

**TOWN COUNCIL MINUTES**  
**Monday, October 15, 2012**

**CALL TO ORDER, FLAG SALUTE, ROLL CALL**

The second council meeting for the month of October was called to order by Mayor Nichols at 7:00 p.m. at Woodway Town Hall. Councilmembers present were William Anderson, Elizabeth Mitchell, Mike Quinn, Kent Saltonstall, and Tom Whitson. Town Administrator Eric Faison and Clerk-Treasurer Joyce Bielefeld were also present.

**APPROVAL OF MINUTES:** *Councilmember Saltonstall* moved to approve the minutes of October 1, 2012 as amended. *Councilmember Mitchell* seconded the motion. The motion to approve the minutes as amended carried unanimously.

**APPROVAL OF VOUCHERS:** *Councilmember Mitchell* moved to approve Claims Checks #8313 through #8330 including EFT's for the total amount of \$46,200.94. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS:** None

**COUNCIL REPORTS:**

Councilmember Whitson asked if Woodway has a policy on maintenance requirements for undeveloped lots. Town Administrator Faison stated that the town doesn't have a maintenance policy.

Councilmember Mitchell announced that she had attended the Regional Fire Authority (RFA) meeting and voted to approve the 7-person governing board. She explained that this plan will be beneficial to Woodway since each municipality, regardless of population size, receives one vote.

Councilmember Mitchell distributed the Washington State legislative agenda which was created by the coalition between Economic Alliance of Snohomish County, County government, Snohomish County Cities & Towns, and Snohomish County Committee for Improved Transportation. The major priority areas are: Education and Workforce, Transportation & Infrastructure, and Competitiveness. Each municipality's elected officials will be asked to pass a resolution supporting these priorities. Council concluded that this coordinated effort between the four entities will present a united voice regarding Snohomish County issues with the upcoming legislative session.

Councilmember Anderson reported that he was chased by two aggressive and frightening dogs while he was walking. He expressed concern for residents' safety due to these dogs that were observed to be roaming the streets in the northern section of the Town. Town Administrator Faison stated that he would follow-up on the situation and report back on actions by the Town to address the problem.

**MAYOR'S REPORT:**

Mayor Nichols reported on the continuation of the Snohomish County Council's public hearing regarding Point Wells. She said that approximately fifteen people spoke at the public hearing, and it is likely that they will make a decision this Wednesday. The Council is considering amendments that would bring the County into compliance with the Growth Board's decision concerning Pt. Wells' designation as an Urban Center.

Mayor Nichols announced that Snohomish County Tomorrow is having a general assembly on October 24, 2012 with a special presentation on the coal train issue. She encouraged all Council members to attend.

**TOWN ADMINISTRATOR'S REPORT:** No report.

**RESOLUTION NO. 12-361 - RESERVE POLICY**

This resolution relates to the unfunded reserve balance and a minimum dollar amount or percentage the Council would like to keep as a reserve.

Town Administrator Faison stated that most of the cities he researched held a reserve of approximately 8%. He listed many examples of cities in both King and Snohomish County with reserves that ranged between 8%-16%. He stated it would be wise to use an amount that was based on Woodway's actual adopted budget. The Resolution would establish a reserve amount that was equal to 33% of the Town's total annual budgeted general and street fund expenditures, which would be \$508,000 for 2013.

**ACTION:** *Councilmember Mitchell* moved to adopt Resolution No. 12-361, adopting a reserve policy. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

**REVIEW AND ACCEPTANCE OF TOWN HALL BID AND CONTRACT:****Audience comments:**

Joyce Landau, 23829 115<sup>th</sup> Place W., stated that she is concerned that town residents have not had a say in the decision to build a new town hall. She requested that it be put to a formal vote of the residents.

Marylou Block, 23821 115<sup>th</sup> Place W., stated she has worked in government for many years. She acknowledged that there were topics that were too nuanced to be reliably decided with a yes or no vote of the public, but did not feel that the decision to rebuild town hall fell into that category. She felt it was a disservice to the community to allow the Council to make the decision on such a large project.

