

**TOWN OF YARROW POINT  
COUNCIL REGULAR MEETING MINUTES  
November 12, 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

**Staff:** Bonnier Ritter – Clerk-Treasurer  
Austen Wilcox – Deputy Clerk  
Stacia Schroeder – Engineer  
Mona Green – Planner  
Kate Hambley – Attorney at Ogden Murphy Wallace

**Guests:** Lieutenant Dawn Hanson – Clyde Hill Police Department  
Amy Pellegrini – Planning Commission Chair  
Carl Hellings – Planning Commissioner

**PROCLAMATION OF GRATITUDE TO THE McDONALDS**

Mayor Cahill read a proclamation of gratitude for former residents Dan and Janie McDonald expressing gratitude for the use of their front yard during the annual 4<sup>th</sup> of July community celebrations.

Planning Commission Chair Amy Pellegrini presented the McDonalds with a book containing a collection of pictures and letters of appreciation from the Yarrow Point community.

**APPEARANCES:**

None.

**1. MINUTES:**

**MOTION:** Councilmember Valaas moved to approve the regular meeting minutes of October 8, 2019 as amended. Councilmember Scandella seconded the motion.

**VOTE:** 4 For, 0 Against, 1 Abstain. Motion carried. Councilmember Scandella abstained.

## **2. CONSENT CALENDAR:**

Mayor Cahill addressed questions from Council concerning specific line items on the Consent Calendar.

Mayor Cahill discussed a security camera option by Flock Safety the Town has been researching. Two security cameras could be purchased for the cost of \$4,500.00 and used on a trial basis.

MOTION: Councilmember Bush moved to remove Consent Agenda item “Flock Safety” for the payment amount of \$4,500.00 and placed on the agenda under Regular Business as **AB 19-29 Flock Security Camera Discussion**. Councilmember Valaas seconded the motion.

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

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

MOTION: Councilmember Valaas moved to approve:

1. The October Consent Calendar including the Payment Approval Report dated 11/6/2019 less payment of \$4,500.00 to Flock Safety approving payments totaling \$254,542.92 plus payroll, benefits, and tax expenses of \$27,397.36 as shown on the attached payroll and benefits reports for a grand total of \$281,940.28.

Councilmember Elmore seconded the motion.

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

## **3. STAFF REPORTS:**

### **A. Police Report:**

Lieutenant Hanson reported on a quite month of October police activity.

Lieutenant Hanson addressed questions regarding the October police report.

Lieutenant Hanson and Council discussed reporting measures and types of calls they receive and outlined in the reports.

Mayor Cahill and Councilmember Bush will arrange a time with the CHPD to review their reporting measures and what is available to be included in the monthly police reports.

### **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 the contractor towards project closeout. There are no remaining change order items and the Town has taken over maintenance activities. Outwest Landscape submitted a proposal (\$8,613.00) which covers the Revision No. 11 – Planting Plan and the Town has signed a contract to get this work done in November 2019.

#### 2019 NE 42<sup>nd</sup> Street/ 91<sup>st</sup> Ave NE Stormwater Upsizing & UGC Project

The 2019 NE 42<sup>nd</sup> Street/ 91<sup>st</sup> Ave NE Stormwater Upsizing & UGC Project is underway. A 60% design meeting was held in mid-July. 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. Engineer Schroeder provided an estimated timeline of the project. Mayor Cahill will poll the Council to review the 90% proposal.

Councilmember Valaas referenced an issue with a stormwater drain that exits to the lake at the bottom of NE 42<sup>nd</sup> St that is washing away. Engineer Schroeder stated that the drain can be reconfigured as part of the Upsizing & UGC Project and will have Grey and Osborne to review it.

#### Stormwater Management Plan Update

PACE has completed the 2019 SWMP draft update. Currently Engineer Schroeder is reviewing the document. Engineer Schroeder anticipates having a final plan by the end of 2019.

Councilmember Valaas referenced a sewer cleanout cover that is rising and causing a bump in the road at the entrance to Town on 92<sup>nd</sup>. Engineer Schroeder stated that the Town has been in contact with City of Bellevue and has this on their agenda to repair.

