

**TOWN OF YARROW POINT
COUNCIL REGULAR MEETING (TELECONFERENCE) MINUTES
September 8, 2020
7:02 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: Bonnie Ritter – Clerk-Treasurer
Austen Wilcox – Deputy Clerk
Stacia Schroeder – Town Engineer
Mona Green – Town Planner

Guests: Scott Missall – Town Attorney
David Bergey – Wetherill Nature Preserve Board Member
John McGlenn – Park Commission Chairman
Brian Chinn – Resident

APPEARANCES:

Town Hall received the following written comments that were distributed to the Mayor and Council:

1. Mary Jane Swindley, resident at 3813 94th Ave NE, comments received on July 28, 2020, requesting Council consideration on parking issues.
2. Jeff Levere, resident at 3838 94th Ave NE, comments received on August 9, 2020, requesting Council consideration on regulations for campfires.

PUBLIC MEETING GUIDELINES

Mayor Cahill presented legalities of how public meetings must be held and what essential business can be discussed during the COVID-19 Pandemic, in accordance with State proclamations and guidelines.

1. CONSENT CALENDAR:

MOTION: Councilmember Valaas moved to approve the Consent Calendar as presented including the Payment Approval Report dated 8/6/2020 approving payments as shown totaling \$41,039.53, plus payroll, benefits, and tax expenses of \$31,147.71 as shown on the attached payroll and benefits reports for a grand total of \$72,187.24. Councilmember Bush seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

MOTION: Councilmember Valaas moved to approve the Consent Calendar as presented including the Payment Approval Report dated 9/3/2020 approving payments as shown totaling \$31,350.73, plus payroll, benefits, and tax expenses of \$31,628.42 as shown on the attached payroll and benefits reports for a grand total of \$62,979.15. Councilmember Elmore seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

2. MINUTES

Minutes of regular meeting July 14, 2020

MOTION: Councilmember Valaas moved to approve the regular meeting minutes of July 14, 2020. Councilmember Bush a seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

3. STAFF REPORTS:

A. Presentation by Wetherill Board Member David Bergey

Mayor Cahill explained that Mr. Bergey was invited to the meeting tonight when security issues in Wetherill Nature Preserve (WNP) were discussed in the July Council meeting. Mr. Bergey stated that he has not witnessed drug activity however has seen afterhours activity and informed kids of the hours (dawn to dusk) and discouraged party activity.

Councilmember Lagerholm shared his experiences finding evidence of drug and other suspicious activity. He noted a new automatic light that comes on in the dark near the entrance from the cul-de-sac. Mr. Bergey suggests installing a kiosk to inform the public of the parks hours and would be a helpful tool to help prevent some of the suspicious and unwanted activity in WNP. Mayor Cahill thanked Mr. Bergey for his great work in WNP.

B. Town Engineer Report

2019 NE 42nd Street / 91st Ave NE Stormwater Upsizing & UGC Project

The City of Bellevue water main project, including all paving and property restoration, is expected to be 100% complete on Friday, September 11th. As-builts will be provided to Town staff for use in the next phase. The Town's civil engineer, Gray and Osborne, completed the final design package (plans and specs) in August for the stormwater upsizing and underground conversion project.

C. Police Report

Mayor Cahill gave a police report on behalf of CHPD noting a break in on NE 33rd St and a car prowl on 94th Ave NE. The Town's Flock license plate reader cameras were used to identify the suspected vehicle. The Mayor has asked CHPD to continue regular patrolling of NE 33rd St and run license plate checks on vehicles parked near the entry of Wetherill Nature Preserve.

D. Planning Commission Tree Code Discussion

Mayor Cahill referenced a resident's comment letter that was submitted to the Planning Commission. The Commission's suggestion is to hold off on further tree code discussions until in-person meetings can take place again due to the controversial nature of the subject. The Mayor asked the Council to share their opinions. The Council would like the Planning Commission to continue their discussion and research, however, not make any judicial decisions at this time. Town Planner Mona Green gave a report of the open tree code related items the Planning Commission has been discussing. The Town Arborist will attend the next virtual Planning Commission meeting to provide feedback.

REGULAR BUSINESS:

4. AB 20-25: Mailbox Pagoda Replacement Project

In accordance to the Town's 2020 Pagoda and Maintenance Plan, Engineer Schroeder has determined the needed replacement for the identified three pagodas: P92-05, P92-06, P92-07.

Councilmember Lagerholm mentioned that the contractor who recently rebuild the pagoda on NE 33rd St needed to borrow water and electricity from a home on NE 33rd to complete the project. Engineer Schroeder stated that she will contact the chosen contractor and let them know that the Town Public Works Department can help supply the water.

MOTION: Councilmember Valaas moved to authorize staff to replace the three identified pagodas. Councilmember Lagerholm a seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

5. AB 20-26: Pro-Vac Annual Stormwater Cleaning and CCTV Work

The Town annually has Pro-Vac do a storm system cleaning and camera inspection.

Mayor and Council discussed estimated cost. Council directed the Town Engineer to monitor the project closely so that it does not exceed anticipated cost and expected period of completion.

