

**TOWN OF YARROW POINT  
COUNCIL MEETING MINUTES  
June 9, 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 7:08 p.m.

**MEMBERS PRESENT:**

**Mayor:** David Cooper

**Mayor Pro-Tem:** Lisa Mushel

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

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

**Guests:** Carolyn Whittlesey – 9240 NE 37<sup>th</sup> Pl., Yarrow Point

**APPEARANCES:**

None.

**MINUTES:**

**MOTION:** Councilmember Andy Valaas motioned to approve the minutes of the regular Town Council Meeting May 12, 2009, as presented. Councilmember Carl Scandella seconded the motion.

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

## **CONSENT CALENDAR:**

Councilmember Valaas asked what work Econovac did for the Town, and Town Engineer Schroeder responded that the company performed emergency root removal and cleaning for an 18-inch culvert. Mr. Valaas also asked what a payment was to Chad Armour. Mrs. Schroeder said this was for an environmental evaluation required for the Town's JARPA permit.

Councilmember Scandella asked about two bills for jailing services. Lt. Kolling reported that the Town was not being billed for jail services as it should have been, and will begin seeing these charges. Additionally, the City of Clyde Hill will back bill Yarrow Point for the past two years. Attorney Wayne Stewart said he has reviewed the bill for the past two years, and in his opinion it is valid. Fiscal Coordinator Joplin stated that the bill will be reviewed by the Council at the next meeting.

MOTION: Councilmember Andy Valaas motioned to approve the consent calendar as presented including the Warrant Register dated June 4, 2009, for Warrant No. 16512 through 16549 totaling \$62,031.14. Councilmember Lisa Mushel seconded the motion.

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

## **STAFF REPORTS:**

***Kyle Kolling, Clyde Hill Police*** – Lt. Kolling reported that the document shredding event held at the Yarrow Point kiss and ride recently was a success. He said he hopes it becomes an annual event. Clyde Hill Police are ready for the Yarrow Point Fourth of July Celebration.

Mayor Cooper reported that the Town's burglar alarm will now be a silent system. The system is monitored by Island Security, so the loud alarm is not necessary. Police prefer a silent system so that the suspect is not alerted and can be apprehended.

***Stacia Schroeder, Town Engineer*** – Mrs. Schroeder reported that the pathway on 92<sup>nd</sup> Avenue has been restored using original material. The pathway section was patched incorrectly as part of the work required when a damaged electrical cable was replaced. The color of the new section seems different than the existing pathway, but should darken with time.

Councilmember Scandella noted that he and Mrs. Schroeder recently attended an open house at Mukilteo City Hall. The new City Hall has a number of green features, such as a geothermal heating and cooling system. Mrs. Schroeder said the new City Hall houses a fully functional emergency management center.

***Sara McMillon, Town Clerk*** – Ms. McMillon reported that the Town has hired two summer interns. Tyler Stanaway will be assisting Istvan primarily, and Emily Hudson will work within Town Hall with the clerk and fiscal coordinator.

**REGULAR BUSINESS:**

***AB 09-031 – Public Hearing: Application for Shoreline Substantial Development Permit – 4615 92<sup>nd</sup> Ave. NE – Porter Residence***

Town Planner Green reported that the Council reviewed the details of the application at last month's meeting and approved the permit, but a public hearing was not advertised or held as required. The hearing was properly advertised for this meeting.

Mayor Cooper opened the public hearing on the Porter application at 7:27 p.m. No one from the public addressed the Council, and the hearing was closed at 7:27 p.m.

MOTION: Councilmember Lisa Mushel motioned to approve Shoreline Substantial Development Case No. 202, incorporating all mitigations of the SEPA determination and any requirements of the State Department of Fish and Wildlife and the U.S. Army Corps of Engineers. Councilmember Andy Valaas seconded the motion.

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

***AB 09-032 – Discussion of Bids for Proposed Sport Court***

Town Engineer Schroeder addressed the Council concerning the sport court project. Discussion of the sport court began in fall of 2008, and the Council reserved \$50,000 in the budget for the project. In the spring of 2009, a bid package was put together. The project documents were made available to 10 firms, but no bids were submitted.

Due to the lack of response, the deadline for submitting bids was extended, and the project documents were sent to 50 firms, Mrs. Schroeder reported. Three companies have ordered plans, and two have expressed a strong interest.

To date, the Town has spent about \$15,000 on sport court design and project management. Mrs. Schroeder estimated that the sport court itself will cost about \$85,000, and the access options will probably cost \$15,000 to \$40,000. No Council action is required at this meeting, she said. Councilmember Scandella asked why the estimated cost has increased. Mrs. Schroeder said JGM Landscape Architects previously did not account for all elements.

