

**TOWN OF YARROW POINT
COUNCIL REGULAR MEETING (TELECONFERENCE) MINUTES
December 8, 2020
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 7:02 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
Scott Missall – Town Attorney
Steve Wilcox – Town Building Official

Guests: Lt. Dawn Hanson – Clyde Hill Police
Lee Nyquist – Goldsmith Engineering

APPEARANCES:

None.

PUBLIC MEETING GUIDELINES

Attorney Missall 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:

Mayor Cahill noted the following large expenditure items included in the November Consent Calendar:

- Holiday light (split) purchase for holiday tree along 92nd Ave NE
- Upcoming request for donation for light purchase after they are professionally strung
- Council requested that future split purchases be annotated.
- EarthCorps expense for invasive clean up in Wetherill Nature Preserve

MOTION: Councilmember Scandella moved to approve the Consent Calendar as presented including the Payment Approval Report dated 12/3/2020 approving payments as shown totaling \$37,142.09, plus payroll, benefits, and tax expenses of \$28,500.02 as shown on the attached payroll and benefits reports for a grand total of \$65,642.11. Councilmember Valaas seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

2. MINUTES

Minutes of regular meeting November 10, 2020.

MOTION: Councilmember Valaas moved to approve the regular meeting minutes of November 10, 2020 as amended. Councilmember Scandella seconded the motion.

VOTE: 4 For, 0 Against, 1 Abstention. Motion carried

Councilmember Elmore abstained as she was not present at the November 10, 2020 regular Council meeting.

STAFF REPORTS:

A. Police Report

Lieutenant Dawn Hanson stated there was no crime during the month of November.

Mayor Cahill noted that an officer from CHPD utilized the Town's Flock license plate reader system to assist with a case investigation.

B. Engineer Report

2022 NE 36th Street Stormwater Project Status Report

The 2020 Town of Yarrow Point Stormwater Management Plan was published last May. In short, the new study incorporated known stormwater pipe alignments and sizes into the latest modeling software to identify and prioritize future capital improvement projects (CIPs) throughout the Town. A stormwater connection from 92nd Ave NE to NE 36th Street was identified as CIP #1. This project would divert flows along 92nd (south of NE 36th St) and Points Drive NE (east of the roundabout) to the storm system in NE 36th Street. As part of this project, several pieces of the NE 36th Street stormwater infrastructure (ie. catch basins, broken pipes, and cross bores) will be addressed. Our current capital improvement plan includes this project as S-2 (\$25,000 for design in 2021), S-3 (\$184,000 for construction in 2022), and T-3 (\$85,000 for full grind and overlay in 2022). There is no power, phone, cable conversion associated with this project. The next step is to obtain a base survey for design. PACE Engineers is the Town's 3-year On-Call Surveyor. Task Order No.2 (\$12,750.00) will provide the base information necessary for design.

Councilmember Scandella raised questions around restoration of landscaping in front of effected residents' homes. Council discussed. Mayor and staff have been communicating project plans to the effected residents. Council requested more opportunities for effected residents to submit feedback on the ROW landscaping restoration.

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

The pre-construction meeting, including town staff, Gray & Osborne, the Contractor, and all utility purveyors, was held on November 5th, 2020, via Microsoft Teams. We are continuing coordination efforts with affected residents in regard to vegetation removal/pruning, private underground conversion work required to meet the new system, and general project status and timing. Notices were sent out to affected residents via USPS on October 29, 2020, and the Town Attorney was consulted on legal questions related to official noticing to meet state guidelines for overhead to underground conversions. A second round of notices will be sent out right after the first of the year. We are still anticipating a Notice to Proceed of January 11th, 2021. The contract allows 135 working days to final completion; meaning the contractor has until July 22nd, 2021, to complete the project if no weather delays are encountered.

C. Planner Report

Town Planner Mona Green gave a report of the November 16 regular Planning Commission meeting. She said they are making great progress and the limitation of one topic per meeting has been efficient. At their November regular meeting, the Planning Commission decided on the following aspects:

- A significant tree is any species that has an 18” diameter measured at 4.5’ above the ground (DBH – “Diameter Breast Height”). This size was agreed upon as it is representative of the initial concern among town residents regarding removal of large trees.
- Mitigation trees would be a 1:1 replacement: The Commission is putting on hold discussion regarding lots that are heavily treed already.
- Mitigation tree size replacement for an Evergreen would be 10’ tall, deciduous 3” caliper.
- Type of tree for mitigation would be type of tree that eventually could grow into a significant size.