Malcolm McCallum, 11520 Quail Lane, spoke in favor of building a new Town Hall.

Dean Nichols, 22440 Dogwood Lane, stated that the building of a new town hall was an appropriate decision for the Council to make. He agreed that at certain times, it would

be appropriate to have the voters decide, but this issue's complexity and the Council's extensive research provided a clear decision for the Council. He thanked the Council for being fiscally conservative and reminded them that fiduciary responsibility has two sides: conservative spending and leveraging your money to get the most value. He felt that the timing was right to build a new Town Hall and that Woodway was fortunate to be able to consider building at this time when construction costs and financing were favorable.

Ward Phillips, 22133 Chinook Rd., complimented the council for their diligent work and the tremendous amount of time that they had been studying the Town Hall project. He felt timing was right and that the bid amount was very responsive for building a new town hall.

### **Council Discussion:**

Mayor Nichols stated that the staff and Council had been reviewing the financial records for over two years to ensure that the new building would be affordable. She commended Town Administrator Faison for his hard work on this project.

Mayor Nichols reminded the Council of five points: the current building is tired, the design of the new building is good, the bid price is fair, lending rates are low, and construction costs are low. She also reminded them that over the past two years, Woodway had held several town-wide meetings to discuss building a new town hall, made information available at the annual Community Fair and shared information with the residents in the Woodway Whisper.

She stated that while most residents she spoke with during that time expressed support for the project, they also expressed concern about the cost of police and fire services. She reminded them that the Council had taken those costs into consideration during their discussions and financial projections. Lastly, Mayor Nichols stated that it would be very difficult to take the building decision to a vote because it would mean starting the process over.

Councilmember Saltonstall stated that he didn't feel that remodeling the current building was an option. His main concern was finding a contractor who would finish the job. He explained that his experience on the SnoCom board with one of their ongoing projects made him wary.

He shared that he had done some due diligence about the low bidder, Faber Construction, and all of the feedback he received was favorable. He stated that he was confident that the financial information provided to the Council was correct and under worst case scenario, the decision to build a Town Hall would move the deadline for a levy lift only one year earlier than planned. He explained that the need for a levy lid lift was due to the increase in police and fire service costs, not because of the cost of building a new Town Hall. He stated that he had not yet decided how he would vote and that he would like to hear what his colleagues have to say about the project.

Councilmember Anderson stated that he is concerned about the ongoing cost of police services. He commented that he would like to know what the residents of Woodway expect for police protection. He discussed the option of Woodway providing 24-hour coverage and expressed concern with the plan of having Woodway officers on call instead of Edmonds officers. Town Administrator Faison clarified that the number of hours worked would be enhanced and that the officers would be on call for the rest of their shifts. Through mutual aid agreements with neighboring cities, Edmonds, Shoreline, or another municipality would respond for life threatening emergencies if no Woodway officer was available.

Councilmember Whitson thanked Town Administrator Faison and Mayor Nichols for answering all of the questions and getting all requested information to the Council. He stated several concerns related to the project including the future of Point Wells, whether the voters would vote for a levy lid lift in the future, and who would approve change orders. He commented that although he has become more comfortable with proceeding with the building project, it wouldn't be his first choice.

Councilmember Quinn stated that the process the council went through was very professional. During the last two years, the staff and council have spent a lot of time discussing the size of the building and the financing options and have also shared that information with the community. He felt that the town wouldn't find a better time to borrow money and build. He reminded the Council that the Town had called upon local building industry professionals to study the issue and they had unanimously recommended new construction. He thanked Mayor Nichols for working with Council and being open to feedback. Councilmember Quinn felt it was appropriate for the Council to make the decision instead of having the residents vote on this project.

Councilmember Mitchell stated that she has been in favor of the project from the beginning and that there seemed to be a consensus of the Council to proceed with the project. She explained the problems that would need to be addressed if instead the present building was remodeled and especially in making the building compliant with the federal Americans with Disabilities Act (ADA).

