Mayor Fred McCarthy called the meeting to order at 5:32 PM. Present were City Council Members Jim Sundberg, Hal Seligson, Rene Neff, Doug Allderdice and Bruce Allen. Also present were Finance Director/Clerk, Debbie Mahler; Director of Planning, Jeff Arango; and Dave Marks, Acting Chief of Police. The flag salute was led by Mayor McCarthy.

**MOTION:** To approve the agenda as amended. The second reading of the Edgecliff Rezoning Ordinance was added and the Library report removed. Motion – Seligson, 2nd – Allen. Motion was passed without opposition.

**MOTION:** To approve the Consent agenda with some revisions to the minutes of 9-23-13. Motion – Neff, 2nd - Allen. Motion carried unanimously.

**CONSENT AGENDA**

a. Approval of council meeting minutes of 9/23/13.


c. Statement of Support for the Guard and Reserve.

**RECOGNITION/APPRECIATION**

Acting Police Chief Dave Marks presented Officer Mitch Hardin with a “Meeting the Exceptional Challenge Award.” While off duty, having dinner with his family, he witnessed an assault, stopped the assault, arrested the suspect and assisted Mukilteo officers in taking the suspect into custody.

**APPOINTMENT OF BOARD AND COMMISSION MEMBERS**

**MOTION:** To confirm the Mayor’s appointment of Louise Prewitt to the Historic Preservation Commission. Motion - Neff, 2nd - Allderdice. Motion was unanimously approved.

**COMMISSION AND BOARD REPORTS**

*Historic Preservation Commission.* Bob Waterman, Chair of the Commission reported that the commission has two main rolls, to get historic buildings on the historic register and to serve as an informational board on history. The Commission was down to three people, seven out of nine meetings had to be cancelled this year. The Commission now has three new members now and hope to accomplish much more in the coming year. Jim Sundberg thanked Bob and the
Commission for all the historical events and celebrations, pamphlets, lectures, etc. that have been put on in the last year for the centennial celebration.

CITIZEN COMMENTS

Dave Gregor read a statement by Maureen Cooke, owner of Mo’s Pub regarding and in support of amplified music. Victoria Locke of Second Street stated that the issues that are most heated with the neighbors and the Pub are not the music. It is what happens in summer and fall when the music is over. People going to their cars at one o’clock in the morning, are very loud. Victoria Locke does not support changing the amplified music ordinance until the crowd control issues are dealt with. Councilman Seligson stated that he was present on a Saturday night when a wedding party was present. A bouncer was at the door and he kept the door closed after ten pm. There was no noise on the street and a Langley officer was patrolling while he was there. He found that the amplified music at Ott and Murphy can be heard much louder outside the establishment. Mayor McCarthy stated that there are few formal police complaints, but many documented letters of complaint from the neighbors of the pub.

Bob Waterman complimented the quick and well done job on resurfacing of Anthes and Camano Streets.

MAYOR’S REPORT

Mayor McCarthy reported that the county road crews did a great job on the street overlays. Randy Perry, Utility Supervisor, presented a very detailed coverage plan for her absence and she gave birth to her son on Saturday night. The city is hiring a temporary worker to help out while she is on maternity leave. The Mayor thanked Debbie for her work with the Ethic’s Commission and the successful audit that was just completed. He also thanked Dave Marks for all his work in the acting chief role and all the data he has been collecting for the council. Thanks were given to Fred Luhndal and all the community members that contributed to the flower baskets and gardens in town. The Mayor also reported that the ethics workshop outcomes were very good. They commission presented all their findings and recommendations. The commission suggested 3 – 5 members on the permanent board. Fred would like the Council to think about what the number should be. The First Street property concern has been fixed and hopefully the business owner is now happy. The new legal counsel contract is to be approved tonight. Mayor McCarthy had a meeting with the shrimping issue advocacy group last week. The harvesting of shrimp has the possibility of reducing whale feeding in Langley. The group is working to limit the shrimp harvesting in the Langley area. Material went forward from Patty Murray’s office to advocate for the local doctor to be able to take Medicare patients. Clean-up of the house fire on Anthes has been completed. The fencing should be removed when there are no hazards present. The second economic forum is scheduled for tomorrow night. Mayor McCarthy received a request from a gentleman who wants to open a marijuana business in Langley. The City will gather data and look into the issue with a goal of getting back to the inquirer in one month.

