

**TOWN OF YARROW POINT  
COUNCIL MEETING MINUTES  
July 14, 2009  
7:00 PM**

The following is a summary of the proceedings and is not a verbatim transcript. The meeting is recorded, and the audio files are public record.

**CALL TO ORDER:**

Mayor David Cooper called the meeting to order at 7:03 p.m.

**MEMBERS PRESENT:**

**Mayor:** David Cooper

**Mayor Pro-Tem:** Lisa Mushel

**Council Members:** John DesCamp  
Steve Rutledge  
Carl Scandella  
Andy Valaas

**Staff:** Lt. Kyle Kolling – Clyde Hill Police  
Emily Hudson – Interim Clerk-Treasurer  
Mona Green – Town Planner  
Wayne Stewart – Town Attorney  
John Joplin – Fiscal Coordinator

**Guests:** Gary Anderson – 9520 NE 42nd Pl., Yarrow Point  
Gary Sergeant – 4711 91<sup>st</sup> Ave. NE, Yarrow Point

**APPEARANCES:**

None.

**MINUTES:**

**MOTION:** Councilmember Andy Valaas motioned to approve the minutes of the regular Town Council Meeting June 9, 2009, as presented. Councilmember Lisa Mushel seconded the motion. Councilmembers John DesCamp and Steven Rutledge abstained.

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

## **CONSENT CALENDAR:**

Councilmember Lisa Mushel asked why two invoices from Hale Computers were for differing amounts. Fiscal Coordinator John Joplin responded that Hale is working on a contract basis, but one of the invoices included a quarterly Web site hosting charge.

Mrs. Mushel asked if a payment to Northwest Asphalt was for repair related to construction. Town Engineer Stacia Schroeder responded that the company repaired pot holes around a cul-de-sac in conjunction with work performed by the City of Bellevue.

Councilmember Scandella questioned a payment to Eric Lang for a storm drain. Mayor Cooper and the Council reminded Mr. Scandella of a previous agreement with the property owner. This portion of storm drain was to be replaced as part of Capital Improvement Project No. 3, but Mr. Lang needed to perform the work at this time as part of a private development project, so the Town agreed to pay for a portion of the pipe.

**MOTION:** Councilmember Andy Valaas motioned to approve the consent calendar as presented including the Warrant Register dated July 14, 2009, for Warrant No. 16550 through 16603, excluding warrants 16596 through 16600, totaling \$184,387.30. Councilmember Lisa Mushel seconded the motion.

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

## **STAFF REPORTS:**

***Kyle Kolling, Clyde Hill Police*** – Lt. Kolling reported that there was no property crime in Yarrow Point last month, but some criminal traffic was experienced. The police department has moved to a new dispatch center technology, he reported. No problems that affected citizens were experienced during the transition. Eventually all cities located on the eastside of Seattle will use the Norcom system. The dispatch center is located at Bellevue City Hall, he said.

Mayor Cooper said some people have asked which dispatch center would receive a call placed on the water. Lt. Kolling responded that it depends on which cell tower the call hits. If the tower is located next to a freeway, the call would go to the State Patrol. A Seattle tower could possibly pick up the call if it is placed on Lake Washington.

Councilmember Valaas noted that there was one non-traffic disturbance in June, according to the police report. This was a domestic disturbance between a couple that had been separated, Lt. Kolling said. Councilmember Rutledge asked which authority he would contact if he witnessed someone cleaning out paint cans into a catch basin. Town Attorney Wayne Stewart stated that the police can be contacted, and the police officer can fill out a report and forward it to the appropriate agency.

***Stacia Schroeder, Town Engineer*** – Mrs. Schroeder reported that staff has been working on developing a site development permit. Regulations regarding site development are already in the Town Code, but the process would be simplified if the regulations were separated. Mayor Cooper added that a site development permit would capture projects that alter a piece of property considerably but do not require a building permit.

Councilmember DesCamp noted that a site development permit would be useful in instances where a site is prepared for a building project, but the project does not move forward for a long period of time. One important purpose of creating a site development permit is to provide a mechanism for collecting fees related to site review costs.

