Langley City Council Meeting Minutes  
April 16, 2012

Mayor Kwarsick called the meeting to order at 5:30 PM. Present were Council Members Seligson, Neff, Sundberg, Allen and Allderdice. Also present was City Planner Jeff Arango, Director of Public Works Challis Stringer, Director of Finance/City Clerk Debbie Mahler, Police Chief Randy Heston and City Attorney Mike Kenyon. The consent agenda was approved after several questions on warrants from Councilman Seligson.

CONSENT AGENDA


b. Claims Warrants Nos. 29040-29073 in the amount of $32,299.66

c. Payroll warrants Nos. 28924-28945 & direct deposit (3/15/12) $44,992.10 and Nos. 29017-29038 (3/31/12) $48,527.86.

STAFF REPORTS

Jeff Arango reported that the next council agenda will have an updated report of the 2nd Street project. Jeff met last week with the Planning Director for Island County regarding resizing our urban growth boundary. Island County says they don’t have capacity to deal with the issue until 2016.

Debbie Mahler reported that she will be attending the Washington Municipal Treasurer’s conference in Chelan, WA later this week. Debbie discussed the financial reports distributed to the Council for the month of March.

Challis Stringer reported that the grant/loan request for water/sewer/storm water projects has been accepted at the USDA. The City should hear back from them in the next couple of weeks. A Request for Qualifications is out for a survey for Seawall Park. The CMA park & ride was scheduled to begin this week, but a cable has to be moved first. Challis met with Island County regarding the water testing they did in Langley. They tested Saratoga and Noble Creeks.

Chief Heston has been working on missing speeding signs on Coles Road. The Chief wants the speed limit lowered from 50 to 35 or 40 from city limits to past the treatment plant. Island County owns that part of the road and is doing a traffic study on it. The Welcome the Whales Parade is set for April 21st.

UNFINISHED BUSINESS

MOTION: To adopt Ordinance No. 971 amending LMC section 2.45 relating to the personnel policy manual and section 4.2 of exhibit A “Hours of Work and Overtime”. Motion - Allen, 2nd - Seligson. Motion carried unanimously.
2nd Street Truck Loading Zone. Mayor Kwarsick explained the reasons for eliminating the loading zone on Second Street. Jeff Arango stated that the city has received a lot of feedback from the community regarding the change. At the next Council meeting Jeff will bring forward an ordinance draft regarding downtown commercial parking. The Second Street Design project is about to begin – there will be lots of room for open input and public involvement. Councilman Seligson has drafted an interim ordinance that would temporarily put the loading zone back in place during certain hours of the day. Our code currently provides for the Mayor to make decisions on parking in commercial zones. Councilman Seligson presented his draft ordinance. Councilmember Rene Neff feels it is important to get a temporary system in place very soon. She feels that it is important to look at how businesses are affected from the loading zones, noise, view, access etc.

Jim Sundberg stated that a truck loading zone is multidimensional; we need to evaluate alternatives and perhaps come up with multiple solutions. That could include modifying the size, duration and time of the loading zone as Councilman Seligson has proposed on a temporary basis.

Aaron Simpson, employee at Useless Bay Coffee, stated that the Commons took over the property they are in after the loading zone was in place, so he doesn’t feel that it is unfair to the Commons to have the loading zone in front of it. Ron Kasprisin is concerned that decisions were made without due process potentially souring the public involvement process on Second Street. He felt that removing the loading zone did not provide any alternative plan and that Hal Seligson’s interim proposal is a good one to take care of concerns of merchants, property owners, etc. He stated that small towns depend on delivery. Maureen Cooke felt it was wrong to take out the loading zone, she feels Hal’s temporary fix is needed. She talked to merchants in Freeland that are having their deliveries backed up because of the changes in Langley. Lisa Moore owner of Braeburn on 2nd Street stated that she is a small delivery account and has had problems since the change. She is afraid she may lose her dairy, egg and other product delivery. Jim Shelver, a board member of the Commons was disappointed that the Commons has been blamed for the change. He said that it has always been a situation with having few parking places until after 1 PM at the Commons due to the loading zone.