UNFINISHED BUSINESS
Mayor’s Proposed 2014 Budget. Debbie Mahler distributed copies of the first draft of the 2014 budget. The budget was prepared in a narrative format. Debbie gave a brief overview of the document and answered council questions. Debbie pointed out that the only fund with problems at this time, is the sewer fund. The revenue from septage receiving has fallen drastically and now the fund is projected to be negative without a rate increase or additional septage receiving. This issue will need to be addressed before the budget is adopted. She asked that Council Members look it over and contact her with any questions, suggestions, etc. The official preliminary budget will be ready the first week of November. Public hearings will then be scheduled.

Summary of Amplified Music Issue. Council asked the PAB to look at the definition of “amplified” and also to see if some amplified music should be allowed on a regular basis on properties adjacent to residential zoning districts. Ordinance 989 was passed in early 2013 allowing six amplified music events per year with a permit. The PAB held a public hearing in August to solicit input on the matter. Following the hearing, the PAB felt that the city should wait at least a year to evaluate how Ordinance 989 is working before any changes are considered. Rene Neff thinks the ordinance should stand as is. Bruce asked for additional patrols and ticketing of people parking without permits on Second Street. Rene Neff feels that parking is the issue and that there is no enforcement. Acting Chief Marks stated that the parking issue has been monitored and warnings given. The violators have not been patrons of Mo’s. Hal Seligson stated that he has driven up 2nd Street many evenings and that there are few cars parked there, but he has not seen any permits on the vehicles that were parked there. He did one evening witness three people come out of the pub and go to their vehicle on Second Street and use a noisy electronic key to open the car and drive away. Jim Sundberg doesn’t feel allowing more or less music is the problem, it is the hours of operations. Feels we should consider looking into whether the hours of operation can be changed or renegotiated. Officer Marks said there are less DUI’s from Mo’s than any other drinking establishment on the Island. The police department patrols the area on a regular basis and find very little, if any problems. Acting Chief Marks stated that the department will stop issuing warnings and issue parking tickets.

**MOTION:** To adopt Ordinance 992 related to the Zoning Code contained in Title 18 of the LMC and amending the official zoning map to change the zoning on certain properties between Edgecliff Drive and Sandy Point Road from RS-7200 to RS-15000. Motion - Seligson, 2nd - Sundberg. Motion passed unanimously.

**NEW BUSINESS**

**MOTION:** To approve the contract for legal services with Jeff Taraday of Lighthouse Legal Group. Motion - Sundberg, 2nd - Allen. Motion carried.

**MOTION:** To approve Amplified Music Permit Application # 4 for Mo’s Pub (Nov. 6, 2013).
Motion - Seligson, 2nd - Allen. Motion was approved.

**MOTION:** To waive the first reading and adopt Resolution No. 757 approving an Interlocal agreement authorizing participation in the AWC Employee Benefit Trust. Motion - Seligson, 2nd - Sundberg. Motion was approved with all in favor.

**MOTION:** To approve Amendment No. 1 to the annexation agreement with Sno-Isle Library District. Motion - Neff, 2nd - Allen. Motion passed without opposition.

**COUNCIL REPORTS**

Hal Seligson reported that he met earlier today with Planner Jeff Arango regarding ways in which to further protect the sensitive lands in the Edgecliff area with regards to septic systems and sewers, etc. Jeff has some proposals for that regarding county enforcement of septic inspections, revisiting Langley’s sewer connection requirements, stormwater studies and plan for that area. The new zoning change was very relevant, but follow up must be done. Bruce Allen reported that the Economic Development Council put on a business fair in Oak Harbor last weekend which he attended. He wants to talk to the EDC about having one here on the south-end. In December, the Tourism Committee may meet at the Inn at Langley. The HUB is doing very well in their fund raising efforts. Doug Allderdice reported that he will work with Jeff regarding the new recreational marijuana laws.

**MOTION:** To adjourn the meeting at 7:43 PM. Motion – Allen, 2nd – Allderdice. Motion was approved.

Respectfully submitted,

Debbie L. Mahler, Director of Finance/Clerk