***John Joplin, Town Fiscal Coordinator*** – Mr. Joplin reported that he and other members of staff have been conducting a cost-benefit analysis on the purchase of new accounting and building permitting software. He said he has visited the Lake Stephens Sewer District to see the Caselle software being used, and the software exceeded his expectations. Mr. Joplin said the Town’s current financial software is adequate, but having a system that can be integrated with a building permit program would be a valuable tool. He will visit Canon Beach, Oregon, to view an integrated Caselle and Permit N Force system.

At next month’s Council meeting, he said he will be ready to present the results of his analysis. Mr. Joplin said he thinks he will be able to show a very positive benefit. Councilmember Valaas said he did not request a cost-benefit analysis, but simply wanted a clearer understanding of the total cost. The cost has decreased since the last meeting, Mr. Joplin reported. Without the payroll module, Caselle’s estimate was \$8,000, and the permitting program is \$7,500. Putting together the cost-benefit analysis has been a useful exercise.

**REGULAR BUSINESS:**

***AB 09-037 – Update of Shoreline Master Program – Scope of Work and Grant Agreement with the Department of Ecology***

Town Planner Mona Green addressed the Council concerning the required update of the Shoreline Management Master Program. The State Department of Ecology has awarded the Town \$50,000 to update its plan. Twenty-thousand dollars is provided the first and second years, and funding for the third year is undetermined, she said. A scope of work and grant agreement was presented to the Council for consideration. Much of this scope of work was determined by the state.

Mr. Scandella commented that it appears a consultant will perform most of the work. In the first year, a consultant will be needed to identify the shoreline jurisdiction. This work should not be difficult because there is only one major body of water in Yarrow Point. Some of the work was already performed by Geographics Northwest as part of a GIS mapping project. A biological assessment will be needed. Mrs. Green said next month she will introduce a company that has done a great deal of work on Lake Washington, and has performed biological assessments for area municipalities.

Mrs. Green reported that the Town’s planning commission will prepare a public participation plan. Councilmember Mushel asked how much information is contained in the previous Shoreline Management Master Program that can be used for the update, and Mrs. Green responded that the last plan was adopted in 1971 and is completely obsolete. Yarrow Point’s update should go smoothly, Mrs. Green said. There is not a great deal of undeveloped land, and in general regulations have been protective of the environment.

Councilmember Scandella asked Mrs. Green to explain the main elements of the program update. She responded that the existing shoreline conditions will be analyzed, and a new set of regulations that are aligned with other state and federal regulations, and that are designed to protect the lake will be developed based on best available science. Public involvement and transparency will be important. A schedule is contained in the proposed scope of work, Mrs. Green said.

Councilmember DesCamp noted that the update is required, and Mayor Cooper said that the funding for the requirement is appreciated. Planning commissioners will prepare a recommendation for the Council to review, and the Council will be able to hold additional hearings or whatever is needed at that point, Mr. Stewart said. Councilmember Valaas asked if the Town will be able to do the update with the \$50,000 grant only. Mrs. Green responded that it probably will not have to spend a substantial amount of additional funds. She said she will work to do the update as inexpensively as possible.

Councilmember Scandella asked if as part of the update, some projects that could be funded by outside agencies could be identified. Mrs. Green said this is a good idea.

MOTION: Councilmember John DesCamp motioned to authorize the Mayor to sign the scope of work and grant agreement with the Department of Ecology for the update of the Town's Shoreline Management Master Program. Councilmember Lisa Mushel seconded the motion.

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

#### ***AB 09-038 – Presentation of Bid for Proposed Sport Court***

Town Engineer Stacia Schroeder addressed the Council concerning the sport court project. In mid-May, bids were solicited from ten different companies for the sport court, and no responses were received. Requests were sent out again, and one company, L.W. Sundstrom, submitted a bid. Sundstrom's bid was 30 percent more than the engineer's estimate for the sport court. Mrs. Schroeder recommended rejecting the bid and soliciting bids from a greater number of companies. More companies may respond if the bid documents are provided free of charge.

Mr. DesCamp noted that the total budget for the project is \$50,000, and the Town would be well over-budget. Utility undergrounding, the next agenda item, is also an important priority, Mr. Valaas stated. Every time bid solicitations are resubmitted, it costs the Town money, Mayor Cooper said. One possible alternative is to rough in the site for the sport court this year without building the court, Mrs. Schroeder said. Councilmember Mushel agreed that preparing the site would help with envisioning what the project will look like. Mrs. Schroeder added that picnic tables could be put in the area. Some trees may need to be removed.

