



## DEPARTMENT HEAD/COUNCIL COMMITTEE/BOARD/COMMISSION REPORT

- a. **Police Report-** Chief Heishman informed Council that the Washington State Department of Transportation changed the speed limit signs on SR 161. The Police Department will be doing public awareness before any enforcement of the speed zones takes place.
- b. **Fire Report-** Chief Vellias introduced the three new Paramedics and had each one step up to the podium to tell Council about themselves.
- c. **Finance Committee-** Council member **Gribi** reported that the Finance Committee met on January 20, 2014, reviewed 2014 year end balances and the 2014 cost allocation and true up transactions for the admin transfers. The Committee feels that the Town came fairly close to the budgeted estimates.
- d. **Mayor Report-** Mayor Schaub reported that Rod Knockers Car Club made a \$500.00 donation to the Eatonville Family Agency Back Pack Program. He also reported that the new speed limit signs are up and active on SR 161 and that we are in education mode for 30 days. PSRC is holding their General Assembly meeting next month and Council members interested in attending should notify the Town Clerk. He announced that the Town of Eatonville and the Eatonville School District are holding a 12<sup>th</sup> Man March on January 30, 2015 to show support to the Seattle Seahawks. The high school will be sending photos to the Seahawks and to the media. The Mayor read a Proclamation declaring January 30, 2015 as Seahawks Blue Friday. The Mayor also reported that it is great to see a lot of families using the Trail.

## PUBLIC HEARING

### PUBLIC HEARING ON AVIATOR HEIGHTS REQUEST FOR PLAT MODIFICATION

Mayor Schaub opened the Public Hearing and asked for public comment at 7:45.

Town Attorney Gregory Jacoby addressed the appearance of fairness with Council. There have been no changes since May 2014.

Town Attorney Gregory Jacoby swore in all citizens who signed up to talk.

Town Attorney Gregory Jacoby gave a staff report on the changes. In May, the Town held a Public Hearing, the applicant requested additional time to submit the changes to the FAA for review, and Council made a motion to continue deliberations. The Public Hearing tonight is to focus on the FAA rulings, then for further Council discussion.

Sean Comfort with AHBL, Inc. explained that they have submitted 144 7461-1 applications to the FAA. Some applications were submitted more than once due to clarification. He gave a presentation and answered questions from Council members on the proposed modifications to Aviator Heights and explained the FAA rulings on each one.

Council member **Pierce** asked Mr. Comfort if he had the opinion from FAA in writing, then stated there was no difference in whether the area in front of the proposed hangers is referred to as a driveway or a taxiway. Mr. Comfort provided Council member **Pierce** with a copy of the email.

Council member **Walter** asked Mr. Comfort what types of uses the proposed hangers could be used for. Mr. Comfort explained that they would all be build in series of three so that the shell build could be used as a hanger, and could only be used for zoning allowed uses.

Town Attorney Gregory Jacoby asked Mr. Comfort clarify for to Council, whether AHBL is asking for the same 8 or 9 modifications that were proposed in May or if those have changed. Mr. Comfort invited Lisa Klein, with AHBL to address this question.

Lisa Klein, Land Planner with AHBL, provided Council with copies of, Aviator Heights Preliminary Plat Minor Modification Requested Conditions of Approval and reviewed all requested plat changes. The complete document is on file with the Town Clerk.

### **Public Comment**

Citizen Bill Arthur was not present in the audience.

Citizen Carter Timmerman stated that he has expressed concern in the past and requests that Council deny the plat modifications. Mr. Timmerman referred to the 74.60 process that the FAA has completed, which is designed to protect air space. Mr. Timmerman read from FAA study reports. Complete reports are on file with the Town Clerk.

Citizen Nancy Ellis declined comment.

Citizen Phil Beach declined comment.

Hearing no further comment, Mayor Schaub closed the Public Hearing at 7:53.

### **COUNCIL DISCUSSION AND DELIBERATIONS REGARDING AVIATOR HEIGHTS PLAT MODIFICATION**

Town Attorney Gregory Jacoby informed Council that it was up to them how to proceed. The spreadsheet provided by AHBL is a good reference, and that they don't have to finish tonight.

Council member **Gribi** asked how this will affect insurance rates. Mayor Schaub responded that there is no indication from AWC that there will be a rate increase.

Council member **Pierce** asked if Council was out of order because there was not a motion. Town Attorney Gregory Jacoby responded that Council is acting as a quasi judicial body, are not considering a Resolution or Ordinance, and that no motion is required.

Council member **Pierce** feels that we would be exposing the Town if we are not following the FAA's recommendations, that the Town is exposed on the existing hangers, which were part of the original plat, and that they are part of this discussion. Town Attorney Gregory Jacoby stated that the current hangers need to be addressed, but the action Council is being asked to consider and rule on tonight does not include the existing hangers. It includes the changes from the original plat that has already been approved.

Council member **Schrimpsheer** suggested that the group take the modifications one at a time to discuss and consider what information is needed to move forward.

Council member **Walter** stated that he submitted a public records request for the original permit applications, for the existing hangers, and submitted copies for the record.

Council member **Schrimpsheer** asked if anyone would like clarification or had discussion about condition #2, Weyerhaeuser Road Improvements. He asked Administrator Beagle what the change means to the Town. Town Attorney responded and explained that the exact improvements that were originally approved will be done by two people. Council member **Gribi** asked if it is in the Document. Administrator Beagle responded that it is in the document.

Council member **Pierce** asked if this says no sidewalks to lot 13. Administrator Beagle asked Sean Comfort with AHBL to help clarify. Mr. Comfort explained that there will be curb and sidewalks to lot 21.

