

**TOWN OF YARROW POINT
COUNCIL REGULAR MEETING MINUTES**

June 12, 2018

7:00PM

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 7:00 PM

PRESENT:

Mayor: **Dicker Cahill**

Councilmembers: Mary Elmore
Stephan Lagerholm
Steve Bush
Andy Valaas
Carl Scandella

Staff: Anastasiya Warhol – Town Clerk Treasurer
Austen Wilcox – Town Deputy Clerk
Kyle Kolling – Police Lieutenant Clyde Hill Police
Dawn Hanson – Clyde Hill Police Officer
Stacia Schroeder – Town Engineer
Mona Green – Town Planner

Guests: Cheryl Pietromonaco – Resident
Homa Shirazi - Resident

APPEARANCES:

Cheryl Pietromonaco, resident at address 3445 92nd Ave NE, discussed a paving issue related to the private lane in front of her home and supplied the Council with documents in support to her claims. Ms. Pietromonaco is requesting the Town to repave the section of private lane in front of her home. Mayor Cahill responded to Ms. Pietromonaco stating that the Town will take her concerns under consideration. Mayor Cahill agreed to respond to Ms. Pietromonaco by the following week.

Homa Shirazi, resident at 8911 NE 33rd St, requests a copy of a variance signed with Verizon Wireless and has concerns about future cell towers in the Town. Ms. Shirazi is requesting further input on the Town's position of potential future cell tower installations. Mayor Cahill suggested to Ms. Shirazi to file a public records request to seek the info that she is looking for. The Clerk-Treasurer agreed to provide the resident with form and to answer any questions about the process.

MOTION: Councilmember Valaas moved to add a discussion item of proposed funding to the Points 4th of July Committee to the agenda. Councilmember Elmore seconded

VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

MOTION: Councilmember Lagerholm moved to add the ordinance relating to private lanes as a discussion item. Councilmember Elmore seconded the motion.

VOTE: 2 For, 3 Against, 0 Abstain. Motion *failed*.

Private Lane Maintenance Ordinance

The Council agreed to add a discussion on the private lane maintenance ordinance to the July Council agenda. Mayor Cahill concurred.

MINUTES:

MOTION: Councilmember Valaas moved to approve the regular minutes of May 8, 2018 as presented. Councilmember Elmore seconded the motion.

VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

MOTION: Councilmember Lagerholm moved to approve the study session minutes of May 29, 2018 as presented. Councilmember Bush seconded the motion.

VOTE: 3 For, 0 Against, 2 Abstain. Motion carried.

CONSENT CALENDAR:

MOTION: Councilmember Bush moved to approve the Consent Calendar as presented including the Payment Approval Report dated 6/12/2018 approving payments as shown totaling \$86,060.47 plus payroll, benefits, and tax expenses of \$25,265.68 as shown on the attached payroll and benefits reports for a grand total of \$111,326.15. Councilmember Valaas seconded the motion.

VOTE: 5 For, 0 Against, 0 Abstain. Motion Carried.

The following items were also approved as part of the Consent Calendar:

- Payment Approval Report; May
- Payroll, Tax, & Benefits Registers; May
- Town Planner Invoice; May
- Town Engineer Invoice; May
- Building Official Invoice; May
- Town Attorney Invoices

STAFF REPORTS:

Lieutenant Kolling introduced newly sworn-in Lieutenant, Dawn Hanson. Lieutenant Kolling reported on a structure fire that occurred in the Town in May and stated that occupants escaped safely.

Town Planner Green provided a recap of the May Planning Commission meeting. There was a large turnout of residents and many public comments regarding cell towers. Most comments were in opposition to additional cell towers or the development of a 5G network in the Town. Regarding cell site applications, the Planning Commissioners expressed reservations about delegating the task to a hearing examiner. After a discussion, the Council, in agreement with the Planning Commissioners, agreed to maintain cell site variance hearings with the Planning Commission.