Councilmember Mitchell asked if the Town had requested references from the low bidder, Faber Construction. Town Administrator Faison explained that he had talked to some previous clients of Faber Construction and all of them had positive things to say about the company and the projects that they had completed.

Councilmember Mitchell expressed concern that older residents on fixed incomes may be unable to pay higher taxes and asked about the approximate amount of the increase for the Town Hall portion of the levy lid lift. Town Administrator Faison stated that if the full \$65,000 per year would need to be included in the levy, it would add approximately \$10 per month for the average homeowner.

Town Administrator Faison shared the anticipated project timeline: the current Town Hall would be vacated and construction would start on or around November 12; the

bonds would be issued near the end of November; and construction would be completed in approximately 10 months.

**ACTION:** *Councilmember Saltonstall* moved that the Town of Woodway move forward with the plan to construct a new town hall. *Councilmember Quinn* seconded the motion. The motion carried unanimously.

**REPORT ON BIDS OPENED OCTOBER 9, 2012 FOR THE TOWN HALL PROJECT, ACCEPT BID FROM FABER CONSTRUCTION CORPORATION, EXCLUDING SALES TAX, AND AUTHORIZE THE MAYOR TO SIGN THE CONTRACT:**

Mayor Nichols explained the three bid alternatives: 1. Constructing exterior stairs on south end of property. Olympic View will contribute \$7,500 toward this construction cost; 2. Constructing a glass trellis over the patio. Staff recommends that this option not be constructed at this time; 3. Moving the water main which is necessary in order to locate the new building on the property. Olympic View will reimburse the Town for this construction cost.

**ACTION:** *Councilmember Mitchell* moved to approve Faber Construction's base bid and alternatives 1, constructing the south stair and 3, moving the water main, and to authorize the mayor to execute a contract substantially in the form attached. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

**AGREEMENT WITH OLYMPIC VIEW WATER AND SEWER DISTRICT FOR WATER MAIN REPLACEMENT:**

**ACTION:** *Councilmember Anderson* moved to authorize the Mayor to sign the Agreement with Olympic View Water and Sewer District for Water Main Replacement substantially in the form attached. *Councilmember Saltonstall* seconded the motion. The motion carried unanimously.

**ORDINANCE NO. 12-541, LIMITED TAX GENERAL OBLIGATION BONDS-2012:**

Council discussed whether they should include the cost of the bid alternatives in the total amount to be bonded. The Council consensus was to bond for the total construction cost, including both alternatives.

**ACTION:** *Councilmember Mitchell* moved to adopt Ordinance No. 12-541, Limited Tax General Obligation Bonds-2012 in substantially the form attached. *Councilmember Anderson* seconded the motion. The motion carried unanimously.

**ORDINANCE NO. 12-540, 2012 BUDGET AMENDMENT:**

Ordinance no. 12-540 amends the 2012 budget to include expenses the Council approved after the budget was adopted in December 2011. This amendment is necessary to reflect expenses associated with Town Hall and to increase the operating

fund because of salary increases after the budget was adopted and unanticipated expenses.

**ACTION:** *Councilmember Mitchell* moved to adopt Ordinance No. 12-540, 2012 Budget Amendment. *Councilmember Whitson* seconded the motion. The motion carried unanimously.

**AUDIENCE COMMENTS:** Ward Phillips, 22133 Chinook Rd., expressed his congratulations to the Council for a job well done on the Town Hall project. Mayor Nichols voiced her appreciation of Ward Phillips for his help in reviewing plans, consulting with Town staff and officials regarding areas to realize construction savings, bids, etc.

**GENERAL COUNCIL DISCUSSION – CHOICE OF SUBJECTS:** None

**ADJOURNMENT:**

*Councilmember Anderson* moved to adjourn the meeting. *Councilmember Quinn* seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:51 p.m.

Respectfully Submitted,

**APPROVED BY THE TOWN COUNCIL**

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Joyce Bielefeld, Clerk Treasurer

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Carla Nichols, Mayor

(These minutes accurately reflect what was said at the Council Meeting. Publication does not vouch for the veracity of these statements.)