Council member **Pierce** asked if the Town boundary goes to the railroad tracks and asked if sidewalks will be built when the lots are built on. Sean Comfort responded that Weyerhaeuser Road becomes private at lot 19.

Council member **Pierce** stated, if we are modifying the plat, we have the opportunity to extend sidewalks, so that they go in for future growth.

Council member **Gribi** asked if sidewalks were only on one side of Weyerhaeuser Road. Administrator Beagle responded that was correct.

Council member **Pierce** stated that he does not like the black chain link fencing. He feels the wood provides a barrier. Sean Comfort with AHBL stated that the intent is to place slats in the black fencing. Council member **Pierce** said he doesn't have a problem with it as long as it's slatted.

Council member **Gribi** asked if this was a security gate coming into the residences and stated that she doesn't like it.

Council member **Pierce** stated that the Rath house is the only gated residence in Town that he knows of.

Council member **Schrimpsheer** doesn't think a gated community is warranted in this location.

Council member **Pierce** stated that he feels the fencing is valid if it is protecting the airport but not for a private community. He said the original intent was to make this an airport community, and that their children are aware of safety with planes. By removing this we will have exclusive homes who will complain to Town Hall about the noise, setting us up for liability by removing the taxi way.

Council member **Schrimpsheer** felt that an airport specific community would limit the market on who would purchase the homes.

Council member **Pierce** said that zoning limits the market every day, and is against changing the use so that it is not an aviation community. He also feels that the hangers are storage facilities, and the road in front of them is a driveway. He said that a taxi way has no parking.

Council member **Walter** said that he agrees with Council member **Pierce** about changing the taxi way into the development. Owners will enjoy the private road but will feel privacy is being encroached on from above. He said encroachment on an airport is gradual and cumulative, if this is allowed, will another one be allowed on the other side? We could potentially be setting ourselves up for a law suit.

Council member **Schrimpsheer** addressed #15 regarding notification of airport use, asked if these notifications go on deeds, and if that indemnifies the Town against litigation or liability.

Town Attorney, Gregory Jacoby stated that it makes it clear what people are buying.

Council member **Walter** asked if the notification would include what can't be done such as planting trees. Mayor Schaub responded that residents would be required to follow the rules for the overlay zone.

Council member **Gribi** asked who will police it. Town Attorney responded that the Town will police it.

Mayor Schaub asked for comment regarding condition #17.

Council member **Schrimpsheer** feels that the parking issue in front of the proposed hangers is a valid point and that parking for the multi use building needs to be addressed.

Council member **Gribi** asked if there is anything in place to ensure the groups of 3 hangers will be build side by side.

Council member **Walter** asked if storm drain changes will need to be made due to paving. He is concerned for the potential for non aviation shops so close to the runway.

Town Attorney Gregory Jacobsen stated that the code does allow for commercial use.

Council member **Pierce** asked if we will need to send the police daily to ticket people who park in front of the hangers.

Council member **Schrimpsheer** stated that we need clarification on parking.

Council member **Pierce** asked where you are going to put it.

Council member **Schrimpsheer** said we can ask for clarification.

Council member **Gribi** asked if it would clear up the parking concern if the hangers were made 40 feet. Administrator Beagle responded that the code doesn't define width.

Council member **Pierce** said that storage units have different rules, asking for a taxi way and using it for commercial use.

Town Attorney Gregory Jacoby stated that planes and cars were using the same roads in the original 2007 plans.

Council member **Pierce** responded, not for parking.

Council member **Gribi** asked if we are on condition 17 or 19. Town Attorney Gregory Jacoby replied, both.

Council member **Pierce** stated that in tract A, there is nothing that shows how far it is being put from residential.

Administrator Beagle replied that it would have to comply with setbacks, and if it complies with the code, we have to allow it. When a building permit application is submitted, we will follow the code.

Council member **Pierce** said he hopes so.

Council member **Schrimpsheer** asked where the trail ties in to the public road. He wants to make sure no one is confused about trail access.

Council member **Schrimpsheer** acknowledged concerns about the playground, but stated that they play ball at the Eagle's six months of the year and it is in the air approach and landing space.

Council member **Gribi** asked what Council member Pierce would propose.

Council member **Pierce** is concerned about a plane crashing into a playground with kids in it.

Council member **Gribi** feels that is valid.

Town Attorney Gregory Jacoby summarized the discussion items.

1. Clarify Weyerhaeuser Road
2. Parking along hanger and commercial building. What is the proper term, driveway or taxi way?
3. How would the proposed changes affect the Town's insurance?
4. Fence slats should be included in the plan.

Council member **Gribi** made a motion to continue the discussion at the February 23, 2015 meeting and was seconded by Council member **Schrimpsheer**. All were in favor.

### **COUNCIL MEMBER COMMENTS**

Council member **Schrimpsheer** stated that the Public Safety Committee will meet on February 3, 2015 at the Visitor Center. The Committee meets the first Tuesday of each month.

Council member **Gribi** announced that Dollars for Scholars will be holding their Casino Night on March 14, 2015.

Council member **Walter** announced that the Animal Control Ad Hoc meeting will be held on the second Thursday of each month with the first meeting on February 12, 2014.

### **ADJOURNMENT**

Council member **Gribi** moved to adjourn and was seconded by Council member **Pierce**. All were in favor. Mayor Schaub adjourned the meeting at 8:49 PM.

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Mike Schaub, Mayor

ATTEST:

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Kathy Linnemeyer, Town Clerk