Council discussed an appeal process for a hearing examiner's decision. Town Planner Green stated that a hearing examiner could write a stronger - legally defensible - report justifying a decision whereas a Planning Commission's version could be weaker in comparison regarding the potential uphold of an appeal. Town Planner Green will consult with the Town's Attorney to discuss policies and options for an appeal process for wireless variance hearings. Ms. Green agreed to bring options to the town Council at an upcoming meeting.

Town Engineer Schroeder gave an update on the following items:

- Playground – Town staff is still working with the project designer to complete the final design. Town Engineer Schroeder discussed projected costs for playground construction. Council discussed current costs spent to date and the projected timeline to go out to bid. Council has concerns the projected costs will continue to increase after the project goes out to bid and will exceed the anticipated budget. Town Engineer Schroeder provided a forecast of the next steps of the project before it goes out to bid.
- NE 41st Street Paving – Scheduled paving is tentatively planned to commence on July 9.
- Stormwater Projects – Town Engineer Schroeder provided status updates on a series of ongoing stormwater projects. Councilmember Valaas voiced concerns regarding the quality of a stormwater repair project on 42nd Street. Engineer Schroeder will verify the work was completed as authorized.
- 91st Street – Work has been completed at the location. Engineer Schroeder stated that residents near this location seem pleased regarding the fix.
- 47th Street – Demolition of this area will commence on Wednesday June 13th. The project should be mostly complete by end of the working week. The final decision on chosen replacement pipe for location is CPE. High flow grates are being installed and bolted down.

- Provac Catch Basin Cleaning – Company, ‘Provac’, will wait to commence the catch basin cleaning until the NE 41st street paving is completed. Provac will clean out the catch basins after the paving project is completed.
- Purchase order for gravel to front entrance and pothole fix: Gravel will be installed on a ROW strip to help level out the slope and protect nearby vaults.

Deputy Clerk Wilcox provided an update on the website design. A staging site has been set up to allow a resident web designer to make some professional design changes. Deputy Clerk Wilcox also reported that the web designer has assisted with branding content for the Town as well.

Mayor Cahill reported on the recent structure fire in the Town. The fire department arrived within 5 minutes of the call. The fire happened quickly however the occupants escaped quickly. A notice was sent out to residents about the fire reminding citizens to check the operation of their home safety systems.

REGULAR BUSINESS:

AB 18-17 Six-Year Capital Improvement Plan, First Reading (1:44)

Town Engineer Schroeder gave an overview of the six-year Capital Improvement Plan. Engineer Schroeder stated that it would be beneficial to upgrade the Town’s Stormwater Management Plan and recommended budgeting for it. Town Engineer Schroeder explained the process for updating the Plan as a supplement and the importance of updating it. Council discussed the organization of the plan and associated project costs. Council discussed the tiering of projects on the CIP. Bundling projects together is often conducive. Staff will plan to do the next CIP/TIP update a month earlier, May, starting in 2019.

AB 18-18 Town Development Fee Resolution No. 337, For Approval

Deputy Clerk Austen Wilcox presented the following updates to the Fee Resolution:

- State Building Code Council Fee
- Adding the Technology Fee to SEPA, Re-Roof and Fence permits
- Adding flash drives (*replace the existing disc line item with flashdrive*)
- Adding the Town’s History Book as a line item

MOTION: Councilmember Valaas moved to pass *Resolution No. 337* approving updates to the Town’s Development Fee Resolution. Councilmember Bush seconded the motion.

VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

AB 18-19 Interlocal LID Negotiation Agreement Amendment, For Approval
Mayor Cahill provided information regarding the status of the ILA negotiation process and the need for the approval of additional funding. In 2016, the Four Points joined together and hired legal counsel (Kantor Taylor PC) to assist in negotiating the SR520 Lid maintenance. The original Interlocal Agreement reserved \$5,000 from each jurisdiction to help cover legal services provided during the negotiations. The jurisdictions have nearly exhausted the original allotment and need an amendment to the original ILA to approve an additional allotment of \$5,000 per jurisdiction. This would mean that the Town would spend no more than \$10,000 toward this effort, total.

The Town Attorney has reviewed the amendment and finds that the amendment is legally sufficient and does not seek to make any substantive changes other than increasing the maximum amount of funding required to be paid by each participating city from \$5,000 to \$10,000.

