TOWN OF YARROW POINT
COUNCIL REGULAR MEETING MINUTES
October 8, 2019
7:00 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 7:00 pm

PRESENT:

Mayor: Dicker Cahill

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

Staff: Austen Wilcox – Deputy Clerk
Stacia Schroeder – Engineer
Emily Miner – Town Deputy Attorney

Guests: Lieutenant Dawn Hanson – Clyde Hill Police Department
Cheryl Pietromonaco – Resident
Jack Gale – Resident
Sergei Dreizin - Resident
Yelena Dreizin – Resident

APPEARANCES:
Cheryl Pietromonaco, resident at 3445 92nd Ave NE requested that emails sent from residents to town staff regarding information relating to cell tower radiation be forwarded directly to the Council. She has concerns about health effects relating to radiation and referenced the MCI ordinance on the agenda.

Sergei Dreizin, resident at 8928 NE 33rd St shared that a rise in crime on 33rd Street has been taking place including car break ins, mail theft and drug paraphernalia. There has also been suspicious activity in the Wetherill Nature Preserve. Mr. Dreizin recommends that the police do frequent walk throughs of the preserve to make their presence known and install cameras. Lieutenant Dawn Hanson responded by stating that the police should be called to report the suspicious activity. Mayor Cahill will follow up with Clyde Hill Police to discuss a plan to increase patrol on NE 33rd St. Councilmember Bush also stated that it is important to call 911 so that the Council can be made aware of the incidents taking place in the monthly police reports they review. Councilmember Lagerholm stated
that there is a lot of technology in cameras and surveillance systems that could be utilized.

1. MINUTES:
   MOTION: Councilmember Lagerholm moved to approve the regular meeting minutes of September 10, 2019 as amended. Councilmember Valaas seconded the motion
   VOTE: 4 For, 0 Against, 0 Abstain. Motion carried.

2. CONSENT CALENDAR:
   Council discussed line items with staff regarding the September Consent Calendar.

   Mayor Cahill noted there was a typo in the agenda bill on the grand total however the correct amount is displayed on the signature approval page of the Consent Calendar.

   Mayor Cahill noted the Town has donated to ARCH a total of $3,000.00 to date including the $1,250.00 payment in the September Council packet.

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

   - Payment Approval Report; September
   - Payroll, Tax, & Benefits Report; September
   - Town Attorney Invoices: August
   - Building Official Invoice; September
   - Town Engineer Invoice; September
   - Town Planner Invoice; September

   MOTION: Councilmember Valaas moved to approve:
   1. The September Consent Calendar as presented including the Payment Approval Report dated 10/2/2019 approving payments as shown totaling $187,476.66 plus payroll, benefits, and tax expenses of $27,315.24 as shown on the attached payroll and benefits reports for a grand total of $214,791.90.
      Councilmember Lagerholm seconded the motion
   VOTE: 4 For, 0 Against, 0 Abstain. Motion carried.

3. STAFF REPORTS:
   A. Police Report:
      - Mail theft. Video footage showed a male on a bicycle.
      - Lieutenant Hanson answered specific patrol and departmental questions from Council.

   B. Town Engineer Report:
      Ms. Schroeder gave an update report on the following projects:
Morningside Park Children’s Play Area
The Morningside Park Children’s Play Area is 99% complete. We are working with Kal (K-A Construction) to lower the bottom of the slide 4” to meet the design slope. There are no remaining change order items and the Town has taken over maintenance activities. The Washington Cities Insurance Authority (WCIA) did a preliminary site visit at the end of September and we will be installing an additional guardrail between the rockery and the slide’s upper stairway in the near future. Outwest Landscape submitted a proposal ($8,613.00) which covers the Revision No. 11 – Planting Plan, but we are recommending the Town moves forward with that work in the Spring 2020.

Councilmember Elmore recommends planting in the fall to take advantage of the rainy season.

2019 NE 42nd Street/ 91st Ave NE Stormwater Upsizing & UGC Project
Our design team is currently working with the City of Bellevue’s engineer to make sure our design is compatible with their water main upgrade design. Gray & Osborne – Roger Kuykendall is leading the design team and Town staff is available to answer any questions or provide additional information as needed. To date, Engineer Schroeder has not received any new project estimates from PSE or Gray & Osborne.

Stormwater Management Plan Update
PACE has completed the survey field work, inventory, and stormwater modeling for this project. They are 85% complete with the draft update and are finding results consistent with the 2008 SWMP. Town Staff met with PACE in mid-September to discuss the proposed recommendations. PACE is updating the Chapter 3 graphics before Town staff provides additional review.

REGULAR BUSINESS:
4. AB 19-21: MCI Franchise Ordinance – second reading

The MCI Metro Franchise Ordinance was presented at the September meeting for the first reading and discussion. It is now being presented for its second reading and adoption.

Deputy Attorney Emily Miner reminded the Council that the Town cannot regulate the incoming of cellular sites based solely off health effects. Ms. Miner recommends that concerned residents should direct their concerns to the federal government. Ms. Miner stated that Ordinance 698 pertains to undergrounding.

Ms. Miner addressed typos since the previous reading in September.
MCI Metro is donating $5,000 to the Town to help with offsetting negotiation costs.

MOTION: Councilmember Bush moved to adopt Ordinance No. 698 with the following change: replacing the references of “city” to “town” to be consistent in franchise area Municipal Corporation; An Ordinance of the Town of Yarrow Point, Washington, Granting to MCI Metro Access Transmission Services Corp. D/B/A Verizon Access Transmission Services and its Affiliates, Successors and Assigns, the Right, Privilege, Authority and Nonexclusive Franchise for Five Years, to Construct, Maintain, Operate, Replace and Repair a Telecommunications Network, in, Across, Over, Along, Under, Through and Below Certain Designated Public Rights-Of-Way of the Town of Yarrow Point, Washington. Councilmember Valaas seconded the motion.
VOTE: 3 For 0 Against. 1 Abstain Motion carried.
Councilmember Lagerholm abstained.

