

Index Town Council
Monthly Meeting Minutes
August 1, 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	Lisa Stowe, Clerk Treasurer
Bob Hubbard	Kim Peterson, Water Manager/Flood Plain Coordinator
Karen Sample	Bill Cross, Maintenance Supervisor
Patrick Woods	
Sean Horst	

Gott's absence was excused.

Mayor Albert dedicated the meeting to the memory of Conway Leovy, a great man who supported Wild Sky and Friends of Heybrook and was a member of the Index community for many years.

Minutes from the July meeting were read. Hubbard moved to accept the minutes as presented and with a second by Sample the motion carried.

Stowe presented the July warrants, numbered 3132 through 3148. Payroll and tax warrants totaled \$5722.30 and all others were \$4828.43 for a total of \$10550.73. Hubbard moved to pay the warrants as presented and with a second by Woods the motion carried.

Mayor Albert welcomed Snohomish County Councilmember Dave Somers. He reported on the County budget and the downsizing going on. He talked about land that is being obtained for parks, including obtaining land for a shooting range on Sultan Basin Road and the creation of a campground in Sultan. He knows traffic regarding the Reiter ORV park is an issue for Index and said it is not acceptable to have that traffic coming through Index. He has been working on getting companies like the PUD to pitch in on repairing Reiter Road and hopes to see it open next year. He talked about the ordinance the County is considering relating to trails. There will be a public hearing on August 24th at 10:30 on this issue. Comments can be submitted by mail. He continues to work on SR2 safety improvements, and funding is still being sought to repair Index-Galena Road.

Hubbard asked if Councilmember Somers had an estimate on how much it would cost to fix Reiter Road, which Somers did not. Hubbard then asked how changing parks to the County, from State Parks, would impact Wallace Falls and the Forks of the Sky. Somers didn't realize Forks of the Sky was maintained by the same people. Hubbard said changes to the parks should include extending public service to Index. Somers said there is zero chance of any extensions in the next two years.

Sample was skeptical. She said the Town has lobbied to make the County Ordinance more stringent and instead it's being loosened. The Town is getting a bad reputation for being anti-ORV when our point of view is keeping water safe. She doesn't care if people ride but the water must be protected. It's a valuable water system and others don't have to worry about people riding through their watersheds, while Index does. Somers said water protection should be top level protection. He also said the Ordinance needs to be reworked.

Horst agreed with Sample. He also thanked Somers for being the first person to respond to his letter regarding traffic in Index. Somers said he would take that on personally.

Under public comments resident Ed Boress asked about a car on Index Avenue. It is being taken care of.

Sgt. Martin was not able to attend.

Under Council comments Horst is reviewing the contract with Sky Country Club for water service. He asked about wording in the contract that says SCC must receive notice of rate changes sixty days prior to the change going into effect. He asked if residents in Town get sixty days, which they do not as changes go into effect when an Ordinance is adopted.

Horst received information on the garbage issue from Gott that include sample ordinances, and this will be talked about later in the agenda. He also received a letter from Peter Goldmark in response to the traffic concerns. Horst said he felt better about the response he got from Somers than Goldmark. Albert said the letter stated that traffic concerns were addressed by stating parking would not be built out, and he questions whether that actually addresses the Town's concern.

Woods apologized for missing last month's meeting.

Sample asked who owned the property at the end of her driveway. Historically a resident mowed that area but that resident has moved. Sixty feet of the piece is an undeveloped street. Albert said the Town would mow the ditch line but not all of it.

The Planning Commission finished working on public comments received on the Comprehensive Plan draft. They are now returning to creating a Commercial Ordinance. The Planning Commission still has one open seat.

Under the maintenance report, Cross is preparing for the upcoming Arts Festival. Albert said he received a letter from an attorney regarding the Bush House that states they are hoping to repair, not tear down, the hazardous areas of the building.

Under the Water Manager's report, Peterson is still waiting for a response from the Dept. of Ecology and no Shoreline work will be done until responses are received.

Albert said the system at the Sportsmen's is working and the Forest Service has been controlling people overstaying. He asked that people let the Town know of any problems.

Albert met with Somers regarding Reiter Foothills. The Town is not trying to stop people from ORV use, but the Town does have specific concerns regarding water and traffic.

Albert met with Mayor Eslick from Sultan regarding the creation of a Recreational Innovation Partnership Zone. A concern is that this includes financial involvement and Eslick could not tell him how much. The information is in Council packets if any Councilmember wants to research it.

Stowe had nothing to report.

A business application for Haida Arts was reviewed. This is a proposal to carve a totem/story pole. Albert said that since the carving is for remuneration there should be a business license in place to address impacts of carving in an area of single family residences and a bed and breakfast. There are concerns about noise levels and neighbors should be given an opportunity to comment.

Resident Kem Hunter was representing the carver. He said noise is a concern but the owner assured him that chainsaw noise would be at the start of the carving, would start at 10 a.m. and not go on at night. Horst moved to accept the application as presented, feeling that there will not be a huge

disturbance, and Woods seconded the motion. Albert questioned what was meant by 'some chainsawing for part of the project' and felt that needed clarification. Woods said the Town has a noise ordinance in place and felt that would deal with any issues. With no further discussion the motion carried.

