

Index Town Council
Monthly Meeting Minutes
December 5, 2011

The regularly scheduled meeting of the Index Town Council was called to order at 7:00 PM by Mayor Bruce Albert.

COUNCILMEMBERS AND ADMINISTRATIVE PERSONNEL PRESENT

Bruce Albert
Bob Hubbard
Karen Sample
Patrick Woods
Pete Gott
Sean Horst

Lisa Stowe, Clerk Treasurer
Kim Peterson, Water Manager/Flood Plain Coordinator

Mayor Albert dedicated the meeting to the memory of resident David Schmitt.

Minutes from the November meeting were read. Gott moved to accept the minutes as amended and with a second by Hubbard the motion carried.

Stowe presented the November warrants, numbered 3202 through 3219 and manual check 990010. Payroll and tax warrants totaled \$5455.37 and all others were \$7187.86 for a total of \$12643.23. Hubbard moved to pay the warrants as presented and with a second by Gott the motion carried.

Under public comments a resolution in support of the Totem Pole project was presented. Gott asked where the resolution would be used. Resident Yvonne Lawson said it would be used for obtaining grants. Gott then asked if those grants would come from taxpayer dollars. Lawson said it would be private, non-profit organizations. Albert asked if the private funding extended to a plan for maintenance. Lawson said at this point there is no specific location and maintenance would be the responsibility of the owner of the location. Resident Judy Davis asked who would be responsible for potential vandalism, and resident Pete Klinefelter asked who would pay for insurance. Answers were not clear. Horst moved to adopt the resolution in support of the River Woman Totem Pole Project. With a second by Woods the motion carried, with Hubbard and Gott opposing.

Resident Kem Hunter said there will be a meeting of the Index Business Alliance Tuesday night.

Two representatives of Open Hands Ministry talked to the Council about food distribution. Albert asked them to put their proposal into a letter to the town.

Sgt. Martin was not able to attend.

Under Council comments Gott updated the Council on garbage service. He will deal with the remaining requirements for opting out of garbage service once the Ordinance #424 has been voted on.

Sample brought up wording in the ordinance about the type of containers required to be used. After discussion, it was agreed to amend that section.

Sample brought up wording about options for service. There was a great deal of discussion around the types of service, such as hauling to the dump, working with neighbors, or using a hauler. This led into further discussion around what happens when someone does not haul their garbage. Other points included how to mandate service, how to regulate who is doing what, and fees. Resident Joel Zimmerman pointed out that there are residents in town now that don't use the garbage service, in particular those who do not live in town full time, and because of that current standard, asked how people expected to enforce requiring someone to haul trash away.

Resident Bill Boardman questioned the legality of wording. Albert said the ordinance had been reviewed by the city attorney. Boardman then said he had not seen the ordinance. Albert told him the Town Hall had posted in

the window for a month that the ordinance was available for review. Continued discussion included no choice in providers, level of service and sizes of cans.

Sample asked about the penalties listed in one section. There was discussion about misdemeanors, civil infractions, fees, and the cost to the town in enforcement.

Horst moved to adopt Ordinance #424 relating to garbage as amended. With a second by Sample the motion carried. The ordinance will go into effect when the Allied contract expires in the end of February 2012.

Gott thanked Woods for his years of service.

Gott presented Ordinance #431 increasing water rates, for a first reading. He asked the Council to review the ordinance, and thanked residents from outside town limits for their willingness to meet with him over water issues. He would like to see the rate increase go into effect the same time the garbage service changes. Albert reminded him that residents of Sky Country Club have a contract stating they pay the same as residents in the town limits, as long as that contract is in place. There was some discussion around the 5% increase over future years, and the need to build up the fund in order to be able to deal with catastrophic events.

Sample thanked people in the audience for coming to the meetings.

Horst thanked Woods for being on the Council and said it had been a pleasure to serve with him.

The Planning Commission is on their holiday hiatus.

There was no maintenance report as Cross is out ill.

Under the Water Manager's report, Peterson said she has sent further communication to DNR regarding the trail and parking lot work but they seem to be continuing to ignore the town. She would like the Council to request a key to the gate. The road is passable and access should be available for emergencies.

Riprap maintenance has been completed.

The HUD grant has been submitted for moving a portion of the water line out of the flood area. As part of the process, one or two council members will need to do a brief presentation in January or February. Sample thanked Peterson for pulling together the grant in a short amount of time.

Albert presented an interlocal for fire investigations. He would like the Council's permission to enter into this interlocal. Sample moved to enter into the fire investigation interlocal, and with a second by Hubbard the motion carried.