Councilmember Valaas stated that in general, he is in favor of the sport court, but the expense of ADA accessibility is a major concern. The least expensive option requires an easement agreement with an adjacent property owner that is not currently present. Other accessibility options detract from the appearance of the area. Mr. Valaas said he would want to have the easement agreement in place before proceeding with the project. The

Council agreed that the least expensive ADA option is the only feasible way. This agreement needs to be in place before proceeding.

MOTION: Councilmember Lisa Mushel motioned to reject the bid from L.W. Sundstrom for the sport court project and re-bid the project. Councilmember Carl Scandella seconded the motion.

MOTION: Councilmember Andy Valaas motioned to amend the previous motion so that the aspect of rebidding is removed. The motion should state only that the bid is rejected. Councilmember Steven Rutledge seconded the motion.

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

***AB 09-039 – Estimate for Undergrounding of Utility Lines – Addition to Capital Improvement Project No. 3***

Mayor Cooper noted that a number of citizens have expressed support for the undergrounding of utility lines at NE 47<sup>th</sup> Street. Town Engineer Schroeder reported that the Town is considering the addition of this work to Capital Improvement Project No. 3 (CIP#3) because the price estimate for CIP#3 is 15 to 20 percent below the engineer's estimate.

After extensive negotiations with Puget Sound Energy, Qwest, Comcast and other companies, the entire undergrounding project is estimated at \$80,300. This brings the cost of CIP#3 to \$233,000. The total CIP#3 budget is \$296,000, which means there would now be a ten percent contingency. If the neighborhood will be disrupted for the storm water improvement project, it makes sense to do the undergrounding now and avoid further disruption in the future, Mrs. Schroeder said. Staff is recommending that the Town move forward with undergrounding.

Councilmember Scandella said that at the previous Council meeting, timing was a concern. Mrs. Schroeder said that timing is still a concern, but that it appears the companies involved are motivated to proceed. The Town will save about 20 percent of the project cost by doing the undergrounding work now. The abandoned storm water line trench will be used for the utility lines.

Streetlights are a major expense, Mrs. Schroeder said. For the labor, materials and installation, the streetlights are estimated at \$7,000 each. The new streetlights would match those installed on 92<sup>nd</sup> Avenue. Aluminum could be used instead of galvanized steel.

Councilmember Mushel noted that some property owners would have to pay a service conversion fee. Councilmember Valaas stated that the last time utilities were undergrounded, property owners were more than willing to pay the fee. Mrs. Schroeder said she thinks only one property owner would have to pay.

Mrs. Mushel said that the conversion increases property values, and asked why the Town is not seeking a contribution from the property owners for the project. In the past, the Town has attempted to pass a bond issue to underground all utility lines, but it did not

pass, Councilmember Valaas said. The Town decided it would pay for the work on public streets. Mr. DesCamp said the project will be popular with the public. Performing the work in conjunction with the storm water improvement makes sense.

MOTION: Councilmember John DesCamp motioned to authorize Town staff to proceed with undergrounding utility lines on NE 47<sup>th</sup> Street. Councilmember Andy Valaas seconded the motion.

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

**COUNCIL DISCUSSION:**

Mayor Cooper reported that he has applied for an EPA grant to fund a solar energy project that would provide energy to town halls in Yarrow Point and Hunts Point. The panels could be located at the park in Hunts Point. Hunts Point is proposing to put a cover on the tennis court, and the panels could be located on top of the cover.

Councilmember DesCamp asked Mayor Cooper if Yarrow Point residents could be given access to the Hunts Point tennis court. The two towns cooperate in other ways. Mayor Cooper said he would negotiate with the Hunts Point Mayor.

Mr. Valaas noted that the Town owns a strip of land from here to Points Drive. This was a buffer strip purchased at the time the Town was incorporated. It might be useful to obtain a survey to refresh the Town's ownership of the land before other property owners encroach on it. It might be possible to use the strip for a pathway, Councilmember Mushel said. Mayor Cooper said the Town would perform some research.

**ADJOURNMENT:**

MOTION: Councilmember Andy Valaas motioned to adjourn at 8:47 p.m. Councilmember Lisa Mushel seconded the motion.

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

APPROVED:

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David Cooper, Mayor

ATTEST:

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Sara McMillon, Clerk-Treasurer