Langley City Council Meeting Minutes
May 6, 2013

Mayor Fred McCarthy called the meeting to order at 5:30 PM. Present were City Council Members Jim Sundberg, Hal Seligson, Rene Neff, Doug Allerdice and Bruce Allen. Also present were Finance Director/Clerk, Debbie Mahler; Director of Planning, Jeff Arango; Building Official Bob Snyder and Chief of Police Heston. The flag salute was led by Mayor McCarthy.

MOTION: To approve the agenda as amended. Motion – Seligson, 2nd – Allen. Motion was passed without opposition.

CONSENT AGENDA

MOTION: To approve the consent agenda. Motion – Allen, 2nd – Allderdice. Motion passed unanimously.

a. Approval of council meeting minutes of 4/15/13.
b. Approval of claims warrants Nos. 29790-29794, e-file 4/26/13, 30469-30509 in the amount of $158,374.00.
c. Proclamation Kids to Parks Day
d. Proclamation Building Safety Month

RECOGNITION

Mayor McCarthy recognized Officer Charlie Liggett of the LPD. Charlie was recognized for the apprehension of three burglary suspects wanted by several western Washington agencies.

LIBRARY REPORT

Librarian Vicky Welfare and Library Board Chair Pam Owen and board members Monica Guzman, and Bob Waterman were present. There is an open position on the board. Pam Owen gave a budget report on the library building. The building is scheduled to be painted this year and the board wants to change the color to blue. Additional landscaping will be paid for by the Friends of the Library. Vicky Welfare reported that Poetry night is this Thursday evening. The preschool computer has gone away and a preschool I-pad is now available for checkout. The Library has partnered with the Historical Society and are digitizing old memorabilia. They also have a new display about Women’s Suffrage.

CITIZEN COMMENTS
There were no comments from the audience at this time.

**NEW BUSINESS**

*Buidling Safety month.* Bob Snyder, the City’s Building Official, announced that the theme of building safety month is “Building officials keep you safe”. During the month the building department will have lots of information on building safety available. Bob asked that anyone with questions about building safety give him a call.

*Ordinance 980 Amplified music – proposal of language change.* Maureen Cooke, owner of Mo’s Pub & Eatery feels that the word “amplified” as stated in Ordinance 989 is too restrictive and has suggested amendment to the ordinance. She would like to have music that is amplified, but not loud for short periods twice per week. She feels that the music can be monitored by decibel level. Jeff Arango stated that he has had a lot of experience with decibel monitoring. He stated that the city does not have the means to monitor and enforce the decibels of 104 performances a year. Maureen Cooke introduced Ron Eaton, who is a performer at Mo’s and sings with a microphone. Mr. Eaton stated that the sounds from a flat screen TV are louder than what he sings at. He also believes the word “amplified” needs to be changed. Sere Bartelson played her electronic cello to show how loud the playing is. Don Wojecski a member of a jazz quartet also demonstrated his saxophone which is not amplified and was much louder. Rene Neff suggested that parking on the residential street and the associated noise with that is the problem and needs to be addressed. Victoria Locke, a neighbor of the Pub stated that amplification is not an issue for her, it’s the noise from late night patrons from Mo’s as they return to their cars. Craig Carty said the situation has improved and is working now, he doesn’t think the ordinance needs to be changed yet. Cynthia Tilkin stated that the music vibrates in the homes next door. She hears the music when she is at the house next door to Mo’s.

Bob Trenchard stated that if the law has an imperfection, as this one does, (in his opinion) it should be changed. Maureen explained that when music is playing all doors and windows are closed. Carl Magnusson believes the ordinance is flawed and the amplified needs to be changed. He also thinks decibel rating is a flawed system. He feels it is valid to change the ordinance. Leanne Finley agrees with what Carl stated. She feels the problems are not with the music, but with the behavior of people on the street and parking. Chris Adams stated that the problem with the ordinance is the word amplified. He reminded everyone that there was just a demonstration of acoustic music being louder than amplified music.

**MOTION:** To set a time two months from now at which time the council will hear proponents and
opponents of changing the term amplified in the existing ordinance and decide whether to remand the ordinance to the PAB. Motion – Allderdice, 2nd – Allen. Both the motion and second were withdrawn.

**MOTION:** To remand this issue back to the PAB, to set time limits and a more clarified definition of amplified and when it is appropriate and not appropriate. Motion - Neff, 2nd – Sundberg. Motion carried unanimously.