5. AB 19-22: Morningside Park Children’s Play Area Project Acceptance
The Morningside Park Children’s Play Area Project was completed the week of September 30th, 2019. The original lump sum contract ($163,704.06) was accepted by the Town Council in November 2018. Based on my subsequent conversations with K-A General Construction, the scope of work was slightly increased and Change Order No. 2 ($21,340.00) was signed by Mayor Cahill in September 2019.

There were a few minor complications during construction that we will keep in mind for future projects: 1.) All newly proposed projects will require a survey prior to design; 2.) The Town should consider having inspection activities for all construction projects in excess of $100,000 done by a certified inspector versus the Town Engineer; and 3.) Committees formed during schematic design/ preliminary design should include consultation with Town staff as early in the process as possible to determine permitting requirements.

Council discussed the bidding process and requirement to select the lowest bidder for a public project including project monitoring. Mayor Cahill will reach out to other jurisdictions to learn about their procedures.

MOTION: Councilmember Valaas moved to accept the Morningside Park Children’s Play Area Project. Councilmember Elmore seconded the motion.
VOTE: 4 For, 0 Against. Motion carried.

6. AB 19-23: Public Hearing on Levy Increase
The setting of the property tax levy is routine:
- The levy is limited to 1% on existing property plus an amount related to new construction.
- Property tax levies are set by ordinance and filed with the County.
- If the estimated levy request is higher than the finally determined allowable rate the assessor will reduce the levy to the appropriate rate.
Here is the levy limit worksheet as provided by the County:

\[
\begin{align*}
609,794 & \quad \text{Levy based for calculation (2018 levy)} \\
1.01 & \quad \text{x Limit Factor} \\
615,892 & \quad = \text{Levy} \\
11,390,451 & \quad = \text{Total new construction} \\
.43760 & \quad \text{x Last year’s regular levy rate} \\
4,984 & \quad = \text{New construction levy} \\
620,876 & \quad = \text{Total Limit Factor Levy}
\end{align*}
\]

Mayor Cahill opened the public hearing at 8:20 pm, and upon hearing no comments, closed the public hearing at 8:21 p.m.

Councilmember Bush noted that 1% does not keep up with inflation.

Council took a recess at 8:22 pm, and reconvened at 8:25 p.m.

**MOTION:** Councilmember Lagerholm moved to adopt Ordinance No. 700, An Ordinance of the Town of Yarrow Point, Washington Increasing the Town of Yarrow Point’s Regular Levy from the Previous Year, Commencing January 1, 2020 on All Property; and Establishing an Effective Date. Councilmember Elmore seconded the motion.

**VOTE:** 4 For, 0 Against. Motion carried.

**7. AB 19-24: Public Hearing on 2020 Preliminary Budget**

A public hearing is required to give citizens an opportunity to be heard with reference to the 2020 preliminary budget. Discussion and suggestions for amendments to this preliminary budget will also be heard from Council.

Mayor Cahill reviewed funds by line item.

Capital improvement projects were discussed.

Council discussed funding versus financing for an upcoming underground capital improvement project.

Council confirmed that the budget will include maintenance items performed to Town Hall in the 2020 budget to spruce it up.

Council discussed the request for funds from the Park Board. Mayor Cahill noted $25,000 is being budgeted. Mayor Cahill stated that he has been in touch with WSDOT to address safety concerns for pedestrian crossing in the roundabout area that can be included as part of the Park Board’s landscaping improvements to the entry of the Point.

Councilmember Bush stated that he, Mayor Cahill, and Lyman Howard- the City of Clyde Hill Administrator, discussed creating a new path around the Town entry sign and light post to allow a safer route for students to walk. Mayor Cahill responded that he is
working with WSDOT to help support funding. Clyde Hill will be cutting foliage on the south side of NE Points Drive to allow more walking room on the shoulder. Councilmember Bush voiced his concerns about lack of safety in the roundabout for pedestrians.

The path between the roundabout and Wetherill needs to be maintained by the Town. Mayor will allocate funds to be used for maintenance by the Town’s public works department to maintain it.

Councilmember Elmore noted that the old pathway portion along 92nd is not accessible for ADA unlike the newer/concrete paved section. Mayor Cahill responded stating that the pathway is a candidate for a capital improvement project to extend the concrete.

Council discussed budgeting for security cameras.

Mayor Cahill will research security options with Councilmember Lagerholm

Mayor Cahill opened the public hearing at 9:17pm, and upon hearing no comments, closed the public hearing at 9:18 p.m.

The final 2020 budget will be on the November agenda for another hearing, discussion and adoption.

9. MAYOR AND COUNCIL REPORTS:

Councilmember Elmore requested information from the Mayor regarding a charge from the Town’s attorney.

Councilmember Lagerholm requests that council packets be put in a PDF on the website. He also referenced an issue with the elevator on the lid.

Councilmember Bush reminded staff to get ready for winter and make sure supplies are stocked and equipment is at the ready.

10. ADJOURNMENT:
MOTION: Councilmember Bush moved to adjourn the meeting at 9:37 pm. Councilmember Valaas seconded the motion. VOTE: 4 For, 0 Against. Motion carried.

APPROVED:  
Dicker Cahill, Mayor

ATTEST:  
Austen Wilcox, Deputy Clerk