Albert presented an interlocal for multi-scope permit issuance and fire inspections. This one will allow the town to set a schedule for fire inspections of businesses. Albert asked for assistance in coming up with a schedule and Horst agreed to help. Sample moved to enter into the multi-scope interlocal for permit issuance and fire inspections, and with a second by Horst the motion carried.

A letter from the Index Business Alliance was given to the mayor and council. Albert corrected information in the letter regarding setbacks.

The Snohomish Health District has asked to have Snohomish Mayor Karen Guzak appointed as Index's representative on the Health District Board for another year. There were no objections.

Albert has sent a letter to the County regarding Reiter Road but has had no response.

A petition for a street vacation was received from resident Blair Corson. Corson was told by the Bush House receiver that the sale had closed, but Stowe received a call from a title company on this day that said the sale had not. Albert reminded Corson that in order to sign for the Indices Corporation, Corson would need to provide something authorizing him as the agent. Albert then said the Council could elect to initiate the resolution for the

vacation process, and reviewed that process. This would involve a public hearing at the next Council meeting and the request could be acted on or tabled.

Sample created a resolution that Stowe will number and produce, with the following wording: Whereas the Town of Index would like to have the Bush House back in operation and contributing to the economic well being of the town and the social community; and whereas a portion of the structure is located upon Index Avenue; be it therefore resolved by the Index Town Council that a vacation hearing be set for the regular January Council meeting concerning a portion of Index Avenue abutting Lots 29-33, Block 24 of the Plat of Index. This to be pending completed sale of the property and enacted this 5th day of December, 2011. Sample moved to accept the Resolution as created and with a second by Hubbard the motion carried.

Stowe presented a letter from Klinefelter with a revenue suggestion for charging rent to use town property. Albert thanked Klinefelter for the good idea.

A business application was presented for the Riverview Bed and Breakfast. Sample moved to accept the application as submitted and with a second by Horst the motion carried.

Peterson gave the Council handouts on the upcoming public hearing on water conservation. She covered the amount of water the town uses, and that the town is required to reduce that usage. She asked the Council to come to the hearing at the January meeting with ideas for water conservation. Testimony for and against conservation will be taken at that time. Hubbard said the spigot on the Old Fire Hall, used by people outside of town, throws off the usage amount and would like to see the meter read.

Ordinance #425 relating to the business license application process was presented for a first reading. Sample asked to see a draft application for business licenses that would go along with the Ordinance.

Ordinance #426 relating to uses of public rights of way was presented for discussion. It is a long draft and Albert asked Council members to read it and make changes. Albert asked the council to consider Klinefelter's letter, permanent structures in the right of ways, and parking. Peterson reminded the Council that wording from the Shoreline plan relating to street ends needed to be incorporated.

Ordinance #427 relating to salaries and wages for 2012 was presented for action. Albert reluctantly proposed cutting hours for the clerk and maintenance positions because of the lack of revenue in the general fund. He and Stowe cut as much as they could from the budget but the general fund is still in trouble. There was discussion around ways to bring in more revenue, but there are no revenue streams for the general fund that the town has control over. Discussion also revolved around how cutting hours would impact getting work done. Sample moved to adopt Ordinance #427 as presented and Hubbard seconded the motion.

There was further discussion around the ability of staff to get work done. Albert said work will just take longer, and used as an example two land use applications waiting for review because Stowe is in the middle of an audit process. Sample asked what would happen if this ordinance was voted down. Stowe said the Council could elect to adopt an ordinance with the same wording as last year, with no cut in hours and no cost of living increase, or amend the current draft, or create new wording. Discussion included interns, the complexity of the clerk job, and a levy. Sample then moved to amend her previous motion and to amend the Ordinance to keep the same hours as last year. Gott seconded the amended motion. Peterson pointed out that while the town has raised application fees, it is still shockingly inadequate for the amount of work involved in reviewing applications. She used the city of Monroe as an example, currently charging \$400 for submitting a variance application, compared to Index that charges \$10. She said a permit fee must cover the work the application creates for the town.

With no further discussion, the amended motion carried.

Ordinance #428 relating to the 2012 budget was presented for action. Hubbard moved to adopt the budget as amended to reflect the change in employee hours, and with a second by Sample the motion carried.

The Council cheered Woods and thanked him again for his past service.

As there was no further business Sample moved to adjourn, and with a second by Horst the meeting was adjourned at 9:30 pm.

Adopted by the Index Town Council this 2nd day of January, 2012.

Signed: _____
Bruce Albert, Mayor

Attest: _____
Lisa Stowe, Clerk/Treasurer