**MOTION:** To waive the first reading requirement and approve Resolution No. 754 adopting the 2013 Shoreline Master Program pending review and approval from the Washington State Department of Ecology. Motion - Seligson, 2nd - Neff. Motion carried with all in favor. The current plan has been in place since 2001. The new updated plan is a complete rewrite that began in 2011 with the establishment of the city’s Shoreline Advisory Committee which met for six months and facilitated public input.

*Zoning on Edgecliff.* Planner Jeff Arango reported that the PAB recommended down zoning the Edgecliff area. The zoning is currently R15,000 which is to go to RS 7,200 when sewers come in. Because there are several critical areas; and wetlands and the city has plenty of area for development, down zoning is recommended to stay at 15,000. The bluff in the Edgecliff zone has seriously eroded over the years. Edgecliff resident Carl Magnuson lives adjacent to the proposed change, and thinks the change would be better if it was limited to permeable area or square footage, etc. He does not feel that sewer is a significant part of the solution for that area. Rolph Seitle does not feel the sewer is the solution either. The area along the bluff has been zoned 15,000 for over 20 years. He feels upstream development has contributed greatly to the erosion of the bluffs and thinks the down zoning should encompass a larger area. Jeff answered that the adjoining area is more densely developed and has no wetlands. Carl Magnuson thinks it would be more bang for the buck to improve storm water conditions than sewers. Dan Prewitt feels stormwater control is the biggest priority. Barbara Seitle also likes the idea of looking at all Edgecliff not just east of Furman.
MOTION: To remand the issue to PAB for further action. Motion - Neff, 2nd – Sundberg. Motion carried without opposition.

MAYOR’S REPORT

Mayor McCarthy reported that the City had a successful Congressional meeting with Congressman Larsen. He also met with the Port this morning, signed the lease on the firehouse, did priority setting today at the council workshop, and had a directors meeting last week. The staff is having a city bbq next week. He thanked Debbie for correcting some budget data he put together. He is watching the communications of the Ethics Commission, and feels they have the right issues and are getting their resources together. Mayor McCarthy has made Cheryl Knighton his Mayoral assistant and gave her a 1% increase for the increased responsibility. He had a tour of treatment plant this week and interviewed a candidate for the Cemetery Board. The preparation for the Bluff workshop is coming along. The First Street water project is completed and we have two applicants for the public works interns. The City had a complaint from a citizen about our flag etiquette. The light on the pole is burnt out and we will get it fixed. The sign on City Hall has also been fixed. There was a large water leak last week on Saratoga which had to be fixed. The city is doing mitigation on Wharf Street; a barrier is to be built soon. Mayor McCarthy attended a Mother Mentor luncheon at which Jessica Arango, wife of our Planning Director, Jeff, was a speaker. He also attended an annual dinner for Island Mayors put on by the League of Women Voters.

COUNCIL REPORTS

Rene Neff reported that the Cemetery Board met with Cary Peterson of the Upper Langley Development, and agree with the right-of-way change they want to make. They would like to meet with Ryan Goodman and talk about water improvement at the Cemetery. The lines need upgrading and repair. The Shakespeare Festival is working on fund raising for their performance tent, which is being constructed. Main Street submitted their list of projects and are being awarded at the state Main Street convention for the golf cart shuttle program. Michaela, the program manager, is leaving and they are looking for a new program manager and hiring two gardening interns.

Jim Sundberg missed the ethics workshop training because he was out of town. He is keeping up with the Port developments. He plans to urge the Port to present a picture of the first phase of development to the paper so people can see what it is going to look like. Jim is still attending the Sustainable Whidbey meetings. Langley has lots of green seal businesses. There is a conference being held on Thursday and Friday on social media for
development of local businesses put on by Russell Sparkman. Jim will be volunteering to work at the conference.

Hal Seligson thought the presentations of recognition to the police officers was great. He wants to extend that up and beyond to all employees when they do exemplary work. Bruce Allen wants to thank Kreig Construction for the great job they did on the First Street water line project and how careful they were to protect resident’s use of their property. Doug Allderdice thanked Jeff for his presentation earlier.

EXECUTIVE SESSION

Mayor McCarthy called an executive session at 8:25 PM for approximately 35 minutes to discuss the performance of public employees. Motion –, 2nd –.

The executive session ended at 9:10 PM, the regular meeting reconvened and adjourned at 9:11 pm.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/Clerk