MOTION: Councilmember Valaas moved to authorize the Town Engineer to contract with Pro-Vac to perform the storm system cleaning and camera inspection. Councilmember Scandella a seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

6. AB 20-27: 92nd Ave NE Sidewalk Replacement – Phase 2

The 92nd Ave NE Pathway Repair Project consists of removing the existing NaturalPave pathway material to extend the colored concrete sidewalk section installed in 2016. The original scope of work included NE 40th Street to NE 41st Street. Phase 2 includes NE 39th Street to NE 40th Street. Engineer Schroeder noted complaints from residents regarding the condition of the old pathway.

Technical specs, safety, and color were discussed with Engineer Schroeder. She and the Mayor will work with the contractor to address the comments and requests from Council.

MOTION: Councilmember Valaas moved to authorize the Mayor to enter into a contract with Iron Creek Construction to remove the existing NaturalPave pathway and replace it with colored concrete. Councilmember Scandella a seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

7. AB 20-28: Noise Ordinance No. 705

Attorney Scott Missall has drafted a revised Nuisance Control Code to include the addition of watercraft and the enforcement of such nuisance violations relating to noise under TYPMC Chapter 8.04. The Council reviewed a first draft reading at the July Council meeting and offered input to the Town Attorney. This is a second draft reading. Attorney Missall addressed written-in comments and questions from Councilmember Valaas. They discussed the Town's marine patrol provider and the tiers and costs relating to penalties. Other nuisances relating to sound from landscapers and fireworks were considered.

The following amendments were made by the Town's Attorney:

For the record, the changes made in new v.4 (as compared to the prior v.3 in the Council packet) relate only to the new YPMC Chapter 8.06 that is set forth in Section 3 of the Ord., specifically as follows:

8.06.010:

* Begin the first sentence as follows: "The town police department and town marine patrol serve...."

* Begin the third sentence as follows: "The town police chief, marine patrol, and the town enforcement...."

8.06.020:

* Correct the section number to "8.06.020"

* Revise subsection (B)(5) as follows: "The sound from any source, other than a motor vehicle, or watercraft, or commonly-used construction and landscape maintenance tools, operated...."

8.06.030:

* Revise the first sentence of subsection (A) as follows: "... with a penalty of \$100.00 for the first offense, \$200.00 \$300.00 for the second offense, and \$300.00 \$500.00 for the third offense...."

MOTION: Councilmember Valaas moved to adopt Ordinance No. 705 as amended: An Ordinance of the Town of Yarrow Point, Washington Adopting New Chapter 8.06 of the Yarrow Point Municipal Code, Entitled "Public Noise Disturbances", to Establish New Regulations Related to Public Noise Disturbances and Related Matters; Repealing Conflicting Provisions of Yarrow Point Municipal Code Chapter 8.04; Providing for Severability; and Establishing an Effective Date. Councilmember Lagerholm seconded the motion.

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

8. AB 20-29: Parks Commission Request for Funding

The Council read an email from Park Commission Chairman John McGlenn explaining the Park Commission’s requests for funding to be included in the 2021 budget. Mr. McGlenn was on the line to answer questions. He also provided the Council with a memo he wrote to Council addressing recommended improvements on Town property. He discussed anticipated costs for maintaining Morningside Park and the Commission’s discussions around improving a trail system. Mayor Cahill asked Clerk-Treasurer Ritter to report on a King County Parks Levy the Town will be receiving. They discussed projects the Town could use the levy for. The Council discussed making Morningside Park more accessible including the possibility of a boardwalk from Yarrow Bay into Kirkland.

Park Commission Chair McGlenn will prepare a proposal outlining anticipated costs to create a more accessible trail system in Morningside Park. Mayor Cahill stated that he will put placeholders in the 2021 Preliminary Budget that will be discussed in October.

Mayor Cahill thanked Mr. McGlenn for his contributions to the Town for so many years.

9. MAYOR AND COUNCIL REPORTS:

Councilmember Valaas

Councilmember Valaas referenced a tree cut relating to a private construction project that damaged a tree in the Town’s ROW across from Town Hall. He said there was going to be a replacement tree but a new one has not yet been planted. Mayor Cahill responded stating that he will follow up.

Councilmember Scandella

Councilmember Scandella suggests reminding the citizens of Yarrow Point to vote in an upcoming newsletter and where to register.

Councilmember Bush

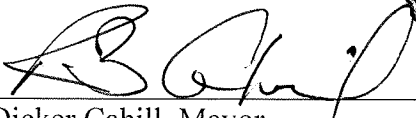
Councilmember Bush suggests notifying Yarrow Point residents when Clyde Hill offers collection days to dispose of bulk items. Clyde Hill will be offering this to Yarrow Point residents next spring and the Town will notify residents when this event draws closer.

10. ADJOURNMENT:

MOTION: Councilmember Bush moved to adjourn the meeting at 9:28 pm. Councilmember Scandella seconded the motion.

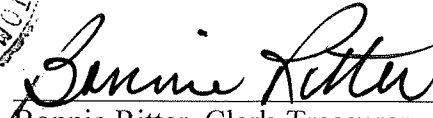
VOTE: 5 For, 0 Against. Motion carried.

APPROVED:


Dicker Cahill, Mayor



ATTEST:


Bonnie Ritter, Clerk-Treasurer