

**TOWN OF YARROW POINT
COUNCIL MEETING MINUTES
July 12, 2016
6:00 PM**

The following is a summary of the proceedings and is *not* a verbatim transcript.

CALL TO ORDER:

Mayor Dicker Cahill called the meeting to order at 6:04 PM.

PRESENT:

Mayor: Dicker Cahill

Councilmembers: Mary Elmore
Bruce Jones
Steve Bush - Excused
Andy Valaas
Carl Scandella

Staff: Anastasiya Warhol – Town Clerk-Treasurer
Mona Green – Town Planner
Stacia Schroeder – Town Engineer
Wayne Stewart – Town Attorney
Roger Myklebust- Town Legal Representative

Guests: Shirley Rutledge Harman, Town Resident at 4226 92nd

APPEARANCES:

Shirley Rutledge Harman wanted to commend the Town for the great work done on the 92nd Ave UGC & Pathway Project. Having lived in the area for more than 60 years, she was amazed at how quickly the job was completed.

MINUTES:

MOTION: Councilmember Valaas moved to approve the regular minutes of June 13, 2016 as presented. Councilmember Scandella seconded the motion.

VOTE: 3 For, 0 Against, 1 Abstain. Motion carried.

CONSENT CALENDAR:

MOTION: Councilmember Valaas moved to approve the Consent Calendar as presented including the Payment Approval Report dated 07/07/16, approving payments as shown totaling 302,499.10 plus payroll expense of \$14,953.94 plus benefit and tax expense of \$15,435.52 as shown on the attached payroll and benefits reports for a grand total of \$332, 888.60, also noting that the Jansen Check is \$3,000 less than the attached Payment Request 8B (Clerk Warhol clarified that the check is indeed \$3,000 less due to an overpayment on Pay estimate 8A). Councilmember Jones seconded the complete motion.

VOTE: 4 For, 0 Against, 0 Abstain. Motion Carried.

The Council also approved the following documents as part of the consent calendar:

- Town Planner Invoice; June
- Town Engineer Invoice; June
- Building Official Invoice; June
- Jansen Inc, Invoice 8B (92nd UGC & Pathway Project)

STAFF REPORTS:

Planner Mona Green offered an updated on the Carillon Point Seaplane proposal filed with the City of Kirkland. Kirkland's City Planner has received many comments, including the letter submitted from the Town. The City will host a public hearing in either October or September. In the meantime, a complaint has been filed against Carillon Point's Sea Plane operation and there is a violation process underway.

Regarding general building activity, Ms. Green also noted that while permit levels are high, Town staff is meeting the demand. Any project slowdowns are usually caused by the applicant needing to either submit additional information, or apply for revisions.

Finally, the Planner noted that she had been contacted by a resident concerned about the diminishing trees in Yarrow Point. Yarrow Point has no mitigation provisions for those who cut down trees on private property. While the Planning Commission had studied these issues years ago, it may be time to revisit them with the hope of perpetuating our urban forest.

Town Attorney Wayne Stewart noted that he has looked into whether or not Airbnbs are allowed under our current code. There is no definite answer because "commercial use" is not only undefined, but a narrow interpretation may impact regular homeowners renting their property, as well as other home uses. Mayor Cahill advised the Town to pay attention to how other jurisdictions are responding to these issues.

REGULAR BUSINESS:

AB 16-25 92nd UGC & Pathway Update

Mayor Cahill announced that Lakeridge Construction has completed the project. They did a great job. The project was completed on time and on budget. Mayor Cahill also noted that with significant close-out items being completed by Town Staff, the project is now finished.

AB 16-26 Capital Improvement Plan Ordinance No. 666, for Adoption

Mayor Cahill noted that the CIP as presented reflects major transportation, stormwater, and underground conversion projects to be accomplished 2017-2021.

Mayor Cahill Opened the Public Hearing at 6:33 PM

No comment.

Mayor Cahill Closed the Public Hearing at 6:34 PM

MOTION: Councilmember Jones moved to adopt *Ordinance No. 666*, adopting a new six-year capital improvement plan for 2017 through 2022. Councilmember Valaas seconded the motion.

VOTE: 4 For, 0 Against, 0 Abstain. Motion Carried.

AB 16-27 Hearing Examiner and Substantial Development Permits

Town Planner Mona Green explained two ordinances that pertain to two portions of the Yarrow Point Municipal Code which require updating in order to assign the responsibility for Shoreline Substantial Development Permits to the Town's Hearing Examiner.

The Planning Commissioners have reviewed the language and held a public hearing on June 28. The commissioners have recommended both ordinances

The Council made one adjustment under 17.28.080, Decision of Hearing Examiner, to amend the sentence to read as follows: "The examiner shall render a written decision within 10 working days of the conclusion of the hearing, *unless*, in the opinion of the hearing examiner, additional testimony is warranted."

Mayor Cahill Opened the Public Hearing at 6:39 PM

No comment.

Mayor Cahill Closed the Public Hearing at 6:40 PM

MOTION: Councilmember Valaas moved to adopt *Ordinance No. 667*, amending Title 14 of the YPMC, Project Permit Process, and incorporating processes relating to Shoreline Substantial Development Permit Application Review by a Hearing Examiner, as presented Councilmember Scandella seconded the motion.

VOTE: 4 For, 0 Against, 0 Abstain. Motion Carried.

MOTION: Councilmember Scandella moved to approve the *Ordinance No. 668*, amending title 17.28 of the YPMC, Hearing Examiner, and incorporating processes relating to Shoreline Substantial Development Permit Application Review by a Hearing Examiner, incorporating suggested phrasing into 17.28.080 into the Ordinance. Councilmember Jones seconded the motion.

VOTE: 4 For, 0 Against, 0 Abstain. Motion Carried.

EXECUTIVE SESSION:

Mayor Cahill announced that the Town Council will enter an executive session for the purpose of discussing potential litigation. The executive session will last at least one hour. There were no audience members. Council entered the Executive Session at 6:42PM. The Council Concluded the session at 8:25PM.

ADJOURNMENT:

MOTION: Councilmember Valaas moved to adopt adjourn the meeting at 8:30pm. Councilmember Scandella seconded the motion.

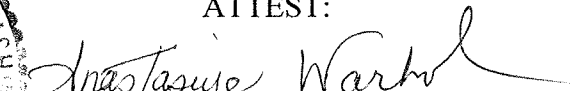
VOTE: 4 For, 0 Against, 0 Abstain. Motion Carried.

APPROVED:


Dicker Cahill, Mayor



ATTEST:


Anastasiya Warhol, Clerk-Treasurer