Some companies have stated that the bid package is complex due to the number of different options, Mrs. Schroeder said. The new deadline for submitting bids is Wednesday, June 17.

***AB 09-033 – Presentation of Bid Results – Capital Improvement Project No. 3 – Authorization to Award Contract***

Town Engineer Schroeder provided the Council with a brief presentation. In January of 2008, the Town completed a comprehensive storm water plan. Each capital improvement identified involved increasing the size of storm water transmission lines to meet current

and future demand. The most critical project is CIP No. 3. Improvements made as a part of this project will keep the Road End Beach from periodically washing out.

The project was designed and bid in August 2008, but was postponed until mid September of this year, Mrs. Schroeder continued. As the result of the discussion at a March Council meeting, a second alternative was created and bid. The second alternative avoids mature vegetation near the Heller property. Previous litigation exists pertaining to right of way use in the area, she noted. The findings in the case are somewhat ambiguous, and Town staff members are confident that the Town can use its right of way as it is needed for storm water drainage.

Attorney Stewart explained that the findings of fact and conclusions of law state that the Town can use the right of way for public purposes, but also state that the property owner is entitled to existing landscaping. Councilmember Valaas said the decision should be independent from the previous lawsuit.

Town Engineer Schroeder continued that the Town has identified Tiger Excavation as the low bidder for the project. She said she has checked the company's references and examined past jobs, and has found no areas of concern. Tiger's bid for the irrigation pump was \$10,000 lower than the engineer's estimate, but Mrs. Schroeder said she will make sure that the Town will be getting what it needs in this area. Tiger bid both alternatives. The alternative is \$8,000 more than the original plan, she said. Mr. Heller has agreed to pay half of the cost increase.

Councilmember Valaas said he wanted to know if the burial of overhead utility lines could be made a part of CIP No. 3. Mrs. Schroeder said she wanted to keep the two discussions separate. Burial of utility lines could be an option because the bid for CIP No. 3 was well below the engineer's estimate, Mayor Cooper said. At this point, the Town has some idea of how much cost the utility undergrounding would add, but the full cost is still unknown.

Mr. Scandella said that because the street will be excavated for CIP No. 3, it would seem to be the right time to bury the utility lines. This is logical, Mrs. Schroeder said, but the utility lines will not go in the same trench as the storm water transmission lines. Proceeding with utility under-grounding now would seem to make sense financially, but the Town may not have sufficient funds. Preparations for utility under-grounding could delay the storm water project.

Mr. Valaas said he was skeptical that the Town would be able to proceed with under-grounding by September. He said he would need to see a demonstrable cost savings. Due to the nationwide economy, companies are pushing projects forward as quickly as possible, so it might be feasible to proceed, Mrs. Schroeder said. Funds could be used for constructing the sport court, or another project.

Councilmember Mushel asked why the Town is not pursuing the original alternative. Mrs. Schroeder responded that the landscaping has some historical significance. Mayor Cooper added that there may be other things located in the right of way that the Town would have to avoid.

Mrs. Mushel asked if there is any way that the Town could reconnect the fountain as part of the project. This is more complicated than it seems, Mrs. Schroeder said. She said she could look into the logistics. The Council discussed different ways that the Town fountain could be configured. Staff was directed to explore the possibility.

In response to a question from Mrs. Mushel, Mrs. Schroeder said that the discrepancy in Tiger's bid for the irrigation pump does not preclude the company from being the low bidder.

MOTION: Councilmember Andy Valaas motioned to authorize the Mayor to enter into a contract with Tiger Excavation to perform work for CIP No. 3 using alternative two. Councilmember Carl Scandella seconded the motion.

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

***AB 09-034 – Presentation of Bid Results – Catch Basin Cleaning – Authorization to Award Contract***

The Town is required to clean and maintain its storm water system regularly, Mrs. Schroeder reported. Catch basins have not been cleaned since the spring of 2006, and the system is full.

Four companies responded to a request for bids with prices ranging between 4,600 and 8,600. The low bidder was Econovac, which is the company that the Town has used for catch basin cleaning in the past. In some areas, Econovac may have to remove roots and unclog pipes. Other unique situations may be encountered. In 2006, the final cost ended up being \$10,000.

Councilmember Mushel asked where in the budget the money will come from. Fiscal Coordinator Joplin responded that the Town budgeted \$2,000 for catch basin cleaning, and has already spent its budget for this year. Town Engineer Schroeder said that some sumps are very full. It is evident that the catch basins have not been cleaned for a long time and that it is critical the work be performed. Without cleaning the catch basins, the Town runs the risk of depositing sediment in the lake and being out of compliance with state regulations. The utility under-grounding or sport court projects could be deferred.