### **C. Town Planner Report:**

#### Tree Code Discussion

The topic continues to generate community interest. A variety of opinions are expressed at from public input at the meetings. The Commission is continuing to work on a draft code. Ms. Green shared aspects of the Planning Commission's review of trees on the draft code.

Ms. Green shared input received from residents.

Discussion will be continued at the next regular Planning Commission meeting. The Planning Commission values the Council's input.

Planning Commissioner Hellings discussed the Planning Commission's review of tree codes of nearby jurisdictions and the consideration of potential aspects within them to be used in a draft code for Yarrow Point including feedback heard from residents. Commissioner Hellings requests the Council to instate a timeline on their tree code discussion.

Council will give the Planning Commission until February 2020 to provide a report and recommendation to Council on their findings.

**REGULAR BUSINESS:**

**4. AB 19-25: 2020 Property Tax Levy**

Clerk Treasurer Ritter explained at the October meeting the Council held a public hearing, and adopted an ordinance setting the 2020 property tax levy, however the King County Department of Assessments contacted her saying that the actual dollar amount of the increase must be stated in the ordinance. Ordinance 701 states the 1% increase equates to \$6,908. The end result is the same, with a levy of \$620,876.

SECTION 1. That an increase in the regular property tax levy (excluding and in addition to the increases resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, or any refunds) is hereby authorized for the 2020 levy in the amount of \$620,876 which is a 1% increase from the previous year (**\$609,794 x 1.01 limit factor = \$615,892**), plus the existing levy on new construction in the amount of \$4,984.

Ordinance 701 states:

SECTION 1. That an increase in the regular property tax levy (excluding and in addition to the increases resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, or any refunds) is hereby authorized for the 2020 levy in the amount of \$620,876 which is a 1% increase from the previous year (**\$609,794 + \$6,098 = \$615,892**), plus the existing levy on new construction in the amount of \$4,984.

This is the only change in the ordinance.

MOTION: Councilmember Bush moved to adopt Ordinance No. 701, 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 Valaas seconded the motion.

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

**5. AB 19-26: Public Hearing on 2020 Final Budget**

A public hearing is required to give citizens an opportunity to be heard with reference to the 2020 final budget. Publication and posting of the public hearing have been done in compliance with state law.

Please note that the only difference in the final budget from the preliminary budget is an additional \$5,000 has been added to the expenditures for Town Hall maintenance.

Mayor Cahill opened the public hearing at 8:12pm

No comment.

Mayor Cahill closed the public hearing at 8:13pm

MOTION: Councilmember Bush moved to Adopt Ordinance No. 702: An Ordinance of the Town of Yarrow Point, Washington adopting the Budget for Fiscal Year 2020 and Setting Forth in Summary Form the Total of Estimated Revenues and Expenditures for Each Separate Fund and the Aggregate Totals for All Such Funds Combined; and Establishing an Effective Date.

Councilmember Lagerholm seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

**6. AB 19-27: Bowman Boundary Line Adjustment No. 73**

Mayor Cahill recused himself from the discussion.

Mayor Pro Tem shared that there was an error found by the Town's attorney in the notice of publication regarding the BLA.

Substitute Attorney Katherine Hambley from Town's attorney firm Ogden Murphy Wallace recommends postponing the vote of the BLA until a revised notice is sent out with following the State RCWs and Town's Municipal Code for posting procedures.

Ms. Hambley read into record the items of materials submitted to the Council for review.

Engineer Schroeder noted that additional property owners will be added to the documents of record.

The Town of Yarrow Point received a boundary line adjustment application from Mr. Bowman concerning his property at 8809 NE 34<sup>th</sup> Street on September 9, 2019. The required pre-application conference was held on September 12, 2019. The required presentation to the Town Planning Commission was held on October 14, 2019. The Planning Commission recommends to Council the approval of BLA No. 73.