A business license for either 'Let's Talk About It' or 'Peace Love Index' was reviewed. Resident Dave Heckman would like to open a business in the old Sportsmen's house but isn't sure about cars or hours of operation yet. Albert said the business is at the edge of the de-facto business section of town and parking is a question. Heckman felt parking could happen on the Town's spare lots but hoped people would walk to the business. Hubbard said he had a hard time imagining more cars than what are at Wave Trek. Albert pointed out that Wave Trek parking consumes all of the parking along 5th Street, in front of the Bush House, and along Avenue A west of 5th Street. If this new venture was equally successful parking could take up Avenue A to 7th Street. Hubbard asked if the Town made parking demands at the time Wave Trek submitted their business application. Albert said parking was addressed but may have to be revisited.

Sample asked Heckman if he would serve alcohol and he replied yes or no. Albert said the Council has to take action on what the application is for and can't act on a maybe. Horst asked if the Town needed to see permits prior to accepting an application and Albert said the Town would want copies after they were obtained. Sample is concerned about alcohol being served in a residential area. She wants to see successful businesses but also wants to consider the mix with residential areas.

Albert felt that neighbors should be given a chance to weigh in prior to a business opening. Sample said she would like to see the ideas fleshed out more concretely. Heckman withdrew the sale of alcohol from the application. Sample moved to accept the business application without the sale of alcohol and with a second by Hubbard the motion carried. Stowe asked for the name of the business and phone numbers but that was not clear.

Public comments on the Comprehensive Plan draft were addressed as part of the public hearing. No one in the audience or in the Council had any comments. Comments were received from Puget Sound Regional Council that included asking for population and housing numbers to be updated since the 2010 Census figures were out. The comments were addressed and the letter will be attached as an appendix to the Plan. Adoption of the Plan will be next month through Ordinance #415.

Ordinance #417 increasing garbage rates was discussed again. Gott submitted copies of ordinances from other cities compelling garbage service as well as a narrative since he was not able to attend. Sample felt rates should be raised through February of next year until the contract runs out. She likes what the city of Lacey created and touched on points the ordinance covered. The city of Kennewick had a couple paragraphs that she felt could be cut and pasted into a Town ordinance. She would like to write a compliance ordinance with the help of Gott for a first reading next month. Sample then moved to adopt Ordinance #417 increasing rates for a single can of garbage to \$31, increasing rates for two cans of garbage to \$42.50, and leaving the rates for recycling only and extra garbage the same, with an effective date of September 1st. With a second by Hubbard the motion carried.

Ordinance #419 for revising the Flood Plain Ordinance was tabled until next month.

Ordinance #420 increasing business license fees was presented for a first reading.

Ordinance #421 creating an administrative fee for two-month late water payments and increasing the late fee for three-month water payments was presented for a first reading.

Ordinance #422 streamlining land use fees into one Municipal Code was presented for a first reading.

Ordinance #423 increasing flood hazard permit fees was presented for a first reading.

Resolution #11-02 increasing the user fees for the Old Fire Hall was presented. Horst moved to accept the Resolution as presented and with a second by Hubbard the motion carried.

Resolution #11-03 increasing land use application fees, SEPA review fees, and Shoreline review fees was presented. Sample asked if Stowe was comfortable this increase would cover time. Stowe felt that with the application increase and the addition of charging for the reviews, which the Town has not been doing, it should help cover costs. Sample then moved to accept the Resolution as presented and with a second by Horst the motion carried.

Resolution #11-04 establishing Administrative fees was presented. Horst moved to accept the Resolution as presented and with a second by Hubbard the motion carried.

Under other business, a request for an easement from the Corson family was presented. As this is a complex issue, no action could be taken. Albert said a group hoping to purchase the Bush House would like an easement on Index Avenue and 5th Street for a septic system. This easement would go almost to the current center line of Index Avenue and the verbiage in the narrative does not match the attached map. Albert asked a councilmember to help him research this issue and Horst agreed to assist.

Albert sees three potential issues with the application. 1. An easement can only be granted to the property owner or agent so this request should come from one of those two. An easement cannot be granted to a third party. 2. This easement would cut off access to the neighboring home and town property and the street would have to be re-graded. 3. This would also eliminate parking for the Bush House. And a water main runs under the proposed easement. Finally, the Health District requires septic systems to be one hundred feet from a stream, which means that half of this proposal would be impacted.

Blair Corson said he was asked by the septic designer to seek the largest possible amount of land. He also said the Bush House is in Escrow and the title can't clear until a new drain field is put in or an easement mitigated with the house next door. Albert appreciates the magnitude of the problem and there is a strong interest in seeing the Bush House improved. He asked if Corson had researched other options such as using the school septic system. Corson said they did and the school was not an option. Horst and Albert will work on this request.

As there was no further business Horst moved to adjourn, and with a second by Woods the meeting was adjourned at 8:50 pm.

Adopted by the Index Town Council this 6th day of September, 2011.

Signed: _____
Bruce Albert, Mayor

Attest: _____
Lisa Stowe, Clerk/Treasurer