Councilmember Valaas said he thinks the Town should proceed with catch basin cleaning. This work appears to be necessary. Mr. Joplin said the Town has about \$15,000 budgeted for street related items for the rest of the year. The Council discussed an area of the storm water system that is periodically clogged by roots from a willow tree.

MOTION: Councilmember Andy Valaas motioned to authorize the Mayor to enter into a contract with Econovac to perform catch basin cleaning. Councilmember Carl Scandella seconded the motion.

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

***AB 09-035 – Proposal for Integrated Municipal Finance Software System – Authorization to Award Contract***

Town Clerk McMillon said the Town has struggled to correct issues with tying revenue and expenses to development projects, invoicing applicants for additional expenses, refunding deposits and tracking the status of building permits using current resources, but has only made some minor improvements. The overall system is still ineffective and inefficient. An integrated accounting and permitting program would greatly improve on development services cost recovery.

Additionally Caselle would provide the Council with more useful and illustrative reports for decision making. Ms. McMillon said everyone on staff would have access to information and would know how to use the system. Fiscal Coordinator Joplin stated that all the information is there, but the Town needs a process for bringing it all together. Staff has been unable to do it effectively.

Mr. Joplin said one issue is that the Town has about \$70,000 in deposits and is unable to tell what is current and what is delinquent. A new system that alerts staff when deposits should be refunded is needed. The payroll module may not be needed, which could result in a lower estimate, he said. Mayor Cooper added that the Town would be saving some money by not using its current LGM software.

In response to a question from the Council, Mr. Joplin stated that he is unsure if the new program would help streamline the auditing process. The primary reason for purchasing new software is the integration of the building permitting program with the financial program. Generating reports is difficult with the current accounting software, he said.

Councilmember Mushel asked why the Town couldn't use a program like Quickbooks or Peach Tree to do its accounting, and Mr. Joplin responded that the Town would not have the integration with the permitting program that is needed to solve problems. Town Engineer Schroeder added that there is a cost recovery associated with the new software. Mayor Cooper said the Town has over 100 open permits. New permitting software would assist with tracking the status of permits. Mrs. Schroeder said the refunding of deposits is a critical issue.

Councilmember Valaas asked if the purchase of new software is in the Town's budget, and Mr. Joplin responded that it isn't. Mr. Valaas said the Town needs tools to run efficiently, but asked where in the budget the funds would come from. Mayor Cooper said the money could come from nonessential projects that the Town does not proceed with. Mr. Valaas stated that he needed to see the supporting numbers, and requested a cost-benefit analysis. He said he would also like to see if the Town could negotiate a lower price without the payroll option.

Mr. Joplin agreed that he could provide cost-benefit and return on investment data. Councilmember Valaas said he wanted a clear understanding of the total cost, including the cost of training. He said it seems important that the Council move forward during this budget cycle. The Council discussed the possibility of delaying the purchase until the next budget cycle. Mayor Cooper said the new software could assist in preparing the upcoming budget.

***AB 09-036 – Public Hearing on Transportation Improvement Plan – Review of Ordinance No. 604***

Town Engineer Stacia Schroeder provided a presentation on the proposed six-year Transportation Improvement Plan (TIP). This plan is required by the State of Washington and is filed with the state department of transportation. The TIP includes a prioritized list of asphalt overlays. Funding may be available for the overlays on 92<sup>nd</sup> Avenue.

In response to a question from the Council, Mrs. Schroeder said the concrete under 92<sup>nd</sup> Avenue is six to eight inches thick. The base is sound, but pavement grinding and an overlay are needed as part of regular maintenance. It has been a long time since the Town has been able to move forward with TIP projects, Mrs. Schroeder stated.

Mayor Cooper opened the public hearing on Ordinance No. 604 at 9:23 p.m. No one from the public addressed the Council, and the public hearing was closed at 9:23 p.m.

MOTION: Councilmember Andy Valaas motioned to approve Ordinance No. 604 and the Transportation Improvement Program for 2010-2015 as presented. Councilmember Carl Scandella seconded the motion.

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

**ADJOURNMENT:**

MOTION: Councilmember Andy Valaas motioned to adjourn at 9:34 p.m. Councilmember Lisa Mushel seconded the motion.

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

APPROVED:

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David Cooper, Mayor

ATTEST:

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Sara McMillon, Clerk-Treasurer