At the upcoming December 14 regular Planning Commission meeting, the topic will be limited to how to deal with lots that are heavily treed because some might not need the same level of mitigation as a lot that just has one or two significant trees on it.

REGULAR BUSINESS:

3. AB 20-38: Guilford Investments, LLC – Boundary Line Adjustment No. 20-8209, 8809 NE 34th St.

Town Engineer Stacia Schroeder gave an overview of the BLA proposal for Mr. Guilford who owns two (2) separate, but adjacent parcels at the western end of NE 34th Street. In the existing condition Lot 1 (15,003sf) is the western waterfront parcel while Lot 2 (16,385sf) is the adjacent eastern parcel. A Boundary Line Adjustment involving these same two (2) lots was approved in December 2019. By way of this boundary line adjustment application, Mr. Guilford is proposing to expand the square footage of the waterfront lot to accommodate a new single-family residence.

The Town determined the application to be complete on October 21, 2020. Boundary Line Adjustment #20-8209 is the only project permit included in the application.

The Planning Commission and staff have reviewed the application and determined it is consistent with the Yarrow Point Municipal Code. Staff and the Planning Commission have recommended approval of BLA #20-8209 to the Town Council.

Council discussed.

Mayor Cahill opened the public hearing at 7:34pm and upon hearing no comments closed the public hearing at 7:35pm.

MOTION: Councilmember Valaas moved to approve Guilford Investments, LLC – Boundary Line Adjustment No. 20-8209 at 8809 NE 34th St as presented with the conditions identified in the Town Engineer’s recommendations. Councilmember Bush seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

4. AB 20-39: 2018 Building Code Update

Building Official Steve Wilcox presented on the upcoming 2018 building code update. B codes are intended to protect health and safety of building occupants. The Washington State Building Code (“State Code”) is updated every three-years following an extensive public review process. Following two COVID-19 related delays the 2018 edition of the State Code is scheduled to be implemented by all Washington counties, cities and towns on February 1, 2021. The Town of Yarrow Point should adopt the 2018 State Code at the January 2021 regular Council meeting.

The 2018 State Code replaces the 2015 edition. The State Code generally adopts amended versions of the International Building Code, Washington State Energy Code (WSEC), and many references.

There are hundreds of changes within the State Code, but most significant to Yarrow Point is the Energy Code. The 2018 WSEC significantly increases various envelope and mechanical systems efficiencies within single-family residences. Most effected are new homes of 5,000 sq. ft. and greater. New home construction will face greater costs of materials and increasingly specialized labor to assure construction compliance.

Attorney Scott Missall stated that if the Town does not adopt the 2018 Building Code, the Town will not be in compliance.

The Town Attorney will draft an ordinance for the 2018 code update for review and approval at the January 2021 regular Council meeting.

5. AB 20-40: Right of Way Parking Location Improvements

Mayor Cahill continued the discussion for parking along 94th & 95th which has long been an issue. Mayor Cahill has setup a task force for 2021 hoping to get community involvement to help address it. He has directed CHPD to issue warnings and tickets for vehicles illegally

parked. Town staff has identified ROW areas along 94th and 95th that can be improved for better parking and have contacted several residents to request their permission to remove the lawn in the ROW and replace with gravel. The Public Works Coordinator was directed to trim branches and foliage back in identified ROW areas to maintain these parking locations. The Mayor has allocated \$40k in the ROW budget for this project.

Councilmember Valaas provided written comments and suggestions for a draft ordinance for parking regulations. Council discussed.

Council reviewed a map identifying approved encroachment agreement locations from 2010.

Mayor Cahill noted the importance of increasing pedestrian safety.

The Council discussed a letter submitted by resident Mary Jane Swindley at 3813 94th Ave NE sharing ongoing parking issues on her street and who also offered suggestions for improvements.

The Council further discussed:

- Police enforcement
- Encouraging residents and their guests to park on their private property
- Maintaining character and culture of the town
- Signage
- Permit parking

Mayor Cahill will work with staff to incorporate the comments provided by Council regarding parking issues on 91st Ave NE. Town Engineer Schroeder and Planner Green will review Councilmember Valaas' proposal. Mayor and staff will provide an approach for 91st Ave NE parking for Council to review at the regular January 12 Council meeting.

6. AB 20-41: PACE Chosen to be Yarrow Point 3-year on-call surveyor

Town Engineer Stacia Schroeder shared that Town of Yarrow Point solicited for a 3-year On-call Professional Surveyor in October/ November. Of the 3 firms invited to propose, PACE was the only respondent.