Town Engineer shared that the applicant owns two (2) separate, but adjacent parcels at the western end of NE 34<sup>th</sup> Street. In the existing condition Parcel A (28,713sf) is the main property while Parcel B (2,675sf) is an adjacent parcel which is almost entirely covered by utility easements. In the existing configuration, Parcel B does not meet the definition of a "building site" as defined in the YPMC 17.16.050 – Building Site Requirements. By way of this boundary line adjustment application, Mr. Bowman is proposing to create two (2) legal building sites.

Town staff has reviewed the application for conformance with the YPMC Title 16-Subdivisions and Title 17 – Zoning.

**Recommendation:**

Boundary Line Adjustment (BLA) No. 73 meets all the requirements of the YPMC, Titles 16 and 17. Based on all materials submitted, staff recommends approval with the following conditions: Individual utility service stubs including sewer, water, and power for the western lot are installed or otherwise addressed according to YPMC 16.20.090. A new stormwater connection is installed for the eastern lot as shown on the preliminary plat.

Council agreed to hold a special meeting at 3:00pm on Wednesday November 27 for a to vote on the BLA.

Councilmember Bush opened the public comment period at 8:35pm

No comment.

Councilmember Bush closed the public comment at 8:36pm

**7. AB 19-28: Affordable Housing – Local Sales Tax Options**

Mayor Cahill explained the intent is to allow the town to receive the funds from the optional sales tax for affordable and supportive housing and prevent King County from holding it.

MOTION: Councilmember Bush moved to adopt Resolution No. 347: A Resolution of the Town of Yarrow Point Declaring the Intent of the Town Council to Adopt Legislation to Authorize a Sales and Use Tax for Affordable and Supportive Housing in Accordance with Substitute House Bill 1406 (Chapter 338, Law of 2019), and Other Matters Related Thereto. Councilmember Lagerholm seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

**8. AB 19-29: Flock Security Cameras & Consent Calendar Approval Payment**

Mayor Cahill referenced a picture of Flock Safety security cameras that was provided to the Council as a handout.

Councilmember Lagerholm provided examples of incidents occurring on NE 33<sup>rd</sup> St referencing the related concerns shared at the October Council Meeting. Councilmember Lagerholm researched the product along with the Mayor and staff who have been in contact with the company.

Councilmember Bush expressed concerns regarding privacy issues relating to the capturing of license plates, vehicles, and the handling public records requests. Public input would likely and that it is a very vocal issue. There are questions that still need to be asked and an open forum should be offered to the public to get input before making a decision.

Attorney Hambley shared that information gathering would be subject to the Public Records Act.

Council seeks the additional input before making a vote:

- Legal impacts & opinion
- Written plan on how data would be used
- How Clyde Hill Police Department will respond
- Discuss enforcement measures with Clyde Hill Police Department
- Documentation of how data is stored
- Public comment

Mayor Cahill will distribute additional info regarding cameras to the Council prior to the regular December Council meeting.

Councilmember Elmore suggests discussing the issues taking place in and around Wetherill Nature Preserve with the caretaking committee.

## **9. MAYOR AND COUNCIL REPORTS:**

### Mayor

- Mayor Cahill complimented Clerk-Treasurer Ritter on her good work in the finance department.

### Councilmember Bush

- Reminded staff to do a trial run of the snow removal equipment.
- Councilmember Bush noted the work the Public Works Coordinator has been doing on fixing up the trail between the roundabout and Wetherill. Councilmember Bush suggests the possibility of putting in new plantings along pathway.

### Councilmember Valaas

- Councilmember Valaas reminded staff to follow guidelines on posting procedures and making sure there is adequate notice given in the appropriate places.

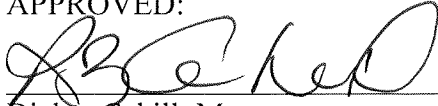
## **10. ADJOURNMENT:**

MOTION: Councilmember Lagerholm moved to adjourn the meeting at 9:41pm.

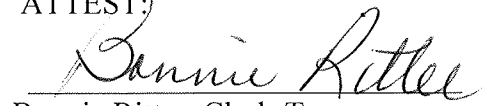
Councilmember Bush seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

APPROVED:

  
Dicker Cahill, Mayor

ATTEST:

  
Bonnie Ritter, Clerk-Treasurer