Councilmember Bush requests a memorandum of the Town's position of responsibilities for maintenance of the Lid.

It is important to state the Town's position for negotiation purposes.

MOTION: Councilmember Scandella moved to approve the amendment to the WSDOT negotiation ILA increasing the maximum amount of funding required to be paid by each participating city from \$5,000.00 to \$10,000.00. Councilmember Valass seconded the motion.

VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

AB 18-20 Mayor Pro-Tem Appointment

Clerk-Treasurer Warhol explained that according to RCW 35.23.191, the Town Council is to elect from among its members a Mayor Pro Tempore at the first meeting each calendar year. The Mayor Pro Tem holds office at the pleasure of the Council and performs the duties of the Mayor in case of his or her absence. The Mayor Pro Tem presides over Council meetings in the Mayor's absence.

Another State statute, RCW 35.27.160, states that the Mayor Pro Tempore must be chosen by the Council for a specified period of time not to exceed six months.

Councilmember Scandella was unanimously chosen as the Mayor Pro Tempore to serve for the next six months.

AB 18-21 Contribution to the 4th of July Committee

Councilmember Elmore shared that she was a former treasurer for the 4th of July Committee and explained that Yarrow Point and Hunts Point previously had contributed funds to the committee in the 1990s until funding by them was no longer needed.

Council discussed environmental concerns relating to the fireworks display.

Council does not wish to contribute directly to a fireworks display; however, agrees to donate funds to support the Committee for them to use at their privilege.

MOTION: Councilmember Valaas approves *Resolution No. 338* authorizing the Mayor to fund \$5,000.00 to the Points 4th of July Committee. Councilmember Scandella seconded the motion.

VOTE: 5 For, 0 Against, 0 Abstain. Motion carried

MAYOR & COUNCIL REPORTS:

- Councilmember Lagerholm discussed the recent structure fire and suggested to the Mayor to provide a courtesy gesture to the Bellevue Fire Department to show appreciation for their good work in responding to the call.
- Mayor Cahill reported on the status of the speed limit radar sign in the Town.
- Mayor Cahill gave an update on the negotiation process with Clyde Hill on the police services contract renewal. City of Clyde Hill will agree to make passes after construction work hours and inform Town Hall and the Building Official of violators working after construction hours. This method of policing will remove the notification process from residents having to make these types of complaints.

Mayor Cahill also reported the need to change the traffic ordinance to identify construction parking. If the ordinance includes construction parking, Clyde Hill Police can then ticket violators.

Mayor Cahill reported that the Town has requested to partake in the budgeting process by the City of Clyde Hill relating to capital expenses in their Police Department. The Mayor and a Councilmember will attend these meetings.

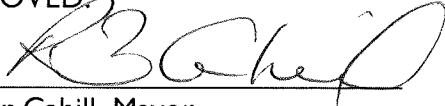
- Councilmember Elmore requested an update on the hiring process of a new Clerk-Treasurer and how the job description reflects what was previously discussed at the Council's retreat. Mayor Cahill reported that there is a leading candidate for the position. Mayor Cahill will email the Council a job description the following morning. Council reminded the Mayor that they are there to help support his efforts in finding a replacement.
- A 6:00 PM earlier start time to Council meetings is suggested by Town staff. Council agreed to meet one hour earlier at 6:00 PM to allow for an earlier to end time.

ADJOURNMENT:

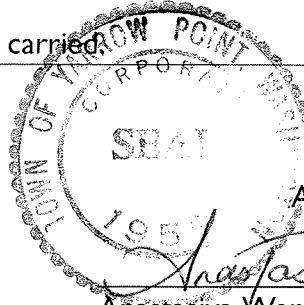
MOTION: Councilmember Bush moved to adjourn the meeting at 10:19 pm. Councilmember Valaas seconded the motion.

VOTE: 5 For, 0 Against, 0 Abstain. Motion carried.

APPROVED:



Dicker Cahill, Mayor



ATTEST:


Anastasiya Warhol, Clerk-Treasurer