The following three (3) survey task orders are related to projects that are currently on our Capital Improvement Plan.

PACE Task Order No. 1 – NE 37th Street (\$7,500)

Scope: Provide survey base for grind and overlay civil plan set.

TIP: T-1 \$160,000

Year: 2021

PACE Task Order No. 2 – NE 36th Street (\$12,750)

Scope: Provide survey base for stormwater improvements.

CIP: S-2

Year: 2021 Design/ 2022 Construction

PACE Task Order No. 3 – 94th Ave NE (\$19,150)

Scope: Provide survey base for immediate parking improvements as well as future road & storm improvements. It is always beneficial to get base to PSE/ Comcast/ CenturyLink early to get their design process moving. It also may be some benefit in cost sharing this information with City of Bellevue.

CIP: S-4 & U-2

Year: 2023 Design/ 2024 Construction

Council chose to address Task Order 3 in the first quarter of 2021.

MOTION: Councilmember Bush moved to approve Task Order No. 1 PACE Task Order No. 1 – NE 37th Street (\$7,500), and PACE Task Order No. 2 – NE 36th Street (\$12,750.) Councilmember Scandella seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

7. AB 20-42: Pavement Protection Draft Ordinance No. 708

Town Engineer Stacia Schroeder explained that draft Ordinance No. 708 drafted by Town Attorney Missall gives support to the Town’s existing design standard guidelines in a written format. The draft ordinance would establish regulations related to roadway disturbances, pavement preservation and related matters.

Private lanes were discussed and the Town’s jurisdiction to enforce sufficiency to handle emergency vehicles.

Pavement restoration was discussed.

Council tabled the discussion to revise the language to clearly capture the intent of the ordinance. A revised ordinance will be brought back for Council review at their January 12 regular meeting.

8. AB 20-43: Reappointment of two Park Commission Members

The following Park Commission Member terms are up for reappointment for three-year terms:

1. Doug Waddell
2. Krista Fleming

MOTION: Councilmember Bush moved to confirm the reappointments of Doug Waddell and Krista Fleming for three-year terms on the Park Commission. Councilmember Elmore seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

9. AB 20-44: Appointment of Mayor Pro Tem

According to RCW 35.27.160, the Mayor shall preside over all meetings of the Council at which he or she is present. A Mayor Pro Tem may be chosen by the Council for a specified period of time, not to exceed six months, to act as the Mayor in the absence of the Mayor.

MOTION: Councilmember Bush moved to appoint Councilmember Scandella to serve as the Mayor Pro Tem for the next six months – January 1, 2021 through June 30, 2021.

Councilmember Elmore seconded the motion.

VOTE: 5 For, 0 Against. Motion carried.

10. MAYOR AND COUNCIL REPORTS:

Mayor:

- Scheduled to have Town Hall painted spring of 2021. Public Works Department is cleaning up and organizing exterior perimeter of Town Hall in preparation.

Councilmember Valaas:

- Suggests having a garage and shed for storing materials for public works department as a Capital Improvement Project.
- Commented that the new plantings at the town entry look great and that future watering measures will need to be considered so the plants will grow. Mayor Cahill responded stated that he will be looking into nearby sprinkler heads in the area that could possibly be utilized for irrigation.

Councilmember Bush:

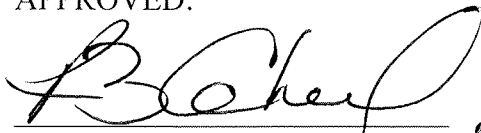
- Requested to have the Deputy Clerk email him to follow up regarding the Town's backup and retention policy.
- Recommends considering what the cost would be to have a public restroom and water fountain for the playground.
- Recommends reconsidering the policy for light pole spacing. There are more people walking at night. It is dark specifically on the Yarrow Point side of Points Drive and the connection between Kirkland through NE Points Drive to the roundabout. Mayor and staff will look into additional lighting in these areas.

11. ADJOURNMENT:

MOTION: Councilmember Bush moved to adjourn the meeting at 9:16pm. Councilmember Valaas seconded the motion.

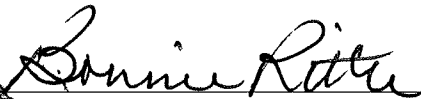
VOTE: 5 For, 0 Against. Motion carried.

APPROVED:



Dicker Cahill, Mayor

ATTEST:



Bonnie Ritter, Clerk-Treasurer