Kathleen Waters does not have a business in downtown area, but is a regular customer at the Commons. She feels there is a sense of cooperation here and thanked the city for its openness and bringing the public into the conversation. She doesn’t think there is a parking problem. She stated that any interim solution should take safety into consideration and legality into consideration. Bob Trenchard thanked the Council for reconsidering the situation. Jenn Jurriaans stated that she had meet with Larry, Jeff regarding the loading issue. She stated that Langley is small compared to Payless in Freeland and the routes are determined by the deliveries to Payless. She thinks the City should talk with trucking companies before making a decision. Seib Jurriaans doesn’t think there was any problem with the loading zone as it was, that needed to be fixed. He stated that we need to make sure the deliveries keep coming; it is already hard to get
product here. Dave Gignac appreciates this process, but thinks the new situation is more dangerous than the previous loading situation. The noise made by the trucks is part of a city. Cynthia Tilkin has been a business owner is Langley for over 30 years. She knows we have a parking problem, mostly because business owners and employees park in all the spaces. She thinks Hal’s solution is good for the interim. She was on the parking committee years ago that helped set up the loading zone. Cherub stated that Langley reminds her of a little European village. She finds it strange that people in Langley drive from First Street to Second or from the Post office to the Star Store instead of walking. Discussion ensued for some time between the public present and the Council members.

**MOTION:** To direct staff to bring alternative solutions to the next meeting. Motion – Neff, 2nd – Allderdice. Motion carried.

Mayor Kwarsick presented and read an Executive Order of the Mayor stating that Police Officers of the City of Langley will not cite or arrest health care professionals advising and assisting patients in strict compliance with RCW 69.51A or qualified patients with required valid documentation possessing, using, cultivating, and producing marijuana for their own legitimate medicinal purposes in strict compliance with RCW 69.51A or designated providers with required valid documentation possessing, using, cultivating, or producing marijuana for their own legitimate medicinal purposes as a qualified patient or servicing the medical marijuana needs of a single qualified patient, all in strict compliance with Chapter 69.51A RCW, or collective garden cooperatives with required valid documentation operating in strict compliance with Chapter 69.51A RCW. This order basically makes Langley a safe haven for those complying with the State’s medical marijuana laws.

**MOTION:** To pass Resolution No. 741 Supporting classification of Cannabis as a schedule II controlled substance and requesting action by the Washington state congressional delegation to grant to the states the right to enact medical cannabis laws. Motion - Allen, 2nd - Allderdice. Motion was approved with all in favor.

Mayor Kwarsick called a ten minute recess at 8:25 PM. The meeting reconvened at 8:37 PM.

**NEW BUSINESS**

**MOTION:** To waive the first reading, and adopt Ordinance 972 establishing rules for remote attendance of City Council meetings and amending Chapter 2.06 of the Langley Municipal Code. Motion - Allen, 2nd - Neff. Motion carried without opposition.
MOTION: To authorize the Mayor to sign the Memorandum of Understanding between the S. Whidbey School District, the Port of South Whidbey and the City of Langley regarding the cooperative use of facilities and resources. Motion - Allderdice, 2nd - Allen. Motion was unanimously approved.

MAYOR'S REPORT

Mayor Kwarsick reported that he has worked with the Police Guild on an amendment for out of classification pay for officers. The amendment has been accepted by the Guild and reviewed by the two Council members that were involved in the Guild negotiations. It will be brought to Council for adoption at the next meeting. The State has received an application under the new liquor control laws from the existing liquor store to continue operation. Larry is continuing franchise negotiations with Comcast. He will be meeting with them next week. Larry is also working towards a franchise agreement with Whidbey Telephone.

DISCUSSION ITEMS

Light Industrial overlay zone. Jeff has heard from a number of people regarding the need for a light industrial zone. The one area that has been talked about is the “Grove” property on Coles Road. Jeff wanted feedback from the Council as to whether it is something they would like to explore. Consensus was to explore the idea and talk to the Planning Advisory Board about the issue.

Water Comp Plan/Rate open house. This Thursday from 3 to 7 in the Council Chambers an open house on the Water Comp Plan and the water rates is planned.

The meeting was adjourned at 9 PM.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/City Clerk