropriate and uncivil things or make statements that some people found offensive. I concur with these concerns and in the future while I respect the 1<sup>st</sup> Amendment rights of individuals during the hearing of citizen comments, but if an individual makes a comment that is offensive as was done this evening to one of our councilmembers and/or uncivil, profane or inappropriate or incoherent, I may ask the police chief to remove them from the meeting.

Council went into Executive session to discuss with legal counsel representing the agency matters relating to agency enforcement actions when public knowledge regarding the discussions is likely to result in adverse legal or financial consequence to the agency. Executive session began at 7:25 PM planned for approximately 30 minutes. Executive session ended at 8:14 PM. The regular meeting was adjourned at 8:14 PM.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/City Clerk